

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5719 - SPECIAL USE PERMIT RELATED TO GPA-5714 AND ZON-5716 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT COMPANY - OWNER: JOHN LEE AND ONG PARTNERS, L.L.C. - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) AND FOR A PROPOSED AUTO DEALER INVENTORY STORAGE USE adjacent to the northwest corner of Sahara Avenue and Pioneer Way (APN 163-03-402-017), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office) and U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – DENIED – Motion carried with GOYNES and TRUESDELL voting NO

To be heard by City Council 2/16/2005

MINUTES:

See Item 38 [GPA-5714] for related discussion on Item 38 [GPA-5714], Item 39 [ZON-5176], Item 40 [SUP-5719] and Item 41 [SDR-5717].

(7:30 – 8:12)

1-3535



C-2 (GENERAL COMMERCIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5719 - APPLICANT: FLETCHER JONES MANAGEMENT
COMPANY - OWNER: JOHN LEE

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Motor Vehicle Sales (Used) 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. 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.
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 a Special Use Permit for Motor Vehicle Sales (Used) and for an Auto Dealer Inventory Storage use on 4.86 acres adjacent to the northwest corner of Sahara Avenue and Pioneer Way. Approval of this request will allow the applicant to operate a used car lot and store vehicles in conjunction with a proposed auto dealership on the subject site.

Related requests to change the General Plan land use designation (GPA-5714) of the southern portion of the property from SC (Service Commercial) to GC (General Commercial), to change the zoning to C-2 (General Commercial) and P-R (Professional Offices and Parking), and a Site Development Plan Review for the auto dealership (SDR-5717) will also be reviewed concurrently.

B) Applicant's Justification

The applicant indicates this request is justified because the proposed plans for this location fit within the current development of the area.

BACKGROUND INFORMATION

03/19/86 The City Council approved a request (A-0009-85) to annex approximately 1,509 acres of land, including the subject site.

04/11/96 The Planning Commission accepted a request to withdraw without prejudice a request (GPA-0059-95) to amend the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to Service Commercial. Staff had recommended approval.

05/05/04 The City Council approved the following: a Request to Amend a portion of the Southwest Sector Plan of the General Plan (GPA-3985) from R (Rural Density Residential) to O (Office) for the northern portion of the subject site. The Planning Commission (7-0 vote) and staff recommended approval; a Request for a Rezoning (ZON-3987) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to O (Office) and from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial). The Planning Commission (7-0 vote) and staff recommended approval; and a request for a Site Development Plan Review (SDR-3988) and a Waiver of foundation landscaping standards for a proposed 42,400 square-foot office building and 12,800 square-foot retail building on the subject site. The Planning Commission (7-0 vote) and staff recommended approval.

B) Neighborhood Meetings

On December 14, a neighborhood meeting sponsored by the applicant was held at the West Sahara Library at 7604 West Sahara Avenue. Ten people attended and had the following comments:

- Don't want another car dealership along Sahara.
- Test drives being taken along Via Olivero Avenue increased the dangers for neighborhood children.
- Concerned about employees who park along Via Olivero Avenue
- Concerned about off-site parking of customers along Via Olivero Avenue
- Concerned about parking lot lighting and other light pollution generated by the dealership
- Wanted the dealership to prohibit their employees from taking smoke breaks outside designated areas
- Worried about traffic exiting the dealership and making right turns at shift's end.

The majority of the neighbors in attendance were opposed to the project, and the applicant stated that they would be willing to work with the neighbors to address their concerns.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.89
Net Acres: 4.54

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings (across Via Olivero Avenue)
South: Clark County
East: Offices and Financial Uses
West: Offices and Financial Uses

C) Planned Land Use

Subject Property: R (Rural Density Residential) and SC (Service Commercial)
North: DR (Desert Rural Density Residential)
South: Clark County
East: SC (Service Commercial)
West: SC (Service Commercial) and O (Office)

D) Existing Zoning

Subject Property: U (Undeveloped) [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations]
North: R-E (Residence Estates)
South: Clark County
East: C-1 (Limited Commercial) and P-R (Professional Office and Parking)
West: C-1 (Limited Commercial) and P-R (Professional Office and Parking)

E) General Plan Compliance

The Southwest Sector Map of the General Plan designates the north portion of the site as O (Office). The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals; civic, social, fraternal, and other non-profit organizations. The proposed rezoning to P-R (Professional Offices and Parking) of the north portion of the site is in conformance with the O (Office) General Plan designation.

The south portion of the site is designated SC (Service Commercial). Motor Vehicle Sales (Used) is allowed in the C-2 (General Commercial) district with the approval of a Special Use Permit. Auto Dealer Inventory Storage is allowed in the P-R (Professional Offices and Parking) with the approval of a Special Use Permit. A related General Plan Amendment (GPA-5714) application seeks to change the land use designation of the south portion of the site to GC (General Commercial). General Commercial allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses include limited outdoor storage or display of products, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas with significant transition. Examples of General Commercial uses include: new and used car sales; recreational vehicles and boat sales; mortuaries; and other vehicle-oriented uses such as hotels, motels, apartment hotels, and similar uses. The proposed C-2 (General Commercial) Zoning District is in conformance with the proposed GC (General Commercial) land use designation on this portion of the site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the C-2 (General Commercial) portion of the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	NA	3.50 ac	Y
Min. Lot Width	NA	100 Feet	Y
Min. Setbacks			
• Front	20 Feet	124 Feet	Y
• Side	10 Feet	58 Feet	Y
• Rear	20 Feet	420 Feet	Y
Max. Lot Coverage	50 %	0.9%	Y
Max. Building Height	NA	One story, 26 feet	Y
Trash Enclosure	1	1	Y
Loading Zone	1	1	Y

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SUP-5719 - Staff Report Page Four
January 13, 2005 - Planning Commission Meeting

Pursuant to Title 19.08, the following Development Standards apply to the P-R (Professional Offices and Parking) portion of the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	NA	1.36 ac	Y
Min. Lot Width	NA	100 Feet	Y

Provide statement whether the proposal meets, exceeds, or needs variance from the requirement.

A2) Residential Adjacency Standards

The proposed auto dealership building complies with the Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Motor Vehicle Sales	2,020 SF.	1/500GFA	4 spaces	1 space	24 spaces	2 spaces

The proposed auto dealership complies with the parking standards..

A4) Landscape and Open Space Standards

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

Standards	Required Ratio	Trees	Provided
Parking Area	1Tree/ 6 Spaces	5 Trees	6 Trees
Buffer:			
Minimum Number of Trees Required in Buffers	1-24" box tree/20 linear feet + 1 tree along rear lot line	17 trees	10 trees
	1-24" box tree/30 linear feet + 1 tree along front lot line	12 trees	3 trees
	1-24" box tree/30 linear feet + 1 tree along side lot lines (990 feet total)	33 trees	17 trees
• Min. Zone Width	8 feet		8 feet
• Wall height	8 feet		8 feet

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The perimeter landscaping does not meet the minimum perimeter-landscaping requirement of the Zoning Code in certain respects. The applicant is proposing three trees along the front property line, where 12 trees are required, 10 feet along the north property line where 10 are required and 17 trees on the sides of the site where 33 trees are required. A condition of approval of the related Site Development Plan Review (SDR-5717) will require additional trees to be added to meet these Code requirements.

B) General Analysis and Discussion

- Zoning

The portion of the property proposed for used auto sales is the subject of a related rezoning to C-2 (General Commercial). Motor Vehicle Sales (Used) requires a Special Use Permit in this district, subject to the conditions listed below.

The portion of the property proposed for auto dealer inventory storage is the subject of a related rezoning to P-R (Professional Offices and Parking). This use also requires a Special Use Permit, subject to the conditions listed below.

- Use

Motor Vehicle Sales (Used) is defined by Title 19 as a facility or area used primarily for the display of used automobiles, motorcycles and motor scooters. The term includes service bays and auto body shops which are incidental and accessory to the sales use.

The proposed Auto Dealer Inventory Storage use is to allow storage of vehicles in conjunction with a proposed new automobile dealership. The plans indicate the vehicles will be stored in the north portion of the site across the street (Via Olivero Avenue) from single family residences.

Due to the proximity of the single-family residences to the storage area, vehicle storage is not appropriate at this location. Therefore, this use cannot be conducted in a manner that is harmonious and compatible with the surrounding development.

- 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.

Pursuant to Title 19.04.050 the following conditions must be met for approval of the Auto Dealer Inventory Storage use:

1. All areas used for parking or storage of vehicles shall be paved.
2. Stored vehicles shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
3. The parcel must be located on a primary or secondary thoroughfare, or on a parcel that is adjacent to and accessed through a parcel located on a primary or secondary thoroughfare.
4. Lighting shall be shielded from adjacent properties.
5. The use shall not occupy or interfere with any parking spaces that are required for the dealership use or any other existing or proposed use for which required parking is or will be provided on the site. For commercial or industrial sites 15 acres or greater in size, the use may occupy up to 50 percent of parking area that is provided in excess of required parking for other uses. For the purposes of this Paragraph, the amount of required parking shall be calculated in accordance with the current standards set forth in Chapter 19.10.

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."**

While the proposed Used Car Sales and Auto Dealer Inventory Storage uses will be complimentary to the proposed automobile dealership use on the site, the proposed full-service automobile dealership will be too intense of a commercial use to be located adjacent to single family residential uses across Via Olivero Avenue.

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

There are no physical constraints to the location of the proposed used car sales and auto dealer inventory storage on the subject site; however, the location of a proposed full-service automobile dealership operation on this site is incompatible with adjacent residential land uses, and therefore denial of this request is recommended.

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

The subject site has access to Sahara Avenue, designated as a Primary (150-foot) Arterial on the Master Plan of Streets and Highways. Sahara Avenue will be adequate to meet the requirements of the proposed zoning district.

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

NOTICES MAILED 436 -- Mailed with GPA-5714, ZON-5716 and SDR-5717

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5719 APN: 1163 034 02 071

Name of Property Owner: John Lee

Name of Applicant: Fletcher Jones Management Company

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

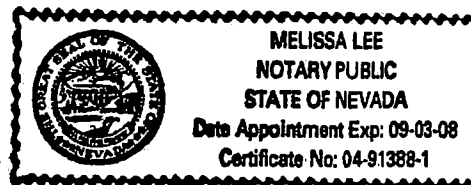
Signature of Property Owner/Authorized Agent: John D. Lee

Print Name: JOHN D. Lee

Subscribed and sworn before me

This 4th day of November, 2004

Notary Public In and for said County and State



CURRAN & PARRY
ATTORNEYS AT LAW

300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN
STANLEY W. PARRY

JOSHUA H. REISMAN
GLENN M. MACHADO

TELEPHONE
(702) 471-7000

FACSIMILE
(702) 471-7070

E-MAIL
curranparry@curranparry.com

November 30, 2004

CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER
731 South 4th Street
Las Vegas, NV 89101

RE: **Fletcher Jones/SMARTCAR/Use Permit Application**
NW Corner Sahara/Pioneer
APN: 163-03-402-017

Dear Madam/Sir:

Fletcher Jones Management Corporation seeks to obtain a Special Use Permit for the incidental sale of used vehicles to accompany its proposed application for a General Plan Amendment, Rezoning, and Site Design Review which will allow the establishment of a new car dealership at the above location. These other applications are being filed simultaneously.

Fletcher Jones has a long-standing history of operating quality car dealerships throughout the Las Vegas Valley and in other communities across the western United States. The most recent additions to the Fletcher Jones family of dealerships have been quality projects that have enhanced the surrounding areas, and the company has a policy of working with the neighbors to provide facilities that are acceptable and beneficial to the surrounding area. The approval of the proposed SMARTCAR dealership would be no exception, and the facility will add a new dimension to the array of automobiles currently available in our valley, and the proposed plans for this location fit within the current development of the area.

In addition to providing increased variety and economic development within the district, the new dealership provides several advantages to its neighbors. Currently, the nearby Fletcher Jones Mercedes dealership shares its employee parking with the well-attended St. Joseph, Husband of Mary Catholic Church. While this agreement has worked well considering the differing hours of attendance at the establishments, it has now become necessary for Fletcher Jones to develop a property where its employees can use a permanent parking facility designated solely for their use. The SMARTCAR dealership property can provide this use. The small size of the SMARTCAR makes a large dealership unnecessary, so there is ample additional parking space on the subject property beyond what is required for the SMARTCAR dealership operations. The additional space can be designated as Fletcher Jones employee parking not only for the SMARTCAR operation, but for the nearby Mercedes dealership employees. The parking area will be distinctly landscaped and located so that it acts as a buffer to the neighboring residents. The back portion of the property will

80P-5719

City of Las Vegas
Development Services Center
November 30, 2004
Page 2

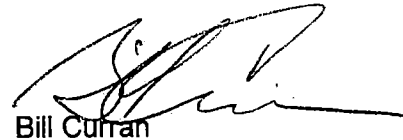
remained zoned as Office to reassure the neighbors that the design and usage will provide such a buffer. Gates and landscaping buffers will be utilized to not only provide an adequate buffer from the commercial development, but also to create a more desirable view from Sahara, and convenient and safe parking for the employees.

While there is a possibility that only very limited or possibly no used car sales activity actually would take place on this particular Fletcher Jones property, the applicant wishes to conform with all zoning requirements of the City of Las Vegas, and is thus requesting the Special Use Permit to avoid any future questions. All requirements of the Las Vegas Municipal Code section 19.04.040 will be strictly adhered to in the plans and operation of the dealership. Fletcher Jones respectfully requests the approval of this, and the associated applications to allow the establishment of the SMARTCAR dealership.

Should you have any questions or concerns about this project, please feel free to contact my office for more information or assistance.

Sincerely,

CURRAN & PARRY



Bill Curran

WPC/mp

E:\Fletcher Jones\W Sahara-Mercedes Site\letters\SUP (2) Justification Letter.wpd

SUP-5719



SUP-5719 - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG
PARTNERS, L.L.C.
NORTHWEST CORNER OF SAHARA AVENUE AND PIONEER WAY
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

January 10, 2005

Las Vegas Planning Commission
731 South 4th Street - 2nd Floor
Las Vegas, NV 89101

Reference: Case No. SDR-5717 Site Development Review
Case No. ZON-5716 Rezoning
Case No. GPA-5714
Case No. SUP-5719

Dear Sirs,

This letter is in protest to the proposed zoning changes to the property referenced above. My family and I reside at 2271 S. Pioneer Way, directly behind the property affected.

I am strongly against changing the zoning to allow an automobile dealership to locate on the afore-mentioned property. We are still dealing with the current nuisance of bright lighting left on all night from the current businesses located on Sahara (which back up to Via Olivero and Pioneer Way), increased traffic on our residential streets, and car alarms going off all night at the Honda Dealership located across Sahara. I fear that these events will only increase with the addition of another car dealership in our neighborhood, taking away the charm and value of our custom homes.

I attended the meeting on Tuesday, December 14th at the Sahara West Library regarding the zoning changes. My neighbors and I made it clear that we are unhappy about the proposed car dealership.

We are still dealing with the Mercedes Dealership parking employees' cars on Via Olivero and Tenaya Way after being assured that this would not happen.

Another concern is the site plan shows a gate accessing Via Olivero. **We do not want any access allowed onto Via Olivero**, our concern being that the dealer will have employees being shuttled back and forth from this location to the Mercedes Benz Dealership, increasing traffic on our street.

A major trepidation is that once a precedent is set allowing a dealership (currently small) at this location, what is to prevent it from expanding to the back portion of the property, taking over the area they designated as employee parking. We will have a repeat of what is now occurring at the Mercedes Benz dealership with employees parking on our residential streets. The poor forecasting and planning of parking needs for the current dealership could again recur on this new property.

I have no personal animosity towards the parties requesting this zoning change, only a concern for quality of life in our family-oriented neighborhood. Please do not allow yet another car dealership in our area.
Thank you for your time and consideration.

Sincerely,

Anne Caddick

Anne Caddick
2271 S. Pioneer Way
Las Vegas, NV 89117
(702) 360-6612

cc: Janet Moncrief, Ward 1
Oscar Goodman, Mayor
Anna Williams

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5717 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5714, ZON-5716 AND SUP-5719 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG PARTNERS, L.L.C. - Request for a Site Development Plan Review FOR A PROPOSED 2,020 SQUARE—FOOT AUTO DEALERSHIP on 4.86 acres adjacent to the northwest corner of Sahara Avenue and Pioneer Way (APN 163-03-402-017), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office) and U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone and P-R (Professional Office and Parking], Ward 1 (Moncrief).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – DENIED – Motion carried with GOYNES and TRUESDELL voting NO

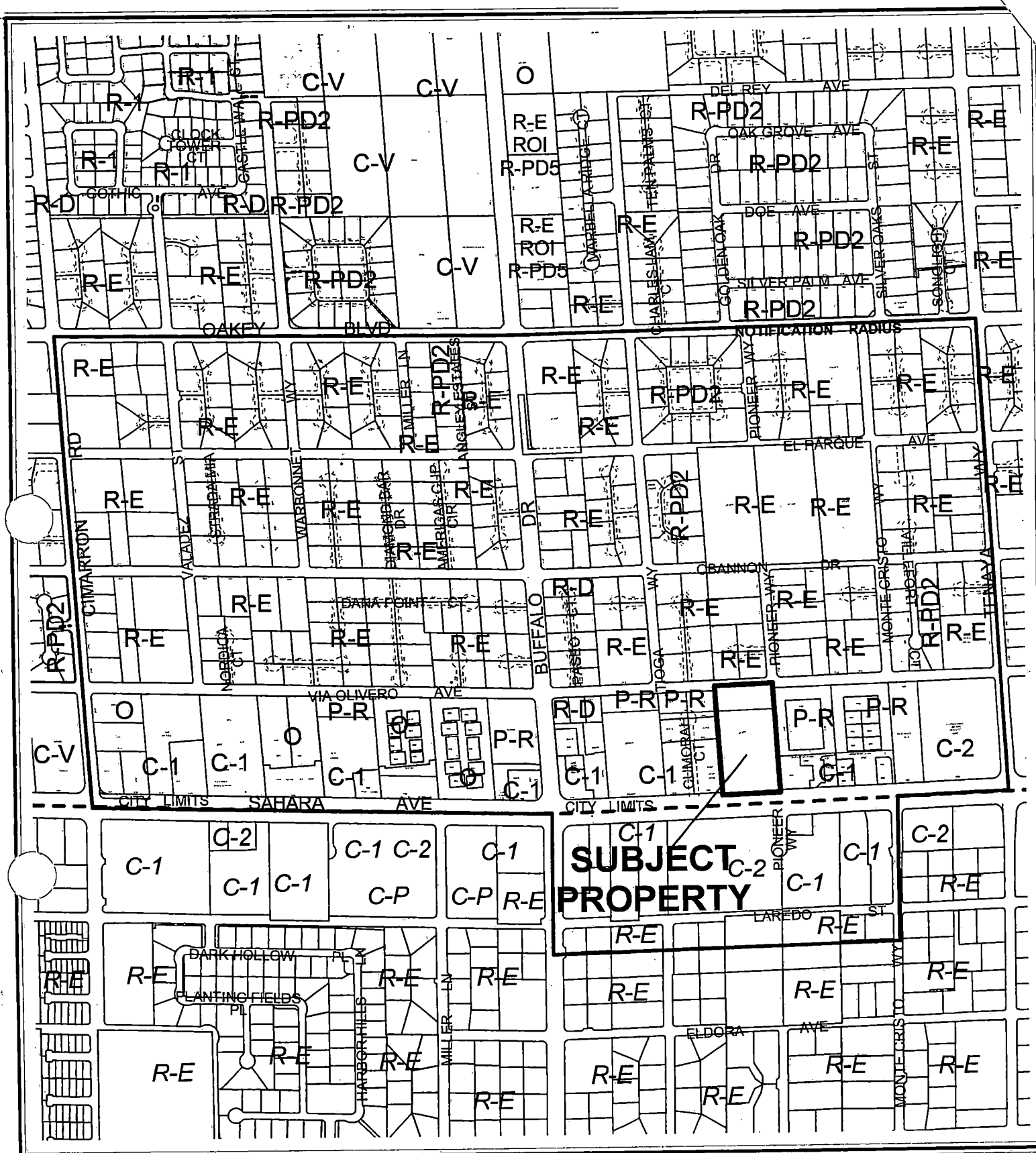
To be heard by City Council 2/16/2005

MINUTES:

See Item 38 [GPA-5714] for related discussion on Item 38 [GPA-5714], Item 39 [ZON-5176], Item 40 [SUP-5719] and Item 41 [SDR-5717].

(7:30 – 8:12)

1-3535



CASE: SDR-5717

RADIUS: SPECIAL

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO
 O (OFFICE) AND U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)

0 500 1000 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5717 - APPLICANT: FLETCHER JONES MANAGEMENT
CO. - OWNER: JOHN LEE**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If Approved, subject to:

Planning and Development

1. A Rezoning (ZON-5716) to C-2 (General Commercial) and P-R (Professional Offices and Parking) Zoning Districts approved by the City Council.
2. 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.
3. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24 inch box trees 20 feet on center and a minimum of four five gallon shrubs for each tree within provided planters to the rear of the site and provide minimum 24 inch box trees 30 feet on center and a minimum of four five gallon shrubs for each tree within provided planters to the front and sides of the site.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an extension of time is granted.
5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.

SDR-5717 - Conditions Page Two
January 13, 2005 Planning Commission Meeting

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox fixtures and downward directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting.
10. A Master Sign Plan shall be submitted for approval by the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be developed so as to eliminate impacts to residential areas to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards must be satisfied.

Public Works

15. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
16. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
17. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
18. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and Via Olivero Avenue adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Sahara Avenue and Via Olivero Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
20. Obtain an Occupancy Permit for all improvements in the Nevada Department of Transportation (NDOT) public right-of-way.

SDR-5717 - Conditions Page Three
January 13, 2005 Planning Commission Meeting

21. Site development to comply with all applicable conditions of approval for ZON-5716 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 2,020 square-foot auto dealership on 4.86 acres adjacent to the northwest corner of Sahara Avenue and Pioneer Way.

Related requests to change the General Plan land use designation (GPA-5714) of the southern portion of the property from SC (Service Commercial) to GC (General Commercial), a rezoning to C-2 (General Commercial) and P-R (Professional Offices and Parking) (ZON-5716), and a Special Use Permit (SUP-5719) for used auto sales and for auto dealership storage will also be reviewed concurrently.

B) Applicant's Justification

The applicant indicates this request is justified because the proposed plans for this location fit within the current development of the area.

BACKGROUND INFORMATION

A) Previous Actions

03/19/86 The City Council approved a request (A-0009-85) to annex approximately 1,509 acres of land, including the subject site.

04/11/96 The Planning Commission accepted a request to withdraw without prejudice a request (GPA-0059-95) to amend the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to Service Commercial. Staff had recommended approval.

05/05/04 The City Council approved the following: a Request to Amend a portion of the Southwest Sector Plan of the General Plan (GPA-3985) from R (Rural Density Residential) to O (Office) for the northern portion of the subject site. The Planning Commission (7-0 vote) and staff recommended approval; a Request for a Rezoning (ZON-3987) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to O (Office) and from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial). The Planning Commission (7-0 vote) and staff recommended approval; and a request for a Site Development Plan Review (SDR-3988) and a Waiver of foundation landscaping standards for a proposed 42,400 square-foot office building and 12,800 square-foot retail building on the subject site. The Planning Commission (7-0 vote) and staff recommended approval.

AR

C) Neighborhood Meetings

On December 14, a neighborhood meeting sponsored by the applicant was held at the West Sahara Library at 7604 West Sahara Avenue. Ten people attended and had the following comments:

- Don't want another car dealership along Sahara.
- Test drives being taken along Via Olivero Avenue increased the dangers for neighborhood children.
- Concerned about employees who park along Via Olivero Avenue
- Concerned about off-site parking of customers along Via Olivero Avenue
- Concerned about parking lot lighting and other light pollution generated by the dealership
- Wanted the dealership to prohibit their employees from taking smoke breaks outside designated areas
- Worried about traffic exiting the dealership and making right turns at shift's end.

The majority of the neighbors in attendance were opposed to the project, and the applicant stated that they would be willing to work with the neighbors to address their concerns.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.89
Net Acres: 4.54

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings (across Via Olivero Avenue)
South: Clark County
East: Offices and Financial Uses
West: Offices and Financial Uses

C) Planned Land Use

Subject Property: R (Rural Density Residential) and SC (Service Commercial)
North: DR (Desert Rural Density Residential)
South: Clark County
East: SC (Service Commercial)
West: SC (Service Commercial) and O (Office)

D) Existing Zoning

Subject Property: U (Undeveloped) [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations]
North: R-E (Residence Estates)
South: Clark County
East: C-1 (Limited Commercial) and P-R (Professional Office and Parking)
West: C-1 (Limited Commercial) and P-R (Professional Office and Parking)

E) General Plan Compliance

The Southwest Sector Map of the General Plan designates the north portion of the site as O (Office). The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations. The proposed rezoning to P-R (Professional Offices and Parking) of the north portion of the site is in conformance with the O (Office) General Plan designation.

The south portion of the site is designated SC (Service Commercial). A related General Plan Amendment (GPA-5714) application seeks to change the land use designation of the south portion of the site to GC (General Commercial). General Commercial allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses include limited outdoor storage or display of products, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas with significant transition. Examples of General Commercial uses include: new and used car sales; recreational vehicles and boat sales; mortuaries; and other vehicle-oriented uses such as hotels, motels, apartment hotels, and similar uses. The proposed C-2 (General Commercial) Zoning District is in conformance with the proposed GC (General Commercial) land use designation on this portion of the site. The proposed site plan is not consistent with existing General Plan policies for the site, but is consistent with the requested GC (General Commercial) land use designation, if approved.

PROJECT DESCRIPTION

The site plan indicates the auto dealership building is proposed for the southeast corner of the site, with the remainder of the parcel proposed to be paved for either parking or vehicle display areas. A 30-foot wide driveway provides access to Sahara Avenue. A 20-foot wide landscape planter is provided along the south property line. Ten foot wide planters with 24 inch box trees spaced at 60 feet on center are provided along the east and west property lines. A 30-foot wide planter with 24-inch box trees spaced at 25 feet on center is shown along the north property line, adjacent to Via Olivero Avenue. Six-foot wide landscape islands with 24-inch box trees are shown in the parking and vehicle storage areas. The elevations indicate the building exterior will consist of painted metal panels with storefront windows along the south side of the structure.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the C-2 (General Commercial) portion of the subject proposal:

AR

Standards	Required	Provided	Compliance
Min. Lot Size	NA	3.50 ac	Y
Min. Lot Width	NA	100 Feet	Y
Min. Setbacks			
• Front	20 Feet	124 Feet	Y
• Side	10 Feet	58 Feet	Y
• Rear	20 Feet	420 Feet	Y
Max. Lot Coverage	50 %	0.9%	Y
Max. Building Height	NA	One story, 26 feet	Y
Trash Enclosure	1	1	Y
Loading Zone	1	1	Y

Pursuant to Title 19.08, the following Development Standards apply to the P-R (Professional Offices and Parking) portion of the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	NA	1.36 ac	Y
Min. Lot Width	NA	100 Feet	Y

Provide statement whether the proposal meets, exceeds, or needs variance from the requirement.

A2) Residential Adjacency Standards

The proposed auto dealership building complies with the Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Motor Vehicle Sales	2,020 SF.	1/500GFA	4 spaces	1 space	24 spaces	2 spaces

The proposed auto dealership complies with the parking standards.

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	5 Trees	6 Trees
Buffer:			
Minimum Number of Trees Required in Buffers	1-24" box tree/20 linear feet + 1 tree along rear lot line	17 trees	10 trees
	1-24" box tree/30 linear feet + 1 tree along front lot line	12 trees	3 trees
	1-24" box tree/30 linear feet + 1 tree along side lot lines (990 feet total)	33 trees	17 trees
• Min. Zone Width	8 feet		8 feet
• Wall height	8 feet		8 feet

The perimeter landscaping does not meet the minimum perimeter-landscaping requirement of the Zoning Code in certain respects. The applicant is proposing three trees along the front property line, where 12 trees are required, 10 feet along the north property line where 10 are required and 17 trees on the sides of the site where 33 trees are required. A condition of approval will require additional trees to be added to meet these Code requirements.

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 proposed automobile dealership development will be too intense for the site, in relation to the low intensity land uses of the surrounding area, including large lot single-family residential, offices, and a church.

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;"**

With the approval of the companion General Plan Amendment (GPA-3985) and Rezoning (ZON-3987) applications to this site plan, the proposed development will be consistent with the General Plan as well as Title 19 and other standards. The conditions of approval will address minor deficiencies that have been identified in the site plan as submitted.

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

The subject site has access to Sahara Avenue, designated as a Primary (150-foot) Arterial on the Master Plan of Streets and Highways. Sahara Avenue will be adequate to meet the requirements of the proposed zoning district.

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

Staff finds that the proposed landscaping and solid masonry perimeter wall will provide adequate visual buffering of the site as viewed from the adjacent single-family residential development to the north, and will enhance the appearance of the site as viewed from Sahara Avenue.

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

The building elevations depict design characteristics that are not unsightly and are harmonious and compatible with development in the area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

NOTICES MAILED 436 – Mailed with GPA-5714, ZON-5716 and SDR-5717

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5717 APN: 163 034 02 071

Name of Property Owner: John Lee

Name of Applicant: Fletcher Jones Management Company

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

Yes

 V No

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

City Official: _____

Partner(s): _____

APN: _____

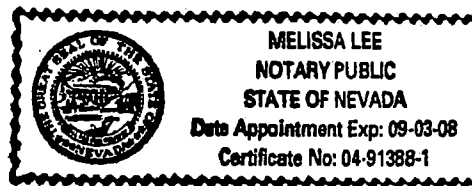
Signature of Property Owner/Authorized Agent: John D. Lee

Print Name: JOHN D. Lee

Subscribed and sworn before me

This 4th day of November, 2004

Notary Public in and for said County and State.



CURRAN & PARRY
ATTORNEYS AT LAW

300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN
STANLEY W. PARRY

JOSHUA H. REISMAN
GLENN M. MACHADO

TELEPHONE
(702) 471-7000

FACSIMILE
(702) 471-7070

E-MAIL
curran_parry@msn.com

November 30, 2004

CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER
731 South 4th Street
Las Vegas, NV 89101

RE: **Fletcher Jones/SMARTCAR Site Design Review Application**
NW Corner Pioneer/Sahara
APN: 163-03-402-017

Dear Madam/Sir:

Fletcher Jones Management Corporation seeks to obtain review of its site design to accompany its proposed application for a General Plan Amendment, Rezoning, and Special Use Permit for the sale of used cars, which will allow the establishment of a new car dealership at the above location. These other applications are being filed simultaneously.

Fletcher Jones has a long-standing history of operating quality car dealerships throughout the Las Vegas Valley and in other communities across the western United States. The most recent additions to the Fletcher Jones family of dealerships have been quality projects that have enhanced the surrounding areas, and the company has a policy of working with the neighbors to provide facilities that are acceptable and beneficial to the surrounding area. The approval of the proposed SMARTCAR dealership would be no exception, and the facility will add a new dimension to the array of automobiles currently available in our valley, and the proposed plans for this location fit within the current development of the area.

In addition to providing increased variety and economic development within the district, the new dealership provides several advantages to its neighbors. Currently, the nearby Fletcher Jones Mercedes dealership shares its employee parking with the well-attended St. Joseph, Husband of Mary Catholic Church. While this agreement has worked well considering the differing hours of attendance at the establishments, it has now become necessary for Fletcher Jones to develop a property where its employees can use a permanent parking facility designated solely for their use. The SMARTCAR dealership property can provide this use. The small size of the SMARTCAR makes a large dealership unnecessary, so there is ample additional parking space on the subject property beyond what is required for the SMARTCAR dealership operations. The additional space can be designated as Fletcher Jones employee parking not only for the SMARTCAR operation, but for the nearby Mercedes dealership employees. The parking area will be distinctly landscaped and located so that it acts as a buffer to the neighboring residents. The back portion of the property will

SPR-5717

remained zoned as Office to reassure the neighbors that the design and usage will provide such a buffer. Gates and landscaping buffers will be utilized to not only provide an adequate buffer from the commercial development, but also to create a more desirable view from Sahara, and convenient and safe parking for the employees.

All applicable requirements of the Las Vegas Municipal Code will be strictly adhered to in the plans and operation of the dealership. Fletcher Jones respectfully requests the approval of this, and the associated applications to allow the establishment of the SMARTCAR dealership.

Should you have any questions or concerns about this project, please feel free to contact my office for more information or assistance.

Sincerely,

CURRAN & PARRY



Bill Curran

WPC/mp

W:\Fletcher Jones\W Sahara-Mercedes Site\letters\SDR Justification Letter.wpd

SDR-5717

BAUER AND WILEY
2107 West Coast Highway, Suite 101, Newport Beach, CA 92646
Phone (949) 453-9651 Fax (949) 451-4729



Fletcher Jones Smart Car
West Sahara
Las Vegas, Nevada

Sheet Notes

Sheet Legend

RECEIVED
NOV 30 2004

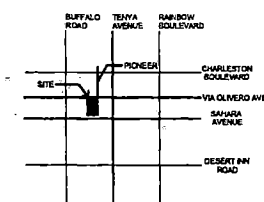
Site Plan

02

ZON-5716
SUP-5719
SDR-5717
01-13-05 PC

PROJECT INFORMATION

Jurisdiction	City of Las Vegas
Code Used	Title 18 (Las Vegas Zoning Code)
Lot Size	211,905 s.f. (4.86 acres)
Assessor's Parcel Number	163-03-009-017
Abandonment Lot Coverage	0.08 (105,533 s.f.)
Actual Lot Coverage	0.89 (7,629 s.f.)
Set Backs	
Front (Sahara):	20'
Rear (Via Olivero):	20'
Side:	10'
Building Height:	33'
Building Area	2,000 s.f.
Parking Required:	
Motor Vehicle Sales (1:500)	4.04 spaces req'd
Handicapped Parking Req'd:	1 space req'd
Parking Provided:	
Customer:	34 spaces (3 ADA spaces)
Inventory / Display:	166 spaces
Employee:	238 spaces
Total Parking Provided:	438 spaces
Parking Space Counts:	
Regular:	434 spaces
Compact:	0 spaces
Handicap:	2 spaces
Total:	436 spaces



Vicinity Map

01

Site Plan

Plotted on 11/24/04

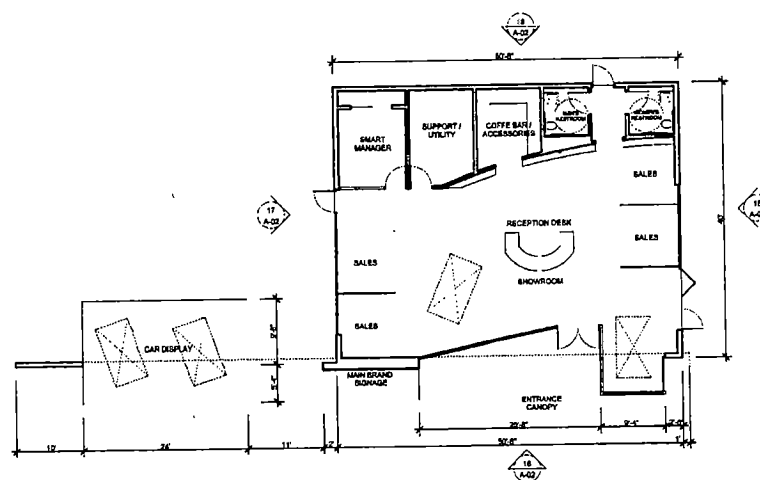
A-01

Drawn By: Design Check: Test Check:

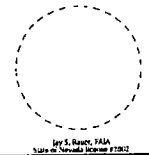
FINISH SCHEDULE

EXTERIOR FINISHES:
 BLACK METAL PANELS
 METAL GRAY METAL PANELS
 ANTI-RACETE MULLIONS
 CLEAR LONAL GLASS
 INTERNALLY ILLUMINATED SMART LOGO SIGNAGE
 GRAY BRICK PAVING

INTERIOR FINISHES:
 18" SQ. WHITE PORCELAIN TILE FLOORING
 BLACK CARPETING AT OFFICES
 WHITE DRYBURN BOARD WALLS
 WHITE METAL CEILING
 WHITE CABINETWORK



BAUER AND WILEY
 1107 West Coast Highway, Suite 202, Newport Beach, CA 92661
 Phone 949-441-8181 Fax 949-441-8779



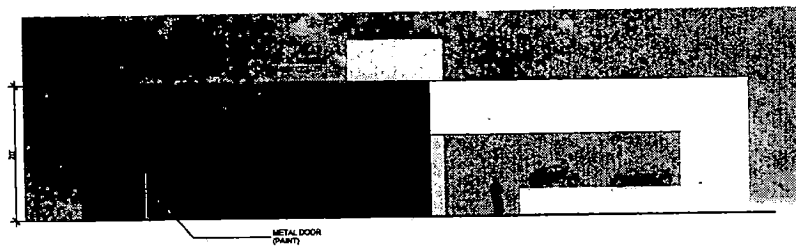
Fletcher Jones Smart Car
 West Sahara
 Las Vegas, Nevada

Sheet Notes

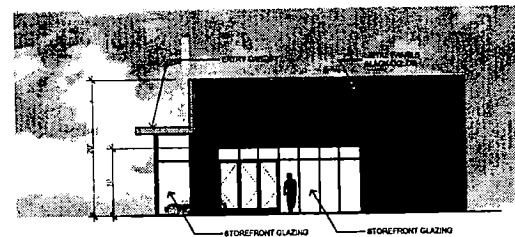
Finish Schedule

07 Floor Plan

06

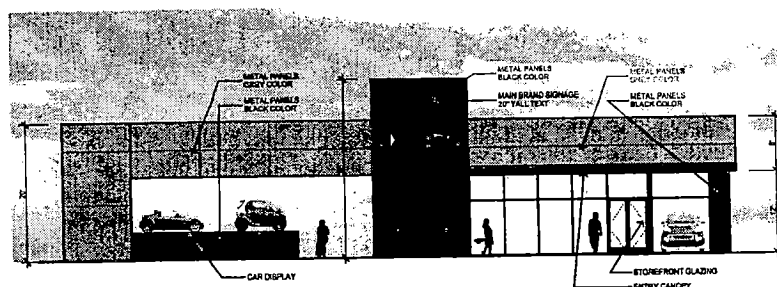


North Elevation



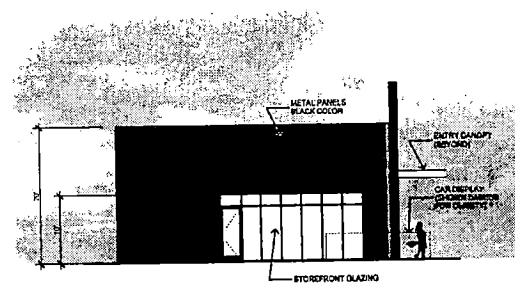
18 East Elevation

19



South Elevation

16



West Elevation

17

Sheet Legend

RECEIVED
 NOV 30 2004

Issue No.	Date	Description
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Floor Plan and Elevations

1/8"=1'-0" Plotted on 11/23/04

A-02

Drawn By: Design Check: Tech Check:

ZON-5716
 SUP-5719
 SDR-5717
 01-13-05 PC



SDR-5717 - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG PARTNERS, L.L.C.

NORTHWEST CORNER OF SAHARA AVENUE AND PIONEER WAY
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

January 10, 2005

Las Vegas Planning Commission
731 South 4th Street – 2nd Floor
Las Vegas, NV 89101

Reference: Case No. SDR-5717 Site Development Review
Case No. ZON-5716 Rezoning
Case No. GPA-5714
Case No. SUP-5719

Dear Sirs,

This letter is in protest to the proposed zoning changes to the property referenced above. My family and I reside at 2271 S. Pioneer Way, directly behind the property affected.

I am strongly against changing the zoning to allow an automobile dealership to locate on the afore-mentioned property. We are still dealing with the current nuisance of bright lighting left on all night from the current businesses located on Sahara (which back up to Via Olivero and Pioneer Way), increased traffic on our residential streets, and car alarms going off all night at the Honda Dealership located across Sahara. I fear that these events will only increase with the addition of another car dealership in our neighborhood, taking away the charm and value of our custom homes.

I attended the meeting on Tuesday, December 14th at the Sahara West Library regarding the zoning changes. My neighbors and I made it clear that we are unhappy about the proposed car dealership.

We are still dealing with the Mercedes Dealership parking employees' cars on Via Olivero and Tenaya Way after being assured that this would not happen.

Another concern is the site plan shows a gate accessing Via Olivero. **We do not want any access allowed onto Via Olivero**, our concern being that the dealer will have employees being shuttled back and forth from this location to the Mercedes Benz Dealership, increasing traffic on our street.

A major trepidation is that once a precedent is set allowing a dealership (currently small) at this location, what is to prevent it from expanding to the back portion of the property, taking over the area they designated as employee parking. We will have a repeat of what is now occurring at the Mercedes Benz dealership with employees parking on our residential streets. The poor forecasting and planning of parking needs for the current dealership could again recur on this new property.

I have no personal animosity towards the parties requesting this zoning change, only a concern for quality of life in our family-oriented neighborhood. Please do not allow yet another car dealership in our area. Thank you for your time and consideration.

Sincerely,

Anne Caddick

Anne Caddick
2271 S. Pioneer Way
Las Vegas, NV 89117
(702) 360-6612

cc: Janet Moncrief, Ward 1
Oscar Goodman, Mayor
Anna Williams

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GPA-5661 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: D.R. MCMILLIN - OWNER: SAHARA PARK LTD. - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL) on 3.2 acres adjacent to the east side of Sixth Street approximately 350 feet north of Sahara Avenue (APN 162-03-811-000), Ward 3 (Reese).

WITHDRAW WITHOUT PREJUDICE

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends WITHDRAW WITHOUT PREJUDICE

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)

1-79

JMA ARCHITECTURE STUDIOS

January 7, 2005

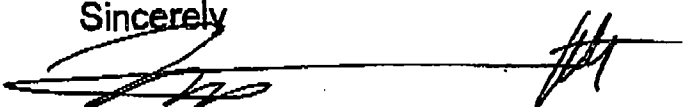
City of Las Vegas
Current Planning Division
731 South 4th Street
Las Vegas, Nevada 89101

RE: **Finisterra Condominiums**
PN: 162-03-811-000
JMA No. 200401206

Dear Margo Wheeler:

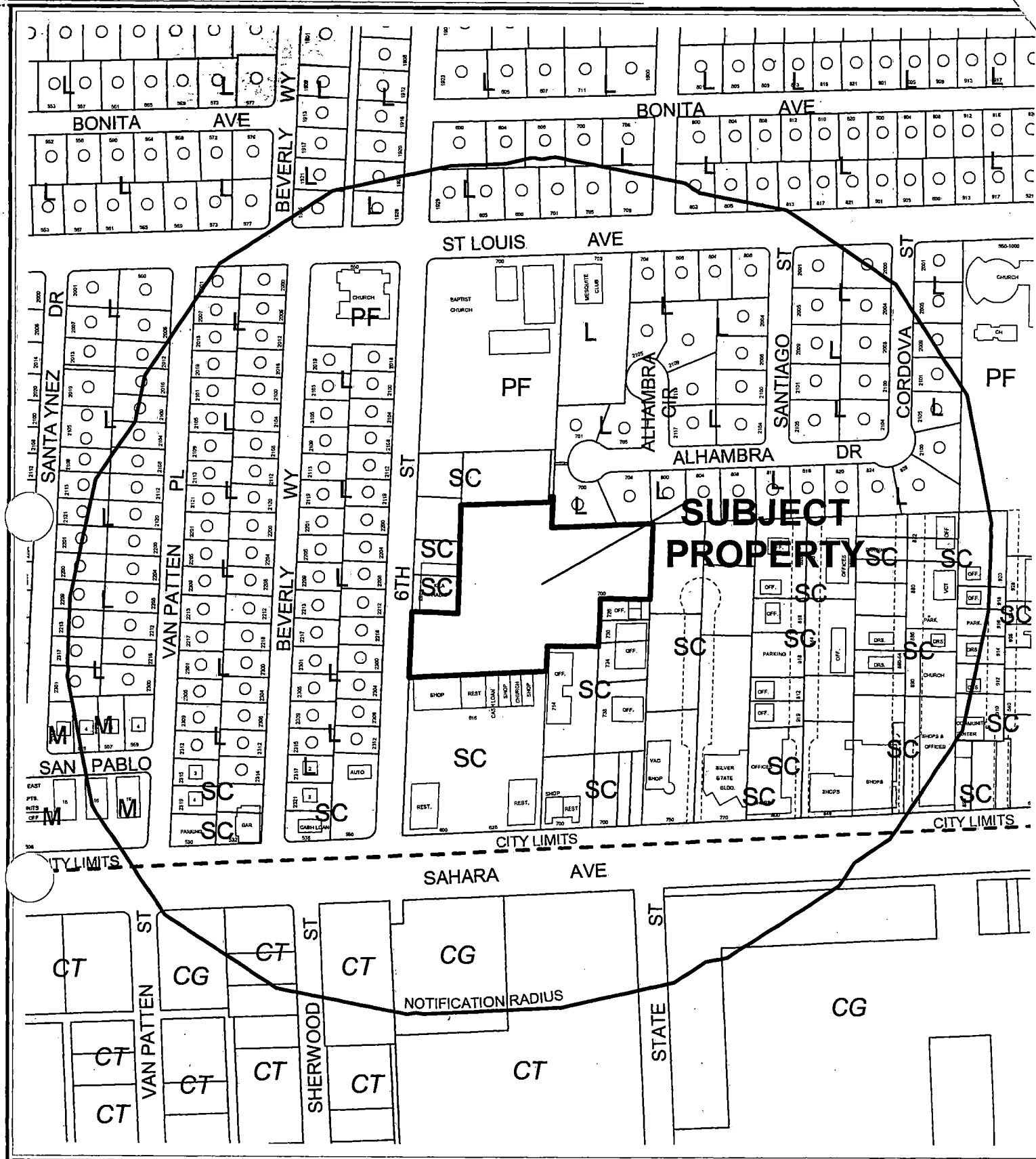
We respectfully request GPA # 5661 be withdrawn without prejudice.

Sincerely


Thomas J. Shoeman, AIA
President

Thomas J. Shoeman, AIA
President

Edward A. Vance, AIA
Sr. Vice President



CASE: GPA-5661

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

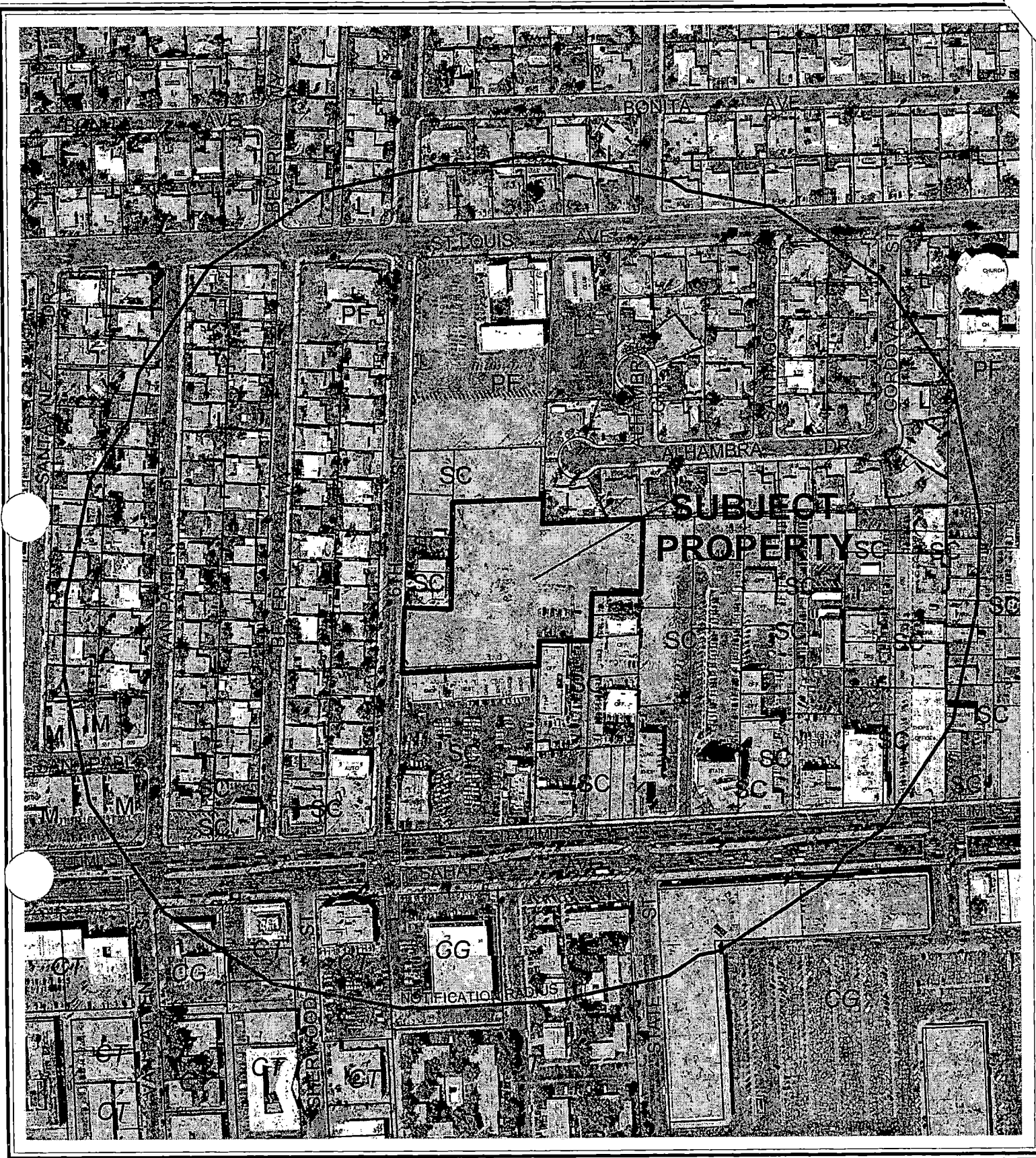
SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

H (HIGH DENSITY RESIDENTIAL)

0 200 400 Feet





CASE: GPA-5661

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

H (HIGH DENSITY RESIDENTIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-5661 - APPLICANT: D.R. MCMILLIN - OWNER: SAHARA
PARK LTD.

***ON JANUARY 7, 2005 THE APPLICANT
REQUESTED THIS ITEM BE WITHDRAWN
WITHOUT PREJUDICE.***



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: D. R. McMillin

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 X

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:

Print Name:

Subscribed and sworn before me

This 4th day of May, 2004

M. Jane Gulya
Notary Public in and for said County and State

JANE GILBERT
Public, State of Nevada
Department No. 9303961
Expires July 10 2005

November 22, 2004

City of Las Vegas
Current Planning Division
731 South 4th Street
Las Vegas, Nevada 89101

RE: **Finisterra Condominiums**
JUSTIFICATION LETTER for General Plan Amendment
APN: 162-03-811-000
JMA No. 200401206

Dear Sir or Madam:

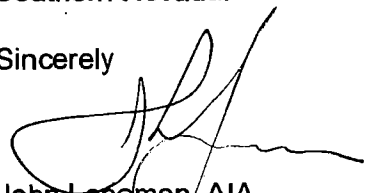
We are requesting a General Plan Amendment to allow the development of a condominium project on the approximately 3.2 acre site near the corner of Sahara Avenue and 6th Street. The current General Plan designation is Service Commercial. We are requesting that the new designation be High Density Residential. The adjacent sites are currently designated as Service Commercial to the south, west, and east, and Low Density Residential to the north.

The justification for this new designation is appropriate and will allow a future application to re-zone the property from R-PD25 to Planned Development. The proposed future zoning may allow an increased condominium unit density that will act as a buffer between the commercial and single family residential districts.

Because this site is in close proximity the entertainment/gaming corridor, first class dining and shopping opportunities, office parks and mass transit, it is a very desirable location for an upscale urban life style development. This life style is currently in very high demand by current residents and future residents of the Las Vegas valley, and to second and third home buyers looking for an opportunity to own a luxury condominium for temporary stay in this destination resort community.

By allowing the opportunity for this type of development on this site, the Las Vegas Valley will benefit by reducing energy usage, water usage, land usage, and raw materials consumption as opposed to the same size and scope of single family dwelling development common in Southern Nevada.

Sincerely


John Lopeman, AIA
Vice President

Thomas J. Schoeman, AIA
President

Edward A. Vance, AIA
Executive
Vice President

GPA-5661



GPA-5661 - APPLICANT: D.R. MCMILLIN - OWNER: SAHARA PARK LTD.
EAST SIDE OF SIXTH STREET APPROXIMATELY 350 FEET NORTH OF SAHARA AVENUE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ZON-5485 - REZONING - PUBLIC HEARING - APPLICANT: GREGORY L. WILDE - OWNER: GEORGE GILL - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.17 acres at 228 South Jones Boulevard (APN 138-36-112-016), Ward 1 (Moncrief).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

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

NOTE: Initial motion by NIGRO to HOLD IN ABEYANCE to 2/10/2005 was rescinded. Subsequent motion by McSWAIN for APPROVAL carried unanimously.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 43 [ZON-5485] and Item 44 [SDR-5486].

FLINN FAGG, Planning & Development Department, stated that the proposed rezoning request is from R-1 to P-R (Professional Office). The proposed rezoning is in conformance with the General Plan and staff recommended approval. In addition, the applicant is proposing a 1,500 square-foot home/office conversion with waivers of the landscape standards. Staff approved of the waivers, with the exception of the waiver for the landscaped buffer at the rear property line.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 43 – ZON-5485

MINUTES – Continued:

Staff wanted the applicant to revise the site by shifting the parking spaces further to the west and provide a landscaped buffer along the rear of the property.

MR. FAGG added that Condition 14 on Item 44 [SDR-5486] was listed in error and would need to be deleted. Based on the size of the property, a Master Sign Plan was not required.

CHAIRMAN TRUESDELL asked if the applicant was present. Seeing no one, he then asked if any members of the audience wished to speak for or against the items. There were no speakers. DEPUTY CITY ATTORNEY BRYAN SCOTT advised the Commission that the item should be held in abeyance for 30 days if the applicant was not present.

MR. FAGG advised COMMISSIONER McSWAIN that staff believed the applicant was in agreement with the conditions but did not know why the applicant was not present for this meeting. She questioned why the item was not on the One Motion One Vote items, as she was prepared to vote on the item.

After motion for abeyance of the item, MR. FAGG advised the Commission that the applicant had stepped out to take a call and missed his item. VICE CHAIRMAN NIGRO motioned for a rescission so that the Commission could discuss the item with the applicant present.

GREG WILDE, Wilde and Associates, thanked the Commission for hearing his item. He then concurred with staff's recommendations.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 43 [ZON-5485] and Item 44 [SDR-5486].

(8:13 – 8:17/8:55 – 8:58)

2-1390/2-2548

CONDITIONS:

Planning and Development

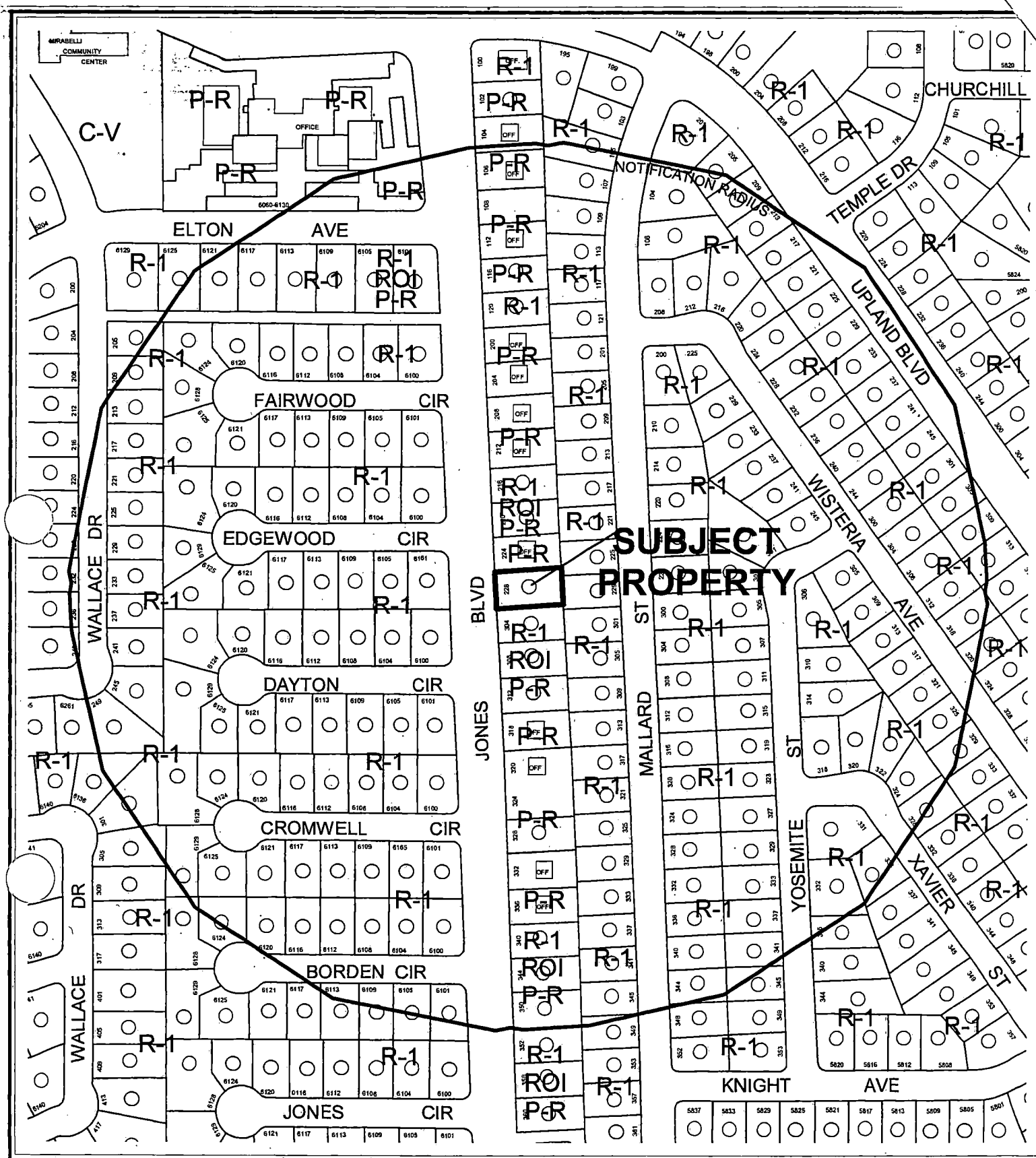
1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-5486) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 43 – ZON-5485

CONDITIONS – Continued:

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
4. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
5. 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 drainage ways as recommended.



CASE: ZON-5485

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)



CASE: ZON-5485

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-5485 - APPLICANT: GREGORY L. WILDE - OWNER:
GEORGE GILL**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-5486) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
4. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
5. 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 drainage ways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on 0.17 acres at 228 South Jones Boulevard.

B) Applicant's Justification

The applicant states that the use will compliment the existing office developments in the neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent history of development approvals on the subject site.

B) Pre-Application Meeting

10/04/04 The elements of a Rezoning application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.17 acres

B) Existing Land Use

Subject Property:	Single-Family Residential
North:	Office
South:	Single-Family Residential
East:	Single-Family Residential
West:	Single-Family Residential

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The site is located in the Southwest Sector of the General Plan. On the Southwest Sector Map, the land use designation for the subject property is SC (Service Commercial). The proposed P-R (Professional Office and Parking) zoning district conforms to the SC (Service Commercial) land use designation.

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

The subject site is located in the North Las Vegas Airport Overlay. The maximum height allowed within the subject area is 175 feet; therefore the ten-foot existing structure is not subject to additional review.

FINDINGS

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

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

The site is designated SC (Service Commercial) on the Southwest Sector Land Use Plan Map of the General Plan. The proposed P-R (Professional Office and Parking) Zoning designation is in conformance with the General Plan.

BTS

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

Other properties fronting on this segment of Jones Boulevard have been rezoned to P-R (Professional Office and Parking) for the conversion of single-family residences to offices. The proposed P-R (Professional Office and Parking) zoning will be compatible with surrounding land uses and zoning districts.

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

The P-R (Professional Office and Parking) zoning on the subject site is an appropriate transition for the lots abutting Jones Boulevard and the single-family residences to the east.

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

Access to this site is provided Jones Boulevard, a fully developed Primary (100-foot) Arterial. The proposed development of the site will be sufficiently served by existing roadway facilities.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 243 – Mailed with SDR-5486

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: 70N-5485 APN: 138 36 112 016

Name of Property Owner: GEORGE GILL

Name of Applicant: GREGORY WILDE, ESQ.

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: _____

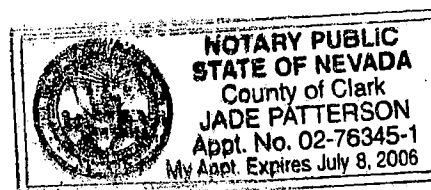
Signature of Property Owner/Authorized Agent: (X) [Signature]

Print Name: GEORGE GILL

Subscribed and sworn before me

This 27th day of September 2004

Lade Paller SM
Notary Public in and for said County and State



Gregory L. Wilde **
Narrah Newark ***
Marianne Gatti
Ryan E. Wilde *
John W. Lish *

WILDE & ASSOCIATES
ATTORNEYS AT LAW
A Professional Corporation

UTAH
FELT BUILDING
32 Exchange Place, Suite 101
Salt Lake City, Utah 84107
(801) 363-4875
(Fax) 363-4850

NEVADA
208 South Jones Boulevard
Las Vegas, Nevada 89107
(702) 258-8200 (Fax) 258-8787

*Licensed in Utah Only
**Licensed in Nevada and Utah
***Licensed in Nevada and Arizona

AMENDED JUSTIFICATION LETTER

November 2, 2004

Attn: Ben @ Fax # 365-7208
City of Las Vegas
Development Services Center

Re: "Professional Offices" @
228 South Jones, Las Vegas, Nevada 89107

To Whom It May Concern:

Pursuant to your request, the following is an amended justification letter asking that the city approve the Site Development Plan and Rezoning Request of my client. The property is currently a residence but will be converted into a professional office. The zoning is currently R-1 but the master plan calls for the intended use to be PR. This type of use has been the trend in the Jones/95 area. The exterior of the building will not change except that it will be stuccoed with a color to match the building immediately to the south (304 S. Jones) that I own as well.

The look of the building will be identical to the commercial building to the south and share a common driveway between the two so that the back of the property can be used for parking. The necessary plans and landscaping schemes are being submitted with this application packet.

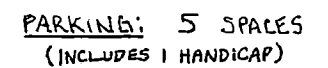
This letter is also a request for a reduction in the required landscaping for the east, south, and west boundaries of the site. We are requesting that the landscaping along the east line be delineated because the City of Las Vegas has allowed the same for nearby neighboring properties because of the lack of parking and shallow property depths. We are also asking for the reduction of landscaping on the west boundary line to accommodate the handicap parking and to match the neighbor to the south. We are asking for a full waiver of landscaping along the southern property line because it will be a common driveway with 304 South Jones. As stated before, neighbors in the area were already granted similar reduction requests and this request should meet the city's desire to have nice looking professional buildings along the Jones/95 corridor.

Hopefully these proposals and requests meet the City's policies and concerns regarding the subject area. Should you need additional information, please let me know.

Truly yours,
Greg Wilde (Jap.)
Gregory L. Wilde, Esq.
(Dated & Bot not Read)

ZON-5485

01-13-05 PC





ZON-5485 - APPLICANT: GREGORY L. WILDE - OWNER: GEORGE GILL
228 SOUTH JONES BOULEVARD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**SDR-5486 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5485 -
PUBLIC HEARING - APPLICANT: GREGORY L. WILDE - OWNER: GEORGE GILL
- Request for a Site Development Plan Review FOR A 1500 SQUARE-FOOT OFFICE
BUILDING WITH WAIVERS OF THE LANDSCAPE STANDARDS on 0.17 acres at 228
South Jones Boulevard (APN,138-36-112-016), Ward 1 (Moncrief).**

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

**NIGRO - APPROVED subject to conditions and deleting Condition No. 14 -
UNANIMOUS**

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

NOTE: Initial motion by NIGRO to HOLD IN ABEYANCE to 2/10/2005 was rescinded.
Subsequent motion by McSWAIN for APPROVAL carried unanimously.

MINUTES:

See Item 43 [ZON-5485] for related discussion on Item 43 [ZON-5485] and Item 44 [SDR-5486].

(8:13 - 8:17/8:55 - 8:58)

2-1390/2-2548

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 44 – SDR-5486

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. The applicant shall relocate the landscaping shown on the site plan between the subject building and parking space one. The landscaping shall be relocated along the east property adjacent to the fourth parking space. The landscape buffer shall be installed along the entire length of the eastern property line.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. All development shall be in conformance with the site plan and building elevations, date stamped December 22, 2004 except as amended by conditions herein.
5. 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 the relocation of the landscaping along the east property adjacent to the fourth parking space as noted in a separate condition.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.] [non-residential development]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 44 – SDR-5486

CONDITIONS – Continued:

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 a maximum of 12.5% of the total landscaped area as turf.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
13. 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.
14. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
16. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

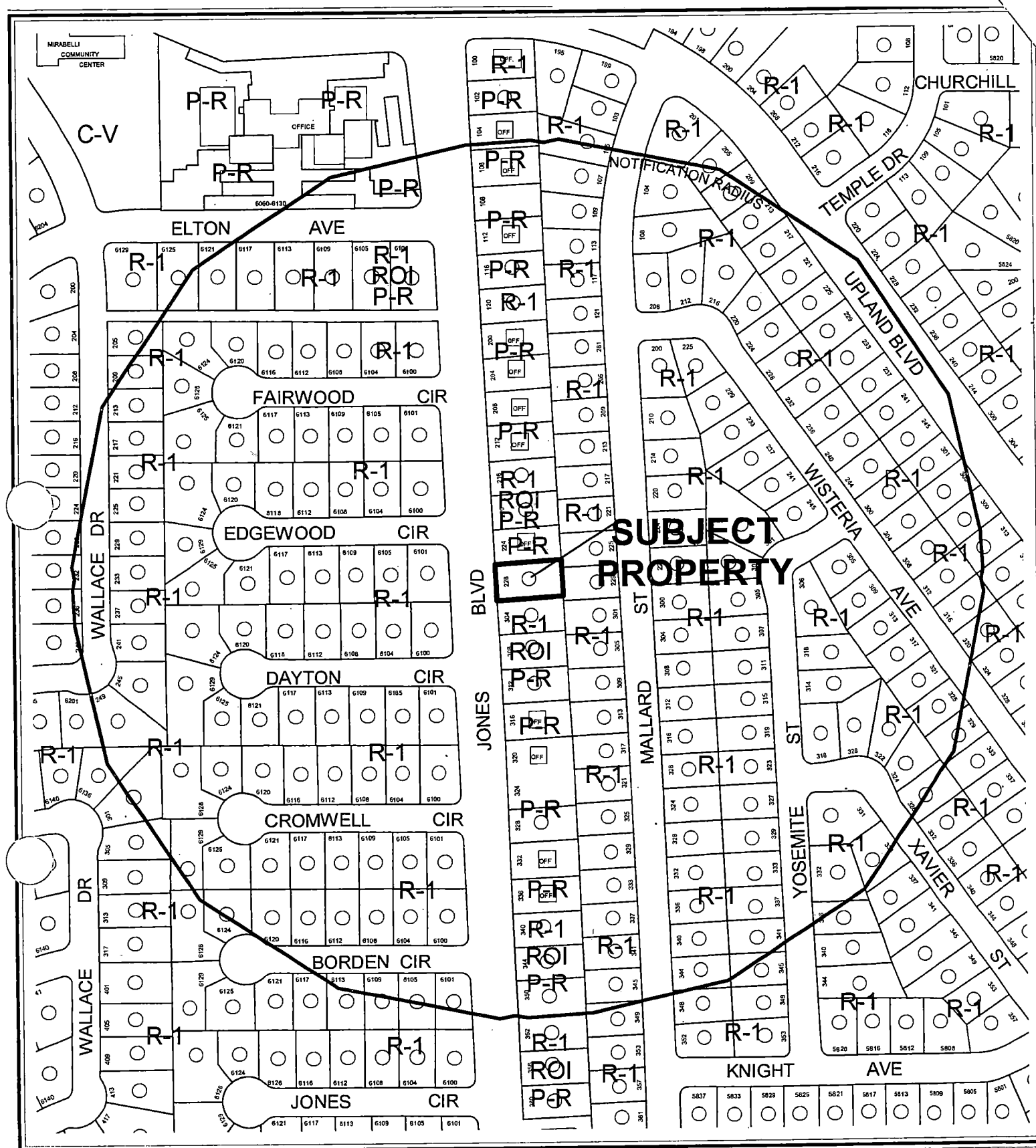
Public Works

17. 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.
18. If on-street parking is not already prohibited adjacent to this site, submit a written request to the Traffic and Parking Commission to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of building or offsite permits or the issuance of a business license, whichever may occur first. Comply with recommendations of the Traffic and Parking Commission.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 44 – SDR-5486

CONDITIONS – Continued:

19. Hard Surface and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
20. Obtain an Occupancy Permit for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.
21. Site development to comply with all applicable conditions of approval for Zoning Reclassification (ZON-5485) and all other subsequent site-related actions.



CASE: SDR-5486

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5486 - APPLICANT: GREGORY L. WILDE - OWNER: GEORGE GILL

**** 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. The applicant shall relocate the landscaping shown on the site plan between the subject building and parking space one. The landscaping shall be relocated along the east property adjacent to the fourth parking space. The landscape buffer shall be installed along the entire length of the eastern property line.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. All development shall be in conformance with the site plan and building elevations, date stamped December 22, 2004 except as amended by conditions herein.
5. 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 the relocation of the landscaping along the east property adjacent to the fourth parking space as noted in a separate condition.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

SDR-5486 - Conditions Page Two
January 13, 2005 Planning Commission Meeting

8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.] [non-residential development]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. 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 a maximum of 12.5% of the total landscaped area as turf.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
13. 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.
14. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
16. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

Public Works

17. 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.

SDR-5486 - Conditions Page Three
January 13, 2005 Planning Commission Meeting

18. If on-street parking is not already prohibited adjacent to this site, submit a written request to the Traffic and Parking Commission to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of building or offsite permits or the issuance of a business license, whichever may occur first. Comply with recommendations of the Traffic and Parking Commission.
19. Hard Surface and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
20. Obtain an Occupancy Permit for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.
21. Site development to comply with all applicable conditions of approval for Zoning Reclassification (ZON-5485) and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a home/office conversion of a 1,500 square foot building with waivers of the landscape standards on 0.17 acres at 228 South Jones Boulevard.

B) Applicant's Justification

The applicant states that the use will compliment the existing office developments in the neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

There are no previous actions related to the Site Development Plan Review (SDR-5486) application or the associated Rezone (ZON-5485).

B) Pre-Application Meeting

10/04/04 The elements of a Site Development Plan Review application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.17

B) Existing Land Use

Subject Property: Single-Family Residential
North: Office
South: Single-Family Residential
East: Single-Family Residential
West: Single-Family Residential

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The site is located in the Southwest Sector of the General Plan. On the Southwest Sector Map, the land use designation for the subject property is SC (Service Commercial). This Site Development Review Plan request complies with the General Plan policies applicable to the site.

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

The subject site is located in the North Las Vegas Airport Overlay. The maximum height allowed within the subject area is 175 feet; therefore the ten-foot existing structure is not subject to additional review.

PROJECT DESCRIPTION

The applicant is proposing a 1,500 square-foot home/office conversion with waivers of the landscape standards. The site plan depicts four (4) parking spaces with one (1) handicapped space. The site is accessed from Jones Boulevard and will share a common driveway with the existing property to the south. The floor plan depicts four (4) offices with associated storage, secretarial, and copy areas.

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	7,405.2 s.f.	N/A
Min. Lot Width	60 Feet	64.4 Feet	Y
Min. Setbacks			
• Front	20 Feet	29 Feet	Y
• Side	5 Feet	7.5 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	15 Feet	44.5 Feet	Y
Max. Lot Coverage	50 %	20.2%	Y
Max. Building Height	2 Stories / 35 Feet	1 Story / 10 Feet	Y

The proposed office meets or exceeds all development standards.

A2) Residential Adjacency Standards

Residential adjacency standards do not apply to the subject site.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Office	1,500 SF.	1/300 GFA	4	1	4	1

The site plan as proposed meets the required number of parking spaces for an office development.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/6 Spaces	1 Tree	1 Tree
Buffer:	1 Trees/20 Linear Feet	3 Trees	0
• Min. Trees	1 Trees/30 Linear Feet	4 Trees	6 Trees
• Min. Zone Width	8 Feet		
• Wall height	8 Feet		N/A

The applicant is requesting waivers of the landscape standards. The site plan as shown does not indicate the required eight-foot buffer along the north and east property lines. Additionally, a fifteen-foot buffer is not shown along the west property line. The landscape palette indicates 24"-box Carob trees, five-gallon Weeping Yucca, and one-gallon Lantana. The ground cover is comprised of rock. Turf is not indicated on the landscape plan.

B) General Analysis and Discussion

• Zoning

The proposed office use is a permitted use by right in the P-R (Professional Office and Parking) Zoning District. A separate application (ZON-5485) has been filed concurrently with this Site Development Plan Review application. The proposed structure generally conforms with the development standards of Title 19. The applicant has also requested a Waiver from the landscape standards.

• Site Plan

The site plan depicts access from Jones Boulevard via a common driveway with the existing business to the south. The site plan indicates a seven and a half foot landscape buffer along the northern property line. Parking fingers are also shown along the western property line and the building and first parking space.

• Waivers

The applicant is requesting a waiver of the landscape standards. Staff supports the request for the waivers with the exception to delete landscaping along the east property line. A condition has been added which moves the four parking space west to accommodate a landscape buffer along the east property line.

• Landscape Plan

Eight-foot buffers are required along the north and east property lines. A fifteen-foot buffer is required along the west property line. The applicant is indicating both seven and seven and one-half foot buffers along the north and west property lines. Staff supports the request for the landscape waivers except to move the four parking spaces west to accommodate the required buffer along the east property line.

- Elevation

The existing garage will be removed to accommodate the common driveway with the business to the south. There are no proposed changes to the building elevations, except that the building will be stuccoed with a color to match the building immediately to the south.

- Floor Plan

The floor plan depicts four offices with associated storage, secretarial, and copy areas.

FINDINGS

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

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

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

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

The proposed project is consistent with the General Plan, Title 19 and the Commercial Development Standards with regards to required landscaping and building aesthetics. A condition has been added requiring the applicant to revise the landscape plan prior to any development activity on this site.

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

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

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

The proposed elevations are appropriate for an office development in this area. The standards for the P-R (Professional Office and Parking) zoning district state new development should maintain a residential character. The building as proposed is similar to existing offices located on Jones Boulevard.

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

The building elevations for this development are harmonious and compatible with development in the area, as they depict a structure that has a residential character.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

NOTICES MAILED 243 – Mailed with ZON-5485

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR 5486 APN: 138 36 112 016

Name of Property Owner: GEORGE GILL

Name of Applicant: GREGORY WILDE, ESQ.

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: _____

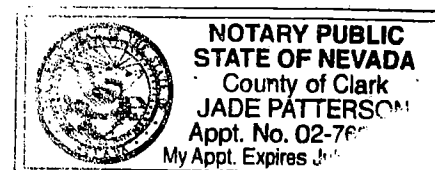
Signature of Property Owner/Authorized Agent: (X) [Signature]

Print Name: GEORGE GILL

Subscribed and sworn before me

This 27th day of September, 2004

Lake Patterson
Notary Public in and for said County and State



FROM :

FAX NO. :

Mar. 15 2003 10:03PM P2

Gregory L. Wilde **
Narah Newark ***
Marianne Catti
Ryan E. Wilde *
John W. Lish *

**Licensed in Utah only
***Licensed in Nevada and Utah
****Licensed in Nevada and Arizona

WILDE & ASSOCIATES
ATTORNEYS AT LAW

A Professional Corporation

NEVADA

208 South Jones Boulevard
Las Vegas, Nevada 89107
(702) 258-8200 (Fax) 258-8787

UTAH

FELT BUILDING
32 Exchange Place, Suite 101
Salt Lake City, Utah 84107
(801) 363-4875
(Fax) 363-4850

JUSTIFICATION LETTER

October 18, 2004

City of Las Vegas
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

Re: "Professional Offices" @
228 South Jones, Las Vegas, Nevada 89107

To Whom It May Concern:

This firm represents the recent purchaser of the above property. The following is a justification letter asking that you approve the Site Development Plan and Rezoning Request of my client. The property is currently a residence but will be converted into a professional office. The zoning is currently R-1 but the master plan calls for the intended use to be PR. This type of use has been the trend in the Jones/95 area. The exterior of the building will not change except that it will be stuccoed with a color to match the building immediately to the south (304 S. Jones) that I own as well.

The look of the building will be identical to the commercial building to the south and share a common driveway between the two so that the back of the property can be used for parking. The necessary plans and landscaping schemes are being submitted with this application packet.

This letter is also a request for a reduction in the required landscaping for the back and sides of the building. We are requesting that the rear landscaping area be delineated because the City of Las Vegas has allowed the same for nearby neighboring property because of the lack of parking and shallow property depths. We are also asking for the reduction of landscaping in the front to accommodate the handicap parking and to match the neighbor to the south. We are asking for a full waiver of landscaping along the southern property line because it will be a common driveway with 304 South Jones. As stated before, neighbors in the area have already granted similar reductions requests and this request should meet the city's desire to have a nice looking professional building along the Jones/95 corridor.

Hopefully these proposals and requests meet the City's policies and concerns concerning the subject area. Should you need additional information, please let me know.

Truly yours,

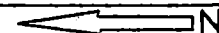
Gregory L. Wilde, Esq.

SDR-5486

RESIDENTIAL

P/L

LANDSCAPING AND
SITE PLAN



PROJECT:

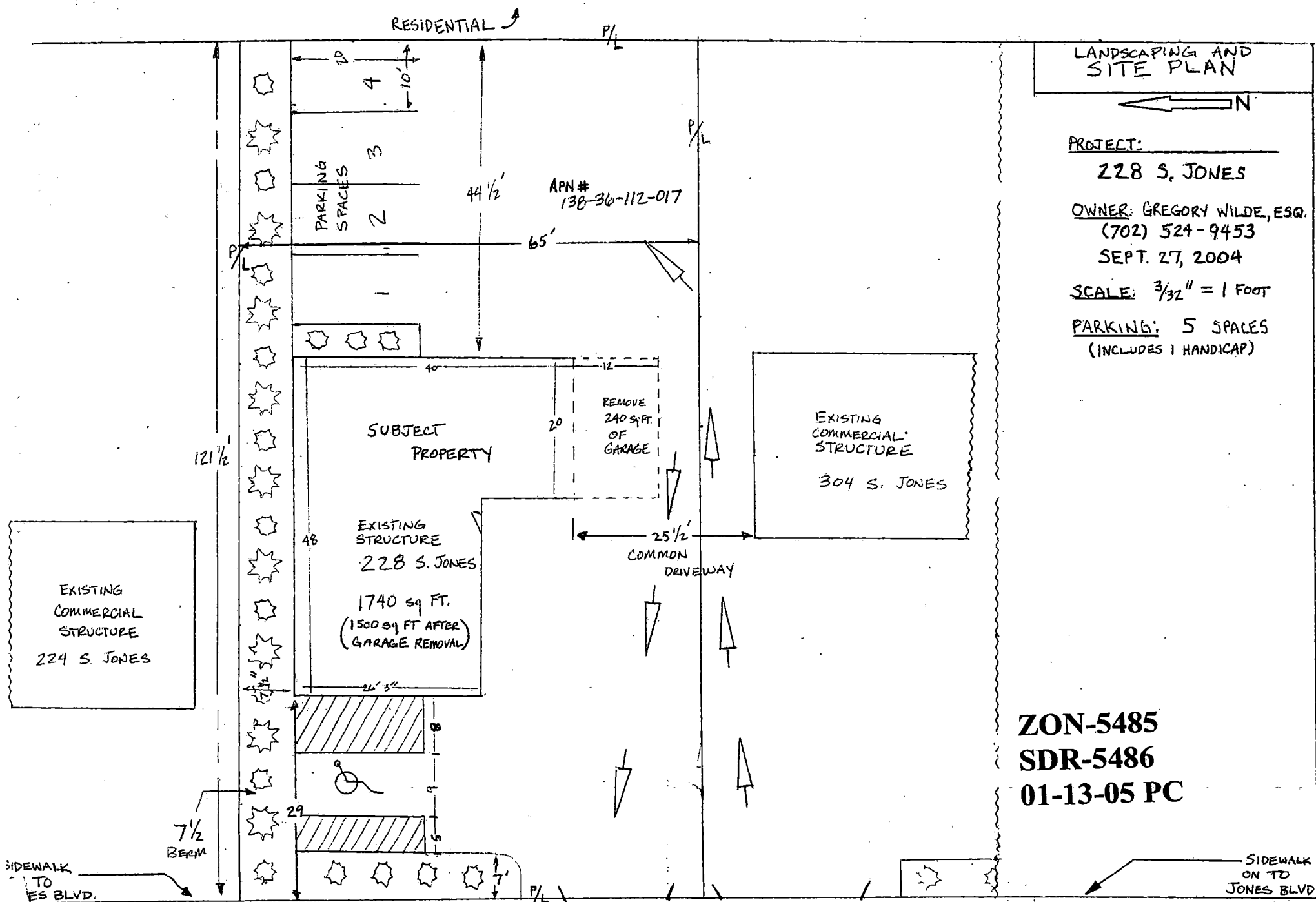
228 S. JONES

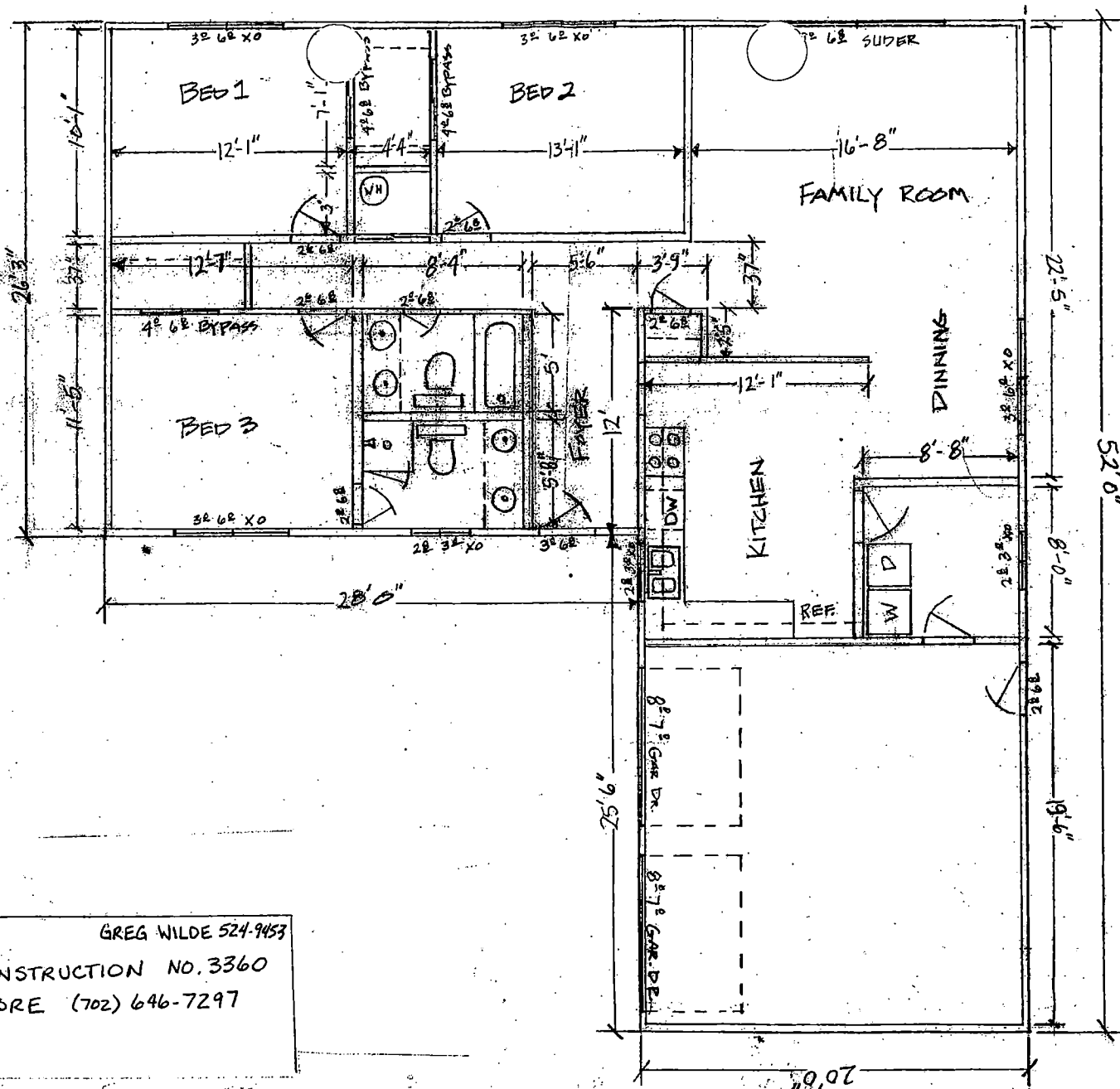
OWNER: GREGORY WILDE, ESQ.
(702) 524-9453

SEPT. 27, 2004

SCALE: $\frac{3}{32}'' = 1 \text{ FOOT}$

PARKING: 5 SPACES
(INCLUDES 1 HANDICAP)





NOTE: INTERIOR
DIMENSIONS ARE FROM
FINISHED DRYWALL
TO REFLECT ROOM
SIZES.

OWNER: GREG WILDE 524-9453
CONTRACTOR: ABILITY CONSTRUCTION NO. 3360
CRAIG MOORE (702) 646-7297

228 S. Jones
EXISTING FLOOR
PLAN 5/21/04
10/10/04 PG. 1

ZON-5485
SDR-5486
01-13-05 PC

ZON-5485
SDR-5486
01-13-05 PC



SDR-5486 - APPLICANT: GREGORY L. WILDE - OWNER: GEORGE GILL
228 SOUTH JONES BOULEVARD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ZON-5702 - REZONING - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING
- OWNER: ISOLA SALVO LLC, ET AL - Request for a Rezoning FROM: U
(UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] [MLA-TC
(MEDIUM-LOW ATTACHED – TOWN CENTER) SPECIAL LAND USE DESIGNATION]
TO: T-C (TOWN CENTER) on 4.12 acres adjacent to the southwest corner of Chieftain Street
and Bath Drive (APN 125-19-701-009 and -010), Ward 6 (Mack).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

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

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 45 [ZON-5702]; Item 46 [VAC-5707], Item 47 [VAR-5705], Item 48 [SUP-5870] and Item 49 [SDR-5704].

GARY LEOBOLD, Planning and Development, stated with regards to these applications, in terms of the zoning request at Town Center, this request is in conformance with the General Plan, which designates the site as TC (Town Center). Staff is in support of rezoning all land within Town Center to the TC zoning category. The special land use designation under the design standards manual designates the site as MLA (Medium Low Attached) Residential Town Center. The rezoning is conforming to that and staff recommended approval.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 45 – ZON-5702

MINUTES – Continued:

Regarding the Vacation, this request is to vacate the halves of Chieftain Street and Rome Boulevard that are adjacent to the site. By vacating these lands, it would allow development of single-family subdivision on this site. The request is appropriate because these roads are not needed. Rome Boulevard is adjacent to the Beltway and there would not be any traffic through there. Staff recommended approval.

Regarding the Site Plan, the applicant proposed a gated development with private streets. When this is done in Town Center, the applicant is required to file a Special Use Permit. In addition, open space is calculated differently. When Town Center was developed, the intent was to promote public streets and discourage the use of private streets and gated areas. The Code within Town Center has an Open Space percentage for public streets versus private streets. The open space requirement is higher for private street developments.

This proposed 60-lot development included 9,736 square feet of open space at the entrance to the site and 14,706 square feet at the rear of the site. The site is overbuilt with the total number of lots based on the use of private streets. Therefore, the applicant has created a hardship that is self-imposed. An alternative site plan that is not gated with fewer lots or with public streets would allow conformance to the Title 19 open space requirements.

In addition, one of the conditions required gated communities not taking access directly off an arterial roadway should have a minimum of two active gated entrances. The site contains only one point of ingress and egress located on Bath Drive. Staff recommended denial on the Variance and the Special Use Permit. Since the Site Plan is predicated on the need for these two applications, staff recommended denial on the Site Plan as well.

ED TANEY, Taney Engineering, 4445 S. Jones Boulevard, appeared on behalf of the property owner and developer. MR. TANEY reiterated MR. LEOBOLD'S overview of the applications. The proposed Site Plan has 25,000 square feet of open space, which exceeds the open space requirement of 20,000 square feet. Immediately south of the proposed project, there is an elevated beltway, I-215. Bath Drive is an 80-foot street on a 60-foot street section with 10 feet of landscaping on both sides of the street. On the opposite side of Chieftain Street is a public facility, which is a retention basin. Immediately west of the proposed project are five acres, which should be a park site. Because of these adjacent uses, the applicant felt it was not essential to have interconnectivity between the other properties for pedestrian traffic. The applicant felt it was beneficial to have private streets in a gated community, which would connect well with the potential park site. The proposed project has ample open space and there are amenities right off the entry.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 45 – ZON-5702

MINUTES – Continued:

MR. TANEY added that a meeting has taken place with the fire department. There is a threshold of approximately 100 units, which would mandate a secondary ingress/egress. There is little impact with traffic volumes, and although it is not required, a lot could be deleted and replaced by an additional emergency access. He then requested approval of the applications.

MR. LEOBOLD clarified for COMMISSIONER McSWAIN that the original intent of the Town Center standards was to have an urban feel, with gridlocks without any impediments and no restricted pedestrian flows. COMMISSIONER McSWAIN then stated that the parcel northwest of the proposed project appeared not to be in line with what is expected within Town Center. With that, she stated she would be inclined to support the proposed project, as it does meet the open space requirement and is adjacent to the retention basin and backs up to the I-215 Beltway.

MR. LEOBOLD responded to CHAIRMAN TRUESDELL by stating that the parcel west of the proposed site is zoned PF-TC. The school district has a pending application to lease the entire site. CHAIRMAN TRUESDELL added that there would be a significant amount of open space around this site. Even though it varies from the Code, he felt that this is one area that having a gated project would be reasonable, and he concluded by stating he could support the application.

VICE CHAIRMAN NIGRO understood the reason for interconnectivity; however, he was more supportive of having narrower streets on small parcels such as the proposed project. He could support the application, as when there is a public facility on one side and a retention basin on the other side, any connectivity would eventually go away because of the types of facilities adjacent to the proposed project.

VICE CHAIRMAN NIGRO also asked if there was an added condition regarding two access points on the proposed project. DAVID GUERRA, Public Works, verified that staff did not have any added conditions. The existing conditions already stipulate that the gates must be in accordance with Standard Drawing #222A and meet the approval of the Department of Fire Services.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 45 [ZON-5702], Item 46 [VAC-5707], Item 47 [VAR-5705], Item 48 [SUP-5870] and Item 49 [SDR-5704].

(8:17 – 8:31)

2-1530

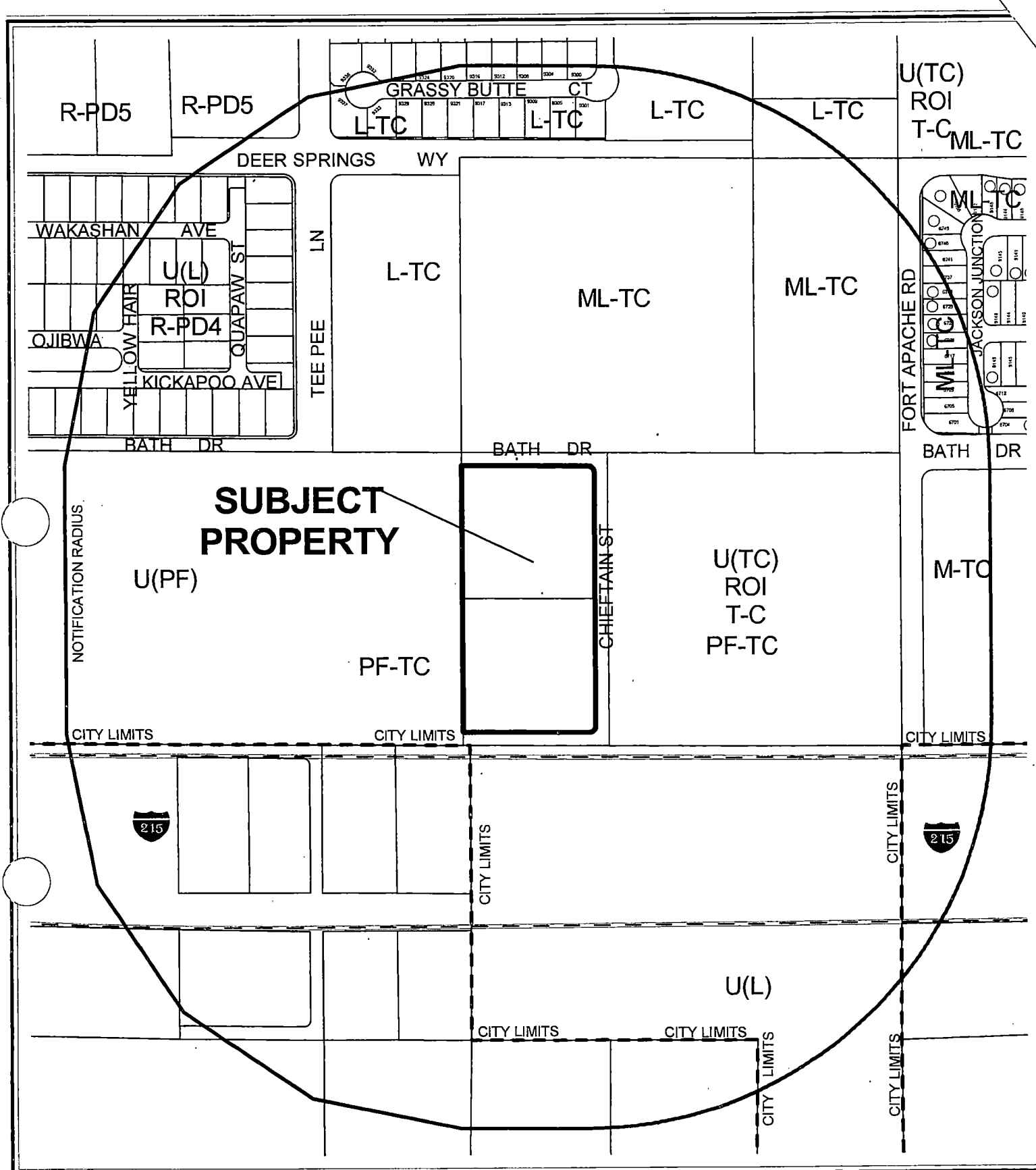
PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 45 – ZON-5702

CONDITIONS:

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-5704) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. The submitted petition of Vacation VAC-5707 shall record prior to the recordation of a Final Map for this site.
4. Construct half-street improvements including appropriate overpaving (if legally able) on Bath Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.
6. Extend public sewer in Bath Drive to the western edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. 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.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: ZON-5702

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

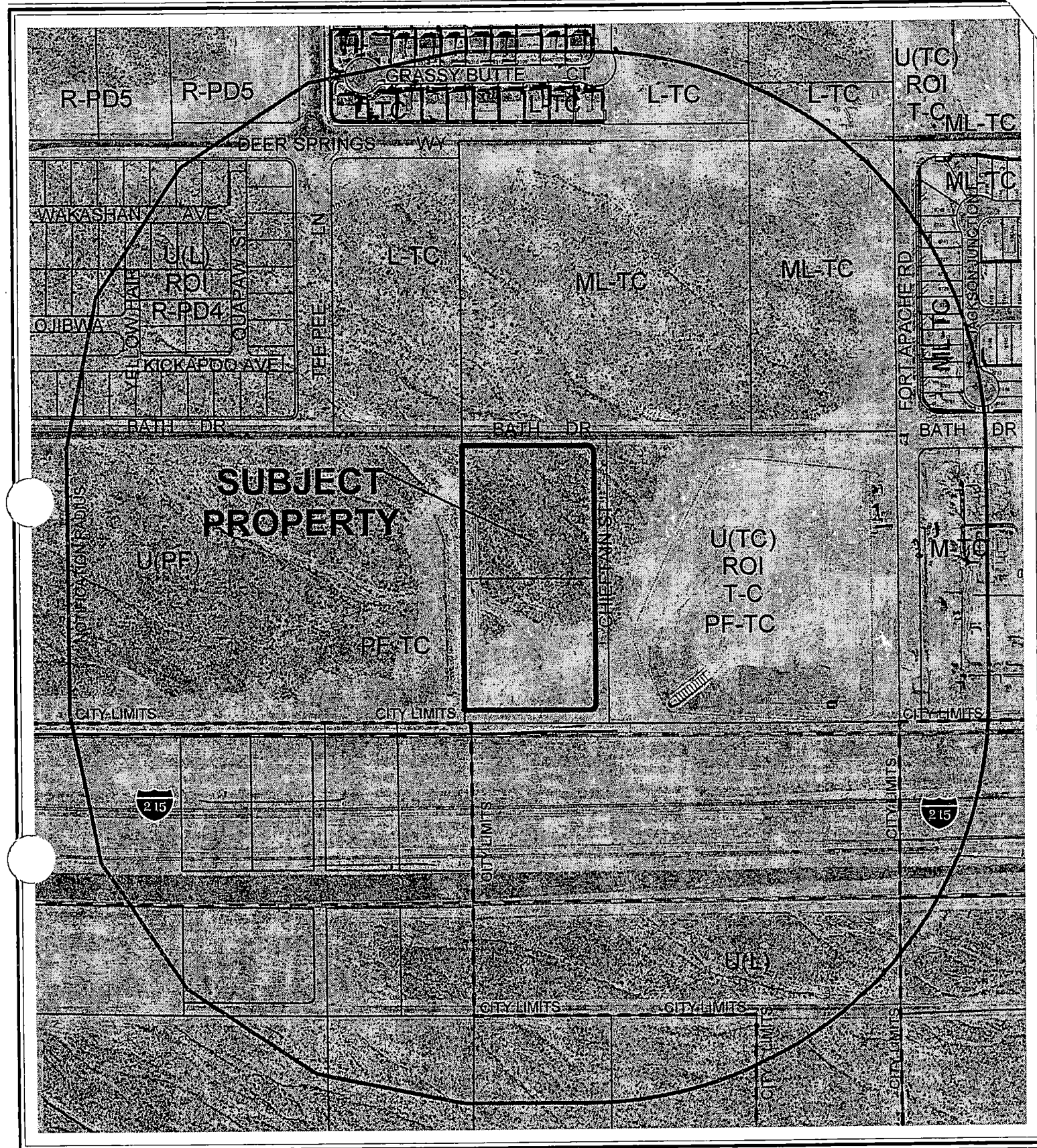
[MLA-TC (MEDIUM-LOW ATTACHED - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

0 200 400 Feet





CASE: ZON-5702

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

[MLA-TC (MEDIUM-LOW ATTACHED - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-5702 - APPLICANT: TANEY ENGINEERING - OWNER:
ISOLA SALVO LLC, ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-5704) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. The submitted petition of Vacation VAC-5707 shall record prior to the recordation of a Final Map for this site.
4. Construct half-street improvements including appropriate overpaving (if legally able) on Bath Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.
6. Extend public sewer in Bath Drive to the western edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. 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.

ZON-5702 - Conditions Page Two
January 13, 2005 Planning Commission Meeting

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning (ZON-5702) from U(Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) on a 4.12 acres site adjacent to the southwest corner of Chieftain Street and Bath. This Rezoning application is being heard concurrently with a Variance (VAR-5705), Site Development Plan Review (SDR-5704), and a Vacation (VAC-5707).

B) Applicant's Justification

The applicant states that the proposed development will aid in the build out of the community and add consistency in residential development.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved a petition to Annex [(A-3-99(A)] property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on March 25, 1999.

04/21/04 The City Council approved an annexation (ANX-3714) on property located on the west side of Chieftain Street, 330 feet north of Rome Boulevard containing approximately 2.06 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on February 26, 2004.

B) Pre-Application Meeting

10/11/04 The following items were discussed during the pre-application conference:

- Development is located in Town Center
- Bath Drive is a residential collector (80-foot row, 60 foot street)
- A traffic study is not needed, but a drainage study and traffic signal impact fee are required.
- A multi-use trail shall be located along the south side of the development.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.12 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property: MLA (Medium Low Attached Density Residential -Town Center)
North: ML (Medium Low Density Residential - Town Center)
South: L (Low Density Residential)
East: PF-TC (Public Facilities - Town Center)
West: PF-TC (Public Facilities - Town Center)

D) Existing Zoning

Subject Property: U (Undeveloped)
North: T-C (Town Center)
South: U (L) (Undeveloped Low Density Residential)
East: U (TC) (Undeveloped) [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center)
West: U (PF) [(Undeveloped) PF (Public Facility)]

E) General Plan Compliance

The site is located in the Centennial Hills Sector Plan area of the General Plan. This parcel is within the Town Center area with a special land use designation of MLA-TC (Medium-Low Attached Density Residential -Town Center), which allows up to twelve dwelling units per acre. The proposed rezoning to T-C is in compliance with the General Plan designation for the site.

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

BTS

The subject site has a designate Multi-use Transportation Trail located along the southern boundary of the property in accordance with the Joint Parks and Trails Plan for the City of Las Vegas and Clark County.

F) General Analysis and Discussion

The proposed T-C (Town Center) zoning is in conformance with the General Plan, which designates the subject site as TC (Town Center). The Town Center Design Standards Manual designates the site as MLA-TC (Medium Low Attached Residential - Town Center). The intent of this district is to enable development with imaginative site and building design and maximize the use of the property. These developments should have a compatible mixture of land uses and encourage employment opportunities and the provision of goods and services to the Centennial Hills area of the City.

FINDINGS

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

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

The proposed T-C (Town Center) zoning is in conformance with the General Plan, which designates the subject site as TC (Town Center). The Town Center Design Standards Manual designate the site as MLC-TC (Medium-Low Attached Residential-TC).

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

The proposed T-C (Town Center) zoning will allow the development of this property in accordance with the Town Center Development Standards Manual which in turn will be compatible with other surrounding Town Center designated land uses and zoning districts.

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

The proposed TC (Town Center) zoning is appropriate for the community given the special land use designation of MLA-TC (Medium Low Attached Residential - Town Center). The rezoning will allow the development of this property in accordance with the Town Center Development Standards Manual.

ZON-5702 - Staff Report Page Four
January 13, 2005 - Planning Commission Meeting

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

The site is accessed via Bath Drive, which is a (60-foot) Residential Collector street with an 80-foot right of way. Bath Drive will provide adequate access to the subject site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

NOTICES MAILED 44 – Mailed with VAR-5705, SUP-5870 and SDR-5704

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5702 APN: 125-19-701-009, 010

Name of Property Owner: Isola Salvo LLC etal

Name of Applicant: Taney Engineering

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

☐ Yes

☒ 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: _____

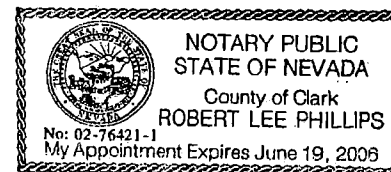
Signature of Property Owner/Authorized Agent: Scott J. Grady

Print Name: Scott J. Grady Managing Member

Subscribed and sworn before me

This 18 day of NOVEMBER, 2004

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



November 30, 2004

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

Re: APN 125-19-701-009 & 125-19-701-010

To Whom It May Concern:

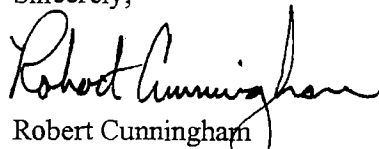
On behalf of our client, Taney Engineering is applying for a Zone Change to Town Center Zoning District, a Site Development Plan Review, a Vacation of Right-of-way for Rome and Chieftain, and a Variance for a reduction in open space on a 5.06 gross acre site located on the southwest corner of Bath Drive and Chieftain Street.

This property is part of the Town Center Overlay District and has been master planned for up to 12 units per acre residential dwellings. The proposed site consists of 60 residential units with an overall density of 11.86 units per acre. The proposed setbacks for the single family homes are as follows: garage 20-ft; front to living area 10-ft; front patio 4-ft; side - 3ft; side corner 10-ft; rear- 8.8-ft. The site integrates open space into two main areas, one located adjacent to the main entry and the other located in the vacated Rome alignment. Both areas will include amenities such as a sidewalk trail system, picnic tables, play equipment and barbeques. The open spaces provided to the south will also serve as a buffer between the beltway right-of-way directly to the south and the proposed residential homes. The total open space required because the site is gated is 43,133 square feet, 25,923 square feet are being provided and a variance for the balance (17,210 square feet) is being requested along with this application. This project is meeting the town center guidelines requirements for 10% of gross area for open space in non-gated communities for a project with densities of up to 12 units per acre. Based on this and the proximity of the future adjacent park to the east the request is warranted. A dual use park and drainage facility is proposed to the east of the project site, so sidewalk connection has been shown to provide access to the future facility. The project site is designed to accommodate the required 80-ft right of way along Bath alignment which includes a 7.5-ft wide amenity zone and a 7-ft wide sidewalk. The site is accessed from Bath right-of-way through a private gated entry with landscaped median islands.

A vacation of both Rome and Chieftain Right-of-ways is being requested along with this application. The vacation of both of these right-of-ways does not create a land locked parcel and allows for unnecessary right-of-way that will dead end at the beltway to be eliminated.

The site plan conforms to the neighborhood in lot size and style, there are many adjacent properties developed as private gate communities. This project will aid in the built out of the community and a consistency in residential development.

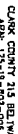
Sincerely,


Robert Cunningham
Taney Engineering

ZON-5702

1" = 30

PARDEE HOMES NEVADA
APN: 125-19-701-006
ZONED UNDEVELOPED T-C

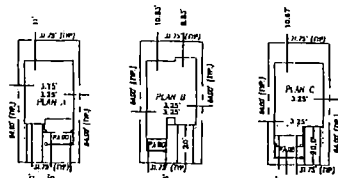


Call Two Working Days
Before You Dig



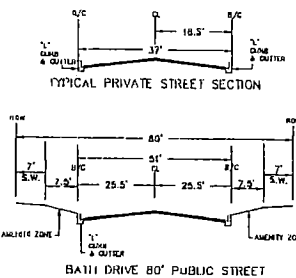
Dig|Safety. Dig|Safety
1-800-227-2600

NOTE: INTERNAL PRIVATE
STREETS ARE PUBLIC
UTILITY EASEMENTS.
COMMON LOTS ARE 60.80
MAINTAINED BY THE HOA.



TYPICAL LOTS

No.	Radius	Grade	Length	Length
C1	5.00	80.00/0.00	7.85	3.00
C2	20.00	90.00/0.00	11.47	20.00
C17	20.00	70.77/2.21	7.11	3.59
C18	20.00	70.77/2.21	24.35	14.09
C19	20.00	71.83/2.15	4.80	2.41
C20	20.00	71.83/2.15	23.21	13.47
C21	20.00	74.34/2.66	6.70	2.63
C22	20.00	74.34/2.66	24.18	13.77
C23	20.00	80.01/1.11	31.66	20.24
C24	5.00	28.06/3.50	2.51	1.62
C25	20.00	81.17/3.48	31.15	18.74
C26	5.00	81.17/3.50	5.34	2.96



BATH DRIVE 80' PUBLIC STREET

GRAPHIC SCALE



1 IN FEET
1 inch = 30 ft

NET SITE AREA	4.81 ACRES
NET SITE AREA	208 ACRES (EXCLUDING R/W OF HIGHWAY AND BATH)
ADIR	123-19-701-008 & 010
CURRENT ZONING	U1C1
PAUPROD ZONING	EC
SETBACKS	
GARAGE	30'
FRONT	10' TO HIGH GARAGE LIVING AREA (4' TO PARD ELEMENT)
SIDE	5'
SIDE CORNER	5'
REAR	8.6' MIN. (8.6' AVERAGE)
LOT COUNT	60 LOTS (2,076 SF MINIMUM)
NET USE PER ACRE	128.00 LOTS PER ACRE
NET OPEN SPACE	23,833 SF
NET OPEN SPACE	23.833 SF (40% OF REQUIRED OPEN SPACE) MINIMUM REQUIRED

SOUTH 89°31'27" EAST, BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 60 EAST, MDN AS SHOWN IN FILE 11A, PAGE 57 OF SURVEYS

PROPERTY BOUNDARY _____
PROPERTY LINE _____
STREET CENTERLINE _____
RIGHT-OF-WAY, 80' _____
LOT NUMBER 1

- * NEVADA POWER COMPANY
6226 N. SAHARA AVE. 367-5555
- * SEPRAM ILLINOIS COMPANY
310 S. VALLEY VIEW BLVD. 244-7400
- * SOUTHWEST GAS CORP.
4300 W. IROQUOIS AVE. 365-7111
- * SILVER STATE DISPOSAL SERVICE INC.
770 E. SAHARA AVE. 733-5151
- * LAS VEGAS VALLEY WATER DISTRICT (WATER)
1001 VALLEY VIEW BLVD. 870-2011
- * CITY OF LAS VEGAS UTILITIES DEPARTMENT (SEWER)
CAS STREET. 729-8310

A PORTION OF THE EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 80 EAST, N.D.M., CLARK COUNTY, NEVADA.

TANEY ENGINEER COMPANY
4445 S. JONES BOULEVARD
SUITE #1
LAS VEGAS, NV 89103

DAVID OBER
8367 W. FLAMINGO RD
LAS VEGAS, NEVADA 89147
TEL: 788.9162
FAX: 363.8141

ISOLA SALVO, LLC ETAL
8020 W. SAHARA, ST 215
LAS VEGAS, NEVADA 89117
(702)768-9162

DAVID OBER
 9887 SHAMARA DR.
 10013 WEKA, NY 09177
 702-252-2154, 702-747-360-5599

DATE: 10/10/04
SCALE: 1" = 30'
JOB NO: OBR-04-00
DESIGNED BY: R
DRAWN BY: S
SHEET NAME:
SPR
SHEET:
1 OF 1

ZON-5702
VAR-5705
SDR-5704
01-13-05 PC



ZON-5702 - APPLICANT: TANEY ENGINEERING - OWNER: ISOLA SALVO LLC, ET AL
SOUTHWEST CORNER OF CHIEFTAIN STREET AND BATH DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAC-5707 - VACATION RELATED TO ZON-5702 - PUBLIC HEARING - APPLICANT: TANAY ENGINEERING - OWNER: ISOLA SALVO LLC, ET AL - Petition to Vacate the west half of Chieftain Street between Rome Boulevard and Bath Drive, and the north side of Rome Boulevard west of Chieftain Street, Ward 6 (Mack).

SET DATE: 02/02/05 C.C. 02/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

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

MINUTES:

See Item 45 for related discussion on Item 45 [ZON-5702], Item 46 [VAC-5707], Item 47 [VAR-5705], Item 48 [SUP-5870] and Item 49 [SDR-5704].

(8:17 – 8:31)

2-1530

CONDITIONS:

Planning and Development

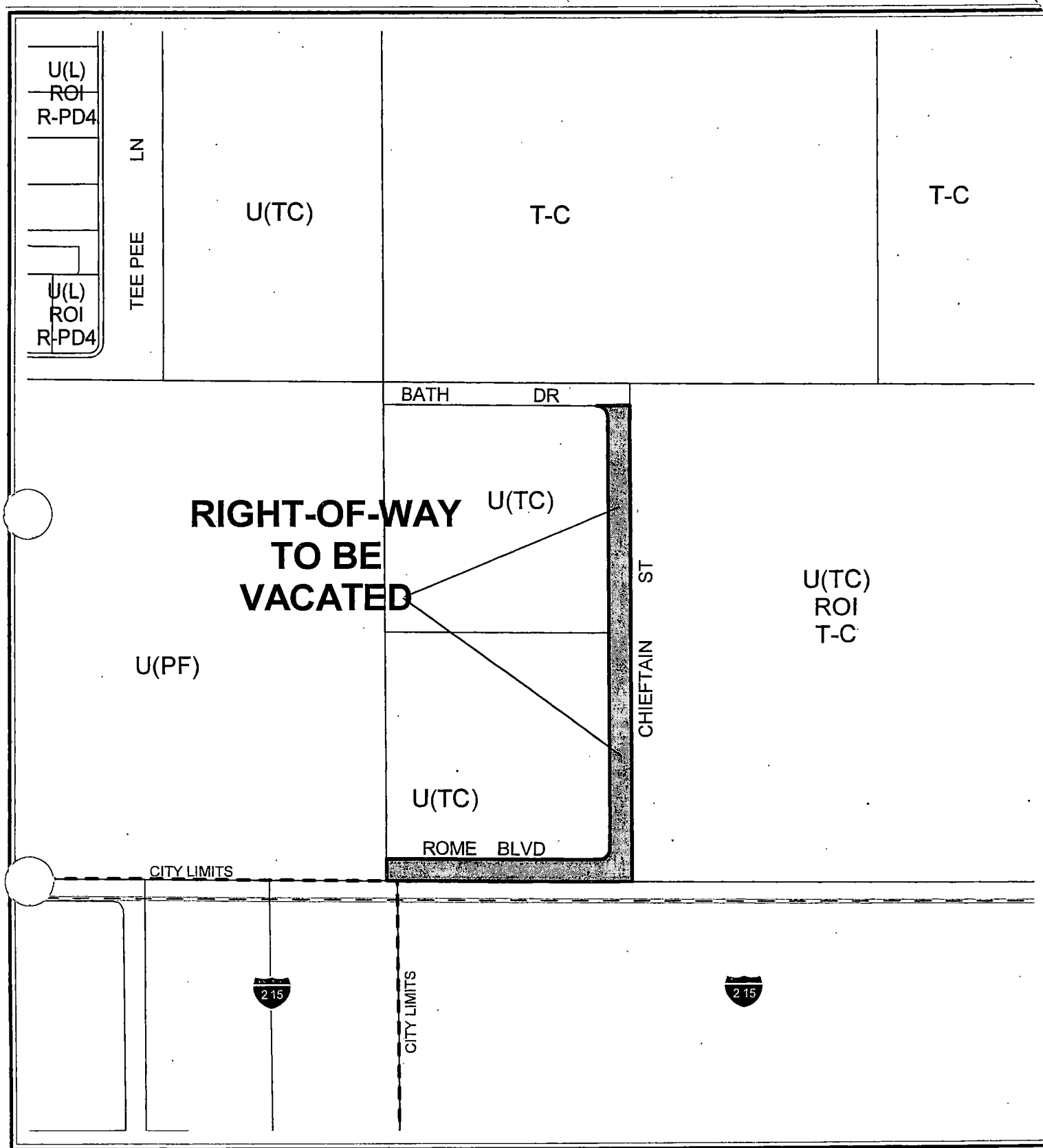
1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Zoning

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 46 – VAC-5707

CONDITIONS – Continued:

Reclassification ZON-5702 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

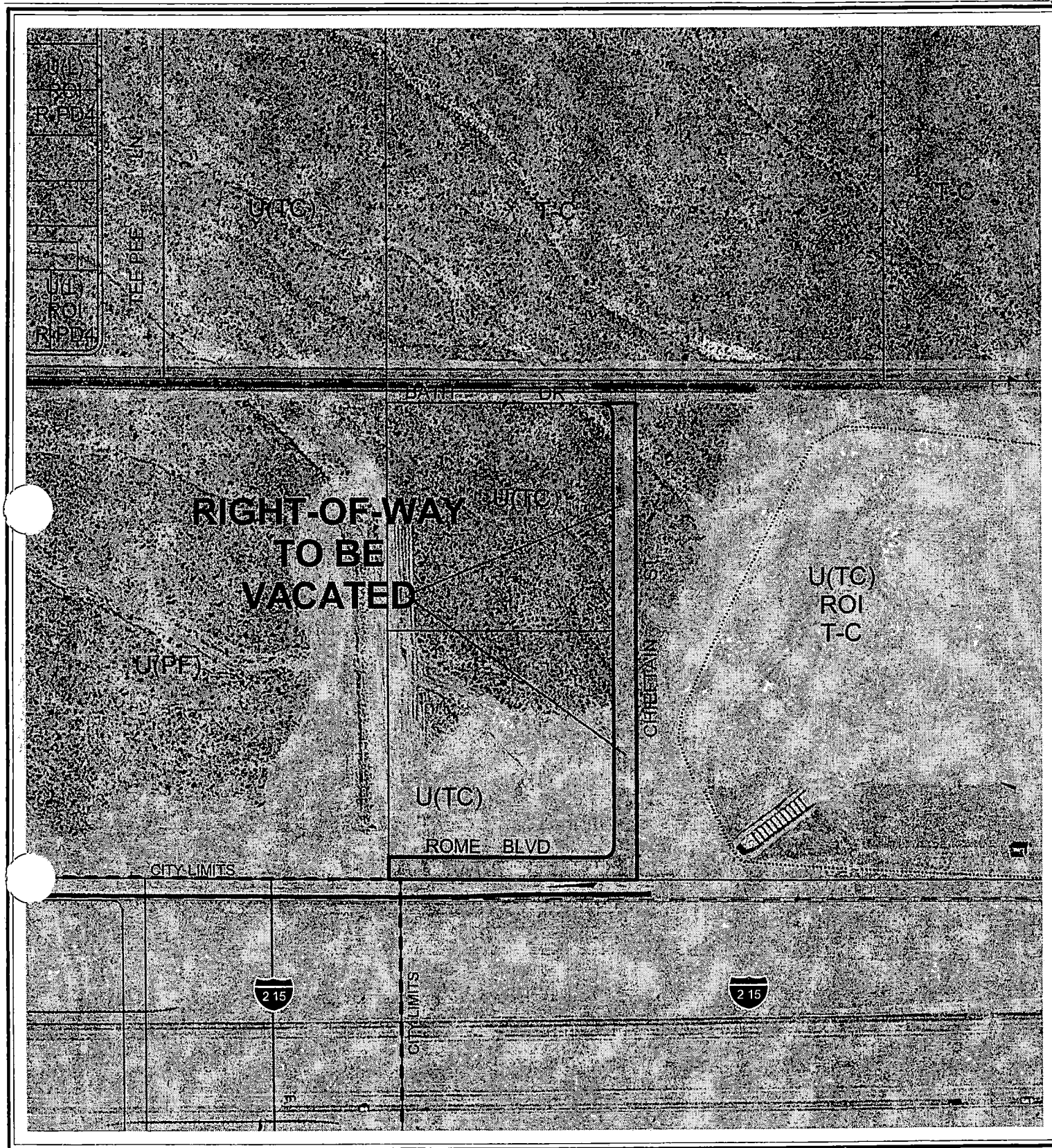
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. Reservation of easements for the facilities of the various utility companies together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



CASE: VAC-5707

0 100 200 Feet





CASE: VAC-5707

0 100 200 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAC-5707 - APPLICANT: TANEY ENGINEERING - OWNER:
ISOLA SALVO LLC, ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Zoning Reclassification ZON-5702 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a petition to vacate all of Chieftain Street between Rome Boulevard and Bath Drive, and the 300 feet of Rome Boulevard lying west of Chieftain Street.

B) Applicant's Justification

The applicant states that the vacation of both of these right-of-ways does not create a land locked parcel and allows for unnecessary right-of-way that will dead end at the beltway to be eliminated.

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a petition to Annex [(A-3-99(A))] property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on March 25, 1999.
- 04/21/04 The City Council approved an annexation (ANX-3714) on property located on the west side of Chieftain Street, 330 feet north of Rome Boulevard containing approximately 2.06 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on February 26, 2004.

DETAILS OF APPLICATION REQUEST

The south 30 feet and east 30 feet of the east half (E1/2) of the southwest quarter (SW1/4) of the northeast quarter (NE1/4) of the southeast quarter (sw1/4) of the northeast quarter (NE1/4) of the southeast quarter (SE1/4) of Section 19, Township 19 south, Range 60 East. M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U.S. Government Patent Reservations because they are no longer needed in their current configuration. This will allow the development of the single-family subdivision on this site. This request is appropriate, as the subject grant is not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

Public Works present the following information concerning this request to vacate certain public street right of way:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
Neither as it is to vacate a portion of a public right-of-way not currently used.
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since it is not currently used as a roadway.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate a portion of 2 streets that will no longer serve a public purpose.*
- D. Does this vacation request coincide with development plans of the adjacent parcels?
Yes, Zoning Reclassification ZON-5702 and Site Development Plan Review SDR-5704.
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

0

NOTICES MAILED

3

APPROVALS

0

PROTESTS

0

BTS

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**

Case Number: VAC-5707 APN: 125-19-701-009, 010
Name of Property Owner: Isola Salvo LLC etal
Name of Applicant: Taney Engineering

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

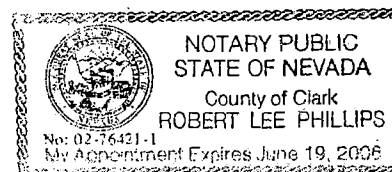
Signature of Property Owner/Authorized Agent: _____

Print Name: Scott J. O'Leary Managing Member

Subscribed and sworn before me

This 18 day of NOVEMBER, 2004

R. J. P.
Notary Public in and for said County and State





VAC-5707 - APPLICANT: TANEY ENGINEERING - OWNER: ISOLA SALVO LLC, ET AL
WEST HALF OF CHIEFTAIN STREET BETWEEN ROME BOULEVARD AND BATH DRIVE, AND THE NORTH
SIDE OF ROME BOULEVARD WEST OF CHIEFTAIN STREET
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

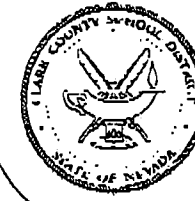
AN AFFIRMATIVE ACTION
EQUAL OPPORTUNITY EMPLOYER

CLARK COUNTY SCHOOL DISTRICT

Demographics, Zoning & Realty Department

FACILITIES DIVISION

"Yes, we can"



BOARD OF SCHOOL TRUSTEES

Mrs. Susan C. Bruger-Wellman, President
Mr. Larry P. Mason, Vice President
Mrs. Mary Beth Scow, Clerk
Mrs. Shirley C. Barber, Member
Mrs. Ruth L. Johnson, Member
Mrs. Sheila R. Moulton, Member
Mrs. Denise M. Brudsky, Member
Mr. Carlos Arturo Garcia, Superintendent

December 14, 2004

Via fax 474-7463

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

RE: VAC-5707
Agenda for Planning Commission January 13, 2005

Please be advised that Clark County School District strongly opposes the vacation of Rome Boulevard and Chieftain Street. This vacation would negatively impact the school district's ability to service the school site with a safe continuous traffic flow to and from our school site.

Please consider our request to *deny* vacation #5707.

Sincerely,


Carol L. Bailey
Coordinator II
Demographics, Zoning and Realty

C. Matthew J. LaCroix
File

4 PAGES TOTAL

P
VAC-5707

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ CONSENT ☒ DISCUSSION

SUBJECT:

VAR-5705 - VARIANCE RELATED TO ZON-5702 AND VAC-5707 - PUBLIC HEARING
- APPLICANT: TANEY ENGINEERING - OWNER: ISOLA SALVO LLC, ET AL -
 Request for a Variance TO ALLOW 25,923 SQUARE FEET OF OPEN SPACE WHERE 43,133
 SQUARE FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SINGLE-FAMILY
 DEVELOPMENT on 4.12 acres adjacent to the southwest corner of Chieftain Street and Bath
 Drive (APN 125-19-701-009 and 010), U (Undeveloped) [TC (Town Center) General Plan
 Designation] [MLA-TC (Medium-Low Attached – Town Center) Special Land Use
 Designation], Ward 6 (Mack).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

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

MINUTES:

See Item 45 for related discussion on Item 45 [ZON-5702], Item 46 [VAC-5707], Item 47 [VAR-5705], Item 48 [SUP-5870] and Item 49 [SDR-5704].

(8:17 – 8:31)

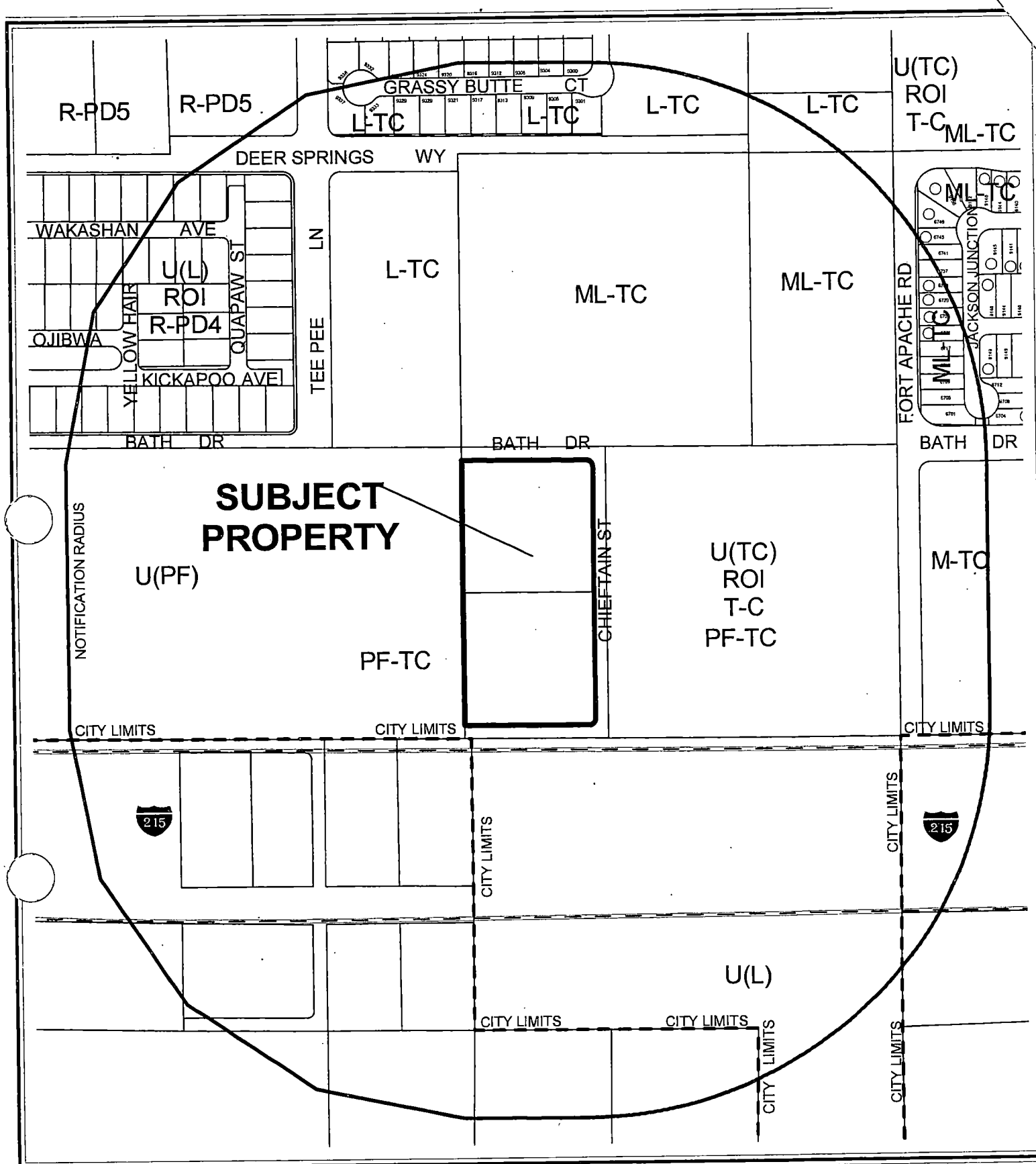
2-1530

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 47 – VAR-5705

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5702), Site Development Plan Review (SDR-5704) and a Vacation (VAC-5707).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$68,840 or $[17,210 \times \$4.00]$ to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.



CASE: VAR-5705

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

[MLA-TC (MEDIUM-LOW ATTACHED - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5705 - APPLICANT: TANEY ENGINEERING - OWNER:
ISOLA SALVO LLC, ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5702), Site Development Plan Review (SDR-5704) and a Vacation (VAC-5707).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06:040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$68,840 or [17,210 x \$4.00] to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance to allow 25,923 square feet of open space where 43,133 square feet is required on 4.12 acres adjacent to the southwest corner of Chieftain Street and Bath Drive.

B) Applicant's Justification

The applicant states that the proposed development will aid in the build out of the community and add consistency in residential development.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved a petition to Annex [(A-3-99(A))] property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on March 25, 1999.

04/21/04 The City Council approved an annexation (ANX-3714) on property located on the west side of Chieftain Street, 330 feet north of Rome Boulevard containing approximately 2.06 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on February 26, 2004.

B) Pre-Application Meeting

10/11/04 The following items were discussed during the pre-application conference:

- Development is located in Town Center
- Bath Drive is a residential collector (80' row, 60' street)
- A traffic study is not needed, but a drainage study and traffic signal impact fee are required.
- A multi-use trail shall be located along the south side of the development.

VAR-5705 - Staff Report Page Two
January 13, 2005 - Planning Commission Meeting

C) Neighborhood Meetings

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

A) Site Area

Gross Acres: 5.06
Net Acres: 4.12

B) Existing Land Use

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

C) Planned Land Use

Subject Property: MLA (Medium Low Attached Density Residential -Town Center)
North: ML (Medium Low Density Residential - Town Center)
South: L (Low Density Residential)
East: PF-TC (Public Facilities - Town Center)
West: PF-TC (Public Facilities - Town Center)

D) Existing Zoning

Subject Property: U (Undeveloped)
North: T-C (Town Center)
South: U (L) (Undeveloped Low Density Residential)
East: U (TC) (Undeveloped) [TC (Town Center) General Plan
Designation] under Resolution of Intent to T-C (Town Center)
West: U (PF) [(Undeveloped) PF (Public Facility)]

E) General Plan Compliance

The site is located in the Centennial Hills Sector Plan area of the General Plan. This parcel is within the Town Center area with a special land use designation of MLA-TC (Medium-Low Attached Density Residential-Town Center), which allows up to twelve dwelling units per acre. The requested Variance is not directly related to any General Plan policies.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Special Overlay District		
Trails	X	
County/North Las Vegas/HOA Notification		X

BTS

Development Impact Notification Assessment		X
Project of Regional Significance		X

The subject site has a designate Multi-use Transportation Trail located along the southern boundary of the property in accordance with the Joint Parks and Trails Plan for the City of Las Vegas and Clark County.

A) Zoning Code Compliance

A1) Landscape and Open Space Standards

- Title 19 Open Space Requirements

Town Center has an Open Space percentage table for public street developments. If the streets are private, Title 19 Open Space standards apply to the subject site. A Special Use Permit (SUP-5870) is also required. Title 19 requires a higher Open Spaces standard as follows:

Total Acreage	Density	Required		Provided	
		Percent	Area	Percent	Area
5.06	15 units	43,133	.99 acres	25,923	.60 acres

The proposed site is deficient 17,210 square feet of Open Space. Staff cannot support the Open Space Variance because one or more of the findings cannot be met.

B) General Analysis and Discussion

The proposed sixty-lot development includes 9,736 square feet of open space at the entrance to the site and 14,706 square feet at the rear of the site. The site is overbuilt with the total number of lots based on the use of private streets. Therefore, the applicant has created a hardship that is self-imposed. This request for a Variance from the open space requirement cannot be supported.

FINDINGS

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

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

VAR-5705 - Staff Report Page Four
January 13, 2005 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship. An alternative site plan with fewer lots or with public streets would allow conformance to the Title 19 open space requirements.

In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

NOTICES MAILED 44 – Mailed with ZON-5702, SUP-5870 and SDR-5704

APPROVALS 0

PROTESTS 0

BTS

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: VAR-5705 APN: 125-19-701-009, 010Name of Property Owner: Isola Salvo LLC etalName of Applicant: Taney Engineering

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

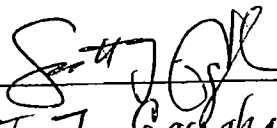
☐ Yes☒ No

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.

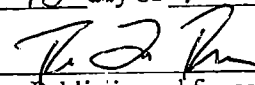
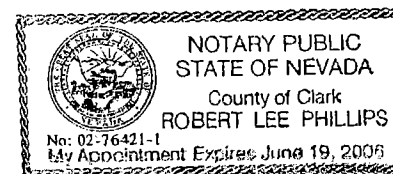
City Official: _____

Partne:(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Print Name: SCOTT J. Gallagher Managing Member

Subscribed and sworn before me

This 18 day of NOVEMBER, 2004
Notary Public in and for said County and State

November 30, 2004

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

Re: APN 125-19-701-009 & 125-19-701-010

To Whom It May Concern:

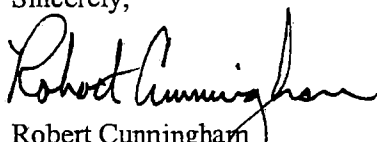
On behalf of our client, Taney Engineering is applying for a Zone Change to Town Center Zoning District, a Site Development Plan Review, a Vacation of Right-of-way for Rome and Chieftain, and a Variance for a reduction in open space on a 5.06 gross acre site located on the southwest corner of Bath Drive and Chieftain Street.

This property is part of the Town Center Overlay District and has been master planned for up to 12 units per acre residential dwellings. The proposed site consists of 60 residential units with an overall density of 11.86 units per acre. The proposed setbacks for the single family homes are as follows: garage 20-ft; front to living area 10-ft; front patio 4-ft; side -- 3ft; side corner 10-ft; rear-8.8-ft. The site integrates open space into two main areas, one located adjacent to the main entry and the other located in the vacated Rome alignment. Both areas will include amenities such as a sidewalk trail system, picnic tables, play equipment and barbeques. The open spaces provided to the south will also serve as a buffer between the beltway right-of-way directly to the south and the proposed residential homes. The total open space required because the site is gated is 43,133 square feet, 25,923 square feet are being provided and a variance for the balance (17,210 square feet) is being requested along with this application. This project is meeting the town center guidelines requirements for 10% of gross area for open space in non-gated communities for a project with densities of up to 12 units per acre. Based on this and the proximity of the future adjacent park to the east the request is warranted. A dual use park and drainage facility is proposed to the east of the project site, so sidewalk connection has been shown to provide access to the future facility. The project site is designed to accommodate the required 80-ft right of way along Bath alignment which includes a 7.5-ft wide amenity zone and a 7-ft wide sidewalk. The site is accessed from Bath right-of-way through a private gated entry with landscaped median islands.

A vacation of both Rome and Chieftain Right-of-ways is being requested along with this application. The vacation of both of these right-of-ways does not create a land locked parcel and allows for unnecessary right-of-way that will dead end at the beltway to be eliminated.

The site plan conforms to the neighborhood in lot size and style, there are many adjacent properties developed as private gate communities. This project will aid in the built out of the community and a consistency in residential development.

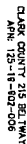
Sincerely,


Robert Cunningham
Taney Engineering

VAR-5705

1" = 30'

PARDEE HOMES NEVADA
APN: 125-19-701-006
ZONED UNDEVELOPED T-C



USA
APN: 125-19-701-014
ZDNED T-C PER Z-0069-91

DAY STAR VENTURES L L C
APN: 12519701013
ZONED Y-C

DEER SPRINGS

THE PLE

BATH

PROJECT SITE

FORT APACHE

GRASS SITE AREA	5.01 ACRES
NET SITE AREA	6.81 ACRES (EXCLUDING R/W OF HOME AND BATH)
APNs	125-19-701-008 & 810
CURRENT ZONING	UIC2
PROPOSED ZONING	TC
SETBACKS	
FRONT	20'
SIDE	10' TO HOME GARAGE LIVING AREA (4' TO PATIO ELEMENT)
REAR	10'
SIDE CORNER	10'
REAR	5.8' MIN. (BLK. AVERAGE)
LOT COUNT	40 LOTS (2,028 SF MINIMUM)
GRASS COVERAGE	11.08 LBS PER ACRE
RESID DRAIN SPACE	23.93 SF
RESID ODRN SPACE	23.93 SF (BASED ON REQUIRED ODRN SPACE VARIANCE REQUESTED)

SOUTH 89°31'27" EAST, BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 08 EAST, MDN AS SHOWN IN FILE 11A, PAGE 57 OF SURVEYS

PROPERTY BOUNDARY _____
PROPERTY LINE _____
STREET CENTERLINE _____
RIGHT-OF-WAY, 8C _____
LOT NUMBER 1

- * NEVADA POWER COMPANY
6225 W. SAHARA AVE. 387-5555
- * SPRINT TELEPHONE COMPANY
510 E. VALLEY VIEW BLVD. 244-7400
- * SOUTHWEST GAS CORP.
4300 W. TROPICANA AVE. 388-2111
- * SILVER STATE DISPOSAL SERVICE INC.
720 E. SAHARA AVE. 735-5151
- * LAS VEGAS VALLEY WATER DISTRICT (WATER)
1001 VALLEY VIEW BLVD. 870-2011
- * CITY OF LAS VEGAS UTILITIES DEPARTMENT (SEWER)
GAS STREET, 729-6301

A PORTION OF THE EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 6D EAST, N.M.W., CLARK COUNTY, NEVADA.

TANEY ENGINEER COMPANY
4445 S. JONES BOULEVARD
SUITE #1
LAS VEGAS, NV 89103

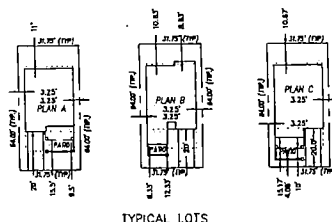
DAVID OBER
8367 W. FLAMINGO RD
LAS VEGAS, NEVADA 89147
TEL: 788.9162
FAX: 363.8141

ISOLA SALVO, LLC ETAL
8020 W. SAHARA, ST 215
LAS VEGAS, NEVADA 89117
(702)768-9162

Call Two Working Days
Before You Dig!

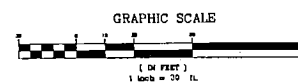
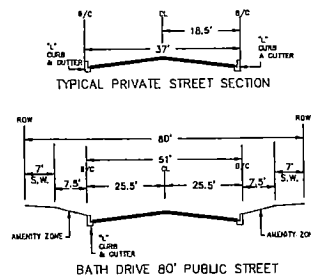


Dig! Safety. Dig! Safety
1-800-227-2600



TYPICAL LOTS

Curve Data				
No.	Radius	Offset	Length	Tangent
C4	5.00	90.00	7.85	5.00
C12	20.00	90.00	31.42	20.00
C17	20.00	207.25	7.11	3.59
C18	20.00	70.20	24.85	14.09
C19	20.00	13.515	6.30	1.41
C20	20.00	2.7522	2.871	0.47
C21	20.00	2.4345	2.871	0.87
C22	20.00	217.58	7.46	3.72
C23	20.00	80.45	31.66	20.24
C24	5.00	28.636	2.51	1.28
C25	20.00	89.124	31.18	15.78
C26	5.00	81.753	5.34	2.90



ZON-5702
VAR-5705
SDR-5704
01-13-05 PC

BATH & CHIEFTAIN	DAVID OBER 4687 SUNDRA AVE LOS ANGELES, CA 90008 707-253-3765 FAX 702-360-4558	 TANER ENGINEERING 4443 S. POWER BLVD. SUITE 21 LAS VEGAS, NV 89121 702-734-1971	NO	DESCRIPTION	1971 DATE	1099
			REVISIONS			

ENGINEER'S SEAL	
DATE:	NOV.04
SCALE:	1" = 30'
JOB NO:	OBR-04-000
DESIGNED BY:	RC
DRAWN BY:	SD
SHEET NAME:	
SPR	
SHEET:	
1	OF 1

1 of 1



VAR-5705 - APPLICANT: TANEY ENGINEERING - OWNER: ISOLA SALVO LLC, ET AL.
SOUTHWEST CORNER OF CHIEFTAIN STREET AND BATH DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5870 - SPECIAL USE PERMIT RELATED TO ZON-5702, VAC-5707 AND VAR-5705 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: GENE SQUITIERI - Request for a Special Use Permit FOR A PROPOSED GATED SUBDIVISION WITH PRIVATE STREETS WITHIN TOWN CENTER adjacent to the southwest corner of Bath Drive and Chieftain Street (APN 125-19-701-009 and 10), Ward 6 (Mack).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

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

MINUTES:

See Item 45 for related discussion on Item 45 [ZON-5702], Item 46 [VAC-5707], Item 47 [VAR-5705], Item 48 [SUP-5870] and Item 49 [SDR-5704].

(8:17 – 8:31)

2-1530

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Private Streets (Residential).

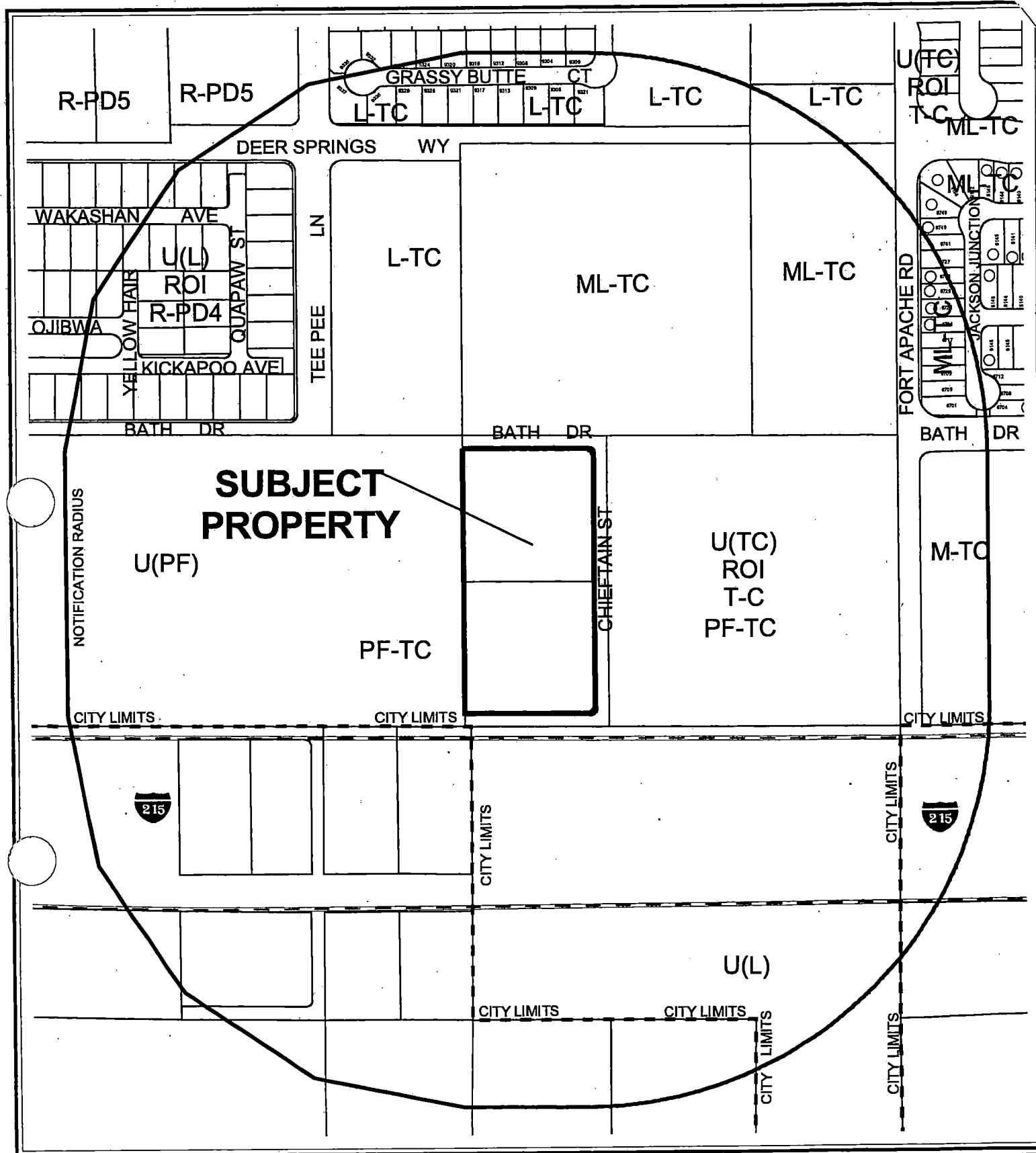
PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 48 – SUP-5870

CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5702) and Site Development Plan Review (SDR-5704).
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 gated communities not taking access directly off an arterial roadway shall have minimum of two active gated entrances shall be granted.

Public Works

6. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
7. A Homeowners Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
8. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
9. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5702, Site Development Plan Review SDR-5704 and all other applicable site-related actions.



CASE: SUP-5870

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

[MLA-TC (MEDIUM-LOW ATTACHED - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5870 - APPLICANT: TANEY ENGINEERING - OWNER: GENE SQUITIERI

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Private Streets (Residential).
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5702) and Site Development Plan Review (SDR-5704).
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9. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5702, Site Development Plan Review SDR-5704 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a 60-lot single-family residential gated subdivision with private streets on a 4.12 acre site within Town Center adjacent to the southwest corner of Chieftain Street and Bath Drive.

B) Applicant's Justification

The applicant states that the proposed project will aid in the build out of the community.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved a petition to Annex [(A-3-99(A))] property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on March 25, 1999.

04/21/04 The City Council approved an annexation (ANX-3714) on property located on the west side of Chieftain Street, 330 feet north of Rome Boulevard containing approximately 2.06 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on February 26, 2004.

B) Pre-Application Meeting

10/11/04 The following items were discussed during the pre-application conference:

- Development is located in Town Center
- Bath Drive is a residential collector (80' row, 60' street)
- A traffic study is not needed, but a drainage study and traffic signal impact fee are required.
- A multi-use trail shall be located along the south side of the development.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.12 acres
Net Acres:

B) Existing Land Use

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

C) Planned Land Use

Subject Property: MLA (Medium Low Attached Density Residential -Town Center)
North: ML (Medium Low Density Residential - Town Center)
South: L (Low Density Residential)
East: PF-TC (Public Facilities - Town Center)
West: PF-TC (Public Facilities - Town Center)

D) Existing Zoning

Subject Property: U (Undeveloped)
North: T-C (Town Center)
South: U (L) (Undeveloped Low Density Residential)
East: U (TC) (Undeveloped) [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center)
West: U (PF) [(Undeveloped) PF (Public Facility)]

E) General Plan Compliance

The site is located in the Centennial Hills Sector Plan area of the General Plan. This parcel is within the Town Center area with a special land use designation of MLA (Medium Low Attached Density Residential), which allows up to twelve dwelling units per acre. The Town Center Development Standards Manual allows the use of private streets within Town Center with the approval of a Special Use Permit.

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

The subject site has a designate Multi-use Transportation Trail located along the southern boundary of the property in accordance with the Joint Parks and Trails Plan for the City of Las Vegas and Clark County.

The subject site contains private streets within Town Center, which require a Special Use Permit. The site borders Clark County, which results in the project being a Project of Regional Significance.

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 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) As of January 5, 2005 staff has only received comments from Las Vegas Metropolitan Police Department. No mitigation measures were presented.

ANALYSIS

A) General Analysis and Discussion

- Zoning

The proposed 60-lot residential development with private streets is a permitted use in the proposed T-C (Town Center) zoning district with the approval of a Special Use Permit.

- Use

The proposed 51-foot entry and 37-foot private streets are intended to serve a 60-lot residential community.

- Conditions

Gated communities with private streets will be permitted by a Special Use Permit approved by the City Council. Such developments shall be consistent with the standards for RP-D developments as described in Title 19. Landscaping of a gated, private street subdivision shall also be consistent with the landscaping requirements of the R-PDD standards in Title 19.

The conditions of approval for a Special Use Permit for a gated subdivision with private streets are as follows:

1. Abutting public street stubs from previously approved adjacent developments shall be terminated in a cul-de-sac or shall be extended to connect to another public street.
2. Gated communities not taking access directly off an arterial roadway shall have a minimum of two active gated entrances. Additional gated entrances may be required to disperse the traffic throughout the street network.
3. Consideration must be given to previously approved grading plans and drainage studies to assure minimum impact to existing and future developments.

The project does not meet condition number two for a approval of a gated subdivision with private streets. A waiver of condition number two is required if the Special Use Permit is approved.

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 private streets will not negatively affect the public streets or access to the subdivision. In addition, the private streets will not impair access to or from public facilities, nor delay the response time of emergency vehicles.

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

The site is not irregular nor does the site have large changes in grade. The site can be developed for public streets.

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

SUP-5870 - Staff Report Page Five
January 13, 2005 Planning Commission Meeting

The site contains only one point of ingress and egress located on Bath Drive. The proposed site plan cannot meet condition number two from the Town Center Development Standards. This condition states gated communities not taking access directly off an arterial roadway shall have a minimum of two active gated entrances. Additional gated entrances may be required to disperse the traffic throughout the street network.

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 private streets will be subject to inspections for compliance to Title 18 (Subdivision Ordinance) requirements and to City design standards and therefore will not compromise the public health, safety and welfare or the overall objectives of the General Plan.

NOTICES MAILED 44 – Mailed with ZON-5702, VAR-5705 and SDR-5704

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5870 APN: 125-19-701-009, 010

Name of Property Owner: _____

Name of Applicant: Taney Engineering

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

☐ Yes

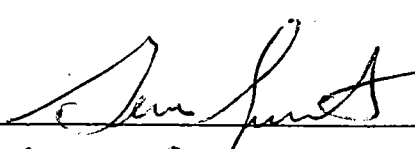
☒ No

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): _____

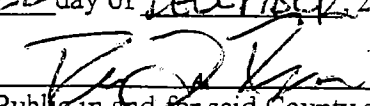
APN: _____

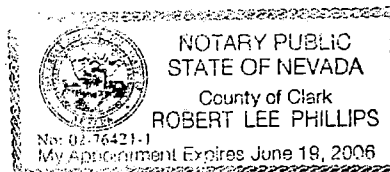
Signature of Property Owner/Authorized Agent: 

Print Name: GENE SQUITIERI

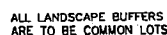
Subscribed and sworn before me

This 22 day of DECEMBER, 2004

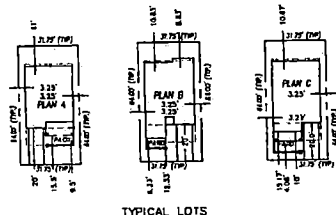

Notary Public in and for said County and State



$1'' = 30'$

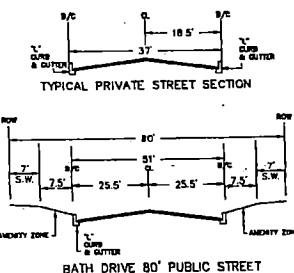


NOTE: INTERNAL PRIVATE
STREETS ARE PUBLIC
UTILITY EASEMENTS.
COMMON LOTS ARE TO BE
MAINTAINED BY THE HOA.



TYPICAL LOTS

Curve Data				
No	Radius	Bearing	Length	Tangent
C4	5.00	90.00°00	7.85	5.00
C7	36.00	90.00°00	61.26	36.00
C8	20.00	72.33°22	31.42	20.00
C18	20.00	70.70°15	31.55	16.09
C19	20.00	17.43°15	4.80	2.41
C20	20.00	67.53°22	23.77	13.47
C21	20.00	14.54°28	5.20	2.63
C22	20.00	21.75°50	7.46	3.77
C23	20.00	30.41°17	31.65	20.24
C24	5.00	28.46°50	7.61	4.86
C25	36.00	90.00°00	61.26	36.00
C26	5.00	61.73°50	5.34	2.96

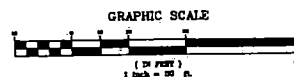


BATH DRIVE 80' PUBLIC STREET

RECEIVED

DEC 23 2004

SUP-5870
01-13-05 PC



DEER SPRINGS

TEL POE

BATH

PROJECT SITE

FORT WARD

1ST AREA 8:00 AM
 2ND AREA 8:45 AM
 3RD AREA 9:30 AM
 4TH AREA 10:15 AM
 5TH AREA 11:00 AM
 6TH AREA 11:45 AM
 7TH AREA 12:30 PM
 8TH AREA 1:15 PM
 9TH AREA 2:00 PM
 10TH AREA 2:45 PM
 11TH AREA 3:30 PM
 12TH AREA 4:15 PM
 13TH AREA 5:00 PM
 14TH AREA 5:45 PM
 15TH AREA 6:30 PM
 16TH AREA 7:15 PM
 17TH AREA 8:00 PM
 18TH AREA 8:45 PM
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PROPERTY BOUNDARY _____
PROPERTY LINE _____
STREET CENTERLINE _____
RIGHT-OF-WAY, DC _____
LOT NUMBER 1

MEVADA POWER COMPANY
8270 W. SAMARA AVE 367-5555
SPRINT TELEPHONE COMPANY
330 S. VALLEY VIEW BLVD. 344-7400
SOUTHWEST GAS CORP.
4300 W. TROCHANA AVE. 364-2111
SUNBELT STATE DISPOSAL SERVICE INC.
270 E. SAMARA AVE. 735-3181
LAS VEGAS VALLEY WATER DISTRICT (WATER)
1020 VALLEY VIEW BLVD. 870-2011
CITY OF LAS VEGAS UTILITIES DEPARTMENT (SEWER)
GAS STREET 220-8301

PORTION OF THE EAST HALF (E 1/2) OF THE
SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST
QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER
BE 1/4) OF SECTION 19, TOWNSHIP 19 SOUTH,
RANGE 60 EAST, M.D.M. CLARK COUNTY, NEVADA.

TANEY ENGINEER COMPANY
4445 S. JONES BOULEVARD
SUITE #1
LAS VEGAS, NV 89103

DAVID OBER
8367 W. FLAMINGO RD
LAS VEGAS, NEVADA 89147
TEL: 768.8162
FAX: 363.8141

ISOLA SALVO, LLC ETAL
8020 W. SAHARA, ST 215
LAS VEGAS, NEVADA 89117
(702)766-8182

[illegible]

DAVID OBER
8887 SAHARA #201
LAS VEGAS, NV 89117
248-8751 FAX: 702-340-4588

BATH & CHIEFTAIN®

SITE PLAN REVIEW

ENGINEER'S SEAL	
DATE:	NOV. 04
SCALE:	1" = 30'
JOB NO:	008-04
DESIGNED BY:	
DRAWN BY:	
SHEET NAME:	SPR
SHEET:	1

December 23, 2004

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

Re: APN 125-19-701-009 & 125-19-701-010

To Whom It May Concern:

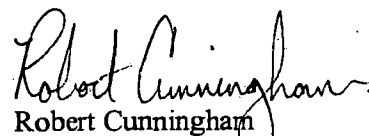
On behalf of our client, Taney Engineering is applying for a Special Use Permit to allow a gated community with private streets on a 5.06 gross acre site located on the southwest corner of Bath Drive and Chieftain Street.

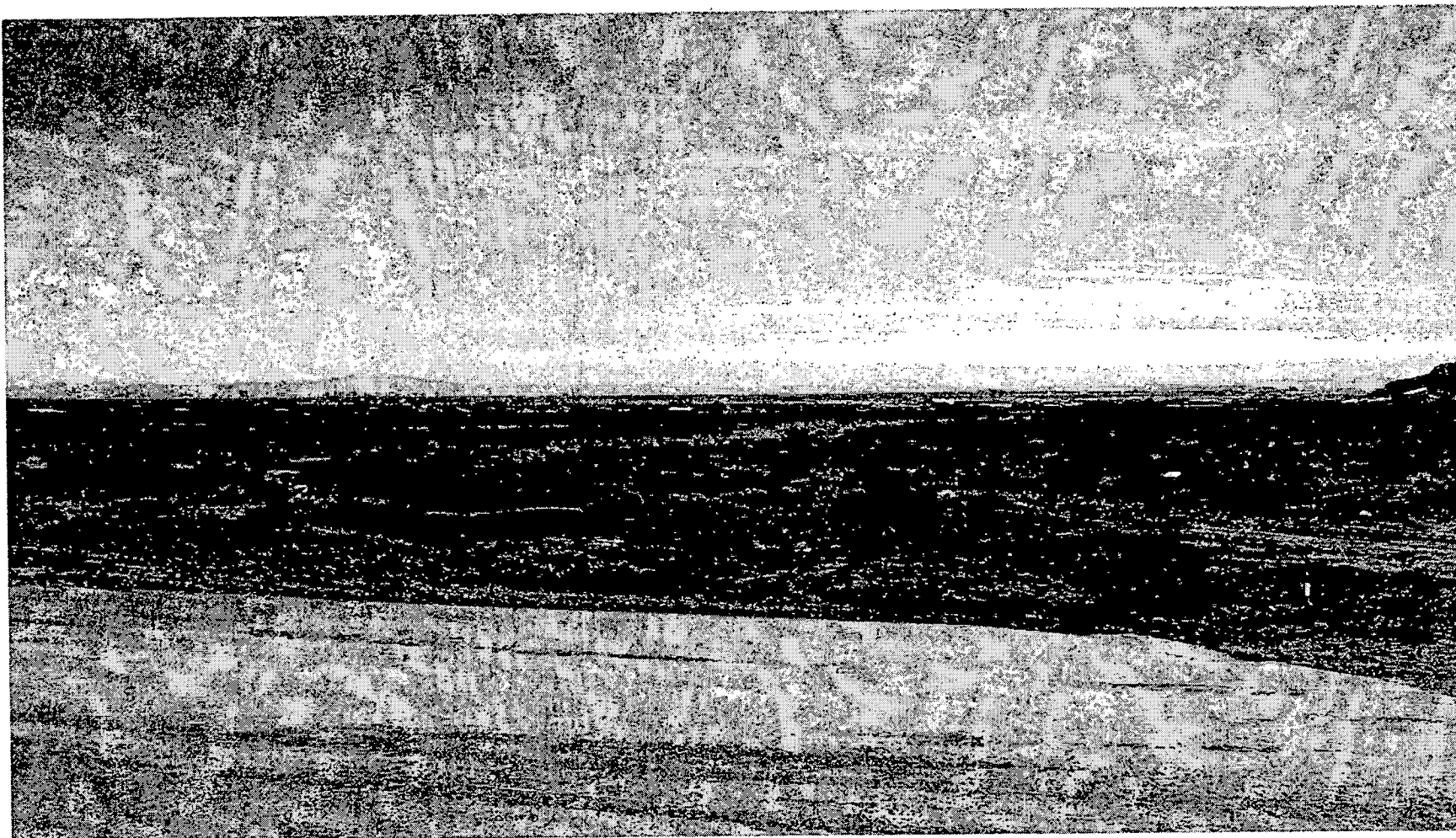
This property is part of the Town Center Overlay District and has been master planned for up to 12 units per acre residential dwellings. The proposed site consists of 60 residential units with an overall density of 11.86 units per acre. The proposed setbacks for the single family homes are as follows: garage 20-ft; front to living area 10-ft; front patio 4-ft; side - 3ft; side corner 10-ft; rear- 8.8-ft. The site integrates open space into two main areas, one located adjacent to the main entry and the other located in the vacated Rome alignment. Both areas will include amenities such as a sidewalk trail system, picnic tables, play equipment and barbeques. The open spaces provided to the south will also serve as a buffer between the beltway right-of-way directly to the south and the proposed residential homes. The total open space required because the site is gated is 43,133 square feet, 25,923 square feet are being provided and a variance for the balance (17,210 square feet) is being requested along with this application. This project is meeting the town center guidelines requirements for 10% of gross area for open space in non-gated communities for a project with densities of up to 12 units per acre. Based on this and the proximity of the future adjacent park to the east the request is warranted. A dual use park and drainage facility is proposed to the east of the project site, so sidewalk connection has been shown to provide access to the future facility. The project site is designed to accommodate the required 80-ft right of way along Bath alignment which includes a 7.5-ft wide amenity zone and a 7-ft wide sidewalk. The site is accessed from Bath right-of-way through a private gated entry with landscaped median islands. The internal street network is made up of private 37-ft wide streets and a private 51-ft wide entry street.

A vacation of both Rome and Chieftain Right-of-ways is being requested along with this application. The vacation of both of these right-of-ways does not create a land locked parcel and allows for unnecessary right-of-way that will dead end at the beltway to be eliminated.

The site plan conforms to the neighborhood in lot size and style, there are many adjacent properties developed as private gate communities. This project will aid in the built out of the community and a consistency in residential development.

Sincerely,


Robert Cunningham
Taney Engineering



SUP-5870 - APPLICANT: TANEY ENGINEERING - OWNER: ISOLA SALVO LLC, ET AL
SOUTHWEST CORNER OF CHIEFTAIN STREET AND BATH DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5704 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5702, VAC-5707 AND VAR-5705 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: ISOLA SALVO LLC, ET AL - Request for a Site Development Plan Review FOR A 60-LOT SINGLE-FAMILY DEVELOPMENT on 4.12 acres adjacent to the southwest corner of Chieftain Street and Bath Drive (APN 125-19-701-009 and 010), U (Undeveloped) [TC (Town Center) General Plan Designation] [MLA-TC (Medium-Low Attached – Town Center) Special Land Use Designation] [PROPOSED: T-C (Town Center) Zone], Ward 6, (Mack).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

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

MINUTES:

See Item 45 for related discussion on Item 45 [ZON-5702], Item 46 [VAC-5707], Item 47 [VAR-5705], Item 48 [SUP-5870] and Item 49 [SDR-5704].

(8:17 – 8:31)

2-1530

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 49 – SDR-5704

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-5702) from U(Undeveloped) [TC (Town Center)] to a T-C (Town Center) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. All development shall be in conformance with the site plan and building elevations, date stamped November 30, 2004 except as amended by conditions herein.
5. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, three feet on the side, 10 feet on the corner side, and 8.8 feet in the rear.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. 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

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 49 – SDR-5704

CONDITIONS – Continued:

C 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.

- C
11. Air conditioning units shall not be mounted on rooftops residential development.
 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.
 - C 14. Landscape, sidewalk, and amenity zones must adhere to Town Center Standards.

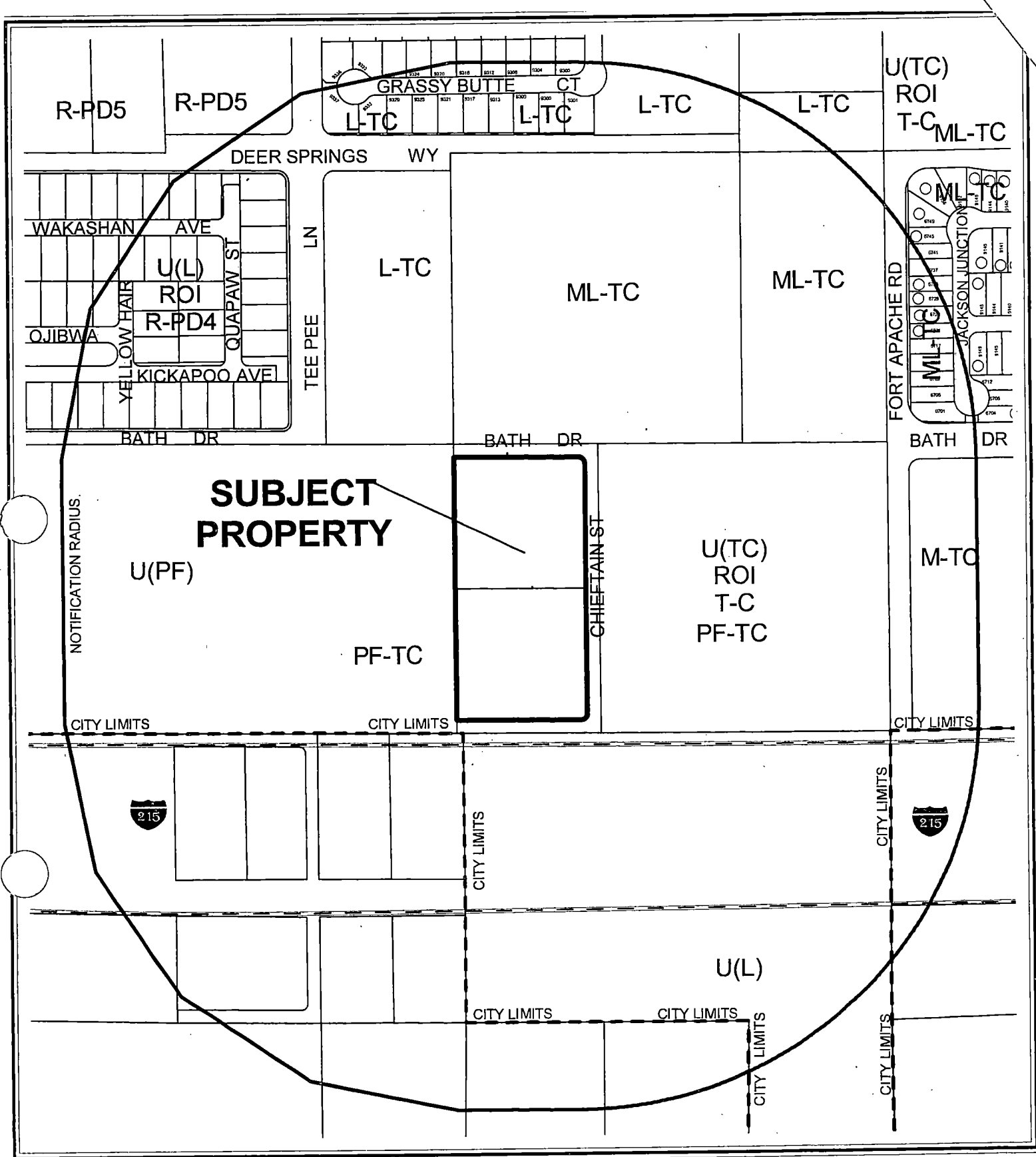
Public Works

15. Coordinate with the City Surveyor to determine whether a Merger and Re-subdivision Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site.
16. Petition of Vacation, VAC-5707, shall record prior to the recordation of a Final Map for this site or the issuance of any permits for this site, whichever may occur first.
17. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
18. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 49 – SDR-5704

CONDITIONS – Continued:

19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5702 and all other applicable site-related actions.
21. 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. We note that non-standard cul-de-sacs are being proposed on the site plan.



CASE: SDR-5704

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

[MLA-TC (MEDIUM-LOW ATTACHED - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5704 - APPLICANT: TANEY ENGINEERING - OWNER:
ISOLA SALVO LLC, ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If Approved, subject to:

Planning and Development

1. A Rezoning (ZON-5702) from U(Undeveloped) [TC (Town Center)] to a T-C (Town Center) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
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7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

10. 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.
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14. Landscape, sidewalk, and amenity zones must adhere to Town Center Standards.

Public Works

15. Coordinate with the City Surveyor to determine whether a Merger and Re-subdivision Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site.
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SDR-5704 - Conditions Page Three
January 13, 2005 Planning Commission Meeting

18. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5702 and all other applicable site-related actions.
21. 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. We note that non-standard cul-de-sacs are being proposed on the site plan.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 60-lot single-family development on 4.12 acres adjacent to the southwest corner of Chieftain Street and Bath Drive.

B) Applicant's Justification

The applicant states that the proposed development will aid in the build out of the community and add consistency in residential development.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved a petition to Annex [(A-3-99(A))] property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on March 25, 1999.

04/21/04 The City Council approved an annexation (ANX-3714) on property located on the west side of Chieftain Street, 330 feet north of Rome Boulevard containing approximately 2.06 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on February 26, 2004.

B) Pre-Application Meeting

10/11/04 The following items were discussed during the pre-application conference:

- Development is located in Town Center
- Bath Drive is a residential collector (80' row, 60' street)
- A traffic study is not needed, but a drainage study and traffic signal impact fee are required.
- A multi-use trail shall be located along the south side of the development.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.06 acres
Net Acres: 4.12 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property: MLA (Medium Low Attached Density Residential -Town Center)
North: ML (Medium Low Density Residential - Town Center)
South: L (Low Density Residential)
East: PF-TC (Public Facilities - Town Center)
West: PF-TC (Public Facilities - Town Center)

D) Existing Zoning

Subject Property: U (Undeveloped)
North: T-C (Town Center)
South: U (L) (Undeveloped Low Density Residential)
East: U (TC) (Undeveloped) [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center)
West: U (PF) [(Undeveloped) PF (Public Facility)]

E) General Plan Compliance

The site is located in the Centennial Hills Sector Plan area of the General Plan. This parcel is within the Town Center area with a special land use designation of MLA (Medium Low Attached Density Residential), which allows up to twelve dwelling units per acre. The proposed Site Development Plan Review complies with relevant General Plan policies for the site.

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

PROJECT DESCRIPTION

The current site plan dated depicts 60 single-family residential lots on 5.06 gross acres, resulting in a density of 11.86 dwelling units per acre. These lots will have access to 37-foot wide private streets that serve the development from a gated entrance on Bath Drive. These lots range in size from approximately 2,032 to 2,394 square feet. Setbacks proposed for this development are 10 feet in the front yard, 20 feet to the garage door, 8.8 feet in the rear, three feet in the site, and 10' for the corner side setbacks.

The applicant is requesting a companion open space Variance (VAR-5705) of 25,923 square feet. The total required open space for the site is 43,133 square feet. The applicant is also requesting a Vacation (VAC-5702), which is a petition to Vacate all of Chieftan Street between Rome Boulevard and Bath Drive, and the 300 feet of Rome Boulevard lying west of Chieftan Street generally located at the northwest corner of Chieftan Street and Rome Boulevard. A Rezoning is also requested, which requests a Rezoning from U(Undeveloped) [TC (Town Center) General Plan Designation] To T-C (Town Center). Finally, a Special Use Permit (SUP-5870) which is a request for private streets in Town Center.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.06, the following Development Standards for a T-C (Town Center) District are established through the special land use designation for the site.

There are no minimum requirements regarding lot size, setbacks or building heights established in the Town Center Development Standards Manual for single-family residential developments in Town Center. All of these requirements are reviewed and imposed through the Site Development Plan Review Process. The proposed setbacks are inappropriate for this development because the applicant is attempting to overbuild the site.

A2) Parking and Traffic Standards

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

Uses	Required
	Ratio
Single Family Dwellings	Two spaces per dwelling

The subject site complies with parking and traffic standards.

A4) Landscape and Open Space Standards

Landscape plantings must adhere to Town Center Standards. The Town Center Collector includes a 36-foot traffic lane, five-foot amenity zones, and seven-foot sidewalks. The amenity zones shall include single alternating shade trees at intervals of 30-feet-on-center. Two accent trees shall be installed in each amenity zone.

- Title 19 Open Space Requirements

Town Center has an Open Space percentage table for public street developments. If the streets are private, Title 19 Open Space standards apply to the subject site. A Special Use Permit (SUP-5870) is also required. Title 19 requires a higher Open Spaces standard as follows:

Total Acreage	Density	Required		Provided	
		Percent	Area	Percent	Area
5.06	15 units	43,133	.99 acres	25,923	.60 acres

The proposed site is deficient 17,210 square feet of Open Space. Staff cannot support the associated open space Variance (VAR-5705) because one or more of the findings cannot be met.

B) General Analysis and Discussion

- Zoning

The proposed Site Development Plan does not conform to the T-C (Town Center) current zoning of the site, which contains a series of objectives that relate to integration of pedestrian and alternative transportation facilities, provision of support facilities (cultural, educational, medical, religious, recreational), preservation of view corridors and the provision of open space and community facilities within the project. This project fails to meet the objective associated with the provision of open space.

- **Site Plan**

The current site plan dated depicts 60 single-family residential lots on 5.06 gross acres, resulting in a density of 11.86 dwelling units per acre. These lots will have access to 37-foot wide private streets that serve the development from a gated entrance on Bath Drive. These lots range in size from approximately 2,032 to 2,394 square feet. Setbacks proposed for this development are 10 feet in the front yard, 20 feet to the garage door, 8.8 feet in the rear, three feet in the side, and 10 feet for the corner side setbacks.

- **Waivers**

There are no waivers requested for this development, but an open space Variance (VAR-5705) is requested.

- **Landscape Plan**

The applicant is requesting an open space Variance (VAR-5705) of 25,923 square feet. The total required open space for the site is 43,133 square feet. The landscape plan indicates a 7.5-foot landscape buffer along Bath Drive, which join two common lots along the entry. The entrance to the site utilizes a 9,736 square foot park/open space element. The southern 30 feet of the site contains a right of way, which is to be vacated (VAC-5707) as a part of an attached application. The 30 feet are proposed to incorporate a multi-use trail as required by the Master Plan 2020 element. The applicant proposes to use a variety of 24" box Mondel Pine, Texas Ranger, and Desert Broom throughout the site.

- **Elevation**

The applicant is proposing six (6) two-story building elevations. The proposed height of the homes are 22 feet and 2-3/8 inches. The elevations indicate stucco, tile roof, and stone veneer accents.

- **Floor Plan**

The submitted floor plans will be appropriate for the depicted lots within this development.

FINDINGS

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

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

The proposed development is incompatible with adjacent development. The site is overbuilt with insufficient setbacks, and has an inadequate amount of open space given the use of private streets.

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

The proposed development is consistent with the General Plan and Title 19 except for Open Space. Proper landscaping along the perimeter of the project is provided. The amount of open space planned is insufficient with 25,923 square feet of open space not provided as required.

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

Access to the site will be provided from Bath Drive, a 60-foot wide roadway that will have adequate capacity to meet the expected demand of this development, and will not negatively impact neighborhood traffic.

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

The landscaping and materials proposed for this development will be appropriate for the single-family residential character of the area, and will meet with Town Center landscaping requirements with inclusion of staff's conditions regarding landscaping.

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

The proposed residential development uses only two-story floor plans. While the individual designs and elevations of the proposed homes are satisfactory, the tight arrangement into clusters with little yard space may create a crowded urban environment that is aesthetically unpleasing, and which may not be compatible with planned residential and commercial uses in the area.

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

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

SDR-5704 - Staff Report Page Seven
January 13, 2005 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

NOTICES MAILED 44 – Mailed with ZON-5702, VAR-5705 and SUP-5870

APPROVALS 0

PROTESTS 0

BTS

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: SDR-5704 APN: 125-19-701-009, 010Name of Property Owner: Isola Salvo LLC etalName of Applicant: Taney Engineering

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

☐ Yes☒ No

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

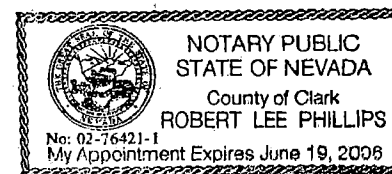
City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]Print Name: Scott J. Caaghan Managing Member

Subscribed and sworn before me

This 18 day of NOVEMBER, 2004[Signature]
Notary Public in and for said County and State

November 30, 2004

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

Re: APN 125-19-701-009 & 125-19-701-010

To Whom It May Concern:

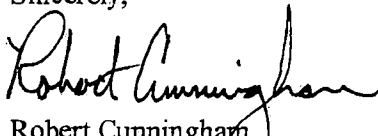
On behalf of our client, Taney Engineering is applying for a Zone Change to Town Center Zoning District, a Site Development Plan Review, a Vacation of Right-of-way for Rome and Chieftain, and a Variance for a reduction in open space on a 5.06 gross acre site located on the southwest corner of Bath Drive and Chieftain Street.

This property is part of the Town Center Overlay District and has been master planned for up to 12 units per acre residential dwellings. The proposed site consists of 60 residential units with an overall density of 11.86 units per acre. The proposed setbacks for the single family homes are as follows: garage 20-ft; front to living area 10-ft; front patio 4-ft; side - 3ft; side corner 10-ft; rear- 8.8-ft. The site integrates open space into two main areas, one located adjacent to the main entry and the other located in the vacated Rome alignment. Both areas will include amenities such as a sidewalk trail system, picnic tables, play equipment and barbeques. The open spaces provided to the south will also serve as a buffer between the beltway right-of-way directly to the south and the proposed residential homes. The total open space required because the site is gated is 43,133 square feet, 25,923 square feet are being provided and a variance for the balance (17,210 square feet) is being requested along with this application. This project is meeting the town center guidelines requirements for 10% of gross area for open space in non-gated communities for a project with densities of up to 12 units per acre. Based on this and the proximity of the future adjacent park to the east the request is warranted. A dual use park and drainage facility is proposed to the east of the project site, so sidewalk connection has been shown to provide access to the future facility. The project site is designed to accommodate the required 80-ft right of way along Bath alignment which includes a 7.5-ft wide amenity zone and a 7-ft wide sidewalk. The site is accessed from Bath right-of-way through a private gated entry with landscaped median islands.

A vacation of both Rome and Chieftain Right-of-ways is being requested along with this application. The vacation of both of these right-of-ways does not create a land locked parcel and allows for unnecessary right-of-way that will dead end at the beltway to be eliminated.

The site plan conforms to the neighborhood in lot size and style, there are many adjacent properties developed as private gate communities. This project will aid in the built out of the community and a consistency in residential development.

Sincerely,

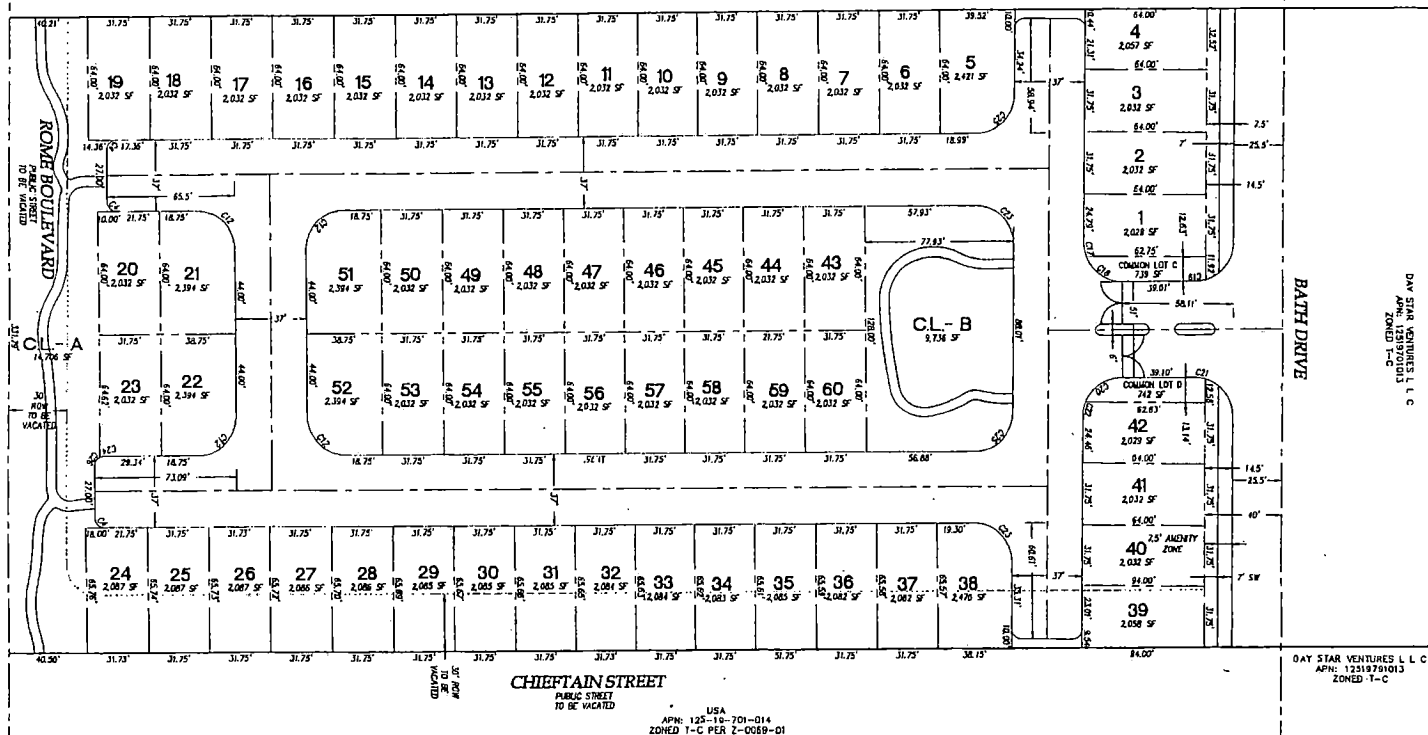

Robert Cunningham
Taney Engineering

SDR-5704

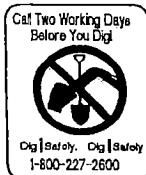
1" = 30'



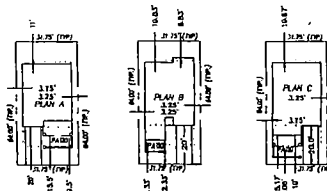
CLARK COUNTY 215 BELTWA
APN: 125-19-002-006



ALL LANDSCAPE BUFFERS
ARE TO BE COMMON LOTS

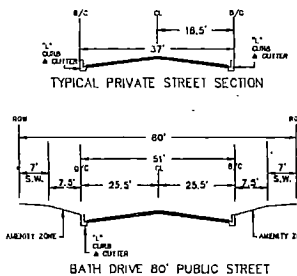


NOTE: INTERNAL PRIVATE
STREETS ARE PUBLIC
UTILITY EASEMENTS.
COMMON LOTS ARE TO BE
MAINTAINED BY THE HOA.

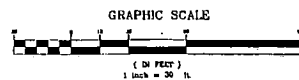


TYPICAL LOTS

Curve Data				
No.	Radius	Delta	Length	Tangent
C4	5.00	90°00'00"	7.85	50.00
C17	20.00	90°00'00"	31.42	20.00
C18	20.00	70°32'23"	11.71	1.39
C19	20.00	70°32'23"	32.48	50.00
C20	20.00	134°53'18"	4.80	2.41
C21	20.00	67°53'22"	27.91	15.67
C22	20.00	145°02'58"	5.20	2.89
C23	20.00	21°21'56"	7.66	3.77
C24	20.00	90°41'11"	31.68	20.74
C25	20.00	28°45'30"	2.91	1.62
C26	20.00	89°18'48"	11.18	19.76
C27	20.00	91°13'50"	5.39	2.50



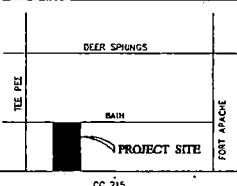
BATH DRIVE 80' PUBLIC STREET



GRAPHIC SCALE

1 inch = 30 ft

KEY MAP



SITE DATA

CROSS SITE AREA	3.98 ACRES
MIL SITE AREA	4.91 ACRES (EXCLUDING R/W OF ROADS AND BATH)
APNs	123-18-701-006 & 010
EUREKIAN ZONING	(L)TC
PROPOSED ZONING	TG
SETBACKS	20'
GARAGE	10' TO NON GARAGE LIVING AREA (1' TO PATIO ELEMENT)
FRONT	3'
SIDE	10'
SIDE CORNER	10'
REAR	8.5' MIN. (8.5' AVERAGE)
LOT COUNT	60 LOTS (2,628 SQ. FEET PER LOT)
RETO OPEN SPACE	11,936 SQ. FEET PER LOT
RETO OPEN SPACE	4,133 SF
RETO OPEN SPACE	11,936 SQ. FEET PER LOT (NOT RECALCULATED OPEN SPACE) REQUIREMENTS

BASIS OF BEARING

SOUTH 89°31'27" EAST, BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 80 EAST, MOM AS SHOWN IN FILE 114, PAGE 37 OF SURVEYS

LEGEND

PROPERTY BOUNDARY _____
PROPERTY LINE _____
STREET CENTERLINE _____
RIGHT-OF-WAY, BC _____
LOT NUMBER 1

UTILITIES

- * NEVADA POWER COMPANY
- 8226 W. SARAH AVE. 382-5555
- * SPENT TELEPHONE COMPANY
- 330 S. VALLEY MEW BLD. 244-7400
- * SOUTHWEST GAS COMPANY
- 4300 W. TROPICANA AVE. 365-2111
- * SILVER STATE DISPOSAL SERVICE INC
- 770 F. SARAH AVE. 735-5151
- * LAS VEGAS VALLEY WATER DISTRICT (WATER)
- 1001 VALLEY MEW BLD. 870-2011
- * CITY OF LAS VEGAS UTILITIES DEPARTMENT (SEWER)
- 635 STREET 229-8301

LEGAL DESCRIPTION

A PORTION OF THE EAST HALF (E 1/2) OF THE
SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST
QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER
(SE 1/4) OF SECTION 19, TOWNSHIP 19 SOUTH,
RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

ENGINEER

TANEY ENGINEER COMPANY
4445 S. JONES BOULEVARD
SUITE #1
LAS VEGAS, NV 89103

DEVELOPER

DAVID OBER
8367 W. FLAMINGO RD
LAS VEGAS, NEVADA 89147
TEL: 766.9182
FAX: 763.8141

OWNERS

ISOLA SALVO, LLC ETAL
8020 W. SAHARA, ST 215
LAS VEGAS, NEVADA 89117
(782)768-9162

[illegible]

DAVID OBER
8587 SAMARA RD
LAS VEGAS, NV 89117
702-253-5751 FAX: 702-360-5598

TANEY ENGINEERING
4413 JONES BLVD. SUITE #1
LAS VEGAS, NV 89103

BATH & CHIEFTAIN"

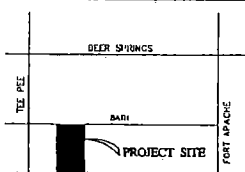
ENGINEER'S SEAL
DATE: 10.11.04
SCALE: 1" = 30'
JOB NO: OBR-04-00
DESIGNED BY: R
DRAWN BY: S
SHEET NAME:
SPR
SHEET:
1 OF 1

ZON-5702
VAR-5705
SDR-5704
01-13-05 PC

1" = 30'

USA
APN: 125-19-701-011
ZONED UNDEVELOPED PUBLIC FACILITY

PARDEE HOMES NEVADA
APN: 125-19-701-006
ZONED UNDEVELOPED T-C



CC 215

SITE DATA

GRASS SITE AREA 5.00 ACRES
 LOT SITE AREA 5.00 ACRES (EXCLUDING R/W OF RDMS AND DATH)
 APN# 129-18-001-008 & 010
 CURRENT ZONING V(TT)
 PROPOSED ZONING L
 SETBACKS
 GARAGE 20'
 FRONT 10' TO NON GARAGE (LAMP AREA) (4' TO PATIO ELEMENT)
 SIDE 5'
 SIDE COMMON 10'
 REAR 10'
 8.8" MIN. (8.8" AVERAGE)
 LOT COUNT 80 LOTS (2,028 SF MINIMUM)
 GRASS COVERAGE 18.86 LOTS PER ACRE
 PLANTED OPEN SPACE 11,513 SF
 2,213 SF (80% OF REQUIRED OPEN SPACE) VARIANCE REQUESTED

BASIS OF BEARING

SOUTH 88°31'27" EAST, BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 80 EAST, MDW AS SHOWN IN FILE 114, PAGE 57 OF SURVEYS

LEGEND

PROPERTY BOUNDARY	_____
PROPERTY LINE	_____
STREET CENTERLINE	_____
RIGHT-OF-WAY, BC	_____
LOT NUMBER	1

UTILITIES

- * MEVADA POWER COMPANY
6226 W. SAHARA AVE. 362-5555
- * SPRINT TELEPHONE COMPANY
330 S. VALLEY VIEW BLVD. 244-7400
- * SOUTHWEST 605-6622
- * 4300 N. TROPICANA AVE. 345-2111
- * SILVER STATE DISPOSAL SERVICE INC.
770 E. SAHARA AVE. 735-5151
- * LAS VEGAS VALLEY WATER DISTRICT (WATER)
1001 VALLEY VIEW BLVD. 620-2011
- * CITY OF LAS VEGAS UTILITIES DEPARTMENT (STWER)
CAS STREET 229-6301

LEGAL DESCRIPTION

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SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST
QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER
(SE 1/4) OF SECTION 19, TOWNSHIP 19 SOUTH,
RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

ENGINEER

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SUITE #1
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DEVELOPER

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[illegible]

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253-5751 FAX: 702-360-5598

TANEY ENGINEERING
4445 S. JONES BLVD. SUITE #1
LAS VEGAS, NV 89103

BATH & CHIEFTAIN
LANDSCAPE PLAN
DAVID OBER

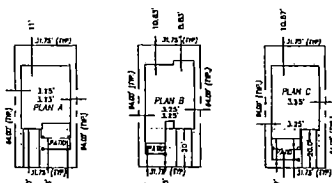
ENGINEER'S SEAL

DATE:	10.11.04
SCALE:	1" = 30'
JOB NO:	OBR-04-00
DESIGNED BY:	RO
DRAWN BY:	SD
SHEET NAME:	SPR
SHEET:	1 OF 1

ALL LANDSCAPE BUFFERS
ARE TO BE COMMON LOTS



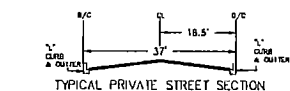
NOTE: INTERNAL PRIVATE
STREETS ARE PUBLIC
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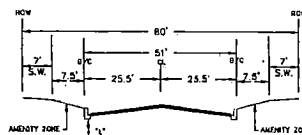
TYPICAL LOTS

PROPERTY LINE CURVE TABLE

No.	Product	Value	Length	Frequency
C4	5.00	90.00/00	7.85	5.00
C12	20.00	90.00/00	39.42	20.00
C18	20.00	20.72/23	7.41	3.52
C19	20.00	20.70/18	24.53	14.00
C16	20.00	13.92/16	4.80	2.41
C20	20.00	52.55/27	23.21	11.47
C21	20.00	54.52/28	5.70	2.62
C22	20.00	20.72/15	7.48	3.77
C23	20.00	90.01/11	11.68	20.24
C24	5.00	28.48/20	2.51	1.28
C25	20.00	59.16/49	31.16	19.75
C26	5.00	87.73/50	5.34	2.96

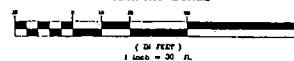


TYPICAL PRIVATE STREET SECTION

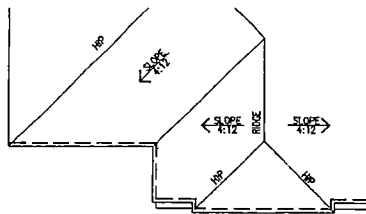


BATH DRIVE 80' PUBLIC STREET

GRAPHIC SCALE

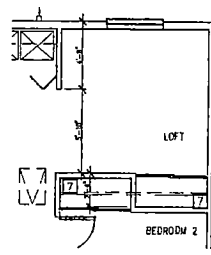


ZON-5702
~~VAR-5705~~
SDR-5704
01-13-05 PC



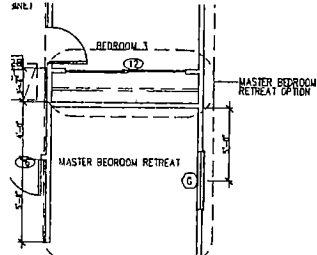
ROOF PLAN 'A-2'

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



LOFT OPTION

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



MASTER BEDROOM RETREAT OPTION

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

KEYNOTES

1. 1-PIECE FIBERGLASS OVAL TUB / SHOWER SURROUND W/ SAFETY GLAZED ENCLOSURE.
2. 2-PIECE FIBERGLASS TUB / SHOWER SURROUND W/ SAFETY GLAZED ENCLOSURE.
3. CULTURED MARBLE COUNTER TOP W/ INTEGRAL LAVATORY.
4. MEDICINE CABINET
5. WATER CLOSET
6. DOUBLE SHELF & POLE
7. SHELF & POLE
8. WATER HEATER ON 16" TALL PLATFORM
9. BASE CABINET
10. UPPER CABINET
11. 42" REFRIGERATOR SPACE
12. DISHWASHER
13. KITCHEN SINK W/ DISPOSAL
14. RANGE
15. P. LAM COUNTER TOP
16. (S) SHELVES (PAINTED)
17. DRYER SPACE
18. DRYER VENT
19. WASHER SPACE, PROVIDE OVERFLOW PAN & DRAIN LINE
20. CERAMIC TILE ENTRY
21. DRYWALL POTTSHELF @ 42" AFF
22. DUCT CHASE
23. A/C COMPRESSOR PAD
24. CONCRETE STOOP
25. CONTINUOUS WOOD HANDRAIL MOUNT 36" ABOVE STAIR NOSE
26. DECORATIVE WIL. RAILING
27. 14"x4" SLOPED VENT HI & LO
28. 22"x30" ATTIC ACCESS

WALL LEGEND

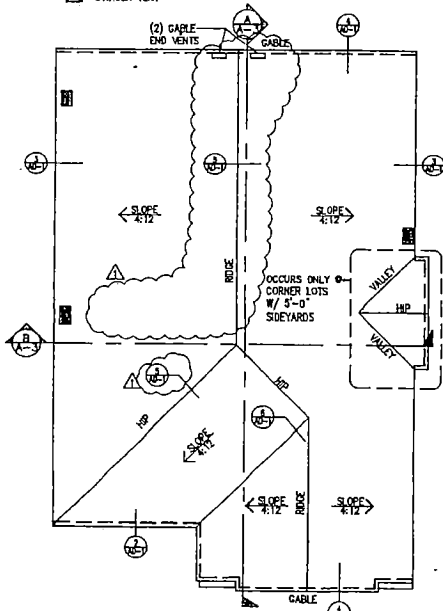
- 2x4 WALL @ 16" O.C. W/ 1/2" GYP. BD. PROVIDE R-13 BATT INSUL. @ EXT. WALLS.
- 2x6 WALL @ 16" O.C. W/ 1/2" GYP. BD. 36" GUL. CROWN WALL W/ 16"x16" PLASTER PER COUNTY STANDARDS.

NOTES

1. INTERIOR WALL FINISH SHALL BE GRADE FLOOR.
2. PROVIDE 5/8" GYP. BD. @ CEILING OR 1/2" CEILING BOARD.
3. WITHIN ATTICS & CRAWL SPACES WHERE ENTRY IS MADE ONLY FOR SERVICE OF UTILITIES, FOAM PLASTICS SHALL BE PROTECTED AGAINST IGNITION BY 1-1/2" THICK MINERAL FIBER INSULATION, 1/4" THICK WOOD STRUCTURAL PANELS, 3/8" PARTICLEBOARD, 1/4" HARD BOARD, 3/8" GYP. BD. OR CORROSION RESISTANT STEEL HAVING A BASE METAL THICKNESS OF 0.016" (IRC SECTION R318.2.3).
4. ONE-COAT STUCCO SYSTEM: DIAMOND WALL ER-4004 OR MAGNA WALL ER-4776.

ATTIC VENTILATION CALCULATIONS

ATTIC AREA: 911
CALCULATION: $\frac{911 \times (144)}{300} = 437.28$ S.I. @ 10.0 F.S.I. HIGH 8210.6 F.S.I. IN LOW
HIGH VENTILATION MIN (2) 12"x16" CABLE END VENTS @ 115.2 S.I. EACH
LOW VENTILATION MIN (5) 07HAGEN VENTS @ 84 S.I. EA. REQUIRED
07HAGEN VENT

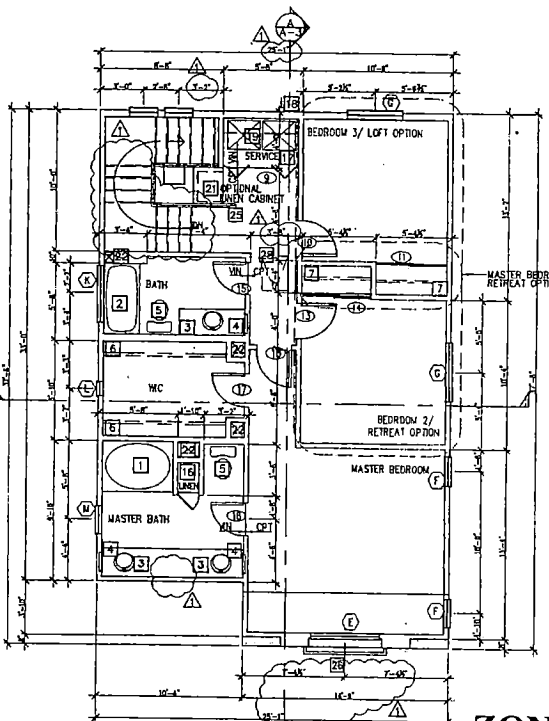


ROOF PLAN

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

SECOND FLOOR PLAN
CORNER LOT ONLY

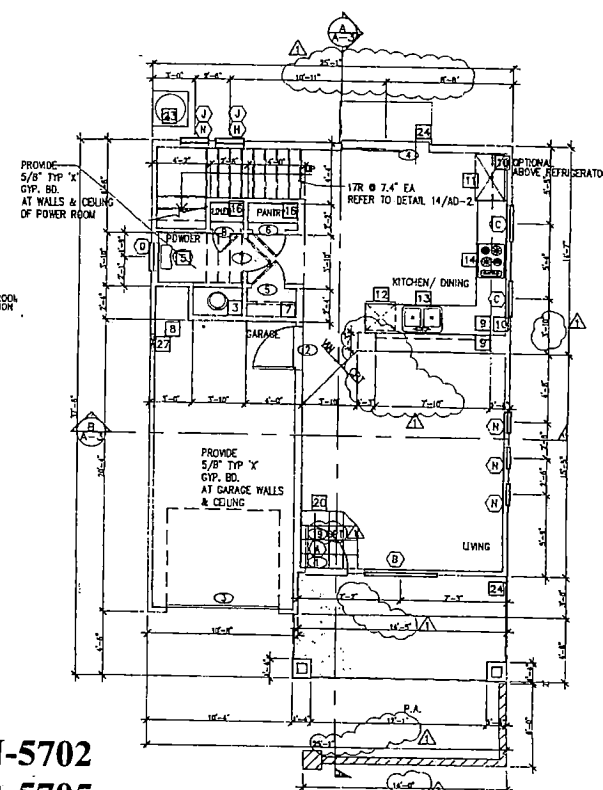
SCALE: -1/4" = 1'-0"



SECOND FLOOR PLAN

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

**ZON-5702
VAR-5705
SDR-5704
01-13-05 PC**



FIRST FLOOR PLAN

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

26 APR 04
COUNTY FIELD REV.
9 AUG 04



MARC LEMOINE
ARCHITECTURE, LLC

8001 W. SAHARA AVE. SUITE 210
LAS VEGAS, NV. 89117
(702) 646-0123
FAX (702) 646-0083

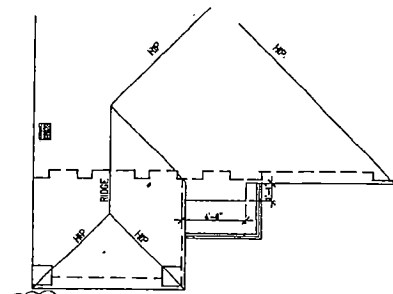
PLAN 'A'

FIRST FLOOR PLAN/ SECOND
FLOOR PLAN/ ROOF PLAN

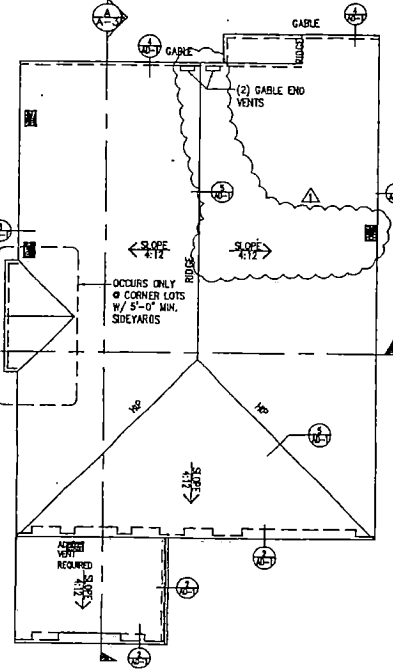
03023
DATE PLOTTED: 9 AUG 04
A-1

ATTIC VENTILATION CALCULATIONS

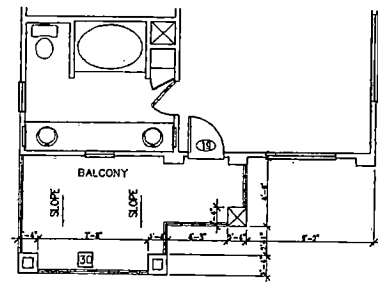
ATTIC AREA: 553
 CALCULATION: $\frac{553}{300} \times 144 = 457.44$ S.I. 228.75L HIGH 228.72Q. IN LOW
 HIGH VENTILATION MIN (2) 12"x16" GABLE END VENTS @ 115.2 S.I. EACH
 LOW VENTILATION MIN (3) 0'HAGEN VENTS @ 84 S.I. EA. REQUIRED
 LOW ROOF: 84 SQ. FT. REQUIRES (1) 0'HAGEN VENT
 0'HAGEN VENT



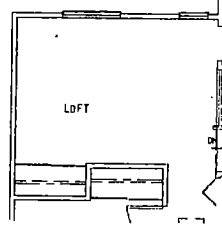
ROOF PLAN 'B-2'
 SCALE: 1/4" = 1'-0"



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



OPTIONAL BALCONY @ ELEVATION 'B-2'
 SCALE: 1/4" = 1'-0"



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

KEYNOTES

- 1-PIECE FIBERGLASS OVAL TUB / SHOWER SURROUND W/ SAFETY GLAZED ENCLOSURE
- 2-PIECE FIBERGLASS TUB / SHOWER SURROUND W/ SAFETY GLAZED ENCLOSURE
- CULTURED MARBLE COUNTER TOP W/ INTEGRAL LAVATORY
- MEDICINE CABINET
- WATER CLOSET
- DOUBLE SHELF & POLE
- SHELF & POLE
- WATER HEATER
- BASE CABINET
- UPPER CABINET
- 42" REFRIGERATOR SPACE
- DISHWASHER
- KITCHEN SINK W/ DISPOSAL
- RANGE
- P. LAM. COUNTER TOP
- (5) SHELVES (PAINTED)
- DRYER SPACE
- DRYER VENT
- WASHER SPACE, PROVIDE OVERFLO PAN & DRAIN LINE
- CERAMIC TILE ENTRY
- DRYWALL POTSHELF @ 42" AFF
- DUCT CHASE
- A/C COMPRESSOR PAD
- CONCRETE STOOP
- CONTINUOUS WOOD HANDRAIL MOUNT 36" ABOVE STAIR NOSE
- DECORATIVE W. RAILING
- DRYWALL POTSHELF @ 24" AFF
- 60" TALL PONYWALL
- 22"x30" ATTIC ACCESS
- GUARDRAIL

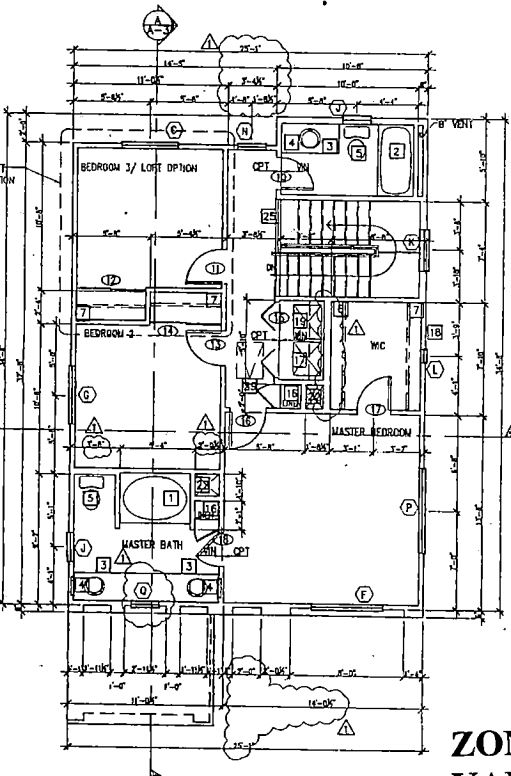
WALL LEGEND

- 2x4 WALL @ 16" O.C. W/ 1/2" GYP. BD. PROVIDE R-13 BATT INSUL. @ EXT. WALLS.
- 2x6 WALL @ 16" O.C. W/ 1/2" GYP. BD. 3/8" GY. CARBON WALL W/ 16"x16" PILASTER PER COUNTY STANDARDS

NOTES

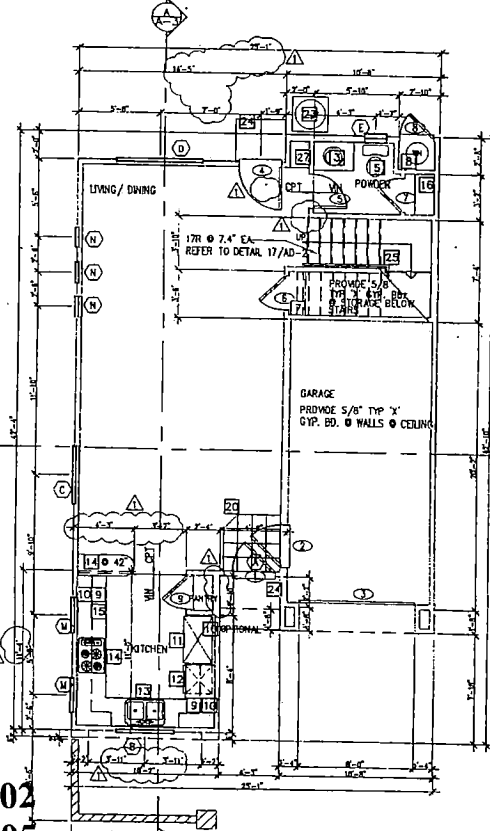
1. INTERIOR WALL FINISH SHALL BE GRADE PIEL.
2. PROVIDE 5/8" GYP. BD. @ CEILING OR 1/2" CEILING BOARD.
3. WITHIN ATTICS & CRAWL SPACES WHERE ENTRY IS MADE ONLY FOR SERVICE OF UTILITIES, FOAM PLASTICS SHALL BE PROTECTED AGAINST IGNITION BY 1-1/2" THICK MINERAL FIBER INSULATION, 1/4" THICK WOOD STRUCTURAL PANELS, 3/8" PARTICLEBOARD, 1/4" HARD BOARD, 3/8" GYP. BD. OR CORROSIVE RESISTANT STEEL, HAVING A BASE METAL THICKNESS OF 0.016" (RC SECTION R318.2.3).
4. ONE-COAT STUCCO SYSTEM: DIAMOND WALL ER-4004 OR MAGNA WALL ER-4776.

SECOND FLOOR PLAN
 CORNER LOT ONLY
 SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"

ZON-5702
 VAR-5705
 SDR-5704
 01-13-05 PC



FIRST FLOOR PLAN
 SCALE: 1/4" = 1'-0"

26 APR 04
 COUNTY FIELD REVS.
 COUNTY FIELD REVS.

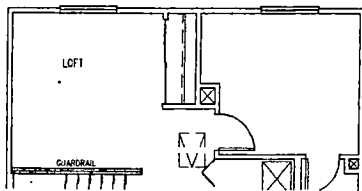


MARC LEMOINE
 ARCHITECTURE, LLC

2001 W. SAVANA AVE. SUITE 210
 LAS VEGAS, NV. 89117
 (702) 646-0123
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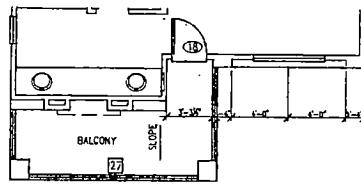
FIRST FLOOR PLAN / SECOND
 FLOOR PLAN / ROOF PLAN

DATE PLOTTED: 9 AUG 04
 A-1



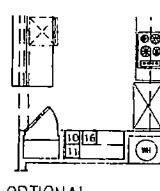
LOFT OPTION

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



OPTIONAL BALCONY @ ELEVATION C-2

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



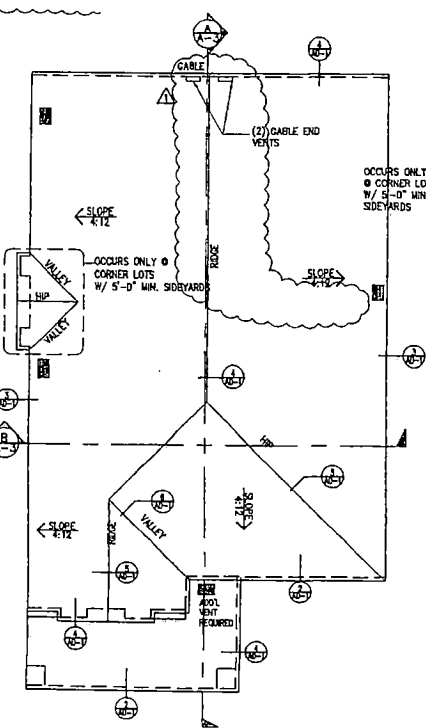
OPTIONAL KITCHEN CABINETS

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

ATTIC VENTILATION CALCULATIONS

ATTIC AREA: 930
CALCULATION: $\frac{930}{300} \times (144) = 449.4051 = 223.2 \text{ S.I. HIGH @ } 23.2 \text{ SQ. IN. LOW}$
HIGH VENTILATION: (2) 12"x16" GABLE END VENTS @ 115.2 S.I. EA.
LOW VENTILATION: (3) 0'HAGEN VENTS @ 84 S.I. EA. REQUIRED
LOW ROOF: 93 SQ. FT. REQUIRES (1) 0'HAGEN VENT
0'HAGEN VENT

PARTIAL ROOF PLAN 'C-2'

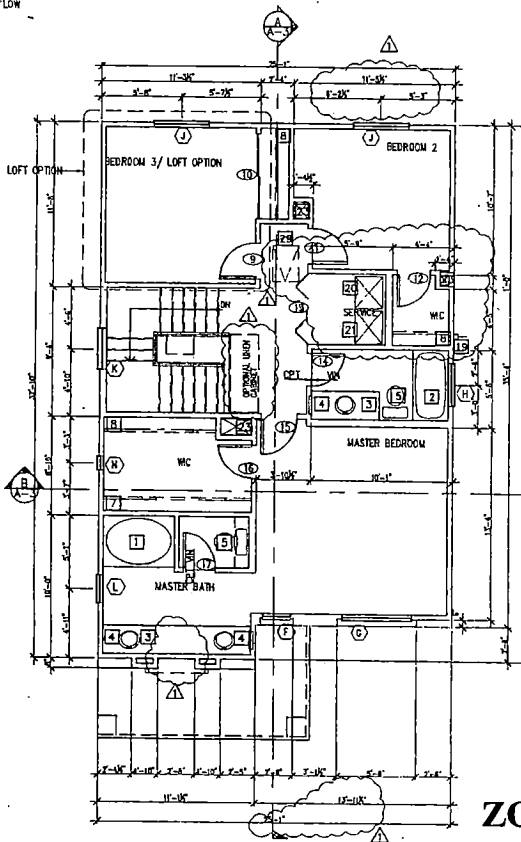


ROOF PLAN

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

SECOND FLOOR PLAN
CORNER LOT ONLY

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



SECOND FLOOR PLAN

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

**ZON-5702
VAR-5705
SDR-5704
01-13-05 PC**

KEYNOTES

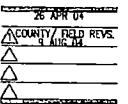
- 1) 1-PIECE FIBERGLASS OVAL TUB/ SHOWER SURROUND W/ SAFETY GLAZED ENCLOSURE.
- 2) 1-PIECE FIBERGLASS TUB/ SHOWER SURROUND W/ SAFETY GLAZED ENCLOSURE.
- 3) 3/4" DIA. TUBED MARBLE COUNTER TOP W/ INTEGRAL LAVATORY
- 4) MEDICINE CABINET
- 5) WATER CLOSET
- 6) PEDESTAL LAVATORY
- 7) DOUBLE SHELF & POLE
- 8) SHELF & POLE
- 9) WATER HEATER ON 18" TALL PLATFORM
- 10) BASE CABINET
- 11) UPPER CABINET
- 12) 42" REFRIGERATOR SPACE
- 13) DISHWASHER
- 14) KITCHEN SINK W/ DISPOSAL
- 15) OVEN
- 16) P. LAM COUNTER TOP
- 17) (6) SHELVES (PAINTED)
- 18) DRYER SPACE
- 19) DRYER VENT
- 20) WASHER SPACE, PROVIDE OVERFLOW PAN & DRAIN LINE
- 21) CERAMIC TILE ENTRY
- 22) DRYWALL POTSHELF @ 42" AFF
- 23) DUCT CHASE
- 24) A/C COMPRESSOR PAD
- 25) CONCRETE STOOD
- 26) CONTINUOUS WOOD HANDRAIL MOUNT 36" ABOVE STAIR NOSE
- 27) DECORATIVE W.I. RAILING
- 28) 14"x4" SLOPED VENT H & LO
- 29) 22"x30" ATTIC ACCESS
- 30) PONY WALL @ 30" ABOVE STEP NOS
- 31) OPTION FOR OPEN RAILING

WALL LEGEND

- 1. WALL @ 16" O.C. W/ 1/2" GYP. BD. PROVIDE 1/2" DIA. PINS @ EXT. WALLS.
- 2. 2x6 WALL @ 16" O.C. W/ 1/2" GYP. BD.
- 3. 36" CMU GARDEN WALL W/ 16"x16" PLASTER PER COUNTY STANDARDS

NOTES

1. INTERIOR WALL FINISH SHALL BE GRADE FEEEL.
2. PROVIDE 5/8" GYP. BD. @ CEILING OR 1/2" CEILING BOARD
3. WHERE ATTICS & GRAIN. SPACES WHERE ENTRY IS MADE ONLY FOR SERVICE OF UTILITIES, FOAM PLASTICS SHALL BE PROTECTED AGAINST IGNITION BY 1-1/2" THICK MINERAL FIBER INSULATION, 1/4" THICK WOOD STRUCTURAL PANELS, 3/8" PARTICLEBOARD, 1/4" HARD BOARD, 3/8" GYP. BD. OR CORROSIVE RESISTANT STEEL HAVING A BASE METAL THICKNESS OF 0.016" (R.C. SECTION R318.2.3)
4. ONE-COAT STUCCO SYSTEM; DIAMOND WALL ER-4004 OR MAGNA WALL ER-4776.



MARC LEMOINE
ARCHITECTURE, LLC

9081 W. SAHARA AVE. SUITE 210
LAS VEGAS, NV. 89117
(702) 646-0123
FAX (702) 646-0083

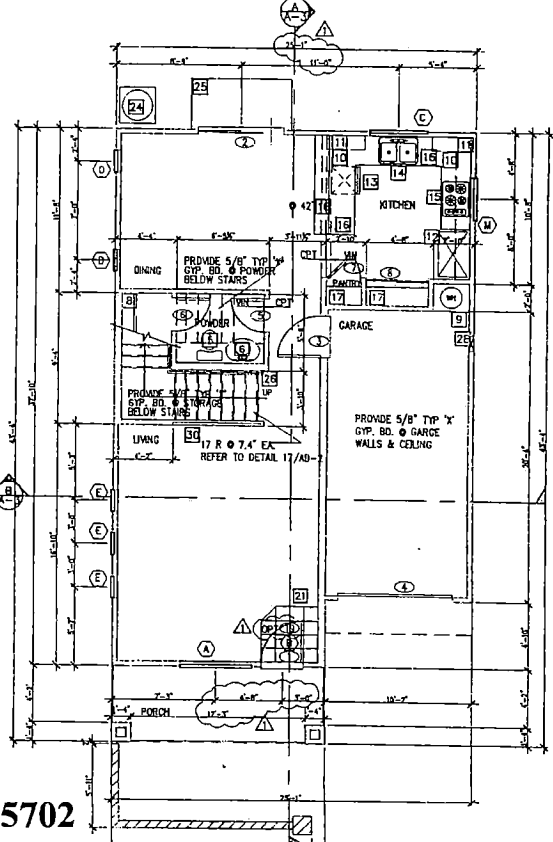
PLAN 'C'

FIRST FLOOR PLAN/ SECOND
FLOOR PLAN/ ROOF PLAN

03023
DATE PLOTTED: 9 AUG 04
A-1

FIRST FLOOR PLAN

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



**ZON-5702
VAR-5705
SDR-5704
01-13-05 PC**

KEYNOTES

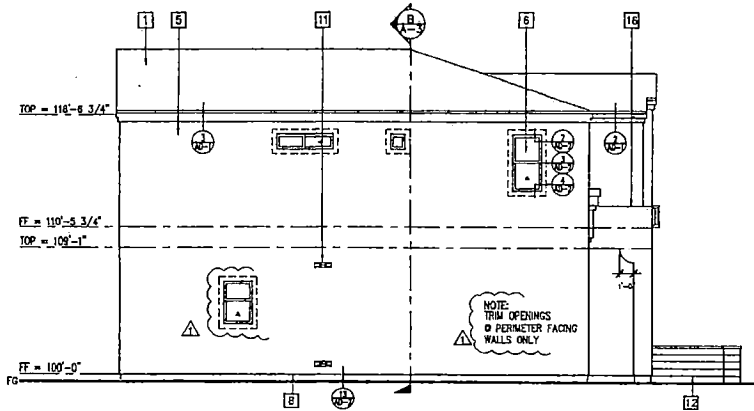
1) CONC. ROOF TILE O/ ROOFING FELTS	9) CONC. FOUNDATION
2) R-30 BATT INSULATION	10) GUARDRAIL W/ KNUCKLES
3) PRE-WFG ROOF TRUSSES	11) 1/4" x 1/4" SCREENED VENT
4) 3/4" TAG FLOOR SHEATHING SCREWED	12) CMU GARDEN WALL PER CO. STANDARDS
5) 2 COAT EXT. PLASTER SYSTEM	13) 1/2" BATT INSUL.
6) WINDOW/ DOOR	14) 2x WALL FRAMING
7) SECTIONAL ROLL-UP GARAGE DOOR	15) BAHAMA SHUTTER
8) WEEP SCREEN	16) FLAT SHUTTER
REFER TO DETAIL 13/A0-2.	17) CONTROL JOINT FOR PAINT BREAK
	18) LOUVERED ATTIC VENT W/ INSERT SCREEN
	19) VINYL REVEAL

26 APR 04
COUNTY FIELD REVE.
3 APR 04



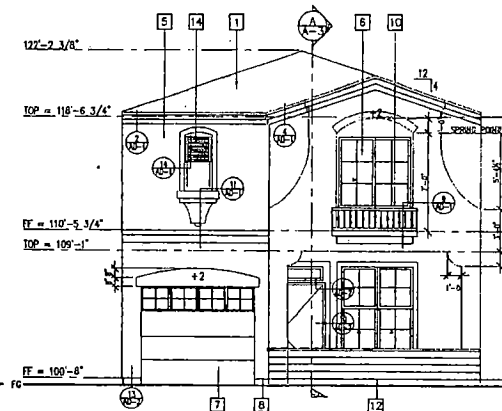
MARC LEMOINE
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9081 W. SAVANNAH AVE. SUITE 210
LAS VEGAS, NV. 89117
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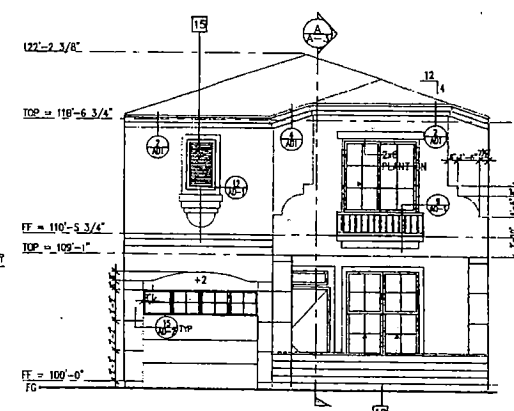
SIDE ELEVATION 'A-1'

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



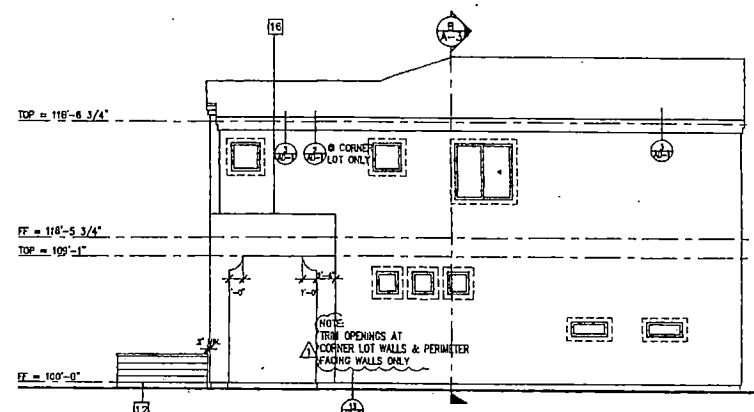
FRONT ELEVATION 'A-1'

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



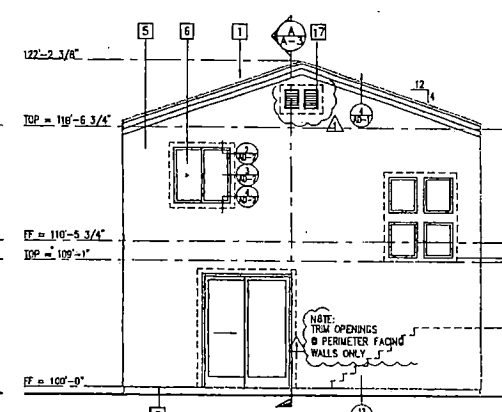
FRONT ELEVATION 'A-2'

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



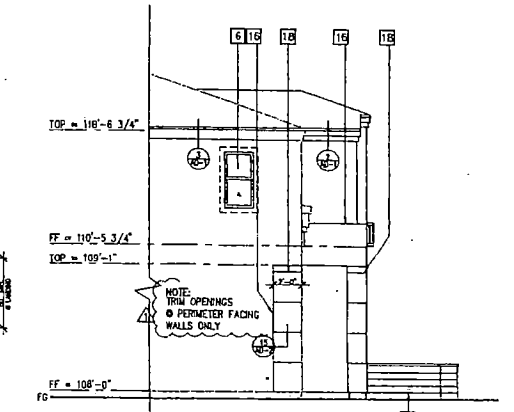
SIDE ELEVATION 'A-1'

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



REAR ELEVATION

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



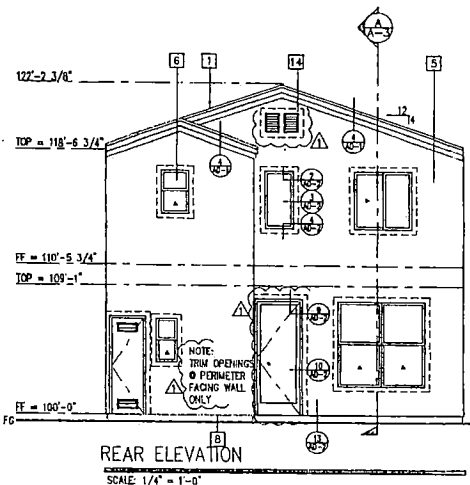
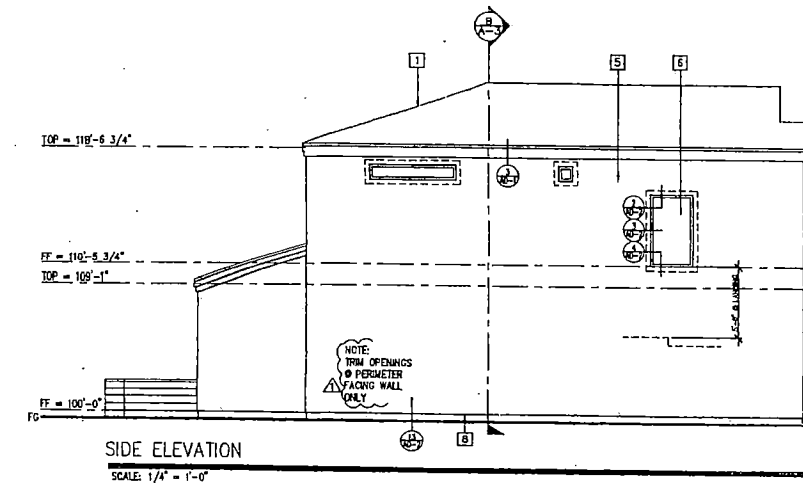
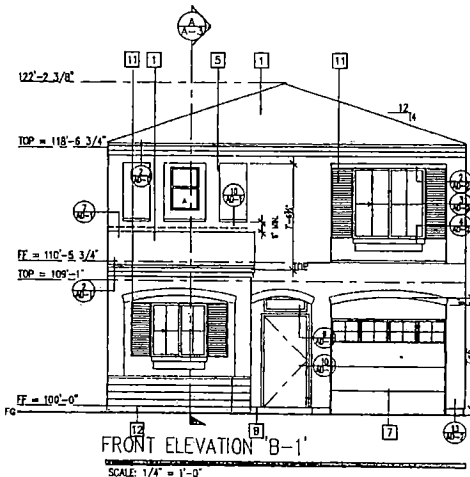
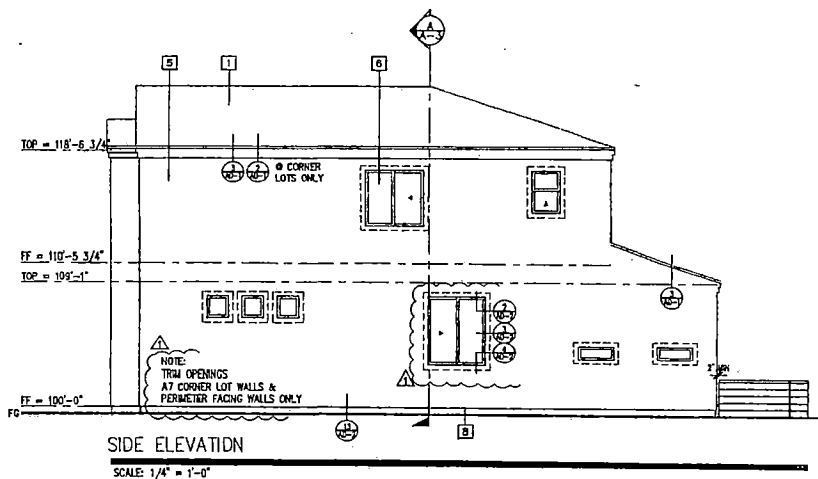
PARTIAL SIDE ELEVATION 'A-2'

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

PLAN 'A'

EXTERIOR ELEVATIONS

03032
DATE PLOTTED: 9 AUG 04
A-2



KEYNOTES

1) CONIC. ROOF TILE O/ ROOFING FELTS	6) WEEP SCREED
2) R-30 BATT INSULATION	7) REFER TO DETAIL 13/AD-2
3) PRE-WFG ROOF TRUSSES	8) CONIC. FOUNDATION
4) 3/4" IAC FLOOR SHEATHING SCREWS	9) GUARDRAIL / HANDRAIL
5) 1-COAT EXT. PLASTER SYSTEM	10) POLY VINYL COLORED SHUTTER
6) WINDOW / DOOR	11) CMU GARDEN WALL, PER CO. STANDARDS
7) SECTIONAL ROLL-UP GARAGE DOOR	12) R-11 BATT INSULATION
	13) 1/2" WALL FRAMING
	14) LOUVERED ATRIC VENTS W/ INSERT SCREEN

26 APR 04
COUNTY / FIELD REVS.
S AUG 04



MARC LEMOINE
ARCHITECTURE, LLC

9081 N. SAHARA AVE. SUITE 210
LAS VEGAS, NV. 89117
(702) 646-0123
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PLAN 'B'

EXTERIOR ELEVATIONS

ZON-5702
VAR-5705
SDR-5704
01-13-05 PC

DATE PLOTTED: 9 AUG 04
A-2

**ZON-5702
VAR-5705
SDR-5704
01-13-05 PC**

KEYNOTES

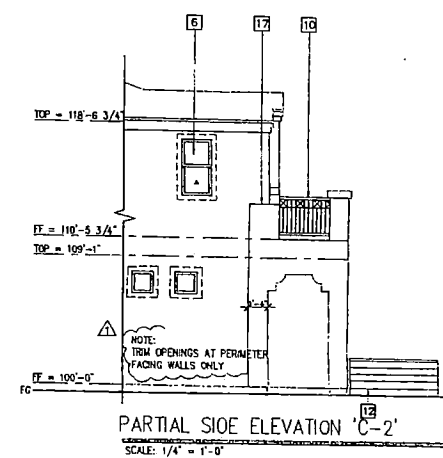
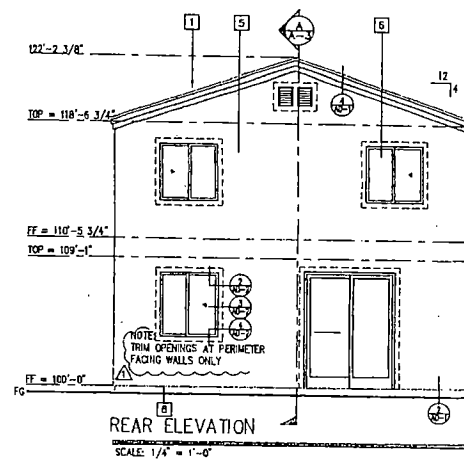
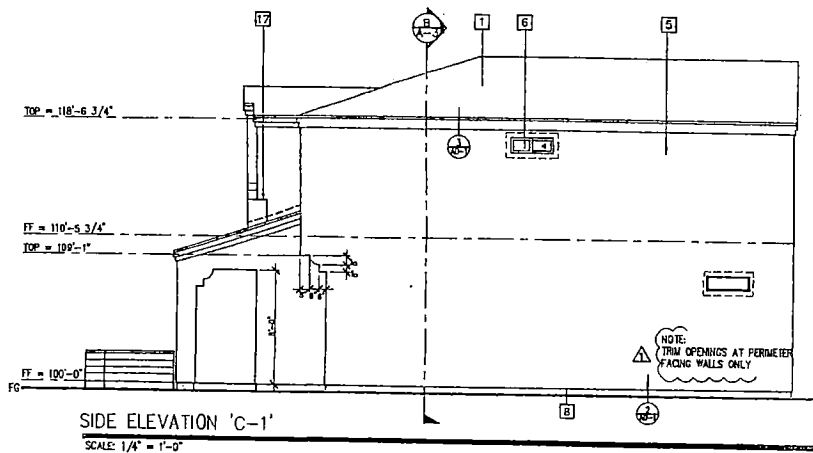
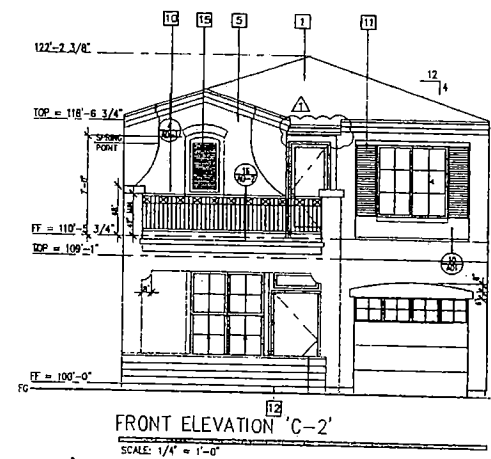
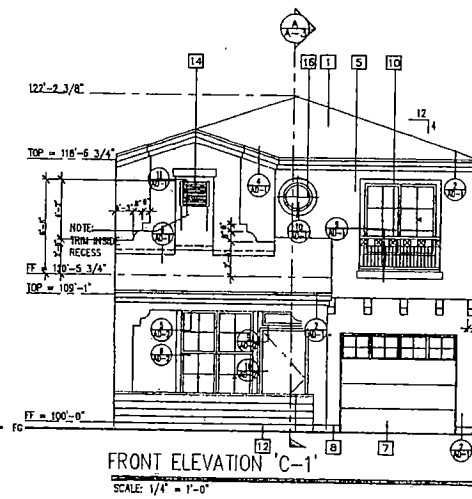
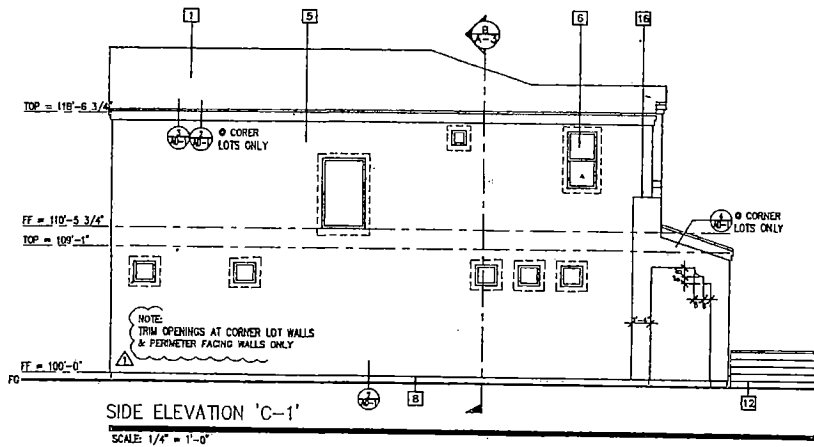
1) CONC. ROOF TILE O/ ROOFING FELT	11) POLY VINYL COLORED SHUTTER
2) O/ ROOF SHEATHING	12) CHAU GARDEN WALL, PER CO. STANDARDS
3) R-30 BATT INSULATION	13) R-11 BATT INSULATION
4) PRE-MFG ROOF TRUSSES	14) 2x WALL FRAMING
5) 3/4" T&G FLOOR SHEATHING SCREWED	15) BAHAMA SHUTTER
6) G/CEDED O/ PRE-MFG 1"-JOISTS	16) ARCH TOP FULL SHUTTER
7) 1-COAT EXT. PLASTER SYSTEM	17) M.I. GRILL
8) WINDOW/ DOOR	18) CONTROL JOINT FOR
9) SECTIONAL ROLL-UP GARAGE DOOR	19) PAINT BREAK
10) KEEP SCREENED	20) LOUVERED ATTIC VENTS
11) PLANT FOUNDATION 3/4"-2	21) INSERT SCREEN
12) GUARDRAIL / HANDRAIL	

25 APR 04
COUNTY FIELD REVS
9 AUG 04



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9081 W. SAVANNAH AVE. SUITE 210
LAS VEGAS, NV. 89117
(702) 646-0123
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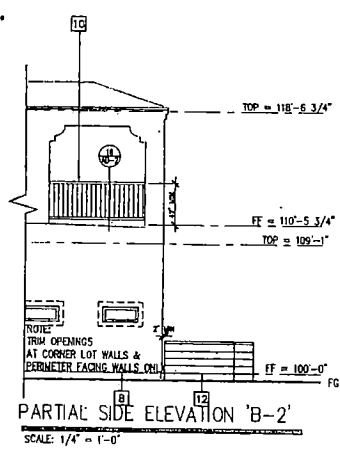
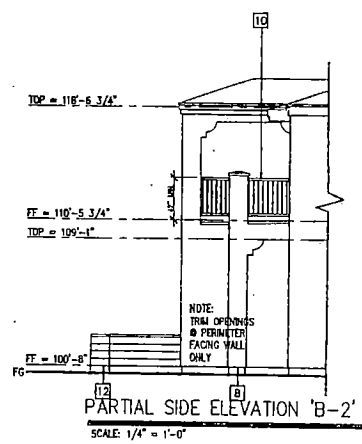


PLAN 'C'

EXTERIOR ELEVATIONS

03023
DATE PLOTTED: 8 AUG 04

A-2



ZON-5702
VAR-5705
SDR-5704
01-13-05 PC



SDR-5704 - APPLICANT: TANEY ENGINEERING - OWNER: ISOLA SALVO LLC, ET AL
SOUTHWEST CORNER OF CHIEFTAIN STREET AND BATH DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ZON-5726 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: GABRIEL MANRIQUEZ - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.17 acres at 717 South 8th Street (APN 139-34-810-040), Ward 5 (Weekly).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – 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; however, it is not located within the notification area so he would vote on this item.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 50 [ZON-5726], Item 51 [VAR-5730] and Item 52 [SDR-5727].

Prior to discussion, FLINN FAGG, Planning and Development, advised the Commission that the applicant on Items 43 and 44 was now present in the audience. Since these items were already opened for discussion, CHAIRMAN TRUESDELL replied that the Commission would hear Items 43 and 44 thereafter.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 50 – ZON-5726

MINUTES – Continued:

MR. FAGG stated that the rezoning request from R-1 (Single Family Residential) to P-R (Professional Office and Parking) is in conformance with the General Plan. Staff recommended approval. Regarding the Variance, the request would allow a 48-foot lot width where 60 feet is required for a proposed professional office. Staff also recommended approval of the Variance, as it meets the criteria for a Variance. Lastly, staff recommended approval on the Site Development Plan Review, provided that the applicant provides an equivalent number of trees on the site.

RICK VAN DIEPEN, 5850 S. Polaris, appeared with the owner, GABRIEL MANRIQUEZ. MR. VAN DIEPEN concurred with staff's recommendations. He expressed concern for Condition 8 on Item 52 [SDR-5727] relative to replacing the existing chain-link fence. MR. VAN DIEPEN has spoken with the owner, and he would be happy to replace the wall. However, they would like this condition to be removed. The proposed site is a small 48-foot wide parcel. Having a six-foot block wall on this site would be out of character. This area is a historic neighborhood, and the homes are older and are cottage style homes. These homes are less than 1,500 square feet and have been converted into small offices. The applicant would like to maintain the character of the neighborhood. He pointed out that there are existing large trees and bushes on both sides of the property line, which stand over eight feet and act as a buffer. MR. VAN DIEPEN continued by adding that the existing shed would be removed, and there would be an additional three parking spaces in the rear. He felt that this would be an improvement and should not adversely affect the adjacent neighbors.

COMMISSIONER McSWAIN stated that the Commission does not look favorably upon chain link fencing. There is a residential property adjacent to the proposed property. If the adjacent neighbor did not mind something other than chain link fencing, such as wrought iron fencing, she could support the application as well. MR. VAN DIEPEN concurred. MR. FAGG confirmed for COMMISSIONER McSWAIN that if the fencing was changed to wrought iron, approval from the adjacent residential property owner is not needed. MARGO WHEELER, Planning and Development, added that Condition 8 on Item 52 [SDR-5727] would be revised. She then read the revision into record.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 50 [ZON-5726], Item 51 [VAR-5730] and Item 52 [SDR-5727].

(8:47 – 8:55)

2-2172

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 50 – ZON-5726

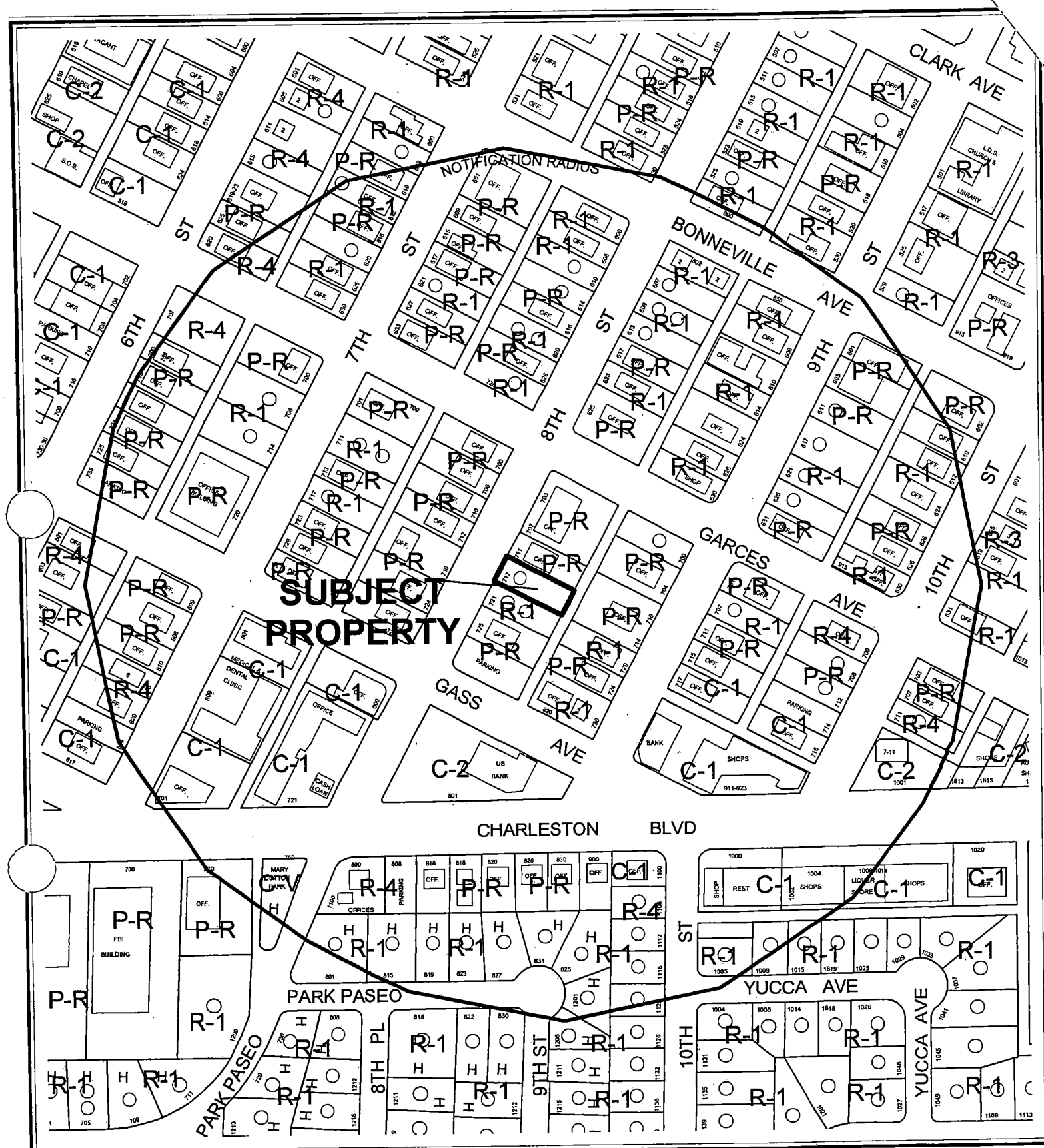
CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Variance application (VAR-5730) and a Site Development Plan Review application (SDR-5726), approved by the Planning Commission and City Council prior to the issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.



CASE: ZON-5726

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
P-R (PROFESSIONAL OFFICE AND PARKING)

0 200 400 Feet





CASE: ZON-5726

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
P-R (PROFESSIONAL OFFICE AND PARKING)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-5726 - APPLICANT/OWNER: GABRIEL MANRIQUEZ

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Variance application (VAR-5730) and a Site Development Plan Review application (SDR-5726), approved by the Planning Commission and City Council prior to the issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on 0.17 acres at 717 South 8th Street. An associated Variance (VAR-5730) and Site Development Plan Review (SDR-5727) will be heard concurrently with this request.

B) Applicant's Justification

The applicant states that the Rezoning is in conformance with the General Plan and that most of the lots in the area are already zoned P-R.

BACKGROUND INFORMATION

A) Previous Actions

01/13/05 The Planning Commission will consider a related Variance (VAR-5730) and Site Development Plan Review (SDR-5727) application. Staff recommends approval of the requests.

B) Pre-Application Meeting

11/18/04 At the pre-application conference, issues were discussed relative to the configuration of the parking spaces, the landscape buffer requirements, accessibility issues, and the screening of service areas and mechanical equipment.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

ZON-5726 - Staff Report Page Two
January 13, 2005 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Single-Family Residential Use
 North: Office Use
 South: Multifamily Residential Use
 East: Office Use
 West: Office Use

C) Planned Land Use

Subject Property: MXU (Mixed-Use)
 North: MXU (Mixed-Use)
 South: MXU (Mixed-Use)
 East: MXU (Mixed-Use)
 West: MXU (Mixed-Use)

D) Existing Zoning

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

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a Mixed-Use land use designation. The Mixed-Use designation allows uses comparable to the following land use categories: L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), GC (General Commercial), and PF (Public Facilities). The proposed office use is in compliance with the land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Redevelopment Plan Area	X	
Special Overlay District		
Las Vegas High School Historic Neighborhood	X	
Trails		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		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 Mixed-Use land use designation. The proposed use is in conformance with the Redevelopment Plan.

Las Vegas High School Historic Neighborhood

The property is located within the Las Vegas High School Neighborhood Historic District. This district is listed on the National Register of Historic Places only; therefore, projects occurring within the district are not subject to additional review by the City of Las Vegas Historic Preservation Commission. This project does not involve, nor is it funded in any part by a federal agency, and is therefore not subject to Section 106 Review of the National Historic Preservation Act.

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	6,844 SF	N/A
Min. Lot Width	48 Feet	60 Feet	N

No minimum lot size is required in order to Rezone a parcel to P-R (Professional Office and Parking). The existing parcel does not meet the minimum width requirement of 60 feet; a Variance (VAR-5730) application has been filed in order to address this deficiency.

B) General Analysis and Discussion

The applicant intends to Rezone the subject property to P-R (Professional Office and Parking) in order to convert the existing 1,495 square-foot residential structure to a professional office. No additional square footage will be added to the structure, nor are any physical improvements proposed to the exterior of the structure. Four parking spaces will be added at the rear of the property, which will be accessed from the existing alley.

FINDINGS

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

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

The proposed P-R (Professional Office and Parking) zoning is consistent with the MXU (Mixed-Use) designation, which permits a range of residential and limited commercial uses.

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

The proposed professional office use is consistent with the surrounding land uses and zoning districts.

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

The rezoning is consistent with the development pattern in the neighborhood, which is in a gradual transition from residential to office uses.

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

The abutting street and alley will provide adequate access to the property.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 143 – Mailed with VAR-5730 and SDR-5727

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: GABRIEL MANRIQUEZ

Name of Applicant: GABRIEL MANRIQUEZ

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: GABRIEL MANRIQUEZ

Subscribed and sworn before me

This 30 day of November, 2004

Shira Carolyn Shewala
Notary Public in and for said County and State



November 30, 2004

Planning and Development Department
City of Las Vegas
731 S. Fourth Street
Las Vegas NV 89101

PGAL

**Re: Justification Letter
Rezoning for a Residential lot to a P-R zoned lot**

To Whom It May Concern:

This letter shall serve as justification for the rezoning of Mr. Gabriel Manriquez residence located at 717 South 8th Street Las Vegas Nevada. The proposal is a request to rezone from R-1 to P-R for a professional office.

○ The community in which the site is located currently has an existing general plan to re-zone all lots from R-1 to P-R, in addition there are already existing lots re-zoned from R-1 to P-R including the north lot adjacent to the subject property lot and the west lot across the street.

We feel that the argument stated above creates a compelling justification to allow a lot width variance, which will allow for the re-zoning of 717 8th Street from a R-1 to a P-R.

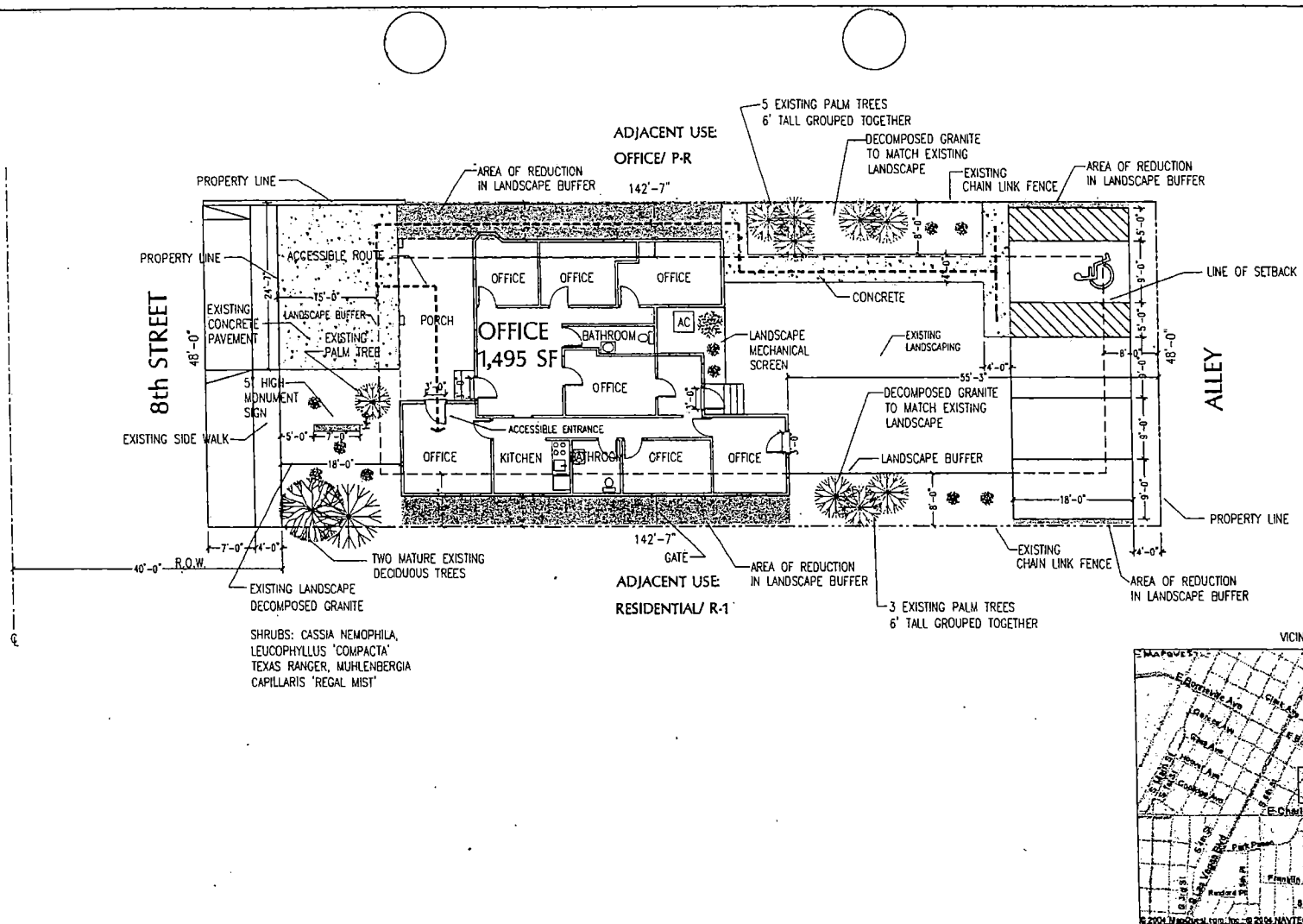
Sincerely,

Rick Van Diepen
PGAL

○ Cc: Gabriel Manriquez, Westgate Capital LLC

PGAL, LLC
Phoenix
Los Angeles
Las Vegas
Houston
Fort Lauderdale
Dallas
Boca Raton
Atlanta
Alexandria

ZON-5726



November 30, 2004

Westgate Capital LLC

Lot 8 and 9, Block 14

SITE: 6,844 SF

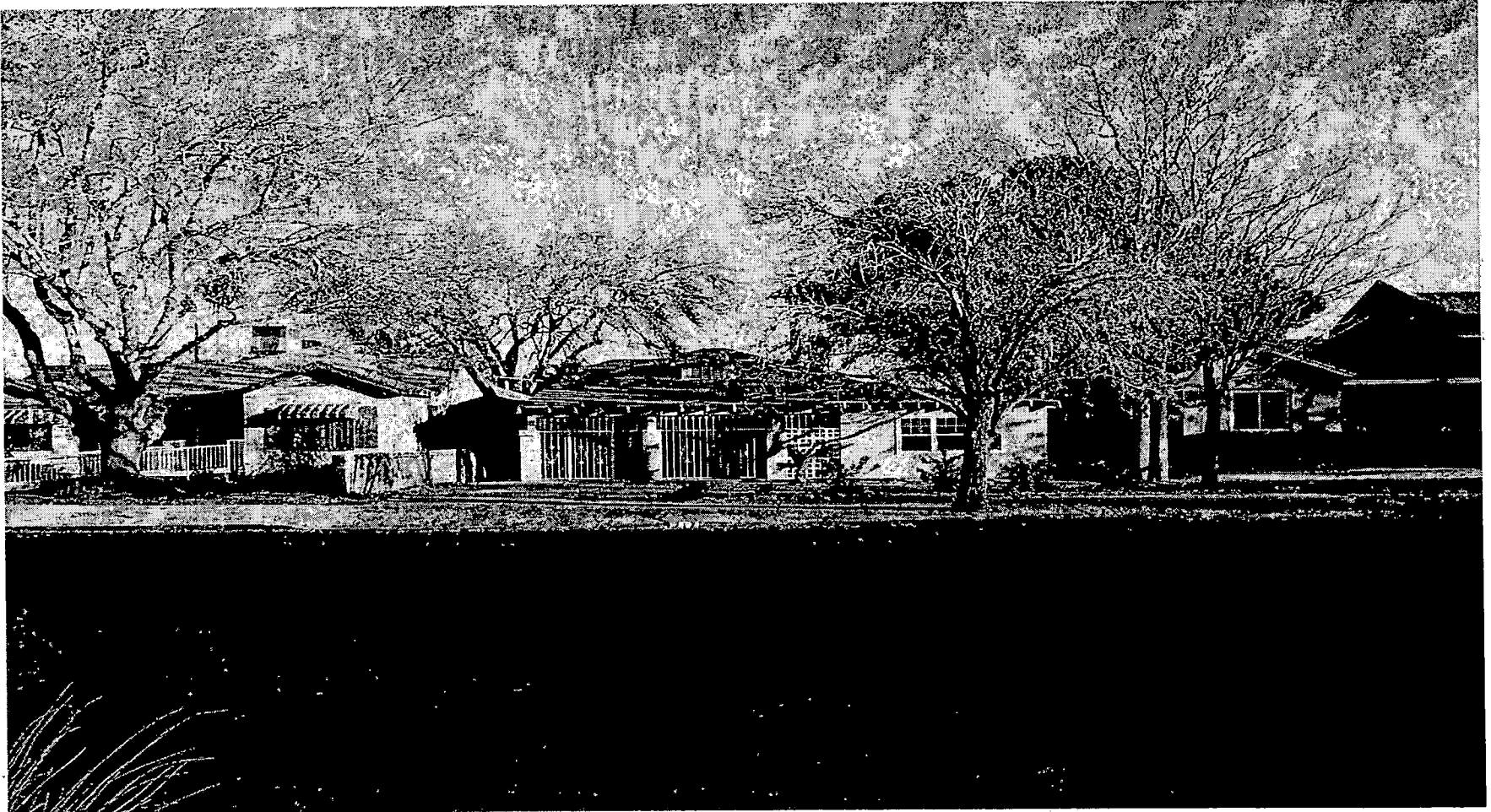
1/16"=1'-0"

Gabriel Manriquez
717 South 8th Street
LAS VEGAS, NEVADA

PGAL



ZON-5726
VAR-5729
VAR-5730
SDR-5727
01-13-05 PC



ZON-5726 - APPLICANT/OWNER: GABRIEL MANRIQUEZ
717 SOUTH 8TH STREET
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5730 - VARIANCE RELATED TO ZON-5726 - PUBLIC HEARING -
APPLICANT/OWNER: GABRIEL MANRIQUEZ - Request for a Variance TO ALLOW A
48-FOOT LOT WIDTH WHERE 60 FEET IS THE MINIMUM REQUIRED LOT WIDTH FOR
A PROPOSED PROFESSIONAL OFFICE DEVELOPMENT on 0.17 acres at 717 South 8th
Street (APN 139-34-810-040), R-1 (Single Family Residential) Zone [PROPOSED: P-R
(Professional Office and Parking) Zone], Ward 5 (Weekly).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – 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; however, it is not located within the notification area so he would vote on this item.

MINUTES:

See Item 50 [ZON-5726] for related discussion on Item 50 [ZON-5726], Item 51 [VAR-5730] and Item 52 [SDR-5727].

(8:47 – 8:55)

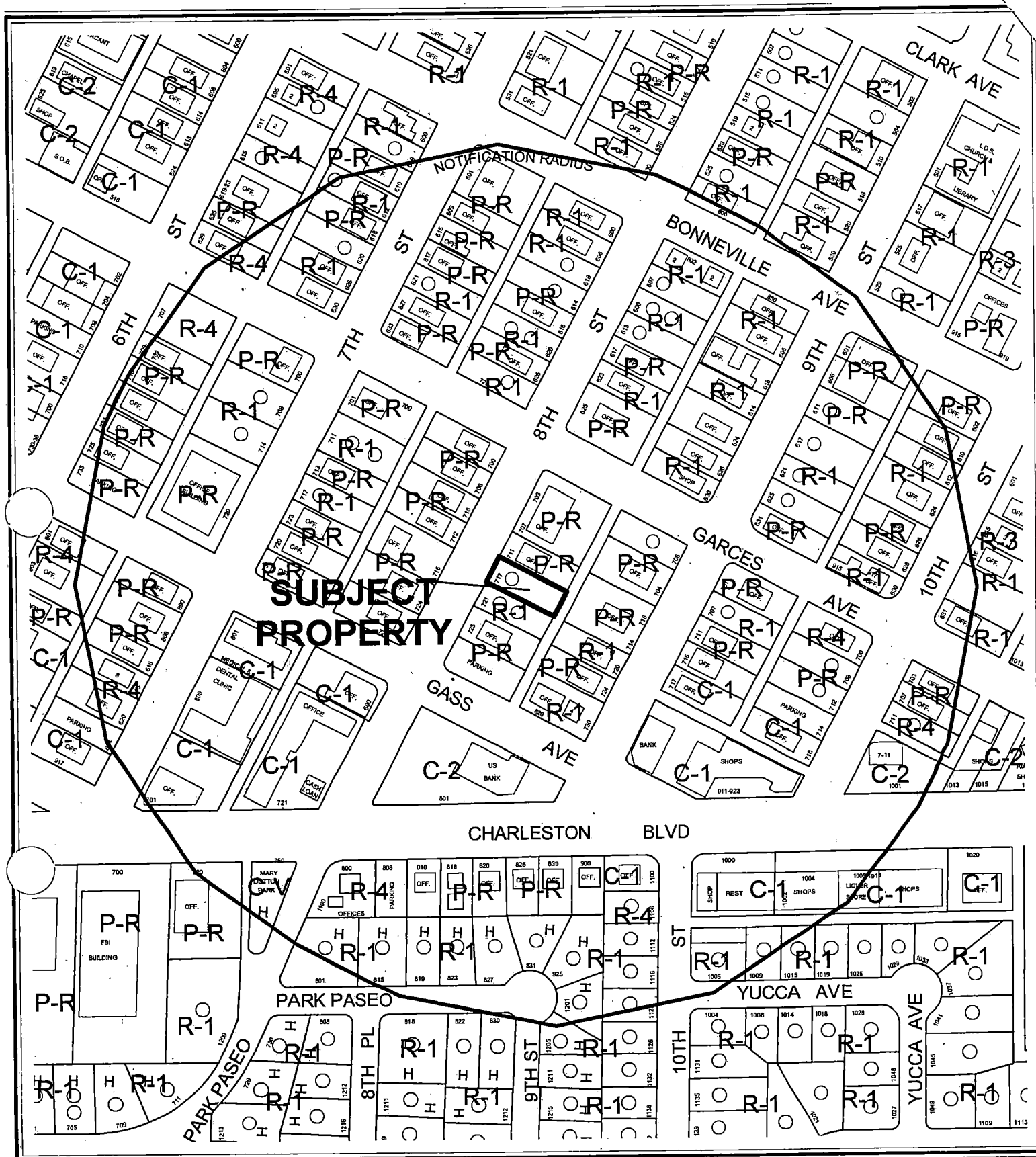
2-2172

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 51 – VAR - 5730

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5726) and Site Development Plan Review (SDR-5727).
2. This Variance 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.



CASE: VAR-5730

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
P-R (PROFESSIONAL OFFICE AND PARKING)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5730 - APPLICANT/OWNER: GABRIEL MANRIQUEZ

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5726) and Site Development Plan Review (SDR-5727).
2. This Variance 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a 48-foot lot width where 60 feet is required for a proposed professional office on 0.17 acres at 1717 South 8th Street. An associated Rezone (ZON-5726) and Site Development Plan Review (SDR-5727) will be heard concurrently with this request.

B) Applicant's Justification

The applicant states that the subject property is an existing parcel of record, and is consistent with the other parcels in the area.

BACKGROUND INFORMATION

A) Previous Actions

01/13/05 The Planning Commission will consider a related Rezoning (ZON-5726) and Site Development Plan Review (SDR-5727) application. Staff recommends approval of the requests.

B) Pre-Application Meeting

11/18/04 At the pre-application conference, issues were discussed relative to the configuration of the parking spaces, the landscape buffer requirements, accessibility issues, and the screening of service areas and mechanical equipment.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

VAR-5730 - Staff Report Page Two
January 13, 2005 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Single-Family Residential Use
North: Office Use
South: Multifamily Residential Use
East: Office Use
West: Office Use

C) Planned Land Use

Subject Property: MXU (Mixed-Use)
North: MXU (Mixed-Use)
South: MXU (Mixed-Use)
East: MXU (Mixed-Use)
West: MXU (Mixed-Use)

D) Existing Zoning

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

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a Mixed-Use land use designation. The Mixed-Use designation allows uses comparable to the following land use categories: L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), GC (General Commercial), and PF (Public Facilities). The proposed office use is in compliance with the land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Redevelopment Plan Area	X	
Special Overlay District		
Las Vegas High School Historic Neighborhood	X	
Trails		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		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 Mixed-Use land use designation. The proposed use is in conformance with the Redevelopment Plan.

Las Vegas High School Historic Neighborhood

The property is located within the Las Vegas High School Neighborhood Historic District. This district is listed on the National Register of Historic Places only; therefore, projects occurring within the district are not subject to additional review by the City of Las Vegas Historic Preservation Commission. This project does not involve, nor is it funded in any part by a federal agency, and is therefore not subject to Section 106 Review of the National Historic Preservation Act.

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	6,844 SF	N/A
Min. Lot Width	60 Feet	48 Feet	N
Min. Setbacks			
• Front	20 Feet	18'-0"	N
• Side	5 Feet	4'-6"	N
• Rear	15 Feet	55'-3"	Y
Max. Lot Coverage	50%	22%	Y
Max. Building Height	2 Stories/35 Feet	1 Story	Y
Trash Enclosure	Walled & roofed	N/A	N/A
Mech. Equipment	Screened	Screened	Y

No minimum lot size is required in the P-R (Professional Office and Parking) district; this application has been filed to address the issue of lot width. The minimum required lot width is 60 feet; the existing parcel is only 48 feet wide. The existing structure does not conform with the front and side setback requirements; no additions are proposed that will increase the nonconforming aspect of the structure.

B) General Analysis and Discussion

The applicant intends to Rezone the subject property to P-R (Professional Office and Parking) in order to convert the existing 1,495 square-foot residential structure to a professional office. No additional square footage will be added to the structure, nor are any physical improvements proposed to the exterior of the structure. Four parking spaces will be developed at the rear of the property, which will be accessed from the existing alley.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

The P-R (Professional Office and Parking) zoning district is the appropriate and logical choice to regulate office conversion development. Given that there is no potential to obtain land on either side of this property, as both parcels are developed and would become nonconforming, it is concluded that the applicant's hardship is real, and it is thereby recommended that the Variance be granted.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

20

NOTICES MAILED 143 – Mailed with ZON-5726 and SDR-5727

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: GABRIEL MANRIQUEZ

Name of Applicant: GABRIEL MANRIQUEZ

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: _____

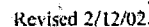
Signature of Property Owner/Authorized Agent: _____

Print Name: GABRIEL MANRIQUEZ

Subscribed and sworn before me

This 30 day of November, 2004

Lina Cordyn Shevoro
Notary Public in and for said County and State



F:\depo\Application Packet\Statement of Financial Interest.doc

November 30, 2004

Planning and Development Department
City of Las Vegas
731 S. Fourth Street
Las Vegas NV 89101

PGAL

**Re: Justification Letter
Variance Request for a Reduction in Required Lot Width**

To Whom It May Concern:

This letter shall serve as justification for the rezoning of Mr. Gabriel Manriquez residence located at 717 South 8th Street, Las Vegas Nevada. The proposal is a request to rezone from R-1 to P-R for a professional office.

○ The minimum lot width required for a P-R zone is 60'; the existing lot is 48'. Therefore we are requesting a Lot Width Variance for a 48' for a P-R lot.

The community in which the site is located, currently has a general plan to re-zone all lots from R-1 to P-R, in addition there are several similar existing lots that have been re-zoned from R-1 to P-R including the lot to the north and to the west across the street. None of the lots located in this community have a lot width of 60', therefore the request for a lot variance in this community is not uncommon.

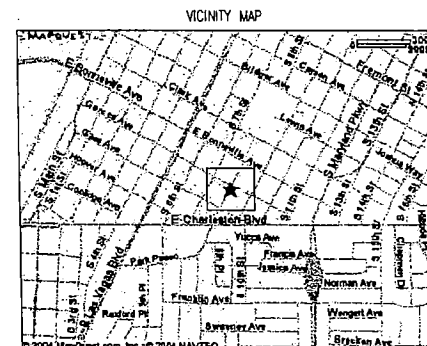
We feel that the argument stated above creates a compelling justification to allow a lot width variance, which will allow for the re-zoning of 717 8th Street from a R-1 to a P-R.

Sincerely,

○ Rick Van Diepen
PGAL

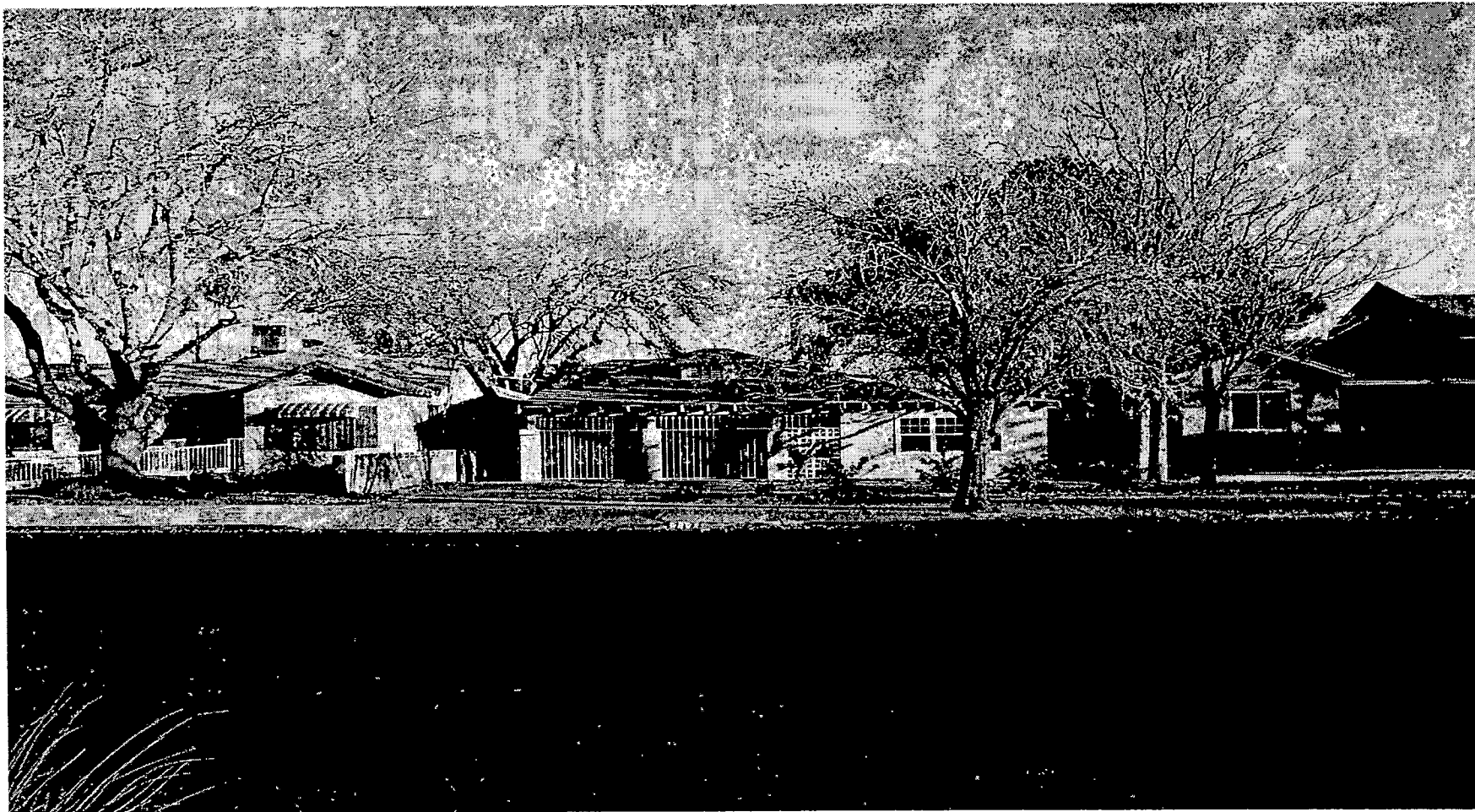
Cc: Gabriel Manriquez, Westgate Capital LLC

VAR-5730



PGAI

**ZON-5726
VAR-5729
VAR-5730
SDR-5727
01-13-05 PC**



VAR-5730 - APPLICANT/OWNER: GABRIEL MANRIQUEZ
717 SOUTH 8TH STREET
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5727 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5726 AND VAR-5730 - PUBLIC HEARING - APPLICANT/OWNER: GABRIEL MANRIQUEZ -
Request for a Site Development Plan Review FOR A 1,495 SQUARE-FOOT OFFICE BUILDING AND WAIVERS OF LANDSCAPE AND BUFFER REQUIREMENTS on 0.17 acres at 717 South 8th Street (APN 139-34-810-040), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 5 (Weekly).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to conditions and amending the following condition:

8. The existing chain-link fencing shall be removed. A six-foot high property line wall shall be provided along the south property line, and shall be a decorative block wall, with at least 20 percent contrasting materials, *or wrought iron fence*. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

– UNANIMOUS

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

MINUTES:

See Item 50 [ZON-5726] for related discussion on Item 50 [ZON-5726], Item 51 [VAR-5730] and Item 52 [SDR-5727].

(8:47 – 8:55)

2-2172

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 52 – SDR-5727

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-5726) to a P-R (Professional Office and Parking) Zoning District and a Variance (VAR-5730) 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 requirement for eight-foot deep perimeter landscape buffers is hereby approved, provided an equivalent number of trees is provided elsewhere on the site. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect this requirement.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum of one tree for every six parking spaces in accordance with the requirements of Title 19.08.045.
6. Turf shall be limited to a maximum of 12.5% of the total landscape area.
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 existing chain-link fencing shall be removed. A six-foot high property line wall shall be provided along the south property line, and 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.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and properties. A trash enclosure, if provided, shall be walled and roofed in accordance with the requirements of Title 19.08.045.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 52 – SDR-5427

CONDITIONS – Continued:

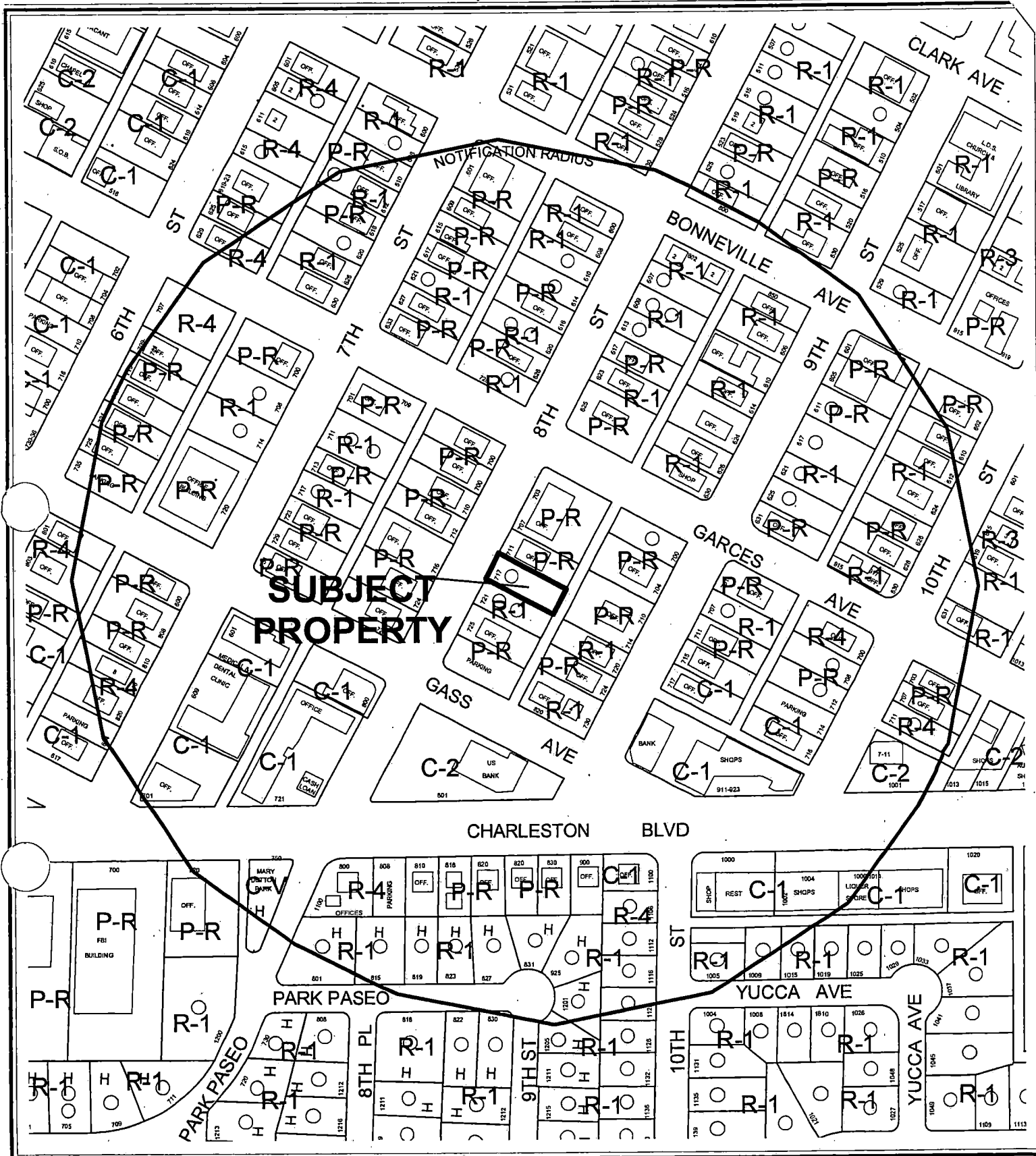
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

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

12. 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.

13. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5726 and all other subsequent site-related actions.

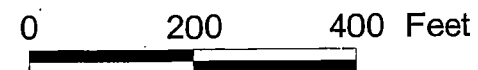


CASE: SDR-5727

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
P-R (PROFESSIONAL OFFICE AND PARKING)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5727 - APPLICANT/OWNER: GABRIEL MANRIQUEZ

**** CONDITIONS ****

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

Planning and Development

1. A Rezoning (ZON-5726) to a P-R (Professional Office and Parking) Zoning District and a Variance (VAR-5730) 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 requirement for eight-foot deep perimeter landscape buffers is hereby approved, provided an equivalent number of trees is provided elsewhere on the site. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect this requirement.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum of one tree for every six parking spaces in accordance with the requirements of Title 19.08.045.
6. Turf shall be limited to a maximum of 12.5% of the total landscape area.
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 existing chain-link fencing shall be removed. A six-foot high property line wall shall be provided along the south property line, and 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.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and properties. A trash enclosure, if provided, shall be walled and roofed in accordance with the requirements of Title 19.08.045.

SDR-5727 - Conditions Page Two
January 13, 2005 Planning Commission Meeting

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

Public Works

11. Landscape and maintain all unimproved rights-of-way adjacent to this site.
12. 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.
13. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5726 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for the conversion of an existing 1,495 square-foot residential structure to a professional office and Waivers of the perimeter landscape and buffer requirements on 0.17 acres at 717 South 8th Street. An associated Rezoning (ZON-5726) and Variance (VAR-5730) will be heard concurrently with this request.

B) Applicant's Justification

The applicant states that the proposed conversion is in conformance with the General Plan and that most of the lots in the area are already zoned P-R.

BACKGROUND INFORMATION

A) Previous Actions

01/13/05 The Planning Commission will consider a related Rezoning (ZON-5726) and Variance (VAR-5730). Staff recommends approval of the requests.

B) Pre-Application Meeting

11/18/04 At the pre-application conference, issues were discussed relative to the configuration of the parking spaces, the landscape buffer requirements, accessibility issues, and the screening of service areas and mechanical equipment.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

SDR-5727 - Staff Report Page Two
January 13, 2005 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Single-Family Residential Use
 North: Office Use
 South: Multifamily Residential Use
 East: Office Use
 West: Office Use

C) Planned Land Use

Subject Property: MXU (Mixed-Use)
 North: MXU (Mixed-Use)
 South: MXU (Mixed-Use)
 East: MXU (Mixed-Use)
 West: MXU (Mixed-Use)

D) Existing Zoning

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

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a Mixed-Use land use designation. The Mixed-Use designation allows uses comparable to the following land use categories: L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), GC (General Commercial), and PF (Public Facilities). The proposed office use is in compliance with the land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Redevelopment Plan Area	X	
Special Overlay District		
Las Vegas High School Historic Neighborhood	X	
Trails		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		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 Mixed-Use land use designation. The proposed use is in conformance with the Redevelopment Plan.

Las Vegas High School Historic Neighborhood

The property is located within the Las Vegas High School Neighborhood Historic District. This district is listed on the National Register of Historic Places only; therefore, projects occurring within the district are not subject to additional review by the City of Las Vegas Historic Preservation Commission. This project does not involve, nor is it funded in any part by a federal agency, and is therefore not subject to Section 106 Review of the National Historic Preservation Act.

PROJECT DESCRIPTION

The applicant intends to Rezone the subject property to P-R (Professional Office and Parking) in order to convert the existing 1,495 square-foot residential structure to a professional office. No additional square footage will be added to the structure, nor are any physical improvements proposed to the exterior of the structure. Four parking spaces will be developed at the rear of the property, which will be accessed from the existing alley.

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	6,844 SF	N/A
Min. Lot Width	60 Feet	48 Feet	N
Min. Setbacks			
• Front	20 Feet	18'-0"	N
• Side	5 Feet	4'-6"	N
• Rear	15 Feet	55'-3"	Y
Max. Lot Coverage	50%	22%	Y
Max. Building Height	2 Stories/35 Feet	1 Story	Y
Trash Enclosure	Walled & roofed	N/A	N/A
Mech. Equipment	Screened	Screened	Y

The subject property does not conform to the minimum lot width requirement; a Variance (VAR-5730) has been filed to address this issue relative to Rezoning the property to the P-R (Professional Office and Parking) designation. The existing structure does not conform with the front and side setback requirements; no additions are proposed that will increase the nonconforming aspect of the structure.

A2) Residential Adjacency Standards

In accordance with Title 19.08, properties within the Las Vegas Redevelopment Plan Area are exempt from the application of Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	1,495 SF	1/300 GFA	4	1	5	1

A total of five parking spaces are required based on the square footage of the structure; six parking spaces will be provided on site. The two parking spaces located at the front of the property required vehicles to back into the public right-of-way; Title 19.10.010(J) permits a maximum of two such spaces. The handicap parking space shown on the site plan does not conform to the City's requirements; an eight-foot access aisle will be required on one side of the space in addition to a five-foot aisle on the other side of the space.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	1 Tree	0 Trees
Buffer:			
• Min. Trees (north)	1 Tree/30 Linear Feet	5 Trees	0 Trees
• Min. Trees (south)	1 Tree/20 Linear Feet	8 Trees	2 Trees
• Min. Zone Width	8 Feet		0-8 Feet
• Wall height	6 Feet		(Not indicated)

One tree is required in the parking lot area; no trees are provided immediately adjacent to the parking spaces. Title 19.12 does not allow the existing palm trees to be counted towards satisfying the perimeter buffer requirement. No buffers are provided immediately adjacent to the parking area; the applicant has requested a Waiver from this requirement. In addition, the applicant has requested an exemption from the requirement to provide a six-foot tall screen wall along the south property line, which is required between commercial and residential uses, as the abutting property will most likely be rezoned in the future.

A5) Sign Standards

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

**Monument Signs:
Standards**

	Allowed	Provided
Maximum Number	1/Street frontage 1 total	1 total
Maximum Area	48 SF/sign	35 SF
Maximum Height	12 Feet	5 Feet
Minimum Setback	5 Feet	5 Feet
Illumination	Direct/Internal	Not indicated

The proposed monument sign will conform to the height, area and setback requirements listed in Title 19.14. No information has been provided relative to the illumination of the sign.

B) General Analysis and Discussion

• Zoning

A Rezone (ZON-5727) application has been filed concurrently with the Site Development Plan Review application; the proposed P-R (Professional Office and Parking) designation allows the proposed office use. The existing structure does not meet the required front and side yard setbacks, but no additions are proposed that will increase the nonconforming aspect of the structure. The existing structure conforms with height and lot coverage requirements.

• Site Plan

The site plan depicts the construction of four parking spaces at the rear of the site, which will be accessed from the public alley. Two parking spaces are already located at the front of the site on 8th Street. No expansion or exterior modifications are proposed for the structure. Additional vegetation will be added to screen the mechanical equipment at the rear of the structure and in the perimeter landscape areas.

- Waivers

The applicant has requested a Waiver from the requirement for an eight-foot deep landscape buffer between the parking areas and the side property line; the site plan indicates that only a one-foot separation will be provided between the parking areas and side property lines. Due to the constraints of the site and the provision of a generous landscape area between the rear parking area and the existing structure, staff recommends approval of this request.

- Landscape Plan

Existing mature shade trees are located in the front yard setback area; three groups of palm trees will be added to the rear yard area along the side property lines. Shrubs will also be added to the perimeter buffer areas. At least one shade tree is required immediately adjacent to the rear parking area, as stipulated by Title 19.08.045. Title 19.12 would require a six-foot high fence between the proposed office use and the existing multifamily residential use to the south; the applicant has requested to eliminate this requirement. The existing chain-link fencing does not conform to the requirements of Title 19.08.045, and should be replaced by a wall of conforming construction.

- Elevation

No changes are proposed to the exterior of the structure; no modifications need to be made provide an accessible route into the building, as an accessible route is already available.

- Floor Plan

No significant modifications are proposed to the existing layout of the structure; the existing bedrooms will be utilized for offices, and the bathrooms will be modified as required by Code.

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 conversion will be compatible with the adjacent existing offices and development in the area.

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

The proposed office development will be consistent with the General Plan, and is generally consistent with the requirements of Title 19. While the buffer configuration does not conform to minimum requirements, additional landscape areas are available on site.

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

Access to the site is available from Eight Street, and also from the public alley behind the property. The proposed conversion will not negatively impact adjacent roadways or traffic patterns.

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

No changes are proposed to the exterior of the structure; it will retain its existing residential character. The landscape materials are generally 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 existing elevations of the building are generally compatible with development in the area and are not unsightly.

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

The conversion of the structure will be subject to inspections, and therefore will not compromise public health, safety, or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

20

NOTICES MAILED 143 – Mailed with ZON-5726 and VAR-5730

APPROVALS 0

PROTESTS 0



Case Number: SDR-5727 APN: 139-34-810-040

Name of Property Owner: GABRIEL MANRIQUEZ

Name of Applicant: GABRIEL MANRIQUEZ

Yes ☐ X No ☐

City Official: _____

Partner(s): _____

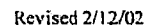
APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: GABRIEL MANRIQUEZ

This 30 day of November, 2004

Lina Carolyn Lewis
Notary Public in and for said County and State



November 30, 2004

Planning and Development Department
City of Las Vegas
731 S. Fourth Street
Las Vegas NV 89101

PGAL

**Re: Justification Letter
Site Development Plan Review for Improvements to a Commercial Lot**

Mr. Flynn:

This letter shall serve as justification for the proposed site improvements to a residential property located at 717 South 8th Street Las Vegas Nevada. The proposal is a request to rezone from R-1 to P-R for a professional office. Certain existing conditions on the subject site limit its ability to conform to some Planning and Development Standards.

The owner is requesting a total of three waivers for the site development plan:

- Reduction in landscape buffer for the perimeter of lot.
- Reduction in parking lot landscape buffer.
- Request to not build a required CMU screen wall bordering the south lot zoned residential.

A waiver for reduction in the landscaping buffer for the perimeter of the lot is requested because the footprint of the existing building does not leave enough space for an eight foot landscape buffer at the south and north side of the building.

A waiver for the parking lot landscape buffer is requested because the lot is not large enough to have both the required amount of parking spaces, and the required amount of landscape buffers. We request that the parking landscape buffers be reduced to 5 feet on the north and south sides of the lot.

A 6 feet tall screen wall is required between a R-1 zoned lot and a P-R zoned lot. A waiver to not build this wall is requested because the owner on the south adjacent residential lot does not want a wall built, and other similar commercial properties do not currently have this required wall separation.

Sincerely,

Rick Van Diepen
PGAL

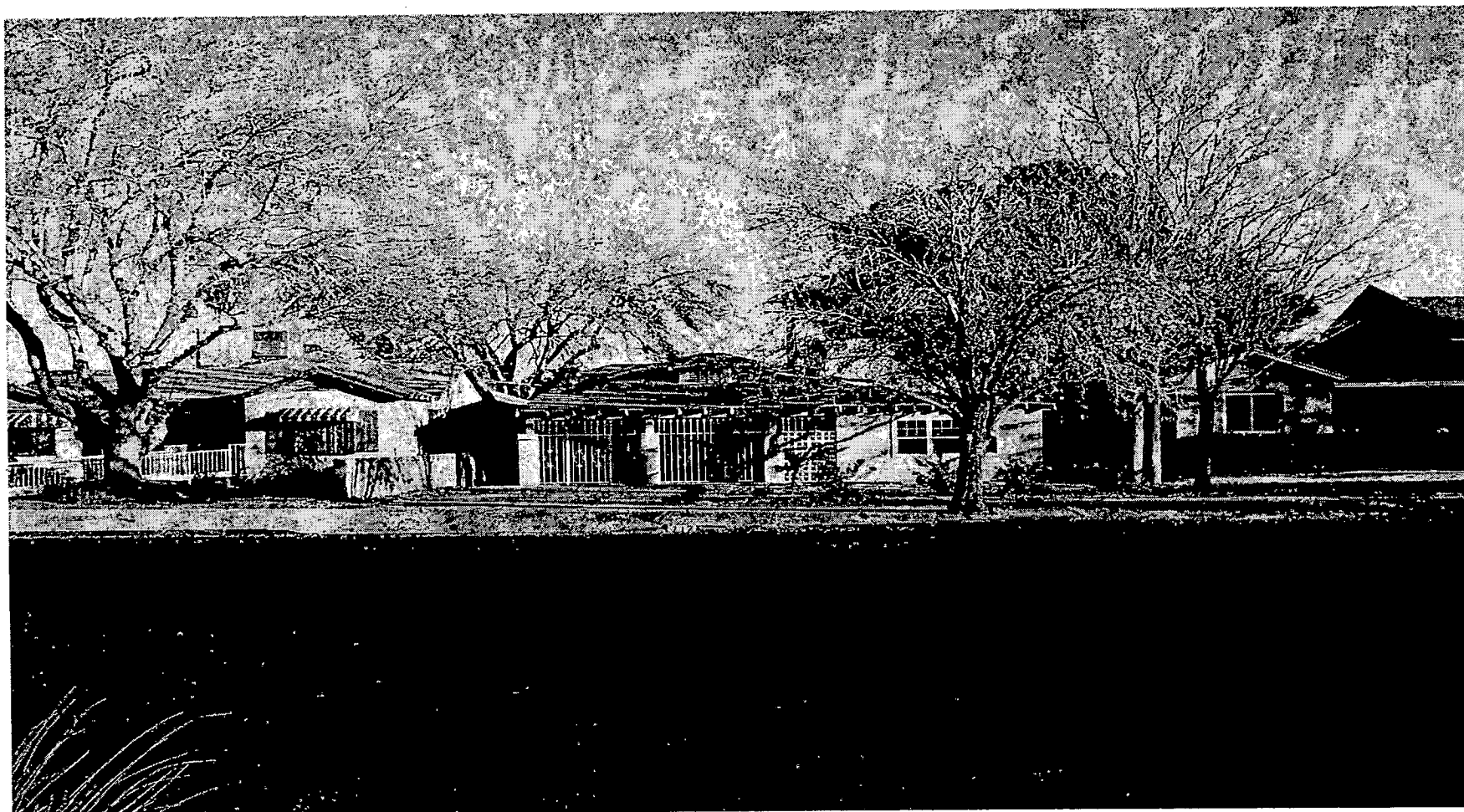
SDR-5727



PGAL



**ZON-5726
VAR-5729
VAR-5730
SDR-5727
01-13-05 PC**



SDR-5727 - APPLICANT/OWNER: GABRIEL MANRIQUEZ
717 SOUTH 8TH STREET
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: M. MARGO WHEELER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VAR-5693 - VARIANCE - PUBLIC HEARING - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - Request for a Variance TO ALLOW 132 PARKING SPACES WHERE 148 SPACES ARE THE MINIMUM REQUIRED FOR A PROPOSED COMMERCIAL DEVELOPMENT WITH A TAVERN on 2.55 acres adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN a portion of 125-09-401-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6, (Mack).

C.C. 2/16/05**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

4**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

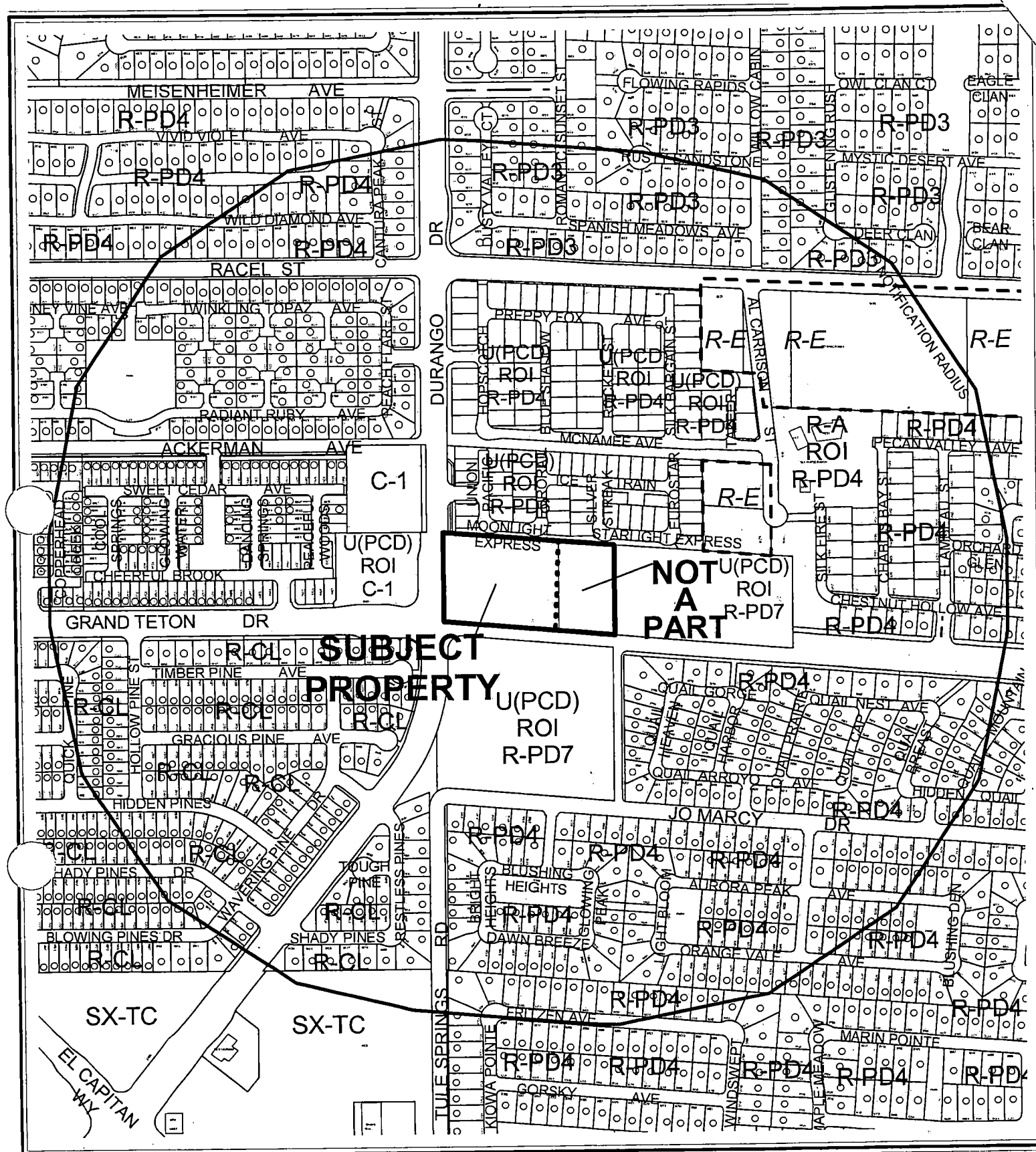
MOTION:

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)

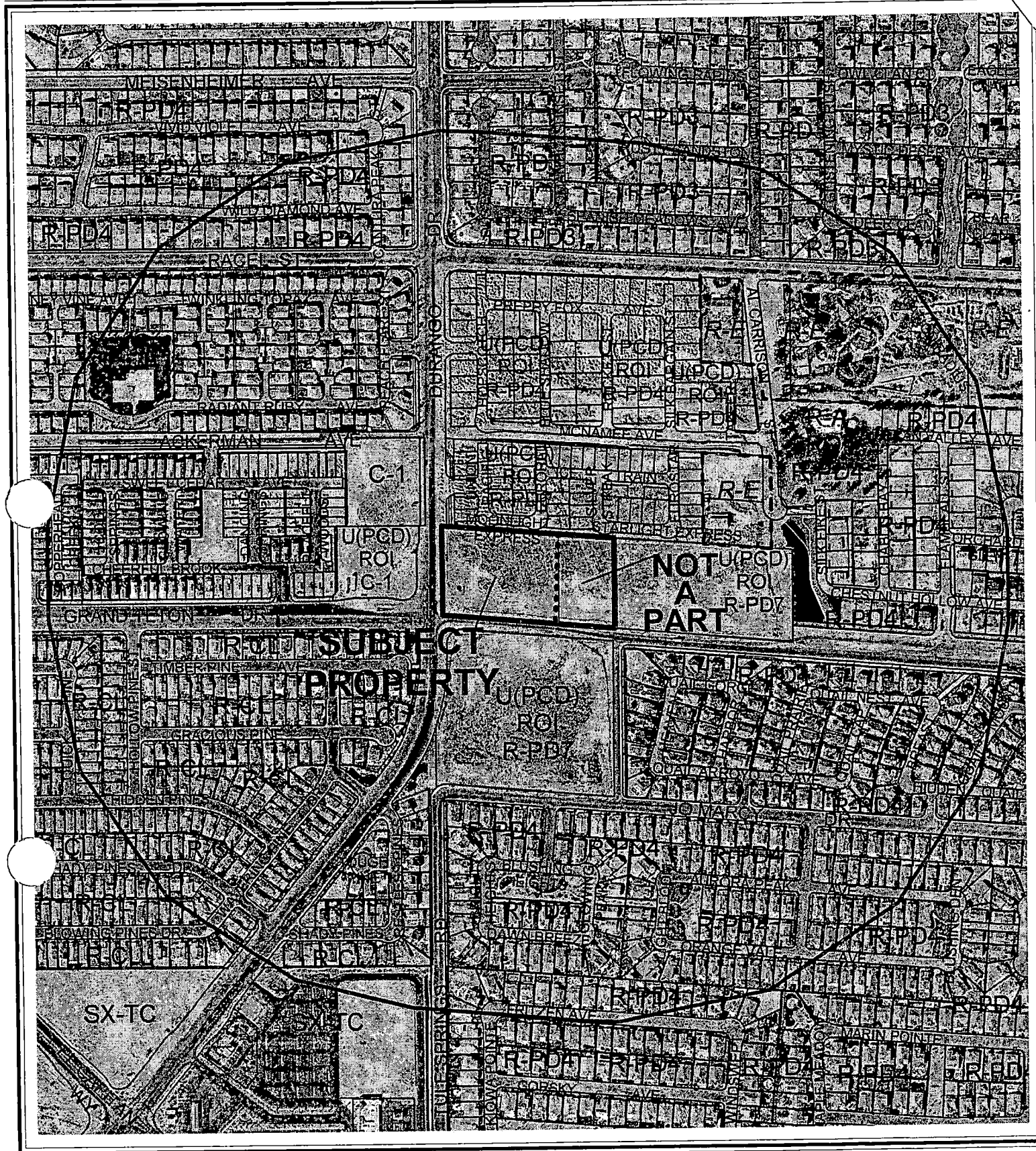


CASE: VAR-5693

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) AND U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)



CASE: VAR-5693

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) AND U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

0 400 800 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5693 - APPLICANT: GERALD GARAPICH A.I.A. LLC -
OWNER: A.L.M. CORP.**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Special Use Permit (SUP-5691) and Site Development Plan Review (SDR-5689).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 132 parking spaces where 148 spaces are the minimum required for a proposed Tavern and future retail uses on a 2.55-acre site located at the northeast corner of Grand Teton Road and Durango Drive.

B) Applicant's Justification

The applicant requests the waiver due to the dedication of the trails and right-of-way dedication and the difference in operating hours of the retail uses and the Tavern.

BACKGROUND INFORMATION

A) Previous Actions

- 3/17/99 The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
- 6/08/99 The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
- 6/21/00 The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
- 7/17/02 The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

- 11/16/04 The elements of a Variance application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.55 acres

B) Existing Land Use

Subject Property: Undeveloped
North: Single-family residential
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD6 (Residential Planned Development -6 Units per Acre)
South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development -7 Units per Acre)
East: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under resolution of intent to R-PD7 (Residential Planned Development -7 Units per Acre)
West: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

This site is located in the north-central portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan and designated as SC (Service Commercial). The SC (Service Commercial) category of the Centennial Hills General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. This Variance request is not directly related to any specific General Plan policies.

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

Trails

The subject site contains two types of trails. The trail along the northern property line is identified as a Multi-use Equestrian Trail. This trail is located along the western property line. The Multi-use Equestrian Trail has a five-foot landscape corridor, five-foot sidewalk, and a ten-foot equestrian trail path. The Multi-use Transportation Trail has a five (5) foot transition strip, a ten (10) foot public transportation trail path, and a five (5) foot private landscaped corridor. Both types of trails are referenced in the Las Vegas 2020 Master Plan Trails Element.

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,115 s.f.	1/50 sq. ft. of public seating/ 200 sq ft for remaining	76 space	4 spaces	76 spaces	4 spaces
Retail	12,500 s.f.	1/175	72 spaces	3 spaces	56 spaces	3 spaces
Total	18,615	-	148 spaces	5 spaces	132 spaces	6 spaces

The applicant is requesting a Variance of the 148 required parking spaces. The applicant is asking for a reduction of 16 parking spaces. The subject deviation is an 11% reduction in the required number of spaces.

Public Works Comments

The Department of Public Works supports present City Code parking requirements; therefore it cannot support the Variance request to allow 132 parking spaces where 148 spaces are the minimum allowed for property located on the northeast corner of Grand Teton Road and Durango Drive.

Public Works notes that this site is the subject of a Site Development Plan Review (SDR-5689); all site-related conditions of approval are addressed with that action.

B) General Analysis and Discussion

The site plan indicates a 6,115 square-foot tavern and three future retail uses, which total 12,500 square feet. The Site Development Plan Review as submitted is only for the tavern, parking, and associated landscaping. For future build out of the current site, 148 parking spaces are required, while only 132 spaces are provided.

Based on Title 19.10 requirements, 76 spaces are required for the tavern and 72 spaces are required three future retail pads, for a total of 148 spaces. The site is a corner location and has vehicular access from Durango Drive and Grand Teton Drive. The site is clearly overbuilt, which does not allow for a Variance to be granted.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to overbuild a site that is relatively small for the uses envisioned. Alternative design using smaller retail stores or a Tavern would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 786 – Mailed with VAR-5694, SUP-5691 and SDR-5689

APPROVALS 0

PROTESTS 4

**PLANNING & DEVELOPMENT DEPARTMENT**

use permit

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5693 APN: 125-09-401-006

Name of Property Owner: A.L.M. Corporation - Grand Teton

Name of Applicant: Architecto Gerald Ganapich A. I. A.

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: STUART HPOLEO

Subscribed and sworn before me

This 24th day of November 2014
Theresa M. Monahan
 Notary Public in and for said County and State



ARCHITECT
GERALD GARAPICH, AIA, LLC.
10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

November 29, 2004

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

Attn: Kyle Walton
Principal Planner

RE: **GRAND TETON & DURANGO COMMERCIAL
JUSTIFICATION LETTER**

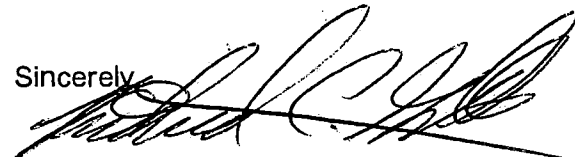
PROJECT NO: 02-171

Dear Mr. Walton,

We respectfully request favorable consideration for parking variance to allow 132 stalls where 148 stalls are required (an 11% reduction). This request is due to the additional right of way dedication and the trail system. We believe that 90% of the retail and office parking will be used during typical business hours while 80 % of the tavern parking will not be used during these hours. Conversely the tavern parking will be used after business hours and will be able to share the retail and office buildings' parking since these uses will be closed. This will result in adequate parking.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Project Director

Cc: 02-171.js.lt.parking.variance.112904

VAR-5493

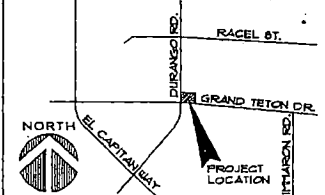
PROJECT DATA:

APPLICATIONS: ZC-1102-98, ZON-3503
LEGAL DESCRIPTION: THE SOUTH HALF (S1/2) OF THE SOUTHWEST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. 1 M.
ASSESSORS PARCEL NUMBER: 125-03-401-006
SITE AREA: 111/12 SF. (2.55 ACRES)
CURRENT ZONING: C1 / U
PROPOSED ZONING: C1 / C7

SETBACKS:
FRONT: 20'-0" REQUIRED, 20'-0" PROVIDED
SIDES: 15'-0" REQUIRED, 15'-0" PROVIDED
REAR: 20'-0" REQUIRED, 20'-0" PROVIDED
CORNER: 15'-0" REQUIRED, 15'-0" PROVIDED
BUILDING AREA: 10,615 SF.
PAD 'A': 3,500 SF.
PAD 'B': 4,800 SF.
PAD 'C': 4,200 SF.
LODGE / TAVERN: 6,115 SF.
LOT COVERAGE: 16.75 %

PARKING CALCULATIONS:
REQUIRED:
 TAVERN: 1:50 PUBLIC SEATING 2,560/150 = 60 SPACES
 1:200 SF FOR REMAINING GFA 2,560/200 = 16 SPACES
SUBTOTAL: 76 SPACES
PROVIDED:
 RETAIL: 1:175 GFA 12,500/175 = 72 SPACES
TOTAL REQUIRED: 148 SPACES
PROVIDED, INCLUDING 6 HANDICAP SPACES (11/2 SPACES VAN ACCESSIBLE): 132 SPACES

PROJECT LOCATION:



ARCHITECT
 CARMAD GADAPCHI • AIA • LIC
 10 COMMERCIAL CENTER DRIVE
 HENDERSON, NEVADA 89014
 (702) 438-3012 FAX (702) 434-7812

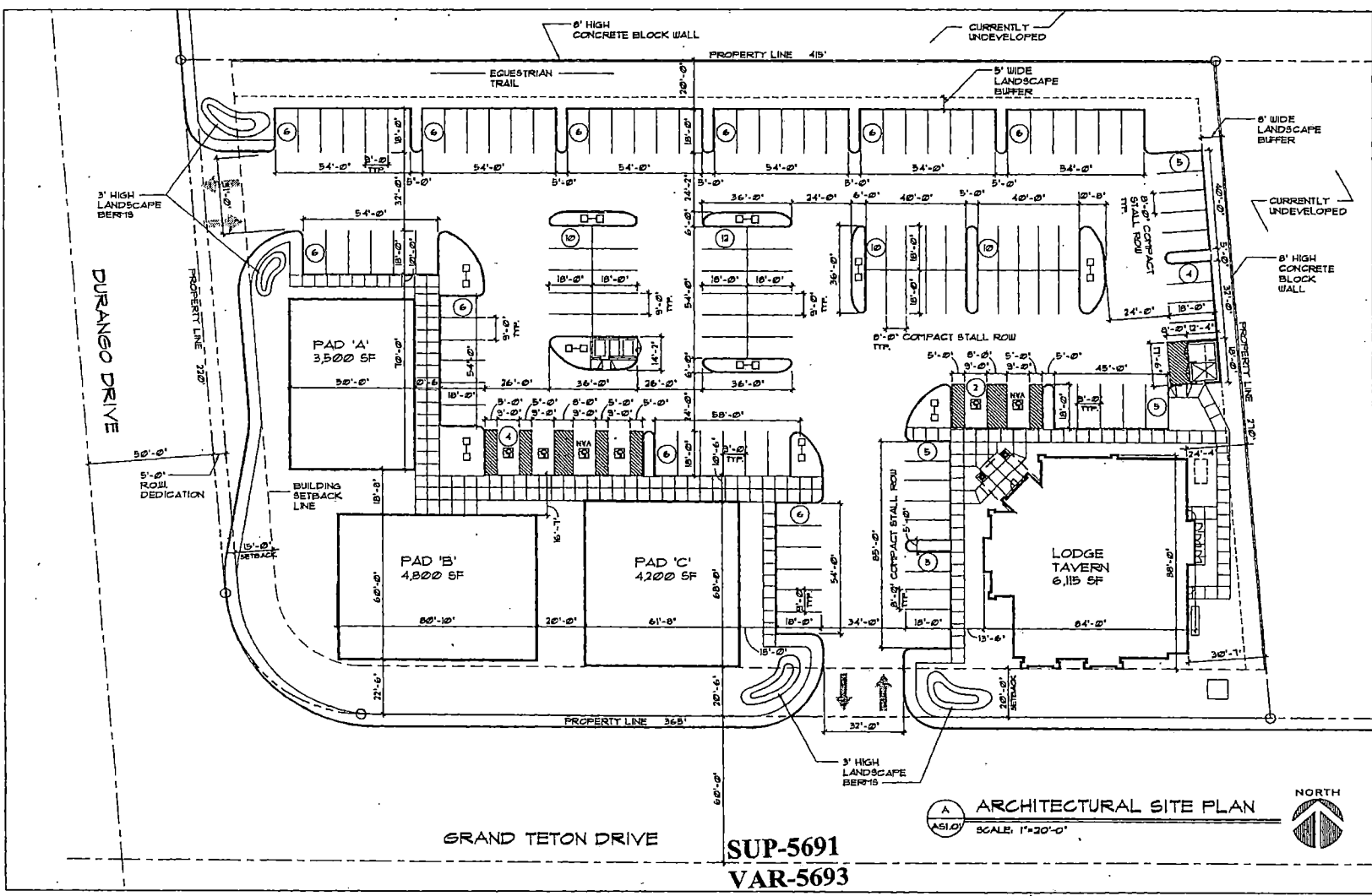
PROJECT TITLE
 GRAND TETON AND DURANGO
 COMMERCIAL DEVELOPMENT
 GRAND TETON DRIVE / DURANGO DRIVE
 LAS VEGAS, NEVADA

PRELIMINARY
 NOT FOR CONSTRUCTION
 11-28-04

SITE PLAN
 AS101

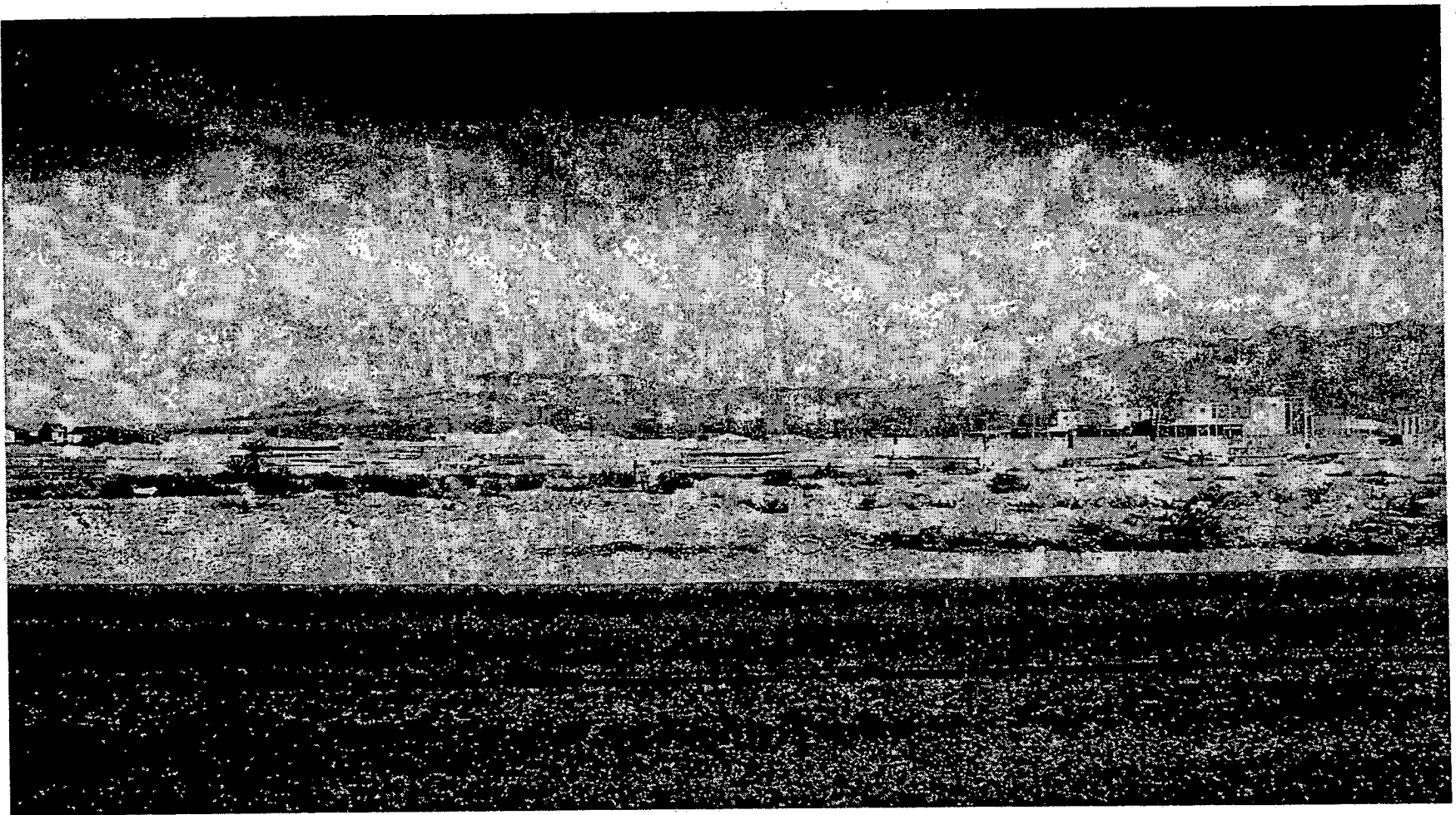
Drawn by: [Signature]
Checked by: [Signature]
Project no.: 02-111
Revision: [Blank]
Sheet no.: AS101

AS101



ARCHITECTURAL SITE PLAN
 SCALE: 1"=20'-0"

SUP-5691
VAR-5693
VAR-5694
SDR-5689
01-13-05 PC



VAR-5693 - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP.
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

NOTICE OF PUBLIC HEARING

I VOTE NO ON

VARIANCE

VARIANCE 5693.
GARY R. KRONENBERG
Gary R. Kronenberg

12516110007
KRONENBERG GARY R
8316 BLUSHING HEIGHTS AVE
LAS VEGAS NV 89131-4610

Case: VAR-5693

Jan 5, 05

MEETING: PLANNING COMMISSION
DATE: JANUARY 13, 2005
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

VAR-5693

APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - REQUEST FOR A VARIANCE TO ALLOW 132 PARKING SPACES WHERE 148 SPACES ARE THE MINIMUM REQUIRED FOR A PROPOSED COMMERCIAL DEVELOPMENT WITH A TAVERN ON 2.55 ACRES ADJACENT TO THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN A PORTION OF 125-09-401-006), U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) ZONE, WARD 6, (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



GARY M. LEOBOLD, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

Telephone Protest/ Approval Log

Meeting Date: 01/13/05

Case Number: SDR 5689 - 8
SUP-5691; VAR 5693 & VAR-
5694

Date: 01/05/05
 Name: Simon Jordan
 Address: 8245 Quail Aurora
89131
 Phone: (702) 396-5953
☒ PROTEST ☐ APPROVE

Date: 01/10/05
 Name: William Weigand
 Address: 7936 Quail Prairie St
L.V. NV. 89131
 Phone: 838-9669
☒ PROTEST ☐ APPROVE
SDR-5689 SUP-5691 VAR-5693

Date: 1-6-04
 Name: WALTER MARCIA SCHULLER
 Address: 7936 Quail Harbor
ST. LV
 Phone: 656-9834
☒ PROTEST ☐ APPROVE
Enough drinks w/o adding more bars

Date: _____
 Name: _____
 Address: _____
 Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
 Name: _____
 Address: _____
 Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
 Name: _____
 Address: _____
 Phone: _____
☐ PROTEST ☐ APPROVE

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5694 - VARIANCE RELATED TO VAR-5693 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - Request for a Variance TO ALLOW A 24-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 73 FEET on 2.55 acres adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN a portion of 125-09-401-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), ward 6, (Mack).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

1-79

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) AND U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5694 - APPLICANT: GERALD GARAPICH A.I.A. LLC -
OWNER: A.L.M. CORP.**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-5693) and Site Development Plan Review (SDR-5689).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

Request for a Variance to allow a 24-foot setback where residential adjacency standards require a minimum of 73-feet on 5.11 acres adjacent to the northeast corner of Grand Teton and Durango Drive.

B) Applicant's Justification

The applicant justifies the request by stating that tavern was previously approved and the neighborhood is aware of the proposed developed. The applicant also indicates that the existing park is approximately 1500 feet from the Tavern.

BACKGROUND INFORMATION

A) Previous Actions

- 3/17/99 The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
- 6/08/99 The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
- 6/21/00 The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
- 7/17/02 The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

- 11/16/04 The elements of a Variance application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.55 acres

B) Existing Land Use

Subject Property: Undeveloped
North: Single-family residential
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

North: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD6 (Residential Planned Development -6 Units per Acre)

South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development -7 Units per Acre)

East: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under resolution of intent to R-PD7 (Residential Planned Development -7 Units per Acre)

West: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

This site is located in the north-central portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan and designated as SC (Service Commercial). The SC (Service Commercial) category of the Centennial Hills General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. This Variance request is not directly related to any specific General Plan policies.

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

The subject site contains two types of trails. The trail along the northern property line is identified as a Multi-use Equestrian Trail. The Multi-use Trail is located along the western property line. The Multi-use Equestrian Trail has a five-foot landscape corridor, five-foot sidewalk, and a ten-foot equestrian trail path. The Multi-use Transportation Trail has a five-foot transition strip, a ten-foot public transportation trail path, and a five-foot private landscaped corridor. Both types of trails are referenced in the Las Vegas 2020 Master Plan Trails Element.

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

- a) Proximity slope. The proposed Tavern is 24 feet and four inches from the nearest property line. As the applicant is proposing a building 29 feet and two and one-half inches in height, the setback is required to be 88 feet from the property line. As the building is proposed to be only 24.3 feet from the property line. The project fails to meet proximity slope requirement. This Variance request is intended to address this deficiency. Although the request was for 73 feet 88 feet is required.
- b) Building setback. The proposed tavern is 24-feet four-inches from the nearest property line, where only ten feet are required, therefore the proposed development meets the building setback requirement

B) General Analysis and Discussion

The Tavern was previously approved, but is now being moved 200 feet to the east. The site plan indicates a 6,115 square-foot Tavern and three future retail uses, which total 12,500 square feet. The future retail pads will require additional Site Development Plan Review applications. The Site Development Plan Review as submitted is only for the Tavern, parking, and associated landscaping. For future build out of the current site, 148 parking spaces are required, while only 132 spaces are provided.

Based on Title 19.10 requirements, 76 spaces are required for the Tavern and 72 spaces are required for the three future retail pads, for a total of 148 spaces. The site is a corner location and has vehicular access from Durango Drive and Grand Teton Drive. The site is clearly overbuilt, which does not allow for a Variance to be granted.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to overbuild a site that is relatively small for the uses envisioned. Alternative design using smaller retail stores or a Tavern would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

VAR-5694 - Staff Report Page Five
January 13, 2005 Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 786 – Mailed with VAR-5693, SUP-5691 and SDR-5689

APPROVALS 0

PROTESTS 4



variance separation

STATEMENT OF FINANCIAL INTEREST

Case Number: VNR 5657 APN: 125-0-401-000
Name of Property Owner: A.L.M. Corporation - Grand Teton Lodge Land LLC

Name of Applicant: Architect Gerald Garapich A.I.A.

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

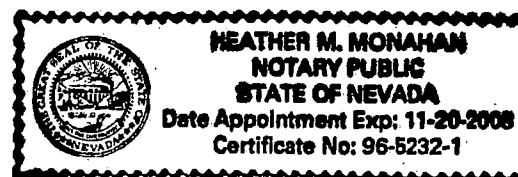
Signature of Property Owner/Authorized Agent: _____

Print Name: STUART HOLLIC

Subscribed and sworn before me

This 24th day of November 2004

Notary Public in and for said County and State



ARCHITECT
GERALD GARAPICH, AIA, LLC.
10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

November 29, 2004

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

Attn: Kyle Walton
Principal Planner

RE: **GRAND TETON & DURANGO
COMMERCIAL DEVELOPMENT
JUSTIFICATION LETTER**

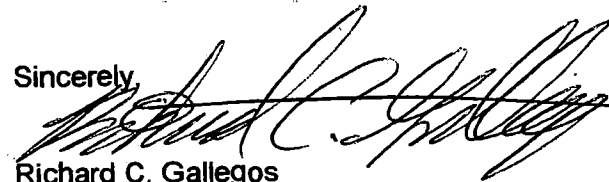
PROJECT NO: 02-171

Dear Mr. Walton,

We respectfully request favorable consideration for a variance to allow a previously approved tavern site within 1500 feet from a park. The park has been recently constructed within a new residential development. This site has been approved for a tavern for over 6 years and the neighborhood has been well aware of the proposed commercial development. The actual tavern location is approximately 1500 feet away from the park.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Project Director

Cc: 02-171.js.lt.kyle.walton.112904

VAR-5094

PROJECT DATA:

APPLICATIONS: ZC-1102-50, ZON-3503

LEGAL DESCRIPTION: THE SOUTH HALF (S1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 9, TOWNSHIP 13 SOUTH, RANGE 60 EAST, M.D.B. 4 N.

ASSESSOR'S PARCEL NUMBER: 126-023-401-0200

SITE AREA: 11172 SF (255 ACRES)

CURRENT ZONING: C1 / U

PROPOSED ZONING: C1 / C2

SETBACKS:

	REQUIRED	PROVIDED
FRONT	20'-0"	20'-0"
SIDES	15'-0"	15'-0"
REAR	20'-0"	20'-0"
CORNER	15'-0"	15'-0"

BUILDING AREA: 18,615 SF

	REQUIRED	PROVIDED
PAD 'A'	3,500 SF	3,500 SF
PAD 'B'	4,800 SF	4,800 SF
PAD 'C'	4,200 SF	4,200 SF
LODGE / TAVERN	6,115 SF	6,115 SF

LOT COVERAGE: 16.75 %

PARKING CALCULATIONS:

REQUIRED:

TAVERN: 1:50 PUBLIC SEATING
1:100 SF FOR REMAINING GFA

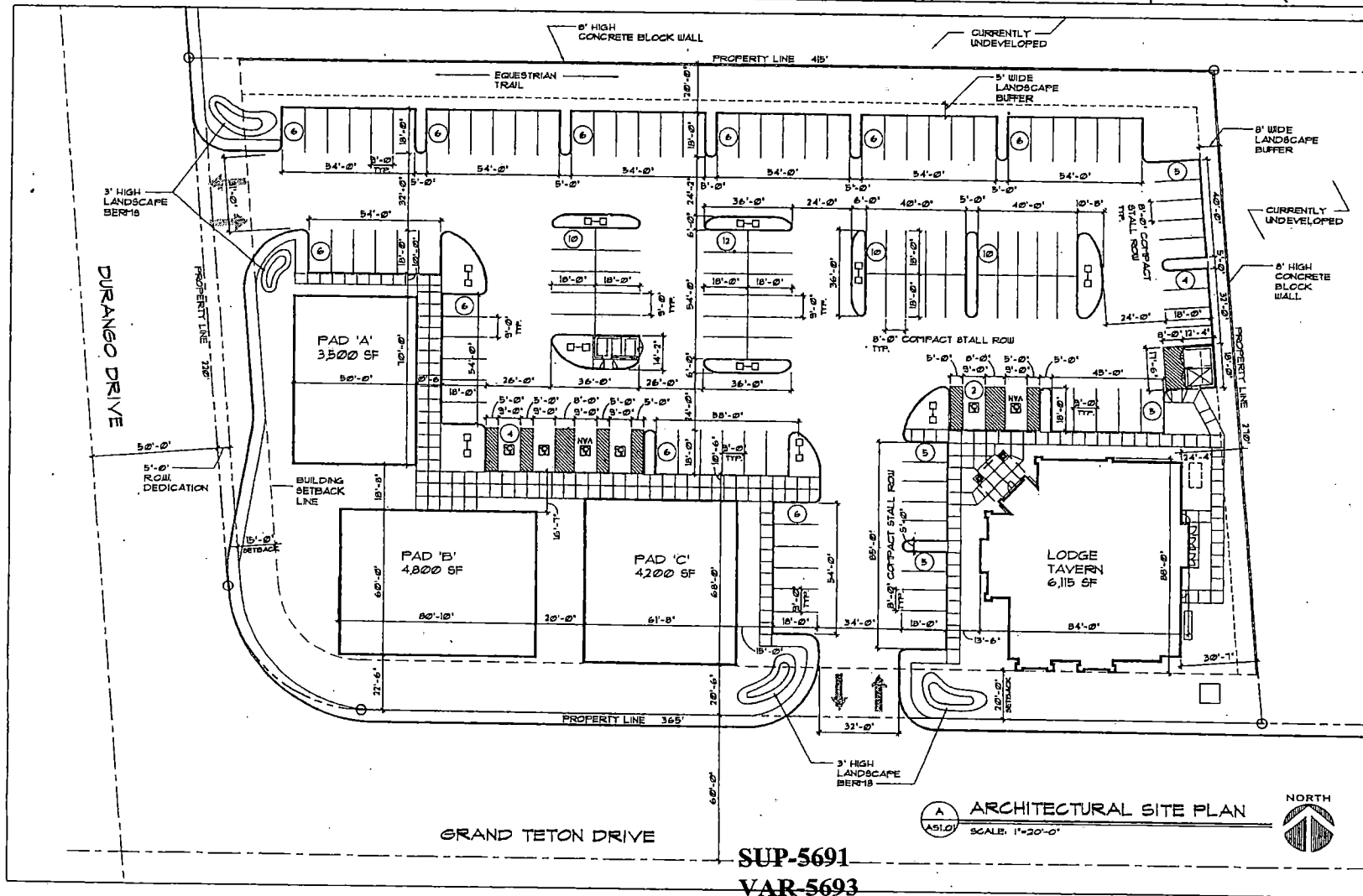
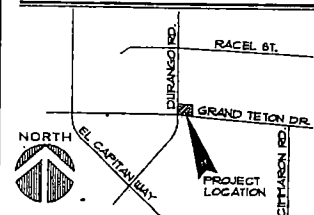
RETAIL: 1:175 GFA

TOTAL REQUIRED: 148 SPACES

PROVIDED: INCLUDING 6 HANDICAP SPACES (W/ 2 SPACES VAN ACCESSIBLE)

3,560/50 = 60 SPACES
3,155/100 = 31 SPACES
SUBTOTAL = 91 SPACES
12,500/175 = 71 SPACES
SUBTOTAL = 162 SPACES

PROJECT LOCATION:



SUP-5691
VAR-5693
VAR-5694
SDR-5689
01-13-05 PC

ARCHITECT
GERALD GADAPCH • AIA • LLC
10 COMMERCE CENTER DRIVE
HENDERSON, NEVADA 89014
(702) 454-3842 FAX (702) 454-7542

PROJECT TITLE:
GRAND TETON AND DURANGO
COMMERCIAL DEVELOPMENT
10000 DURANGO DRIVE
LAS VEGAS, NEVADA

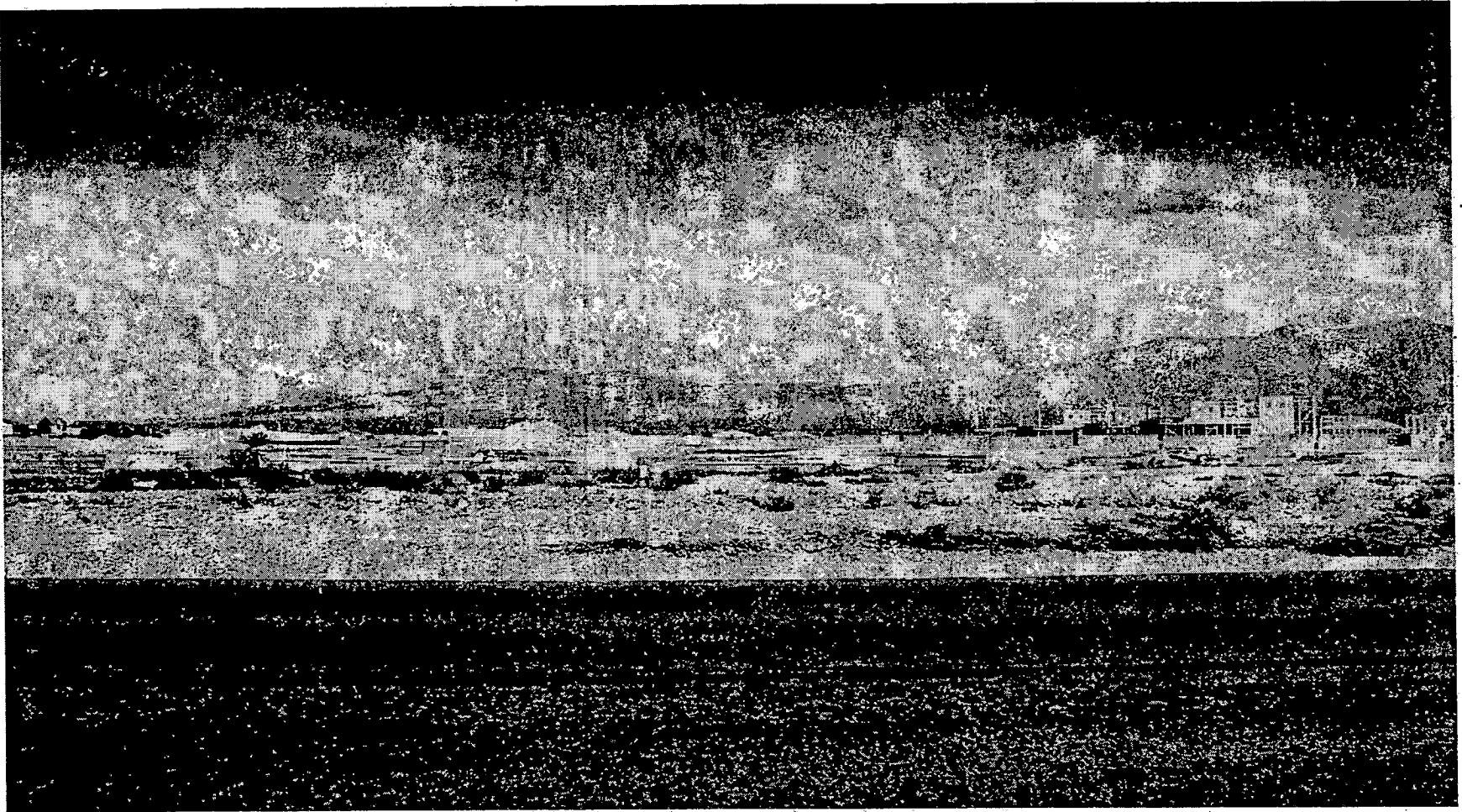
PRELIMINARY
NOT FOR
CONSTRUCTION
11-20-04

SHEET TITLE:
SITE PLAN

Scale: 1"=20'-0"

Drawn by: JRG
Checked by: JRG
Project no.: 01-13-05
Revision:

Sheet no.: AS1.01



VAR-5694 - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP.
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

NOTICE OF PUBLIC HEARING

I VOTE No

VARIANCE

ON VARIANCE 5694.

Gary R. Kronenberg
GARY R. KRONENBERG
8316 BLUSHING HTS. AVE.
JAN 5, 05

MEETING: PLANNING COMMISSION
DATE: JANUARY 13, 2005
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

VAR-5694

APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - REQUEST FOR A VARIANCE TO ALLOW A 24-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 73 FEET ON 2.55 ACRES ADJACENT TO THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN A PORTION OF 125-09-401-006), U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6, (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



GARY M. LEOBOLD, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

Telephone Protest/ Approval Log

Meeting Date: 01/13/05

Case Number: SDR 5689 - #
SUP-5691; VAR 5693 & VAR

Date: 01/05/05
Name: Simon Jordan
Address: 8245 Quail Aurora
89131
Phone: (702) 396-5953
☒ PROTEST ☐ APPROVE

Date: 01/10/05
Name: William Weigand
Address: 7936 Quail Prairie St
L.V. NV. 89131
Phone: 838-9669
☒ PROTEST ☐ APPROVE
VAR-5694
SDR-5689 SUP-5691 VAR-5693

Date: 1-6-04
Name: WALTER MARCIA SCHULLER
Address: 7936 QUAIL HARBOR
ST. LV
Phone: 656-9834
☒ PROTEST ☐ APPROVE
Enough drinks w/o ordering more bars

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5691 - SPECIAL USE PERMIT RELATED TO VAR-5693 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER OF THE 1,500-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING PARK adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN a portion of 125-09-401-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6, (Mack).

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

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

4

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) AND U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)



CASE: SUP-5691

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) AND U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)



SUP-5691
Taverns

Business Licenses

- Child Care/
Children Facility ● Tavern

- RELIGIOUS
■ PARKS
■ SCHOOLS

- Subject Property
○ 1500 foot buffer

0 487.5 975 1,950 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5691 - APPLICANT: GERALD GARAPICH A.I.A. LLC -

OWNER: A.L.M. CORP.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If Approved, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Liquor Establishment (Tavern) use.
2. Approval of and conformance to the Conditions of Approval for a Variance (VAR-5693) and Site Development Plan Review [(SDR-5689)].
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 a Special Use Permit for a Liquor Establishment (Tavern) on 2.55 acres located at the northeast corner of Grand Teton Road and Durango Drive.

B) Applicant's Justification

The applicant justifies the request by stating that the project was previously approved, but has since expired. The applicant also states that the proposed Tavern and future retail/office pads will compliment the neighborhood architecturally.

BACKGROUND INFORMATION

A) Previous Actions

- 3/17/99 The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
- 6/08/99 The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
- 6/21/00 The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
- 7/17/02 The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

- 11/16/04 The elements of a Special Use Permit application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.55 acres

B) Existing Land Use

Subject Property: Undeveloped
North: Single-family residential
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD6 (Residential Planned Development -6 Units per Acre)
South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development -7 Units per Acre)
East: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under resolution of intent to R-PD7 (Residential Planned Development -7 Units per Acre)
West: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

This site is located in north- central portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan and designated as SC (Service Commercial).

The SC (Service Commercial) category of the Centennial Hills General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. This Special Use Permit is not directly related to any specific General Plan policies.

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

Trails

The subject site contains two types of trails. The trail along the northern property line is identified as a Multi-use Equestrian Trail. This trail is located along the western property line. The Multi-use Equestrian Trail has a five-foot landscape corridor, five-foot sidewalk, and a ten-foot equestrian trail path. The Multi-use Transportation Trail has a five-foot transition strip, a ten-foot public transportation trail path, and a five-foot private landscaped corridor.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,115 s.f.	1/50 sq. ft. of public seating/ 200 sq ft for remaining	76 spaces	4 spaces	76 spaces	4 spaces
Retail	12,500 s.f.	1/175	72 spaces	3 spaces	56 spaces	3 spaces
Total	18,615	-	148 spaces	5 spaces	132 spaces	6 spaces

The applicant is requesting a variance of the 148 required parking spaces. The applicant is asking for a reduction of 16 parking spaces. The subject deviation is an 11% reduction in the required number of spaces.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Tavern)	1,500 feet	1,124 feet

The proposed use requires a minimum separation distance of 1,500 feet between similar uses and any church, synagogue, school, child care facility licensed for more than twelve children or City park. The proposed use is located 1,124 feet from a City park; therefore, the applicant has requested a waiver of the 1,500-foot distance separation requirement from an existing park.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial). A Liquor Establishment (Tavern) is permitted with the approval of a Special Use Permit.

- Use

A Liquor Establishment (Tavern) is defined in Title 19 as a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.

- Conditions

There are no special conditions that apply to the Special Use Permit.

FINDINGS

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

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

The proposed use cannot be conducted in a manner that is harmonious and compatible with the land uses surrounding the site because of its proximity to single-family residences and a City park.

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

The subject site is overbuilt due to the quantity and total square footage of the buildings. A Tavern would further intensify the land use and increase the current parking deficiency.

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 site is via Durango Drive, a Primary (100-foot) Arterial and Grand Teton Drive, a Primary (120-foot) Arterial as defined in the Master Plan of Streets and Highways, which are capable of handling the associated traffic.

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 development will be subject to inspections and permitting, and therefore will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 786 – Mailed with VAR-5693, VAR-5694 and SDR-5689

APPROVALS 0

PROTESTS 4



STATEMENT OF FINANCIAL INTEREST

Case Number: 001-5517 APN: 172-511-1-5
Name of Property Owner: A.L.M. Corporation Grand Teton Lodge Land LLC
Name of Applicant: Architect Gerald Garapich A.I.A.

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

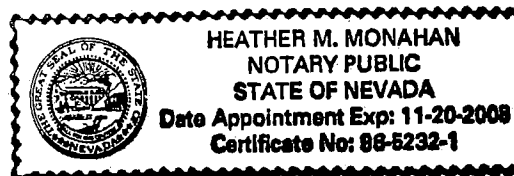
Signature of Property Owner/Authorized Agent:

Print Name: STUART APOLLO

Subscribed and sworn before me

This 27th day of November, 2009

Notary Public in and for said County and State



ARCHITECT
GERALD GARAPICH, AIA, LLC.
10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

November 29, 2004

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

Attn: Kyle Walton
Principal Planner

**RE: GRAND TETON & DURANGO COMMERCIAL
JUSTIFICATION LETTER**

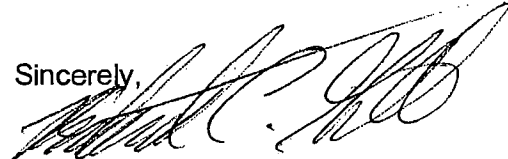
PROJECT NO: 02-171

Dear Mr. Walton,

We respectfully request favorable consideration for a use permit to move the location for a previously approved tavern approximately 200 feet to the east. This location is the same location that was presented to the neighbors at our meetings when the project consisted of 10 acres. The developer to the east of our site (on the 7 acres we sold him) is fully aware of the proposed tavern location and will disclose this to all homebuyers. This location is appropriate due to the limited driveway access and site layout.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Project Director

Cc: 02-171.js.lt.use.permit.112904

SUP-5091

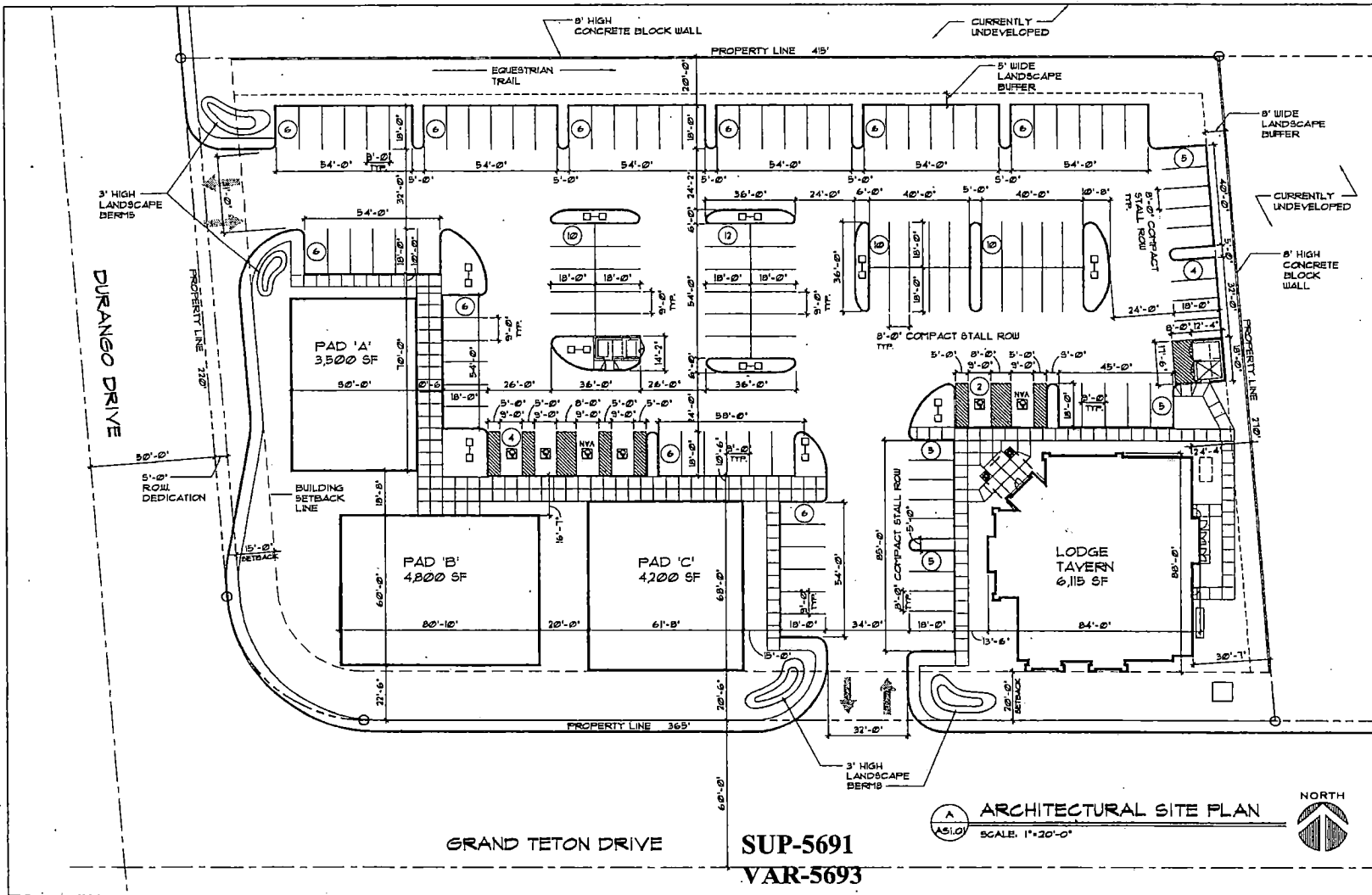
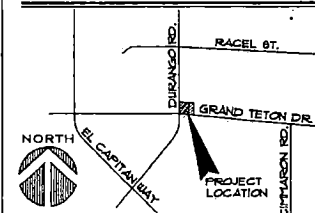
PROJECT DATA:

APPLICATION: ZC-1102-98, ZON-3503
LEGAL DESCRIPTION: THE SOUTH HALF (S/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 3, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. 4 T.
ASSESSORS PARCEL NUMBER: 125-03-401-006
SITE AREA: 11173 SF (255 ACRES)
CURRENT ZONING: C1 / U
PROPOSED ZONING: C1 / C2

SETBACKS:
REQUIRED: FRONT: 20'-0", SIDES: 15'-0", REAR: 20'-0", CORNER: 15'-0"
PROVIDED: FRONT: 20'-0", SIDES: 15'-0", REAR: 20'-0", CORNER: 15'-0"
BUILDING AREA: 18,615 SF
PAD 'A': 3,500 SF
PAD 'B': 4,800 SF
PAD 'C': 4,200 SF
LODGE / TAVERN: 6,115 SF
LOT COVERAGE: 16.75 %

PARKING CALCULATION:
REQUIRED: TAVERN: 1:50 PUBLIC SEATING 3,360/50 = 67 SPACES
 1:200 SF FOR REMAINING GFA 3,350/200 = 16 SPACES
SUBTOTAL: 83 SPACES
RETAIL: 1:250 GFA 12,500/250 = 50 SPACES
TOTAL REQUIRED: 133 SPACES
PROVIDED: INCLUDING 6 HANDICAP SPACES (W/ 2 SPACES VAN ACCESSIBLE) 132 SPACES

PROJECT LOCATION:



SUP-5691
VAR-5693
VAR-5694
SDR-5689
01-13-05 PC

ARCHITECTURAL SITE PLAN
 SCALE: 1"=20'-0"

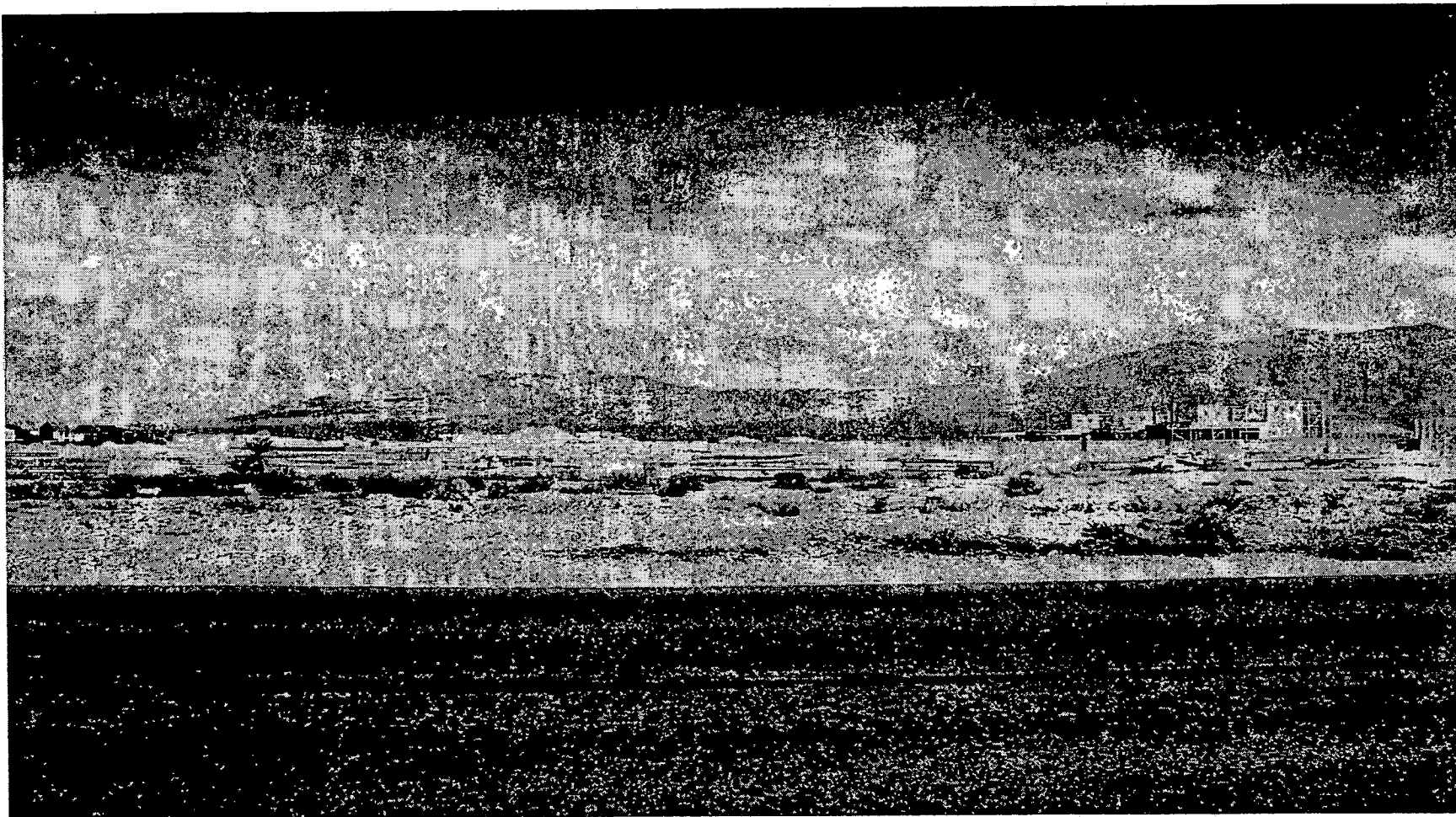
ARCHITECT
GERALD GADADKCH • AIA • LLC
 10 COMMERCE CENTER DRIVE
 HENDERSON, NEVADA 89014
 (702) 454-5842 FAX (702) 454-7842

PROJECT TITLE
GRAND TETON AND DURANGO
COMMERCIAL DEVELOPMENT
 GRAND TETON DRIVE / DURANGO DRIVE
 LAS VEGAS, NEVADA

PRELIMINARY
NOT FOR
CONSTRUCTION
 11-28-04

SITE PLAN

AS1.01



SUP-5691 - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP.
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

NOTICE OF PUBLIC HEARING

I VOTE No

SPECIAL USE PERMIT

ON SPECIAL USE PERMIT

NO. 5691.

Gary R. Kronenberg
GARY R. KRONENBERG

8316 BLUSHING HTS. AVE. JAN. 5, 05

MEETING: PLANNING COMMISSION
DATE: JANUARY 13, 2005
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-5691

APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER OF THE 1,500-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING PARK ADJACENT TO THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN A PORTION OF 125-09-401-006), U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) ZONE, WARD 6, (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



GARY M. LEOBOLD, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

Telephone Protest/ Approval Log

Meeting Date: 01/13/05

Case Number: SDR 5689 - 8
SUP-5691; VAR 5693 & VAR 569

Date: 01/05/05
Name: Simon Jordan
Address: 8245 Quail Aurora
89131
Phone: (702) 3916-5953
☒ PROTEST ☐ APPROVE

Date: 01/10/05
Name: William Weigand
Address: 7936 Quail Prairie St
L.V. NV. 89131
Phone: 838-9669
☒ PROTEST ☐ APPROVE
VAR-5694
SDR-5689 SUP-5691 VAR-5693

Date: 1-6-04
Name: WALTER MARCIA SCHULLER
Address: 7936 Quail Harbor St
LV
Phone: 656-9834
☒ PROTEST ☐ APPROVE
Enough drinks w/o adding more bars

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5689 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5691, VAR-5693, AND VAR-5694 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - Request for a Site Development Plan Review FOR A 6,115 SQUARE-FOOT TAVERN AND A WAIVER OF TRASH ENCLOSURE SEPARATION on 2.55 acres adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN a portion of 125-09-401-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), ward 6, (Mack).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

1-79



U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER
RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) AND U (UNDEVELOPED) ZONE [PCD
(PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF
INTENT TO R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5689 - APPLICANT: GERALD GARAPICH A.I.A. LLC -
OWNER: A.L.M. CORP.**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If Approved, subject to:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. 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 City Code requirements and design standards of all City departments must be satisfied.
4. All development shall be in conformance with the site plan and building elevations, date stamped November 30, 2004 except as amended by conditions herein.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.] [non-residential development]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

SDR-5689 - Conditions Page Two
January 13, 2005 Planning Commission Meeting

10. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5%
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
15. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

Public Works

16. Coordinate with the City Surveyor to determine whether a Parcel 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.
17. 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.
18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
19. In accordance with the intent of a commercial subdivision, all pad sites shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

SDR-5689 - Conditions Page Three
January 13, 2005 Planning Commission Meeting

20. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. Site development to comply with all applicable conditions of approval for Zoning Reclassification (ZON-3509) and all other applicable site-related actions.
22. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 6,115 square foot tavern and a Waiver of trash enclosure separation on 2.55 acres adjacent to the northeast corner of Grand Teton Road and Durango Drive.

B) Applicant's Justification

The applicant justifies the request for a Tavern stating that it was previously approved, but is now being moved 200 feet to the east. The subsequent application for the Tavern has since expired. The trash enclosure separation is requested due to the service area and its proximity to the Tavern.

BACKGROUND INFORMATION

A) Previous Actions

- 3/17/99 The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
- 6/08/99 The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
- 6/21/00 The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
- 7/17/02 The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

- 11/16/04 The elements of a Site Development Plan Review were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.55 acres

B) Existing Land Use

Subject Property: Undeveloped
North: Single-family residential
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD6 (Residential Planned Development -6 Units per Acre)
South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development -7 Units per Acre)
East: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under resolution of intent to R-PD7 (Residential Planned Development -7 Units per Acre)
West: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

This site is located in north- central portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan and designated as SC (Service Commercial). The SC (Service Commercial) category of the Centennial Hills General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The Site Development Plan Review complies with the General Plan policies.

PROJECT DESCRIPTION

The proposal is for development of 6,115 square-foot Tavern on a 2.55 acre site. The proposal includes parking and landscaping for the overall site. The site includes three additional pads, which will be permitted in the future as retail/office uses as individual Site Development Plan Reviews. The Tavern was previously approved, but is now being moved 200 feet to the east.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	N/A	Y
Min. Lot Width	100 Feet	270 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	30.7 Feet	Y
• Corner	15 Feet	N/A	Y
• Rear	20 Feet	158 Feet	Y
Max. Lot Coverage	50 %	17 %	Y
Max. Building Height	None	29 Feet	Y
Trash Enclosure	Yes	Yes	Y

The applicant is requesting a waiver of the trash enclosure separation distance requirement. The trash enclosure as presented is eight feet from the residential property. The required distance from the residential property is fifty feet. Staff cannot support the request for the Waiver.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The proposed tavern is 24-feet and four-inches from the nearest property line. The applicant is proposing a building 29 feet and two and one-half inches in height. The 24-foot setback requires the building to be a maximum of 15 feet in height. The building exceeds this provision by 14 feet and two and one-half inches. The proposed tavern fails to meet the proximity slope requirement. Since this fails to meet the proximity slope requirement staff is recommending denial of associated Variance (VAR-5694)

- b) Building setback. The proposed tavern is 24-feet four-inches from the nearest property line, where only ten feet are required, therefore the proposed development meets the building setback requirement

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,115 s.f.	1/50 sq. ft. of public seating/ 200 sq ft for remaining	76 spaces	4 spaces	76 spaces	4 spaces
Retail	12,500 s.f.	1/175	72 spaces	3 spaces	56 spaces	3 spaces
Total	18,615	-	148 spaces	5 spaces	132 spaces	6 spaces

The applicant is requesting a Variance (VAR-5693) from the required number of parking spaces to allow 132 parking spaces where 148 are provided. Staff is recommending denial of the associated Variance.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/ 6 Spaces	25 Trees	25 Trees
Buffer:	1 Tree/ 20Linear Feet	61 Trees	61 Trees
• Min. Trees			
• Min. Zone Width	8 Feet		8 Feet
• Wall height	8 Feet		8 Feet

The landscape plan meets the requirements pursuant to Title 19.12.

B) General Analysis and Discussion

- Zoning

The site is currently zoned U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial).

- Site Plan

The site plan depicts the proposed Tavern and three future retail/office pads to be submitted in the future. The site is accessed via Durango Drive and Grand Teton Drive.

- Waivers

The applicant is requesting a waiver of the trash enclosure separation standards.

- Landscape Plan

The landscape plan depicts a variety of 24-inch box drought tolerant trees, shrubs, and ground cover. The landscape plan conforms to Title 19 Landscape and Buffer Standards for foundation and perimeter landscaping requirements.

- Elevation

The elevation of the proposed tavern indicates a 29-foot 2-1/2 inch structure. The building utilizes tile roofing and stone veneer as an accent. The building also utilizes muted earth tones such as tan and green.

- Floor Plan

The 6,115 square-foot building indicates one-half of the building is designated for patrons, while the remaining half is utilized as service and office areas.

FINDINGS

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

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

The proposed development is incompatible with adjacent development and cannot be supported. The proposed site is overbuilt and does not compliment the residential character of the neighborhood. The waiver for the trash enclosure separation does not warrant approval. The configuration of the site and the high density at which the site is proposed, does not compliment the residential neighborhood to the north and the approved, but undeveloped neighborhood to the east.

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

The proposed development is inconsistent with Title 19.08. The Code requires that standards shall not be compromised in order to achieve a greater number of parking spaces. Second, regarding the service area location, service areas and loading zones must be located to the side, rear or an internal location to minimize views odors and noise to neighboring properties and buildings. The proposed pad locations have been configured inappropriately for the character of this area. A more appropriately designed project would eliminate the need for the requested variance and waivers.

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

On-site circulation will be negatively impacted with the site being overbuilt. While the Tavern is the only building currently proposed, the future retail/office buildings when built will be problematic for parking.

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

The building and landscape materials appear to be appropriate for the site and its surroundings.

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

The proposed building elevations and design appear to be harmonious with the surrounding residential neighborhood, but the location of the tavern and its trash enclosure is problematic. The site as configured is not harmonious nor is it compatible with development in the area.

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

SDR-5689 - Staff Report Page Seven
January 13, 2005 - Planning Commission Meeting

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 786 – Mailed with VAR-5693, VAR-5694 and SUP-5691

APPROVALS 0

PROTESTS 4

BTS



Site Development Review

STATEMENT OF FINANCIAL INTEREST

Case Number: 2012-04-01 A/RN: 122-01-01, 002
Name of Property Owner: A.L.M. Corporation Grand Teton Lodge Card, LLC
Name of Applicant: Architect Gerald Garapich A.I.A.

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: STUART APOLLO

Subscribed and sworn before me

This 28th day of November 2004

Notary Public in and for said County and State



ARCHITECT

GERALD GARAPICH, AIA, LLC.

10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

November 29, 2004

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

Attn: Kyle Walton
Principal Planner

**RE: GRAND TETON & DURANGO COMMERCIAL
JUSTIFICATION LETTER**

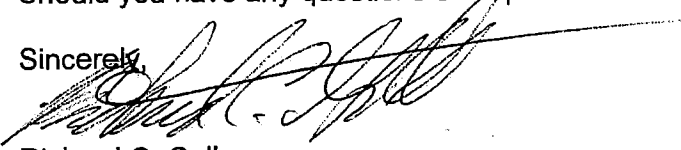
PROJECT NO: 02-171

Dear Mr. Walton,

We respectfully request favorable consideration for a site development review to allow three retail/office pad sites totaling 12,500 sq. ft. and a single story restaurant tavern approximately 6,115 sq. ft. The pad sites will come before you when the development occurs. The restaurant architecture is residential in style and the future buildings will also be compatible to the restaurant. We are asking for a waiver to allow a trash enclosure to be 8 foot from residential zoned property where 50 feet is required. The trash enclosure will be covered and architecturally match the commercial complex. The location shown is necessary so the enclosure can be close to the service area. The other waiver is to allow the restaurant structure 24' 4" from the east property line where 73 feet is required. The setback area will have intense landscaping and there are no windows which will be facing the residential development. The developer of the residential property to the east is fully aware of our proposed location and will provide a disclosure statement to all homebuyers within his development. The proposed development complies with all other aspects of the ordinance.

Should you have any questions or require additional information please contact our office.

Sincerely,


Richard C. Gallegos
Project Director

CC: 02-171.js.lt.site.dev.review.112904

SDR-5689

ARCHITECT

GERALD GARAPICH, AIA, LLC.

10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

December 13, 2004

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

Attn: Ben Sticka

RE: GRAND TETON & DURANGO COMMERCIAL
~~SDR-5889~~ 5689

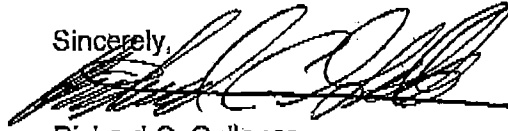
PROJECT NO: 02-171

Dear Ben,

Pursuant to our phone conversation today, we would like to clarify our application regarding the three pad sites as shown on the site plan. The pad sites are for future development and at this time the exact size and specific use is undefined. We propose that a condition be placed on our current application that requires the property owner to submit a separate Site Development Plan Review for each of the pad sites as they are developed.

Should you have any questions or require additional information please contact our office.

Sincerely,


Richard C. Gallegos
Project Director

CC: 02-171.lt.bensticka.121304

APPLICATIONS: ZC-1707-89, ZON-3509

LEGAL DESCRIPTION:
THE SOUTH HALF (61/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE
SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF
SECTION 9, TOWNSHIP 19 SOUTH, RANGE 60 EAST, MDB. 1TH.

ASSESSORS PARCEL NUMBER: 125-03-401-006

SITE AREA: 11U72 6F.
(2.55 ACRES)

CURRENT ZONING: CI / U

PROPOSED ZONING: CI / C2

<u>SETBACKS:</u>		REQUIRED:	PROVIDED:
FRONT:	20'-0"	20'-0"	20'-0"
SIDE:	15'-0"	15'-0"	15'-0"
REAR:	20'-0"	20'-0"	20'-0"
CORNER:	15'-0"	-	-
<u>BUILDING AREA:</u>			10,619 SF.
PAD 'A'			3,500 SF.
PAD 'B'			4,800 SF.
PAD 'C'			4,320 SF.
LODGE / TAVERN			6,115 SF.
<u>LOT COVERAGE:</u>			16.78 %

REQUIRED:	
TAVERN: 1 50 PUBLIC SEATING	2,500/50 = 60 SPACES
1 200 SF FOR REMAINING GFA	3155/200 = 16 SPACES
	SUBTOTAL = 76 SPACES
RETAIL: 1 175 GFA	12,500/175 = 72 SPACES
TOTAL REQUIRED:	148 SPACES
PROVIDED:	132 SPACES
INCLUDING 6 HANDICAP SPACES (W/ 2 SPACES VAN ACCESSIBLE)	

DURANGO RD.

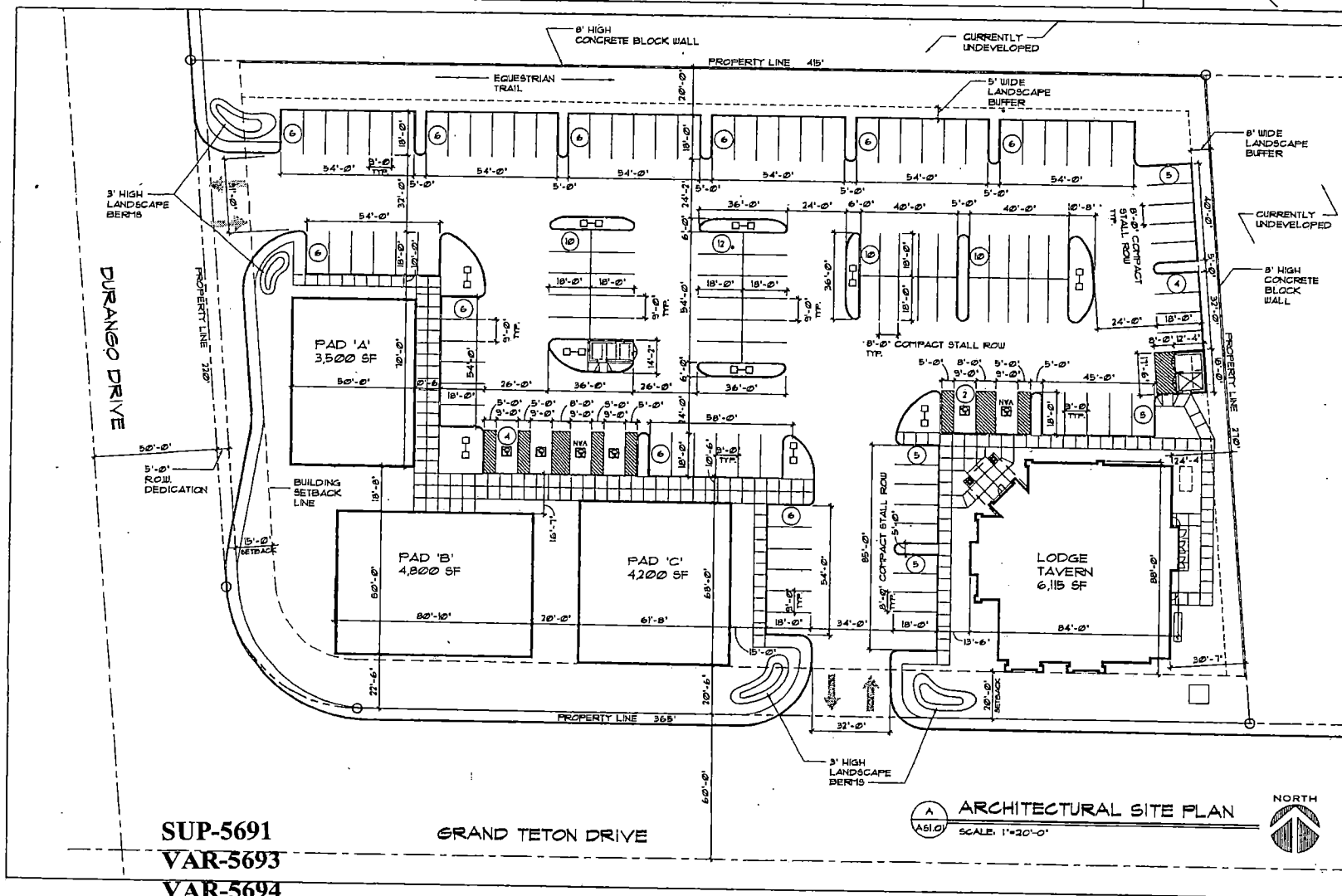
RACEL ST.

GRAND TETON DR.

EL CAPITAN WAY

NORTH

PROJECT LOCATION



01-13-05 PC

GRAND TETON DRIVE

ARCHITECTURAL SITE PLAN
SCALE: 1"=20'-0"

ARCHITECT
GERALD GARAPICH • AIA • LLC
10 COMMERCE CENTER DRIVE
HENDERSON, NEVADA 89014
(702) 454-5842 FAX (702) 456-7862

protect life •
**GRAND TETON AND DURANGO
COMMERCIAL DEVELOPMENT**
GRAND TETON DRIVE / DURANGO DRIVE
LAS VEGAS, NEVADA

PRELIMINARY
NOT FOR
CONSTRUCTION
11-29-04

SITE PLAN

AS1.01

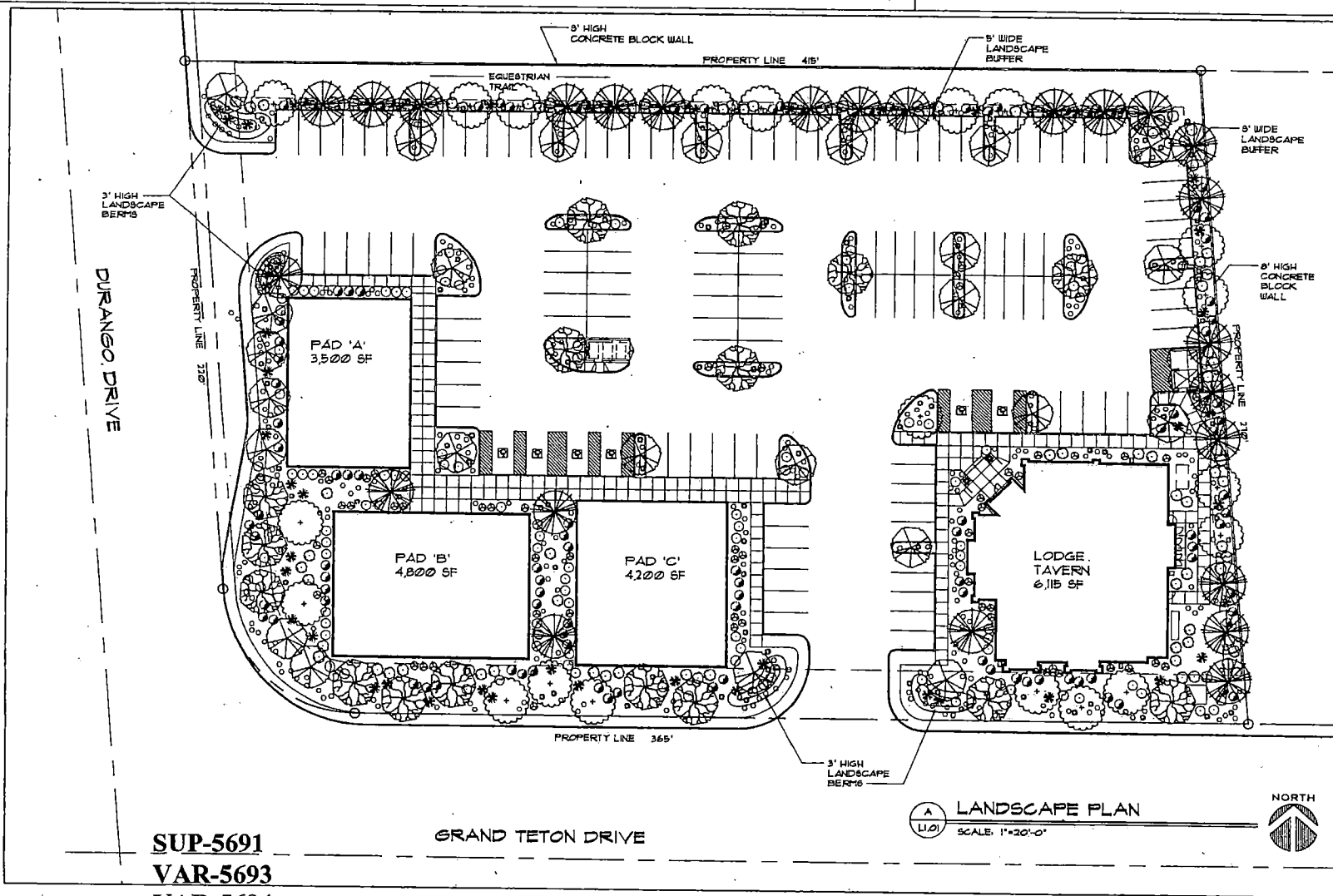
Landscape Legend

TREES	BOTANICAL NAME	COMMON NAME	SIZE	QUAN.
	PINUS EL-DARICA	MONDEL PINE	24' BOX	25
	FRAXINUS VELUTINA	ARIZONA ASH	24' BOX	20
	PROSOPIS GLANDULOSA	HONEY MESQUITE	24' BOX	16
	RHUS LANCEA	AFRICAN BUMAC	24' BOX	25

SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	QUAN.
	BUXUS MICROPHYLLA J.	JAPANESE BOXWOOD	5 GAL.	101
	NANDINA DOMESTICA	HEAVENLY BAMBOO	5 GAL.	56
	RAPIHOLEPSIS INDICA	INDIA HAWTHORN	5 GAL.	113
	PENNISETUM SETACEUM	FOUNTAIN GRASS	5 GAL.	46
	XYLOSHA CONGESTUM	XYLOSHA	5 GAL.	98
GROUND COVER & ACCENT				
	HEPERALOE PARVIFLORA	RED YUCCA	1 GAL.	104
	LANTANA MONTEVIDENS	LANTANA	1 GAL.	716
	MYOPORIUM PARVIFLORUM	AUSTRALIAN RACER	1 GAL.	116

General Notes

- CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. PLANT LIST IS INTENDED AS A REFERENCE ONLY.
- LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL. PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 48 HOURS.
- PLANT MAT'L IS TO HAVE IDENTIFICATION TAGS ON 10% OF TOTAL QUANTITY OF EACH SPECIES. SHOWING GENUS, SPECIES, VARIETY, ETC.
- PROVIDE MATCHING SIZES & FORMS OF LIKE SHRUB SPECIES AS SHOWN ON DRAWINGS.
- 3/4" DECORATIVE ROCK COLOR TO BE SELECTED BY OWNER. 2" DEPTH TYP. IN ALL PLANTING BEDS.
- SITE PLAN/LANDSCAPE PLAN DESIGNED PER TITLE 30 REQUIREMENTS.
- ANY TREE WITHIN 8'-0" OF A SIDEWALK OR WALL SHALL BE PLANTED W/ A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.



SUP-5691
VAR-5693
VAR-5694
SDR-5689
01-13-05 PC

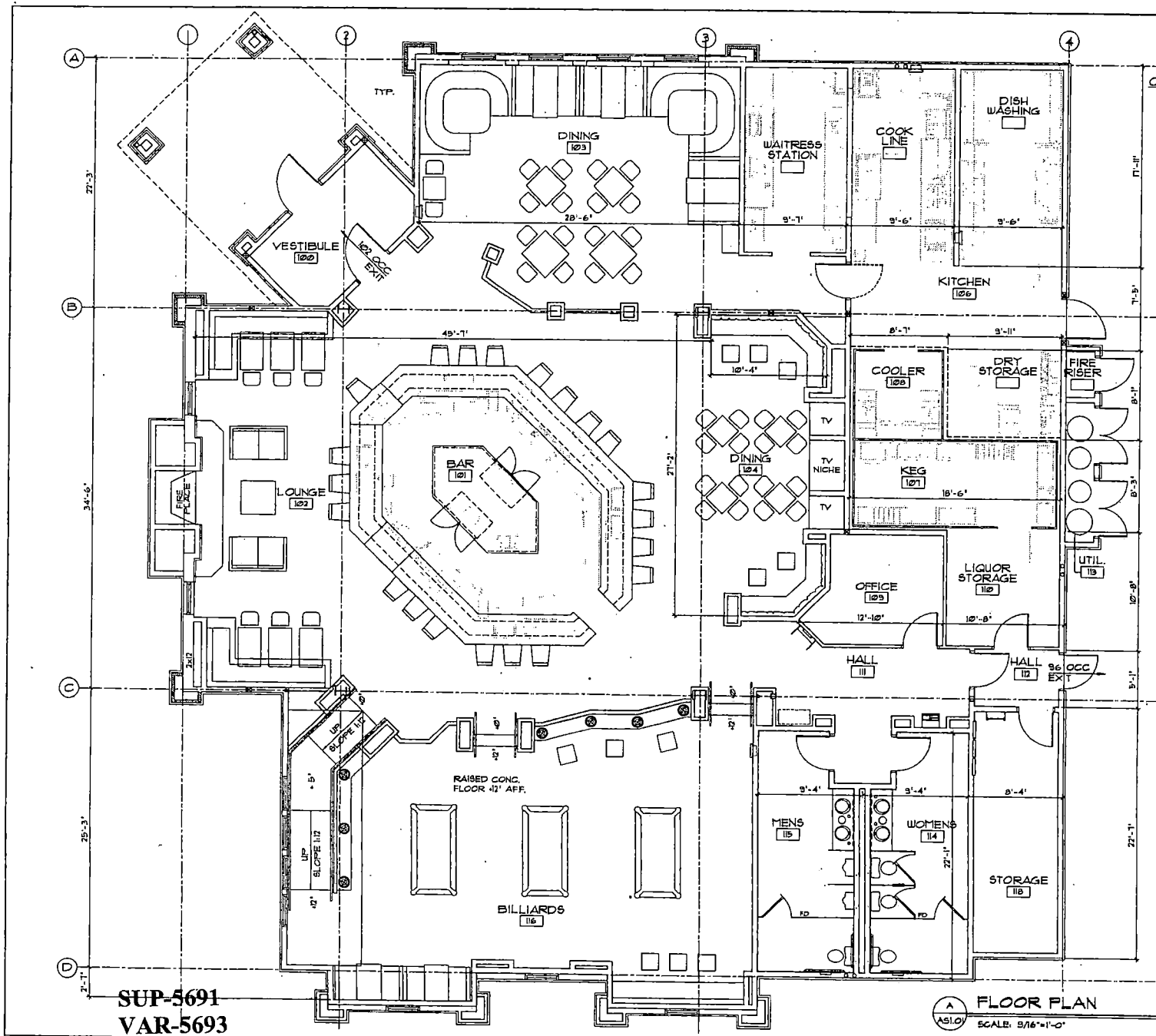
ARCHITECT
GERALD GADADACH • AIA • LIC
1000 CENTER DRIVE
SUITE 200
LAS VEGAS, NV 89104
(702) 451-5842 FAX (702) 451-1842

PRELIMINARY
CONSTRUCTION
11-28-04

LANDSCAPE PLAN

Sheet Title
L1.01

of 1



OCCUPANT LOAD FACTORS:

AREA 1	LOUNGE	1465 SF / 120 =	95 OCC.
AREA 2	BAR	444 SF / 150 =	3 OCC.
AREA 3	DINING	940 SF / 15 =	63 OCC.
AREA 4	BILLIARDS	914 SF / 15 =	61 OCC.
AREA 5	KITCHEN	710 SF / 200 =	4 OCC.
AREA 6	OFFICE	108 SF / 100 =	2 OCC.
AREA 7	STORAGE	483 SF / 300 =	2 OCC.
TOTAL			198 OCC.

GROSS FLOOR AREA: 6,115 SF.

**SUP-5691
VAR-5693
VAR-5694
SDR-5689
01-13-05 PC**

FLOOR PLAN
SCALE: 3/16"=1'-0"



AS SHOWN ON THESE DRAWINGS AND SPECIFICATIONS, THE ARCHITECT HAS NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CLIENT MAY BE REQUIRED TO OBTAIN THE NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE OBTAINING OF SUCH PERMITS AND APPROVALS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE OBTAINING OF SUCH PERMITS AND APPROVALS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE OBTAINING OF SUCH PERMITS AND APPROVALS.

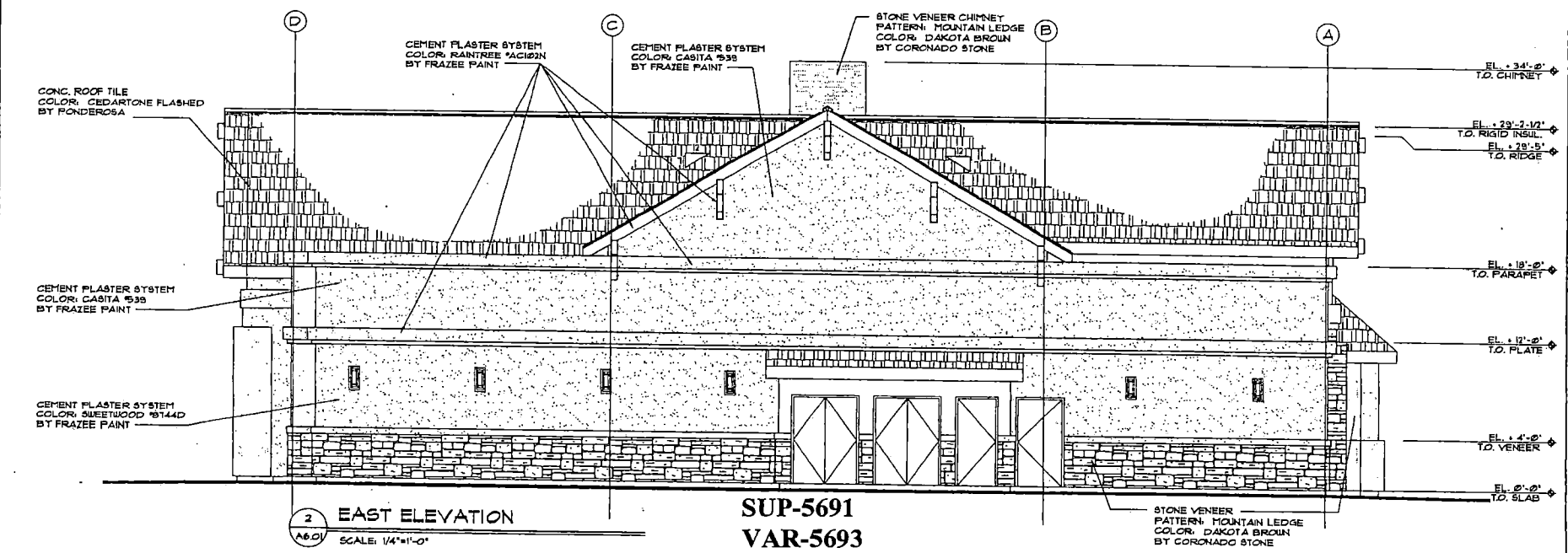
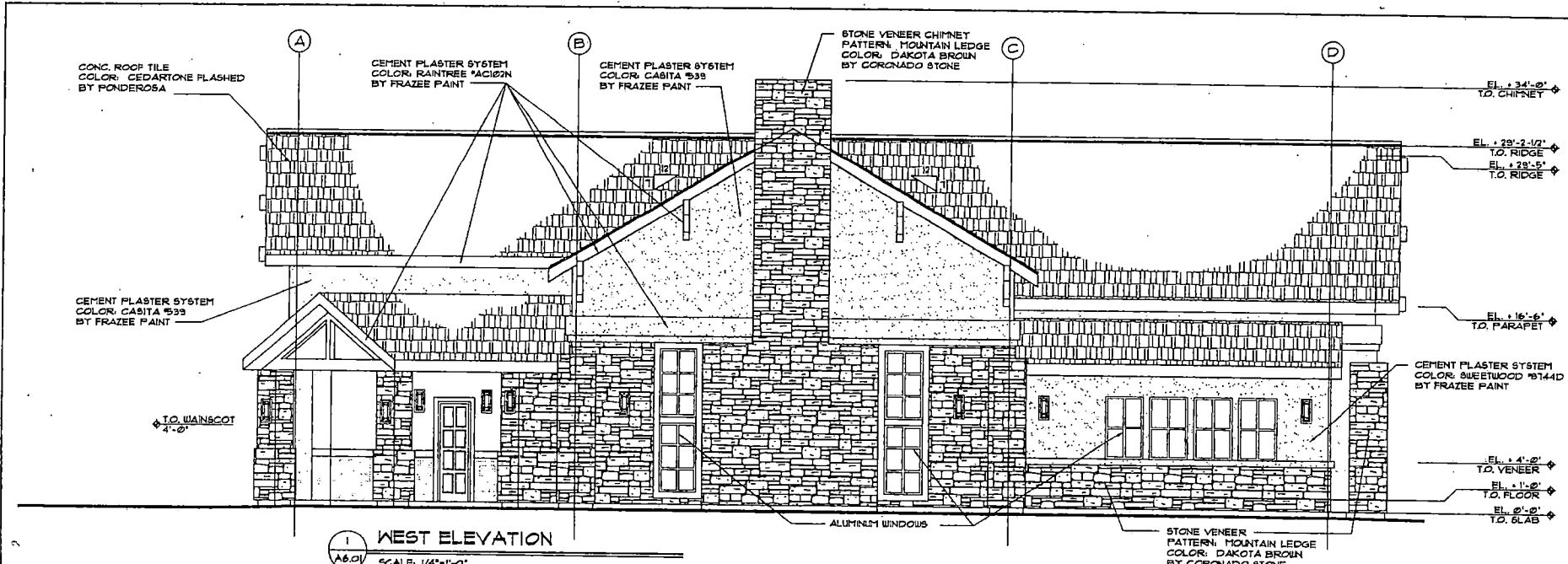
ARCHITECT
CYRIL CADARACHE • AIA • IJC
1000 COMMERCE CENTER DRIVE
LAS VEGAS, NEVADA 89014
(702) 451-3512 FAX (702) 451-7842

PRELIMINARY
NOT FOR CONSTRUCTION
11-18-04

FLOOR PLAN

Issue date: _____
Drawn by: _____
Check by: _____
Project no.: _____
Revision: _____
Sheet no.: _____
Sheet title: _____

A1.01



SUP-5691
VAR-5693
VAR-5694
SDR-5689
01-13-05 PC

ARCHITECT
 CEDAR CADADICE • AIA • LLC
 1000 COMMERCE CENTER DRIVE
 SUITE 200
 LAS VEGAS, NEVADA 89014
 (702) 451-5812 FAX (702) 451-7842

PROJECT TITLE
 GRAND TETON AND DURANGO
 COMMERCIAL DEVELOPMENT
 GRAND TETON DRIVE / DURANGO DRIVE
 LAS VEGAS, NEVADA

PRELIMINARY
 CONSTRUCTION
 11-28-04

SHEET TITLE
 EXTERIOR ELEVATIONS

DRAWN BY: []
 CHECKED BY: []
 PROJECT NO.: []
 REVISIONS: []
 SHEET NO.: A6.01

ALL MATERIALS OF FINISH, ELEVATIONS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE REPRODUCED OR USED FOR ANY PURPOSE WITHOUT THE ARCHITECT'S WRITTEN CONSENT. CONSTRUCTION OF THE BUILDING SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND ELEVATIONS SHOWN ON THESE DRAWINGS. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.

AB.02 SCALE: 1/4"=1'-0"

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

SUP-5691
VAR-5693
~~**VAR-5694**~~
SDR-5689
01-13-05 PC

ARCHITECT
GERALD GARAPICH • AIA • LLC
110 COMMERCE CENTER DRIVE
HENNEDERSON, NEVADA 89014
(702) 451-5842 FAX (702) 454-7842

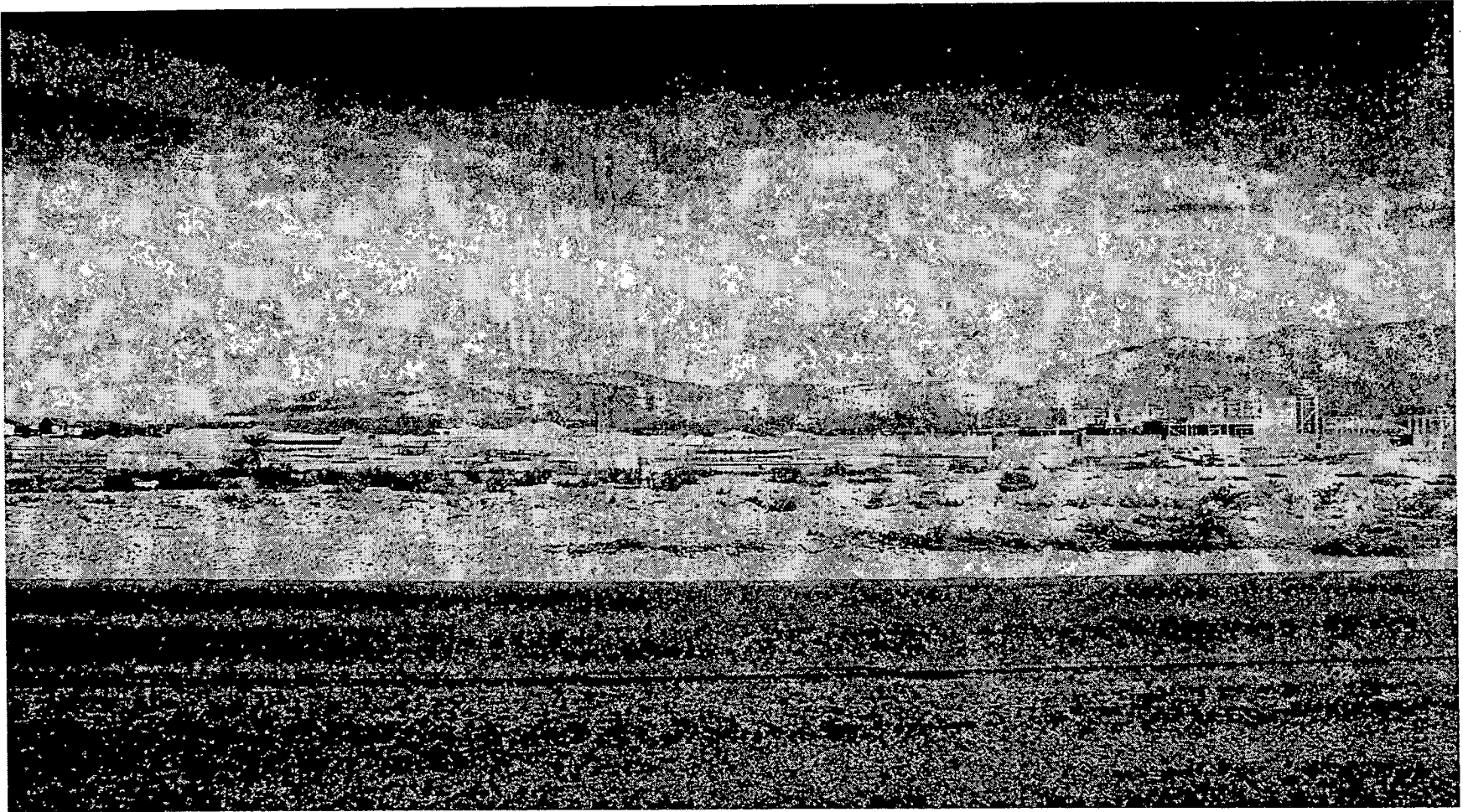
project title •
**GRAND TETON AND DURANGO
COMMERCIAL DEVELOPMENT**
GRAND TETON DRIVE / DURANGO DRIVE

PRELIMINARY
NOT FOR
CONSTRUCTION
11-29-04

sheet title •
EXTERIOR ELEVATIONS

issue dates .
drawn by .
RIS
checked by .
RCSG
project no. .
02-171
revs/dwg .

A6.02
sheet no.



SDR-5689 - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP.
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

NOTICE OF PUBLIC HEARING

SITE DEVELOPMENT PLAN REVIEW

I VOTE NO

ON SITE DEV. PLAN REVIEW 5689

Gary R. Kronenberg
GARY R. KRONENBERG
8316 BLUSHING HTS. AVE,
LAN. 5, 05.

MEETING: PLANNING COMMISSION
DATE: JANUARY 13, 2005
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SDR-5689

APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - REQUEST FOR A SITE DEVELOPMENT PLAN REVIEW FOR A 6,115 SQUARE FOOT TAVERN AND A WAIVER OF TRASH ENCLOSURE SEPARATION ON 2.55 ACRES ADJACENT TO THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN A PORTION OF 125-09-401-006), U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6, (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



SEE LOCATION MAP ON REVERSE SIDE

GARY M. LEOBOLD, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

Telephone Protest/ Approval Log

Meeting Date: 01/13/05

Case Number: SDR 5689-8
SUP-5691; VAR 5693 & VAR

Date: 01/05/05
 Name: Simon Jordan
 Address: 8245 Quail Aurora
89131
 Phone: (702) 396-5453
☒ PROTEST ☐ APPROVE

Date: 01/10/05
 Name: William Weigand
 Address: 7936 Quail Prairie St
L.V. NV. 89131
 Phone: 838-9669
☒ PROTEST ☐ APPROVE
 VAR-5694
 SDR-5689 SUP-5691 VAR-5693

Date: 1-6-04
 Name: WALTER MARCIA SCHULLER
 Address: 7936 Quail Harbor
LD
 Phone: 656-9834
☒ PROTEST ☐ APPROVE
 Enough drinks w/o adding more bars

Date: _____
 Name: _____
 Address: _____
 Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
 Name: _____
 Address: _____
 Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
 Name: _____
 Address: _____
 Phone: _____
☐ PROTEST ☐ APPROVE

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VAR-5699 - VARIANCE - PUBLIC HEARING - APPLICANT: BRUCE I. FAMILIAN - OWNER: FARM & ALEXANDER PROPERTIES, LLC - Request for a Variance TO ALLOW 91 PARKING SPACES WHERE 100 SPACES ARE THE MINIMUM REQUIRED FOR A PROPOSED MEDICAL OFFICE BUILDING WITHIN AN EXISTING COMMERCIAL CENTER on 4.92 acres at the southwest corner of Alexander Road and Dalecrest Drive (APN 138-10-516-006), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

C.C. 2/16/05**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:**STEINMAN – APPROVED subject to conditions – UNANIMOUS****To be heard by the City Council on 2/16/2005****MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 57 [VAR-5699] and Item 58 [SDR-5697].

FLINN FAGG, Planning and Development, stated that the proposed project is to be leased for medical office uses and does not meet the parking requirements. Should the site be used as regular office, fewer parking spaces would be required. Staff recommended denial, as the criteria for the Variance have not been met. Staff recommended approval of the Site Development Plan Review, as the proposed building could be used as commercial office space and would comply with parking requirements. Regarding the Waiver on landscaping, the applicant is proposing a generous amount of landscaping that is appropriate and staff recommended approval.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 57 – VAR-5699

MINUTES – Continued:

JENNIFER ROBERTS, Attorney, Lionel Sawyer & Collins, along with GREG BORGEL, 300 S. 4th Street, appeared on behalf of the applicant. ATTORNEY ROBERTS apologized for the applicant, BRUCE FAMILIAN, as he could not appear at this meeting due to an emergency. ATTORNEY ROBERTS stated that this is a proposed medical office building within an existing commercial center on Alexander Road and Tenaya Way. It is a one-story building with 4,750 square feet. The size and layout of the project is conducive for a single or limited number of uses. It is not conducive to heavy patient or emergency traffic. Therefore, the parking is adequate. The parking would be modified to add the additional handicapped parking space, but the existing number of parking spaces would not be affected. There are approximately 20 additional nearby parking spaces for the overflow.

MR. BORGEL stated that other than the proposed project, the remaining portion of the property has been developed and in operation. The center, as a whole, has very light users of parking. He pointed out a mini warehouse, which comprises almost 50% of the property. It does not generate traffic or parking demand. The Cox Communication building is provided with 15 parking spaces and is essentially an equipment building. It would be unlikely that more than one individual would be using these spaces. The applicant has kept track of the parking on the property and has advised them that there is surplus parking 24 hours day. If there were an overflow from the proposed building, there would be additional parking in the overflow. The project was designed as a single user medical building with less than 5,000 square feet of space and one set of restroom facilities. It could not be the kind of medical facility with extra parking, such as the University Medical Center. This type of facility has multiple doctors with many clients. Although there is an existing surplus of handicap parking on the property, he reiterated that there would not be a problem with providing the additional handicap parking space, which would not affect the total number of parking spaces. He then concurred with staff's conditions, with or without the approval of the Variance.

COMMISSIONER McSWAIN felt that the applicant justified why the proposed project would work, even with the deficiency on the nine parking spaces as required by Code. She agreed that the Cox Communications building is not necessarily an office space, as she could support the Site Development Plan Review and the Variance. COMMISSIONER DAVENPORT concurred with COMMISSIONER McSWAIN'S comments.

Using the overhead, MR. BORGEL confirmed for COMMISSIONER STEINMAN that the area along Dalecrest Drive has an existing building, which is the mini warehouse. COMMISSIONER STEINMAN expressed concern that if the proposed project were going to be a medical center, it would not be convenient for individuals to park around the convenient store to go to the proposed medical building. He then inquired as to how many parking spaces the proposed medical facility need. MR. BORGEL responded that as a medical building, it would require 26 parking

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 57 – VAR-5699

MINUTES – Continued:

spaces and on the site, there are 19, and the opportunity to have a parking overflow is very minimal. COMMISSIONER STEINMAN was satisfied with MR. BORGEL'S comments. He then asked if Condition 5 needed to be deleted on Item 58 [SDR-5697]. MR. BORGEL requested the condition be deleted and replaced with the condition to add a second handicap parking space. BRYAN SCOTT, Deputy City Attorney, referenced Condition 2 as to if it sufficed the requirements. MARGO WHEELER, Planning and Development, affirmed DEPUTY CITY ATTORNEY SCOTT'S comment but preferred having a specific condition relative to the handicap parking space.

For the record, MR. FAGG added that there was an error on the Agenda Summary Page for Item 57 [VAR-5699]. Staff's recommendation was for approval and not denial.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 57 [VAR-5699] and Item 58 [SDR-5697].

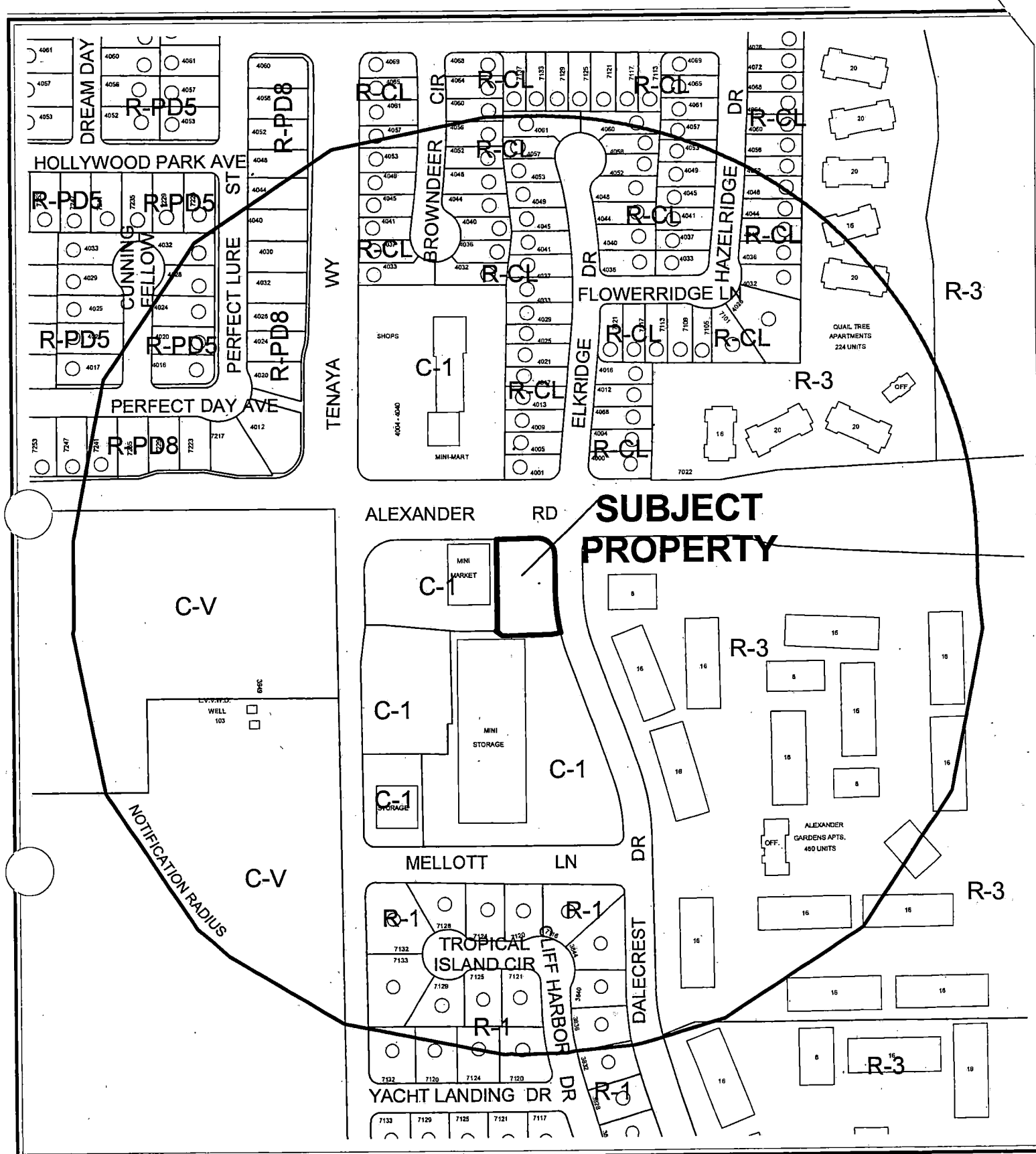
(8:58 – 9:11)

2-2697

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning Z-0025-88, Site Development Plan Review Z-0025-88(9), and Site Development Plan Review SDR-5697.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



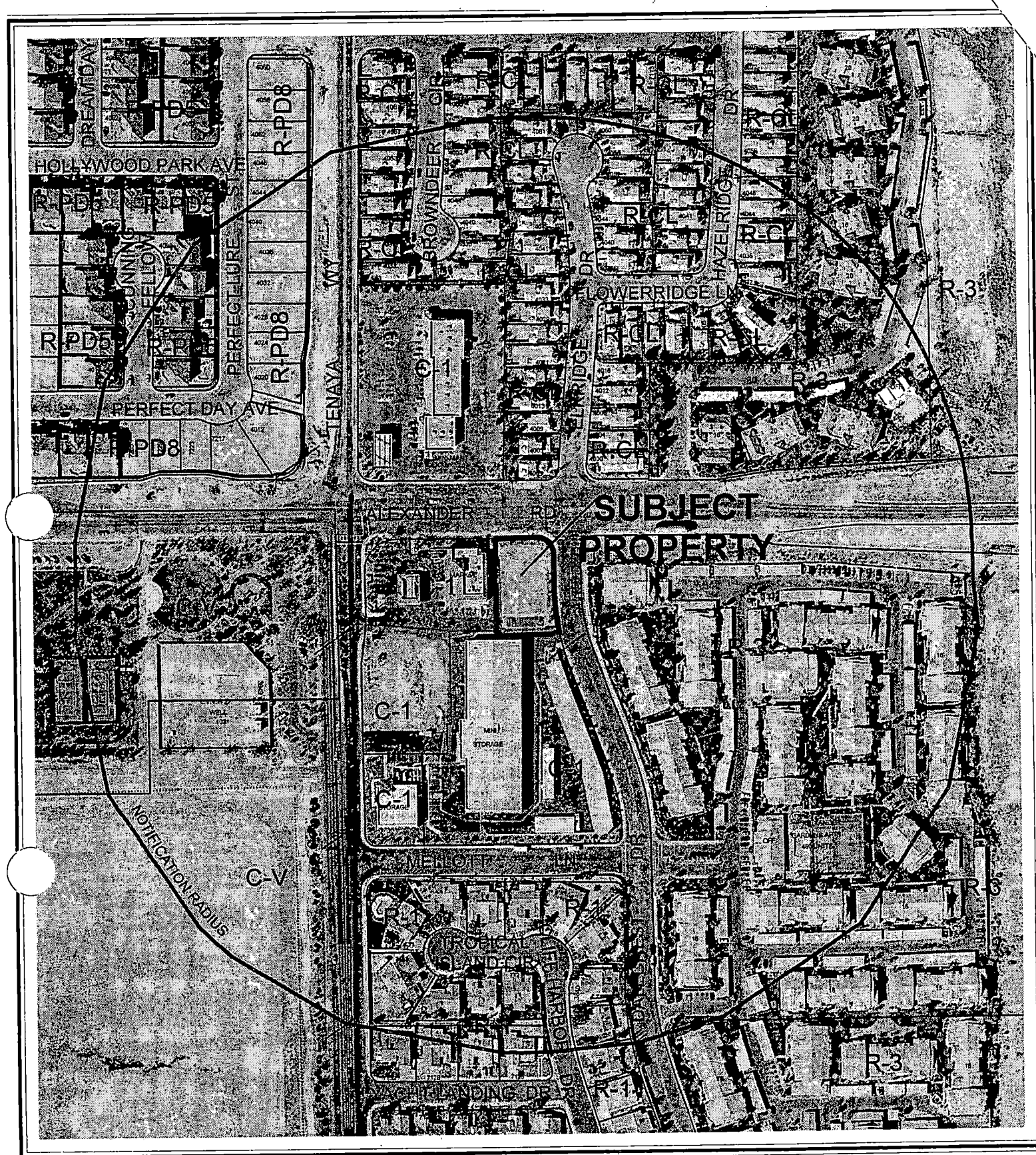
CASE: **VAR-5699**

RADIUS: 750 FT

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

0 200 400 Feet





0 200 400 Feet

CASE: VAR-5699

RADIUS: 750 FT

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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5699 - APPLICANT: BRUCE I. FAMILIAN - OWNER:
FARM & ALEXANDER PROPERTIES, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If Approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning Z-0025-88, Site Development Plan Review Z-0025-88(9), and Site Development Plan Review SDR-5697.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance from medical clinic parking standards on 4.92 acres at the southwest corner of Alexander Road and Dalecrest Drive.

B) Applicant's Justification

The applicant has justified this request by stating: "Although the building complies with the minimum parking for commercial office use, the property owner would like the flexibility of selecting an appropriate tenant for the building so as to include medical-related offices."

BACKGROUND INFORMATION

A) Previous Actions

- 07/06/88 The City Council approved a request to rezone (Z-25-88) this property to C-1 (Limited Commercial) as part of a larger request that included R-1 (Single Family Residential) and R-3 (Limited Multiple Residence).
- 02/02/00 The City Council granted an appeal of a Planning Commission denial of a Special Use Permit (U-0133-99) to allow off-premise sales of beer and wine. The City Council also approved a Special Use Permit (U-0134-99) to allow gasoline sales on the subject site. The Planning Commission recommended approval.
- 04/19/00 The City Council approved a Site Development Plan Review [Z-0025-88(8)] for a 47,235 square foot commercial center on the subject site. Planning Commission and staff recommended approval.
- 12/19/01 The City Council approved a Special Use Permit (U-0135-01) for a mini-storage facility and a Special Use Permit (U-0136-01) for a car wash on the subject site. The Planning Commission and staff recommended approval.
- 02/20/02 The City Council approved a Site Development Plan Review and a waiver of the required amount of parking lot landscaping [Z-0025-88(9)] for a proposed 90,519 square-foot retail commercial center including a 5,625 square-foot Cox Communication building. The Planning Commission and staff recommended approval.

VAR-5699 - Staff Report Page Two
January 13, 2005 - Planning Commission Meeting

01/13/05 The Planning Commission will consider a companion Site Development Plan Review (SDR-5697) for a proposed 4,750 square-foot Medical Office Building and a Waiver of parking lot landscaping. Staff has recommended approval.

B) Pre-Application Meeting

11/09/04 Submission requirements for a Variance request were discussed at the meeting.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 4.92

B) Existing Land Use

Subject Property: Commercial center including a gas station, convenience store, and mini-warehouse.

North: Commercial Center and Single Family Dwellings

South: Single Family Dwellings

East: Apartments

West: Park

C) Planned Land Use

Subject Property: SC (Service Commercial)

North: SC (Service Commercial) and M (Medium Density Residential)

South: M (Medium Density Residential)

East: M (Medium Density Residential)

West: PR-OS (Park Recreation – Open Space)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)

North: C-1 (Limited Commercial) and R-CL (Residential Compact Lot)

South: R-1 (Single Family Residential)

East: R-3 (Medium Density Residential)

West: C-V (Civic)

E) General Plan Compliance

The SC (Service Commercial) category of the Centennial Hills General Plan allows low to medium-intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The proposed 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
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

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

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Existing, approved uses in commercial center • Convenience Store • Car Wash • Mini-storage • Warehouse/Office • Retail Pad	86,804 SF	Various	69 spaces	3 spaces	65 spaces	6 spaces
Proposed Medical Building	4,750 SF	One space per 200 GFA up to 2,000 SF + 1/175 GFA for remaining area	26 spaces	2 spaces	19 spaces	1 space
TOTAL:			95 spaces	5 spaces	84 spaces	7 spaces

The project is deficient by eight regular spaces and one handicap space, or 9% of the required minimum. As a result, the applicant has requested this Variance to seek relief from this standard.

B) General Analysis and Discussion

The project is to develop a medical office building on the site within an existing, approved commercial center. The medical office building, at the proposed square footage, cannot accommodate the number of parking spaces required for a medical office use. The site requires two handicap spaces; only one space is proposed. This deficiency in handicap spaces would contradict the needs of customers of medical offices; these are the people most likely to need these spaces. If this proposed building, at the same square footage, were used for non-medical offices, there would be no need for a Variance from parking standards.

Cross-access to the parking spaces of other existing businesses in the commercial center is not practical, as the configuration of the other buildings and parking areas would require patients of the medical building to walk long distances and across trafficked drive aisles.

With insufficient parking space available on the medical building site, overflow parking can be expected to occur along the drive aisles of the commercial center, and along Dalecrest Drive a 60-foot wide Right-of-Way. Such a situation would be undesirable.

FINDINGS

This Variance request is intended solely for the convenience or financial benefit of the property owner (more intensive use of office space); 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 compliance with Title 19 requirements. 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

VAR-5699 - Staff Report Page Five
January 13, 2005 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

NOTICES MAILED 99 – Mailed with SDR-5697

APPROVALS 0

PROTESTS 0



Case Number: VAR-5699 APN: 13810516006

Name of Property Owner: Farm & Alexander Properties, LLC

Name of Applicant: Bruce I. Familian

Yes XXXX No

City Official: _____

Partner(s): _____

APN: _____

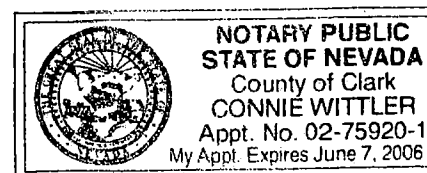
Signature of Property Owner/Authorized Agent: _____

Print Name: Spice Familien

Subscribed and sworn before me

This 30th day of November, 2004

Connie Walter
Notary Public in and for said County and State



LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW

1700 BANK OF AMERICA PLAZA

300 SOUTH FOURTH STREET

LAS VEGAS, NEVADA 89101

(702) 383-8888

FAX (702) 383-8845

lsc@lionelsawyer.com

www.lionelsawyer.com

November 30, 2004

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)

JON R. COLLINS
(1923-1997)

RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
DENNIS L. KENNEDY
RICHARD W. HORTON
DAN C. BOWEN
MARK A. SOLOMON
RODNEY M. JEAN
HARVEY WHITEMORE
TODD TOUTON
DAVID WHITEMORE
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN

ANTHONY N. CABOT
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COLLEEN A. DOLAN
JENNIFER A. SMITH
GARY W. DUHON
LAUREL E. DAVIS
DAN R. REASER
CARL D. SAVELY
MARK LEMMONS
HOWARD E. COLE
PAUL E. LARSEN
P. GREGORY GIORDANO
MARK A. MCINTIRE
ALLEN J. WILT
LYNN S. FULSTONE
RORY J. REID
DAN C. MCGUIRE
LESLIE BRYAN HART
CRAIG E. ETEM
TODD E. KENNEDY
MATTHEW E. WATSON

JEFFREY D. MENICUCCI
SHAWN M. ELICEGUI
HECTOR J. CARBAJAL II
EMILIA K. CARGILL
JANET SUE BESSEMER
G. LANCE COBURN
WILLIAM J. MCKEAN
JOHN M. NAYLOR
GREGORY R. GEMIGNANI
E. LEIF REID
DANA A. DWIGGINS
ELIZABETH R. BRENNAN
DOREEN SPEARS HARTWELL
SEAN T. WATERS
ELLYCK C. HSU
STEVEN E. HOLLINGWORTH
LINDA M. BULLEN
LAURA K. GRANIER
DANIEL R. MCNUTT

KYLE O. STEPHENS
ALAN D. FREER
MAXIMILIANO D. COUVILLIER III
JEFFREY A. MORSE
ELIZABETH BRICKFIELD
MARK P. WETJEN
LEAH A. AYALA
STEVEN J. NEWMAN
SARAH E. HARMON
CRISTINA L. JOHNSON
MICHAEL D. KNOX
ROSA SOLIS-RAINEY
ERIC C. BOUGHMAN
ERIN FLYNN
JENNIFER ROBERTS
SUZANNE L. MARTIN
BRENT HEBERLEE
MATTHEW B. CRANE*

*ADMITTED IN OHIO ONLY

OF COUNSEL

BRIAN MCKAY
ELLEN WHITEMORE
BRIAN HARRIS
ABBIE G. FRIEDMAN
LAURA J. THALACKER

WRITER'S DIRECT DIAL NUMBER:

(702)-383-8946

jroberts@lionelsawyer.com

VIA HAND DELIVERY

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

Re: Site Development Plan

To Whom It May Concern:

I am writing on behalf of Bruce I. Familian, who is applying for approval to develop a portion of parcel 13810516006. At this site, Mr. Familian is proposing to develop a 4,750 square foot office building on the northeast corner of the parcel. The parcel is currently zoned C-1; therefore, no zoning change is needed.

The office building will be located within an existing commercial development located at Tenaya and Alexander in Las Vegas, and will provide office or administrative space for additional businesses to better serve the surrounding community. Accordingly, should the building be used, partially or otherwise, for medical office space, we respectfully request a waiver of the parking requirement for medical uses. Although the building complies with the minimum parking for commercial office use, Mr. Familian would like the flexibility of selecting an appropriate tenant for the building so as to include medical-related offices.

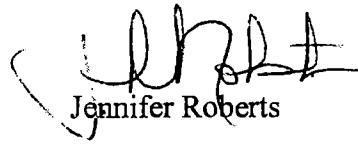
In addition, we also request a waiver of the requirement that a landscaped island and one tree be placed for every six parking spaces. This site will provide additional landscaping beyond the minimum landscaping requirements, which would visibly buffer the absence of a landscaped island. The additional landscaping will preserve the aesthetic appearance of the surrounding commercial area. The proposed site complies with all other City of Las Vegas Code requirements.

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW

Planning & Development
November 30, 2004
Page 2

Thank you for your consideration of this matter. If you have any questions, please contact me.

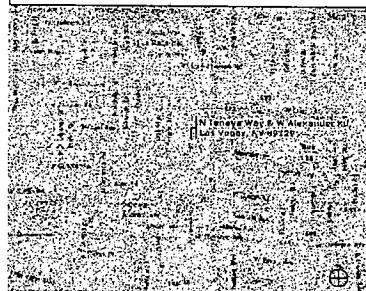
Sincerely,



Jennifer Roberts

cc: Bruce I. Familian

VICINITY MAP



SITE SUMMARY:

Site Area:	± 217,900 sf
Lot Coverage:	5.00 acres
	29.0%

BUILDING SUMMARY:

Office Building	4,750 sf
Retail Pad A	7,280 sf
City Stop/Car Wash	5,429 sf
Cox Building	5,088 sf
Building A (2 @ 30,000 sf)	60,000 sf
Building B	10,560 sf
Total Building Area:	93,107 sf

PARKING SUMMARY:

Office Bldg. (1/250 @ 4,750 SF)	5	19
Compact	1	
Standard	13	
Handicap		
Retail Pad A		30
City Stop/Car Wash		21
Cox Building		6
Buildings A & B		15
Total Parking Required:		91
Total Parking Provided:		100

VAR-5699
SDR-5697
01-13-05 PC

SITE PLAN

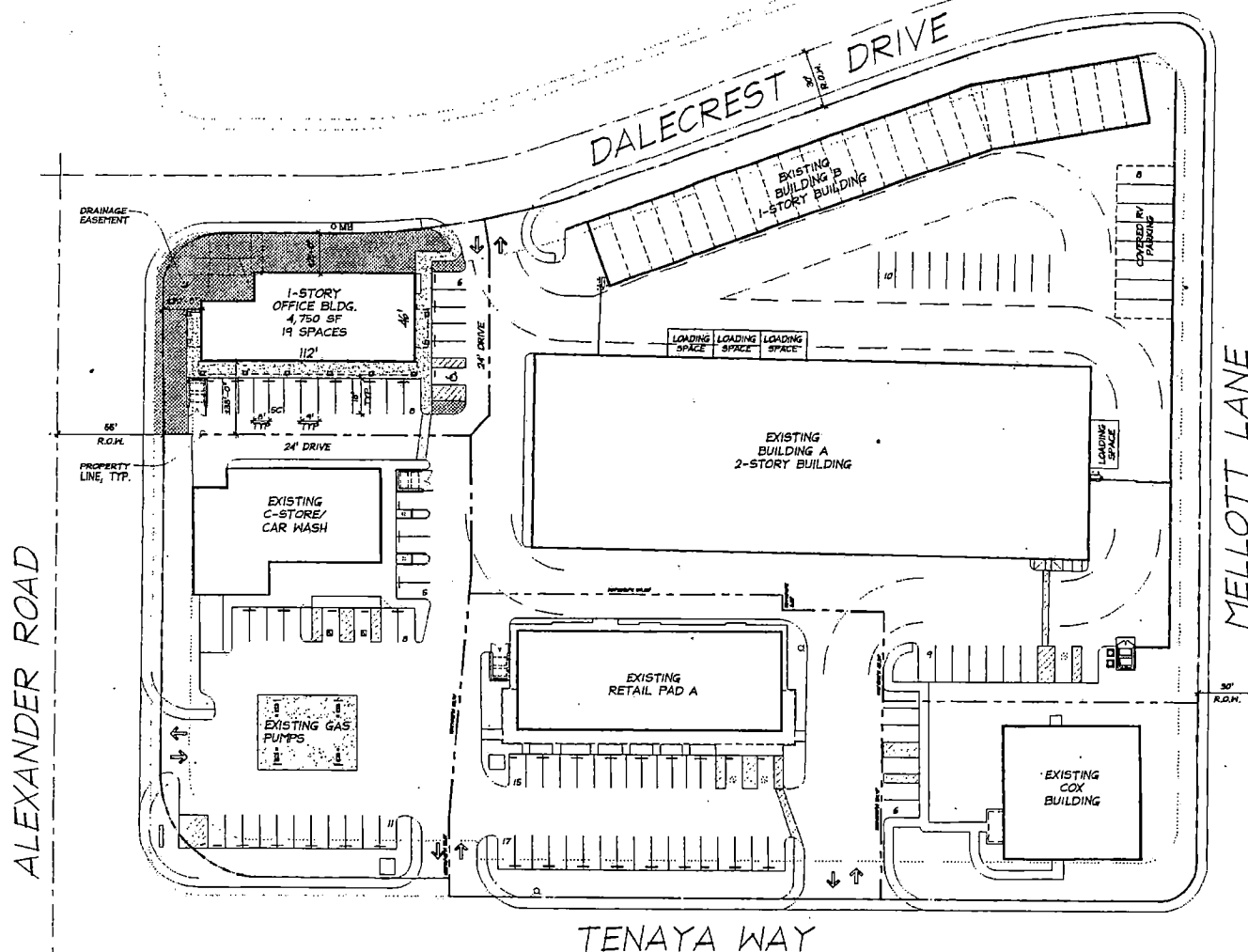
OFFICE BUILDING
City Stop VIII

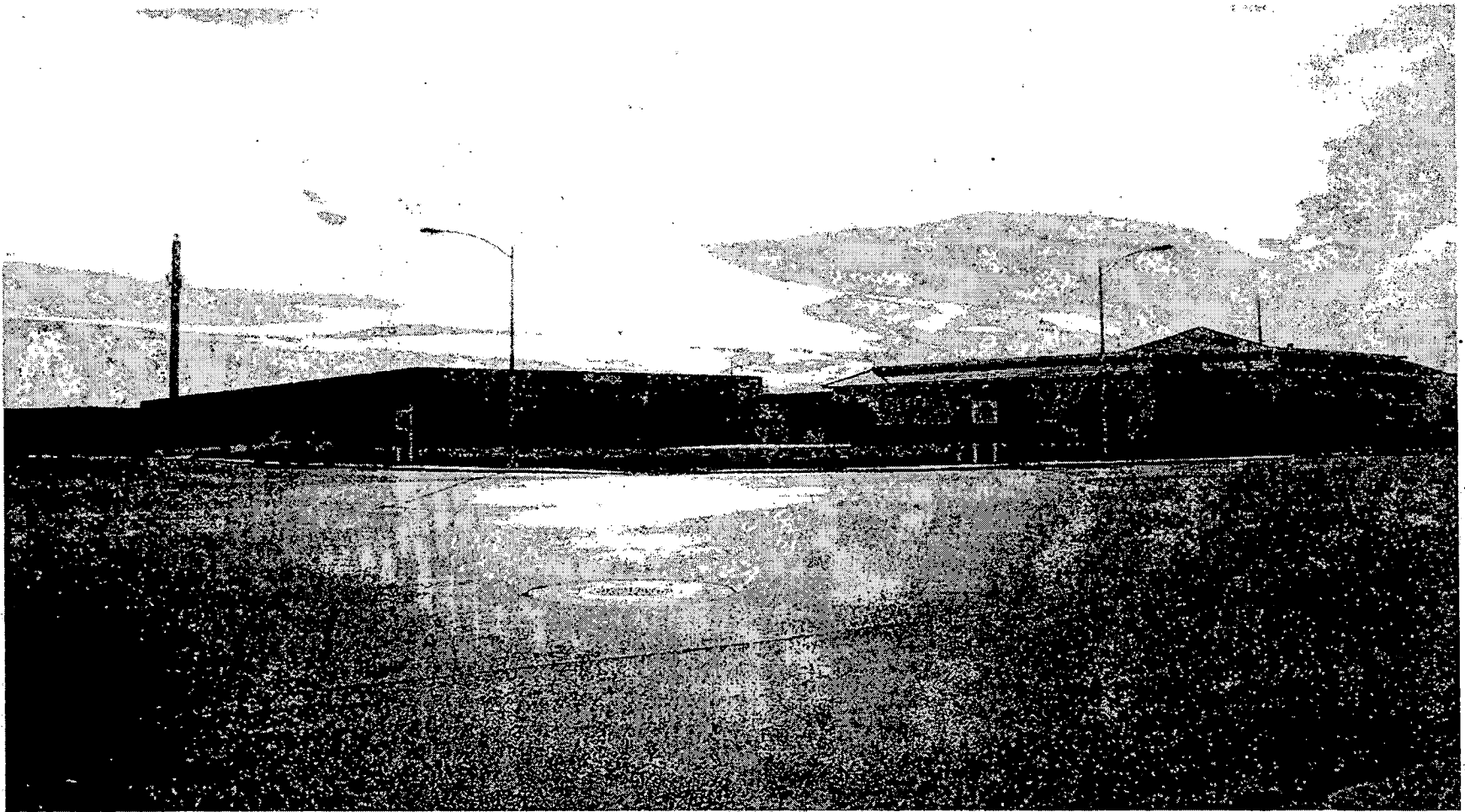
TENAYA WAY & ALEXANDER RD. LAS VEGAS, NEVADA

Developer **Familian Development Group**

Architect **C2G Architecture Design Construction**

Scale: 1"=30'-0" C2G 0412.01
 11-23-04





VAR-5699 - APPLICANT: BRUCE I. FAMILIAN - OWNER: FARM & ALEXANDER PROPERTIES, LLC
SOUTHWEST CORNER OF ALEXANDER ROAD AND DALECREST DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5697 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5699 - PUBLIC HEARING - APPLICANT: BRUCE I. FAMILIAN - OWNER: FARM & ALEXANDER PROPERTIES, LLC - Request for a Site Development Plan Review FOR A 4,750 SQUARE-FOOT MEDICAL OFFICE BUILDING WITH WAIVERS OF PARKING LOT LANDSCAPING on 4.92 acres adjacent to the southwest corner of Alexander Road and Dalecrest Drive (APN 138-10-516-006), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions and amending the following condition:

5. *The site plan shall be revised prior to issuance of any permits to indicate a second handicap parking space near the building.*

– UNANIMOUS

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

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 57 [VAR-5699] and Item 58 [SDR-5697].

(8:58 – 9:11)

2-2697

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 58 – SDR-5697

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 Title 19.12.040.A requirement that a landscaped island and one tree be placed for every six parking spaces is hereby granted.
5. The building shall be used for commercial office space, and parking shall conform to Title 19.10 commercial office parking standards.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
9. 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.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
11. 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

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 58 – SDR-5697

CONDITIONS – Continued:

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. 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.

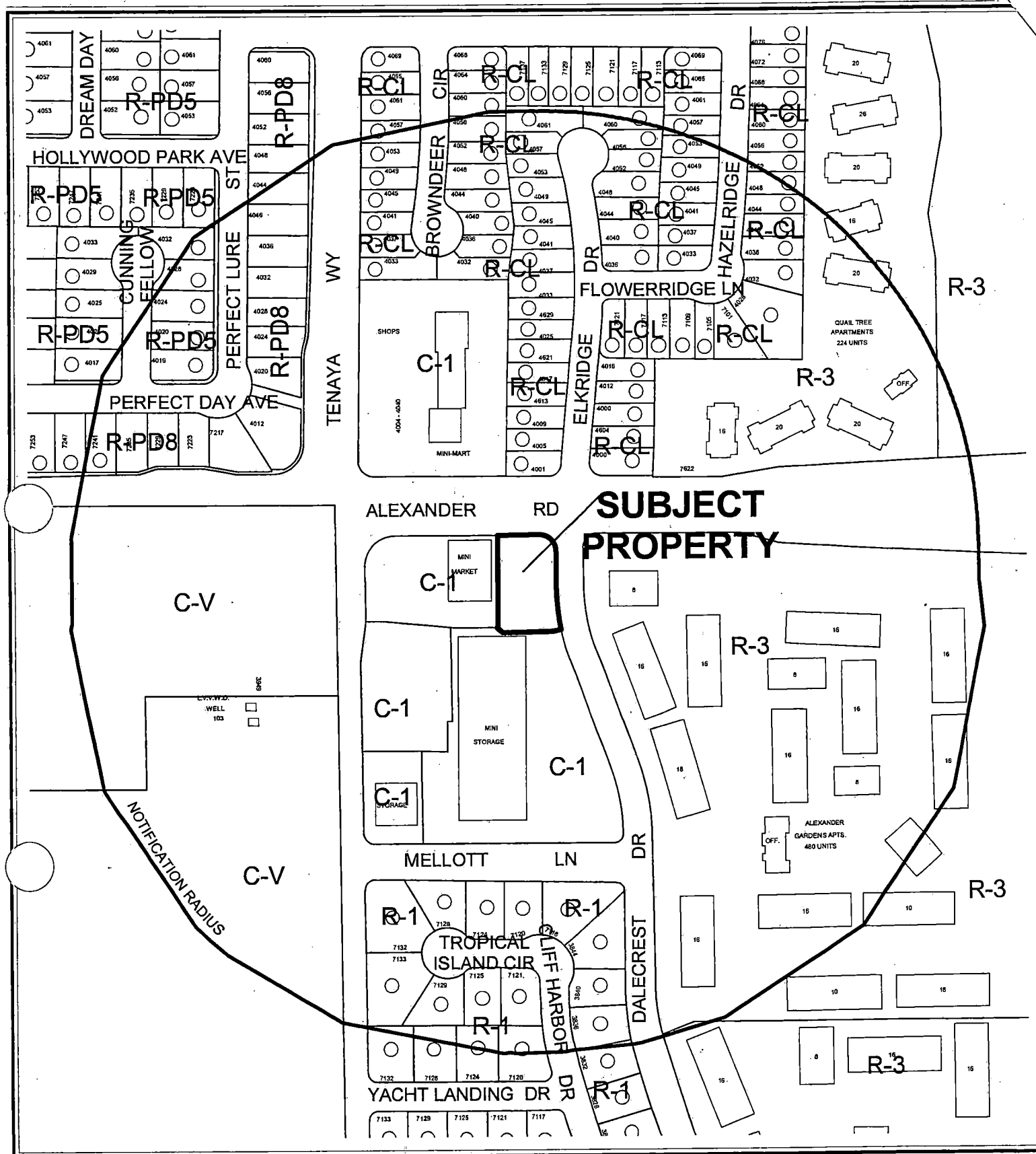
Public Works

15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 58 – SDR-5697

CONDITIONS – Continued:

17. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcels to the south and west prior to the issuance of any permits.
18. Site development to comply with all applicable conditions of approval for Z-25-88 and all other applicable site-related actions.



CASE: SDR-5697

RADIUS: 750 FT

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

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5697 - APPLICANT: BRUCE I. FAMILIAN - OWNER:
FARM & ALEXANDER PROPERTIES, 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 Title 19.12.040.A requirement that a landscaped island and one tree be placed for every six parking spaces is hereby granted.
5. The building shall be used for commercial office space, and parking shall conform to Title 19.10 commercial office parking standards.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
9. 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.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.

11. 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.
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. 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.
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15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
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17. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcels to the south and west prior to the issuance of any permits.

SDR-5697 - Conditions Page Three
January 13, 2005 Planning Commission Meeting

18. Site development to comply with all applicable conditions of approval for Z-25-88 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 4,750 square-foot medical office building on 4.92 acres at the southwest corner of Alexander Road and Dalecrest Drive.

B) Applicant's Justification

The applicant has justified the request by stating: "The office building will provide office or administrative space for additional businesses to better serve the surrounding community."

The applicant has requested: "A Waiver of the requirement that a landscaped island and one tree be placed for every six parking spaces. This site will provide additional landscaping beyond the minimum landscaping requirements, which would visibly buffer the absence of a landscaped island."

BACKGROUND INFORMATION

A) Previous Actions

07/06/88	The City Council approved a request to rezone (Z-25-88) this property to C-1 (Limited Commercial) as part of a larger request that included R-1 (Single Family Residential) and R-3 (Limited Multiple Residence).
02/02/00	The City Council granted an appeal of a Planning Commission denial of a Special Use Permit (U-0133-99) to allow off-premise sales of beer and wine. The City Council also approved a Special Use Permit (U-0134-99) to allow gasoline sales on the subject site. The Planning Commission recommended approval.
04/19/00	The City Council approved a Site Development Plan Review [Z-0025-88(8)] for a 47,235 square foot commercial center on the subject site. Planning Commission and staff recommended approval.
12/19/01	The City Council approved a Special Use Permit (U-0135-01) for a mini-storage facility and a Special Use Permit (U-0136-01) for a car wash on the subject site. The Planning Commission and staff recommended approval.

SDR-5697 - Staff Report Page Two
January 13, 2005 - Planning Commission Meeting

- 02/20/02 The City Council approved a Site Development Plan Review and a waiver of the required amount of parking lot landscaping [Z-0025-88(9)] for a proposed 90,519 square foot retail commercial center including a 5,625 square-foot Cox Communication building. The Planning Commission and staff recommended approval.
- 01/13/05 The Planning Commission will consider a companion Variance (SDR-5699) to allow 91 parking spaces where 100 are the minimum required for a proposed Medical Office Building. Staff has recommended denial.

B) Pre-Application Meeting

- 11/09/04 Elements of a Site Development Plan Review application were discussed. The Applicant was asked to include a section showing residential adjacency in the building elevations. The applicant included this in the submitted application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 4.92

B) Existing Land Use

Subject Property: Commercial center including a gas station, convenience store, and mini-warehouse.

North: Commercial Center and Single Family Dwellings

South: Single Family Dwellings

East: Apartments

West: Park

C) Planned Land Use

Subject Property: SC (Service Commercial)

North: SC (Service Commercial) and M (Medium Density Residential)

South: M (Medium Density Residential)

East: M (Medium Density Residential)

West: PR-OS (Park Recreation – Open Space)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial) and R-CL (Residential Compact Lot)
South: R-1 (Single Family Residential)
East: R-3 (Medium Density Residential)
West: C-V (Civic)

E) General Plan Compliance

The SC (Service Commercial) category of the Centennial Hills General Plan allows low to medium-intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The proposed Site Plan is not directly affected by any General Plan policies.

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

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

PROJECT DESCRIPTION

This is a proposal to build a one-story, 4,750 square-foot office building on the northeast corner of an existing 4.92 acre, C-1 zoned commercial development. This proposed office building would be accessible from Tenaya Way and Dalecrest Drive.

This proposed office building achieves facade articulation through the use of flagstone bricks, bronze-colored aluminum edging, beige stucco, and bronze-tinted glazing.

This proposal includes a request for a waiver from Title 19.12 landscape requirements which require a landscaped island and one tree for every six parking spaces.

The building complies with minimum parking requirements for commercial office use. However, The applicant anticipates the possibility renting out some or all of the office space as medical office space, which requires more parking spaces than is provided. A Variance from medical office parking standards is the subject of the companion case VAR-5699.

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 Width	100 Feet	103 Feet	Y
Min. Setbacks			
• Front (Dalecrest Drive)	20 Feet	21 Feet	Y
• Side (Alexander Road)	10 Feet	20 Feet	Y
• Corner(Alexander Road)	15 Feet	20 feet	Y
• Rear	20 Feet	38 Feet	Y
Max. Lot Coverage	50 %	29 %	Y
Max. Building Height	2 Stories or 35 Feet, whichever is less	1 Story / 20 Feet	Y
Mechanical Equipment	Screened	Screened	Y
Trash Enclosure	Away from street, enclosed by walls	Away from street, enclosed by walls	Y

A2) Residential Adjacency Standards

Pursuant to Title 19.08.060.B, the following Residential Adjacency Standards apply to the subject proposal:

- Proximity slope. The proposed building is 20 feet high, and setback over 60 feet from the property line of sensitive uses. The proposed building exceeds the proximity slope requirement of Title 19.08.060.B.
- Building setback. The proposed building does not abut an sensitive use, therefore building setback considerations are not applicable here.

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January 13, 2005 - Planning Commission Meeting

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
Existing, approved uses in commercial center • Convenience Store • Car Wash • Mini-storage • Retail Pad	86,804 SF	Various	69 spaces	3 spaces	65 spaces	6 spaces
Proposed Medical Building	4,750 SF	One space per 200 GFA up to 2,000 SF + 1/175 GFA for remaining area	26 spaces	2 spaces	19 spaces	1 space
TOTAL:			95 spaces	5 spaces	84 spaces	7 spaces

The project is deficient by eight regular spaces and one handicap space, or 9% of the required minimum. As a result, the applicant has requested the companion Variance VAR-5699 to seek relief from this standard.

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	6 Trees	3 Trees
Buffer:			
• Min. Trees	1 Trees / 20 Linear Feet	11 Trees	11 Trees
• Min. Zone Width	8 Feet		8 Feet
• Wall height	8 Feet		no walls

The proposal does not meet the Title 19.12, Landscape Standards for commercially-zoned properties. The applicant has requested a Waiver of the Title 19.12.040.(A) requirement that a landscaped island and one tree be placed for every six parking spaces. This waiver request is discussed below under Waivers, and the recommendation is for approval.

A5) Sign Standards

The site plan and elevations for this Medical Office Building depict only wall signs, one on each face of the building. Pursuant to Title 19.14, the following Sign Standards apply to the subject proposal:

Wall Signs Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total	1 Street frontage 1 total
Maximum Area	50 SF / sign	48 SF /sign
Maximum Projection	2 Feet	1 Foot
Illumination	Internal	Internal

The proposed signage meets the Title 19.14 (Sign Code) requirement.

B) *General Analysis and Discussion*

- Site Plan

The submitted site plan indicates access to the site via two driveways from Tenaya Way, an 80-foot wide Secondary Collector street, a driveway from Alexander Road, (a 100-foot Primary Arterial, and a driveway from Dalecrest Drive a 60-foot wide right-of-way.

The proposed 4,750 square-foot medical building is located on the northeast portion of an existing five-acre commercial center. The site plan indicates an existing approved convenience store, car wash, gas pumps, retail pad, utility building, office building, and mini storage. The site plan depicts parking located at the sites of each of these uses.

The proposed medical office building does not depict the number of parking spaces required for a medical office use. This parking deficiency is the subject of the companion case Variance VAR-5699. If this proposed building, at the same square footage, were used for non-medical offices, there would be no need for a Variance from parking standards. The site plan is approvable on the Condition of Approval number 5 above, that the building will be used for commercial office space.

- Waivers

The applicant has requested a Waiver of the requirement (Title 19.12.040.A) that a landscaped island and one tree be placed for every six parking spaces. The parking area has two rows of parking spaces. The row along the south of the building consists of six parking spaces and is served by the required end-row landscape islands. The row to the east of the building consists of thirteen parking spaces and is buffered by the required perimeter landscaping along Alexander Road.

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To fully meet the Title 19.12.040.A landscape islands requirement, this proposal would need just one more island. While the City cannot provide for wholesale Waivers of landscape islands, in this instance a Waiver of one individual island is justifiable in light of the submitted landscape plan. The plan depicts abundant perimeter and foundation landscaping that will easily mitigate the loss of one island.

Condition of Approval number 4 above grants a Waiver of the Title 19.12.040. requirement that a landscaped island and one tree be placed for every six parking spaces.

- **Landscape Plan**

The landscaping provided compliments the existing landscaping on site. The applicant intends to use California Pepper trees, and a variety of shrubs, all of which are drought-tolerant. Condition of Approval number 4 above grants a Waiver of the Title 19.12.040. requirement that a landscaped island and one tree be placed for every six parking spaces (see Waivers, above).

- **Elevation**

The submitted elevations depict one single-story rectangle-shaped building at 20 feet in height. The building elevations depict earth tone cultured stone and cement plaster exteriors with flat concrete tile roofing. Plaster decorative columns with lighting elements gives the building the façade articulation called for in Title 19.08. (Development Standards).

- **Floor Plan**

The floor plan of the Medical Office Building indicates an open floor plan ready for tenant improvements, two restrooms, and three entryways; totaling 4,750 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 Medical Office Building will be compatible with the adjacent residential neighborhoods and commercial 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;"**

The proposed Medical Office Building will be consistent with Title 19, applicable City plans, policies and standards with implementation of the conditions presented below regarding the landscape plan, 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 Medical Office Building. Access to the site is via two driveways from Tenaya Way, an 80-foot wide Secondary Collector street, a driveway from Alexander Road, a 100-foot Primary Arterial, and a driveway from Dalecrest Drive, a 60-foot Right-of-Way 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 Medical Office Building are similar to the surrounding commercial uses nearby. The applicant intends to use California Pepper Trees, and a variety of drought-tolerant shrubs. The provided landscaping is identical to the surrounding commercial center, and compliments the landscaping of nearby sites.

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 Medical Office Building are attractive, articulated, and architecturally appropriate. The building will be compatible with the adjacent and nearby commercial buildings.

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

The proposed Medical Office Building will be subject to inspections for occupancy and therefore will not compromise the public health, safety or welfare.

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January 13, 2005 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

NOTICES MAILED 99 – Mailed with VAR-5699

APPROVALS 0

PROTESTS 0



Case Number: SDR-5697 APN: 13810516006

Name of Property Owner: Farm & Alexander Properties, LLC

Name of Applicant: Bruce I. Familian

 Yes No

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Joyce Tzmcl/2a

This 5th day of November, 2004

Connie Walker
Notary Public in and for said County and State



LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW

1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

(702) 383-8888

FAX (702) 383-8845

lsc@lionelsawyer.com

www.lionelsawyer.com

November 30, 2004

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)

JON R. COLLINS
(1923-1987)

RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
DENNIS L. KENNEDY
RICHARD W. HORTON
DAN C. BOWEN
MARK A. SOLOMON
RODNEY M. JEAN
HARVEY WHITEMORE
TODD TOUTON
DAVID WHITEMORE
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN

ANTHONY N. CABOT
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JENNIFER A. SMITH
GARY W. DUHON
LAUREL E. DAVIS
DAN R. REASER
CARL D. SAVELY
MARK LEMMONS
HOWARD E. COLE
PAUL E. LARSEN
P. GREGORY GIORDANO
MARK A. MCINTIRE
ALLEN J. WILT
LYNN S. FULSTONE
RORY J. REID
DAN C. MCGUIRE
LESLIE BRYAN HART
CRAIG E. ETEM
TODD E. KENNEDY
MATTHEW E. WATSON

JEFFREY D. MENICUCCI
SHAWN M. ELICEGUI
HECTOR J. CARBAJAL II
EMILIA K. CARGILL
JANET SUE BESSEMER
G. LANCE COBURN
WILLIAM J. MCKEAN
JOHN M. NAYLOR
GREGORY R. GEMIGNANI
E. LEIF REID
DANA A. DWIGGINS
ELIZABETH R. BRENNAN
DOREEN SPEARS HARTWELL
SEAN T. WATERS
ELICK C. HSU
STEVEN E. HOLLINGWORTH
LINDA M. BULLEN
LAURA K. GRANIER
DANIEL R. MCNUTT

KYLE O. STEPHENS
ALAN D. FREER
MAXIMILIANO D. COUVILLIER III
JEFFREY A. MORSE
ELIZABETH BRICKFIELD
MARK P. WETJEN
LEAH A. AYALA
STEVEN J. NEWMAN
SARAH E. HARMON
CRISTINA L. JOHNSON
MICHAEL D. KNOX
ROSA SOLIS-RAINEY
ERIC C. BOUGHMAN
ERIN FLYNN
JENNIFER ROBERTS
SUZANNE L. MARTIN
BRENT HEBERLEE
MATTHEW B. CRANE*

*ADMITTED IN OHIO ONLY

WRITER'S DIRECT DIAL NUMBER:

(702)-383-8946

jroberts@lionelsawyer.com

OF COUNSEL

BRIAN MCKAY
ELLEN WHITEMORE
BRIAN HARRIS
ABBIE G. FRIEDMAN
LAURA J. THALACKER

VIA HAND DELIVERY

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

Re: *Site Development Plan*

To Whom It May Concern:

I am writing on behalf of Bruce I. Familian, who is applying for approval to develop a portion of parcel 13810516006. At this site, Mr. Familian is proposing to develop a 4,750 square foot office building on the northeast corner of the parcel. The parcel is currently zoned C-1; therefore, no zoning change is needed.

The office building will be located within an existing commercial development located at Tenaya and Alexander in Las Vegas, and will provide office or administrative space for additional businesses to better serve the surrounding community. Accordingly, should the building be used, partially or otherwise, for medical office space, we respectfully request a waiver of the parking requirement for medical uses. Although the building complies with the minimum parking for commercial office use, Mr. Familian would like the flexibility of selecting an appropriate tenant for the building so as to include medical-related offices.

In addition, we also request a waiver of the requirement that a landscaped island and one tree be placed for every six parking spaces. This site will provide additional landscaping beyond the minimum landscaping requirements, which would visibly buffer the absence of a landscaped island. The additional landscaping will preserve the aesthetic appearance of the surrounding commercial area. The proposed site complies with all other City of Las Vegas Code requirements.

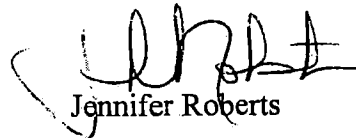
RENO OFFICE: 1100 BANK OF AMERICA PLAZA, 50 WEST LIBERTY STREET • RENO, NEVADA 89501 • (775) 788-8666 • FAX (775) 788-8682
CARSON CITY OFFICE: 410 SOUTH CARSON STREET • CARSON CITY, NEVADA 89701 • (775) 841-2115 • FAX (775) 841-2119
WASHINGTON, DC OFFICE: 101 CONSTITUTION AVENUE NW, SUITE 800 • WASHINGTON, DC 20001 • (202) 742-4264 FAX (202) 742-4265

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ATTORNEYS AT LAW

Planning & Development
November 30, 2004
Page 2

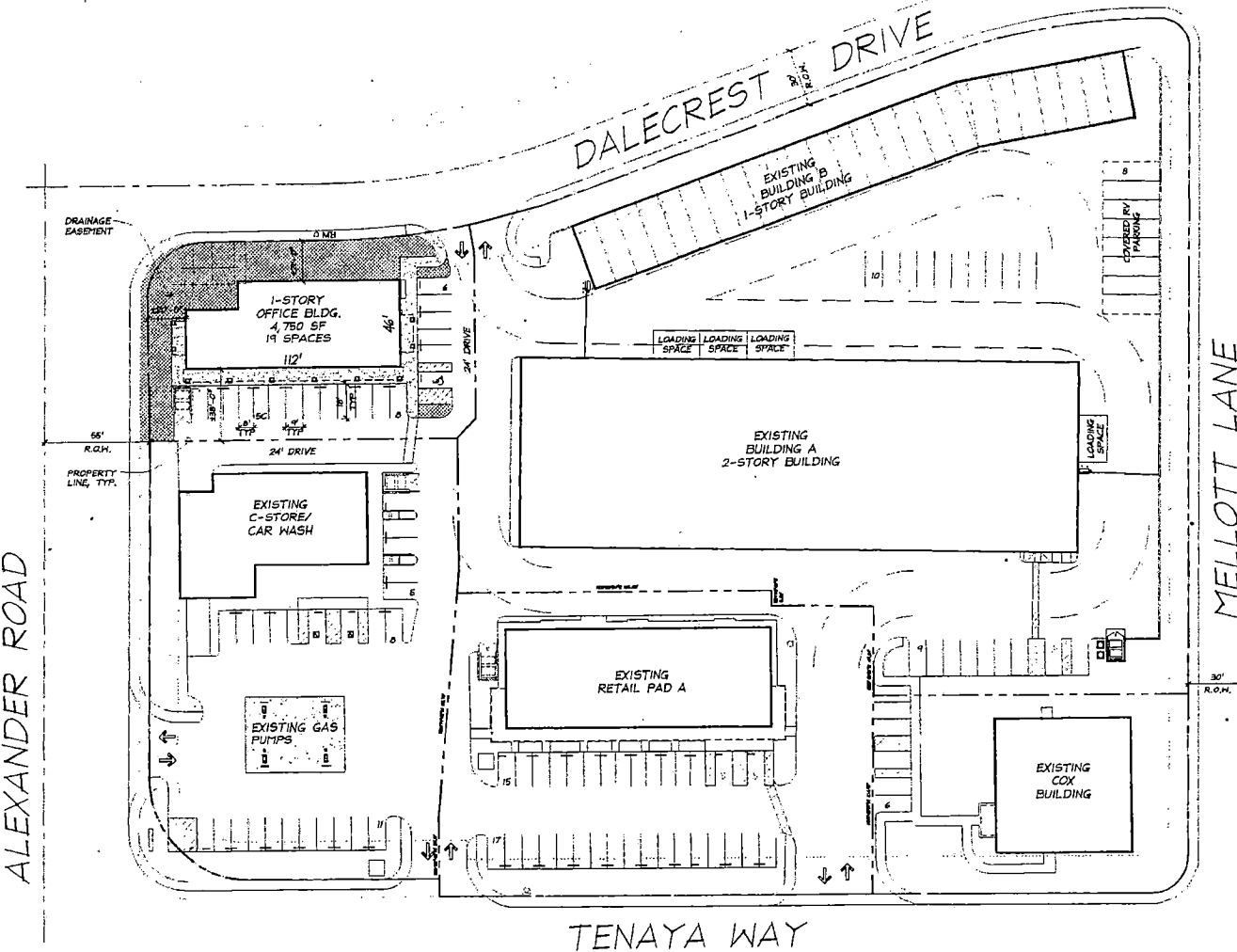
Thank you for your consideration of this matter. If you have any questions, please contact me.

Sincerely,



Jennifer Roberts

cc: Bruce I. Familian



VICINITY MAP



SITE SUMMARY:

Site Area:	± 217,800 sf
Lot Coverage:	5.00 acres
	29.0%

BUILDING SUMMARY:

Office Building	4,750 sf
Retail Pad A	7,280 sf
City Stop/Car Wash	5,429 sf
Cox Building	5,088 sf
Building A (2 @ 30,000 sf)	60,000 sf
Building B	10,560 sf
Total Building Area:	93,107 sf

PARKING SUMMARY:

Office Bldg. (1/250 @ 4,750 SF)	19
Compact	5
Standard	1
Handicap	13
Retail Pad A	30
City Stop/Car Wash	21
Cox Building	6
Buildings A & B	15
Total Parking Required:	91
Total Parking Provided:	100

OFFICE BUILDING
City Stop VIII

TENAYA WAY & ALEXANDER RD. LAS VEGAS, NEVADA

Developer **Familian Development Group**

VAR-5699
SDR-5697
01-13-05 PC

Architect **C2G Architecture Design Construction**

SITE PLAN

Scale: 1"=30'-0" C2G 0412.01
11-23-04



LANDSCAPE LEGEND

TREES

	CALIFORNIA PEPPER - EXISTING	36" BOX
	CALIFORNIA PEPPER - NEW	36" BOX
	OLIVE - EXISTING	36" BOX

SHRUBS

	STANDARD MOCK ORANGE - EXISTING	5 GAL.
	PURPLE LANTANA - EXISTING	5 GAL.
	PURPLE LANTANA - NEW	5 GAL.
	HAWTHORNE - EXISTING	5 GAL.
	HAWTHORNE - NEW	5 GAL.
	HAWTHORNE - NEW	15 GAL.

GROUND COVER

1/2" REBEL RED GRANITE ROCK IN ALL PLANTER BEDS

IRRIGATION

ALL LANDSCAPE AREAS HAVE 100% COVERAGE WITH DRIP IRRIGATION SYSTEM.

SITE SUMMARY:

Site Area:	± 217,800 sf
Lot Coverage:	5.00 acres
	29.0%

BUILDING SUMMARY:

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Total Parking Provided:		15
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		100

VAR-5699

SDR-5697

01-13-05 PC

LANDSCAPE PLAN

OFFICE BUILDING

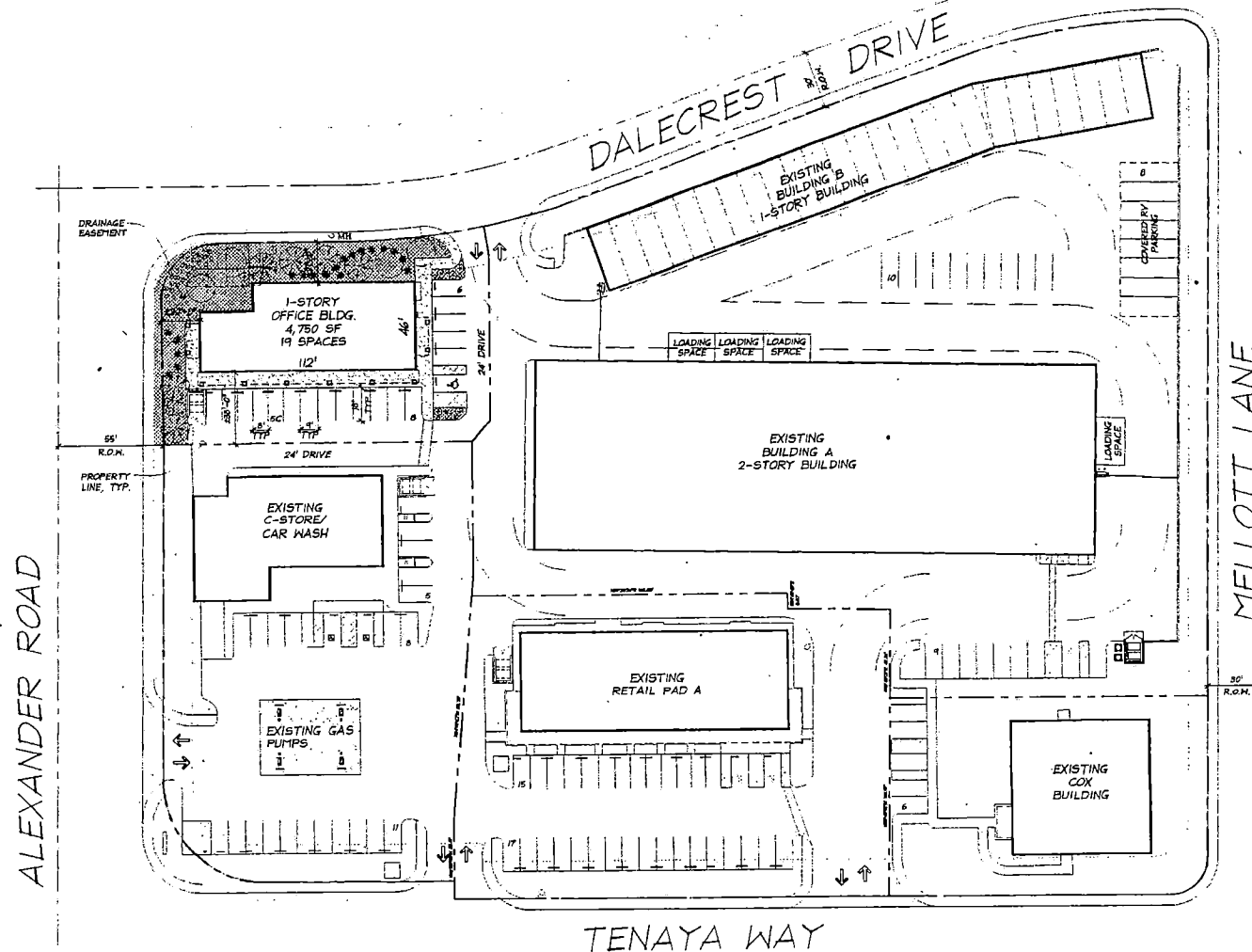
TENAYA WAY & ALEXANDER RD. LAS VEGAS, NEVADA

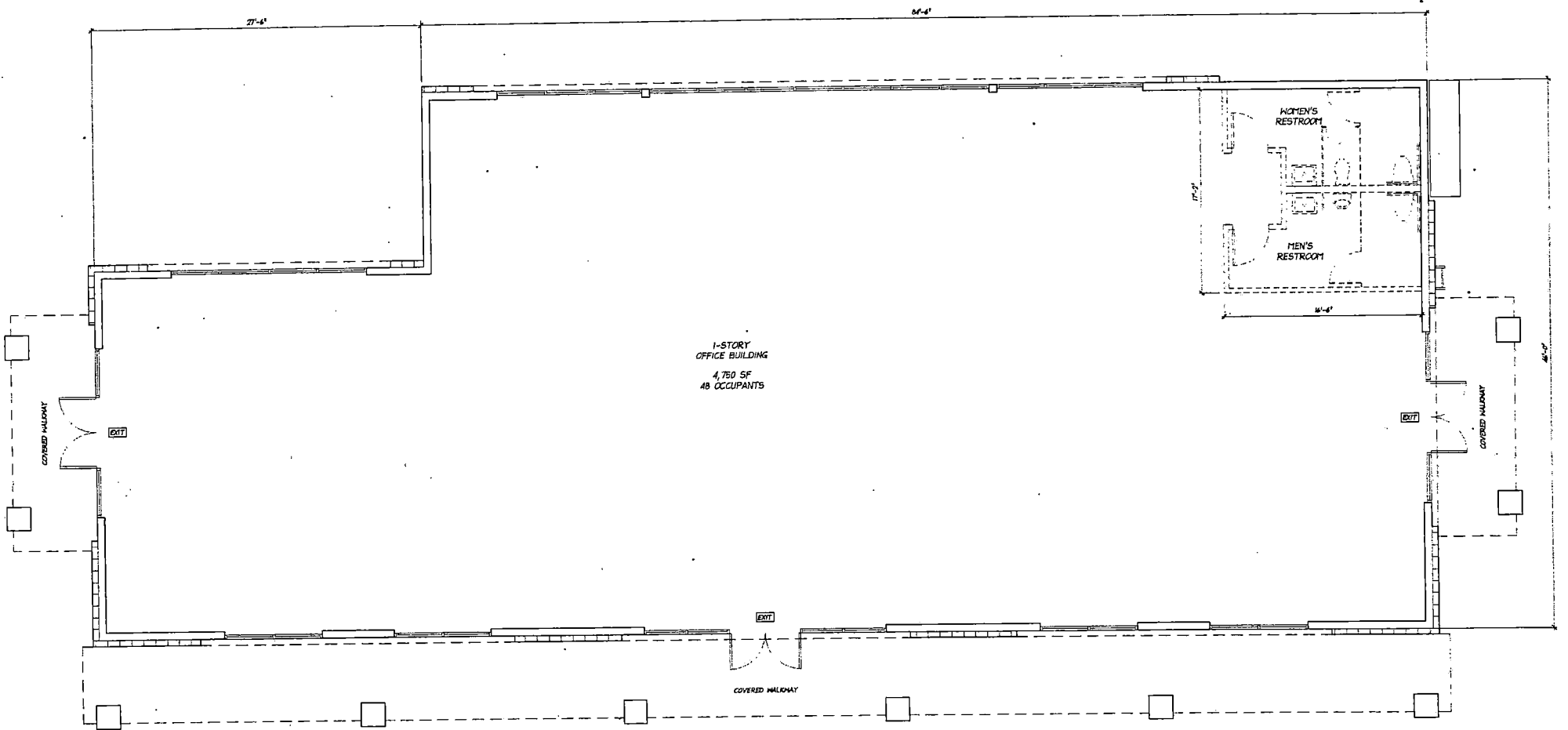
City Stop VIII

Developer **Familian Development Group**

Architect **C2G Architecture Design Construction**

Scale: 1"=30'-0" C2G 0412.01
11-23-04





OFFICE BUILDING
City Stop VIII

TENAYA WAY & ALEXANDER RD. LAS VEGAS, NEVADA

Developer **Familian Development Group**

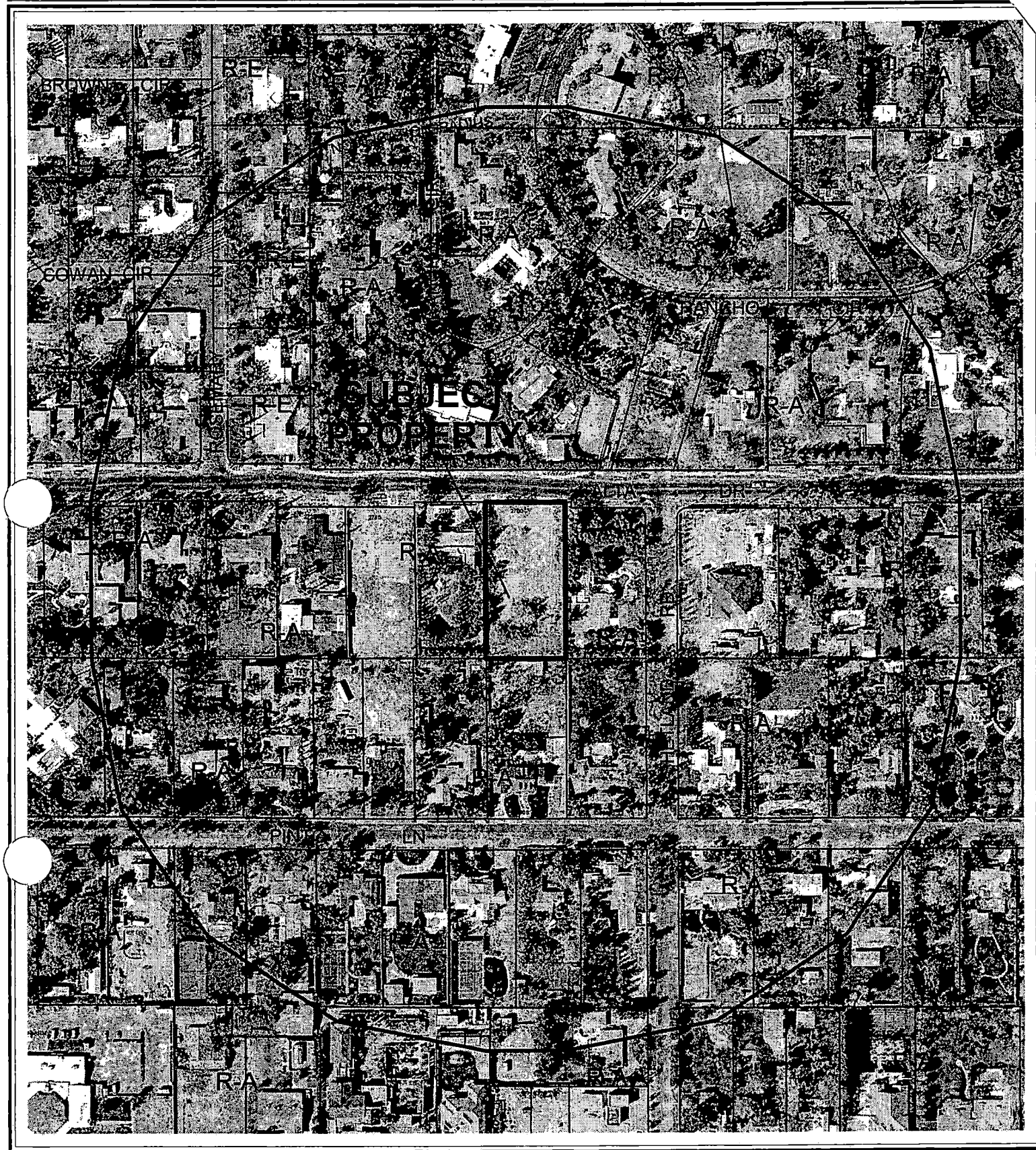
Architect **C2G** Architecture Design Construction

Scale: 1/4" = 1'-0" C2G 0412.01 11-29-04

FLOOR PLAN



VAR-5699
SDR-5697
01-13-05 PC



CASE: VAR-5701

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-A (RANCH ACRES)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5701 - APPLICANT/OWNER: JAMES L. MOORE

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If Approved, subject to:

Planning and Development

1. This Variance shall expire two years from the date of approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Acquire all necessary permits from the Department of Building and Safety.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow a proposed six-foot high solid wall in the front yard where four feet is the maximum height allowed with 50% of it being open along the north property line at 2700 Alta Drive.

B) Applicant's Justification

The requested Variance is consistent with the existing neighborhood. The existing walls of the neighboring properties to the north, that back up to Alta Drive, are eight feet in height. The three existing residences to the immediate east of the site all have walls approximately six feet in height along Alta.

The construction of a solid wall to a height of six feet would mitigate the sound effect of the traffic on Alta with no adverse effect on the existing neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

There are no past actions that pertain to the subject site.

B) Pre-Application Meeting

11/16/04 The applicant was advised of the submission requirements for a Variance application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a variance application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.03

VAR-5701 - Staff Report Page Two
January 13, 2005 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Undeveloped
North: Single family detached dwellings
South: Single family detached dwellings
East: Single family detached dwellings
West: Single family detached dwellings

C) Planned Land Use

Subject Property: DR (Desert Rural Density Residential)
North: DR (Desert Rural Density Residential)
South: DR (Desert Rural Density Residential)
East: DR (Desert Rural Density Residential)
West: DR (Desert Rural Density Residential)

D) Existing Zoning

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

E) General Plan Compliance

The site is located on the Southeast Sector Map of the General Plan. The land use designation for the subject property is L (Low Density Residential), which permits up to 4.5 dwelling units per acre, and is zoned R-1 (Single Family Residential). The requested Variance is not directly related to any specific 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

The requested Variance is not related to any specific plans, districts, or notifications.

A) Zoning Code Compliance

A1) Development Standards

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

KCW

VAR-5701 - Staff Report Page Three
January 13, 2005 - Planning Commission Meeting

	Standards	Provided
Maximum front wall height	4 feet w/ the top 2 feet 50% open in the front yard	6 foot solid wall in the front yard

The proposal needs the proposed Variance from the requirement. The subject deviation is a block wall two feet taller than standard and the wall is solid instead of 50% open.

B) General Analysis and Discussion

The applicant proposes to construct a solid front wall to a height of six feet, two foot taller than the standards.

Such a wall would be within required sight visibility restriction zones that allow for safe vehicular movements on the driveway. The presence of a six-foot wall would be potentially dangerous to pedestrians on the sidewalk or to drivers of vehicles in the street from cars backing out into the street from the property. Visibility is also reduced or blocked for those drivers of vehicles exiting adjacent properties.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented. The applicant would create a self-imposed hardship by building the front wall at a height taller than is allowed.

KCW

VAR-5701 - Staff Report Page Four
January 13, 2005 - Planning Commission Meeting

Considering the size of the lot, locating the future home away from the street, with trees and landscaping between the home and street, would accomplish the same goal of decreasing the impact of traffic noise from Alta Drive.

In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

NOTICES MAILED 65

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5701 APN: 139-32-701-003

Name of Property Owner: JAMES L. MOORE

Name of Applicant: JAMES L. MOORE

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: _____

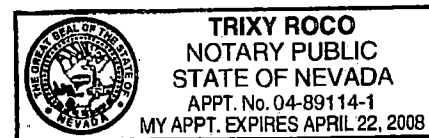
Signature of Property Owner/Authorized Agent: _____

Print Name: JAMES L. MOORE

Subscribed and sworn before me

This 27 day of November, 2004

Notary Public in and for said County and State



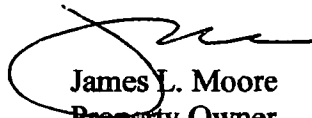
November 24, 2004

City of Las Vegas:

RE: Justification Letter – Variance to Allow Six Foot High Solid Wall on Front Property Line

This application is for a variance to allow a six foot high solid wall on the front property line where a four foot high maximum wall with the top two feet to be 50% open is allowed, in a residential neighborhood (R-A Zoning Classification) located at 2700 Alta Drive. The requested variance is consistent with the existing neighborhood. Although the properties immediately to the north are a part of the Rancho Circle subdivision and the property lines on Alta are the back property lines of these residences, the existing walls are generally constructed to a height of 8 feet (as allowed by Las Vegas code). The three existing residences to the immediate east of the subject property all have walls with an approximate height of 6 feet facing Alta.

The primary reason for requesting this variance to allow for the construction of a 6 foot high wall is to reduce the level of traffic noise from Alta Drive. Although Alta Drive has been reduced to one lane of travel each direction from Rancho to Valley View, there continues to be a significant amount of traffic flow on this road. The construction of a solid wall to a height of six feet would mitigate the sound effect of this traffic with no adverse effect on the existing neighborhood.



James L. Moore
Property Owner

VAR-5701



VAR-5701 - APPLICANT/OWNER: JAMES L. MOORE
2700 ALTA DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: M. MARGO WHEELER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VAR-5713 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: FIRST CHRISTIAN CHURCH - Request for a Variance TO ALLOW AN EXISTING SIGN TO BE RAISED TO 13 FEET IN HEIGHT WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED on 4.81 acres at 101 South Rancho Drive (APN 139-32-501-001) R-1 (Single Family Residential) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION (Unless appealed within 10 days)**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – Motion to HOLD IN ABEYANCE – UNANIMOUS with DAVENPORT abstaining as he owns property located within the Notification area

To be held in abeyance to the 2/10/2005 Planning Commission meeting**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

FLINN FAGG, Planning and Development, stated that the criteria of the Variance have not been met and cannot be granted, so staff recommended denial.

DARRELL SHOCK, Vision Sign Company, 3625 S. Polaris, stated that the request for the proposed 13-foot double face monument sign is to have the change panel high enough to avoid individuals tampering with it, as well as for better visibility. It is an existing sign, and the footing and the pipes have been placed to support the proposed height of the sign. MR. SHOCK then requested approval of the application.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 60 – VAR-5713

MINUTES – Continued:

C DANIEL DEEGAN, 1801 Granite Avenue, appeared on behalf of the Rancho Manor Neighborhood Association. He pointed out that the applicant, First Christian Church, lies within the perimeter of the Rancho Manor Neighborhood Association. MR. DEEGAN stated that the applicant is regarded as model citizens within the community. The community is grateful, as the applicant has been hospitable over the years in providing space for their neighborhood activities. In addition, the applicant has been amenable in attending the neighborhood association meeting and advising the residents of the church's plans for the proposed sign and to answer any questions the residents may have had. The association wholeheartedly supported the applicant's request. Although MR. DEEGAN does not reside within the notification area, he confirmed for MARGO WHEELER, Planning and Development, that the neighborhood association did receive notification of this meeting.

MR. SHOCK reiterated to COMMISSIONER STEINMAN that the sign is an existing sign, and the request is solely to increase the height of the sign an additional five feet. He then confirmed for CHAIRMAN TRUESDELL that should the sign be raised, a square base would be constructed. In addition, the sign would have a changing attraction panel to advertise various upcoming church events. MR. SHOCK emphasized that the proposed increased height is also intended to prevent potential vandalism and graffiti of the sign.

C MR. SHOCK then requested clarification on Condition 3. DAVID GUERRA, Public Works, responded that the property is located at a major arterial, Rancho Drive. It is standard practice that a 25-foot radius be dedicated at these areas because traffic signals are anticipated in the future. CHAIRMAN TRUESDELL added that the commitment would be for the dedication, not the physical construction, because it is for future traffic signals. COMMISSIONER EVANS then asked if this condition would be effective had the applicant not come forward with this application. MR. GUERRA responded that if the applicant had not come forward with this request, Public Works would not require the condition. It would only then be required prior to improvements being done. MR. GUERRA confirmed for COMMISSIONER EVANS that it is possible that the applicant could lose some of their property in the future. COMMISSIONER EVANS wanted to ensure the applicant was aware of possible consequences, should the application be approved. MR. DEEGAN asked if Condition 3 could be deleted; should a traffic signal be required in the future, the church would be willing to handle that requirement at that time. CHAIRMAN TRUESDELL replied that the condition is standard and is handled when the application is discussed. MR. GUERRA added that the condition also states that the applicant must 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 any permits for this site. In essence, the applicant would not have to hire a professional land surveyor. He also advised MR. SHOCK that the timeframe in processing these documents could take up to two weeks. MR. SHOCK suggested the pastor of the First Christian Church speak, who was in the

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
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MINUTES – Continued:

C audience. REVEREND DAVID JARMAN, Co-Senior Pastor, First Christian Church, stated that their church has been in the proposed location since the 1950's and have had a very good relationship with the community. The uniqueness of their building is that it does not look like a church, as it is a campus like facility. The proposed height increase would help to identify who they are and advertise their programs. COMMISSIONER EVANS stated that he does not object to the proposed height increase but reiterated his concern in that the applicant needed to be certain that he understood what Condition 3 stipulated. He then suggested holding the item in abeyance to give the applicant time to discuss the terms of this standard condition with Public Works.

COMMISSIONER McSWAIN stated that there are two churches down the street from where she resides, but these churches do not look as commercial as the First Christian Church. She understood the applicant needing signage; however, she felt that the proposed height of 13 feet would impact the residential character of the neighborhood. It would be visible from the residents' backyard that backs up to the site, as well as, those properties that back up across Rancho Drive. She did not feel that the proposed signage was appropriate, even though it is on Rancho Drive. The signage is commercial and within a residential neighborhood. She added that there has been previous argument about preserving the residential character of this area. She referenced a previous billboard application that she opposed but was ultimately approved in this area. She would not support this application.

C COMMISSIONER GOYNES asked if the applicant could agree to Condition 3. COMMISSIONER EVANS felt that the applicant appeared to be perplexed and inquired about abeying the item to give the applicant time to review the condition with Public Works. He referenced the Bishop Gormon sign on Maryland Parkway, as this sign advertises events relative to the basic functions of the church and school. Considering the amount of signage throughout Las Vegas, he felt that a church advertising its services or events did not seem egregious. MR. SHOCK stated that the design of the billboard sign is not one created by First Christian Church; it is a typical design used by churches throughout the country.

VICE CHAIRMAN NIGRO informed MR. SCHOCK that when a property owner comes forward with an application to improve their property, the municipality would come forth with requests/conditions to ensure that streets and right-of-ways are dedicated for future traffic signals, regardless of what jurisdiction an applicant is in. Such is the case with this application, as the applicant's request deals with an improvement. If these types of requests/conditions were dealt with later, the City would have to go through a longer and different process. The longer process usually happens on undeveloped property. In this case, the radius may already exist or there is a chance that the applicant could lose a portion of his property. VICE CHAIRMAN NIGRO reiterated to the applicant that if he agreed to the conditions as written, he

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 60 – VAR-5713

MINUTES – Continued:

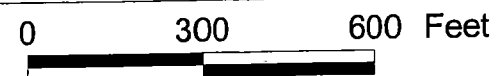
would be committing to dedicating the portion of property that the City needs for the radius. MR. SHOCK then asked what the difference would be should the applicant not agree to the condition now. BRYAN SCOTT, Deputy City Attorney, replied that if the applicant dedicated the radius, the City does not pay for the property. However, if the City were forced to take it in condemnation, then the City would pay for the property. COMMISSIONER EVANS then stated that the distinction is that the applicant was waiving his right to compensation if he agreed to the condition. DEPUTY CITY ATTORNEY SCOTT added that the applicant is required to allow the dedication as a result of redeveloping his property.

MR. SHOCK requested that the application be held in abeyance for two weeks. CHAIRMAN TRUESDELL suggested 30 days, as the next Planning Commission meeting already has an extensive agenda. MR. SHOCK concurred. COMMISSIONER EVANS stressed the importance of having these discussions prior to the Planning Commission meetings, so that these types of questions/issues are dealt with beforehand and not in a public forum. VICE CHAIRMAN NIGRO suggested the applicant could go online to download the specs so that an engineer could review it and inform the applicant just how much property would need to be dedicated for the right-of-way.

No one appeared in opposition.

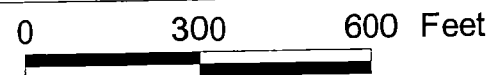
CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:11 – 9:31)

2-3355



ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)





ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5713 - APPLICANT/OWNER: FIRST CHRISTIAN CHURCH

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance VAR-5713.
2. This Variance 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.

Public Works

3. Dedicate a 25-foot radius and grant a traffic signal chord easement on the southeast corner of Rancho Drive and Mesquite Avenue prior to the issuance of any permits. 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 any permits for this site. This condition shall not be enforced if the applicant provides proof of existing signage or other permanent improvements within the area requested for dedication.
4. The sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.
5. Landscape and maintain all unimproved rights-of-way adjacent to this site.
6. Submit an Encroachment Agreement for all landscaping and private improvements located in the Rancho Drive and Mesquite Avenue public rights-of-way adjacent to this site prior to the issuance of a permit for this action.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a 13-foot high sign where eight feet is the maximum height allowed on 4.81 acres at 101 South Rancho Drive.

B) Applicant's Justification

The applicant has justified his request by stating: "We feel that the sign at eight feet high would simply be too low to the ground and would be subject to constant vandalism and graffiti."

BACKGROUND INFORMATION

A) Previous Actions

No previous actions are associated with this parcel.

B) Pre-Application Meeting

11/16/04 Submission requirements for a Variance Request were discussed at the meeting.

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: 4.81

B) Existing Land Use

Subject Property: Non-Profit Organization
North: Non-Profit Organization, Undeveloped
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: PF (Public Facilities), O (Office)
South: L (Low Density Residential)
East: L (Low Density Residential)
West: L (Low Density Residential)

D) Existing Zoning

Subject Property: R-1 (Single Family Residential)
North: R-1 (Single Family Residential) under Resolution of Intent to C-V
(Civic)
South: R-1 (Single Family Residential)
East: R-1 (Single Family Residential)
West: R-PD (Residential Planned Development)

E) General Plan Compliance

This parcel is designated L (Low Density Residential) in the Southeast Sector of the General Plan. The Low Density Residential category allows a maximum of 5.5 dwelling units per gross acre. The proposed 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	
Multi-Use Transportation Trail	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

The site of the subject Variance request is affected by the following:

Multi-Use Transportation Trail

A yet-to-be-built Multi-use Transportation Trail runs along the west property line of the subject site. The proposed sign, if placed properly as described below, will not impact this Multi-use Transportation Trail.

The west property line's distance from the current eastern curb of Rancho Drive ranges about 20 feet. This 20-foot wide strip of land is part of Rancho Drive right-of-way. If this Variance request is approved, the proposed sign will need to be located a minimum of five feet behind the subject parcel's western property line. Public Works has added a condition that requires the sign be located outside of the right-of-way.

A) Zoning Code Compliance

A1) Sign Standards

Pursuant to Title 19.14.060(A)(2), one freestanding institutional sign per street frontage is permitted on the same site as any House of Worship, school or other institution that is permitted in the R-1 zoning district. In the R-1 zone an internally illuminated freestanding sign, set five feet back from all property lines, 50 square feet in area, and up to eight feet in height, is allowed.

A2) Parking and Traffic Standards

The Department of Public Works notes that the proposed sign is located within the public right-of-way on the site plan and may conflict with the Rancho Multi-Use Trail that is adjacent to this site. Condition Number 2 above requires the sign be located outside of the right-of-way.

B) General Analysis and Discussion

Applicant proposes to install a 13-foot tall double face illuminated pole sign where only an eight-foot tall sign is allowed. The proposed sign, like the existing sign, would have a changing attraction panel to advertise various up-coming church events. There would be approximately eight feet from grade to the bottom of the changing attraction panel; this height is intended by the applicant to prevent potential vandalism and graffiti of the sign.

This area of the city along Rancho Drive, south of U.S. 95 houses professional offices. The area and the subject property's existing eight-foot high sign appears free of vandalism and graffiti. Other signs in the area conform to Title 19.14. There is no need to diverge from the Sign Code on this site.

FINDINGS

This Variance request is intended solely for the convenience of the property owner; 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 installation of a sign which is no more than eight feet tall. Pursuant to State and City statutes and codes, this Variance request cannot be granted.

State of Nevada Statute for Variances

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 13

NOTICES MAILED 232

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5713 APN: 139-32-501-001

Name of Property Owner: FIRST CHRISTIAN CHURCH (DISCIPLES OF CHRIST)

Name of Applicant: FIRST CHRISTIAN CHURCH (DISCIPLES OF CHRIST)

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: David Jerman

Print Name: DAVID JERMAN

Subscribed and sworn before me

This 21 day of September, 2004

Melody A. March
Notary Public in and for said County and State





3625 S. Polaris Las Vegas, NV 89103

Phone: (702) 895-7474

Fax: (702) 895-7444

December 1, 2004

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Subject: Family Christian Church

To Whom It May Concern:

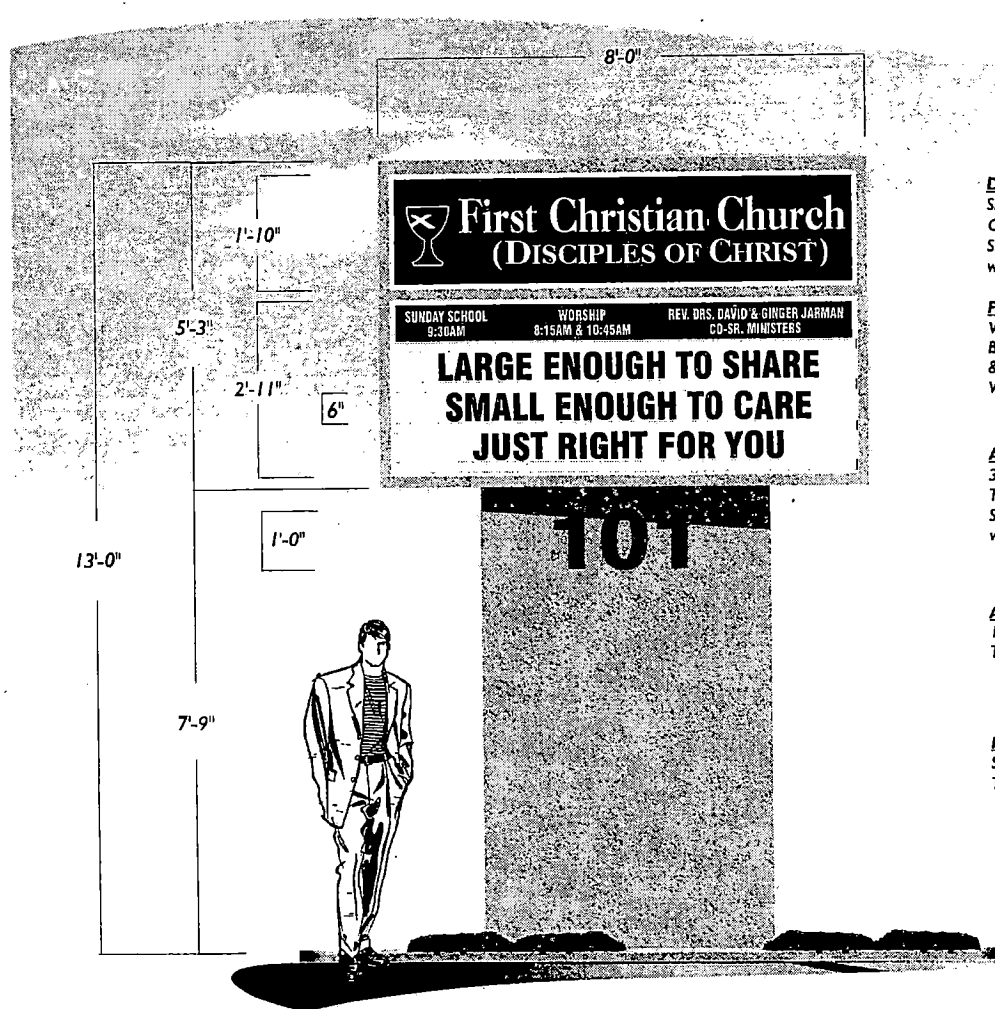
Please accept this letter as our request to manufacture & install (1) 13'-0" tall double face illuminated pole sign were a 8'-0" is allowed by code.

As per the attached drawing this sign will have a change panel to advertise the various up coming events at the church. We feel that the sign at 8'-0" would simply be to low to the ground and would be subject to constant vandalism and graffiti.

OUR request of 13'-0" is to allow approx. 8'-0" from the bottom of the attraction panel to grade. We believe this will help with any potential vandalism and graffiti.

Sincerely,

Darrell Shock



D/F CABINET

SAND-FINISH TEX-COTE PAINT METAL CABINET & RETAINERS TO MATCH #51 SILVER GREY VINYL - ILLUM CABINET w/ T-12 FLUORESCENT LAMPS AS REQ'D.

FACE OF CABINET

WHITE LEXAN FACE OVERLAY w/ #87 ROYAL BLUE VINYL TO SHOW-THRU WHITE COPY & OUTLINE - "CUP" TO BE INLAY #33 RED VINYL w/ WHITE OUTLINE & CROSS

ATTRACTION PANEL

3 LINES OF 6" COPY w/ TOP PART OF PANEL TO BE APPLY #87 ROYAL BLUE VINYL TO SHOW-THRU WHITE COPY - ILLUM CABINET w/ T-12 FLUORESCENT LAMPS AS REQ'D.

ADDRESS NUMBER

1/8" ALUM 12" ADDRESS NUMBER PAINT TO MATCH #87 ROYAL BLUE VINYL

PYLON COVER

SAND-FINISH TEX-COTE PAINT TO MATCH #51 SILVER GREY VINYL

AS REQ'D

RECEIVED

NOV 30 2004

D/F INT. ILLUM MONUMENT SIGN 1/2" = 1'-0"

VAR-5713
01-13-05 PC

JOB NO.	8810
DATE	08-06-2004
DRAWN BY	DERRICK
SALES	SHOCK
FILE NAME	FCC8810.CDR
SHEET	

First Christian Church
(DISCIPLES OF CHRIST)
101 S. RANCHO DR.

VISION SIGN
3625 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

DATE	08-26-04	DN	RAISE SIGN TO 13'

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.

[illegible][illegible]

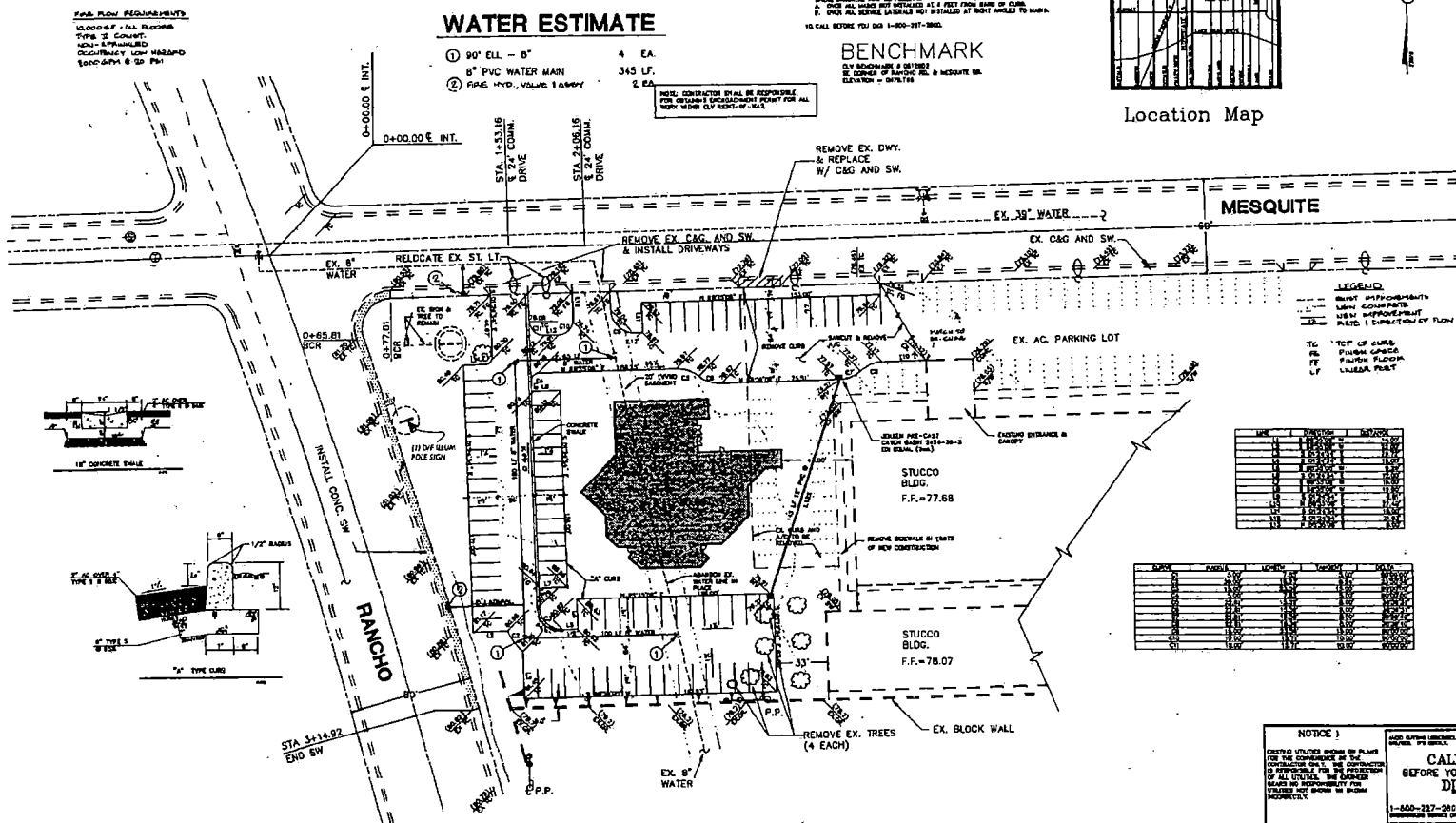
① 90' ELL - 8"	4 EA.
8" PVC WATER MAIN	345 LF.
② FIRE HYD. VALVE 1000#	2 EA.

CLY BOWENBARK # 0812802
SE CORNER OF RANCHO DEL MONTE DEL MONTE DEL MONTE
ELEVATION = 0478.766



SCALE 1" = 50'

Location Map



NOV 3 0 2004

NOTICE

EXISTING UTILITIES SHOWN ON PLANS FOR THE CONVEYANCE OF THE CONTRACTOR ONLY. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES. THE OWNER MAKES NO REPRESENTATION OR WARRANTY AS TO THE LOCATION, DEPTH OR CHARACTER OF UTILITIES NOT SHOWN OR SHOWN INCONSPICUOUSLY.

N.T.S.

JOB NO.	8810
DATE	08-06-2004
DRAWN	DERRICK
SALES	SHOCK
FILE NAME	FCC8810.CDR
USER	

 **First Christian Church**
(DISCIPLES OF CHRIST)
101 S. RANCHO DR.

VISION SIGN
3625 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category authorized under NRS 624.

[illegible]

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.

VAR-5713
01-13-05 PC



VAR-5713 - APPLICANT/OWNER: FIRST CHRISTIAN CHURCH
101 SOUTH RANCHO DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**PLANNING COMMISSION MEETING OF: JANUARY 13, 2005****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VAR-5637 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SHERLEE EDISON - Request for a Variance TO ALLOW A 30-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED TO ENCLOSE A PORTION OF A PATIO COVER AND TO CONSTRUCT A BALCONY on 0.46 acres at 1505 Ten Palms Court (APN 163-03-211-004) R-E (Residence Estates) Zone, Ward 1 (Moncrief).

P.C.: FINAL ACTION (Unless appealed within 10 days)**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Letter of Support from Carolyn Stone with 7 additional signatures

MOTION:**DAVENPORT – APPROVED** subject to conditions and adding the following condition:

- *The proposed elevated balcony area shall be removed from the project.*
- **UNANIMOUS** with **DAVENPORT** abstaining as he owns property located within the Notification area

This is Final Action**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

FLINN FAGG, Planning and Development, stated that the request is for a Variance to allow a 30-foot rear yard setback where 35 feet is the minimum required to enclose a portion of an existing patio cover and to construct a balcony. Staff felt that the criteria for granting a Variance was not met and recommended denial.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 61 – VAR-5637

MINUTES – Continued:

HANK LEVEE, Reliable Construction Company, 2235 S. Rainbow Boulevard, represented the applicant, SHERLEE EDISON, who was also present. MR. LEVEE submitted a letter from MR. and MRS. JAY and CAROLYN STONE stating their support, along with eight additional signatures from residents who reside on Ten Palms Court and supported the application as well. MR. LEVEE confirmed for CHAIRMAN TRUESDELL that the applicant agreed with staff's conditions. MR. LEVEE stated that the proposed variance is approximately the same distance from the back of the property. The applicant's husband passed away in 2003, and the daughter returned to live with her mother, the applicant.

C CAROLYN STONE, 1509 Ten Palms Court, resides immediately adjacent to the proposed location. She stated that the applicant's previous request for a Variance for the patio cover was approved. The application is to extend the patio at the rear and on the side of the house, but the addition would still leave a 10-foot setback. She pointed out that some of the homes behind their development on the other side of Tioga Way and Mirabella Ridge have variances with 20-foot setbacks.

JEANETTE DALEY, 1501 Ten Palms Court, expressed concern that her privacy would be invaded, as these homes are single story homes, with the exception of MRS. STONE'S property. There are some two-story homes behind her home. As a result, she planted a row of trees to keep her privacy. She requested the Commission deny the application.

C MS. STONE pointed out that the pad elevation on her home is two feet higher than the elevation on the applicant's home. MS. DALEY'S home is lower. The pad elevations on the homes located on Tioga Way are a minimum of eight feet higher than those on Ten Palms Court. In addition, the homes on Tioga Way are two-stories with balconies on the third levels, with one of these homes being directly behind MS. DALEY'S home.

COMMISSIONER McSWAIN suggested trailing the application if the applicant and residents had not discussed this issue prior to this meeting. To address her concern for privacy, MS. DALEY requested a virtual tour whereby she can be assured that her privacy is not intruded upon from the proposed balcony.

MR. LEVEE informed COMMISSIONER DAVENPORT that the height of the roof is approximately 22-23 feet high. COMMISSIONER DAVENPORT then concluded that the base of the proposed balcony would be ten feet, and one would have to look over 22 feet to see MS. DALEY'S home. Photos of the applicant and MS. DALEY'S home were shown. CHAIRMAN TRUESDELL stressed that this type of discussion is what should take place prior to the Planning Commission meeting. Due to the extensive agenda, he then suggested trailing the item so a discussion could take place between the parties involved or hold the item in abeyance. MS.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 61 – VAR-5637

MINUTES – Continued:

STONE requested that the Commission vote on the item, as it would be a hardship for the applicant to come back regarding this item. DEPUTY CITY ATTORNEY SCOTT recommended trailing the item. CHAIRMAN TRUESDELL concurred. MS. STONE suggested having an attorney present should the parties involved discuss the item. COMMISSIONER McSWAIN suggested a member of staff be present during their discussion.

After trailing the item, a brief discussion took place. MR. LEVEE informed the Commission that suggestions were made, at staff's recommendation, such as placing a solid wall on MS. DALEY'S side to maintain her privacy. MS. DALEY still opposed the proposed balcony.

COMMISSIONER DAVENPORT stated that the proposed request was reasonable and felt that MS. DALEY'S privacy would not be intruded upon. COMMISSIONER STEINMAN stated that the proposed room addition is not invasive because the setback is an existing one, and the main issue was having the balcony on top. NICOLE EDISON, applicant's daughter, 1505 Ten Palms Court, confirmed for COMMISSIONER STEINMAN that the more important desire is having the room addition. The applicant (MS. EDISON) and MS. DALEY agreed to have the room addition without the balcony.

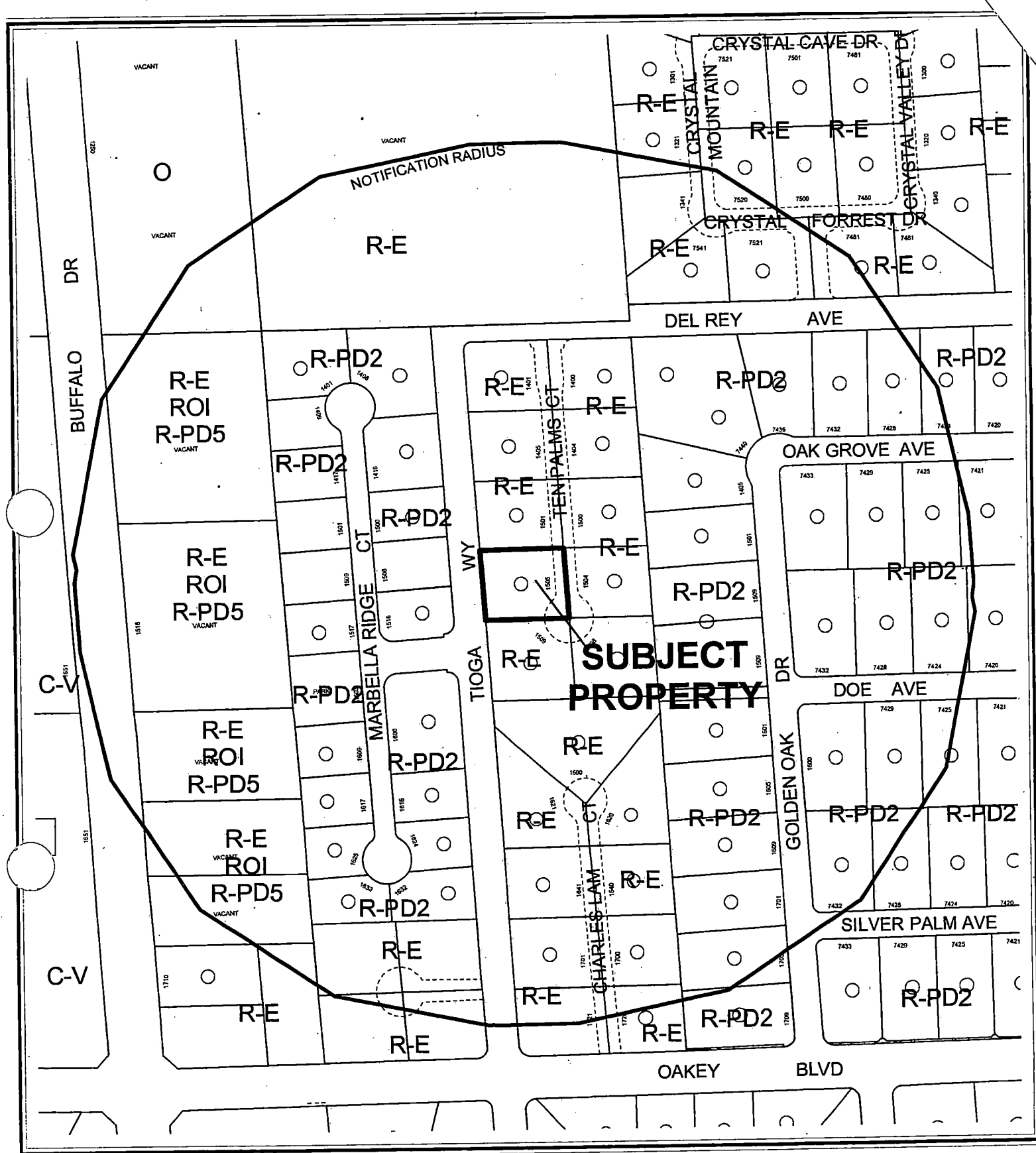
MARGO WHEELER, Planning and Development, confirmed that the approval is for the enclosure of the patio cover with no exterior balcony.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:31 – 9:42)/ (10:02 – 10:06)
3-520/3-1600

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance V-0097-94.
2. This Variance 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.

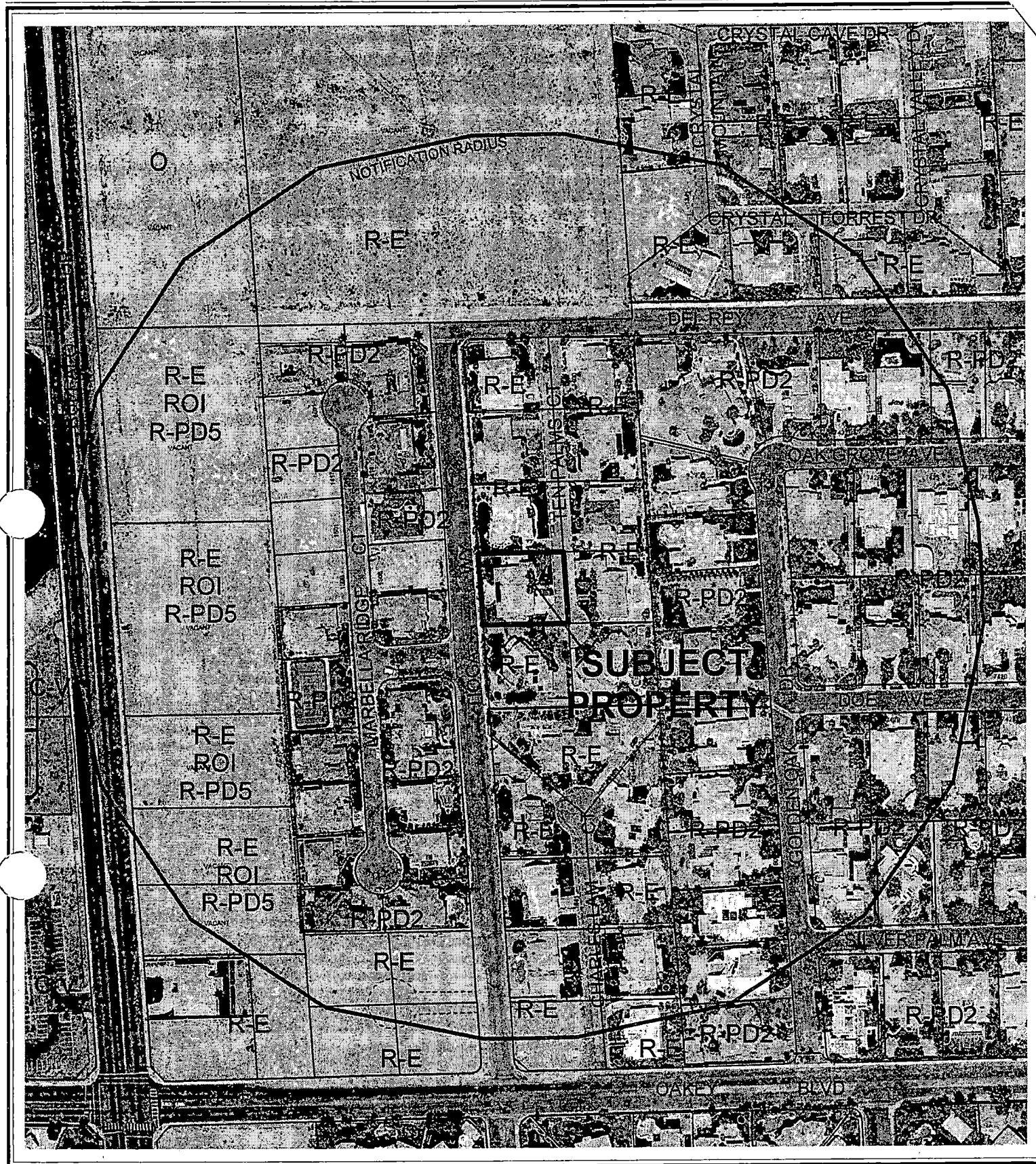


CASE: VAR-5637

RADIUS: 750 FT

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





CASE: **VAR-5637**

RADIUS: 750 FT

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

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5637 - APPLICANT/OWNER: SHERLEE EDISON

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance V-0097-94.
2. This Variance 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance application to allow a 30-foot rear yard setback where 35 feet is the minimum required to enclose a portion of an existing patio cover and to construct a balcony on 0.46 acres at 1505 Ten Palms Court.

B) Applicant's Justification

The applicant has justified this request by stating: "Having lost my husband last year, this improvement is not a want, but a need as my daughter has returned to live with me. The neighbor on the south side of the proposed addition, a member of the neighborhood's Architectural Review Committee, has approved the project. This addition would maintain the status of our current Variance (V-97-94) of a 30-foot rear yard setback where 35 feet is the minimum required. The rear property line backs onto the street, therefore there is no rear neighbor."

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a petition for Annexation (A-0009-85) of 1,509.3 acres of property. Effective date: 03/29/86
- 11/23/98 The City Council approved a request to Amend (GPA-0027-98) a portion of the Southwest Sector of the General Plan on properties bounded by Holmby Channel, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive, from: R (Rural Density Residential) to: DR (Desert Rural Density Residential). Staff recommended approval.
- 07/26/94 The Board of Zoning Adjustment approved a request for a Variance (V-0097-94) to allow a proposed patio cover 30 feet from the rear property line where 38.5 feet is the minimum required.

B) Pre-Application Meeting

11/10/04 The basic submittal requirements for a Variance were discussed at the meeting.

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: 0.46

B) Existing Land Use

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

C) Planned Land Use

Subject Property: DR (Desert Rural Density Residential)
North: DR (Desert Rural Density Residential)
South: DR (Desert Rural Density Residential)
East: DR (Desert Rural Density Residential)
West: DR (Desert Rural Density Residential)

D) Existing Zoning

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

E) General Plan Compliance

The site is designated as DR (Desert Rural Density Residential) on the Southwest Sector Map of the General Plan. The DR (Desert Rural Density Residential) land use category allows a maximum of two dwelling units per gross acre. The proposed 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

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	20,000 Square Feet	19,945 Square Feet	N
Min. Lot Width	100 Feet	130 Feet	Y/N
Min. Setbacks			
• Front	50 Feet	30	N
• Side	10 Feet	11	Y
• Corner	15 Feet	N/A	N/A
• Rear	35 Feet	30	N
Max. Building Height	2 Stories / 35 Feet	1 Story	Y/N

The proposal needs a Variance from the R-E (Residence Estates) rear yard setback requirement. The subject deviation is five feet.

B) General Analysis and Discussion

The Variance (V-0097-94) granted to the previous owners of this property was approved by the Board of Zoning Adjustment based on a dimensional hardship. "A portion of the front property line is located on a cul-de-sac bulb, resulting in a reduced rear yard area and making it difficult to meet the R-E (Residence Estates) set back requirements." This hardship would have deprived the owner of reasonable use of the property (addition of a west-facing patio cover to protect the residence from the harsh afternoon sun) that surrounding owners are otherwise able to enjoy.

The subject Variance request seeks to enclose a portion of the existing patio cover, which itself was made possible through a Variance. A rationale for granting the patio cover Variance was to allow for protection from the sun. The subject Variance and resulting room addition would invalidate the function of the patio cover, and possibly trigger a request for another Variance, which would be a rear yard setback reduction for a patio cover to protect the newly enclosed patio cover.

Also, there appears to be a discrepancy between the applicant's justification (daughter moving in), and the room addition's use on the proposed plan submitted on 11/18/04 (game room). This residence has in excess of 5,000 square feet of living space. Clearly, the applicant can house a game room and/or a daughter within the confines of the existing residence.

FINDINGS

This Variance request is intended solely for the convenience or financial benefit of the property owner; 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 compliance with Title 19 building setback requirements. 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

6

NOTICES MAILED 0

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Sherlee Edison

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: J. Edison

Print Name: Sherlee Edison

Subscribed and sworn before me

This 12th day of November, 2004

Pamela D. Kelly
Notary Public in and for said County and State



**Sherlee Edison
1505 Ten Palms Ct.
Las Vegas, NV 89117
(702) 228-0158**

November 10, 2004

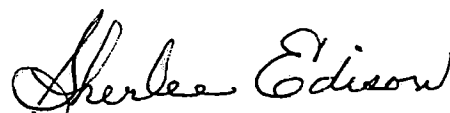
City of Las Vegas
Planning & Development Dept.
731 S. Fourth Street
Las Vegas, NV 89101

To Whom It May Concern:

Please grant my request to enclose a portion of my existing patio cover. Having lost my husband on New Years Eve of last year, this improvement is not a want, but a need as my daughter has returned to live with me.

The neighbor that lives on the South side of the proposed addition is a member of the Architectural Review Committee and has already approved the project (see attached letter from neighbor). We will not be encroaching on the side set back (see plan), or the existing rear setback of the house and would like to maintain the status of our current variance (V-97-94) of 30' where 35' is required. The rear property line backs onto the street, therefore there is no rear neighbor. All of the improvements will be constructed using the same materials as those used in the existing house and throughout the community, thereby conforming to the area.

I sincerely thank you in advance for granting my request.

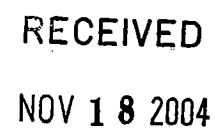

Sherlee Edison

Enclosure

Se/pdn

VAR-5437

Sherlee J. Edison
1505 Ten Palms Court
Las Vegas, NV 89117
228-0158



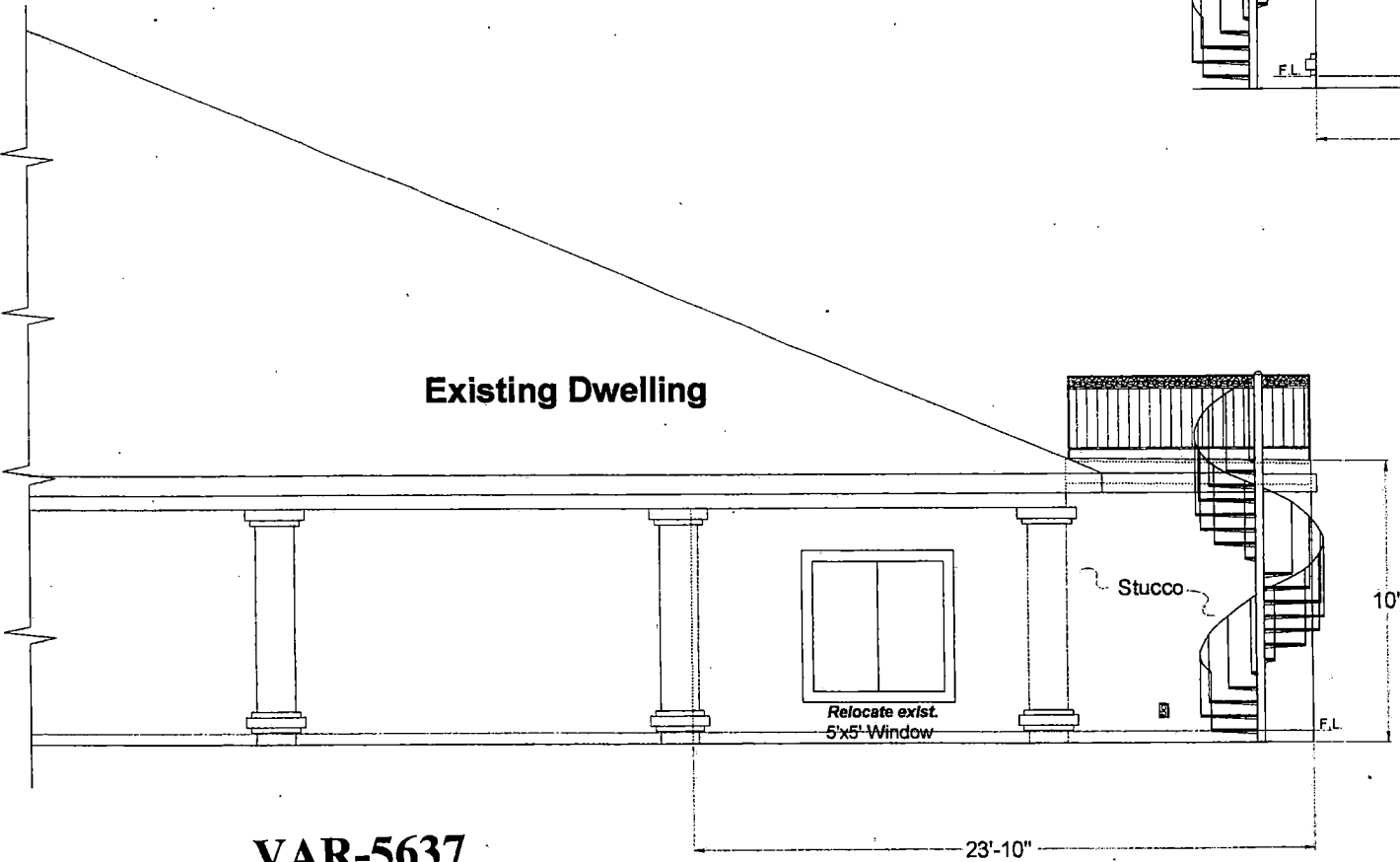
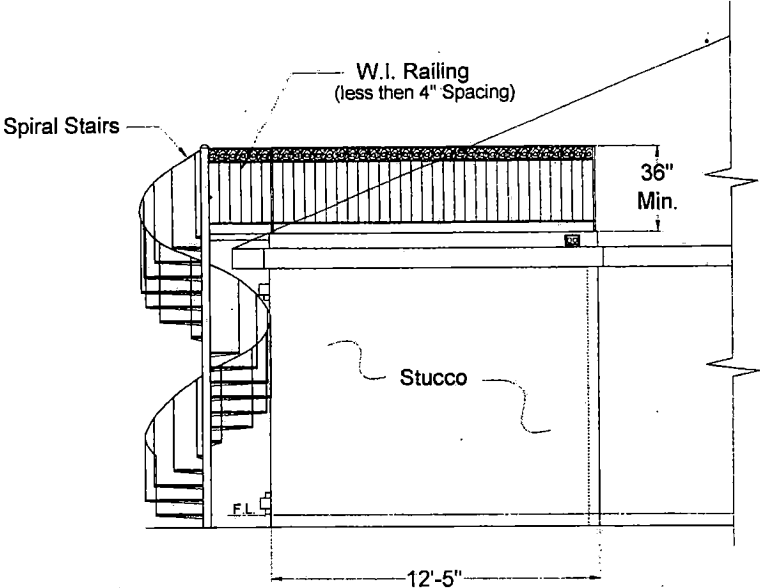
by
McGraw-Hill Construction Co., L.L.C.
Lic. #3985

Elevations

Sherlee J. Edison
1505 Ten Palms Court
Las Vegas, NV 89117

228-0158

Note: All material (i.e. Stucco texture, Paint color) to match existing
Railing and Spial Stairs - color WHITE



VAR-5637
01-13-05 PC

RECEIVED
NOV 18 2004

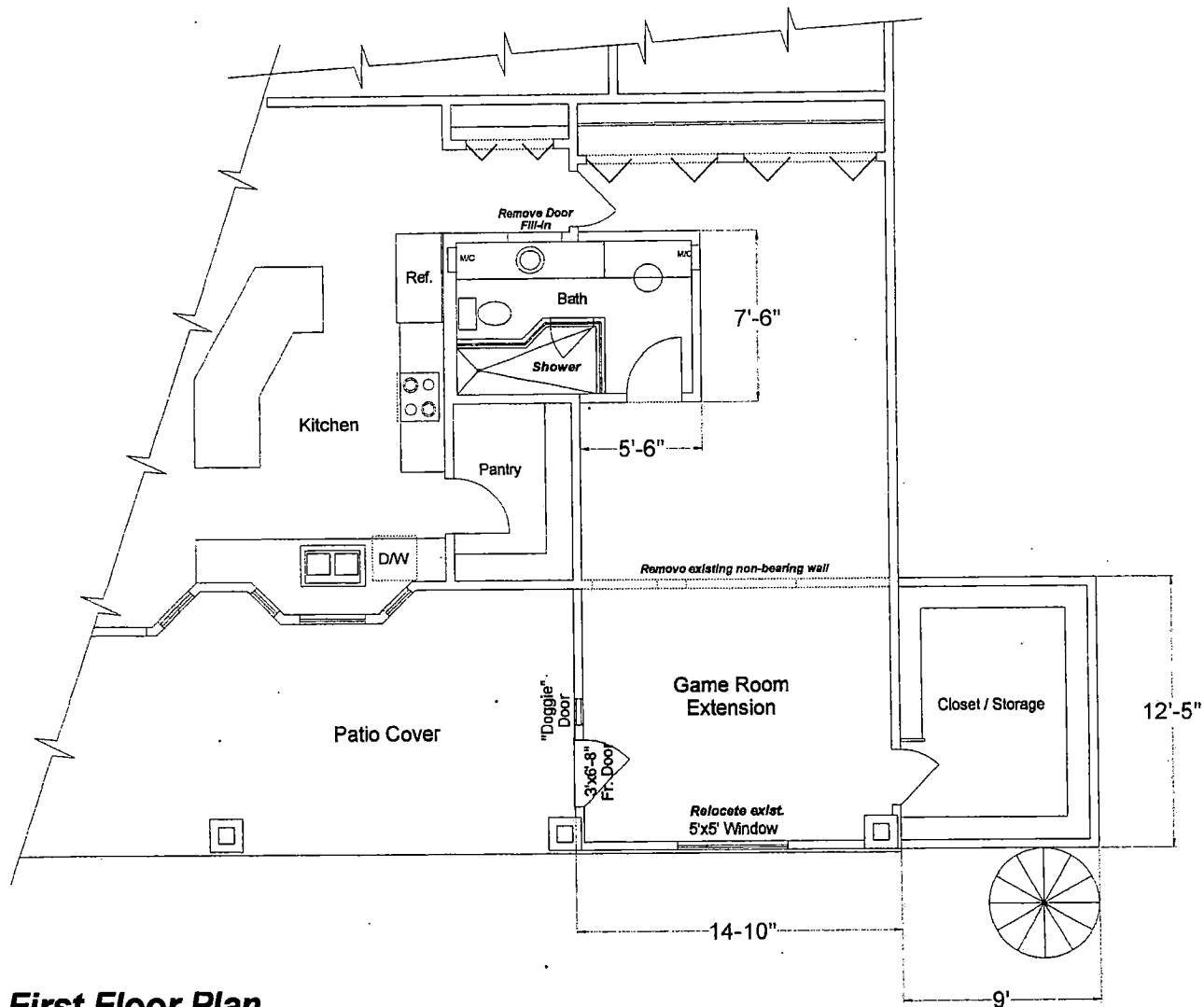
by
Reliabuilt
Construction Co., L.L.C. ©
Lic. #39858

Proposed Plan

Sherlee J. Edison

1505 Ten Palms Court
Las Vegas, NV 89117

228-0158



First Floor Plan

RECEIVED

NOV 18 2004

**VAR-5637
01-13-05 PC**

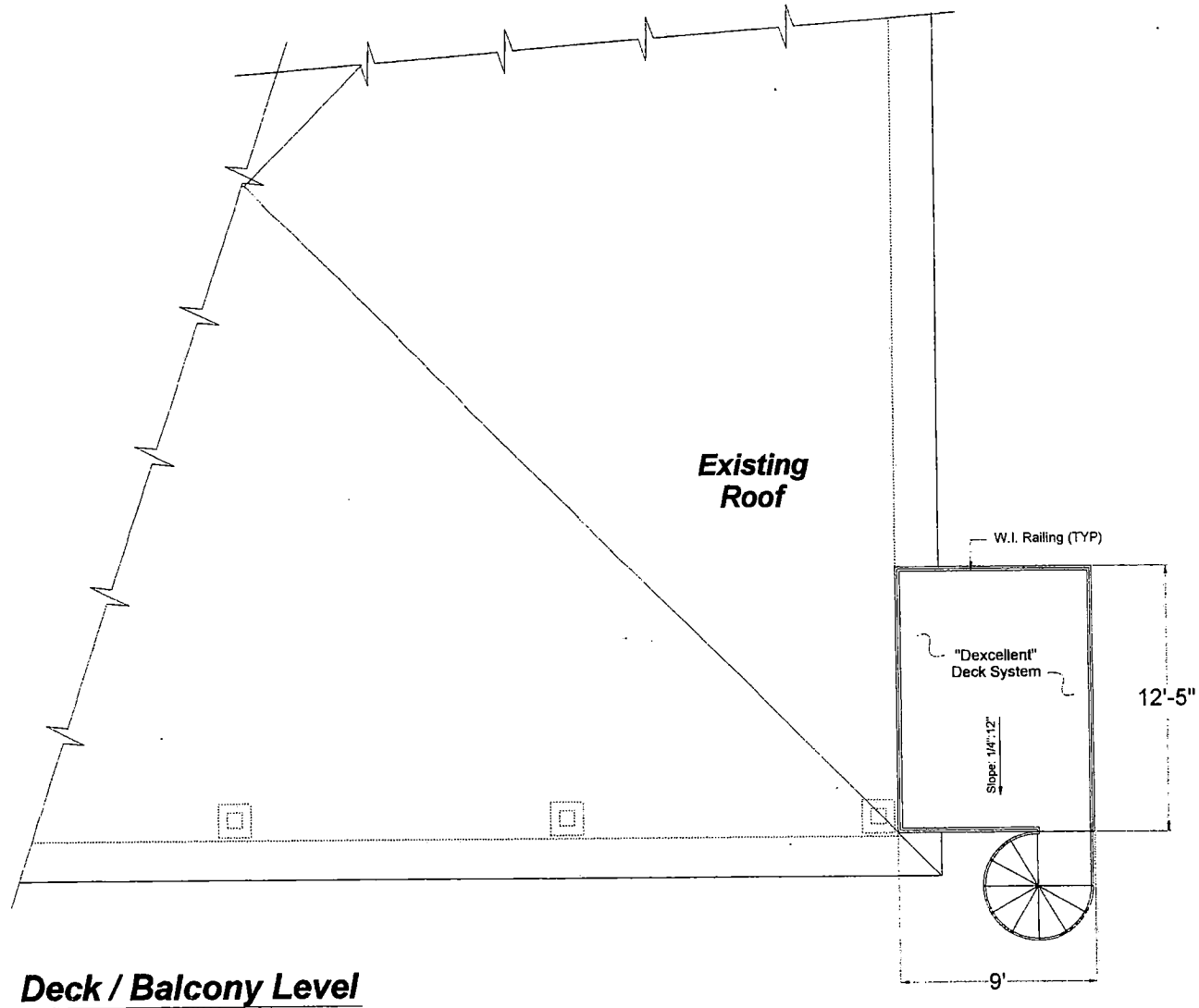
by

Reliabuild
Construction Co., L.L.C. ©
Lic. #39858

Proposed Plan

Sherlee J. Edison
1505 Ten Palms Court
Las Vegas, NV 89117

228-0158



RECEIVED

NOV 18 2004

VAR-5637
01-13-05 PC

by
Reliable
Construction Co., L.L.C. ©
Lic. #39858

Jay and Carolyn Stone
1509 Ten Palms Ct.
Las Vegas, NV 89117

Date 01-13-05 Item #61 (20)

Mrs. Sherlee Edison
 1505 Ten Palms Ct.
 Las Vegas, NV 89117

January 11, 2005

Dear Sherlee,

Thank you for requesting our approval of your proposed addition several weeks ago. We know that you are requesting a variance (VAR-5637) at the City of Las Vegas Planning Commission meeting on January 13. As we have discussed, Jay and I are satisfied with your proposed addition, including its location on the side of your rear yard closest to our home. In fact, we are the closest property to the addition, with the south side located 10 feet from our shared side property line. I do not know of any reason why your addition would be detrimental to our property value or how it would adversely affect us in any other way. Please let the Planning Commission know we approve your variance request. Furthermore, neighbors of ours on Ten Palms Ct. who agree to allow this variance as well have signed below.

Sincerely,

1) Carolyn Stone
 Carolyn Stone

2) Julie Longley
 Julie Longley (1400 Ten Palms Ct)

3) Kathleen Madigan
 KATHLEEN MADIGAN (1504 TEN PALMS CT.)
 William Madigan (1504 TEN PALMS CT.)

4) Joyce Bruk & Ben Bruk
 JOYCE BRUK Ben Bruk
 1508 TEN PALMS CT.

5) Shirley Broughton
 1405 Ten Palms Ct
 Broughton

6) Thomas P. Garrett
 THOMAS P. GARRETT
 Torina Garrett (Torina Garrett)
 1500 Ten Palms Court

7) Barbara Olson
 Barbara Olson
 1404 Ten Palms Ct.

8) Patricia Danelius
 PATRICIA DANIELIUS
 1401 TEN PALMS CT

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5665 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: FRANK REAGAN - Request for a Variance TO ALLOW A PROPOSED SIX-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED FOR A ROOM ADDITION on 0.36 acres at 3622 Mooncrest Circle (APN 138-09-614-015), R-D (Single Family Residential- Restricted) Zone, Ward 4 (Brown).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to condition – Motion carried with EVANS and STEINMAN voting NO

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

FLINN FAGG, Planning and Development, stated that the criteria for granting a Variance has not been met, as staff recommended denial.

FRANK REAGAN, 3622 Mooncrest Circle, informed CHAIRMAN TRUESDELL that he did not receive staff's conditions. CHAIRMAN TRUESDELL read the sole condition for MR. REAGAN. MR. REAGAN concurred with the condition.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 62 – VAR-5665

MINUTES – Continued:

COMMISSIONER STEINMAN pointed out that this home sits on five feet above Gowan Road and expressed concern that the extra space along the side of the house could be a parking space for a RV and other paraphernalia. The proposed room addition will appear to be a huge box up in the air alongside Gowan Road. He felt that this room addition would not blend well due to the height of the lot, as the slab of the applicant's home sits much higher than Gowan Road. MR. REAGAN responded that his home is a two-story structure with a balcony. The elevation would be the same height. COMMISSIONER STEINMAN added that MR. REAGAN'S home has proper setbacks and felt that the request was an extreme variance for the setback to place this room addition. The room addition would be more visible than the existing home. MR. REAGAN pointed out that his home is already more visible because of the height of the property. However, the design of the proposed room addition would be consistent with the existing structure. COMMISSIONER STEINMAN understood MR. REAGAN'S request but reiterated that it still would not blend with the setbacks.

COMMISSIONER McSWAIN stated she would support the application, as the proposed setback is only for the corner and not the entire length of the property.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:42 – 9:46)

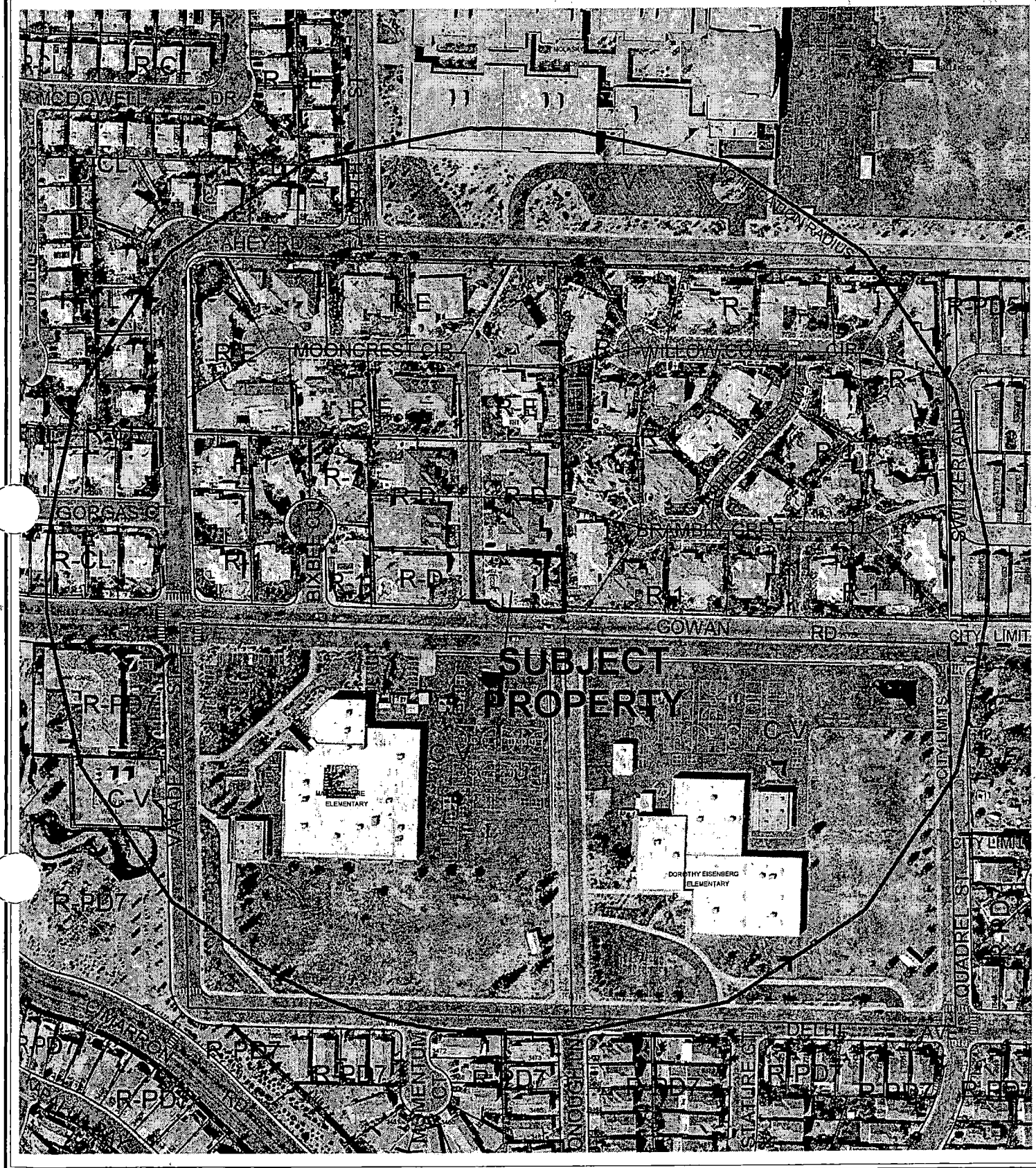
3-865

CONDITIONS:

Planning and Development

1. This Variance 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.





CASE: **VAR-5665**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-D (SINGLE FAMILY RESIDENTIAL - RESTRICTED)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5665 - APPLICANT/OWNER: FRANK REAGAN

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If Approved, subject to:

Planning and Development

- ☐ 1. This Variance 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.
- ☐

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a six-foot corner side yard setback where 15 feet is required on 0.36 acres at 3622 Mooncrest Circle.

B) Applicant's Justification

The applicant is asking for an additional nine-foot corner side yard Variance, to provide for a room addition. The purpose of the room addition will be to accommodate the applicant's grandmother-in-law, who is in failing health and in need of assistance with her daily tasks and finances. The current residence does not have a bedroom/bath downstairs.

The side yard in question is not next to any other residence, and the property line borders Gowan Road.

BACKGROUND INFORMATION

A) Previous Actions

09/20/95 City Council approved a petition for Annexation of 7.9 acres of property to the City. Effective date: 09/30/95. Planning Commission and staff recommended approval.

B) Pre-Application Meeting

11/16/04 A pre-application conference was held resulting in the following comments:

1. Photos will suffice in lieu of building elevations.
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: 0.36 acres

B) Existing Land Use

Subject Property: Single Family Residential
North: Single Family Residential
South: School, Park, Open Space
East: Single Family Residential
West: Single Family Residential

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: L (Low Density Residential)
South: PF (Public Facilities)
East: L (Low Density Residential)
West: L (Low Density Residential)

D) Existing Zoning

Subject Property: R-D (Single Family Residential – Restricted)
North: R-D (Single Family Residential – Restricted)
South: C-V (Civic)
East: R-D (Single Family Residential – Restricted)
West: R-D (Single Family Residential – Restricted)

E) General Plan Compliance

The site of the proposed Variance is designated as L (Low Density Residential) on the Centennial Hills Sector Map of the General Plan. The L (Low Density Residential) land use category allows 3.6 to 5.5 units/gross acre. The 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 within any special plan, district or neighborhood.

VAR-5665 - Staff Report Page Three
January 13, 2005 - Planning Commission Meeting

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards for the R-D (Single Family Residential – Restricted) zone apply to the subject proposal:

Standards	Required	Requested	Compliance
Min. Lot Size	11,000 SF	15,677 SF	Y
Min. Lot Width	90 Feet	100 Feet	Y/N
Min. Setbacks			
• Front	25 Feet	25 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner Side Yard	15 Feet	6 Feet	N
• Rear	30 Feet	38 Feet	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories / 35 Feet	Y

The proposal needs Variance from the Corner Side Yard requirement. The subject deviation is nine feet.

B) General Analysis and Discussion

While the personal circumstances surrounding this Variance request are a genuine concern for anyone caring for an elderly family member, the City cannot provide relief through a Variance. Variances are granted to property owners whose property has some physical attribute that precludes the usual development or use of the property.

Also, this Variance would be a permanent solution to a transitory personal hardship. This residence consists of over 4,000 square feet of living space. Certainly the applicant can devise a creative solution in rearranging living space to accommodate this need.

FINDINGS

This Variance request is intended solely for the convenience or financial benefit of the property owner; 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 compliance with Title 19 setback requirements. 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

8

NOTICES MAILED 76

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5665 APN: 138-09-614-015

Name of Property Owner: FRANK AND DEANNA REAGAN

Name of Applicant: FRANK REAGAN

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: _____

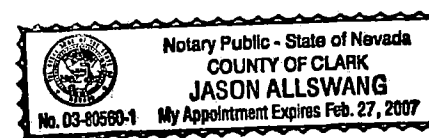
Signature of Property Owner/Authorized Agent: _____

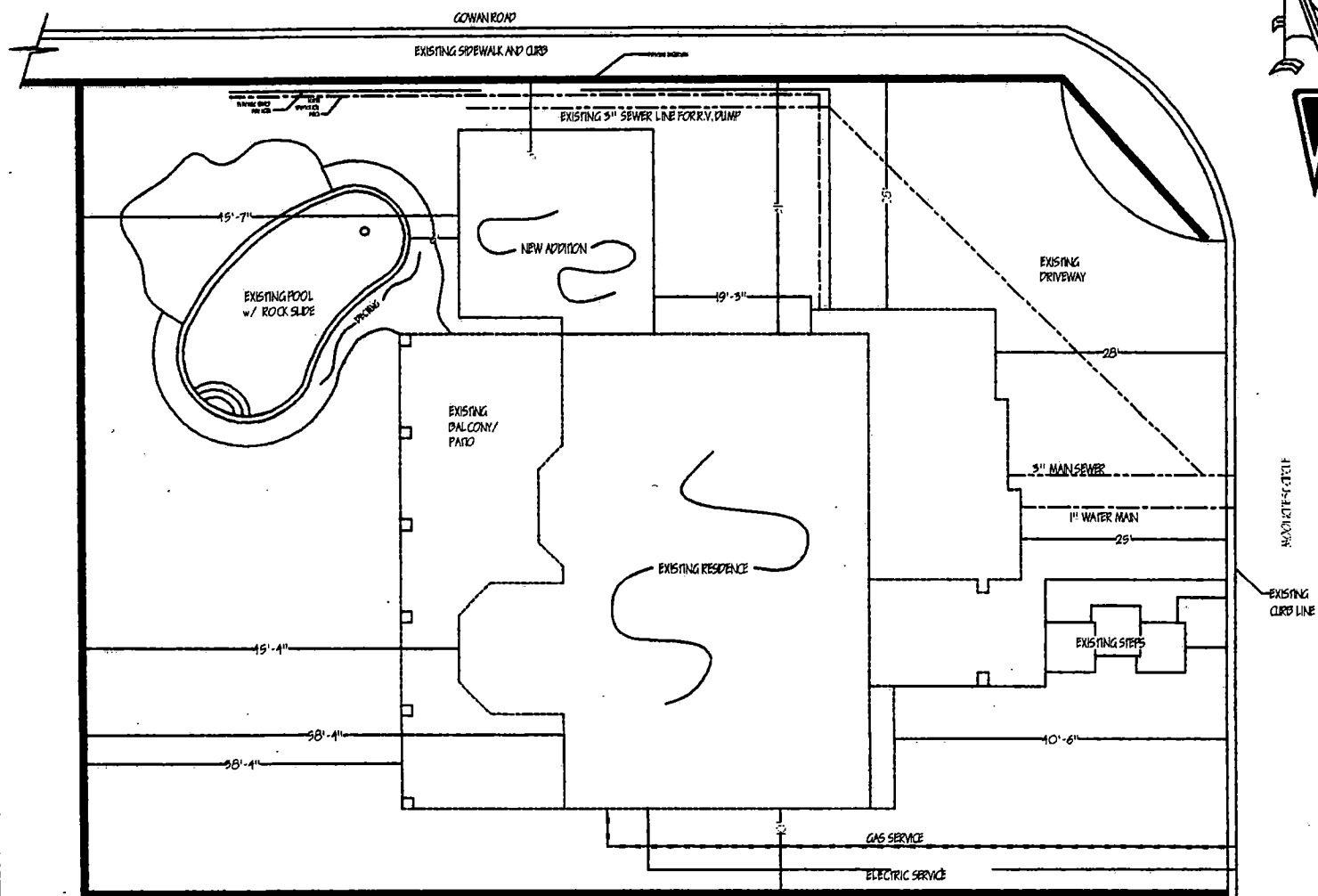
Print Name: FRANK KEADAN

Subscribed and sworn before me

This 24th day of November, 2004

Notary Public in and for said County and State





LOT 19 OF MOONSHADOW
ESTATES AS SHOWN BY MAP
THERE OF ON FILE IN BOOK 61
OF PLATS PAGE 54 IN THE
OFFICE OF THE
CLARK COUNTY RECORDERS
OFFICE.

PARCEL # 198-09-64-019
DISTRICT # 200

No.	Building/Room	Date

See Also and Other

REAGAN RESIDENCE
ROOM ADDITION
3622 MOONCREST CR.

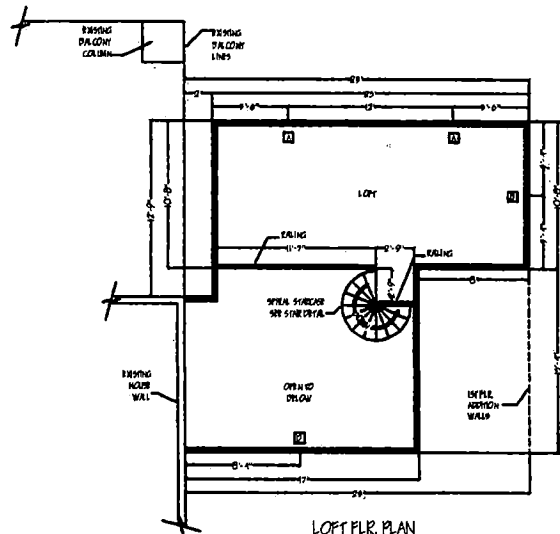
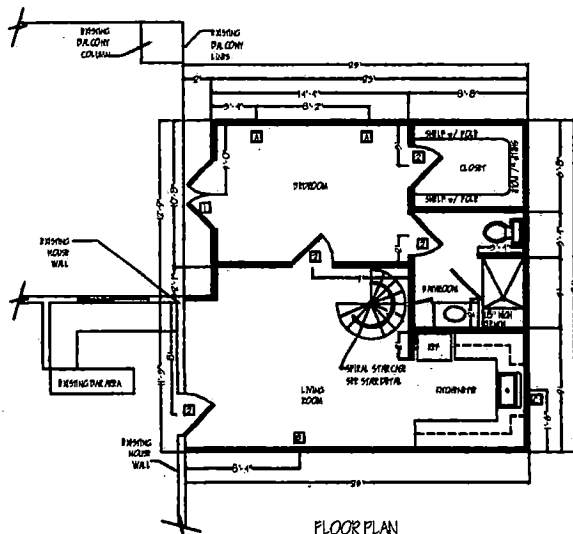
10/20/04
3/16/11-1'0"

SITE PLAN

VAR-5665
01-13-05 PC

NO.	NAME	SUB	TYPE	CONTR.	QTY
11	OWNER SPEC	WOOD	FRONT	5'2" x 10'	1
12	OWNER SPEC	WOOD	6' x 10' H.C.	5'2" x 10'	4

NO.	NAME	SUB	TYPE	CONTR.	QTY
13	OWNER SPEC	WOOD	SHED, HING.	5'0" x 10'	4
14	OWNER SPEC	WOOD	SLIDE	6'0" x 10'	2
15	OWNER SPEC	WOOD	SLIDE	5'0" x 10'	1
16	OWNER SPEC	WOOD	HALL, HING.	6'0" x 10'	1



VAR-5665
01-13-05 PC

General Notes

PART - FOR MANUFACTURE OF ROOFING, WALL, FLOOR, ROOF, TRUSS, JOIST, AND CONNECTIONS TO BE SPECIFIED FOR EACH LOAD, IMPACT, OR VIBRATION SHALL BE STAMPED BY A PROFESSIONAL ENGINEER. EXCEPTED IN THE CASE OF A WALL, JOIST, AND CONNECTIONS FOR THE SUPPORT OF THE TRUSS.

WALL FINISHES USE LDC (1) 20 N D FOR SUPPORT OF A ROOF, FLOOR AND TRUSS. 10'0" LDC 2.4 DFL. 10'0" SPS 10'0" LDC FOR ALL WALLS.

ALL PERSON WINDOWS TO BE MIN 44" OF POWER FLOOR.

PROVIDE 6" x 8" RETAIL WITH TRUSS FORM THE TRUSS.

PROVIDE 6" x 8" RET. OF. POWER FLOOR AL 8' HINGED AND SHOWN.

VENT ALL DOWNSTAIRS TO DOWNSTAIRS VENT WITH POWER.

SUCCO TO BE 1' LOW SYSTEM OVER 10'0" 1" FORM. OVER 10'0" FIVE.

ALL FINISHES (FLOORING, PAINTS AND STONE) TO BE SPECIFIED BY OWNER.

NO.	REVISION/DATE	DATE
1		

REAGAN RESIDENCE
ROOM ADDITION
3622 MOONCREST CR.

10/20/04	1/4" = 1'-0"

CONC. ROOF-ALL
TO MATCH EXISTING
ROOF TERRACE
1975

SPACE TO MATCH
EXISTING

LOBBY AREA

SPACE TO MATCH
EXISTING

1975

VAR-5665
01-13-05 PC

PARTY - THE NAME ACTUALLY BEING STUDENT NAME SHALL DESIGN BEG THESE MARKINGS, LETTERS AND CONSIDERATIONS TO THE STUDENT FOR THE LOSS INDICATED, THE STUDENT SHALL BE STAMPED BY A PROFESSIONAL INSTITUTE REGISTERED IN THE STATE OF NEVADA, SEE ARCHITECTURAL DRAWINGS FOR THE SHAPES OF THE STUDENT.

WALL FRAMING USE LDC TABLE 25 NFD FOR
SUPPORT OF ADO. FLOOR AND CEILING-100"
USE: 2x4 @ 16" o.c. 9' 9" o.c. 10" o.c. FOR ALL WALLS.

ALL STEEL DOOR WINDOWS TO BE WITHIN 41" OF
FINISHED FLOOR.

FEEDER 9/8" DIA. L. WITH TIE ROD FINISH THROUGHOUT.

PROVIDE 5/8" W.P. GYF. DOWEL AROUND ALL
PARTS AND JOINTS.

VENTILATION PAID TO OUTSIDE AIR THROUGH
VENTILATION SYSTEM

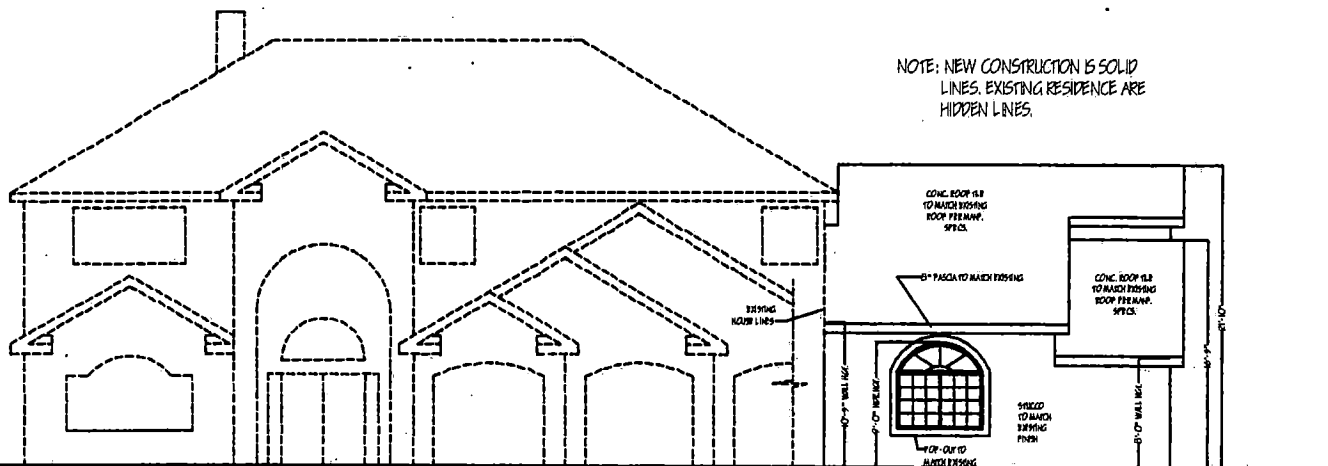
2-55000 TO DR 1 COMAT SYSTEM OVER WBS, OVER
IN 20 MIN. OVER 1000000

ALL PHOTOS (FLOODING, RENTS AND SOILED) TO
BE DELETED BY 10/1/82

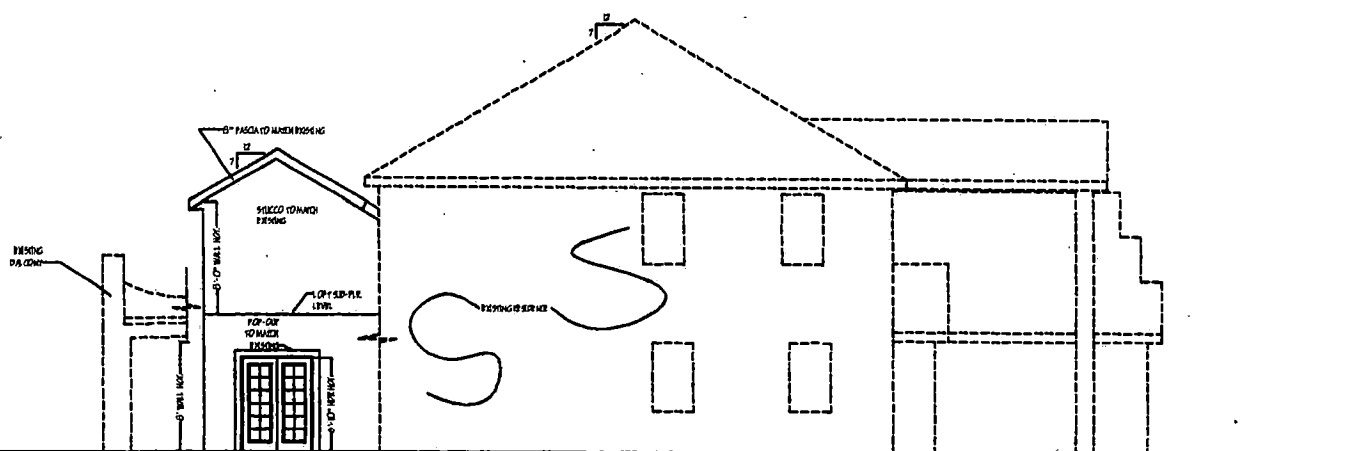
No.	Signature/Name	Date

REAGAN RESIDENCE
ROOM ADDITION
3622 MOONCREST CR.

TO/20/04
1/4"-1"0"



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



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

NOTE: NEW CONSTRUCTION IS SOLID
LINES. EXISTING RESIDENCE ARE
HIDDEN LINES.

General Notes

PART - PERMANENTLY SET ROOF DRAINAGE,
SHALL BE INSTALLED WITH ROOF DRAINAGE,
AND CONNECTIONS TO THE STRUCTURE FOR THE ROOF
DRAINAGE, OR (OTHERWISE) SHALL BE
SCREWED BY A PROFESSIONAL ENGINEER
EXEMPTED IN THE STATE OF ARIZONA, OR
ANOTHER STATE, PERMANENTLY SET ROOF OF
THE HOUSE.

WALL FINISHING USE LDC TABLE 2.1 FOR
SUPPORT OF A ROOF FLOOR AND CEILING TO 10"

USE: 2.1 FOR 10" STEPS 8" FOR ALL WALLS.

ALL EXISTING WINDOWS TO BE WITHIN 4" OF
FINISHED FLOOR.

FINISH 8" 8" DETAIL WITH FINISH FLOOR
FINISHING.

FINISH 8" 8" DETAIL WITH FINISH FLOOR
FINISHING.

VENT ALL EXISTING FANS TO OUTSIDE AIR SHOWN
VENT WITH FINISHING.

SHOULD TO BE 1 COAT SYSTEM OVER, OVER
1" FLOOR, OVER FINISH FLOOR.

ALL FINISHES (FLOORING, PAINTS AND STONE) TO
BE SPECIFIED BY OWNER.

Rev.	Description/Change	Date

Draw Name and Address

REAGAN RESIDENCE
ROOM ADDITION
3622 MOONCREST CR.

Date
10/20/04
1/4" = 1'-0"

VAR-5665
01-13-05 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5668 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GLISS-FOOTE, L.L.C. - Request for a Variance TO ALLOW 21 PARKING SPACES WHERE 26 SPACES ARE REQUIRED FOR A PROPOSED COMMERCIAL DEVELOPMENT ON 0.48 acres at 9196 West Cheyenne Avenue (APN 138-08-401-030), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

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

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Letter of Support (2) – Wayne Bullaro and Cynthia Greenway

MOTION:

NIGRO – APPROVED subject to conditions and adding the following condition:

- The island along Fort Apache Road shall be extended based upon the recommendation of the Traffic Engineer.

– UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

FLINN FAGG, Planning and Development, stated that there is an existing retail building on the site. The applicant is requesting to place a restaurant into this building, but it would not meet parking requirements. Therefore, the criteria for granting a Variance have not been met, as staff recommended denial.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 63 – VAR-5668

MINUTES – Continued:

GREG GLISS-MEYER, appeared on behalf of Gliss-Foot, LLC, Nevada, and stated that the request is to place a Subway restaurant in the existing 3,675 square foot retail center. The other tenants in the center are Cheyenne Cleaners and It Figures (a fitness center). MR. GLISS-MEYER stated that the subdivision was approved when the property was in the municipality of Clark County. The other two existing businesses were approved then and benefited from a lenient parking requirement. He added that the City has a code for restaurants that delineate restaurants into two categories: fast food and all others. The proposed restaurant's peak hours would be lunchtime, and 80% of the business would be take-out. As a result, there is a low demand on the parking stalls. The other two tenants also have a low demand, with ratios of 1 per 250 and 1 per 200. He added that his business partner, KEN FOOTE, attended a recent neighborhood meeting regarding this application. Fifty members were present, including COUNCILMAN LARRY BROWN. It was their understanding that those present were in support of this variance. MR. GLISS-MEYER submitted letters of support from Cheyenne Cleaners and It Figures.

COMMISSIONER STEINMAN stated that the recent neighborhood meeting was COUNCILMAN LARRY BROWN'S regular Town Hall meeting, and he, too, was present. He pointed out that the meeting was not a formal meeting relative to this application. COMMISSIONER STEINMAN emphasized that this area has a lot of through traffic and his concern was the divider in the middle of Fort Apache Road. The divider goes down beyond the front of the new buildings, so individuals going south on Fort Apache Road pull into a center lane and wait for the opportunity to dash into this lot with oncoming traffic. For the record, he felt that this is a hazard and needed to be addressed by Public Works or the appropriate department. He suggested cutting the divider and allow individuals to legally turn into this lot or extend the divider northward on Fort Apache so no one can come across avoiding a possible head-on collision. He could not support the application with the divider as it is.

COMMISSIONER GOYNES also noted that there is a bus layover point around the corner. MR. GLISS-MEYER informed COMMISSIONER McSWAIN that Timber's is not the property owner. She then asked if Traffic Division could impose a requirement to mitigate this hazard. KEN FOOTE, Gliss-Foote, LLC, agreed with COMMISSIONER STEINMAN'S comments; however, he felt that the existing hazard should be addressed by the City or Traffic Division. COMMISSIONER STEINMAN emphasized that the situation would be even tougher by having the proposed development on the lot, as the customers would now be backing out while others are trying to dash into this with the oncoming traffic.

CHAIRMAN TRUESELL pointed out to MR. FOOTE that his proposed development is part of the subdivision with cross easements with the two neighbors. MR. GLISS-MEYER clarified that the cross easements are for ingress/egress only and not for parking. CHAIRMAN TRUESELL

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 63 – VAR-5668

MINUTES – Continued:

responded that if this is a hazard, he did not feel that the applicant's proposal would make it worse. However, he pointed out that the applicant is the one asking for the waiver. He felt that if a condition were imposed upon the applicant to do their part regarding safety, it would not be a significant hardship for the applicant to comply. MR. GLISS-MEYER stated that should a condition be imposed, they would comply. VICE CHAIRMAN NIGRO asked if there was a Public Works condition that would satisfy this safety hazard. DAVID GUERRA, Public Works, responded that in such cases as this divider where the driveway is limited from right in/right out, the island should be approximately 25 feet away from the north edge of the driveway. From a traffic engineering perspective, individuals making this illegal turn is a problem that should be brought to Metro's attention. When Transportation Division designs roads, it is not assumed that individuals will break the law; an officer should patrol this area and citations should be given when the law is broken. Should the Commission prefer to impose the condition, MR. GUERRA suggested having one that leaves the discretion to the Traffic Engineer whether or not the island/divider is extended.

VICE CHAIRMAN NIGRO added that the applicant should be required to work with staff prior to City Council in determining that would satisfy the concerns stated. MR. GUERRA responded that this application is Final Action. MR. GLISS-MEYER commented that they prefer to see the divider shortened than extended. COMMISSIONER STEINMAN responded that realistically there probably would not be enough support from Metro to monitor this situation and stop it from reoccurring. Concerned that they would misrepresent Traffic Engineer Division, VICE CHAIRMAN NIGRO and DEPUTY CITY ATTORNEY SCOTT both agreed with MR. GUERRA'S comments in leaving the discretion up to Traffic Engineering being that they have the expertise in this area. COMMISSIONER STEINMAN concluded that he would like the condition to stipulate that this problem would be looked at. MR. GUERRA confirmed with the Commission that the condition would include the island along Fort Apache Road be extended at a length based upon the Traffic Engineer. The applicant concurred.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:46 – 10:02)

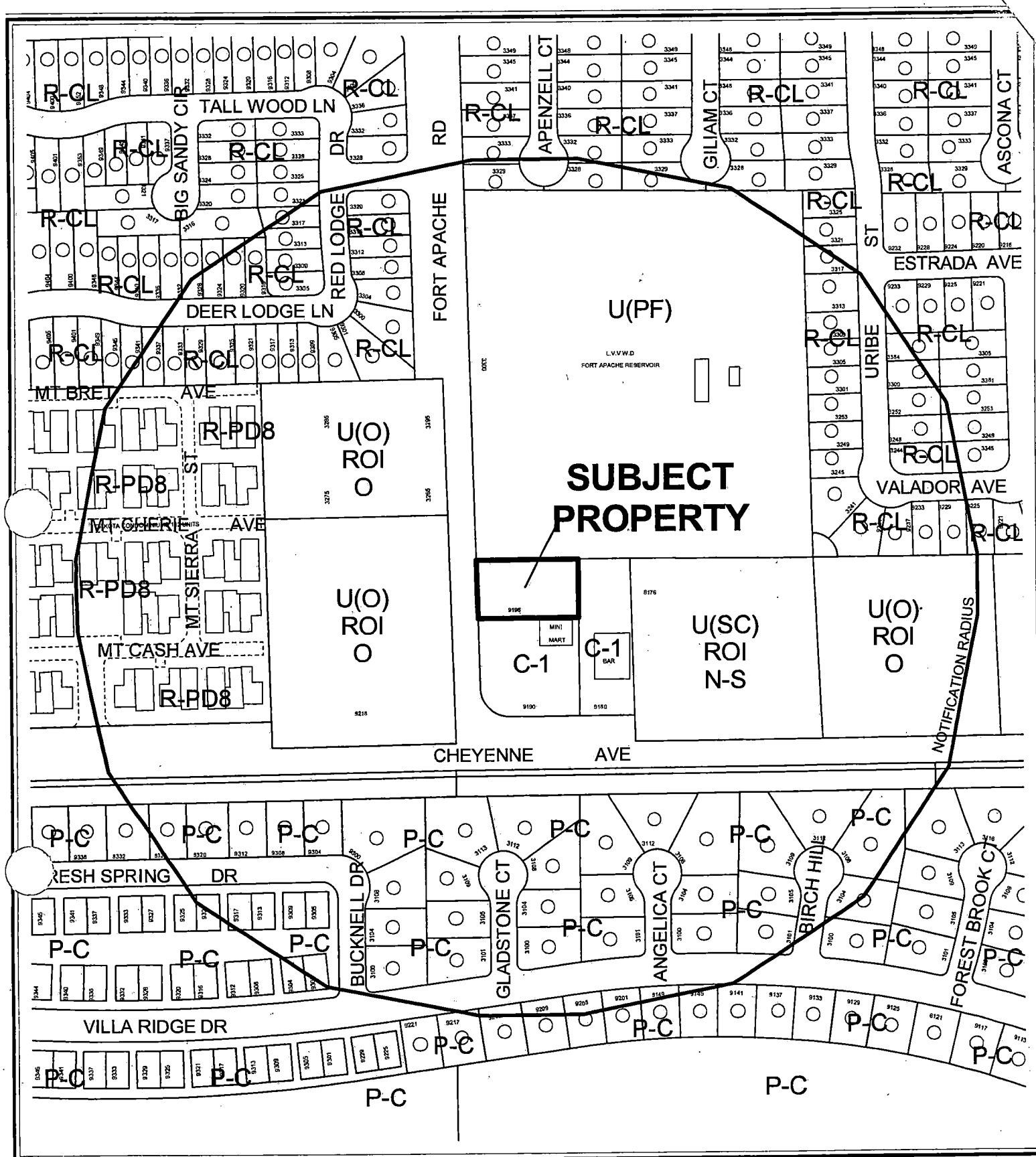
3-1009

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 63 – VAR-5668

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.
2. Acquire all necessary permits from the Department of Building and Safety.
3. Conformance to the Conditions of Approval for Site Development Plan Review SDR-2177.



CASE: **VAR-5668**

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5668 - APPLICANT/OWNER: GLISS-FOOTE, L.L.C

**** 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.
2. Acquire all necessary permits from the Department of Building and Safety.
3. Conformance to the Conditions of Approval for Site Development Plan Review SDR-2177.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 21 parking spaces where 26 parking spaces are the minimum required for an existing retail development on 0.48 acres at 9196 W. Cheyenne Ave.

B) Applicant's Justification

The property has a hardship because the subdivision was originally approved in Clark County and then annexed into the city with increased parking requirements. Additionally, Subway is a nontraditional restaurant with approximately 80% of its gross sales attributed to takeout business resulting in a higher parking space turnover rate.

BACKGROUND INFORMATION

A) Previous Actions

05/22/03 The Planning Commission approved a request for a Site Development Plan Review (SDR-2177) for a proposed 3,675 square-foot retail building located on the east side of Fort Apache approximately 230 feet north of the intersection of Cheyenne Avenue and Fort Apache Road. Staff recommended approval.

B) Pre-Application Meeting

11/17/04 The elements of a variance application were discussed with the applicant at a pre-application conference.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.48

B) Existing Land Use

Subject Property: Retail / Commercial
North: Public Water Facility
South: Convenience store
East: Tavern
West: Undeveloped

C) Planned Land Use

Subject Property: ML (Medium Low Density Residential)
North: PF (Public Facilities)
South: ML (Medium Low Density Residential)
East: ML (Medium Low Density Residential)
West: O (Office)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: U (Undeveloped) [PF (Public Facilities) General Plan Designation)]
South: C-1 (Limited Commercial)
East: C-1 (Limited Commercial)
West: U (Undeveloped) [O (Office) General Plan Designation)] under
Resolution of Intent to O (Office)

E) General Plan Compliance

This site is designated ML (Medium-Low Density Residential) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector of the General Plan. The existing C-1 (Limited Commercial) zoning is not in compliance with the General Plan designation of ML; however, the proposed retail/commercial development is in conformance with the zoning of the site.

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

There are no special districts, zones, or plan areas that are relevant to this Variance proposal.

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Restaurant	400 SF	1 Space/50 SF of GFA	8			
	825 SF	plus 1/200 SF of the remaining GFA	4			
General Retail Less 25k in Area	2,450 SF	1/175 SF of GFA	14			
Totals	3,675 SF		24	2	20	1

The project as proposed requires this variance from the parking requirements of Title 19. The subject deviation is one handicap and four regular parking spaces.

The Department of Public Works cannot support this variance request to allow 21 parking spaces where 26 spaces are the minimum allowed for proposed development at 9196 West Cheyenne Avenue.

B) General Analysis and Discussion

The single-story commercial building is located on a rectangular shaped 0.48-acre lot. The building is part of the commercial development at the northeast corner of Fort Apache and Cheyenne. The site plan with this application indicates the 3,675 square foot building is located up to the setback along Fort Apache. Parking for the building will be along the south side and the rear of the building.

Title 19 Parking, Loading and Traffic standards (Section 19.08) indicate the parking requirement for a Restaurant, the proposed primary use/ tenant of the building, as one space per 50 square feet of public seating and waiting area, plus one space for each additional 200 square feet of the remaining gross floor area. The parking requirement for the remaining retail space is one space per 175 square feet for buildings less than 25,000 square feet in area.

The number of the existing parking spaces is the correct amount for general retail possible in the 3,675 square foot building.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented. The applicant will create a self-imposed hardship by trying to fit a use in the building that requires more parking than that was originally planned for the site.

An alternative tenant that requires less parking would allow conformance to the Title 19 requirements.

In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

NOTICES MAILED 227

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCLAL INTEREST

Case Number: VAR-5668 APN: 138-08-401-030

Name of Property Owner: Gliss-Foote, L.L.C.

Name of Applicant: Kent Foote

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: _____

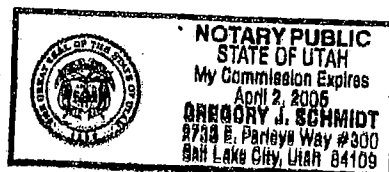
Print Name: Gregory W. Glissmeyer

Subscribed and sworn before me

This 23rd day of November, 2004

Notary Public in and for said County and State

Revised 2/12/02



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



WOODBURY CORPORATION

Realtors / Brokers / Managers
Developers / Consultants / Architects

2733 East Parleys Way, Suite 300 / Salt Lake City, Utah 84109-1662

(801) 485-7770

Fax (801) 485-0209

November 29, 2004

RECEIVED

DEC 06 2004

Ben Sticka
Planning and Safety Department
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

Re: Justification Letter, 9196 Cheyenne Avenue, Las Vegas, NV (APN 138-08-401-030)

Dear Mr. Sticka:

Gliss-Foote, L.L.C, a Nevada limited liability company, hereby requests a parking variance of five (5) parking spaces to permit Subway to occupy the subject 3,675 sq ft commercial building. In addition to Subway @ 1,225 sf, the current tenant mix includes Cheyenne Cleaners @ 1,100 sf and It-figures (health club) @ 1,350 sf. The parking analysis for existing uses is as follows:

Subway:	400 sf customer seating and waiting @ 1 space per 50 sf =	8 spaces
	825 sf total remaining gfa @ 1 space per 200 sf =	4 spaces
It-Figures(health club)	1,350 sf @ 1 space per 200 sf =	7 spaces
Cheyenne Cleaners:	1,100 sf @ 1 space per 250 sf =	4 spaces
parking spaces required:		23 spaces
parking spaces provided:		21 spaces
parking variance required:		2 spaces

Even though the existing uses only require a parking variance of two (2) spaces, we are requesting for a parking variance for five (5) parking spaces in the event we replace It-Figures and Cheyenne Cleaners with General Retail Store uses in the future. The parking analysis for Subway and General Retail uses is as follows:

Subway:	400 sf customer seating and waiting @ 1 space per 50 sf =	8 spaces
	875 sf total remaining gfa @ 1 space per 200 sf =	4 spaces
General Retail uses:	2,450 sf @ 1 space per 175 sf =	14 spaces
parking spaces required:		26 spaces
parking spaces provided:		21 spaces
parking variance required:		5 spaces

RECEIVED

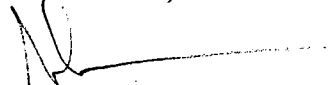
DEC 06 2004

Ben Sticka
November 29, 2004
Page Two

The property has a hardship because the subdivision was originally approved in Clark County and then annexed by the City of Las Vegas with increased parking requirements. Additionally, Subway is a non-traditional restaurant with approximately 80% of its gross sales attributed to take-out business resulting in a higher parking space turnover rate.

Sincerely,

Gliss-Foote, L.L.C.



Gregory W. Glissmeyer
Manager

A-1 SITE PLAN

PARKING ANALYSIS

BUILDING AREA: RETAIL = 3,175 SQ. FT.
PARKING SPACES PROVIDED: 21 SPACES

SUBWAY
400 SF @ 1 SPACE PER 80 SF = 5 SPACES
625 SF @ 1 SPACE PER 200 SF = 3 SPACES

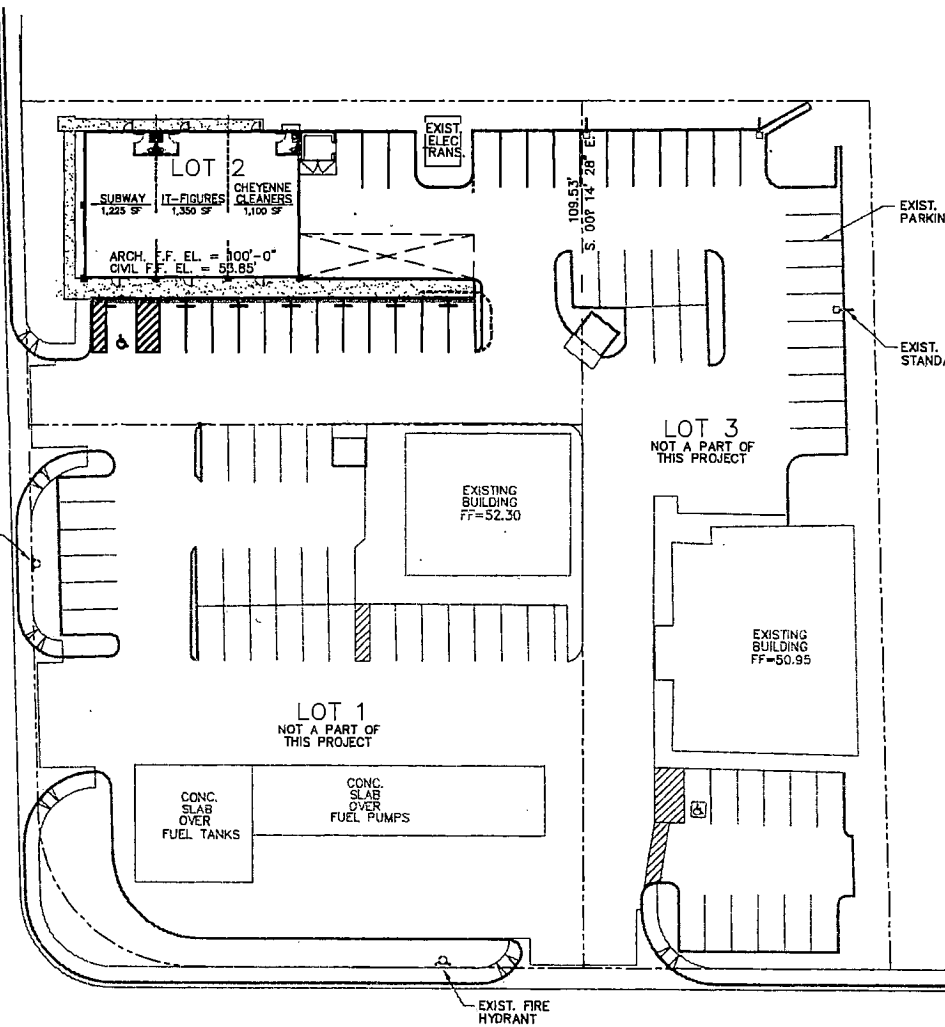
IT FIGURES
1,350 SF @ 1 SPACE PER 200 SF = 7 SPACES

CHEYENNE CLEANERS
1,100 SF @ 1 SPACE PER 250 SF = 4 SPACES

TOTAL REQUIRED = 23 SPACES

FORT APACHE ROAD

EXIST. FIRE HYDRANT



SITE PLAN

SCALE: 1"=20'-0"



REVISIONS	BY

CONSULTANT

737-8866

WARREN B. BUCHANAN
ARCHITECT
LAS VEGAS, NV.

SHEET TITLE SITE PLAN
DRAWING INDEX

PROJECT
A NEW COMMERCIAL BUILDING
for GLISS - FOOTE, L.L.C.
CHEYENNE AVE. & FORT APACHE RD.
LAS VEGAS, NEVADA

DATE 25 JAN 03

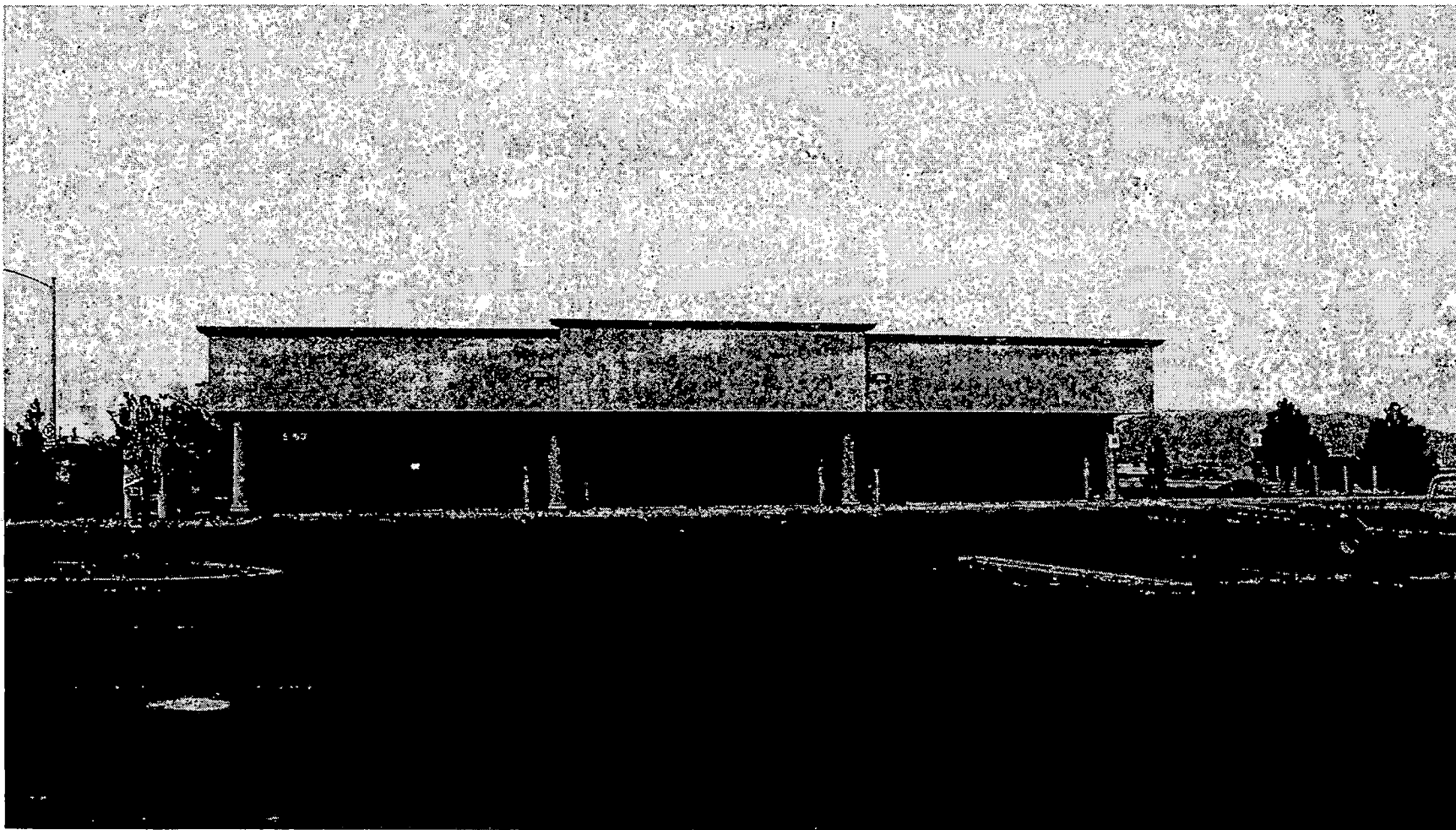
SCALE 1" = 30'-0"

DRAWN WEBB

JOB 010203

SHEET
A-1
of 9

VAR-5668
01-13-05 PC



VAR-5668 - APPLICANT/OWNER: GLISS-FOOTE, L.L.C.
9196 WEST CHEYENNE AVENUE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

IT FIGURES CHEYENNE & FORT APPACHE

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Kent Foote	Wayne Bullaro (Owner)
COMPANY:	DATE:
It Figures	1/12/2005
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
702.228.0704	1
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER:
Parking Variance	

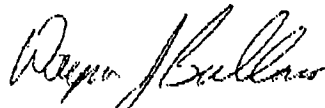
☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS

Kent,

In regards to the Subway in your plaza located at 9196 West Cheyenne, Las Vegas NV 89129, which I am a tenant, I am very pleased that Subway will be next to my business and It Figures has no problem with the parking issue that you mentioned, per our conversation.

Thank you,


Wayne Bullaro

9196 WEST CHEYENNE, SUITE 2,
LAS VEGAS NV 89129

Submitted at Planning Commission

Date 01-13-05 - Item #63

CYNTHIA GREENWAY
3708 Deer Flats Street
Las Vegas, NV 89129
(702) 562-0812

January 12, 2005

Kent Foote,
Gliss-Foote, LLC

Via Fax: (702) 228-0704

RE: Subway Parking Variance

Dear Mr. Foote:

Pursuant to our telephone conversation today, I would like to express, on behalf of my new business, Cheyenne Cleaners, our TOTAL support of the Cheyenne and Fort Apache Shopping Center, parking Variance.

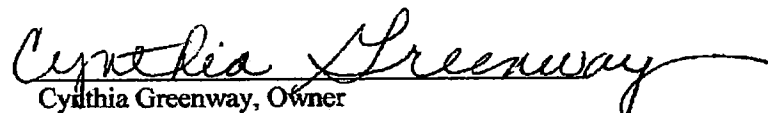
We, as a business, almost ready to open, are satisfied with four fewer parking spaces. This will not affect our business in the least.

We urge the city council to vote appropriately. Will you kindly relay our support on this issue at the council meeting on January 13, 2005?

Thank you for your time today and I hope we get this resolved tomorrow night.

Best Regards,

CHEYENNE CLEANERS


Cynthia Greenway, Owner

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5675 - VARIANCE - PUBLIC HEARING - APPLICANT: GUERRERO DIAZ - OWNER: GUERRERO DIAZ AND MARIA DIAZ – Request for a Variance TO ALLOW A 42-FOOT FRONT SETBACK WHERE 50 FEET IS THE MINIMUM REQUIRED AND A 27-FOOT REAR SETBACK WHERE 35 FEET IS THE MINIMUM REQUIRED on 0.94 acres adjacent to the southeast corner of Leon Avenue and Dorrell Lane (APN 125-24-202-001), R-E (Residence Estates) Zone, Ward 6 (Mack).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – DENIED – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, gave a brief overview of the proposed variance. The applicant proposes to build two homes each with a size of 3,037 square feet. With a depth of 64 feet the homes will not fit on the subject parcel and its proposed two lots with a depth of 134 feet. The remedy of a variance for setbacks only applies to the lot that faces Leon Avenue. By rotating the home on the lot at the intersection of Dorrell Lane and Leon Avenue 90 degrees to its proper frontage, the home would not need a variance for setbacks. Staff felt that there was no evidence of unique or extraordinary circumstance, as the applicant is creating a self-imposed hardship by proposing a floor plan that is too large for the lot. Staff recommended denial.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 64 – VAR-5675

MINUTES – Continued:

MR. LEOBOLD advised the Commission that staff's conditions did not address the subdivision issue, although staff was aware that the applicant had prepared and planned to present survey documents. As a result, he suggested a condition would be added relative to not having two houses on one lot.

JOHN HAMILTON, Hamilton Civil Engineers, appeared on behalf of the applicant, who could not attend due to an emergency. MR. HAMILTON stated although the condition is self-imposed; however, it is congruent with the surrounding development of ranch style homes. There are no residential homes, only vacant land, across the street from Leon Avenue. He used photos to show the property located directly to the east of the proposed property, which is a horse arena, but there should not be any adverse affect from this request.

MR. HAMILTON continued by stating that the applicant desires to have both houses fronting Leon Avenue, as he felt that these two houses would maximize his demand requirements for living space and usability of this site.

COMMISSIONER DAVENPORT noted that the surrounding lots are acre lots. He asked if staff was aware of any other lots that have been split into ½ acre lots. MARGO WHEELER, Planning and Development, responded that the zoning would not be changed. The minimum lot size is 20,000 square feet, and both of the proposed lots would exceed 20,000 square feet. VICE CHAIRMAN NIGRO pointed out that some are ½ acre lots, such as within the cul-de-sac area. He appreciated the owner's desire to have access on Leon Avenue but was not a justification for the Variance. With minor modifications, the Variance could be avoided. MR. HAMILTON responded that if the frontage was off of Dorrell Lane, it would alleviate the Variance request for the corner lot but would still be needed for the southern lot without a modification to the floorplan. Given the lot restrictions, the applicant felt that this was the most optimal configuration for the proposed homes. VICE CHAIRMAN NIGRO responded that one could build a larger home on a ½-acre lot and still meet one's needs, as staff has pointed out that the homes in this area have done the same yet maintained the character of the neighborhood. He reiterated that the application could be modified where a Variance would not be required; furthermore, he was not comfortable with looking at two requested variances, as with some modifications to the application, a variance would not be necessary. He concluded by stating that given the size of the lots on the adjacent properties, it was more appropriate that this lot was consistent as well.

COMMISSIONER McSWAIN agreed with VICE CHAIRMAN NIGRO'S comments. She added that by having the two proposed homes facing Leon Avene, it would have the appearance of walls in the front which could create a closed in affect to the properties to the south of the proposed homes and on Dorrell Lane. She would not support the application.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 64 – VAR-5675

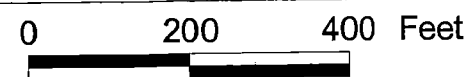
MINUTES – Continued:

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

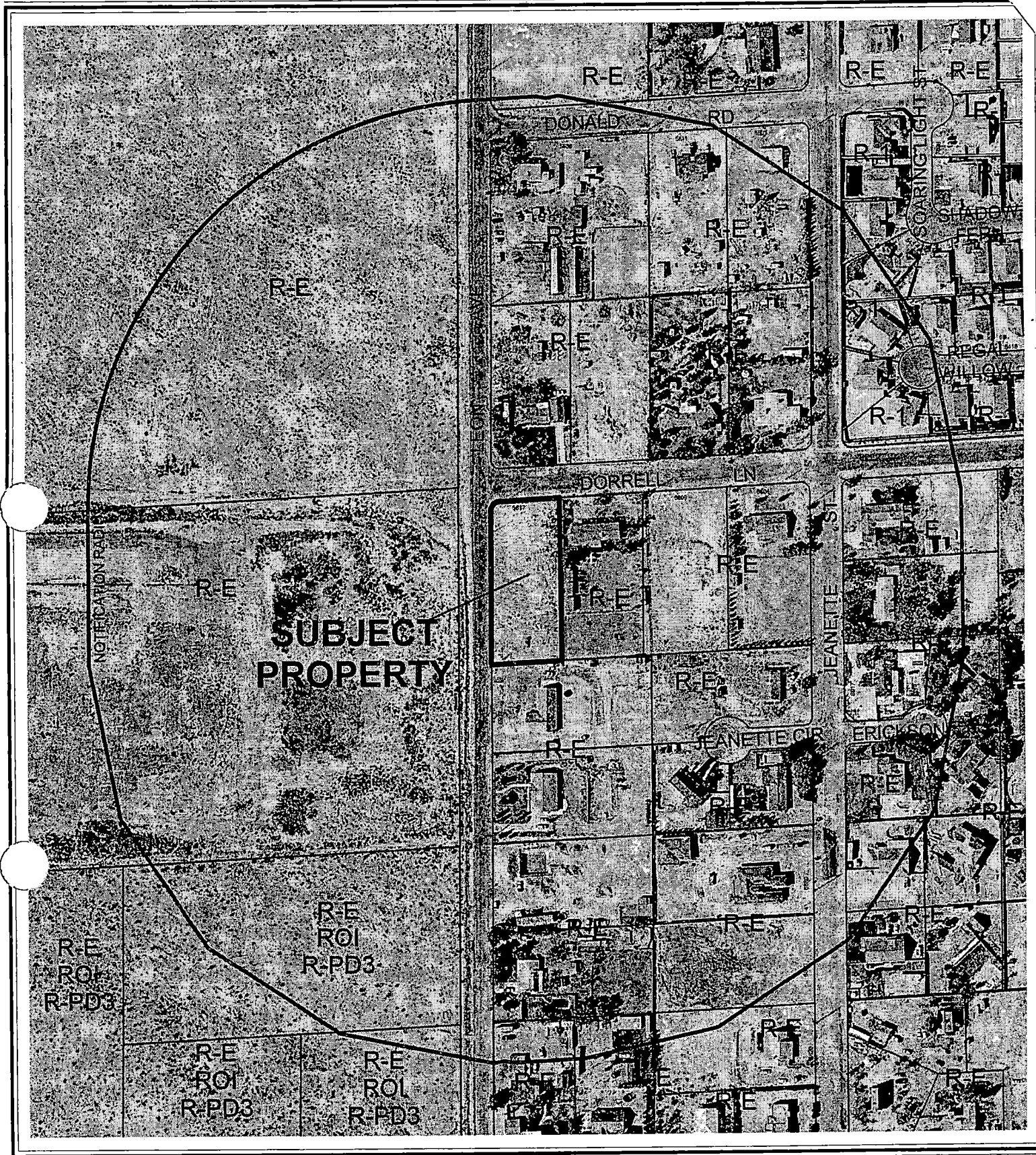
(10:06 – 10:14)

3-1742



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





CASE: **VAR-5675**

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5675 - APPLICANT: GUERRERO DIAZ - OWNER:
GUERRERO DIAZ AND MARIA DIAZ**

**** 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.
2. Acquire all necessary permits from the Department of Building and Safety.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a proposed 42-foot front setback where 50 feet is the minimum allowed and a proposed 27-foot rear yard setback where 35 feet is the minimum allowed in conjunction with two proposed single-family residences on two lots with a total area of 0.94 acres at the southeast corner Dorrell Lane and Leon Avenue.

B) Applicant's Justification

The setbacks will not permit the development of a "ranch style home" like those around the site.

BACKGROUND INFORMATION

A) Previous Actions

There are no previous actions that pertain to the location of this request.

B) Pre-Application Meeting

11/17/04 During a pre-application conference with the applicant the following was discussed.

- The standard setbacks for R-E development apply.
- The frontage of the homes will be from Leon Avenue.
- The property will be divided into two lots greater than 20,000 sq. ft. in area.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.94

B) Existing Land Use

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

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: L (Low Density Residential)
South: L (Low Density Residential)
East: L (Low Density Residential)
West: R (Rural Density Residential)

D) Existing Zoning

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

E) General Plan Compliance

The subject property is shown on the Centennial Hill Interlocal Land Use Plan of the Centennial Hills Sector of the General Plan. The Plan designates the future land use for this property as L (Low Density Residential). The property is zoned R-E (Residence Estates), which is a zoning permitted in the Low Density Residential designation. There are no specific General Plan policies directly related to this Variance request.

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

There are no special area plans or overlay districts that pertain to the subject request.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	20,000 Sq. Feet	20,490 Sq. Feet	Y
Min. Lot Width	100 Feet	153.21 Feet	Y
Min. Setbacks			
• Front	50 Feet	42.5 Feet	N
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	20 Feet	Y
• Rear	35 Feet	27.47 Feet	N
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	2 Stories / 35 Feet	One Story	Y

The proposal as designed requires this Variance from the requirements for front and rear setbacks in an R-E development. The subject deviation is 7.5 feet for the front and 7.53 feet for the rear setback.

B) General Analysis and Discussion

The applicant proposes to build two homes each with a size of 3,037 square feet. With a depth of 64 feet the homes will not fit on the subject parcel and its proposed two lots with a depth of 134 feet. The remedy of a variance for setbacks only applies to the lot that faces Leon Avenue. By rotating the home on the lot at the intersection of Dorrell Lane and Leon Avenue 90 degrees to it's proper frontage the home would not need a variance for setbacks.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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January 13, 2005 - Planning Commission Meeting

No evidence of a unique or extraordinary circumstance has been presented. The applicant has created a self-imposed hardship by planning to build a floor plan on the site too large for the proposed lots. Positioning of the home on the corner to its proper frontage on Dorrell Lane will make the need for a Variance there unnecessary. Using a different floor plan for the lot facing Leon Avenue would allow conformance to the Title 19 requirements.

In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

NOTICES MAILED 42

APPROVALS 0

PROTESTS 0

KCW



Case Number: VAR-5675 APN: 125-24-202-001
Name of Property Owner: GUERRERO AND MARIA DIAZ
Name of Applicant: GUERRERO DIAZ

Yes ☒ No

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]

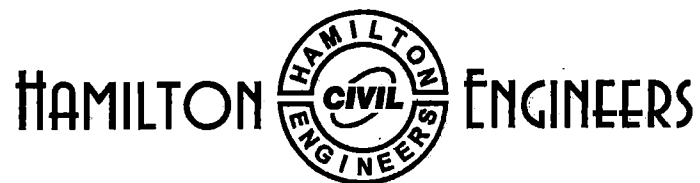
Print Name: GUERRERO DIAZ

Subscribed and sworn before me

This 29TH day of NOVEMBER, 2004

Notary Public in and for said County and State





3945 Pebble Creek Avenue

Las Vegas, Nevada 89147

Ph: (702) 580-3658

Fax: (702) 247-4507

JRHLasVegas@Earthlink.net

Sunday, November 28, 2004

City of Las Vegas
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Guerrero Diaz – APN 125-24-202-001 ; Request to reduce setbacks

Gentlemen,

The above referenced parcel of land of 0.94 Acres is being subdivided into Two (2) lots of 20,490 square feet and 20,560 square feet. The current zoning of the parcel of land as well as the adjacent properties is Residence-Estates (R-E). It is proposed to construct a single family residential home on each lot. Unfortunately, the existing setbacks of 50 ft and 35 ft for the front and rear yard respectively will consequent a building width of approximately 49±ft, which this nominal width is not congruent with other ranch style homes in the area. Since it is planned to build a ranch style home of building width 64 ft that is most consistent with others in the community, this will cause an overlap of approximately 7.5± ft into both the front yard and rear yard setback as shown on the attached plan.

Therefore, it is requested that both the Planning Commission and City Council grant this request to reduce the front yard setback from 50 ft to 42.5 ft and the rear yard setback from 35 ft to 27.5 ft. My Client and I have met with Mr. Steve Scott of City Planning staff during a pre-conference meeting and it has been concurred upon that there appears to be no adverse impact in granting this request.

I trust this letter will satisfy any comments and/or concerns you may have in your review and approval process for above referenced parcel of land. However, if you should have any questions or require further information, please do not hesitate to contact my office at (702) 580-3658 or Mr. Guerrero Diaz at (702) 400-8245.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John R. Hamilton".

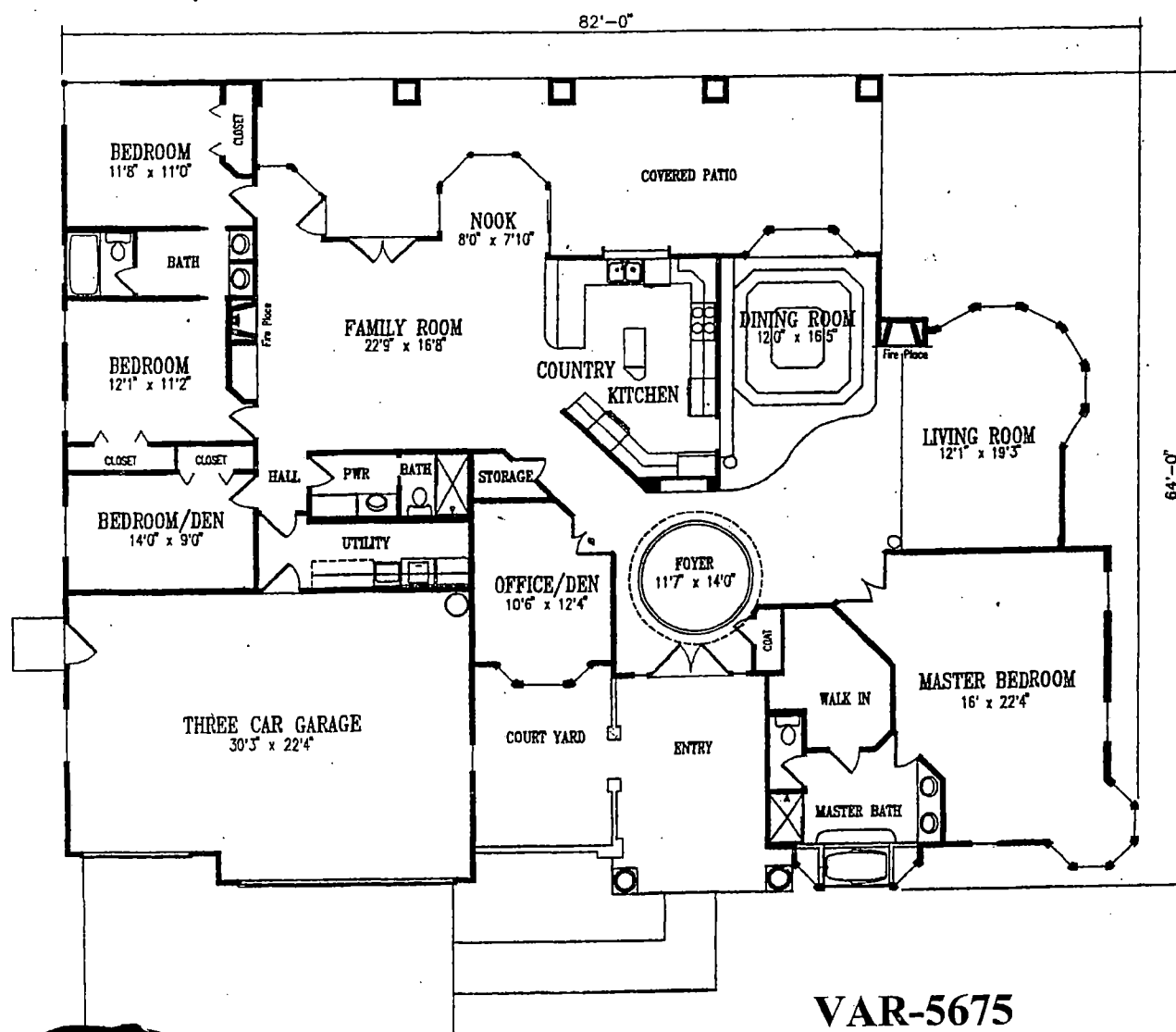
John R. Hamilton, P.E.
President / Principal Civil Engineer

VAR-5075

(A)*



3037 Sq Ft. * 4 Bedrooms Plus Office * 3 Bath * 3 Car Garage



VAR-5675
01-13-05 PC



VAR-5675 - APPLICANT: GUERRERO DIAZ - OWNER: GUERRERO DIAZ AND MARIA DIAZ
SOUTHEAST CORNER OF LEON AVENUE AND DORRELL LANE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04