

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5547

SDR-4730 - PUBLIC HEARING - APPLICANT: PICERNE DEVELOPMENT CORPORATION - OWNER: CLIFF'S EDGE, LLC - Request for a Site Development Plan Review FOR A PROPOSED 392-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AND A WAIVER OF CLIFF'S EDGE MASTER DEVELOPMENT PLAN AND DESIGN GUIDELINES TO ALLOW 10-FOOT SETBACK ON THE WESTERN PROPERTY LINE FOR THREE-STORY BUILDINGS AND A ZERO-FOOT SETBACK FROM THE EASTERN AND WESTERN PROPERTY LINE FOR ONE AND TWO-STORY BUILDINGS on 15.69 acres adjacent to the southwest corner of Dorrell Lane and Hualapai Way (APN 126-24-601-003), PD (Planned Development) Zone [Medium Density Residential Cliff's Edge Special Land Use Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL. (NOTE: The correct APN should be 126-24-610-003)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 12/16/2004 Planning Commission meeting Item 25

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with GOODMAN excused

MINUTES:

NOTE: See Item 84 [VAR-5547] for all related discussion.

(2:05 - 2:09)

3-2263

CONDITIONS:

Planning and Development

1. Approval and conformance to a Variance application for deviation from the Residential Adjacency Standards, prior to issuance of any permits.
2. All development shall be in conformance with the site plan date stamped 11/09/04 and building elevations shown on 12/16/04, except as amended by conditions herein.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.] (Apartment complexes require a management company on-site).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall conform to the Cliff's Edge Master Development Plan and Design Guidelines. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. The Special Improvement District Section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to release of the Final Map for this site.
15. If not already constructed by the Master Developer, construct half-street improvements including appropriate overpaving (if legally able) on Dorrell Lane, Hualapai Way and Deer Springs Way adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site.

16. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. A traffic queuing analysis for the proposed access on Dorrell Lane must be submitted to and approved by the City Traffic Engineer prior to the issuance of any permits or the submittal of any construction drawings for this site, whichever may occur first. The access to Deer Springs Way shall be limited to egress only, unless otherwise allowed by the City Traffic Engineer in writing.

17. A Homeowner's Association or Landscape Maintenance Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

18. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings for this site or the issuance of any permits, whichever may occur first. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

19. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way adjacent to this site concurrent with development of this site.

20. If not obtained at the time of development by the Master Developer, obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.

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

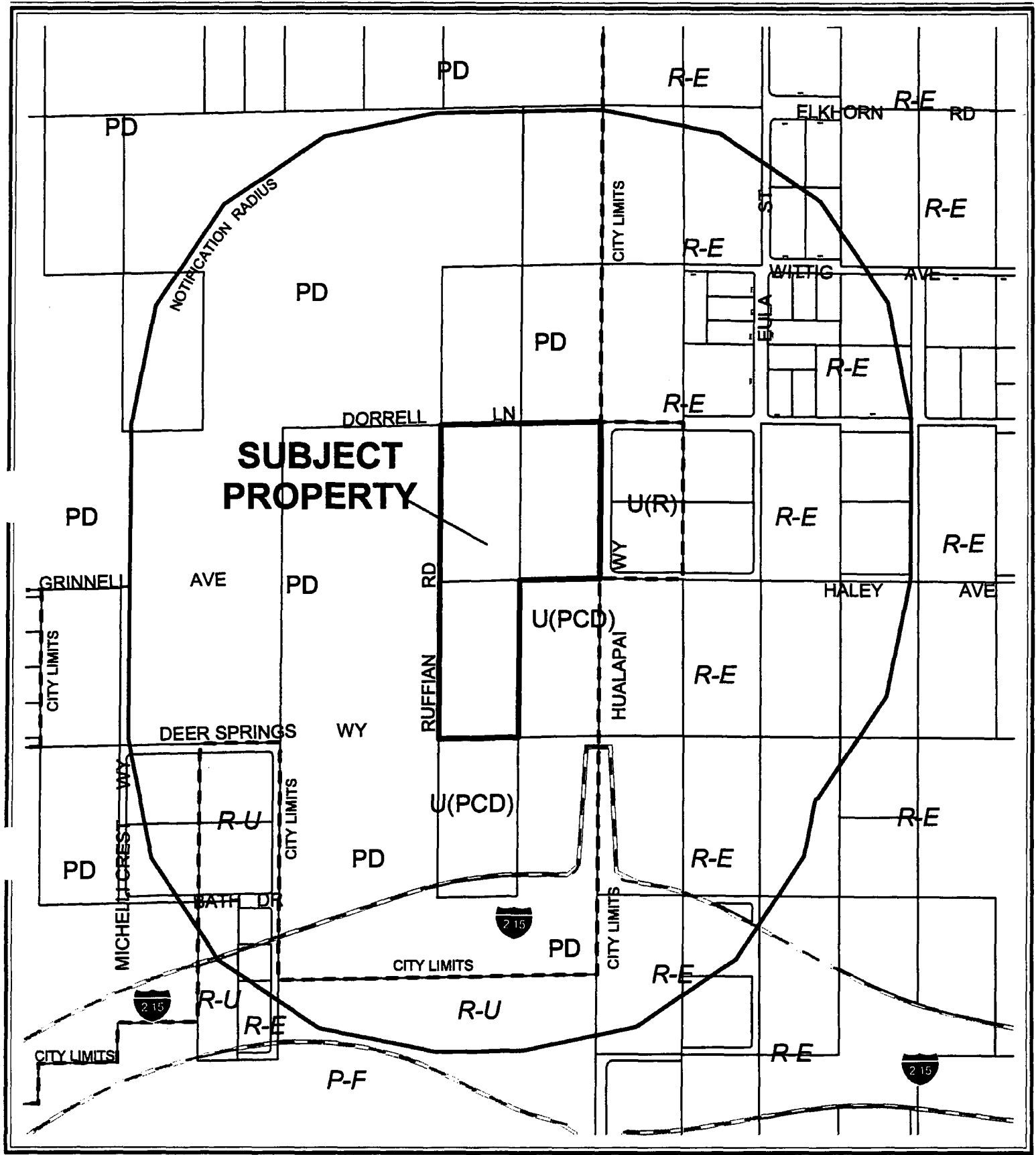
22. An update to the Master sewer study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved sewer study prior to occupancy of any units within this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

Department of Public Works.

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



CASE: SDR-4730

RADIUS: 1320 FT

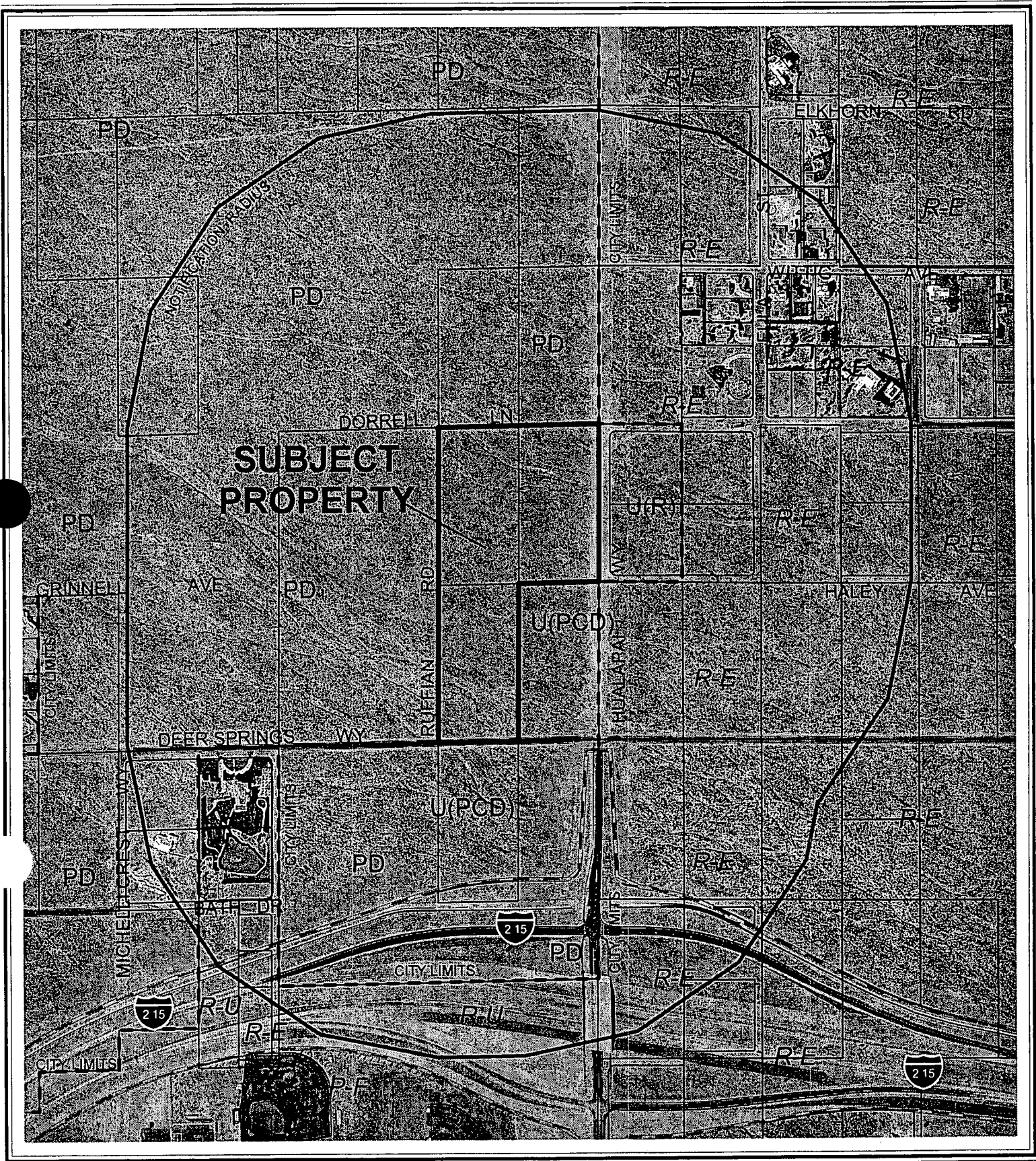
ZONING OF SUBJECT PROPERTY:

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

0 400 800 Feet

85





CASE: **SDR-4730**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

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

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4730 - APPLICANT: PICERNE DEVELOPMENT CORPORATION - OWNER: CLIFF'S EDGE, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval and conformance to a Variance application for deviation from the Residential Adjacency Standards, prior to issuance of any permits.
2. All development shall be in conformance with the site plan date stamped 11/09/04 and building elevations shown on 12/16/04, except as amended by conditions herein.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.] (Apartment complexes require a management company on-site).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall conform to the Cliff's Edge Master Development Plan and Design Guidelines. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. The Special Improvement District Section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to release of the Final Map for this site.
15. If not already constructed by the Master Developer, construct half-street improvements including appropriate overpaving (if legally able) on Dorrell Lane, Hualapai Way and Deer Springs Way adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site.
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18. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings for this site or the issuance of any permits, whichever may occur first. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way adjacent to this site concurrent with development of this site.
20. If not obtained at the time of development by the Master Developer, obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.
21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
22. An update to the Master sewer study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved sewer study prior to occupancy of any units within this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.
23. Site development to comply with all applicable conditions of approval for previous zoning actions, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement, MOD-3955 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

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

12/06/04 The applicant has supplied a letter of support from the adjacent property owner who will be impacted by the reduction in building setbacks.

C) Master Developer's Justification

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

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

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

BACKGROUND INFORMATION

A) Previous Actions

- 02/05/03 The City Council approved an Annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission and staff recommended approval on 09/26/02. The effective date of this annexation was 02/14/03.
- 03/19/03 The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval on 02/13/03.
- 07/16/03 The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved text modifications to the related Cliff's Edge Master Development Plan to address conditions of approval of ZON-1520. The Planning Commission and staff recommended approval on 06/12/03.
- 02/18/04 The Cliff's Edge Development Agreement (DIR-3451) was introduced to the City Council at this time. It was approved in ordinance form on 03/17/04. The Planning Commission and staff recommended approval on 01/08/04.
- 05/05/04 The City Council approved a Major Modification (MOD-3955) request to the Cliff's Edge Master Development Plan to change land use designations from: village commercial to: medium low density residential and medium residential; from: medium residential to: residential small lot; and from: medium low density residential to: pump & reservoir; to modify section 6.2.3 regarding retaining walls; and to modify table 1 (section 2.2) to reflect changes to the land use categories on 40 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval on 04/08/04.
- 08/12/04 The Planning Commission approved a motion to table a Site Development Plan Review (SDR-4730) application due to the Cliff's Edge Parent Map and SID problems not being resolved. Additionally, the applicant was required to submit a Variance (VAR-5547) application for residential adjacency standards.
- 12/16/04 The Planning Commission recommended approval of a related Variance (VAR-5547).

12/16/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #25/pl).

B) Pre-Application Meeting

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

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

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 15.69

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Cliff's Edge Master Plan:

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

Multi-Use Non-Equestrian (Transportation) Trail:

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

PROJECT DESCRIPTION

The proposed 392-unit multi-family residential subdivision is composed of eight building types, which range from one to three stories. The site contains a clubhouse, two pools, and three spas

with accompanying cabanas. The applicant is requesting waivers from the Cliff's Edge Master Development Plan and Design Guidelines to allow a three-story structure to have a 10-foot setback from the western property line where 30 feet is required, two-story structures to have a zero-foot setback where 20 feet is required along the western property line, and to allow one-story structures to have a zero-foot setback where 10 feet is required along eastern property line.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Minimum Setbacks			
Principle Buildings and Accessory Structures from the Property Line - Single Story Structures - Two Story Structures - Three Story Structures	10 Feet 20 Feet 30 Feet	Zero Feet Zero Feet 10 Feet	NO* NO* NO*
Principle Buildings and Accessory Structures Adjacent to Street R.O.W. at Parcel Perimeter - Single Story Structure - Two Story Structure - Three Story Structure	10 Feet 20 Feet 25 Feet	N/A 25+ Feet 25+ Feet	YES YES YES
Principle Buildings and Accessory Structures Adjacent to Parks, Open Space, Landscaped Areas Adjacent to Perimeter Streets, or Paseo Pl - Single Story Structures - Two Story Structures - Three Story Structures	10 Feet 10 Feet 10 Feet	N/A Zero Feet 10 Feet	YES NO*** YES

Living Area or Porch from Private Street or Parking	10 Feet	Zero Feet	NO*@
Garage Face Setback from Private Street	Less than 5 Feet or 18 Feet plus	N/A	YES
Building Separation			
• Balcony to Balcony	30 Feet	N/A	N/A
• Balcony to Non-Balcony	20 Feet	20 Feet	YES
• Non-Balcony to Non-Balcony	15 Feet	15 Feet	YES
• Between Main Bldg & Acc. Structure	10 Feet	10 Feet	YES
Maximum Bldg Height			
• Principle Building and Accessory Structures	50 Feet Subject to Setback Criteria Above	42 Feet	YES
Trash Enclosure	YES	13	YES
Mech. Equipment	YES	YES	YES

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

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

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

A2) Residential Adjacency Standards

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

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

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

A3) Parking and Traffic Standards

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

Uses	Ratio	Units	Required
Studio or 1 Bedroom units	1.25 / Unit	162	202.5
Two bedroom units	1.75 / Unit	206	360.5

Units w/ more than 2 bedrooms	2 / Unit	24	48
Visitor parking	0.2 / Unit	392	78.4
Club House	1 space / 300 GFA	6,487 SF.	21.6
Total			711

Type	Provided
Uncovered	245
Covered	392
Garage	80
Total	717

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

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

A4) Landscape and Wall Standards

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

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

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

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

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

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

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

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

Perimeter wall heights in regards to the entry gate area are in conformance with the development standards set forth by the Cliff's Edge Master Development Plan and Design Guidelines Exhibit #16. The applicant has not supplied wall details for the rest of the perimeters, therefore it cannot

be said with any certainty whether or not they will conform to the Cliff's Edge Master Development Plan and Design Guidelines. The applicant has called out on the site plan proposed perimeter walls to be eight feet in height. This would be acceptable under Title 19, but is not in conformance with the Cliff's Edge Master Development Plan and Design Guidelines, Section 6, Exhibit #16, therefore requiring a waiver from said standards, for the plans as submitted to be approved.

A5) Open Space Standards

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

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

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

A6) Sign Standards

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

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

B) General Analysis and Discussion

- **Zoning**

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

- **Site Plan**

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

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

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

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

- Waivers

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

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

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

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

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

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

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

- Landscape Plan

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

- Elevation

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

- Floor Plan

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #2.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

NOTICES MAILED 39 by Planning Department

APPROVALS 1

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

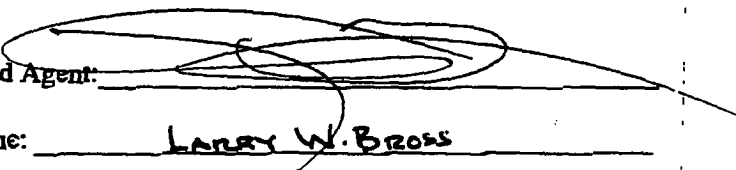
STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4730 APN: 126-24-601-002, 003, 021Name of Property Owner: Cliff's Edge LLCName of Applicant: Picerne Development Corporation

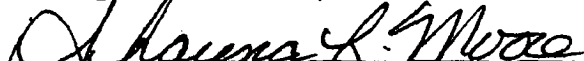
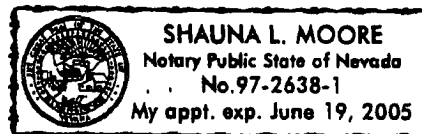
To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited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

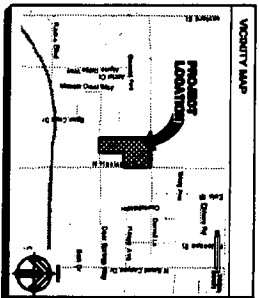
 Yes X No

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

City Official: Not ApplicablePartner(s): Not ApplicableAPN: Not ApplicableSignature of Property Owner/Authorized Agent: Print Name: LARRY W. GROSS

Subscribed and sworn before me

This 24th day of JUNE, 2004
Notary Public in and for said County and State



REVISED
11-9-04



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

11/30/04

**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
ON THIS ITEM WHICH IS NOW APPEARING
BEFORE THE CITY COUNCIL**

RECEIVED

DEC 12 2004

November 5, 2004

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

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

Dear Mr. Leobold:

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

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

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

Sincerely,

Jeffrey Parker

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

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

A
4730

December 14, 2004

Craig Platt
7025 Eula Street
Las Vegas, NV 89149

Kyle C. Walton, Senior Planner
City of Las Vegas Planning and Development Services
731 South Fourth Street
Las Vegas, NV 89101

RE: ~~SDR~~ - 4730
VAR - 5547

Dear Mr. Robertson,

I am strongly opposed to the applicant's requests as they are being proposed.

The applicant is proposing to make major decreases in setback requirements for their multi-family development.

During the design process for Cliff's Edge, residents in the area were assured that the design standards would be adhered to. These design standards required greater setbacks and landscaping in order to buffer and insulate existing and future projects on the east side of Hualapai Way as well as to upgrade the appearance along the road.

These requested changes would undermine the design standards and have a negative impact on the community.

I hope that take these comments into consideration.

Respectfully,



Craig Platt

**READ INTO
THE RECORD**

Gary Leobold

From: TR MCCARTHY [TR_8@msn.com]
Sent: Tuesday, December 14, 2004 3:05 PM
To: GLeobold@LasVegasNevada.GOV
Subject: RE: SDR-4730, VAR-5547

12/14/04

TO: GARY LEOBOLD

RE: ~~SDR-4730~~ 4730, VAR-5547 - PLEASE VOTE AGAINST THESE TWO REQUESTS

I WISH TO EXPRESS MY OPPOSITION TO THE REQUEST FOR THE ABOVE VARIANCES AS A RESIDENT OF THE IMMEDIATE NEIGHBORHOOD. NORMAL RESIDENTIAL SETBACKS SHOULD BE OBSERVED AS FOCUS HAS PRESENTED THIS TO ALL EXISTING RESIDENTS AS " A SUMMERLIN LIKE COMMUNITY ".

I WOULD ALSO HOPE THAT IF THESE JULTI-FAMILY RESIDENTIAL UNITS ARE BUILT, THAT THE TALLER UNITS BE KEPT NEAR HUALAPAI, GIVEN IT'S BEING A MAJOR NORTH SOUTH STREET WITH SOME P/R, AND OR COMMERCIAL AREAS. THE FURTHER WEST ONE GOES INTO THE DEVELOPMENT TOWARDS EXCLUSIVELY SINGLE FAMILY RESIDENCES, THE LOWER THE BUILDING HEIGHT AND THE LOWER THE DENSITY.

MANY THANKS FOR YOUR ASSISTANCE.

SINCERELY,

T. RANDALL MCCARTHY
10225 DEER SPRINGS WAY
LV, NV 89149

**READ INTO
THE RECORD**

12/15/2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-5572 - PUBLIC HEARING - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525 - Request for a Variance TO ALLOW 41 PARKING SPACES WHERE A MINIMUM OF 110 PARKING SPACES IS REQUIRED on 1.95 acres at 760 North Lamb Boulevard (APN 140-30-803-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED subject to conditions - UNANIMOUS with GOODMAN excused and MONCRIEF not voting

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 86 [VAR-5572] and Item 87 [SDR-5571].

CARON RICHARDSON, Plumbers & Pipefitters, 815 Pilot Road, Suite E, stated that the Variance is to reduce the number of parking spaces, but a shared parking agreement has been established with the adjacent property. Since the two buildings have different activities at different times of the day, there is little chance there would be a conflict of insufficient parking.

MS. RICHARDSON indicated a condition imposed on the Site Development Plan Review requires that a drainage and technical drainage study be submitted. Land Development indicated that because there is an existing building on this site to be demolished and replaced with a new building, a technical drainage study would not be required. A grading plan showing the finished floor elevation of the new building at its new location would be at two feet above the flow line of Lamb Boulevard. Therefore, she asked that Condition 16 be deleted in its entirety or modified to remove the drainage and technical drainage study requirement. She asked that a revision be made to the site plan to add a decorative fence detail at the front of the property or at the Harris Avenue frontage. They would like to enclose this entry with the decorative fence. She discussed with MAYOR PRO TEM REESE that the fence would be a two-inch diameter steel piping fence about seven feet tall measured from its base. There will be no other fencing from the back of the sidewalk to the base of the building. The landscaping will consist of decomposed granite with small Texas Ranger desert tolerant plants, similar to the ones used at the training center

CITY COUNCIL MEETING OF: JANUARY 19, 2005

MINUTES - Continued:

building.

MAYOR PRO TEM REESE asked BART ANDERSON, Public Works Department, to discuss Condition 16 of Item 87 [SDR-5571]. MR. ANDERSON explained that the condition for a drainage study is a typical condition imposed on any site that is two acres or greater in which any new construction is being proposed. In this case, the demolishing and reconstructing of a building falls under that requirement. The Flood Control Section has recommended that the drainage study be done. MR. ANDERSON recommended including the text "or other information acceptable to the Flood Control Section" on Condition 16. This language would allow the Flood Control Section to determine if there is enough information already. He felt uncomfortable removing the entire condition. MS. RICHARDSON was hesitant in agreeing to the condition because architectural plans have already been submitted to the Building Department, and the Civil Engineer is waiting for this condition to be revised. MR. ANDERSON assured her that if this were the case, then that language would allow the Flood Control Section to determine they have enough information for the applicant to move forward. MS. RICHARDSON ultimately concurred with all the conditions.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 86 [VAR-5572] and Item 87 [SDR-5571].

(2:09 - 2:17)

3-2453

CONDITIONS:

Planning and Development

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







AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

09/24/96	The Board of Zoning Adjustment approved a Variance (V-0107-96) to allow 98 parking spaces in lieu of the 122 spaces required by Code for the existing Union Hall and trade school.
10/02/96	The City Council approved a Rezoning (Z-0087-96) from R-E (Residence Estates) to C-1 (Limited Commercial) for the existing Union Hall.
12/16/04	The Planning Commission recommended approval of a related Site Development Plan Review (SDR-5571) request. Staff recommends denial of the request.
12/16/04	The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #33/ff).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 1.95

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

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

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

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

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

The adjacent parcel to the west, also owned by Local #525, is occupied by a 32,580 square foot training facility, which received Site Development Plan Review (SDR-1171) approval in December 2002. A total of 158 parking spaces was required; the site plan indicated that 161 parking spaces would be provided. The excess of parking spaces on the adjacent site is insufficient to accommodate the lack of parking spaces on the subject site.

B) General Analysis and Discussion

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

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

PLANNING COMMISSION ACTION

The Planning Commission believed that the project would not negatively impact the area as it is part of a larger complex with other parking.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

10

NOTICES MAILED 960 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-5572** APN: 140-30-803-002
Name of Property Owner: Plumbers and Pipefitters Union, Local #525
Name of Applicant: Plumbers and Pipefitters Union, Local #525

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

_____ Yes

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: Billy L. Anderson

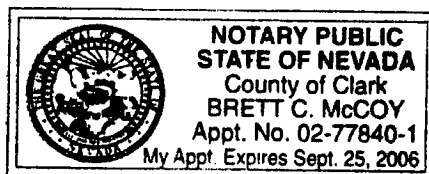
Print Name: Billy L. ANDERSON

Subscribed and sworn before me

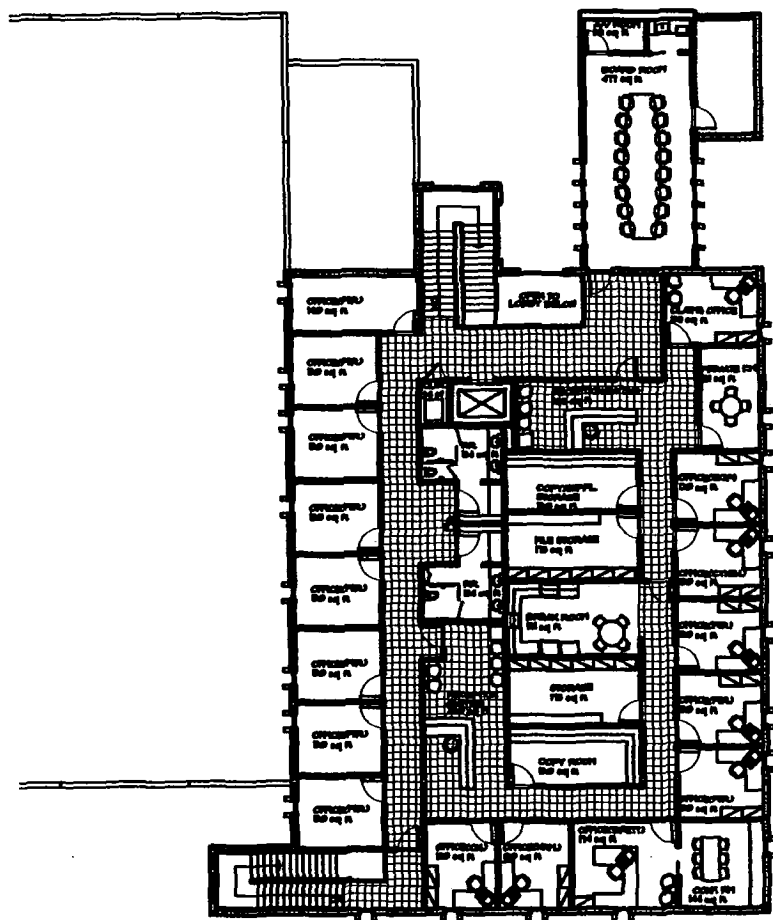
This 28th day of OCTOBER, 2004

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

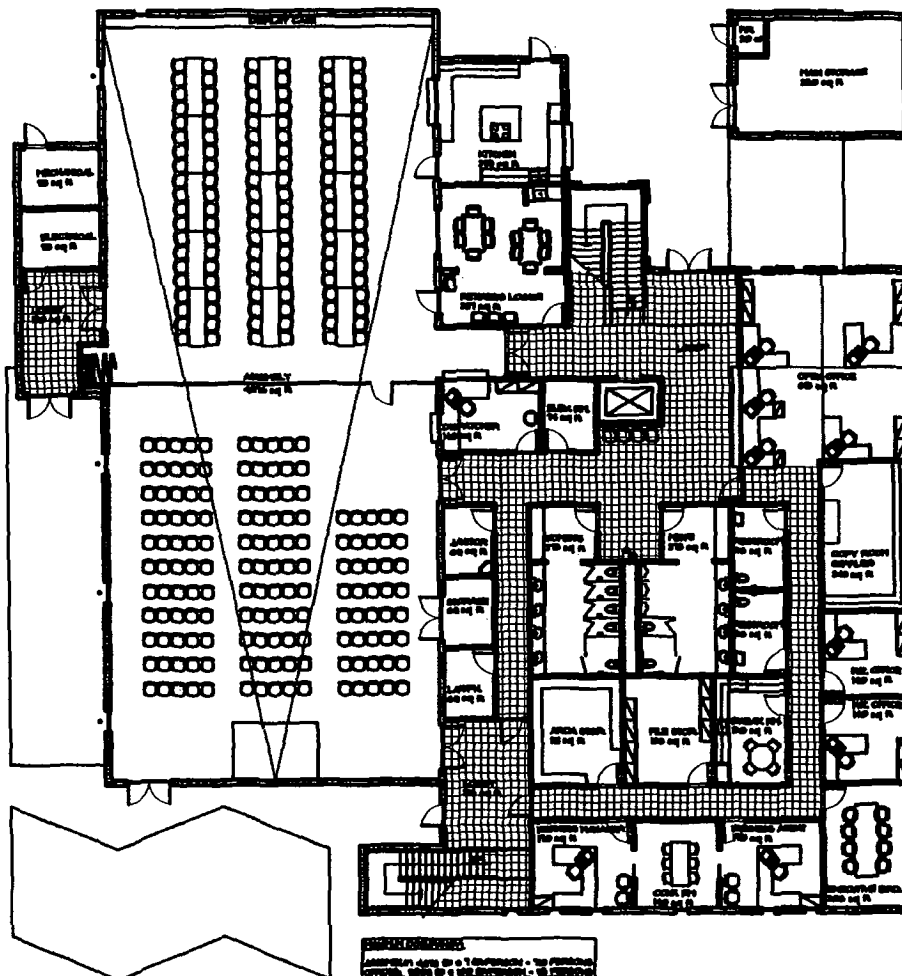
Revised 2/12/02



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SECOND FLOOR



FIRST FLOOR

FLOOR PLANS

NOVEMBER 2004

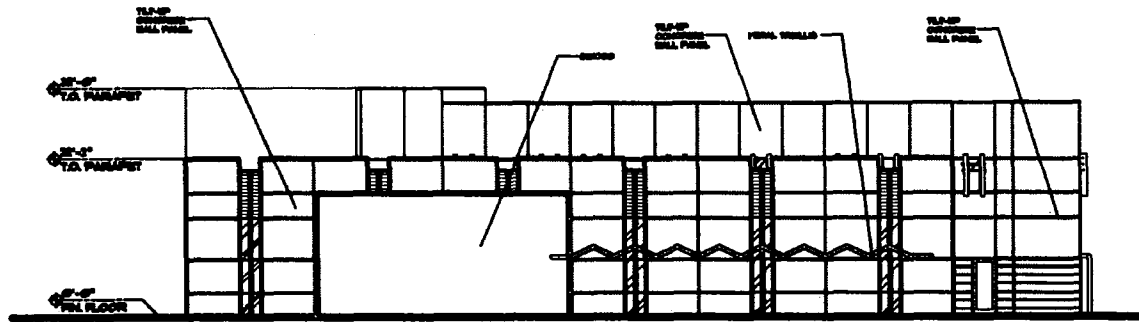
PIPE TRADES UNION HALL AT LAMB BLVD AND HARRIS AVENUE

LAS VEGAS - NEVADA

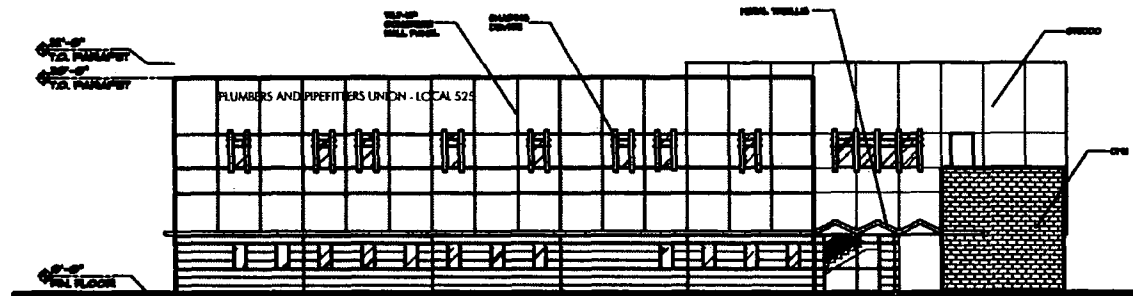


ITD Inc.
architectural
planning
interiors

VAR-5572
12/16/04 PC



WEST



EAST

ELEVATIONS

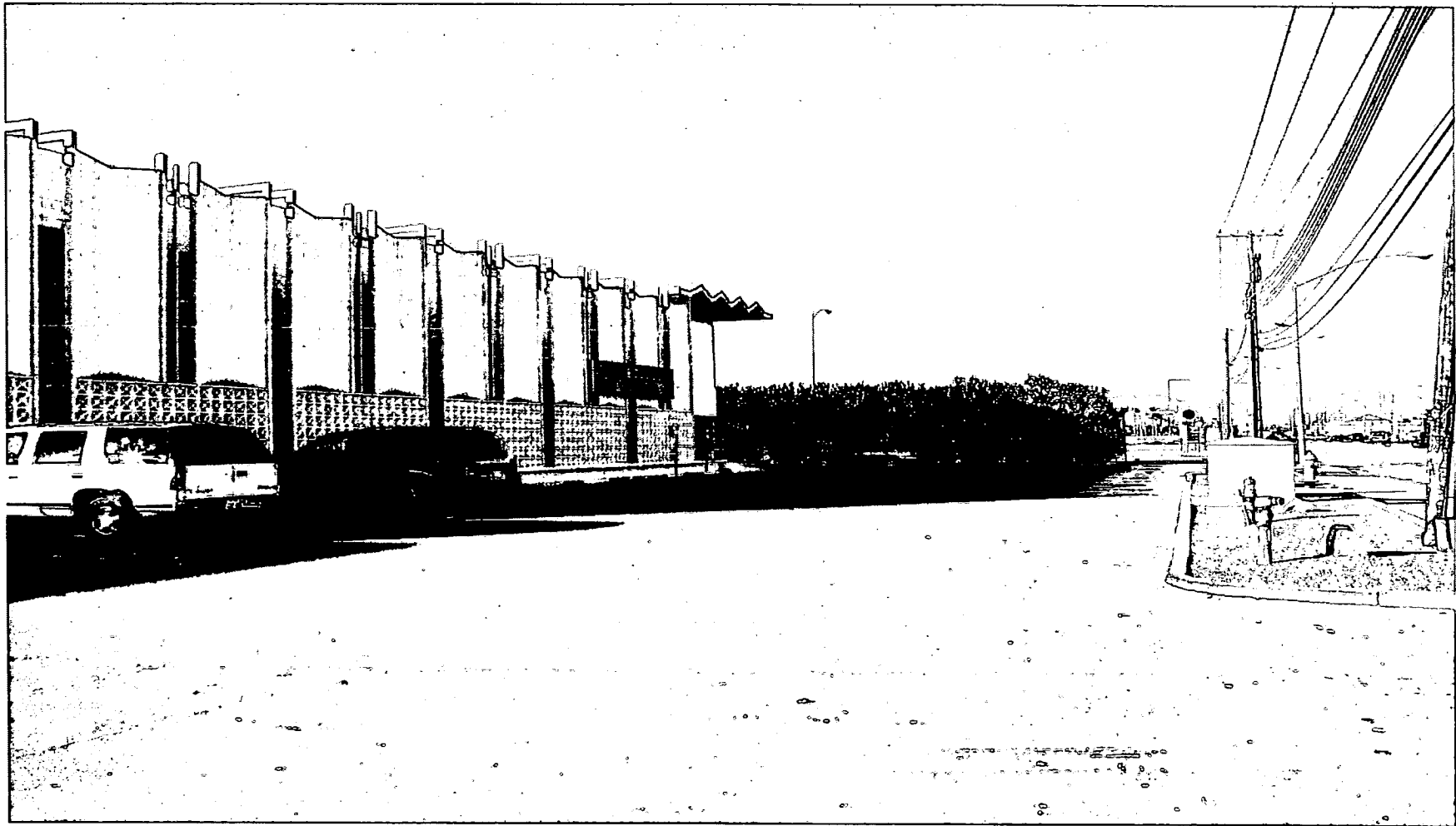
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PIPE TRADES UNION HALL AT LAMB BLVD AND HARRIS AVE

LAS VEGAS - NEVADA

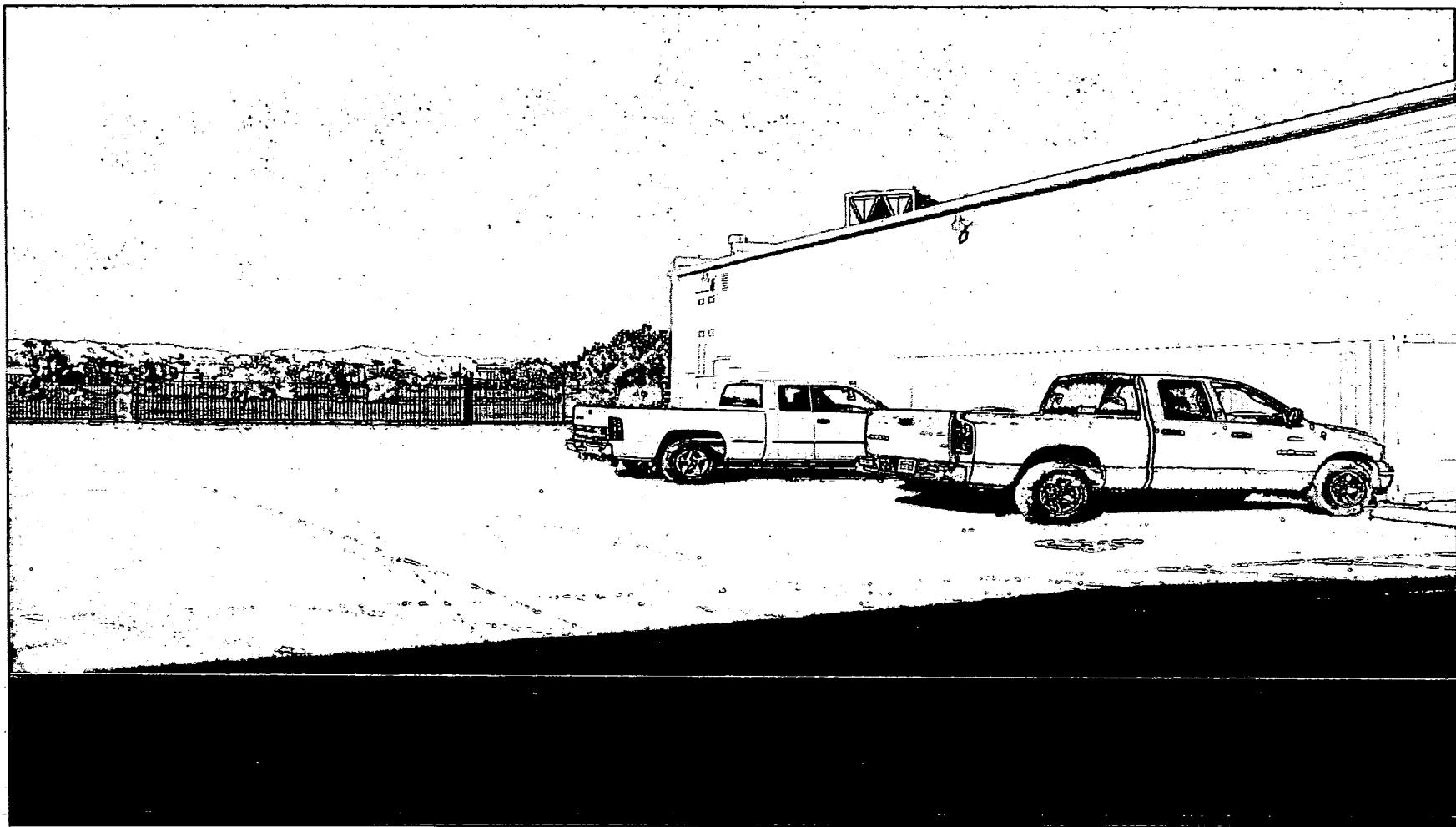


VAR-5572
12/16/04 PC



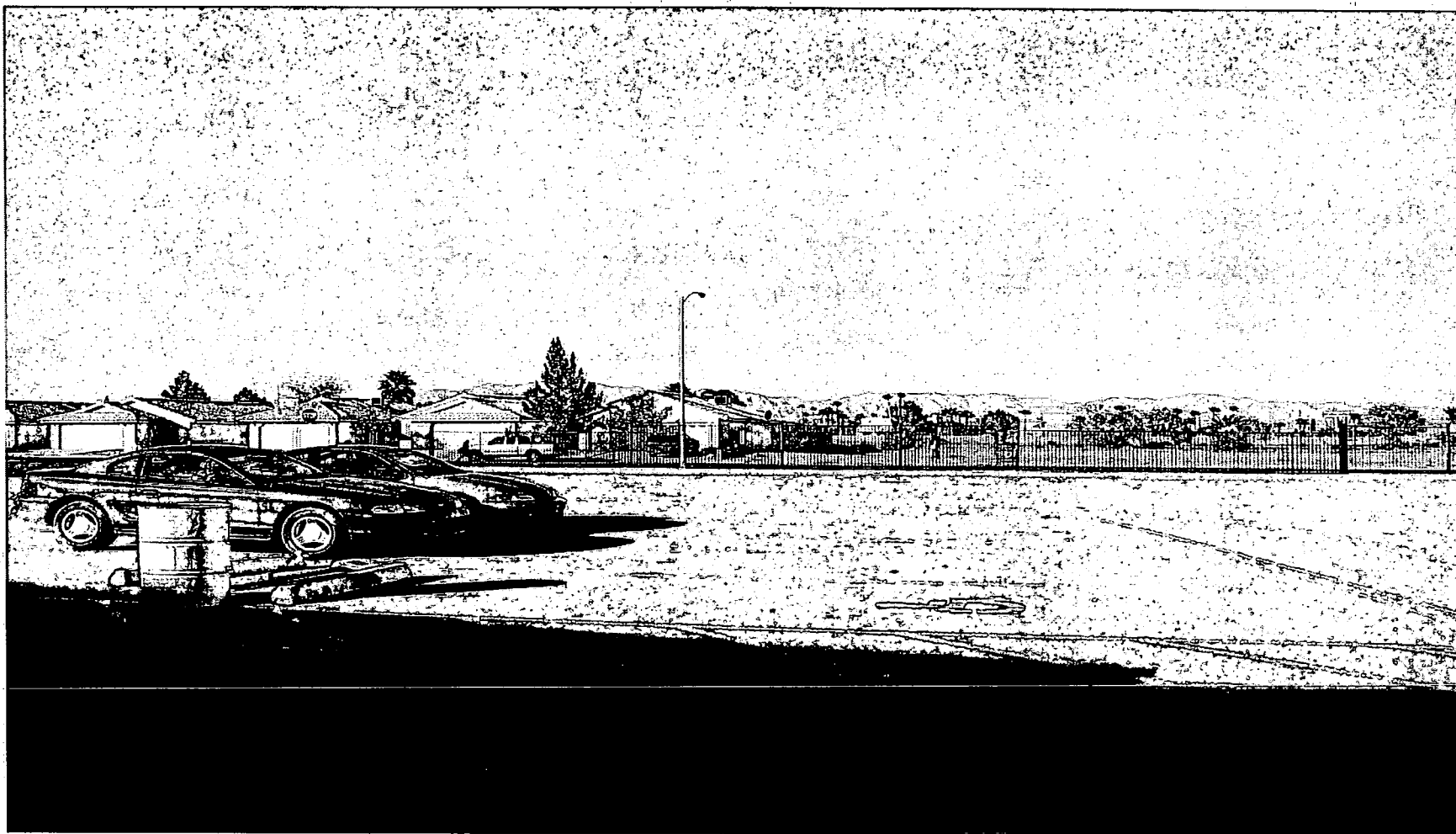
VAR-5572 - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525
760 NORTH LAMB BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04



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

12/2/04



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

12/2/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5572

SDR-5571 - PUBLIC HEARING - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525 - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 19,094 SQUARE-FOOT OFFICE/ASSEMBLY BUILDING AND WAIVERS FOR BUILDING PLACEMENT, PARKING LOT AND PERIMETER LANDSCAPING STANDARDS on 1.95 acres at 760 North Lamb Boulevard (APN 140-30-803-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED subject to conditions and amending Condition 16 as read for the record as follows:

16. A Drainage Plan and Technical Drainage Study, or other information acceptable to the Flood Control Section, 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.

- UNANIMOUS with GOODMAN excused

MINUTES:

NOTE: See Item 86 [VAR-5572] for all related discussion.

(2:09 - 2:17)

3-2453

CONDITIONS:

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

Planning and Development

1. A Variance (VAR-5572) to allow a reduction in the required number of parking spaces approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 11/02/04, except as amended by conditions herein.
4. The Waivers from the requirement for parking lot landscaping, building placement and a perimeter buffer at the rear property line are hereby approved.
5. The landscape plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within planters provided along Harris Avenue and Lamb Boulevard. The use of turf shall be limited to 12.5% of all landscape areas on the site.
6. The landscape plan shall be revised and approved by staff of the Planning and Development Department to reflect these changes prior to the time application is made for a building permit,
7. The required landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. Provide a copy of a recorded Joint Access Agreement between this site and the abutting parcel to the west prior to the issuance of a building permit.
9. Prior to the submittal of a building permit, the applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Any on-site trash enclosure shall be walled and roofed in accordance with the requirements of Title 19.08.045, and an illustration of the enclosure shall be shown on the site plan.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

13. All City code requirements and design standards of all City departments must be satisfied.

Public Works

14. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southwest corner of Lamb Boulevard and Harris Avenue prior to the issuance of any permits.

15. 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.

16. 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.

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. A Variance (VAR-5572) to allow a reduction in the required number of parking spaces approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 11/02/04, except as amended by conditions herein.
4. The Waivers from the requirement for parking lot landscaping, building placement and a perimeter buffer at the rear property line are hereby approved.
5. The landscape plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within planters provided along Harris Avenue and Lamb Boulevard. The use of turf shall be limited to 12.5% of all landscape areas on the site.
6. The landscape plan shall be revised and approved by staff of the Planning and Development Department to reflect these changes prior to the time application is made for a building permit,
7. The required landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. Provide a copy of a recorded Joint Access Agreement between this site and the abutting parcel to the west prior to the issuance of a building permit.

9. Prior to the submittal of a building permit, the applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Any on-site trash enclosure shall be walled and roofed in accordance with the requirements of Title 19.08.045, and an illustration of the enclosure shall be shown on the site plan.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. All City code requirements and design standards of all City departments must be satisfied.

Public Works

14. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southwest corner of Lamb Boulevard and Harris Avenue prior to the issuance of any permits.
15. 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.
16. 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.
17. Site development to comply with all applicable conditions of approval for Z-87-96 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

09/24/96	The Board of Zoning Adjustment approved a Variance (V-0107-96) to allow 98 parking spaces in lieu of the 122 spaces required by Code for the existing Union Hall and trade school.
10/02/96	The City Council approved a request for Rezoning (Z-0087-96) the existing Union Hall from R-E (Residence Estates) to C-1 (Limited Commercial).
12/16/04	The Planning Commission recommended approval of an accompanying request for a Variance (VAR-5572) to reduce the required number of parking spaces. It is recommended that that request be denied.
12/16/04	The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #34).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 1.95

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

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

PROJECT DESCRIPTION

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

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

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

A2) Residential Adjacency Standards

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

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

- b) Building setback. The proposed structure exceeds the minimum required building setback.

A3) Parking and Traffic Standards

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

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

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

A4) Landscape and Open Space Standards

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

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

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

A5) Sign Standards

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

Wall Signs: East Elevation

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

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

B) General Analysis and Discussion

- Zoning

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

- Site Plan

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

- Waivers

Waivers have been requested as follows:

1. Building placement. Title 19.08.045 requires that buildings be located at the front setback line, with parking located to the side of the rear. While the proposed building complies with this requirement on the Harris Avenue frontage, the location of the parking lot at the front of the property facing Lamb Boulevard is non-compliant. The applicant states that the location of the parking lot at the front of the property improves visibility and allows for the expansion of Lamb Boulevard. Staff is of the opinion that the required setback and landscape buffer at the front of the property allows for sufficient expansion of Lamb Boulevard, and that visibility will be adequate with the

setbacks that are in place. In addition, the building on the property to the south is located at the front setback line in accordance with Title 19.08, and it is preferable to establish a consistent building line along the street. As location of the building can be easily moved to the front of the property with little additional impact to the existing parking situation, staff would recommend denial of the Waiver.

2. Perimeter Buffer. Title 19.12 requires an eight-foot deep buffer at the rear property line; as designed, no landscape buffer will be provided due to the location of parking spaces at the rear of the property that require access from the abutting property. Staff would recommend approval of the request, provided that a joint access easement agreement is recorded between the properties.
3. Parking lot landscaping. Landscape fingers are required every six spaces at the interior of the parking lot area; no fingers are provided due to the shortage of parking available on the site. Staff would recommend denial of this request, as it demonstrates the potential over-building of the site by not being able to conform to parking and landscape requirements.

- Landscape Plan

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

- Elevations

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

- Floor Plan

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

FINDINGS

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

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

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

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

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

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

The site has access to Lamb Boulevard, a Primary Arterial (100-foot wide) street and Harris Avenue, a local street that intersects with Lamb Boulevard. Lamb Boulevard is designed to accommodate high traffic volumes. With access to Lamb Boulevard, site access and circulation to other streets in the neighborhood should not be impacted.

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

Building materials are appropriate for the proposed building, and except for the deficiencies discussed above in the landscape standards, the landscape materials proposed are also appropriate for the area.

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

The exterior of the new building will feature a combination of pre-cast concrete panels, decorative masonry block, and a stucco finish. Decorative metal shading devices will be provided at the window openings, and coordinating metal trellis structures will be provided at the entries to the building. The building should be visually compatible with other buildings in the area.

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

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

PLANNING COMMISSION ACTION

The Planning Commission allowed a waiver of building placement, parking lot and perimeter landscaping.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 1,072 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5571** APN: 40-30-803-002

Name of Property Owner: Plumbers and Pipefitters Union, Local #505

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

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

Yes

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: _____

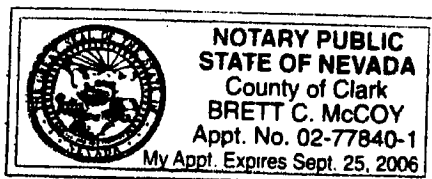
Signature of Property Owner/Authorized Agent:

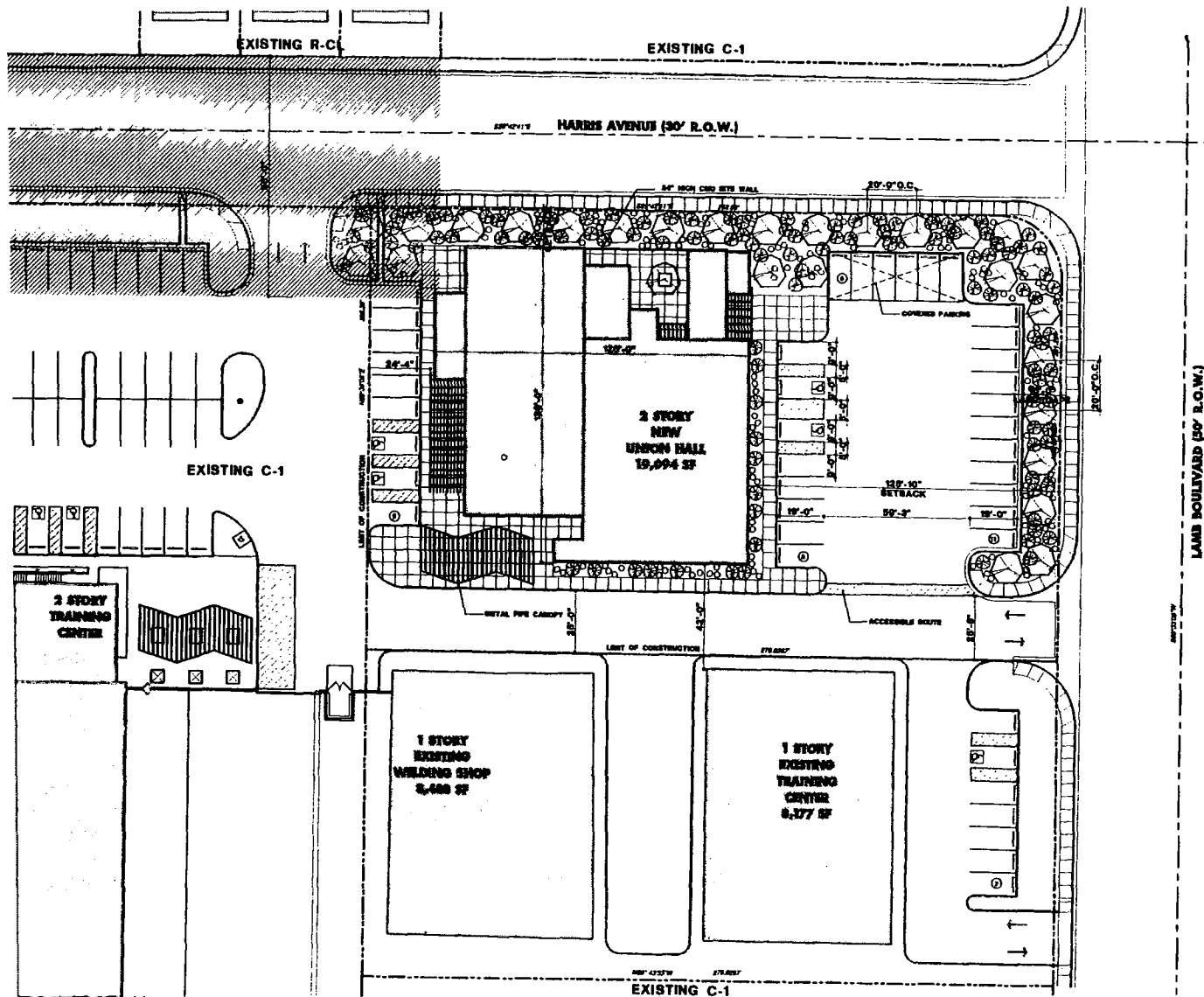
Print Name:

Subscribed and sworn before me

This 28th day of OCTOBER, 2004

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





PROJECT DATA	
ADDRESSOR PARCEL NUMBER (APN):	140-30-803-003
CURRENT ZONING:	C-1
NET AREA OF WORK:	98,945 SF (2.25 ACRES)
REQUIRED SETBACK:	FRONT: 30' MIN. SIDE: 30' MIN. REAR: 30' MIN.
WARRANTY/VARIANCE:	WARRANTY: 30' MIN. VARIANCE: 30' MIN.
NET COVERAGE:	30% OF AREA OF WORK (11.2 ACRES)
PRODUCT ANALYSIS:	
ASSEMBLY:	4,576 SF
ADMINISTRATIVE AREA:	1,481 SF
ORGANIZERS:	980 SF
THIRD PARTY DEPARTMENT:	980 SF
FUTURE OFFICES:	980 SF
SHARED USES:	980 SF
TOTAL BUILDING AREA:	14,917 SF
NET: 14,917 SF	14,917 SF
PARKING ANALYSIS:	
OFFICE: 1,481 SF	45 SPACES
ASSEMBLY: 4,576 SF	80 SPACES
EXISTING TRAINING CENTER: 8,377 SF	150 SPACES
EXISTING WELDING SHOP: 8,488 SF	150 SPACES
TOTAL PARKING REQUIRED:	325 SPACES
TOTAL PARKING PROVIDED:	325 SPACES

LANDSCAPE PLAN				
SYMBOL	COMMON NAME	REMARKS	SIZE	QTY.
⊗	QUERCUS VIRENDA	SOUTHERN LIVE OAK	24" BOX	LARGE 14
⊗	ACACIA STYRACINELLA	SOUTHERN ACACIA	24" BOX	MEDIUM 14
⊗	LEUCOPHYLLUM FRUTICOSUM	LEUCOPHYLLUM	8 GALLON	LARGE 04
⊗	LANTANA	LANTANA	1 GALLON	GROUND 143
⊗	ROCK MULCH, ROYAL GOLD, 8/4" SCREENED	8" DEPTH IN ALL PLANTING AREAS		

NOTE: ALL TREES/SHRUBS TO BE PLANTED IN ACCORDANCE WITH LAS VEGAS ZONING CODE (TITLE 16, CHAPTER 16.12 LANDSCAPE AND BUFFER STANDARDS)

VICINITY MAP	
PROJECT VICINITY	

OWNER/DEVELOPER
PLUMBERS AND PIPEFITTERS UNION
LOCAL 525
780 NORTH LAMB BOULEVARD
LAS VEGAS, NV 89110

SITE PLAN

NOVEMBER 2004

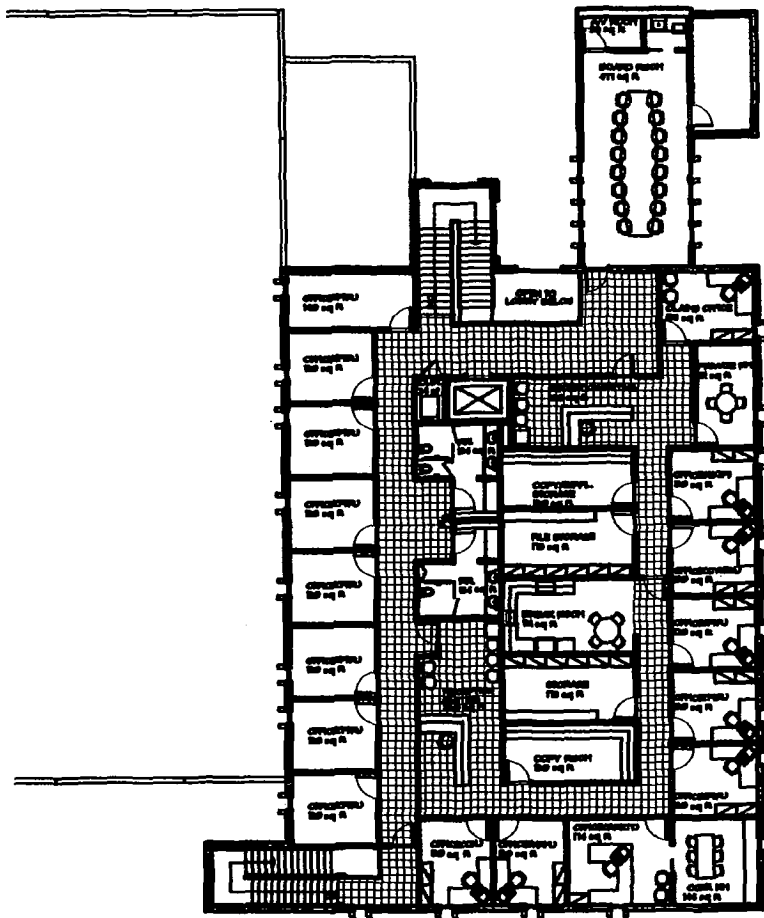
PIPE TRADES UNION HALL AT LAMB BLVD AND HARRIS AVE

LAS VEGAS - NEVADA

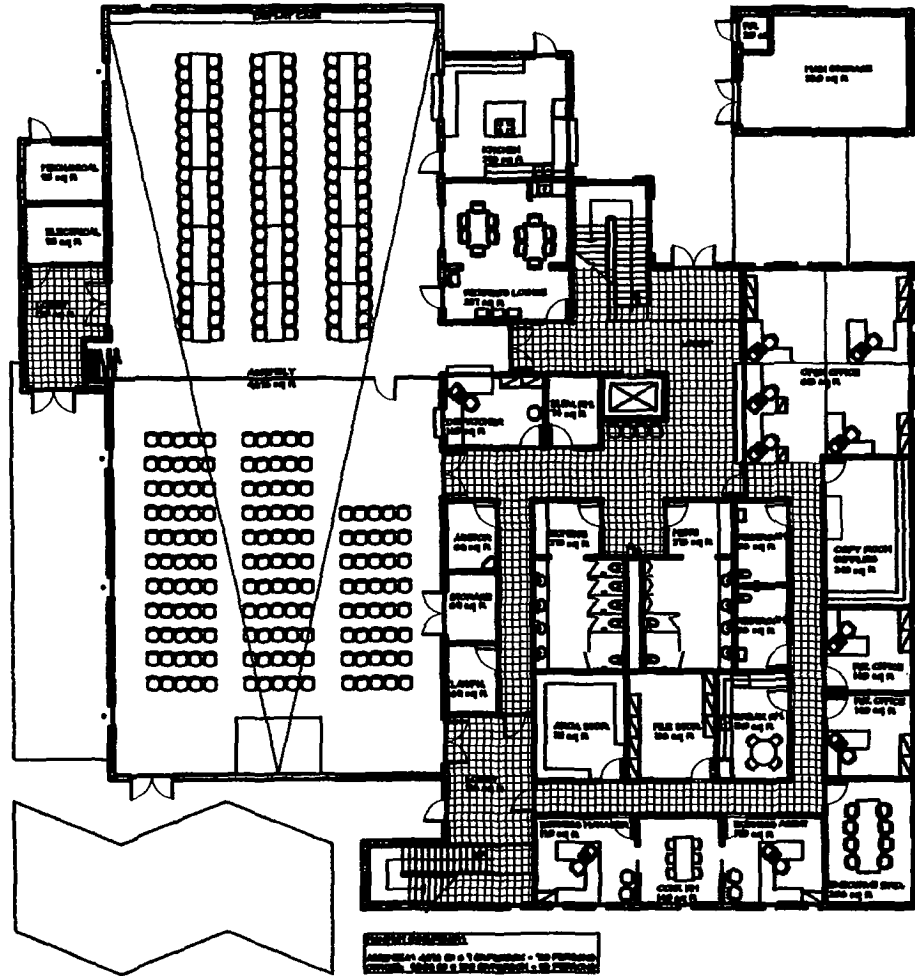
SDR-5571

12/16/04 PC





SECOND FLOOR



FIRST FLOOR

FLOOR PLANS

NOVEMBER 2004

PIPE TRADES UNION HALL AT LAMB BLVD AND HARRIS AVENUE

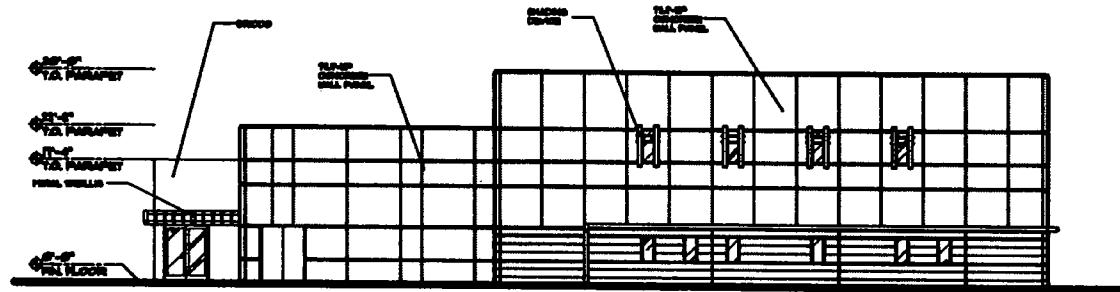
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03468



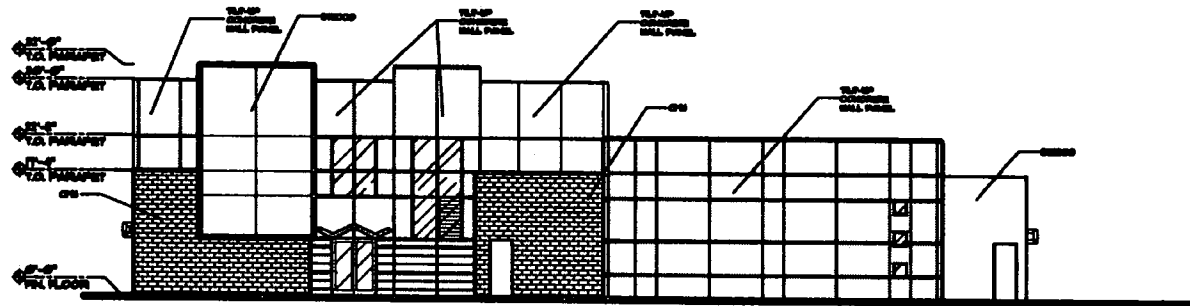
LAS VEGAS - NEVADA

LTD Inc.
architectural
interior
THE HICKMANSON PARTNERSHIP, INC.
11511 PINE TREE AVENUE, SUITE 100, DALLAS, TEXAS 75243
PHONE 972.724.0857 FAX 972.724.0858
E-MAIL: WJL@HICKMANSON.COM

SDR-5571
12/16/04 PC



SOUTH



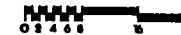
NORTH

ELEVATIONS

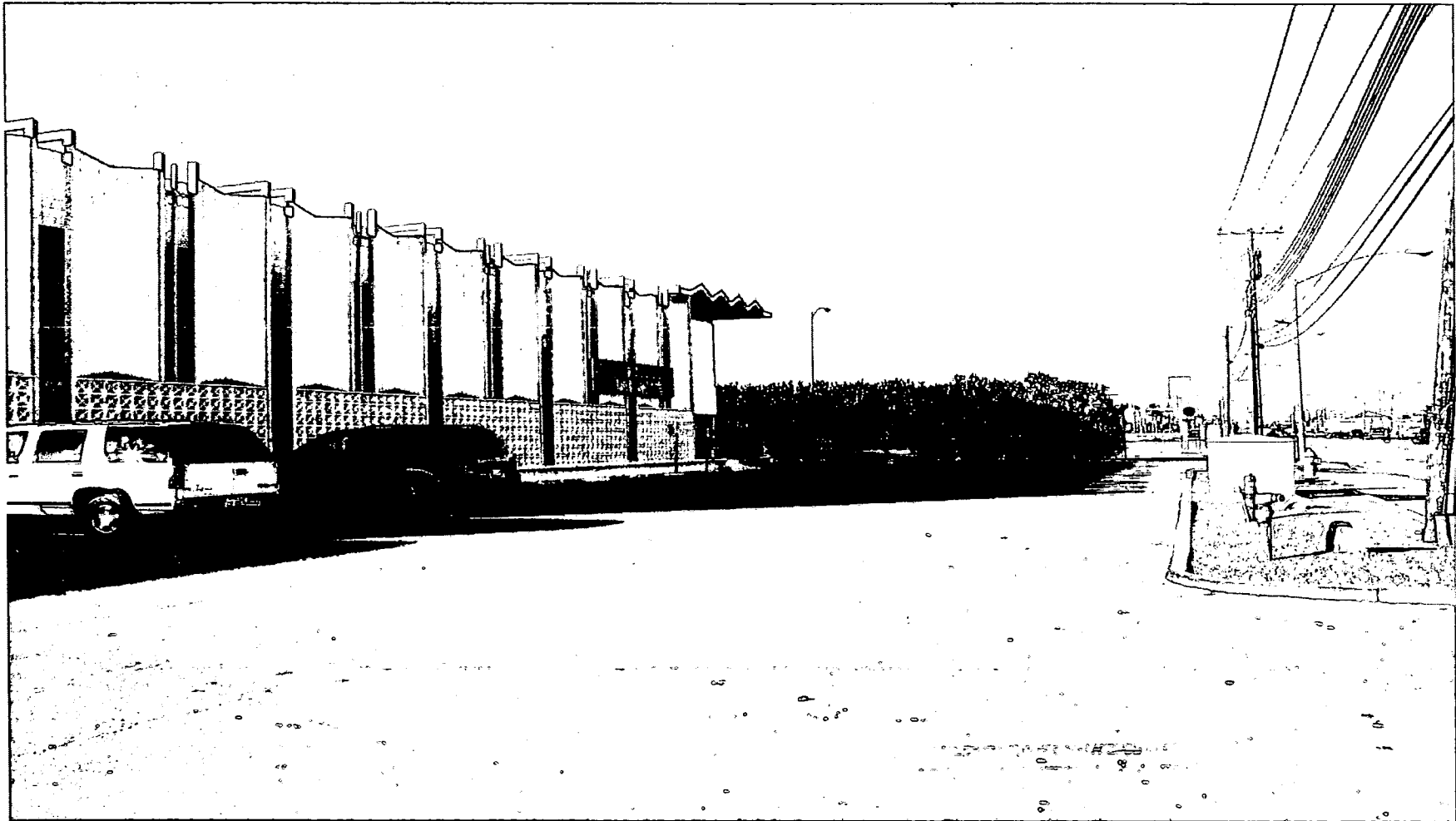
NOVEMBER 2004

PIPE TRADES UNION HALL AT LAMB BLVD AND HARRIS AVE

LAS VEGAS - NEVADA

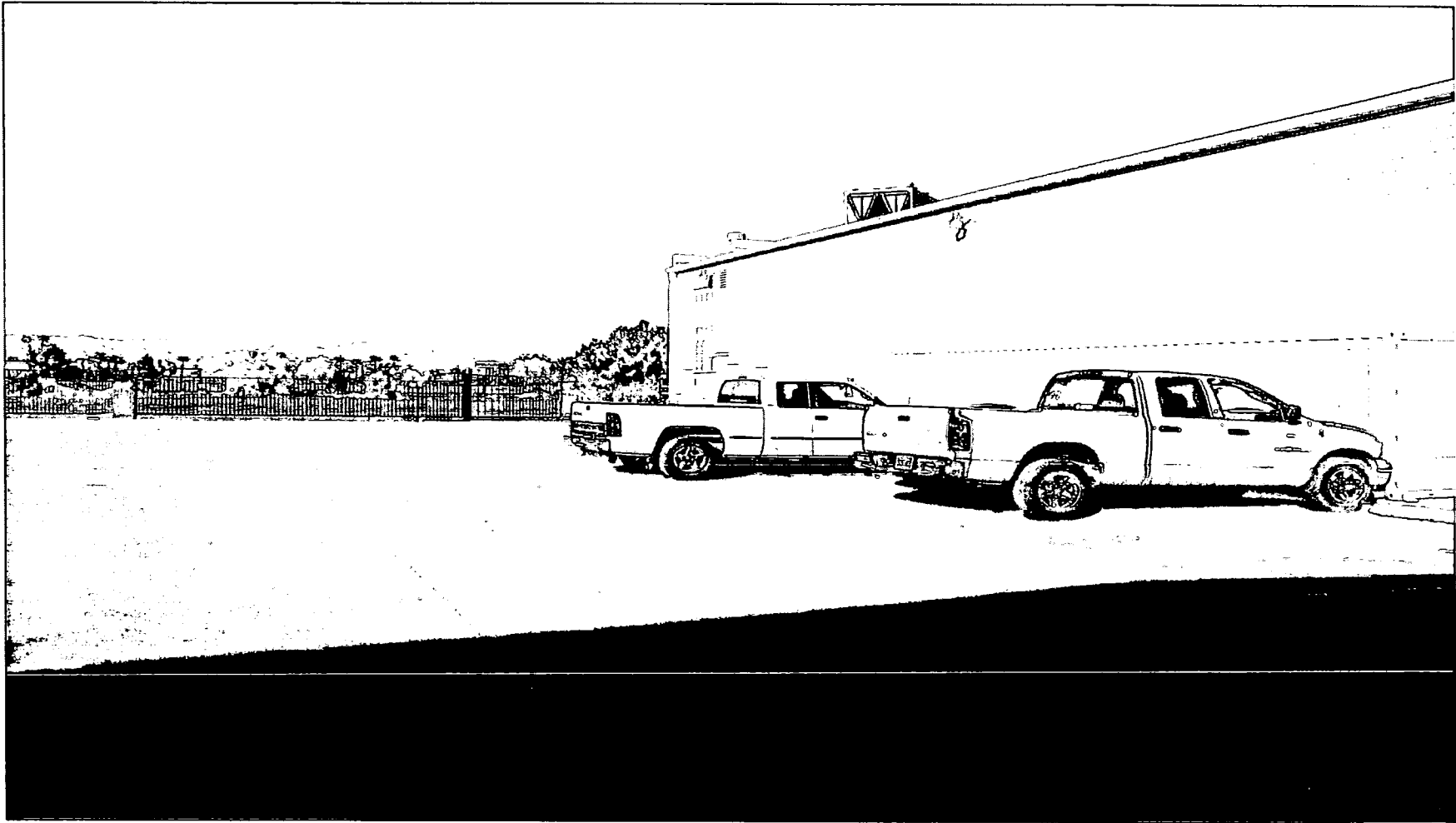


SDR-5571
12/16/04 PC



**SDR-5571 - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525
760 NORTH LAMB BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION**

12/2/04



SDR-5571 - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525
760 NORTH LAMB BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04



SDR-5571 - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525
760 NORTH LAMB BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT

RQR-5498 - PUBLIC HEARING - APPLICANT/OWNER: JERALD LANDWEHR AND KAY C. LANDWEHR - Required One Year Review of an Approved Special Use Permit (SUP-2960) WHICH ALLOWED FOR ANIMAL KEEPING AND HUSBANDRY (GOATS) at 4809 Ricky Road (APN 138-12-710-090), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council approval letter for SUP-2960

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing Open.

KAY C. LANDWEHR, 4809 Ricky Road, agreed with the conditions.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

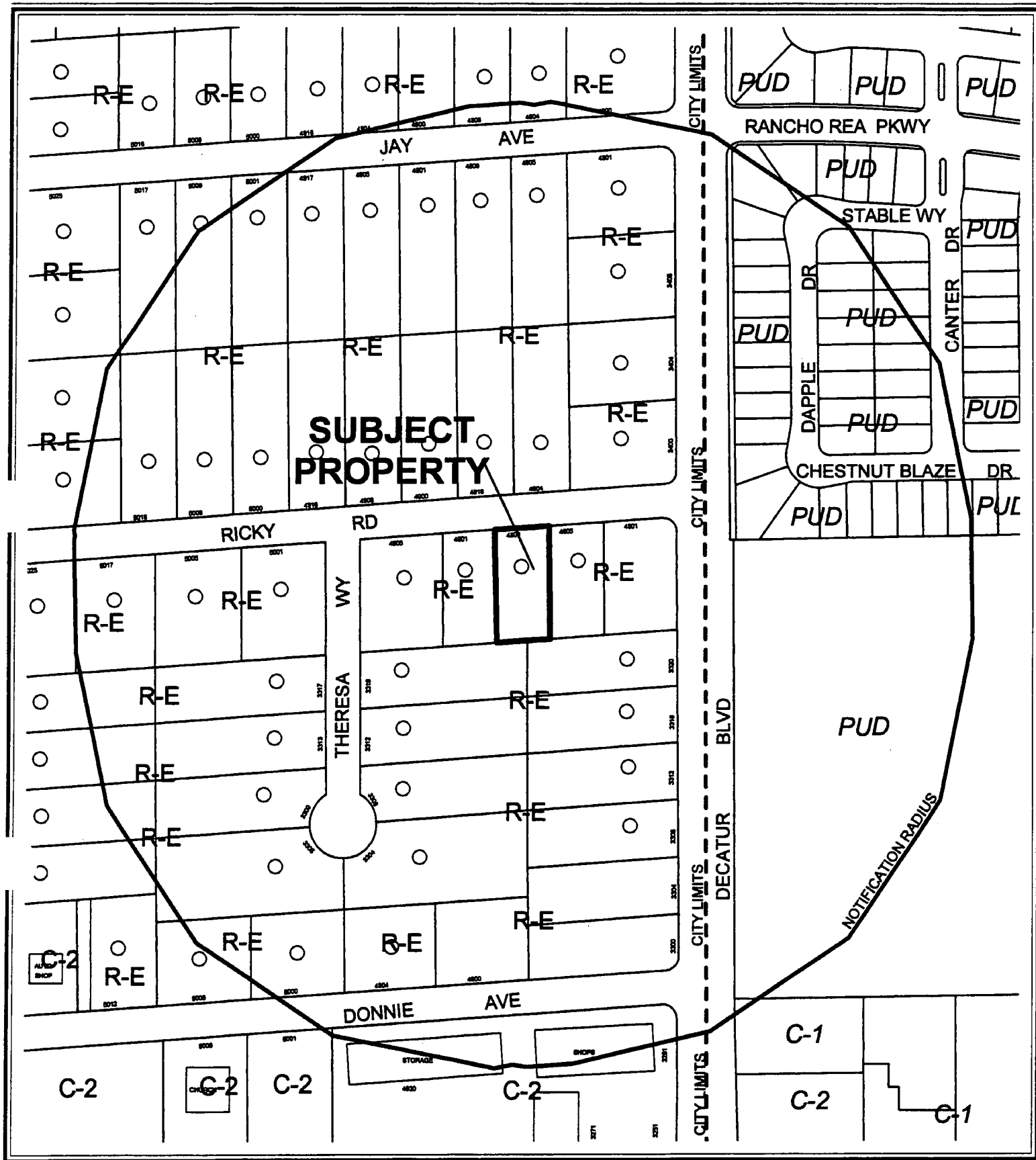
(2:17 - 2:18)

3-2823

CONDITIONS:

Planning and Development

1. Conformance to all Conditions of approval for Special Use Permit SUP-2960, with no further reviews required.
2. All City Code requirements and design standards of all City Departments shall be satisfied.



CASE: RQR-5498

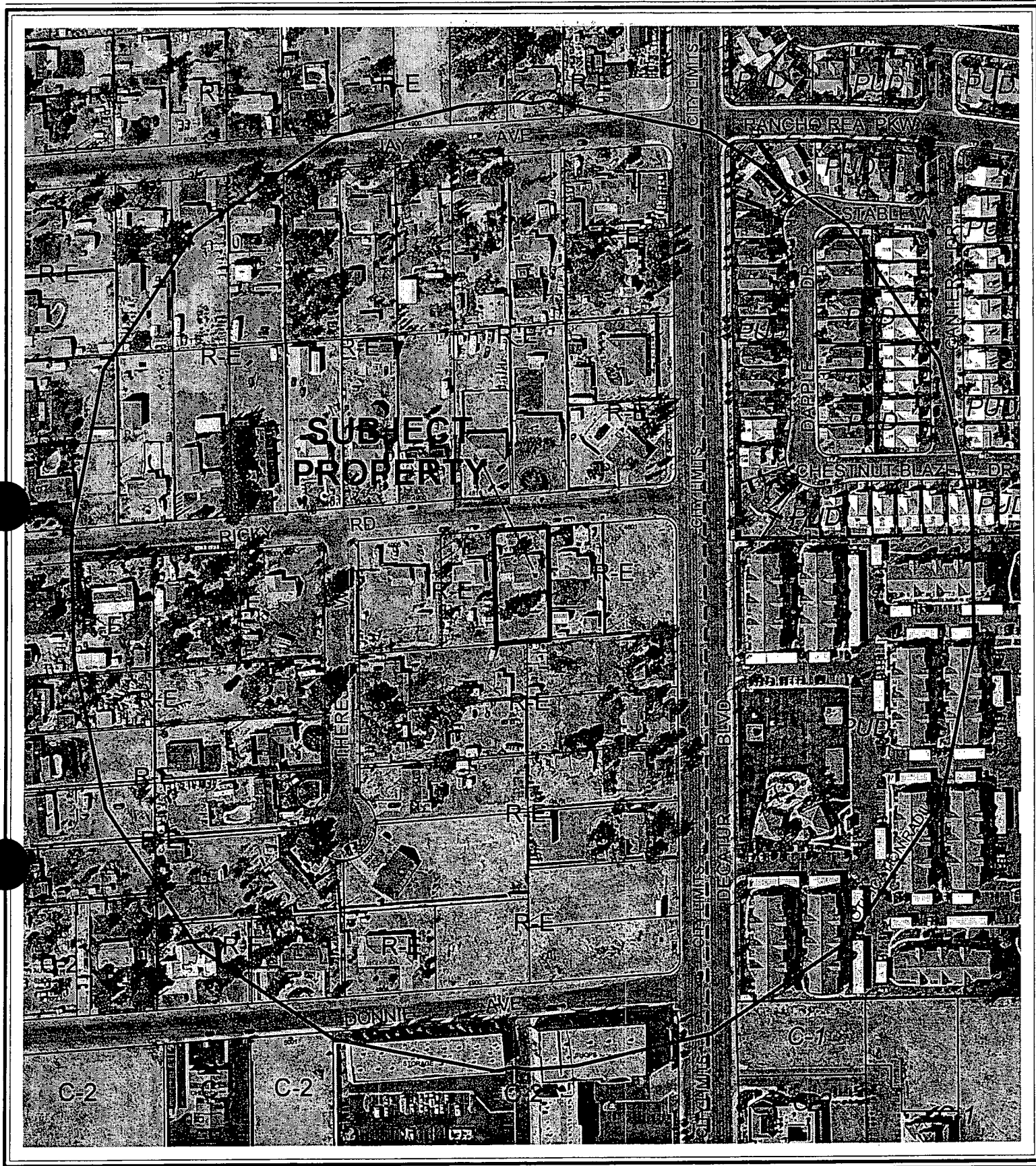
RADIUS: 750 FT

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

0 200 400 Feet

88





CASE: RQR-5498

RADIUS: 750 FT

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-5498 - APPLICANT/OWNER: JERALD LANDWEHR
AND KAY C. LANDWEHR**

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Conditions of approval for Special Use Permit SUP-2960, with no further reviews required.
2. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This request is for a Required One Year Review of an Approved Special Use Permit which allowed for animal keeping and husbandry (goats) at 4809 Ricky Road.

BACKGROUND INFORMATION

A) *Previous Actions*

- 11/05/86 The City Council approved a request for a Rezoning (SUP-2960) to C-1 (Limited Commercial) on this site. The Planning Commission recommended approval on October 9, 1986.
- 12/06/04 Confirmation was received from City of Las Vegas Code Enforcement that there are no outstanding violations at this location.
- 12/16/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #13/mp).

B) *Pre-Application Meeting*

A pre-application meeting is not required for a Required Review application.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for a Required Review application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.44

B) *Existing Land Use*

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

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)

D) General Plan Compliance

This site has a DR (Desert Rural Density Residential) General Plan designation. The existing R-E (Residence Estates) zoning district is in compliance with the General Plan. The approved Animal and Husbandry is a conditional use in the R-E zoning district.

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

The subject site is not located within any special district or zone.

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'

A Development Impact Notice and Assessment was distributed with the original Special Use Permit and no comments were received from affected agencies.

ANALYSIS

A) Zoning Code Compliance

Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Animal Keeping and Husbandry use. There are no similar approved uses within the 750-foot notification distance.

B) General Analysis and Discussion

- Zoning

A Special Use Permit is required to house more than three animals on the site in the R-E (Residence Estates) zoning district:

- Use

The Animal Keeping and Husbandry use involves raising, keeping and breeding of domestic animals, including without limitation dogs, cats, birds and pot-bellied pigs. The use must be ancillary to the principal use, but may be conducted for commercial purposes. A Special Use Permit is required to house more than three animals on the site in the R-E (Residence Estates) zoning district.

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 Animal Keeping and Husbandry of five goats has been conducted in a manner that is harmonious and compatible with the existing single-family residencies adjacent to the east, west, and south of the property. Therefore, the recommendation for this request is approval with no further review required.

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

The sanitation violations issued addressed with the original Special Use Permit. Therefore, the subject site is physically suitable for the keeping of more than the allowed three animals (five goats) on premises.

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

The use does not generate additional traffic, and access is adequate to the subject site.

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

No new violations have occurred for the subject use, therefore the use has not negatively affected the health, safety, and welfare issues of the surrounding landowners and general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 98 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5498** APN: _____

Name of Property Owner: Herald E Kay Landwehr

Name of Applicant: Same

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

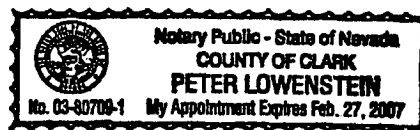
Signature of Property Owner/Authorized Agent: Kay Landwehr

Print Name: KAY LANDWEHR

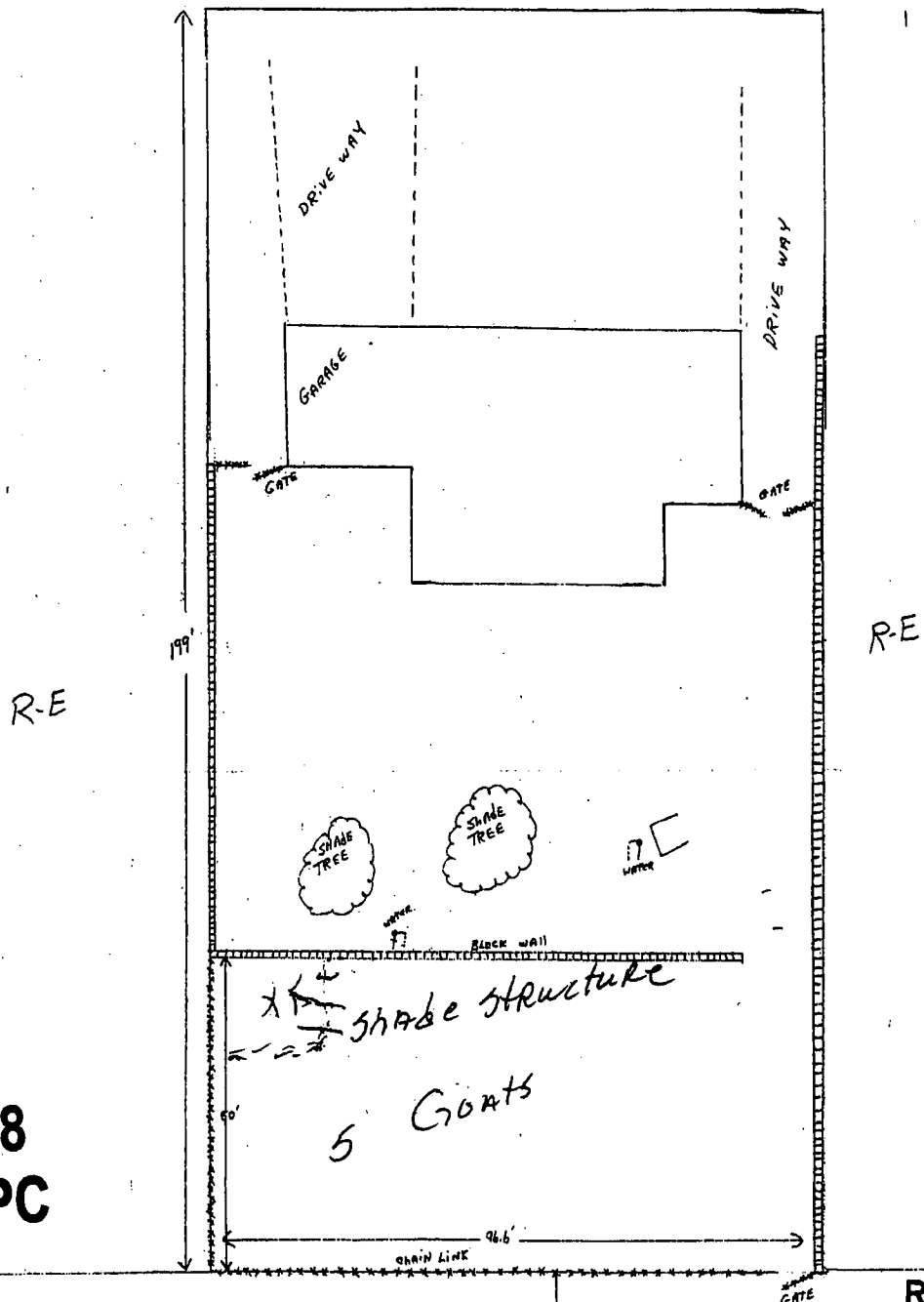
Subscribed and sworn before me

This 20th day of OCTOBER, 2004

Peter Lowenstein
Notary Public in and for said County and State

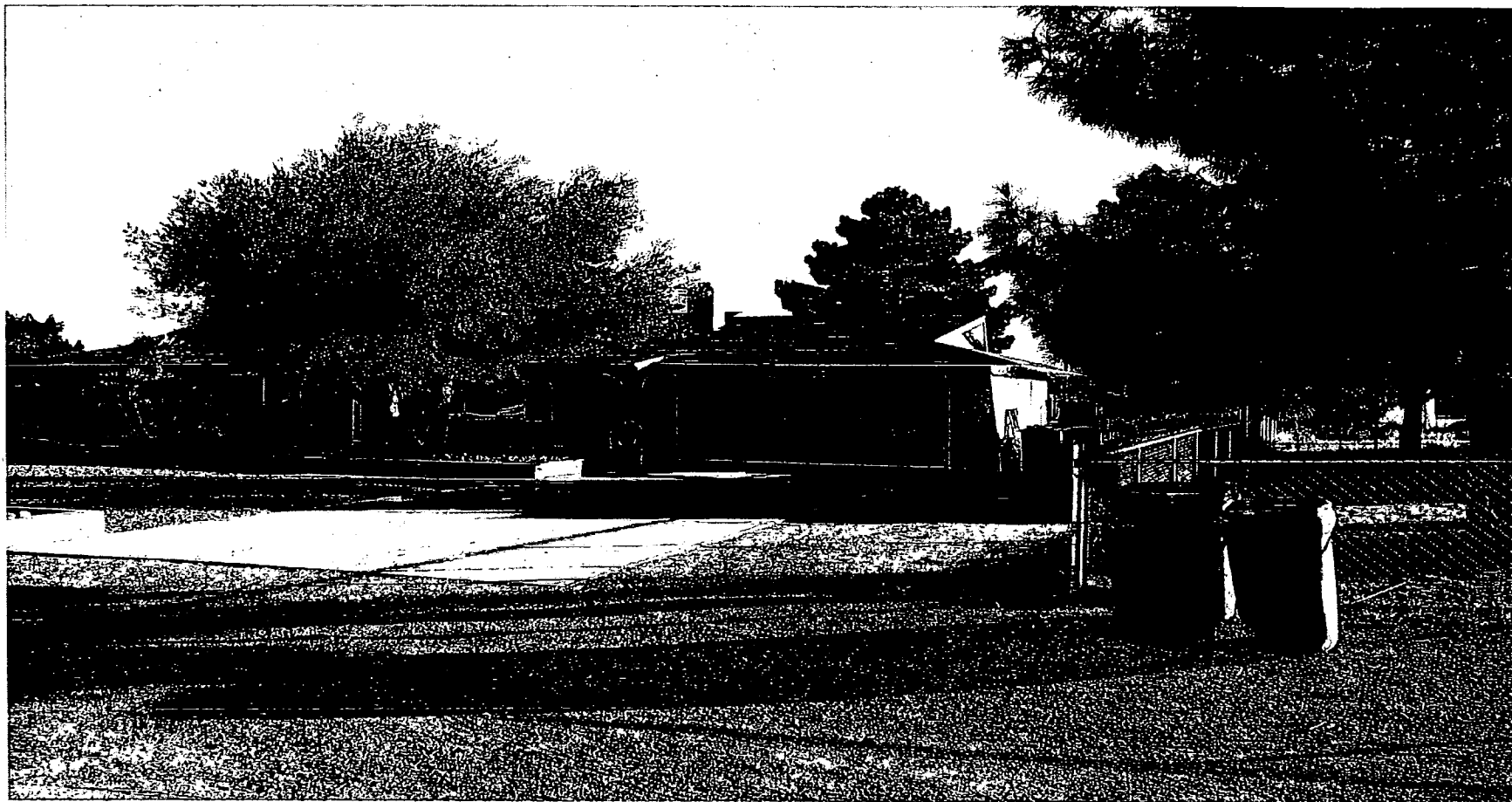


4809 RICKY RD



RQR-5498
12/16/04 PC

RECEIVED
OCT 19 2004



RQR-5498 - APPLICANT/OWNER: JERALD LANDWEHR AND KAY C. LANDWEHR
4809 RICKY ROAD
DECEMBER 16, 2004 PLANNING COMMISSION

11/24/04



RQR-5498 - APPLICANT/OWNER: JERALD LANDWEHR AND KAY C. LANDWEHR
4809 RICKY ROAD
DECEMBER 16, 2004 PLANNING COMMISSION

11/24/04



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
PATRICIA B. McDONALD
RENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

January 13, 2004

Mrs. Kay C. Landwehr
4809 Ricky Road
Las Vegas, Nevada 89130

RE: SUP-2960 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF NOVEMBER 5, 2003

Dear Mrs. Landwehr:

The City Council at a regular meeting held November 5, 2003 APPROVED the request for a Special Use Permit FOR ANIMAL KEEPING AND HUSBANDRY (GOATS) on 0.44 acres located at 4809 Ricky Road (APN: 138-12-710-090), R-E (Residence Estates) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on November 6, 2003. This approval is subject to:

Planning and Development

1. Animal Control will make quarterly visits to ensure that only five female goats are kept and that the area is kept clean; and that the concerns of the neighbors be addressed.
2. This Special Use Permit shall be subject to a one-year review.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Submittal to the Planning and Development Department, for administrative review and approval, a site plan with notes indicating the number and types of animals to be kept or reproduced on the premises.
5. All operations and activities be in accordance with Las Vegas Municipal Code Title 7.
6. The maximum number of goats allowed on this site shall be five.

Sincerely,

Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

M. Margo Wheeler, AICP
Deputy Director
Planning and Development Department

cc: See Attached List

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

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

Mrs. Kay C. Landwehr
SUP-2960 – Page 2
January 13, 2004

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT

RQR-5544 - PUBLIC HEARING - APPLICANT: DESERT DODGE, INC. - OWNER: DOUGLAS B. KAYS - Required One-Year Review of an approved Special Use Permit (SUP-2859) FOR AN AUTO DEALER INVENTORY STORAGE at 1717 South Decatur Boulevard (APN 162-06-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council approval letter for SUP-2859

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting and GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing Open.

CASH WILSON, Gary Guy Wilson Architects, appeared on behalf of Desert Dodge, and indicated that the storage will be removed within two years.

MARGO WHEELER, Director, Planning and Development Department, verified for COUNCILWOMAN MONCRIEF that a one-year review is already part of Condition 1.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:18 - 2:20)

3-2904

CONDITIONS:

Planning and Development

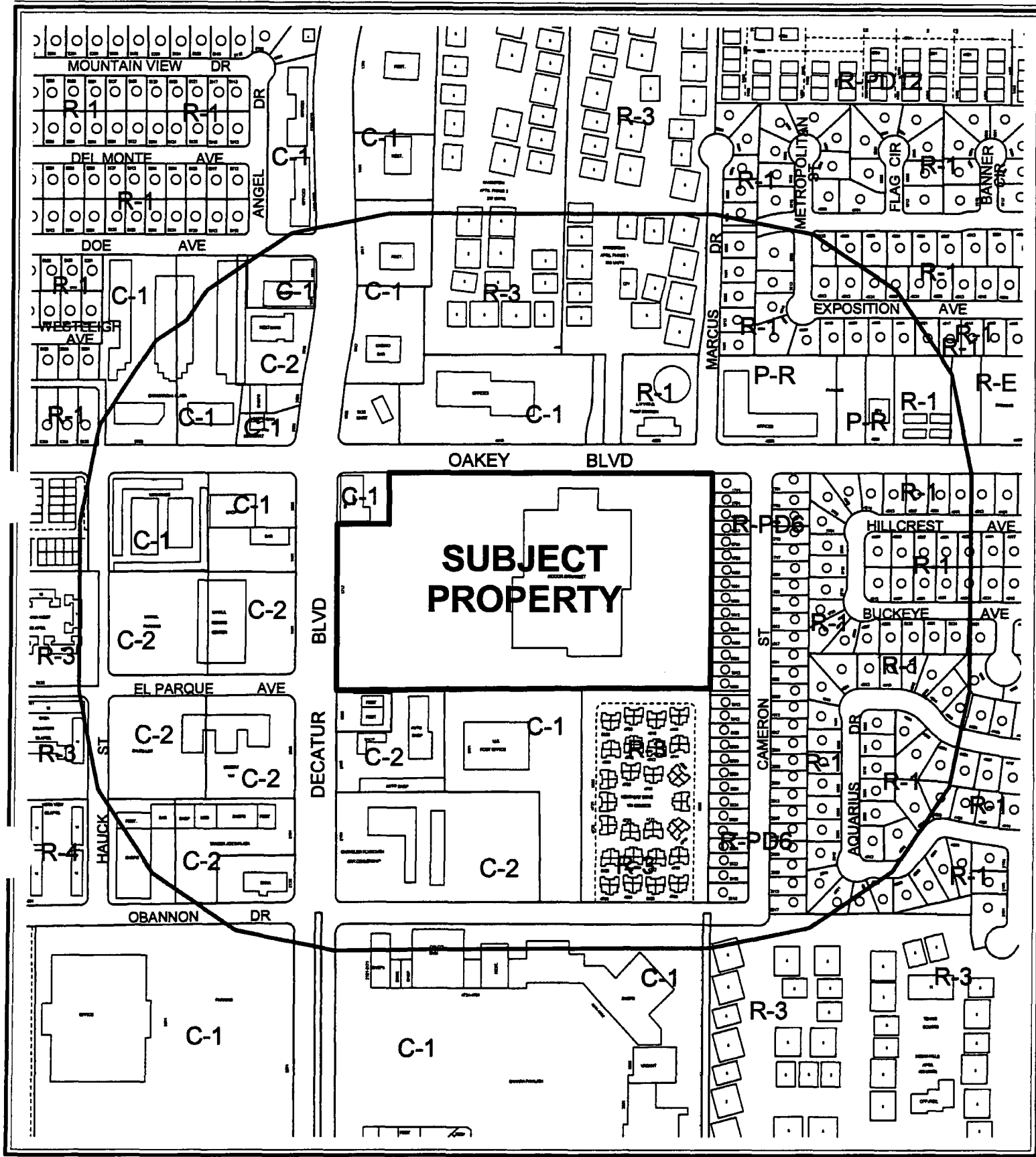
1. The Special Use Permit shall be reviewed in one year at which time the City Council may require the auto dealer inventory storage use to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the auto dealer

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

inventory storage use be discontinued.

2. All City Code requirements and design standards of all City Departments shall be satisfied.



CASE: RQR-5544

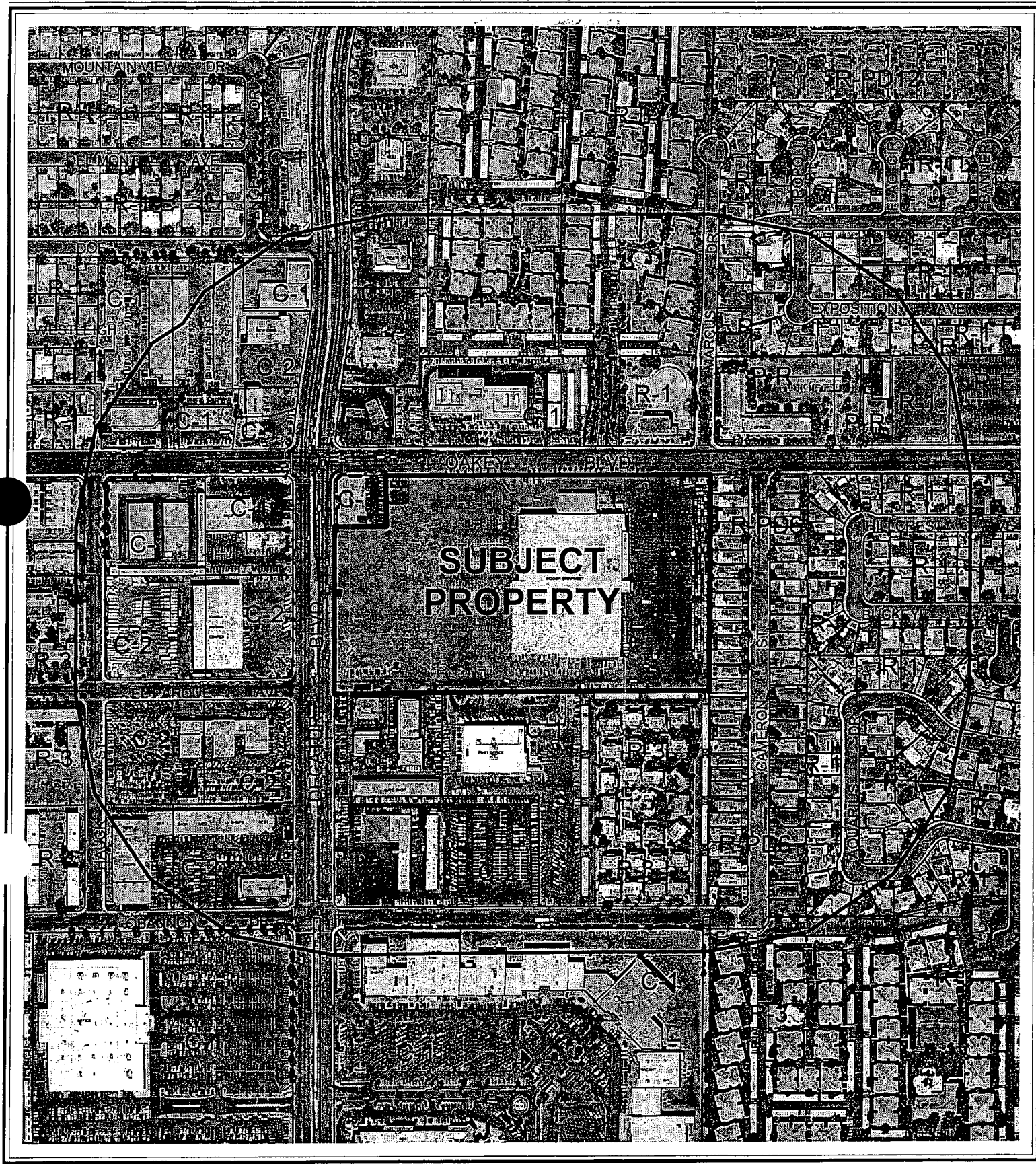
RADIUS: 750 FT

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

0 300 600 Feet

89





CASE: **RQR-5544**

RADIUS: 750 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-5544 - APPLICANT: DESERT DODGE, INC. -
OWNER: DOUGLAS B. KAYS**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in one year at which time the City Council may require the auto dealer inventory storage use to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the auto dealer inventory storage use be discontinued.
2. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Required One-Year Review of an approved Special Use Permit (SUP-2859) for an auto dealer inventory storage at 1717 South Decatur Boulevard.

BACKGROUND INFORMATION

A) Previous Actions

- 11/05/86 The City Council approved a request for a Rezoning (Z-0074-86) to C-1 (Limited Commercial) on this site. The Planning Commission recommended approval on October 9, 1986.
- 12/17/03 The City Council approved the Special Use Permit (SUP-2859) for Auto Dealer Inventory Storage on this site. The Planning Commission recommended approval on November 20, 2003. Staff recommendation was for denial.
- 12/16/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #56/mp).

B) Pre-Application Meeting

A pre-application meeting is not required for a Required Review application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Required Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 15.23

B) Existing Land Use

Subject Property: Commercial (Indoor Swap Meet)
North: Office
 Commercial

South: Condominiums
Commercial
Post Office
East: Single Family Residences
West: Commercial

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: M (Medium Density Residential)
SC (Service Commercial)
South: M (Medium Density Residential)
GC (General Commercial)
PF (Public Facilities)
East: ML (Medium-Low Density Residential)
West: SC (Service Commercial)
GC (General Commercial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-1 (Single Family Residential)
R-3 (Medium Density Residential)
C-1 (Limited Commercial)
South: R-3 (Medium Density Residential)
C-1 (Limited Commercial)
C-2 (General Commercial)
East: R-PD8 (Residential Planned Development – 8 Units Per Acre)
West: C-1 (Limited Commercial)
C-2 (General Commercial)

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southeast Sector Map of the General Plan. The existing C-1 zoning is compatible with this land use district and allows for light commercial and retail uses. The proposed Auto Dealer Inventory Storage is allowed with the approval of a Special Use Permit.

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

This site is not affected by any special area plans or districts.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

There are no minimum parking requirements for an Auto Dealer Inventory Storage use established by the Code; however, the spaces to be used for storage of vehicles must be over and above the required parking for property on which the storage is to be located. If this request is approved, a condition has been added requiring the applicant to provide a detailed parking analysis a minimum of 90 days from the final approval of this request or the vehicles shall be removed.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in Title 19 that apply to Auto Dealer Inventory Storage.

B) General Analysis and Discussion

- **Zoning**

Auto Dealer Inventory Storage is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- **Use**

The proposed Auto Dealer Inventory Storage use is to allow storage of vehicles for the existing Desert Dodge automobile dealership at 4701 West Sahara Avenue. Although the wrought iron fence with perforated metal panels has been installed, it is not aesthetically pleasing. Additionally, the vehicle storage remains inappropriate at this location. Therefore, this use cannot be conducted in a manner that is harmonious and compatible with the surrounding development

A site visit revealed there are vehicles stored on the site and wrought iron fence with perforated metal panels has been installed.

As of December 2, 2004, there are no known Code Enforcement issues related to this use. At the December 16, 2004 Planning Commission hearing the applicant provided photos showing trees planted along Oakey.

- **Conditions**

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.

In order to evaluate this request, each of the above conditions will be addressed:

1. The area of the proposed storage is currently paved.
2. The applicant has installed the wrought iron fence with perforated metal panels as shown on the approved plan.
3. The subject property is adjacent to Decatur Boulevard, a 100-foot wide Primary Arterial, and Oakey Boulevard, an 80-foot wide Secondary Collector on the Master Plan of Streets and Highways.
4. No lighting has been added to the site as part of this request.

FINDINGS

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

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

Although this use is allowed in the C-1 (Limited Commercial) zoning district, due to the incompatibility with the adjacent single-family, this use is not harmonious and compatible with the surrounding land uses.

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

The use is located within an existing commercial development. Due to the incompatibility with the adjacent single family uses, the subject site is still not physically suitable for the type and intensity of land use proposed.

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

The abutting street network will be adequate for the traffic generated by the use since it is within the existing commercial development. Access to the site is via access driveways from Decatur Boulevard, a 100-foot wide Primary Arterial and Oakey Boulevard, an 80-foot wide Secondary Collector on the Master Plan of Streets and Highways.

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 Auto Dealer Inventory Storage would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

PLANNING COMMISSION ACTION

At the Planning Commission hearing the applicant indicated they are at the end of the first year of their three year need for this facility.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

14

NOTICES MAILED 396 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5544** APN: **162-06-301-002**

Name of Property Owner: Douglas Rays

Name of Applicant: Desert Dodge Inc

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

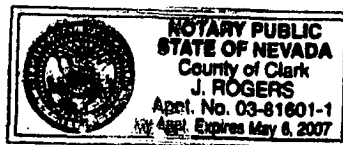
Signature of Property Owner/Authorized Agent: D. B. Kay

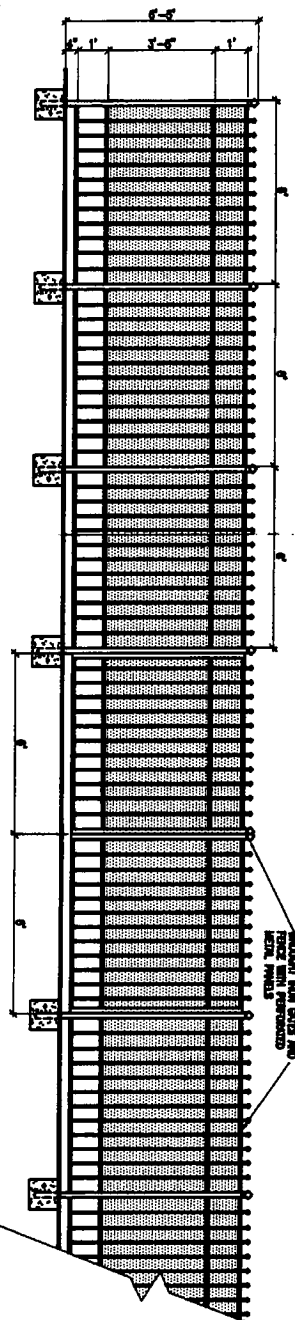
Print Name: Douglas B. Kays

Subscribed and sworn before me

This 28 day of October, 2004

J. Rogers
Notary Public in and for said County and State





8

CANADIAN SCHEDULE				
NO	SYMBOL	SYMBOLIC NAME	SIZE	NOTES
1	68	MALE	MALE	
2	68	FEMALE	FEMALE	
3	68	MALE	MALE	
4	68	FEMALE	FEMALE	
5	68	MALE	MALE	
6	68	FEMALE	FEMALE	
7	68	MALE	MALE	
8	68	FEMALE	FEMALE	
9	68	MALE	MALE	
10	68	FEMALE	FEMALE	
11	68	MALE	MALE	
12	68	FEMALE	FEMALE	
13	68	MALE	MALE	
14	68	FEMALE	FEMALE	
15	68	MALE	MALE	
16	68	FEMALE	FEMALE	
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22	68	FEMALE	FEMALE	
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31	68	MALE	MALE	
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34	68	FEMALE	FEMALE	
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97	68	MALE	MALE	
98	68	FEMALE	FEMALE	
99	68	MALE	MALE	
100	68	FEMALE	FEMALE	

1. ALL PLANTS ARE NEW OR CHANGING AGED TO HAVE 3" DEEP RINGS AND NEW OR CHANGING COLOR TO BLACK PATTERNS ON BROWN COVER GROWN PLANTS AND PLANTS ARE 3/4" - 1 1/2" dia.
2. ALL PLANTS ARE AGED TO BE PROBABLY PLANTED AND GROWN FOR 10-15 YEARS AND GROWN FOR 10-15 YEARS FOR AGE REGULARITY.
3. ALL TREES TO BE SAVED FOR SUPPORT
4. REMOVAL OF STUMP REMOVAL AS REQUIRED.
5. SURVEY AND MEASUREMENTS OF ALL PLANTS, TREES, LOGS, AND STUMPS TO BE TAKEN TO PROVIDE A PROPER RECORD OF ALL REMOVED PLANTS AND TREES AND GROWN PLANTS TO PROVIDE CLEAR LOGS FOR THE AGED TREES.

SITE DATA

APPLICATION FOR SPECIAL USE PRESENT
FOR AUTO DEALER STORAGE YARD
FINANCING ANALYSIS PER CHAPTER 14.10
TABLE 1-ALL OTHER COMMERCIAL USES NOT LISTED

1008	YOUR CURRENT SERVICES
144,001	STANDARD RATE OF FACILITY
(250)	PER DAY OF 1 SPACE PER DAY
(440)	LESS COMMON SPACES REQUIRED
446	(STANDARD) EXCESS SPACES AVAILABLE
213	50% SPACES AVAILABLE PER SPOT RULE
-168	50% SPACES APPLIED FOR
65	EXCESS SPACES AVAILABLE FOR COMMON USE

TOTAL LIST PRICE \$13.44

ONE YEAR REVIEW
DRAWING - NOT
FOR CONSTRUCTION
SUP-2859

SITE PLAN

SMT.NO.
D1.2

**ONE YEAR REVIEW
OFF-SITE AUTOMOBILE STORAGE**

...
 ①: DECATUR & OAKLEY
 FOR: DESERT DODGE

architecture/engineering/sia
GARY GUY WILSON
7825 South Industrial Road, Suite 110
Las Vegas, Nevada 89139

CONSULTANTS:

QMI:

planning/interior design
ARCHITECTS, PC
(702) 876-0688
professional corp. / certified a.e.a.s.d.

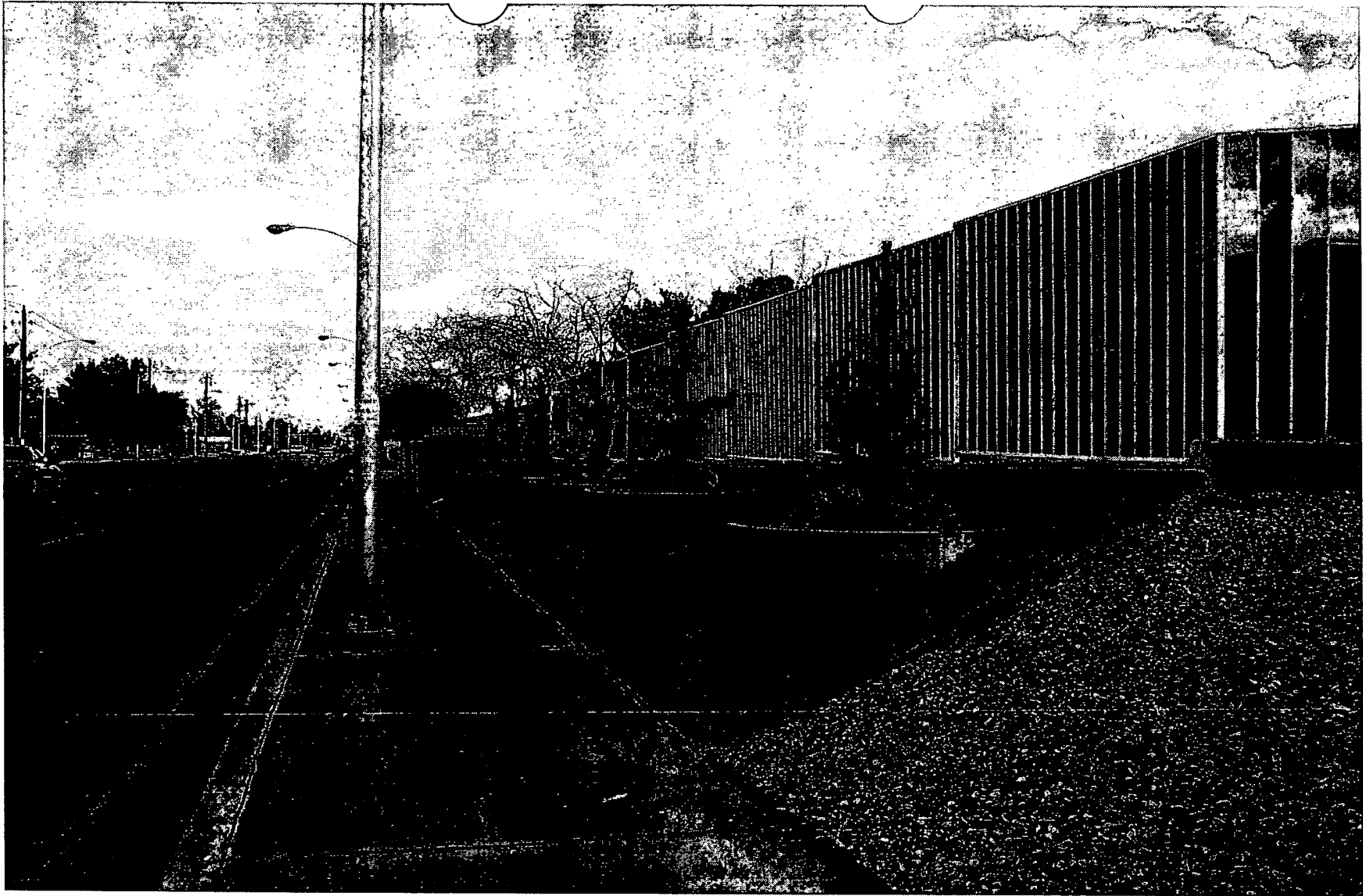
ELEC:

MECH

THIS DRAWING IS AN RECONSTRUCTION OF
STANDARD DRAWING THE ARCHITECT
AND HIS CLIENT, BUT REMAINS THE
PROPERTY OF THE ARCHITECT.

ALL RIGHTS RESERVED

© 2004



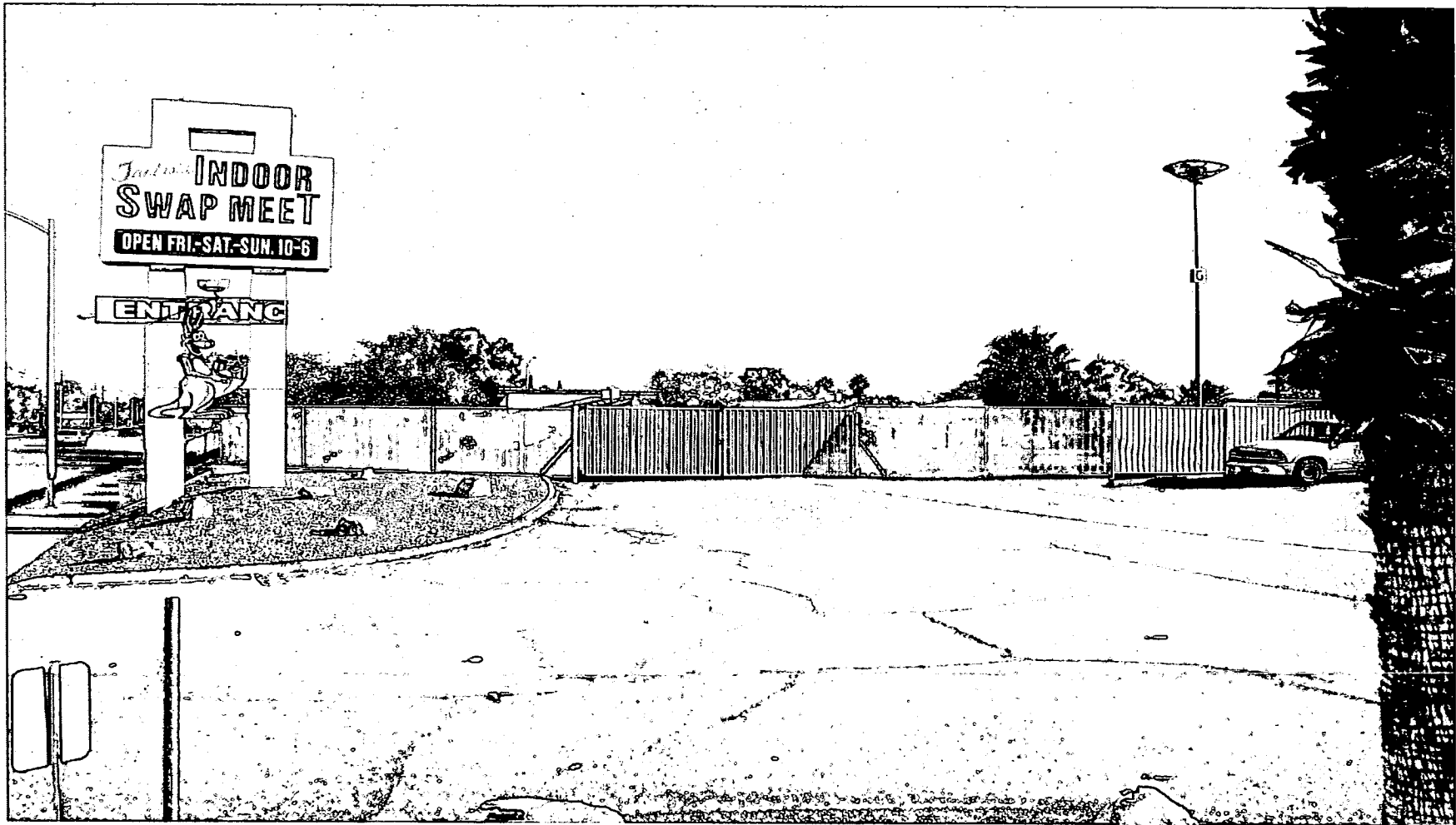
RQR-5544 - APPLICANT: DESERT DODGE, INC. – OWNER: DOUGLAS B. KAYS
1717 South Decatur Boulevard
JANUARY 19, 2005 CITY COUNCIL MEETING

Picture taken 01/04/05



RQR-5544 - APPLICANT: DESERT DODGE, INC. – OWNER: DOUGLAS B. KAYS
1717 South Decatur Boulevard
JANUARY 19, 2005 CITY COUNCIL MEETING

Picture taken 01/04/05



RQR-5544 - APPLICANT: DESERT DODGE, INC. - OWNER: DOUGLAS B. KAYS
1717 SOUTH DECATUR BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

11/24/04



RQR-5544 - APPLICANT: DESERT DODGE, INC. - OWNER: DOUGLAS B. KAYS
1717 SOUTH DECATUR BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

11/24/04



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
CHRISTINE B. McDONALD
TERENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

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

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

February 3, 2004

Mr. Douglas Kays
1717 South Decatur Boulevard
Las Vegas, Nevada 89102

RE: SUP-2859 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF DECEMBER 17, 2003

Dear Mr. Parks:

The City Council at a regular meeting held December 17, 2003 APPROVED the request for a Special Use Permit FOR A PROPOSED AUTO DEALER INVENTORY STORAGE at 1717 South Decatur Boulevard (APN:162-06-301-002), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on December 18, 2003. This approval is subject to:

Planning and Development

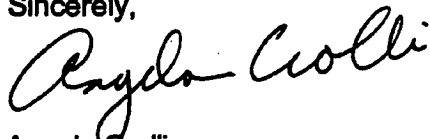
1. No sales shall take place on this property.
2. This use shall be subject to a one year review in a public hearing by the Planning Commission and City Council.
3. The applicant shall submit a plan to provide adequate screening of the vehicles. This plan shall be completed a minimum of 90 days from the final approval of this request or the vehicles shall be removed.
4. The applicant shall provide a detailed parking analysis, based on current Code requirements, indicating the vehicle storage does not interfere with required parking for the existing development a minimum of 90 days from the final approval of this request or the vehicles shall be removed.
5. Conformance to all Minimum Requirements under Title 19.04.050 for an Auto Dealer Inventory Storage use.
6. This Special Use Permit shall expire three years from the date of final approval.
7. All City Code requirements and design standards of all City departments must be satisfied.

RQR-5544

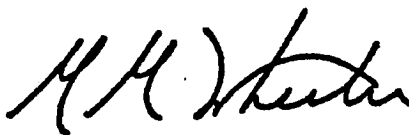
Mr. Douglas Kays
SUP-2859 – Page Two
February 3, 2004

8. The applicant shall be responsible for the landscaping from the east property line to the first parking lot entry west on Oakey Boulevard.

Sincerely,



Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP
Deputy Director
Planning and Development Department

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Dave Wick
Desert Dodge
4701 West Sahara Avenue
Las Vegas, Nevada 89102

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED FOUR YEAR REVIEW SPECIAL USE PERMIT

RQR-5443 - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: BELL REAL ESTATE, LLC - Request for a Required Four Year Review of an approved Special Use Permit (U-0103-95), WHICH ALLOWED A 12-FOOT BY 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1910 Industrial Road (APN 162-04-704-006), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council approval letter for U-0103-95(1)

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting, MACK abstaining because his company, Mack Consulting, has negotiated with the applicant on behalf of his clients and GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

The applicant was not present.

COUNCILWOMAN MONCRIEF indicated the sign is appropriate in this industrial area.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:20 - 2:21)

3-2981

CONDITIONS:

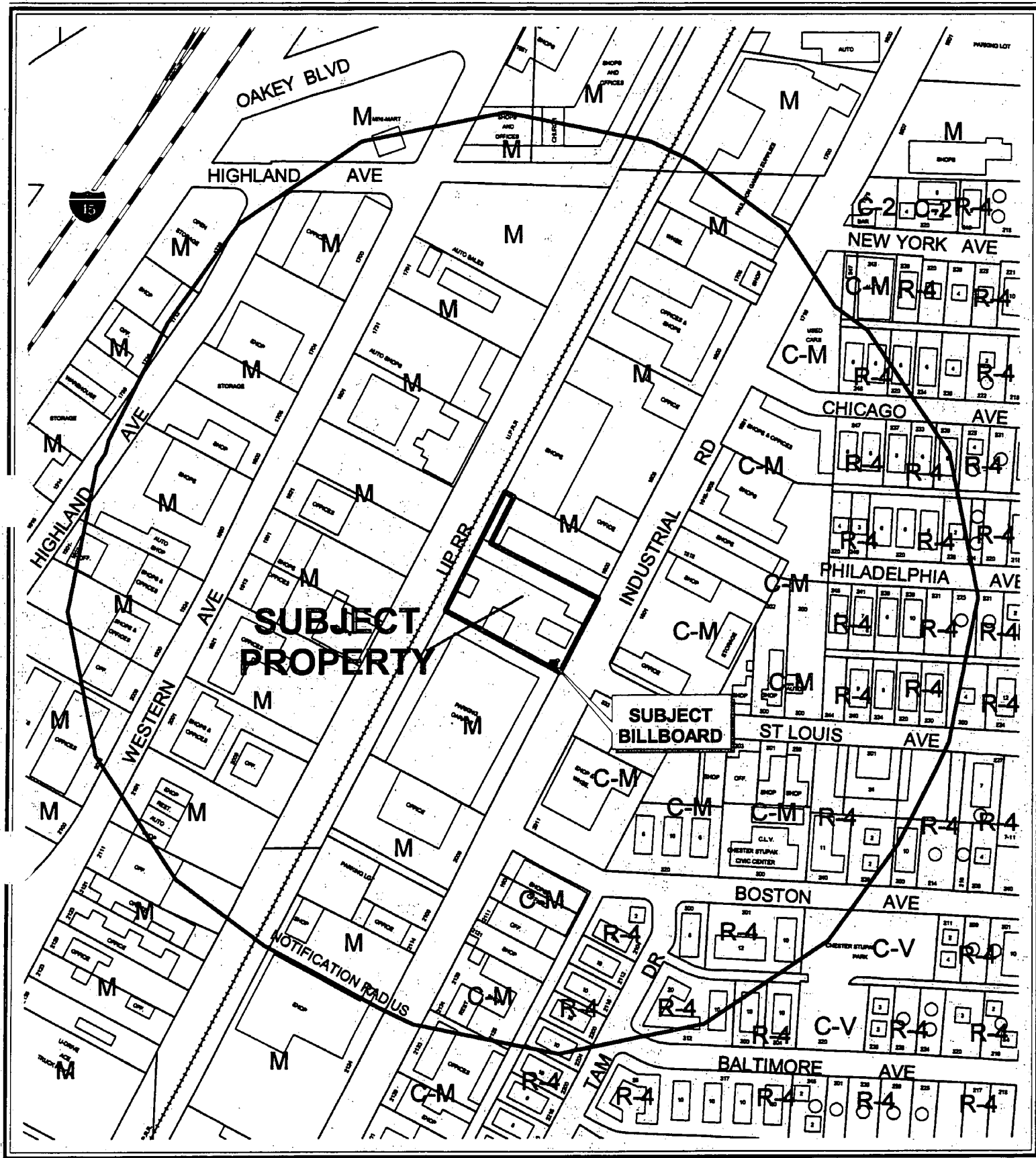
Planning and Development

1. The Special Use Permit shall be reviewed in four years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. All City Code requirements and design standards of all City Departments shall be satisfied.



CASE: RQR-5443

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)





RQR-5443

City of Las Vegas Billboard Data

 Subject Parcel	 300 Foot Buffer Around Billboard	 Outside City Boundary
 City of Las Vegas Billboard Location	 750 Foot Buffer Around Freeway Billboard	 Off Premise Sign Exclusion Area
 Clark County Billboard Location		 Exempt - Off Premise Area Sign Area



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-5443 - APPLICANT: CLEAR CHANNEL OUTDOOR -
OWNER: BELL REAL ESTATE, LLC**

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in four years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This Request is for a Required Four Year Review of an approved Special Use Permit (U-0103-95), which allowed a 12-foot by 24-foot off-premise advertising (billboard) sign at 1910 Industrial Road.

BACKGROUND INFORMATION

A) Previous Actions

- 10/18/95 The City Council approved the Special Use Permit (U-103-95) for the 12-foot x 24-foot off-premise advertising (billboard) sign on this site subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval on September 26, 1995.
- 12/06/00 The City Council approved a Required 5 Year Review of the Special Use Permit [U-103-95(1)] for the 12-foot x 24-foot off-premise advertising (billboard) sign on this site subject to a four-year review. The Planning Commission and staff recommended approval on October 26, 2000.
- 12/16/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #12/mp).

B) Pre-Application Meeting

A pre-application meeting is not required for a Required Review application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Required Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.01

B) Existing Land Use

Subject Property: Office and Shops

North: Office and Shops
South: Parking Garage
East: Office and Shops
West: Office and Shops

C) Planned Land Use

Subject Property: LI/R (Light Industrial/Research)
North: LI/R (Light Industrial/Research)
South: LI/R (Light Industrial/Research)
East: LI/R (Light Industrial/Research)
West: LI/R (Light Industrial/Research)

D) Existing Zoning

Subject Property: M (Industrial)
North: M (Industrial)
South: M (Industrial)
East: C-M (Commercial/Industrial)
West: M (Industrial)

E) General Plan Compliance

The subject site is located on the Southeast Sector of the General Plan. The Plan identifies LI/R (Light Industry / Research) as the General Plan designation for the subject site. The existing M (Industrial) zoning designation is in conformance with the General Plan Designation.

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

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

ANALYSIS

A) Zoning Code Compliance

Minimum Distance Separation Requirements

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

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in M Zoning District	Y
Off-premise sign area (max.)	672 SF	288 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	580 Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	530 Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	1500 feet	Y

Although the subject sign located is in an area of a high concentration of billboards, the subject sign conforms to the minimum distance separations between freeway-oriented off-premise advertisement (billboard) signs, other billboards, and from "U" or "R" designated properties.

B) General Analysis and Discussion

- Zoning**

The subject site is zoned M (Industrial), which permits an Off-Premise Advertisement (Billboard) Sign with the approval of a Special Use Permit. The subject site was approved for a billboard in 1995 through Special Use Permit U-0103-95. A billboard was constructed and is currently in use on the subject site. A Required Five-Year Review [U-0103-95(1)] for the Billboard was approved by City Council on 12/06/00. Condition number one of [U-0103-95(1)] required that the billboard use be reviewed again in four years after approval at which time the sign may require removal.

- Use**

An Off-Premise Sign is defined by Title 19 as any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is not available, located at, nor on the lot where the sign is erected or placed. The subject sign is currently advertising a business located off-site which meets the qualifications to be defined as an Off-Premise Advertising Sign.

- Site Visit Results

A site visit conducted on November 30, 2004 indicates the subject off-premise advertising (billboard) sign is currently clear of any graffiti is in relative good condition.

- Conditions

Title 19.14.100(C) specifies the following provisions regarding off-premise advertising signs:

1. No off-premise signs shall be erected in the public right-of-way.
2. No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Chapter (including those protecting existing signs).
3. Off-premise signs are permitted in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/ Industrial) and M (Industrial) Zoning Districts only.
4. No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.
5. Off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off-premise sign, wherever located, including an off-premise sign that is situated outside the corporate boundaries of the City.
6. The distance to and from a sign shall be measured with reference to the point on the ground that is directly beneath the center of the sign structure.
7. All other off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council.
8. Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.
9. No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district.

The subject sign conforms to the minimum conditions of Title 19.14.100.

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."**

Section 19A.14.010 of the Las Vegas Municipal Code allows the removal of an off-premise sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. The area immediately surrounding the subject site not changed substantially in the past two years since the approval of the Special Use Permit. Because this billboard is oriented towards Industrial Road and little change is anticipated in the near future, staff recommends approval of this review subject to a review in four years.

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

The subject site has no physical constraints to impede the continuation of the off-premise advertising (billboard) sign use at this location.

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 continuation of the off-premise advertising (billboard) sign use will not affect Industrial Road, a fully developed street adjacent to this request.

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

The existing billboard sign received construction permits and a final inspection approval from the Building and Safety Department to ensure the public health, safety, and welfare are not compromised.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

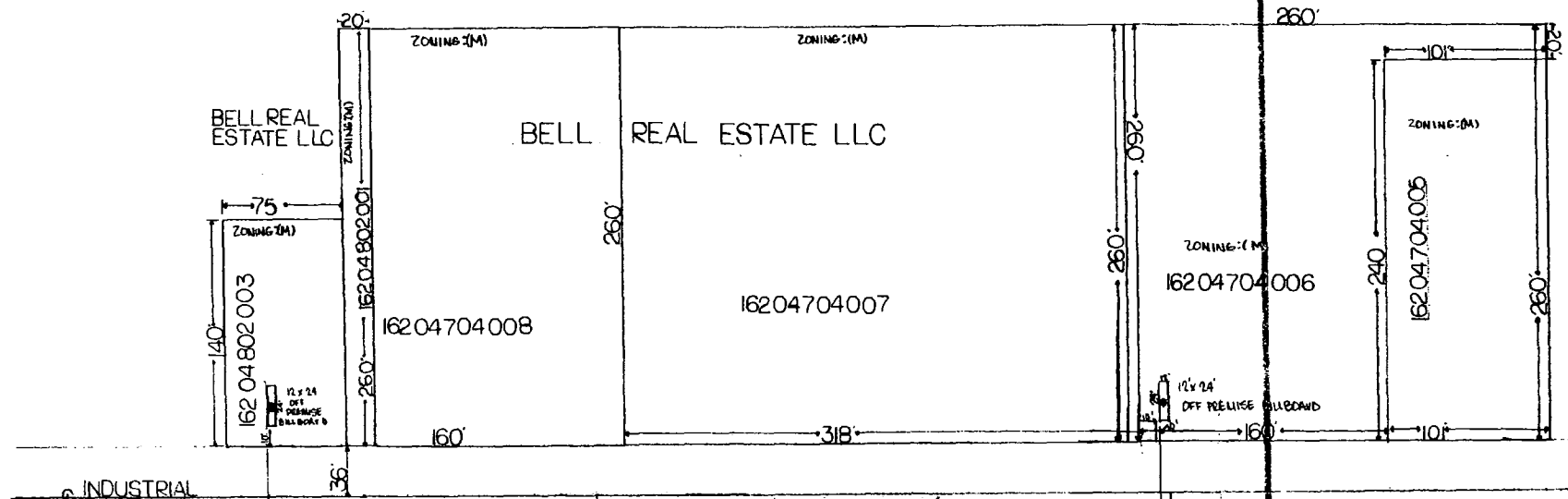
17

NOTICES MAILED 75 by City Clerk

APPROVALS 0

PROTESTS 0





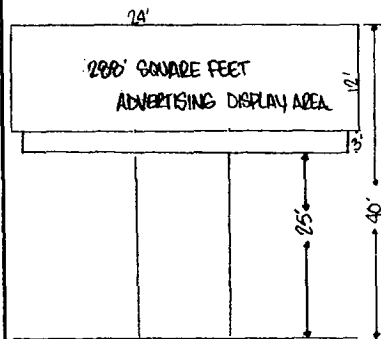
APPROX. DISTANCE BETWEEN OFF PREMISE ADVERTISING "BILLBOARD" SIGNS

RECEIVED

OCT 25 2004

- : CLEAR CHANNEL OUTDOOR
- : NO BILLBOARD WITHIN REQUIRED 300FT. SEPARATION(S)
- : APN'S # 162 04 802 003 & 162 04 704 006
- : ROR U-0105 95 ROR U-0103 95
- : CASE # 5442 CASE # ROR 5443

- : NO RESIDENTIAL USE WITHIN 300FT. RADIUS
- : ZONING (M) INDUSTRIAL DISTRICT
- : LAS VEGAS 89102
- : LOCATIONS CONFORM TO TITLE (9A)
- : OWNER: BELL REAL ESTATE LLC
- : WARD # 1 - JAVIER MONCRIEF
- : SHEET PLAN C FOR (2) 12'x24' OFF PREMISE ADVERTISING "BILLBOARD" SIGN(S)

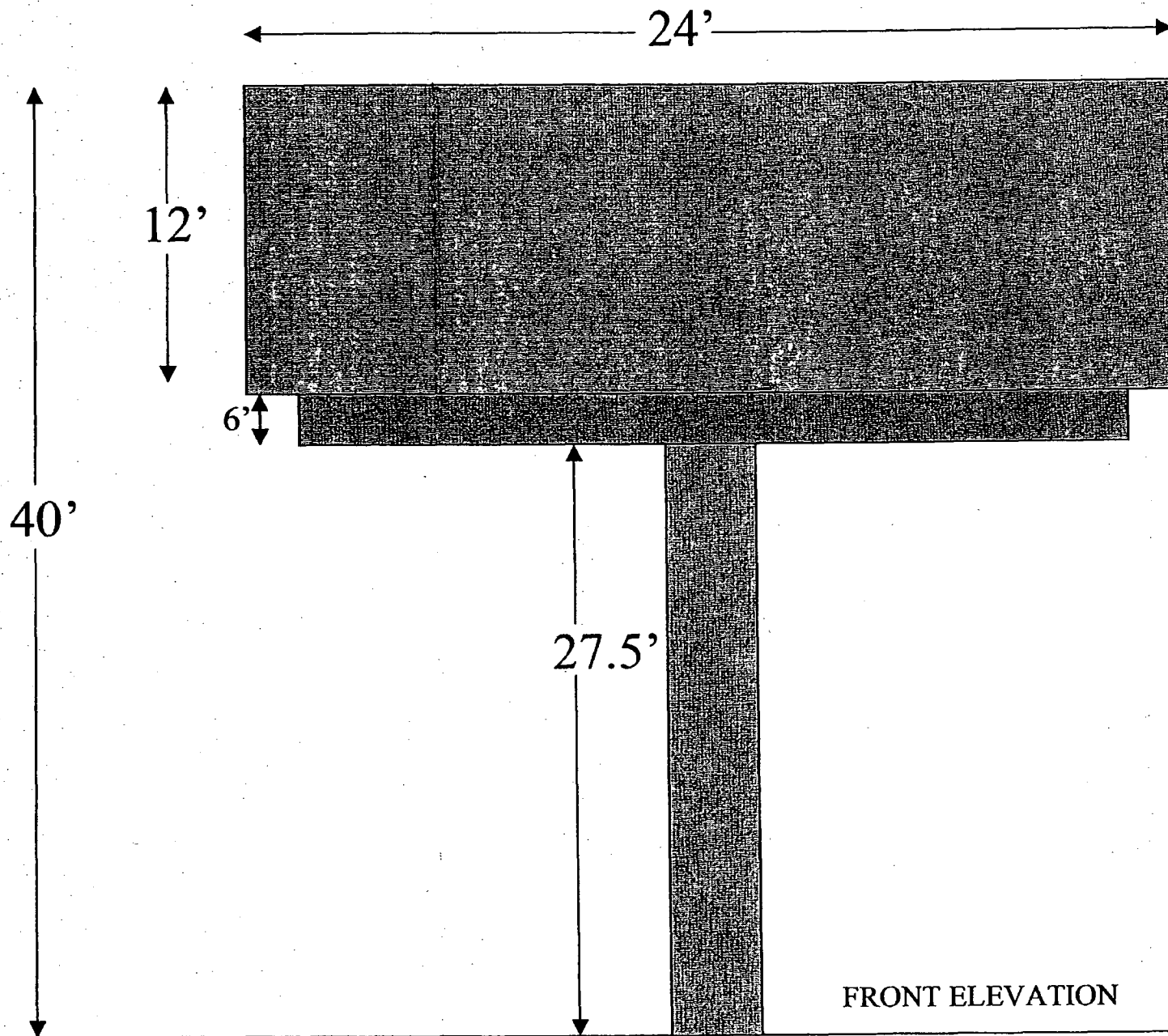


ELEVATION DRAWING NOT TO SCALE

REVISED
10.15.04

ROR-5443
12-16-04 PC

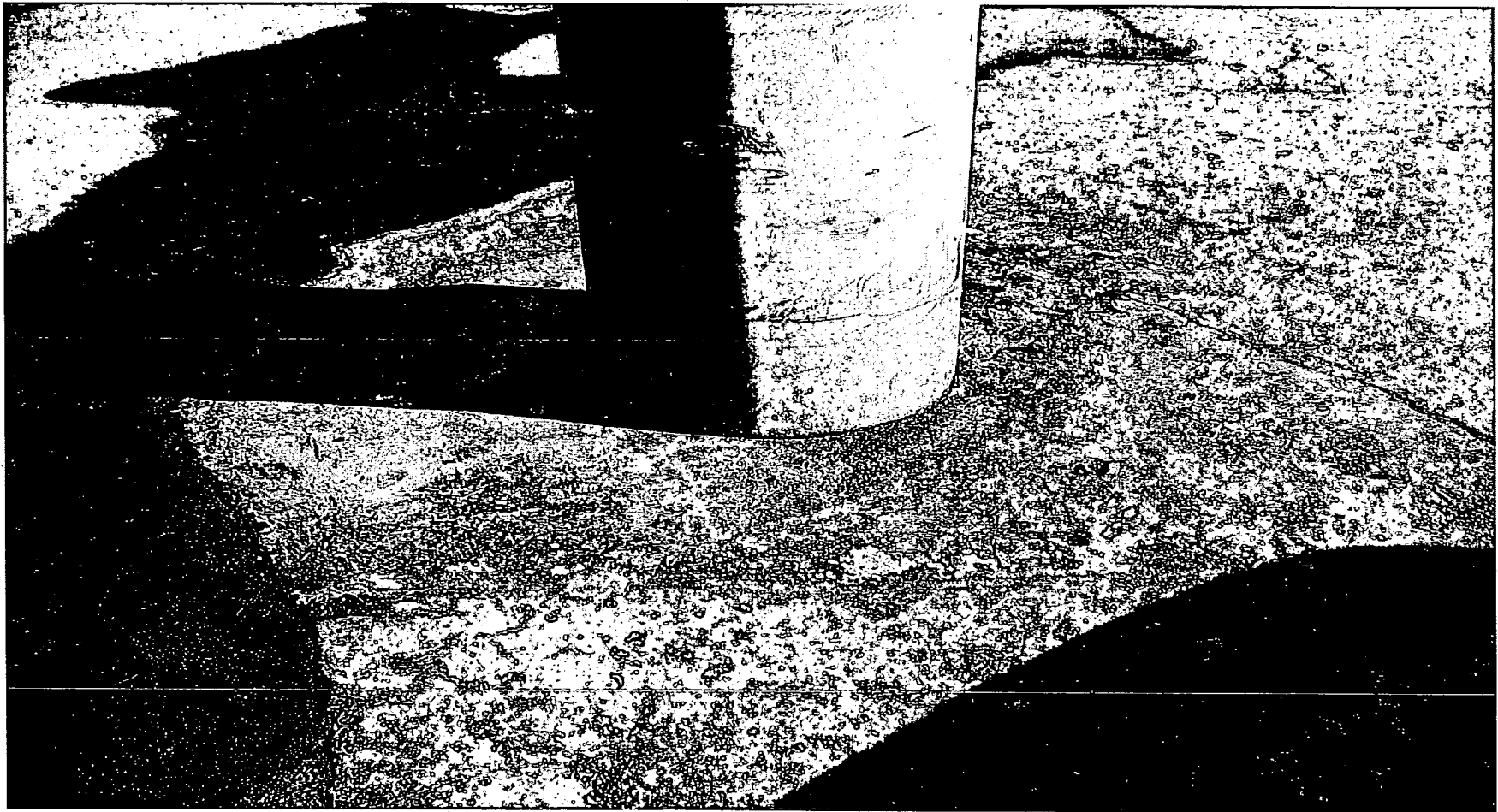
BELL REAL ESTATE LLC INDUSTRIAL RD 89102		
SCALE: 1" = 50'	APPROVED BY:	DRAWN BY: PC
DATE: 10/15/04		REVISED:
SHEET PLAN FOR (2) 12'x24' BILLBOARDS		
JURISDICTION: LAS VEGAS 89102 WARD #1		DRAWING NUMBER: ONE OF ONE



FRONT ELEVATION

RQR-5443
12/16/04 PC

NOT TO SCALE



RQR-5443 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: BELL REAL ESTATE, LLC
1910 INDUSTRIAL ROAD
DECEMBER 16, 2004 PLANNING COMMISSION



RQR-5443 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: BELL REAL ESTATE, LLC
1910 INDUSTRIAL ROAD
DECEMBER 16, 2004 PLANNING COMMISSION



RQR-5443 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: BELL REAL ESTATE, LLC
1910 INDUSTRIAL ROAD
DECEMBER 16, 2004 PLANNING COMMISSION



December 7, 2000

Paula J. Bell Living Trust
P. O. Box 15333
Las Vegas, Nevada 89114-5333

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
MICHAEL J. McDONALD
LARRY BROWN
LYNETTE B. McDONALD
RENCE WEEKLY
CHAE MACK

CITY MANAGER
VIRGINIA VALENTINE

RE: U-0103-95(1) - REQUIRED FIVE YEAR REVIEW
CITY COUNCIL MEETING OF DECEMBER 6, 2000

Dear Applicant:

The City Council at a regular meeting held December 6, 2000 APPROVED the Required Five Year Review on an approved Special Use Permit which allowed a 12 foot x 24 foot off-premise advertising (billboard) sign at 1910 Industrial Road (APN: 162-04-704-006), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on December 7, 2000. This approval is subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in four (4) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

Sincerely,

Vicky Darling
VICKY DARLING
ASSISTANT DEPUTY CITY CLERK for
BARBARA JO RONEMUS, CITY CLERK

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services
Land Development Services

Mr. Rvan Norstrand
Donrey Outdoor Advertising Co
1211 West Bonanza Road
Las Vegas, Nevada 89106

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

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

REQUIRED FOUR YEAR REVIEW - SPECIAL USE PERMIT

RQR-5513 - PUBLIC HEARING - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: FLETCHER JONES SR TRUST & JR TRUST, ET AL - Required Four-Year Review of an approved Special Use Permit (U-0101-95) WHICH ALLOWED ONE 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN ORIENTED TOWARD Interstate-15 AT A HEIGHT OF 30 FEET ABOVE THE ELEVATED FREEWAY; AND A SECOND 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN ORIENTED TOWARD THE DESERT INN ROAD "SUPER ARTERIAL" AT A HEIGHT OF 55 FEET ABOVE GRADE at 3200 South Rancho Drive (APN 162-08-401-004), M (Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council approval letter for U-0101-95(1)
5. Abeyance request by Lamar Advertising Company

MOTION:

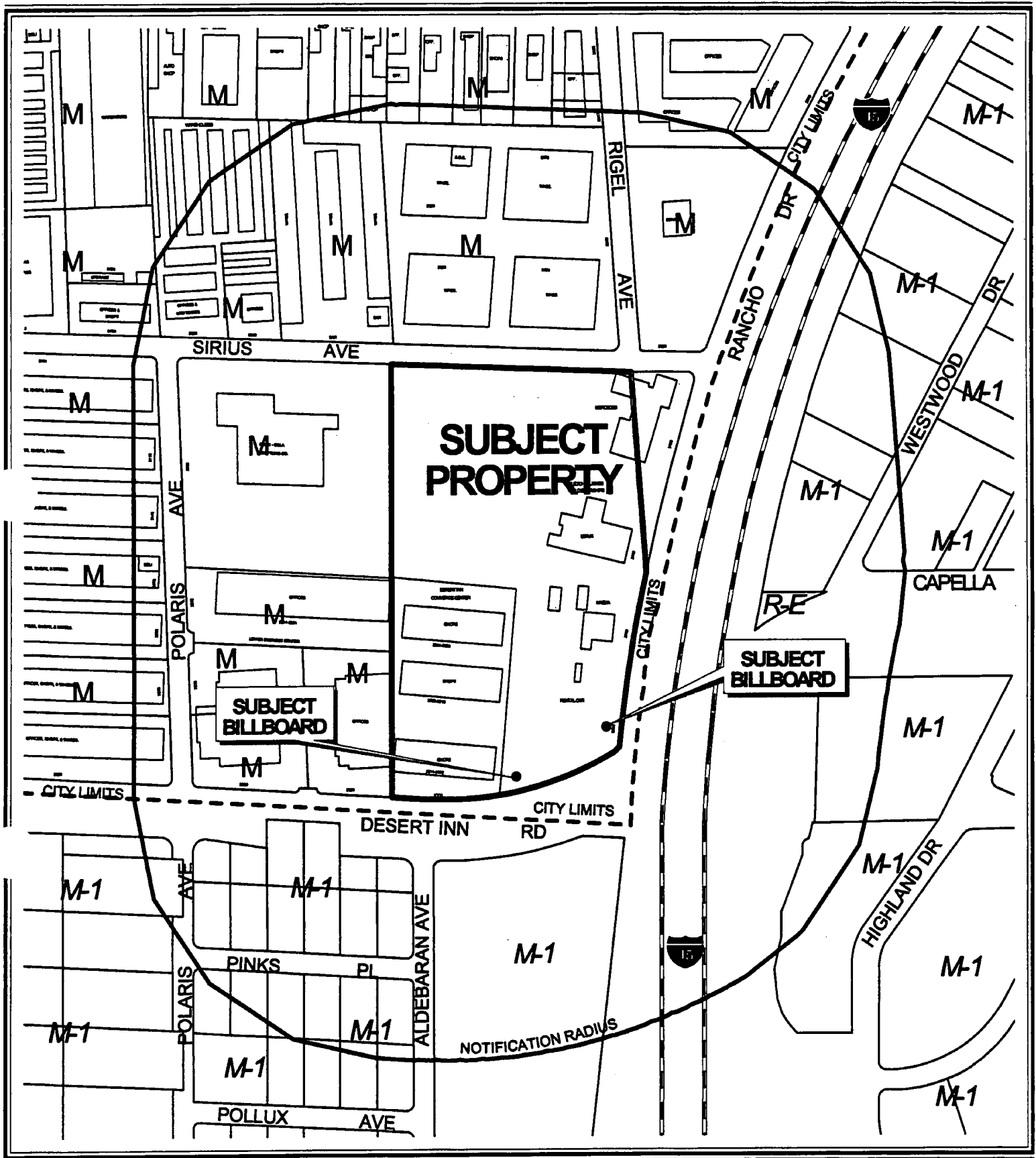
BROWN - Motion to HOLD IN ABEYANCE Item 91 [RQR-5513], Item 95 [SUP-2848], Item 96 [SUP-3394], Item 97 [SUP-4532], Item 98 [SUP-4693], Item 109 [SUP-5582] and Item 110 [SDR-5583] to 2/2/2005 and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 120 [GPA-5182], Item 121 [ZON-5183], Item 122 [VAR-5575] and Item 123 [SDR-5573] - UNANIMOUS with MACK abstaining on Item 91 [RQR-5513] because his company, Mack Consulting, negotiates with Lamar Outdoor on behalf of his clients and GOODMAN excused

MINUTES:

There was no discussion.

(1:00 - 1:07)

3-1



CASE: RQR-5513

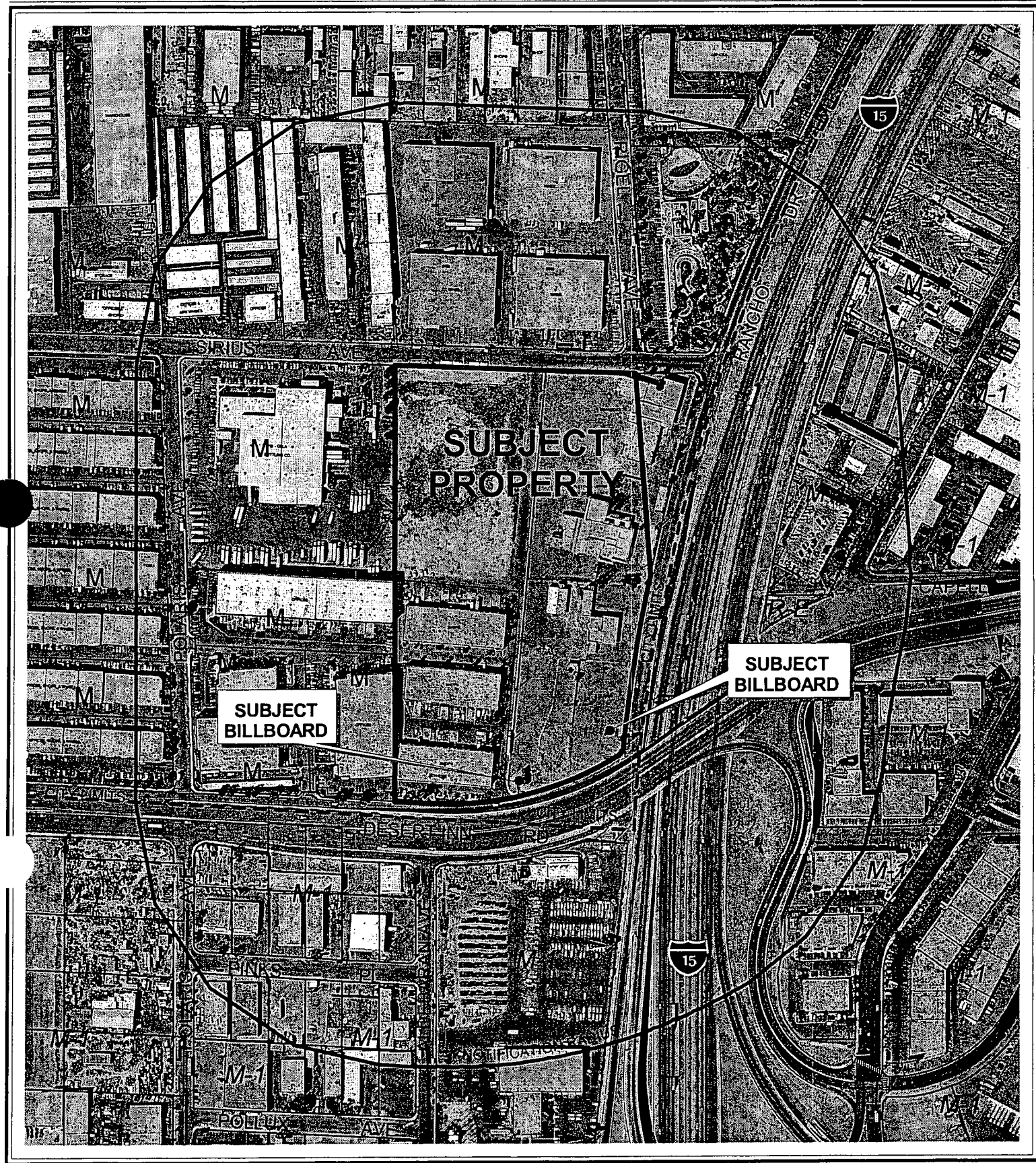
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

M (INDUSTRIAL) AND M (INDUSTRIAL) UNDER RESOLUTION OF INTENT TO C-1
(LIMITED COMMERCIAL)

91





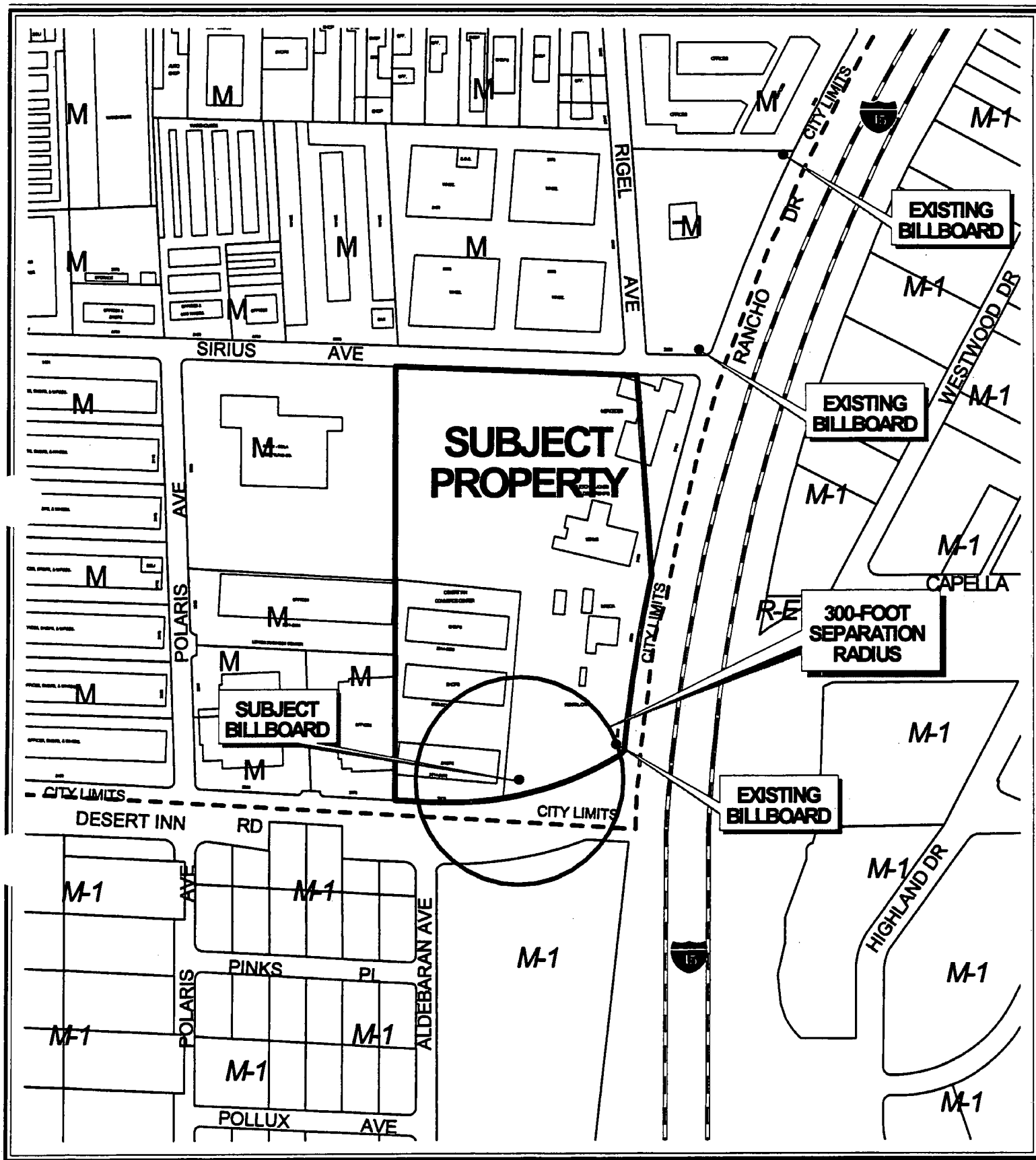
CASE: **RQR-5513**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

M (INDUSTRIAL) AND M (INDUSTRIAL) UNDER RESOLUTION OF INTENT TO C-1
(LIMITED COMMERCIAL)





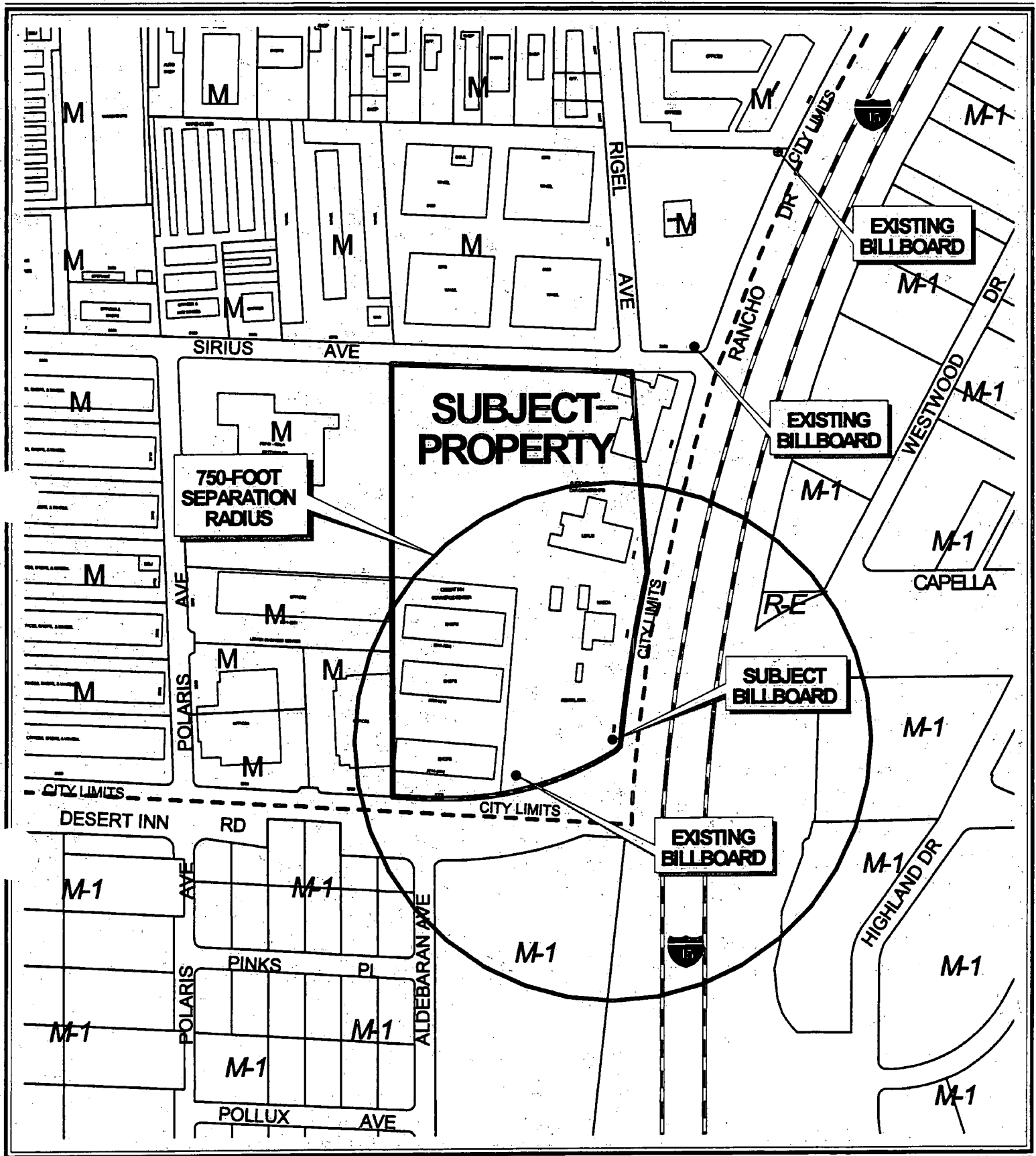
CASE: RQR-5513

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY:

M (INDUSTRIAL) AND M (INDUSTRIAL) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)





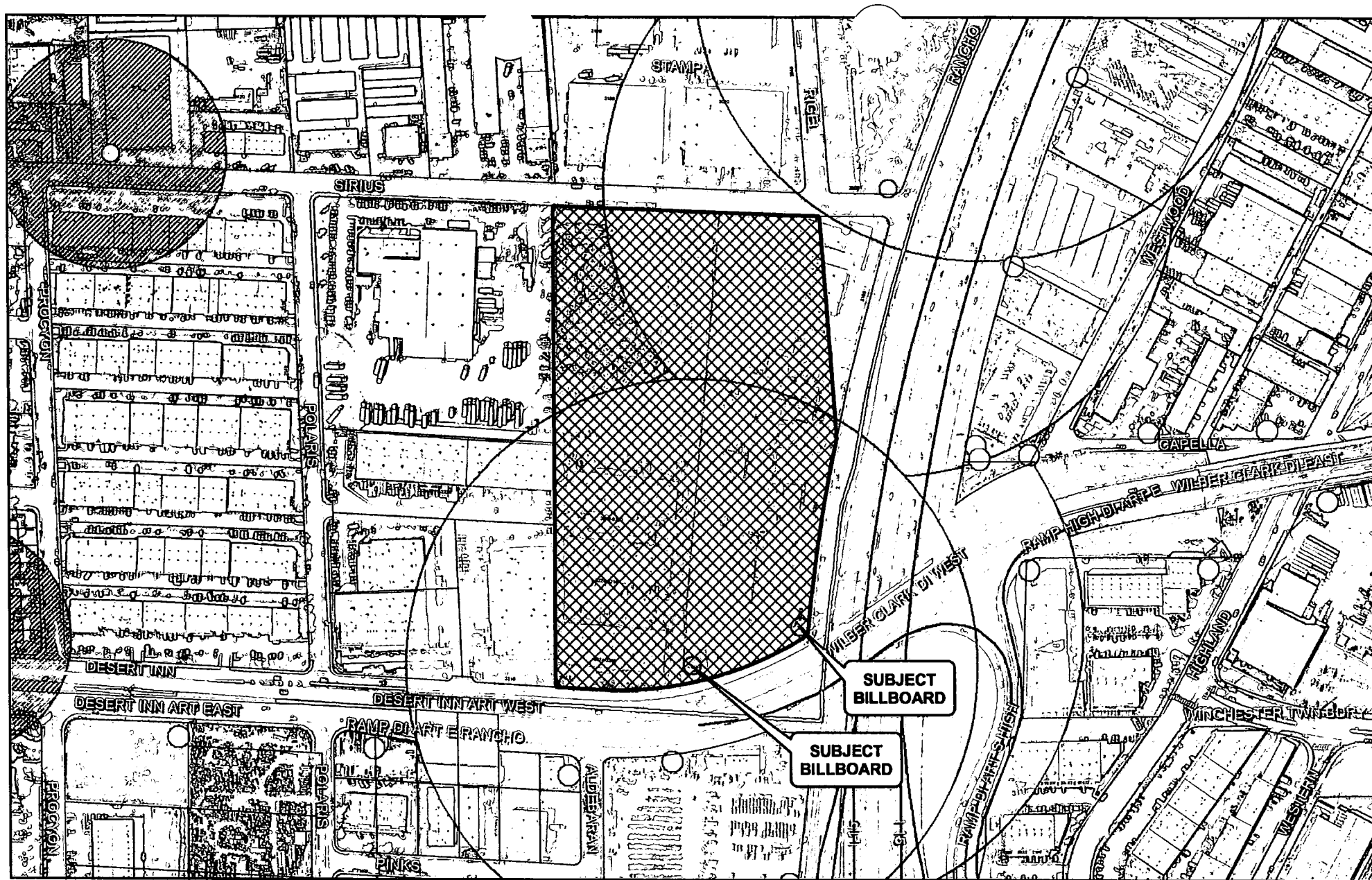
CASE: RQR-5513

SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

M (INDUSTRIAL) AND M (INDUSTRIAL) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)





RQR-5513

City of Las Vegas Billboard Data

 Subject Parcel	 300 Foot Buffer Around Billboard	 Outside City Boundary
 City of Las Vegas Billboard Location	 750 Foot Buffer Around Freeway Billboard	 Off Premise Sign Exclusion Area
 Clark County Billboard Location		 Exempt - Off Premise Area Sign Area



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-5513 – APPLICANT: LAMAR OUTDOOR ADVERTISING
- OWNER: FLETCHER JONES SR TRUST & JR TRUST, ET AL**

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in four years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. All City Code requirements and design standards of all City Departments shall be satisfied.
5. The two off-premise advertising (billboard) signs shall be removed upon commencement of the mixed-use residential and commercial development approved for this site by the Site Development Plan Review SDR-3101.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Required Four-Year Review of an approved Special Use Permit (U-0101-95) which allowed one 14-foot by 48-foot off-premise advertising (billboard) sign oriented toward Interstate-15 at a height of 30 feet above the elevated freeway; and a second 14-foot by 48-foot off-premise advertising (billboard) sign oriented toward the Desert Inn Road "Super Arterial" at a height of 55 feet above grade at 3200 South Rancho Drive.

BACKGROUND INFORMATION

A) Previous Actions

- 10/18/95 The City Council approved the Special Use Permit (U-101-95) for the two 14-foot by 48-foot off-premise advertising (billboard) signs on this site subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval on September 26, 1995.
- 12/06/00 The City Council approved a Required Five-Year Review of the Special Use Permit [U-101-95(1)] for the two 14-foot by 48-foot off-premise advertising (billboard) signs on this site subject to a four-year review. The Planning Commission and staff recommended approval on October 26, 2000.
- 11/05/03 The City Council approved a General Plan Amendment (GPA-3005) to SC (Service Commercial) a Rezoning (ZON-3007) to C-1 Limited Commercial) and a Special Use Permit (SUP-3100) for multifamily residential units on this site. The Planning Commission and staff recommended approval on October 9, 2003.
- 11/20/03 The Planning Commission approved a Site Development Plan Review (SDR-3101) for a mixed-use residential and commercial development on this site. Staff recommendation was for approval.
- 12/16/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #14/mp).

B) Pre-Application Meeting

A pre-application meeting is not required for a Required Review application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Required Review application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 19.66

B) *Existing Land Use*

Subject Property: Automobile Dealership (Vacant)
North: Outdoor Amusement Facility
Warehouse
South: Desert Inn Super Arterial
East: I-15 Freeway
West: Office
Shops
Warehouse

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
North: LI/R (Light Industrial/Research)
South: Unincorporated Clark County
East: ROW (Right-of-Way)
West: LI/R (Light Industrial/Research)

D) *Existing Zoning*

Subject Property: M (Industrial) under Resolution of Intent to C-1 (Limited Commercial)
North: M (Industrial) under Resolution of Intent to C-1 (Limited Commercial)
and M (Industrial)
South: Unincorporated Clark County
East: I-15 Freeway
West: M (Industrial)

E) *General Plan Compliance*

The subject site is located on the Southeast Sector of the General Plan. The Plan identifies SC (Service Commercial) as the General Plan designation for the subject site. The approved C-1 (Limited Commercial) zoning designation is in conformance with the General Plan Designation.

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

The subject site is not located within any special district or zone.

At the time the original Special Use Permit was approved, there was no requirement to notify other agencies of this item as being a Project of Regional Significance.

ANALYSIS

A) *Zoning Code Compliance*

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.04 a 19.14, the following Standards apply to the subject proposal:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Signs are not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Signs are in M Zoning District under Resolution of Intent To C-1	Y
Off-premise sign area (max.)	672 SF	672 SF Each	Y
Separation distance from other off-premise sign (min.)	300 Feet	1,200 Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	2,500 Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	50 and 55 Feet*	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	900 feet	Y

The subject sign located is in an area of a high concentration of billboards. The subject sign conforms to the minimum distance separations between freeway-oriented off-premise advertisement (billboard) signs, other billboards, and from "U" or "R" designated properties.

* The additional height of each sign was approved with the original Special Use Permit.

B) General Analysis and Discussion

- Zoning

The subject site is zoned M (Industrial) under Resolution of Intent to C-1 (Limited Commercial), which permits an Off-Premise Advertisement (Billboard) Sign with the approval of a Special Use Permit. The subject site was approved for two billboards in 1995 through Special Use Permit U-0101-95. The billboards were constructed and are currently in use on the subject site. A Required Five-Year Review [U-0101-95(1)] for the billboards was approved by City Council on 12/06/00. Condition number one of [U-0101-95(1)] required that the billboard use be reviewed again in four years after approval at which time the sign may require removal.

- Use

A site visit conducted on November 30, 2004 indicates one of the subject off-premise advertising (billboard) signs, oriented towards I-15, currently has some graffiti, but is otherwise in relative good condition. Condition number 3 of this review requires the sign structure to be kept free of graffiti at all times. As of December 2, 2004, there are no known code violations related to the off-premises advertising (billboard) signs on this site.

- Conditions

Title 19.14.100(C) specifies the following provisions regarding off-premise advertising signs:

1. No off-premise signs shall be erected in the public right-of-way.
2. No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Chapter (including those protecting existing signs).
3. Off-premise signs are permitted in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/ Industrial) and M (Industrial) Zoning Districts only.
4. No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.
5. Off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off-premise sign, wherever located, including an off-premise sign that is situated outside the corporate boundaries of the City.

6. The distance to and from a sign shall be measured with reference to the point on the ground that is directly beneath the center of the sign structure.
7. All other off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council.
8. Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.
9. No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district.

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."**

Section 19A.14.010 of the Las Vegas Municipal Code allows the removal of an off-premise sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. The area immediately surrounding the subject site not changed substantially in the past two years since the approval of the Special Use Permit. Because these billboards are oriented towards I-15 and Desert Inn Road and little change is anticipated in the near future, staff recommends approval of this review subject to a review in four years.

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

The subject site has no physical constraints to impede the continuation of the off-premise advertising (billboard) signs use at this location.

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 continuation of the off-premise advertising (billboard) signs will not affect Rancho Drive and Desert Inn Road, both fully developed streets adjacent to this request.

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

The existing billboard signs received construction permits and a final inspection approval from the Building and Safety Department to ensure the public health, safety, and welfare are not compromised.

PLANNING COMMISSION ACTION

The Planning Commission added Condition #5. The applicant did not agree. Planning and Development staff concurs with the Planning Commission recommendation.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 51 by City Clerk

APPROVALS 0

PROTESTS 0



12/16/04 PC

RQR-5513

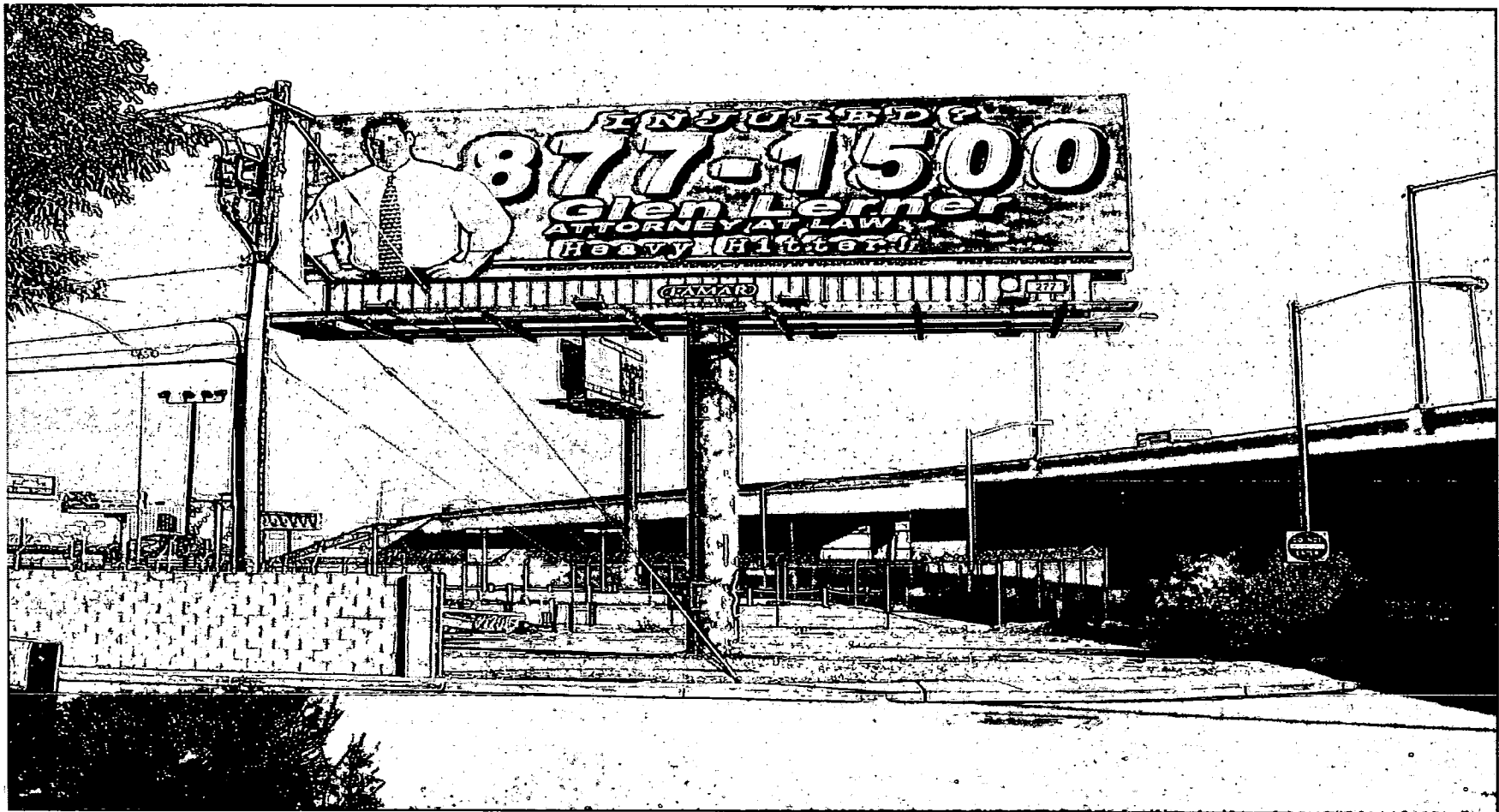
N. Fisher Jones Inc. 115 Orange St.	
Map No. 115-14-55	Scale 1" = 100'
Project No. 115-14-55	Sheet No. 1

ALL ASSIGNED TO SITE

APPROVED
LOCALITY ONLY
11-0-0

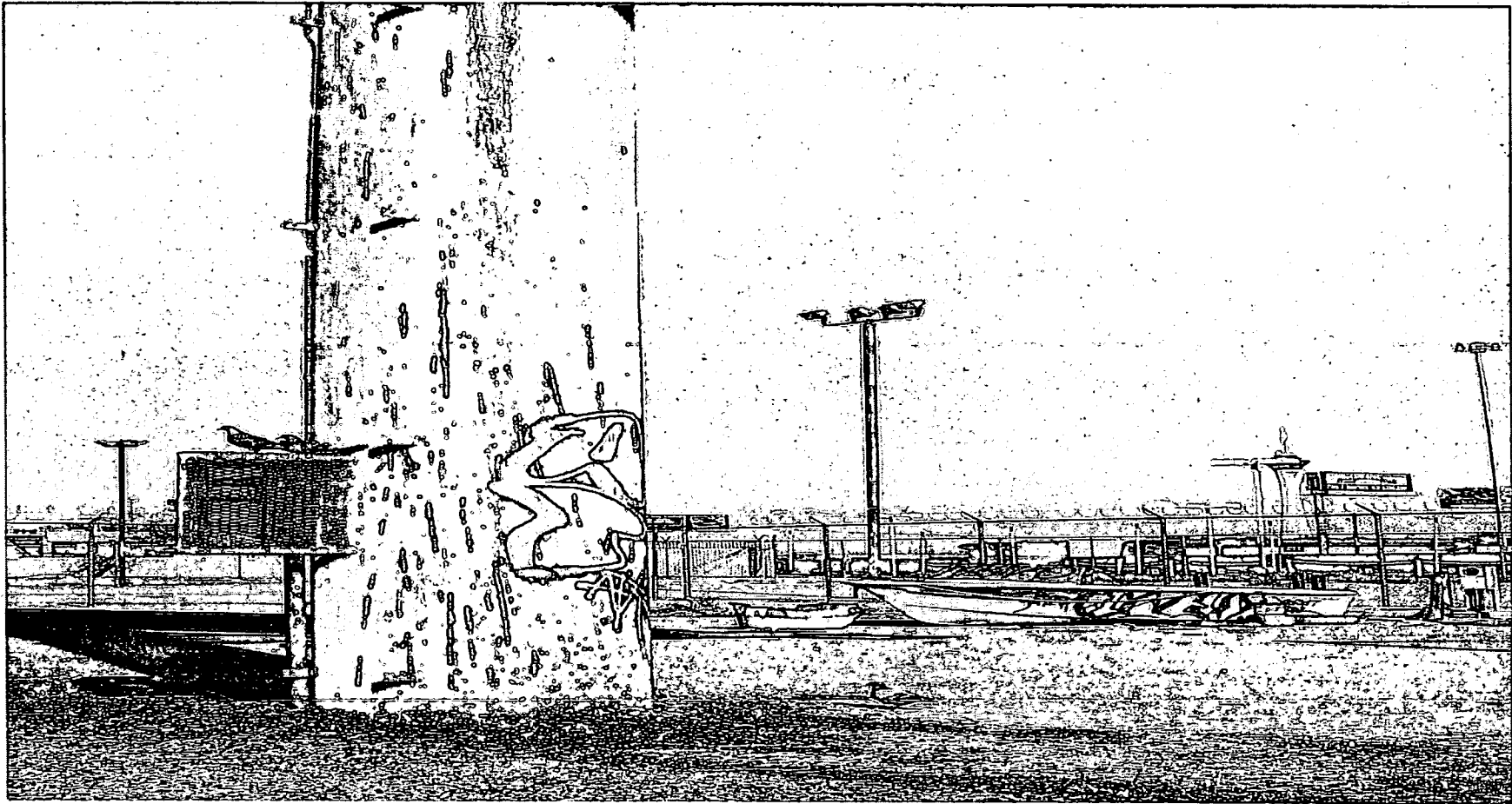
N

A. DORTCH - AT THE
SOUTH 1/2, 1/4, 1/8, 1/16, 1/32, 1/64, 1/128, 1/256, 1/512, 1/1024, 1/2048, 1/4096, 1/8192, 1/16384, 1/32768, 1/65536, 1/131072, 1/262144, 1/524288, 1/1048576, 1/2097152, 1/4194304, 1/8388608, 1/16777216, 1/33554432, 1/67108864, 1/134217728, 1/268435456, 1/536870912, 1/1073741824, 1/2147483648, 1/4294967296, 1/8589934592, 1/17179869184, 1/34359738368, 1/68719476736, 1/137438953472, 1/274877907344, 1/549755814688, 1/1099511629376, 1/2199023258752, 1/4398046517504, 1/8796093035008, 1/17592186070016, 1/35184372140032, 1/70368744280064, 1/140737488560128, 1/281474977120256, 1/562949954240512, 1/1125899908481024, 1/2251799816962048, 1/4503599633924096, 1/9007199267848192, 1/18014398535696384, 1/36028797071392768, 1/72057594142785536, 1/144115188285571072, 1/288230376571142144, 1/576460753142284288, 1/1152921506284568576, 1/2305843012569137152, 1/4611686025138274304, 1/9223372050276548608, 1/18446744100553097216, 1/36893488201106194432, 1/73786976402212388864, 1/14757395280442477728, 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RQR-5513 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: FLETCHER JONES SR TRUST & JR TRUST, ET AL
3200 SOUTH RANCHO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04



RQR-5513 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: FLETCHER JONES SR TRUST &
JR TRUST, ET AL
3200 SOUTH RANCHO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04



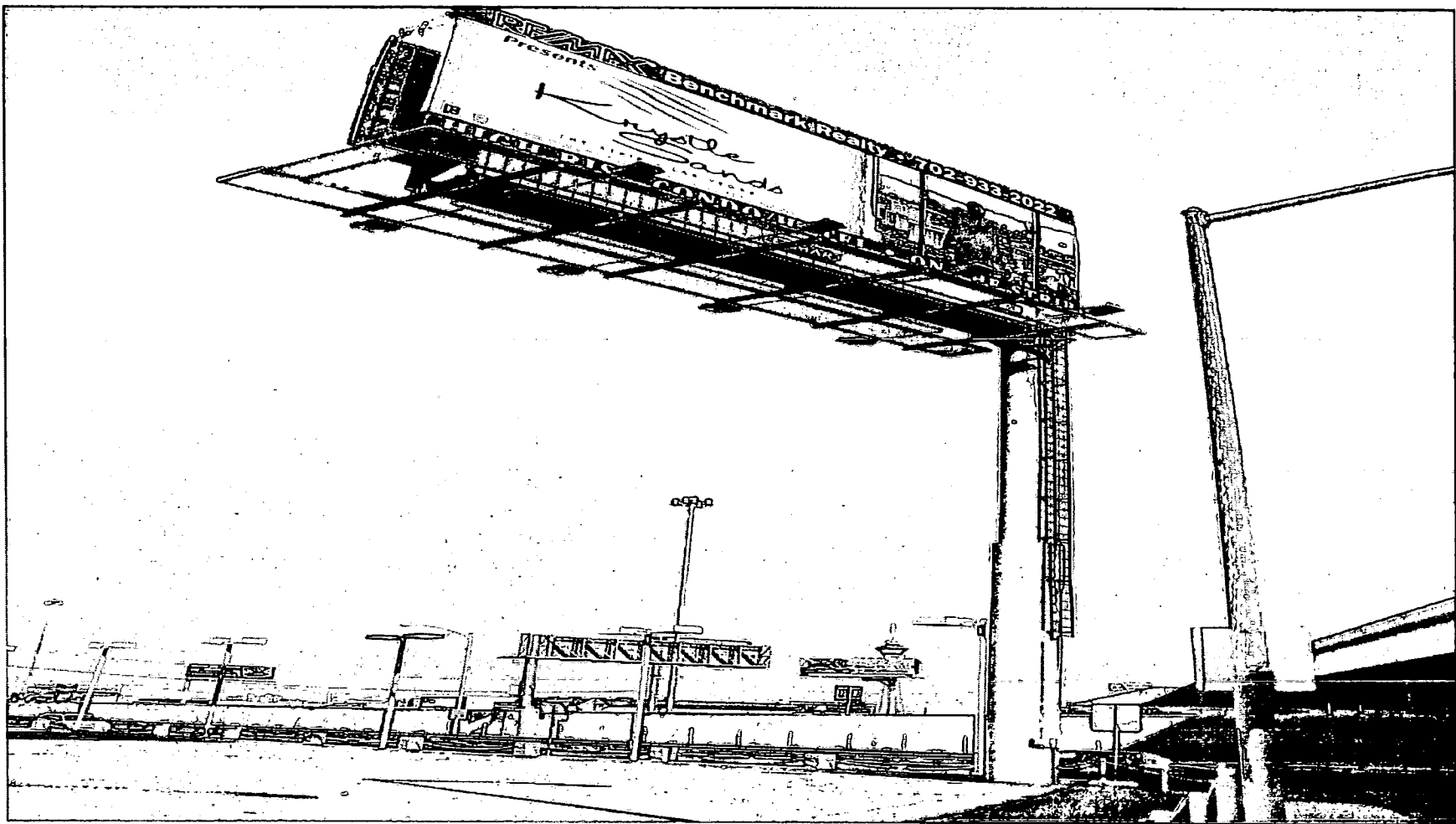
RQR-5513 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: FLETCHER JONES SR TRUST &
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RQR-5513 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: FLETCHER JONES SR TRUST &
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RQR-5513 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: FLETCHER JONES SR TRUST & JR TRUST, ET AL
3200 SOUTH RANCHO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
MICHAEL J. McDONALD
LARRY BROWN
LYNETTE B. McDONALD
JENNIFER WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

December 7, 2000

Fletcher Jones Company
Fletcher Jones Management
170 East Reno Avenue, Suite C-6
Las Vegas, Nevada 89119-1102

RE: U-0101-95(1) - REQUIRED FIVE YEAR REVIEW
CITY COUNCIL MEETING OF DECEMBER 6, 2000

Dear Applicant:

The City Council at a regular meeting held December 6, 2000 APPROVED the Required Five Year Review on an approved Special Use Permit which allowed one 14 foot x 48 foot off-premise advertising (billboard) sign oriented toward I-15 at a height of 30 feet above the elevated freeway; and a second 14 foot x 48 foot off-premise advertising (billboard) sign oriented toward the Desert Inn Road "Super Arterial" at a height of 55 feet above grade both located at 3200 South Rancho Drive (APN: 162-08-401-004), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on December 7, 2000. This approval is subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in four (4) years at which time the City Council may require the off-premise advertising (billboard) signs be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) signs are removed.
2. The off-premise advertising (billboard) signs and their supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) signs.

Sincerely,

Vicky Darling
VICKY DARLING
ASSISTANT DEPUTY CITY CLERK for
BARBARA JO RONEMUS, CITY CLERK

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services
Land Development Services

Ms. Debbie Barone
Lamar Outdoor Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us



LAMAR ADVERTISING COMPANY
CITY CLERK

2005 JAN 10 A 9:57

January 7, 2005

Las Vegas City Clerk
400 Stewart Ave.
Las Vegas, NV 89101

Dear Sir or Madam:

On behalf of Lamar Advertising, I would like to request that RQR-5513, required 4 year review scheduled for the January 19, 2005 City Council Meeting, be held in abeyance until the February 2, 2005 City Council meeting. Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Naftzger", written over a horizontal line.

Scott Naftzger
Project Coordinator, Lamar Advertising

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-5458 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, LLC - Request for a Variance TO ALLOW 107 PARKING SPACES WHERE 120 SPACES ARE REQUIRED FOR A PROPOSED 120-UNIT RESIDENCE HOTEL on 1.63 acres at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council - Existing Conditions information for Items 92, 93 and 94 filed under Item 92

MOTION:

REESE - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting and GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 92 [VAR-5458], Item 93 [SUP-5457] and Item 94 [SDR-5456].

J.R. RODINE, BRE/ESA Properties, pointed out he met with COUNCILMAN REESE and indicated the building has been modified with architectural enhancements consisting of bricks, railing, balconies, canopies, and a modified roofline. MR. RODINE concurred with all conditions.

BOB REEVE owns property at 2001 Paradise Road and felt the reduction of parking should not be a problem. This would be the first major redevelopment project proposed along the future monorail route. He urged that the aesthetics of any future project along this route be taken into consideration, as well as improvements on Main Street and Paradise Road.

MAYOR PRO TEM REESE remarked that the landscaping is sufficient at this location and this project will be a beautiful addition in this particular corridor. He ensured that other proposed projects along this corridor would have to comply with the same standards imposed on this project.

MARGO WHEELER, Director, Planning and Development Department, noted that Condition 3 of Item 94 [SDR-5456] would need to be revised to include the wording "the building elevations submitted

CITY COUNCIL MEETING OF: JANUARY 19, 2005

MINUTES - Continued:

1/19/05.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 92 [VAR-5458], Item 93 [SUP-5457] and Item 94 [SDR-5456].

(2:21 - 2:28)

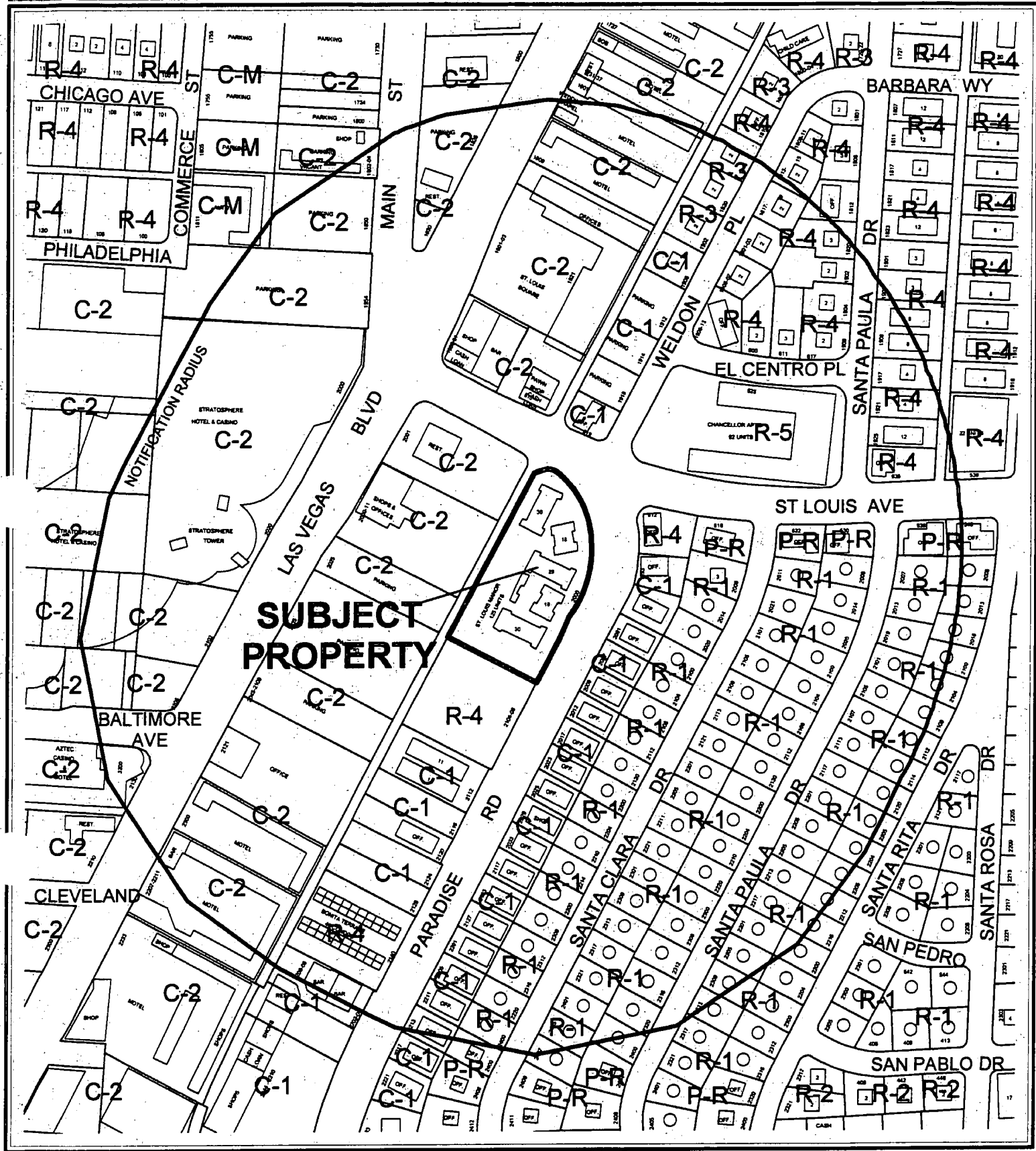
3-3052

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning Z-0007-87, Special Use Permit SUP-5457, and Site Development Plan Review SDR-5456, including site plans and elevations date stamped November 18, 2004.

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-5458

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

0 200 400 Feet



92



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - VAR-5458 - APPLICANT: LPN

ARCHITECT - OWNER: BRE/ ESA PROPERTIES, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 5, 2005 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning Z-0007-87, Special Use Permit SUP-5457, and Site Development Plan Review SDR-5456, including site plans and elevations date stamped November 18, 2004.
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 107 parking spaces where 120 spaces are required for a proposed residence hotel on 1.63 acres at 2000 Paradise Road.

B) Applicant's Justification

Applicant states in the justification letter: "The size and shape of the property pose both physical and practical hardships in complying with the strict letter of the code."

Applicant further states: "Compliance with the myriad of overlapping regulations poses a practical hardship to the reasonable and practical development of the subject property without posing an undue hardship."

BACKGROUND INFORMATION

A) Previous Actions

03/04/87 City Council approved a request for a Rezoning (Z-0007-87) of this property from R-4 (Apartment Residence) to R-5 (Downtown Apartment). A plot plan was also approved. Planning Commission and staff recommended denial.

12/02/04 The Planning Commission recommended approval of a related Special Use Permit (SUP-5457) and Site Development Plan Review (SDR-5456); they accepted a request to withdraw another related Variance (VAR-5459).

12/02/04 The Planning Commission voted 4-1-2 to recommend APPROVAL (PC Agenda Item #37/srs).

B) Pre-Application Meeting

09/28/04 Elements of a Variance application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.63

B) Existing Land Use

Subject Property: Residential Apartments
North: Pawn Shop, Cash Loans, Offices
South: Undeveloped
East: Offices
West: Restaurant, Shops, Offices, Parking

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-5 (Downtown Apartment)
North: C-1 (Limited Commercial), C-2 (General Commercial)
South: R-4 (Apartment Residence)
East: C-1 (Limited Commercial), R-4 (Apartment Residence)
West: C-2 (General Commercial)

E) General Plan Compliance

The site is designated as the C (Downtown-Commercial) land use designation of the Las Vegas Redevelopment Plan which is part of the Southeast Sector Plan of the General Plan. The proposed variance is not directly related to specific policies of the General Plan.

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

This proposal lies within the Las Vegas Redevelopment Plan and the Beverly Green Neighborhood Plan.

ANALYSIS

A) Zoning Code Compliance: Parking and Traffic Standards

Pursuant to Title 19.10.F Table 1, the following Parking Standards apply to the subject proposal:

Uses	Required Ratio	Parking		Provided Parking	
		Regular	Handicap	Regular	Handicap
Hotel, Motel, or Residence Hotel	One space for each guest room	120	5	107	5

The proposal does not meet the City's parking requirement. The subject deviation is 13 spaces, or 11% fewer spaces than required. City of Las Vegas Public Works Department cannot support the Variance request for property located at 2000 Paradise Road to allow 107 parking spaces where 120 spaces are the minimum allowed.

B) General Analysis and Discussion

The applicant proposes to demolish the existing 123-room residential hotel and replace it with a 120-room residential hotel. The current property has 125 parking spaces. Users of the proposed property would have access to only 107 parking spaces, 18 less than currently available.

The applicant includes in this application a Parking Analysis of similar residential hotels in the Las Vegas Valley. It asserts that parking demand for comparable projects ranges from 0.86 to 0.88 spaces per guest room.

The applicant's parking analysis differs with observable conditions at similar properties. Residence Hotels in the Las Vegas area are generally very densely parked. The existing Residence Hotel facility on the subject property does have the required number of parking spaces, and the parking area is heavily used.

This development is sandwiched between the highly trafficked Paradise Road and St. Louis Avenue. It cannot withstand an overparked situation because no overflow parking is available in the area. Guests, guests' visitors, and hotel employees lacking available parking spaces will tend to park in the public alleyway bordering the west side of the property.

It should be noted that the decisive issue pertaining to this request is not that the applicant does or does not need parking at the strict one-space per guest room standard of Title 19.10. This request for a Variance cannot be supported because there is no justifying evidence based on the Variance requirements of City Code and State Law.

FINDINGS

This Variance request is intended only for the convenience of the property owner, and consequently has no permissible basis for approval.

There is no evidence that the property has an unusual shape, slope, dimensions that would preclude the required number of parking spaces. 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

PLANNING COMMISSION ACTION

The Planning Commission believes the site can accommodate the proposed development without negatively impacting the neighborhood. The Planning Commission also deleted a condition originally proposed by the Public Works Department.

NOTICES MAILED 152 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5458 APN: 162-03-411-012

Name of Property Owner: BRE/ESA PROPERTIES, LLC

Name of Applicant: LPN Architect

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:

State of South Carolina, County of Spartanburg
Subscribed and sworn before me

This 7th day of October, 2004

Elizabeth A. Brady
Notary Public in and for said County and State

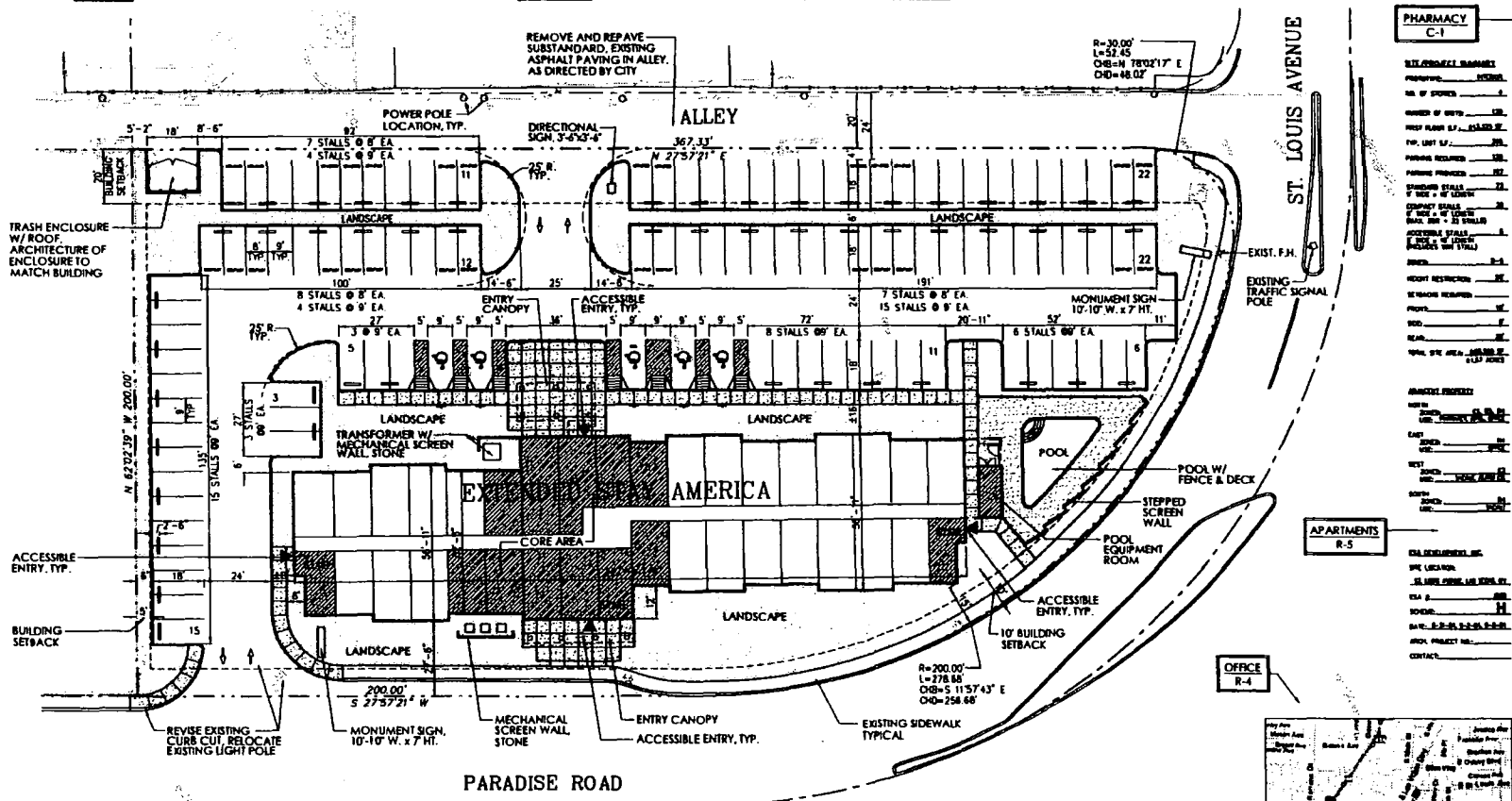
VACANT
C-2

ALARM CO.
C-2

VACANT
C-2

CARL'S JR.
EAST FOOD
C-2

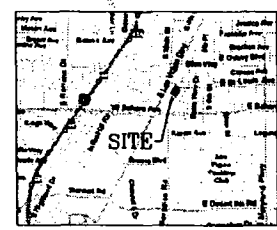
PHARMACY
C-1



1 PRELIMINARY SITE PLAN
SCALE: 1" = 30'



OFFICE
R-4



2 VICINITY MAP
NOT TO SCALE

REVISION BLOCK	DATE	DESCRIPTION
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3	11-18-04	REVISIONS
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100	11-18-04	REVISIONS

SUP-5457
VAR-5458
SDR-5456
12-02-04 PC
REVISED 11-18-04

NOV 18 2004

EXTENDED
STAY AMERICA
EFFICIENCY STUDIOS
ESB MANAGEMENT, INC.

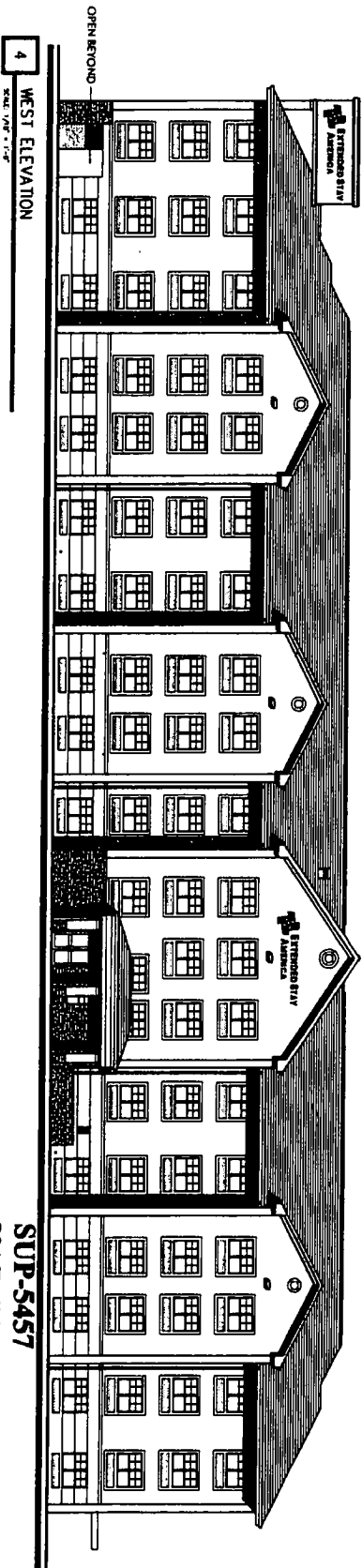
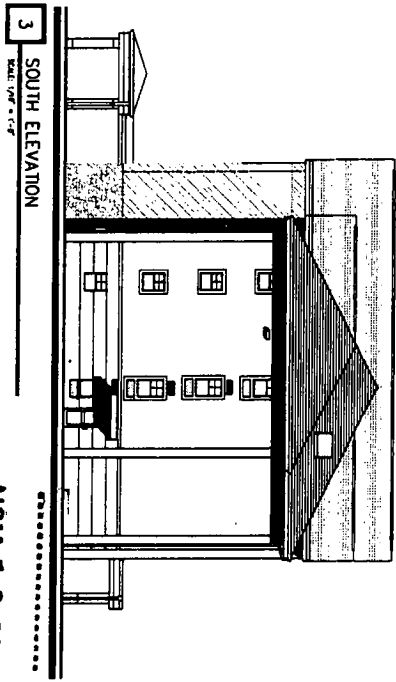
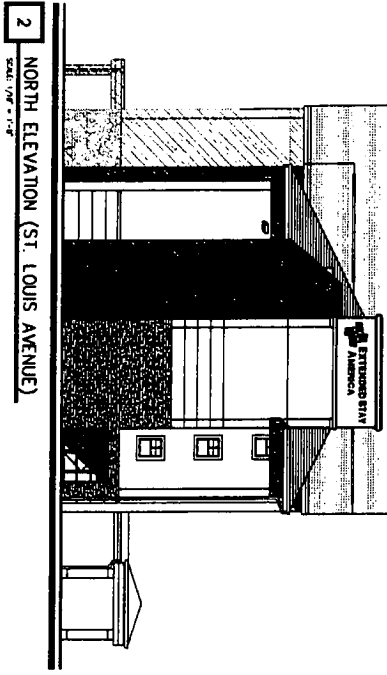
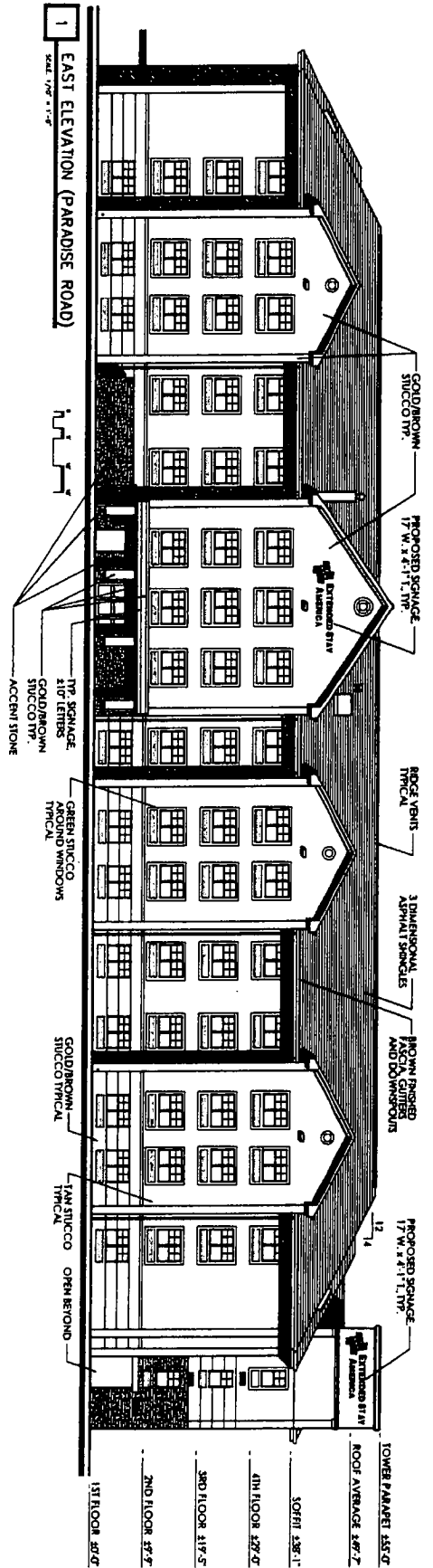
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STAY AMERICA
3000 BOULEVARD AVE
LAS VEGAS, NV 89102
TEL: 702-735-1234 FAX: 702-735-1234

ESA ST. LOUIS MANOR
LAS VEGAS, NEVADA
ARCHITECTURAL
SITE PLAN

Launch No. 051801
ESA No. 856
Permit
Submitter
Permit
Clearance
Bid Issue
Construction
Issue

A1.0



NOV 18 2004

SUP-5457
VAR-5458

SDR-5456

12-02-04 PC

REVISED 11-18-04

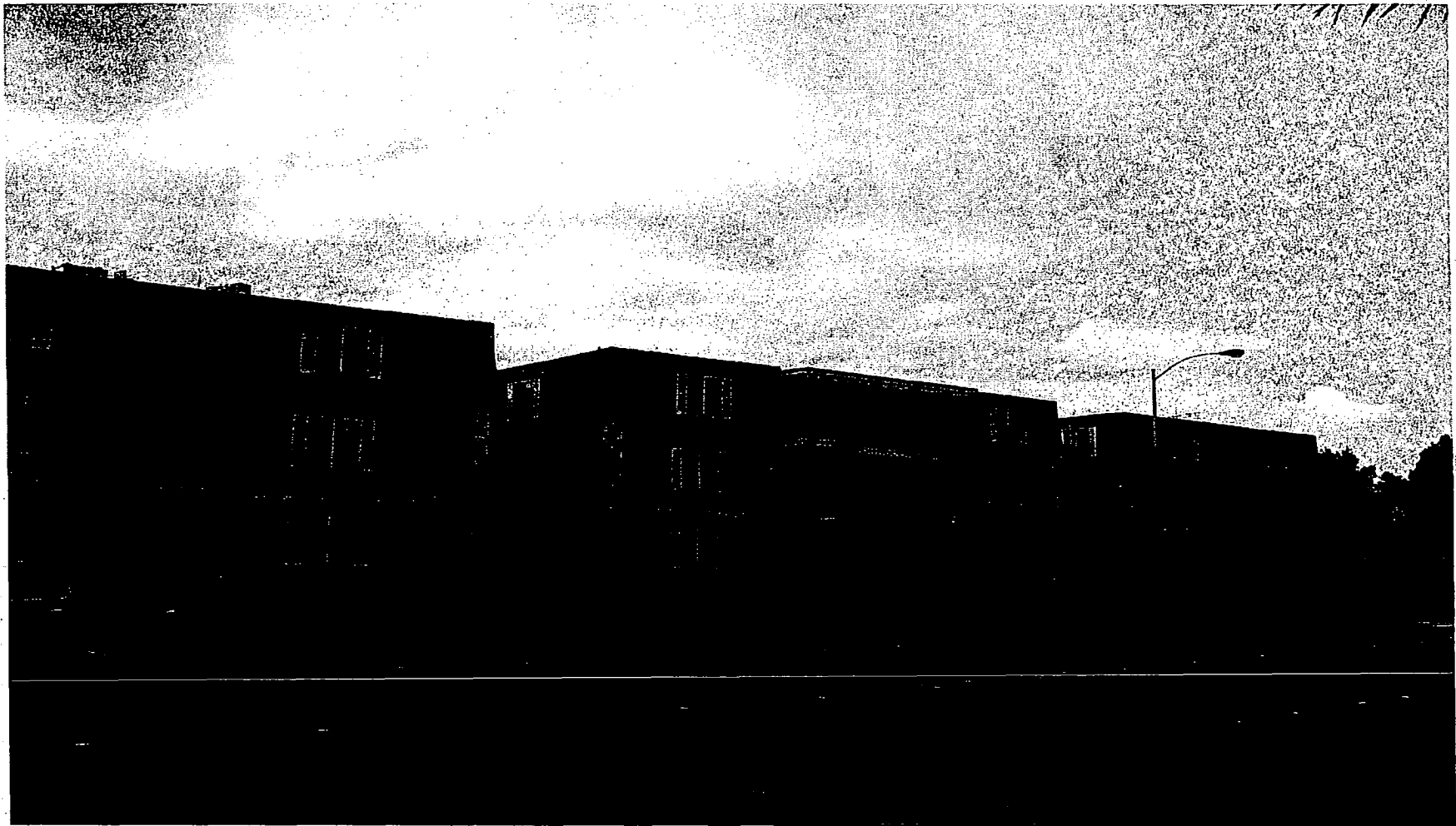
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ESA ST. LOUIS MANOR
LAS VEGAS, NEVADA
ARCHITECTURAL
ELEVATIONS

Drawn By: _____
Checked By: _____
Reviewed By: _____
Project No.: _____
Sheet No.: _____
Date: _____

REVISION BLOCK		
NO.	DATE	DESCRIPTION
1	9-10-04	PRE-APPLICATION MEETING
2	10-13-04	CITY APPLICATION
3	11-18-04	VARIATION/REVISIONS

EXTENDED
STAY AMERICA
EFFICIENCY STUDIOS
ESA MANAGEMENT, INC.



VAR-5458 - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, L.L.C.
2000 PARADISE ROAD
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04

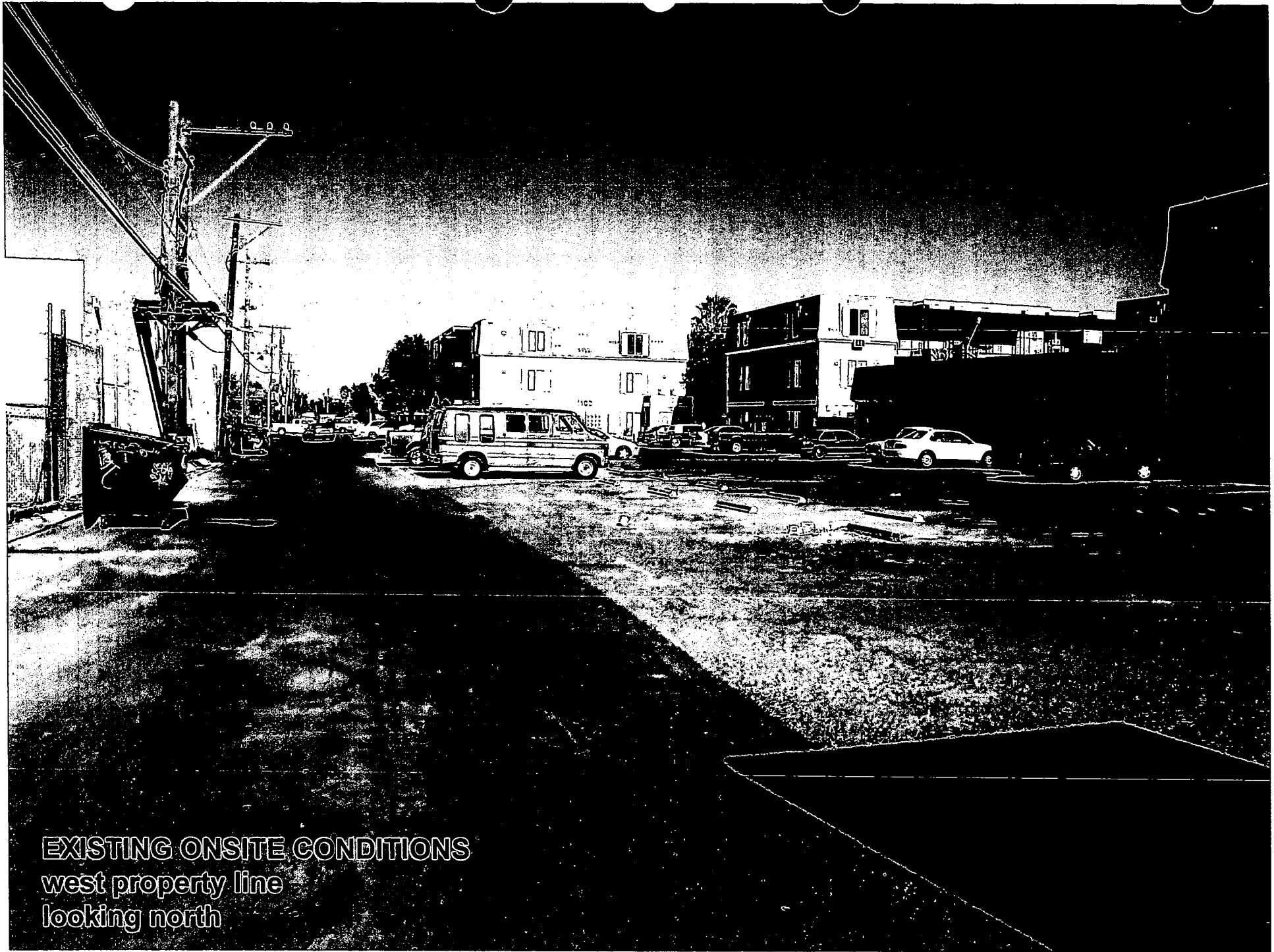
Extended Stay America St. Louis / Paradise

Existing Conditions

December 20, 2004

Submitted at City Council

Date 1/19/05 Item 92,
93 & 94



EXISTING ONSITE CONDITIONS
west property line
looking north

EXISTING ON-SITE CONDITIONS

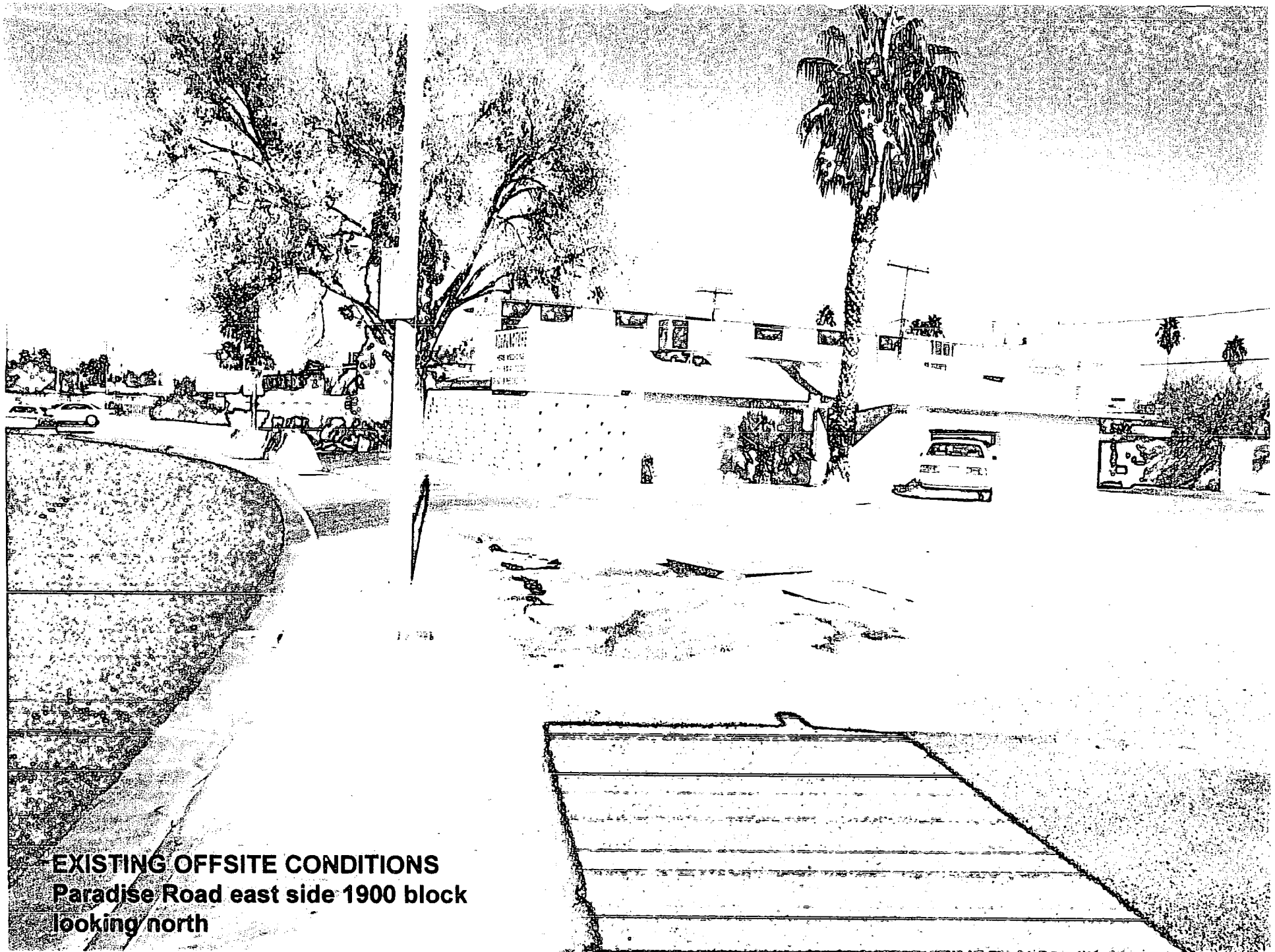
SOUTH SIDE

WORKING AREA



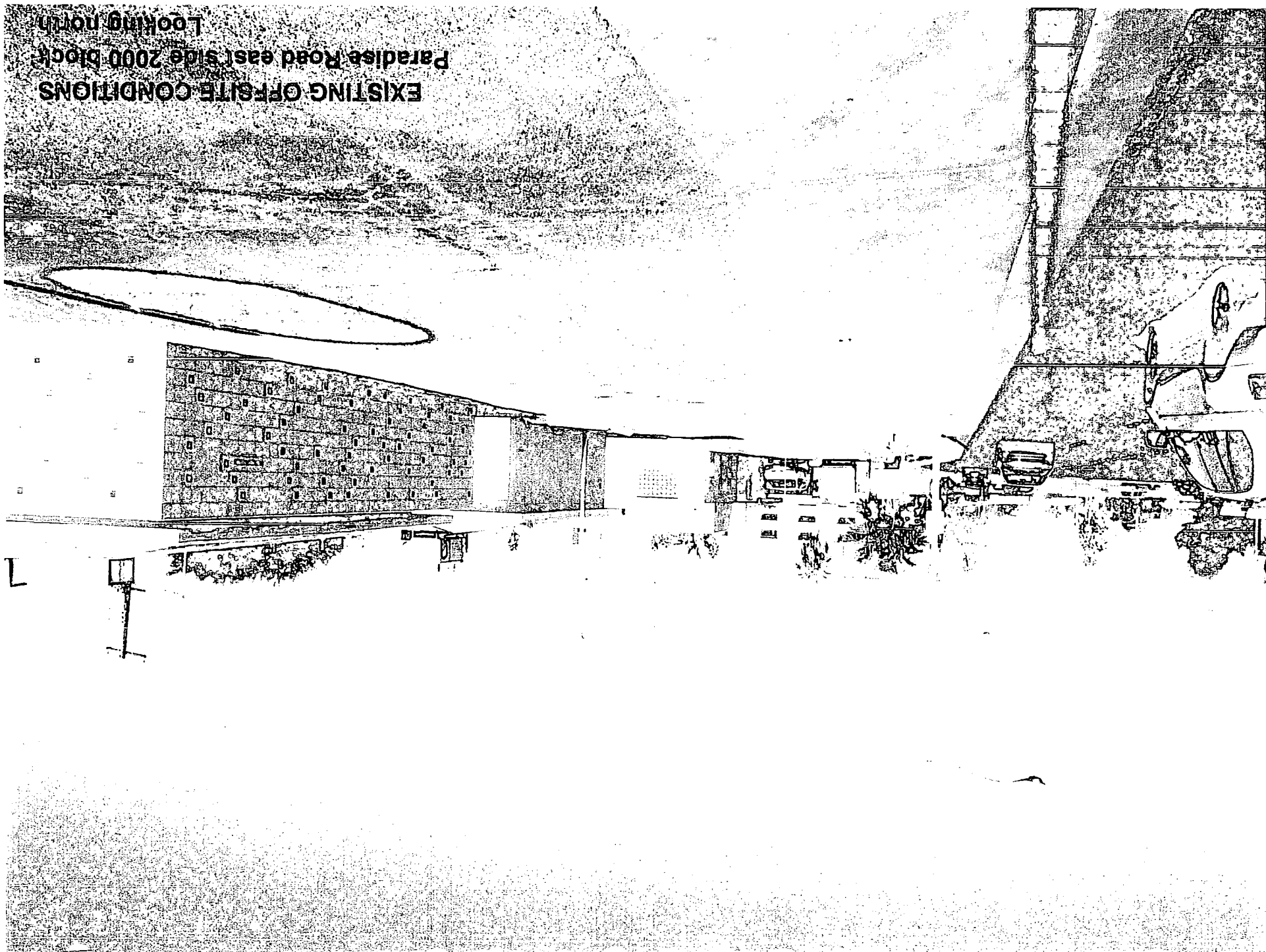


EXISTING ONSITE CONDITIONS
East property line/Paradise Road
looking north



EXISTING OFFSITE CONDITIONS
Paradise Road east side 1900 block
looking north

EXISTING OFFSITE CONDITIONS
Paradise Road east side 2000 block
Looking north





EXISTING OFFSITE CONDITIONS
Paradise Road east side 2100 block
looking north



EXISTING OFFSITE CONDITIONS
Paradise Road west side 2100 block
looking north

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-5458

SUP-5457 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, LLC - Request for a Special Use Permit FOR A 120-UNIT RESIDENCE HOTEL at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter submitted by J.R. Rodine
5. Submitted at City Council - Existing Conditions information for Items 92, 93 and 94 filed under Item 92

MOTION:

REESE - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting and GOODMAN excused

NOTE: Subsequent to the meeting, at the direction of DEPUTY CITY ATTORNEY BRYAN SCOTT, a revised letter was provided to the applicant deleting Condition 2 of ROC-6012, which was heard at the 2/2/2005 City Council meeting.

MINUTES:

NOTE: See Item 92 [VAR-5458] for all related discussion.
(2:21 - 2:28)
3-3052

CONDITIONS:

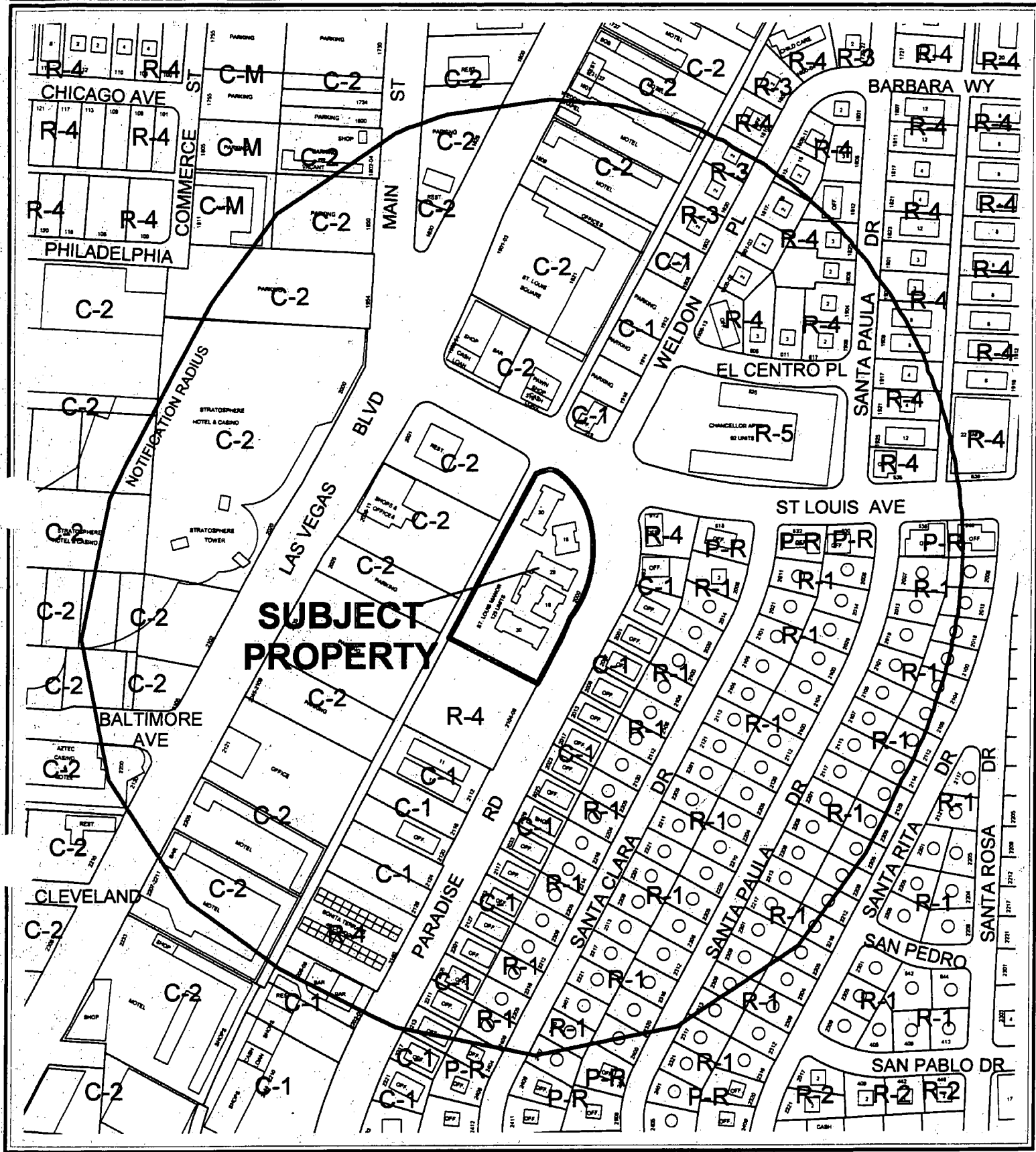
Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning Z-0007-87, Variance VAR-5458, Special Use Permit SUP-5457, and Site Development Plan Review SDR-5456, including site plans and elevations date stamped November 18, 2004.
2. Submission of a signed and notarized cross-access and parking agreement with neighboring properties, adequate enough to cover the deficiencies of this development's parking requirements, acceptable to the City Attorney.

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

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.



CASE: SUP-5457

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

0 200 400 Feet



93



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - SUP-5457 - APPLICANT: LPN

ARCHITECT - OWNER: BRE/ ESA PROPERTIES, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 5, 2005 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning Z-0007-87, Variance VAR-5458, Special Use Permit SUP-5457, and Site Development Plan Review SDR-5456, including site plans and elevations date stamped November 18, 2004.
2. Submission of a signed and notarized cross-access and parking agreement with neighboring properties, adequate enough to cover the deficiencies of this development's parking requirements, acceptable to the City Attorney.
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 Hotel, Residence at 2000 Paradise Road.

B) Applicant's Justification

Applicant states: "In terms of neighborhood character and compatibility, the proposal would be a vast improvement to both the subject property and its surroundings. The subject property is sufficiently removed from established single-family uses to the east on Santa Clara Drive. The proposed modern design and use is totally compatible in nature, intensity, and scale with the surrounding neighborhood. The proposed building's architecture and its water sensitive landscaping will visually improve the scene from abutting streets and properties."

BACKGROUND INFORMATION

A) Previous Actions

- 03/04/87 City Council approved a request for a Rezoning (Z-0007-87) of this property from R-4 (Apartment Residence) to R-5 (Downtown Apartment). A plot plan was also approved. Planning Commission and staff had recommended denial.
- 12/02/04 The Planning Commission recommended approval of a related Variance (VAR-5458) and Site Development Plan Review (SDR-5456); they accepted a request to withdraw another related Variance (VAR-5459).
- 12/02/04 The Planning Commission voted 4-1-2 to recommend APPROVAL (PC Agenda Item #35/srs).

B) Pre-Application Meeting

- 09/28/04 Elements of a Special Use Permit application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.63

B) Existing Land Use

Subject Property: Residential Apartments
North: Pawn Shop, Cash Loans, Offices
South: Undeveloped
East: Offices
West: Restaurant, Shops, Offices, Parking

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-5 (Downtown Apartment)
North: C-1 (Limited Commercial), C-2 (General Commercial)
South: R-4 (Apartment Residence)
East: C-1 (Limited Commercial), R-4 (Apartment Residence)
West: C-2 (General Commercial)

E) General Plan Compliance

The site is designated as the C (Downtown-Commercial) land use designation of the Las Vegas Redevelopment Plan which is part of the Southeast Sector Plan of the General Plan. The proposed Special Use Permit conforms to the policies of the General Plan and the Redevelopment Plan for the site.

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

This proposal lies within the Las Vegas Redevelopment Plan and the Beverly Green Neighborhood Plan.

ANALYSIS

The applicant's request for a Hotel, Residence use would be approvable if:

- The proposal included the required number of parking spaces. Companion case VAR-5458 is a request by the applicant for a Variance from the parking requirement. Staff recommendation for the parking Variance for denial. One parking space is required for each guest room.
- The proposal was redesigned so that it did not require several landscaping waivers.

Other criteria for the determination of a Special Use Permit, such as Development Standards and Minimum Distance Separation Requirements, have been met.

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	7,000 Square Feet	72,467 Square Feet	Yes
Min. Setbacks			
• Front	10 Feet	27 Feet, 6 Inches	Yes
• Side	5 Feet	10 Feet	Yes
• Corner	5 Feet	10 Feet	Yes
• Rear	20 Feet	125 Feet	Yes
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	5 Stories / 55 Feet whichever is less	4 stories / 55 feet	Yes
Trash Enclosure	Enclosed & roofed style to match building	Enclosed & roofed style matches building	Yes
Mech. Equipment	Screened	Screened	Yes

A2) Parking and Traffic Standards

Pursuant to Title 19.10.F Table 1, the following Parking Standards apply to the subject proposal:

Uses	Required Ratio	Parking		Provided Parking	
		Regular	Handicap	Regular	Handicap
Hotel, Motel, or Residence Hotel	One space for each guest room	120	5	107	5

The proposal does not meet the City's parking requirement. The subject deviation is 13 spaces, or 11% fewer spaces than required. A request for a parking variance is discussed in Variance VAR-5458.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Hotel Residence use.

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

Standards	Code Requirement	Provided
Trash Enclosure	Enclosed & roofed style to match building	Yes

The proposal meets the trash enclosure requirement of Title 19.08

B) General Analysis and Discussion

- Zoning

The subject site is zoned R-5 (Downtown Apartment). A Hotel, Residence is permitted in the R-5 (Downtown Apartment) zone with the approval of a Special Use Permit.

- Use

Title 19.20 defines a Hotel, Residence as a multi-dwelling project for extended stay lodging consisting of efficiency units or suites with complete kitchens suitable for long-term occupancy; customary hotel services such as linen, maid service, telephone and upkeep of furniture; and optional resident and guest amenities such as meeting rooms, club house and recreation facilities. The term does not include facilities which qualify as other types of dwelling units defined by this title.

- Conditions

There are no special conditions of use for Hotel, Residence in Title 19.04.050

FINDINGS

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

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.”**

This property's General Plan land use designation of C (Downtown-Commercial) allows a wide range of commercial uses, including Hotel, Residence. The project is bordered by other commercial uses to the north, south, east and west. This proposed use could be conducted in a harmonious manner with surrounding land uses, if adequate parking was available.

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

The site would be physically able to accommodate the proposed use if adequate parking were provided.

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.”**

Paradise Road, a 100-foot wide Primary Arterial on the City's Master Plan of Streets and Highways, is of adequate width and capacity to accommodate the traffic handling needs of this facility.

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

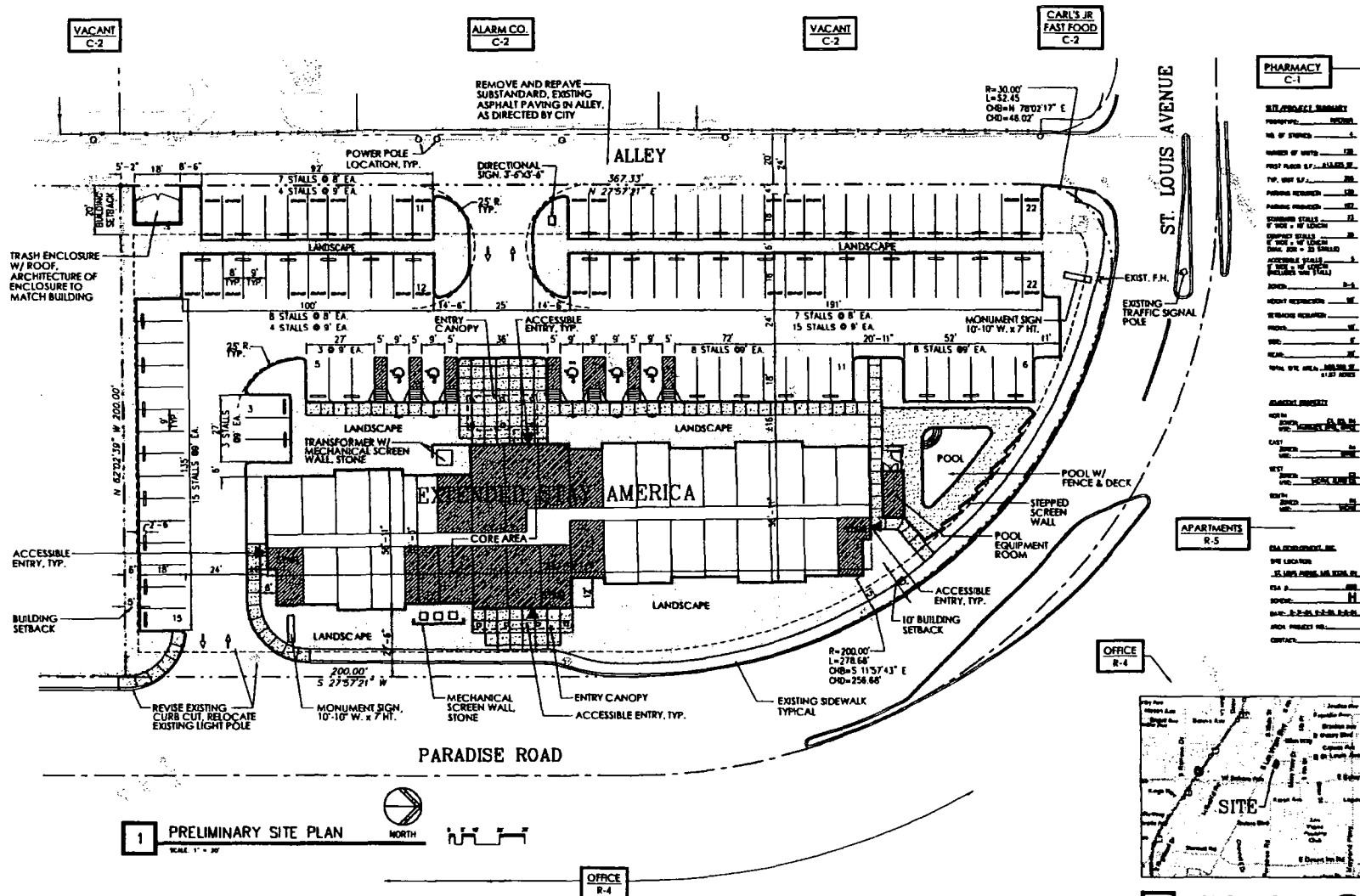
This use should not compromise the overall health, safety and general welfare of the public as it is a regulated use subject to inspection.

NOTICES MAILED 153 by City Clerk

APPROVALS 1

PROTESTS 0





1 PRELIMINARY SITE PLAN
SCALE: 1" = 30'

2 VICINITY MAP
NOT TO SCALE

SUP-5457
VAR-5458
SDR-5456
12-02-04 PC
REVISED 11-18-04

NOV 18 2004

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99	DATE: 11-18-04
100	DATE: 11-18-04

EXTENDED
STAY AMERICA
EFFICIENCY STUDIOS
ESA MANAGEMENT, INC.

NO.	DATE	DESCRIPTION
1	8-10-04	PRE-APPLICATION MEETING
2	10-15-04	CITY APPLICATION
3	11-18-04	VALENTINE, ESTIMATES

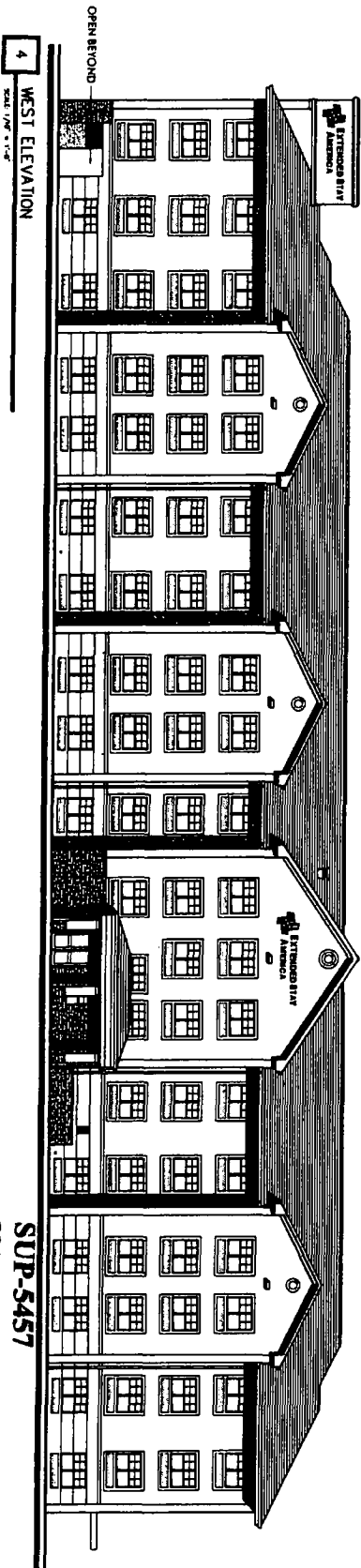
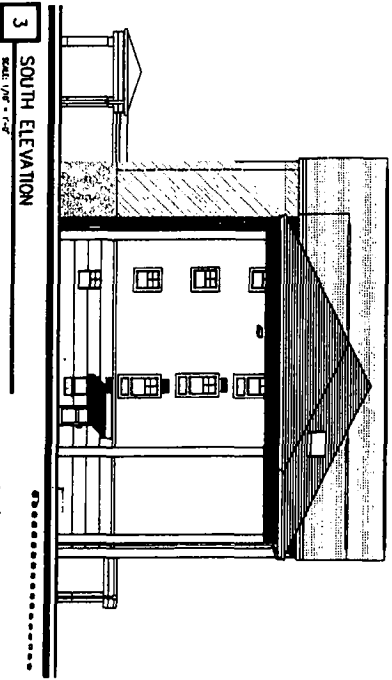
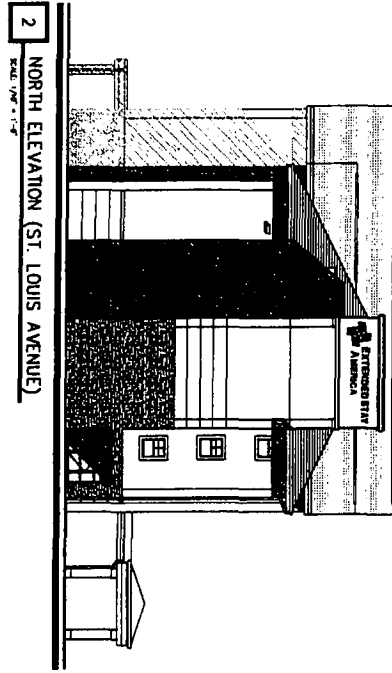
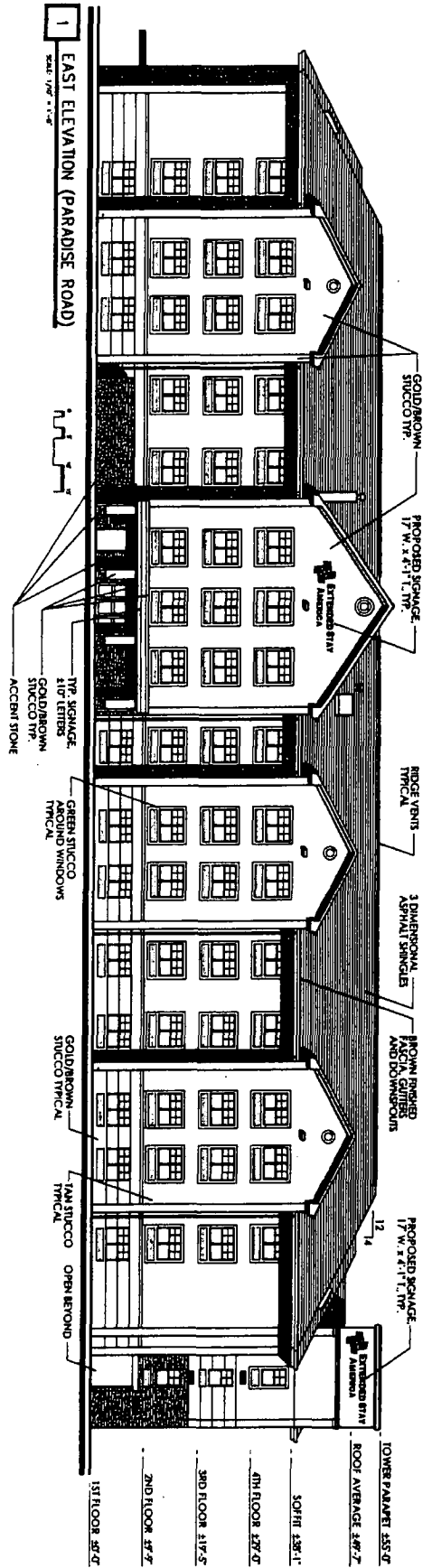
NOTICE: A BOUNDARY SURVEY HAS BEEN CONDUCTED AND THE RESULTS ARE SHOWN ON THIS PLAN.

DATE: 8-10-04

ESA ST. LOUIS MANOR
LAS VEGAS, NEVADA
ARCHITECTURAL
SITE PLAN

Launch No. 051871
ESA No. 858
Project: Submit
Permit: Clear
Bid: Issue
Construction: Issue

A1.0



NOV 18 2004

REVISION BLOCK	
NO.	DESCRIPTION
1	PRE-APPLICATION MEETING
2	CITY APPLICATION
3	WATER/VAR. REVISIONS

NOTES:
1. SEE ALL NOTES ON SHEET 1.
2. SEE ALL NOTES ON SHEET 2.
3. SEE ALL NOTES ON SHEET 3.
4. SEE ALL NOTES ON SHEET 4.

DESIGNED BY: [Name]
DATE: 11-18-04

ESA ST. LOUIS MANOR
LAS VEGAS, NEVADA

ARCHITECTURAL
ELEVATIONS

Project No.: 051801
ESA No.: [Blank]
Scale: [Blank]
Date: [Blank]
By: [Blank]
Check: [Blank]
Approval: [Blank]

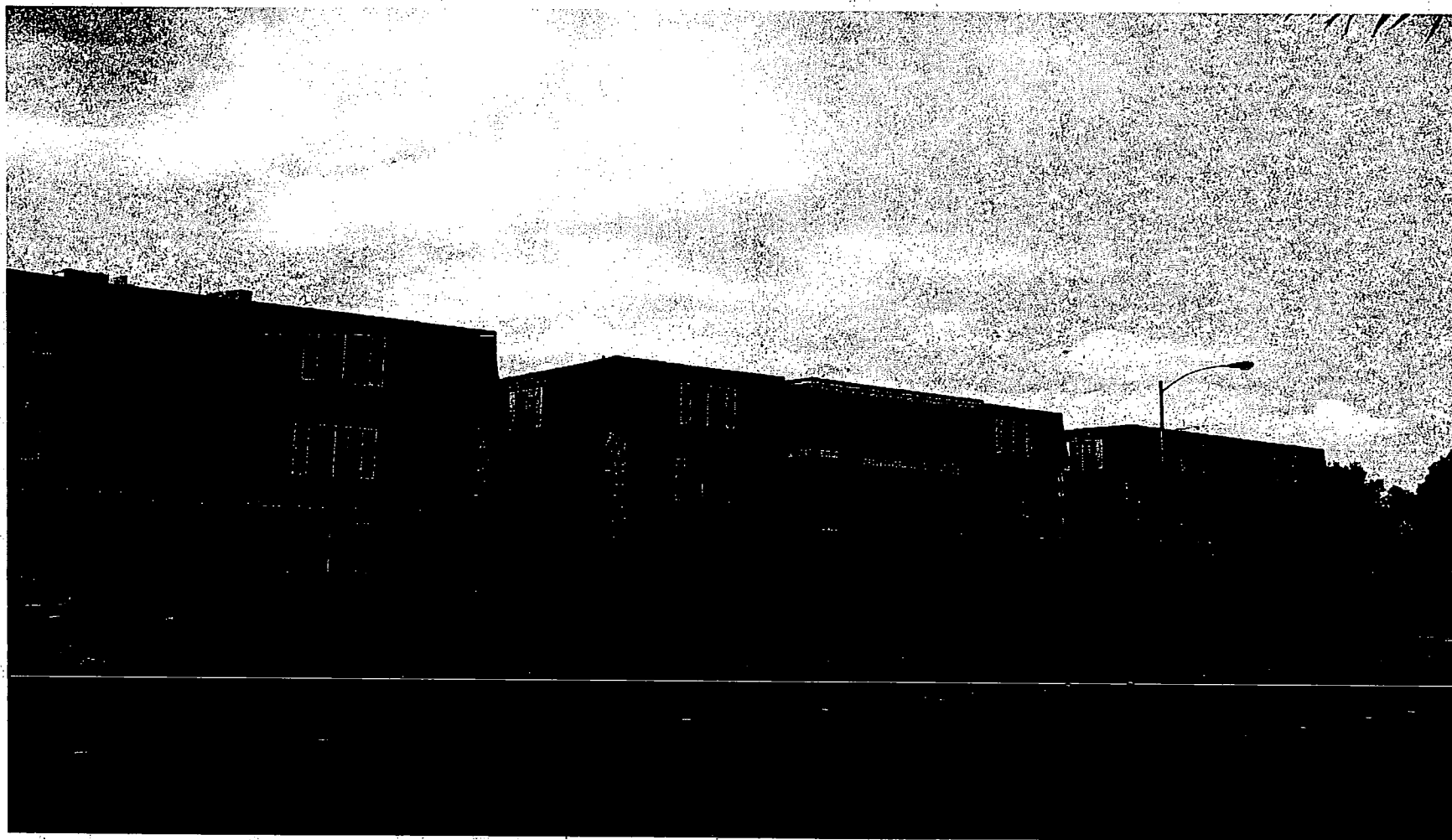
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SUP-5457
VAR-5458

SDR-5456

12-02-04 PC

REVISED 11-18-04



SUP-5457 - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, L.L.C.
2000 PARADISE ROAD
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04

30P-5457

October 14, 2004

Honorable Mayor and Members of the Las Vegas City Council
Members of the Planning Commission
C/O City of Las Vegas Current Planning Division
731 South Fourth Street
Las Vegas, NV 89101

VIA HAND DELIVERY:

Re: Extended Stay Hotels - Proposal to Redevelop 2000 Paradise Road

Dear City of Las Vegas Officials and Staff:

I am pleased to present the accompanying general project description, and the various justifications associated with Extended Stay Hotels (ESH) proposal to redevelop the subject 1.57+/- acre site into a modern 120 room hotel at the junction of St. Louis Avenue and Paradise Road.

Extended Stay Hotels (ESH) is a privately held company that currently owns and operates over 610 extended stay hotels in the United States. ESH is the largest hotel owner/operator in the extended stay market. There are currently five ESH hotels open and operating in the Las Vegas area. Our typical hotel is three or four stories high and contains 100 to 160 rooms. Every hotel room contains a kitchenette consisting of a two-burner stovetop, re-circulating fan, microwave, refrigerator, and kitchen sink, as well as various other business amenities such as a desk, data ports, and voice mail. Although rooms are available for both daily and weekly rentals, our client base has long confirmed that weekly rates are regarded as more attractive to the long-term business traveler. ESH customers often stay two to three weeks. Our national client profile is that of a college educated business traveler with an average annual income of \$70,000 needing in suite facilities to work and to prepare meals.

Several other hotel chains occupy the extended stay market in the Las Vegas area, including Marriott's Residence Inn, Marriott's Springhill Suites, Marriott's Townplace Suites, and Candlewood Suites. Like those other hotel chains, ESH is strictly a hotel operator offering daily and weekly rates for the short and long-term traveler.

Our hotels operate with a full time staff of managers, assistant managers, front desk receptionists, housekeepers, laundry, and maintenance personnel. Our reception/check in desk is staffed 24 hours a day and available to our guests. The hotel contains a full house laundry for the processing of sheets, towels, and dishes on the 1st floor as well as housekeeping rooms on all other floors used for linen and supply storage for the restocking of rooms. Our nightly guests receive linen changes and room cleanings every day with weekly guests receiving the same every three days unless requested more often.

We have no staff living on site and collect "Transient Occupancy Tax" in accordance with local and state laws per the requirement of all full service commercial hotels.

As indicated above, ESH is proposing to redevelop the site consisting of 1.57 +/- acres with a new, four story, 120-unit extended stay hotel. The site will have its own outdoor swimming pool, parking, and related amenities. The subject proposal calls for demolition of an outdated facility of 123 rooms and rebuilding a modern 120-room hotel to accommodate the one to thirty day business travelers. Our proposal does not include a restaurant for on site food or beverage services, nor group conference facilities because they are readily available through other community resources in the immediate area.

The application in total will consist of the following components:

1. Special Use Permit - The subject property located within the redevelopment area is zoned R-5. A residence hotel of the nature proposed is permitted within the R-5 District subject to your issuance of a Special Use Permit (SUP).
2. Site Development and Plan Review - Site development plans and a justification are provided.
3. Variances - We are requesting a total of three variances. The first is to reduce the required parking ratio from one space per unit (1:1 ratio) to .89 spaces/unit. The second is to eliminate the large truck loading space requirement. The third is to allow an additional six feet of height to better incorporate the proposed sign tower element into the building. The zoning ordinance contains a height limit of fifty-five feet. Our design proposal for this one small element of the building is sixty-one feet.
4. Waivers - Five landscape waivers are requested. The first is to eliminate parking lot landscape islands at six space intervals. The second is to reduce the landscape buffer between the northeast corner of the proposed building and the property line by one foot and five inches (from a mandated 15 feet to 13'7"). The third is a reduction in the width of landscaping from fifteen feet to ten feet for the buffer area between the swimming pool fence and the property line. The fourth is a reduction of the width of landscaping along the south property line and the on-site parking strip from eight feet to five feet. The fifth is to allow a minor reduction of foundation landscaping strips in two locations. The first location is between the building and the internal walkway at the south end of the building. There, we propose reducing the width of the landscape strip from six feet to two feet for a lineal distance of five feet. This equates to a reduction in foundation landscaping in this small location of twenty square feet (4 feet in width X 5 lineal feet = 20 sq. ft.). The second location is along the northeast corner of the building. There, we propose to reduce the foundation landscape strip from six feet in width to three and one half feet for a lineal distance of fourteen feet and eight inches (2'6" in width X 14'8" lineal feet = 36.65 sq. ft). The combined total of both proposed reductions is 56.5 square feet.

The above introduction, general project description, and breakdown of application components are intended to provide staff, decision makers, and members of the general public with a fair, practical, and uncolored sense of the overall scope of this proposal. In the following sections of this document, I will furnish the facts and information to justify approval of the project.

Special Use Permit Justification

ESH asserts that sufficient justification exists to approve the special use permit in accordance with the criteria set forth in Chapter 19.18, Section I, and Sub-sections 1 a-d.

ESH proposed to demolish a worn and outdated existing residential hotel consisting of 123 units and replace it with a modern business oriented hotel containing 120 rooms. The subject property is located within the redevelopment district and is therefore in a transitional area. It is presently zoned R-5 which allows both the existing and proposed uses subject to issuance of a SUP. In terms of neighborhood character and compatibility, the proposal would be a vast improvement to both the subject property and its surroundings. The immediate area contains a mix of neighborhood to high intensity commercial zonings beginning with C-1 and C-2 districts, and R-4 and R-5 high-density residential districts. Development consists of a mix of uses similar to the zoning from service commercial, offices, the Stratosphere Hotel complex and its ancillary parking, abutting vacant and developed high density residential. The subject property is sufficiently removed from established single family uses to the east on Santa Clara Drive. ESH asserts that its proposed modern design and use is totally compatible in nature, intensity, and scale with the surrounding neighborhood. We also believe the proposed building's architecture and its water sensitive landscaping which well exceeds the City's requirements, will visually improve the scene from abutting streets and properties. Further, it will serve as an effective buffer from more intense existing and likely future uses to the north and west.

No additional demand is anticipated for the range of public services from schools, libraries, parks, fire, police, or paramedics. On the other hand, it is anticipated that this project will increase the amount of dollars flowing to the city in the form of hotel occupancy taxes. Thus the above facts presented to address the considerations of harmony and compatibility would appear to strongly favor approval of the SUP.

The subject property is zoned R-5 for high-density residential development. The use is allowed subject to a SUP in the R-5 District. It is quite clear that the site is physically capable and suitable to accommodate the use and intensity proposed. We are merely requesting demolition of an outdated hotel of 123 rooms and replacing it with one of 120 rooms.

The adjoining streets are sufficient in both width and capacity to accommodate the traffic generated by the proposal. With the net reduction of three rooms, one could logically conclude the proposed use would generate slightly less vehicular demand on adjacent public roadways. In addition, ESH will be required to improve the adjacent alleyway, and the site's vehicular and pedestrian access to current standards. Additionally, on-site drainage will be substantially improved, and ESH may be assessed a traffic signal impact fee of benefit to the neighborhood.

The proposed use is consistent with goals, policies, and objectives of the General Plan. There are no identifiable negative impacts that this project would impose upon the community's public health, safety, and welfare.

Site Development and Plan Review Justification

This proposed residential hotel redevelopment consists of a sub-set of qualitative design review procedures to assure the site's overall layout, landscaping, the building's architectural quality, and associated parking, signage, amenities, and infrastructure requirements are consistent with the goals, policies, and objectives of the General Plan and the associated R-5 zoning. In compliance with Chapter 19.08.045 (Commercial District Development Standards), the proposed site and building design incorporates the desired elements of pedestrian paths, interconnected walkways, building placement, façade articulation, parking orientation, landscape buffering all of which substantially reduce mass, intensity, and positively integrate the project into the neighborhood.

Given the projects required compatibility with the General Plan, zoning, regulation of the site's use and development under an associated SUP and this Site Development and Plan Review (SDPR) process, there are ample controls in place to condition the subject request in a manner that assure operational and physical components warrant final approval. Again, ESH asserts that the project will be a net improvement to the immediate neighborhood and the community at large as it is proposed, designed, and eventually conditioned through the various procedures in place.

Justification of Variances

Parking Space Variance: A request for relief from the codified parking ratio of 1 space for each proposed room is an element of this project. Essentially ESH is requesting a reduction from this 1:1 space/room ratio in lieu of allowing .89 spaces/unit. Numerically ESH proposes 120 rooms and will provide 107 spaces including a total of five handicapped stalls. The number of these handicapped spaces and their placement on site are in full compliance with all regulations.

ESH engaged the services of Fehr and Peers Transportation Consultants to survey and analyze parking usage and demand at all of its five Las Vegas operations. The similarity in operations presents the best comparison to the proposed use and project design. Fehr and Peers analysis dated October 13, 2004, is incorporated herein by reference and is appended to this submittal. It contains the study purpose, methodology, setting and project description, demand analysis, and conclusions. These components are accompanied by attachments containing sample demand data, collection format, a map of the properties surveyed, and a map that shows the site's immediate walking proximity to the Monorail and four CAT routes. In addition to nearby convenient access to public transportation that connects the hotel to the McCarran International Airport and downtown Las Vegas, this analysis also recognized the availability of taxi and shuttle serves.

Page 4 of the report contains three bulleted conclusion points. The last two are important in making a fair argument for the proposed parking ratio. The proven parking demand for comparable projects ranges from .86 to .88 per hotel room. The proposed design furnishes .89 room that slightly exceeds the demand. The third conclusion cites the availability of a wide range of public and private transportation opportunities available to future guests.

The unique shape of the property that is influenced by two abutting diagonal public roads drives placement of the proposed structure in such a manner that precluded strict compliance with the codified 1:1 parking ratio. The size and shape of the property pose both physical and practical hardships in complying with the strict letter of the code. ESH is therefore seeking a balance where other competing requirements such as setbacks, landscaping, building articulation and architectural enhancements can

be achieved in compliance with the objectives of Chapter 19.08.045 that govern commercial development. Compliance with the myriad of overlapping regulations poses a practical hardship to the reasonable and practical development of the subject property without posing an undue hardship. Therefore, ESH is seeking relief from the codified 1:1 parking ratio to meet other larger objectives of the City's regulations. The appended Fehr and Peers' analysis proves relief from the strict ordinance requirements has no impact to the surrounding neighborhood or the community at large. ESH is unaware at the time of this writing of other hotel parking variances that may have been granted, but hopes the City will take such precedents under consideration in weighing this request.

Loading Variance: ESH understands there is a requirement to provide 15' x 25' loading zone parking for large delivery vehicles pursuant to Chapter 19.10 of the zoning code. As in the above request, we have engaged Fehr and Peers to undertake a loading space analysis. This analysis is appended hereto and incorporated by reference. The operational and needs analysis concludes that the proposed parking space design is sufficient to accommodate the frequency and nature of deliveries generally associated with ESH's operations. ESH has no oversize semi-truck deliveries other than during the construction phase that operationally requires larger than a 9'x20' parking space. In further consideration, there will be no onsite restaurant or food service and therefore no deliveries or pickups other than the typical Airborne, Federal Express, UPS, and vending machine servicers who generally use step vans. It may be reasonably concluded with the support of the Fehr and Peers analysis that deviation from the strict interpretation of the code will be of no impact on the surrounding neighborhood, or pose any impairment to the intent of the ordinance. On the other hand, strict compliance with the ordinance will pose a direct and severe physical and practical hardship on future hotel operations without any rational proven need.

Sign Tower Height Variance: ESH proposes to incorporate a decorative sign tower element into the building's design of sixty-one feet in height. This proposed architectural feature exceeds the R-5 District's height limit of 55 feet. Therefore, the variance request is to allow an additional six feet in building's elevation for this sign tower feature. This single sign tower is a design element more prominently visible from the north and east elevations of the building that are adjacent to established commercial uses including other hotels and high density developments along both St. Louis Avenue and Paradise Road. The average roof height of the proposed four-story structure is forty-nine feet and seven inches. Therefore, the tower element will add slightly more than eleven feet to a small segment of the building's north and east elevations. Our architects have carefully designed the building with characteristics of the surrounding neighborhood in mind, and in keeping with Chapter 19.08.045 Commercial District Standards. This architectural feature furnishes façade articulation, and establishes a higher level of design quality that will have no visual impacts upon adjoining properties. In addition, the proposed landscaping plan will have the effect of lowering the tower by providing a substantial tree screen inside of the north and east property lines. The proposed tower element is compatible with the height, bulk, and scale of the building and the land uses within the surrounding area. Further, it establishes a name brand identity to the building that is essential to be competitive in the Las Vegas market. Denial of this request would be a practical hardship on the future operation of the hotel by depriving it of a reasonably scaled identity feature not unlike those enjoyed by other hotels and commercial businesses within the general vicinity. A precedent already exists with the far more imposing and nearby Stratosphere Hotel tower.

Therefore, the site's configuration and the proposed signage tower's orientation toward nearby existing high rise commercial uses present special circumstances where strict interpretation of the height limitation pose an undue visibility hardship upon ESH. Denial of this additional eleven feet in height for the carefully and reasonably scaled tower element that is essential to establish the hotel's identity poses not only an operational difficulty, it denies ESH a right enjoyed by other hotels and building

operators within the vicinity. This request does not pose any detriment to the public, adjoining property owners or users, has no impact upon natural resources, and in no way impairs the intent of the ordained height limit.

Justification of Landscaping Waivers

Waivers: There are a total of five landscaping waivers proposed as described in detail on page two of this letter. As a Nevada resident, and with my encouragement, ESH and our project architects LPN engaged the services of Las Vegas landscape architect Richard Marriotti. With water being such a critical commodity, we needed to rely upon the design knowledge of a local landscape architect. Mr. Marriotti and his firm have designed a landscape plan and planting schedule that address the local environmental, water usage, and aesthetic considerations of the project. The plan and planting schedule accompany this submittal and are incorporated herein by reference. We believe that the landscaping plan and schedule comply with the spirit and the intent of Chapter 19.12 Sections 19.12.010 through 19.12.070. The building, pool, parking lot, streetscape buffering, and sidewalk landscaping proposed far exceed the City's minimum requirements. The five waivers enumerated and described on page two are truly minimal and are far exceeded with the balanced planting of major trees, shrubs, and ground cover proposed. Strict adherence to the code would pose practical design and operational difficulties unintended by general design standards. The proposed landscape plan allows a better site orientation for building and parking lot improvements and creates far more effective buffers. The proposed design integrates heavily planted parking lot strips and islands, and buffering of the proposed hotel, pool, internal walkways and site perimeter in an alternative design in keeping with the provisions of Chapter 19.12. The following planting information is provided in support of the requested waivers:

- Twenty-five - 24" box trees are required in the parking lot. We are providing thirty.
- Twenty-three - 24" right-of-way landscape trees are required. We are providing thirty-two.
- Eight - 24" box trees are required for the side yard. We are providing ten.
- Under the City's evaluation matrix, a minimum of 220 - 5-gallon shrubs and ground cover plantings are required at a 4:1 ratio of plants and shrubs to box trees. The City's minimum requirement for the site is 55 box trees and 220 plants ($55 \times 4 = 220$). Our own enhanced tree planting schedule which follows the 4:1 formula requires a total of 288 plants ($72 \times 4 = 288$). In actual fact, our plan provides 600 - 5 gallon size plants and 150 - 1 gallon plants which total 750 plants ($600 + 150 = 750$). Our plan exceeds the City's matrix minimum by a total of 530 plants or roughly two and one-half times the volume of shrubs and ground cover actually required.

Lastly, Mr. Marriotti has taken care to see that swale, lawn area, sub-surface and surface drip irrigation comply with City standards.

Summary and Closing

In summary, it is hoped that those participating in consideration of this proposal will support redevelopment the subject property into a new hotel of 120 rooms. Approval will establish a positive foundation and basis for other neighborhood land use decisions in the future. Through sound site planning and design the future redevelopment of the property will be a vision of how the immediate neighborhood and surrounding community will benefit many years into the future. It is hoped that this request is granted, and the redevelopment that eventually occurs will serve as an example of a positive land use decision in the coming years.

I, as well as any members of our project team, will be happy to discuss the application's components either in person or by telephone if it serves to assist the staff or appointed and elected officials in any way. As the project's coordinator, please feel free to contact me at any time. The Extended Stay Hotels team looks forward to working with the staff, city officials, and the community to improve the site and neighborhood.

Thank you all in advance for your fairest consideration.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "J. R. Rodine".

J. R. Rodine

CC: Dan Sterns - Extended Stay Hotels

ATTACHMENTS:

- 1: Proposed Site, Elevation and Floor plans (LPN Architects)
- 2: Landscape Plan (Marriott Landscape Architecture)
- 3: Parking and Variance Analysis (Fehr and Peers Transportation Consultants)
- 4: Loading Zone Variance Analysis (Fehr and Peers Transportation Consultants)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5457 AND VAR-5458

SDR-5456 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, LLC - Request for a Site Development Plan Review and Waivers of landscaping standards FOR A 120-UNIT RESIDENCE HOTEL on 1.63 acres at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council - Existing Conditions information for Items 92, 93 and 94 filed under Item 92

MOTION:

REESE - APPROVED subject to conditions and amending Condition 3 as follows:

3. All development shall be in conformance with the site plan and building elevations, date stamped November 18, 2004 and the building elevations submitted January 19, 2005, except as amended by conditions herein.

- UNANIMOUS with WEEKLY not voting and GOODMAN excused

MINUTES:

NOTE: See Item 92 [VAR-5458] for all related discussion.
(2:21 - 2:28)
3-3052

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning Z-0007-87, Variance VAR-5458, Special Use Permit SUP-5457, and Site Development Plan Review SDR-5456.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance with the site plan and building elevations, date stamped November 18, 2004, except as amended by conditions herein.

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

4. A waiver of the Title 19.10 requirement for a 15-foot by 25-foot loading zone parking area for large delivery vehicles is hereby granted.
5. Waivers of three minor landscape requirements described below are hereby granted.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Prior to the 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.
8. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
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. Signage shall be redesigned to meet Code Standards, a Variance to the Code submitted, or a Master Signage Plan application shall be submitted and approved prior to the issuance of any permits.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
14. Any internal property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. All City Code requirements and design standards of all City departments must be satisfied.

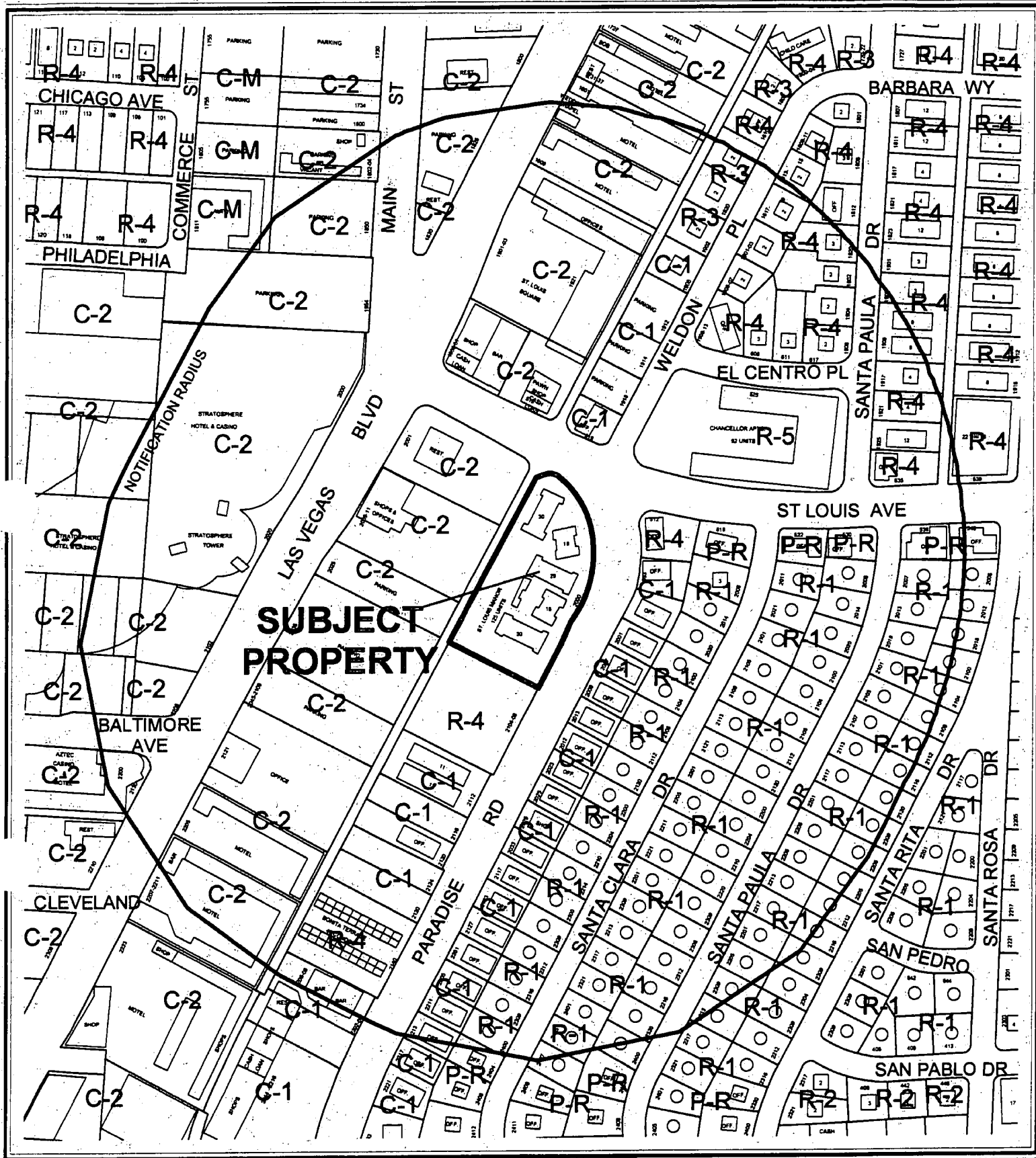
Public Works

16. Provide an easement, as necessary, for traffic signal appurtenances and conduits for the traffic signal at Paradise Road and St. Louis Avenue prior to the issuance of any permits for this site.

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Downtown Centennial Development Standards concurrent with development of this site.
18. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Parking spaces located off the public alley shall be set back sufficiently to allow a minimum of 24 feet clearance for vehicle maneuvering.
19. Landscape and maintain any unimproved right(s)-of-way adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: SDR-5456

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - SDR-5456 - APPLICANT: LPN

ARCHITECT - OWNER: BRE/ ESA PROPERTIES, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 5, 2005 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning Z-0007-87, Variance VAR-5458, Special Use Permit SUP-5457, and Site Development Plan Review SDR-5456.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped November 18, 2004, except as amended by conditions herein.
4. A waiver of the Title 19.10 requirement for a 15-foot by 25-foot loading zone parking area for large delivery vehicles is hereby granted.
5. Waivers of three minor landscape requirements described below are hereby granted.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Prior to the 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.
8. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
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. Signage shall be redesigned to meet Code Standards, a Variance to the Code submitted, or a Master Signage Plan application shall be submitted and approved prior to the issuance of any permits.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
14. Any internal property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade; unless otherwise stipulated.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Provide an easement, as necessary, for traffic signal appurtenances and conduits for the traffic signal at Paradise Road and St. Louis Avenue prior to the issuance of any permits for this site.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Downtown Centennial Development Standards concurrent with development of this site.
18. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Parking spaces located off the public alley shall be set back sufficiently to allow a minimum of 24 feet clearance for vehicle maneuvering.
19. Landscape and maintain any unimproved right(s)-of-way adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 120-unit Residence Hotel and waivers of landscaping standards on 1.63 acres at 2000 Paradise Road.

B) Applicant's Justification

The applicant states: "In compliance with Chapter 19.08.045 (Commercial District Development Standards), the proposed site and building design incorporates the desired elements of pedestrian paths, interconnected walkways, building placement, façade articulation, parking orientation, and landscape buffering; all of which substantially reduce mass, intensity, and positively integrates the project into the neighborhood."

BACKGROUND INFORMATION

A) Previous Actions

03/04/87 City Council approved a request for a Rezoning (Z-0007-87) of this property from R-4 (Apartment Residence) to R-5 (Downtown Apartment). A plot plan was also approved. Planning Commission and staff had recommended denial.

12/02/04 The Planning Commission recommended approval of a related Variance (VAR-5458) and Special Use Permit (SUP-5457); they accepted a request to withdraw another related Variance (VAR-5459).

12/02/04 The Planning Commission voted 4-1-2 to recommend APPROVAL (PC Agenda Item #38/srs).

B) Pre-Application Meeting

09/28/04 Elements of a Site Development Plan application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.63

B) Existing Land Use

Subject Property: Residential Apartments
North: Pawn Shop, Cash Loans, Offices
South: Undeveloped
East: Offices
West: Restaurant, Shops, Offices, Parking

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-5 (Downtown Apartment)
North: C-1 (Limited Commercial), C-2 (General Commercial)
South: R-4 (Apartment Residence)
East: C-1 (Limited Commercial), R-4 (Apartment Residence)
West: C-2 (General Commercial)

E) General Plan Compliance

The site is designated as the C (Downtown-Commercial) land use designation of the Las Vegas Redevelopment Plan, which is part of the Southeast Sector Plan of the General Plan. The site plan conforms to the use and density provisions of the General Plan for this site.

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

This proposal lies within the Las Vegas Redevelopment Plan and the Beverly Green Neighborhood Plan.

PROJECT DESCRIPTION

This is a proposal to redevelop this 1.6 acre site with a four-story, 55-foot high, 120-unit extended stay hotel. The site will have an outdoor swimming pool, parking, and lush landscaping. The project will first demolish and remove an outdated residence apartment facility of 123 rooms. The applicant requests the following Waivers:

- A waiver of the Title 19.10 requirement for a 15-foot by 25-foot loading zone parking area for large delivery vehicles.
- Eliminate one parking lot landscaping island adjacent to the west side of the building.
- Reduce the width of buffer landscaping from fifteen feet to a tapering curve between ten and twelve feet in the area between the swimming pool fence and the property line.
- Reduce the width of landscaping along the south property line / parking strip from eight to six feet.

ANALYSIS

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	7,000 Square Feet	72,467 Square Feet	Yes
Min. Setbacks			
• Front	10 Feet	27 Feet, 6 Inches	Yes
• Side	5 Feet	10 Feet	Yes
• Corner	5 Feet	10 Feet	Yes
• Rear	20 Feet	125 Feet	Yes
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	5 Stories / 55 Feet whichever is less	4 stories / 55 feet	Yes
Trash Enclosure	Enclosed & roofed style to match building	Enclosed & roofed style matches building	Yes
Mech. Equipment	Screened	Screened	Yes

This proposal needs no variances of dimensional requirements.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, Residential Adjacency Standards do not apply to the subject proposal because there are no residential properties located within the distance specified in the Code from the subject site.

A3) Parking and Traffic Standards

Pursuant to Title 19.10.F Table 1, the following Parking Standards apply to the subject proposal:

Uses	Required Ratio	Parking		Provided Parking	
		Regular	Handicap	Regular	Handicap
Hotel, Motel, or Residence Hotel	One space for each guest room	120	5	107	5

The proposal does not meet the City's parking requirement. The subject deviation is 13 spaces, or 11% fewer spaces than required. A request for a Parking Variance is discussed in companion Variance VAR-5458.

Pursuant to Title 19.19.020.B, every use that receives or distributes materials by truck shall provide and maintain on-site loading spaces. The applicant has requested a waiver of the Title 19.10 requirement for a 15-foot by 25-foot loading zone parking area for large delivery vehicles on the site. This waiver is acceptable as the number of delivery vehicles will be limited.

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	18 Trees / 107 spaces	26
Buffer:	1 Trees/ 30 Linear Feet	21 / 650 Feet	22 Trees
Min. Trees	8 Feet		6 Feet
Min. Perimeter. Zone Width	15 Feet		10 to 12 Feet
Min. Landscape Buffer Zone	6 Feet Maximum		Not shown.
• Wall height			

The applicant has requested waivers from the perimeter zone width and streetscape buffer requirements. These waivers are analyzed under Waivers, below.

A5) Sign Standards

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

Wall Signs Standards

	Allowed	Provided
Maximum Number	1 / Street frontage 2 total	2 / Street frontage 5 total
Maximum Area	50 SF / sign	68 SF / sign
Maximum Projection	2 Feet	0.5 Feet
Illumination	Internal	Internal

The east and west elevations each have two signs per street frontage, one over the entrance, and one at the top of the stairwell tower. The areas of each of these sign faces are 16 square feet larger than Title 19.14 Sign Standards requires. As a result, the proposal needs a variance from the signage requirements of the Code.

B) General Analysis and Discussion

- Zoning

The R-5 (Downtown Apartment) District is intended to allow for the development of high density multi-family units within the downtown urban core and other high intensity areas suitable for high density residential development. It is consistent with the C (Commercial) land use designation of the Las Vegas Redevelopment Plan.

- Site Plan

This site plan with its minor landscaping waivers, is typical of a Hotel, Residence. The building is brought forward to the front of the parcel, as is called for in Title 19.08 Development Standards; however, the site is overbuilt. The Hotel, Residence does not have the number of parking spaces required for the number of guest rooms. This deficiency in parking is addressed in companion item Variance VAR-5458, which is recommended for denial. This Site Development Plan Review would be approvable if the number of guest rooms were cut down to the number of parking spaces that can fit (without a Variance) on this site.

- Waivers

Waiver 1. A Waiver of the Title 19.10.020 requirement for a 15-foot by 25-foot loading zone parking area for large delivery vehicles is justified by the fact that this proposal's operational needs do not necessitate a loading area.

The applicant will receive no over-size semi-truck deliveries other than during the construction of the facility. There is no on-site restaurant or food-service. Applicant and its guests will have no deliveries or pickups other than typical Airborne, Federal express, UPS, and vending machine servicers who generally use step-vans that pull up and expedite their services in the front entrance area, which is completely separated from any public right-of-ways.

Waiver 2. Eliminate one parking lot landscaping island adjacent to the west side of the building.

Waiver 3. Reduce the width of buffer landscaping from fifteen feet to a tapering curve between ten and twelve feet in the area between the swimming pool fence and the property line.

Waiver 4. Reduce the width of landscaping along the south property line / parking strip from eight to six feet.

The three landscape waivers are justifiable as 1) each is relatively minor in character, 2) applicant has complied with staff's request that previous, more extensive landscape waiver requests be eliminated or reduced, 3) the overall landscaping for this project otherwise exceeds City requirements.

- Landscape Plan

The landscape plan depicts eight varieties of trees, all in either 36" or 48" box sizes. These larger box sizes will provide an early maturity date for landscaping, and will provide better shading of parking areas and the building itself. A two foot wide landscape swale is depicted along city sidewalks. Drought-resistant shrub clusterings exceed the amount required by Title 12.12. Sodded turf is depicted on the landscape plan without a measure of square footage or an indication of the percentage of total landscaping. A Condition of Approval has been added requiring that no more than 15% of total landscaping be turf.

- Elevation

The building elevations and design characteristics of the proposed Hotel, Residence will be well suited for this site and neighborhood. Façade articulation has been achieved through the use of texture, molding, and architectural elements.

- Floor Plan

The floor plan is typical of a small hotel or residential hotel.

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 Hotel, Residence is within the range of allowable uses in a R-5 (Downtown Apartment) zone. The proposed development and uses can be operated in a manner that is compatible with the existing and future land uses in the vicinity of this site, if the parking deficiency is adequately addressed through redesign of the site.

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

With the inclusion of the proposed Conditions of Approval and Granting of Waivers, the development will be consistent with the General Plan and the Landscape, Wall and Buffer Standards. It is inconsistent with the parking requirements of Title 19.

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

Access is provided via one driveway to Paradise Road, a 100-foot Arterial on the Master Plan of Streets and Highways. The street facilities are adequate in size to meet the requirements of the proposed use and will not negatively impact neighborhood traffic.

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

The proposed building is an aesthetically appropriate structure for a Residence, Hotel and landscape materials as proposed are appropriate for this project.

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

The building elevations and design characteristics of the proposed Hotel, Residence will be well suited for this site and neighborhood. Façade articulation has been achieved through the use of texture, molding, and architectural elements. The proposed building is a vast improvement over the existing structures on this site.

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

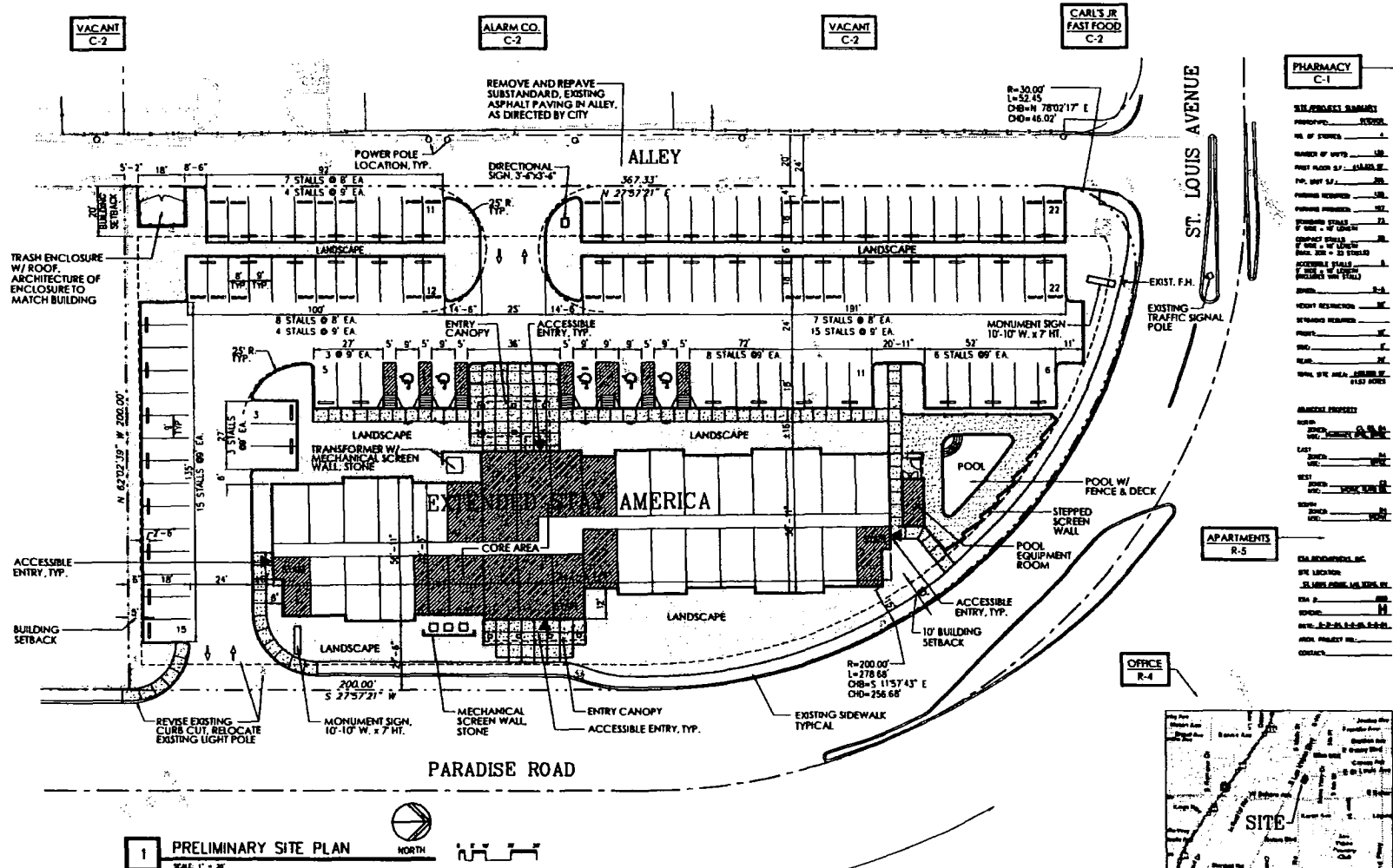
The subject site will be subject to City Business License requirements and periodic City inspections for code compliance, and will therefore not compromise the public health, safety and welfare. The proposed development will also be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 150 by Planning Department

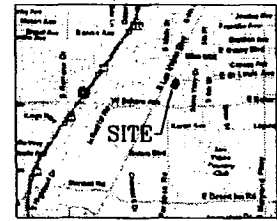
APPROVALS 0

PROTESTS 0





1 PRELIMINARY SITE PLAN
SCALE: 1" = 30'



2 VICINITY MAP
NOT TO SCALE

PHARMACY
C-1

SITE SUMMARY
 PROPERTY: _____
 NO. OF STORIES: _____
 NUMBER OF UNITS: _____
 FIRST FLOOR SF: _____
 FPD: _____
 PARKING REQUIRED: _____
 PARKING PROVIDED: _____
 F. SIDE: _____
 IMPACT STUDY: _____
 F. SIDE: _____
 ACCESSIBLE STALLS: _____
 F. SIDE: _____
 HEIGHT RESTRICTION: _____
 SETBACKS REQUIRED: _____
 FPD: _____
 REAR: _____
 TOTAL SITE AREA: _____
 TOTAL BUILT AREA: _____

GENERAL PROJECT
 NAME: _____
 LAST: _____
 WEST: _____
 SOUTH: _____
 EAST: _____
 NORTH: _____

APARTMENTS
R-5

OFFICE
R-4

SUP-5457
 VAR-5458
 SDR-5456
 12-02-04 PC
 REVISED 11-18-04

NOV 18 2004

EXTENDED STAY AMERICA
 EFFICIENCY STUDIOS
 ESA MANAGEMENT, INC.

NO.	DATE	DESCRIPTION
1	12-02-04	PRE-APPLICATION STUDY
2	12-02-04	CITY APPLICATION
3	11-18-04	REVISIONS

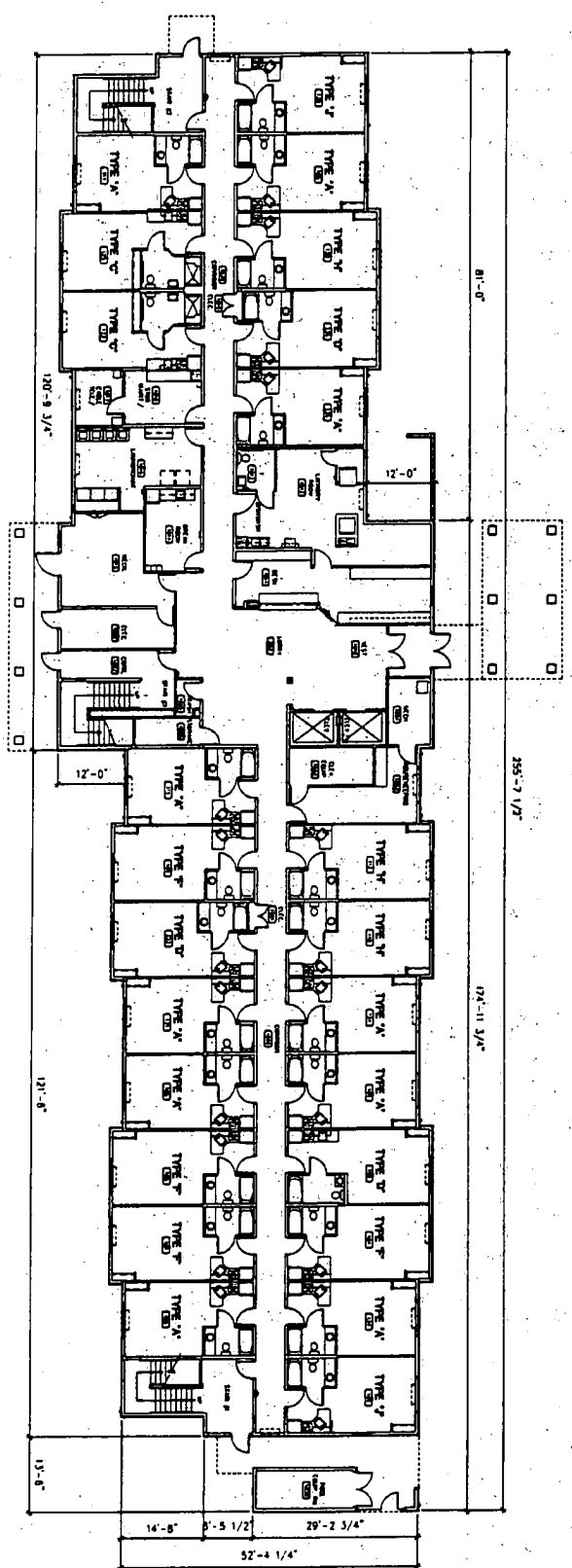
FOR THE PROJECT
 PROJECT NO. _____
 DATE: 12-02-04

FOR THE PROJECT

ESA ST. LOUIS MANOR
 LAS VEGAS, NEVADA
 ARCHITECTURAL
 SITE PLAN

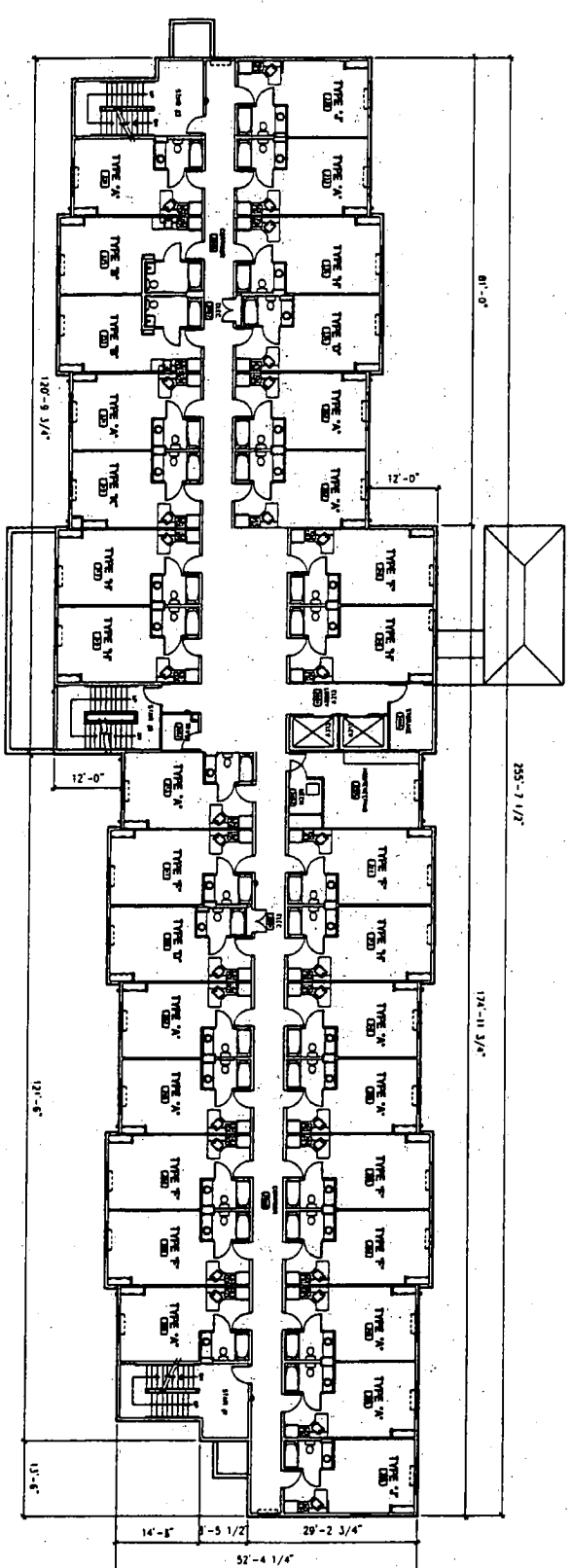
Launch No. 001001
 ESA No. 856
 Permit Submitted
 Permit Clearance
 Bid Issue
 Construction Time

A1.0

1
1ST FLOOR PLAN

- ROOM LISTED
- A - OAKEN
B - HANDICAP W/ TUB
C - OAKEN W/ SHOWER
D - GREEN VELVET/ALC. CLOSET
E - NOT USED
F - DOORAE DOORAE
G - NOT USED
H - KING
I - NOT USED
J - OAKEN
K - OAKEN

2ND FLOOR PLAN



- ROOM LEGEND
- A - QUEEN
 - B - HANDICAP W/ TUB
 - C - QUEEN W/ SHOWER
 - D - QUEEN DUXIE/ALC. CLOSET
 - E - NOT USED
 - F - DOUBLE DOUBLE
 - G - NOT USED
 - H - none
 - I - NOT USED
 - J - QUEEN
 - K - QUEEN

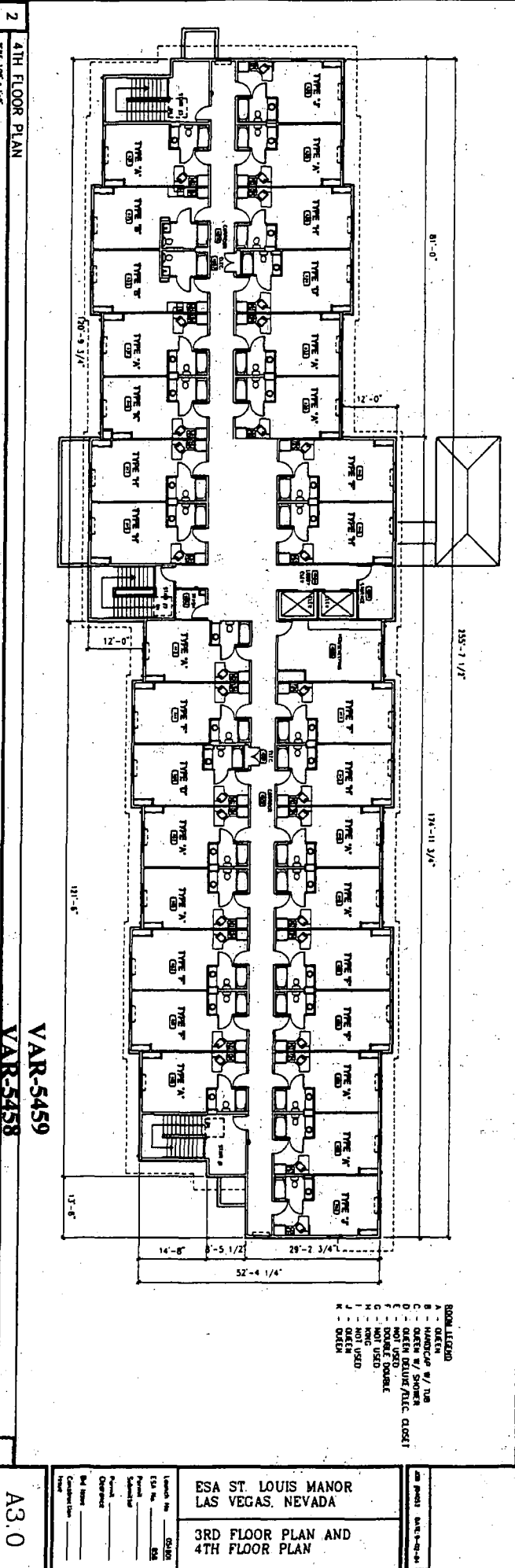
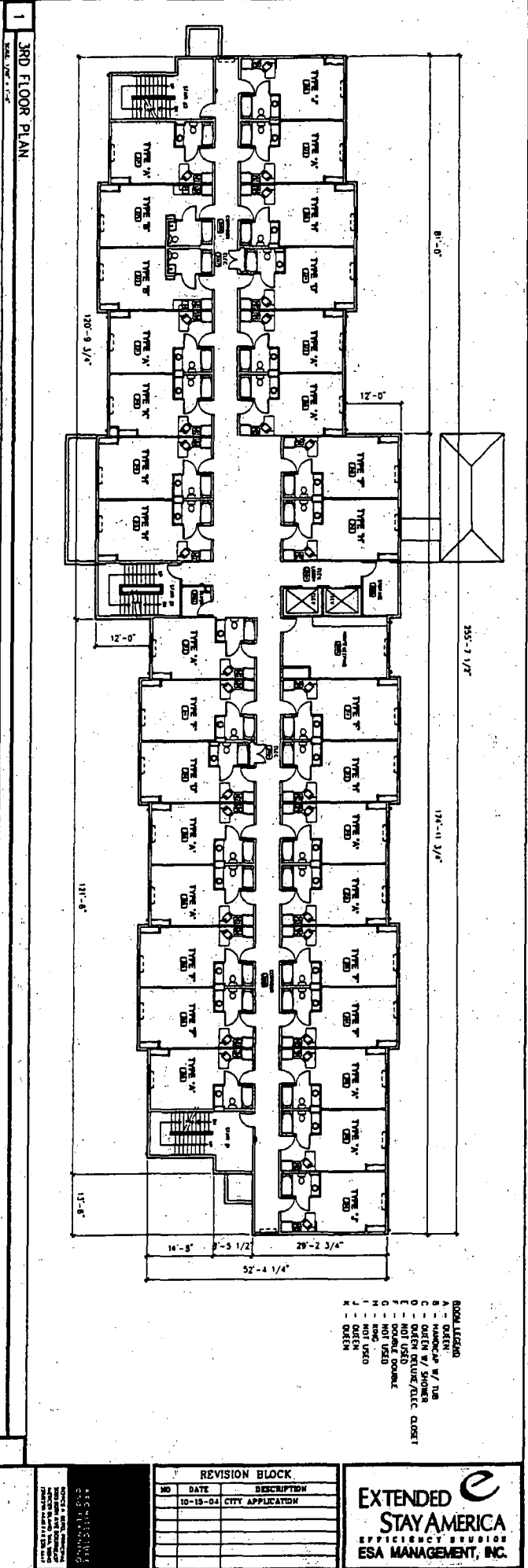
REVISION BLOCK		
NO.	DATE	DESCRIPTION
	10-15-64	CITY APPLICATION

EXTENDED *e* STAY AMERICA
EFFICIENCY SUITES
ESA MANAGEMENT, INC.

ESA ST. LOUIS MANOR
LAS VEGAS, NEVADA

1ST FLOOR PLAN AND
2ND FLOOR PLAN

A2.0



VAR-5459
VAR-5458
SUP-5457
SDR-5456
12-02-04 PC

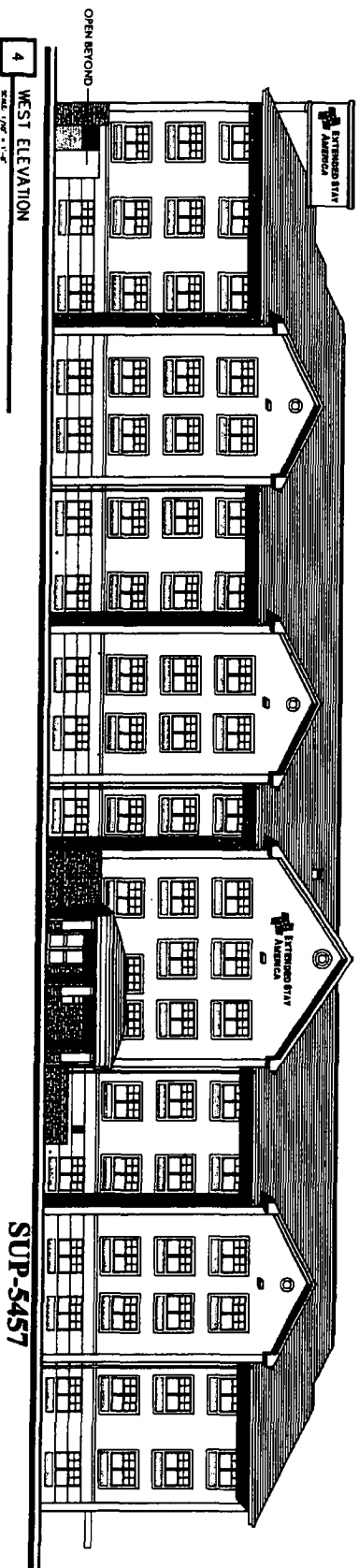
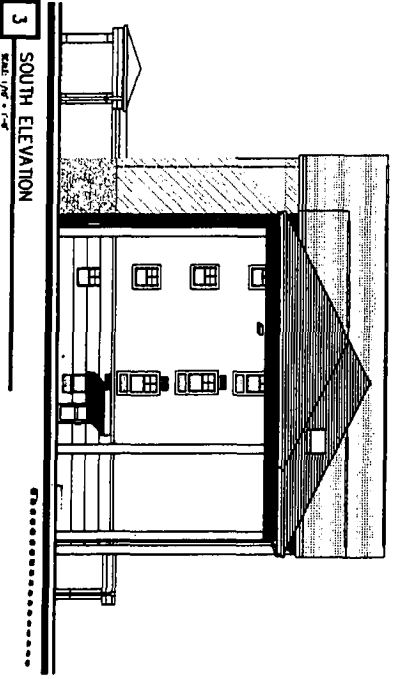
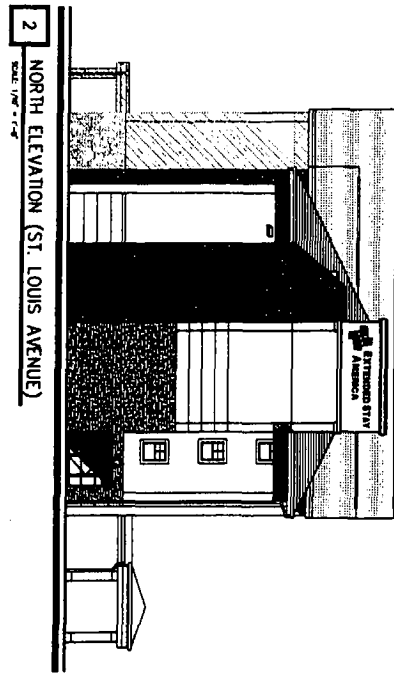
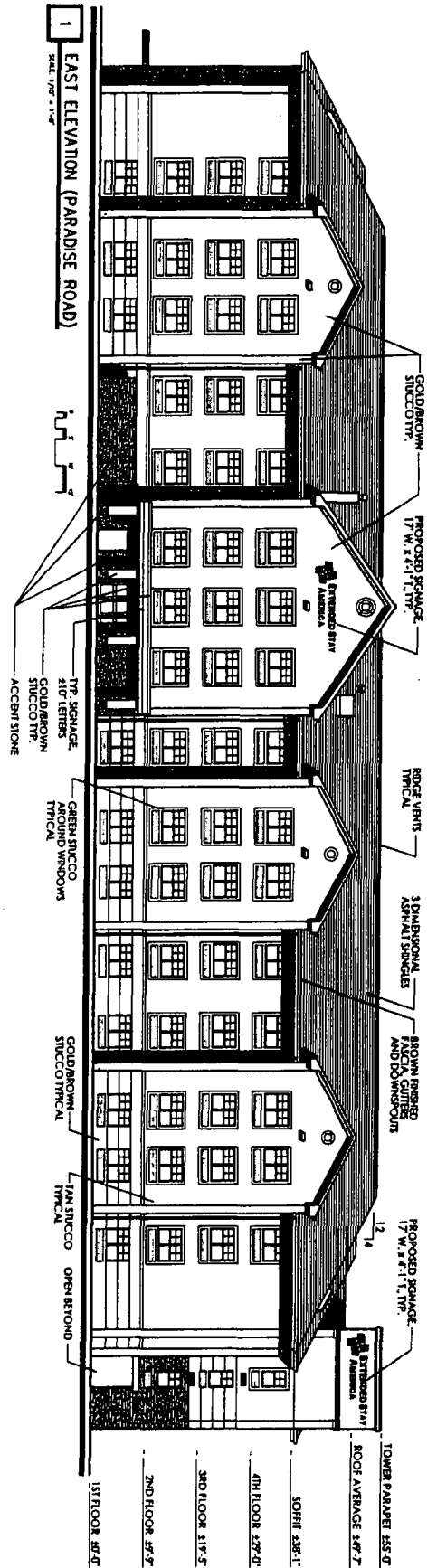
A3.0

ESA ST. LOUIS MANOR
LAS VEGAS, NEVADA

3RD FLOOR PLAN AND
4TH FLOOR PLAN

REVISION BLOCK		
NO	DATE	DESCRIPTION
1	10-19-04	CITY APPLICATION

EXTENDED
STAY AMERICA
EFFICIENCY RESORT
ESA MANAGEMENT, INC.



NOV 18 2004

SUP-5457
VAR-5458

SDR-5456

12-02-04 PC

REVISED 11-18-04

A4.0

ESR No.	05481
ESR No.	05481
ESR No.	05481
ESR No.	05481
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ESR No.	05481
ESR No.	05481
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ESR No.	05481
ESR No.	05481

ESA ST. LOUIS MANOR
LAS VEGAS, NEVADA

ARCHITECTURAL
ELEVATIONS

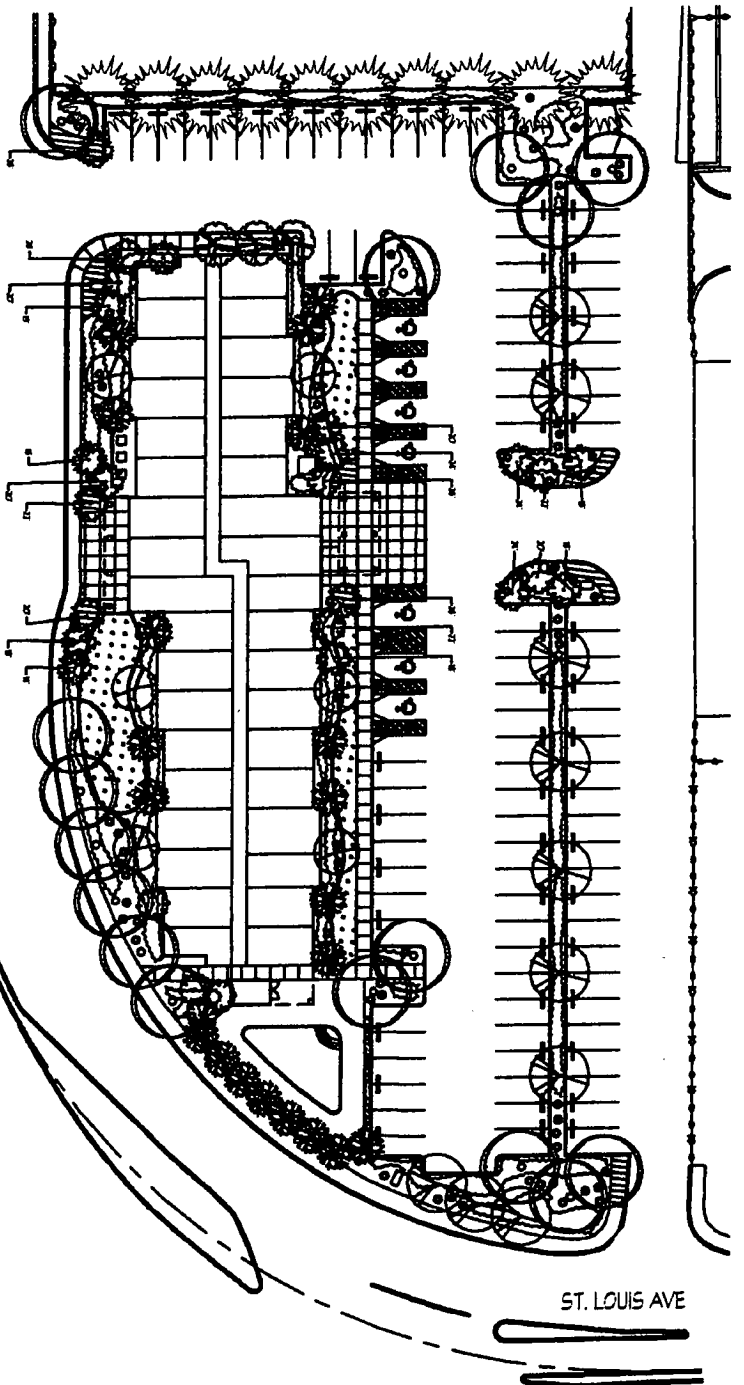
NOV 18 2004

NOV 18 2004

NOV 18 2004

REVISION BLOCK		
NO.	DATE	DESCRIPTION
1	11-18-04	PRE-APPLICATION MEETING
2	11-18-04	CITY APPLICATION
3	11-18-04	WATER/VAR. REVISIONS

EXTENDED
STAY AMERICA
EFFICIENCY STUDIOS
ESA MANAGEMENT, INC.



PLANTING NOTES

[illegible]

EXTENDED STAY AMERICA

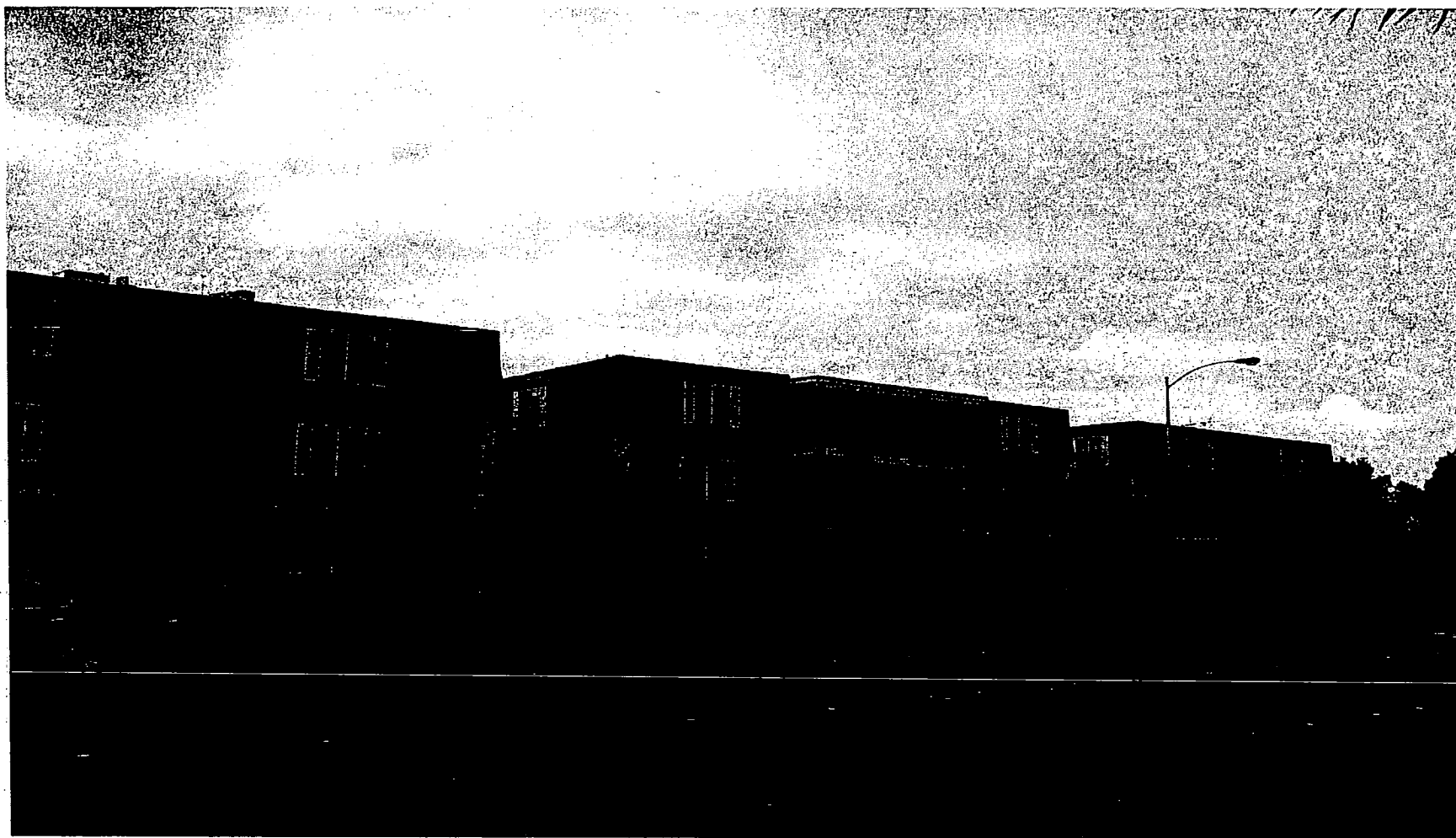
THE UNIVERSITY OF CHICAGO

CITY OF LAUREL LANDSCAPE EVALUATION NOTES

[illegible][illegible][illegible]

1 CONCEPTUAL LANDSCAPE PLAN





SDR-5456 - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, L.L.C.
2000 PARADISE ROAD
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-2848 - ABEYANCE ITEM - PUBLIC HEARING - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed off-premise advertising (billboard) SIGN on a portion of 3.03 acres located at 1110 South Rainbow Boulevard (APN 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Submitted after final agenda - Abeyance request from Attorney Jay Brown

MOTION:

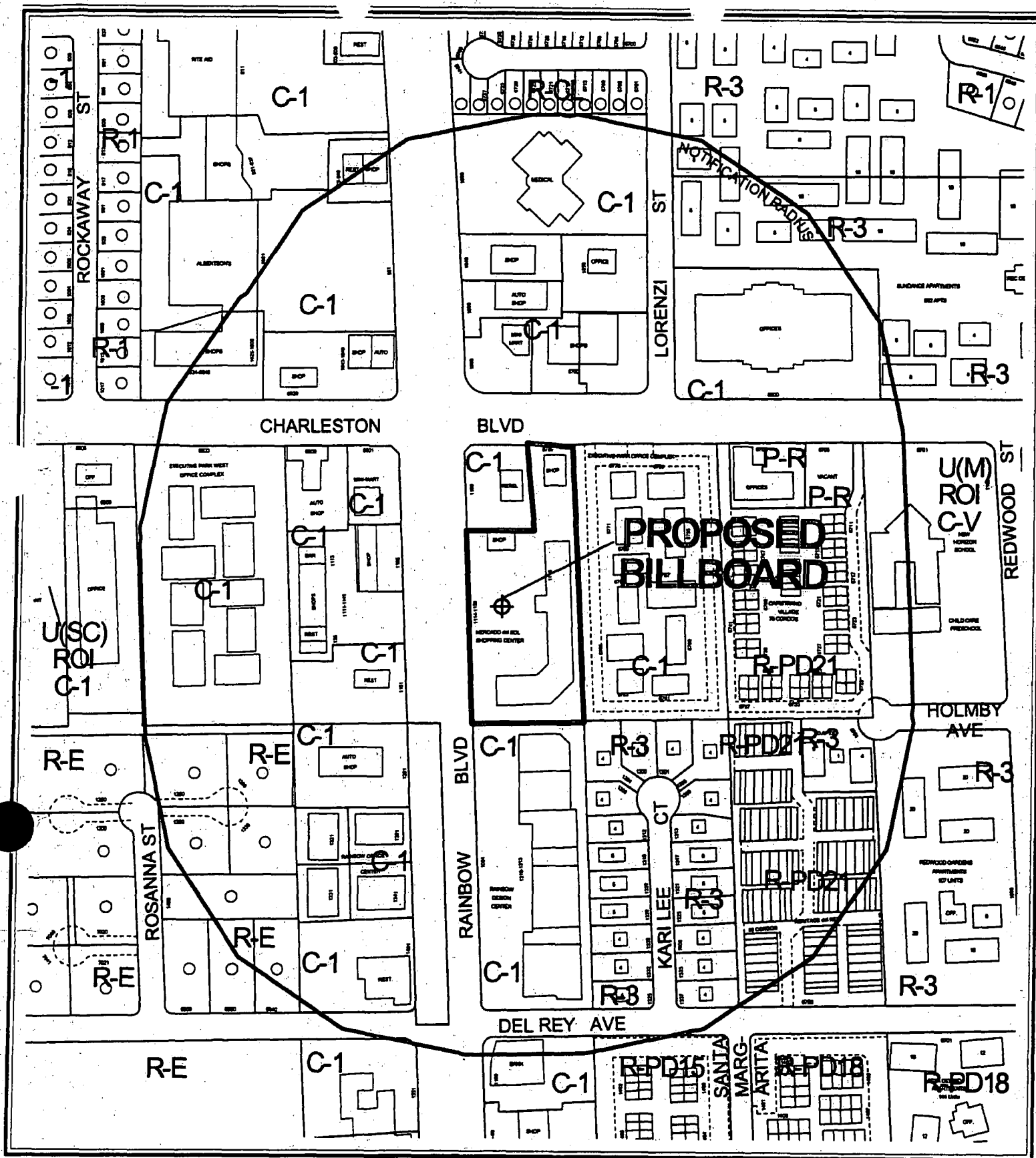
BROWN - Motion to HOLD IN ABEYANCE Item 91 [RQR-5513], Item 95 [SUP-2848], Item 96 [SUP-3394], Item 97 [SUP-4532], Item 98 [SUP-4693], Item 109 [SUP-5582] and Item 110 [SDR-5583] to 2/2/2005 and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 120 [GPA-5182], Item 121 [ZON-5183], Item 122 [VAR-5575] and Item 123 [SDR-5573] - UNANIMOUS with MACK abstaining on Item 91 [RQR-5513] because his company, Mack Consulting, negotiates with Lamar Outdoor on behalf of his clients and GOODMAN excused

MINUTES:

There was no discussion.

(1:00 - 1:07)

3-1



CASE: SUP-2848

RADIUS: 750 FT

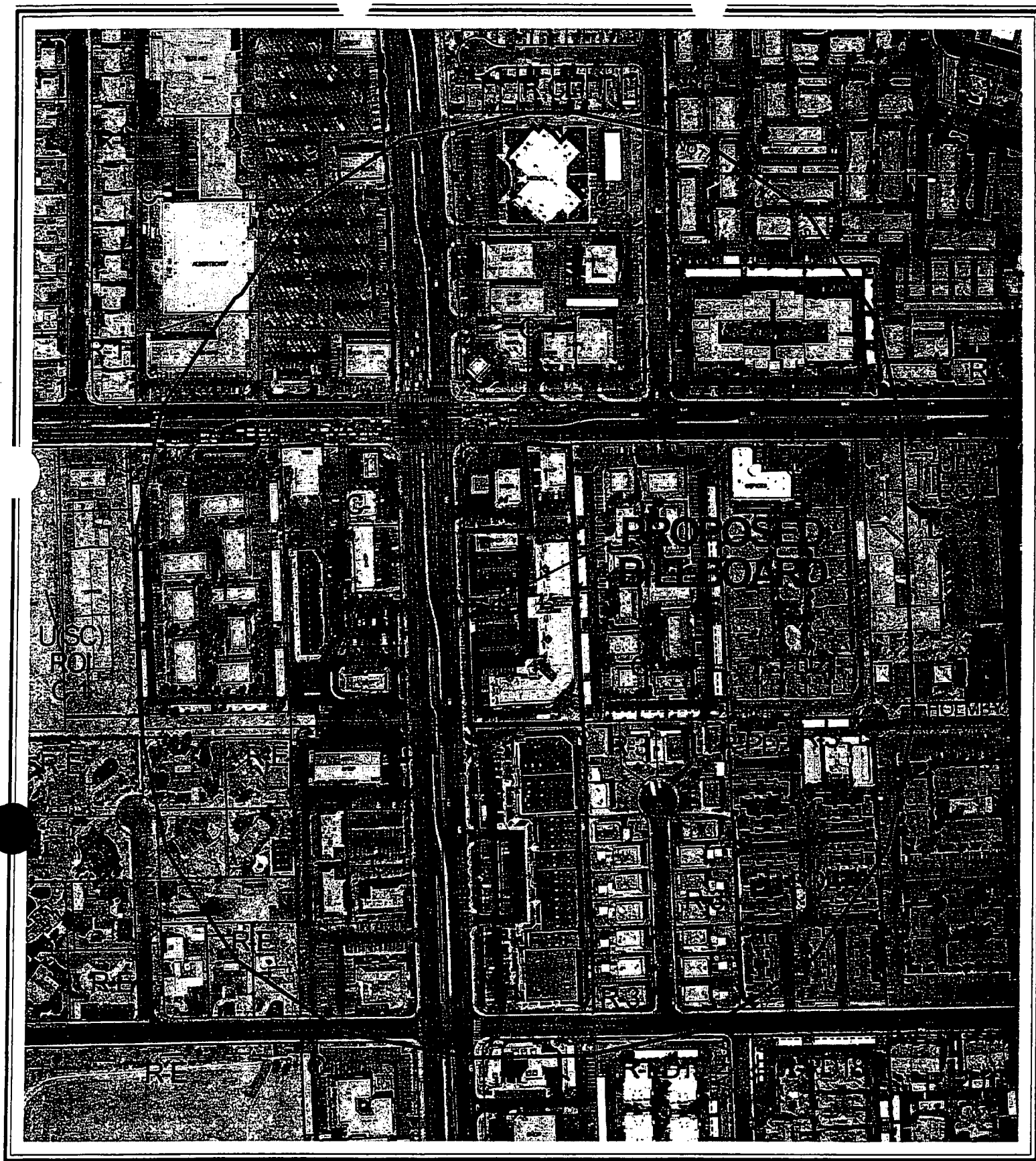
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



95





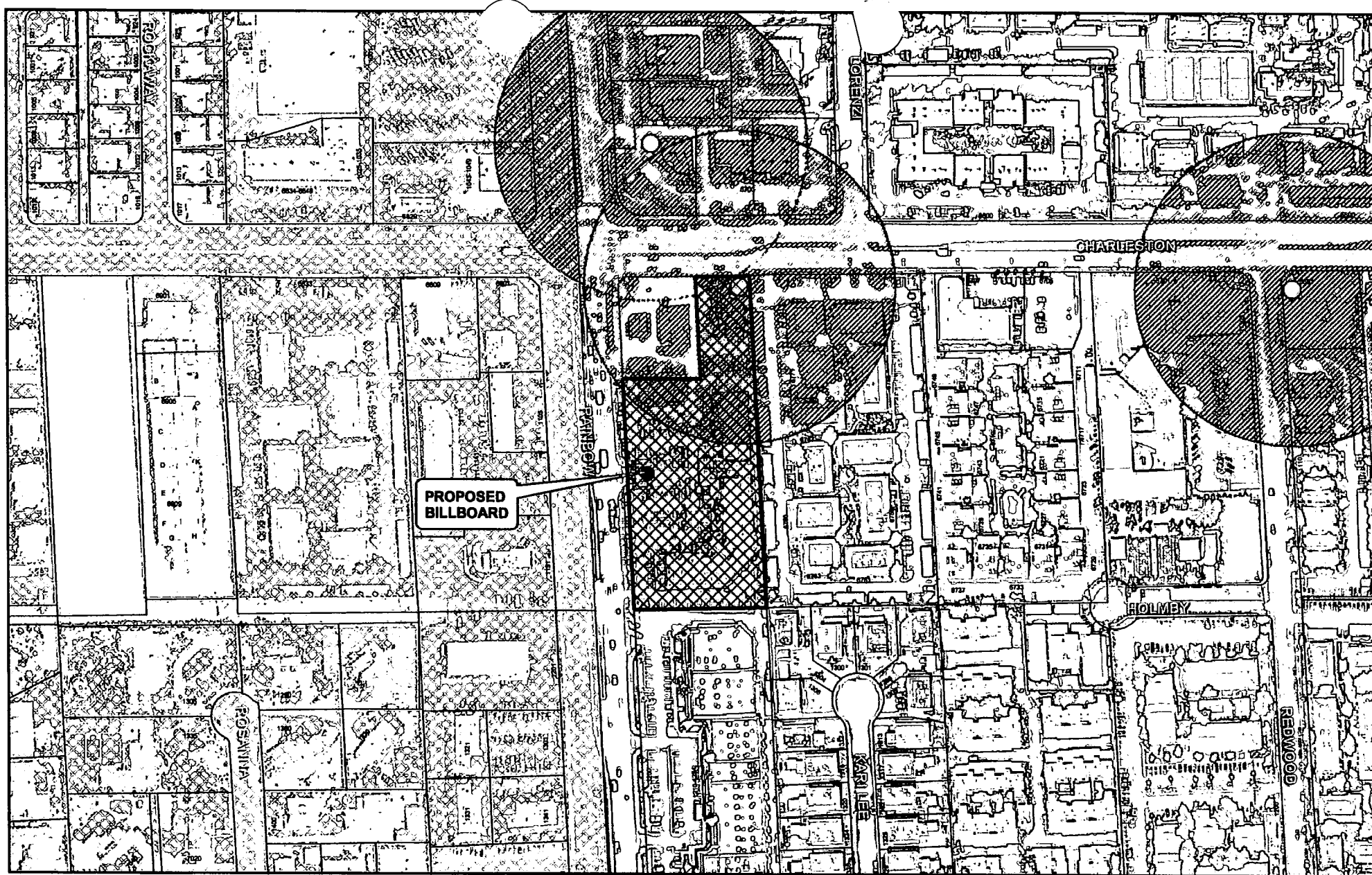
CASE: SUP-2848

RADIUS: 750 FT

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

0 200 400 Feet





SUP-2848

City of Las Vegas Billboard Data

 Subject Parcel	 300 Foot Buffer Around Billboard	 Outside City Boundary
 City of Las Vegas Billboard Location	 750 Foot Buffer Around Freeway Billboard	 Off Premise Sign Exclusion Area
 Clark County Billboard Location		 Exempt - Off Premise Area Sign Area



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-2848 - REAGAN NATIONAL
ADVERTISING ON BEHALF OF C O G III, LIMITED

THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 15, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premises sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premises advertising (billboard) sign be removed.
2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premises Sign use and other applicable sign requirements.
3. The off-premises advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premises advertising (billboard) sign.
4. The off-premises advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.
5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the off-premises advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the off-premises advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premises advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. 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.
9. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for approval of a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premises Advertising (Billboard) Sign at 1110 South Rainbow Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates the Off-Premises Advertising (Billboard) Sign will be oriented towards the north and south bound traffic on Rainbow Boulevard.

BACKGROUND INFORMATION

A) Previous Actions

- 11/05/86 The City Council approved a request for a Rezoning (Z-0074-86) to C-1 (Limited Commercial) on this site. The Planning Commission recommended approval on October 9, 1986.
- 02/23/95 The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0074-86(1)] for a retail/commercial center on the subject site.
- 12/04/02 The City Council Approved a Special Use Permit (SUP-1005) for a proposed Pawn Shop on the subject site. The Planning Commission recommended Approval.
- 09/11/03 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #32).
- 10/01/03 The City Council approved a request for a Special Use Permit (SUP-2758) to allow a proposed 40-foot tall, 14-foot by 48-foot off-premises advertising (billboard) sign on the north portion of this site adjacent to Charleston Boulevard. The Planning Commission recommended denial on August 28, 2003.
- 01/21/04 The City Council voted to table this item.
- 07/22/04 The Planning and Development Department mailed public hearing notices and advertised in the newspaper to inform the public this item was coming back before the Council.

B) Pre-Application Meeting

- 07/18/03 The applicant was advised to add the scale to the site plan and provided a signed notarized application from the property owner.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application, nor was one held for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.03

B) Existing Land Use

Subject Property: Commercial Retail Center
North: Commercial Retail Center
South: Commercial Retail Center
East: Offices
West: Commercial Retail Center

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

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The existing C-1 (Limited Commercial) zoning is compatible with this land use district and allows for light commercial and retail uses. The proposed Off-Premise Advertising (Billboard) Sign is allowed in this zoning district with the approval of a Special Use Permit.

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

This site is not affected by any special area plans or districts.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The proposed Off-Premise Advertising (Billboard) Sign will not generate a requirement for additional parking on this site.

A2) Minimum Distance Separation Requirements

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

Standards	Required	Requested	Compliance
Minimum distance separation from "R" zoned property and any other off-premises advertising (billboard) sign	300 Feet	No other Off-Premises Advertising (Billboard) Signs or residential properties are within 300 feet of this proposal	N

This proposed Off-Premise Advertising (Billboard) Sign is located approximately 390 feet from the Off-Premise Advertising (Billboard) Sign on the north portion of this site, adjacent to Charleston Boulevard proposed by Special Use Permit Application SUP-2758; it therefore complies nominally with Zoning Code standards.

B) *General Analysis and Discussion*

- Zoning

An Off-Premises Advertising (Billboard) Sign is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premises Advertising Sign to 40 feet. The Code also requires Off-Premises Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premises signs. The proposed sign meets these Code requirements with regards to distance separation. However, due to existing signage on the site and the proposed Off-Premises Advertising (Billboard) sign along Charleston Boulevard, this proposed billboard would add to the visual clutter along Rainbow Boulevard and is not appropriate at this location. Therefore, this use cannot be conducted in a manner that is harmonious and compatible with the surrounding development.

FINDINGS

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

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

Although this proposed use is allowed in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district, existing on-premise signage is already located along this segment of Rainbow Boulevard and another billboard is proposed along Charleston Boulevard. Approval of this billboard in this context will create an urban landscape that is not harmonious and compatible with the surrounding uses in this area.

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

The subject site is located in a commercial area and is adjacent to a major thoroughfare, which is one of the prerequisites to establish its suitability; however, the subject billboard sign is not appropriate along this segment of Rainbow Boulevard.

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.”**

This use does not generate traffic on the proposed site and will not negatively affect the surrounding roadways.

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

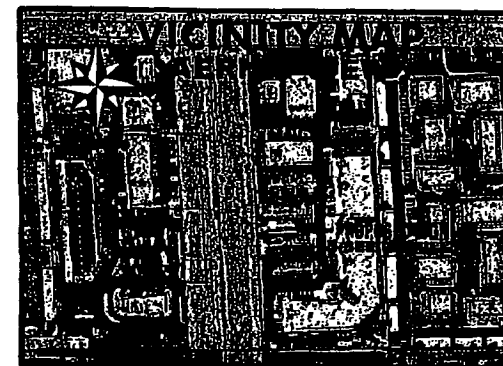
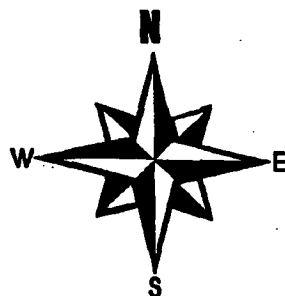
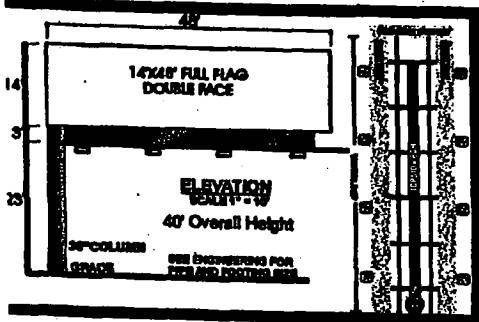
The proposed Off-Premises Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 297 by Planning Department

APPROVALS 0

PROTESTS 2





GENERAL NOTES

1. Not within 300 foot radius of another off-premise billboard.
2. Not within 100 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.

REAGAN
NATIONAL ADV.
ANDY BILANZICH
292-3723

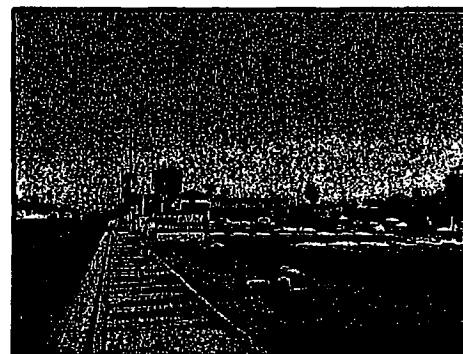
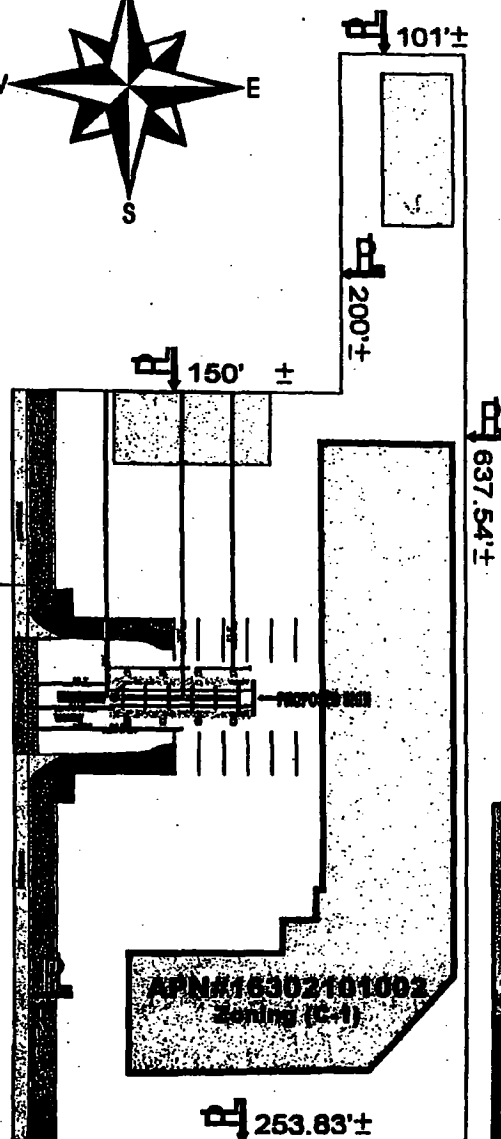
JOINT

THIS BILLBOARD IS A JOINT BILLBOARD WITH THE FOLLOWING:

COG III LTD	
DATE NOTED 7-11-99	APPROVED BY [Signature]
LOCATION: 1110 S RAINBOW BLVD 89146	
APN# 16302101002	210

RAINBOW

**75'
HALF ROW**



SUP-2848
09-11-03 PC



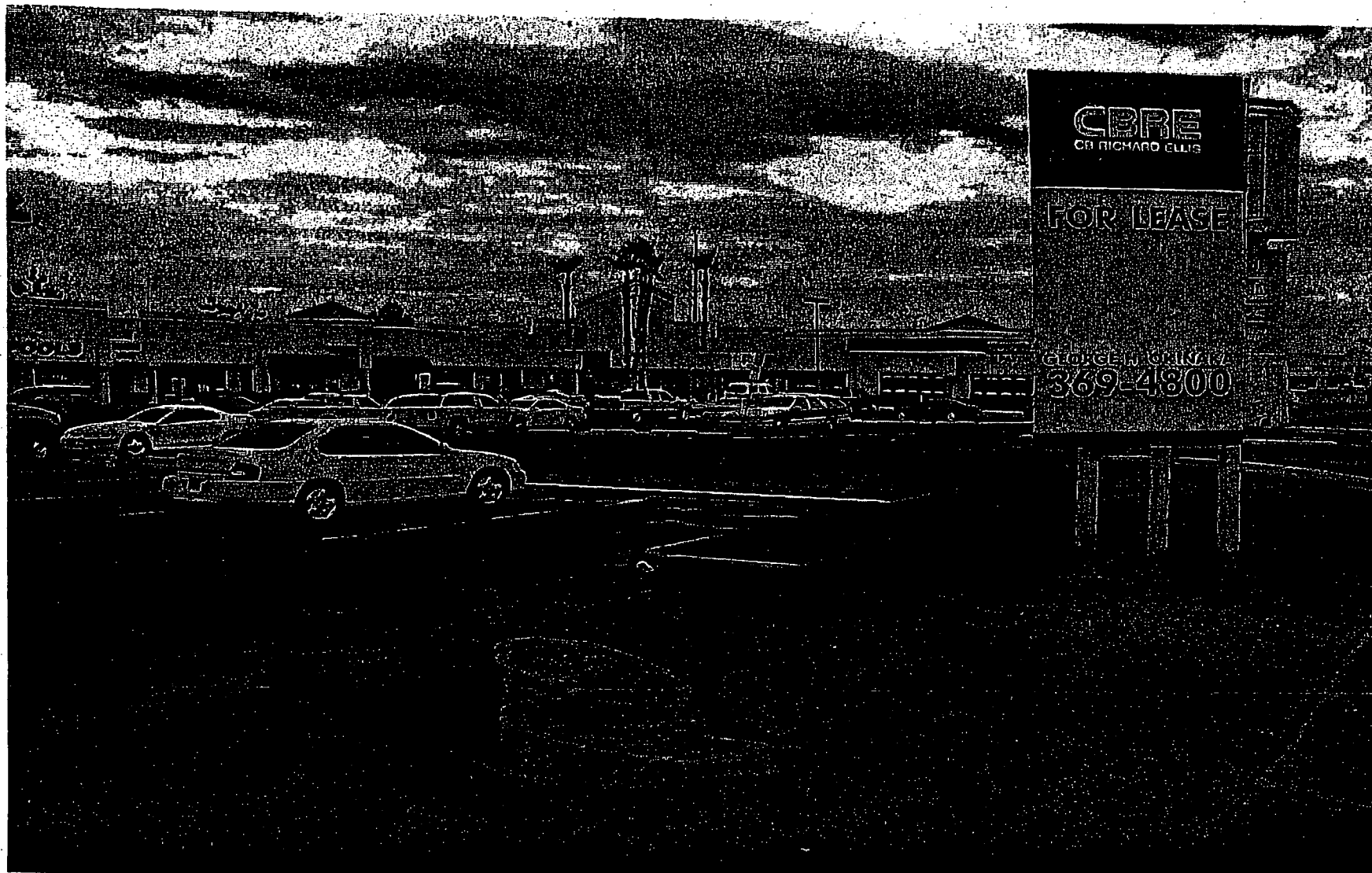
SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED
1110 South Rainbow Boulevard
AUGUST 4, 2004 CITY COUNCIL MEETING

Picture taken 07/17/04



SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED
1110 South Rainbow Boulevard
AUGUST 4, 2004 CITY COUNCIL MEETING

Picture taken 07/17/04



SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED
1110 South Rainbow Boulevard
AUGUST 4, 2004 CITY COUNCIL MEETING

Picture taken 07/17/04

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

September 17, 2003

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Att: Barbara Jo Ronemus
City Clerk

Re: SUP-2848 – Special Use Permit (Reagan National Advertising)
APN: 163-02-101-002
COG III, Ltd.

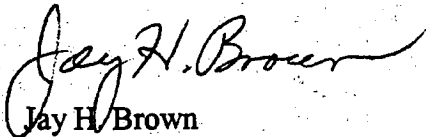
Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising and the applicant.

My clients wish to appeal the denial by the Planning Commission of SUP-2760.

Your assistance in this matter is sincerely appreciated.

Very truly yours,


Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

RECEIVED
CITY CLERK
2003 SEP 17 P 3:05

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6583

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

January 18, 2005

FAX: 382-4803

Las Vegas City Clerk
400 E. Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City Clerk

RECEIVED
CITY CLERK
2005 JAN 18 A 11:39

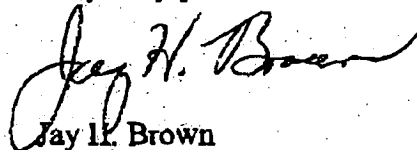
Re: Item No. 95 - 1/19/05 City Council Agenda
SUP-2848- Special Use Permit
Reagan National Advertising on behalf of COG III, Limited

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising on behalf of COG III, Limited.

On behalf of my client, I respectfully request that this item be continued from the January 19, 2005 City Council meeting to the February 2, 2005 City Council meeting.

Very truly yours,


Jay H. Brown

JHB:cc

Cc: Planning & Development fax 385-7268
Mr. Dewey Reagan
Mr. Andy Bilanzich

Submitted after final agenda

Date 1/18/05 Item #95

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SPECIAL USE PERMIT**

SUP-3394 - ABEYANCE ITEM - PUBLIC HEARING - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN: 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter submitted by LAS Consulting, Inc.
5. Submitted after final agenda - Abeyance request from Attorney Jay Brown

MOTION:

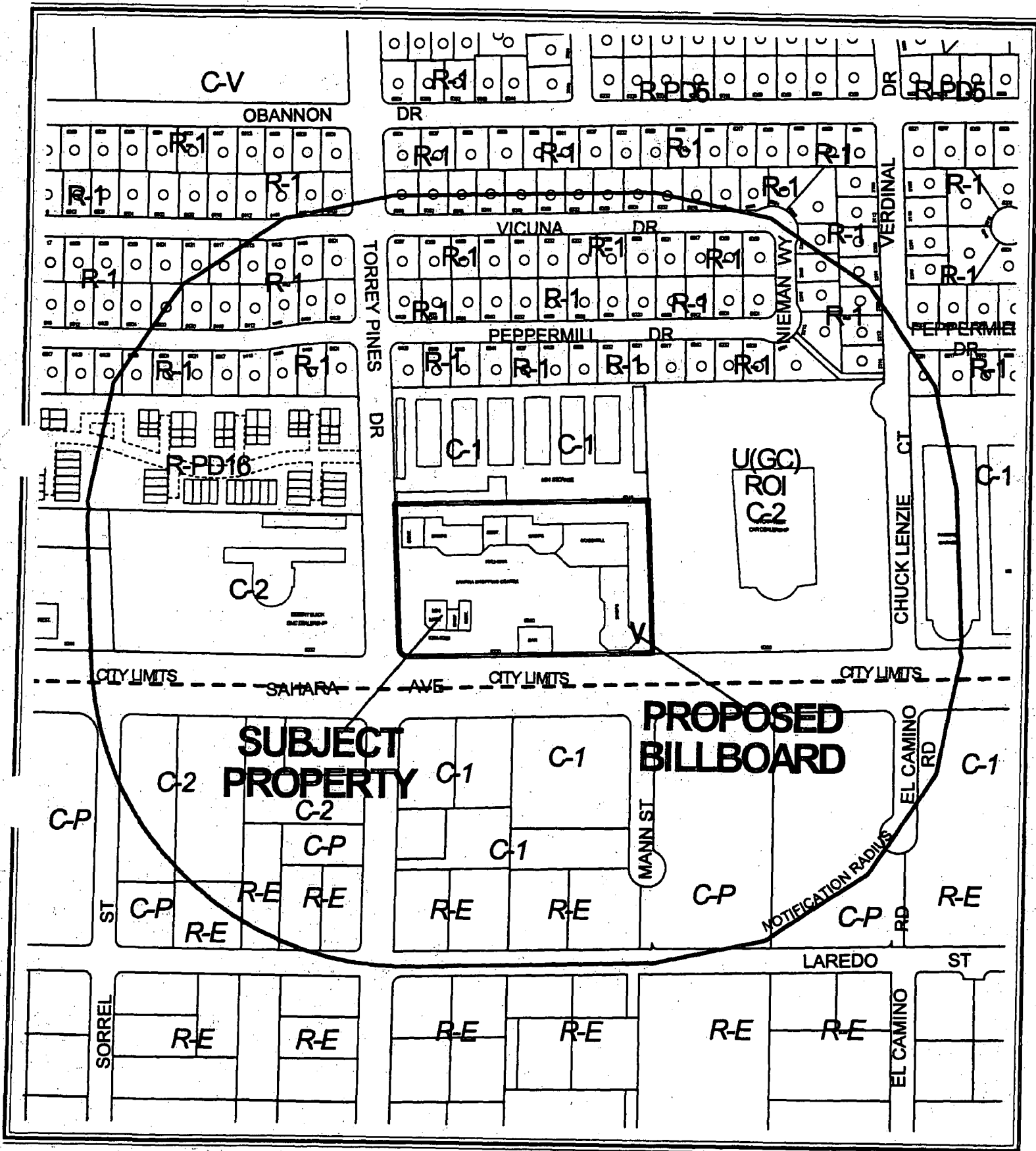
BROWN - Motion to HOLD IN ABEYANCE Item 91 [RQR-5513], Item 95 [SUP-2848], Item 96 [SUP-3394], Item 97 [SUP-4532], Item 98 [SUP-4693], Item 109 [SUP-5582] and Item 110 [SDR-5583] to 2/2/2005 and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 120 [GPA-5182], Item 121 [ZON-5183], Item 122 [VAR-5575] and Item 123 [SDR-5573] - UNANIMOUS with MACK abstaining on Item 91 [RQR-5513] because his company, Mack Consulting, negotiates with Lamar Outdoor on behalf of his clients and GOODMAN excused

MINUTES:

There was no discussion.

(1:00 - 1:07)

3-1



CASE: SUP-3394

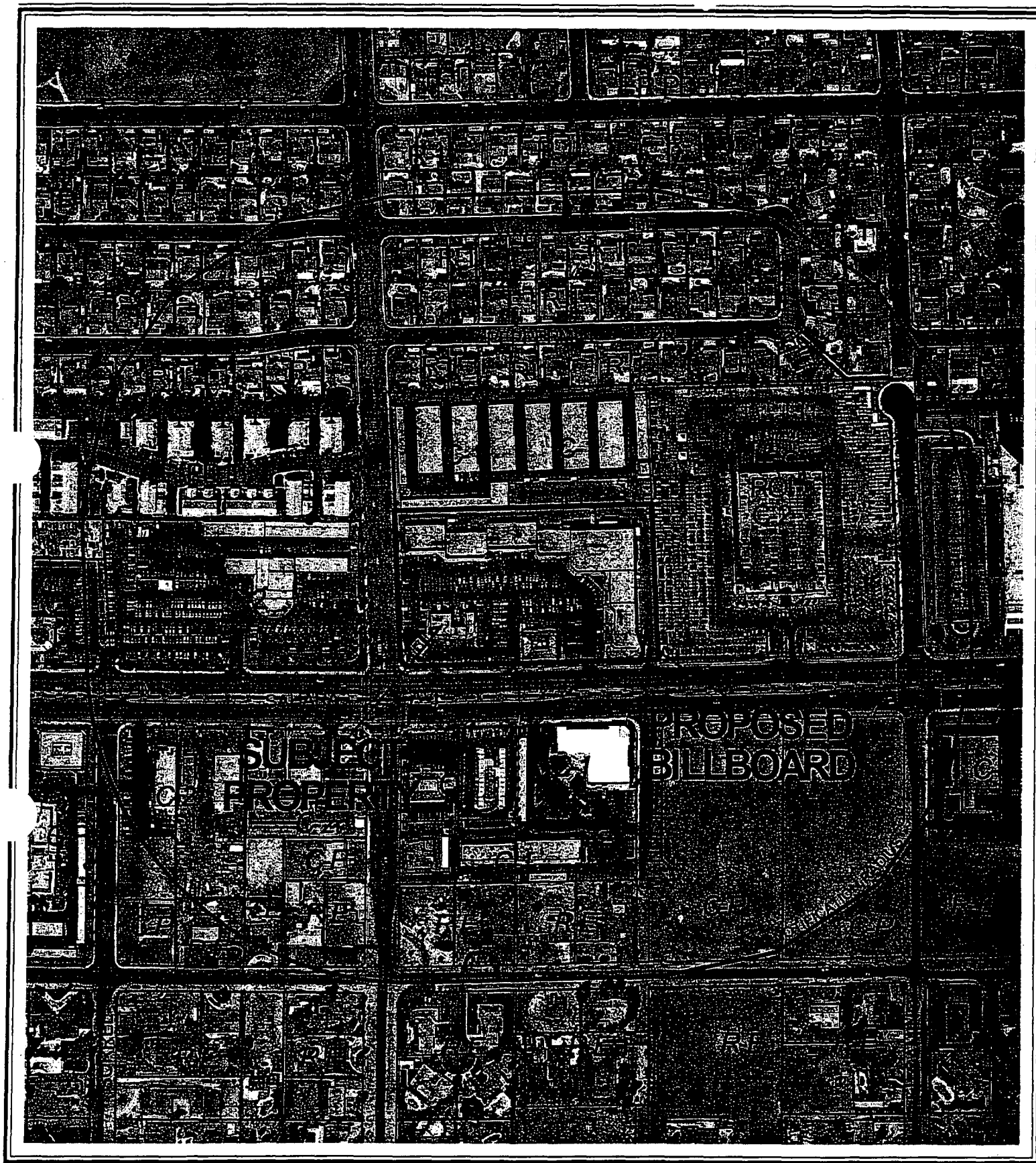
RADIUS: 750 FT

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

0 200 400 Feet

96





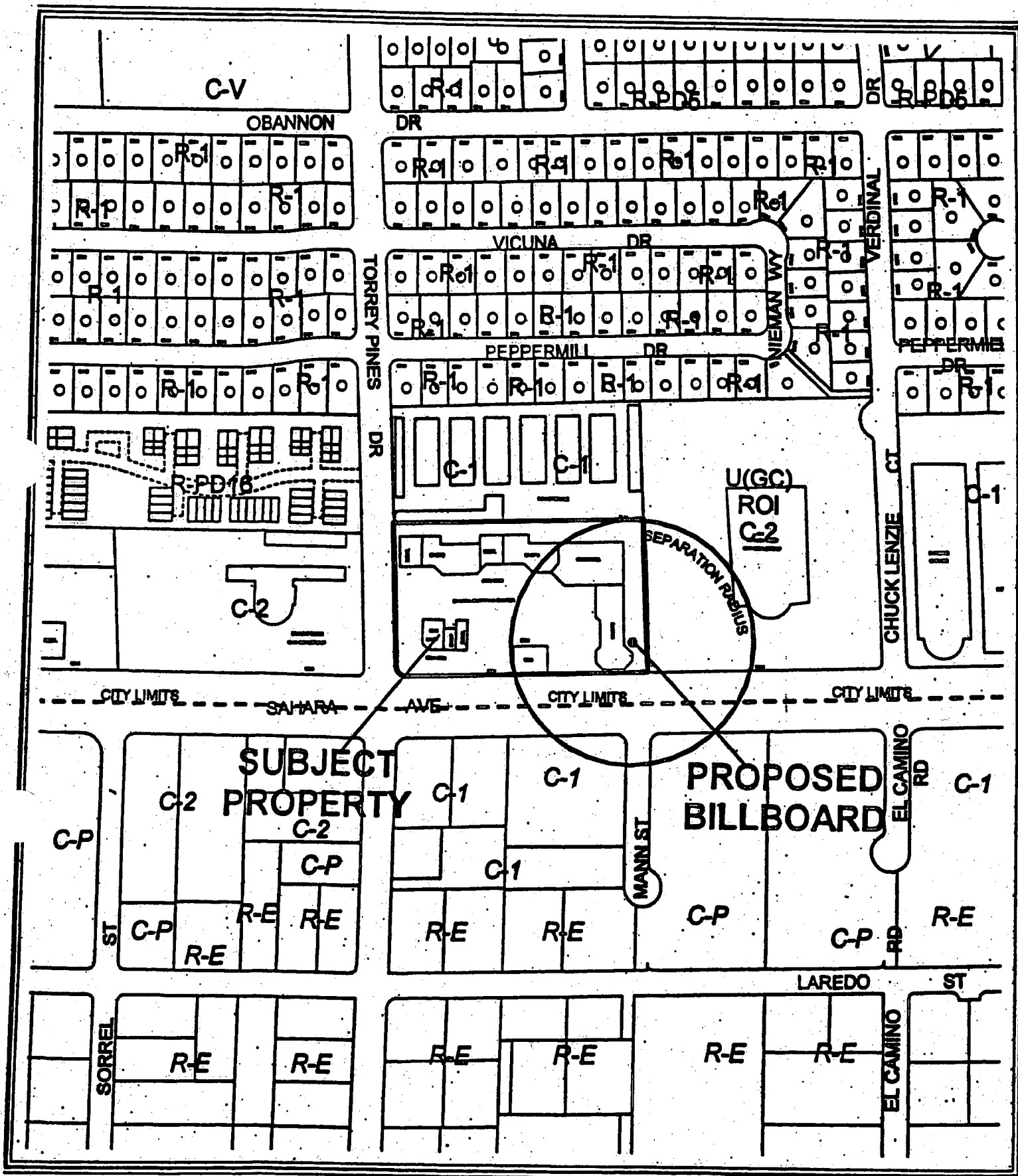
CASE: SUP-3394

RADIUS: 750 FT

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

0 200 400 Feet





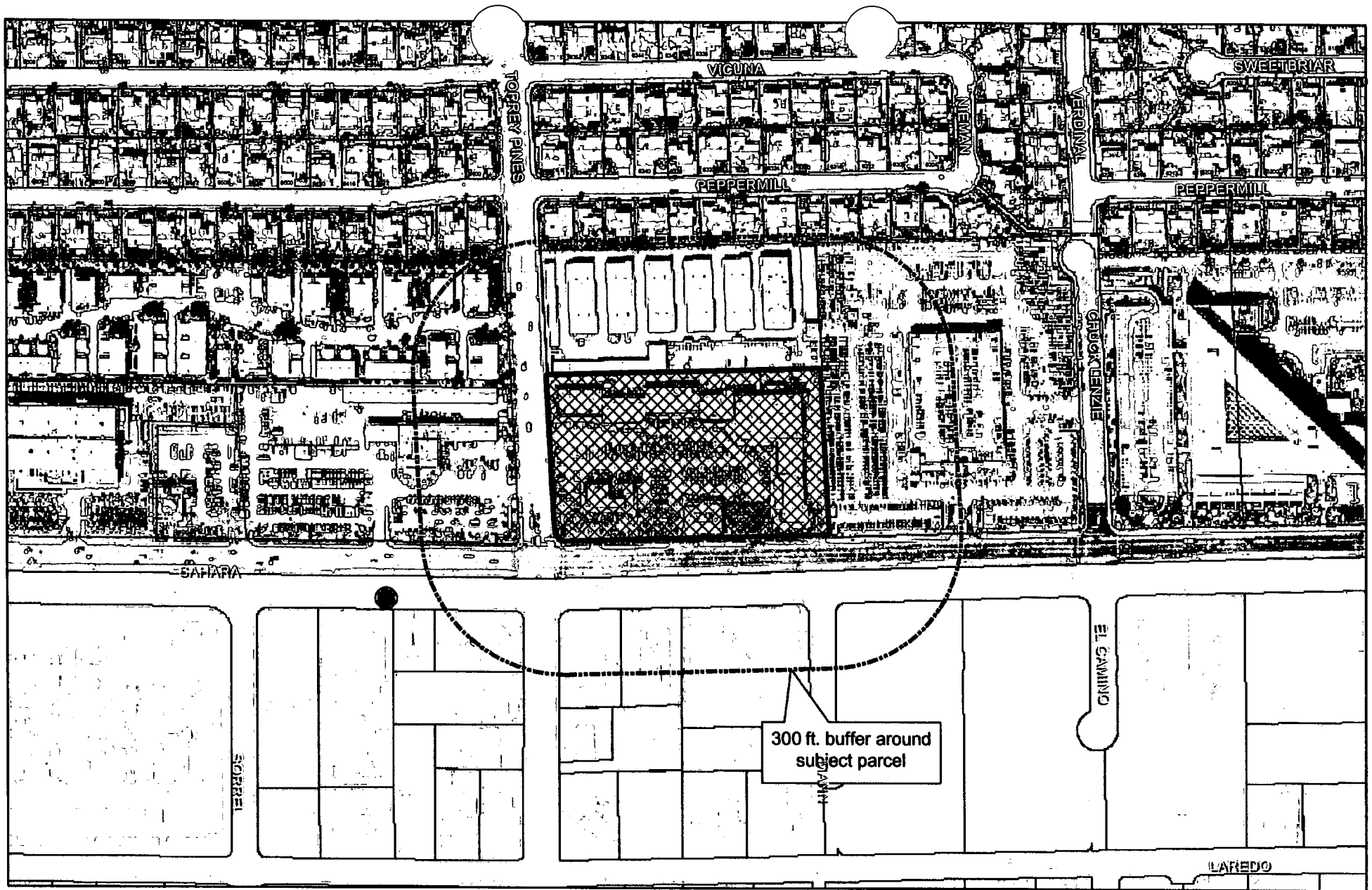
CASE: SUP-3394

SEPARATION RADIUS: 300 FT

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

0 200 400 Feet





SUP-3394

City of Las Vegas Billboard Data

 Subject Parcel	 300 Foot Buffer Around Billboard	 Outside City Boundary
 City of Las Vegas Billboard Location	 750 Foot Buffer Around Freeway Billboard	 Off Premise Sign Exclusion Area
 Clark County Billboard Location		 Exempt - Off Premise Area Sign Area



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-3394 - LAS VEGAS BILLBOARDS
ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP**

THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 15, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the m Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.
5. Only one advertising sign is permitted per sign face.
6. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.
8. Conformance to all Minimum Requirements under Title 19.14.100 for an Off-Premise Sign use and other applicable sign requirements.

Public Works

9. The proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by LAS Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 6390 West Sahara Avenue.

B) Applicant's Justification

The area is commercial in nature and an Off-Premise Sign would not be out of context with the surrounding uses.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a Reclassification of Property (Z-0016-86) from N-U (Non-Urban) to C-1 (Limited Commercial). The Planning Commission recommended approval on 3/13/86.
- 01/28/92 The Board of Zoning Adjustment approved a Variance (V-0190-91) to allow truck and trailer rentals within an existing mini-storage business.
- 01/03/00 The City Council approved a Special Use Permit (U-0179-00) for a Restaurant Service Bar. The Planning Commission and staff recommended approval on 11/16/00.
- 10/17/01 The City Council approved a Special Use Permit (U-0121-01) to allow Second Hand Sales in conjunction with a sporting goods business. The Planning Commission and staff recommended approval on 09/06/01.
- 01/08/04 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #42/fs).
- 12/15/04 The City Council approved the request to hold this item in abeyance.

B) Pre-Application Meeting

- 11/13/03 The applicant was informed that the project would be considered a Project of Regional Significance due to its proximity to Clark County.

C) Neighborhood Meetings

Neighborhood meetings are not required for Special Use Permit applications.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 5.34

B) *Existing Land Use*

Subject Property: Shopping Center
North: Mini-Storage
South: Office / Commercial
East: Auto Dealership
West: Auto Dealership

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: Clark County
East: C-2 (General Commercial)
West: U (Undeveloped) Zone under Resolution of Intent to C-2 (General Commercial)

E) *General Plan Compliance*

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. The C-1 (Limited Commercial) zoning designation is in conformance with the General Plan and the proposed Off-Premise Sign is a permitted use.

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

COUNTY NOTIFICATION

Property located within the notification radius falls within sections of unincorporated Clark County. The Clark County Planning Department has been notified of the land use application.

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 unincorporated Clark County.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period and it has been determined that the proposed Off-Premise Sign will have no significant impacts on the area.

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

ANALYSIS

A) *Zoning Code Compliance*

Standards	Code Requirement	Provided
Location	- No Off-Premise Signs in the right-of-way - Permitted only in C-1, C-2, C-M, M Zoning Districts	- Sign is not in right-of-way - Sign is in C-1 Zoning District
Off-Premise Sign area (max.)	672 SF	672 SF
Separation distance from other Off-Premise Sign (min.)	300 Feet	No signs within 300Feet
Separation distance from "U" or "R" zoning district	300 Feet	No R or U zoning districts within 300 feet
Off-Premise Sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet
Setbacks (min.)	50 Feet from nearest ROW intersection	No intersection within 50 feet of the proposed sign

The proposed Off-Premise Sign meets the minimum distance separation requirements in addition to area, height, and setback requirements of Title 19.14.100.

B) General Analysis and Discussion

- Zoning

An Off-Premise Advertising (Billboard) Sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Off-Premise Signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-Premise Signs generally produce revenue to the property owner(s) as a land use as compared to On-Premise Signs which do not produce revenue but are incidental to a revenue-producing land use. However, because of the special characteristics of Off-Premises Signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with Off-Premises Signs as a permitted use in certain zoning districts.

- Conditions

Title 19.14.100(D) specifies the following provisions regarding Off-Premise Advertising Signs:

1. All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view. Display surface panels that are removed for the purpose of changing the advertising message shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.
2. All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.
3. For any Off-Premise Signs that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.
4. No sign certificate shall be issued for an individual Off-Premise Sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:
 - a. An accurate site plan of the lot, at the scale the Director requires;
 - b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
 - c. An accurate indication of the location of all existing and proposed Off-Premise Signs; and

- d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.
5. The holder of a sign certificate shall notify the Director of any significant change in the characteristics of an Off-Premise Sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

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 Off-Premise Sign conforms to the standards and intent of the SC (Service Commercial) General Plan designation and the C-1 (Limited Commercial) zoning district. Further, the proposed sign is located outside of the Off-Premise Sign exclusionary zone, and is meeting all minimum distance separation requirements as outlined in Title 19.14.100. The subject use is harmonious and compatible with surrounding properties.

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

Physically, the subject site is appropriate for the proposed Off-Premise Advertising (Billboard) Sign, as the sign location will not interfere with any on-site circulation or site visibility restrictions.

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

Access to the site is via access a driveway off of Sahara Avenue, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. Site access and circulation will not negatively impact adjacent roadways or neighborhood 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."**

This development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Completion and final inspection, which will insure the protection of the public health, safety and general welfare. Further, the overall objectives of the General Plan are in compliance with the proposed development.

PLANNING COMMISSION ACTION

The Planning Commission voted unanimously for denial, believing the site to be inappropriate for off-site advertising.

NOTICES MAILED 120 by City Clerk

APPROVALS 0

PROTESTS 3

5655 S. Valley View
Ste 4
8/9/19

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3394 APN: 163-C2-576-CC1Name of Property Owner: WEST SUBARA ASSOCIATESName of Applicant: LAS VEGAS BILLBOARDS

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

____ Yes

____ X No

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

City Official: _____

Partner(s): _____

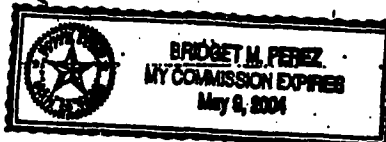
APN: _____

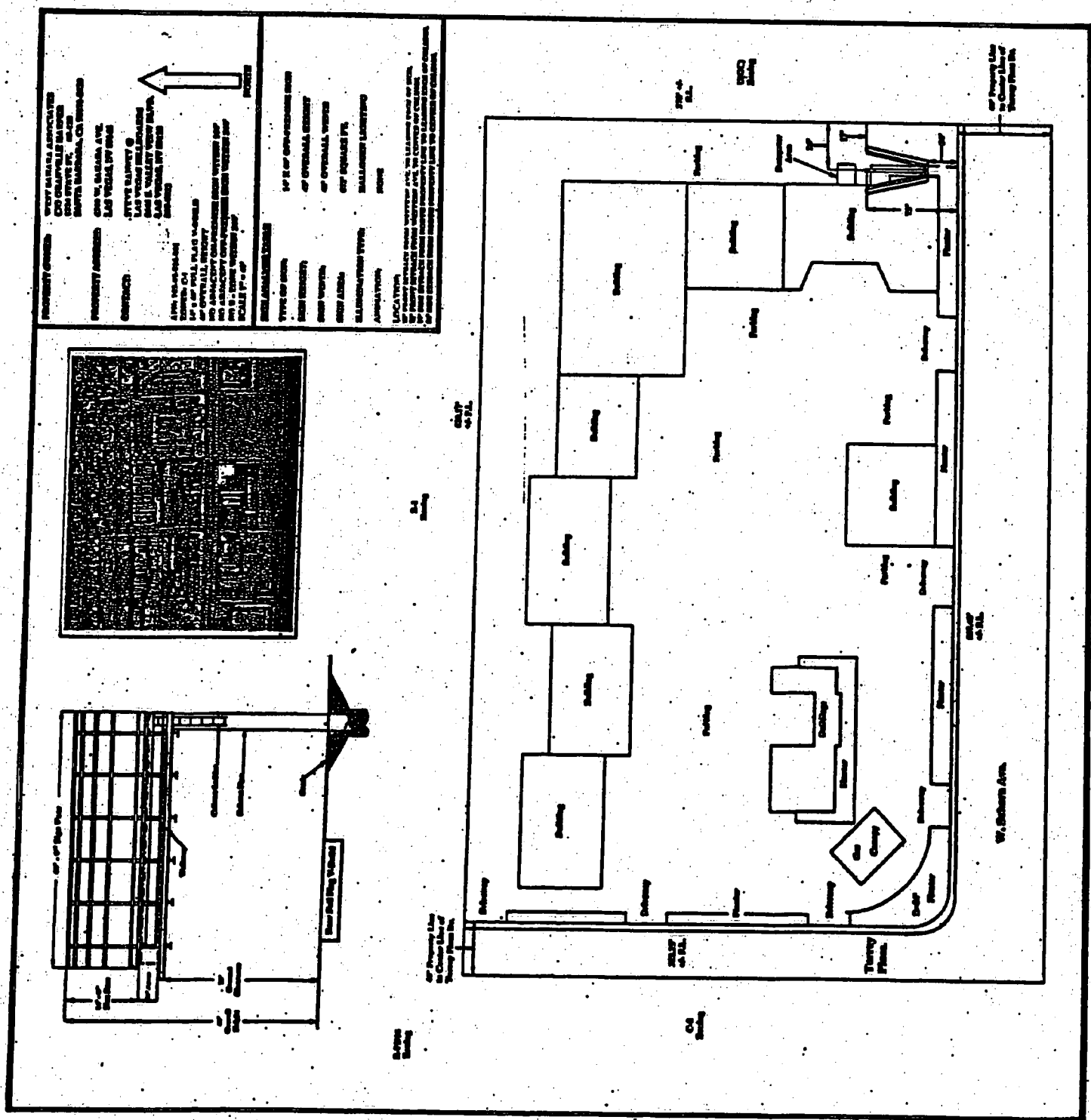
Signature of Property Owner/Authorized Agent: X _____Print Name: Granville Harper

Subscribed and sworn before me

This 31 day of October, 2003

 A handwritten signature of the Notary Public, Bridget M. Perez.

Notary Public in and for said County and State




PROPERTY OWNER:
 WEST VALLEY ASSOCIATES
 100 CHAMBERLAIN
 SOUTH BEND, IN 46601

PROPERTY ADDRESS:
 100 W. Schum Ave.
 S.B. 10000, IN 46601

CONTACT:
 JEFFREY SAWYER
 100 W. Schum Ave.
 S.B. 10000, IN 46601

DATE OF SURVEY:
 10/1/04

TYPE OF SURVEY:
 1/2" = 1' OF SURVEYED AREA

DATE OF SURVEY:
 10/1/04

LOCATION:
 100 W. Schum Ave.
 S.B. 10000, IN 46601

PROPERTY LINE:
 100 W. Schum Ave.
 S.B. 10000, IN 46601

PROPERTY LINE:
 100 W. Schum Ave.
 S.B. 10000, IN 46601

PROPERTY LINE:
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 S.B. 10000, IN 46601

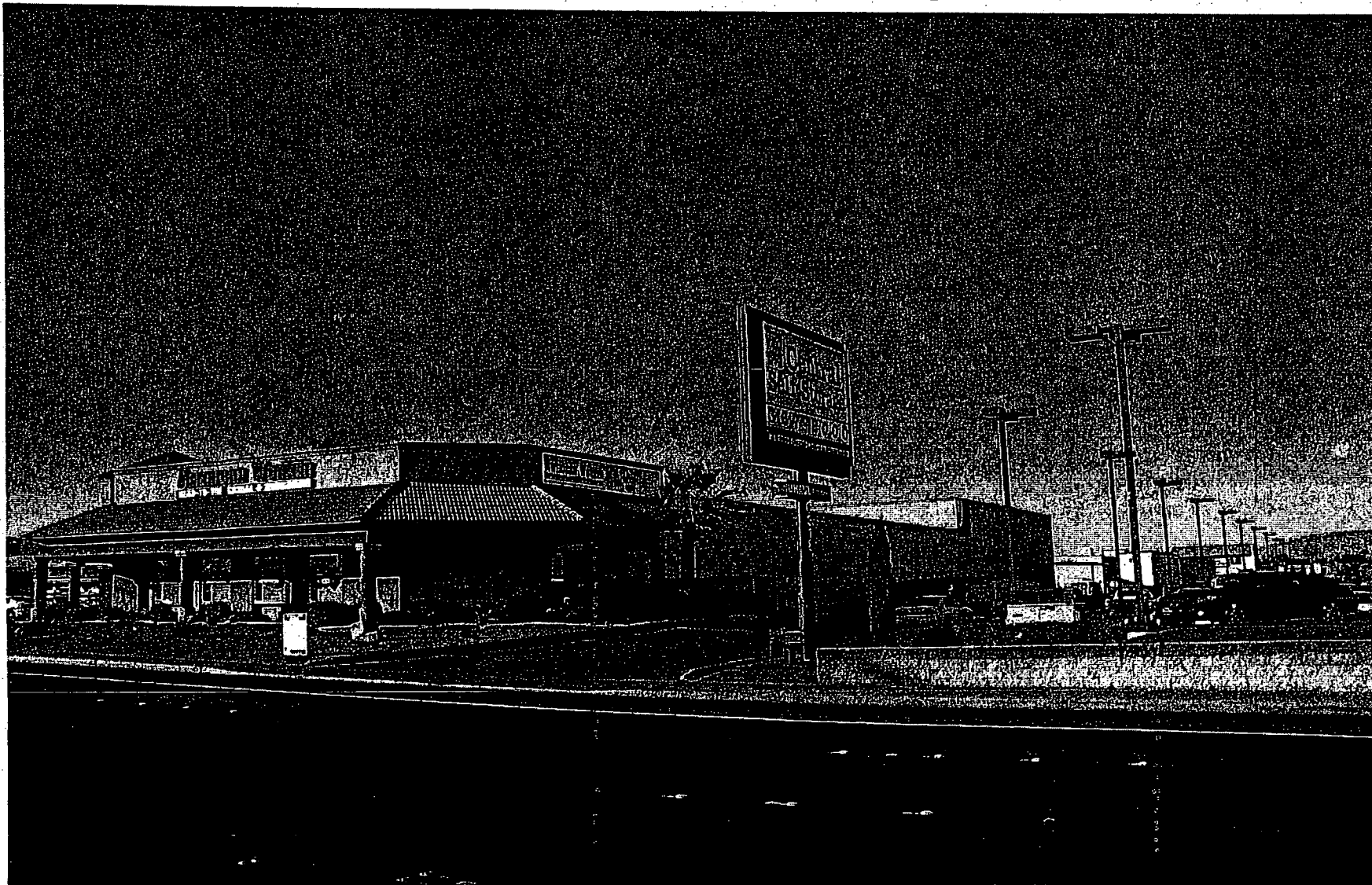
PROPERTY LINE:
 100 W. Schum Ave.
 S.B. 10000, IN 46601

PROPERTY LINE:
 100 W. Schum Ave.
 S.B. 10000, IN 46601



**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATED, LIMITED
PARTNERSHIP
NORTHEAST CORNER OF TORREY PINES DRIVE AND SAHARA AVENUE
JANUARY 8, 2004 PLANNING COMMISSION**

12/29/03



**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
LIMITED PARTNERSHIP**

**Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue
FEBRUARY 4, 2004 CITY COUNCIL MEETING**

Picture taken 01/21/04



**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
LIMITED PARTNERSHIP**

**Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue
FEBRUARY 4, 2004 CITY COUNCIL MEETING**

Picture taken 01/21/04

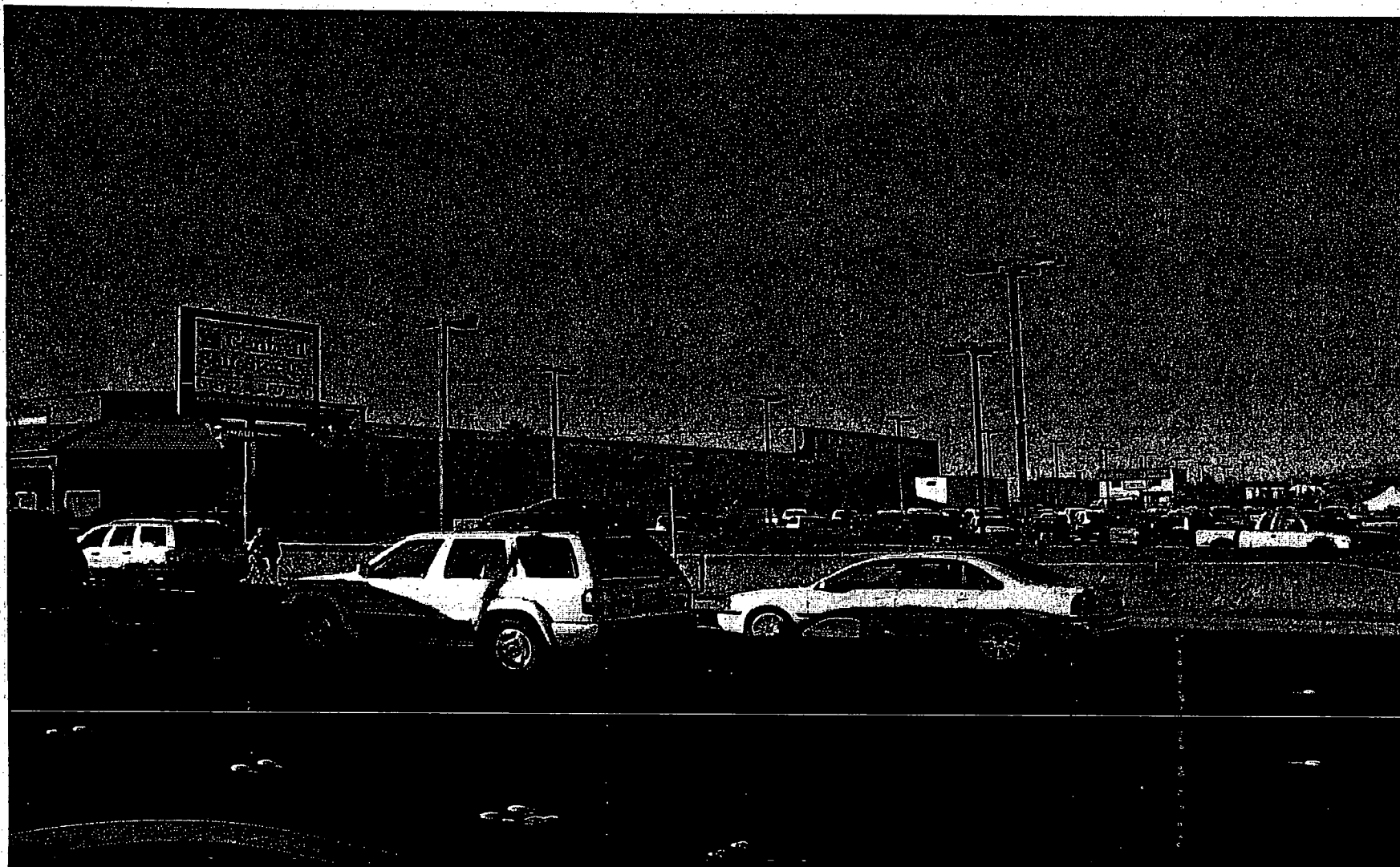


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Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue

FEBRUARY 4, 2004 CITY COUNCIL MEETING

Picture taken 01/21/04



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FEBRUARY 4, 2004 CITY COUNCIL MEETING

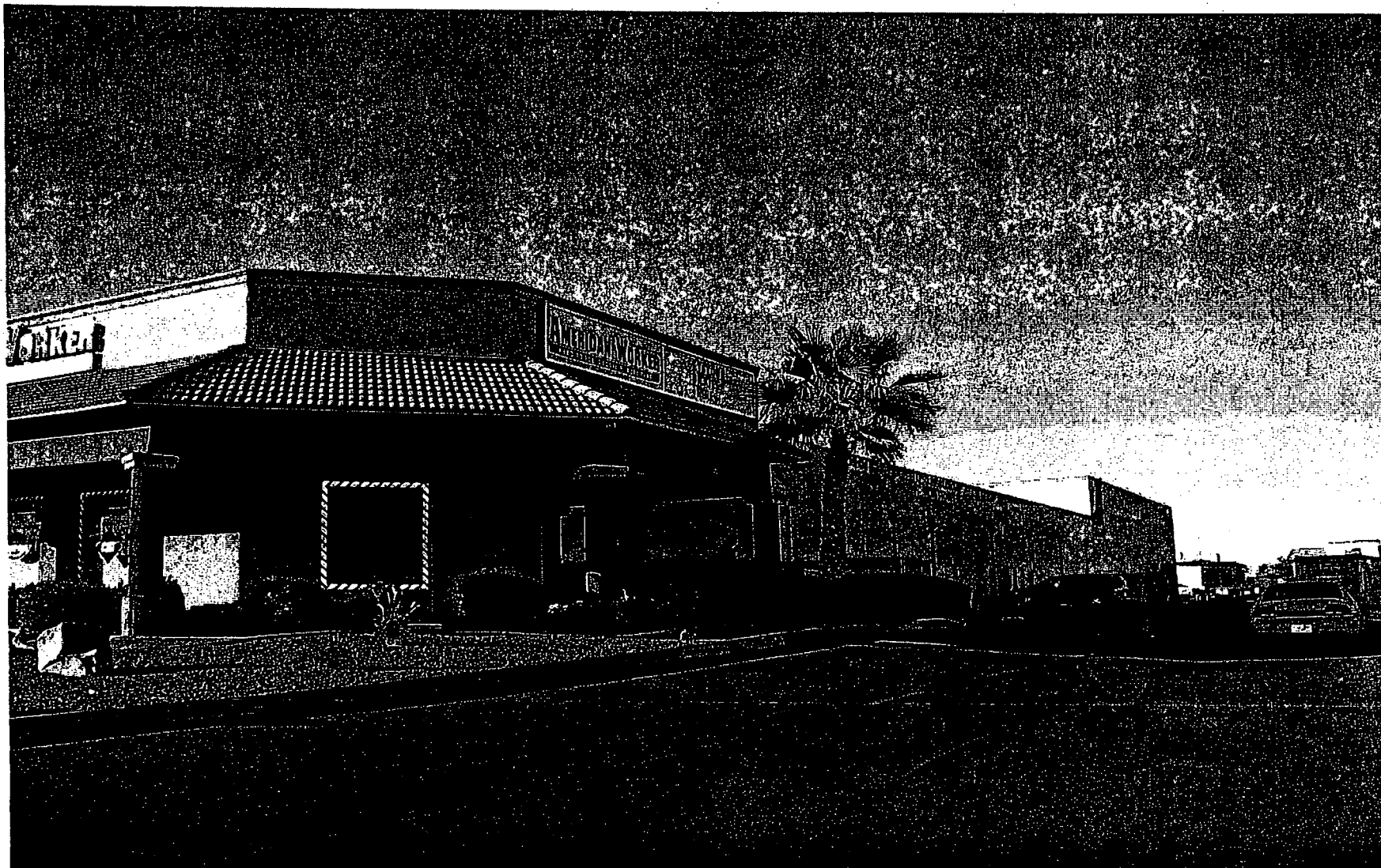
Picture taken 01/21/04



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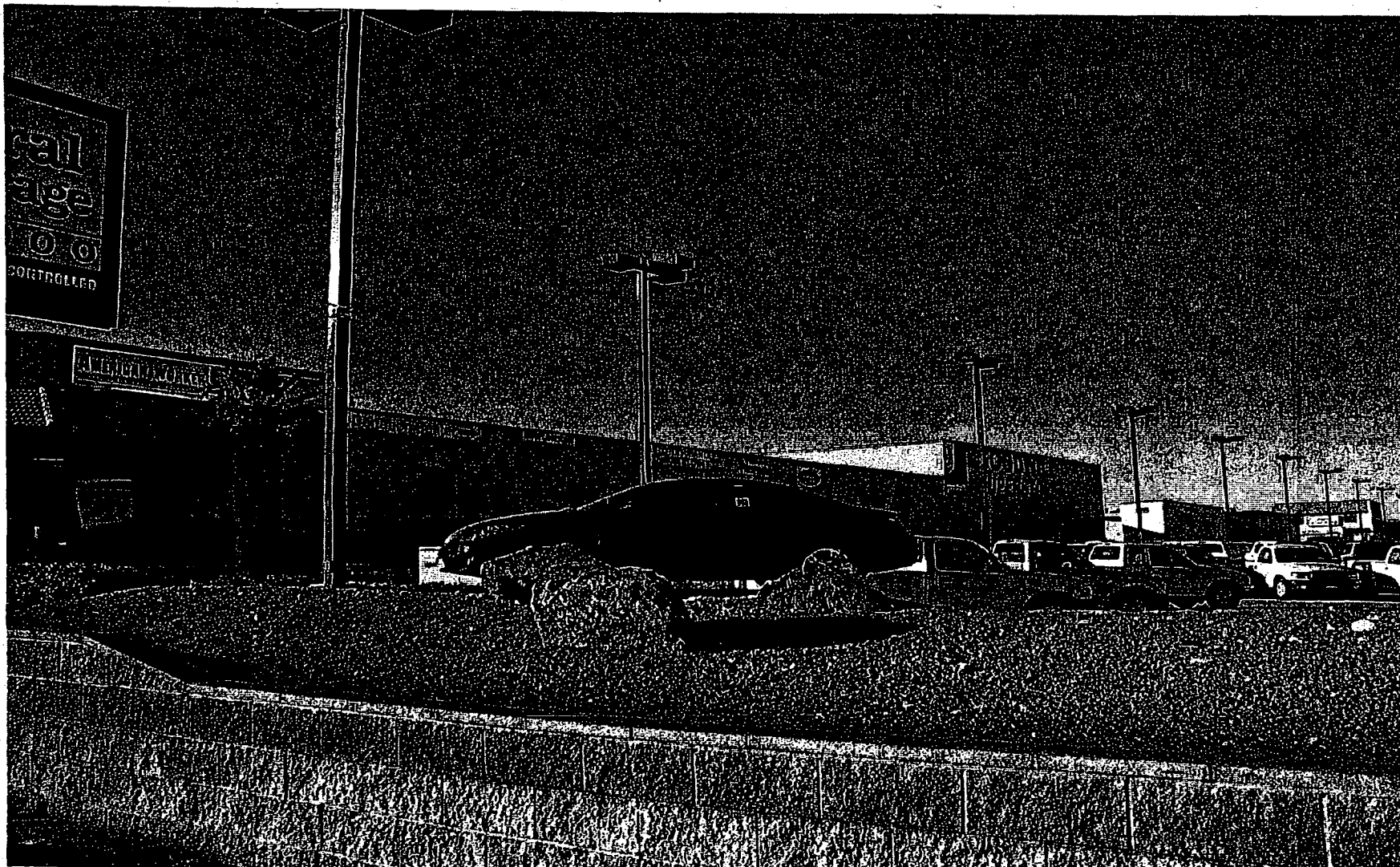
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LIMITED PARTNERSHIP**

**Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue
FEBRUARY 4, 2004 CITY COUNCIL MEETING**

Picture taken 01/21/04

LAS Consulting, Inc.
2754 Highland Drive, Suite A
Las Vegas, NV. 89109
Off: (702) 889-2879
Fax: (702) 889-3122

RECEIVED
CITY CLERK

2004 JAN 14 P 3:41

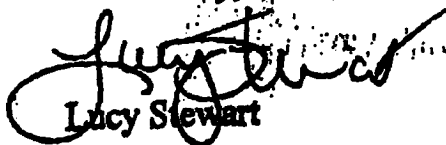
City of Las Vegas, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101
Fax: (702) 382-4803

RE: SUP-3394
NEC Sahara & Torrey Pines, APN-163-02-816-001, PC agenda item #42

Dear Sir or Madam:

Please accept this letter as a request to appeal the Planning Commission's denial of the above referenced application. This item was heard at the January 8, 2004 Planning Commission meeting. I would like to appeal it to be heard by the City Council. Please let me know if you have any questions regarding this matter.

Yours truly,


Lucy Stewart

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

January 18, 2005

FAX: 382-4803

Las Vegas City Clerk
400 E. Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City Clerk

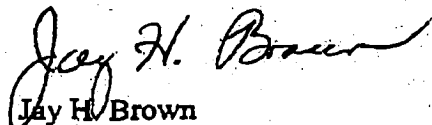
Re: Item No. 96 City Council Agenda of January 19, 2005
SUP-3394 - Las Vegas Billboards on behalf of
West Sahara Associates, Limited Partnership

Dear Ms. Ronemus:

Please be advised that I represent Las Vegas Billboards in connection with the above referenced application.

On behalf of my client, I respectfully request that this item be continued from the January 19, 2005 City Council meeting to the February 2, 2005 City Council meeting.

Very truly yours,


Jay H. Brown

JHB:cc

Cc: Planning & Development fax 385-7268

Submitted after final agenda

Date 1/18/05 Item #96

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SPECIAL USE PERMIT -

SUP-4532 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 5320 West Sahara Avenue (APN 163-01-804-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by LAS Consulting, Inc.
5. Submitted after final agenda - Abeyance request from Attorney Jay Brown

MOTION:

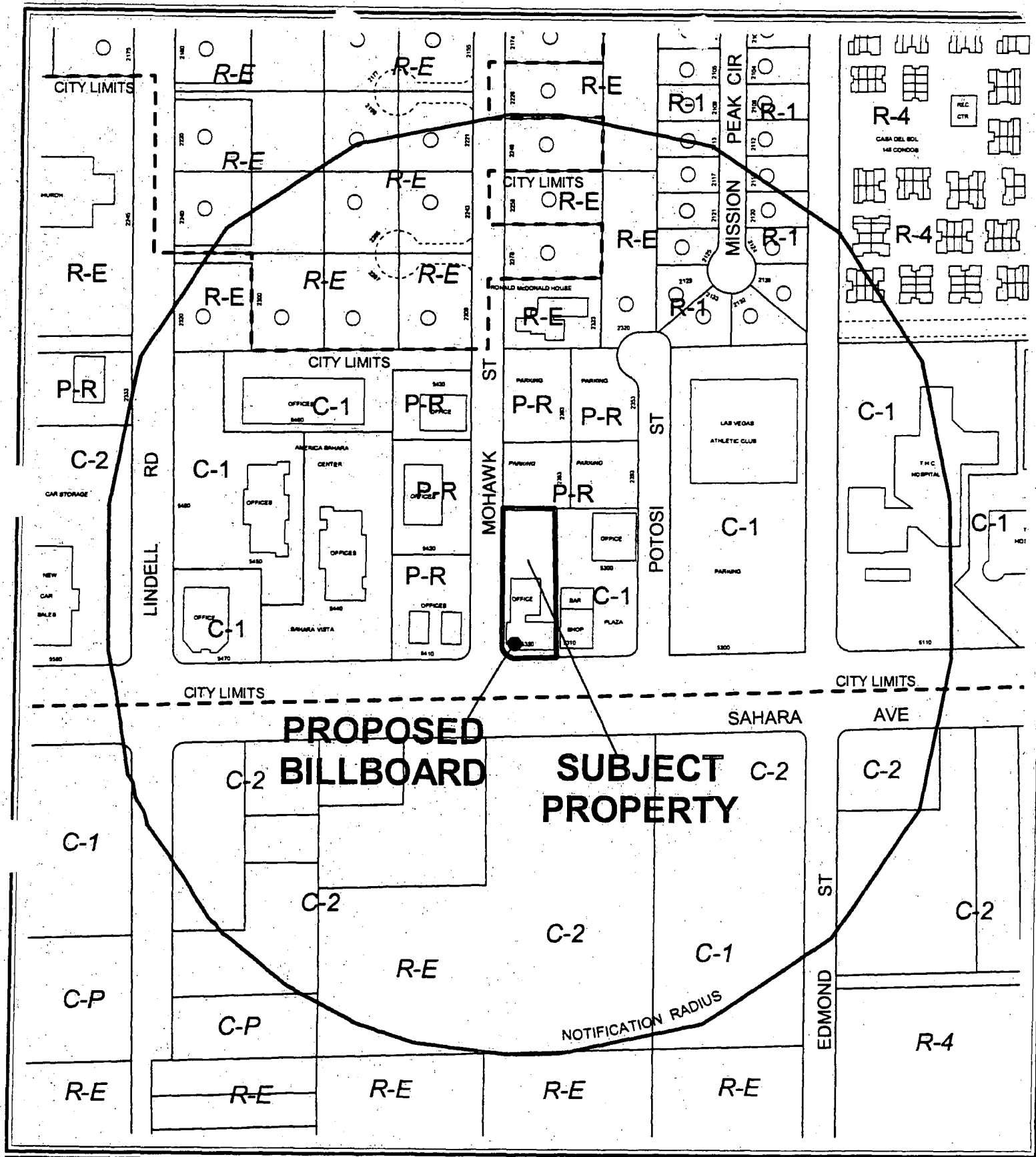
BROWN - Motion to HOLD IN ABEYANCE Item 91 [RQR-5513], Item 95 [SUP-2848], Item 96 [SUP-3394], Item 97 [SUP-4532], Item 98 [SUP-4693], Item 109 [SUP-5582] and Item 110 [SDR-5583] to 2/2/2005 and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 120 [GPA-5182], Item 121 [ZON-5183], Item 122 [VAR-5575] and Item 123 [SDR-5573] - UNANIMOUS with MACK abstaining on Item 91 [RQR-5513] because his company, Mack Consulting, negotiates with Lamar Outdoor on behalf of his clients and GOODMAN excused

MINUTES:

There was no discussion.

(1:00 - 1:07)

3-1



CASE: SUP-4532

RADIUS: 750 FT

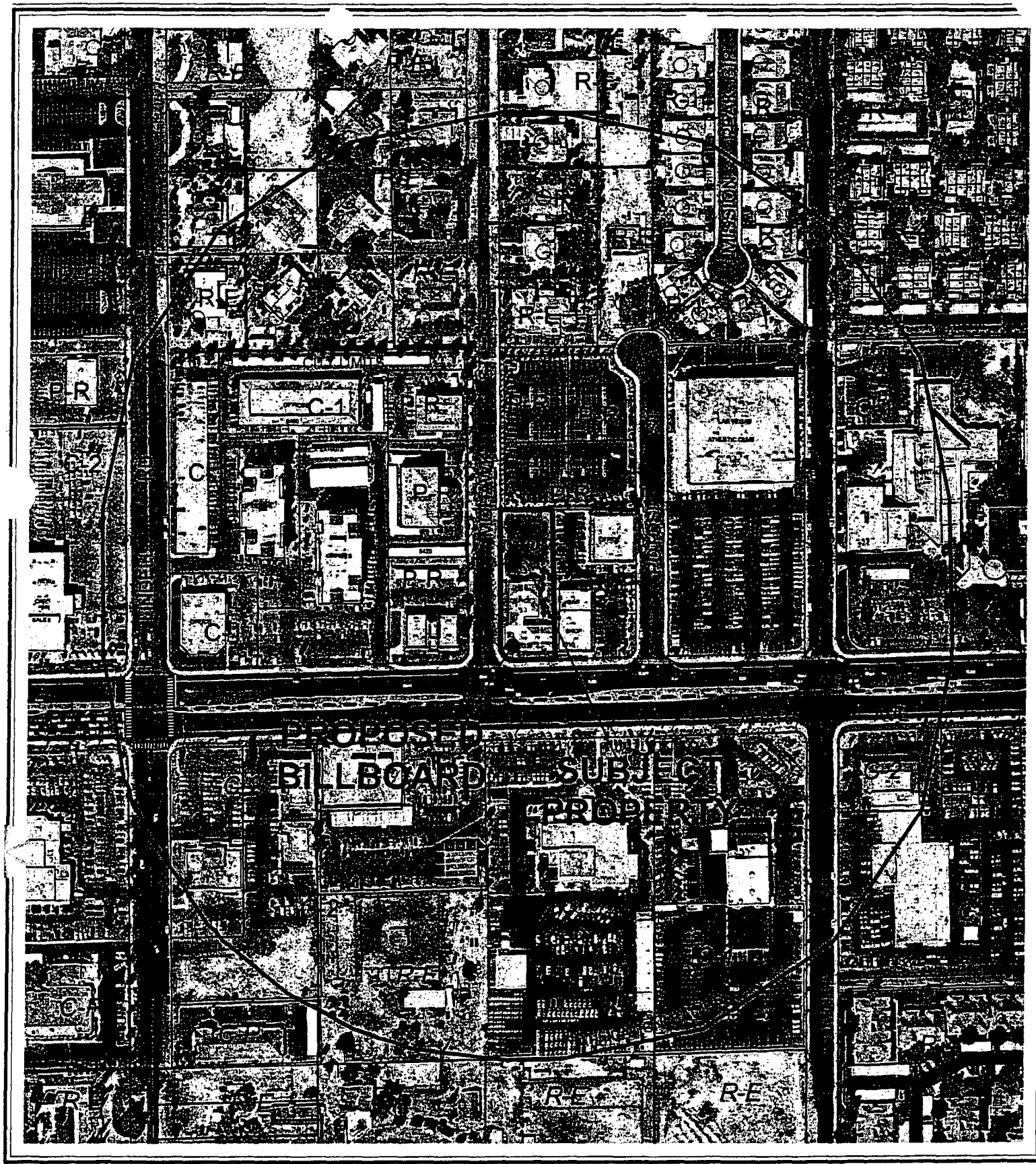
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



97





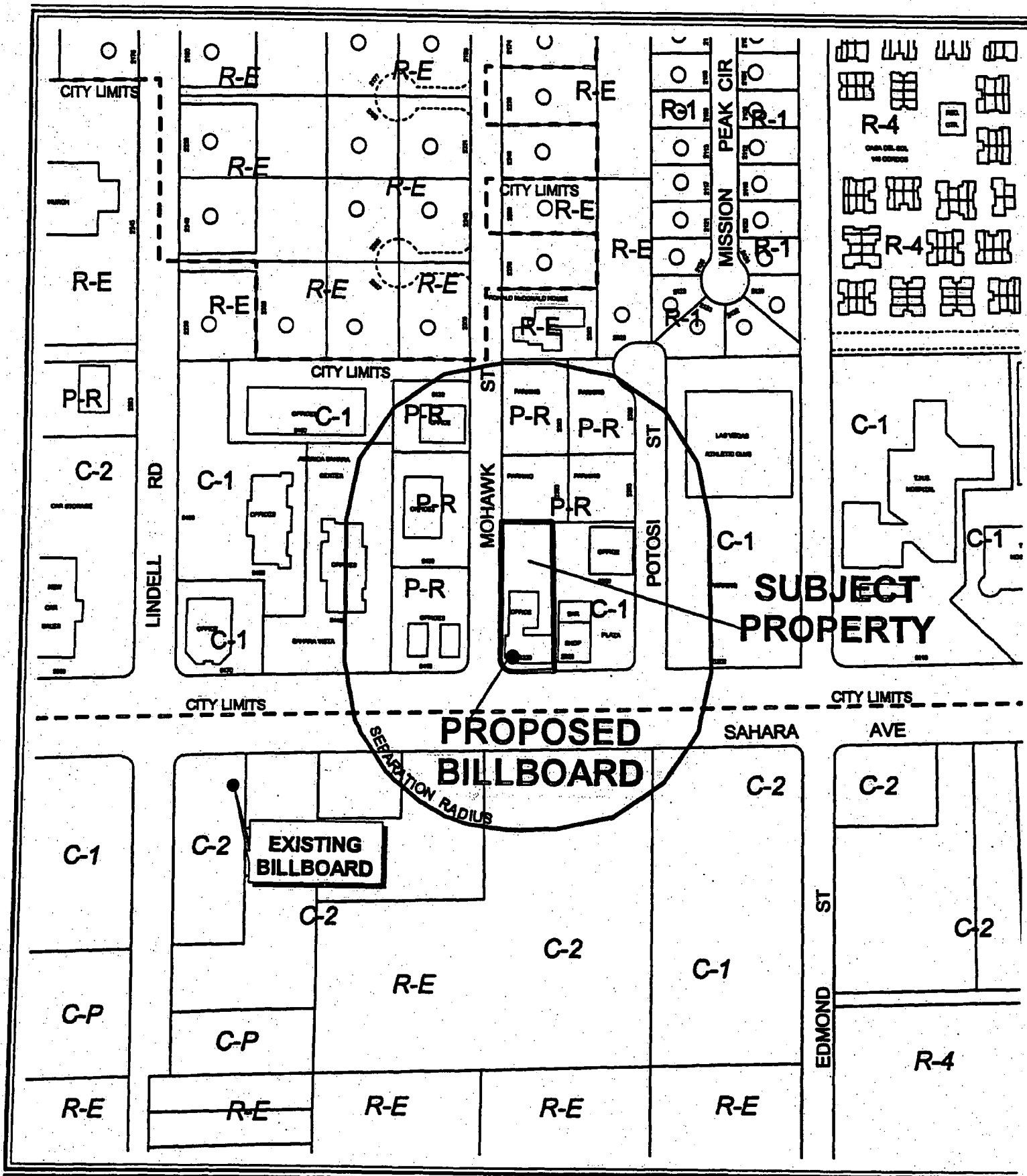
CASE: SUP-4532

RADIUS: 750 FT

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

0 200 400 Feet





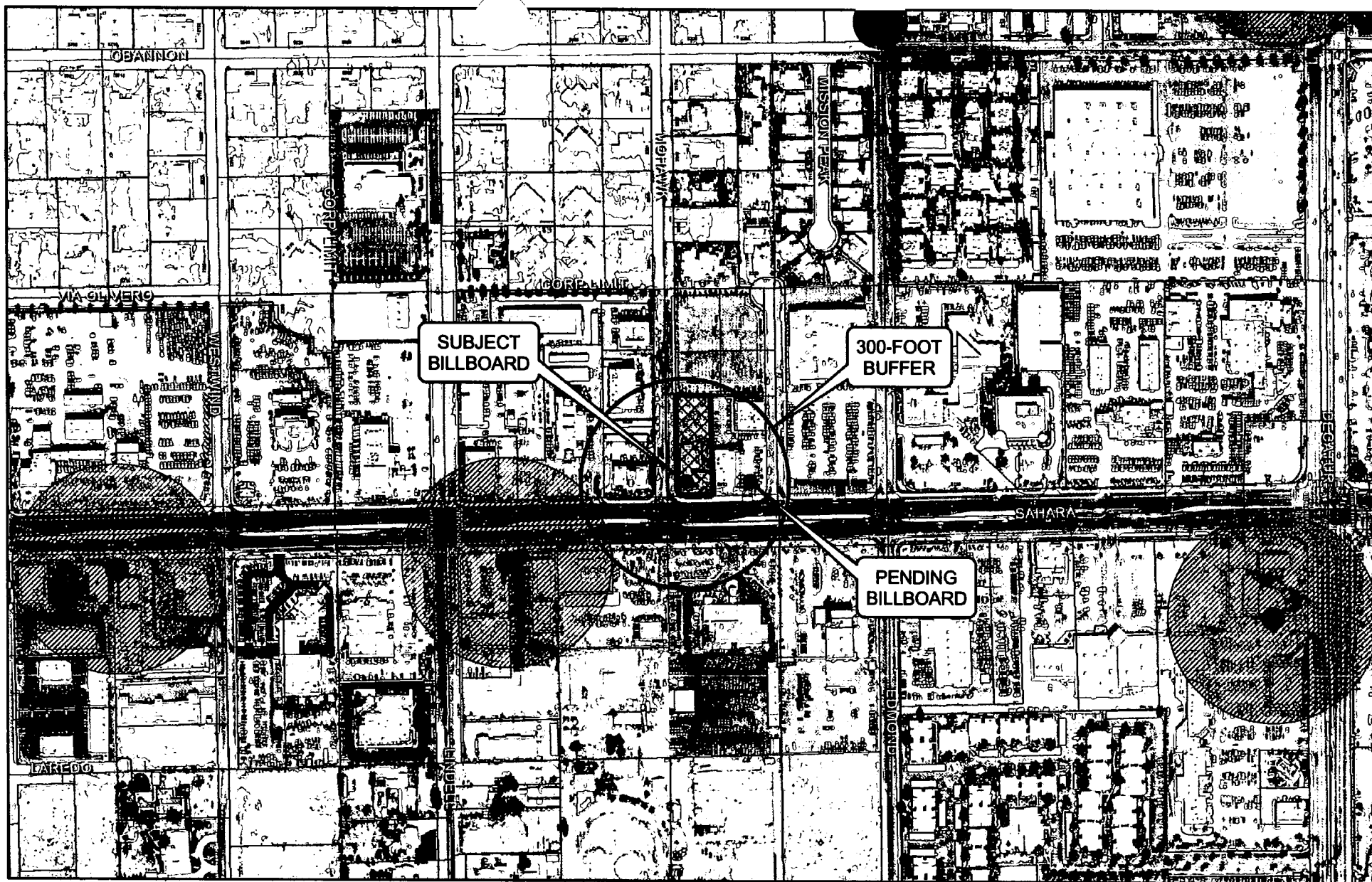
CASE: SUP-4532

SEPARATION RADIUS: 300 FT

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

0 200 400 Feet





SUP-4532

City of Las Vegas Billboard Data

0 255 510 1,020 Feet

 Subject Parcel	 300 Foot Buffer Around Billboard	 Outside City Boundary	
 City of Las Vegas Billboard Location	 750 Foot Buffer Around Freeway Billboard	 Off Premise Sign Exclusion Area	
 Clark County Billboard Location	 Exempt - Off Premise Area Sign Area		

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-4532 - APPLICANT: LAS VEGAS
BILLBOARDS – OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY**

THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 15, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. Conformance to all minimum requirements under Title 19.14 for an Off-Premise Sign and other applicable sign requirements.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The off-premise advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.
5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the off-premise advertising (billboard) sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising (billboard) sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. 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.

9. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

10. The off-premise advertising (billboard) 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.
11. The off-premise advertising (billboard) sign billboard shall not be located within or under any easements.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is an Appeal filed by the applicant from the Denial by the Planning Commission of request for a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premise (Billboard) Sign at 5320 West Sahara Avenue.

B) *Applicant's Justification*

The applicant's only justification for the sign is to mention that the site "is in a commercial district on a 100-foot or greater street."

BACKGROUND INFORMATION

A) *Previous Actions*

There is no previous action recorded for this property; however, there is a pending application before the City Council for an Off-Premise (Billboard) Sign that is within 300 feet of the location of this proposed sign. The City Council considered that application for 5300 West Sahara at its meeting on 07/07/04 and abeyed the matter to 07/21/04. The Planning Commission and staff recommended against that application on 11/20/03.

07/08/04 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #59/dds).

12/15/04 The City Council approved the request to hold this item in abeyance.

B) *Pre-Application Meeting*

05/07/04 There was a question whether another off-premises (billboard) sign is under consideration by the City Council that would be within 300 feet of this location. (As noted above, it was learned that there is a request pending before the City Council that if approved would preempt approval of this application.) The request would be a Project of Regional Significance, requiring review by Clark County.

C) *Neighborhood Meetings*

A neighborhood meeting is not required as part of this application nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Acres: 0.66

B) Existing Land Use

Subject Property: Office
North: Parking lot
South: General commercial
East: Office, tavern and retail establishment
West: Office

C) Planned Land Use

Subject Property: S-C (Service Commercial)
North: O (Office)
South: County Commercial
East: S-C (Service Commercial)
West: S-C (Service Commercial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: P-R (Professional Office and Parking)
South: County C-2 (General Commercial)
East: C-1 (Limited Commercial)
West: P-R (Professional Office and Parking)

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southwest Sector Land Use Plan Map of the General Plan. The existing C-1 (Limited Commercial) zoning designation is in conformance with the General Plan.

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

The site is shown in the Southeast Sector of the General Plan. Approval of this off-premise sign is not contrary to the goals of the Plan.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" as a Special Use within 500 feet of the unincorporated area of Clark County. An Environmental Impact Assessment questionnaire was circulated to the County and other affected Agencies and Entities for the mandated 15-day period. No comments citing negative impacts have been received to date.

The Planning Commission takes the Environmental Impact Assessment and the proposed mitigation measures into consideration prior to make a decision on the proposal.

ANALYSIS

A) *Zoning Code Compliance*

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Minimum distance separation from another Off-Premise Advertisement (Billboard) Sign in any direction.	300 Feet	Yes
Minimum distance separation from "R" zoned property and any other off-premise sign	300 Feet	Yes

This proposed Off-Premise Advertising (Billboard) Sign is located in excess of 300 feet from any other Off-Premise Advertising (Billboard) Sign or residentially zoned property. Therefore, it complies with the Zoning Code.

There is a pending application before the City Council for an Off-Premise Advertising (Billboard) Sign (SUP-3152) which if approved would place it within 300 feet of the subject proposed sign. That application was first heard by the Planning Commission on November 20, 2003. The Planning Commission and staff recommended denial of that application, and it was appealed to the City Council and abeyed by the City Council on four separate occasions at the applicant's request. That application again is to be considered by the City Council on July 7, 2004. If the City Council were to approve that application, it would preempt approval of the subject application, because the two signs then would be within 300 feet of each other.

B) *General Analysis and Discussion*

- Zoning

An Off-Premise Advertising (Billboard) Sign is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19 establishes the criteria for the approval of Off-Premise Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premise Advertising (Billboard) Sign to 40 feet. The Code also requires Off-Premise Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premise signs. The proposed sign meets these Code requirements.

The Off-Premise Advertising (Billboard) Sign is proposed adjacent to existing on-premises signs for commercial development that would substantially increase the amount of signage in the area. Additionally, there are no other billboard signs located along this segment of Sahara Avenue. This proposed billboard would add substantial visual clutter to this area of the community and not be harmonious and compatible with the surrounding development. If this application is approved, a condition has been added requiring the use be reviewed by the City Council in two years.

FINDINGS

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

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

Although this proposed use is allowed in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district, this proposed billboard would add visual clutter in this area of the City.

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

The subject site is located in a commercial area, which is one of the prerequisites to establishing its suitability.

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."**

This use does not generate traffic on the proposed site and would not negatively affect the surrounding roadways.

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

The proposed Off-Premise Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 53 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4532 APN: 163 01 804 005

Name of Property Owner: SAHARA Mohawk LLC

Name of Applicant: DAVE Smith & ROBERT EARL

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: _____

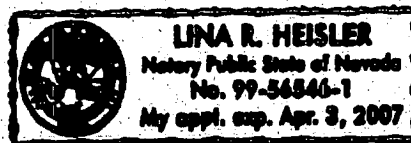
Signature of Property Owner/Authorized Agent: Dave Smith Robert Earl

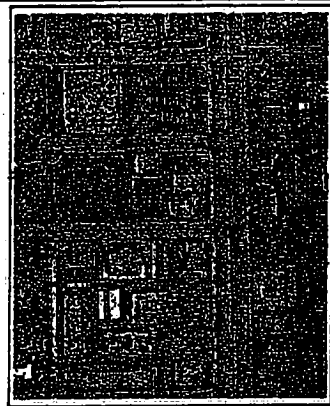
Print Name: Dave Smith ROBERT R. EARL

Subscribed and sworn before me

This 8 day of March, 2004

Lina R. Heisler
Notary Public in and for said County and State





PROPERTY OWNER: SARAH MORGAN LLC
 100 W. SARAH AVE.
 LAS VEGAS, NV 89104-0004

PROPERTY ADDRESS: 300 W. SARAH AVE.
 LAS VEGAS, NV 89104-3305

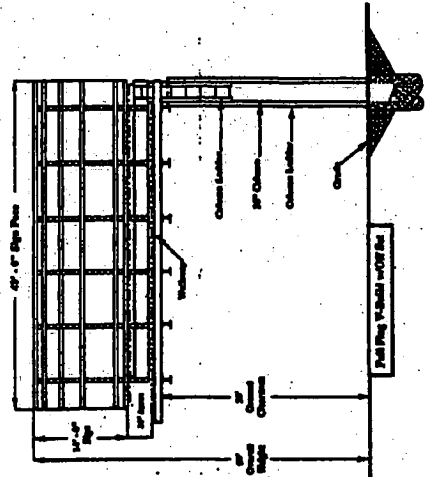
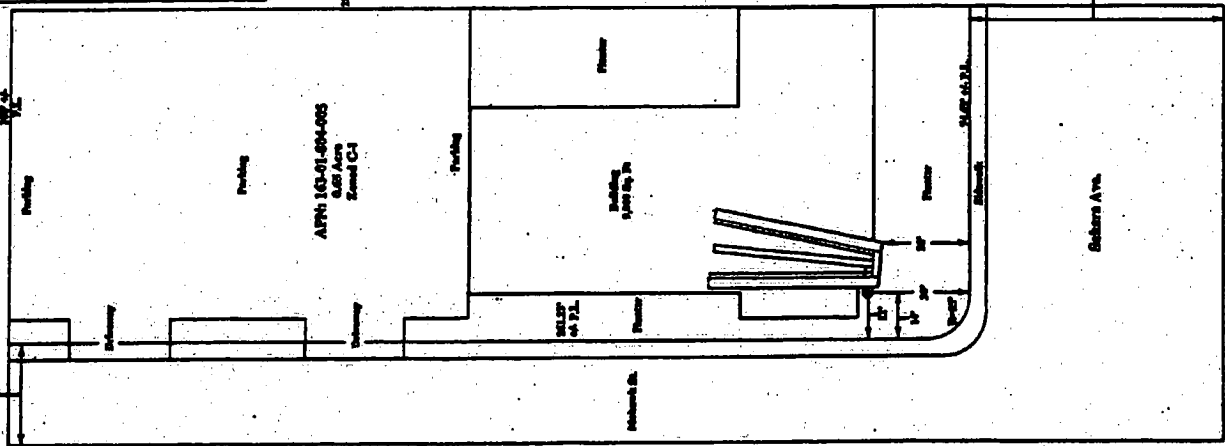
CONTACT: STEVE BARNETT @
 LAS VEGAS BUILDINGS
 366 S. VALLEY VIEW BLVD.
 LAS VEGAS, NV 89118
 877-7823

APN: 103-01-004-005
 ZONED: C-1
 14' x 8' FULL FLAG BUILD w/OFFSET
 40' OVERALL HEIGHT
 NO ADJACENT OFF-PERUSE SIGN WITHIN 100'
 NO ADJACENT OFF-PERUSE SIGN WITHIN 50' RADIUS
 NO SIGN WITHIN 50' RADIUS
 SCALE 1" = 20'

PERMITS TABLE

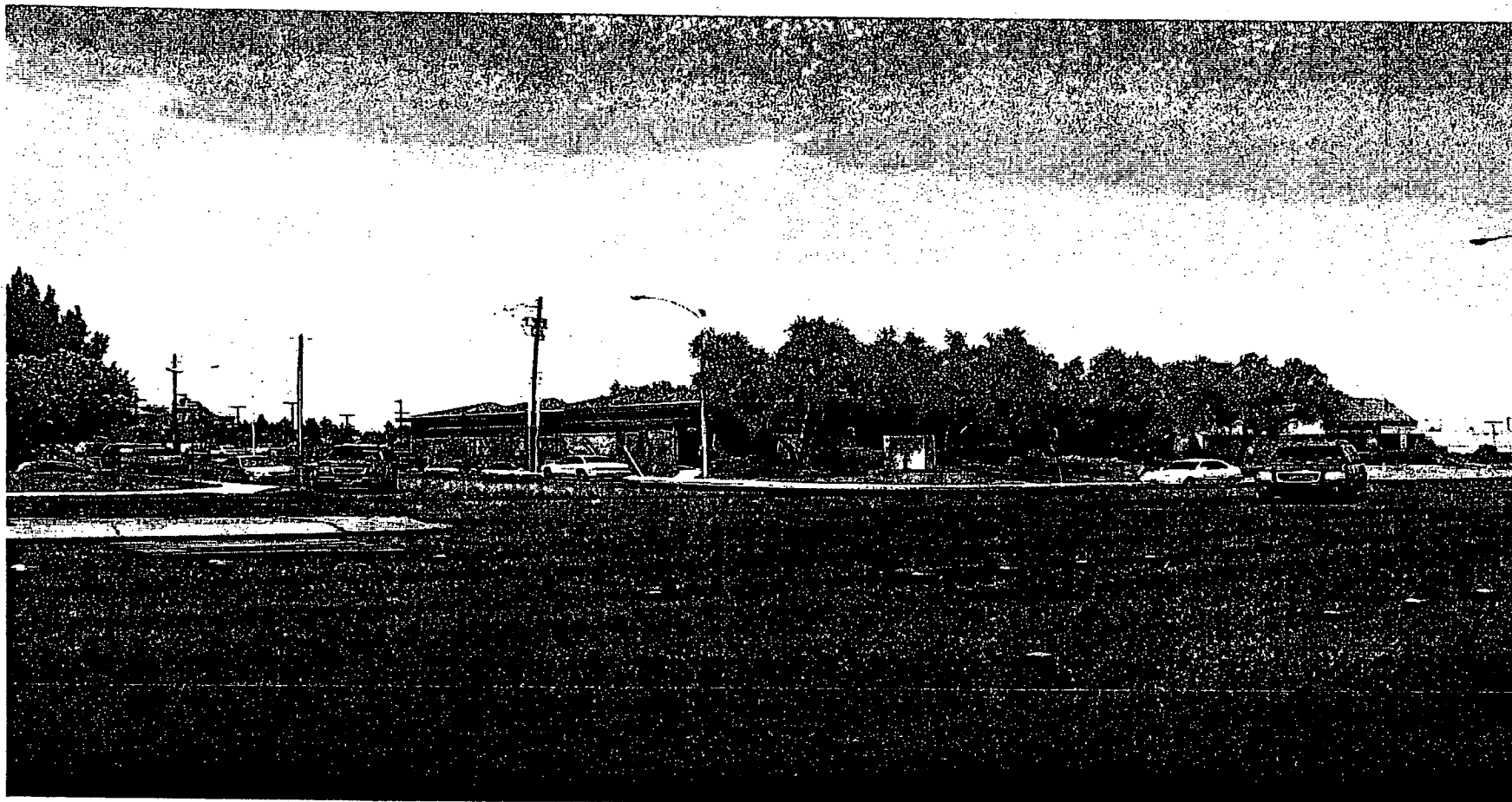
TYPE OF SIGN	14' x 8' OFF-PERUSE SIGN
SIGN HEIGHT	40' OVERALL HEIGHT
SIGN WIDTH	40' OVERALL WIDTH
SIGN AREA	677 SQUARE FT.
ILLUMINATION TYPE	HALOGEN LIGHTING
ANIMATIONS	NONE

LOCATION:
 10' SETBACK FROM SIGNATURE BLVD. TO LEADING EDGE OF SIGN.
 10' SETBACK FROM SIGNATURE BLVD. TO CENTER OF CURB.
 10' SETBACK FROM SIGNATURE BLVD. TO CENTER OF CUL-DE-SAC.
 10' SETBACK FROM SIGNATURE BLVD. TO CENTER OF CUL-DE-SAC.
 10' SETBACK FROM SIGNATURE BLVD. TO CENTER OF CUL-DE-SAC.



SUP-4532

07-08-04 PC



**SUP-4532 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY
COMPANY
5320 WEST SAHARA AVENUE
JULY 8, 2004 PLANNING COMMISSION**

06/17/04

*LAS Consulting, Inc.
856 E. Sahara, #A
Las Vegas, NV 89104
(702) 889-2879-ofc.
(702) 889-3122-fax*

July 9, 2004

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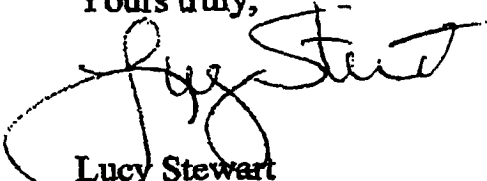
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101
Phone: (702) 229-6311
Fax: (702) 382-4803

RE: SUP-4532-July 8, 2004 Planning Commission agenda item #59

Dear Sir or Madam:

Please accept this letter as a request to appeal the Planning Commission's denial of the above referenced item. We wish to be heard by the City Council regarding this request. Thank you for your consideration in this matter.

Yours truly,



Lucy Stewart
LAS Consulting, Inc.

MICHAEL H. SINGER
JAY H. BROWN

LAW OFFICES
Singer & Brown
A NEVADA LLC

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

January 18, 2005

FAX: 382-4803

Las Vegas City Clerk
400 E. Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City Clerk

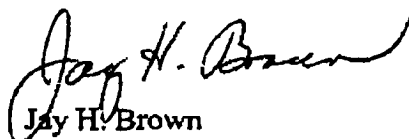
Re: Item No. 97 City Council Agenda of January 19, 2005
SUP-4532 - Las Vegas Billboards on behalf of
Sahara Mohawk, Limited Liability Company

Dear Ms. Ronemus:

Please be advised that I represent Las Vegas Billboards in connection with the above
referenced application.

On behalf of my client, I respectfully request that this item be continued from the January
19, 2005 City Council meeting to the February 2, 2005 City Council meeting.

Very truly yours,


Jay H. Brown

JHB:cc

Cc: Planning & Development fax 385-7268

Submitted after final agenda

Date 1/18/05 Item # 97

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4693 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: THOMAS J. OBATA - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6431 West Charleston Boulevard (APN 163-02-114-003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Submitted after final agenda - Abeyance request from Attorney Jay Brown

MOTION:

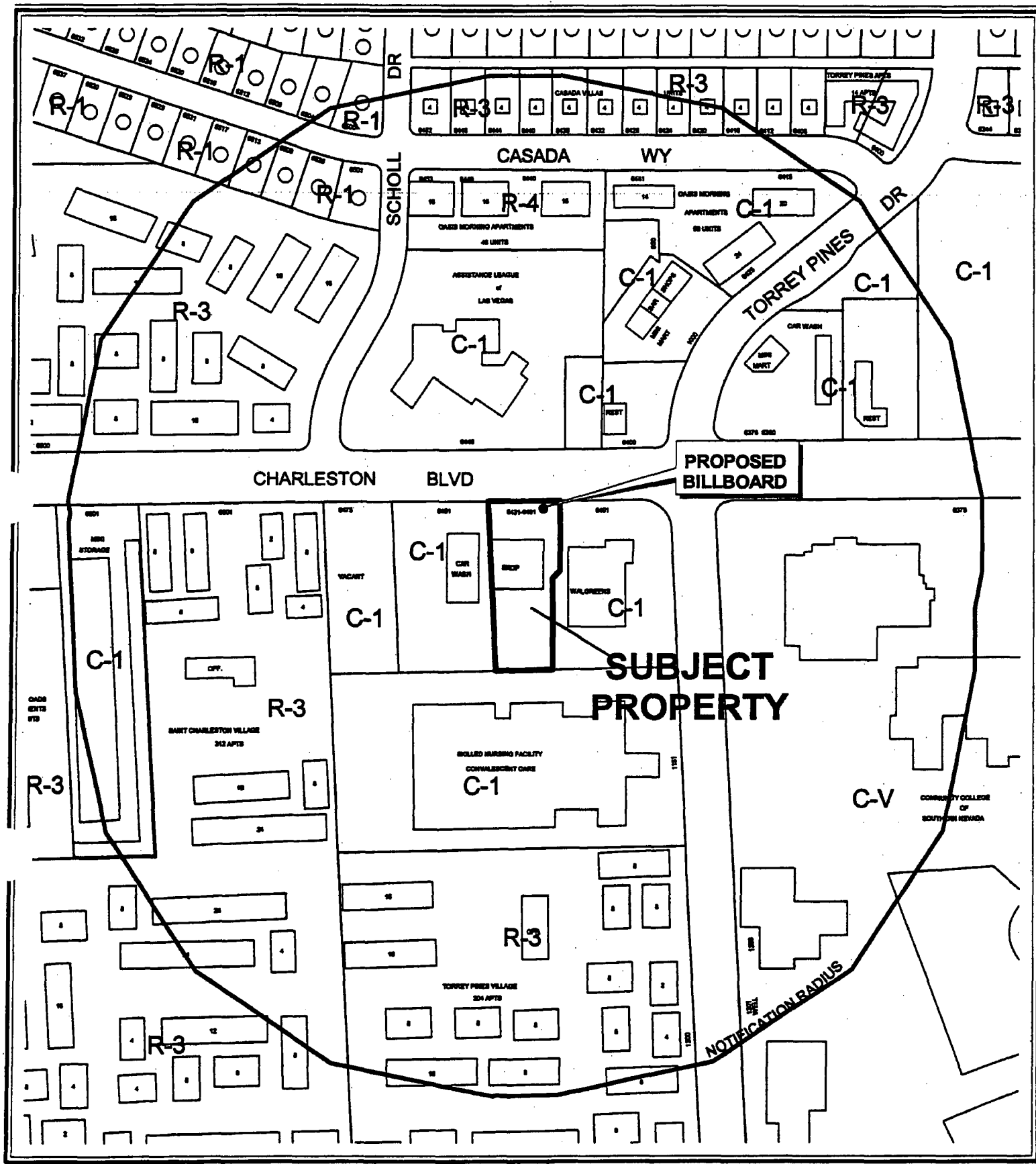
BROWN - Motion to HOLD IN ABEYANCE Item 91 [RQR-5513], Item 95 [SUP-2848], Item 96 [SUP-3394], Item 97 [SUP-4532], Item 98 [SUP-4693], Item 109 [SUP-5582] and Item 110 [SDR-5583] to 2/2/2005 and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 120 [GPA-5182], Item 121 [ZON-5183], Item 122 [VAR-5575] and Item 123 [SDR-5573] - UNANIMOUS with MACK abstaining on Item 91 [RQR-5513] because his company, Mack Consulting, negotiates with Lamar Outdoor on behalf of his clients and GOODMAN excused

MINUTES:

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(1:00 - 1:07)

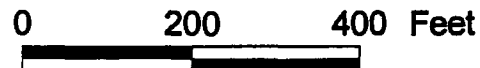
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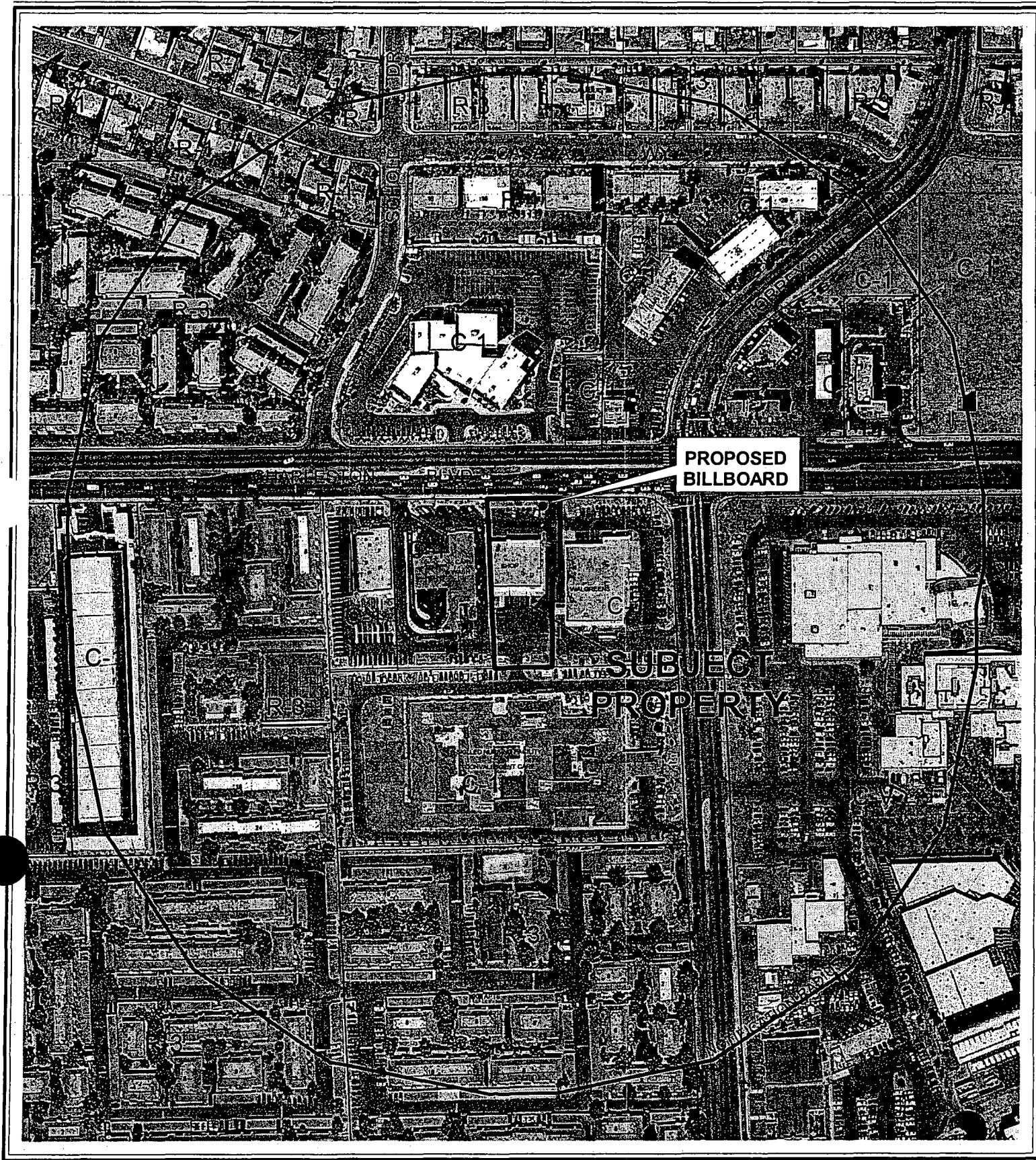


CASE: SUP-4693

RADIUS: 750 FT

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





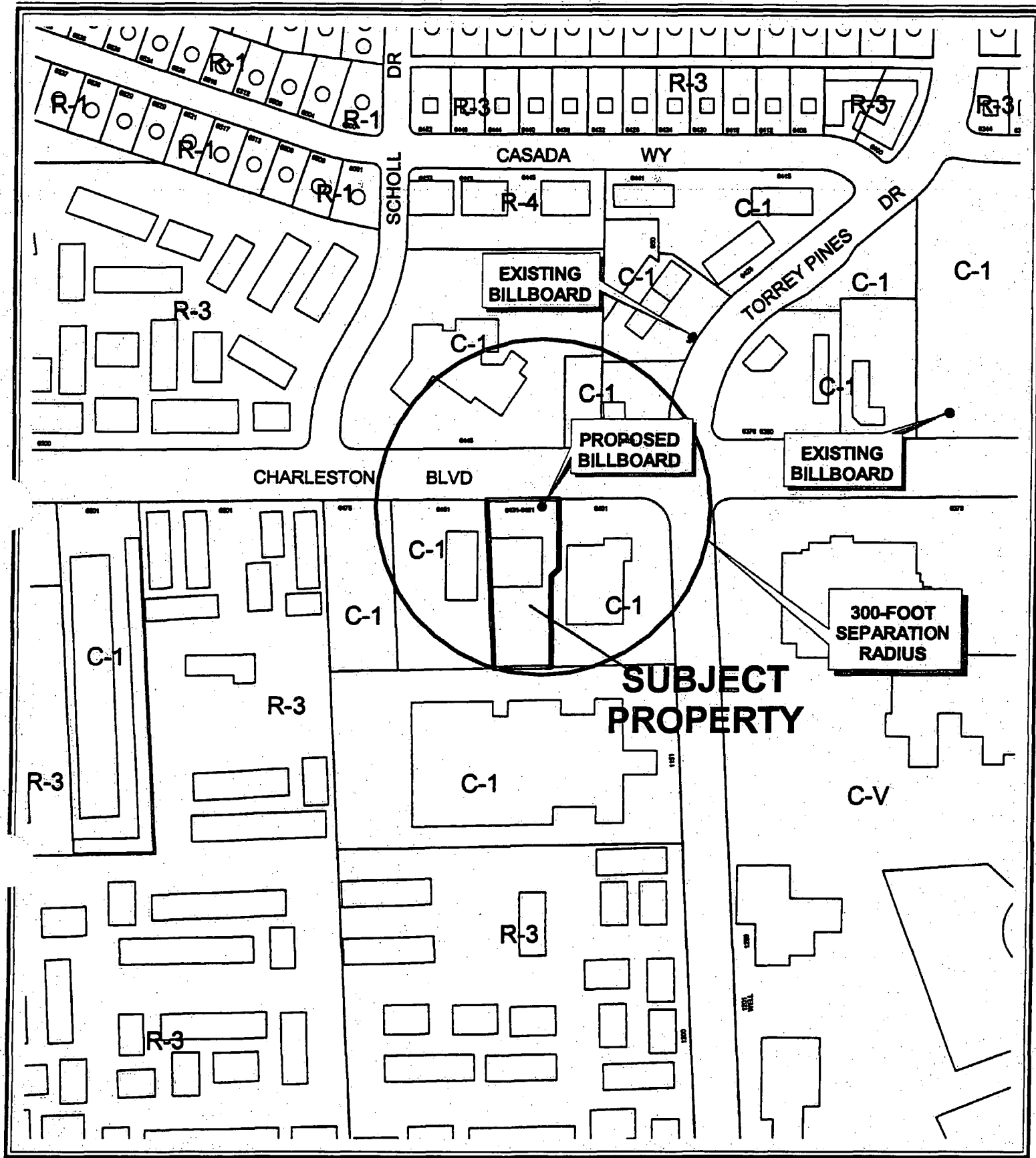
CASE: SUP-4693

RADIUS: 750 FT

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

0 200 400 Feet





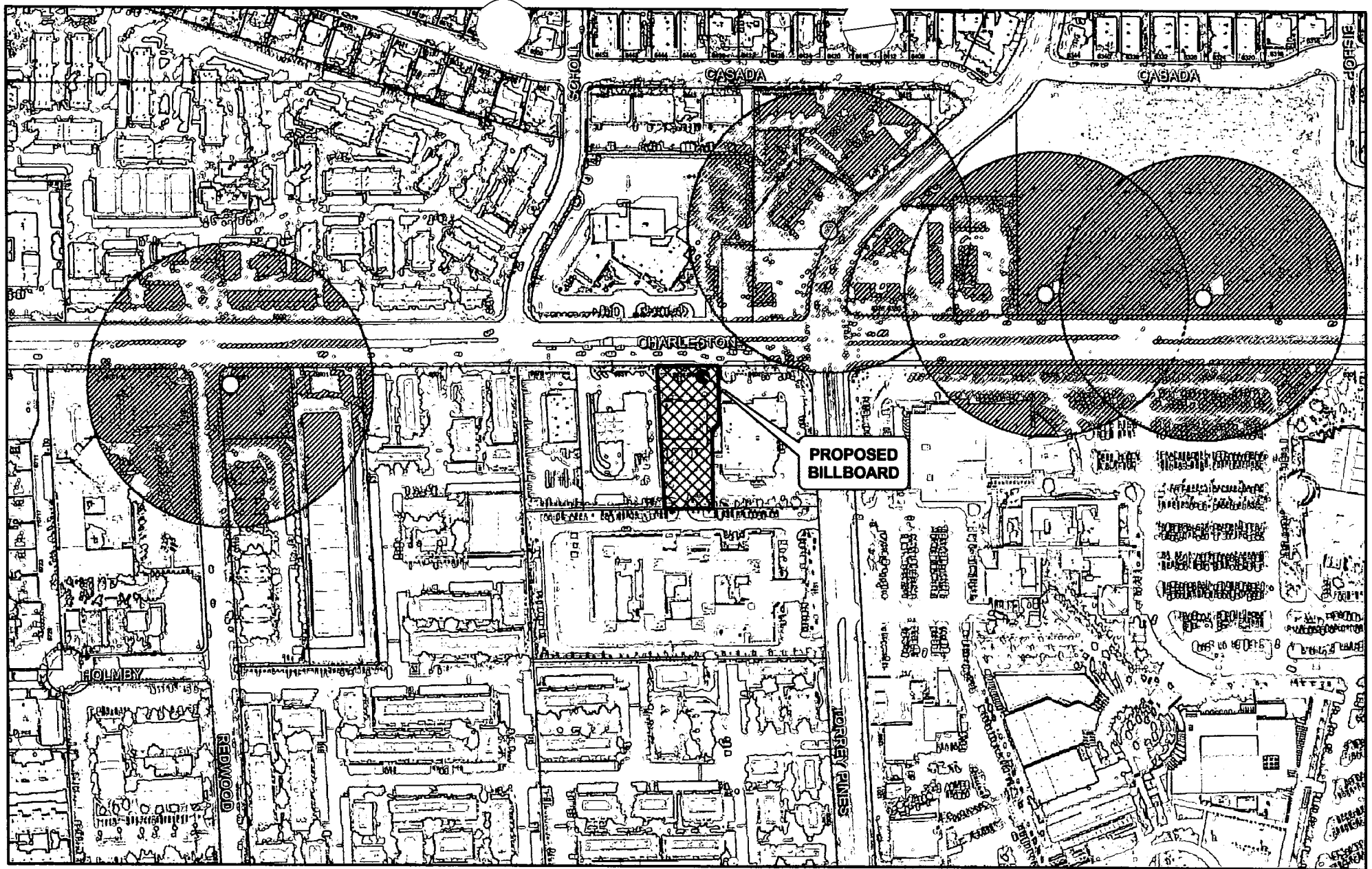
CASE: SUP-4693

SEPARATION RADIUS: 300 FT

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

0 200 400 Feet





SUP-4693

City of Las Vegas Billboard Data

 Subject Parcel	 300 Foot Buffer Around Billboard	 Outside City Boundary
 City of Las Vegas Billboard Location	 750 Foot Buffer Around Freeway Billboard	 Off Premise Sign Exclusion Area
 Clark County Billboard Location		 Exempt - Off Premise Area Sign Area



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-4693 - APPLICANT: ORION
OUTDOOR MEDIA - OWNER: THOMAS J. OBATA**

THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 15, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (5-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. 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.
2. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premises sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premises advertising (billboard) sign be removed.
3. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premises Sign use and other applicable sign requirements.
4. The off-premises advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premises advertising (billboard) sign.
5. The off-premises advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.
6. Only one advertising sign is permitted per sign face.
7. The entire face-area of both sides of the off-premises advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
8. If the off-premises advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premises advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

9. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

10. The off-premise advertising (billboard) 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premise (Billboard) Sign at 6431 West Charleston Boulevard.

B) Applicant's Justification

The applicant's justification for the subject Off-Premise (Billboard) Sign, as stated in a letter attached to the application, is because it is within the "Off-Premises Advertising Overlay district." The letter continues, stating, "There are no other existing billboards or residential uses within 300 feet of the proposed sign."

BACKGROUND INFORMATION

A) Previous Actions

11/01/95 The City Council approved an application for Rezoning (Z-0068-95) the site to C-1 (Limited Commercial). The Planning Commission and staff recommended approval of the application on 10/12/95.

08/12/04 The Planning Commission voted 5-0 to recommend DENIAL (PC Agenda Item #10/DDS)

B) Pre-Application Meeting

06/09/04 Discussion included a review of the criteria necessary for a Special Use Permit.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.79

B) Existing Land Use

Subject Property: Service commercial
North: Non-profit organization (Assistance League of Las Vegas)
South: Group quarters (nursing home)
East: Retail (Walgreen's drug store)
West: Service commercial (carwash)

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

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southwest Sector Land Use Plan Map of the General Plan. The existing C-1 (Limited Commercial) zoning designation is in conformance with the General Plan. Approval of this off-premise sign is not contrary to the goals of the Plan.

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

The area is not located in a special district or zone.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Minimum distance separation from another Off-Premise Advertisement (Billboard) in any direction.	300 Feet	Yes
Minimum distance separation from "R" zoned property and any other off-premise sign.	300 Feet	Yes

This proposed Off-Premise Advertising (Billboard) Sign is located in excess of 300 feet from any other Off-Premise Advertising (Billboard) Sign or residentially zoned property. Therefore, it is in compliance with the Zoning Code standards.

B) General Analysis and Discussion

- Zoning

An Off-Premise Advertising (Billboard) Sign is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. As mentioned in the applicant's letter, the proposed sign is located outside of the Off-Premises Sign Exclusionary Zone. This Zone, within which no Off-Premise Advertising (Billboard) Sign is permitted, includes all of the Centennial Hills Sector and most of the Southwest Sector, except a 660-foot corridor along U.S. Highway 95. The subject site is located outside of this Zone.

- Use

Title 19 establishes the criteria for the approval of Off-Premise Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premise Advertising (Billboard) Sign to 40 feet. The Code also requires Off-Premise Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premise signs. The proposed sign meets these code distance separation requirements.

- Condition

If this application is approved, a condition has been added requiring the use be reviewed by the City Council in two years.

FINDINGS

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

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

This proposed use would be located in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district. This area is characteristic of commercial development, which would be compatible with this proposed land use, provided the sign is designed to include finish materials to complement the existing on-site buildings. If the application is approved, a condition of approval is included to address the design.

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

The subject site is located in a commercial area, which is one of the prerequisites to establishing its suitability.

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.”**

This use does not generate traffic on the proposed site and would not negatively affect the surrounding roadways.

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

The proposed Off-Premise Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

PLANNING COMMISSION ACTION

The Planning Commission deemed this sign to be inappropriate due to visual clutter, proximity to residential and not in keeping with redevelopment efforts in the area.

NOTICES MAILED 40 by City Clerk

APPROVALS 0

PROTESTS 2

Name of Applicant: Onion Outdoor Media (Glenda Lippman)

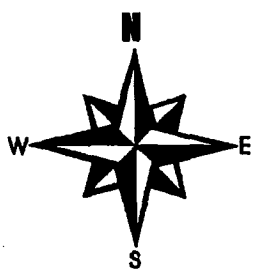
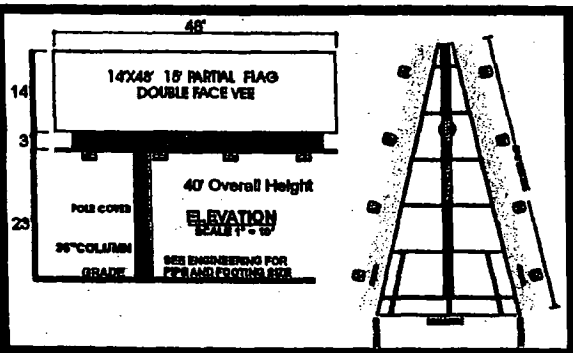
No

APN: _____

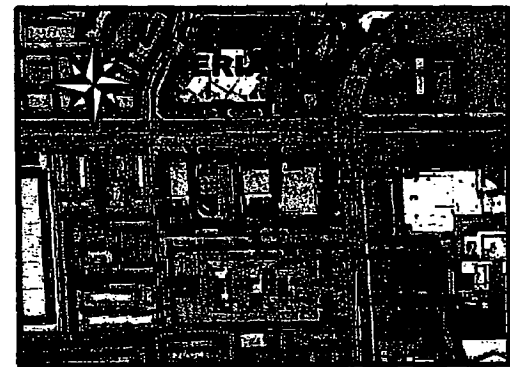
Print Name: Tom Obata

Notary Public in and for said County and State

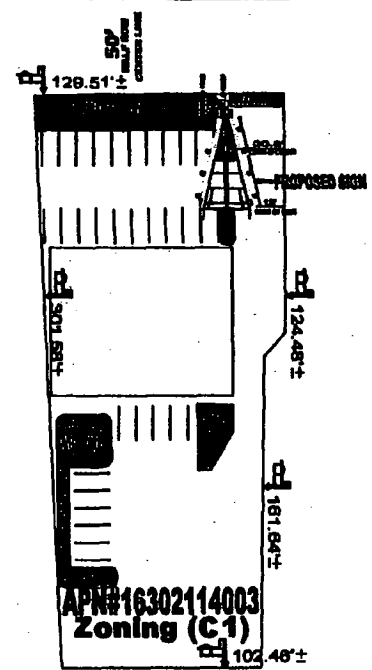




TOP VIEW
SCALE 1" = 30'
DETAIL



CHARLESTON



- GENERAL NOTES**
1. Not within 300 foot radius of another off-premise billboard.
 2. Not within 300 foot radius of residential use.
 3. No parking spaces will be taken for this location.

ORION
OUTDOOR MEDIA
GLENDALIPPMAN
595-4896

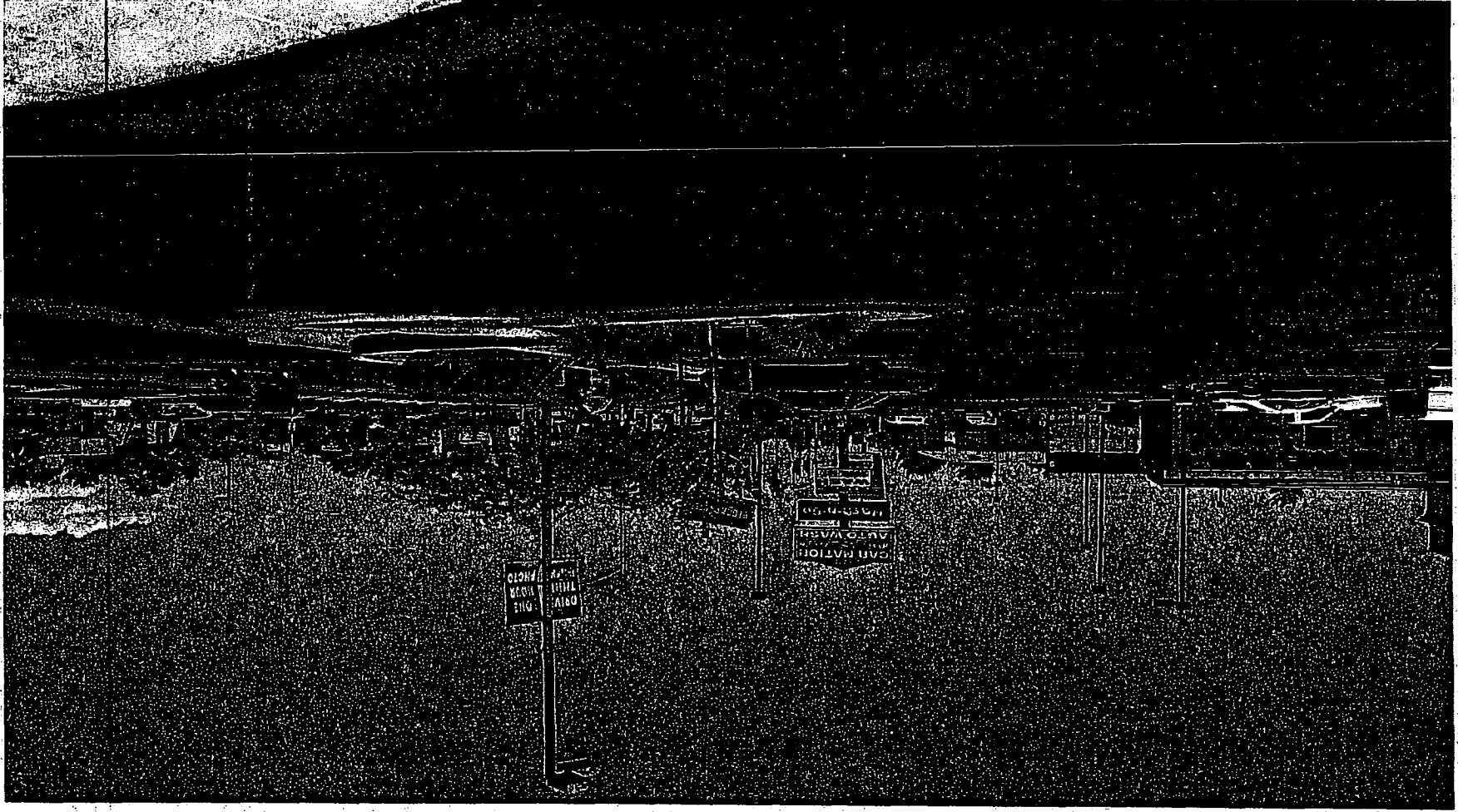


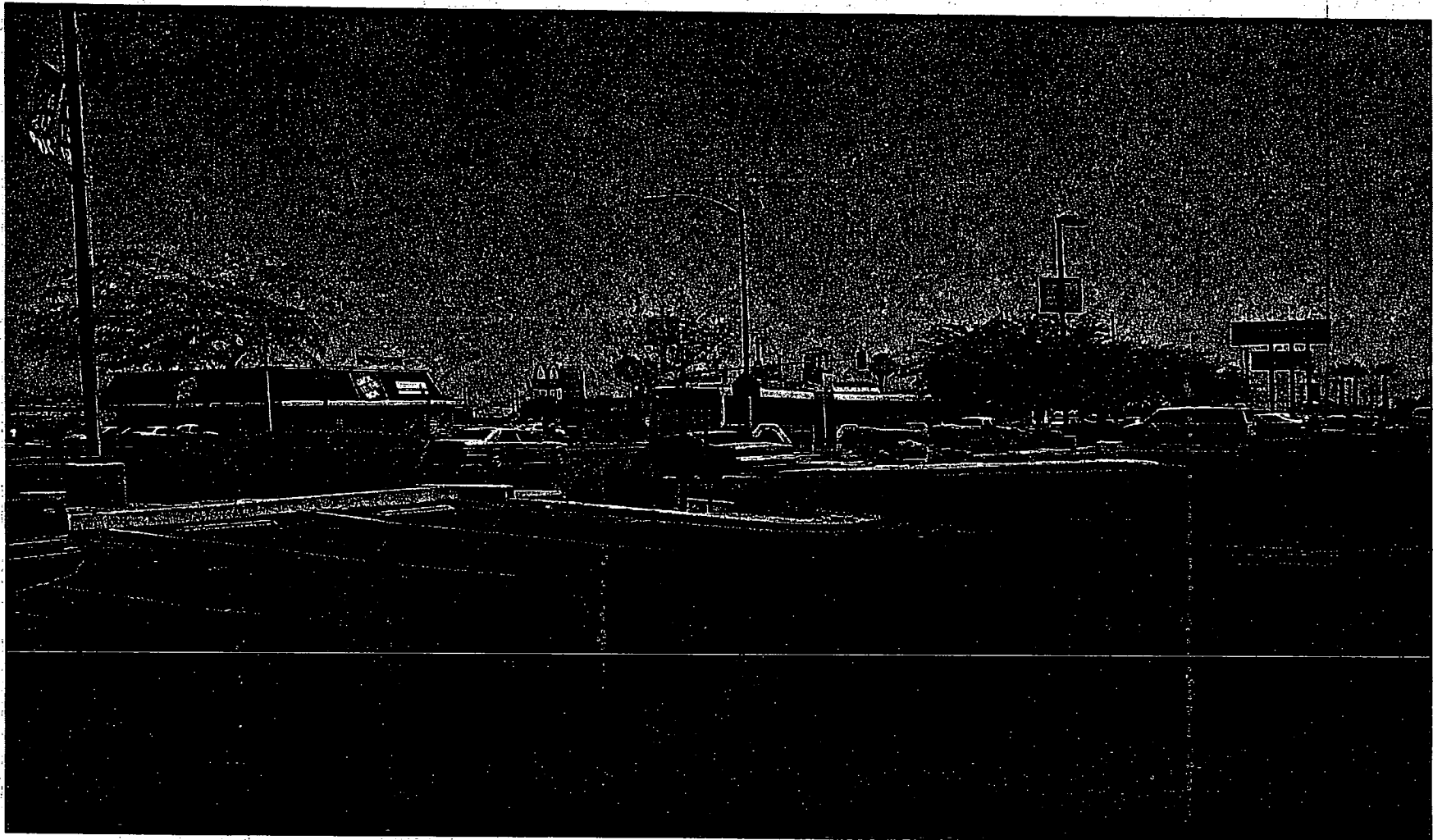
SUP-4693
08-12-04 PC

Junco		
APN#16302114003		
OWNER: OBATA THOMAS J		
FILE: NOTED	APPROVED BY:	DATE: 4-23-04
LOCATION: 6431 W CHARLESTON BLVD		
APN#16302114003		305

SUP-4693 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: THOMAS J. OBATA
6431 WEST CHARLESTON BOULEVARD
AUGUST 12, 2004 PLANNING COMMISSION

07/20/04





SUP-4693 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: THOMAS J. OBATA
6431 WEST CHARLESTON BOULEVARD
AUGUST 12, 2004 PLANNING COMMISSION

07/20/04

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

August 17, 2004

VIA FACSIMILE TO: 382-4803

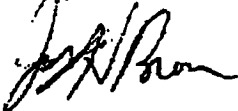
Ms. Barbara Jo Ronemus
Las Vegas City Clerk
400 E. Stewart Avenue
Las Vegas, NV 89101Re: SUP - 4693 Orion Outdoor Media on behalf of
Tom Obata

Dear Ms. Ronemus:

Please be advised that I represent Orion Outdoor Media on behalf of Tom Obata. The City Planning Commission denied the above referenced application on August 12, 2004.

The purpose of this letter is to notify you that my client wishes to appeal the denial of the above referenced application.

Very truly yours,



Jay H. Brown

JHB:cc

Cc: Beau Palley
Glenda LippmanRECEIVED
CITY CLERK
2004 AUG 17 PM 1:02

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. GINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-6563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

January 18, 2005

FAX: 382-4803

Las Vegas City Clerk
400 E Stewart Avenue
Las Vegas, Nevada 89101
Attn: Barbara Jo Ronemus
City Clerk

RECEIVED
CITY CLERK
2005 JAN 18 A 11:39

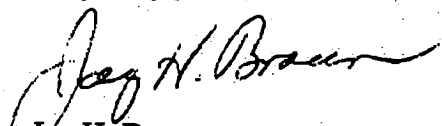
Re: Item No. 98 City County Agenda of January 19, 2005
SUP-4693 - Special Use Permit-Orion Outdoor Media on behalf of
Thomas J. Obata

Dear Ms. Ronemus:

Please be advised that I represent Las Vegas Billboards in connection with the above referenced application.

On behalf of our client, we respectfully request that this item be held in abeyance from the City Council agenda of January 19, 2005 and reset for the February 2, 2005 City Council meeting.

Very truly yours,


Jay H. Brown

JHB:cc

Cc: Planning & Development fax 385-7268

Submitted after final agenda

Date 1/18/05 Item # 98

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-5228 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: GARTH W. LAMB - OWNER: GARTH W. LAMB AND SHARI L. HUMBLE-LAMB - Request for a Special Use Permit FOR AN EXISTING ANIMAL HOSPITAL, CLINIC, OR SHELTER WITH OUTSIDE PENS AND A PROPOSED ADDITION TO THE HOSPITAL at 5000 North Jones Boulevard (APN 125-36-302-005), R-E (Residence Estates), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting and GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 99 [SUP-5228] and Item 100 [SDR-5094].

KIM MOREY, 7475 Robel Avenue, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 99 [SUP-5228] and Item 100 [SDR-5094].

(2:28 - 2:30)

3-3428

CONDITIONS:

Planning and Development

1. Conformance with all the conditions established for the original Variance (V-0096-96) that established the use, the conditions of approval for the Site Development Plan Review (SDR-5094), and the conditions herein.

2. This Special Use Permit for the building addition shall expire two years from the date of final

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

approval, unless it is exercised or an Extension of Time is granted by the City Council. No expansion of the use may occur without the submittal of a new Special Use Permit.

3. Open pens shall be limited to the care of large animals such as horses, screened from view of adjacent streets and adjoining properties, and located no closer than 50 feet from a lot on which a residential use exists or is permitted.

4. The buildings shall be designed to provide complete sound barriers and odor protection for adjacent properties.

5. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls facing properties on which a residential use exists or is permitted.

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - SUP-5228 - APPLICANT: GARTH W. LAMB - OWNER: GARTH W. LAMB AND SHARI L.HUMBLE-LAMB

THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 15, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance with all the conditions established for the original Variance (V-0096-96) that established the use, the conditions of approval for the Site Development Plan Review (SDR-5094), and the conditions herein.
2. This Special Use Permit for the building addition 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. No expansion of the use may occur without the submittal of a new Special Use Permit.
3. Open pens shall be limited to the care of large animals such as horses, screened from view of adjacent streets and adjoining properties, and located no closer than 50 feet from a lot on which a residential use exists or is permitted.
4. The buildings shall be designed to provide complete sound barriers and odor protection for adjacent properties.
5. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls facing properties on which a residential use exists or is permitted.
6. 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 an existing Animal Hospital, Clinic, or Shelter with Outside Pens and an addition to the Animal Hospital, Clinic, or Shelter at 5000 North Jones Boulevard. An application for a Site Development Plan Review (SDR-5094) has been submitted in conjunction with this application.

B) Applicant's Justification

The applicant states in a letter attached to the application that an additional building is proposed for the existing facility, "...a veterinary medicine practice specifying in horses only and has been in operation since 1998." It goes on to say: "The growth of the practice has developed to the point that additional office space and hospital/treatment room space is needed."

BACKGROUND INFORMATION

A) Previous Actions

08/27/96	The Board of Zoning Adjustment approved a Variance (V-0096-96) to allow an equine veterinary clinic where such a use on the subject site is not otherwise allowed.
10/29/03	The City Council accepted the withdrawal of a request for a Special Use Permit (SUP-2664) for a proposed 60-foot high non-stealth cellular communication tower. The Planning Commission and staff denied the request on 09/11/03.
10/29/03	The City Council accepted the withdrawal of a request for a Variance (VAR-2839) to allow a 60-foot high non-stealth cellular communication tower 53-feet from a residential property line where Residential Adjacency Standards require a 180-foot setback. The Planning Commission and staff recommended.
10/07/04	The Planning Commission recommended approval of a related Site Development Plan Review (SDR-5094) on this agenda.
10/07/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #44/dds).

B) Pre-Application Meeting

08/05/04 The staff reviewed with the prospective applicant the proposed addition of a building to the existing Animal Hospital, Clinic, or Shelter. The following details were mentioned:

- A van accessible space should be provided.
- Sufficient parking would be needed for an animal hospital.
- Development standards for a building in the R-E zone apply.
- Proposed building should have a cohesive architectural design with other buildings on the property.
- A six-foot landscaped buffer is required around the perimeter
- A flood study will be required.
- Minor details such as square footage, heights, and floor plans will be required with the site plan.
- A variance would be needed because of the buildings size and height (earlier thought to be an accessory building).

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres 2.18

B) Existing Land Use

Subject Property: Veterinary clinic
North: Undeveloped
South: Undeveloped
East: Single family dwelling
West: Horse corral/single family dwelling

C) Planned Land Use

Subject Property: R (Rural Density Residential)
North: R (Rural Density Residential)
South: R (Rural Density Residential)
East: R (Rural 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: Clark County [R-E (Rural Estates Residential)]

E) General Plan Compliance

The site is designated R (Rural Density Residential) on the Centennial Hills Sector Plan Map of the General Plan. The existing R-E (Residence Estates) Zoning designation is in conformance with the General Plan. An Animal Hospital, Clinic, or Shelter with Outside Pens is permitted as a Special Use in the R-E zoning district.

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

Some adjacent sites within the notification area fall within the unincorporated area of Clark County. Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" because of the request for a Special Use Permit within 500 feet of the unincorporated property. In such cases, the County is required to be notified of the request for a Special Use as was done for this use. To date no comments have been received.

A) Zoning Code Compliance

An Animal Hospital, Clinic, or Shelter with Outside Pens is permitted as a Special Use in the R-E (Residence Estates) Zone. However, there are no requirements specified for this use in Title 19 beyond the requirements for an R-E Zone. Recommended requirements are addressed as conditions of approval for this application and discussed below. Development standards are presented with the Site Development Plan Review (SDR-5094) that accompanies this application.

B) General Analysis and Discussion

a. Zoning

The Animal Hospital, Clinic, or Shelter with Outside Pens use is permitted in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit.

b. Use

Title 19.04.050 establishes the criteria for the approval of an Animal Hospital, Clinic, or Shelter with Outside Pens within the city. The primary concern with such a facility is the noise and smells caused by the animals. For this reason, sound attenuation measures should be used. In particular, the buildings should be designed to provide complete sound barriers; and rooms that contain animals should not be permitted to have windows, doors or other openings in exterior walls that would face adjacent residences.

Equally important is the control of smells from animals in outside pens. For this reason, it is important that pens be well maintained and located a distance from the location of properties on which residences could be built. As is required for outside pens associated with such uses in other districts, it is recommended that the establishment of future outside pens be located a minimum of 50 feet from properties on which residences exist or could be built.

Provided the existing buildings and proposed new building for the Animal Hospital, Clinic, or Shelter with Outside Pens are designed to reduce sound transmission and existing and any future pens are well maintained, the use should be compatible with adjacent properties.

c. Conditions

Title 19.04.050 lists conditions for an Animal Hospital, Clinic, or Shelter without Outside Pens, but there are no conditions listed for such use WITH outside pens. Nevertheless, a Variance was approved for the original use in 1969 with the following conditions:

1. All surgical procedures shall be done within the enclosed building area and meet all applicable health code requirements.
2. Provide minimum 24-inch box trees 40 feet on center with shrubs, groundcover and boulders in all landscape planter areas, as required by the planning and development department. The use of drought tolerant landscape is encouraged.
3. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the northeast corner of Jones Boulevard and La Madre Way prior to the issuance of any permits as required by the Department of Public Works.
4. Construct half-street improvements including appropriate over paving on Jones Boulevard and La Madre Way adjacent to this site concurrent with development of this site as required by the Department of Public Works. All existing over paving damaged or removed by this development shall be restored to its original location and to its original width concurrent with development of this site as required by the Department of Public Works.
5. Contribute \$2,500.00 to partially fund the future upgrading of the existing traffic signal system at the intersection of Jones Boulevard and Lone Mountain Road prior to the issuance of building or off-site permits as required by the Department of Public Works. The City reserves the right to utilize the contributed traffic signal monies for the installation or upgrading of traffic signals at any other intersection within this general vicinity which is impacted by this development and which has a more immediate need for signalization.
6. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with standard drawing #222A as required by the Department of Public Works.

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, whichever may occur first, as required by the Department of Public Works.
8. All development must be in conformance with the plat plan and elevations. Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment 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.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first.
10. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
11. City code requirements and design standards of all city departments must be satisfied.
12. Parking and driveway plans must first be approved by the traffic engineer.
13. Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures, as required by the department of Fire Services.

Certain conditions of Title 19.04.050 for an Animal Hospital, Clinic, or Shelter with and without Outside Pens should also be applied to the subject use and include the following:

1. Open pens shall be screened from view of adjacent streets and adjoining properties and located no closer than 50 feet from a lot with a residential use.
3. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.
4. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences.
5. Noise levels must comply with the applicable provisions of LVCM Title 7.

These conditions are listed as recommended conditions of approval for this application.

FINDINGS

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

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

The subject property and the area surrounding it are zoned R-E (Residence Estates), a zone that is permitted within the designated R (Rural Density Residential) land use classification established for the area. This classification reflects the current rural characteristics that are prevalent in the area. The existing equine Animal Hospital, Clinic, or Shelter with Outside Pens is a use that is closely associated with this rural area. Consequently, the present animal hospital and proposed addition to it are compatible uses.

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

The subject site contains 2.18 acres, which is large enough for the existing use and the proposed building addition.

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 property fronts on Jones Boulevard, a Primary Arterial Street (100-foot right-of-way width), according to the Master Plan of Streets and Highways. The street is adequate for the existing and proposed use.

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

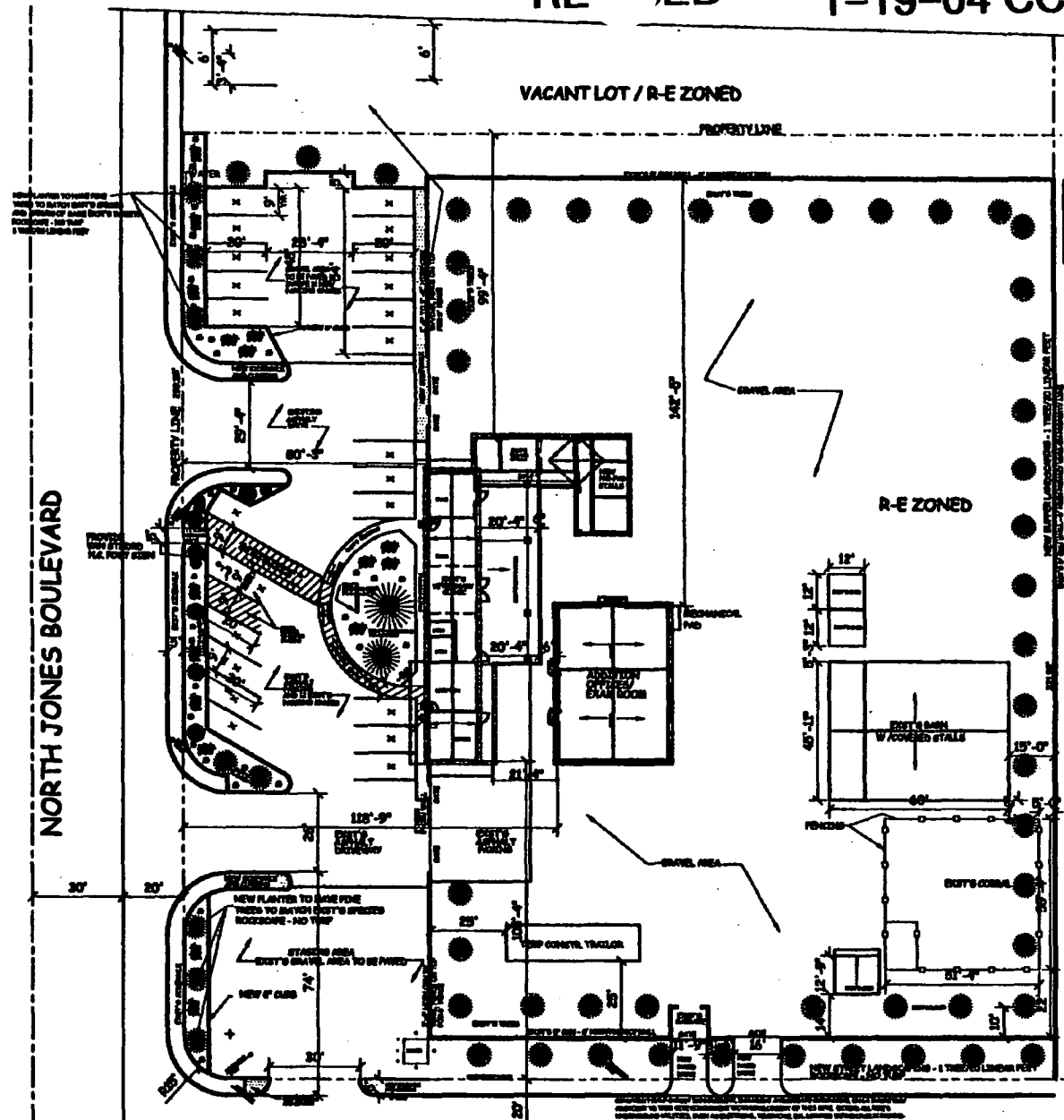
The proposed Animal Hospital, Clinic, or Shelter will be subject to periodic inspection and would, therefore, not compromise the public health, safety and welfare.

NOTICES MAILED 45 by City Clerk

APPROVALS 0

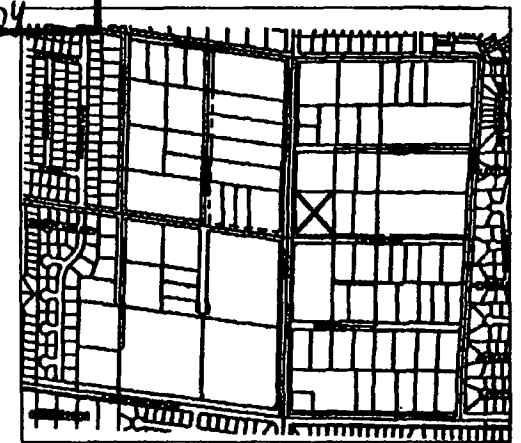
PROTESTS 0

REVISED
12-4-04



R-E ZONED
EXST'G SFR

SYMBOL	NOTATION	DESCRIPTION
●	1	TRANSFORMATION TREE
○	2	PAV. VARIATION (SEE NOTE)
□	3	PAV. VARIATION (SEE NOTE)



VICINITY MAP
SCALE: 1"=40'

PROJECT DATA:	
PROJECT ADDRESS:	3000 N. JONES BLVD., LAS VEGAS, NV 89130
ZONING:	R-E
BUILDING AREA:	1,800 USABLE SF 1ST FLOOR 984 USABLE SF 2ND FLOOR
PARKING SPACES:	10 SPACES REQUIRED 22 SPACES PROVIDED
PRIMARY OCCUPANCY:	VETERINARY CLINIC
CONSTRUCTION TYPE:	WOOD FRAMED SPRINKLED - NO
STRUCTURAL SYSTEM:	8 X 6 EXTERIOR BEARING WALLS WOOD TRUSS ROOF STRUCTURE
APPLICABLE CODES:	2000 INTERNATIONAL BUILDING CODE 2003 INTERNATIONAL RESIDENTIAL CODE 2000 UNIFORM PLUMBING CODE 2000 UNIFORM MECHANICAL CODE 2000 NATIONAL ELECTRICAL CODE 1992 NATIONAL ELECTRICAL CODE SOUTHERN NEVADA AMENDMENTS
	25' (EXST'G BLD'G 25') 2 (EXST'G BLD'G 2) 2890 (EXST'G BLD'G 2890) 19

RECEIVED

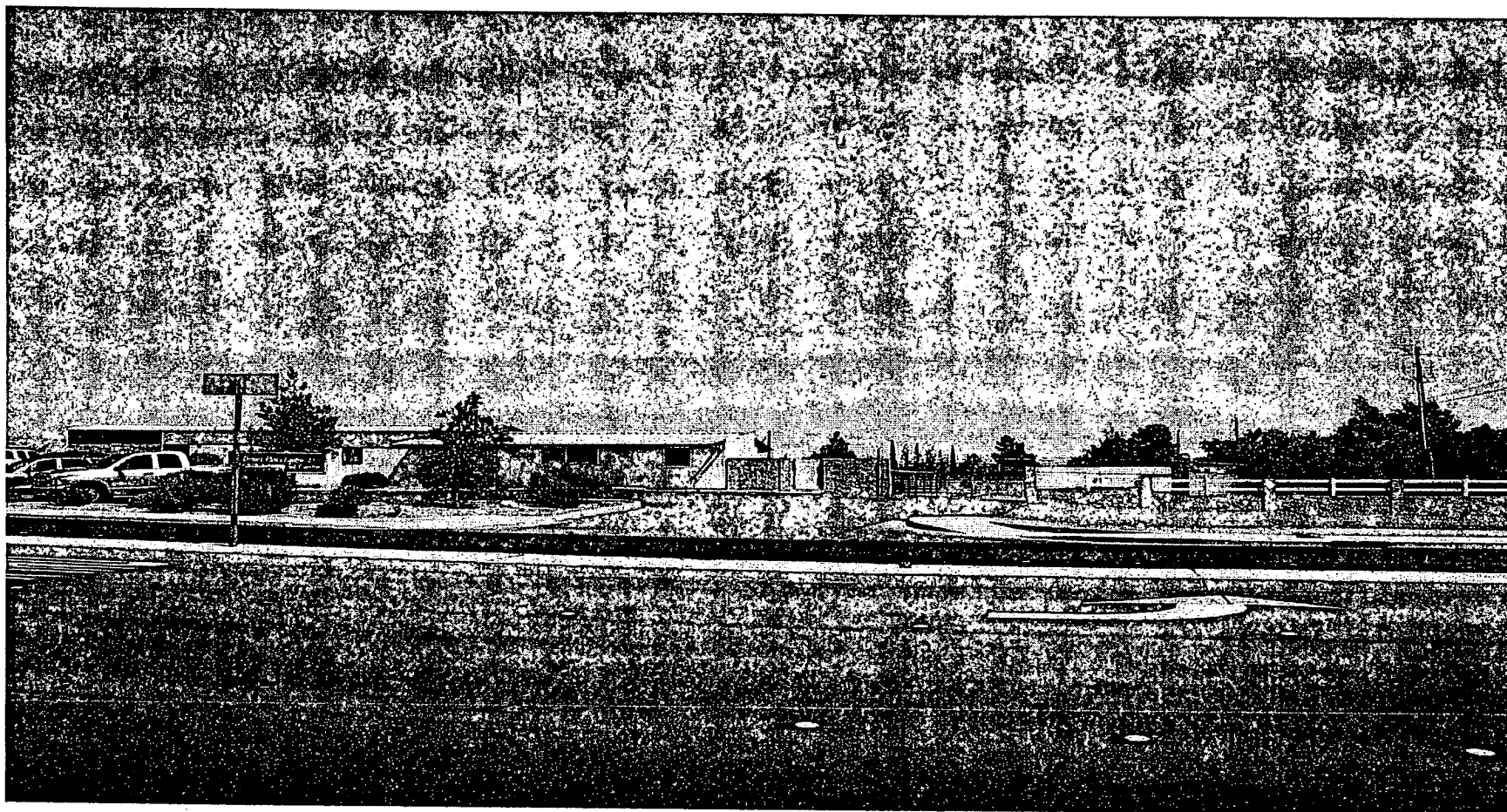
DEC 9 2004

REVISIONS: 1. LANDSCAPING AND A PERMANENT UNDERGROUND SPRINKLER SYSTEM SHALL BE INSTALLED AND SHALL BE PERMANENTLY MAINTAINED FOR THE ENTIRE LIFE OF THE PROJECT. 2. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND UNDERGROUND SPRINKLER SYSTEMS SHALL BE MAINTAINED FOR THE ENTIRE LIFE OF THE PROJECT.

PARKING REQ'T'S:	
VETERINARY CLINIC REQ. PARKING	
7 EMPLOYEES @ 1 SPACE FOR EACH	7 STAND. SIZE
4 DOCTORS @ 1 SPACE FOR EACH	4 STAND. SIZE
2 EXAM ROOMS @ 1 SPACE FOR EACH	2 STAND. SIZE
SPACES NEEDED:	10 STAND. SIZE
PARKING SPACES REQ'D:	
70% REQ'D @ STANDARD SIZE	7
30% ALLOWABLE COMPACT SIZE	3
HANDICAP SPACES:	1
EXISTING PARKING PROVIDED:	
STANDARD SPACES	22
HANDICAP SPACES	1

MOUNTAIN CONTRACTING & DEVELOPEMENT
7495 ROSEL AVENUE
LAS VEGAS, NV 89124
645-5942
CONTACT: KIM MOREY

PLOT/LANDSCAPING PLAN
1"=20'-0" 3000 N. JONES BLVD.
LAS VEGAS, NV 89130
LAMB VETERINARY CLINIC
ADDITION



SUP-5228 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GARTH W. LAMB - OWNER:
GARTH W. LAMB AND SHARI L. HUMBLE-LAMB
5000 NORTH JONES BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5228

SDR-5094 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: GARTH W. LAMB - OWNER: GARTH W. LAMB AND SHARI L. HUMBLE-LAMB - Request for a Site Development Plan Review and a Waiver of perimeter landscaping standards FOR A PROPOSED 2,890 SQUARE-FOOT ADDITION TO AN EXISTING ANIMAL HOSPITAL WITH OUTSIDE PENS on 2.18 acres at 5000 North Jones Boulevard (APN 125-36-302-005), R-E (Residence Estates), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting and GOODMAN excused

MINUTES:

NOTE: See Item 99 [SUP-5228] for all related discussion.
(2:28 - 2:30)
3-3428

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-5228) approved by the City Council.
2. The Site Development Plan Review shall expire for the proposed building addition two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations dated 08/24/04 or as subsequently amended, except as amended by conditions herein.
4. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time the application is reviewed by the City Council to address the conditions and concerns of this report.
5. The parking and loading area for the front (west) of the building shall be fully paved, including the area at the southwest corner of the site.

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

6. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time the application is reviewed by the City Council to illustrate closer compliance with the Landscape, Wall and Buffer Standards of Title 19 as addressed in this report.
7. Waivers shall be granted in the Landscape, Wall and Buffer Guidelines of Title 18 for parking areas, perimeter landscaping, and foundation landscaping, except for the following:
 - Planting islands with trees shall be provided at the ends of parking rows, except where abutting the curved sidewalk in front.
 - All trees shall be planted at a 24-inch box size and noted on the landscape plan.
 - The species of all plant materials shall be indicated on the landscape plan.
 - Four, five-gallon shrubs shall be planted with each tree along both streets and in parking areas and illustrated on the landscape plan.
8. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Lighting shall be directed away from abutting residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any additions or changes to existing perimeter walls shall be with a decorative block wall, with at least 20 percent contrasting materials. No wood shall be used as a material.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.
15. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

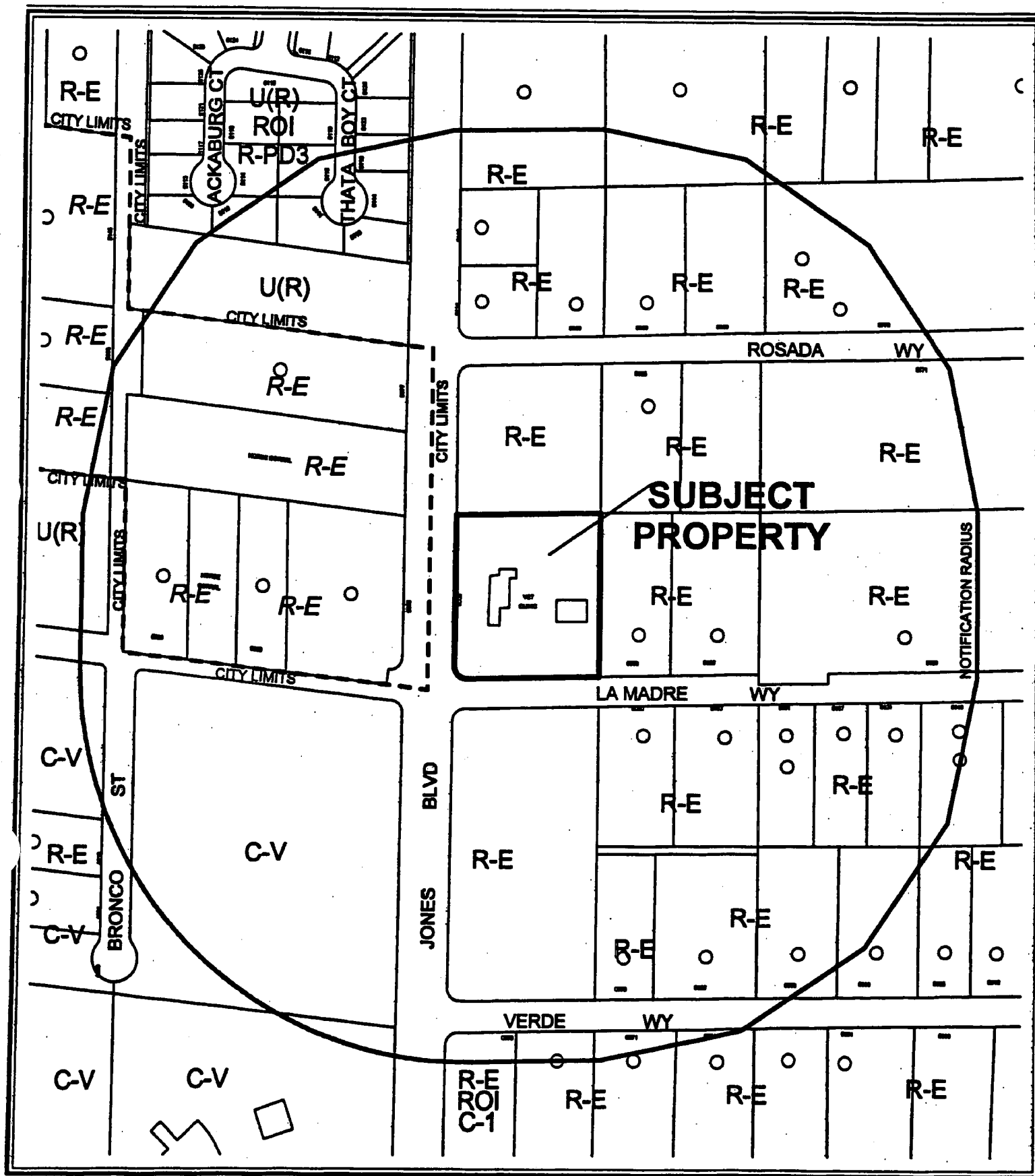
Public Works

16. Construct half-street improvements, including appropriate overpaving, on La Madre Way adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

17. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
18. 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 submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.



CASE: SDR-5094

RADIUS: 750 FT

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

0 200 400 Feet

100



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - SDR-5094 - APPLICANT: GARTH W. LAMB – OWNER: GARTH W. LAMB AND SHARI L.HUMBLE-LAMB

THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 15, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Special Use Permit (SUP-5228) approved by the City Council.
2. The Site Development Plan Review shall expire for the proposed building addition two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations dated 12/09/04, except as amended by conditions herein.
4. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit.
5. The parking and loading area for the front (west) of the building shall be fully paved, including the area at the southwest corner of the site.
6. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application made for a building permit.
7. Waivers shall be granted in the Landscape, Wall and Buffer Guidelines of Title 18 for parking areas, perimeter landscaping, and foundation landscaping, except for the following:
 - Planting islands with trees shall be provided at the ends of parking rows, except where abutting the curved sidewalk in front.
 - All trees shall be planted at a 24-inch box size and noted on the landscape plan.
 - The species of all plant materials shall be indicated on the landscape plan.
 - Four, five-gallon shrubs shall be planted with each tree along both streets and in parking areas and illustrated on the landscape plan.
8. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Lighting shall be directed away from abutting residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any additions or changes to existing perimeter walls shall be with a decorative block wall, with at least 20 percent contrasting materials. No wood shall be used as a material.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.
15. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

16. Construct half-street improvements, including appropriate overpaving, on La Madre Way adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
17. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
18. 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 submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for an existing Animal Hospital, Clinic, or Shelter with Outside Pens and an addition to the Animal Hospital, Clinic, or Shelter on 2.18 acres at 5000 North Jones Boulevard. Waivers are requested in the Landscape, Wall and Buffer Standards of Title 19.

B) Applicant's Justification

The applicant states in a letter attached to the application that an additional building is proposed for the existing facility, "...a veterinary medicine practice specifying in horses only and has been in operation since 1998." It goes on to say: "The growth of the practice has developed to the point that additional office space and hospital/treatment room space is needed."

BACKGROUND INFORMATION

A) Previous Actions

08/27/96	The Board of Zoning Adjustment approved a Variance (V-0096-96) to allow an equine veterinary clinic where such a use on the subject site is not otherwise allowed.
10/29/03	The City Council accepted the withdrawal of a request for a Special Use Permit (SUP-2664) for a proposed 60-foot high non-stealth cellular communication tower. The Planning Commission denied the request on 09/11/03 and the staff recommended denial on 08/14/03.
10/29/03	The City Council accepted the withdrawal of a request for a Variance (VAR-2839) to allow a 60-foot high non-stealth cellular communication tower 53-feet from a residential property line where Residential Adjacency Standards require a 180-foot setback. The Planning Commission denied the request on 09/11/03 and the staff recommended denial on 08/14/03.
10/07/04	The Planning Commission recommended approval of an accompanying application for a Special Use Permit (SUP-5228) for the existing use and proposed addition. The staff recommends approval of that application.
10/07/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #45/dds).

B) Pre-Application Meeting

08/05/04 The staff reviewed with the prospective applicant the proposed addition of a building to the existing Animal Hospital, Clinic, or Shelter. The following details were mentioned:

- A van accessible space should be provided.
- Sufficient parking would be needed for an animal hospital.
- Development standards for a building in the R-E zone apply.
- Proposed building should have a cohesive architectural design with other buildings on the property.
- A six-foot landscaped buffer is required around the perimeter
- A flood study will be required.
- Minor details such as square footage, heights, and floor plans will be required with the site plan.
- A variance would be needed because of the buildings size and height (earlier thought to be an accessory building).

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres 2.18

B) Existing Land Use

Subject Property: Veterinary clinic
North: Undeveloped
South: Undeveloped
East: Single family dwelling
West: Horse corral/single family dwelling

C) Planned Land Use

Subject Property: R (Rural Density Residential)
North: R (Rural Density Residential)
South: R (Rural Density Residential)
East: R (Rural 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: Clark County [R-E (Rural Estates Residential)]

E) General Plan Compliance

The site is designated R (Rural Density Residential) on the Centennial Hills Sector Plan Map of the General Plan. The existing R-E (Residence Estates) Zoning designation is in conformance with the General Plan. An Animal Hospital, Clinic, or Shelter with Outside Pens is permitted as a Special Use in the R-E zoning district.

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

Some adjacent sites within the notification area fall within the unincorporated area of Clark County. Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" because of the accompanying request for a Special Use Permit within 500 feet of the unincorporated area.

PROJECT DESCRIPTION

An Animal Hospital, Clinic, or Shelter with Outside Pens presently exists on the subject property. The applicant proposes to construct an additional 2,890 square foot detached building which would contain office space and hospital/treatment room space. In addition to the building, pre-fabricated stalls with a roof covering attached to the existing building is proposed.

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	20,000 square feet	94,961	Y
Min. Lot Width	100 feet	283 feet	Y
Min. Setbacks			
• Front	50 feet	115/14 feet	Y/N
• Side	10 feet	15 feet	Y
• Corner	15 feet	119 feet	Y
• Rear	35 feet	99 feet	Y
Max. Building Height	2 Stories / 35 feet	25 feet	Y

Although the property is addressed off Jones Boulevard, the property fronts on La Madre Way. Consequently, a front yard of 50 feet along La Madre Way is required. An existing shed is located within the front yard setback. All other buildings and the proposed new building are located beyond this required setback. The proposed development is in compliance with Title 19 requirements.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the Residential Adjacency Standards require that a commercial building be set back from property intended for a residential use by a distance equal to three times its height. The proposed building is 25 feet high, requiring a Residential Adjacency separation of 75 feet. The closest distance between the building and adjacent residential properties is 99 feet. The proposed building complies with the adjacency standards.

A3) Parking and Traffic Standards

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

Uses	Required		Provided		
	Ratio	Parking		Parking	
		Regular	Handicap	Regular	Handicap
Animal Hospital	1 space per 2 employees plus 1 space per doctor and examining room	10	1	22	1

One examining room is proposed for the new building. Four doctors will occupy the premises along with seven employees. A minimum of nine regular parking spaces and one handicapped space are required plus one additional parking space for each additional examining room within the existing building. A total of 22 regular spaces and one handicapped space are provided, which exceeds the required number of spaces.

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 tree/6 spaces	10 trees	4 trees
Buffer	1 tree/20 linear feet	36 trees	36 trees
Streets	1 tree/20 linear feet	19 trees	21 trees

The property is presently developed with an Animal Hospital, Clinic, or Shelter with Outside Pens. A building, barn with covered stalls, shed, parking areas, a six-foot perimeter wall, and a number of existing plant materials are present on the site. The development is generally compliant with the Landscape, Wall and Buffer Standards of Title 19; however, planting islands are required at the ends of parking rows, which if provided and planted with trees, would bring the required number of trees for the parking areas in compliance with the standards. It is recommended that landscape islands at the ends of the parking rows be provided and planted with trees.

The Landscape, Wall and Buffer Standards of Title 19 require that 15-foot planting islands be provided along the streets. Although the planting islands along Jones Boulevard are not dimensioned, they appear to be approximately eight feet wide. Because of the restricted width for the parking areas between the existing building and the street, it is recommended that a Waiver in the width of the islands be approved. In addition, no foundation landscaping is shown for either the existing or proposed building. Without substantial redevelopment of the site, it would be difficult to provide foundation landscaping for the existing building. The new building is to be constructed behind the existing building and behind a perimeter wall that extends completely around the site. Since the new building will be concealed from view of the streets and large animals will be present around the building, it is recommended that a Waiver in the foundation plantings be approved.

Additional discrepancies in the Landscape, Wall and Buffer Standards of Title 19 include the following:

- All trees are to be planted at a 24-inch box size and noted on the landscape plan.
- The species of all plant materials should be indicated on the landscape plan.
- Four, five-gallon shrubs should be planted with each tree along both streets and in parking areas and illustrated on the landscape plan.

It is recommended that the development comply with these standards.

B) General Analysis and Discussion

- Zoning

The present zoning of the property is R-E (Residence Estates). Although the present use is permitted in an R-E (Residence Estates) Zone with a Special Use Permit, a Variance (V-0096-96) approved by the Board of Zoning Adjustment in 1996 permitted it. With the new building addition, the property owner is subject to the provisions established for a Special Use Permit as well as those for this Site Development Plan Review.

- Site Plan

Many details were not shown/included with the original site plan submitted for review. A revised set of plans has been submitted since the Planning Commission approved the request. The revised plans show substantial compliance with Title 18 requirements, and the Conditions of Approval for this report have been changed to reflect the revisions. These changes are addressed in the section on "Planning Commission Action" below.

The site plan shows the location of the existing and proposed buildings for the veterinarian clinic. The new building is to be located entirely behind the existing building and is to contain four offices, an examining room, and a storage area. Except for the parking areas, the site is entirely enclosed by an existing perimeter wall. The site has access from both Jones Boulevard and La Madre Way. An abundance of landscaping is being added to the development that will provide an attractive setting for the clinic.

- Landscape Plan

The landscape plan shows substantial compliance with the Landscape, Wall and Buffer Standards of Title 19; however, there are a few deficiencies noted as follows:

- Street tree islands are required to be 15 feet wide; approximately eight-foot wide islands are shown along Jones Boulevard.
- No foundation landscaping is shown for either the existing or proposed building.
- Planting islands with trees are required at the ends of parking rows.
- All trees should be planted at a 24-inch box size and noted on the landscape plan.
- The species of all plant materials should be indicated on the landscape plan.
- Four, five-gallon shrubs should be planted with each tree along both streets and in parking areas and illustrated on the landscape plan.

These deficiencies are addressed in the next session under "Waivers" and in the Conditions of approval for this report.

- Waivers

Waivers are requested in the parking, buffer and streetscape standards noted above. As addressed in the section above on "Landscape Standards," it is recommended that Waivers be granted in the width of the street tree islands along Jones Boulevard and in the foundation landscaping for the existing and proposed buildings. It is recommended that all other deficiencies noted in the section above be met.

- Elevation

The proposed building is to consist of stucco walls colored to match the existing building. The trim and fascia color is also to match the trim color on the existing building. The roof will consist of concrete tiles. A metal roof is proposed for the new pre-fabricated stalls. The stalls are located behind and obscured by the existing building from the streets.

- Floor Plan

Floor plans have been submitted that show 2,890 square feet of space for offices and hospital/treatment rooms.

FINDINGS

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

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

The area surrounding the existing Animal Hospital, Clinic, or Shelter with Outside Pens is rural in character. The existing use and proposed expansion of the use are compatible with this rural 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 use complies with the General Plan and with Title 19 requirements, except for noted discrepancies in the Landscape, Wall and Buffer Standards. These deficiencies are addressed above and in the Conditions of approval for this report.

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

The property fronts on Jones Boulevard, which according to the Master Plan of Streets and Highways is a Primary Arterial Street (100-foot right-of-way width). Access to the development would be from Jones Boulevard. Limited access will also be provided from La Madre Way, a minor street. These streets provide adequate access to the property and would not be impacted by the limited traffic from this site.

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

The building materials will consist of materials and colors that match the existing building and are appropriate for the area. The species of landscape materials are not noted.

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

As noted above, the existing equine Animal Hospital, Clinic, or Shelter with Outside Pens is a use that is closely associated with the rural area that surrounds it. Consequently, the present animal hospital and proposed addition to it are compatible uses. The development is being provided with a substantial amount of landscaping and other amenities that will make it an asset to the area.

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

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

PLANNING COMMISSION ACTION

The Planning Commission added Condition #5 as shown.

Conditions approved by the Planning Commission and amended in this report to address changes and corrections with the submittal of revised plans, include the following:

3. *As approved by Commission:*

All development shall be in conformance with the site plan and building elevations dated 08/24/04, or as subsequently amended, except as amended by conditions herein.

As amended:

All development shall be in conformance with the site plan and building elevations dated 12/09/04, except as amended by conditions herein.

4. *As approved by the Commission:*

The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time the application is reviewed by the City Council to address the conditions and concerns of this report.

As amended:

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

6. *As approved by the Commission:*

The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time the application is reviewed by the City Council to illustrate closer compliance with the Landscape, Wall and Buffer Standards of Title 19 as addressed in this report.

As amended:

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

The following item is added as a condition of approval to address changes and corrections with the submittal of revised plans, and include the following:

7. Waivers shall be granted in the Landscape, Wall and Buffer Guidelines of Title 18 for parking areas, perimeter landscaping, and foundation landscaping, except for the following:
 - Planting islands with trees shall be provided at the ends of parking rows, except where abutting the curved sidewalk in front.
 - All trees shall be planted at a 24-inch box size and noted on the landscape plan.
 - The species of all plant materials shall be indicated on the landscape plan.
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NOTICES MAILED 43 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5094 APN: 125-36-302-005
Name of Property Owner: GARTH LAMB
Name of Applicant: _____

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

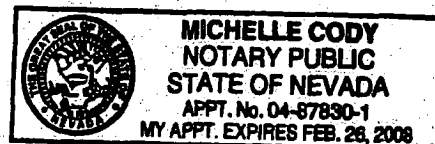
Print Name: _____

GARTH W. LAMB

Subscribed and sworn before me

This 11 day of August, 2004

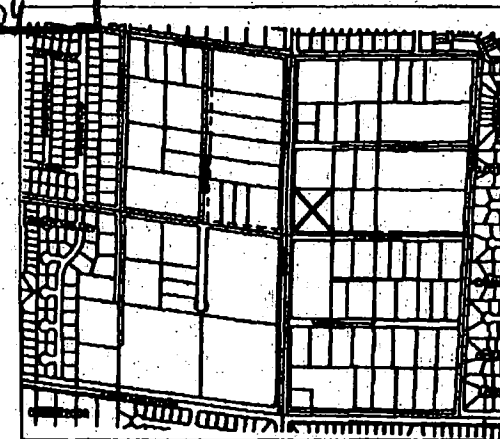
Michelle Cody
Notary Public in and for said County and State



REVISED

12-9-04

VACANT LOT / R-E ZONED

R-E ZONED
EXST'G SFRVICINITY MAP
SCALE: NONE

SYMBOL	DESCRIPTION
●	MANHOLE
○	WATER VALVE
□	WATER METER
△	WATER METER VALVE

R-E ZONED

R-E ZONED
EXST'G SFR

PROJECT DATA:

PROJECT ADDRESS:	5000 N. JONES BLVD. LAS VEGAS, NV 89130
ZONING:	R-E
BUILDING AREA:	1,806 USEABLE SF 1ST FLOOR 954 USEABLE SF 2ND FLOOR
PARKING SPACES:	10 SPACES REQUIRED 22 SPACES PROVIDED
PRIMARY OCCUPANCY:	VETERINARY CLINIC
CONSTRUCTION TYPE:	WOOD FRAMED SPRINKLED - NO
STRUCTURAL SYSTEM:	2 X 6 EXTERIOR BEARING WALLS WOOD TRUSS ROOF STRUCTURE BUILDING HEIGHT 20' (EXST'G BLD'G 18') STORIES 2 (EXST'G BLD'G 2) BUILDING AREA 2880 (EXST'G BLD'G 1800) OCCUPANCY LOAD 19
APPLICABLE CODES:	2003 INTERNATIONAL BUILDING CODE 2003 INTERNATIONAL RESIDENTIAL CODE 2000 UNIFORM FLUORINE CODE 2000 UNIFORM MECHANICAL CODE 2002 NATIONAL ELECTRICAL CODE 1998 NATIONAL ELECTRICAL CODE SOUTHERN NEVADA AMENDMENTS

RECEIVED

DEC 9 2004

REVISIONS NOTE: LANDSCAPING AND A PERMANENT UNDERGROUND DRAINAGE SYSTEM SHALL BE INSTALLED AND SHALL BE PERMANENTLY MAINTAINED AND INTERFERED BY ANY OTHER DEVELOPMENT. FAILURE TO MAINTAIN AND INTERFERED BY ANY OTHER DEVELOPMENT. FAILURE TO MAINTAIN AND INTERFERED BY ANY OTHER DEVELOPMENT. FAILURE TO MAINTAIN AND INTERFERED BY ANY OTHER DEVELOPMENT.

PARKING REQ'T'S:

VETERINARY CLINIC REQ. PARKING
7 EMPLOYEES @ 1 SPACE FOR 2 = 4 STAND. SIZE
4 DOCTORS @ 1 SPACE FOR 1 = 4 STAND. SIZE
2 EXAM ROOMS @ 1 SPACE FOR 1 = 2 STAND. SIZE
SPACES NEEDED: 10 STAND. SIZE

PARKING SPACES REQ'D:
70% REQ'D @ STANDARD SIZE 9
30% ALLOWABLE COMPACT SIZE 0
HANDICAP SPACES 1

EXISTING PARKING PROVIDED:
STANDARD SPACES 22
HANDICAP SPACES 1

NOTES: ALL LANDSCAPING SHALL BE INSTALLED AND MAINTAINED PERMANENTLY. ALL LANDSCAPING SHALL BE INSTALLED AND MAINTAINED PERMANENTLY. ALL LANDSCAPING SHALL BE INSTALLED AND MAINTAINED PERMANENTLY. ALL LANDSCAPING SHALL BE INSTALLED AND MAINTAINED PERMANENTLY.

MOUNTAIN CONTRACTING
& DEVELOPMENT7495 ROSEL AVENUE
LAS VEGAS, NV 89124

645-5942

CONTACT: KIMM MOREY

PLOT/LANDSCAPING PLAN

1" = 20'-0" 5000 N. JONES BLVD.
LAS VEGAS, NV 89130

LAMB VETERINARY CLINIC

ADDITION

PLOT PLAN

W. LA MADRE WAY

VACANT LOT / R-E ZONED

NORTH JONES BOULEVARD

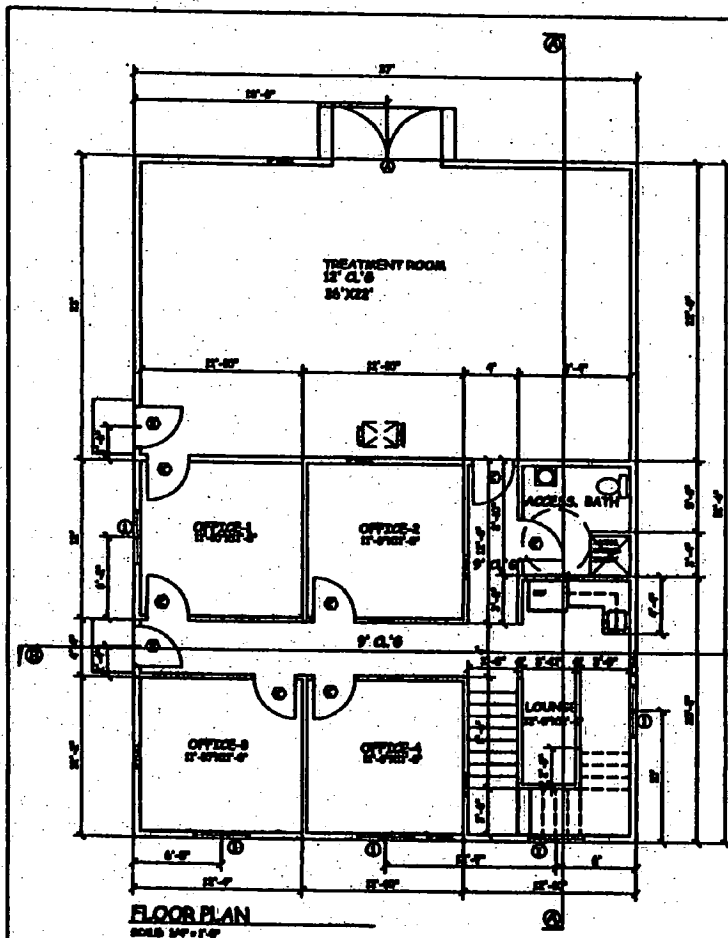
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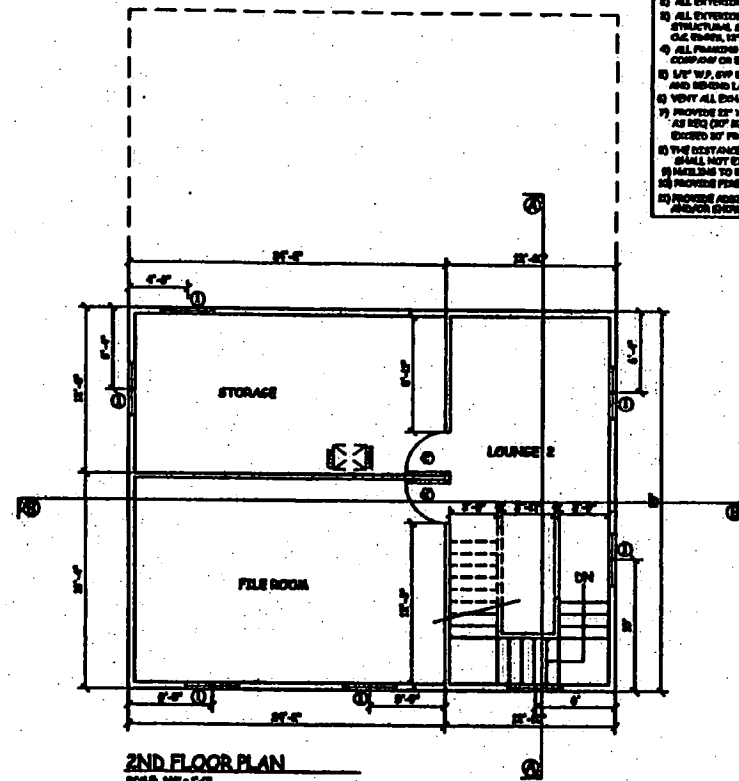


WINDOW SCHEDULE

NO.	QTY	DESCRIPTION
1	1	6'-0" x 4'-0" AT REAR
2	2	6'-0" x 4'-0" AT REAR

DOOR SCHEDULE

NO.	QTY	DESCRIPTION
1	1	6'-0" x 4'-0" AT REAR
2	2	6'-0" x 4'-0" AT REAR
3	1	6'-0" x 4'-0" AT REAR



- GENERAL NOTES:**
1. ALL FINISHES LISTED TO BE CLAY, SPAN, OR LIME
 2. ALL EXTERIOR WALLS TO BE 8" AT 12" O.C.
 3. ALL EXTERIOR SLOTTINGS TO BE 5/8" DIA. RATED STRUCTURAL SLOTTINGS HAZEL WITH 6" O.C. SLOTTING 12" O.C. FILLING IN OTHER SLOTTINGS
 4. ALL FINISHES CONNECTORS TO BE CORROSION RESISTANT OR EQUIVALENT
 5. 1/2" W.P. GIP RID UNDER ALL TUBS, SHOWERS, AND SINKS LIPS AND EDGES
 6. VENT ALL EXHAUST FANS TO OUTSIDE AIR
 7. PROVIDE 22" x 22" ATTIC & CRAWL ACCESS AS REQ (NOT FOR HEADROOM) FURNACE SHALL NOT EXCEED 30" FROM ACCESS OPENING
 8. THE DISTANCE FROM THE ATTIC ACCESS TO THE FURNACE SHALL NOT EXCEED 30 FEET, (SECTION 051100)
 9. HAZELING TO BE PER 2000 ETC HAZELING SCHEDULE
 10. PROVIDE FIVE BLOCKS PER 1000 ETC
 11. PROVIDE ADDITIONAL SAFETY GLASSING FOR ALL THE ABOVE SLOTTINGS

MOUNTAIN CONTRACTING & DEVELOPMENT
7800 ROSEL AVENUE
LAS VEGAS, NV 89124
645-0942
CONTACT JOHN MOREY

FLOOR PLANS ADDITION

NO.	QTY	DESCRIPTION
1	1	6'-0" x 4'-0" AT REAR
2	2	6'-0" x 4'-0" AT REAR
3	1	6'-0" x 4'-0" AT REAR

LAMB VETERINARY CLINIC
ADDITION 2

SUP-5228
SDR-5094
10-07-04 PC



3 ALL EXTERIOR WALLS TO BE STUCCO-LIKE TO MATCH EXIST'S SLOE
 SAVES A TREE TO BE PAINTED WOOD TO MATCH EXIST'S SLOE
 4 ALL FASCIA TO BE 2" X 4" PAINTED WOOD TO MATCH EXIST'S SLOE
 5 ROOF TO BE CORNE TYPE W/SHED OF G22
 6 ATTIC VENTS TO BE CORNER SAVE OR GABLE
 W/RAIP W/SHED A 2" X 4" TYPE WITH AREA AS NOTED

Upper Room
 1000 cfm @ 100' = 7.28 cfm. NET FREE VENTILATION REQ'D
 IS 2.84 cfm. 100 VENTS @ 2 cfm. = 2.00 cfm. 1 DOWNER VENTS @ 2.00 cfm.
 FOR TOTAL 2.00 cfm. NET FREE VENTILATION PROVIDED

Lower Room
 625 cfm @ 100' = 4.93 cfm. NET FREE VENTILATION REQ'D
 IS 1.84 cfm. 100 VENTS @ 2 cfm. = 2.00 cfm. 2 DOWNER VENTS @ 4.00 cfm.
 FOR TOTAL 7.93 cfm. NET FREE VENTILATION PROVIDED

EXP. NO. FT. UPPER Q. V.
EXP. NO. FT. LOWER Q. V.

ADDITION

1

SUP-5228
SDR-5094

10-07-04 PC

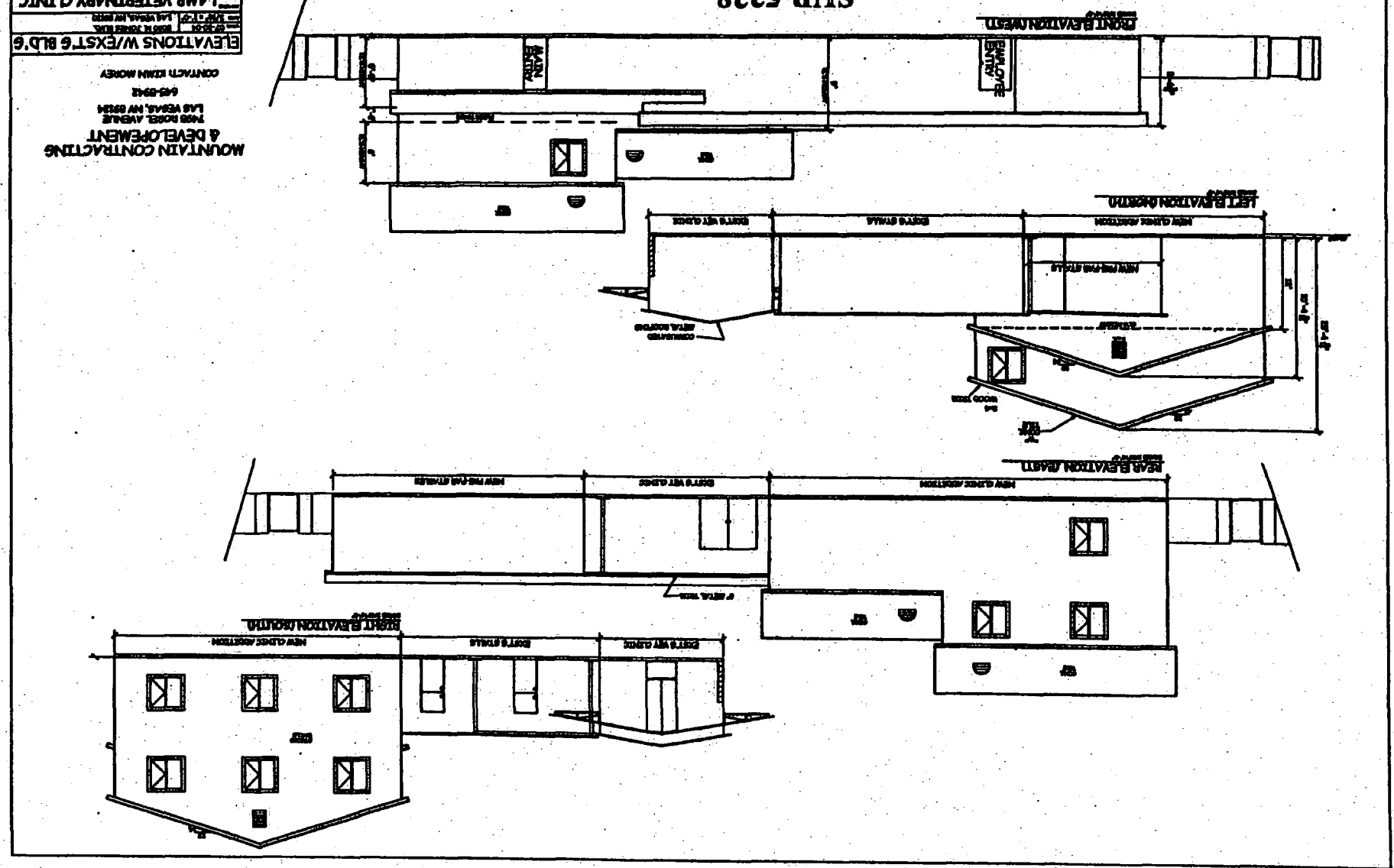
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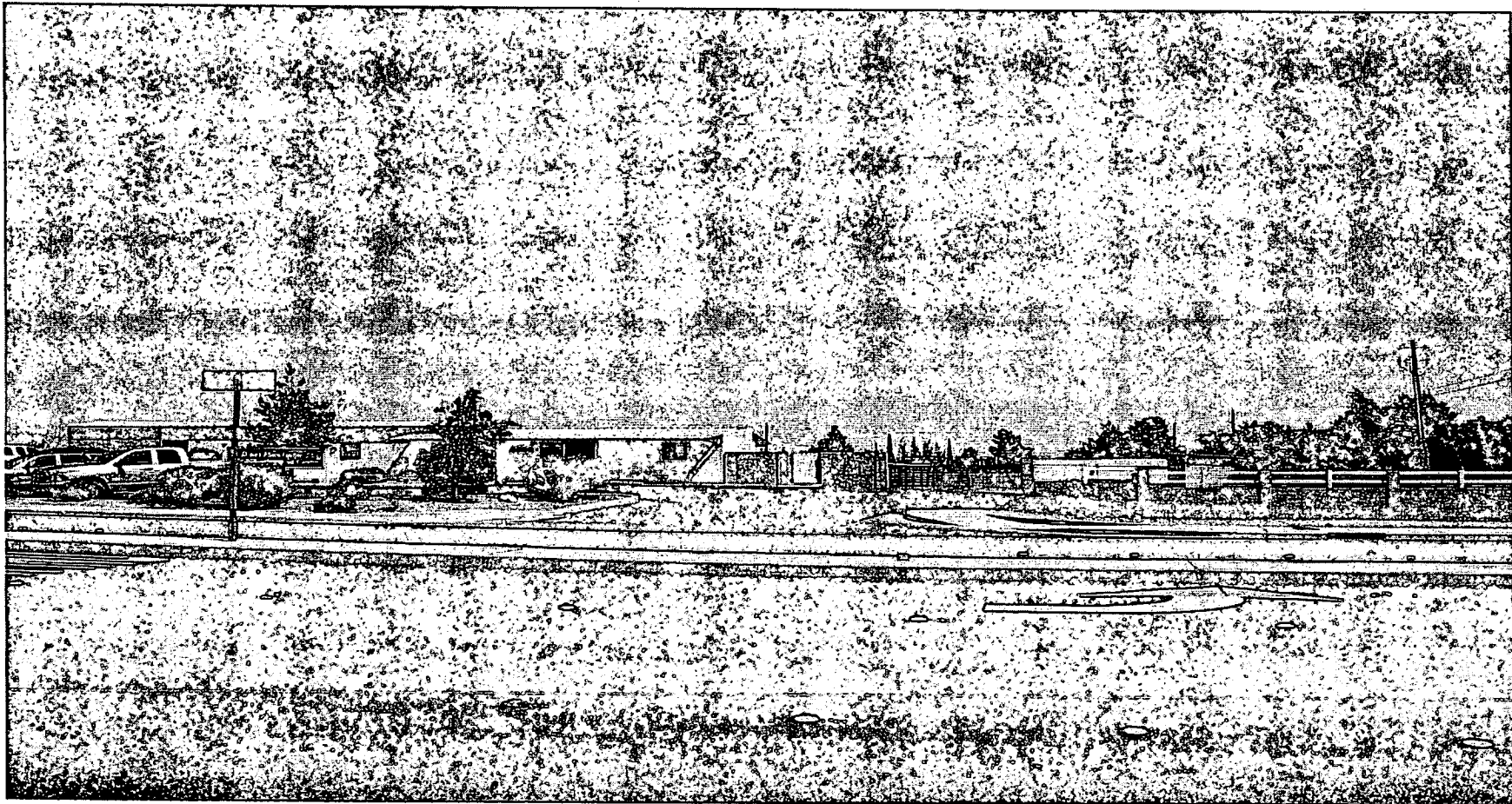
SDR-5094

SUP-5228

ADDITION
LAMB VETERINARY CLINIC
ELEVATIONS W/EXST'G BLD'G

MOUNTAIN CONTRACTING & DEVELOPMENT
7000 ROSEL AVENUE
LAS VEGAS, NV 89124
CONTACT KEVIN MOREY
645-8942





SDR-5094 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: GARTH W. LAMB
- OWNER: GARTH W. LAMB AND SHARI L. HUMBLE-LAMB
5000 NORTH JONES BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4930 - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA PAVILION NORTH U.S., INC. - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED AND FOR WAIVERS OF THE 1,000-FOOT DISTANCE SEPARATION REQUIREMENT BETWEEN SIMILAR USES AND THE 200-FOOT DISTANCE SEPARATION REQUIREMENT FROM RESIDENTIAL USES at 2121 South Decatur Boulevard, Suite #29 (APN 162-06-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-1 vote) recommends APPROVAL. (NOTE: STAFF REQUESTS THIS ITEM BE STRICKEN)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map - Not Applicable
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 12/16/2004 Planning Commission meeting Item 26

MOTION:

MONCRIEF - STRIKE - UNANIMOUS with WEEKLY not voting and GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

MARGO WHEELER, Director, Planning and Development Department, requested the item be stricken because it needs to be renoticed due to a change in address.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:30 - 2:31)

3-3558

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-4930 - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA PAVILION NORTH U.S., INC.

STAFF REQUESTS THIS ITEM BE STRICKEN.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of this Special Use Permit shall constitute approval of waivers of the minimum 1,500 square foot size requirement, thereby allowing the use to occur in a 1,293 square foot tenant space and of the required 1,000-foot distance separation between similar uses and the 200-foot distance separation requirement from residential uses.
2. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified use.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

08/05/87	The City Council approved a Rezoning (Z-0057-87) to C-1 (Limited Commercial) on 38.5 acres, including this property, as part of a larger request. The Planning Commission and staff recommended approval.
05/12/88	The Planning Commission approved a Plot Plan Review [Z-0057-87(1)] for a proposed shopping center on this site.
10/01/03	The City Council denied a request for a Special Use Permit (SUP-2655) for a proposed Financial Institution, Specified (Cashback Payday Loans) at this location (2121 South Decatur Boulevard, Suite 2). The Planning Commission and staff recommended approval.
04/21/04	The City Council adopted an ordinance (proposed as Bill No. 2003-78) establishing locational restrictions and additional development standards for the uses "Auto Pawn," "Auto Title Loan," and "Specified Financial Institution."

- 10/21/04 The Planning Commission voted to hold this item in abeyance to allow the applicant time to prepare the request.
- 11/18/04 The Planning Commission voted to hold this item in abeyance to publish notice of public hearing for location of the proposed use in Suite #29 instead of Suite #2.
- 12/16/04 The Planning Commission voted 4-1 to recommend APPROVAL (PC Agenda Item #26/bts/ss).
- 12/22/04 The applicant submitted revised plans depicting a relocation of the proposed Financial Institution, Specified to another tenant space within the shopping center.

B) Pre-Application Meeting

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 29.40 (overall commercial subdivision)

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

INTERAGENCY ISSUES

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

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

The Special Use Permit concerns property that is located within 75 feet of the City of Las Vegas boundary with Clark County. An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

- 1) The City of Las Vegas Department of Public Works (Sanitary Sewers Division) indicated that the proposed development would have minimal impact on the existing sewer system.
- 2) The City of Las Vegas Department of Public Works (Flood Control Division) will not require a drainage study for this project.
- 3) The Las Vegas Metropolitan Police Department did not find a significant law enforcement impact on the surrounding area.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	1,2930 SF.	1/200 GFA	8	1	1,340	Not Shown

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

A2) Minimum Distance Separation Requirements

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

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

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

A3) Financial Institution, Specified Building Size

Standards	Code Requirement	Provided
Financial Institution, Specified	The building or portion thereof that is dedicated to the use shall have a minimum size of 1,500 square feet.	1,293 square feet

At 1,293 square feet, the proposed Financial Institution, Specified does not meet the minimum 1,500 square foot space size requirement. Approval of this Special Use Permit would constitute approval of a waiver of the minimum 1,500 square foot size requirement.

B) *General Analysis and Discussion*

- Zoning

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

- Use

The proposed Financial Institution, Specified offers consumer cash loans to its customers. The business will be located within a 1,293 square-foot tenant space within an existing, approved building; therefore, no exterior work will be performed other than replacement of wall signage, ensuring compatibility with the shopping center and surrounding development. There are two Financial Institution, Specified uses within 1,000 feet of the subject parcel and two multi-family developments adjacent to the subject parcel. This particular use and waivers are recommended for denial for the following reasons:

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

- Conditions

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

1. The use shall comply with all applicable requirements of Las Vegas Municipal Code Title 6. (Non-waivable)
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area. (Non-waivable)
3. No temporary signs (as described in Las Vegas Municipal Code 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not:
 - a. Cover more than twenty percent (20%) of the area of all exterior windows;
 - b. Include flashing lights or neon lighting; or
 - c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to lines of fee interest parcels and not leasehold parcels.

The proposed check-cashing center fails to comply with Paragraph Number 7 of the ordinance. The subject site is adjacent to condominium and apartment developments and lies within the 1,000-foot minimum distance separation from two similar uses.

FINDINGS

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

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

Although this use falls within the parameters of the SC (Service Commercial) category, its specific location makes it incompatible with surrounding land uses. The parcels to the north and east are designated M (Medium Density Residential). The residential parcel east of the subject site shares a common property line. The Zoning Code requires a 200-foot buffer between Specified Financial Institutions and residential uses. Additionally, the use is proposed to be located within 1,000 feet of two similar uses, therefore creating a higher probability of saturation in the area. The proposed land use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan. This is exemplified through the number of waivers requested by the applicant in order to gain approval.

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

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

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

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

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

The public health, safety, and welfare and the objectives of the General Plan would not be compromised as a result of the approval of a Special Use Permit, because the proposed Financial Institution, Specified would be subject to inspections for a Certificate of Occupancy.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
ON THIS ITEM WHICH IS NOW APPEARING
BEFORE THE CITY COUNCIL**

SUP 4950

11-18-04 09:57am From-Curran & Parry

7024717070

T-008 P.004/005 F-662

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

Tony Woo
Print Name MAYFLOWER

11/18/04
Date

Y Woo
Signature

READ INTO
THE RECORD

SUP 4930

11-18-04 08:57am From-Curran & Parry

7024717070

T-008 P.003/005 F-662

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

Shawn Benson / president 18 Nov 04
Print Name Date

[Signature]
Signature

Dark Tower Comics

READ INTO
THE RECORD

SUP 4930

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

ELIE TABACHRY

Print Name

11-18-04

Date



Signature

READ INTO
THE RECORD

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-5554 - PUBLIC HEARING - APPLICANT: SCOTT ASHJIAN - OWNER: W.I.T. BRO, INC. D/B/A A & A ASPHALT PAVING COMPANY - Request for a Special Use Permit FOR A PROPOSED AUTO DETAIL FACILITY at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions and the following added condition as read for the record:

- All detail and mechanical work shall be conducted within an enclosed building. No machines shall be used outside and proper drainage shall be provided for the water used to wash the cars.
- UNANIMOUS with GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 102 [SUP-5554] and Item 103 [SDR-5553].

JACK LOHMAN, Poggemeyer Design Group, 2601 North Tenaya Way, appeared together with the applicant, SCOTT ASHJIAN, 8623 Fire Mountain. MR. LOHMAN concurred with all conditions.

MR. ASHJIAN explained the proposed facility would provide auto detail services specifically for RVs, buses, motorcycles and expensive cars. There is no other facility that provides this type of service. COUNCILMAN MACK verified with MR. ASHJIAN that all detail work would be done inside the shop. The cars will be washed outside and a tent will provide shade for the vehicles being dried. No machines will be used outside and proper drainage would be provided for water used to wash the cars.

MARGO WHEELER, Director, Planning and Development Department, recommended the condition regarding signage for the auto detail facility be added on Item 103 [SDR-5553], and the issue of all detail and mechanical work shall be conducted within an enclosed building would be imposed on Item 102 [SUP-5554]. MR. ASHJIAN concurred with both added conditions.

No one appeared in opposition.

CITY COUNCIL MEETING OF: JANUARY 19, 2005

MINUTES - Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 102 [SUP-5554] and Item 103 [SDR-5553].

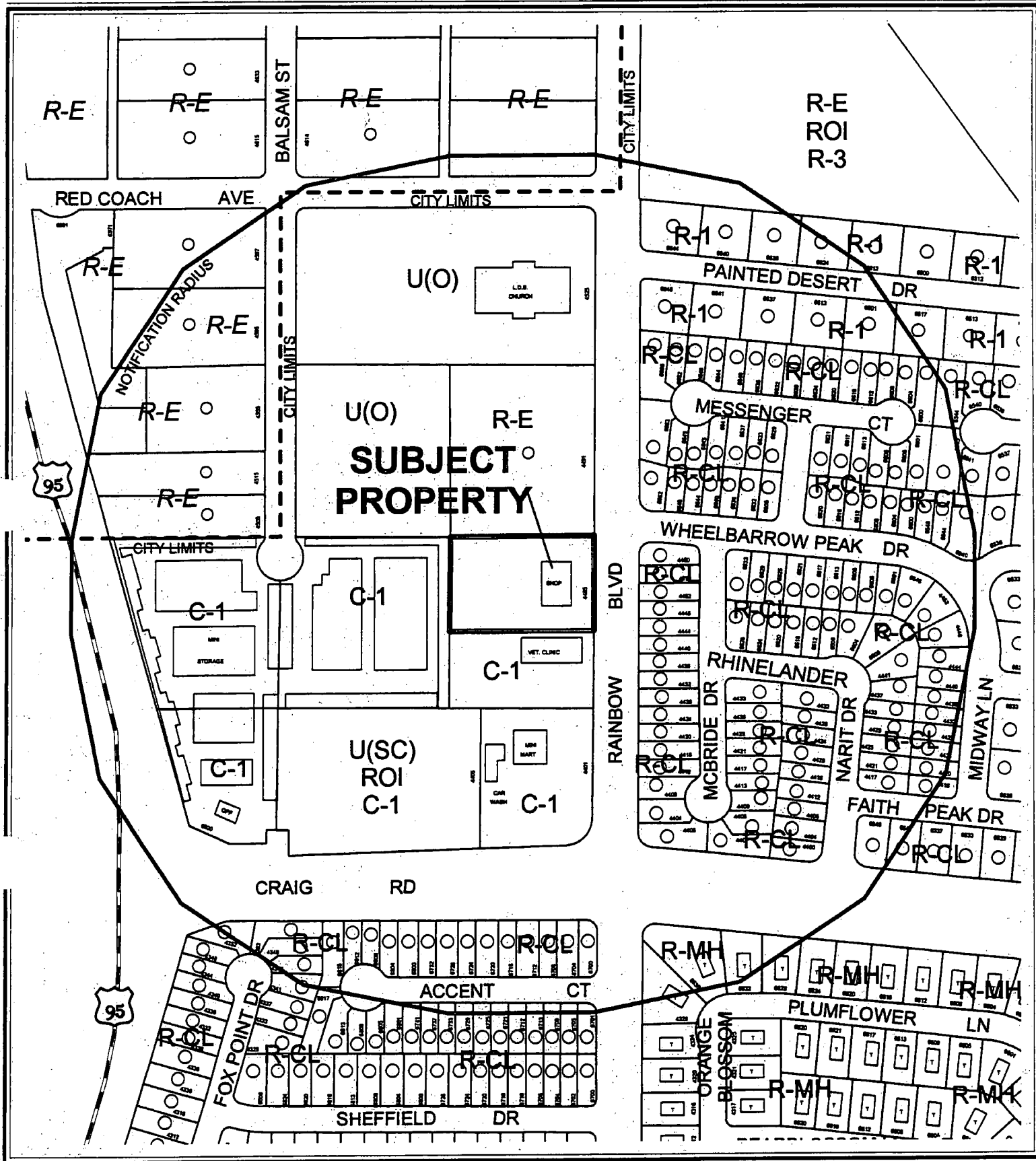
(2:31 - 2:36)

3-3629

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5553.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City code requirements and design standards of all City departments must be satisfied.



CASE: SUP-5554

RADIUS: 750 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5554 - APPLICANT: SCOTT ASHJIAN - OWNER:
W.I.T. BRO, INC. D/B/A A & A ASPHALT PAVING COMPANY**

**** CONDITIONS ****

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5553.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a proposed Auto Detail Facility at 4485 North Rainbow Boulevard.

B) Applicant's Justification

A letter has been submitted with this application presenting the following justification for the request:

- The proposed use would be located in an area that is already developed as a commercial area and would be buffered from public view from the street by an existing building on the front portion of the lot.
- The subject site is physically suitable for this type of development, because it would allow a relatively low intensity commercial use and improve the area with a modern commercial building, parking, and landscaping. The area is currently a vacant dirt lot.
- There is existing access from Rainbow Boulevard, and adequate parking and circulation are provided as shown in the site plan.
- The proposal is consistent with the General Plan land use designation of SC (Service Commercial) and the C-1 Zoning District (with the approval of the Special Use Permit).
- The proposal is consistent with the public health, safety and welfare, and, in fact, will provide a needed service for the community, employment opportunities for six to eight persons, and an additional tax base for the City.

BACKGROUND INFORMATION

A) Actions

- 07/12/99 The City Council approved a request for Rezoning (Z-0029-99) the subject property from R-E (Residence Estates) to C-1 (Limited Commercial) subject to a Resolution of Intent with a one-year time limit. The Planning Commission and staff recommended approval.
- 07/12/00 The Resolution of Intent on the subject site expired.
- 12/18/02 The City Council approved a request for Rezoning (ZON-1112) the subject property from R-E (Residence Estates) to C-1 (Limited Commercial) to convert a single-family home into a professional office building. The Planning Commission and staff recommended approval on 11/21/02.

- 12/16/004 The Planning Commission recommended approval of a Site Development Plan Review (SDR-5553) in conjunction with this application a request for a proposed 2,200 square-foot Auto Detail Facility and a Waiver of perimeter landscaping standards on the subject property.
- 12/16/04 The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda Item #38/dds).

B) Pre-Application Meeting

- 10/28/04 The staff met with the prospective applicant who indicated an interest in establishing an Auto Detail Facility on the subject site. Since the use is only permitted in a C-1 (Limited Commercial) zoning district with a Special Use Permit, the staff reviewed these procedures and requirements.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.21 Acres

B) Existing Land Use

Subject Property: Office building
North: Single-family dwelling
South: Veterinary clinic
East: Single-family dwellings
West: Mini-storage facility

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-E (Residence Estates)
South: C-1 (Limited Commercial)
East: R-CL (Residential Compact Lot)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) within the Centennial Hills Sector Plan of the General Plan. The present zoning of C-1 (Limited Commercial) is in conformance with this land use designation. The proposed Auto Detail Facility is allowed in the C-1 district subject to the approval of a Special Use Permit.

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

The site is not subject to any special districts or trail requirements. The proposed use is a Project of Regional Significance, which is discussed below.

INTERAGENCY ISSUES

Because the use is within 500 feet of land in the unincorporated portion of Clark County, pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance." An Environmental Impact Assessment questionnaire was circulated to the affected agencies and entities for the mandated 15-day period. No comments have been received.

ANALYSIS

A) Zoning Code Compliance

There are no specific Title 19 restrictions that are applicable to an Auto Detail Facility. However, the use does require the approval of a Special Use Permit.

B) General Analysis and Discussion

- **Zoning**

The subject property is zoned C-1 (Limited Commercial). An Auto Detail Facility is permitted in a C-1 (Limited Commercial) zoning district subject to the approval of a Special Use Permit.

- Use

An Auto Detail Facility is: "Any building or premises used for washing and cleaning of passenger vehicles." Unlike a self-service car wash, the detailing would be accomplished by trained persons who would perform this service.

- Conditions

There are no specific conditions of Title 19 that are applicable to an Auto Detail Facility.

FINDINGS

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

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

To the west of the subject property is a mini-storage facility and to the south is a veterinarian clinic. On property to the north is a single-family dwelling in an O (Office) land use designation. The dwelling is located approximately 210 feet from the subject property. Across the street are single-family residences that would be screened from view by an existing office building to the front of the property that is owned by the applicant. The proposed Auto Detail Facility would be harmonious and compatible to existing and future land uses, particularly with the perimeter buffers proposed.

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

The subject site has sufficient land area to support an Auto Detail Facility and to meet the requirements for the use.

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

The Auto Detail Facility would have access to Rainbow Boulevard, a secondary collector (80-foot wide) street. The street is designed to provide adequate access to the property.

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

The proposed Auto Detail Facility would be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

NOTICES MAILED 183 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5554** APN: **138-03-602-013**

Name of Property Owner: W.I.T.BRO Inc. c/o Scott Ashjian

Name of Applicant: Scott Ashjian

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

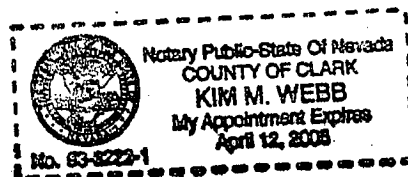
Signature of Property Owner/Authorized Agent: _____

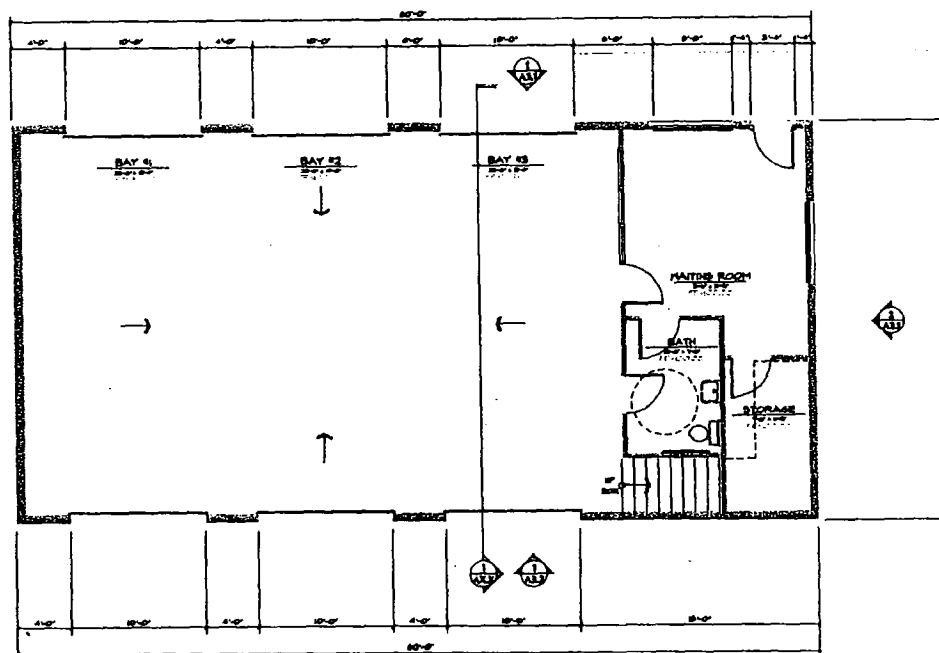
Print Name: Scott Ashjian

Subscribed and sworn before me

This 27th day of October, 2004

Kenneth Webb
Notary Public in and for said County and State





PLAN NOTES

1. REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL NOTES AND DETAILS PERTAINING TO FOUNDATION STRUCTURE.
2. ALL STEEL SHIMS, WELDING, FORTS, ETC. SHALL BE PLACED PRIOR TO THE FOUNDATION FORMWORK. INSPECTOR, THE CONCRETE CONTRACTOR AND FRAMING CONTRACTOR SHALL COORDINATE THE PLACEMENT OF ALL CONNECTORS.
3. FINISH FLOOR SHALL BE 6" ABOVE FINISHED GRADE. GRADE SHALL SLOPE AWAY FROM THE BUILDING.
4. CONCRETE CONTRACTOR SHALL PROVIDE WIRE GROUND NEAR THE ELECTRIC METER. COORDINATE WITH THE ELECTRICAL CONTRACTOR.
5. FOUNDATION SUPPORTER SPREAD SHALL EXTEND AT LEAST 6" ABOVE THE ADJACENT FINISHED GRADE.
6. ALL FOUNDATION BILLS AND PLATES ON A CONCRETE SLAB SHALL BE IN DIRECT CONTACT WITH THE BATH SHALL BE PRESURE TREATED DOWNLAP-THRU ON FOUNDATION GRADE REDWOOD.
7. REFER TO MECHANICAL FOR OTHER VENT INFORMATION.
8. ALL ANGLES SHALL BE 45 DEGREE MIN.
9. CONNECTIONS ARE TO FINISHED SURFACE UNLESS NOTED.
10. ALL SLIDING GLASS DOORS AND FRENCH DOORS TO HAVE TINTED GLASS.
11. SHOWER DOORS SHALL BE SAFETY GLASS.

AREA CALCULATIONS

FIRST FLOOR	1800 SQ. FT.
MEZANINE	420 SQ. FT.
TOTAL	2220 SQ. FT.

DETAILED NOTES

- 3-4 STUDS WITH 1" SYSTEM BOARD EACH SIDE
- 3-6 STUDS WITH 1" SYSTEM BOARD EACH SIDE

WALL SCHEDULE

DRAMA/RETAIL NUMBER
ELEVATION REFERENCE
SHEET NUMBER

DRAMA/RETAIL NUMBER
DIRECTION OF CUT
ELEVATION REFERENCE
SHEET NUMBER

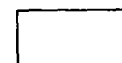
DOOR PER SCHEDULE
WINDOW PER SCHEDULE
SCHEDULE NUMBER

SYMBOLS & LEGEND

project name

A&A Paying
Auto Detailing Facility
Craig Road & Rainbow Blvd
Las Vegas, NV

keyplan



revision log



Project No.
03-215

Drawn by
FPD

Checked by
JWA

City of Las Vegas Planning Submittal
08.08.04

Sheet Contents

First Floor Plan

Sheet No.

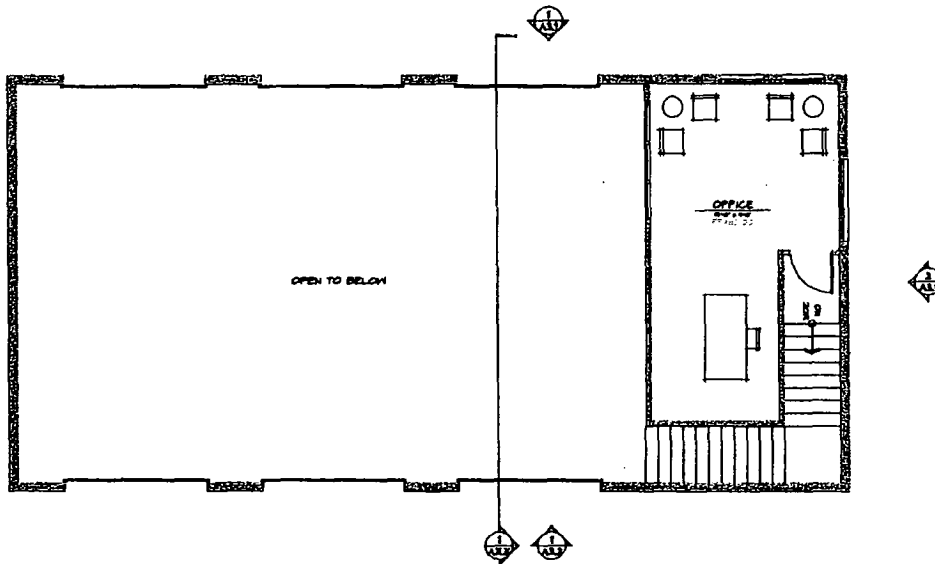
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SUP-5554

12/16/04 PC

RECEIVED

NOV 01 2004



PLAN NOTES

1. REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL NOTES AND DETAILS PERTAINING TO FOUNDATION STRUCTURE.
2. ALL STEEL BARS, HOLDINGS, POSTERS, ETC. SHALL BE PLACED IN PLACE PRIOR TO THE FOUNDATION POURING. INSPECTION. THE CONCRETE CONTRACTOR AND FINISH CONTRACTOR SHALL COORDINATE THE PLACEMENT OF ALL CONNECTORS.
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7. REFER TO MECHANICAL FOR DRYER VENT INFORMATION.
8. ALL ANGLES SHALL BE 45 DEGREES MIN.
9. DIMENSIONS ARE TO FINISHED SURFACE UNLESS NOTED OTHERWISE.
10. ALL GLASS DOORS AND PARTIAL DOORS TO HAVE TOP-PIECED GLASS.
11. GROUND DOORS SHALL BE SAFETY GLASS.

AREA CALCULATIONS

FIRST FLOOR	1800	SQ. FT.
MEZZANINE	450	SQ. FT.
TOTAL	2250	SQ. FT.

NOTES

- 2-1/2" STEEL WITH 1/2" SYSTEM BORED EACH SIDE
- 2-1/2" STEEL WITH 1/2" SYSTEM BORED EACH SIDE

WALL SCHEDULE

- DRAWING/DETAIL NUMBER
- REVISION/REVISION
- SHEET NUMBER

- DRAWING/DETAIL NUMBER
- DIRECTION OF CUT
- REVISION/REVISION
- SHEET NUMBER

- ① DOWN PER SCHEDULE
- ② FINISH PER SCHEDULE
- ③ SERVICE/DOOR CELLAR

SYMBOLS & LEGEND

A&A Paying
Auto Detailing Facility
Craig Road & Rainbow Blvd
Las Vegas, NV

Project No.
03-215
Drawn By
FPD
Checked By
JWA
City of Las Vegas Planning Department
09.08.04
Sheet Contents

SUP-5554 Mezzanine Floor Plan

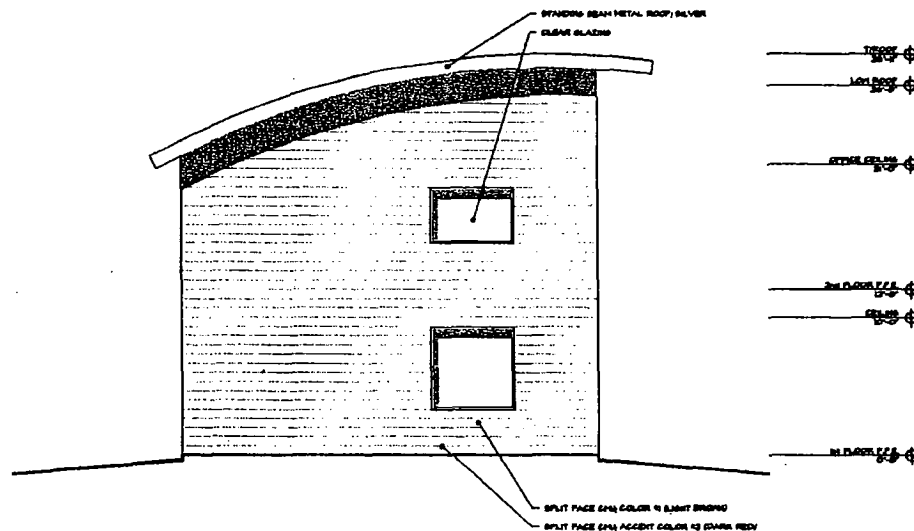
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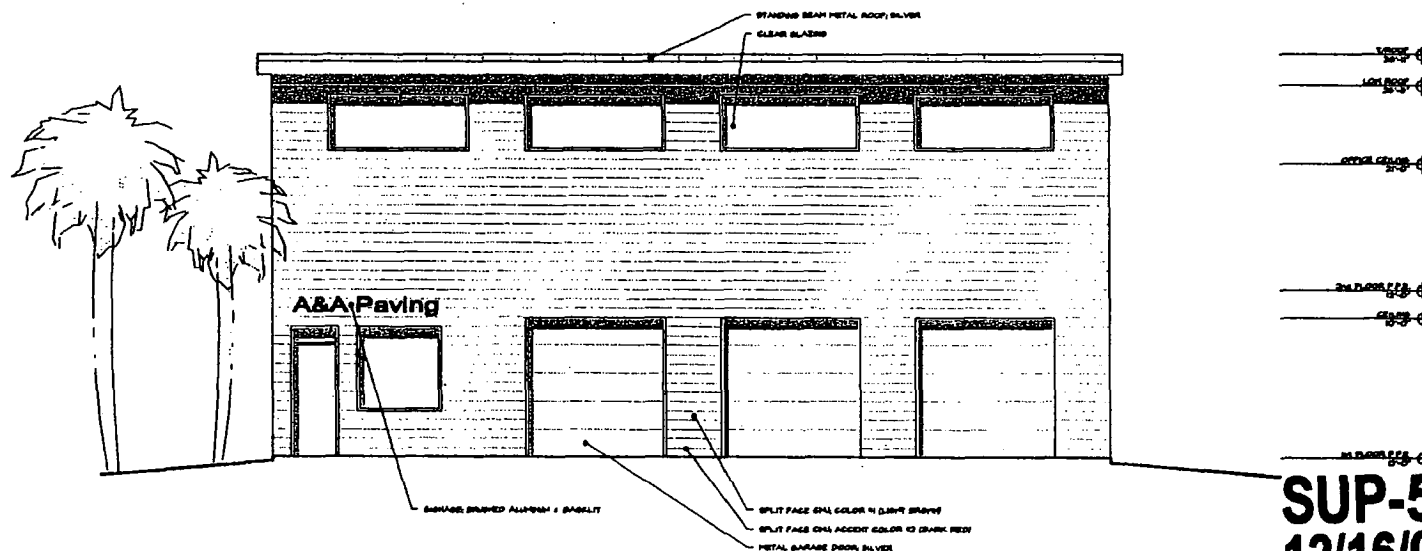
NOV 01 2004

Jonathan Algalier
Architect
8727 Champagne Wood Drive
North Las Vegas, NV 89031
consultant



East Elevation

1/4" = 1'-0"



North Elevation

1/4" = 1'-0"

SUP-5554
12/16/04 PC

North Elevation
East Elevation

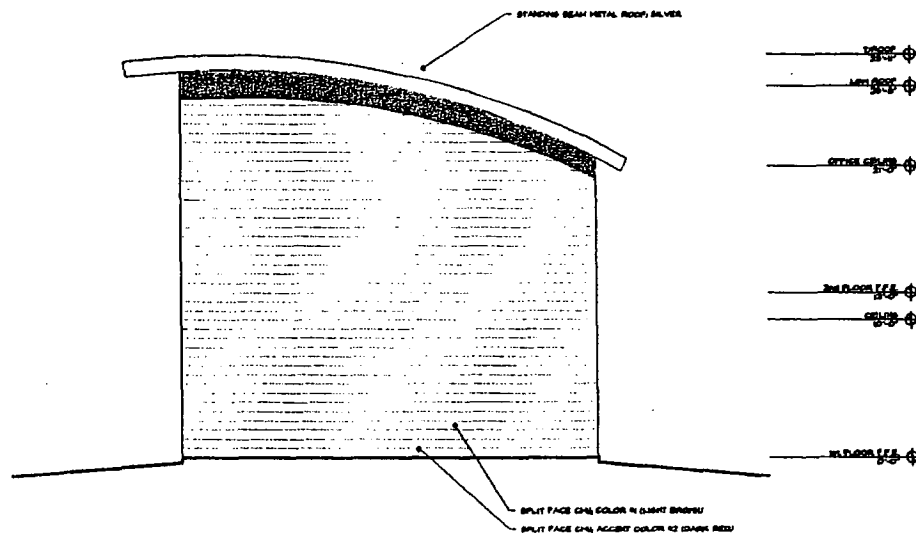
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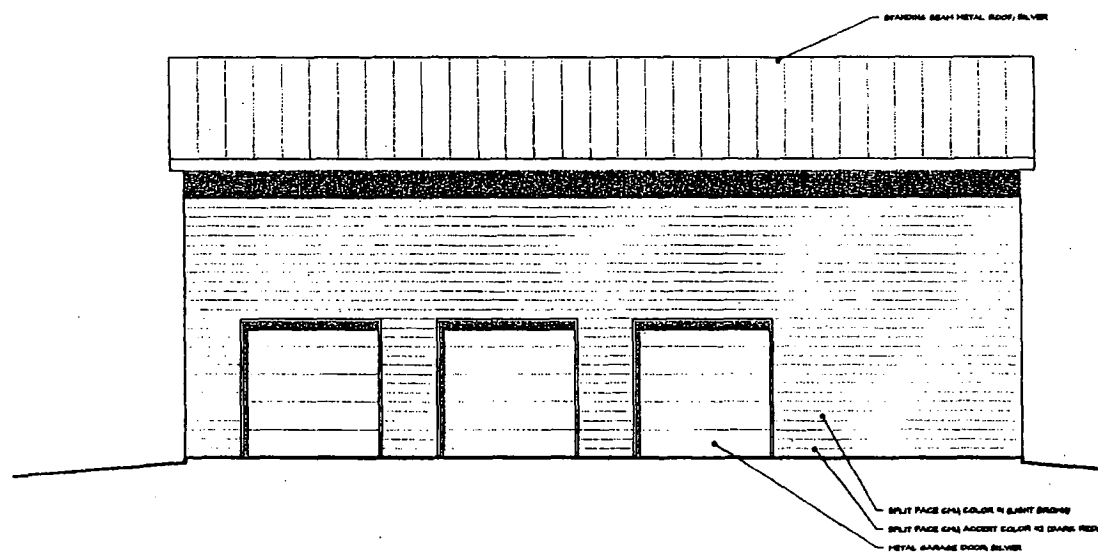
NOV 01 2004

**Jonathan Algaier
Architect**
3737 Champagne Ward Drive
North Las Vegas, NV 89031
cva@jonatn.com



WEST ELEVATION

VP - 7-2



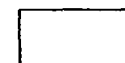
SOUTH ELEVATION

VP - 7-2

**SUP-5554
12/16/04 PC**

**A&A Paying
Auto Detailing Facility**
Craig Road & Rainbow Blvd
Las Vegas, NV

Keyplan



Revision Log



Project No.
03-215

Drawn By
FPD

Checked By
JWA

City of Las Vegas Planning Submittal
09.08.04

Sheet Contents

South Elevation
West Elevation

Sheet No.

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NOV 01 2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5554

SDR-5553 - PUBLIC HEARING - APPLICANT: SCOTT ASHJIAN - OWNER: W.I.T. BRO, INC. D/B/A A & A ASPHALT PAVING COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 2,220 SQUARE-FOOT AUTO DETAIL FACILITY AND WAIVERS OF PARKING LOT AND PERIMETER LANDSCAPING STANDARDS AND FOUNDATION LANDSCAPING STANDARDS on 1.21 acres at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions and the following added condition as read for the record:

- **Signage for the auto detail facility is limited to the area of the existing monument sign on the property adjacent to Rainbow Boulevard and one sign on the building housing the auto detail business.**
- **UNANIMOUS with GOODMAN excused**

MINUTES:

NOTE: See Item 102 [SUP-5554] for all related discussion.
(2:31 - 2:36)
3-3629

CONDITIONS:

Planning and Development

1. **A Special Use Permit (SUP-5554) approved by the City Council.**
2. **This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.**
3. **All development shall be in conformance with the site plan and building elevations date stamped 12/08/04, except as amended by conditions herein.**
4. **A request for a Waiver in the Landscape, Wall and Buffer Standards of Title 19 for the perimeter**

CITY COUNCIL MEETING OF: JANUARY 19, 2005

CONDITIONS - Continued:

landscaping along the westerly property line shall be approved.

5. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the relocation of the dumpster to a location more than 50 feet from the north property line and meet the design standards of Title 19.

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the following:

Seven minimum 24-inch box trees provided for the parking area.

Bushes planted within a minimum six-foot wide planter area along the west property line.

7. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner.

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

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

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

11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

13. All City code requirements and design standards of all City departments must be satisfied.

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

15. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the

CITY COUNCIL MEETING OF: JANUARY 19, 2005**CONDITIONS - Continued:**

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

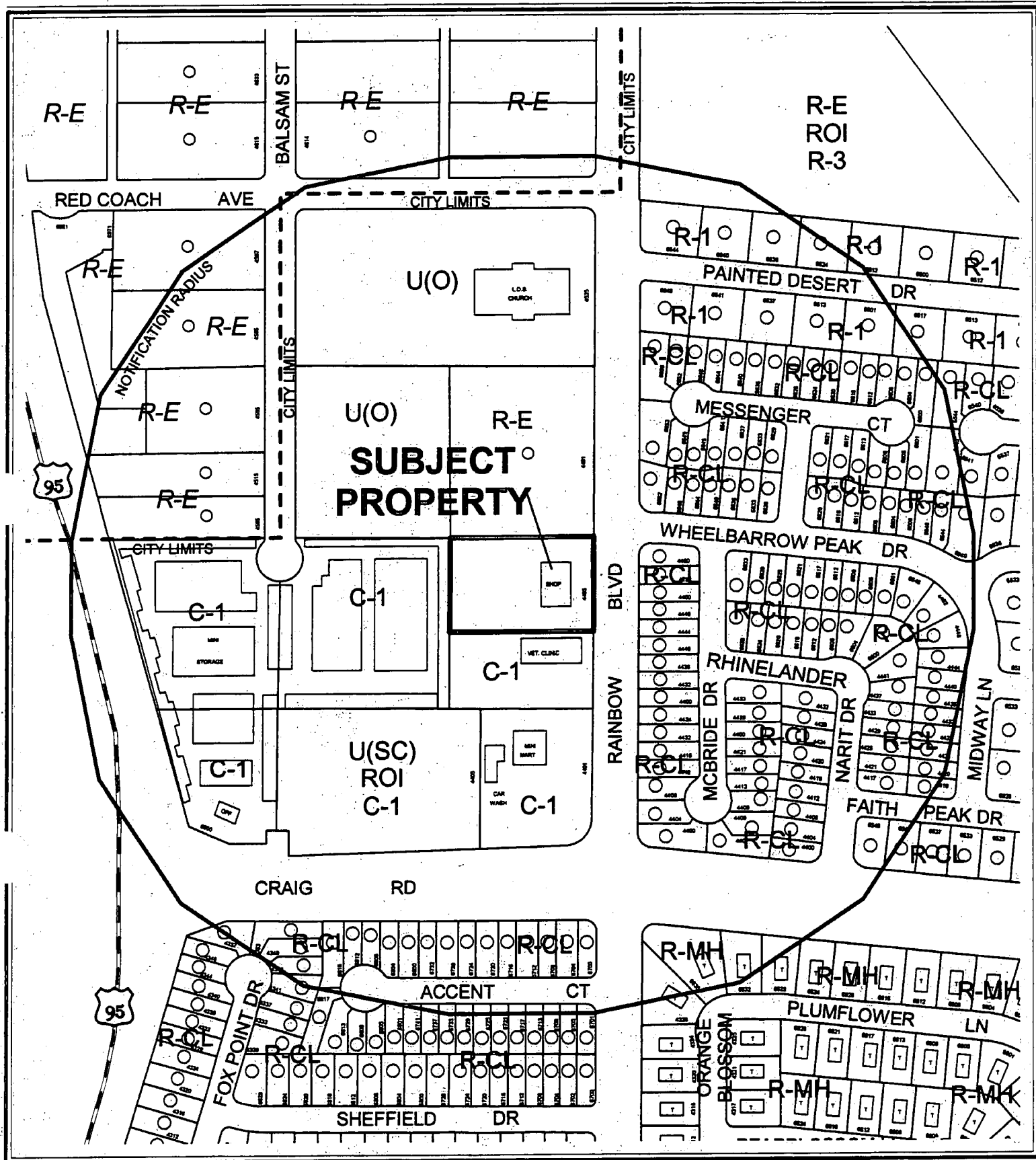
Public Works

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

17. Provide proof to the City that this site has a sewer connection to the existing sewer line in Rainbow Boulevard. If such proof cannot be provided, this site shall be required to connect to the City sanitary sewer system in Rainbow Boulevard prior to the issuance of any permits or the issuance of a Business License whichever may occur first.

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

19. Site development to comply with all applicable conditions of approval for Z-29-99, ZON-1112 and all other subsequent site-related actions.



CASE: **SDR-5553**

RADIUS: 750 FT

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





CASE: SDR-5553

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5553 - APPLICANT: SCOTT ASHJIAN - OWNER:
W.I.T. BRO, INC. D/B/A A & A ASPHALT PAVING COMPANY**

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The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

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1. A Special Use Permit (SUP-5554) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 12/08/04, except as amended by conditions herein.
4. A request for a Waiver in the Landscape, Wall and Buffer Standards of Title 19 for the perimeter landscaping along the westerly property line shall be approved.
5. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the relocation of the dumpster to a location more than 50 feet from the north property line and meet the design standards of Title 19.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the following:
 - Seven minimum 24-inch box trees provided for the parking area.
 - Bushes planted within a minimum six-foot wide planter area along the west property line.
7. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

Public Works

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
17. Provide proof to the City that this site has a sewer connection to the existing sewer line in Rainbow Boulevard. If such proof cannot be provided, this site shall be required to connect to the City sanitary sewer system in Rainbow Boulevard prior to the issuance of any permits or the issuance of a Business License whichever may occur first.

18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
19. Site development to comply with all applicable conditions of approval for Z-29-99, ZON-1112 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a proposed 2,200 square-foot Auto Detail Facility and a Waiver of perimeter landscaping standards on 1.21 acres at 4485 North Rainbow Boulevard.

B) Applicant's Justification

A letter of justification has been submitted with the application. The applicant is requesting a Waiver in the perimeter-landscaping requirement on the western edge of the subject property adjacent to a mini-storage complex. The reasons for this request are stated as follows:

- The rear of the subject property directly abuts the exterior wall of a mini-storage facility, which runs along the entire length of its western property line; and
- To implement planting in that area could have detrimental effect on the buildings of the adjacent mini-storage facility, due to encroachment of trees and roots into the structures as they mature.

BACKGROUND INFORMATION

A) Actions

07/12/99	The City Council approved a request for Rezoning (Z-0029-99) the subject property from R-E (Residence Estates) to C-1 (Limited Commercial) subject to a Resolution of Intent with a one-year time limit. The Planning Commission and staff recommended approval.
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12/18/02	The City Council approved a request for Rezoning (ZON-1112) the subject property from R-E (Residence Estates) to C-1 (Limited Commercial) to convert a single-family home into a professional office building Planning. The Planning Commission and staff recommended approval on 11/21/02.
12/16/004	The Planning Commission recommended approval of a request for a Special Use Permit (SUP-5554) for a proposed Auto Detail Facility on the subject property.
12/16/04	The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda Item #39/dds).

B) Pre-Application Meeting

08/03/04 The staff met with the prospective applicant on a proposal to establish an Auto Detail Facility on the subject property. The staff explained that both a Special Use Permit and a Site Development Plan Review would be required. The procedures and requirements for submitting these applications were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review and one was not held.

DETAILS OF APPLICATION REQUEST

B) Existing Land Use

Subject Property: Office building
North: Single-family dwelling
South: Veterinary clinic
East: Single-family dwellings
West: Mini-storage facility

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-E (Residence Estates)
South: C-1 (Limited Commercial)
East: R-CL (Residential Compact Lot)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) within the Centennial Hills Sector Plan of the General Plan. The present zoning of C-1 (Limited Commercial) is in conformance with this land use designation.

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

The site is not subject to any special districts or trail requirements. The proposed use is a Project of Regional Significance, which is discussed below.

INTERAGENCY ISSUES

Because the use is within 500 feet of land in the unincorporated portion of Clark County, pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance." An Environmental Impact Assessment questionnaire was circulated to the affected agencies and entities for the mandated 15-day period. No comments have been received.

PROJECT DESCRIPTION

The proposed Auto Detail Facility is to be located on the back portion of the subject property. The use is to consist of one building, a detailing shop, and two tents: a "wash tent" and "vacuum tent." The building and tents are arranged on site such that the vehicles enter the wash tent and leave the detailing shop.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	NA	5,271 sq. ft.	NA
Min. Lot Width	100 feet	185 feet	Y
Min. Setbacks			
• Front	20 feet	48 feet	Y
• Side	10 feet	48 feet	Y
• Corner	15 feet	NA	NA
• Rear	20 feet	61 feet	Y
Max. Lot Coverage	50 %	10 %	Y
Max. Building Height	NA	36 feet	NA
Trash Enclosure	Yes	Yes	Unknown

With the exception of the trash enclosure, the proposed Auto Detail Facility meets the development standards of Title 19. A trash enclosure (dumpster) is being provided, but the site plan does not illustrate its design or that it has a roofed enclosure. Where adjacent to a residential property line, the enclosure may not be closer than 50 feet to the property line. In this case, the trash enclosure is next to the residential property line and must be relocated. This deficiency is noted in the Conditions of Approval for this staff report.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the Residential Adjacency Standards require that a commercial building be located a distance of three times its height from adjoining residentially property which is either developed for sale or designated for such development in the General Plan. Property to the north of the subject site is zoned R-E (Residence Estates) which is a protected zone. The proposed building is to be 28 feet high. At a three to one slope, the building must be more than 84 feet from the residential boundary line. The site plan shows that the building is 101 feet away; therefore, the Residential Adjacency Standards are met.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following parking standards apply to the subject proposal:

Uses	Floor Area (sq.ft.)	Required			Provided	
		Ratio (spaces/sq.ft.)	Parking Spaces		Parking Spaces	
			Regular	Handicap	Regular	Handicap
Auto Detail (Car Wash)	2220	1/150	14	1	23	1

An Auto Detail Facility is required to meet the parking space requirements for a full service car wash. At the ratio of one parking space for each 150 square feet of building area, 15 parking spaces are required. Since 24 parking spaces are provided, the parking standards are met.

A4) Landscape Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 trees/ 3.4 spaces	7 trees	3
Buffer:			
• Min. Trees	One tree/20 linear feet	13 trees	13 trees
• Min. Trees	One tree/30 linear feet	16 trees	9 trees

For the parking area, one tree is required for each six parking spaces plus one tree for each two tree islands located at the ends of parking rows. With 24 parking spaces and five tree islands, seven trees are required; however, only three trees are provided. Since more parking spaces are provided than required, it is recommended that the applicant find locations within the parking area for the additional trees. This deficiency is addressed as a condition of approval for this staff report.

The development is deficient in the number of trees required along the perimeter. For this reason, the applicant has requested a Waiver in the perimeter landscaping located along the westerly property line. Along the westerly property line, the building wall of a mini-warehouse development abuts the development. If trees were planted within an eight-foot planter width next to the building of the mini-warehouse facility, the foliage and roots of the trees could result in damage to the building. For this reason, it is recommended that the requested Waiver be granted. However, it is recommend that bushes be planted within a minimum six-foot wide planter along the westerly property line.

B) General Analysis and Discussion

- **Zoning**

The subject property is zoned C-1 (Limited Commercial). An Auto Detail Facility is permitted in a C-1 zoning district subject to the approval of a Special Use Permit. An application for a Special Use Permit (SUP-5554) to allow the Auto Detail Facility has been submitted in conjunction with this application. It is recommended that that application be approved.

- **Site Plan**

The proposed Auto Detail Facility is to be located within the back portion of the subject site and will not be readily visible to the public from Rainbow Boulevard. The facility's 36-foot high building is to consist of 2,220 square feet of floor area. The orientation of the building, parking, drive and site amenities portray a development that will be functional and attractive to the area.

- **Waivers**

The applicant has requested a Waiver in the perimeter landscaping required along the westerly property line. This Waiver is discussed above, and it is recommended that this Waiver be granted.

- **Landscape Plan**

A landscape plan has been submitted with the application. A total of 36 trees are required for the development, 29 trees of which are for the perimeter of the site and seven for the parking area. Eleven trees are required along the perimeter for the office development located at the front of the site, but seven trees were planted. The Applicant has requested a Waiver in the perimeter-landscaping requirement along the west property line. It is recommended that this Waiver be approved. With a Waiver and including the trees required for the office development, 22 perimeter trees are required, and 22 trees have been provided. The development is deficient four trees for the parking area, and this deficiency is addressed as a condition of approval in this staff report.

- Elevation

The elevations of the building for the Auto Detail Facility illustrate walls composed of alternating layers of split face block in light brown and dark red colors. The metal garage doors are to be silver in color. The building would be 37 feet tall at the highest point of the curved standing seam metal roof.

- Floor Plan

The floor plan for the Auto Detail Facility building shows three bays for detailing and office space. The floor plan is typical of other similar facilities.

FINDINGS

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

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

To the west of the subject property is a mini-storage facility and to the south is a veterinarian clinic. On property to the north is a single-family dwelling in an O (Office) future land use designation. The dwelling is located approximately 210 feet from the subject property. Across the street are single-family residences that would be screened from view by an existing office building to the front of the property that is owned by the applicant. The proposed Auto Detail Facility would be harmonious and compatible to existing and future land uses, particularly with the perimeter buffers proposed.

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

The proposed development is consistent with City plans, policies and standards with the exception of a deficiency in the number of trees and bushes for the parking area and perimeter. The trash receptacle is also in a location that is closer than permitted from a residential zone. This is addressed as a condition of approval in this staff report.

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

The Auto Detail Facility would have access to Rainbow Boulevard, a secondary collector (80-foot wide) street. The street is designed to provide adequate access to the property.

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

The building and landscape materials are appropriate for the site. It should be noted that an abundance of landscaping has been provided along Rainbow Boulevard at the front of site for the existing office building.

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

The Auto Detail Facility building is to be located at the back of a site where its visibility from the street will be substantially diminished by the presence of an office building at the front. Regardless, the building features are visually acceptable to adjoining development.

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

The proposed Auto Detail Facility would be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #3 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

NOTICES MAILED 181 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5553** APN: 138-03-602-013

Name of Property Owner: W.I.T.BRO Inc. c/o Scott Ashjian

Name of Applicant: Scott Ashjian

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

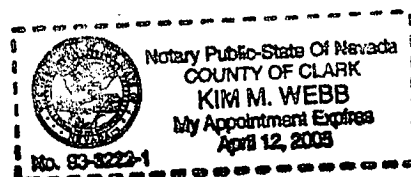
Signature of Property Owner/Authorized Agent: [Signature]

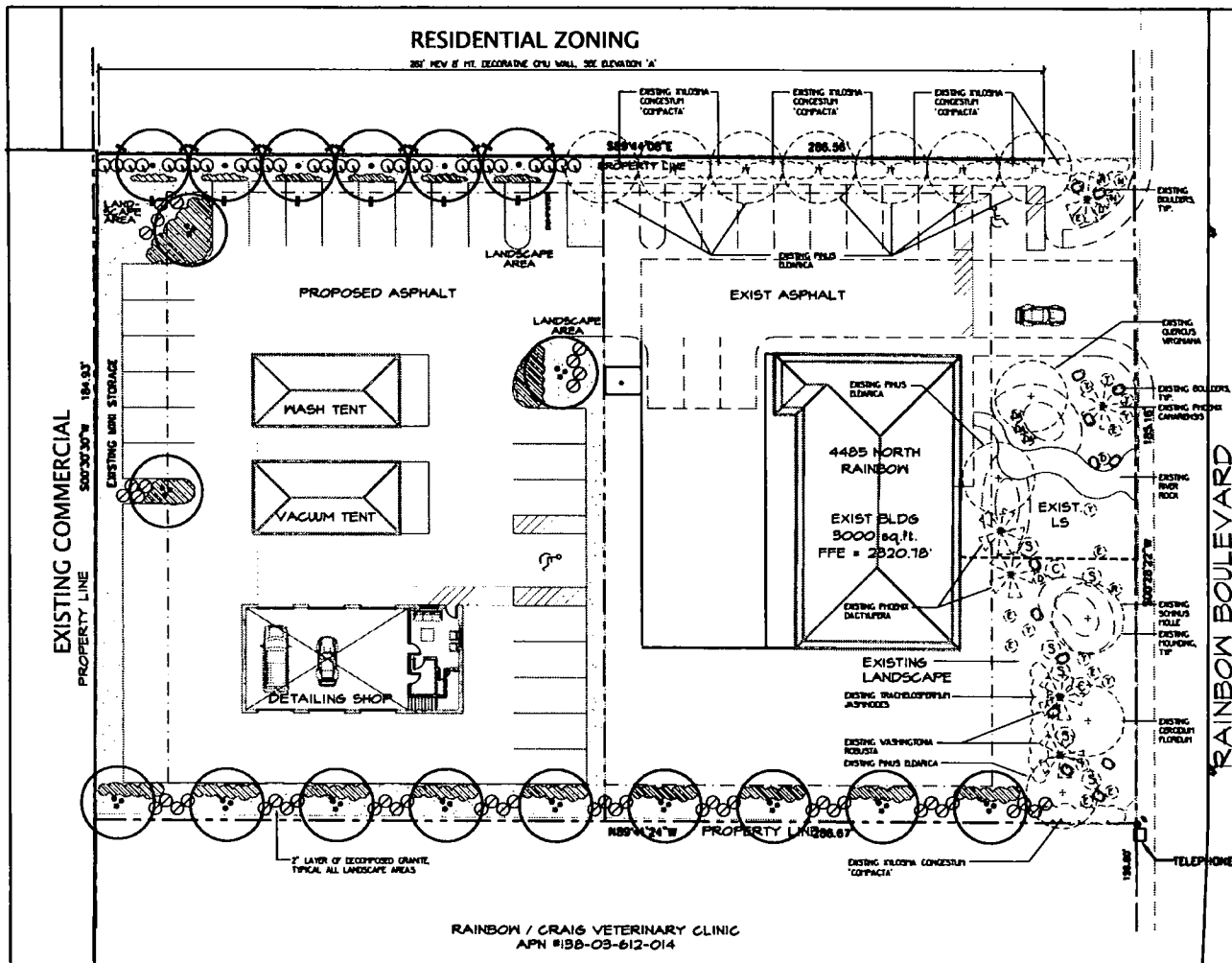
Print Name: Scott Ashjian

Subscribed and sworn before me

This 27th day of October, 2004

Kenneth Webb
Notary Public in and for said County and State





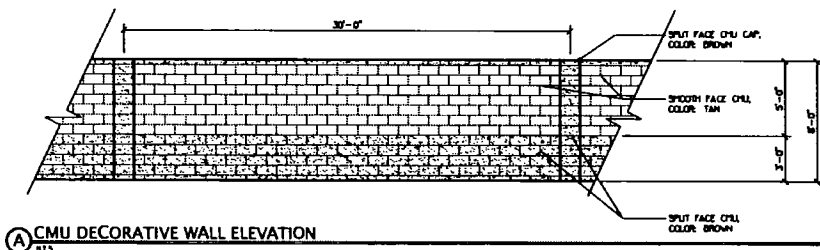
PLANT SCHEDULE					
TREES					
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	FIN. SPEC.
1	8	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
2	4	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS

SHRUBS					
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	FIN. SPEC.
3	36	PHIL. ELONICA 'COMPACTA'	COMPACT YUCCA	5 Gd.	CAN FULL
4	18	YUCCA LANCEA	AFRICAN SUPAC	5 Gd.	CAN FULL

GROUND COVER					
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	FIN. SPEC.
5	48	YUCCA LANCEA	AFRICAN SUPAC	5 Gd.	CAN FULL

EXISTING PLANT MATERIAL					
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	FIN. SPEC.
6	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
7	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
8	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
9	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
10	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
11	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
12	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
13	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
14	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
15	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
16	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
17	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
18	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
19	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
20	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
21	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
22	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
23	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
24	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
25	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
26	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
27	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
28	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
29	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
30	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
31	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
32	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
33	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
34	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
35	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
36	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
37	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
38	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
39	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
40	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
41	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
42	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
43	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
44	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
45	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
46	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
47	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
48	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
49	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
50	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
51	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
52	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
53	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
54	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
55	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
56	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
57	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
58	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
59	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
60	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
61	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
62	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
63	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
64	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
65	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
66	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
67	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
68	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
69	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
70	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
71	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
72	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
73	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
74	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
75	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
76	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
77	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
78	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
79	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
80	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
81	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
82	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
83	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
84	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
85	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
86	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
87	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
88	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
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91	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
92	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
93	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
94	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
95	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
96	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
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98	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS
99	1	PHIL. ELONICA	PHIL. ELONICA	24" DBH	ANA/ANYS
100	1	YUCCA LANCEA	AFRICAN SUPAC	24" DBH	ANA/ANYS

NOTES					
1) ALL NEW LANDSCAPE AREAS SHALL RECEIVE A 2" LAYER 3/4" ROCK FILLON.					
2) 100% AMERICAN PLANTING ASSOCIATION.					
3) 100% AMERICAN STANDARD FOR PLANTING STOCK.					
4) ROOT GUARDS ARE REQUIRED FOR ALL TREES PLANTED WITHIN 5' OF SIDEWALKS AND ALL OTHER LANDSCAPE.					
5) 100% TREES A MINIMUM OF 3' FROM BACK OF SIDEWALK AND ALL OTHER LANDSCAPE. NO OBSTRUCTIONS PERMITTED BETWEEN 2 FEET AND 7 FEET ABOVE GRADE WITHIN SITE VISIBILITY RESTRICTION EXCEPT: HOWEVER, TREE TRUNKS WITHIN 5' V.R.E. ARE PERMISSIBLE. ALL TREES, IF NECESSARY, IN SITE VISIBILITY RESTRICTION EXCEPT SHALL BRANCH ABOVE 8' FINAL HEIGHT FOR SHRUBS IS 24". TREES IN SITE VISIBILITY RESTRICTION EXCEPT SHALL BE PRUNED SO THAT ALL BRANCHES AND FOLIAGE ARE ABOVE 7'.					
6) CONTRACTOR TO PROVIDE A FULLY AUTOMATED DWP IRRIGATION SYSTEM FOR ALL TREES, SHRUBS AND GROUND COVERS.					
7) LANDSCAPING SHALL BE IN ACCORDANCE W/ CLV TITLE 12.12.					



RECEIVED

DEC 08 2004

SUP-5554
SDR-5553
12/16/04 PC

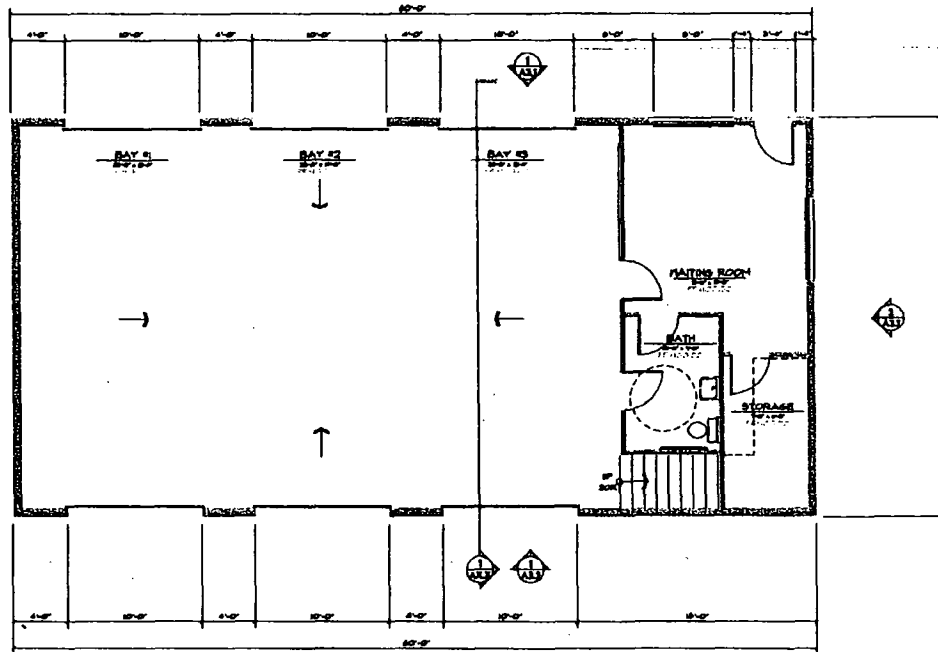
REVISED
12.8.04



poggemeyer
design group, inc.
landscape architects
engineers • planners • surveyors • landscape architects
2001 North Tropic Way • Las Vegas, NV 89128 • P 702-258-8800 • F 702-258-8575

LAND USE PLAN
AAA PAVING
AUTO DETAILING FACILITY
LAS VEGAS, NEVADA

JOB NUMBER: 04265-G
DESIGNED BY: CHA
DRAWN BY: JLR
CHECKED BY: CHA
DATE: 12/2/04
PROJECT NUMBER: L1.1



PLAN NOTES

1. REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL NOTES AND DETAILS PERTAINING TO FOUNDATION STRUCTURE.
2. ALL STEEL BARS, HOLDINGS, POSTERS, ETC. SHALL BE PLACED IN PLACE PRIOR TO THE FOUNDATION FORMWORK ERECTION. THE CONCRETE CONTRACTOR AND FINISHING CONTRACTOR SHALL COORDINATE THE PLACEMENT OF ALL CONNECTORS.
3. FINISH FLOOR SHALL BE 6" ABOVE FINISHED GRADE. GRADE SHALL SLOPE AWAY FROM THE BUILDING.
4. CONCRETE CONTRACTOR SHALL PROVIDE UTILITY GROUVE NEAR THE ELECTRIC METER. COORDINATE WITH THE ELECTRICAL CONTRACTOR.
5. FOUNDATION SUPPORTS AND WALLS SHALL EXTEND AT LEAST 6" ABOVE THE ADJACENT FINISHED GRADE.
6. ALL FOUNDATION WALLS AND PLATES ON A CONCRETE SLAB RASH ARE IN DIRECT CONTACT WITH THE EARTH SHALL BE PRESURE TREATED DOUGLAS-FIR OR FOUNDATION GRADE REDWOOD.
7. REFER TO MECHANICAL FOR DRIVER VENT INFORMATION.
8. ALL ANGLES SHALL BE AS SHOWN UNO.
9. EXTERIOR ARE TO FINISH SURFACE UNO.
10. ALL SLIDING GLASS DOORS AND FRENCH DOORS TO HAVE TIPPED GLASS.
11. SHOWER DOORS SHALL BE SAFETY GLASS.

AREA CALCULATIONS

FIRST FLOOR	1600	SQ. FT.
MEZANINE	430	SQ. FT.
TOTAL	2030	SQ. FT.

NOTES

- 2x4 STUDS WITH 1/2" GYPHUM BOARD EACH SIDE
- 2x6 STUDS WITH 1/2" GYPHUM BOARD EACH SIDE

WALL SCHEDULE

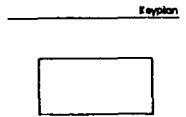
- 1. DRAWING DETAIL, NUMBER
- 2. ELEVATION DESCRIPTION
- 3. ELEVATION NUMBER

- 1. DRAWING DETAIL, NUMBER
- 2. ELEVATION DESCRIPTION
- 3. ELEVATION NUMBER

- 1. DOWN PER SCHEDULE
- 2. UP PER SCHEDULE
- 3. NOT TO BE SCHEDULE

SYMBOLS & LEGEND

A&A Paving
Auto Detailing Facility
Craig Road & Rainbow Blvd
Las Vegas, NV



Revision Log

1	
2	

Project No.
03-215

Drawn By
FPD

Checked By
JWA

City of Las Vegas Planning Submittal
09.08.04

Sheet Contents

First Floor Plan

Sheet No.

SDR-5553
12/16/04 PC

A2.1

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NOV 01 2004

100

project name

A&A Paving
Auto Detailing Facility
Craig Road & Rainbow Blvd
Las Vegas, NV

Keyplan

Revision log

Project No.

03-216

Drawn By

FPD

Checked By

JWA

City of Las Vegas Planning Submittal

09.08.04

Sheet Content

Mezzanine Floor Plan

Sheet No.

A2.2

PLAN NOTES

1. REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL NOTES AND DETAILS PERTAINING TO FOUNDATION STRUCTURE.
2. ALL STEEL BARS, HOLDINGS, POSTTENSION, ETC. SHALL BE PLACED IN PLACE PRIOR TO THE FOUNDATION FORMWORK ERECTION. THE CONCRETE CONTRACTOR AND FINISHING CONTRACTOR SHALL COORDINATE THE PLACEMENT OF ALL CONNECTIONS.
3. FINISH FLOOR SHALL BE 6" ABOVE FINISHED GRADE. GRADE SHALL SLOPE AWAY FROM THE BUILDING.
4. CONCRETE CONTRACTOR SHALL PROVIDE UTILITY GROUVE NEAR THE ELECTRIC METER. COORDINATE WITH THE ELECTRICAL CONTRACTOR.
5. FOUNDATION SUPPORTS/SHOULDER SHALL EXTEND AT LEAST 6" ABOVE THE ADJACENT FINISHED GRADE.
6. ALL FOUNDATION WALLS AND PLATES ON A CONCRETE SLAB FINISH ARE IN DIRECT CONTACT WITH THE EARTH SHALL BE PRESURE TREATED ROULAS-FIR OR FOUNDATION GRADE REDWOOD.
7. REFER TO MECHANICAL FOR DRYER VENT INFORMATION.
8. ALL ANGLES SHALL BE 45 DEGREES MAX.
9. DIVISIONS ARE TO FINISHED SURFACE UNLESS NOTED OTHERWISE.
10. ALL GLASSING GLASS DOORS AND PARTIAL DOORS TO HAVE TINTED GLASS.
11. SHOWER DOORS SHALL BE SAFETY GLASS.

AREA CALCULATIONS

FIRST FLOOR	1800 SQ. FT.
MEZZANINE	430 SQ. FT.
TOTAL	2230 SQ. FT.

NOTES

- 2-1/4" STUCCO WITH 1/2" GYPSUM BOARD EACH SIDE
- 2-1/2" STUCCO WITH 1/2" GYPSUM BOARD EACH SIDE

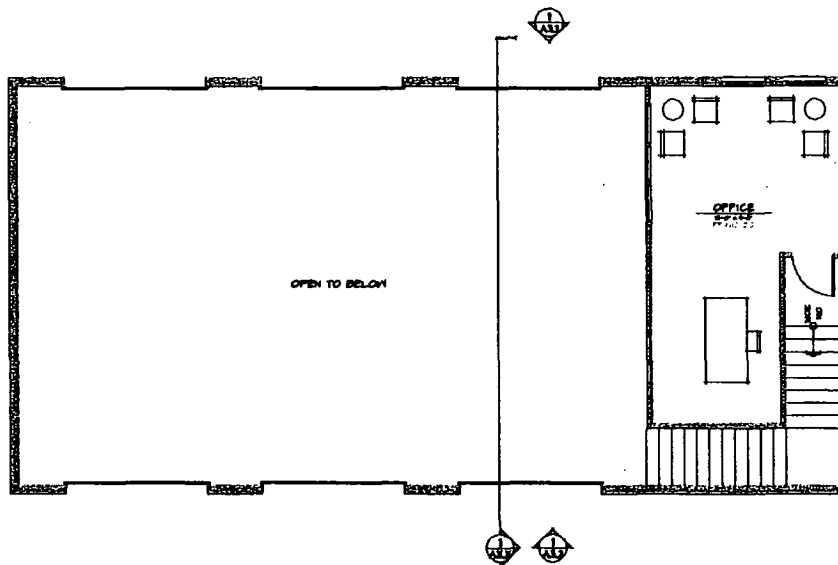
WALL SCHEDULE

- 1. FINISH MATERIAL NUMBER
- 2. ELEVATION REFERENCE
- 3. SHEET NUMBER

- 1. FINISH MATERIAL NUMBER
- 2. DIRECTION OF CUR
- 3. ELEVATION REFERENCE
- 4. SHEET NUMBER

- 1. DOOR PER SCHEDULE
- 2. WINDOW PER SCHEDULE
- 3. GYPSUM/PAINTED CEILING

SYMBOLS & LEGEND



MEZZANINE FLOOR PLAN

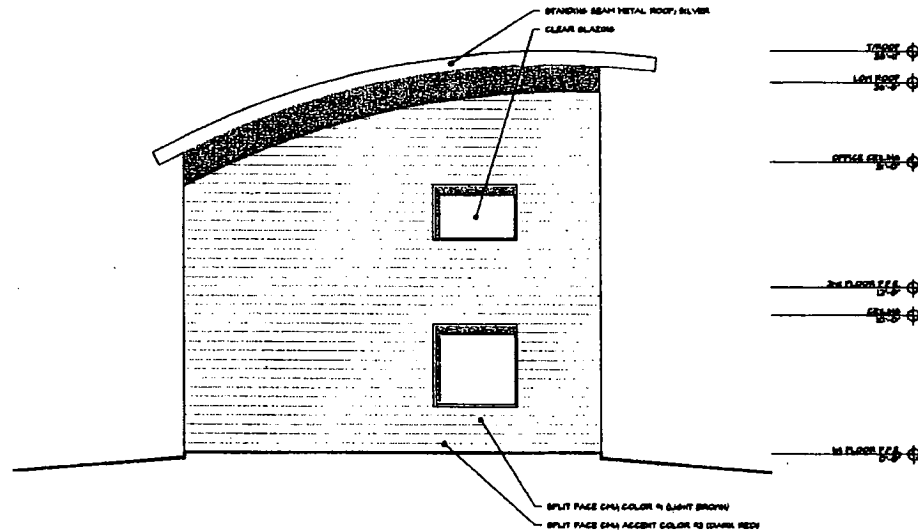
SYMBOLS & LEGEND

SDR-5553
12/16/04 PC

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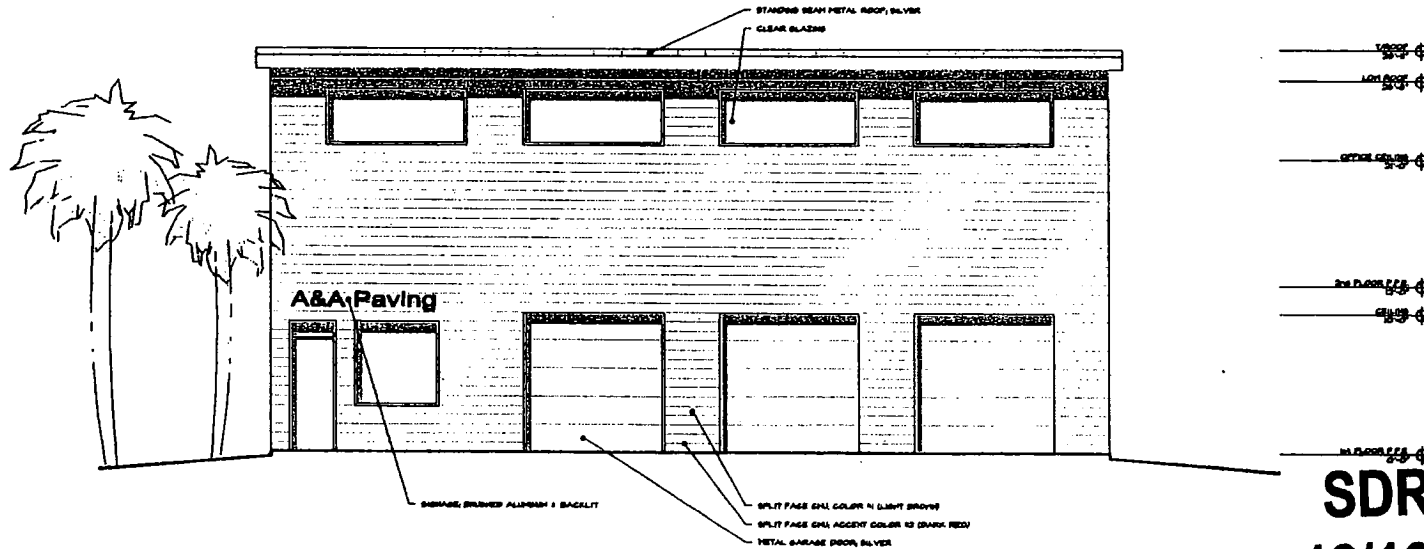
NOV 01 2004

Jonathan A'lgaler
Architect
5727 Champagne Wood Drive
North Las Vegas, NV 89031
consultant



EAST ELEVATION

1/4" = 1'-0"



NORTH ELEVATION

SDR-5553
12/16/04 PC

RECEIVED

NOV 01 2004

sheet

project name

A&A Paving
Auto Detalling Facility
Craig Road & Rainbow Blvd
Las Vegas, NV

location



revision log



Project No.

03-215

Drawn By

FPD

Checked By

JWA

City of Las Vegas Planning Submitted

09.08.04

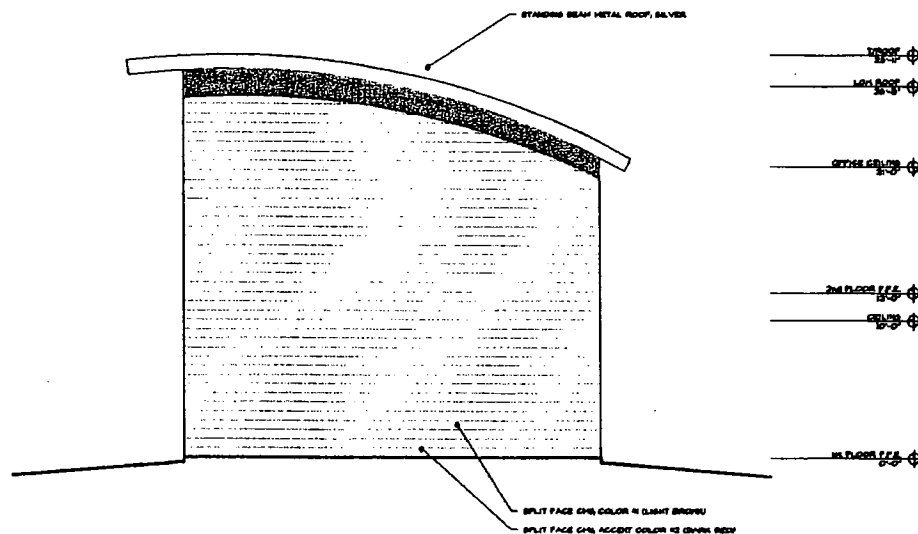
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North Elevation
East Elevation

Sheet No.

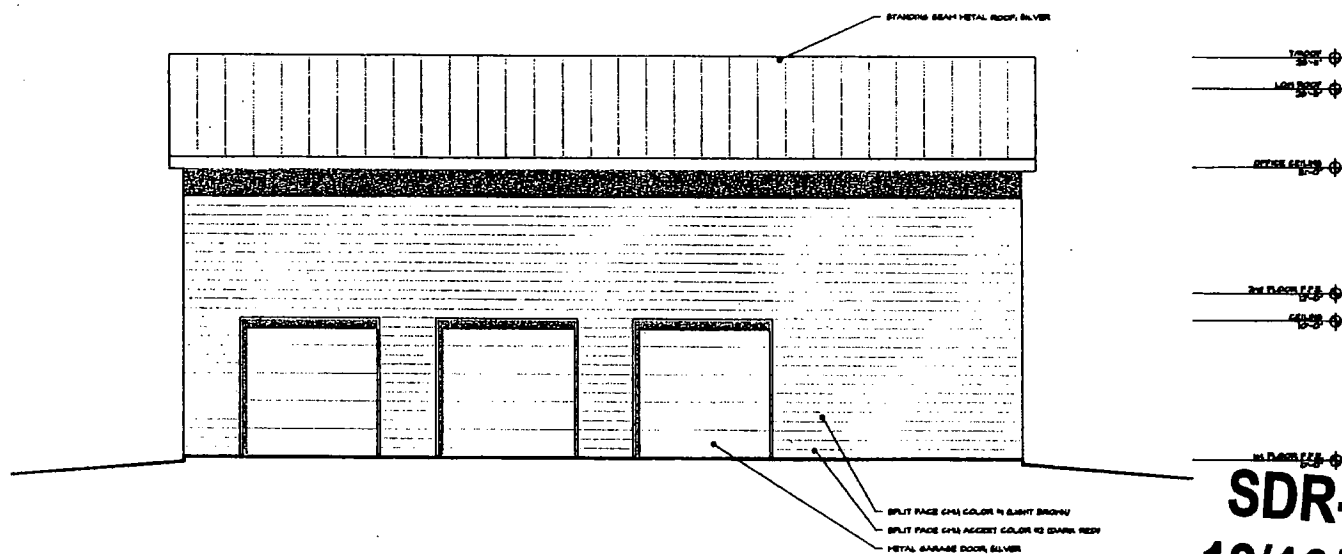
A3.1

Jonathan Algaler
Architect
3727 Champagne Wood Drive
North Las Vegas, NV 89031
consultant



2.5 WEST ELEVATION

W-1-1



2.5 SOUTH ELEVATION

W-1-2

SDR-5553
12/16/04 PC

Revision Log



Project No.
03-215

Drawn by
FPD

Checked by
JWA

City of Las Vegas Planning Submittal
09.08.04

Sheet Contents

South Elevation
West Elevation

Sheet No.

A3.2

RECEIVED

NOV 01 2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-5564 - PUBLIC HEARING - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION - Request for a Special Use Permit FOR A PROPOSED CAR WASH (SELF-SERVICE) AND WAIVER TO ALLOW BAY OPENINGS AND VACUUM BAYS TO FACE THE PUBLIC RIGHT-OF-WAY at 4141 Rancho Drive (APN 138-02-814-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Protest letter from Gerry G. Zobrist, Esq. for Items 104 and 105 filed under Item 104

MOTION:

MACK - ABEYANCE TO 2/16/2005 - UNANIMOUS with GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 104 [SUP-5564] and Item 105 [SDR-5562].

MARK BANGAN, L.R. Nelson Consulting Engineers, 6765 West Russell Road, appeared on behalf of the owner, Wachovia Development Corporation, and concurred with staff recommendations.

JERRY ZOBRIST, 6900 Westcliff Drive, Suite 801, is the owner of Dana Point Development Company and the Counsel of Record for the Rancho Alexander Business Park, currently being constructed in the property behind the proposed Pep Boys. He opposed the carwash because it will negatively impact the office buildings. He indicated that in April of 2003 he came before the City Council regarding a zoning change, and at that time, a condition was imposed that there be no auto repair or auto related facility in that project. At that time they changed their focus and converted several of the buildings to Class A office space immediately behind the Pep Boys facility, each approximately 9,300 square feet. His concern is the traffic increase, the noise, and the enforceability of the hours of operation of the carwash. He believes the Planning Commission inappropriately recommended approval based on the fact the plans indicated that the land behind and adjacent the subject property was undeveloped. However, that is not the case because six buildings are almost completed and two have had foundation poured. MR. ZOBRIST touched on traffic concerns pertaining to ingress and egress.

CITY COUNCIL MEETING OF: JANUARY 19, 2005

MINUTES - Continued:

TIGER MINARSI, Manager of the Rancho/Alexander Business Park, added they are concerned about the noise created by the vacuums, the big dryers, the lack of buffering around the carwash, and debris blowing into the adjacent office space as people clean out their cars.

COUNCILMAN MACK requested that both items be held in abeyance for 30 days so he can meet with the applicant to discuss MR. ZOBRIST and MR. MINARSI'S concerns.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 104 [SUP-5564] and Item 105 [SDR-5562].

(2:36 - 2:42)

4-146

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5564 - APPLICANT: PEP BOYS - OWNER: WACHOVIA
DEVELOPMENT CORPORATION**

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of a Site Development Plan Review [SDR-5562] approved by the City Council.
2. The request for a Waiver of base condition #2 of a Car Wash (Self Service) use in Title 19.04 shall be approved.
3. 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. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a Car Wash (Self Service) and Waivers of Conditions #2 and #8 to allow bay openings and vacuum bays to face the public right-of-way at 4141 Rancho Drive.

B) Applicant's Justification

A letter of justification for the proposed use has been submitted with the subject application. The applicant is requesting to add a car wash in conjunction with the existing Pep Boy's building on the subject property. Along with the request, the applicant is requesting a Waiver of #2 and #8 of the base conditions for the use. The applicant states that the wash bay opening to Rancho Drive would be setback over 84 feet and would not pose any danger to traffic flow along Rancho Drive. The applicant also states that the car wash addition is compatible with the surrounding area and will be an enhancement to the commercial use and would not be detrimental to the neighborhood.

BACKGROUND INFORMATION

A) Actions

10/10/96	The Planning Commission approved a request for an Aesthetic Review for a proposed 18,560 square foot Pep Boys retail and service center on the subject property.
03/23/98	The City Council approved the Reinstatement and Extension of Time for an approved Special Use Permit [U-0053-96(1)] for a Tavern in conjunction with a proposed 5,000 square foot restaurant on a larger site that included the subject property. The Planning Commission recommended approval on 02/26/98.
09/28/98	The City Council approved a Special Use Permit (U-0091-98) for a proposed 5,443 square foot Pawn Shop, Secondhand Sales, and Check Cashing business on a larger site that included the subject property. The Planning Commission recommended approval on 08/27/98.
10/26/98	The City Council approved a Special Use Permit (U-0089-98) for a Packaged Liquor Sales in conjunction with a proposed 5,720 square foot drug store on a larger site that included the subject property. The Planning Commission recommended approval on 08/27/98.

- 04/02/03 The City Council considered an application for Rezoning (ZON-1364) to rezone properties located on both sides of Rancho Drive to various zoning districts, including a C-1 (Limited Commercial) Zone on the subject property. The Planning Commission recommended approval on 02/27/03 and the staff recommended approval on 01/16/03.
- 12/16/04 The Planning Commission recommended approval of a request for a related Site Development Plan Review (SDR-5562).
- 12/16/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #40/dds).

B) Pre-Application Meeting

- 10/02/04 The staff met with the prospective applicant on a proposal to establish a carwash on the subject site. It was noted that a Special Use Permit for a Carwash (Self Service) use and a Site Development Plan Review would be required. It was also noted that the applicant would have to request Waivers in the orientation of the carwash and vacuum bays that would face Rancho Drive.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.86

B) Existing Land Use

Subject Property: Auto oriented use
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: C-2 (General Commercial) under a Resolution of Intent to C-1
(Limited Commercial)
West: C-2 (General Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Centennial Hills Sector map of the General Plan. The site is zoned C-1 (Limited Commercial), which is a zoning district permitted in the SC land use classification.

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

There are no special districts or zones that are applicable to the subject property.

ANALYSIS

A) Zoning Code Compliance

The proposed use is a Special Use that is permitted in a C-1 (Limited Commercial) zoning district subject to approval of a Special Use Permit and compliance with the base conditions for a Carwash (Self Service). The applicant is seeking Waivers in #2 and #8 of the base conditions of Title 19.04 for a Carwash (Self Service) facility. The first condition reads: "Openings to the wash bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties." The second reads: "Vacuum bays are permitted as part of this use if their operation is in compliance with the other base standards for this use (i.e. openings to the public right-of-way shall not be permitted)." The applicant is interested in orienting both the carwash and vacuum bays toward Rancho Drive.

The placement of the carwash would be far enough back from the street that it should not be perceived as a high activity use, particularly since it will abut another vehicular oriented use (auto repair garage and retail store). It is recommended that a Waiver in base condition #2 be approved. However, the vacuum bays would be placed at the front of the site facing the public right-of-way. This is high activity use that should not be located forward on the lot in such a highly visible location. It also is in a location where there would be a lot of cross traffic from vehicles entering and exiting the site and vehicles exiting the carwash facility. For these reasons, it is recommended that the Waiver in base condition #8 not be approved and that the vacuum bays be relocated to some other less visible and congested location on the site.

Other Zoning Code requirements are fully addressed in an accompanying Site Development Plan Review (SDR-5562)

B) General Analysis and Discussion

- **Zoning**

The site is currently zoned C-1 (Limited Commercial). The proposed Car Wash (Self Service) is a use allowed by Special Use Permit in the C-1 zoning district.

- **Use**

The proposed Carwash (Self Service) would be located in conjunction with existing uses that are related to automobile service uses, including an Auto Repair Garage and an auto parts store. The carwash would be located along the north side of the existing building and oriented such that cars would enter from the west side of the facility and exit toward the east side of Rancho Drive. According to the base standards for a Carwash (Self Service), the opening to the carwash may not face Rancho Drive. Therefore, the applicant has requested a Waiver to this standard.

Vacuum bays are also proposed for this use and are located along at the front of the site along Rancho Drive. The vacuum bays also face Rancho Drive, which is not permitted by the base standards. The applicant has also requested a Waiver in this standard. These Waivers are addressed in the "Zoning Code Compliance" section above.

- **Conditions**

Pursuant to Title 19.04, a Car Wash (Self-Service) use has conditions that are applicable as follows:

1. The hours of operation shall be limited to the period between 7:00 a.m. and 10:00 p.m.
2. Openings to the wash bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel.
4. No retail sale of vehicles is allowed.
5. No repairing or servicing of vehicles is allowed.
6. The use must not be located within 200 feet of a residential property unless the use is separated from the residential property by a street with a minimum right-of-way width of 80 feet.
7. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours.

8. Vacuum bays are permitted as part of this use if their operation is in compliance with the other base standards for this use.
9. The use must be operated in conjunction with another motor vehicle related use, such as gasoline sales, smog inspection, minor automotive repair, or recreational vehicle and boat storage.
10. An attendant must be on the premises during all times the equipment is operational.

The requested use meets all the standards with the exception of base conditions #2 and #8. The applicant has an interest in facing both the carwash and vacuum bays toward Rancho Drive. The applicant has requested Waivers in these base conditions, which are addressed above in the "Zoning Code Compliance" section.

FINDINGS

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

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

The proposed use is a vehicular oriented use that is to be located on property presently devoted to that purpose. Abutting property is presently undeveloped and zoned C-2 (General Commercial), which permits a higher intensity of commercial uses than the zoning on the subject site. Consequently, there should be no compatibility issues with future land uses that choose to locate adjacent to an existing vehicular oriented use.

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

The site is adequate to meet the requirements of the proposed use. The applicant is seeking waivers to the orientation of the proposed uses; however, even if the waivers were not granted it appears there are alternative locations on site for the proposed use.

The requested use meets all the base standards with the exception of #2 and #8. The applicant has an interest in facing both the carwash and vacuum bays toward Rancho Drive. The applicant has requested Waivers in these base conditions, which are addressed above in the "Zoning Code Compliance" section. It is recommended that request for a Waiver of #2 be approved but that a Waiver of #8 be denied.

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

The site currently has, and will continue to have access to Rancho Drive, designated as a Freeway-Expressway on the Master Plan of Streets and Highways. The site also has indirect access to an internal drive that connects to Alexander Road, a Primary Arterial (100-foot wide) street. The access to Rancho Drive is limited to right-in, right-out turning movements, but with the access to Alexander Road, the streets are adequate to serve the needs of the proposed use.

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

The proposed Car Wash (Self Service) use will be subject to inspections for building and licensing, which will ensure that the public health, safety and general welfare will be safeguarded.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

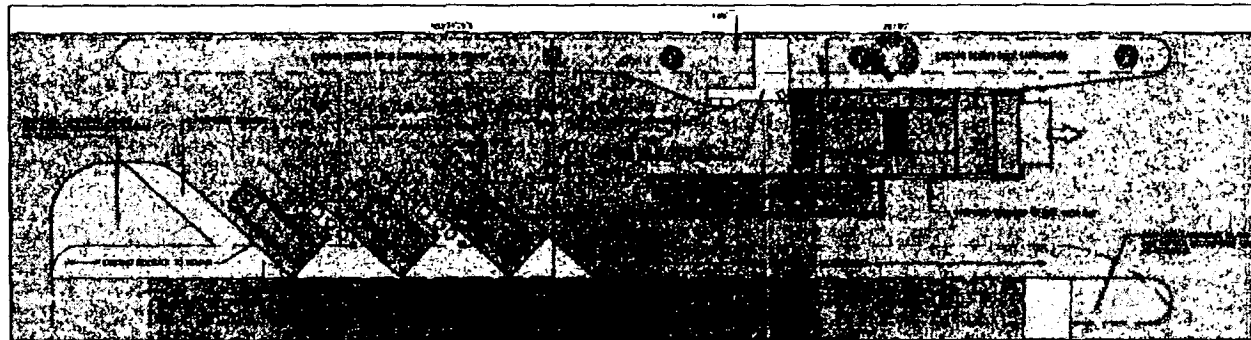
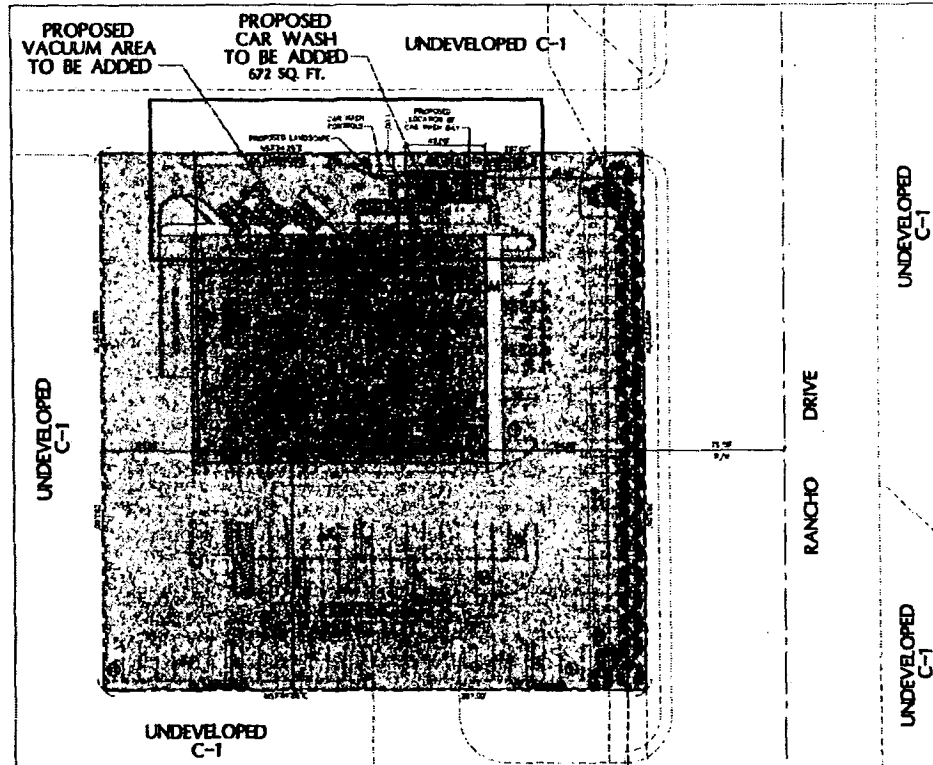
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NOTICES MAILED 50 by City Clerk

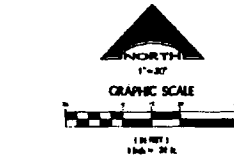
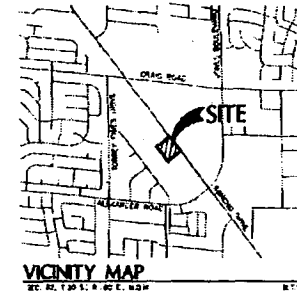
APPROVALS 0

PROTESTS 0

CAR WASH ADDITION FOR PEP BOY'S, INC.



PROPOSED LANDSCAPE ISLAND DESIGN
SCALE: 1" = 10'



LEGEND

- STREET CENTERLINE
- EXISTING IMPROVEMENTS
- PROPERTY BOUNDARY LINE
- PUBLIC UTILITY

PARKING DATA

REQUIRED	= 71 SPACES
PROPOSED (EXISTING)	= 6 SPACES
PROPOSED (NEW)	= 4 SPACES
PROPOSED (TOTAL)	= 10 SPACES
PROPOSED (TOTAL)	= 82 SPACES
PROPOSED (TOTAL)	= 3 SPACES

OWNER

PEP BOY'S, INC.
2011 W. RANGHO DRIVE
P.O. BOX 100, PA 19122

DEVELOPER

LEGAL DESCRIPTION

TRACT 1 OF A SECTION OF SURVEY RECORDED FEBRUARY 14, 1941 IN PAGE 62 OF PUBLIC RECORDS, CLARK COUNTY, IOWA, BEING A PORTION OF LOT 1 OF RANGHO ROAD IN COUNTY SURVEY RECORDED IN PLAT BOOK 16 PAGE 1, CLARK COUNTY, IOWA.

TABULATION

APR. 8	1.00-02-01-003
CURRENT ZONING	C-1
PROPOSED ZONING	C-1
ACREAGE	1.87 ACRES

NOTES:

1. ALL EXISTING LANDSCAPING TO REMAIN.

SIZE 8 1/2" X 11"
DATE 12/13/05

FOR THE LANDSCAPE LAYOUT 2007

DATE	BY

NO.	DATE	BY

L. R. NELSON CONSULTING ENGINEERS, INC.
6785 West Rangeland Road, Suite 200
Lowry, Nevada
(702) 788-7078
(702) 451-2285 FAX

CAR WASH ADDITION
FOR
PEP BOY'S, INC.
CITY OF LAS VEGAS

SHEET NUMBER
1
OF 1 SHEETS

Revised SDR-5562; SUP-5564 on 1/19/05

REVISED
1-4-05

SDR-5562
SUP-5564

REVISED
1-19-05 CC



SUP-5564 - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION
4141 RANCHO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04



SUP-5564 - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION
4141 RANCHO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04

GERRY G. ZOBRIST, LTD.

Attorneys at Law

6900 Westcliff Drive, Suite 801
Las Vegas, Nevada 89145
Phone (702) 656-5156
Facsimile (702) 656-5146

January 18, 2005

Clerk of the City of Las Vegas
CITY COUNCIL
400 East Stewart
Las Vegas, Nevada 89101

VIA FACSIMILE

2005 JAN 19 A 7:51

RECEIVED
CITY CLERK

Rc: Item Descriptions: SDR 5562 and SUP 5564
Applicant: Pep Boys and Wachovia
Meeting Date: January 19, 2004
Agenda Nos: 104 and 105
APN: 138-02-814-003

Protest**To Whom it May Concern:**

The purpose of this correspondence is to inform you of the following disputes and protests that are in effect with respect to the above referenced Applications for Special Use Permit and Site Development Review. As counsel of record for Rancho Alexander Business Park, LLC and owner of Dana Point Development, LLC, I hereby formally issue protest and opposition to the requested SUP and SDR for the above named 1.86 acres located at 4141 Rancho Drive (the "Subject Property").

The Special Use Permit sought by the Applicant seeks to construct and install self-service car wash bays on the north side of the Pep Boys already in place on the Subject Property. Specifically, Applicant states that:

...the car wash addition is compatible with the surrounding area and will be an enhancement to the commercial use and would not be detrimental to the neighborhood.

Rancho Alexander Business Park, LLC ("RABP") is the owner of that certain property designated as APN 138-02-814-015. The property owned by RABP is immediately adjacent to the Subject Property and constitutes approximately 7.72 acres behind and surrounding the Subject Property. RABP is in the process of constructing 104,000 square feet of office-flex space or office condos on their property. Said development (in conjunction with the property owners of the adjacent 3.36 acres to the North of both RABP's and the Subject Property) will include twelve (12) buildings of various sizes and construction (the "Development"). Specifically, the Development will include four (4) buildings that are approximately 9334 sq. ft. in size and will house Class "A" office space. Dana Point Development, LLC ("DPD") is under contract to purchase one of those office buildings.

The Planning Commission specifically recommended approval of both the SUP and the SDR. However, they did so on erroneous information. On the SDR Report, section entitled "Details of Application Request" Article "B" thereof, the Commission states that the land to the North and West

Submitted after final agenda

Date 1/19/05 Item #104 & 105

GERRY G. ZOBRIST, LTD.

Attorneys at Law

January 18, 2005

Page 2

is "Undeveloped." Also, on the Staff report for the SUP Report, section entitled Findings, the Commission found that the "[a]butting property is presently undeveloped. . . .". This information is inaccurate. Both RABP and the landowners to the North are in construction on the buildings that are to be housed on the Project. Foundations for several buildings have been poured and vertical walls on six (6) buildings have been stood. It is anticipated that the Certificates of Occupancy will be forthcoming sometime in April, 2005. Compatibility with the car wash is a grave concern.

Attached hereto as Exhibits "1" and "2", respectively are the Site Plan for the Project and the Elevation Plan for the Project. As can be easily detailed by Exhibit "1", the Car Wash will border a major entrance for the Project. This will cause substantial traffic clogging and a potential for accidents from the additional traffic. Additionally, the addition of a Self-serve car wash will increase 24 hour traffic from patrons of the car wash and by the very nature of the business, an increase in crime and break-ins in the Project.

The Conditions, recommended by the Commission include that the car wash shall only be operational between the hours of 7:00 a.m. and 10:00 p.m. This is a very difficult thing to enforce, at best, an impossibility at worst. Even requiring the Applicant to demonstrate that the operation of the car wash will be limited to business hours will not suffice and will cause additional problems for the Project. The enforcement of an attendant on premises also results in an unenforceable provision.

The Commission also requires, pursuant to Title 19.18.060, that the "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 Commission mentions that while the Rancho access is limited to "right-in/right-out turning movements", the access to Alexander (through the Project) will served the proposed car wash. This will substantially and unnecessarily increase the traffic through the Project as the patrons of the car wash will be forced to enter the car wash from the rear of the Pep Boys (i.e. from further South on Rancho or from Alexander and through the Project to the car wash, which will cause a substantial increase of traffic through the Project, substantially impairing the ability of the Owners, Tenants, their Invitees and Customers to park and maneuver through the Project.

This SUP and SDR should be denied because of the impact that it will have on the adjacent property and the Project as a whole. The Project, undoubtedly will bring dozens of tenants and literally, hundreds of thousands of dollars in rents to this area and this Ward, thereby benefitting the surrounding businesses with additional business and increased land values. The car wash will only negatively impact these businesses and the increased traffic will deter both tenants and customers from using these businesses.

Finally, the Commission relied upon erroneous information contained in the plans submitted by the Applicant. Specifically, the application and the plans submitted therewith list the adjoining parcels of land as "Undeveloped". This is inaccurate at best, blatantly false at worst. The buildings are under construction and will likely be habitable before the car wash can be installed.

GERRY G. ZOBRIST, LTD.

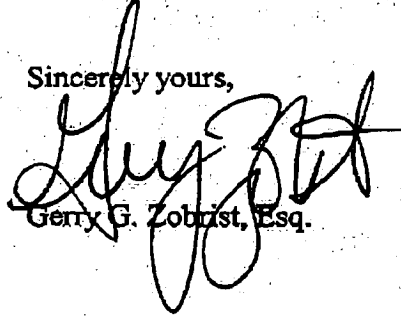
Attorneys at Law

January 18, 2005

Page 3

Because of the foregoing, both Rancho Alexander Business Park, LLC and Dana Point Development, LLC, thank the Council for its consideration of this matter and respectfully request that the applications for SUP and SDR be denied.

Sincerely yours,



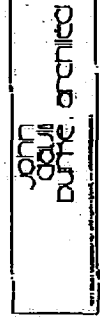
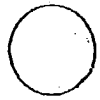
Gerry G. Zobrist, Esq.

GGZ/jam

cc: Tiger Mynarcik
Maureen Johndahl

EXHIBIT "1"

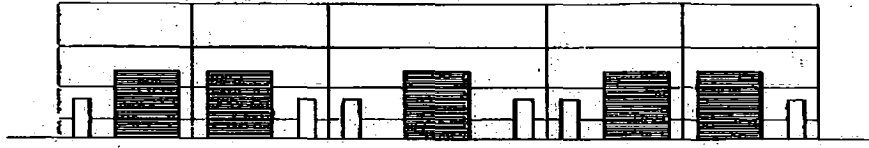
EXHIBIT “2”



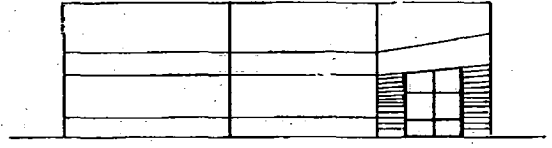
RANCH/ALEXANDER
INDUSTRIAL PARK
PHASE 1
San Bernardino Irrigation
City of Los Angeles

DATE	BY	CHKD BY	APP'D BY
10/10/04	W. J. [illegible]	[illegible]	[illegible]
10/10/04	W. J. [illegible]	[illegible]	[illegible]
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10/10/04	W. J. [illegible]	[illegible]	[illegible]

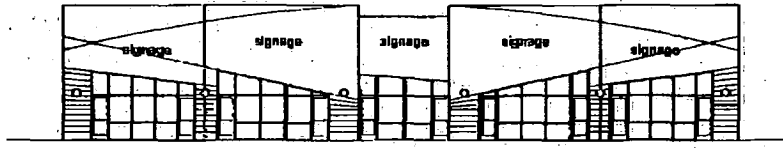
Sheet No. **A2**



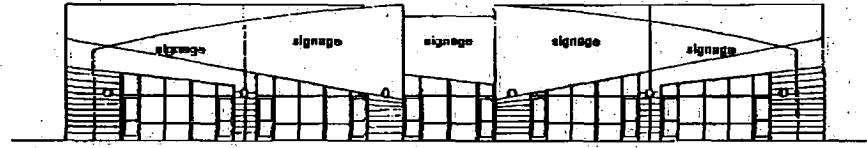
3 TYPICAL REAR ELEVATION
SCALE 1/8" = 1'-0"



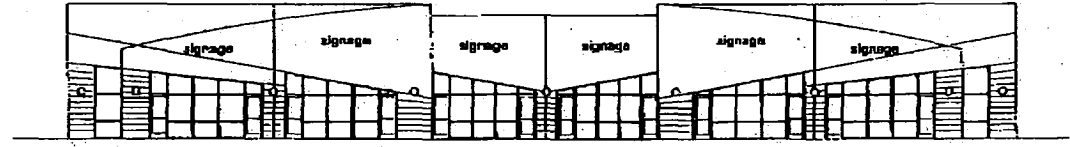
2 TYPICAL SIDE ELEVATION
SCALE 1/8" = 1'-0"



1 FRONT ELEVATION - BUILDING TYPE 'C'
SCALE 1/8" = 1'-0"



1 FRONT ELEVATION - BUILDING 'B'
SCALE 1/8" = 1'-0"



3 FRONT ELEVATION - BUILDING 'A'
SCALE 1/8" = 1'-0"

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5564

SDR-5562 - PUBLIC HEARING - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION - Request for a Site Development Plan Review FOR A PROPOSED CAR WASH (SELF SERVICE) on 1.86 acres at 4141 Rancho Drive (APN 138-02-814-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Protest letter from Gerry G. Zobrist, Esq. for Items 104 and 105 filed under Item 104

MOTION:

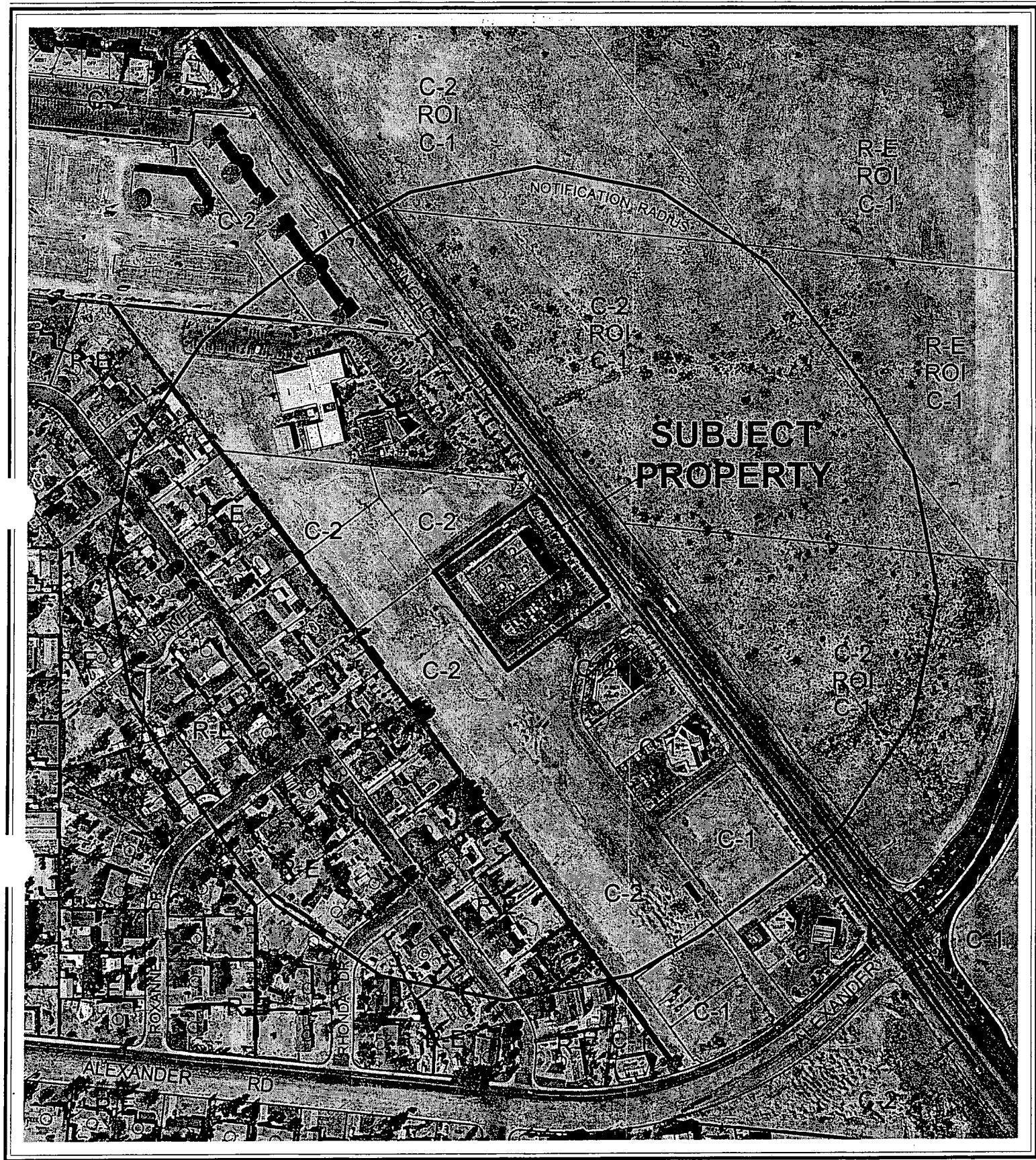
MACK - ABEYANCE TO 2/16/2005 - UNANIMOUS with GOODMAN excused

MINUTES:

NOTE: See Item 104 [SUP-5564] for all related discussion.

(2:36 - 2:42)

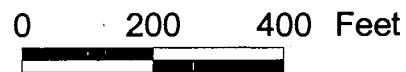
4-146



CASE: SDR-5562

RADIUS: 750 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5562 - APPLICANT: PEP BOYS - OWNER: WACHOVIA
DEVELOPMENT CORPORATION**

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Special Use Permit (SUP-5564) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations date stamped 01/04/05, except as amended by conditions herein.
4. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit, to reflect the proposed number and species of 24-inch box trees and bushes.
5. Landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. All City code requirements and design standards of all City departments must be satisfied.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

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

Public Works

13. 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.
14. Site development to comply with all applicable conditions of approval for AR-0016-96, the Rancho Town and Country Shopping Center (commercial subdivision) and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a Carwash (Self Service) on 1.86 acres at 4141 Rancho Drive.

B) Applicant's Justification

A letter of justification for the proposed use has been submitted with the subject application. The applicant is requesting to add a car wash in conjunction with the existing Pep Boy's building on the property. The applicant states that the car wash addition is compatible with the surrounding area and will be an enhancement to the commercial use and would not be detrimental to the neighborhood.

BACKGROUND INFORMATION

A) Actions

- 10/10/96 The Planning Commission approved a request for an Aesthetic Review for a proposed 18,560 square-foot Pep Boys retail and service center on the subject property.
- 03/23/98 The City Council approved the Reinstatement and Extension of Time for an approved Special Use Permit [U-0053-96(1)] for a Tavern in conjunction with a proposed 5,000 square-foot restaurant on a larger site that included the subject property. The Planning Commission recommended approval on 02/26/98.
- 09/28/98 The City Council approved a Special Use Permit (U-0091-98) for a proposed 5,443 square-foot Pawn Shop, Secondhand Sales, and Check Cashing business on a larger site that included the subject property. The Planning Commission recommended approval on 08/27/98.
- 10/26/98 The City Council approved a Special Use Permit (U-0089-98) for a Packaged Liquor Sales in conjunction with a proposed 5,720 square-foot drug store on a larger site that included the subject property. The Planning Commission recommended approval on 08/27/98.
- 04/02/03 The City Council considered an application for Rezoning (ZON-1364) to rezone properties located on both sides of Rancho Drive to various zoning districts, including a C-1 (Limited Commercial) Zone on the subject property. The Planning Commission recommended approval on 02/27/03 and the staff recommended approval on 01/16/03.

- 12/16/04 The Planning Commission recommended approval of a Special Use Permit for a Carwash (Self Service) on the subject property (SUP-5564).
- 12/16/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #41).

B) Pre-Application Meeting

- 10/02/04 The staff met with the prospective applicant on a proposal to establish a carwash on the subject site. It was noted that a Special Use Permit for a Carwash (Self Service) facility and a Site Development Plan Review would be required. It was also noted that the applicant would have to request Waivers in the orientation of the carwash and vacuum bays that would face Rancho Drive.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.86

B) Existing Land Use

Subject Property: Auto oriented use
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: C-2 (General Commercial) under a Resolution of Intent to C-1 (Limited Commercial)
West: C-2 (General Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Centennial Hills Sector map of the General Plan. The site is zoned C-1 (Limited Commercial), which is a zoning district permitted in the SC land use classification. The site plan conforms to the provisions of the C-1 zoning district.

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

There are no special districts or zones that are applicable to the subject property.

PROJECT DESCRIPTION

The subject application is for a proposed Carwash (Self Service) facility that would be located in conjunction with existing uses on the subject property that are related to automobile service uses, including an Auto Repair Garage and an auto parts store. The carwash would be located along the north side of the existing building and oriented such that cars would enter from the west side of the facility and exit toward the east side or Rancho Drive. Vacuum bays are also proposed in conjunction with this use and are proposed along the front of the site facing Rancho Drive.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	NA	81,022 sq. ft.	NA
Min. Lot Width	100 feet	283 feet	Y
Min. Setbacks			
• Front	20 feet	84 feet	Y
• Side	10 feet	10 feet	Y
• Corner	15 feet		NA
• Rear	20 feet	48 feet	Y
Max. Lot Coverage	50 %	23%	Y
Max. Building Height	NA	One story	NA

The existing and proposed uses on the subject property are in compliance with the development standards.

A2) Parking and Traffic Standards

The existing uses on the property were established in 1998, following the approval of an Aesthetic Review (AR-0016-96) for a proposed 18,560 square foot Pep Boys retail and service center on 10/10/96 by the Planning Commission. The use was approved with 77 required parking spaces, including four handicapped parking spaces.

By current Title 19 parking standards for the present uses on the property, it is estimated that approximately 130 parking spaces are required. Consequently, the present uses are classified as a "Parking-Impaired Development." Additional uses are permitted on the property, provided that the new uses do not require more parking spaces than the existing uses and that additional parking spaces over what was required for the existing uses are provided for the new uses. Accordingly, the proposed Carwash (Self Service) facility will be required to have two additional parking spaces for a total of 79 required spaces. With the proposed Carwash (Self Service) facility, a total of 80 parking spaces are provided, not including four vacuum bays. Therefore, the property is in compliance with the parking requirements.

A4) Landscape Standards

The original development of the site was required to have a 17-foot landscaped planting strip along Rancho Drive. Within the planting strip, 24-inch box trees were to be planted 30 feet on center. Since there are no perimeter walls, no perimeter landscaping is required, and there is no change in the existing parking area configuration. With compliance with the original Conditions of Approval for the present development, the site will be in compliance with the landscape standards.

B) General Analysis and Discussion

- **Zoning**

The site is currently zoned C-1 (Limited Commercial). The proposed Car Wash (Self Service) is a use allowed by Special Use Permit in the C-1 zoning district.

- **Site Plan**

As illustrated on the site plan, the proposed Carwash (Self Service) facility would be located along the north side of the existing building and oriented such that cars would enter from the west side of the facility and exit toward the east side or Rancho Drive. With this orientation, cars entering the facility would have adequate stacking space from around the backside of the building. The car wash would be located 84 feet back from Rancho Drive to allow for adequate maneuvering when exiting the facility. The carwash opening faces Rancho Drive, which is not permitted by the Zoning Code. The applicant has requested a Waiver of this requirement in conjunction with a request for a Special Use Permit (SUP-5564) for the Carwash (Self Service) facility.

Vacuum bays are proposed in conjunction with the carwash that would be located at the front of the property facing Rancho Drive. The Zoning Code also does not permit vacuum bays to face public right-of-way. As with the carwash, the applicant has requested a Waiver in this requirement. Because of high traffic movement from cars entering and exiting the site at this location in conjunction with traffic exiting the car wash, the vacuum bays should be relocated to some other less visible and congested location on the site. This concern is addressed as a Condition of Approval in this staff report.

- **Waivers**

No Waivers are requested in conjunction with this application. However, as discussed above, Waivers have been submitted in conjunction with an accompanying application for a Special Use Permit for the Carwash (Self Service) facility to allow the use to front public right-of-way.

- **Landscape Plan**

With compliance with the original plan approved for the site, no additional landscaping is required. However, in a space of approximately 280 feet across the front of the property, 23 trees are shown. The species of the trees are not identified. It is recommended that the landscape plan as presented be approved as a Condition of Approval for this development. The trees species and number should be indicated on the landscape plan.

- **Elevation**

The proposed Car Wash (Self Service) facility is to consist of materials and colors that match the present building on the subject site. Like the present building, the proposed block building is to have a band of "Exotic Colonial Red" fascia located at the roofline and "Sterling Silver" sidewalls with a white horizontal band around the building.

- **Floor Plan**

The floor plan of the drive-through self serve car wash is typical of other similar carwashes.

FINDINGS

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

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

The proposed use is a vehicular oriented use that is to be located on property presently devoted to that purpose. Abutting property is presently undeveloped and zoned C-2 (General Commercial), which permits a higher intensity of commercial uses than the zoning on the subject site. Consequently, there should be no compatibility issues with future land uses that choose to locate adjacent to an existing vehicular oriented use.

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

The proposed development meets the requirement of the Title 19. With compliance with the original plan approved for the site, no additional landscaping is required.

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

The site currently has, and will continue to have access to Rancho Drive, designated as a Freeway-Expressway on the Master Plan of Streets and Highways. The site also has indirect access to an internal commercial drive that connects to Alexander Road, a Primary Arterial (100-foot wide) street. The access to Rancho Drive is limited to right-in, right-out turning movements, but with the access to Alexander Road, the streets are adequate to serve the needs of the proposed use and will not be negatively impacted by the proposed use.

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

Building materials for the proposed new building match the colors of the existing building and, therefore, are appropriate for the area. Landscape materials are required to consist of those landscape materials required for the original site plan. However, in a space of approximately 280 feet across the front of the property, 23 trees are shown. The species of the trees are not identified.

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

As addressed above, the building elevations are appropriate for the area. With the landscaping to be provided along the front of the site, the development will have a visually acceptable appearance.

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

The proposed Car Wash (Self Service) use will be subject to inspections for building and licensing, which will ensure that the public health, safety and general welfare will be safeguarded.

PLANNING COMMISSION ACTION

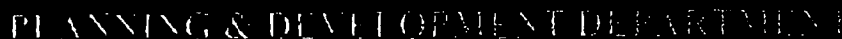
The Planning Commission allowed vacuum bays to remain in the proposed location, believing any negative impacts were addressed by conditions as amended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

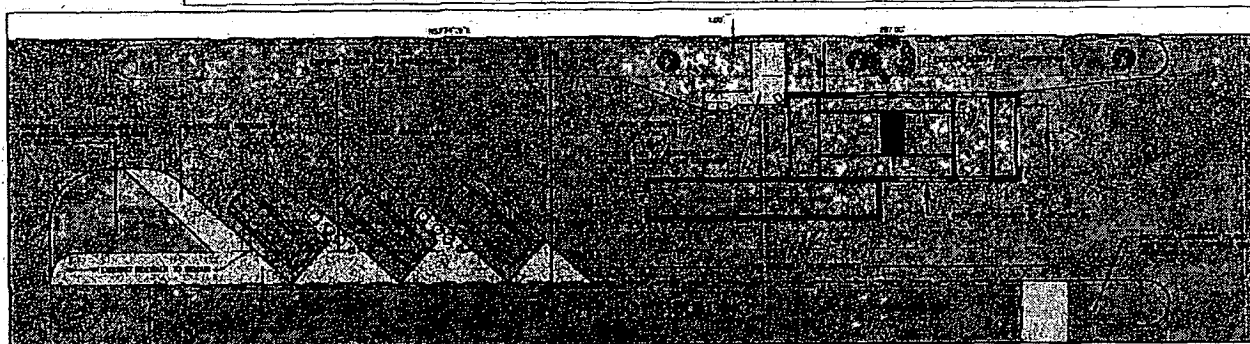
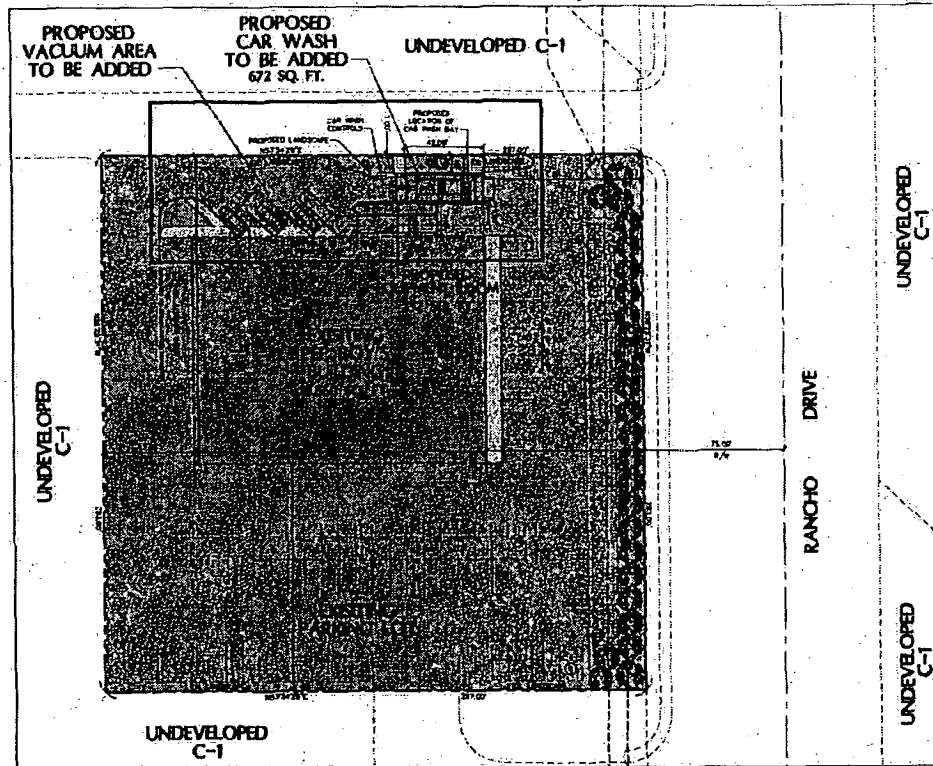
NOTICES MAILED 49 by Planning Department

APPROVALS 0

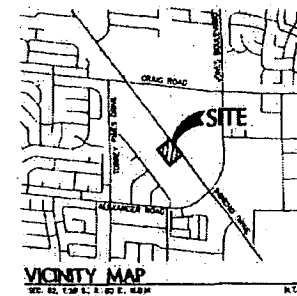
PROTESTS 0



CAR WASH ADDITION FOR PEP BOY'S, INC.



PROPOSED LANDSCAPE ISLAND DESIGN
SCALE: 1" = 10'



VICINITY MAP
N.T.S.



LEGEND

---	STREET CENTERLINE
---	EXISTING IMPROVEMENTS
---	PROPOSED IMPROVEMENTS
---	PROPERTY BOUNDARY LINE
---	PAVING STRIPS

PARKING DATA

REQUIRED	= 77 SPACES
PROVIDED (EXISTING)	= 4 SPACES
PROVIDED (NEW)	= 73 SPACES
TOTAL SPACES	= 77 SPACES
EXCESS SPACES	= 0 SPACES

OWNER
REGIONAL DEVELOPMENT
CORPORATION
2111 W. ALABAMA AVE.
PHILADELPHIA, PA 19103

DEVELOPER

LEGAL DESCRIPTION

TRACT 1 OF 1 RECORD OF SURVEY RECORDED FEBRUARY 14, 1990 IN FILE 62 AT PHILADELPHIA, PENN. COUNTY, PENN. IS THE WHOLE OF LOT 1 OF "BIRCHWOOD" IN PHILADELPHIA, PENN. COUNTY, RECORDED IN PLAT BOOK 78 PAGE 5. SAME QUANTITY, BOUNDARY AS SHOWN.

TABULATION

APR. 8	1.25-03-019-003
CURRENT ZONING	C-1
PROPOSED ZONING	C-1
ACREAGE	1.87 ACRES

NOTES:

1. ALL EXISTING LANDSCAPING TO REMAIN.

L. R. NELSON CONSULTING ENGINEER, INC.
8755 West Hurst Road, Suite 200
Las Vegas, Nevada
(702) 798-7075
(702) 401-2280 FAX

CONCEPTUAL LANDSCAPE PLAN
CAR WASH ADDITION
FOR
PEP BOYS, INC.
CITY OF LAS VEGAS

SHEET NUMBER
1
OF 1 SHEETS

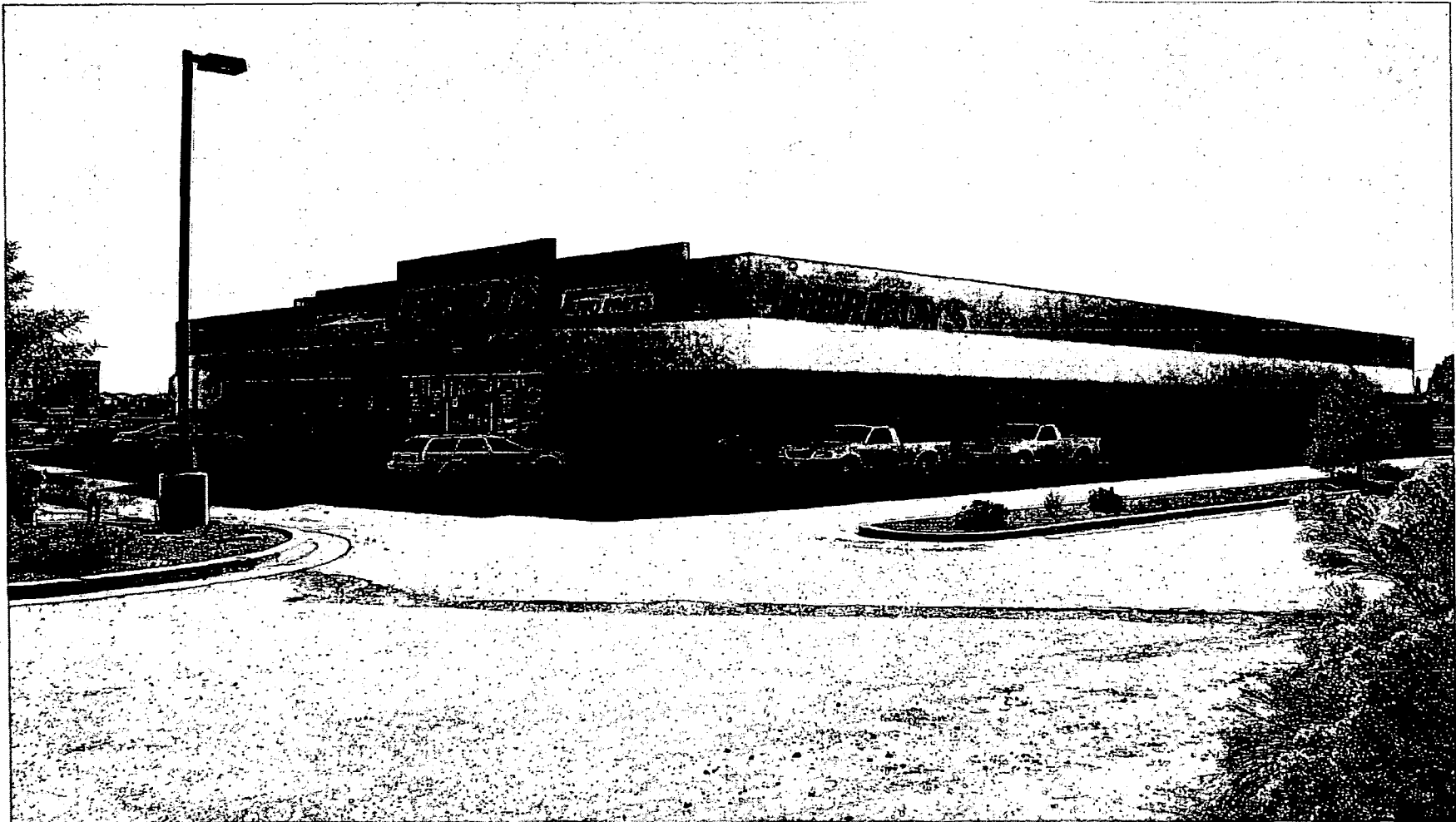
DESIGN BY: J. R. NELSON
DRAWN BY: J. R. NELSON
CHECKED BY: J. R. NELSON
CONCEPTUAL LANDSCAPE LAYOUT 1997

REVISED
1-4-05

SDR-5562
SUP-5564

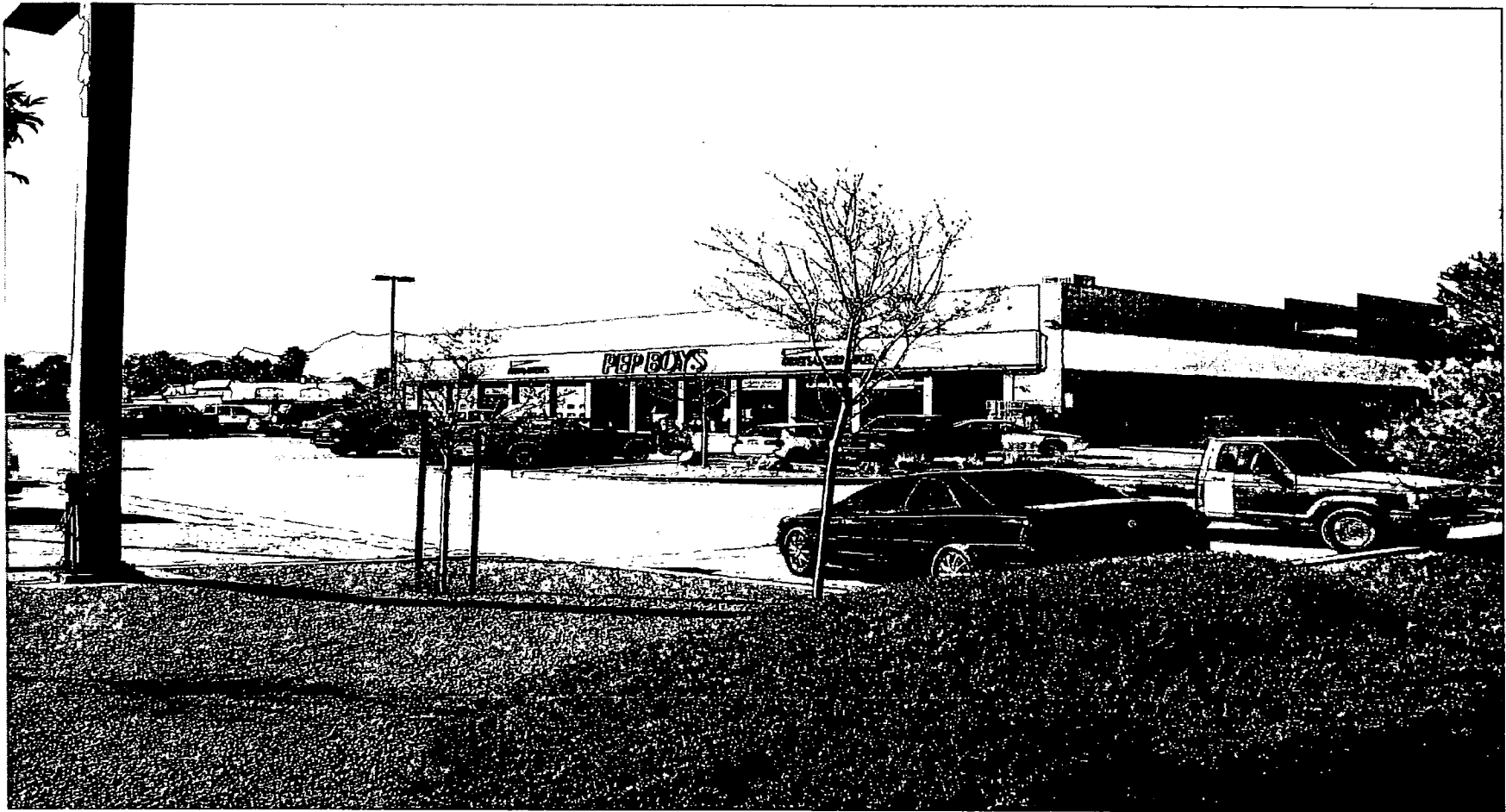
REVISED
1-19-05 CC

Revised SDR-5562; SUP-5564 on 1/19/05



SDR-5562 - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION
4141 RANCHO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04



SDR-5562 - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION
4141 RANCHO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 19, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-5466 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: FREMONT STREET EXPERIENCE PARKING CORPORATION - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER OF THE SEPARATION DISTANCE REQUIREMENT at 425 Fremont Street (APN 139-34-610-045), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - TABLE - UNANIMOUS with GOODMAN excused

NOTE: COUNCILMAN MACK disclosed this site is located both near the Third Street Promenade, which his brother-in-law, ANDREW DONNER is the managing partner, and the Lady Luck Casino, in which ANDREW DONNER has a contract related to its non-restricted gaming license. He has not mentioned this application to his brother-in-law nor will it impact his interests; therefore, he will be voting on the item.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

The applicant was not present.

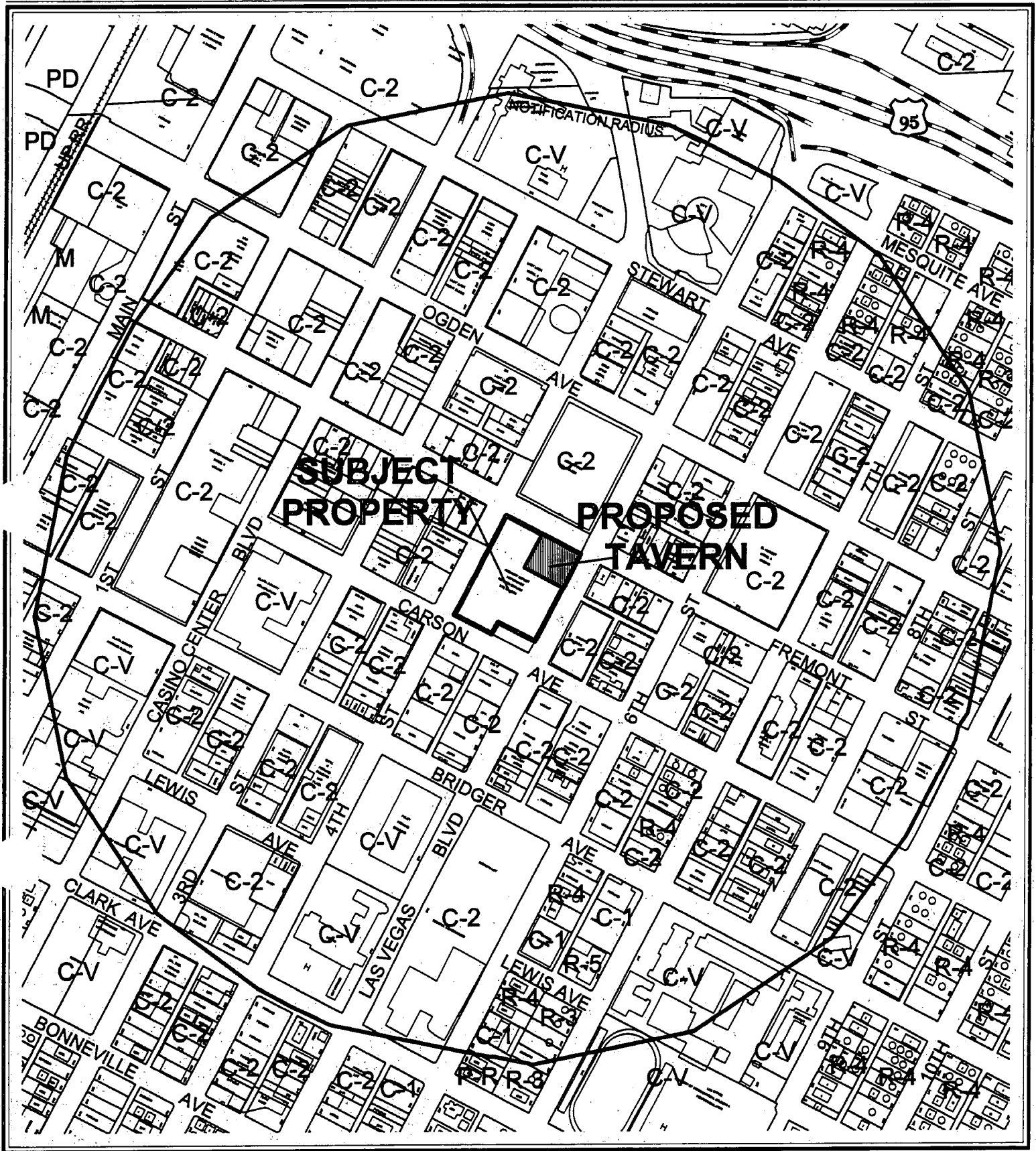
COUNCILWOMAN MONCRIEF asked to table the item and asked staff to notify the applicant if they want to move forward. MARGO WHEELER, Director, Planning and Development Department, clarified for MAYOR PRO TEM REESE that tabling the item would allow staff to contact the applicant, and if the applicant wishes to proceed, the item would be renoticed and brought back before the City Council.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:42 - 2:44)

4-346



CASE: SUP-5466

RADIUS: 1500 FT

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





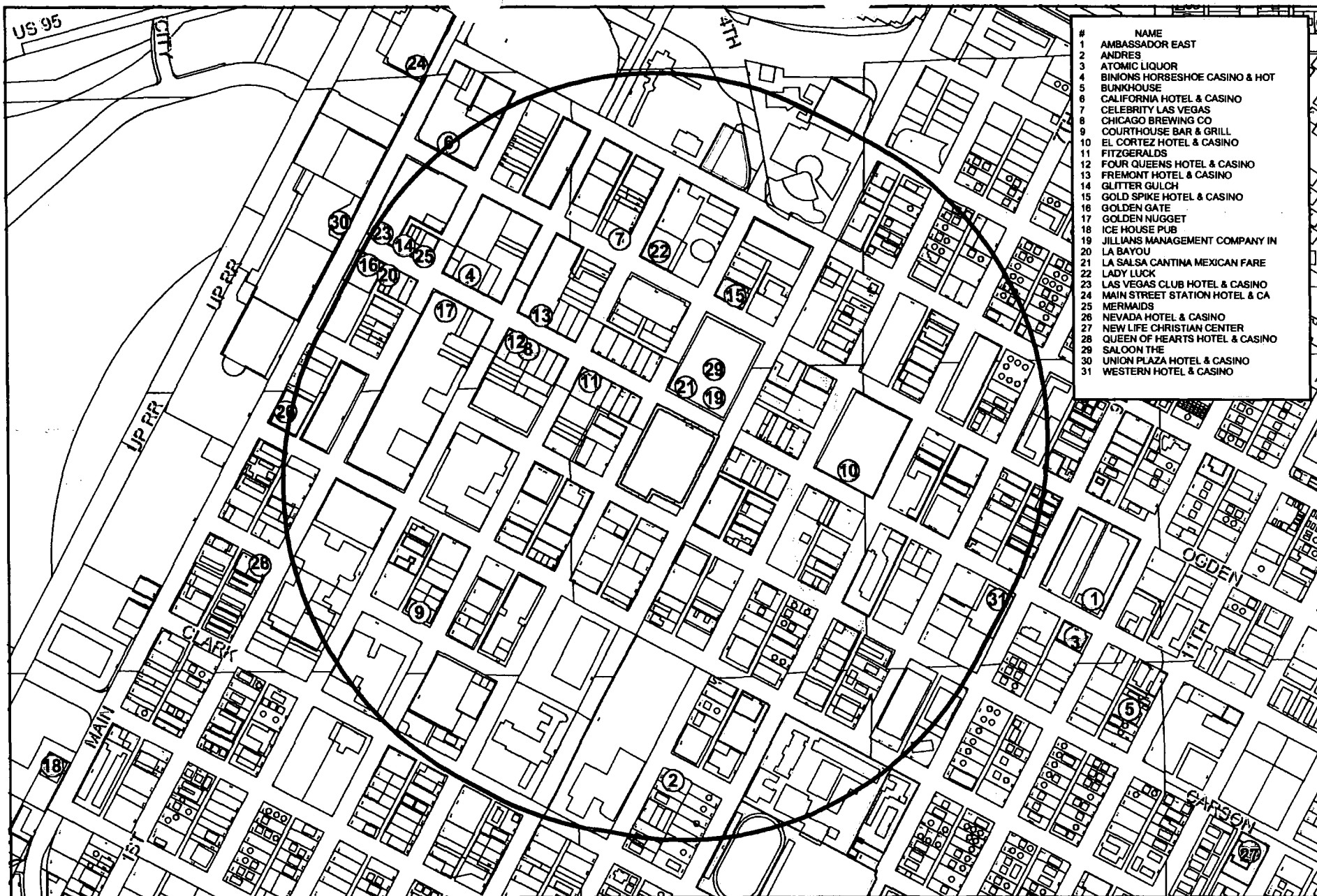
CASE: SUP-5466

RADIUS: 1500 FT

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

0 400 800 Feet

A horizontal scale bar with three segments, corresponding to the 0, 400, and 800-foot markings.



#	NAME
1	AMBASSADOR EAST
2	ANDRES
3	ATOMIC LIQUOR
4	BINIONS HORSESHOE CASINO & HOT
5	BUNKHOUSE
6	CALIFORNIA HOTEL & CASINO
7	CELEBRITY LAS VEGAS
8	CHICAGO BREWING CO
9	COURTHOUSE BAR & GRILL
10	EL CORTEZ HOTEL & CASINO
11	FITZGERALDS
12	FOUR QUEENS HOTEL & CASINO
13	FREMONT HOTEL & CASINO
14	GLITTER GULCH
15	GOLD SPIKE HOTEL & CASINO
16	GOLDEN GATE
17	GOLDEN NUGGET
18	ICE HOUSE PUB
19	JILLIANS MANAGEMENT COMPANY IN
20	LA BAYOU
21	LA SALSA CANTINA MEXICAN FARE
22	LADY LUCK
23	LAS VEGAS CLUB HOTEL & CASINO
24	MAIN STREET STATION HOTEL & CA
25	MERMAIDS
26	NEVADA HOTEL & CASINO
27	NEW LIFE CHRISTIAN CENTER
28	QUEEN OF HEARTS HOTEL & CASINO
29	SALOON THE
30	UNION PLAZA HOTEL & CASINO
31	WESTERN HOTEL & CASINO

SUP-5466
Taverns

Business Licenses

- Child Care/Children Facility
- Tavern

- RELIGIOUS
- PARKS
- SCHOOLS
- Subject Property
- 1500 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 19, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-5466 – APPLICANT/OWNER:
FREMONT STREET EXPERIENCE PARKING CORPORATION**

THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 1, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. The 1,500-foot distance separation requirement for the Liquor Establishment (Tavern) use is hereby waived in accordance with Title 19.04.050(B).
2. Signage for the parcel shall be subject to the requirements of the Las Vegas Boulevard Scenic Byway Overlay District and other applicable regulations.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to the issuance of any permits.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Special Use Permit and a Waiver of the 1,500-foot separation distance requirement for a proposed Liquor Establishment (Tavern) at 425 Fremont Street.

B) Applicant's Justification

The applicant indicates that approval of the request will bring an established operator to the downtown market and will assist in increasing the options for entertainment in the downtown area.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcel, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
05/20/92	The City Council approved a Special Use Permit (U-0081-92) to allow a Class III Secondhand Dealership on the subject property. The Board of Zoning Adjustment recommended approval of the request on 04/28/92.
11/18/92	The City Council approved a Special Use Permit (U-0257-92) to allow a Class III Secondhand Dealership on the subject property. The Board of Zoning Adjustment recommended approval of the request on 10/27/92.
07/06/94	The City Council approved an Aesthetic Review (AR-0009-94) for the construction of a parking structure and retail shops on the subject property. The Planning Commission recommended approval on 06/23/94.
08/22/95	The Board of Zoning Adjustment approved a Variance (V-0117-95) to allow three projecting wall signs on the parking structure building.
10/06/99	The City Council approved a Special Use Permit (U-0096-99) for a proposed tavern on the subject property. The Planning Commission recommended approval of the request on 9/23/99.
11/18/04	The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #48/ff).

B) Pre-Application Meeting

10/14/04 At the pre-application conference, issues were discussed relative to the Waiver of the separation distance requirement and the operation of the facility.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.59

B) Existing Land Use

Subject Property: General Retail Use
Parking Structure
North: General Retail Use
Restaurant Use
Entertainment Use
South: Financial Institution Use
East: Office Use
General Retail Use
West: Retail Use
Hotel Use
Gaming Use

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: C-2 (General Commercial)
West: C-2 (General Commercial)

E) General Plan Compliance

The parcel is located within the boundaries of the Downtown Las Vegas Redevelopment Area, and is designated C (Commercial). The C (Commercial) designation allows for a variety of office, service commercial, and general commercial uses. The proposed use is in conformance with the land use designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		
Fremont Street Experience	X	
Downtown Casino Overlay District	X	
Las Vegas Boulevard Scenic Byway Overlay	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 C (Commercial) land use designation. The proposed use is in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Casino Center District. The goals of the district include preserving and enhancing the appearance of "Glitter Gulch," as well as encouraging supporting entertainment uses, and maintaining the presence of public facilities.

Downtown Casino Overlay District/Fremont Street Experience

The parcel is located within the boundaries of the Downtown Casino Overlay District, and is within the Special Signage Sub-District, although Title 19.06.100 exempts properties within the pedestrian mall from the Sub-District regulations.

Las Vegas Boulevard Scenic Byway

The property is also located within the boundaries of the Las Vegas Boulevard Scenic Byway Overlay, which is intended to preserve the character of Las Vegas Boulevard as a nighttime urban scenic byway. The Overlay requires the use of neon or animation for all signage, and prohibits new off-premise signage.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.06, properties within the Downtown Overlay District are exempt from the automatic application of the mandatory standard parking requirements. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan.

Uses	GFA	Ratio	Required Parking	
			Regular	Handicap
Tavern Area	24,484	1/50 GFA	490	
Remaining area	6,121	1/200 GFA	31	
Retail Space	4,000	1/250 GFA	16	
Total	34,605		537	11

Title 19.10 would typically require a total of 537 parking spaces for this use outside the boundaries of the Downtown Centennial Plan area; parking for the use will be provided on site in the parking structure, which has 1,472 parking 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	80 Feet

Three Liquor Establishments are located across the street from the proposed use, and 20 others are within the 1,500 separation distance. Title 19.04.050 allows the distance separation requirement to be waived from properties within the Downtown Casino Overlay District. Staff recommends approval of the Waiver request.

B) General Analysis and Discussion

- Zoning

The property is zoned C-2 (General Commercial); Liquor Establishments are permitted upon approval of a Special Use Permit. The use will be housed within an existing commercial space, and no additional square footage will be added as part of this request. The signage for the property will be subject to the requirements of the Las Vegas Boulevard Scenic Byway Overlay District, in addition to other standards that apply.

- Use

The applicant has indicated that the business will be open from 4:00 p.m. until 2:00 a.m., and will include food service, billiards, dancing, and bull riding. Musical entertainment may also be offered at the venue. The applicant indicates that 4,000 square feet of the space will be utilized as a retail shop for the sale of country and western clothing. All of the proposed uses are in conformance with the C-2 (General Commercial) zoning.

- Conditions

Title 19.04.050(B) requires a 1,500-foot separation distance between a Liquor Establishment and any other Liquor Establishment, church, synagogue, school, child care facility licensed for more

than 12 children, or City park. This distance separation requirement may be waived for establishments within the Downtown Casino Overlay District. The proposed establishment is within 1,500 feet of numerous other Liquor Establishments.

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 is appropriate for the downtown area, and can be conducted in a manner that will not impact surrounding land uses.

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

The subject commercial space has been utilized as a Liquor Establishment previously, and is physically suitable for the proposed use.

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

The site has direct access to the Fremont Street pedestrian mall area; parking for the facility will be available in the attached parking structure, which has direct access from the surrounding streets.

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

The proposed establishment will not compromise the public health, safety or welfare, nor is it inconsistent with the overall objectives of the General Plan.

NOTICES MAILED 225 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5466** APN: _____

Name of Property Owner: FREMONT STREET EXPERIENCE PARKING CORP.

Name of Applicant: JOHN P. COLE

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

FROM A PERSONAL PERSPECTIVE

THE MAYOR NOR ANY COUNCIL MEMBER HAS ANY FINANCIAL INTEREST. HOWEVER, THE

MAJORITY OF CASH FLOWS GO TO THE CITY.

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 P. Cole

Print Name: _____

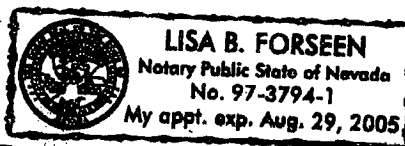
JOHN P. COLE

Subscribed and sworn before me

This 18TH day of OCTOBER, 2004

Lisa B. Forseen

Notary Public in and for said County and State



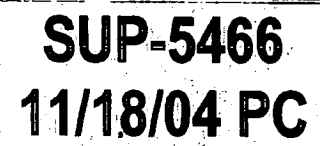


FREMONT STREET REMODEL

FIRST FLOOR	
LEASE SPACE #1	6.175 SF
LEASE SPACE #2	4.000 SF
SECOND FLOOR	
LEASE SPACE #3 ENTRY	2.000 SF
COMMON AREA - 1st FLOOR	
LEASE SPACE #3	11.850 SF
TOTAL LEASE SPACE #3	14.785 SF
TOTAL LEASE SPACE:	25.850 SF
COMMON SPACE (1ST FLOOR)	735 SF
TOTAL AREA:	26.405 SF

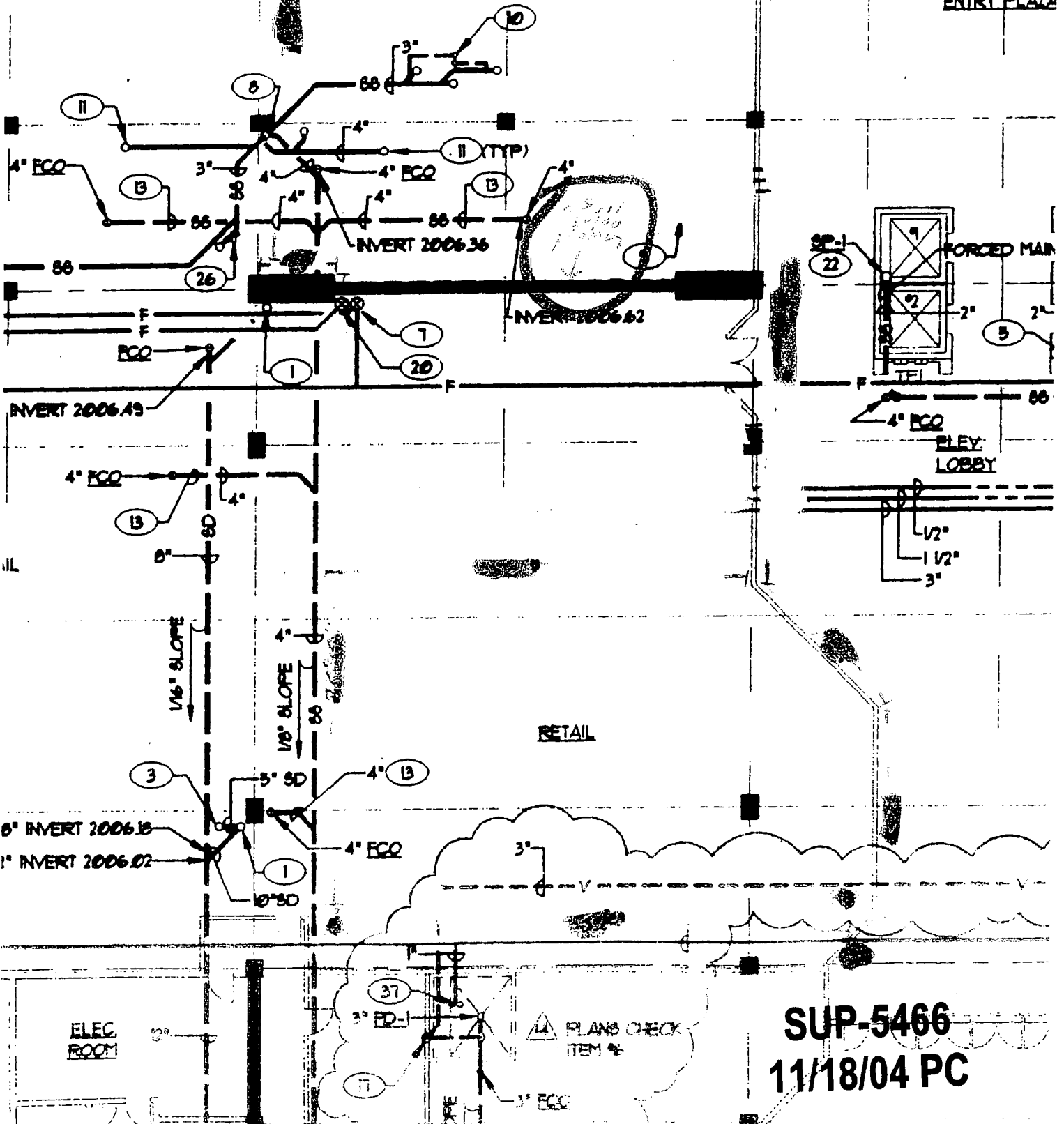
SUP-5466
11/18/04 PC

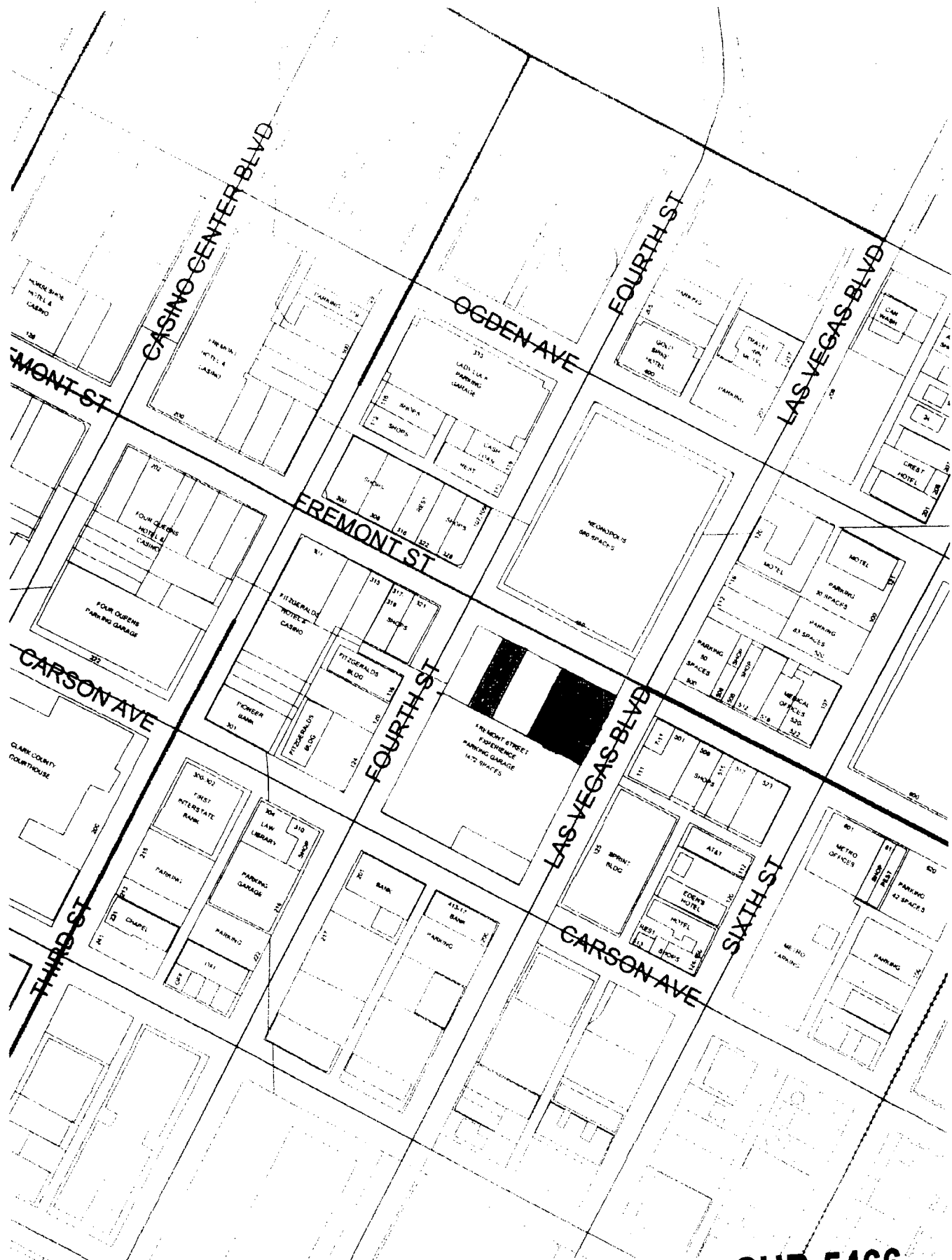




RETAIL

ENTRY PLAZA



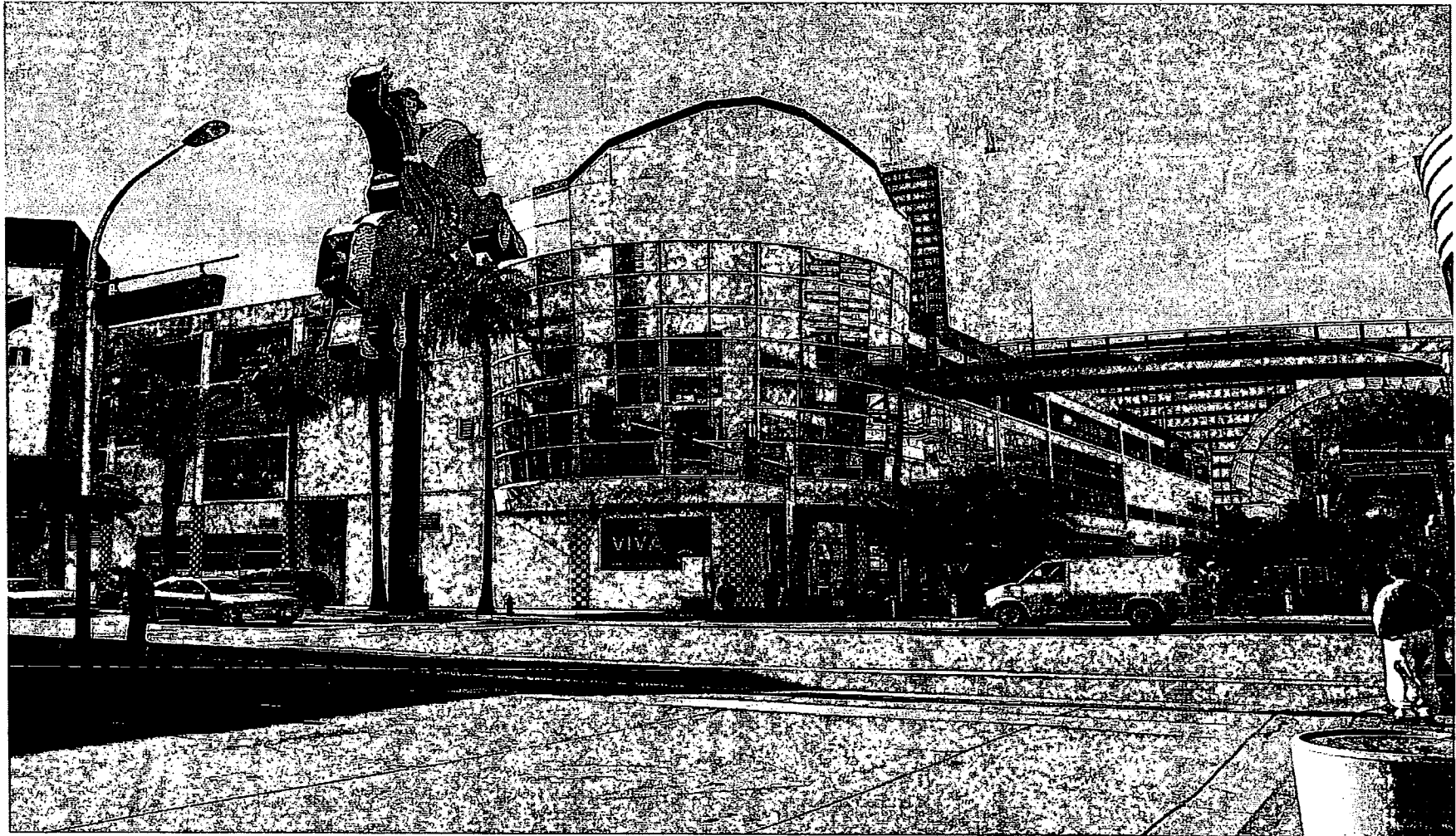


SUP-5466
11/18/04 PC



SUP-5466 - APPLICANT/OWNER: FREMONT STREET EXPERIENCE PARKING CORPORATION
425 FREMONT STREET
NOVEMBER 18, 2004 PLANNING COMMISSION

11/02/04



SUP-5466 - APPLICANT/OWNER: FREMONT STREET EXPERIENCE PARKING CORPORATION
425 FREMONT STREET
NOVEMBER 18, 2004 PLANNING COMMISSION

11/02/04