

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

☐ CONSENT ☒ DISCUSSION

SUBJECT:

BOARDS AND COMMISSIONS

ABEYANCE ITEM - SENIOR CITIZENS ADVISORY BOARD - Al Gallego - Term Expires 6/2007 (Resigned)

Fiscal Impact:

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

PURPOSE/BACKGROUND:

The Senior Citizens Advisory Board was created upon Council adoption of Ordinance 5206 on April 19, 2000. This Board consists of eight members appointed by the City Council. Each of the six members of Council has one coterminous appointment with the appointee residing in the respective member of Council's Ward; the Mayor has two coterminous appointments with members residing in two different Wards. Members may serve for an uninterrupted period not longer than eight years (two terms). It will be necessary for Mayor Goodman, to appoint a new representative to fill the vacant seat. This item was held in abeyance at the January 19, 2005 Council meeting.

RECOMMENDATION:

Procedure for this seat is coterminous appointment by Mayor Goodman with the Mayor to appoint a new representative from any ward except Ward 6.

BACKUP DOCUMENTATION:

1. Current Listing & Authority - Senior Citizens Advisory Board
2. Board Interest Form for Edward E. Gullette, Jr.

MOTION:

GOODMAN - Motion to APPOINT LANCE MORAN (Goodman's recommendation), 2025 Summer Cove Ct. #101, Las Vegas, Nevada 89134 - UNANIMOUS

Clerk to notify

MINUTES:

MR. MORAN indicated he presently resides in Ward 4, but he has lived in all six wards. He thanked the Council for this appointment and recognized SYDELL McCAY, who recently retired, for serving as his mentor for this appointment. He also thanked MARIA CASTILLO-COUCH of Neighborhood Services for all her kindness and assistance.

He then mentioned that his mother ESTELLE MORAN was the Chairman of this board in its infancy, and she left a great legacy. He will try to follow in her footsteps and try his best to make the lives of seniors more pleasurable.

(10:43 - 10:46)

1-3152

SENIOR CITIZENS' ADVISORY BOARD

	<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1.	ZWECK, ROBERT (L. B. McDonald's recommendation)	2520 Lotus Hill Drive (Ward 4)	134	5-3-2000 (Reappt. 7-18-2001)	6-2005
2.	KOSBAB, JERRY (Reese's recommendation)	800 North Eastern Ave., #104 (Ward 3)	101	5-3-2000 (Reappt. 8-20-2003)	6-2007
3.	GERAN, HAZEL (Weekly's recommendation)	1028 North I Street (Ward 5)	106	5-3-2000 (Reappt. 7-18-2001) (Reappt. 8-20-2003)	6-2007
4.	HENKIN, MEL (Mack's recommendation)	7909 Ben Hogan (Ward 6)	149	7-18-2001	6-2005
5.	FUREY, HARRY (Brown's recommendation)	8004 Holly Knoll Avenue (Ward 4)	129	8-7-2002	6-2005
6.	~~GALLEGO, AL (Goodman's recommendation) (Resigned December 2004)~~	~~711 Bell Drive (Ward 5)~~	~~101~~	~~8-20-2003~~	~~6-2007~~
7.	DURSO, RUDOLPH (Goodman's recommendation) (Filled unexpired term of Alberta Allen)	7644 Picnic Street (Ward 6)	131	11-7-2001 (Reappt. 8-20-2003)	6-2007
8.	GOLDSTEIN, ROBERT (Moncrief's recommendation)	1600 S. Valley View Blvd.#2088 (Ward 1)	102	6-21-2000 (Reappt. 8-20-2003)	6-2007

AUTHORITY: LVMC 2.46 (Ordinance #5206 Adopted 4-19-2000)

MEMBERS: 8 members appointed by the City Council.
Mayor nominates 2 persons for appointment residing in 2 different Wards
Each Councilmember nominates 1 person for appointment (Persons nominated must reside in Ward represented by Councilmember making nomination)

TERM: Serve for an uninterrupted period not longer than eight years (2 terms) (Term to be coterminous with City Councilmember, but may serve until a successor is appointed)

NOTES: Must be a City Resident
NO FINANCIAL DISCLOSURE REQUIREMENT

DEPT. SUPPORT: Neighborhood Services (Designated as Department Liaison Per Bill 2002-129, Ordinance 5549, Adopted by City Council on 12/4/2002)

RECEIVED
CITY CLERK

2005 JAN 10 A 10:32



cc: Mayor Goodman
Councilman Wolfson
Dir, Neighborhood Services
Dir, Planning
Dep CM Betsy Fretwell

City of Las Vegas Board, Commission, or Committee Interest Form

Name: EDWARD E. GULLETTE, Jr

Home Street Address: 8549 SUMMER VISTA AVE

City: LAS VEGAS ZIP Code: 89145

Work Street Address: 1750 S. RAINBOW BLVD STE 10 (COUNCIL 4/15/04)

City: LAS VEGAS ZIP Code: 89146

Employer: LEGACY TAX SERVICE, LLC Occupation: TAX PREPARER + BOOKKEEPER

Home Phone Number: 228-5693 Work Phone Number: 459-3766

Other Phone Number: _____ Email Address: GULLETTE@CUX.NET

Please list the boards, commissions, or committees that you are interested in serving on:

PLANNING COMMISSION

SENIOR CITIZENS' ADVISORY BOARD

For office use only

CLV Y ☒ N ☐

Ward 2

Date 1-10-05

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

PLANNING COMMISSION - City of Willist, CA 1970-84, 1980-84

Airport Commission - City of Willist, CA 1988-94

CITY COUNCIL - City of Willist, CA 1974-80

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

SEE ATTACHED LETTER

Please list any of your relatives or friends that work for the entity in which you would be serving:

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to: **City Clerk**
 City of Las Vegas
 400 Stewart Avenue
 Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*

Edward E. Gullette, Jr.
8549 Summer Vista Ave.
Las Vegas, NV 89145
(702) 228-5693

January 5, 2005

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

Please accept my enclosed application to serve on either the Planning Commission or the Senior Citizens' Advisory Board.

You will note that I have many years experience in serving on commissions in the small town of Willits, California. During the periods shown, we developed a new general plan, created area-wide zoning and accomplished all the normal duties of associated with these offices.

My wife and I moved to Las Vegas in 1994 and purchased our "retirement" home here. I have been semi-retired since. I worked as general manager of a retail store in the Forum Shops for 2 years until I could adjust to the retired life. I presently own Legacy Tax Service, LLC. This company provides bookkeeping and tax service to small businesses and the public. I open a temporary office during tax season and devote the rest of the year to a small number of clients from my home.

As a part of this community, I would consider it an honor to devote some of my time to serving the City in which I live. Please consider my application.

Please advise me if you require any additional information.

Sincerely,


E. E. Gullette, Jr.

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2005 JAN 10 A 10:32

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: ADMINISTRATIVE**DIRECTOR: DOUGLAS A. SELBY**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson**

Discussion and possible action on the Floyd Lamb State Park Transfer Agreement with the Nevada Division of Lands regarding the transfer of Floyd Lamb State Park, located south of Moccasin Road and north of Grand Teton, to the City of Las Vegas (\$1,300,000 - General Fund) - Ward 6 (Mack)

Fiscal Impact:

☐ No Impact	Amount:	\$1,300,000.00
☐ Budget Funds Available	Dept./Division:	Field Operations/Detention & Enforcement
☒ Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

The Nevada Divisions of State Parks and State Lands were directed by Governor Guinn and authorized by Nevada State Senate Bill 444 and Assembly Bill 287 to enter into negotiations with the City of Las Vegas regarding the transfer of Floyd Lamb State Park. Both bills contain very specific guidelines regarding the possible transfer of Floyd Lamb State Park to the City of Las Vegas if the City desires such a transfer. Council, at its regular meeting on December 3, 2003, directed staff to meet the State Division of Lands and Parks to develop a proposed agreement for the transfer of the Park. City staff has met with the state staff on various occasions for the past year and developed a proposed transfer agreement.

RECOMMENDATION:

The 2/1/2005 Real Estate Committee and staff struck this item from the Real Estate Committee agenda

BACKUP DOCUMENTATION:

Floyd Lamb State Park Transfer Agreement

MOTION:

MACK - ABEYANCE to 3/2/2005 - Motion carried with REESE voting NO

NOTE: Reese's previous motion for reconsideration, which carried unanimously, rescinded his initial motion under to strike this matter under Item 1, which also carried unanimously with Mack not voting.

MINUTES:

COUNCILMAN MACK indicated that staff has been working with the state on transferring Floyd Lamb Park to the City, because the state has a difficult time managing it with its limited resources. However, great strides have been made, and he has a meeting with the governor in 30 days to seek to resolve the issues of management and operation.

COUNCILMAN MACK is very concerned about SNPLMA funding, because the President suggested in his State of the Union Address tapping into SNPLMA funding that comes back to the state from the sale of BLM lands. A lot of those monies go directly back into parks and open spaces, and the City has been a big recipient of those funds. He would like Floyd Lamb Park to also be a recipient so that it can be maintained. Perhaps a hybrid effort can be devised with SNPLMA to maintain state staff to manage the facility. Lastly, COUNCILMAN MACK noted his awareness of his colleagues' reservations in using capital improvement funds for Floyd Lamb Park. He requested a 30-day abeyance.

CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

MINUTES - Continued:

COUNCILMAN REESE countered that this matter has been at issue for some time, and he still has the same concerns. There are other open spaces within the City that could use some of the funding. He has strong reservations about using any current City funds to hire more staff when his repeated petitions for funding to make improvements to open spaces in Ward 3 have not been successful. Maintaining and operating Floyd Lamb Park would take a lot more money than what he needs for Ward 3; therefore, he could not support any further discussions on this matter.

(9:50 - 9:52/10:25/10:46 - 10:50)

1-902/1-2262/1-3321

FLOYD LAMB STATE PARK TRANSFER AGREEMENT

This FLOYD LAMB STATE PARK TRANSFER AGREEMENT ("Agreement") is made between **THE STATE OF NEVADA**, by and through its Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources ("State"), and the **CITY OF LAS VEGAS** ("City"), a municipal corporation of the State of Nevada.

In consideration of the mutual covenants and representations herein contained, the State and the City agree as follows:

1.

TRANSFER OF FLOYD LAMB STATE PARK TO CITY

1.1 **Transfer.** Subject to the terms and conditions of this Agreement, the State does hereby agree to transfer and convey to the City, and the City does hereby agree to accept from the State, the property described in Exhibit A attached hereto (commonly known as Floyd Lamb State Park, and herein called the "Park"), together with appurtenant water rights, which description shall be amended prior to Closing to except therefrom and to reserve unto the State, the Forestry Site (including access easement and appurtenant water rights) described below.

1.2 **Relinquishment of Federal Land Lease.** Simultaneously with the transfer of the Park to the City pursuant to the terms of this Agreement, the State of Nevada shall relinquish in favor of the City, the lease from the United States of America to the State (Lease No. N-36876) (the "Leased Land").

2.

CLOSING THE TRANSFER AND RELINQUISHMENT

2.1 **Closing.** At the election of the City, the simultaneous closing of the transfer of the Park and the relinquishment of the Leased Land ("Closing") shall be held at the Lawyers Title of Nevada, Inc. (the "Escrow Agent") office in Las Vegas, Nevada, on the date which is on or before fifteen (15) calendar days following the completion of the Conditions of Closing as set forth herein (the "Closing Date"), unless the parties mutually agree upon another place or date. In the event the State and the City notify Escrow Agent of the completion of all Conditions of Closing, Escrow Agent shall close escrow as soon as Closing can be accomplished. A copy of this Agreement shall be provided by the City to the Escrow Agent and shall constitute the escrow instructions to close the transaction as soon as all matters necessary to close escrow under the terms of this Agreement have been fulfilled. The parties shall execute any additional escrow instructions deemed necessary by the Escrow Agent. The City Manager, Douglas A. Selby, or his written designee, shall have the authority to execute all documents necessary to close escrow, extend escrow, or amend or terminate this Agreement. The deed shall be a Quitclaim Deed, in conformance with the requirements of this Agreement, and in substantially the form set forth as Exhibit C herein. The parties shall execute all documents and provide the payments necessary to close escrow in a timely manner. Escrow Agent shall provide any policy of Title Insurance requested and paid for by the City to the City at Close of Escrow. Escrow Agent shall record the deed to convey the Park to the City and shall deliver the

State's relinquishment of the Leased Land to the United States Bureau of Land Management at Closing. In the event the City elects to close the transactions set forth in this Agreement without the use of the Escrow Agent, then the parties shall proceed to close such transactions as soon as the Conditions of Closing have been accomplished, with the parties' obligations remaining the same except for those provisions only applicable to Escrow Agent.

2.2 State's Obligations at Closing. By Closing, the State shall deliver to Escrow Agent the following documents:

(a) Deed. Quitclaim Deed (the "Deed") prepared by Escrow Agent and executed by the State conveying the Park to the City subject only to the Permitted Exceptions and the agreed upon Reservations (including the Forestry Site described below) and Restrictions;

(b) Relinquishment. The Relinquishment of the Leased Land, in favor of the City, in the form acceptable to the United States Bureau of Land Management, executed by the State with no reservations or restrictions other than the requirements of the Recreation and Public Purposes Act (43 USC Sec. 869—the "R&PP Act");

(c) Evidence of Authority. Copy of State's authorizing statutes or other documents required by Escrow Agent, certified by State as true and complete, as of the Closing Date, so as to evidence the authority of the person signing the Deed and other documents to be executed by State at Closing and the power and authority of the State to convey the Park to the City and relinquish the Leased Land in accordance with this Agreement, including all documents required by the Land And Water Conservation Act;

(d) Any other documents deemed necessary by the Escrow Agent for the Closing.

2.3 City's Obligations at Closing. By Closing, City shall deliver to Escrow Agent the following:

(a) Any documents deemed necessary by the Escrow Agent for the Closing.

3.

CONDITIONS TO CLOSING

3.1 Evidence of Title.

(a) Title Commitment. Upon the request of the City, Escrow Agent shall provide a commitment for Title Insurance on the Park, and legible copies of any leases, restrictive covenants, easements and other items listed as title exceptions therein. State shall disclose and provide to Escrow Agent and to City, copies of any and all information and documents related to such leases, covenants, easements and exceptions as may be requested by Escrow Agent.

(b) Title Exceptions. Thereafter, the City shall have thirty (30) calendar days within which to approve or disapprove all title exceptions, including the information reflected therein. If the City declines the purchase, the parties agree to cancel escrow immediately. If the City fails to disapprove of any such item by written notice to the State and Escrow Agent within the 30-day period, the City shall be deemed to have approved such item. If the City disapproves of any such item by written notice to the State and Escrow

Agent during such 30-day period, the State may either cure such item at the State's cost and expense or the State may notify the City and Escrow Agent in writing within 30 days of the written notice of disapproval, that the State will not cure said item, at which time and in such event the City shall thereafter have 20 days within which to notify the State and Escrow Agent in writing that the City agrees to take title subject to said previously disapproved item, or this Agreement shall be deemed null and void and cancelled as if never entered into. The title exceptions listed in the Commitment for Title Insurance, which City approves or is deemed to approve pursuant to this Section 3.1, are hereinafter called the "Permitted Exceptions."

(c) Title Restrictions. The State and the City agree that the title and the Deed shall be subject to the following Restrictions (in addition to the Reservation to the State of the Forestry Site, which will be set forth in the amended legal description attached as Exhibit A to the deed), to be set forth on the recorded deed:

1. The City of Las Vegas shall protect all historical and recreational value of the property described in Exhibit A hereto.
2. The City shall guarantee public access to the property described in Exhibit A hereto.
3. The City of Las Vegas and any successor in title shall not transfer any interest in the property described in Exhibit A hereto without the written consent of the State of Nevada through a concurrent resolution of the Legislature.
4. The City of Las Vegas shall use the property described in Exhibit A hereto only for passive recreation. Passive recreation is defined as follows:
 - a. With respect to the improved core portion of the Park of approximately 60-acres as described in Exhibit B hereto, those recreational uses that have historically been allowed by the State of Nevada, as expanded to also include family play fields, group use, picnic areas, hiking and jogging trails, cultural events, and other passive recreational uses as defined by the National Recreation And Parks Association.
 - b. With respect to the remainder of the property described in Exhibit A hereto, any type of outside recreational use consistent with the Land And Water Conservation Act to which the property is subject, which use must also be approved through the public planning process of the City of Las Vegas with input from the State of Nevada.
5. In the event of any breach of the foregoing restrictions, the property described in Exhibit A shall revert to the State of Nevada, including all appurtenant water rights.

3.2 Condition of Park.

(a) Inspection And Repair. The City may inspect the Park and any State records with respect thereto, at any reasonable time during business hours during the above referenced periods prior to Closing. The State shall make available to the City for inspection and copying, all pertinent property information and historical records with respect to the Park. If such inspections reveal any fact or condition unacceptable to the City, the City shall notify the State and Escrow Agent of such unacceptable fact or condition. The State shall insure that all existing Park facilities are in good operating condition and that every effort has been made to identify and repair any deficiencies prior to transfer of the Park to the City. The State shall also provide City staff with an overview of current operations plans, including administration and upkeep of Park facilities. Thereafter, if the City elects to go forward with the transfer of the Park, the City shall accept the Park in its "as is" physical condition. The City shall be liable for all damage or injury to person or property

resulting from any City inspection occasioned by the acts of the City, its employees, agents or representatives, and the City shall indemnify and hold harmless the State from any liability resulting therefrom, subject to the limitations of liability set forth in NRS 41.035.

(b) Termination. If this Agreement is terminated pursuant to Section 3.1 or 3.2 above, the City shall pay the Escrow Agent's cancellation fees and charges, and neither party shall have any further obligations under this Agreement.

3.3 Forestry Site. The term "Forestry Site" as used throughout this Agreement shall include the following:

(a) Survey. As a condition to Closing, the City shall survey the portion of the Park identified by the State for the use of the Division of Forestry of the State Department of Conservation and Natural Resources, and shall create a separate parcel for said site.

(b) Reservation of Site. The property description of the Park as set forth in Exhibit A shall be amended to except therefrom and to reserve unto the State, the parcel for the Forestry Site, together with an access easement to and from said Site. The amended property description shall then be attached as Exhibit A to the deed transferring the Park to the City.

(c) Reservation of Water Rights. The documentation necessary to transfer the water rights appurtenant to the Park to the City shall also be amended to except therefrom and to reserve to the State, the water rights as identified by the State appurtenant to the Forestry Site, together with any easements that may be required to utilize such water rights on the Forestry Site. The water rights reserved for the Nevada Department of Forestry Site will not exceed 12 acre feet per year.

3.4 Proration. Rents and assessments shall be prorated to the date of Closing.

3.5 Closing Costs. Except as otherwise expressly provided herein, the City shall pay, on the Closing Date, the title insurance premium for the type of policy requested by the City, together with any escrow fees, recording costs and other customary charges of the Escrow Agent.

3.6 Approval of Agreement. This Agreement must be approved by statute if the State Legislature is in session, or if the Legislature is not in session, the Legislature's Interim Finance Committee must approve the Agreement. The State shall provide evidence of such approval to the Escrow Agent prior to Closing.

4.

FUTURE USE

After the transfer of the Park to the City, and unless the Park reverts to the State:

(a) Maintenance. The City will operate and maintain the Park in such manner that the use and enjoyment of the Park by the residents of the State is not diminished. The City shall maintain all water rights in good standing with the State Engineer's office, and ensure they are retained on the property.

(b) Release of State. The State is released by the City and is not liable for any expense incurred to operate or maintain the Park or any appurtenances or facilities which are located on the Park. This release does not prohibit the State from making grants to the City for operation or maintenance of the Park or any appurtenances or facilities which are located on the Park.

(c) Park Name. The City may not change the name of the Park from a name which includes the name of Floyd Lamb unless the State Legislature approves the change by statute.

5.

MISCELLANEOUS

5.1 Notice. Whenever this Agreement requires or permits any delivery, consent, approval, notice, request, or demand from one party to the other (collectively "Notice"), such Notice must be in writing to be effective and shall be effective on the date of actual receipt of such Notice by the addressee or when the attempted initial delivery is refused or when it cannot be made because of a change of address of which the sending party has not been notified. The following shall, without limitation, be prima facie evidence of actual receipt of Notice by the addressee: (a) if mailed, by a United States certified mail return receipt, signed by the addressee or the addressee's agent; (b) if by telegram, by a telegram receipt signed by the addressee or the addressee's agent; or (c) if hand-delivered, by a delivery receipt, signed by the addressee or the addressee's agent. The parties' respective addresses for delivery of any Notice are set forth below unless another address is designated in writing by any party to the other.

IF TO CITY: City of Las Vegas
 400 Stewart Avenue
 Las Vegas, NV 89101-2986
 Attention: City Manager

IF TO STATE: Nevada Division of State Lands
 Department Of Conservation And Natural Resources
 1300 S. Curry Street
 Carson City, NV 89703-5202

 Nevada Division of State Parks
 Department of Conservation And Natural Resources
 333 W. Nye Lane
 Carson City, NV 89703-5202

5.2 Entire Agreement. This Agreement embodies the entire agreement between the parties relative to the subject matter hereof, and there are no oral or written agreements between the parties or any representations made by either party relative to the subject matter hereof which are not expressly set forth herein.

5.3 Amendment. Only a written instrument executed by the parties hereto may amend this Agreement.

5.4 Successors and Assigns. This Agreement shall bind and inure to the benefit of the State and the City and their respective heirs, executors, administrators, personal and legal representatives, successors and assigns. The City shall not assign any of its rights or obligations under this Agreement without the prior written consent of the State.

5.5 Invalid Provision. If any provision of this Agreement is held to be illegal, invalid or unenforceable under present or future laws, such provision shall be fully severable; this Agreement shall be construed and enforced as if such illegal, invalid, or unenforceable provisions had never comprised a part of this Agreement, and the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid, or unenforceable provision or by its severance from this Agreement.

5.6 Multiple Counterparts. This Agreement may be executed in a number of identical counterparts, each of which for all purposes is deemed an original, and all of which constitute collectively one (1) agreement.

IN WITNESS WHEREOF, the parties hereto do execute this Agreement as indicated:

CITY OF LAS VEGAS

Attest:

Barbara Jo Ronemus, City Clerk

By: Oscar B. Goodman, Mayor

Date: _____

Approved As To Form:

Thomas R. Green 1/25/05
Deputy City Attorney Date

STATE OF NEVADA

By: _____
Administrator, Division of State Lands
Department of Conservation and Natural
Resources

Date: _____

EXHIBIT A TO FLOYD LAMB STATE PARK TRANSFER AGREEMENT
(PROPERTY DESCRIPTION OF PARK)

Floyd Lamb State Park is described as follows:

- (a) Parcel 1. That portion of the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of Section 9, Township 19 South, Range 60 East, M.D.M., more particularly described as follows:
Lot 3 as shown by the map thereof on file in file 97 of Parcel Maps, page 46, in the Office of the County Recorder of Clark County, Nevada.
- (b) Parcel 2. The Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section 9, Township 19 South, Range 60 East, M.D.M., excepting therefrom the south 30 feet as conveyed to the City of Las Vegas by dedication recorded August 1, 1973, in Book 351 as Document No. 310044, Official Records.
- (c) Parcel 3. That portion of the South Half (S 1/2) of the Northwest Quarter (NW 1/4) of Section 9, Township 19 South, Range 60 East, M.D.M., more particularly described as follows:
Lot 2 as shown by the map thereof on file in file 97 of Parcel Maps, page 46, in the Office of the County Recorder of Clark County, Nevada.
- (d) Parcel 4. The Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 9, Township 19 South, Range 60 East, M.D.M.
- (e) Parcel 5. The Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section 9, Township 19 South, Range 60 East, M.D.M.
- (f) Parcel 6. The Southwest Quarter (SW 1/4) of Section 4, Township 19 South, Range 60 East, M.D.M.
- (g) Parcel 7. The North Half (N 1/2) of the Southeast Quarter (SE 1/4) of Section 4, Township 19 South, Range 60 East, M.D.M.
- (h) Parcel 8. The Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 4, Township 19 South, Range 60 East, M.D.M.
- (i) Parcel 9. The Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 4, Township 19 South, Range 60 East, M.D.M.
- (j) Parcel 10. The South Half (S 1/2) of the Southwest Quarter (SW 1/4) of Section 3, Township 19 South, Range 60 East, M.D.M.
- (k) Parcel 11. That portion of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 9, Township 19 South, Range 60 East, M.D.M., more particularly described as follows:
Commencing at the North Quarter (N 1/4) corner of said Section 9, the true point of beginning; thence along the North line of said Section North 89° 38'23" West, 75.00 feet; thence parallel with and distant 75.00 feet westerly, measured at right angles, from the East line of the Northwest Quarter (NW 1/4) of said Section, South 00° 07'41" East, 1329.70 feet; thence along the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section, South 89° 11'36" East, 75.01 feet; thence along the East line of the Northwest Quarter (NW 1/4) of said Section; North 00° 07'41" West, 1330.28 feet to the true point of beginning.
- (l) Parcel 12. That portion of the North Half (N 1/2) of the Northwest Quarter (NW 1/4) of Section 9,

Township 19 South, Range 60 East, M.D.M., more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter (NW 1/4) of said Section 9; thence North 89° 35'34" West along the North line of said Section 9 a distance of 75.01 feet to the West line of the East 75.00 feet of the Northwest Quarter (NW 1/4) of said Section 9, being the true point of beginning; thence continuing North 89° 35'34" West along said North line a distance of 60.00 feet; thence South 00° 39'34" East parallel with the East line of the Northwest Quarter (NW 1/4) of said Section 9 a distance of 840.00 feet; thence South 25° 20'38" West a distance of 125.00 feet; thence South 40° 52'49" West a distance of 550.66 feet to a point in the South line of the North Half (N 1/2) of the Northwest Quarter (NW 1/4) of said Section 9; thence North 88° 29'50" East along said South line a distance of 480.00 feet to the West line of the East 75.00 feet of the Northwest Quarter (NW 1/4) of said Section 9; thence North 00° 39'34" West along the West line of said East 75.00 feet a distance of 1356.25 feet to the true point of beginning.

(m) Parcel 13. The North Half (N 1/2) of the Northwest Quarter (NW 1/4) of Section 9, Township 19 South, Range 60 East, M.D.M., excepting therefrom:

(1) The East 75.00 feet thereof;

(2) The West 30.00 feet as granted to Clark County for road purposes; and

(3) The following described property:

Commencing at the Northeast Corner of the Northwest Quarter (NW 1/4) of said Section 9; thence North 89° 35'34" West along the North line of said Section 9 a distance of 75.01 feet to the West line of the East 75.00 feet of the Northwest Quarter (NW 1/4) of said Section 9, being the true point of beginning; thence continuing North 89° 35'34" West along said North line a distance of 60.00 feet; thence South 00° 39'34" East and parallel with the East line of the Northwest Quarter (NW 1/4) of said Section 9, a distance of 840.00 feet; thence South 25° 20'08" West a distance of 125.00 feet; thence South 40° 52'49" West a distance of 550.66 feet to a point in the South line of the North Half (N 1/2) of the Northwest Quarter (NW 1/4) of said Section 9; thence North 88° 29'50" East along said South line a distance of 480.00 feet to the West line of the East 75.00 feet of the Northwest Quarter (NW 1/4) of said Section 9; thence North 00° 39'34" West along the West line of said East 75.00 feet a distance of 1356.25 feet to the point of beginning.

(n) Parcel 14. The Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 3, Township 19 South, Range 60 East, M.D.M.

EXHIBIT B TO FLOYD LAMB STATE PARK TRANSFER AGREEMENT
(PROPERTY DESCRIPTION OF IMPROVED CORE PORTION OF PARK)

II* p A s) No. 05-01-01
CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS

RIGHT OF WAY DESIGN
LEGAL DESCRIPTION

A.P.N. 125-04-002-001; -09-101-003, -501-001
Reference: 814:773361 (1977),
Record of Survey in File 32, Page 26 (1978)

Vesting: State of Nevada

Section: S 1/2, SEC 4, AND N 1/2, SEC 9, T19S, R60E, MDM

Street/Subdivision: IMPROVEMENT BOUNDARY OF FLOYD LAMB STATE
PARK

W.A. No. P21100

Cogo:-

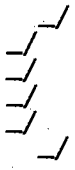
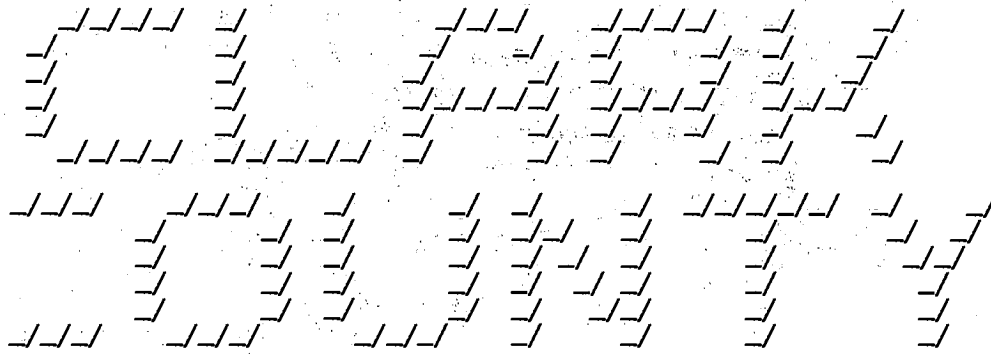
Requested eb Written byu Checked Proofread
01-04-05

That portion of South Half (S 1/2) of Section 4, and North Half (N 1/2) of Section 9 all in Township 19 South, Range 60 East, M.D.M., being improvement boundary of Floyd Lamb State Park described as follows:

COMMENCING at said Section 4 and said Section 9 common quarter corner; thence along the south line of the Southwest Quarter (SW 1/4) of said Section 4 also being the north line of the Northwest Quarter (NW 1/4) of said Section 9, North 89°46'49" West 110.88 feet to the POINT OF BEGINNING; thence departing said south line North 00°00'00" East 760.00 feet; thence North 50°05'52" East 1730.37 feet; thence South 63°18'30" East 1099.76 feet; thence South 27°25'09" West 592.57 feet; thence North 62°44'34" West 388.66 feet; thence South 53°13'41" West 701.60 feet; thence South 29°15'48" East 165.07 feet; thence South 48°52'08" West 492.56 feet; thence South 16°24'45" West 827.73 feet; thence North 90°00'00" West 605.44 feet; thence North 00°00'00" East 654.00 feet to the POINT OF BEGINNING.

The above-described parcel of land contains an area of 2,639,710 square feet or 60.599 acres, more or less.

BASIS OF BEARINGS: North 89°46'49" West being the south line of the Southwest Quarter (SW 1/4) of Section 4, Township 19 South, Range 60 East, M.D.M., as shown on Record of Surveys in File 32, Page 26 of Clark County, Nevada Records.



YOU HAVE REACHED THE COUNTY NETWORK
WELCOME TO AUTHORIZED USERS
YOU NEED ASSISTANCE, OR HAVE DIFFICULTY WITH YOUR CONNECTION
CONTACT THE INFORMATION TECHNOLOGY HELP DESK AT
(702) 455-3282 OR 455-DATA

IF

Y

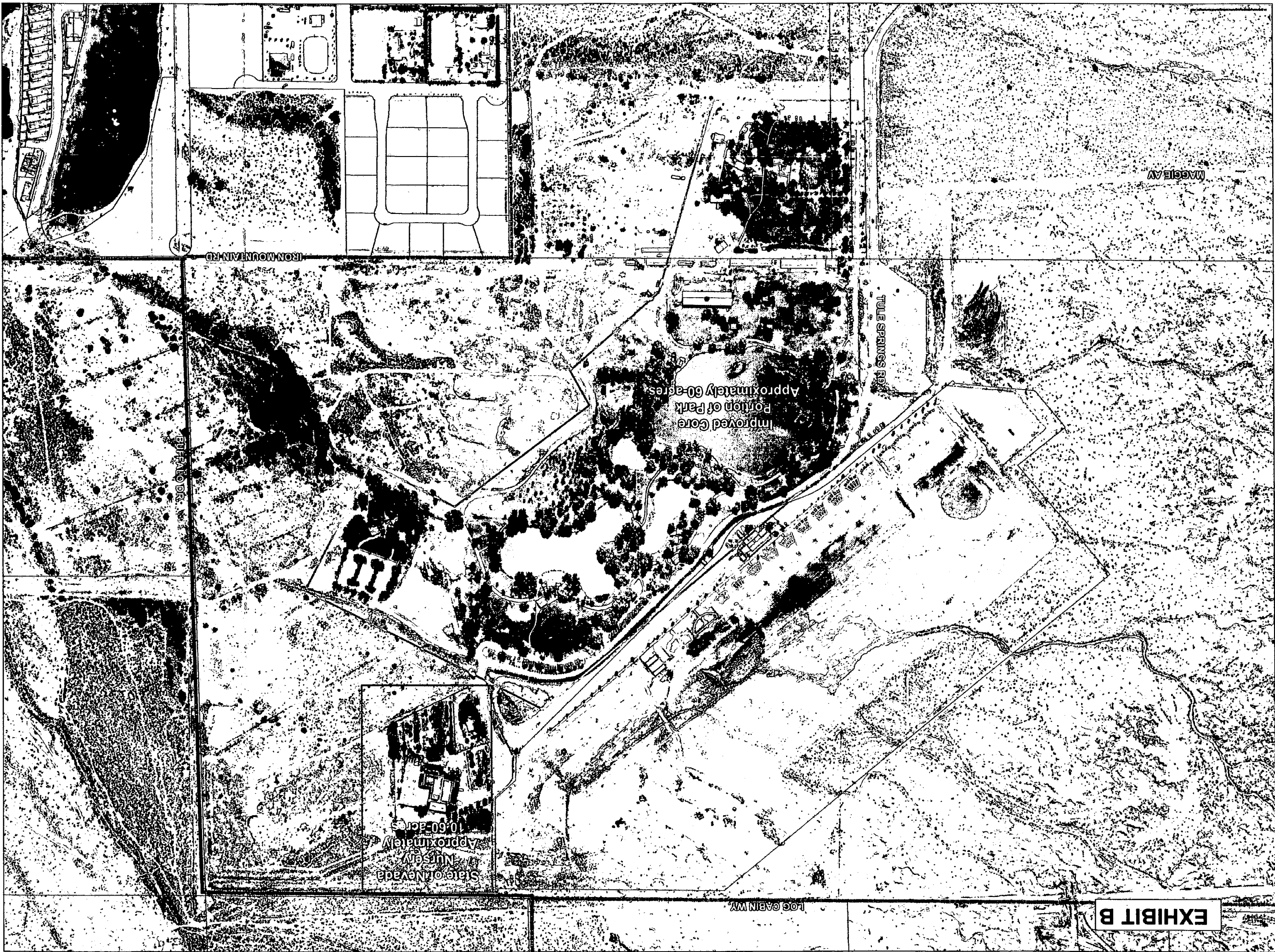


EXHIBIT B

EXHIBIT C TO FLOYD LAMB STATE PARK TRANSFER AGREEMENT
(FORM OF DEED)

RPTT: Exempt 2
APN:

Upon Recordation, Return to:
City of Las Vegas
Real Estate & Asset Mgmt.
400 Stewart Ave.
Las Vegas, NV 89101

GRANT, BARGAIN AND SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

THE STATE OF NEVADA (the "State") does hereby Grant, Bargain, and Sell to

THE CITY OF LAS VEGAS (the "City"), a municipal corporation of the State of Nevada,

the real property situate in the County of Clark, State of Nevada, described on Exhibit A attached hereto together with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any rents, issues or profits thereof.

The property is conveyed subject to leases, restrictions, reservations, conditions, rights-of-way, easements and other encumbrances of record, and to the following restrictions:

1. The City of Las Vegas shall protect all historical and recreational value of the property described in Exhibit A hereto.
2. The City shall guarantee public access to the property described in Exhibit A hereto.
3. The City of Las Vegas and any successor in title shall not transfer any interest in the property described in Exhibit A hereto without the written consent of the State of Nevada through a concurrent resolution of the Legislature.
4. The City of Las Vegas shall use the property described in Exhibit A hereto only for passive recreation. Passive recreation is defined as follows:
 - a. With respect to the improved core portion of the property of approximately 60-acres as described in Exhibit B hereto, those recreational uses that have historically been allowed by the State of Nevada, as expanded to also include family play fields, group use, picnic areas, hiking and jogging trails, cultural events, and other passive recreational uses as defined by the National Recreation And Parks Association.
 - b. With respect to the remainder of the property described in Exhibit A hereto, any type of outside recreational use consistent with the Land And Water Conservation Act to which the property is subject, which use must also be approved through the public planning process of the City of Las Vegas with input from the State of Nevada.
5. In the event of any breach of the foregoing restrictions, the property described in Exhibit A shall revert to the State of Nevada, at the option of the State.

STATE OF NEVADA

By: _____

Name:

Title: Administrator, Division of State Lands
Department of Conservation and Natural Resources

(Acknowledgement to be inserted upon execution)
(Amended Exhibit A and exhibit B to be attached upon execution)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ CONSENT ☒ DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

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

Fiscal Impact:

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

PURPOSE/BACKGROUND:

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

RECOMMENDATION:

HELD IN ABEYANCE to 2/16/2005 by City Council. FORWARDED to Full Council at 2/2/2005 City Council meeting with no recommendation pursuant to the 1/18/2005 Recommending Committee.

First Reading - 1/5/2005; First Publication - 1/21/2005

BACKUP DOCUMENTATION:

1. Bill No. 2005-1
2. Protest petition with 143 signatures submitted by Arlon and Suzan Sibert

MOTION:

WEEKLY - ABEYANCE to 2/16/2005 - UNANIMOUS

MINUTES:

COUNCILMAN WEEKLY requested a two-week abeyance because he received some calls on this annexation.

(10:50 - 10:51)

1-3572

BILL NO. 2005-1

ORDINANCE NO. _____

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

Sponsored by: Councilman Lawrence
Weekly

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

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

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

That portion of the South Half (S 1/2) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, bounded as follows:

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

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

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

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

7 C. The territory proposed to be annexed is not included within the
8 boundaries of another incorporated city or within the boundaries of
9 any unincorporated town as those boundaries existed as of July 1,
10 1983;

11 D. The City is eligible to annex the described territory since the
12 landowners have signed a petition constituting one hundred percent
13 (100%) of the owners of record of individual lots or parcels of land
14 within the annexation area.

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

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

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

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

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

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

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

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

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

6 PASSED, ADOPTED and APPROVED this ____ day of _____,
7 2005.

8 APPROVED:

9
10 By OSCAR B. GOODMAN, Mayor

11 ATTEST:

12
13 BARBARA JO RONEMUS, City Clerk

14 APPROVED AS TO FORM:

15 Val Hoet 12-15-04
16 Date

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

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12

13 By OSCAR B. GOODMAN, Mayor

14

15 ATTEST:

16

17 BARBARA JO RONEMUS, City Clerk

18

19

20

21

22

23

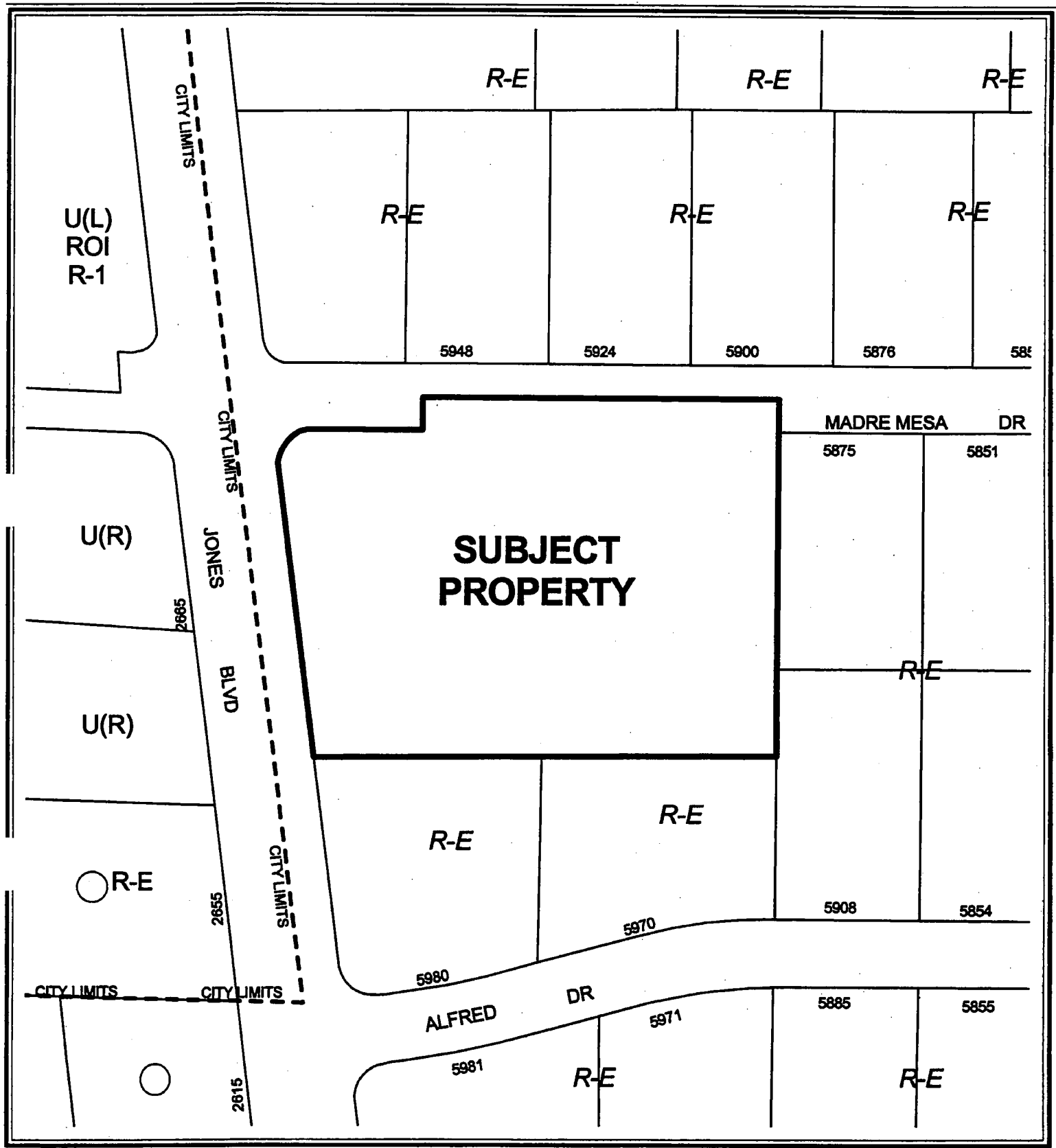
24

25

26

27

28



CASE: ANX-5329



January 2, 2005

5980 W. Alfred Drive
Las Vegas, Nevada 89108

Re: General Plan Amendment GPA-5775

Zone Change ZON-5776

Site Development Review SDR-5778

Variance VAR-5846

Attn: County Commission
City Planning Commissioners
City Council Members

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

2005 JAN - 3 A 11:05

RECEIVED
CITY CLERK

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

We are very much opposed to the Zone change requested.

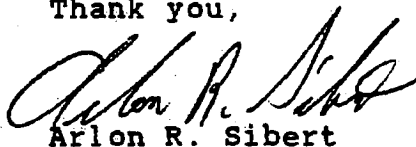
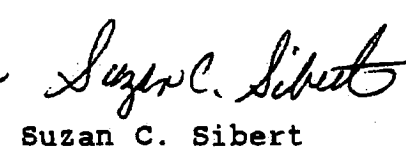
The Site Development plans presented at the December 20, 2004 neighborhood meeting ...5 days... before Christmas and out of our neighborhood. It was held at 6 p.m. at the Durgango Hills Community Center/YMCA at 3521 North Durango Lane. This location is over 3 miles from our neighborhood. Not a good time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

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

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

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

Thank you,

 
Arlon R. Sibert Suzan C. Sibert

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME

ADDRESS

NAME	ADDRESS	PHONE
Alan R. Silva	5980 W. ALFRED DR. 89108	645-6666
Suzanne Silva	5980 W. ALFRED DR. 89108	645-6666
Jaret White	5970 Alfred Dr. 89108	655-3979
Richard White	5970 Alfred Dr. 89108	655-3979
Candie Schum	5908 Alfred 89108	647-9644
Rocky Zannora	5908 Alfred 89108	642-9644
Pat Ogle	5908 Alfred 89108	646-7224
John Hunt	5948 Madre Mesa 89108	648-0635
Sherry Cartwright	5875 madre mesa 89108	648-6608
FRED CARTWRIGHT	5875 MADRE MESA 89108	"
Sidney J. Draper	5900 Madre Mesa 89108	646-5728
Tori L. Draper	5900 madre mesa 89108	"
R. Steck	5851 Madre Mesa 89108	
Sherry Intervante	5831 Madre Mesa Dr. 89108	
John Intervante	5831 Madre Mesa Dr. 89108	
MOHAMMED & ADOLISA RASHIDI	5817 MADRE MESA DR. 89108	
Michelle Locatelli	5778 Madre Mesa Dr 89108	651-5999

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME

ADDRESS

PAT DINELO	5759 MADRE MESA
MURRAY DINELO	5759 MADRE MESA
Bertha Dominguez	5754 Madre Mesa
wid Dominguez	5754 Madre Mesa
James J McKiernan	5782 Alfred Drive
Richard Avila	5711 Alfred Drive -
Tom Dineolo	5735 Alfred Dr.
Michelle Fisher	5735 Alfred Dr.
Patricia Bruce	5735 ALFRED dr
Frank Raych Dineolo	5798 Alfred Dr. -
Harvey Weiss	5798 Alfred Dr.
Dwain Carson	5759 Alfred Dr.
ileen Carson	5759 Alfred Dr.
Larry L. McKiernan	5782 ALFRED
Pat Hubert	5783 ALFRED DR.
Nanette Jones	5806 Alfred Dr
Kara Kesser	5806 Alfred Drive

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME

ADDRESS

~~Ray Eugene Lee~~	~~5807 Alfred Drive Las Vegas 89108~~
Loella Lee	5807 Alfred Dr 89108
Ronald Thamm	5830 Alfred Dr. 89108
James Pinter	5854 Alfred Dr 89108
Lucia Pinter	5854 Alfred Dr 89108
Dennis Llossa	5885 ALFred Dr 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

2005 JAN 14 A 10:29

RECEIVED
CITY CLERK

NAME

ADDRESS

THOMAS AGUNW	5876 Madre Mesa Dr
KATHLEEN GUNW	5876 MADRE MESA DR.
Sidney J. Draper	5900 Madre Mesa Dr.
Chris Brown	5924 Madre Mesa
Amy Brown	5924 Madre Mesa
Roosevelt Savage	2770 N. JONES Blvd
Jerilynn Cope	5934 Sheila Ave.
C. G. J	5925 SHEILA AVE.
William Doyle	5910 SHEILA AV.
Richard L. Miller	5908 Sheila Ave
Thelma L. Miller	5908 Sheila Ave.
Linda E. Colas	5828 Sheila Ave.
Ruthyn Gunn	5735 W Sheila Ave.
Jan P. Gunn	5735 W. Sheila Ave.
Regina Gunn	5750 W Sheila Ave
Eve E. Gunn	5722 Sheila Ave
John Gunn	5722 Sheila Ave

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

RECEIVED
CITY CLERK
2005 JAN 14 A 10:29

NAME

ADDRESS

Wayne Beckman	5776 Sheila Ave
Carol Buchanan	5776 Sheila Ave
fred ok	2727 cherry tree Ln
shelly Pottus	2735 Cherry Ln
Linda Mordik	2755 Cherry Ln
Bary Bruttomesso	2755 Cherry tree Ln
Anthony Leeb	6181 Bronco loco Ct
JIM MARTINEZ	6161 BRONCO loco CT
Tom Tatro	6191 Bronco loco Ct
Tom Tatro	6191 Bronco loco Ct. LV
Carol Tatro	6190 Bronco loco LV
Ralph Tatro	6160 Bronco loco LV
Rosalyn Tatro	6160 Bronco loco LV
Andy Tatro	6140 MADRE MESA LV
W. Tatro	6150 MADRE MESA LV
Brenda Talbary	5981 Alfred Dr LV NV 89108
Toni Brandt	5855 Alfred Dr LV NV 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

RECEIVED
CITY CLERK
2005 JAN 14 A 10:29

NAME

ADDRESS

NAME	ADDRESS
Tom Van Coten	2720 CHERRY TREE LN LV NV 8910
Michelle Van Coten	2720 Cherry Tree Las Vegas NV 89108
Leon E Ellmynsworth	2740 Cherry Tree LN Las Vegas NV 89108
E Barth	2735 CHERRY TREE LN. L.U. 89108
Kathryn Woodland	2780 Cherry Tree Ln 89108
Will Wendland	2780 Cherry Tree Ln 89108
Wendland	2780 Cherry tree lane 89108
Wendland	2755 CHERRY TREE LN 89108
Wendland	60100 Mader Road DR 89108
Schierel	6180 Mader Road DR 89108
Dennis Speis	6078 W. Cartier Ave. 89108
Adams	6038 W. CARTIER AVE 89108
Adams	6038 W. Cartier Ave. 89108
John Cohn	5971 Alfred Dr. 89108
Carol Cohen	5971 Alfred Dr 89108
Michael Schwab	2525 W Jones Blvd - W. NV. 89108
Chris Dinnitt	2521 W. Jones Blvd 89108
Lois A. Dinnitt	2521 W. Jones Blvd 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

RECEIVED
CITY CLERK
2005 JAN 14 A 10:30

NAME

ADDRESS

Diane Perez	2615 N Jones Blvd
John O'Leary	2615 N. Jones Blvd
Carlos Moravia	2655 N. Jones Blvd
Erika Moravia	2655 N. Jones Blvd.
GREG SARANTOS	6071 MADRO MESA ST. 89108
Monica B Lee	6100 BRONCO LOCO CT. 89108
Oliver Lee	6100 BRONCO LOCO CT. 89108
Wendy Lee	6130 MADRO MESA 89108
KERRY TANKERSLEY	5837 SHEILA AVE 89108
Sean Tankersley	5837 Sheila ave 89108
Fred Mac Leary	5807 SHEILA AVE
Jim Valentin	5759 Sheila ave.
Kei Sum	5710 Alfred Dr.
Marjorie R Jolly	5734 W ALFRED DR 89108
Barry E. Brant	5855 ALFRED DR. 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

2005 JAN 18 P 2:34

RECEIVED
CITY CLERK

NAME

ADDRESS

Aaron Swavel	2517 N. Jones	
Robert D Strait	5960 Sheila Ave.	89108
Melanie Strait	5960 Sheila Ave	89108
Robert Weare	5960 Sheila Ave.	89108
~~He S. S.~~	5905 Paseo Montana	89108
~~He S. S.~~	5905 Paseo Montana	89108
MATT SANSONE	5905 PASEO MONTANA	89108
William A. L.	5801 Asco MONTANA	89108
Steven Althaus	5801 Paseo Montana	89108
Elizabeth Jeffries	5716 Avenida Silla	89108
Shane Richardson	5717 Avenida Silla	
Cory Krauss	5900 PASEO Montana	89108
Lynn James	5900 Paseo Montana	89108
Monish Behar	5904 Paseo Montana	89108
~~Se. J.C.~~	5904 Paseo Montana	89108
Drexel Steward	2845 N. Jones Blvd	89108
Sue Brandt	5855 Alfred Dr.	89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME

ADDRESS

Patricia Henderson	2513 N. Jones Blvd.
Lee S. S. S.	2513 N. Jones Blvd.
James B. S.	2508 Lakeside Dr.
Lucien S.	2508 Lakeside Dr.
John M. S.	2512 Lakeside Dr.
Opickie Ramos	2524 Lakeside Dr.
CRYSTAL PARKER	2528 LAKESIDE DR. 89108
Muchelle Marshall	2532 Lakeside 89108
Sharon Camero	6000 Delabonne Pl 89108
and L. S.	6000 Delabonne Pl 89108
David H. S.	2529 Conestoga Trail 89108
Al Otten	5812 Delabonne Pl 89108
Linda Otten	5812 Delabonne Pl 89108
Lauren Pical	2529 Calico St. 89108
David S.	2528 Conestoga Trail 89108
Rae A. Vukas	2529 Lakeside Dr. 89108
Ken Vukas	2529 Lakeside Dr. 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME

ADDRESS

JOHN ADAM

2521 LAKESIDE DR 89108

Graciela F. Adam

2521 Lakeside Dr. 89108

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

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

Fiscal Impact:

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

PURPOSE/BACKGROUND:

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

RECOMMENDATION:

ADOPTION at 2/2/2005 City Council meeting pursuant to the 1/18/2005 Recommending Committee.

First Reading - 1/5/2005; First Publication - 1/21/2005

BACKUP DOCUMENTATION:

Bill No. 2005-2

MOTION:

WOLFSON - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5747 - UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(10:51 - 10:52)

2-18

BILL NO. 2005-2

ORDINANCE NO. _____

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

Sponsored by: Mayor Oscar B. Goodman

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

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

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

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

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

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

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

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

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

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

(5) Members shall serve without compensation.

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

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

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

6 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
7 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
8 1983 Edition, in conflict herewith are hereby repealed.

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

10 APPROVED:

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12 By OSCAR B. GOODMAN, Mayor

13 ATTEST:

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15 BARBARA JO RONEMUS, City Clerk

16 APPROVED AS TO FORM:

17 Val Steed 12-15-04
18 Date

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

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

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ATTEST:

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BARBARA JO RONEUMUS, City Clerk

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ CONSENT ☒ DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

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

Fiscal Impact:

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

PURPOSE/BACKGROUND:

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

RECOMMENDATION:

ADOPTION at 2/2/2005 City Council meeting pursuant to the 1/18/2005 Recommending Committee.

First Reading - 1/5/2005; First Publication - 1/21/2005

BACKUP DOCUMENTATION:

Bill No. 2005-3

MOTION:

WOLFSON - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5748 - UNANIMOUS

Clerk to proceed with second publication

MINUTES:

COUNCILMAN MACK said he hopes this bill will help clarify the requirements for mini-motorcycles, because parents are buying them for their children thinking they can be driven on public streets.

(10:52 - 10:53)

2-37

BILL NO. 2005-3

ORDINANCE NO. _____

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

Sponsored by: Councilman Michael Mack

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

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

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

11.70.010: For purposes of this Chapter:

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

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

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

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

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

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

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

3 **11.70.030:** Any merchant who sells mini-motorcycles, motorized skateboards or motorized
4 scooters within the City shall:

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

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

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

14 **11.70.040:** [The notices] The disclosure required by Section 11.70.030 shall be written in both
15 English and Spanish[.] and shall indicate, at a minimum, that mini-motorcycles, motorized
16 skateboards and motorized scooters (as the case may be):

17 (A) May not be operated on a sidewalk;

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

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

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

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

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

4 SECTION 6: Whenever in this ordinance any act is prohibited or is made or declared
5 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
6 required or the failure to do any act is made or declared to be unlawful or an offense or a
7 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
8 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
9 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
10 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

11 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
12 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
13 1983 Edition, in conflict herewith are hereby repealed.

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

15 APPROVED:

16
17 By _____
18 OSCAR B. GOODMAN, Mayor

19 ATTEST:

20 _____
21 BARBARA JO RONEMUS, City Clerk

22 APPROVED AS TO FORM:

23 *al Stead* 12-15-04
24 Date

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

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

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APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

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ATTEST:

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BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

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

Fiscal Impact:

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

PURPOSE/BACKGROUND:

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

RECOMMENDATION:

ADOPTION at 2/2/2005 City Council meeting pursuant to the 1/18/2005 Recommending Committee.

First Reading - 1/5/2005; First Publication - 1/21/2005

BACKUP DOCUMENTATION:

Bill No. 2005-5

MOTION:

WOLFSON - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5749 - UNANIMOUS with MACK not voting

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(10:53 - 10:55)

2-88

BILL NO. 2005-5

ORDINANCE NO. _____

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

Summary: Levy Ordinance

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Form of Notice)

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

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

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

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

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

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

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

Dated this February 2, 2005.

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

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

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

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

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

ORDINANCE NO. _____

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

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

/s/ Barbara Jo Ronemus
City Clerk

(End of Form)

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

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO. _____

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

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

Those Voting Aye:

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

Those Voting Nay:

Those Absent:

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

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

This _____ day of _____, 2005.

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

(SEAL)

Attest:
/s/ BARBARA JO RONEMUS
City Clerk

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

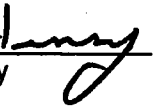
Introduced January 5, 2005, PASSED, ADOPTED AND APPROVED February 2, 2005.

OSCAR B. GOODMAN, Mayor

Attest:

BARBARA JO RONEUMUS, City Clerk

Approved as to Form:

16 DEC 2004 W H
Date Deputy City Attorney 

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

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

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

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

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

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

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

Those Voting Nay:	_____

Those Absent:	_____

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

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

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

- (i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada
- (ii) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

; and

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

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

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

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

BARBARA JO RONEMUS, City Clerk

(SEAL)

EXHIBIT A

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

EXHIBIT B

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

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

Bill No. 2005-6 - Annexation No. ANX-5100 - Property location: On the east side of U. S. 95, south of Lone Mountain Road; Petitioned by: R. Paramahansa Trust, et al.; Acreage: 12.66 acres; Zoned: R-E (County zoning), U (O) and R-E (City equivalents). Sponsored by: Councilman Michael Mack

Fiscal Impact:

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

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the east side of U. S. 95, south of Lone Mountain Road. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (February 25, 2005) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 2/16/2005 City Council meeting pursuant to the 2/1/2005 Recommending Committee.

First Reading - 1/19/2005; First Publication - 2/4/2005

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

2/16/2005 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

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

Bill No. 2005-7 - Annexation No. ANX-5514 - Property location: On the northeast corner of Alexander Road and Grand Canyon Drive; Petitioned by: Maple Development, LLC, et al.; Acreage: 4.96 acres; Zoned: R-E (County zoning), U (RNP) and U (R) (City equivalents). Sponsored by: Councilman Larry Brown

Fiscal Impact:

☒ **No Impact**

Amount:

☐ **Budget Funds Available**

Dept./Division:

☐ **Augmentation Required**

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the northeast corner of Alexander Road and Grand Canyon Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (February 25, 2005) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 2/16/2005 City Council meeting pursuant to the 2/1/2005 Recommending Committee.

First Reading - 1/19/2005; First Publication - 2/4/2005

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

2/16/2005 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-8 - Annexation No. ANX-5586 – Property location: On the northeast corner of Ann Road and Balsam Street; Petitioned by: Regal Village, LLC; Acreage: 6.85 acres; Zoned: R-E (ROI to C-1) (County zoning), U (R) (ROI to C-1) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact:

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

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the northeast corner of Ann Road and Balsam Street. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (February 25, 2005) is set by this ordinance.

NOTE: Although the subject property has been approved for commercial zoning, the applicant indicates a desire to pursue residential development.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2005-8 and Location Map

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEN WOLFSON and WEEKLY

2/15/2005 Recommending Committee

2/16/2005 Council Agenda

(10:55)

2-123

THE MORNING SESSION RECESSED AT 11:12 A.M.

1
2
3
4
5
6
7
8
9 **BILL NO. 2005-8**

10 **ORDINANCE NO. _____**

11 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
12 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
13 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-5586)

14 Sponsored by: Councilman Michael Mack Summary: Annexes property described
15 generally as located on the northeast corner
of Ann Road and Balsam Street.

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

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

21 That portion of the Southeast Quarter (SE 1/4) of the Southeast Quarter
22 (SE 1/4) of Section 27, Township 19 South, Range 60 East, M.D.M., in the
County of Clark, State of Nevada, being LOT 2 and the adjacent half street
23 rights of way of RAINBOW BOULEVARD (width varies), ANN ROAD
(width varies), and BALSAM STREET (30.00 feet wide as measured from
24 the centerline thereof) as shown on Parcel Map in File 96, Page 77, recorded
December 1, 1999 of Clark County, Nevada Records, described as follows:

25 COMMENCING at the southeast corner of said Section 27, said corner also
being the centerline intersection of RAINBOW BOULEVARD and ANN
26 ROAD; thence along the south line of said Section 27 and the centerline of
ANN ROAD, South 89°13'48" West 339.45 feet to the POINT OF
27 BEGINNING; thence continuing along said south line, South 89°13'48" West
335.84 feet to the centerline of said BALSAM STREET; thence departing
28 said south line and along the centerline of said BALSAM STREET, North

00°09'43" West 595.34 feet; thence departing said centerline, South 89°54'32" East 30.00 feet to the northwest corner of said LOT 2; thence along the north line of said LOT 2, South 89°54'32" East 595.16 feet to the northeast corner of said LOT 2; thence continuing along the easterly projection of said north line, South 89°54'32" East 50.00 feet to the centerline of said RAINBOW BOULEVARD; thence along the centerline of said RAINBOW BOULEVARD, South 00°10'17" East 283.93 feet; thence departing said centerline, South 89°49'43" West 55.00 feet to the southeast corner of said LOT 2 on the west line of said RAINBOW BOULEVARD and to the beginning of a non-tangent curve, concave northwesterly, having a radius of 20.00 feet, the radial line through said corner bears South 48°44'36" East; thence southwesterly through a central angle of 48°35'36", and an arc distance of 16.96 feet; thence non-tangent to said curve, South 00°10'17" East 5.00 feet to the north line of LOT 1 as shown on said Parcel Map in File 96, Page 77; thence along the north line of said LOT 1, South 89°49'43" West 270.00 feet to the northwest corner of said LOT 1; thence along the west line thereof, South 00°10'17" East 238.04 feet to the north line of said ANN ROAD; thence South 00°46'12" East 55.00 feet to the POINT OF BEGINNING.

The BASIS OF BEARING; North 89°13'48" East, being the south line of the Southeast Quarter (SE 1/4) of Section 27 Township 19 South, Range 60 East, M.D.M., also being the centerline of ANN ROAD as per Book 68 of Plats, Page 1 of Clark County, Nevada Records.

Written by:
Brian Yu PLS
731 Fourth Street,
Public Works,
City of Las Vegas

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

- A. The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted;
- B. More than one-eighth (1/8) of the aggregate external boundaries of the area are contiguous to the City;
- C. The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983;
- D. The City is eligible to annex the described territory since the landowners have signed a petition constituting one hundred percent

1 (100%) of the owners of record of individual lots or parcels of land
2 within the annexation area.

3 SECTION 3: The City will provide police protection through the Las Vegas
4 Metropolitan Police Department, fire protection, street maintenance, and library services
5 immediately upon annexation. Garbage collection by the company franchised by the City
6 will also be provided immediately. The City sanitary sewer system will serve the proposed
7 annexation area. Any connection to or extension of this sewer line to serve the annexation
8 area shall be at the expense of the landowners. Other services, such as participation in the
9 City's recreational programs, special education classes and programs, public works planning,
10 building inspections, and other City services will also be available immediately. Utilities
11 such as gas, electricity, telephone, and water are provided by private utility companies and
12 other services to the area will not be affected by annexation. Street paving, curbs and gutters,
13 sidewalks and street lights which are not in place at the time of annexation will be installed
14 in the presently developed areas upon the request of the property owners and at their expense
15 by means of special assessment districts. Such improvements will be extended into the
16 undeveloped areas as development takes place and the need therefor arises, and will be
17 located according to the needs of the area at that time. Such installations will also be made
18 at the expense of the property owners, either by means of special assessment districts or as
19 prerequisites to the approval of subdivision plats, building permits or other land use or
20 development applications.

21 SECTION 4: The annexation of the described territory shall become
22 effective on the 25th day of February, 2005, and on that date the City will have the funds
23 appropriated in sufficient amount to finance the extension into the described territory of
24 police protection, fire protection, street maintenance, street sweeping, and street lighting
25 maintenance.

26 SECTION 5: The described territory, together with the inhabitants and
27 property thereof, shall, from and after the 25th day of February, 2005, be subject to all debts,
28 laws, ordinances and regulations in force in the City and shall be entitled to the same

1 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
2 levied by the City.

3 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
4 an accurate map or plat of the described territory and to record the map or plat, together with
5 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
6 Nevada, which recording shall be done prior to the 25th day of February, 2005.

7 SECTION 7: The described territory, which previously has been zoned R-E
8 (ROI to C-1) (County of Clark classification), is hereby classified as U (R) (ROI to C-1)
9 (City of Las Vegas classification), which is deemed to be the City equivalent of the County
10 classification.

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

20 SECTION 9: All ordinances or parts of ordinances, sections, subsections,

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

1 | phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
2 | Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

3 | PASSED, ADOPTED and APPROVED this ____ day of _____,
4 | 2005.

5 | APPROVED:

6 |
7 | By OSCAR B. GOODMAN, Mayor

8 | ATTEST:

9 |
10 | BARBARA JO RONEMUS, City Clerk

11 | APPROVED AS TO FORM:

12 | Val Steed 1/19/05
13 | Date

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

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12

13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16

17 BARBARA JO RONEMUS, City Clerk
18
19
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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

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

MOTION:

REESE - Motion to STRIKE Item 61 [5604 Emperor Way], Item 62 [1832 Lewis Avenue], Item 63 [1836 Lewis Avenue], and to HOLD IN ABEYANCE Item 76 [SUP-2848], Item 77 [SUP-3394], Item 78 [SUP-4532] to 2/16/2005 and HOLD IN ABEYANCE Item 72 [RQR-5138], Item 74 [RQR-5171], Item 75 [RQR-5513] and Item 79 [SUP-4693] to 3/2/2005 - UNANIMOUSLY with BROWN and MACK excused

NOTE: DEPUTY CITY ATTORNEY BRYAN SCOTT advised MAYOR GOODMAN of his ability to vote on the abeyance of Item 76 [SUP-2848]. Had the item been heard, he would have needed to abstain since JAY BROWN, an associate with whom he shares ownership of property on West Charleston Boulevard, represents the item.

MINUTES:

There was no discussion.

(1:05 - 1:08)

3-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

☐ CONSENT ☒ DISCUSSION

SUBJECT:

ABEYANCE ITEM - Hearing to consider the appeal regarding the Nuisance/Litter Abatement Notice and Order to Comply regarding 5604 Emperor Way. PROPERTY OWNERS: BLUE WILLOW INTERESTS LLC - Ward 6 (Mack)

Fiscal Impact:

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

PURPOSE/BACKGROUND:

The subject property was determined to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances. A Nuisance/Litter Abatement Notice and Order to Comply was mailed to the property owners to correct the nuisance per CLVMC 16.04 Building/Permits Required; 19.04 Vehicle Code; Title 19 Zoning (other than vehicles & signs). Today's hearing is to consider the Appeal to the Notice and Order to Comply filed by Larry Strube, tenant and responsible party for the property.

RECOMMENDATION:

That the City Council approve the Nuisance/Litter Abatement Notice and Order to Comply.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Nuisance/Litter Abatement Notice and Order to Comply.
4. Appeal Letter from Appellant
5. Notice of Appeal

MOTION:

REESE - Motion to STRIKE Item 61 [5604 Emperor Way], Item 62 [1832 Lewis Avenue], Item 63 [1836 Lewis Avenue], and to HOLD IN ABEYANCE Item 76 [SUP-2848], Item 77 [SUP-3394], Item 78 [SUP-4532] to 2/16/2005 and Item 72 [RQR-5138], Item 74 [RQR-5171], Item 75 [RQR-5513] and Item 79 [SUP-4693] to 3/2/2005 - UNANIMOUSLY with BROWN and MACK excused

MINUTES:

Under Item 64 [1321 S. Main Street], COUNCILMAN REESE questioned why Item 61 [5604 Emperor Way], Item 62 [Lewis Avenue] and Item 63 [1836 Lewis Avenue] were recommended to be stricken. ORLANDO SANCHEZ, Director of Neighborhood Services, confirmed those properties were dealt with by their property owners and upon approval of City standards, the items were recommended to be stricken.

(1:05 - 1:08/1:09 - 1:12)

3-1/3-84

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: ABEYANCE ITEM: Hearing to consider the appeal regarding the Nuisance/Litter Abatement Notice and Order to Comply regarding 5604 Emperor Way. PROPERTY OWNERS: BLUE WILLOW INTERESTS LLC - Ward 6 (Mack)

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

A Nuisance/Litter Abatement Notice and Order to Comply was sent to the property owners by regular and certified mail requesting they correct the nuisance per CLVMC 16.04 Building/Permits Required; 19.04 Vehicle Code; Title 19 Zoning (other than vehicles & signs). A copy of the notice was also posted on the property.

Today's hearing is to consider the appeal from Nuisance/Litter Abatement Notice and Order to Comply filed by Larry Strube, tenant and responsible party for the property.



NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

Receipt/Conformed Copy

Requestor:

CITY OF LAS VEGAS

10/26/2004 13:00:48 T20040120274

Book/Instr: 20041026-0003522

Notice Page Count: 2

Fees: \$15.00 N/C Fee: \$0.00

APN: 125-27-810-005

October 25, 2004

CASE #22114

Certified/Regular Mail

Return Receipt Requested

Blue Willow Interests LLC
% V. Hutchins
725 Emerald City Avenue
Las Vegas, NV 89123-6270

Frances Deane
Clark County Recorder

REVISED

NUISANCE/LITTER ABATEMENT NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at 5604 Emperor Way, Las Vegas, NV, Parcel #125-27-810-005, that you are in violation of Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

Las Vegas Municipal Code 9.04.045 authorizes the City of Las Vegas to access and collect a re-inspection fee of \$75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

You are hereby ordered to correct the nuisance by **Per 16.04 – Building/Permits Required:** All permanent structures require building permits. Structures remaining over thirty (30) days shall be removed or permitted. Property owner must hire a licensed contractor to obtain permit, as residence is tenant occupied. Temporary structures are to be removed no later than November 6, 2004.

Per 19.04 – Vehicle Code: Any vehicle including trailers, must be parked in the driveway or in side yard/front yard, if on surface of concrete or asphalt, adjacent and parallel to an approved driveway, no closer than one foot from adjacent public street or sidewalk.

Per Title 19 – Zoning (other than vehicles & signs): All structures, temporary or permanent, must meet setback requirements per Title 19, Zoning Code. Please contact the Planning Department at (702) 229-6301 for additional information.

LAS VEGAS CITY COUNCIL
MAYOR OSCAR B. GOODMAN
MAYOR PRO TEM GARY REESE • LARRY BROWN • LAWRENCE WEEKLY • MICHAEL MACK
JANET MONCRIEF • STEVE WOLFSON
CITY MANAGER DOUGLAS A. SELBY

1 RETURN TO: CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101
VOICE 702.229.2330 • FAX 702.382.3045 • TTY 702.386.9108 • www.lasvegasnevada.gov

Q

CASE #22114
5604 Emperor Way
October 25, 2004
Page 2

Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. CONTACT THE AREA CODE ENFORCEMENT OFFICER #24 BY TELEPHONE AT (702) 229-4923 TO SUPPLY YOUR CURRENT PHONE NUMBER, E-MAIL ADDRESS, FAX NUMBER, OR ADDITIONAL MAILING ADDRESS.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter. It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-2330 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Orland', enclosed within a large, horizontal oval loop.

Orland Sanchez, Director
Department of Neighborhood Services

OS:ks

c: Larry Strube, 5604 Emperor Way, Las Vegas, NV 89123

November 4, 2004

Las Vegas City Clerk

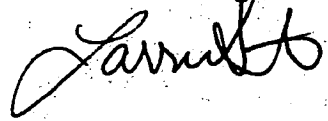
RECEIVED
CITY CLERK

2004 NOV -5 A 11: 22

CASE # 22114
5604 Emperor Way

As the tenant and responsible party for the property at 5604 Emperor Way, I am hereby giving notice of our intent to appeal the Neighborhood Services Department notice and order. We request to go directly in front of the City Council as we feel this issue needs to become public record.

Respectfully
Larry Strube
5604 emperor way
Las Vegas NV



c: V.Hutchins 725 Emerald City Avenue, Las Vegas NV 89123-6270



December 1, 2004

CERTIFIED & REGULAR MAIL

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Larry Strube
5604 Emperor Way
Las Vegas, Nevada 89130

Re: Appeal of the Nuisance/Litter Abatement Notice and Order to Comply for property located at 5604 Emperor Way

Dear Mr. Strube:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 15th day of December, 2004, at the hour of 1:00 p.m. This hearing is in response to your letter dated October 4, 2004 requesting the same, concerning the Nuisance/Litter Abatement Notice and Order to Comply for property located at 5604 Emperor Way.

You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by filing an affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions or need further information please do not hesitate to contact Orlando Sanchez, Director of the Department of Neighborhood Services at 229-2330.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Jo Ronemus".

Barbara Jo Ronemus, CMC
City Clerk

/bkb

cc: Orlando Sanchez, Director, Neighborhood Services
Dan Still, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Leni Skaar, Ward 6 Liaison

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

VOICE 702.229.6011
TDD 702.386.9108

www.lasvegasnevada.gov
18112-001-6/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

☐ CONSENT ☒ DISCUSSION

SUBJECT:

Hearing to consider the appeal regarding the Notice and Order to Abate Dangerous Building located at 1832 Lewis Avenue. PROPERTY OWNER: SAMUEL TAN - Ward 3 (Reese)

Fiscal Impact:

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

PURPOSE/BACKGROUND:

The subject property was determined to be a dangerous building(s) as defined in Uniform Code for the Abatement Dangerous Building, 1994 Edition, Section 302, adopted by the Las Vegas Municipal Code 16.08. A Notice and Order to Abate Dangerous Building was mailed to the property owner to correct the nuisance per 16.08 Building/Dangerous; 16.20 Housing Codes; Title 19 Zoning (other than vehicles & signs); and Title 9.04 Refuse, Waste and Litter (maintain litter free). Today's hearing is to consider the Appeal to the Notice and Order filed by Elizabeth MacDowell, acting manager, representing Samuel Tan, property owner and responsible person for the property.

RECOMMENDATION:

That the City Council approve the Notice and Order to Abate Dangerous Building

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Notice and Order to Abate Dangerous Building
4. Appeal Letter from Appellant
5. Notice of Appeal

MOTION:

REESE - Motion to STRIKE Item 61 [5604 Emperor Way], Item 62 [1832 Lewis Avenue], Item 63 [1836 Lewis Avenue], and to HOLD IN ABEYANCE Item 76 [SUP-2848], Item 77 [SUP-3394], Item 78 [SUP-4532] to 2/16/2005 and Item 72 [RQR-5138], Item 74 [RQR-5171], Item 75 [RQR-5513] and Item 79 [SUP-4693] to 3/2/2005 - UNANIMOUSLY with BROWN and MACK excused

MINUTES:

Under Item 64 [1321 S. Main Street], COUNCILMAN REESE questioned why Item 61 [5604 Emperor Way], Item 62 [Lewis Avenue] and Item 63 [1836 Lewis Avenue] were recommended to be stricken. ORLANDO SANCHEZ, Director of Neighborhood Services, confirmed those properties were dealt with by their property owners and upon approval of City standards, the items were recommended to be stricken.

(1:05 - 1:08/1:09 -1:12)

3-1/3-84

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: Neighborhood Services

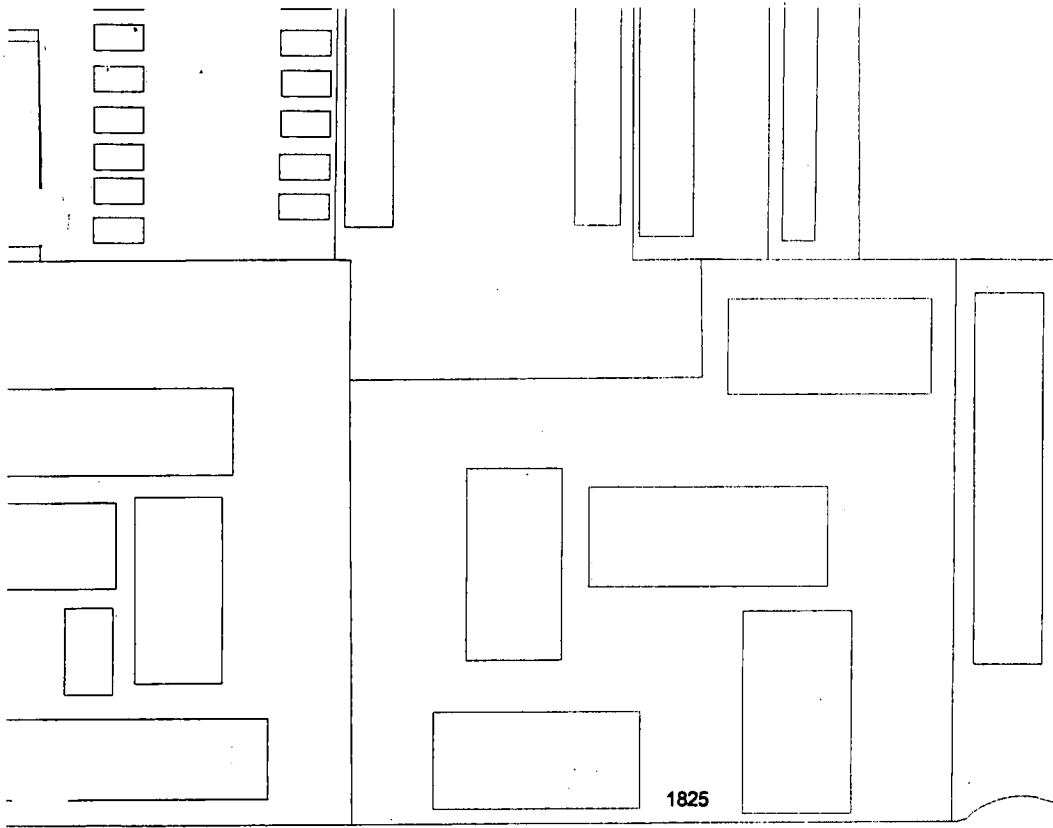
ITEM DESCRIPTION: Hearing to consider the appeal regarding the Notice and Order to Abate Dangerous Building located at 1832 Lewis Avenue. PROPERTY OWNER: SAMUEL TAN - Ward 3 (Reese)

The subject property was deemed to be a dangerous building as defined in Uniform Code for the Abatement Dangerous Building, 1994 Edition, Section 302, adopted by the Las Vegas Municipal Code 16.08.

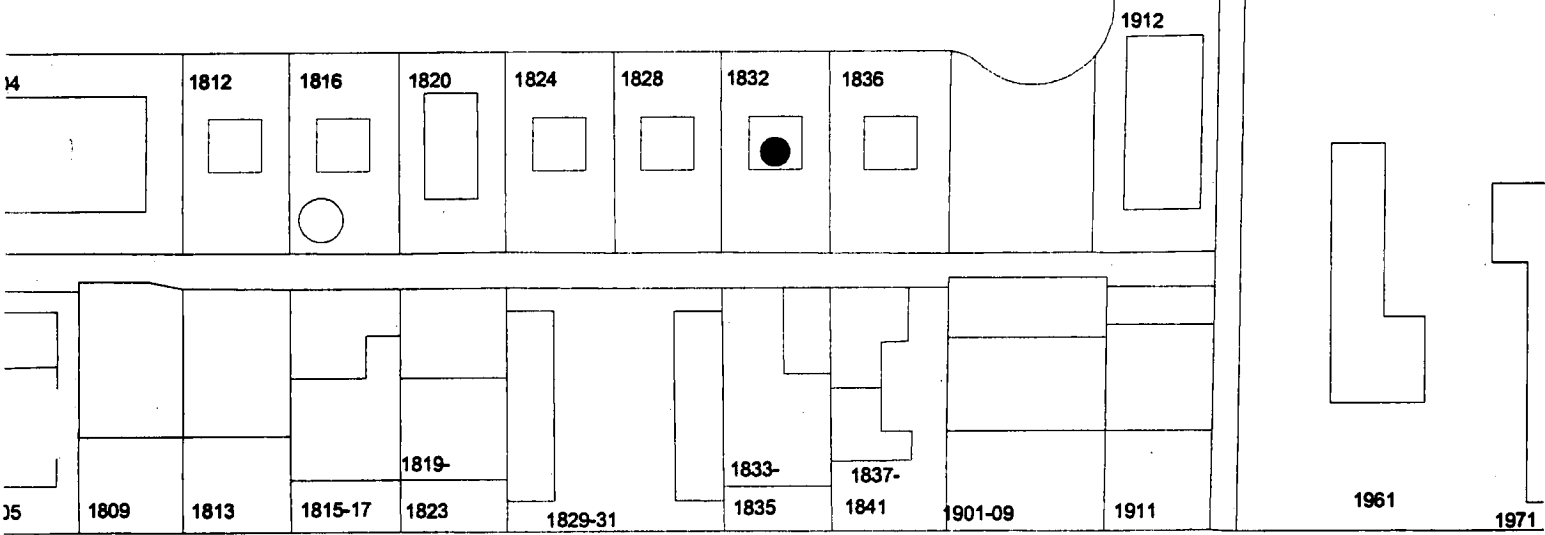
A Notice and Order to Abate Dangerous Building was sent to the property owner by regular and certified mail requesting they correct the nuisance per 16.08 Building/Dangerous; 16.20 Housing Codes; Title 19 Zoning (other than vehicles & signs); and Title 9.04 Refuse, Waste and Litter (maintain litter free). A copy of the notice was also posted on the property.

Today's hearing is to consider the appeal from the Notice and Order to Abate Dangerous Building filed by Elizabeth MacDowell, acting manager, representing Samuel Tan, property owner and responsible party for the property.

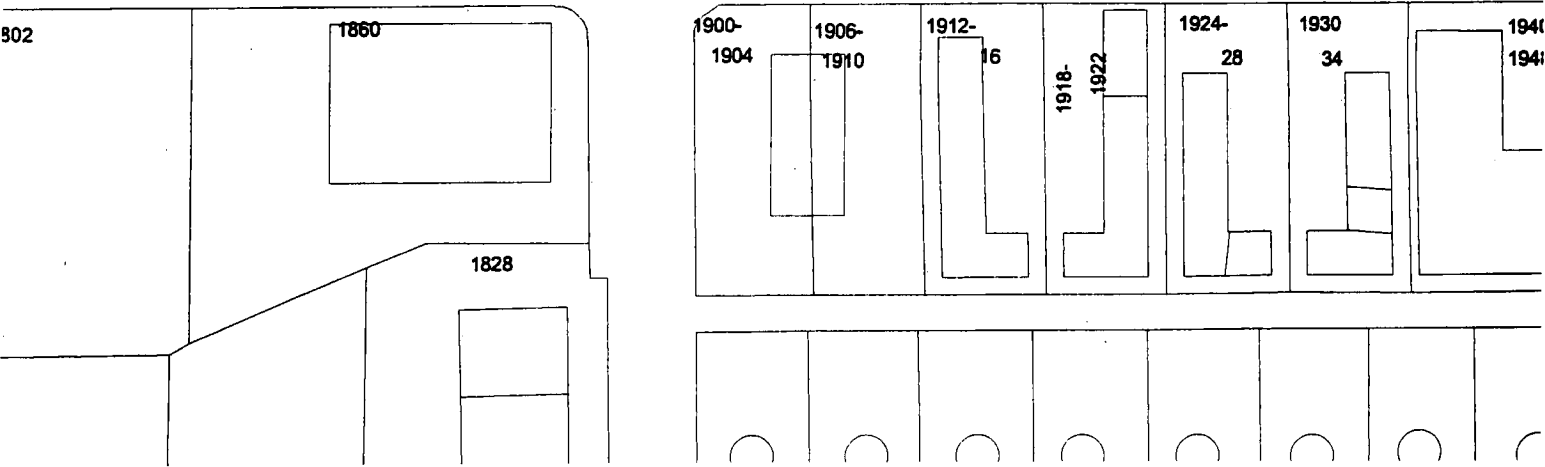
1980



LEWIS AVE



CHARLESTON BLVD





NEIGHBORHOOD SERVICES DEPARTMENT

DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

APN: 139-35-814-009

December 1, 2004

CASE #24076
Certified/Regular Mail
Return Receipt Requested

Samuel Tan
16905 Baltar Street
Van Nuys, CA 91406-1106

NOTICE AND ORDER TO ABATE DANGEROUS BUILDING

You are hereby notified as owner(s) of the properties located at 1832 Lewis Avenue, Las Vegas, NV, Parcel #139-35-814-009, that it has been found to be a dangerous building(s) as defined in the Uniform Code for the Abatement Dangerous Building, 1994 Edition, Section 302, adopted by the Las Vegas Municipal Code 16.08.

Las Vegas Municipal Code 9.04.045 authorizes the City of Las Vegas to access and collect a re-inspection fee of \$75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. The building(s) constitutes a public hazard and an attractive nuisance because *the property is open and accessible to vagrants, vandals and minor children.*

To correct this condition you need to Per 16.08 – Building/Dangerous: Secure all doors (front & security doors), windows, and openings as per the attached City of Las Vegas Abatement Specifications.

Per 16.20 – Housing Codes: Units are not to be rented or occupied until inspected and released by the City inspector.

Per Title 19 – Zoning (other than vehicles & signs): Remove the barbwire in rear, which is not allowed in R-zone.

LAS VEGAS CITY COUNCIL
MAYOR OSCAR B. GOODMAN
MAYOR PRO TEM GARY REESE • LARRY BROWN • LAWRENCE WEEKLY • MICHAEL MACK
JANET MONCRIEF • STEVE WOLFSON
CITY MANAGER DOUGLAS A. SELBY

18201-031-7-04

CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101
VOICE 702.229.2330 • FAX 702.382.3045 • TTY 702.386.9108 • www.lasvegasnevada.gov

Receipt/Conformed Copy

Requestor:

CITY OF LAS VEGAS

12/03/2004 13:21:27 T20040142352

Book/Instr: 20041203-0001635

Order Page Count: 7

Fees: \$20.00 N/C Fee: \$0.00

Frances Deane
Clark County Recorder

CASE #24076
1832 Lewis Avenue
December 1, 2004
Page 2

Per 9.04 – Refuse & Waste: Remove all boxes, wood, and old furniture on the property and in the rear between the fence and the building.

Per 9.04 – Litter (Maintain litter free): Remove the deposited furniture, carts, boxes, and wood in the City alleyway.

Post “No Trespassing” (per NRS 207.200), “No Dumping” (per NRS 444.630), and “No Vehicles” (per CLVMC 10.78.020 & 11.24.020) signs on-site to deter illegal activity and prevent future violations. All trespassers, squatters, and anyone unable to prove occupancy must vacate premises within ten (10) days of posting of this notice.

Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. CONTACT THE AREA CODE ENFORCEMENT OFFICER #21 BY TELEPHONE AT (702) 229-5103 TO SUPPLY YOUR CURRENT PHONE NUMBER, E-MAIL ADDRESS, FAX NUMBER, OR ADDITIONAL MAILING ADDRESS.

Once you have been officially notified that this condition exists and you fail to respond, court citations could be issued with each day constituting a separated offense.

If the problem still exists after this ten (10) day Notice and Order, the City may hire a licensed contractor to remove the nuisance and hazard either by demolition or safely securing the structure and cleaning the premises. As the property owner(s), you will be responsible for all costs incurred, including a fifteen (15%) administrative processing fee. There will be a three hundred twenty-five dollar (\$325.00) boarding fee, payable to the City of Las Vegas, whether your contractor or the City of Las Vegas boards the property. If the property is boarded without the fee being paid, the property will have a lien placed for that amount. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, A Lien of Assessment shall be filed with the County Recorder office, certified copies of the Lien given to the County Treasurer, and the amount of the Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City Council or by the Council's designee, with a right of final appeal to the Council.

CASE #24076
1832 Lewis Avenue
December 1, 2004
Page 3

The decision of the City Council or the council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-2330 concerning your intentions at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Orlando', enclosed within a large, horizontal oval loop.

Orlando Sanchez, Director
Department of Neighborhood Services

OS:ks

Enclosure: Abatement Specifications
 City of Las Vegas Vacant/Boarded Building Standards/Compliance/Process
 Boarded Building Certificate Application

City of Las Vegas Abatement Specifications

CONTRACTOR WILL BE RESPONSIBLE FOR THE FOLLOWING ON A PROJECT-BY-PROJECT BASIS:

- 1. Contractor is responsible for removing all vehicles located on property.**
- 2. Contractor is responsible for the cutting down and removal of all dry vegetation down to a 2-inch height.**
- 3. Contractor is responsible for abating all trash and debris visible on the property.**
- 4. All windows, exterior doors, holes in the roof exterior walls and any other openings providing access to the structure are to be completely covered with ½" exterior grade plywood and installed with through-bolts secured to 2" x 4" interior back-boards. The through bolts shall be preened over both inside and outside to prevent removal. BOARDS MUST BE PAINTED THE SAME COLOR AS THE STRUCTURE.**
- 5. The exterior doors, which are undamaged, shall be locked and toenailed shut.**
- 6. Contractor is responsible for removal of all trash and debris from the interior of the building.**
- 7. Contractor is responsible for removal of all graffiti from the premises.**
- 8. To comply with EPA, OSHA, Clark County Health Districts Demolition Removal procedures.**
- 9. Being licensed for this particular work by Nevada State Contractor's Board prior to bid.**
- 10. Paying all fees, permits, and must comply with City of Las Vegas Public Works Uniform Standard Specifications and all other applicable standards and codes.**
- 11. To call "Call Before You Dig".**
- 12. To make sure all utilities have been disconnected and services removed, both underground and overhead from the buildings to the existing right of way to the satisfaction of the applicable utility company before starting demolition, having portable toilet and other temporary utilities on site when required.**
- 13. To cap and ark disconnected utilities as required by the appropriate utility.**
- 14. To keep utilities in service and maintain access to the other sections of the neighborhood.**
- 15. Demolition of the building must include removal of all asphalted cement surfaces and slabs.**
- 16. When a building is to be demolished, it is the Contractors responsibility to ensure all utility hook-ups are disconnected.**
- 17. Have a water truck on-site and in use during demolition. Any property over one-quarter (0.25) acre must have dust suppressant.**

**City of Las Vegas
Vacant/Boarded Building**

STANDARDS/COMPLIANCE/PROCESS

CLVMC 16.31 Sec. 5 (A)

This application shall include the following information and documentation:

- (1) Address of Building to be boarded;**
- (2) Type of Building;**
- (3) For residential building, number of dwelling units;**
- (4) For non-residential building, number of building square feet and the lineal footage of all building faces at ground level;**
- (5) Owner's name, address, and telephone number
Authorized agents name (for performing owner's obligations) – address, telephone number;**
- (6) Photograph (attachment to application)
Description of condition of the building and the landscaping existing on property;**
- (7) Reason for the boarding and period of time that the building is expected to be vacant.**

CLVMC 16.31 Sec. 6 (A)

A Statement of Intent (see attachment) must be filed by or on behalf of the owner of any vacant or abandoned building

CLVMC 16.31 Sec. 6 (B)

A Statement of Intent (see attachment) must be filed by or on behalf of the owner of any lot that has become vacant following the demolition of one or more buildings thereon CLVMC 16.31 Sec. 7 (A)

Boarding of a building must be completed within ten (10) days after the issuance of a boarding certificate. The boarding must be in compliance with any minimum boarding standards that have been established by the City. (Standards Attached).

A boarding certificate is effective for a twelve-month period.

CLVMC 16.31 Sec. 7 (B)

Within 30 days following the issuance of a boarding certificate or the filing of a statement of intent, the owner must submit for approval by the director a proposed Mitigation Plan and a Proposed Rehabilitation Plan. (See attached).

CLVMC 16.31 Sec. 9 (A)

If an owner fails to comply with a Mitigation Plan or Rehabilitation Plan within the time frames established there in, or fails to repair vandalism or damage to the building or the property on which the building is located in accordance with a time line for such repair that has been established by the Director, the Director may cause the appropriate Mitigation measures to be taken or the repair or rehabilitation work to be performed, and may charge the owner a fee in accordance with subsection (c) of Section 10 of this ordinance.

CLVMC 16.31 Sec. 9 (B)

If an owner violates or fails to comply with any requirement of this chapter and the violation or failure to comply continues for more than fifteen (15) days, the Director may issue to the owner a Notice of Violation in accordance with Section 9.04.050, as provided for with respect to public nuisances, and may proceed to remedy the violation in accordance with the Nuisance Abatement procedures set-forth in Section 9.04.080. The owner may appeal a Notice of Violation in accordance with Sections 9.04.060 and 9.04.070.

Fees – LVMC 16.31 Sec. 10 (A)

The applicant for a boarding certificate shall pay the following fees at the time of application:

- (1) For a single-family dwelling, \$325**
- (2) For any other type of residential building, \$325 for the first residential unit, plus \$25 for each additional unit on the same parcel**
- (3) For any commercial or other non-residential structure \$325, or two dollars per lineal foot of building face, whichever is greater.**

**City of Las Vegas
Neighborhood Services
Boarded Building Certificate
Application**

Ref # _____ Date: _____

APPLICATION REQUIREMENT PER CLVMC 16.31 SEC. 5(A), SEC 6(A), SEC 6(B), SEC 7(B), SEC 9(A), SEC 9(B), SEC 10(A)

1. ADDRESS OF VACANT BUILDING TO BE BOARDED:

2. COMMERCIAL OR RESIDENTIAL (circle one)

3. RESIDENTIAL NUMBER OF UNITS (SFD IS ONE)

4. OR COMMERCIAL SQUARE FOOTAGE PLUS LINEAL FOOTAGE OF ALL BUILDING FACES AT GROUND LEVEL

5. NAME, ADDRESS, PHONE NUMBER OF OWNER OR AUTHORIZED AGENT:

6. ATTACH PHOTOS SHOWING CONDITION OF BUILDING AND SURROUNDING LANDSCAPING AND STATEMENT OF INTENT FOR FUTURE USE OF BUILDING. THE STATEMENT OF INTENT MUST BE RECEIVED WITHIN 30 DAYS OR SHORTER IF REQUIRED BY THE NOTICE.

7. THIS BUILDING IS VACANT AND BEING BOARDED BECAUSE:

FEE AMOUNT DUE _____ PAID _____ DATE _____

APPLICATION: APPROVED ☐ DENIED ☐

MITIGATION PLAN: RECEIVED _____ DATE _____

REHABILITATION PLAN: RECEIVED _____ DATE _____

RECEIVED
CITY CLERK

2004 DEC 13 P 12:09

ELIZABETH MAC DOWELL
3209 East Owens Ave.
Las Vegas, NV 89030
(702) 325-7228

December 10, 2004

Case # 24076- 1832 Lewis Ave., Las Vegas, NV
Case # 23700- 1839 Lewis Ave., Las Vegas, NV

To Whom it May Concern;

I have been hired by Samuel Tan and Ricky Rodriguez as acting manager of the above-mentioned properties.

On behalf of Mr. Tan and Mr. Rodriguez, we are respectfully filing an appeal of the notice and order posted on the properties on December 3, 2004.

We have made great strides in cleaning and repairing the properties and are currently working with one of your inspectors to bring the properties up to code. We believe that the "nuisance" label given the properties, while quite appropriate up until one month ago, is no longer applicable. The properties have been secured and further actions on our part are being taken maintain the properties in a safe and unsightly condition, so not to be a blight on the community.

I have in my possession a list compiled by your inspector of those issues which must be brought to code before the individual apartments may be inhabited. We request a hearing on the matter, by which time all the concerns your office has surrounding the properties should have been corrected, to the code specifications.

Please feel free to call me at the telephone number noted above if you should have any questions concerning this appeal. If you need to confirm this letter, please call Mr. Rodriguez at (310) 709-8285.

Thank you for your attention.

Sincerely,
E MacDowell
Elizabeth Mac Dowell



January 20, 2005

CERTIFIED & REGULAR MAIL

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN

WRENCE WEEKLY

MICHAEL MACK

JANET MONCRIEF

STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Mr. Samuel Tan
Mr. Ricky Rodriguez
c/o Elizabeth MacDowell
3209 East Owens Avenue
Las Vegas, Nevada 89030

Re: Notice of Appeal Hearing – Dangerous Building Abatement Notice and Order to Comply on property located at 1832 and 1836 Lewis Avenue

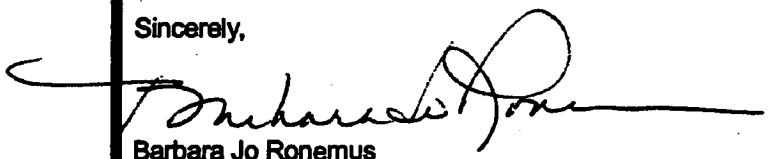
Dear Mr. Tan and Mr. Rodriguez:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 2nd day of February, 2005, at the hour of 1:00 p.m. This hearing is in response to the letter from Elizabeth MacDowell letter dated December 10, 2004 requesting the same, concerning the Notice and Order to Comply for Dangerous Building Abatement on property located at 1832 and 1836 Lewis Avenue.

You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions or need further information please do not hesitate to contact our office at 229-6311.

Sincerely,


Barbara Jo Ronemus
City Clerk

BJR/bkb

cc: Orlando Sanchez, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response, Neighborhood Services
Tom Green, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Susie Martinez, Ward 3 Liaison

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

VOICE 702.229.6011

TDD 702.386.9108

www.lasvegasnevada.gov
18112-001-604

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Hearing to consider the appeal regarding the Notice and Order to Abate Dangerous Building located at 1836 Lewis Avenue. PROPERTY OWNER: ASSURED INVESTORS, INC - Ward 3 (Reese)

Fiscal Impact:

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

PURPOSE/BACKGROUND:

The subject property was determined to be a dangerous building(s) as defined in Uniform Code for the Abatement Dangerous Building, 1994 Edition, Section 302, adopted by the Las Vegas Municipal Code 16.08. A Notice and Order to Abate Dangerous Building was mailed to the property owner to correct the nuisance per 16.08 Building/Dangerous; 16.20 Housing Codes; Per Title 9.04 Refuse, Waste and Litter. Today's hearing is to consider the Appeal to the Notice and Order filed by Elizabeth MacDowell, acting manager, representing Assured Investors, Inc., property owner and responsible person for the property.

RECOMMENDATION:

That the City Council approve the Notice and Order to Abate Dangerous Building

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Notice and Order to Abate Dangerous Building
4. Appeal Letter from Appellant
5. Notice of Appeal

MOTION:

REESE - Motion to STRIKE Item 61 [5604 Emperor Way], Item 62 [1832 Lewis Avenue], Item 63 [1836 Lewis Avenue], and to HOLD IN ABEYANCE Item 76 [SUP-2848], Item 77 [SUP-3394], Item 78 [SUP-4532] to 2/16/2005 and Item 72 [RQR-5138], Item 74 [RQR-5171], Item 75 [RQR-5513] and Item 79 [SUP-4693] to 3/2/2005 - UNANIMOUSLY with BROWN and MACK excused

MINUTES:

Under Item 64 [1321 S. Main Street], COUNCILMAN REESE questioned why Item 61 [5604 Emperor Way], Item 62 [Lewis Avenue] and Item 63 [1836 Lewis Avenue] were recommended to be stricken. ORLANDO SANCHEZ, Director of Neighborhood Services, confirmed those properties were dealt with by their property owners and upon approval of City standards, the items were recommended to be stricken.

(1:05 - 1:08/1:09 -1:12)

3-1/3-84

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Hearing to consider the appeal regarding the Notice and Order to Abate Dangerous Building located at 1836 Lewis Avenue. PROPERTY OWNER: ASSURED INVESTORS, INC - Ward 3 (Reese)

The subject property was deemed to be a dangerous building as defined in Uniform Code for the Abatement Dangerous Building, 1994 Edition, Section 302, adopted by the Las Vegas Municipal Code 16.08.

A Notice and Order to Abate Dangerous Building was sent to the property owner by regular and certified mail requesting they correct the nuisance per 16.08 Building/Dangerous; 16.20 Housing Codes; Per Title 9.04 Refuse, Waste and Litter. A copy of the notice was also posted on the property.

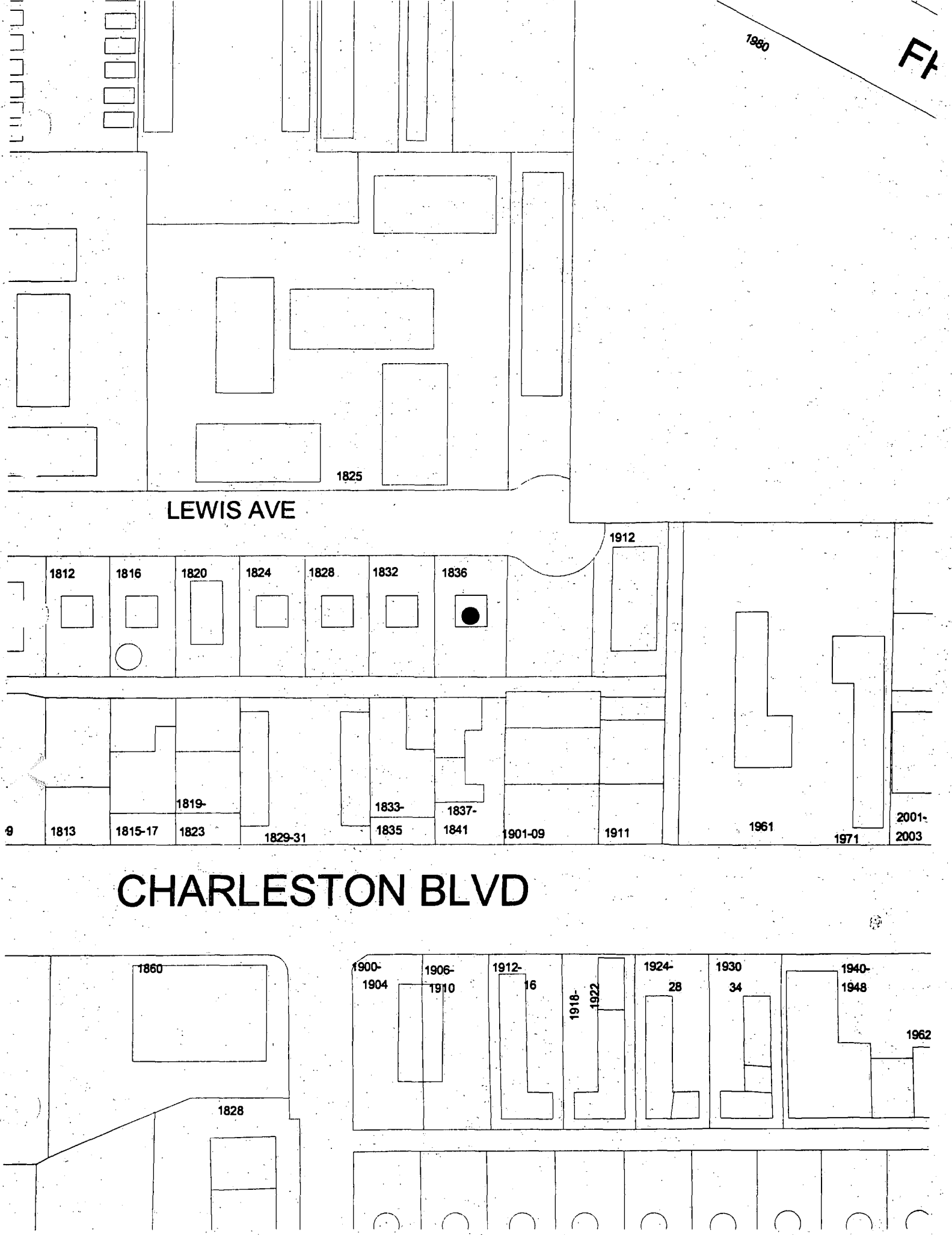
Today's hearing is to consider the appeal from the Notice and Order to Abate Dangerous Building filed by Elizabeth MacDowell, acting manager, representing Assured Investors, Inc. property owner and responsible party for the property.

1980

Ft

LEWIS AVE

CHARLESTON BLVD





NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

APN: 139-35-814-010

December 2, 2004

CASE #23700
Certified/Regular Mail
Return Receipt Requested

Assured Investors, Inc.
% Assured, Inc.
1723 West Magnolia Blvd.
Burbank, CA 91506-1839

NOTICE AND ORDER TO ABATE DANGEROUS BUILDING

You are hereby notified as owner(s) of the properties located at 1836 Lewis Avenue, Las Vegas, NV, Parcel #139-35-814-010, that it has been found to be a dangerous building(s) as defined in the Uniform Code for the Abatement Dangerous Building, 1994 Edition, Section 302, adopted by the Las Vegas Municipal Code 16.08.

Las Vegas Municipal Code 9.04.045 authorizes the City of Las Vegas to access and collect a re-inspection fee of \$75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. The building(s) constitutes a public hazard and an attractive nuisance because *the property is open and accessible to vagrants, vandals and minor children.*

To correct this condition you need to **Per 16.08 – Building/Dangerous:** Board and secure all doors, windows, and opening as per the attached City of Las Vegas Abatement Specifications. All trespassers, squatters, and anyone unable to prove occupancy must vacate premises within ten (10) days of posting of this notice.

Per 16.20 – Housing Codes: Units are not to be rented or occupied until released by a City inspector; and must meet all city-housing codes.

LAS VEGAS CITY COUNCIL
MAYOR OSCAR B. GOODMAN
MAYOR PRO TEM GARY REESE • LARRY BROWN • LAWRENCE WEEKLY • MICHAEL MACK
JANET MONCRIEF • STEVE WOLFSON
CITY MANAGER DOUGLAS A. SELBY

18201-031-7-04

CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101
VOICE 702.229.2330 • FAX 702.382.3045 • TTY 702.386.9108 • www.lasvegasnevada.gov

Receipt/Conformed Copy

Requestor:

CITY OF LAS VEGAS

12/03/2004 13:21:27

T20040142352

Book/Instr: 20041203-0001636

Order

Page Count: 7

Fees: \$20.00

N/C Fee: \$0.00

Frances Deane
Clark County Recorder

Q

Per 9.04 – Refuse & Waste: Remove all furniture, boxes, paper, bottles, vagrant materials, etc. from all yards.

Per 9.04 – Litter: Remove all scattered litter from the property.

Post “No Trespassing” (per NRS 207.200), “No Dumping” (per NRS 444.630), and “No Vehicles” (per CLVMC 10.78.020 & 11.24.020) signs on-site to deter illegal activity and prevent future violations. All trespassers, squatters, and anyone unable to prove occupancy must vacate premises within ten (10) days of posting of this notice.

Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. CONTACT THE AREA CODE ENFORCEMENT OFFICER #21 BY TELEPHONE AT (702) 229-5103 TO SUPPLY YOUR CURRENT PHONE NUMBER, E-MAIL ADDRESS, FAX NUMBER, OR ADDITIONAL MAILING ADDRESS.

Once you have been officially notified that this condition exists and you fail to respond, court citations could be issued with each day constituting a separated offense.

If the problem still exists after this ten (10) day Notice and Order, the City may hire a licensed contractor to remove the nuisance and hazard either by demolition or safely securing the structure and cleaning the premises. As the property owner(s), you will be responsible for all costs incurred, including a fifteen (15%) administrative processing fee. There will be a three hundred twenty-five dollar (\$325.00) boarding fee, payable to the City of Las Vegas, whether your contractor or the City of Las Vegas boards the property. If the property is boarded without the fee being paid, the property will have a lien placed for that amount. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, A Lien of Assessment shall be filed with the County Recorder office, certified copies of the Lien given to the County Treasurer, and the amount of the Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City Council or by the Council's designee, with a right of final appeal to the Council.

CASE #23700
1836 Lewis Avenue
December 2, 2004
Page 3

The decision of the City Council or the council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-2330 concerning your intentions at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Orlando', enclosed within a large, horizontal oval loop.

Orlando Sanchez, Director
Department of Neighborhood Services

OS:ks

Enclosure: Abatement Specifications
 City of Las Vegas Vacant/Boarded Building Standards/Compliance/Process
 Boarded Building Certificate Application

City of Las Vegas Abatement Specifications

CONTRACTOR WILL BE RESPONSIBLE FOR THE FOLLOWING ON A PROJECT-BY-PROJECT BASIS:

- 1. Contractor is responsible for removing all vehicles located on property.**
- 2. Contractor is responsible for the cutting down and removal of all dry vegetation down to a 2-inch height.**
- 3. Contractor is responsible for abating all trash and debris visible on the property.**
- 4. All windows, exterior doors, holes in the roof exterior walls and any other openings providing access to the structure are to be completely covered with ¾" exterior grade plywood and installed with through-bolts secured to 2" x 4" interior back-boards. The through bolts shall be preened over both inside and outside to prevent removal. BOARDS MUST BE PAINTED THE SAME COLOR AS THE STRUCTURE.**
- 5. The exterior doors, which are undamaged, shall be locked and toenailed shut.**
- 6. Contractor is responsible for removal of all trash and debris from the interior of the building.**
- 7. Contractor is responsible for removal of all graffiti from the premises.**
- 8. To comply with EPA, OSHA, Clark County Health Districts Demolition Removal procedures.**
- 9. Being licensed for this particular work by Nevada State Contractor's Board prior to bid.**
- 10. Paying all fees, permits, and must comply with City of Las Vegas Public Works Uniform Standard Specifications and all other applicable standards and codes.**
- 11. To call "Call Before You Dig".**
- 12. To make sure all utilities have been disconnected and services removed, both underground and overhead from the buildings to the existing right of way to the satisfaction of the applicable utility company before starting demolition, having portable toilet and other temporary utilities on site when required.**
- 13. To cap and ark disconnected utilities as required by the appropriate utility.**
- 14. To keep utilities in service and maintain access to the other sections of the neighborhood.**
- 15. Demolition of the building must include removal of all asphalted cement surfaces and slabs.**
- 16. When a building is to be demolished, it is the Contractors responsibility to ensure all utility hook-ups are disconnected.**
- 17. Have a water truck on-site and in use during demolition. Any property over one-quarter (0.25) acre must have dust suppressant.**

**City of Las Vegas
Vacant/Boarded Building**

STANDARDS/COMPLIANCE/PROCESS

CLVMC 16.31 Sec. 5 (A)

This application shall include the following information and documentation:

- (1) Address of Building to be boarded;**
- (2) Type of Building;**
- (3) For residential building, number of dwelling units;**
- (4) For non-residential building, number of building square feet and the lineal footage of all building faces at ground level;**
- (5) Owner's name, address, and telephone number
Authorized agents name (for performing owner's obligations) – address, telephone number;**
- (6) Photograph (attachment to application)
Description of condition of the building and the landscaping existing on property;**
- (7) Reason for the boarding and period of time that the building is expected to be vacant.**

CLVMC 16.31 Sec. 6 (A)

A Statement of Intent (see attachment) must be filed by or on behalf of the owner of any vacant or abandoned building

CLVMC 16.31 Sec. 6 (B)

A Statement of Intent (see attachment) must be filed by or on behalf of the owner of any lot that has become vacant following the demolition of one or more buildings thereon CLVMC 16.31 Sec. 7 (A)

Boarding of a building must be completed within ten (10) days after the issuance of a boarding certificate. The boarding must be in compliance with any minimum boarding standards that have been established by the City. (Standards Attached).

A boarding certificate is effective for a twelve-month period.

CLVMC 16.31 Sec. 7 (B)

Within 30 days following the issuance of a boarding certificate or the filing of a statement of intent, the owner must submit for approval by the director a proposed Mitigation Plan and a Proposed Rehabilitation Plan. (See attached).

CLVMC 16.31 Sec. 9 (A)

If an owner fails to comply with a Mitigation Plan or Rehabilitation Plan within the time frames established there in, or fails to repair vandalism or damage to the building or the property on which the building is located in accordance with a time line for such repair that has been established by the Director, the Director may cause the appropriate Mitigation measures to be taken or the repair or rehabilitation work to be performed, and may charge the owner a fee in accordance with subsection (c) of Section 10 of this ordinance.

CLVMC 16.31 Sec. 9 (B)

If an owner violates or fails to comply with any requirement of this chapter and the violation or failure to comply continues for more than fifteen (15) days, the Director may issue to the owner a Notice of Violation in accordance with Section 9.04.050, as provided for with respect to public nuisances, and may proceed to remedy the violation in accordance with the Nuisance Abatement procedures set-forth in Section 9.04.080. The owner may appeal a Notice of Violation in accordance with Sections 9.04.060 and 9.04.070.

Fees – LVMC 16.31 Sec. 10 (A)

The applicant for a boarding certificate shall pay the following fees at the time of application:

- (1) For a single-family dwelling, \$325**
- (2) For any other type of residential building, \$325 for the first residential unit, plus \$25 for each additional unit on the same parcel**
- (3) For any commercial or other non-residential structure \$325, or two dollars per lineal foot of building face, whichever is greater.**

**City of Las Vegas
Neighborhood Services
Boarded Building Certificate
Application**

Ref # _____ **Date:** _____

APPLICATION REQUIREMENT PER CLVMC 16.31 SEC. 5(A), SEC 6(A), SEC 6(B), SEC 7(B), SEC 9(A), SEC 9(B), SEC 10(A)

1. ADDRESS OF VACANT BUILDING TO BE BOARDED:

2. COMMERCIAL OR RESIDENTIAL (circle one)

3. RESIDENTIAL NUMBER OF UNITS (SFD IS ONE)

4. OR COMMERCIAL SQUARE FOOTAGE PLUS LINEAL FOOTAGE OF ALL BUILDING FACES AT GROUND LEVEL

5. NAME, ADDRESS, PHONE NUMBER OF OWNER OR AUTHORIZED AGENT:

6. ATTACH PHOTOS SHOWING CONDITION OF BUILDING AND SURROUNDING LANDSCAPING AND STATEMENT OF INTENT FOR FUTURE USE OF BUILDING. THE STATEMENT OF INTENT MUST BE RECEIVED WITHIN 30 DAYS OR SHORTER IF REQUIRED BY THE NOTICE.

7. THIS BUILDING IS VACANT AND BEING BOARDED BECAUSE:

FEE AMOUNT DUE _____ **PAID** _____ **DATE**

APPLICATION: **APPROVED** ☐ **DENIED** ☐

MITIGATION PLAN: **RECEIVED** _____ **DATE** _____

REHABILITATION PLAN: **RECEIVED** _____ **DATE** _____

RECEIVED
CITY CLERK

2004 DEC 13 P 12:09

ELIZABETH MAC DOWELL
3209 East Owens Ave.
Las Vegas, NV 89030
(702) 325-7228

December 10, 2004

Case # 24076- 1832 Lewis Ave., Las Vegas, NV
Case # 23700- 1839 Lewis Ave., Las Vegas, NV

To Whom it May Concern;

I have been hired by Samuel Tan and Ricky Rodriguez as acting manager of the above-mentioned properties.

On behalf of Mr. Tan and Mr. Rodriguez, we are respectfully filing an appeal of the notice and order posted on the properties on December 3, 2004.

We have made great strides in cleaning and repairing the properties and are currently working with one of your inspectors to bring the properties up to code. We believe that the "nuisance" label given the properties, while quite appropriate up until one month ago, is no longer applicable. The properties have been secured and further actions on our part are being taken maintain the properties in a safe and unsightly condition, so not to be a blight on the community.

I have in my possession a list compiled by your inspector of those issues which must be brought to code before the individual apartments may be inhabited. We request a hearing on the matter, by which time all the concerns your office has surrounding the properties should have been corrected, to the code specifications.

Please feel free to call me at the telephone number noted above if you should have any questions concerning this appeal. If you need to confirm this letter, please call Mr. Rodriguez at (310) 709-8285.

Thank you for your attention.

Sincerely,
E. MacDowell
Elizabeth Mac Dowell



January 20, 2005

CERTIFIED & REGULAR MAIL

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Mr. Samuel Tan
Mr. Ricky Rodriguez
c/o Elizabeth MacDowell
3209 East Owens Avenue
Las Vegas, Nevada 89030

Re: Notice of Appeal Hearing – Dangerous Building Abatement Notice and Order to Comply on property located at 1832 and 1836 Lewis Avenue

Dear Mr. Tan and Mr. Rodriguez:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 2nd day of February, 2005, at the hour of 1:00 p.m. This hearing is in response to the letter from Elizabeth MacDowell letter dated December 10, 2004 requesting the same, concerning the Notice and Order to Comply for Dangerous Building Abatement on property located at 1832 and 1836 Lewis Avenue.

You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions or need further information please do not hesitate to contact our office at 229-6311.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Jo Ronemus", is written over a horizontal line.

Barbara Jo Ronemus
City Clerk

BJR/bkb

cc: Orlando Sanchez, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response, Neighborhood Services
Tom Green, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Susie Martinez, Ward 3 Liaison

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

VOICE 702.229.6011

TDD 702.386.9108

www.lasvegasnevada.gov
18112-001-6/04

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature X <i>E. MacDowell</i> ☐ Agent ☐ Addressee	
		B. Received by (Printed Name)	C. Date of Delivery <i>1/22</i>
1. Article Addressed to: 1832 & 1836 Samuel Tan & Ricky Rodriguez c/o Elizabeth MacDowell 3209 East Owens Avenue Las Vegas NV 89030		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
		3. Service Type ☐ Certified Mail ☒ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ P.O.D.	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. Article Number (Transfer from service label)		7004 1160 0005 5215 3011	
PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540			

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

☐ CONSENT ☒ DISCUSSION

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 1321 S. Main Street. PROPERTY OWNER: RAQUEL MOLINA - Ward 1 (Moncrief)

Fiscal Impact:

☐ No Impact	Amount:	\$1,092.50
☒ Budget Funds Available	Dept./Division:	Neigh. Services/Response
☐ Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Weaver Inc. to remove all vagrant materials, boxes, clothing, bottles, cans, trash/debris, overgrown weeds and grass; repair the fence and post "No Trespassing" signs on site.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$1,092.50 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

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

MOTION:

TARKANIAN - Approved the action of Neighborhood Services - UNANIMOUS

MINUTES:

NOTE: A video was shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

COUNCILMAN REESE questioned why Item 61 [5604 Emperor Way], Item 62 [1832 Lewis Avenue] and Item 63 [1836 Lewis Avenue] were recommended to be stricken. ORLANDO SANCHEZ, Director of Neighborhood Services, confirmed those properties were dealt with by their property owners and upon approval of City standards, the items were recommended to be stricken.

MR. SANCHEZ presented a video of the subject property and recommended the City Council approve

CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

MINUTES - Continued:

the report of expenses in the amount of \$1,092.50; \$950 to Weaver Inc. and \$142.15 for the 15 percent administrative fee. He stated the charges should be filed and recorded against the property, constituting a special assessment and lien to be filed and recorded with the County Treasurer's Office. MR. SANCHEZ recommended approval.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:09 - 1:12)

3-84

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: Neighborhood Services

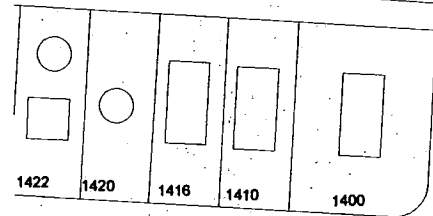
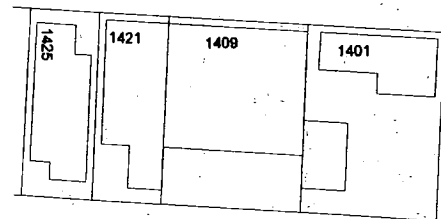
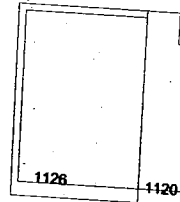
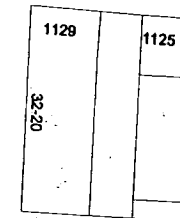
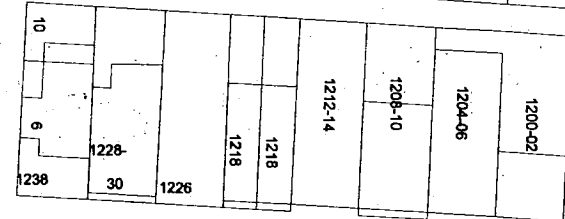
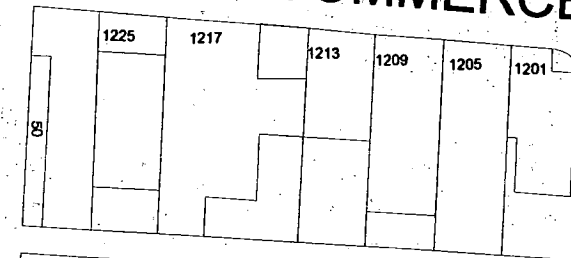
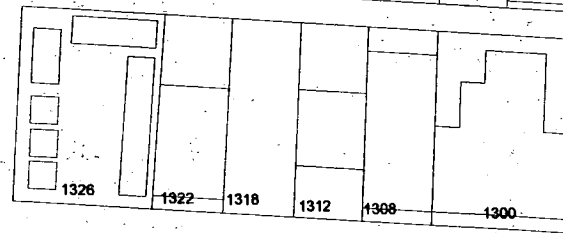
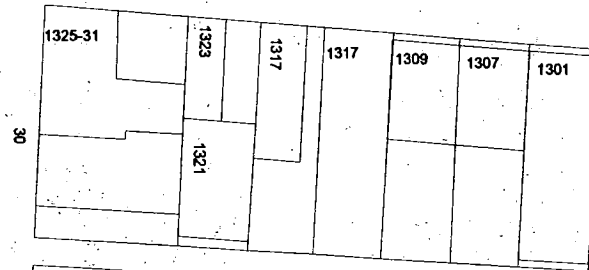
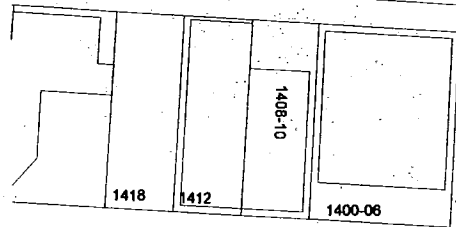
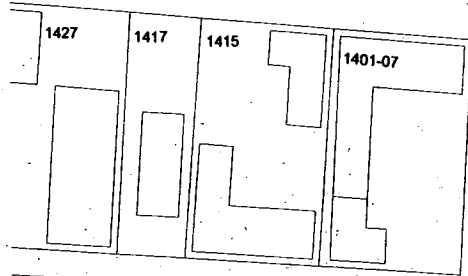
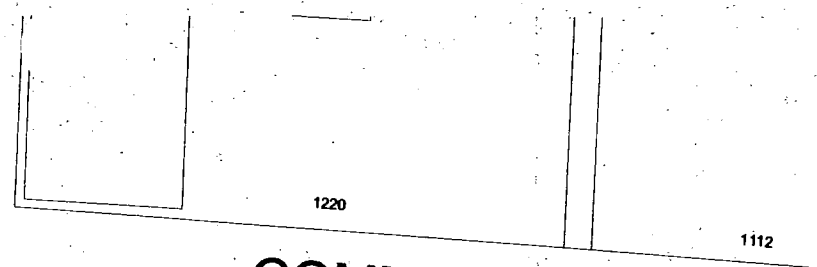
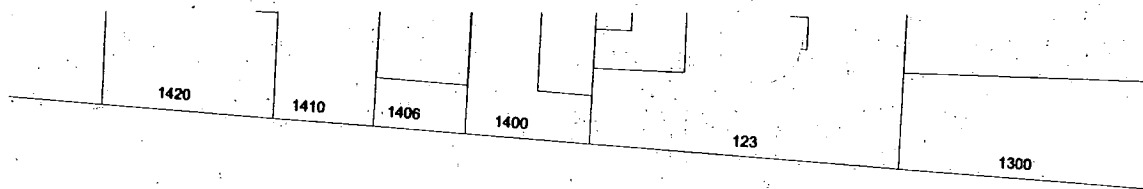
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 1321 S. Main Street.

PROPERTY OWNERS: RAQUEL MOLINA – Ward 1 (Moncrief)

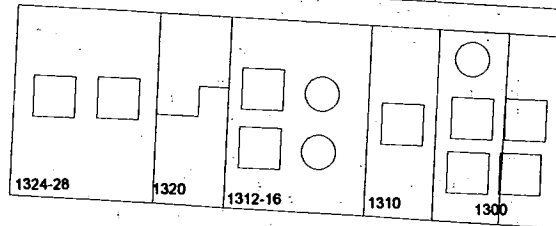
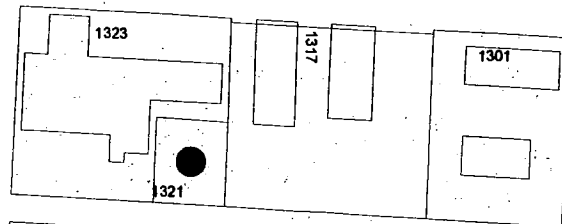
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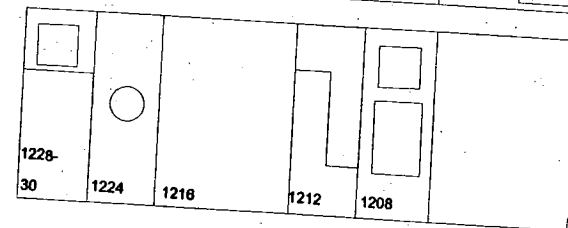
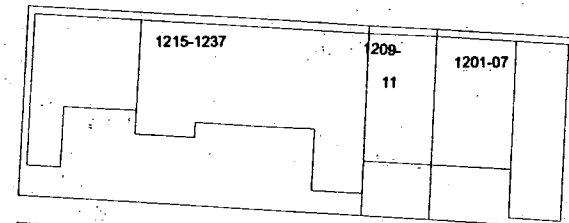
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IMPERIAL ST

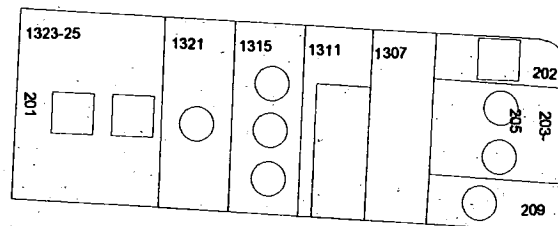
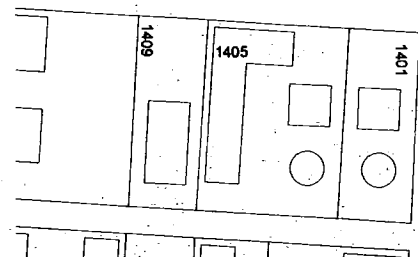
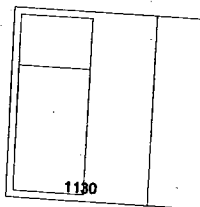
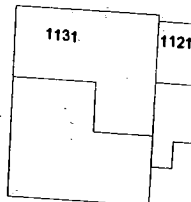


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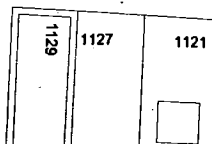
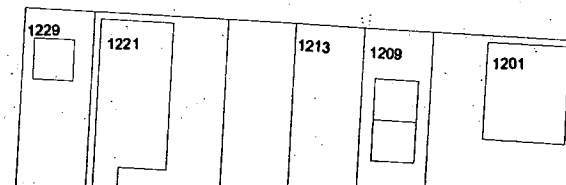


MAIN ST

CALIFORNIA ST



CASINO CENTER BLVD



Memorandum

City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk
From: Devin Smith, Manager – Neighborhood Response Division
CC: File
Date: January 12, 2005
Re: Report of Expenses for the abatement of Nuisance/Litter located at 1321 S. Main Street - Ward 1 (Moncrief)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance/Litter," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all vagrant materials, boxes, clothing, bottles, cans, trash/debris, overgrown weeds and grass; repairing the fence and post "No Trespassing" signs on site. Weaver Inc. completed work on December 7, 2004 at a cost of \$950.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	\$ 950.00
AMOUNT DUE	950.00
Administrative processing fee	<u>142.50</u>
TOTAL AMOUNT DUE	\$1,092.50

OWNER OF RECORD: RAQUEL MOLINA
PROPERTY ABATED: 1321 S. Main Street
ASSESSOR'S PARCEL: 162 03 110 087
LEGAL DESCRIPTION: BOULDER ADD
PLAT BOOK 1 PAGE 52
PT LOT 6 BLOCK 9

DS:jl

WEAVER CONSTRUCTION

"GENERAL ENGINEERING"

2590 NORTH NELLIS BLVD.

LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and
all persons and entities holding more than a 1% interest in
Weaver Construction or any principal of
Weaver Construction are the following:

<u>FULL NAME</u>	<u>BUSINESS ADDRESS</u>	<u>BUSINESS PHONE</u>
1. Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____

Continue list until full and complete disclosure is made

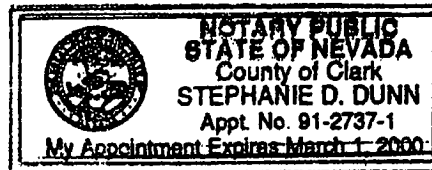
I certify under penalty of perjury, that the foregoing list is full and complete.

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me
this 28 day of October, 1999.

Stephanie D. Dunn
Notary Public





LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
ANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARING
FEBRUARY 2, 2005

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, February 2, 2005** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing all vagrant materials, boxes, clothing bottles, cans, trash/debris, overgrown weeds and grass, repairing all fence and posting "No Trespassing-" signs on property located at **1321 SOUTH MAIN STREET** legally described as **BOULDER ADD PLAT BOOK 1 PAGE 52 PT LOT 6 BLOCK 9** Owner of record at time of abatement: **RAQUEL MOLINA - WARD 1 (MONCRIEF)**

The Director of Neighborhood Services certifies in the report that the sum of \$1,092.50 was expended (\$950.00 to Weaver, Inc., for cleaning the property; and \$142.50 Administrative Processing Fee).

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

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

BARBARA JO RONEMUS
CITY CLERK

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

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

Address: 1321 S MAIN ST

CITZ

VACANT PROPERTY HAS BROKEN DOWN FENCE ALLOWING VAGRANTS TO LIVE ON PROPERTY - ALSO HAS ALL KINDS OF T/D FROM VAGRANTS ON PROPERTY - HAVE CARDBOARD HOMES BUILT ON PROPERTY

Parcel(s)

Parcel: 16203110087 **Size:** 0.07 ACRE **Subdivision Name:** BOULDER ADD

Owner Information:

10-Aug-02 MOLINA RAQUEL
501 W 4TH AVE; LA HABRA, CA 90631-6007

Inspection Summary

Inspector:	Status:		Scheduled DT:	Start Dt:	Comp DT:	Min:
880076	Failed		9/24/2004	09/24/2004 10:33	09/24/2004 10:39	6
880076	Failed		10/8/2004	10/12/2004 10:19	10/12/2004 10:26	7
880076	Passed	Partial	10/29/2004	10/21/2004 8:51	10/21/2004 8:51	0
880076	Failed		11/1/2004	11/01/2004 9:00	11/01/2004 9:06	6
870076	Passed	Partial	11/26/2004	12/01/2004 6:55	12/01/2004 7:07	12
870076	Passed		12/23/2004	12/03/2004 13:00	12/03/2004 13:38	38
Time in Minutes:						69

Violation Details

Violation	Violation DT	Resolve DT	Location:
A-ZONE OTHER	9/24/2004	12/3/2004	PROPERTY
REMOVE VAGRANTS AND VAGRANT MATERIALS			
A-WEEDS	9/24/2004	12/3/2004	PROPERTY
REMOVE ALL HIGH/DRY VEGETATION			
A-REFUSE/WST	9/24/2004	12/3/2004	PROPERTY
REMOVE ALL REFUSE AND WASTE			

Log

Type:	Date:	Employee:	Min:
MISC	12/13/2004 7:07:00 AM	KATHY STEWART	0
ks) Sent invoice (\$950) from Weaver, Inc. to Finance for payment. Gave file to Jessica Larramendy for Council.			
DIRECT	12/10/2004 1:26:00 PM	KATHY STEWART	0
Per Steve Harsin, okay to pay invoice.			
MISC	12/8/2004 2:03:00 PM	KATHY STEWART	0
ks) Received Invoice (\$950) from Weaver, Inc. for completion of abatement.			
VIDPST	12/3/2004 1:00:00 PM	KATHY STEWART	38
24) Post video inspection - abated, clean, weeds & litter removed, North portion of dilapidated fence removed, alley fence repaired. sign posted. Looks good.			
FAX	12/2/2004 8:24:00 PM	KATHY STEWART	0
ks) Per fax from Weaver, Inc. will start abatement today. Pam Hines has been notified.			
VIDPRE	12/1/2004 6:55:00 AM	KATHY STEWART	12
CONT'D) 24) repair fence. Tape to OS & data to KS for entry.			

VIDPRE	12/1/2004 6:55:00 AM	KATHY STEWART	12
24) Pre video insp, the vagrant camp in SW corner of the lot was removed by RRT on 11/17 @ Metro's request. Litter & small amount of vegetation, box spring remain. Dilapidate/fallen chain link fence remain as before. Weaver will complete the clean up &			
FAX	11/22/2004 10:25:00 PM	KATHY STEWART	0
Received fax from Weaver, Inc. Start date will be determined on access to the site, being blocked by road/alley work. Will set up a revised time frame.			
BIDA	11/17/2004 9:39:00 AM	KATHY STEWART	0
ks) Faxed Award letter to Weaver, Inc. Contractor has five days to call with a start date. Award letter attached in OLE.			
DIRECT	11/16/2004 9:45:00 AM	KATHY STEWART	0
Per Steve Harsin, Award the bid to the lowest bidder, Weaver, Inc.			
BIDR	11/16/2004 7:00:00 AM	KATHY STEWART	0
ks) Received the following bids from contractors, (1) Weaver, Inc - \$950; (2) KO Construction - \$1,749. Sent e-mail to Steve Harsin & Pam Hines with bid results.			
MISC	11/12/2004 10:40:00 AM	KATHY STEWART	0
Received Certified Card back from owner signed. Filed card in folder.			
BIDS	11/9/2004 1:35:00 PM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bid due by COB Monday, 11/15.			
REFER	11/4/2004 2:59:00 PM	VICTORIA ROSEMORE	0
16) REFERRED FILE TO KATHY IN OFFICE FOR BIDS.			
PHONE	11/4/2004 2:01:00 PM	VICTORIA ROSEMORE	7
23) CALLED THE REALTY GROUP 214-6575 SPOKE WITH DAVID OF RELATY GROUP, HE SAID THEY DO NOT HAVE THAT PROPERTY AS FAR AS HE KNOWS, TOLD HIM WE WERE SENDING IT TO BID. HE WILL CALL ME BACK IF HE HAS THIS PROPERTY. REF TO 16			
PHONE	11/3/2004 9:54:00 AM	VICTORIA ROSEMORE	0
16) TELECON W/ METRO DISPATCH STATING THAT THEY ARE HAVING PROBLEMS WITH VAGRANTS AT THIS LOCATION. ADVISED THAT WE ARE WORKING ON AN ABATEMENT AT THIS LOCATION.			
INSP	11/1/2004 9:00:00 AM	MICHAEL WAKE	6
23) NO COMPLIANCE, LOT FULL OF VAGRANTS AND VAGRANT MATERIAL, PROCEED WITH ABATEMENT.C/B 11/15			
INSP	10/21/2004 8:51:00 AM	MARIA VIGIL	0
23) NO COMPLIANCE, POSTED N&O ON STRUCTURE. C/B 11/1			
RECORD	10/19/2004 3:06:00 PM	JESSICA LARRAMENDY	0
JL) Recorded Notice & Order at Clark County. Book: 20041019 Inst: 02944.			
NOTICE	10/18/2004 1:15:00 PM	KATHY STEWART	30
Sent Nuisance/Litter Abatement Notice & Order to Comply letter & map to owner, Raquel Molina. POST:10/19. C/B: 10/29. Sent file to #23. N&O letter attached in OLE.			
NOREQ	10/14/2004 8:17:00 AM	VICTORIA ROSEMORE	0
16) SUBMITTED N&O REQUEST FOR PROCESSING TO OFFICE. (KATHY).			
INSP	10/12/2004 10:19:00 AM	KATHY STEWART	7
23) No compliance vagrants, vagrants materials. Took photos. \$75 FEE. Send N&O. Called owner, 838-1901. Prepared N&O. Referred to office for typing & mailing.			
PHONE	10/5/2004 8:39:00 AM	JESSICA LARRAMENDY	0
JL) Rec'd another call regarding the homeless camped on this lot and that it is accessible all the time. Complainant states there is no fence to keep the vagrants and illegal dumping OUT.			
INSP	9/24/2004 10:33:00 AM	LYNN NIHIPALI	6
23) VIOLATIONS CONFIRMED, VAGRANTS ON SITE, FENCE DOWN, REFUSE, VAGRANT MATERIAL BOTTLES CANS PAPER CARDBOARD BROKEN GLASS, ETC, SENT SN TO OWNER CB 10/8			

Time in minutes:

118

APN 162-03-110-087
Ref # - 21917

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: RAQUEL MOLINA
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.: 162-03-110-087
Commonly known as: 1321 SOUTH MAIN STREET
Legal Description: BOULDER ADD
PLAT BOOK 1 PAGE 52
PT LOT 6 BLOCK 9

On December 7, 2004, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$1,092.50 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

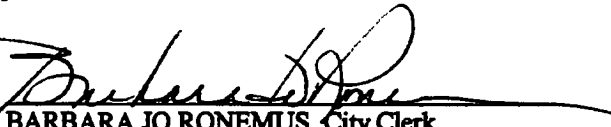
The Las Vegas City Council, at a duly noticed public hearing held on February 2, 2005, ordered the above charges in the amount of \$1,092.50, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

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

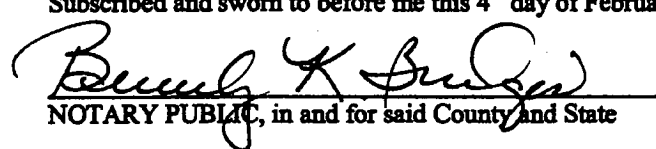

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
COUNTY OF CLARK)

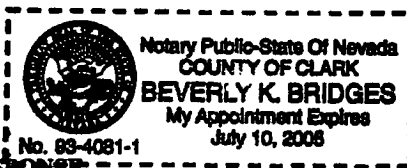
BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are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


BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 4th day of February, 2006


NOTARY PUBLIC, in and for said County and State

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



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 608 Jackson Avenue. **PROPERTY OWNER: UPTOWN DEVELOPMENT LLC, C/O TRADE CAPITAL CO - Ward 5 (Weekly)**

Fiscal Impact:

☐ No Impact	Amount:	\$862.50
☒ Budget Funds Available	Dept./Division:	Neigh. Services/Response
☐ Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Weaver Inc. to remove trash, debris, broken glass, bottles and miscellaneous junk, dead/dry overgrown vegetation from the property and post "No Trespassing" signs on site.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$862.50 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - Approved the action of Neighborhood Services - UNANIMOUS

MINUTES:

NOTE: A video was shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

ORLANDO SANCHEZ, Director of Neighborhood Services, presented a video of the subject property and recommended the City Council approve the report of expenses in the amount of \$862.50; \$750 to Weaver Inc. and \$112.50 for the 15 percent administrative fee. He stated the charges should be filed and recorded against the property, constituting a special assessment and lien to be filed and recorded with the County Treasurer's Office. **MR. SANCHEZ** recommended approval.

CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

MINUTES - Continued:

COUNCILMAN WOLFSON questioned why the date stamp of before and after were not present in the video. MR. SANCHEZ replied the video was recorded before the property was cleaned without a date stamp but that a date stamp was present after the property was cleaned. A date stamp process is now in place at the Councilman's suggestion and will be used in the future.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:12 - 1:13)

3-161

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: Neighborhood Services

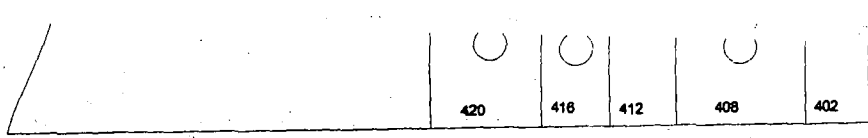
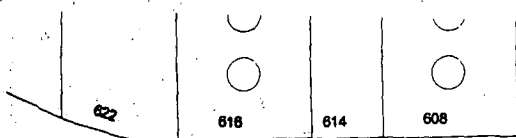
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PROPERTY OWNERS: UPTOWN DEVELOPMENT LLC, C/O TRADE CAPITAL CO – Ward 5 (Weekly)

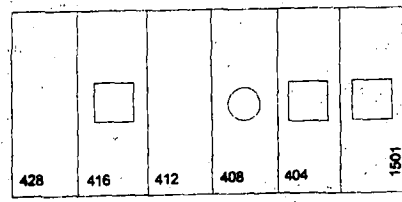
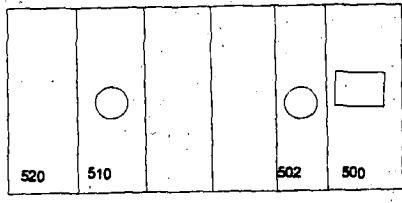
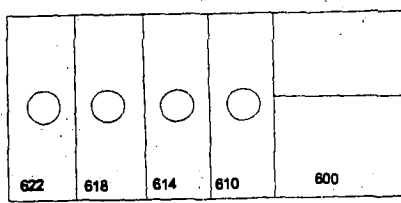
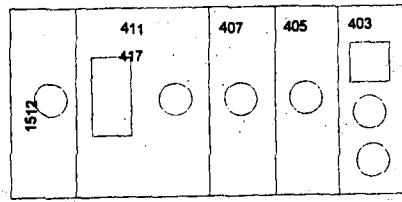
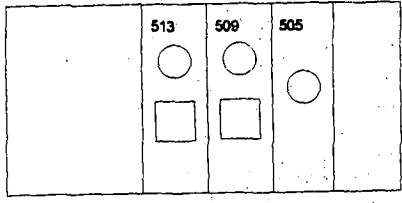
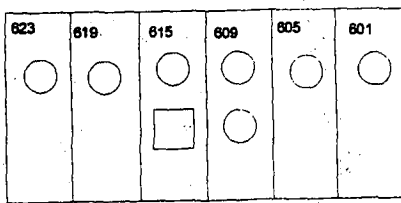
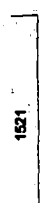
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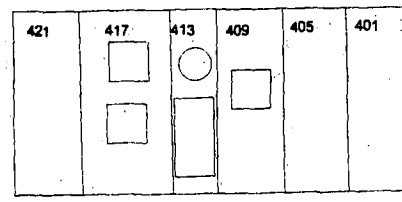
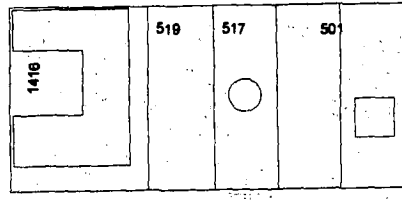
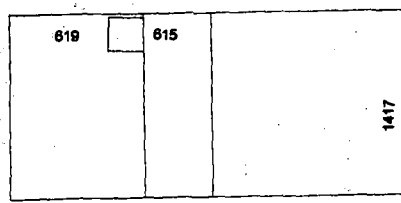
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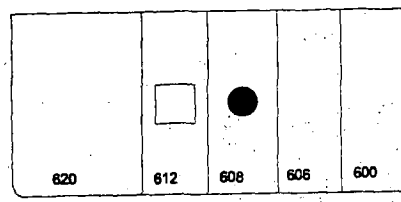
HARRISON AVE



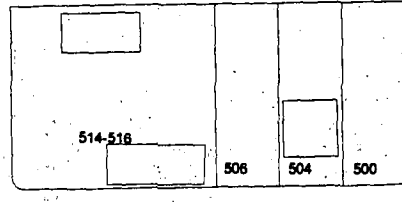
VAN BUREN AVE



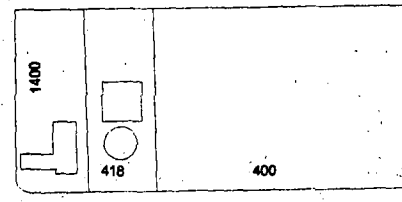
GST



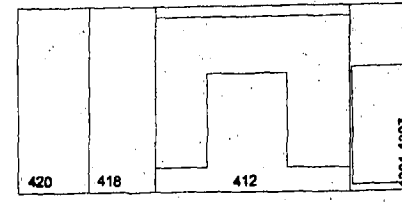
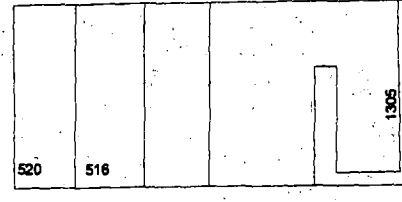
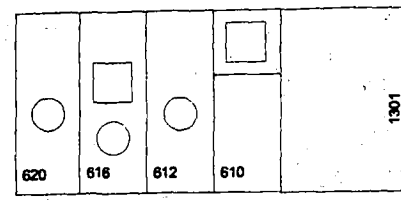
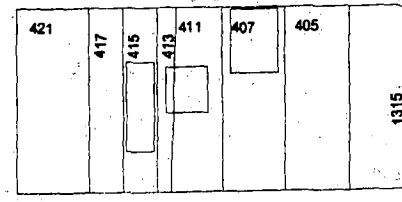
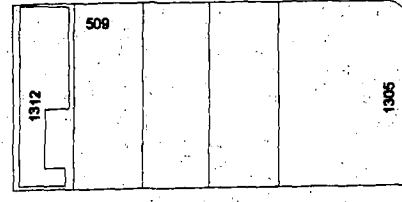
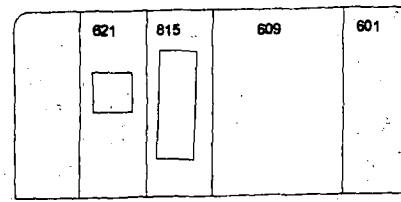
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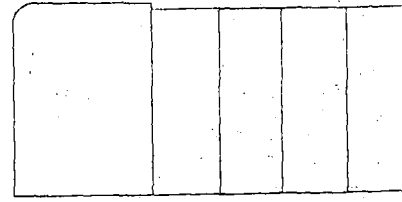
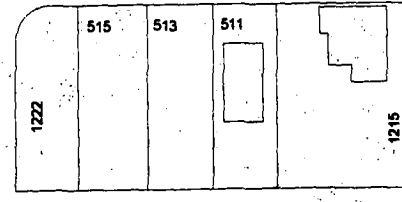
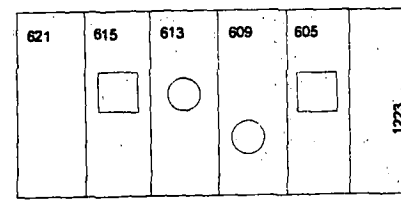
EST



JACKSON AVE



MONROE AVE



Memorandum

City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Devin Smith, Manager – Neighborhood Response Division

CC: File

Date: January 12, 2005

Re: Report of Expenses for the abatement of Nuisance/Litter located at 608 Jackson Avenue - Ward 5 (Weekly)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance/Litter," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing trash, debris, broken glass, bottles and miscellaneous junk, dead/dry overgrown vegetation from the property and posting "No Trespassing" signs on site. Weaver Inc. completed work on December 3, 2004 at a cost of \$750.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	\$ 750.00
AMOUNT DUE	750.00
Administrative processing fee	<u>112.50</u>
TOTAL AMOUNT DUE	\$ 862.50

OWNER OF RECORD: UPTOWN DEVELOPMENT LLC
C/O TRADE CAPITAL CO

PROPERTY ABATED: 608 Jackson Avenue

ASSESSOR'S PARCEL: 139 27 110 074

LEGAL DESCRIPTION: H F M & M ADD
PLAT BOOK 1 PAGE 47
LOT 4 BLOCK 22

DS:jl

WEAVER CONSTRUCTION

"GENERAL ENGINEERING"

2590 NORTH NELLIS BLVD.

LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and
all persons and entities holding more than a 1% interest in
Weaver Construction or any principal of
Weaver Construction are the following:

<u>FULL NAME</u>	<u>BUSINESS ADDRESS</u>	<u>BUSINESS PHONE</u>
1. Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____

Continue list until full and complete disclosure is made

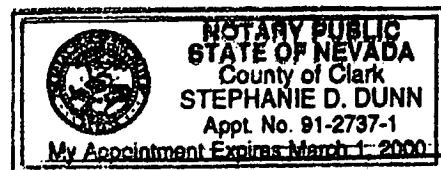
I certify under penalty of perjury, that the foregoing list is full and complete.

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me
this 28 day of October, 1999.

Stephanie D. Dunn
Notary Public





LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY

MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARING
FEBRUARY 2, 2005

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, February 2, 2005** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing trash, debris, broken glass, bottles and miscellaneous junk, dead/dry overgrown vegetation from the property and posting "No Trespassing" signs on property located at **608 JACKSON AVENUE** legally described as **H F M & M ADD PLAT BOOK 1 PAGE 47 LOT 4 BLOCK 22** Owner of record at time of abatement: **UPTOWN DEVELOPMENT LLC C/O TRADE CAPITAL CO - WARD 5 (WEEKLY)**

The Director of Neighborhood Services certifies in the report that the sum of \$862.50 was expended (\$750.00 to Weaver, Inc., for cleaning the property; and \$112.50 Administrative Processing Fee).

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

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

BARBARA JO RONEMUS
CITY CLERK

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

VOICE 702.229.6011
TDD 702.386.9108

www.lasvegasnevada.gov
18112-001-6/04

Address: 608 JACKSON AVE

CLV
IST OLDWLVLOT

PER 19: IST VACANT LOT

Parcel(s)

Parcel:	Size:	Subdivision Name:
13927110074	0.17 ACRE	H F M & M ADD

Owner Information:

10-Aug-02	02-Jul-03	MCKINNEY DAN V & MARY G 5720 WILLOWCREEK RD; NO LAS VEGAS, NV 89031-1419
02-Jul-03	06-Oct-04	UPTOWN DEVELOPMENT L L C 626 S 3RD ST; LAS VEGAS, NV 89101-6602
06-Oct-04		UPTOWN DEVELOPMENT L L C % TRADE CAPITAL CO 871 CORONADO CENTER DR #200; HENDERSON, NV 89052-3977

Inspection Summary

Inspector:	Status:		Scheduled DT:	Start Dt:	Comp DT:	Min:
940274	Failed		7/12/2004	06/30/2004 9:30	06/30/2004 10:00	30
940274	Passed	Partial	8/4/2004	08/04/2004 9:37	08/04/2004 9:41	4
940274	Failed		8/10/2004	09/02/2004 8:31	09/02/2004 8:33	2
940274	Failed		9/28/2004	09/28/2004 11:05	09/28/2004 11:07	2
940274	Passed	Partial	10/14/2004	10/07/2004 9:25	10/07/2004 9:26	1
940274	Passed	Partial	10/18/2004	10/18/2004 13:07	10/18/2004 13:09	2
870076	Passed	Partial	10/20/2004	10/21/2004 10:00	10/21/2004 10:00	0
940274	Failed		11/1/2004	11/02/2004 12:42	11/02/2004 12:47	5
870076	Passed	Partial	11/26/2004	11/29/2004 10:17	11/29/2004 10:26	9
870076	Passed		12/23/2004	12/03/2004 9:34	12/03/2004 9:42	8
Time in Minutes:						63

Violation Details

Violation	Violation DT	Resolve DT	Location:
A-WEEDS	6/30/2004	12/3/2004	ON PROPERTY
REMOVE ALL HIGH WEEDS FROM ALL AREAS OF THIS VACANT LOT. MAINTAIN AT ALL TIMES. NOTE ABOVE FEES/CODES. CONTACT OFFICER.			
A-REFUSE/WST	6/30/2004	12/3/2004	ON PROPERTY
REMOVE ALL TRASH, DEBRIS FROM ALL AREAS OF THIS VACANT LOT. MAINTAIN AT ALL TIMES. NOTE ABOVE FEES/CODES. CONTACT OFFICER			

Log

Type:	Date:	Employee:	Min:
MISC	12/13/2004 7:09:00 AM	KATHY STEWART	0
ks) Sent invoice (\$750) from Weaver, Inc. to Finance for payment. Gave file to Jessica Larramendy for Council.			
DIRECT	12/10/2004 10:32:00 AM	KATHY STEWART	0
ks) Per e-mail from Pam Hines, signs were posted. Okay to pay.			
VDPST	12/3/2004 9:34:00 AM	KATHY STEWART	8
24) Post Video inspection - litter, weeds, & glass removed. Need sign posted. Called Phyllis, sign to be posted Monday 12/6.			

FAX	12/2/2004 8:24:00 PM	KATHY STEWART	0
ks) Received fax from Weaver, Inc. that the property has been abated and that Pam Hines had been notified.			
VIDPRE	11/29/2004 10:17:00 AM	KATHY STEWART	9
24) Vacant lot covered with broken glass, litter, & small amount of weeds. prevideo to OS, info to KS for entry.			
FAX	11/22/2004 10:25:00 PM	KATHY STEWART	0
Received fax from Weaver, Inc. Start date will be 12/1/04.			
BIDA	11/17/2004 9:41:00 AM	KATHY STEWART	0
ks) Faxed Award letter to Weaver, Inc. Contractor has five days to call with a start date. Award letter attached in OLE.			
DIRECT	11/16/2004 9:45:00 AM	KATHY STEWART	0
Per Steve Harsin, Award the bid to the lowest bidder, Weaver, Inc.			
BIDR	11/16/2004 7:00:00 AM	KATHY STEWART	0
ks) Received the following bids from contractors, (1) Weaver, Inc - \$750; (2) KO Construction - \$1,749. Sent e-mail to Steve Harsin & Pam Hines with bid results.			
BIDS	11/9/2004 1:34:00 PM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bid due by COB Monday, 11/15.			
REFER	11/5/2004 8:35:00 AM	VICTORIA ROSEMORE	0
16) REFERRED CASE FILE TO KATHY FOR BIDS.			
INSP	11/2/2004 12:42:00 PM	MARIA VIGIL	5
19) VERIFIED PROPERTY HAS NOT BEEN ABATED. REFERRING TO OFFICE TO PROCEED WITH ABATEMENT.			
MISC	10/27/2004 8:55:00 AM	KATHY STEWART	0
Received Certified Card back from owner signed. Sent card to #19 for filing.			
RECORD	10/22/2004 2:16:00 PM	JESSICA LARRAMENDY	0
JL) Recorded N&O at Clark County. Book: 20041022 Inst: 02677			
NOTICE	10/21/2004 1:46:00 PM	KATHY STEWART	-21
Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owner, Uptown Development II, LLC, %Trade Capital Company, 871 Coronado Center Drive, #200, Henderson, NV 89052-3977. POST: 10/22. C/B: 11/1. Sent file to #19. N&O letter attached in OLE.			
DIRECT	10/21/2004 10:00:00 AM	KATHY STEWART	0
Per Pam Hines, Send an N&O to the new addrsss 871 Coronado Center Drive, #200, Henderson NV 89052-3977			
INSP	10/18/2004 1:07:00 PM	LYNN NIHIPALI	2
19)NO CHANGE, PROCEED WITH ABATEMENT			
MISC	10/14/2004 7:41:00 AM	KATHY STEWART	0
Received Certified letter back (Uptown Development) Return to Sender, No Such Street. Sent letter to #19 for filing.			
RECORD	10/13/2004 3:17:00 PM	JESSICA LARRAMENDY	0
JL) Recorded Notice & Order at Clark County. Book: 20041013 Inst: 03004.			
NOPOST	10/7/2004 9:25:00 AM	LYNN NIHIPALI	1
19)POSTED NOTICE/ORDER			
INSP	10/7/2004 9:25:00 AM	LYNN NIHIPALI	1
19)NO CHANGE CB 10/18			
MISC	10/4/2004 10:48:00 AM	KATHY STEWART	0
Received Regular letter back Return to Sender, Vacant Lot. Sent letter to #19 for filing.			
LETTER	10/1/2004 7:26:00 AM	KATHY STEWART	0
N&O letter attached in OLE.			
NOTICE	10/1/2004 7:00:00 AM	KATHY STEWART	25
Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owner, Uptown Development, LLC, and a copy to Charles Lybarger. POST: 10/4. C/B: 10/14. Sent file to #19.			
INSP	9/28/2004 11:05:00 AM	KATHY STEWART	2
19) No change. Fee assessed. Pictures taken. Sending Notice & Order to new address.			
INSP	9/2/2004 8:31:00 AM	VICKI OZUNA	2
19) NO CHANGE ON VIOLATIONS, PICTURES TAKEN, FEES ASSESSED. PUT ON LIST FOR ABATEMENT BY CREW. CB 9/28			

INSP	8/4/2004 9:37:00 AM	KATHY STEWART	4

19/28) Verified lot has not been cleaned. Looks worse than ever. Bottles everywhere, chair, trash, debris. Final Notice mailed to owner. C/B 8/10.

LETTER	7/15/2004 3:30:00 PM	MARIA VIGIL	120

19) CORRECTION NOTICE WRITTEN AND MAILED TO PROPERTY OWNER.

INSP	6/30/2004 9:30:00 AM	MARIA VIGIL	30

19) CONDUCTED SWEEP OF VACANT LOTS IN IST AREA. VERIFIED PROPERTY HAS TRASH, DEBRIS AND HIGH WEEDS.
C/B 8/4

<i>Time in minutes:</i>	188

APN 139-27-110-074

Ref # - 17769

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: UPTOWN DEVELOPMENT LLC
c/o TRADE CAPITAL CO.

(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.: 139-27-110-074
Commonly known as: 608 JACKSON AVENUE
Legal Description: H F M & M ADD
PLAT BOOK 1 PAGE 47
LOT 4 BLOCK 22

On December 3, 2004, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$862.50 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on February 2, 2005, ordered the above charges in the amount of \$862.50, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

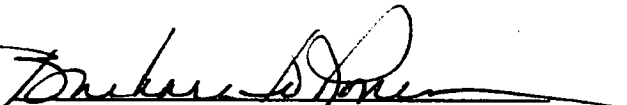
All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment,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


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

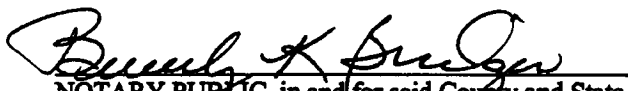
STATE OF NEVADA)

COUNTY OF CLARK)

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

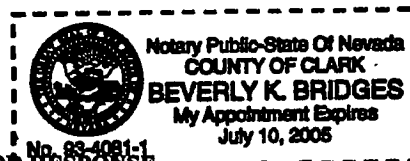

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 4th day of February, 2005


NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:

CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

☐ CONSENT ☒ DISCUSSION

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 620 Jackson Avenue. PROPERTY OWNER: UPTOWN DEVELOPMENT II LLC, C/O TRADE CAPITAL CO - Ward 5 (Weekly)

Fiscal Impact:

☐ No Impact	Amount:	\$862.50
☒ Budget Funds Available	Dept./Division:	Neigh. Services/Response
☐ Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Weaver Inc. to remove trash, debris, broken glass, bottles, junk, dead/dry overgrown vegetation and post "No Trespassing" signs on site.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$862.50 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED the action of Neighborhood Services - UNANIMOUS

MINUTES:

NOTE: A video was shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

ORLANDO SANCHEZ, Director of Neighborhood Services, presented a video of the subject property and recommended the City Council approve the report of expenses in the amount of \$862.50; \$750 to Weaver Inc. and \$112.50 for the 15 percent administrative fee. He stated the charges should be filed and recorded against the property, constituting a special assessment and lien to be filed and recorded with the County Treasurer's Office. MR. SANCHEZ recommended approval.

CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

MINUTES - Continued:

MAYOR GOODMAN inquired whether Uptown Development II, LLC is the owner of 612 Jackson Avenue. The location between the three properties is prime and is a shame to have that condition exist there. MR. SANCHEZ was unable to confirm the owner.

MR. SANCHEZ confirmed for COUNCILMAN WEEKLY that the owner of this property lives in Henderson, Nevada. COUNCILMAN WEEKLY requested the owner be contacted in hopes to get positive activity. Recent rainfall has created new vegetation leaving the property in the same nuisance condition as before the City abated the properties.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:14 - 1:16)

3-224

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 620 Jackson Avenue.

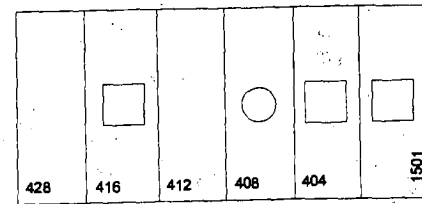
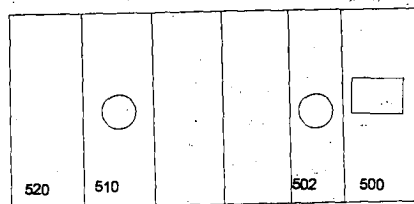
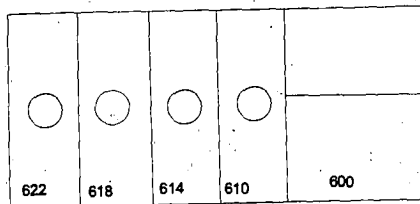
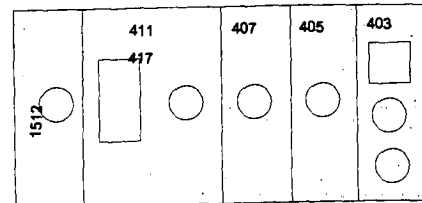
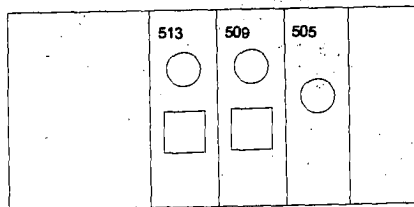
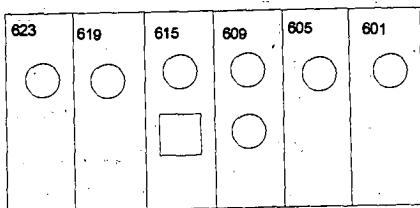
**PROPERTY OWNERS: UPTOWN DEVELOPMENT II LLC, C/O TRADE CAPITAL CO
– Ward 5 (Weekly)**

Weaver Inc. completed work on December 3, 2004 at a cost of \$750.00, plus a 15% administrative fee, for a total of \$862.50.

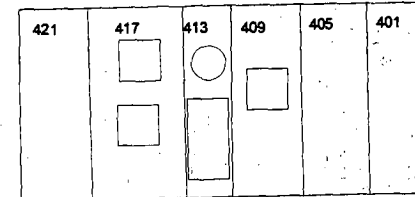
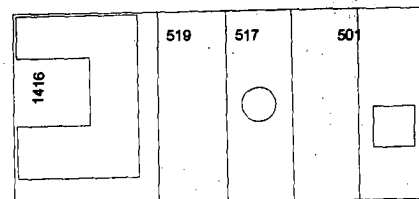
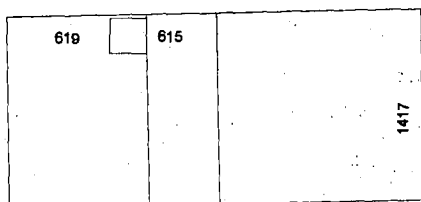
Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Nuisance", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If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

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

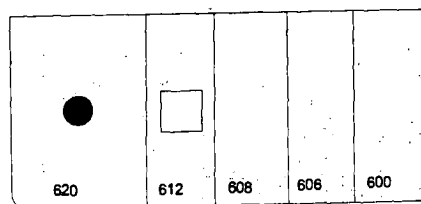
HARRISON A



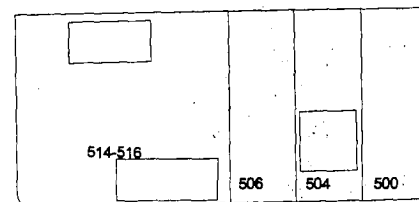
VAN BUREN A



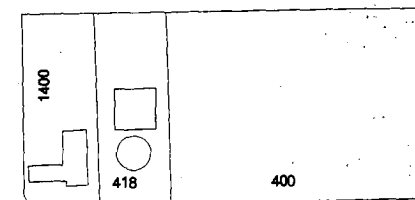
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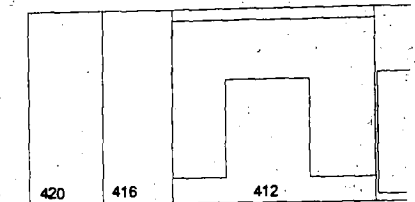
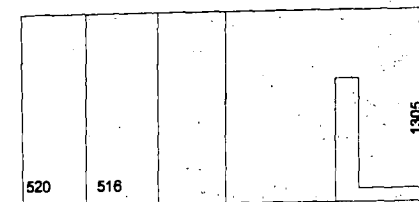
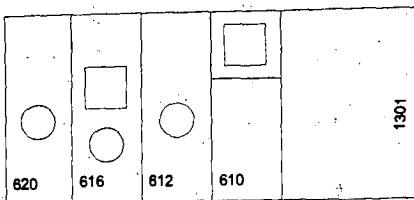
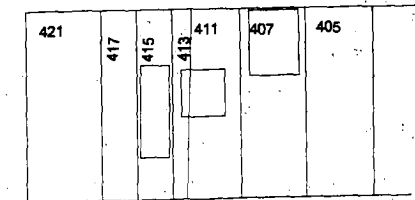
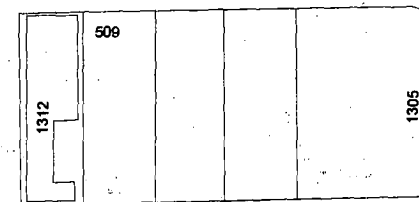
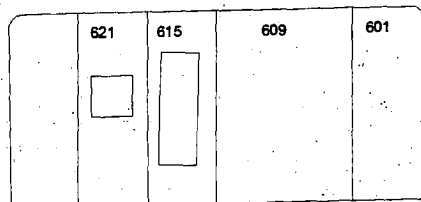
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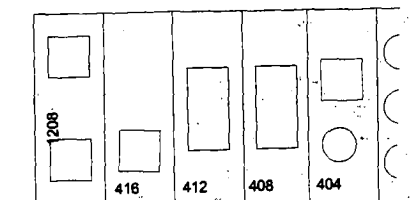
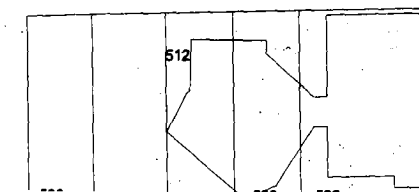
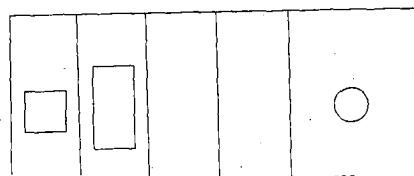
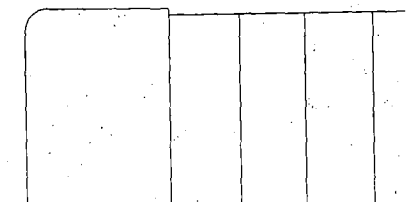
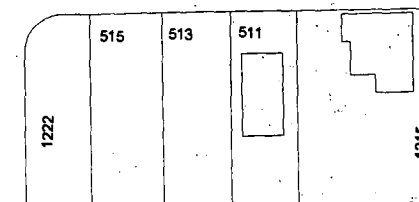
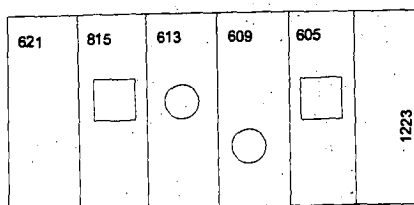
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JACKSON A



MONROE AVE



Memorandum

City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Devin Smith, Manager – Neighborhood Response Division

CC: File

Date: January 12, 2005

Re: Report of Expenses for the abatement of Nuisance/Litter located at 620 Jackson Avenue - Ward 5 (Weekly)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance/Litter," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing trash, debris, broken glass, bottles, junk, dead/dry overgrown vegetation and posting "No Trespassing" signs on site. Weaver Inc. completed work on December 3, 2004 at a cost of \$750.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	\$ 750.00
AMOUNT DUE	750.00
Administrative processing fee	<u>112.50</u>
TOTAL AMOUNT DUE	\$ 862.50

OWNER OF RECORD: UPTOWN DEVELOPMENT II LLC
C/O TRADE CAPITAL CO

PROPERTY ABATED: 620 Jackson Avenue

ASSESSOR'S PARCEL: 139 27 110 072

LEGAL DESCRIPTION: H F M & M ADD
PLAT BOOK 1 PAGE 47
LOT 1 BLOCK 22 & LOT 2

DS:jl

WEAVER CONSTRUCTION

"GENERAL ENGINEERING"
2590 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and
all persons and entities holding more than a 1% interest in
Weaver Construction or any principal of
Weaver Construction are the following:

<u>FULL NAME</u>	<u>BUSINESS ADDRESS</u>	<u>BUSINESS PHONE</u>
1. Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____

Continue list until full and complete disclosure is made

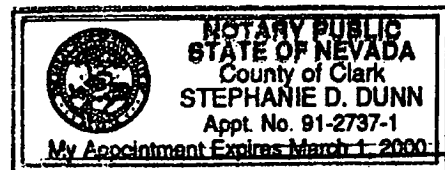
I certify under penalty of perjury, that the foregoing list is
full and complete.

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me
this 28 day of October, 1999.

Stephanie D. Dunn
Notary Public





LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY

MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARING
FEBRUARY 2, 2005

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON Wednesday, February 2, 2005 at the hour of 1:00 P.M., in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing trash, debris, broken glass, bottles, junk, dead/dry overgrown vegetation from the property and posting "No Trespassing" signs on property located at 620 JACKSON AVENUE legally described as H F M & M ADD PLAT BOOK 1 PAGE 47 LOT 1 BLOCK 22 & LOT 2 Owner of record at time of abatement: UPTOWN DEVELOPMENT LLC C/O TRADE CAPITAL CO - WARD 5 (WEEKLY)

The Director of Neighborhood Services certifies in the report that the sum of \$862.50 was expended (\$750.00 to Weaver, Inc., for cleaning the property; and \$112.50 Administrative Processing Fee).

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

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

BARBARA JO RONEMUS
CITY CLERK

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

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

Address: 620 JACKSON AVE

CLV
IST OLDWLV

Trash/debris, high weeds,litter

Parcel(s)

Parcel:	Size:	Subdivision Name:
13927110072	0.32 ACRE	H F M & M ADD

Owner Information:

10-Aug-02	28-Aug-03	HUBBARD JOHN & HOLLA 7424 CRENSHAW BLVD; LOS ANGELES, CA 90043-4932
28-Aug-03	06-Oct-04	UPTOWN DEVELOPMENT II L L C 1000 N GREEN VALLEY PKWY; HENDERSON, NV 89074-6170
06-Oct-04		UPTOWN DEVELOPMENT II L L C % TRADE CAPITAL CO 871 CORONADO CENTER DR #200; HENDERSON, NV 89052-3977

Inspection Summary

Inspector:	Status:		Scheduled DT:	Start Dt:	Comp DT:	Min:
960392	Failed		4/8/2004	04/08/2004 13:05	04/08/2004 13:25	20
960066	Passed	Partial	5/17/2004	05/18/2004 9:05	05/18/2004 9:10	5
960066	Passed	Partial	6/24/2004	06/17/2004 11:15	06/17/2004 11:20	5
940274	Passed	Partial	6/29/2004	09/14/2004 14:10	09/14/2004 14:14	4
940274	Failed		9/28/2004	09/28/2004 11:05	09/28/2004 11:07	2
940274	Passed	Partial	10/11/2004	10/12/2004 10:18	10/12/2004 10:20	2
940274	Passed	Partial	10/18/2004	10/12/2004 10:18	10/12/2004 10:20	2
870076	Passed	Partial	10/20/2004	10/21/2004 10:00	10/21/2004 10:00	0
940274	Failed		11/1/2004	11/02/2004 12:38	11/02/2004 12:42	4
870076	Passed	Partial	11/26/2004	11/29/2004 10:04	11/29/2004 10:14	10
870076	Passed		12/23/2004	12/03/2004 9:27	12/03/2004 9:33	6
Time in Minutes:						60

Violation Details

Violation	Violation DT	Resolve DT	Location:
A-WEEDS	4/8/2004	12/3/2004	Property
High weeds			
A-REFUSE/WST	4/8/2004	12/3/2004	Property
Trash/debris (vagrant stuff)			
A-LITTER	4/8/2004	12/3/2004	Property
Litter			

Log

Type:	Date:	Employee:	Min:
MISC	12/13/2004 7:10:00 AM	KATHY STEWART	0
ks) Sent invoice (\$750) from Weaver, Inc. to Finance for payment. Gave file to Jessica Larramendy for Council.			
MISC	12/10/2004 10:31:00 AM	KATHY STEWART	0
ks) Per e-mail from Pam Hines, signs were posted. Okay to pay.			

VIDPST	12/3/2004 9:27:00 AM	KATHY STEWART	6
24) Post Video inspection - all weeds, litter removed. Need sign posted. Per telecon w/Phyllis, sign to be posted Monday 12/6.			
FAX	12/2/2004 8:24:00 PM	KATHY STEWART	0
ks) Received fax from Weaver, Inc. that the property has been abated and that Pam Hines had been notified.			
VIDPRE	11/29/2004 10:04:00 AM	KATHY STEWART	10
24) Pre video insp, litter, scattered weeds over front & rear of property. Tape to OS, info to KS for entry. (Received email that start date will be 12/1/04)			
FAX	11/22/2004 10:25:00 PM	KATHY STEWART	0
Received fax from Weaver, Inc. Start date will be 12/1/04.			
BIDA	11/17/2004 9:41:00 AM	KATHY STEWART	0
ks) Faxed Award letter to Weaver, Inc. Contractor has five days to call with a start date. Award letter attached in OLE.			
DIRECT	11/16/2004 9:45:00 AM	KATHY STEWART	0
Per Steve Harsin, Award the bid to the lowest bidder, Weaver, Inc.			
BIDR	11/16/2004 7:00:00 AM	KATHY STEWART	0
ks) Received the following bids from contractors, (1) Weaver, Inc - \$750; (2) KO Construction - \$1,749. Sent e-mail to Steve Harsin & Pam Hines with bid results.			
BIDS	11/9/2004 1:32:00 PM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bid due by COB Monday, 11/15.			
REFER	11/5/2004 8:36:00 AM	VICTORIA ROSEMORE	0
16) REFERRED CASE FILE TO KATHY FOR BIDS.			
INSP	11/2/2004 12:38:00 PM	MARIA VIGIL	4
19) NO CHANGE. PROCEED WITH ABATEMENT. REFER TO OFFICE.			
MISC	10/27/2004 8:56:00 AM	KATHY STEWART	0
Received Certified Card back from owner signed. Sent card to #19 for filing.			
RECORD	10/22/2004 2:17:00 PM	JESSICA LARRAMENDY	0
JL) Recorded N&O at Clark County. Book: 20041022 Inst: 02678			
NOTICE	10/21/2004 1:00:00 PM	KATHY STEWART	22
Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owner, Uptown Development II, LLC, % Trade Capital Company, 871 Coronado Center Dr., #20, Henderson, NV 89052-3977. POST: 10/22. C/B: 11/1. Sent file to #19. N&O letter attached in OLE.			
DIRECT	10/21/2004 10:00:00 AM	KATHY STEWART	0
Per Pam Hines, Send an N&O to the new address 871 Coronado Center Drive, #200, Henderson NV 89052-3977			
MISC	10/14/2004 11:05:00 AM	KATHY STEWART	0
Received Regular letter back (uptown Development, 1000 N. Green Valley Pkwy., Return to Sender, Insufficient Address. Sent letter to #19 for filing.			
RECORD	10/13/2004 3:17:00 PM	JESSICA LARRAMENDY	0
JL) Recorded Notice & Order at Clark County. Book: 20041013 Inst: 03005.			
MISC	10/13/2004 8:47:00 AM	KATHY STEWART	0
Received Certified letter back from Uptown Development Return to Sender, Attempt Unknown. Sent letter to #19 for filing.			
INSP	10/12/2004 10:18:00 AM	MARIA VIGIL	2
19) NO CHANGE. PROCEED WITH ABATEMENT.			
MISC	10/5/2004 3:38:00 PM	KATHY STEWART	0
Received Certificate Card back from Charles Lybarger signed. Sent card to #19 for filing.			
LETTER	9/30/2004 1:26:00 PM	KATHY STEWART	0
N&O letter attached in OLE			
NOTICE	9/30/2004 1:00:00 PM	KATHY STEWART	24
Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owner, Uptown Development II, LLC & a copy to Charles Lybarger. POST: 10/1. C/B: 10/11. Sent file to #19			
NOREQ	9/28/2004 11:05:00 AM	KATHY STEWART	2
19) Referred N&O Request to #24.			
INSP	9/28/2004 11:05:00 AM	KATHY STEWART	2
19) No change. Pictures taken. Fee assessed. N&O requested.			

INSP	9/14/2004 2:10:00 PM	VICKI OZUNA	2
19) VERIFIED PROPERTY HAS WEEDS, AND JUNK VEHICLE ON SITE. NO CONTACT FROM OWNERS. TAKING PICTURES AND SENDING NOTICE AND ORDER.			
PHONE	8/16/2004 9:15:00 AM	KATHY STEWART	0
Received complaint that a blue vehicle, no L/P, stripped has been stored on vacant lot for 2 weeks. E-mailed #21.			
INSP	6/17/2004 11:15:00 AM	KATHY STEWART	5
21) No change. C/N mailed to owner. C/B 6/29.			
INSP	5/18/2004 9:05:00 AM	KATHY STEWART	5
21) No change. Case is on hold until 6/7.			
INSP	4/8/2004 1:05:00 PM	KATHY STEWART	20
21) Evaluated property, see violations.			

Time in minutes: 104

APN 139-27-111-072
Ref # - 12873

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: UPTOWN DEVELOPMENT LLC
c/o TRADE CAPITAL CO
(Reputed Owner(s)) at time of abatement

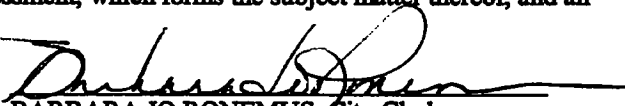
Assessor's Parcel No.: 139-27-111-072
Commonly known as: 620 JACKSON AVENUE
Legal Description: H F M & M ADD
PLAT BOOK 1 PAGE 47
LOT 1 BLOCK 22 & LOT 2

On December 3, 2004, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$862.50 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

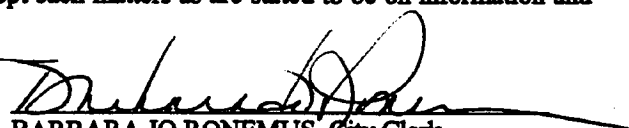
The Las Vegas City Council, at a duly noticed public hearing held on February 2, 2005, ordered the above charges in the amount of \$862.50, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

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

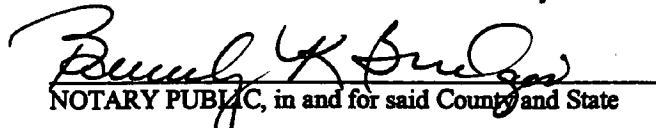

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
COUNTY OF CLARK)

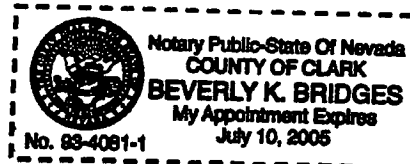
BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are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


BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 4th day of February, 2005


NOTARY PUBLIC, in and for said County and State

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



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 213 Harrison Avenue. PROPERTY OWNER: ROSIE LEE HALES - Ward 5 (Weekly)

Fiscal Impact:

☐ No Impact	Amount:	\$2,530.00
☒ Budget Funds Available	Dept./Division:	Neigh. Services/Response
☐ Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired K.O. Construction to remove the discarded refuse/waste including boat, sofa, piles of tree trimmings, broken concrete, miscellaneous junk, trash and debris and erecting temporary fencing around the vacant lot. Removing all dead/dry, overgrown vegetation from the vacant lot and posting "No Trespassing, No Dumping and No Vehicles" signs on site.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$2,530.00 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED the action of Neighborhood Services - UNANIMOUS

MINUTES:

NOTE: Before and after photos were shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

ORLANDO SANCHEZ, Director of Neighborhood Services, recommended the City Council approve the report of expenses in the amount of \$2,530; \$2,200 to KO Construction and \$330 for the 15 percent administrative fee. He stated the charges should be filed and recorded against the property, constituting a special assessment and lien to be filed and recorded with the County Treasurer's Office. **MR.**

CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

MINUTES - Continued:

SANCHEZ recommended approval.

COUNCILMAN WEEKLY expressed disappointment for local property owners who neglect property and contribute to the decay of West Las Vegas. Upon resolution of the attractive nuisance, he suggested to further implement the property with single-family homes. This would influence retail development to enter the neighborhood and ultimately benefit projects like Edmond Town Center. It is a shame when local property owners allow this kind of neglect. When the City has dealt with organizations like Habitat for Humanity, Nevada Hands, and Christmas in April, positive outcomes have come about for those neighborhoods involved. From a retail perspective, it has been recommended to bring more homes in the neighborhood in order to attract retail development. Any type of relief and support the Council can receive to put homes on such vacant lots, would produce success for the entire neighborhood.

MAYOR GOODMAN concurred with COUNCILMAN WEEKLY'S comments. He asked DEPUTY CITY ATTORNEY BRYAN SCOTT whether or not Constitutional laws bind the City from seizing the properties. MAYOR GOODMAN instructed DEPUTY CITY ATTORNEY SCOTT to research possible outcomes if he were able to individually purchase an inexpensive piece of property with the idea to create something of useful value for the public.

DEPUTY CITY ATTORNEY SCOTT explained that when seizing public property, eminent domain would be required and advised that the City would be required to use that property to construct a public facility. Seizing the property for a private entity would not be allowed. DEPUTY CITY ATTORNEY SCOTT assured the Mayor he would thoroughly investigate the areas and join with MR. SANCHEZ to further research how other cities handle blight areas. He cautioned the Mayor that the City might have to compensate the owners for the property. COUNCILMAN WEEKLY reiterated his desire to associate obtainable properties with non-profit entities that could benefit the decayed areas.

MR. SANCHEZ informed the Council that development is planned for Lake Mead Boulevard and Gregory Street on seven parcels of land that will include some single-family residential homes.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:16 - 1:22)

3-308

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: Neighborhood Services

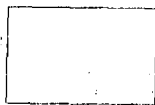
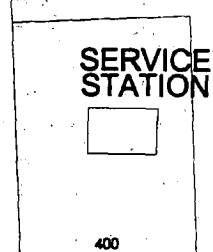
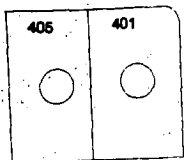
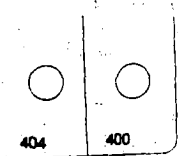
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 213 Harrison Avenue.

PROPERTY OWNER: ROSIE LEE HALES – Ward 5 (Weekly)

C&W Enterprises completed work on November 2, 2004 at a cost of \$2,200.00, plus a 15% administrative fee, for a total of \$2,530.00.

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

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



300

VACANT



OFF.

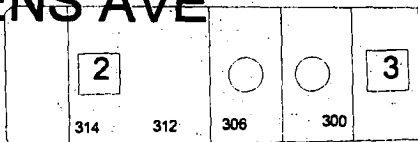
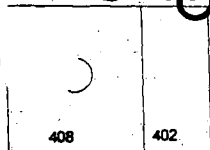
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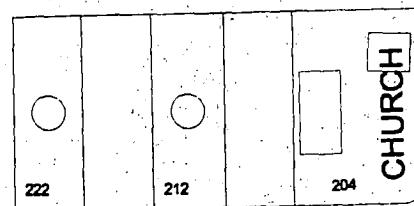
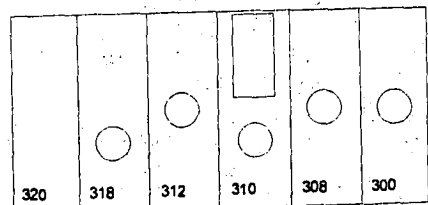
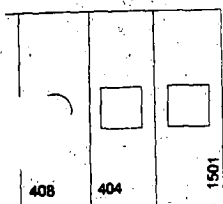
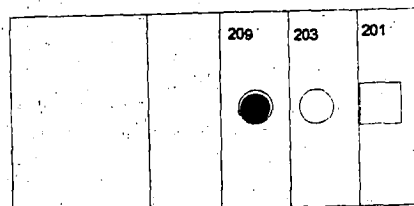
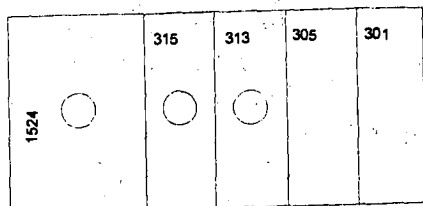
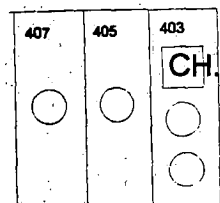
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TOWER

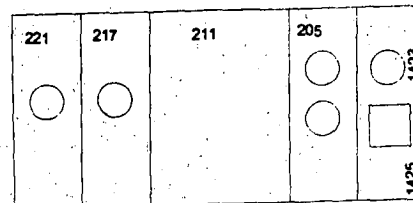
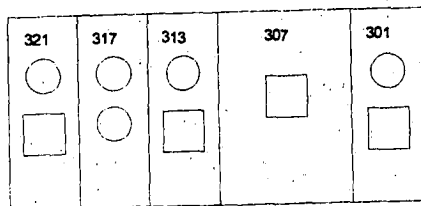
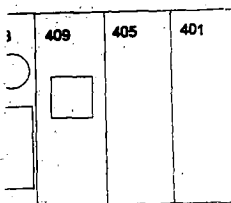
OWENS AVE
OWENS AVE



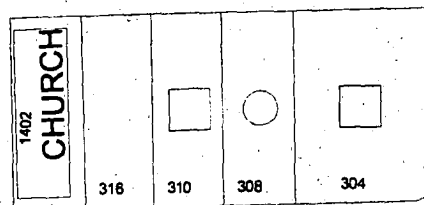
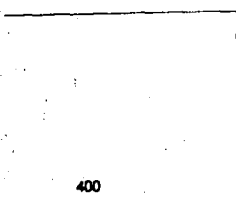
HARRISON AVE



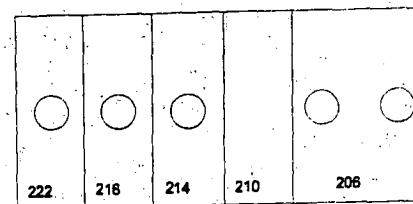
VAN BUREN AVE



D ST

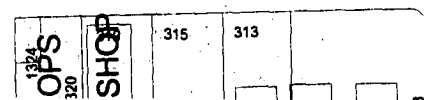
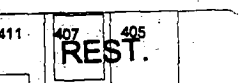


C ST



B ST

JACKSON AVE



JAMES
GAY
PARK

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Devin S. Smith, Manager – Neighborhood Response Division

CC: File

Date: January 14, 2005

Re: Report of Expenses for the abatement of Nuisance/Litter located at 213 Harrison Avenue - Ward 5 (Weekly)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance/Litter," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all piles of tree trimmings, scattered litter, trash and debris, cutting dead tree limbs down to the trunk, removing all overgrown dead/dry vegetation from the property. Repairing the dilapidated chain link fencing and posting "No Trespassing, No Dumping and No Vehicles" signs on site. C&W Enterprises completed work on November 2, 2004 at a cost of \$2,200.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	\$ 2,200.00
AMOUNT DUE	2,200.00
Administrative processing fee	<u>330.00</u>
TOTAL AMOUNT DUE	\$2,530.00

OWNER OF RECORD: ROSIE LEE HALES

PROPERTY ABATED: 213 Harrison Avenue

ASSESSOR'S PARCEL: 139 27 111 007

LEGAL DESCRIPTION: VALLEY VIEW ADD
PLAT BOOK 1 PAGE 50
LOT 9 BLOCK 21

DSS:jl

C & W Enterprises, Inc.
3160 S. Valley View Blvd, Suite 204
Las Vegas, NV 89102

Disclosure of Principals

The principals and partners of *C & W Enterprises, Inc.*, and all persons and entities holding more than 1% interest in *C & W Enterprises, Inc.* or any principal of *C & W Enterprises, Inc.* are the following:

	Full Name	Business Address	Business Phone
1.	<u>Tony Moreno</u>	<u>3160 S. Valley View #204</u>	<u>732-8961</u>
2.	<u>Jose Moreno</u>	<u>3160 S. Valley View #204</u>	<u>732-8961</u>
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____

Continue list until full and complete disclosure is made.

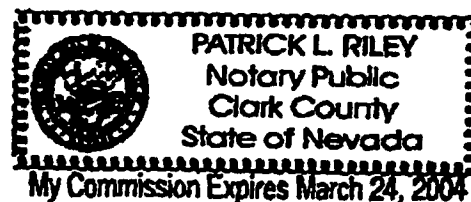
I certify under penalty of perjury, that the foregoing list is full and complete.

C & W Enterprises, Inc.

By: *Soia Moreno*
Print Name

STATE OF NEVADA)
)
COUNTY OF CLARK)

Subscribed and sworn to before me, a Notary Public,
on this 1st day of AUGUST, 2000.



Patrick L. Riley
NOTARY PUBLIC in and for said
County and State



**NOTICE OF PUBLIC HEARING
FEBRUARY 2, 2005**

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, February 2, 2005** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

LAS VEGAS CITY COUNCIL

**OSCAR B. GOODMAN
MAYOR**

**GARY REESE
MAYOR PRO TEM**

**LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
NET MONCRIEF
STEVE WOLFSON**

**DOUGLAS A. SELBY
CITY MANAGER**

Abatement of the property by removing all piles of tree trimmings, scattered litter, trash and debris, cutting dead tree limbs down to the trunk, removing all overgrown dead/dry vegetation from the property and posting "No Trespassing, No Dumping and No Vehicles" signs on property located at **213 HARRISON AVENUE** legally described as **VALLEY VIEW ADD PLAT BOOK 1 PAGE 50, LOT 9 BLOCK 21** Owner of record at time of abatement: **ROSIE LEE HALES – WARD 5 (WEEKLY)**

The Director of Neighborhood Services certifies in the report that the sum of \$2,530.00 was expended (\$2,200.00 to C & W Enterprises for cleaning the property; and \$330.00 Administrative Processing Fee).

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

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

**BARBARA JO RONEMUS
CITY CLERK**

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

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

Address: 213 HARRISON AVE

CITZ

BURNED DOWN BLDG, (BLDG IS GONE?) BUT STILL HAS DEAD BURNT TREES AND
OVERGROWN BUSHES AND TRASH AND DEBRIS IN YARD.

Parcel(s)

Parcel:	Size:	Subdivision Name:
13927111007	0.17 ACRE	VALLEY VIEW ADD

Owner Information:

10-Aug-02	29-Dec-04	HALES ROSIE LEE 704 VINCENTS DREAM AVE; NORTH LAS VEGAS, NV 89031-1378
11-Feb-04	29-Dec-04	HALES ROSIE LEE 704 VINCENTS DREAM AVE; NORTH LAS VEGAS, NV 89031-1378
15-Jan-03	11-Feb-04	HALES ROSIE LEE 2216 CANARY WY; LAS VEGAS, NV 89106-1912
9-Dec-04		HALES ROSIE LEE 213 HARRISON AVE; LAS VEGAS, NV 89106-3011

Inspection Summary

Inspector:	Status:		Scheduled DT:	Start Dt:	Comp DT:	Min:
860034	Failed		9/2/2004	09/02/2004 14:54	09/02/2004 15:00	6
970581	Passed	Partial	9/20/2004	09/11/2004 6:25	09/11/2004 6:30	5
860034	Failed		9/20/2004	09/20/2004 10:27	09/20/2004 10:35	8
981876	Failed		10/1/2004	09/20/2004 10:27	09/20/2004 10:35	8
870076	Passed	Partial	10/1/2004	10/06/2004 13:00	10/06/2004 13:05	5
870076	Passed	Partial	10/11/2004	11/01/2004 8:10	11/01/2004 8:17	7
870076	Passed	Partial	11/23/2004	11/29/2004 8:13	11/29/2004 8:18	5
870076	Passed		12/1/2004	12/01/2004 9:55	12/01/2004 10:03	8
Time in Minutes:						52

Violation Details

Violation	Violation DT	Resolve DT	Location:
A-WEEDS	9/2/2004	12/1/2004	Vacant Lot
Remove all overgrown weeds/grass.			
A-REFUSE/WST	9/2/2004	12/1/2004	Vacant Lot
Remove apiles of tree trimmings, scattered litter, trash/debris.			

Log

Type:	Date:	Employee:	Min:
LETTER	1/14/2005 12:54:00 PM	JESSICA LARRAMENDY	0
JL) Mailed report of expense to property owner both certified and regular mail.			
MISC	1/6/2005 11:15:00 AM	JESSICA LARRAMENDY	0
JL) REC'D REGULAR MAILED LETTER BACK - RETURN TO SENDER ATTEMPT UNKNOWN.			
RECORD	12/30/2004 7:15:00 AM	JESSICA LARRAMENDY	0
JL) Recorded release for 1st Notice & Order recorded at Clark County. Book: 20041230 Inst: 02498.			

INSP	12/29/2004 10:31:00 AM	LYNN NIHIPALI	3
27)PROPERTY CLEAN, ABATED, CLOSE			
RECORD	12/28/2004 2:33:00 PM	JESSICA LARRAMENDY	0
JL) Recorded N&O dated December 27, 2004 at Clark County. Book: 20041228 Inst: 02439.			
MISC	12/28/2004 12:59:00 PM	JESSICA LARRAMENDY	0
JL) Rec'd certified green card for letter mailed to Sharon Lee Gibson ETAL signed - wrong owner.			
NOTICE	12/28/2004 8:10:00 AM	JESSICA LARRAMENDY	0
JL) Sent Notice & Order to correct owner both regular mail and certified mail. Will release first N&O that was issued to wrong property owner.			
MISC	12/27/2004 3:38:00 PM	KATHY STEWART	0
ks) Gave file to Jessica Larramendy. Original N&O to Jessica for Recording.			
NOTICE	12/27/2004 3:35:00 PM	KATHY STEWART	0
ks) Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owner, Rosie Lee Hales. Post: 12/28. C/B: 1/10. N&O attached in OLE.			
MISC	12/27/2004 3:25:00 PM	JESSICA LARRAMENDY	0
JL) Per 24 - wrong property owner was noticed originally. Address that should have been used was 213 NOT 211. Advised KS to retype N&O for recording.			
MEET	12/21/2004 2:10:00 PM	JESSICA LARRAMENDY	0
JL) Set date on 1/5/05 to be heard at Council meeting on 1/19/05			
LETTER	12/21/2004 2:05:00 PM	JESSICA LARRAMENDY	0
JL) Report of expense letter and memorandum sent to property owner.			
INSP	12/13/2004 2:18:00 PM	PAMELA HINES	10
24)POST VIDEO FILMED EVEN THO WE COULDN'T GET A PRE VIDEO BECAUSE C&W WERE MIDWAY THRU WORK W/O NOTIFYING US OF START DATE. THERE ARE PRE PICS & POST PICS IN FILE.			
MISC	12/6/2004 1:27:00 PM	KATHY STEWART	0
ks) Sent Invoice (\$2,200) from C&W Enterprises to Finance for payment. Gave file to Jessica Larramendy for Council.			
MISC	12/6/2004 10:23:00 AM	KATHY STEWART	0
ks) Invoice to Steve Harsin for signature.			
VDPST	12/1/2004 9:55:00 AM	KATHY STEWART	8
24) Post Video Inspection - Lot clean, free of all litter, vegetation, weeds, all low limbs & brush removed. No Trespassing/No Dumping signs posted. Video was not done @ pre so I am only taking POST PIXs (see earlier log entry).			
INSP	11/29/2004 8:13:00 AM	KATHY STEWART	5
24) Met w/crew on-site. Working diligently to complete cleanup. The "No Trespassing" sign is gone, now there is a "No Dumping" sign. Advised crew leader, Bobby, to have signs stating both No Dump/No Trespassing @ both ends of lot. He will comply.			
PHONE	11/24/2004 9:36:00 AM	KATHY STEWART	6
24) Spoke w/Sharon, advised what needs to be completed @ this location, finish trimming bush & tree on Harrison frontage, remove remaining tree limbs. She will have it done ASAP.			
INSP	11/1/2004 8:10:00 AM	KATHY STEWART	7
CONT'D)24) needs to be done, & to let me know when completed.			
INSP	11/1/2004 8:10:00 AM	KATHY STEWART	7
Work is not complete yet. High bushes/low hanging limbs in front at Harrison end of lot.2 large cut limbs left on site. The part of the fence repaired at alley end has barbwire on top. Can't have it in "R" zone. Called Jack's cell# to advise what			
BIDA	10/20/2004 2:52:00 PM	KATHY STEWART	0
ks) Faxed Award letter to C&W Enterprises. Contractor to call within 5 days with a start date. Award letter attached in OLE.			
DIRECT	10/20/2004 9:05:00 AM	KATHY STEWART	0
Per Steve Harsin, award bid to the lowest bidder, C&W Enterprises.			
BIDR	10/20/2004 6:54:00 AM	KATHY STEWART	0
ks) Received bids from contractors (1) C&W Enterprises - \$2,200; (2) KO Construction - \$2,249. Sent E-mail to Steve Harsin & Pam Hines with results.			
BIDS	10/13/2004 7:20:00 AM	KATHY STEWART	0
ks) Faxed Invitation to Bid to contractors. Bids due by COB 10/19.			

INSP	10/6/2004 1:00:00 PM	MARIA VIGIL	5
24) ADD: (TO BID) CUT DEAD TREE LIMBS DOWN TO THE TRUNK. REPAIR DILAPIDATED CHAIN LINK FENCING. PROCEED W/BIDS PLEASE.			
INSP	9/21/2004 7:21:00 AM	VICTORIA ROSEMORE	6
30) NO IMPROVEMENT. PIX. CONTINUE ABATEMENT. FILE FORWARDED TO KATHY IN OFFICE FOR PROCESSING.			
INSP	9/20/2004 10:27:00 AM	VICTORIA ROSEMORE	8
27) NO IMPROVEMENT. PROCEED W/ ABATEMENT. ASSESS FEE. NO NEW OWNERSHIP ON RECORD.			
MISC	9/13/2004 10:36:00 AM	KATHY STEWART	0
Received Certified Card back from owner signed. Sent card to #27 for filing.			
NOPOST	9/11/2004 6:25:00 AM	KATHY STEWART	5
26) N&O posted & took PIXS.			
INSP	9/11/2004 6:25:00 AM	KATHY STEWART	5
26) Inspected lot, no improvement. C/B 9/20			
RECORD	9/9/2004 7:48:00 AM	JESSICA LARRAMENDY	0
JL) Recorded N&O at Clark County. Book: 20040909 Inst: 02266.			
LETTER	9/8/2004 10:40:00 AM	KATHY STEWART	0
N&O letter attached in OLE.			
NOTICE	9/8/2004 10:20:00 AM	KATHY STEWART	19
Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owner, Sharon Lee Gibson. POST: 9/9. C/B: 9/20. Sent file to #27.			
NOREQ	9/2/2004 3:00:00 PM	KATHY STEWART	0
27) Submitted N&O to #24 for approval.			
INSP	9/2/2004 2:54:00 PM	KATHY STEWART	6
27) Vacant lot west of 209, high weeds, piles of tree trimming, trash/debris. Send N&O.			
PHONE	9/1/2004 2:42:00 PM	LYNN NIHIPALI	0
LN) COMPLAINANT MADE THE STATEMENT "YOU HAD US CLEAN OUR PROPERTIES, WHY IS THIS ONE STILL LIKE THIS?"			
<i>Time in minutes:</i>			100

APN 139-27-111-007
Ref # -21159

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: ROSIE LEE HALES
(Reputed Owner(s)) at time of abatement.

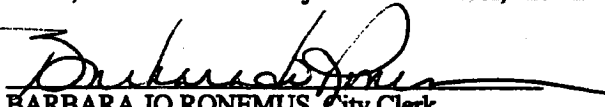
Assessor's Parcel No.: 139-27-111-007
Commonly known as: 213 HARRISON AVENUE
Legal Description: VALLEY VIEW ADD
PLAT BOOK 1 PAGE 50
LOT 9 BLOCK 21

On November 2, 2004, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$2,530.00 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on February 2, 2005, ordered the above charges in the amount of \$2,530.00, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

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

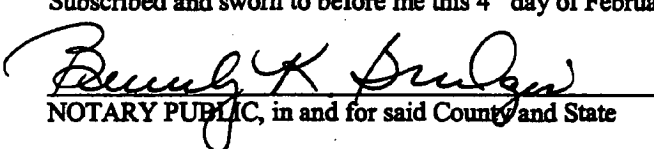

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
COUNTY OF CLARK)

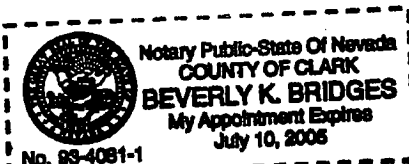
BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are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


BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 4th day of February, 2005


NOTARY PUBLIC, in and for said County and State

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



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW

EOT-5844 - APPLICANT: PAGEANTRY COMMUNITIES - OWNER: NELLIS LAND COMPANY - Request for an Extension of Time of an approved Site Development Plan Review [Z-0041-02(1)] FOR A PROPOSED 9-LOT SINGLE-FAMILY DEVELOPMENT on 4.40 acres adjacent to the south side of Harris Avenue, east of the Marion Drive alignment (APN 140-29-801-001), R-PD2 (Residential Planned Development - 2 Units per Acre) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED Item 68 [EOT-5844], Item 69 [EOT-5847] and Item 70 [EOT-5848] subject to conditions - UNANIMOUS

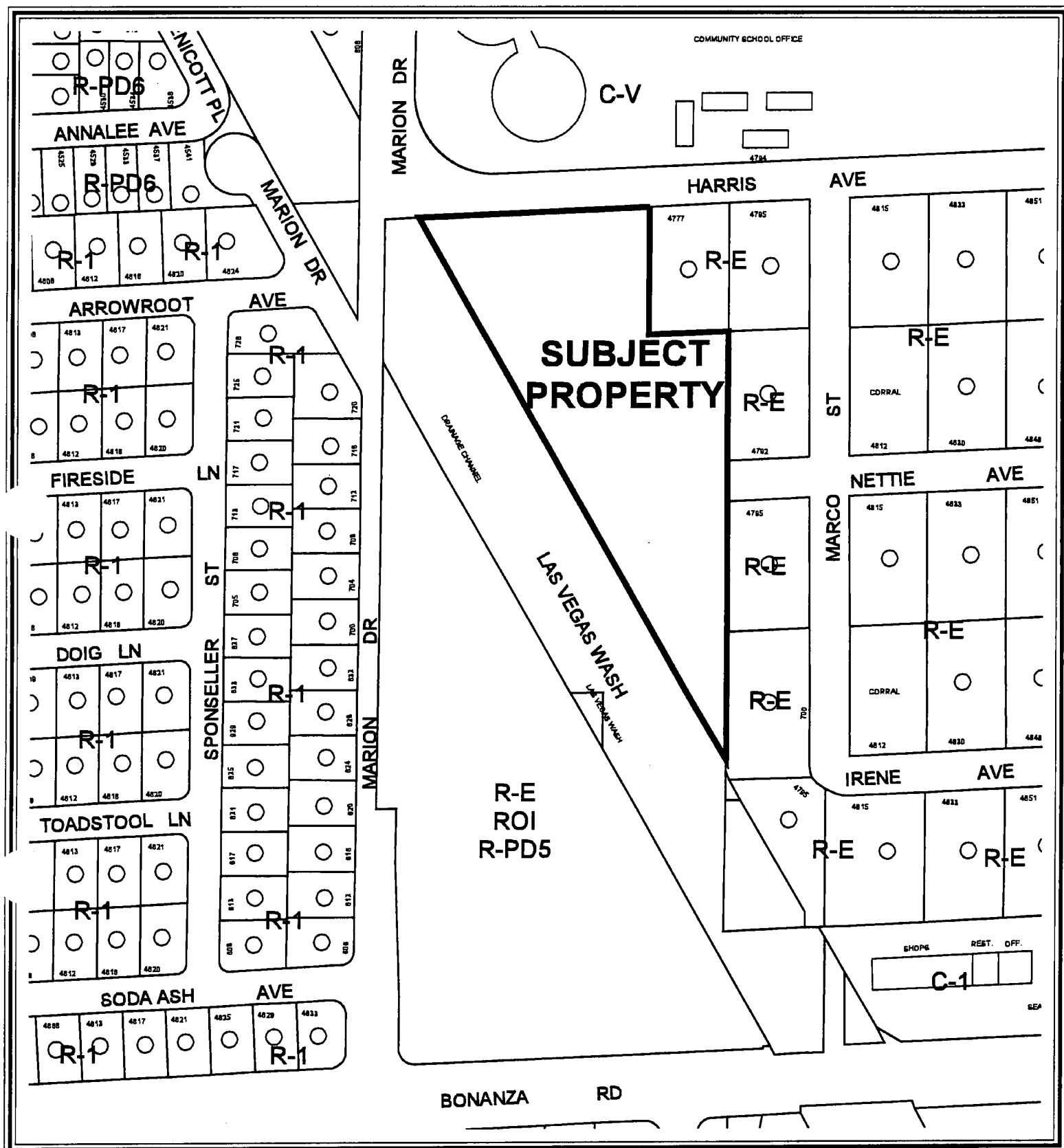
MINUTES:

There was no discussion.
(1:22 - 1:23)
3-506

CONDITIONS:

Planning and Development

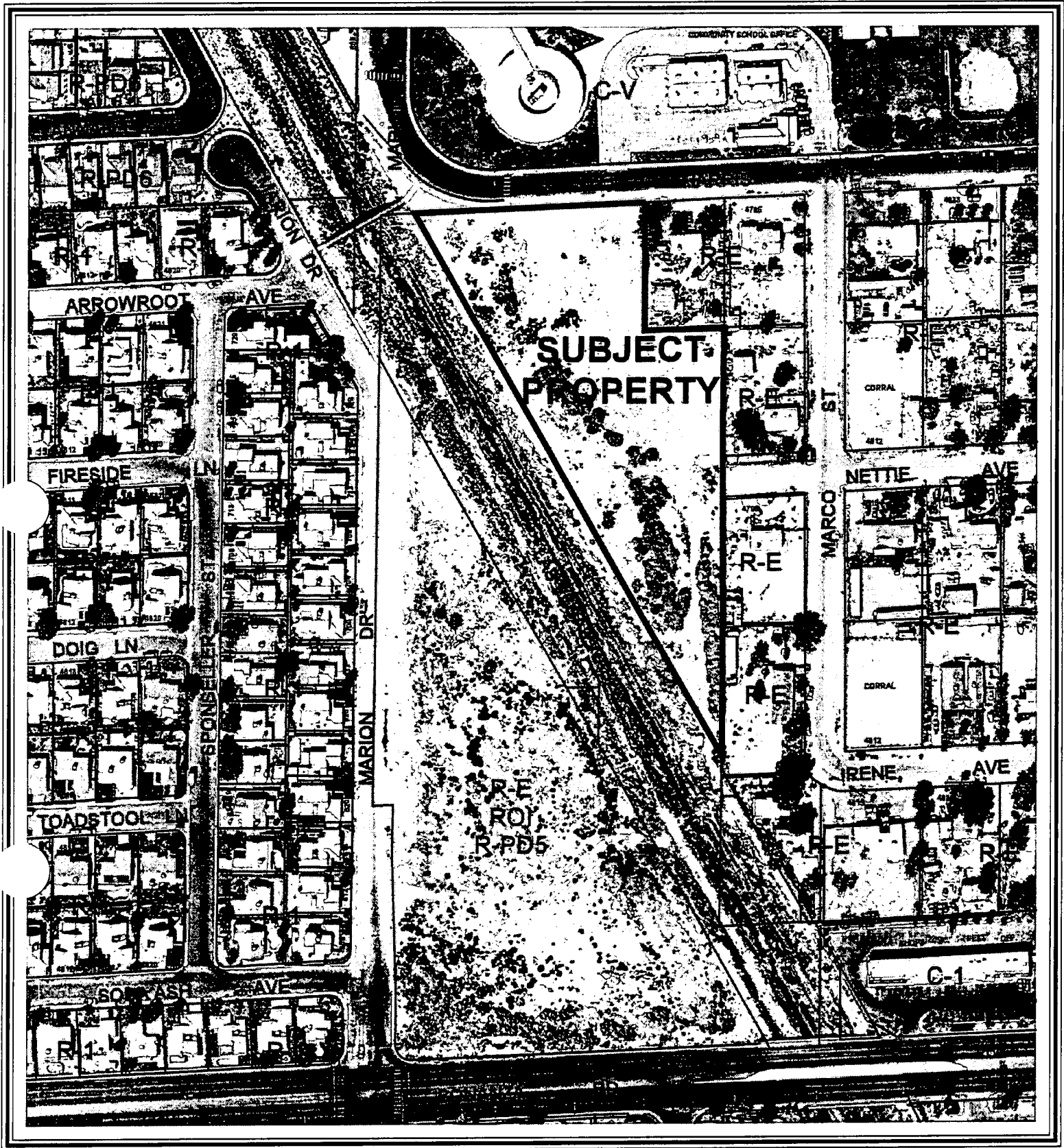
1. This Extension of Time will expire on December 18, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning Z-0041-02 and Site Development Plan Review Z-0041-02(1), and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



CASE: EOT-5844

ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)



CASE: EOT-5844

ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5844 - APPLICANT: PAGEANTRY COMMUNITIES –
OWNER: NELLIS LAND COMPANY

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on December 18, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning Z-0041-02 and Site Development Plan Review Z-0041-02(1), and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time of an approved Site Development Plan Review [Z-0041-02(1)] for a proposed 9-lot single-family development on 4.40 acres adjacent to the south side of Harris Avenue, east of the Marion Drive alignment.

B) Applicant's Justification

The applicant's justification letter indicates property owner is requesting this extension of time in order to complete the sale of the property. The project has been on hold pending a new developer to complete the project.

BACKGROUND INFORMATION

A) Previous Actions

12/18/02 The City Council approved a Rezoning (Z-0041-02) to R-PD2 (Residential Planned Development – 2 Units Per Acre) and a Site Development Plan Review [Z-0041-02(1)] for a proposed 9-lot single-family development this site. The Planning Commission recommended approval on November 21, 2002. Staff recommendation was for denial.

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.40

B) Existing Land Use

Subject Property: Undeveloped
North: School
South: Undeveloped/Las Vegas Wash
East: Single Family Residences
West: Undeveloped/Las Vegas Wash

C) Planned Land Use

Subject Property: R (Rural Density Residential)
North: PF (Public Facility)
South: L (Low Density Residential) and PF (Public Facility)
East: R (Rural Density Residential)
West: L (Low Density Residential) and PF (Public Facility)

D) Existing Zoning

Subject Property: R-PD2 (Residential Planned Development – 2 Units Per Acre)
North: C-V (Civic)
South: R-E (Residence Estates) under Resolution of Intent to R-PD5
(Residential Planned Development – 5 Units Per Acre)
East: R-E (Residence Estates)
West: R-E (Residence Estates) under Resolution of Intent to R-PD5
(Residential Planned Development – 5 Units Per Acre) and R-1
(Single Family Residential)

E) General Plan Compliance

The subject site is located within the Southeast Sector Map of the General Plan and is Designated as R (Rural Density Residential). The existing R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning is in compliance with this General Plan designation.

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

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

PROJECT DESCRIPTION

The approved site plan depicts a 9 lot single family residential development with lot sizes ranging from 11,158 to 32,919 square feet. All lots have access to a 51 foot wide public street.

The site plan originally submitted was for a 20 lot single family development. When this case was approved by the City Council, it was amended to the 9-lot development and R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning making it more compatible with the existing R-E (Residence Estates) zoned residences to the east.

ANALYSIS

A) Zoning Code Compliance

The approved 9-lot single family development is in compliance with the Zoning Code, which allows development standards to be established on a case by case basis. The development as approved remains appropriate at this location. Additionally, since this development has less than 12 dwelling units, no open space is required.

B) General Analysis and Discussion

The applicant is requesting additional time in order to complete the sale of the property. The project has been on hold pending a new developer to complete the project. The proposed development remains appropriate at this location, therefore approval is recommended with another two year time limit.

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 9-lot single family development remains appropriate and is compatible with the residential development in the surrounding 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 single family development remains consistent with the General Plan and all other city codes and policies as long as all conditions of approval of Z-0041-02(1) are addressed.

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

The proposed single family development will not negatively impact adjacent roadways or neighborhood traffic.

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

The proposed single family development will incorporate the appropriate building and landscape materials for the surrounding 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 proposed single family development remains be acceptable in appearance, harmonious and compatible with development in the area.

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

In approving the initial request, the City Council found the proposed single family development would not compromise the public health, safety or welfare.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT



DEVELOPMENT & SERVICE CENTER

STATEMENT OF FINANCIAL INTEREST

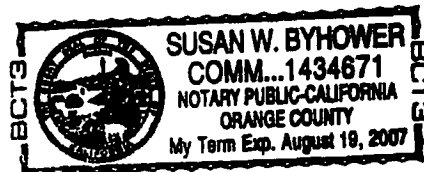
Name of Applicant: Pageantry Communities

 No

APN: _____

Print Name: LARRY duBOEF

Susan W. Byrnes
Notary Public in and for said County and State





CONSULTING ENGINEERS • PLANNERS • SURVEYORS

PROVIDING QUALITY PROFESSIONAL
SERVICES SINCE 1960

12/20/2004
W.O.6076

City of Las Vegas Planning & Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101

RE: JUSTIFICATION – EXTENSION OF TIME
Z-0041-02(1) Site Development Plan Review
Assessors Parcel: 140-29-801-001

On behalf of our client Pageantry Communities, VTN Nevada respectfully submits this letter and application for an extension of time for Zone Site development plan review Z-0041-02(1). The property owner is requesting this extension of time in order to complete the sale of the property. The project has been on hold pending a new developer to complete the project. A new developer is in the process of purchasing the property, and will proceed with a Tentative Map and improvement plans pending this extension of time.

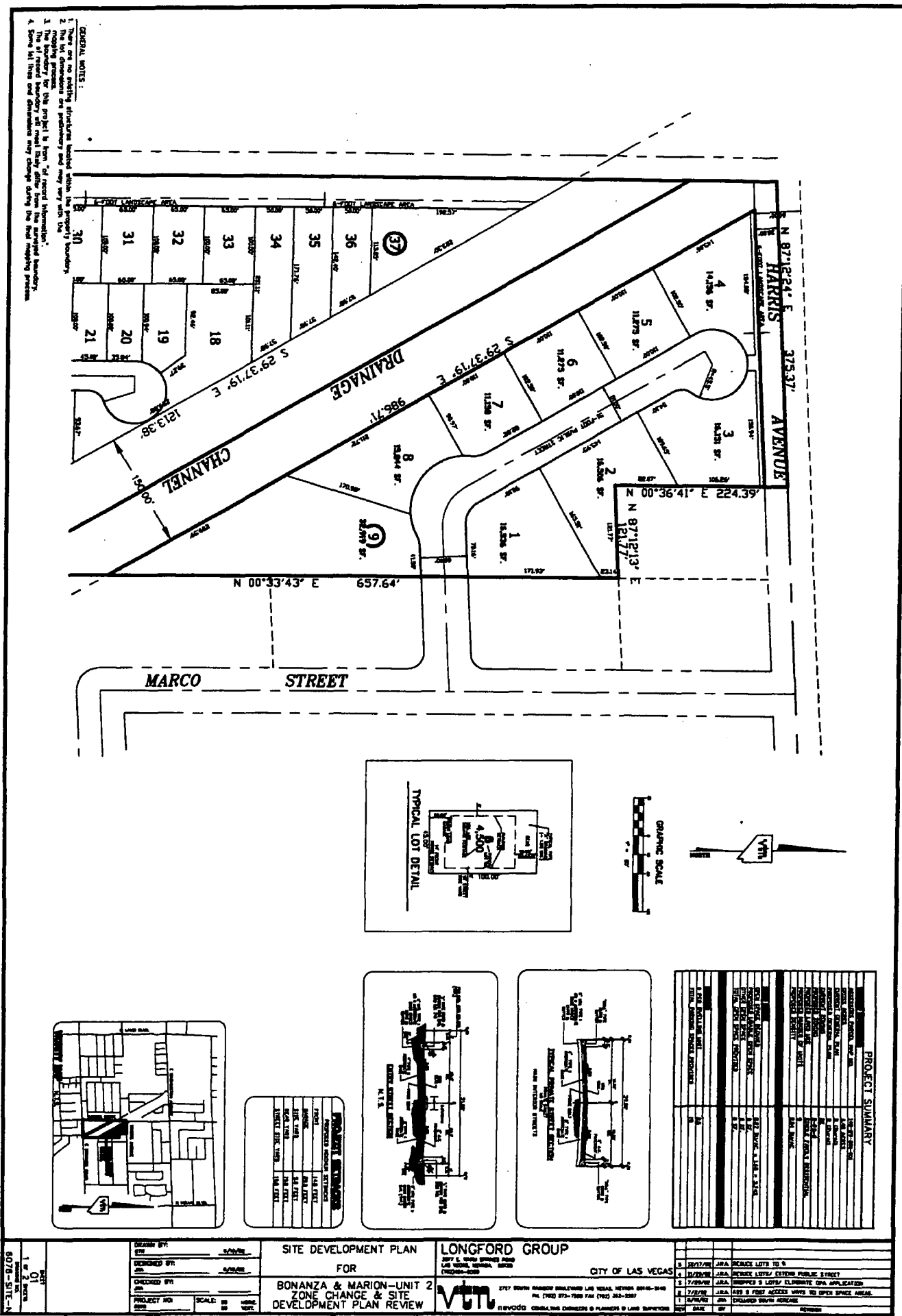
I appreciate your consideration of this request. Should you have any questions please don't hesitate to contact me.

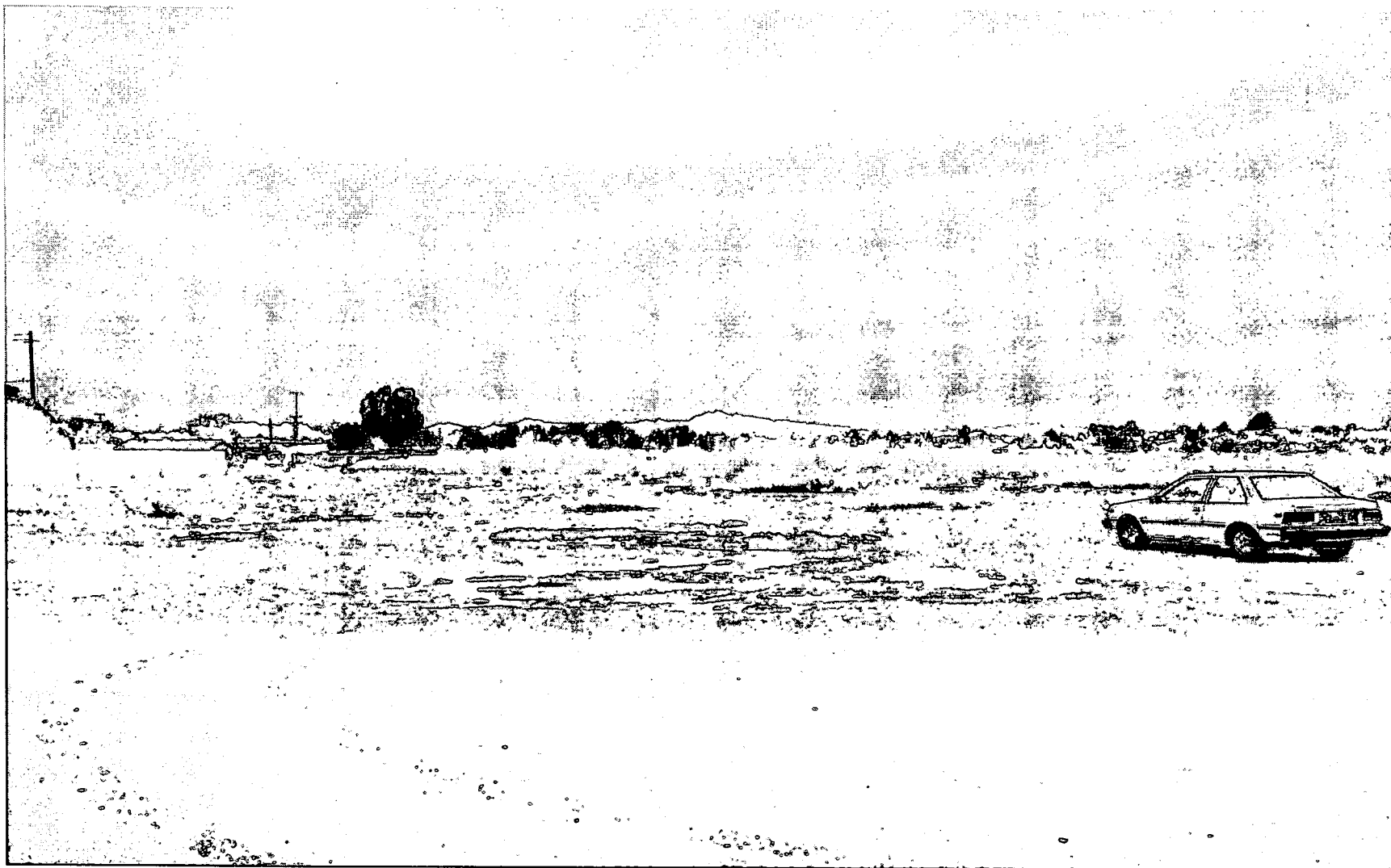
Sincerely,

VTN NEVADA

Kathy Dancho
Project Coordinator

EOT-5844





EOT-5844 - APPLICANT: PAGEANTRY COMMUNITIES – OWNER: NELLIS LAND COMPANY

**Adjacent to the south side of Harris Avenue, east of Marion Drive alignment
FEBRUARY 2, 2005 CITY COUNCIL MEETING**

Picture taken 01/13/05

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

EXTENSION OF TIME - REZONING

EOT-5847 - APPLICANT: PAGEENTRY COMMUNITIES - OWNER: NELLIS LAND COMPANY - Request for an Extension of Time of an approved Rezoning (Z-0054-02) FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development - 5 Units per Acre) on 7.65 acres adjacent to the northeast corner of Bonanza Road and Marion Drive (APN 140-29-801-004), Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED Item 68 [EOT-5844], Item 69 [EOT-5847] and Item 70 [EOT-5848] subject to conditions - UNANIMOUS

MINUTES:

There was no discussion.

(1:22 - 1:23)

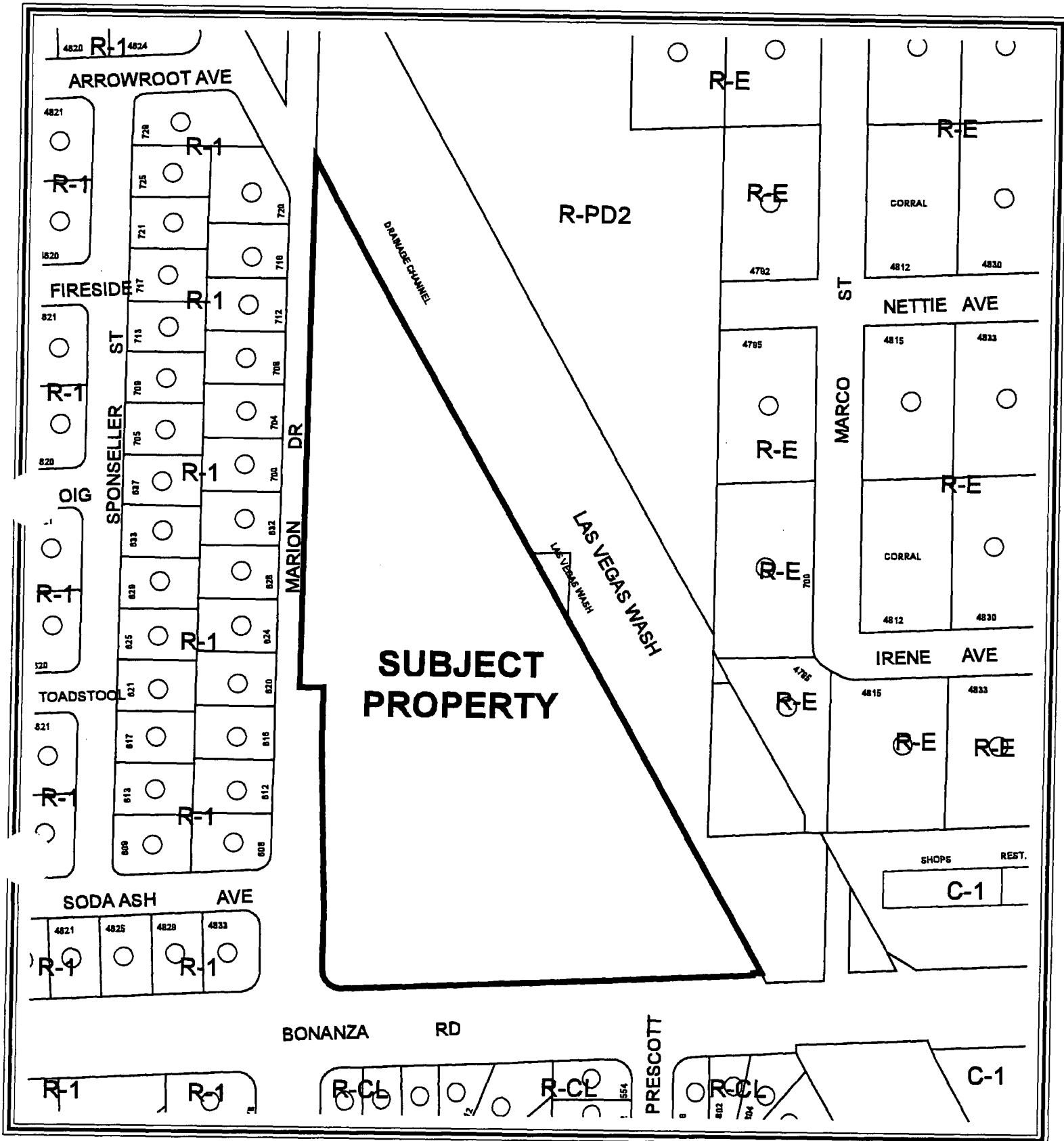
3-506

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on December 18, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Rezoning Z-0054-02 and Site Development Plan Review Z-0054-02(1), and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

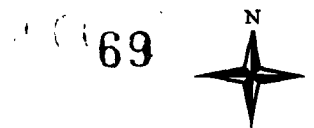


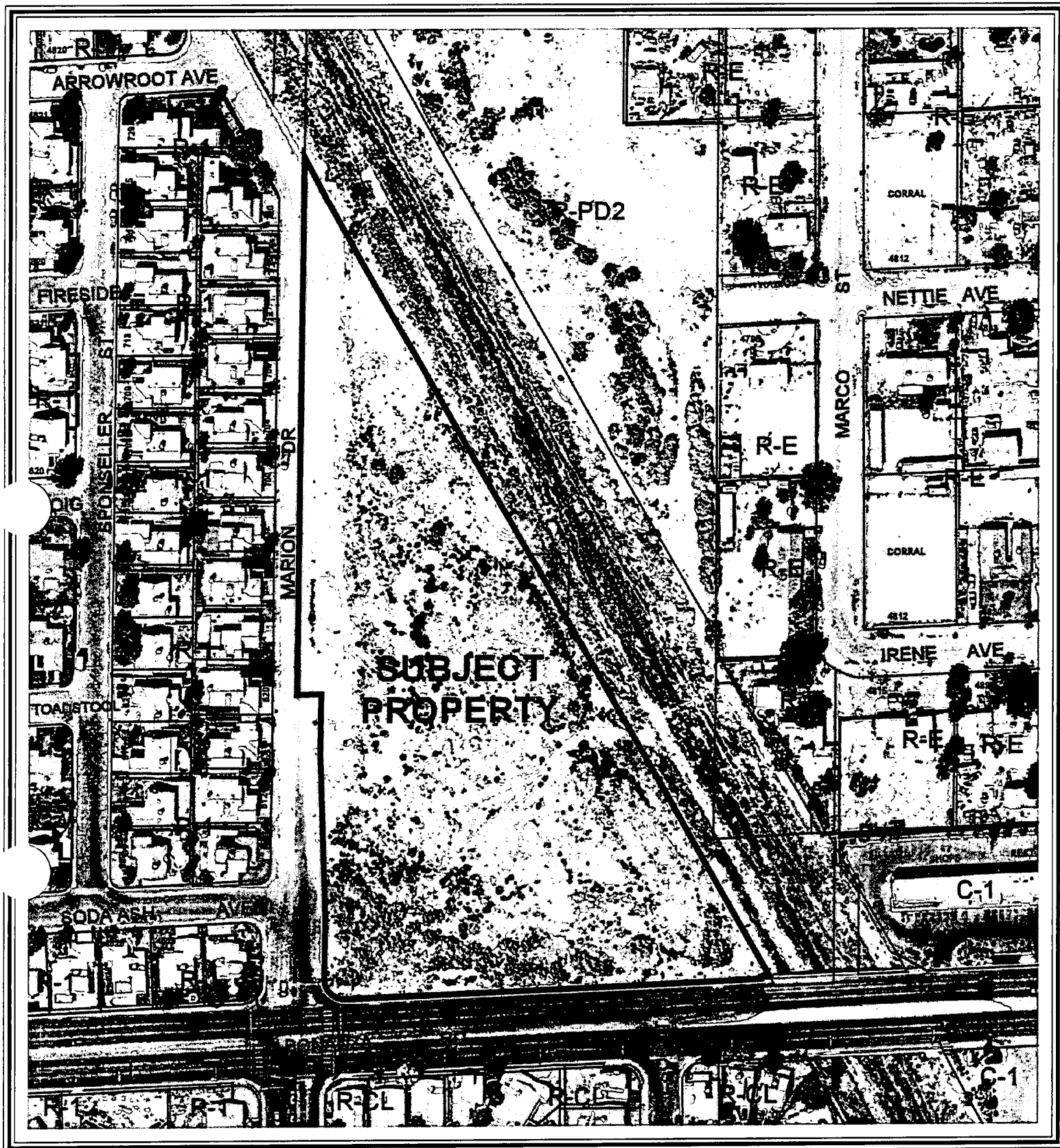
CASE: EOT-5847



ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)





0 200 400 Feet

CASE: EOT-5847

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-5847 - APPLICANT: PAGEANTRY COMMUNITIES –
OWNER: NELLIS LAND COMPANY**

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on December 18, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning Z-0054-02 and Site Development Plan Review Z-0054-02(1), and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time of an approved Rezoning (Z-0054-02) from R-E (Residence Estates) to R-PD5 (Residential Planned Development - 5 Units Per Acre) on 7.65 acres adjacent to the northeast corner of Bonanza Road and Marion Drive.

B) Applicant's Justification

The applicant's justification letter indicates property owner is requesting this extension of time in order to complete the sale of the property. The project has been on hold pending a new developer to complete the project.

BACKGROUND INFORMATION

A) Previous Actions

12/18/02 The City Council approved a Rezoning (Z-0054-02) to R-PD2 (Residential Planned Development – 2 Units Per Acre) and a Site Development Plan Review [Z-0054-02(1)] for a proposed 37-lot single-family development this site. The Planning Commission and staff recommended approval on September 12, 2002.

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 7.65

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped/Las Vegas Wash
South: Single Family Residences
East: Undeveloped/Las Vegas Wash and Single Family Residences
West: Single Family Residences

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: R (Rural Density Residential) and PF (Public Facility)
South: ML (Medium Low Density Residential)
East: R (Rural Density Residential) and PF (Public Facility)
West: L (Low Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates) under Resolution of Intent to R-PD5
(Residential Planned Development – 5 Units Per Acre)
North: R-PD2 (Residential Planned Development – 2 Units Per Acre)
South: R-CL (Single Family Compact Lot)
East: R-E (Residence Estates) and R-PD2 (Residential Planned
Development – 2 Units Per Acre)
West: R-1 (Single Family Residential)

E) General Plan Compliance

The subject site is located within the Southeast Sector Map of the General Plan and is Designated as L (Low Density Residential). The existing R-PD5 (Residential Planned Development – 5 Units Per Acre) zoning is in compliance with this 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

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

ANALYSIS

A) Zoning Code Compliance

The design of the site and conformance to code requirements was determined with the approved Site Development Plan Review [Z-0054-02(1)].

B) General Analysis and Discussion

The applicant is requesting additional time in order to complete the sale of the property. The project has been on hold pending a new developer to complete the project to secure funding and prepare plans to submit for building permits. The proposed development remains appropriate at this location, therefore approval is recommended with another two year time limit.

FINDINGS

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

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

The approved R-PD5 (Residential Planned Development - 5 Units Per Acre) complies with the L (Low Density Residential) designation of this site on the Southeast Sector Map of the General Plan.

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

The approved R-PD5 (Residential Planned Development - 5 Units Per Acre) zoning is compatible with the R-CL (Single Family Compact-Lot) zoning to the south and the R-1 (Single Family Residential) zoning to the west.

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

The approved rezoning will allow for development of single-family uses at a density that is compatible with the existing residential development to the south and west.

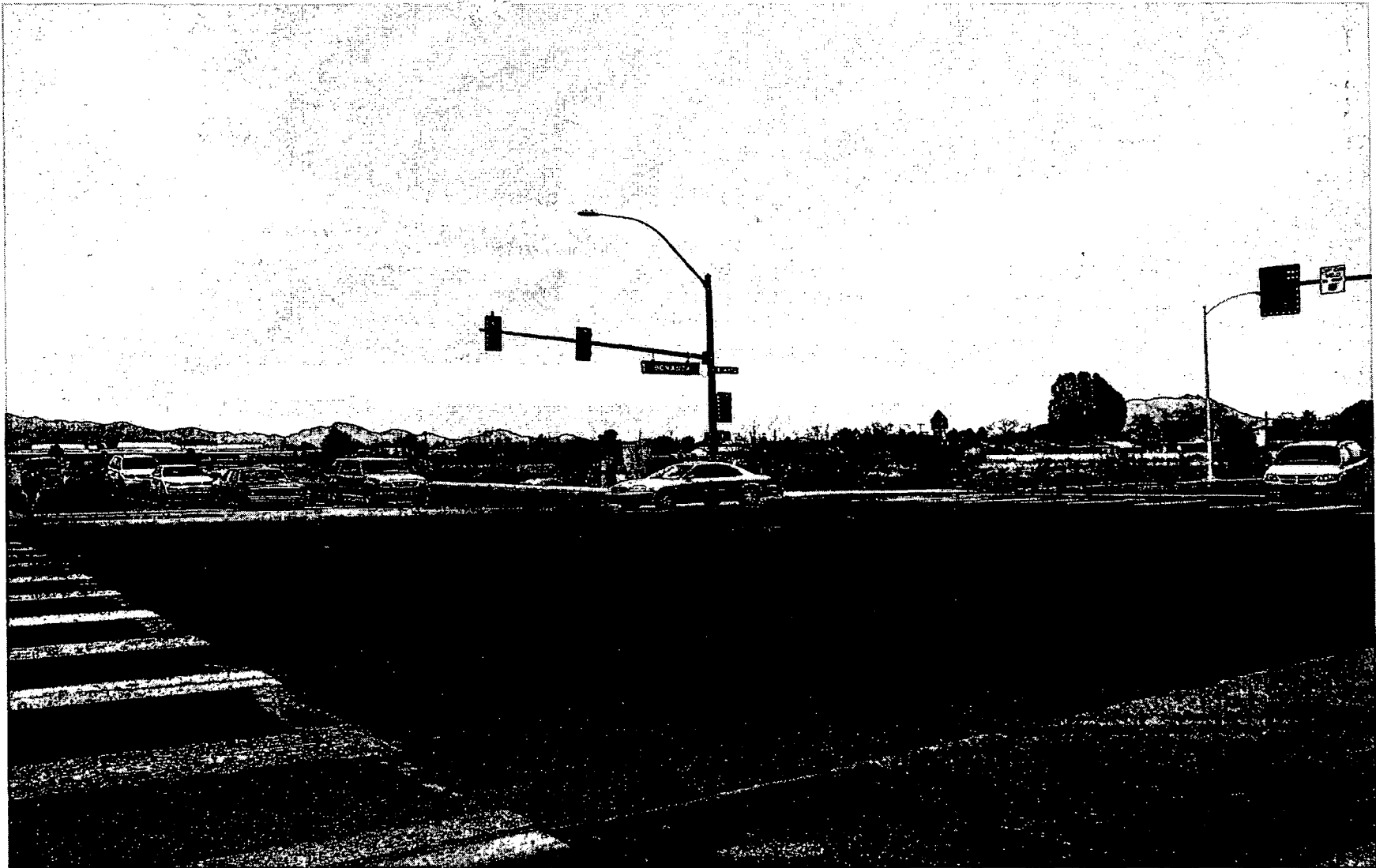
4. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."

The street system will have adequate capacity to accommodate traffic generated by this proposed development.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



EOT-5847 - APPLICANT: PAGEANTRY COMMUNITIES – OWNER: NELLIS LAND COMPANY

**Adjacent to the northeast corner of Bonanza Road and Marion Drive
FEBRUARY 2, 2005 CITY COUNCIL MEETING**

Picture taken 01/13/05



CONSULTING ENGINEERS • PLANNERS • SURVEYORS

PROVIDING QUALITY PROFESSIONAL
SERVICES SINCE 1960

12/20/2004
W.O.6076

City of Las Vegas Planning & Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101

RE: JUSTIFICATION – EXTENSION OF TIME
Z-0054-02 Zone Change & Z-0054-02(1) Site Development Plan Review
Assessors Parcel: 140-29-801-004

On behalf of our client Pageantry Communities, VTN Nevada respectfully submits this letter and application for an extension of time for Zone Change Z-0054-02 and Site development plan review Z-0054-02(1). The property owner is requesting this extension of time in order to complete the sale of the property. The project has been on hold pending a new developer to complete the project. A new developer is in the process of purchasing the property, and will proceed with a Tentative Map and improvement plans pending this extension of time.

I appreciate your consideration of this request. Should you have any questions please don't hesitate to contact me.

Sincerely,

VTN NEVADA

Kathy Dancho
Project Coordinator

EOT-5847

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-5847 - SITE DEVELOPMENT PLAN REVIEW

EOT-5848 - APPLICANT: PAGEANTRY COMMUNITIES - OWNER: NELLIS LAND COMPANY - Request for an Extension of Time of an approved Site Development Plan Review [Z-0054-02(1)] FOR A PROPOSED 37-LOT SINGLE-FAMILY DEVELOPMENT on 7.65 acres adjacent to the northeast corner of Bonanza Road and Marion Drive (APN 140-29-801-004), R-E (Residence Estates) Zone under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED Item 68 [EOT-5844], Item 69 [EOT-5847] and Item 70 [EOT-5848] subject to conditions - UNANIMOUS

MINUTES:

There was no discussion.

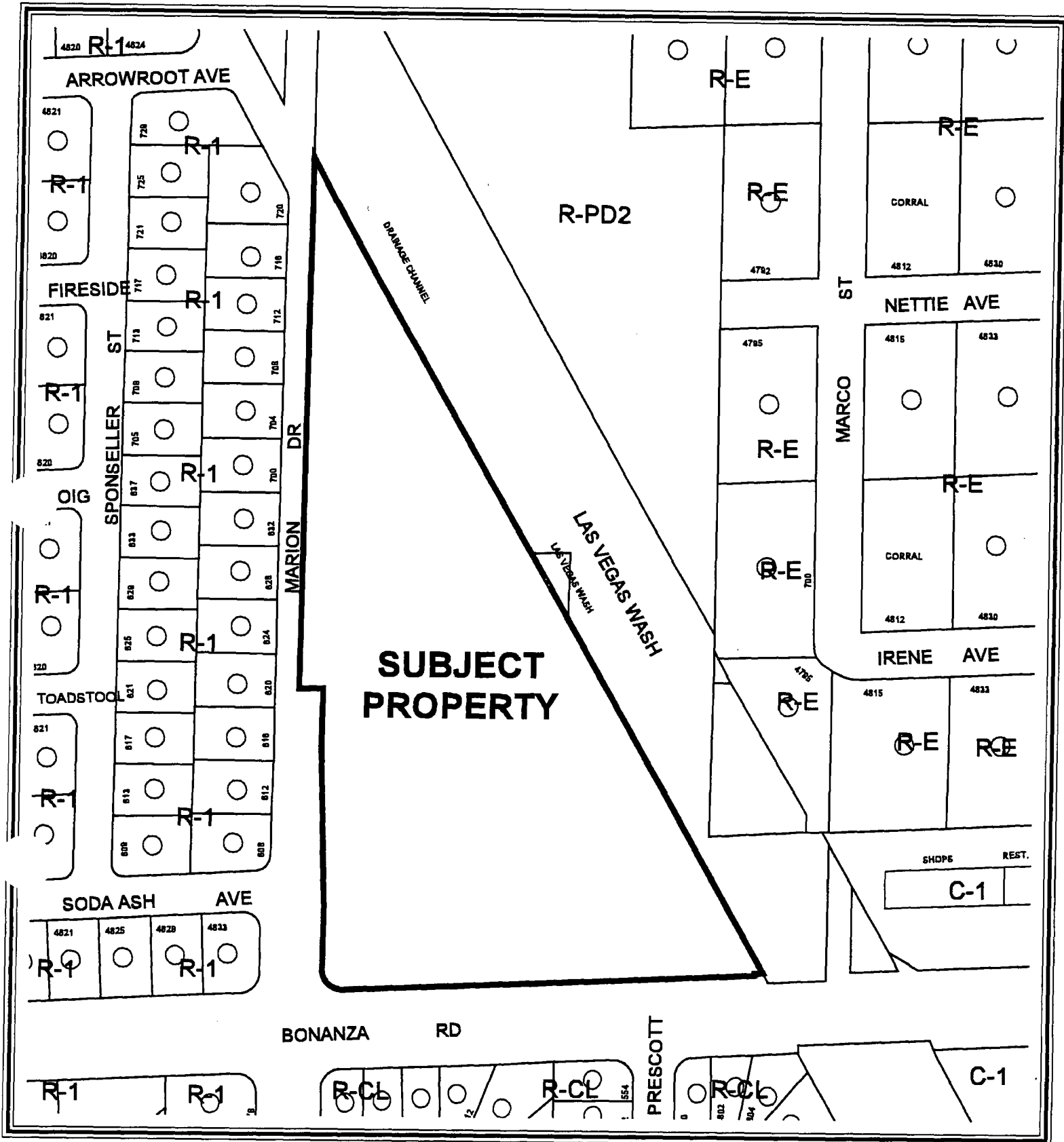
(1:22 - 1:23)

3-506

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on December 18, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning Z-0054-02 and Site Development Plan Review Z-0054-02(1), and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



CASE: EOT-5848

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

70



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-5848 - APPLICANT: PAGEANTRY COMMUNITIES –

OWNER: NELLIS LAND COMPANY

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on December 18, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning Z-0054-02 and Site Development Plan Review Z-0054-02(1), and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time of an approved Site Development Plan Review [Z-0054-02(1)] for a proposed 37-lot single-family development on 7.65 acres adjacent to the northeast corner of Bonanza Road and Marion Drive.

B) Applicant's Justification

The applicant's justification letter indicates property owner is requesting this extension of time in order to complete the sale of the property. The project has been on hold pending a new developer to complete the project.

BACKGROUND INFORMATION

A) Previous Actions

12/18/02 The City Council approved a Rezoning (Z-0054-02) to R-PD2 (Residential Planned Development – 2 Units Per Acre) and a Site Development Plan Review [Z-0054-02(1)] for a proposed 37-lot single-family development this site. The Planning Commission and staff recommended approval on September 12, 2002.

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 7.65

B) Existing Land Use

Subject Property: Undeveloped

North: Undeveloped/Las Vegas Wash

South: Single Family Residences

East: Undeveloped/Las Vegas Wash and Single Family Residences

West: Single Family Residences

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: R (Rural Density Residential) and PF (Public Facility)
South: ML (Medium Low Density Residential)
East: R (Rural Density Residential) and PF (Public Facility)
West: L (Low Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates) under Resolution of Intent to R-PD5
(Residential Planned Development – 5 Units Per Acre)
North: R-PD2 (Residential Planned Development – 2 Units Per Acre)
South: R-CL (Single Family Compact Lot)
East: R-E (Residence Estates) and R-PD2 (Residential Planned
Development – 2 Units Per Acre)
West: R-1 (Single Family Residential)

E) General Plan Compliance

The subject site is located within the Southeast Sector Map of the General Plan and is Designated as L (Low Density Residential). The existing R-PD5 (Residential Planned Development – 5 Units Per Acre) zoning is in compliance with this 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

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

PROJECT DESCRIPTION

The approved site plan depicts a 37-lot single family residential development with a typical lot size of 4,500 square feet. All lots have access to a 39 foot wide private street that provides access to Marion Drive.

ANALYSIS

A) Zoning Code Compliance

The approved 37-lot single family development is in compliance with the Zoning Code, which allows development standards to be established on a case by case basis. The development as approved remains appropriate at this location.

B) General Analysis and Discussion

The applicant is requesting additional time in order to complete the sale of the property. The project has been on hold pending a new developer to complete the project. The proposed development remains appropriate at this location, therefore approval is recommended with another two year time limit.

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 37-lot single family development remains appropriate and is compatible with the residential development in the surrounding 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 single family development remains consistent with the General Plan and all other city codes and policies as long as all conditions of approval of Z-0054-02 and Z-0054-02(1) are addressed.

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

The proposed single family development will not negatively impact adjacent roadways or neighborhood traffic.

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

The proposed single family development will incorporate the appropriate building and landscape materials for the surrounding 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 proposed single family development remains be acceptable in appearance, harmonious and compatible with development in the area.

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

In approving the initial request, the City Council found the proposed single family development would not compromise the public health, safety or welfare.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Z-0054-02(1)



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-5848 APN: 140-29-801-004
Name of Property Owner: Nellis Land Company
Name of Applicant: Pageantry Communities

Name of Property Owner: Nellis Land Company

Name of Applicant: Pageantry Communities

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:

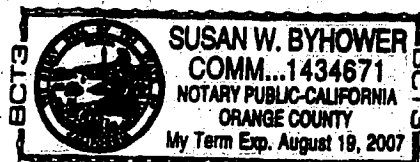
Print Name:

Subscribed and sworn before me

This 5 day of December 2005

Susan W. Byrnes
Notary Public in and for said County and State

Notary Public in and for said County and State





EOT-5848 - APPLICANT: PAGEANTRY COMMUNITIES – OWNER: NELLIS LAND COMPANY

**Adjacent to the northeast corner of Bonanza Road and Marion Drive
FEBRUARY 2, 2005 CITY COUNCIL MEETING**

Picture taken 01/13/05



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PROVIDING QUALITY PROFESSIONAL
SERVICES SINCE 1960

12/20/2004

W.O.6076

City of Las Vegas Planning & Development Department

Current Planning Division

731 South Fourth Street

Las Vegas, Nevada 89101

RE: JUSTIFICATION – EXTENSION OF TIME

Z-0054-02 Zone Change & Z-0054-02(1) Site Development Plan Review

Assessors Parcel: 140-29-801-004

On behalf of our client Pageantry Communities, VTN Nevada respectfully submits this letter and application for an extension of time for Zone Change Z-0054-02 and Site development plan review Z-0054-02(1). The property owner is requesting this extension of time in order to complete the sale of the property. The project has been on hold pending a new developer to complete the project. A new developer is in the process of purchasing the property, and will proceed with a Tentative Map and improvement plans pending this extension of time.

I appreciate your consideration of this request. Should you have any questions please don't hesitate to contact me.

Sincerely,

VTN NEVADA

A handwritten signature in cursive script that reads "Kathy Dancho".

Kathy Dancho
Project Coordinator

EOT-5848

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

REVIEW OF CONDITION

ROC-6012 - APPLICANT: LPN ARCHITECT - OWNER: BRE/ ESA PROPERTIES, LLC - Request for a Review of Condition #2 of Special Use Permit (SUP-5457) FOR A RESIDENCE HOTEL at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED subject to condition - UNANIMOUS

MINUTES:

The applicant was not present.

COUNCILMAN REESE stated he had spoken with the applicant in regards to a hotel that was approved on Paradise Road east of the Stratosphere Hotel and Casino. This action is to clarify that a condition needed to be removed. MARGO WHEELER, Director of Planning Development Department, stated there was an issue of a condition that was removed at the Planning Commission Meeting, but remained in the backup documents brought forward to City Council. Approving the item today would correct and remove that condition.

No one appeared in opposition.

(1:23 - 1:24)

3-517

CONDITIONS:

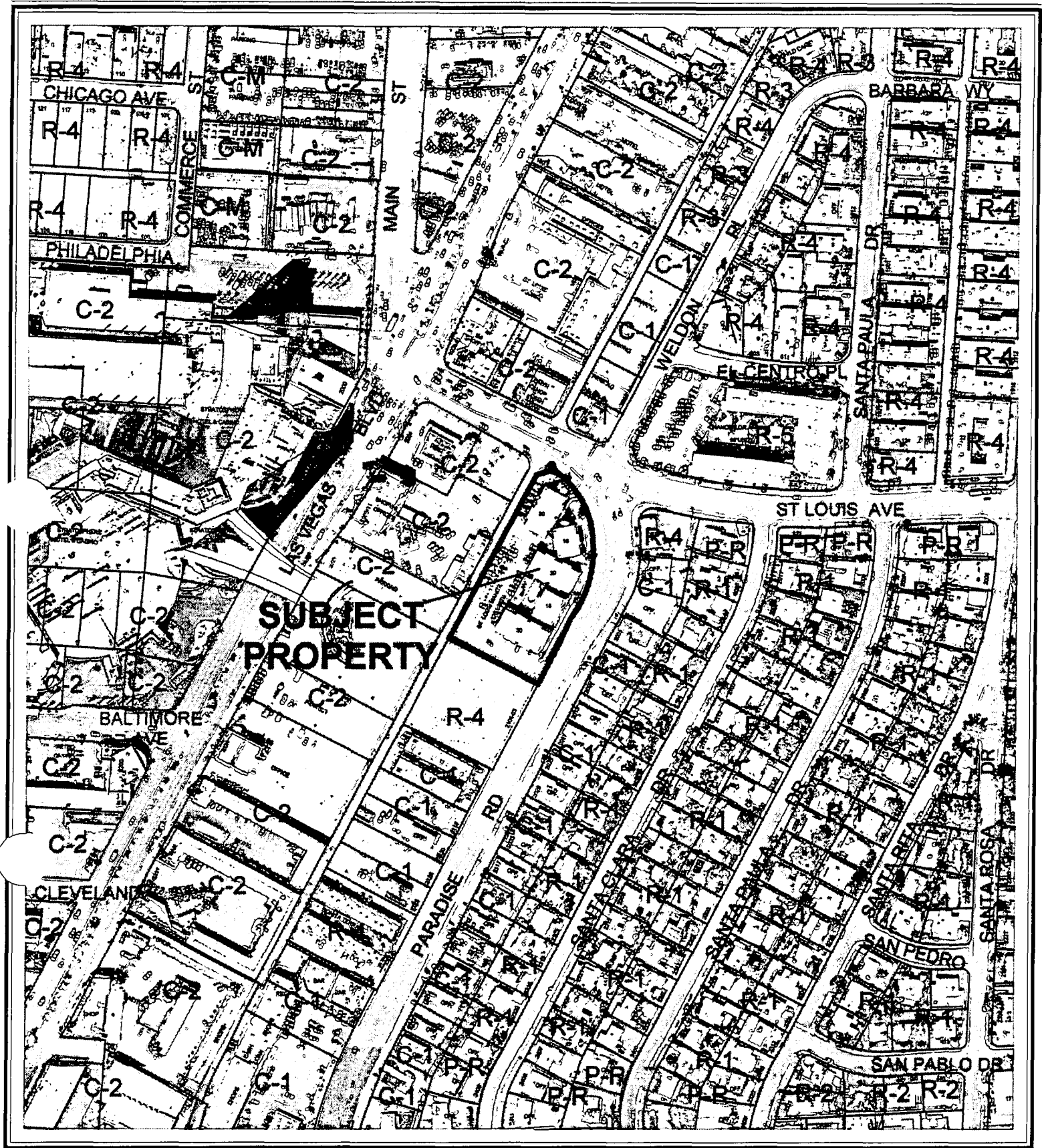
Planning and Development

1. Original Condition of Approval Number 2 for SUP-5457 which reads "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" shall be removed.



71





CASE: ROC-6012

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ROC-6012 - APPLICANT: LPN ARCHITECT – OWNER:
BRE/ESA PROPERTIES, LLC**

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

Planning and Development

1. Original Condition of Approval Number 2 for SUP-5457 which reads “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” shall be removed.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Review of Condition Number 2 of an approved Special Use Permit (SUP-5457 which allowed a Residence Hotel at 2000 Paradise Road.

B) Applicant's Justification

The applicant is requesting Condition of Approval Number 2 for Special Use Permit SUP-5457 be removed.

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.

01/19/05 City Council approved a request for a Special Use Permit (SUP-5457) for a Residence Hotel on this site. The Planning Commission recommended approval on December 2, 2004. Staff recommendation was for denial.

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

A neighborhood meeting is not required for 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

When this item was approved by the Planning Commission on December 2, 2004, the recommended Condition of Approval Number 2 requiring cross-access and a parking agreement with neighboring properties was removed. Subsequent to the Planning Commission's action, the necessary change to the Conditions of Approval was not accomplished. Therefore, the City Council approved the Special Use Permit with this condition still in place.

FINDINGS

The removal of this condition is appropriate in that it should not have been included in the recommendation to the City Council. Therefore, approval of this request is recommended.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



ROC-6012 - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, L.L.C.
2000 PARADISE ROAD
FEBRUARY 2, 2005 CITY COUNCIL MEETING

11/05/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT

RQR-5168 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC - Appeal filed by the Applicant from the Denial by the Planning Commission of a Required One Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3920 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

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 Lamar Advertising
5. Submitted after final agenda - Abeyance request by Lamar Advertising

MOTION:

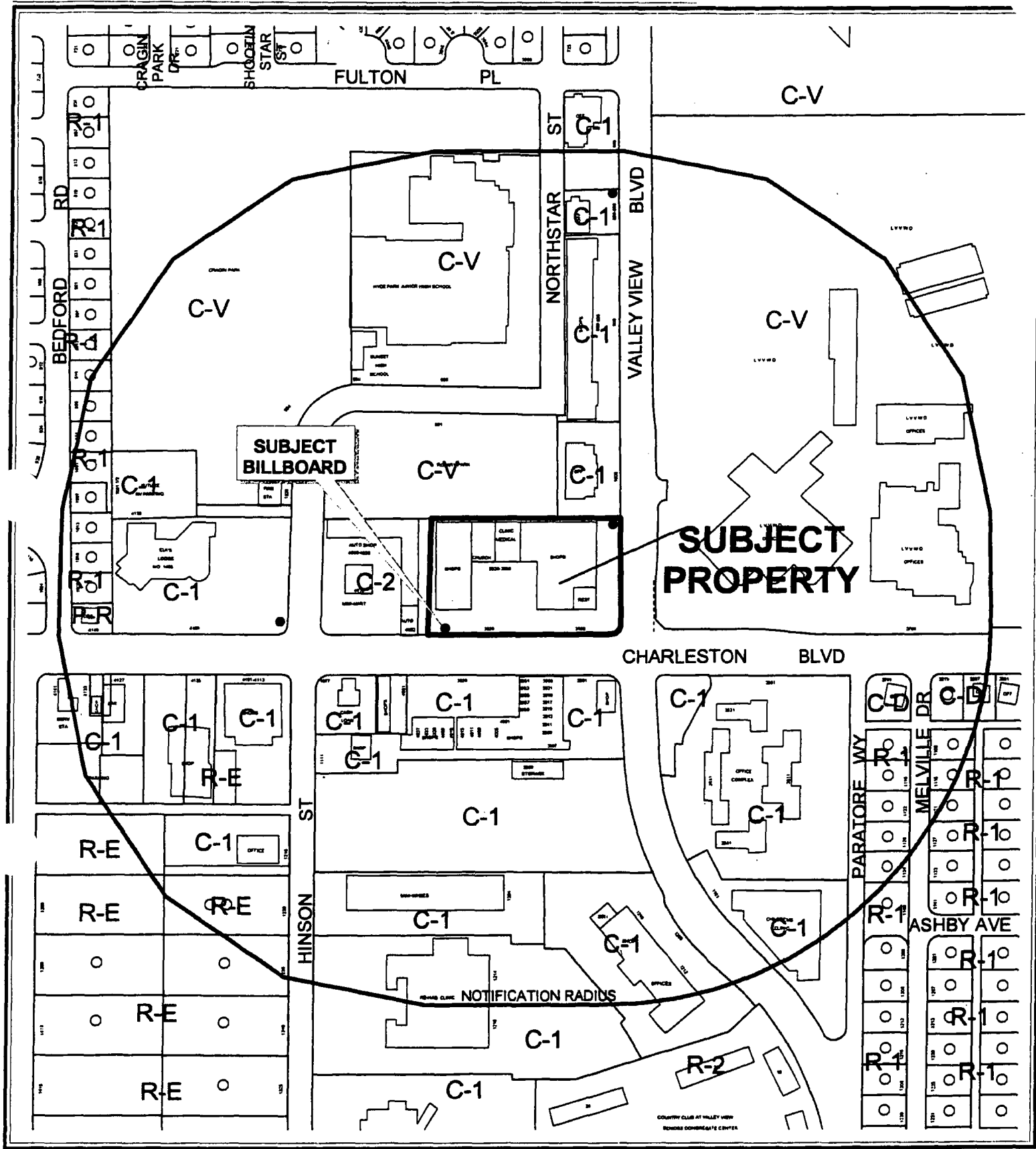
REESE - Motion to STRIKE Item 61 [5604 Emperor Way], Item 62 [1832 Lewis Avenue], Item 63 [1836 Lewis Avenue], and to HOLD IN ABEYANCE Item 76 [SUP-2848], Item 77 [SUP-3394], Item 78 [SUP-4532] to 2/16/2005 and HOLD IN ABEYANCE Item 72 [RQR-5138], Item 74 [RQR-5171], Item 75 [RQR-5513] and Item 79 [SUP-4693] to 3/2/2005 - UNANIMOUSLY with BROWN and MACK excused

MINUTES:

There was no discussion.

(1:05 - 1:08)

3-1

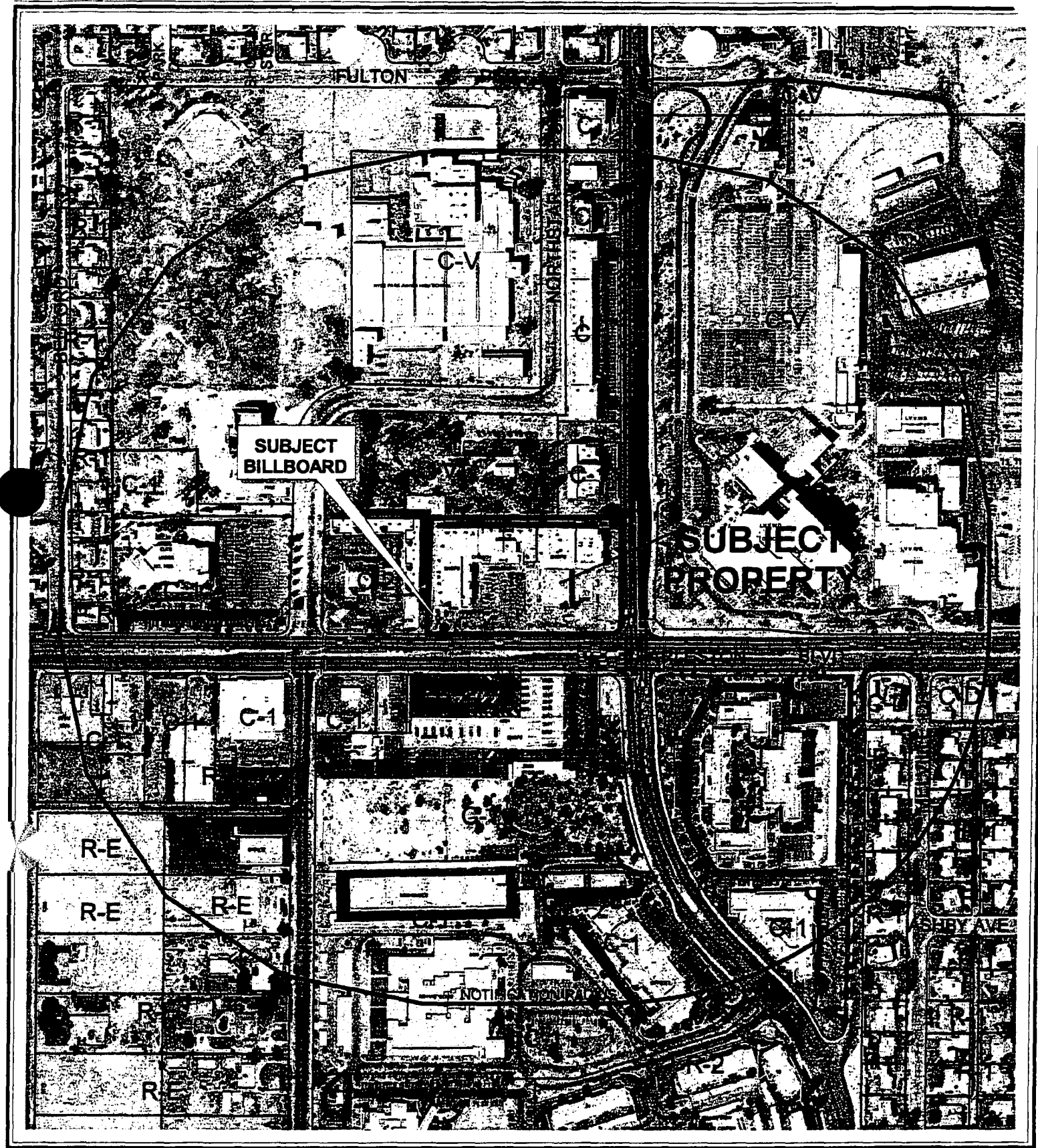


CASE: RQR-5168

RADIUS: 750 FT

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





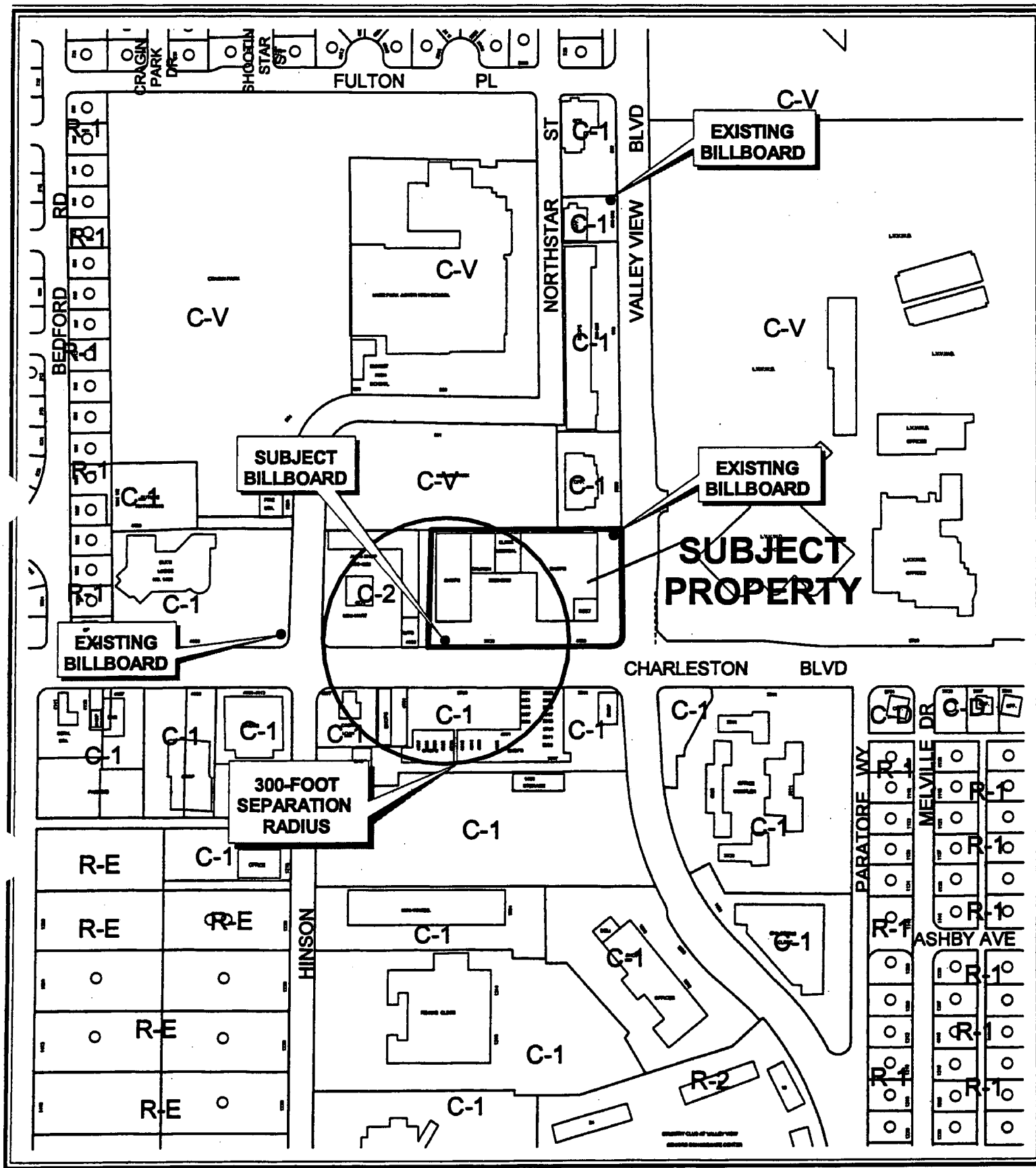
CASE: RQR-5168

RADIUS: 750 FT

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

0 200 400 Feet





CASE: RQR-5168

SEPARATION RADIUS: 300 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - RQR-5168 – APPLICANT: LAMAR
ADVERTISING – Z J & R PROPERTIES, LLC**

***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. 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 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 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.
3. The off-premise advertising sign (billboard) supporting structure shall be designed to finish materials to complement the existing on-site building. 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.
4. 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.
5. Bird deterrent devices must be installed to prevent birds from roosting within the structure of the sign and to prevent bird droppings from accumulating around the pole and the base of the sign.
6. 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 the applicant from the Denial by the Planning Commission of a Required One Year Review on approved Special Use Permit U-0043-94(3), which allowed a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 3920 West Charleston Boulevard.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

04/20/94	The City Council approved a Special Use Permit (U-0043-94) for two 55-foot-high, 14-foot by 48-foot off-premise advertising (billboard) signs on the subject site.
05/29/99	The City Council approved a required five-year review [U-0043-94(1)] on the approved Special Use Permit; subject to review in two years time.
07/05/01	The City Council approved a required two-year review [U-0043-94(2)] on the approved Special Use Permit; subject to a two-year review for the billboard located at 3920 West Charleston Boulevard. Planning Commission and staff recommended approval.
08/21/02	The City Council heard an appeal of the DENIAL by the Planning Commission and approved the two-year review of the Special Use Permit [U-0043-94(3)] on this site subject to a one year review.
11/05/03	The City Council heard an appeal of the DENIAL (September 25, 2003) by the Planning Commission and staff and approved the one-year review of the Special Use Permit [U-0043-94(3)] on this site subject to a one year review.
10/21/04	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #8/srs). Staff recommended denial.

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.83 acres

B) Existing Land Use

Subject Property: Existing Retail
North: Park
South: Existing Retail
East: Existing Retail
West: Existing Retail

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The SC (Service Commercial) category of the Southeast Sector Land Use Plan of the General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

<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

Reviewed billboard is not situated within any special area plan, overlay district, DINA, or PRS.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	485 feet to another Off Premise Sign

An off premise advertisement (billboard) sign not oriented toward the same travelway cannot be closer than 300 feet in any direction to another off premise advertisement (billboard) sign. The nearest billboard oriented to Charleston Boulevard similar to the subject sign is beyond the 300-foot distance from the subject sign.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned C-1 (Limited Commercial). The existing off-premise advertising (billboard) sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.14.100 permits the removal of the sign if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not seen substantial change since initial approval of this Special Use Permit. However, the continuance of an off-premise advertising (billboard) sign in this area is inappropriate because of the opening of the Las Vegas Springs Preserve to the east, a 110-acre public facility, representing substantial change in the immediate area.

- Current Condition of the Sign

A September 2004 site visit found the sign in non-conformance with conditions of Special Use Permit [U-0043-94(3)]. The support pole of the sign and the property showed a substantial amount of bird droppings around the base of the sign. The support pole needed to be scraped and repainted and the parking lot around the billboard sign needed to be cleaned.

- Special Condition of Approval from this Required Review RQR-5168, listed above:

5. Bird deterrent devices must be installed to prevent birds from roosting within the structure of the sign and to prevent bird droppings from accumulating around the pole and the base of the sign.

FINDINGS

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

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

Title 19.14.100 permits the removal of the signs if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The recently developed Las Vegas Springs Preserve significantly changes the nature of the area. This use is not compatible and harmonious with the future land uses as projected by the General Plan and does not support this use. For this reason, denial of this application is recommended.

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

There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this commercial site.

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

Off-premise advertising signs do not generate automotive traffic and therefore will not affect the existing public rights-of-way adjacent to this 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.”**

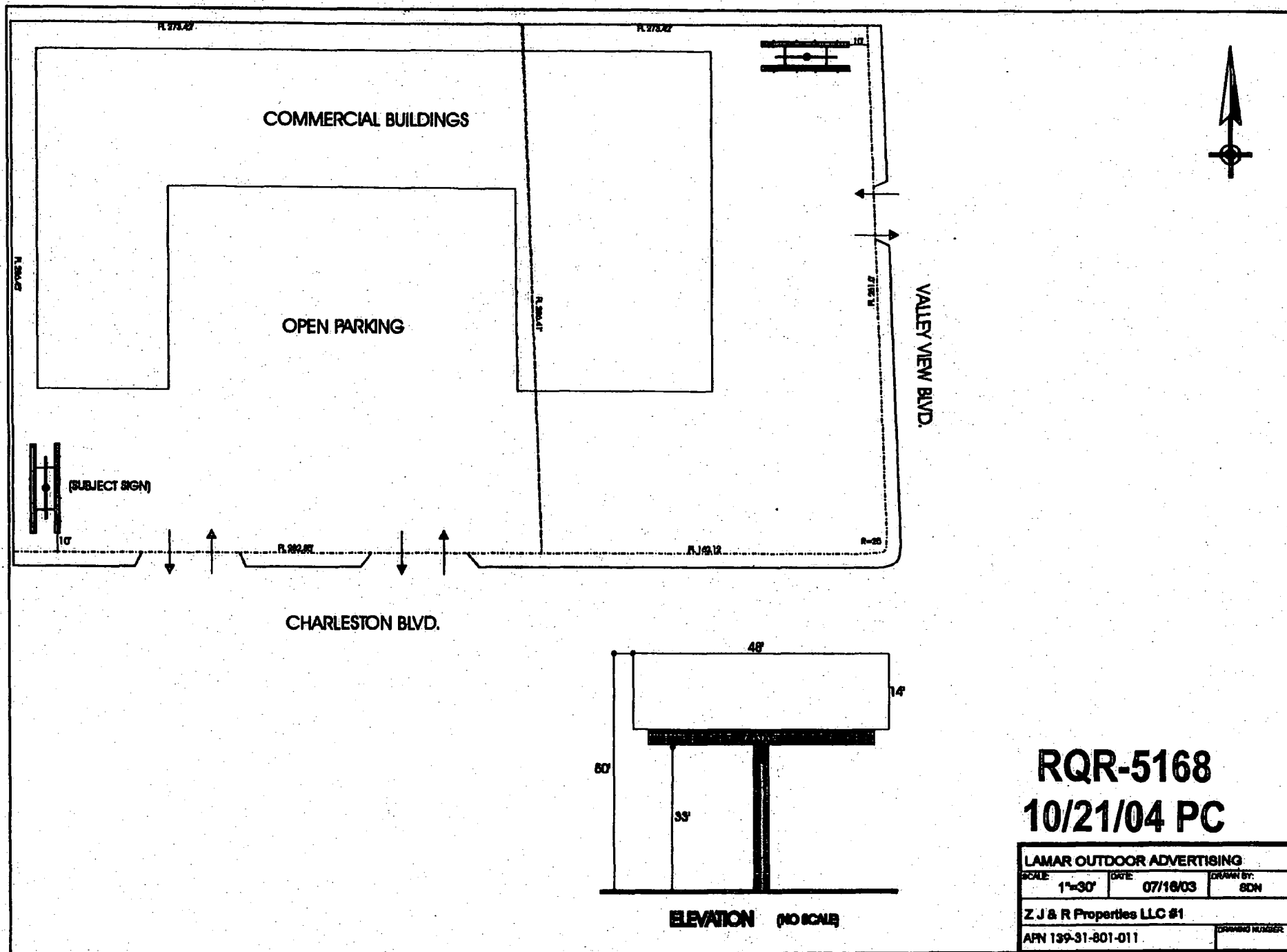
This billboard use is in conflict with an assertion of the Master Plan 2020 that “the visual image of the ‘streetscape’ and ‘roadscape’ environments is perhaps the most important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas.”

NOTICES MAILED 53 by City Clerk

APPROVALS 0

PROTESTS 0





RQR-5168
10/21/04 PC

LAMAR OUTDOOR ADVERTISING			
SCALE	DATE	DRAWN BY	SDN
1"=30'	07/16/03		
Z J & R Properties LLC #1			DRAWING NUMBER
APN 139-31-801-011			



RQR-5168 - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC
3920 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



LAMAR ADVERTISING COMPANY

October 22, 2004

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

Dear Sir or Madam:

Lamar Advertising, with this letter, requests an appeal to the Las Vegas City Council of the October 22, 2004 Planning Commission's decision to deny application RQR-5168, a required review of a Special Use Permit for an existing off-premise sign.

Should you have any questions, please contact me at 873-4600. Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Nafziger", is written over the printed name.

**Scott Nafziger
Project Coordinator, Lamar Advertising**

**RECEIVED
CITY CLERK
2004 OCT 22 A 11:43**



LAMAR ADVERTISING COMPANY

RECEIVED
CITY CLERK

2005 JAN 31 P 2:57

January 31, 2005

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

Dear Sir or Madam:

Lamar Advertising would like to request that the following items from the February 2, 2005 City Council meeting be held in abeyance until the March 2, 2005 City Council meeting: #72. RQR-5168, a required review for an existing off-premise sign. #74. RQR-5171, a required review for an existing off-premise sign and #75. RQR-5513, a required review for an existing off-premise sign.

Thank you for your attention in this matter.

Sincerely,

Scott Naftzger
Project Coordinator, Lamar Advertising

Submitted after final agenda

Date 1/31/05 Item #72

1863 Helm Drive, Las Vegas, Nevada 89119
PH. (702) 873-4600 FAX (702) 873-4344

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

REQUIRED ONE-YEAR REVIEW - SPECIAL USE PERMIT

RQR-5787 - PUBLIC HEARING - APPLICANT/OWNER: C & C INVESTMENT CO. - Request for a Required One-Year Review of an approved Special Use Permit (SUP-3385) WHICH ALLOWED 40 PERCENT OF THE LOT AREA CONTAINING THE PRINCIPAL USE TO BE USED FOR OUTSIDE STORAGE on property located at 3505 East Charleston Boulevard (APN 140-31-401-033, 042, and a portion of 043), R-1 (Single-Family Residential), R-2 (Medium-Low Density Residential) and C-1 (Limited Commercial) Zones under Resolution of Intent to C-M (Commercial/Industrial), Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

Staff 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-3385

MOTION:

REESE - ABEYANCE to 2/16/2005 - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVID ENGEL, Spectrum Surveying and Engineering, 7351 West Charleston Boulevard, concurred with all the conditions and requested approval.

COUNCILMAN REESE stated this was approved a year ago and certain requests were made by the Council in order to grant approval. Because those conditions were not satisfied, he asked that the item be held to the 2/16/2005 City Council meeting to allow time to meet with the applicant and discuss the outstanding concerns.

No one appeared in opposition.

Prior to Item 80 [SUP-5582] discussion, COUNCILWOMAN TARKANIAN questioned the amount of time billboards may be held in abeyance. MAYOR GOODMAN replied it is a matter of discretion and there is no limitation. It is assumed that the applicant would meet with the Councilperson representing the area where the billboard is located. COUNCILWOMAN TARKANIAN was concerned that if an item is continually abeyed and staff and the Planning Commission's recommendation is for denial, an applicant could continue to request an abeyance. MAYOR GOODMAN reiterated that it would be upon

CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

MINUTES - Continued:

the discretion of the Councilperson representing that Ward to either grant the abeyance or hear the item. COUNCILWOMAN TARKANIAN commented that in the future she would not support repetitive abeyance request for billboards unless extenuating circumstances exist.

DEPUTY CITY ATTORNEY BRYAN SCOTT clarified the law currently states that an item may be held in abeyance twice at Planning Commission unless the Planning Commission finds good cause to abey it a third time. If there may be additional good cause, the item could be held in abeyance a fourth time, such as the applicant having to revise their plan or new development occurred at the location.

MAYOR GOODMAN declared the Public Hearing closed.

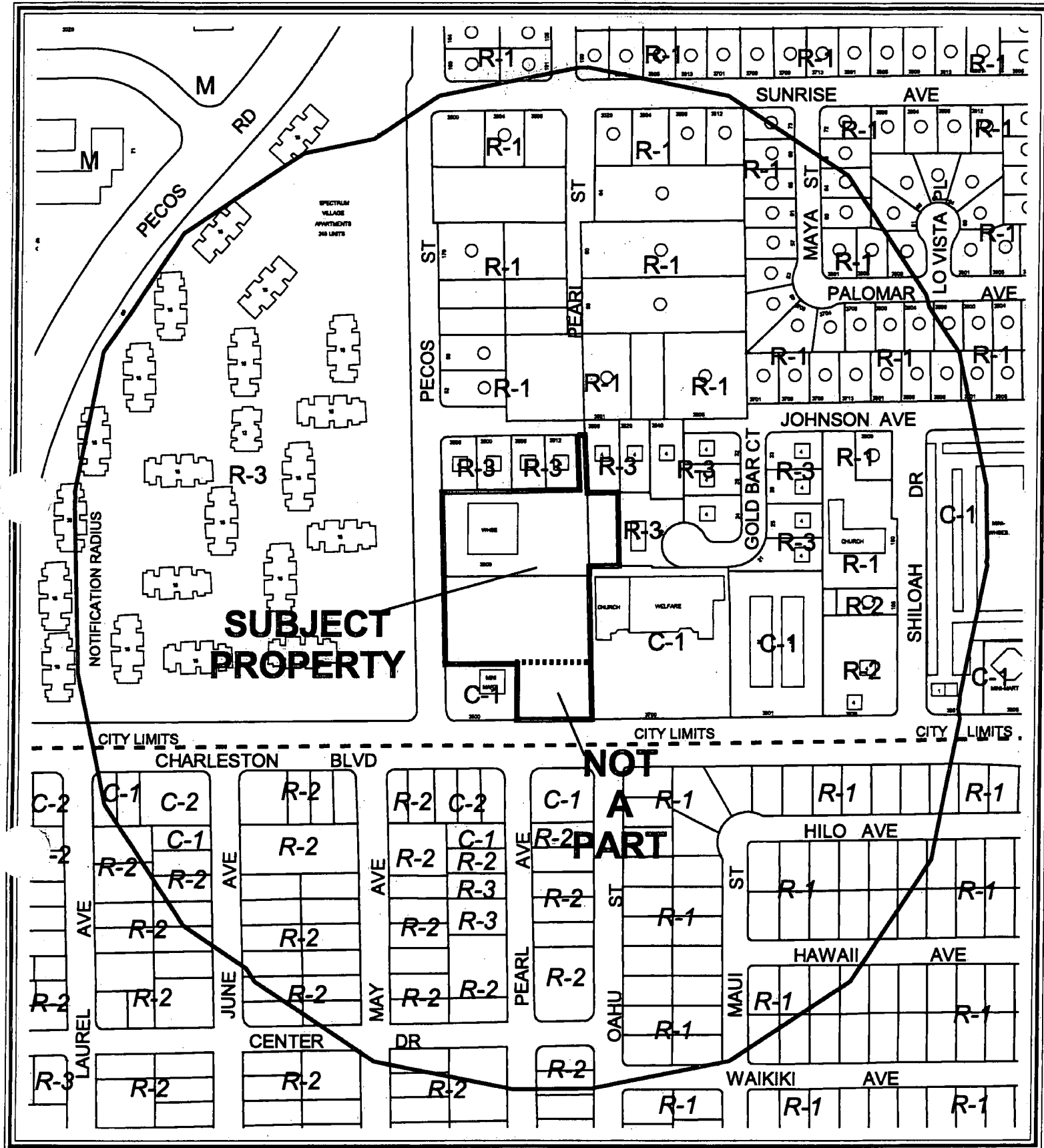
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3-550

CONDITIONS:

Planning and Development

1. The outside storage use to cease until all Conditions of Approval for SDR-3384 and SUP 3385 are satisfied.
2. Conformance to all Conditions of Approval for Rezoning ZON-3383, Site Development Plan Review SDR-3384 and Special Use Permit SUP-3385, with no further reviews required.
3. All City Code requirements and design standards of all City Departments shall be satisfied.

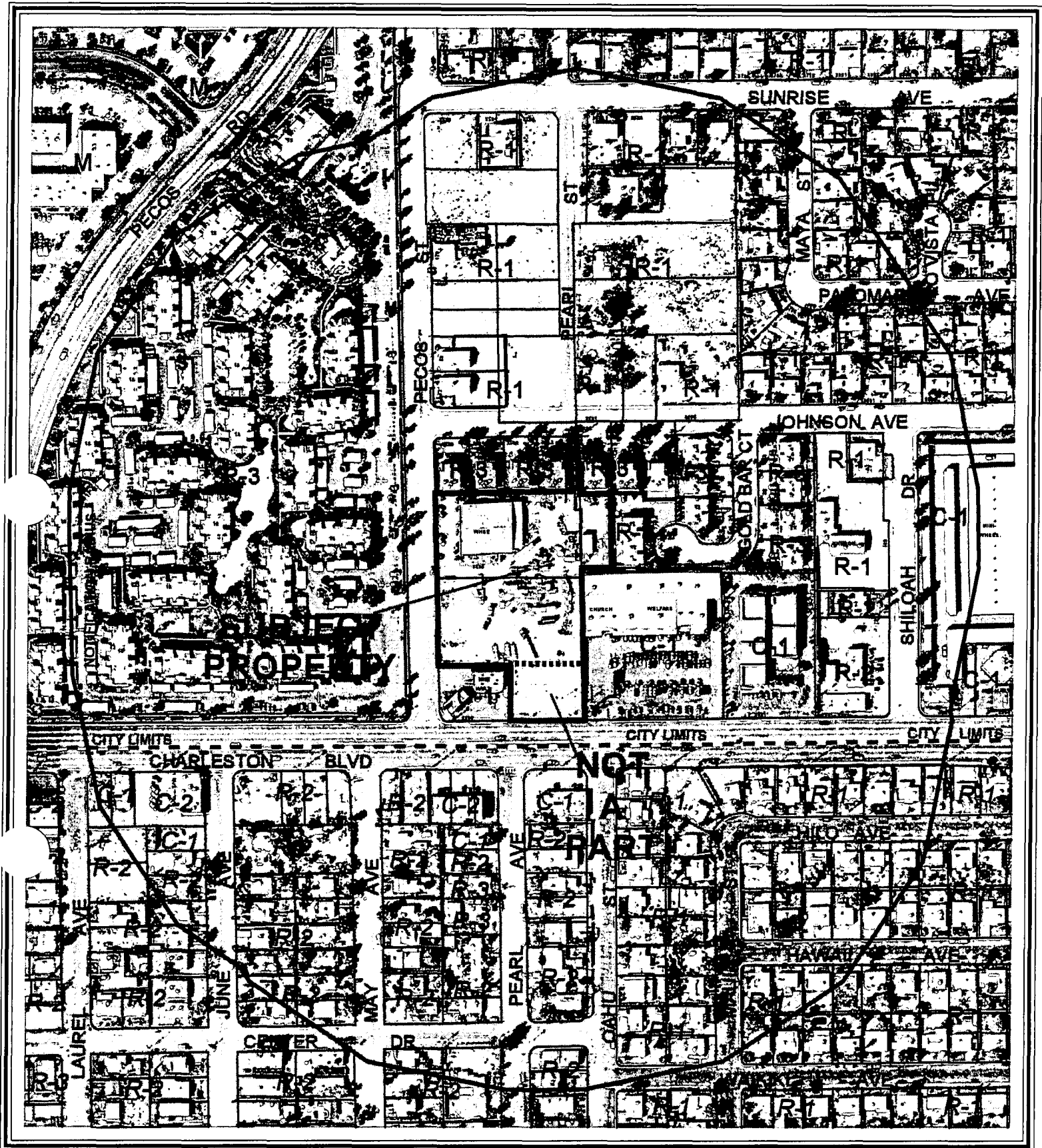


CASE: RQR-5787

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE-FAMILY RESIDENTIAL), R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) AND C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO C-M (COMMERCIAL/INDUSTRIAL)



CASE: **RQR-5787**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE-FAMILY RESIDENTIAL), R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) AND C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO C-M (COMMERCIAL/INDUSTRIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-5787 - APPLICANT/OWNER: C & C INVESTMENT CO.

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

Planning and Development

1. The outside storage use to cease until all Conditions of Approval for SDR-3384 and SUP 3385 are satisfied.
2. Conformance to all Conditions of Approval for Rezoning ZON-3383, Site Development Plan Review SDR-3384 and Special Use Permit SUP-3385, with no further reviews required.
3. 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-3385) which allowed 40 percent of the lot area containing the principal use to be used for outside storage on property located at 3505 East Charleston Boulevard.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

- 11/10/97 The City Council denied a Rezoning (Z-0025-97) to C-2 (General Commercial) and a Special Use Permit (U-0097-97) to allow motor vehicle sales (used) on this site. The Planning Commission recommended denial on October 9, 1997.
- 07/12/99 The City Council approved a Rezoning (Z-0025-99) to C-1 (Limited Commercial) on a portion of this site, which has since expired. The Planning Commission recommended approval on May 27, 1999.
- 02/04/04 The City Council approved a General Plan Amendment (GPA-3382) to LI/R (Light Industrial/Research), a Rezoning (ZON-3383) to C-M (Commercial/Industrial), a Site Development Plan Review (SDR-3384) for a proposed 24,700 square-foot warehouse/distribution center consisting of two buildings and a Special Use Permit (SUP-3385) to allow 40 percent of the lot area containing the principal use to be used for outside storage on this site, with the Special Use Permit subject to a one-year review. The Planning Commission and staff recommended approval on January 8, 2004.

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 2.70

B) *Existing Land Use*

Subject Property: Warehouse
North: Multi-Family Residential
South: Convenience Store
East: Church/ Apartments
West: Multi-Family Residential

C) *Planned Land Use*

Subject Property: LI/R (Light Industrial/Research)
South: SC (Service Commercial)
East: SC (Service Commercial) and M (Medium Density Residential)
West: M (Medium Density Residential)

D) *Existing Zoning*

Subject Property: R-1 (Single-Family Residential), R-2 (Medium Low Density Residential) and C-1 (Limited Commercial) under Resolution of Intent to C-M (Commercial/Industrial)
North: R-3 (Medium Density Residential)
South: R-2 (Medium Low Density Residential) and C-1 (Limited Commercial)
East: R-3 (Medium Density Residential) and C-1 (Limited Commercial)
West: R-3 (Medium Density Residential)

E) *General Plan Compliance*

The site is located in the Southeast Sector Plan map of the General Plan and is designated as LI/R (Light Industrial/Research). The existing C-M (Commercial/Industrial) 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
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification	X	
Development Impact Notification Assessment		X
Project of Regional Significance	X	

The Clark County Planning Department was notified of this request due to the fact that parcels within that jurisdiction are within the notification area.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project was deemed to be a "Project of Regional Significance" as it is a Special Use Permit on property that is within 500 feet of unincorporated 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) Flood Control has no comments and does not require a drainage study.
- 2) This project will have minimal impact on the wastewater collection system.

The Planning Commission is to consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal. In this case no major issues have been raised as part of this Assessment.

ANALYSIS

A) Zoning Code Compliance

Minimum Distance Separation Requirements

There are no separation requirements involved with outside storage

B) General Analysis and Discussion

- Zoning

The outside storage is allowed in the C-M (Commercial/Industrial) zoning district subject to meeting certain operational requirements.

- Use

Outside storage is a conditional use in the C-M (Commercial/ Industrial) zoning district. As one of the conditions, Title 19.04.040 states that outside storage shall be limited to no more 5% of a site. When not all of the itemized conditions can be met a Special Use Permit is required.

On January 13, 2005 a site inspection was conducted and photos were taken. The inspection revealed that conditions of approval for Site Development Plan Review SDR-3384 have not been satisfied. Below are three of the primary conditions from the Site Development Plan Review that must be addressed.

2. The existing block wall on the east side shall be increased to 10-foot due to the slope and to screen the proposed covered storage.

3. A 6-foot high decorative block wall shall be constructed on the west property line with the required landscaping to be drought tolerant, desert landscaping and installed on the outside of that wall. The block wall shall be extended along the not-a-part parcel reflected on the plan and 10 foot of desert landscaping shall be installed on the south side of that wall as well.
4. The property is to be well-maintained and kept up.

The wall along the east side of the site has not been raised to 10 feet as required by Condition Number 2. There is no wall along the west and south sides of the site, with landscaping along the street frontage, as required by Condition Number 3. The lack of the required walls results in inadequate screening for the outside storage allowed by this Special Use Permit. The recommendation for this request is denial due to the operation of the site in a manner that is not compatible with the surrounding area nor in compliance with conditions of approval imposed by the City Council one year ago. If this request is approved, a condition has been added requiring the outside storage use to cease until such time all Conditions of Approval for SDR-3384 and SUP 3385 are satisfied.

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.”**

This request allowed the expansion of an existing use. With adequate buffering this use can operate without negatively impacting the surrounding properties. However, adequate screening has not been provided and denial of the request is recommended.

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

There are no physical constraints on this site that would make it unsuitable 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.”**

Charleston Boulevard provides adequate access to the site.

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

The use is subject to inspections for compliance to business licensing requirements and will not compromise the public health, safety and welfare.

NOTICES MAILED 165 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-5787 APN: _____

Name of Property Owner: John Coolidge C & C Investment

Name of Applicant: John Coolidge

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

2 No

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

City Official: _____

Partner(s): _____

APN: _____

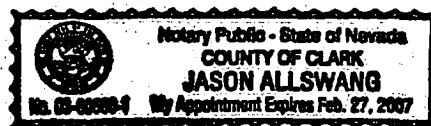
Signature of Property Owner/Authorized Agent: John C Coolidge

Print Name: John C Coolidge

Subscribed and sworn before me

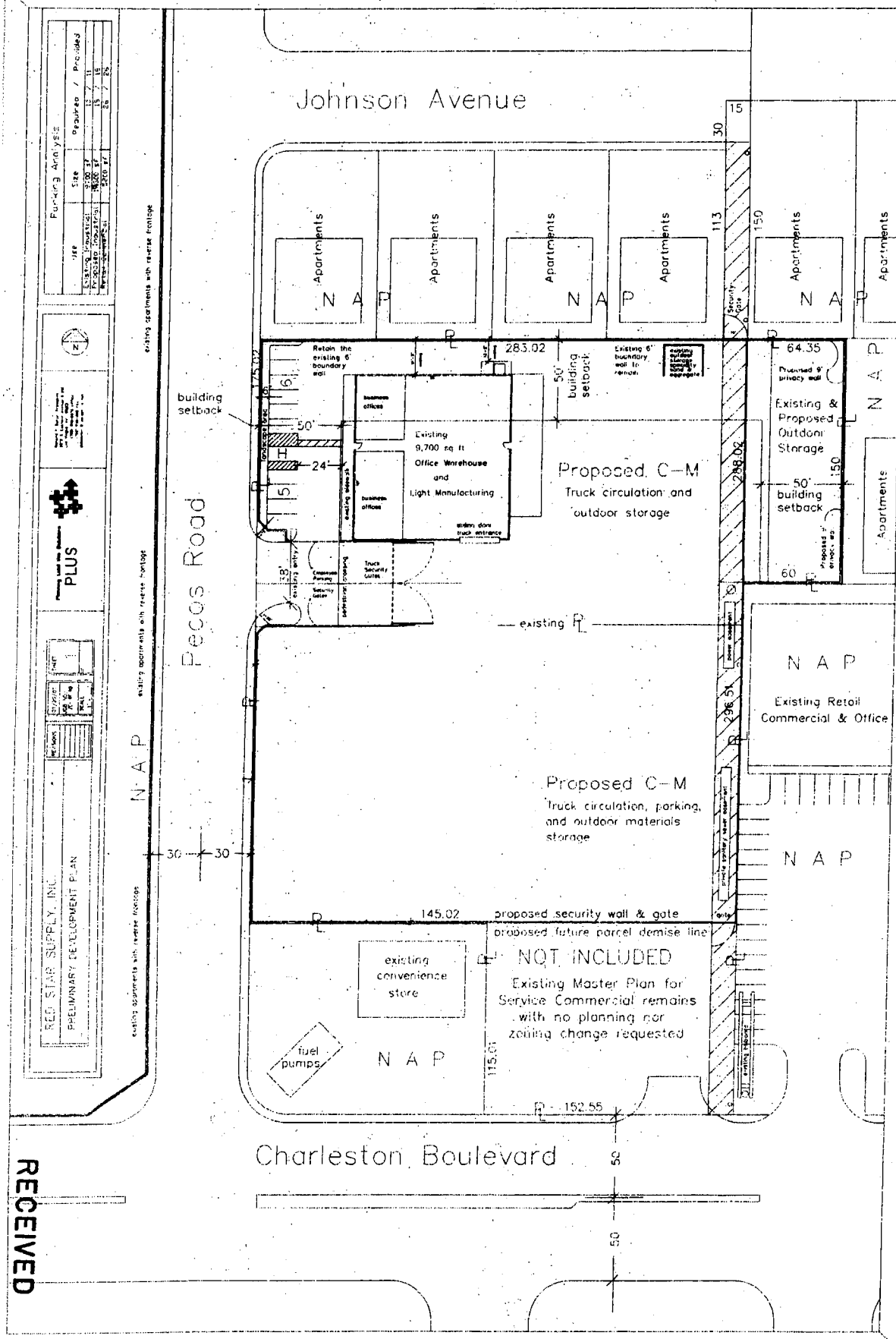
This 13 day of December, 2014

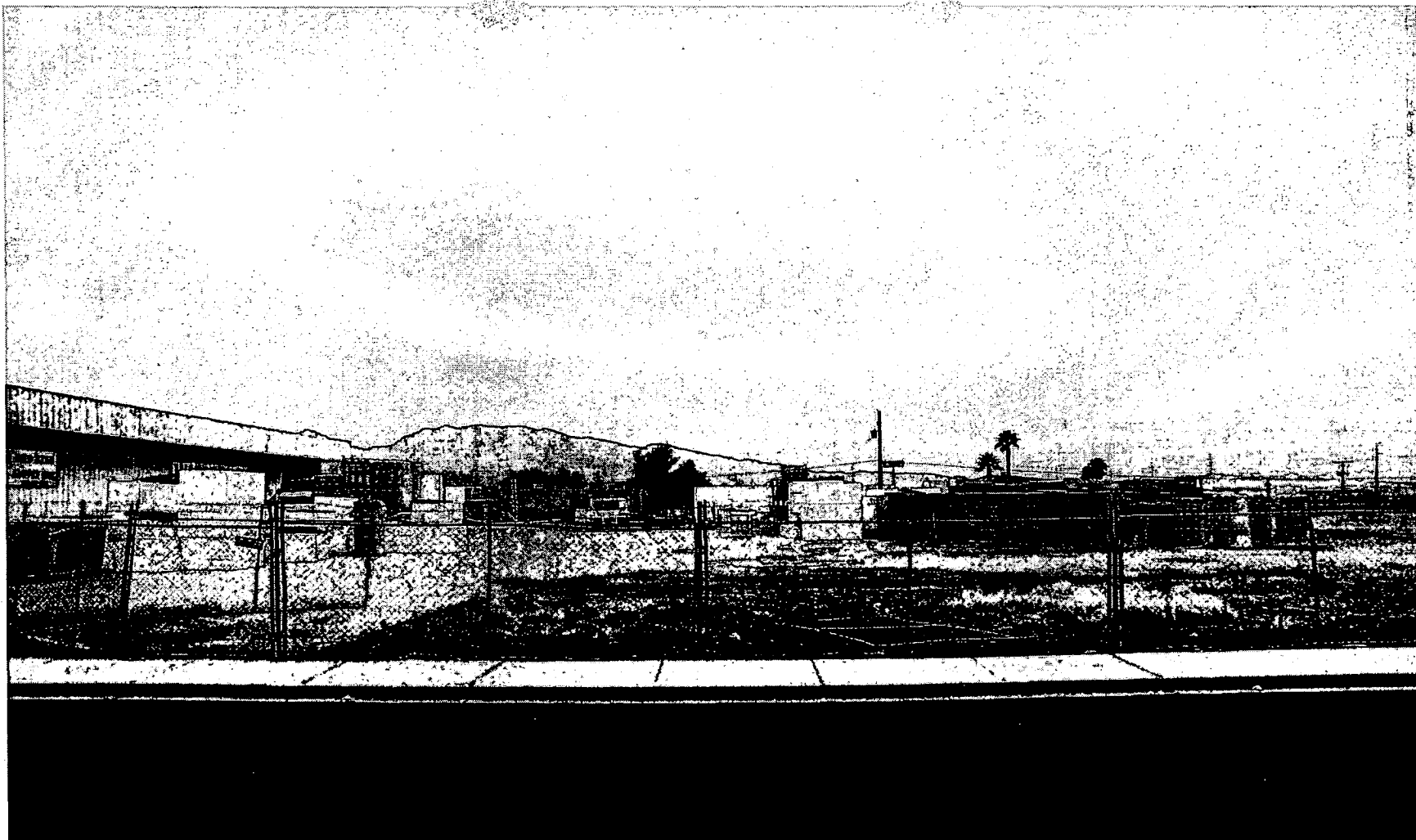
[Signature]
Notary Public in and for said County and State



2-2-05 CC

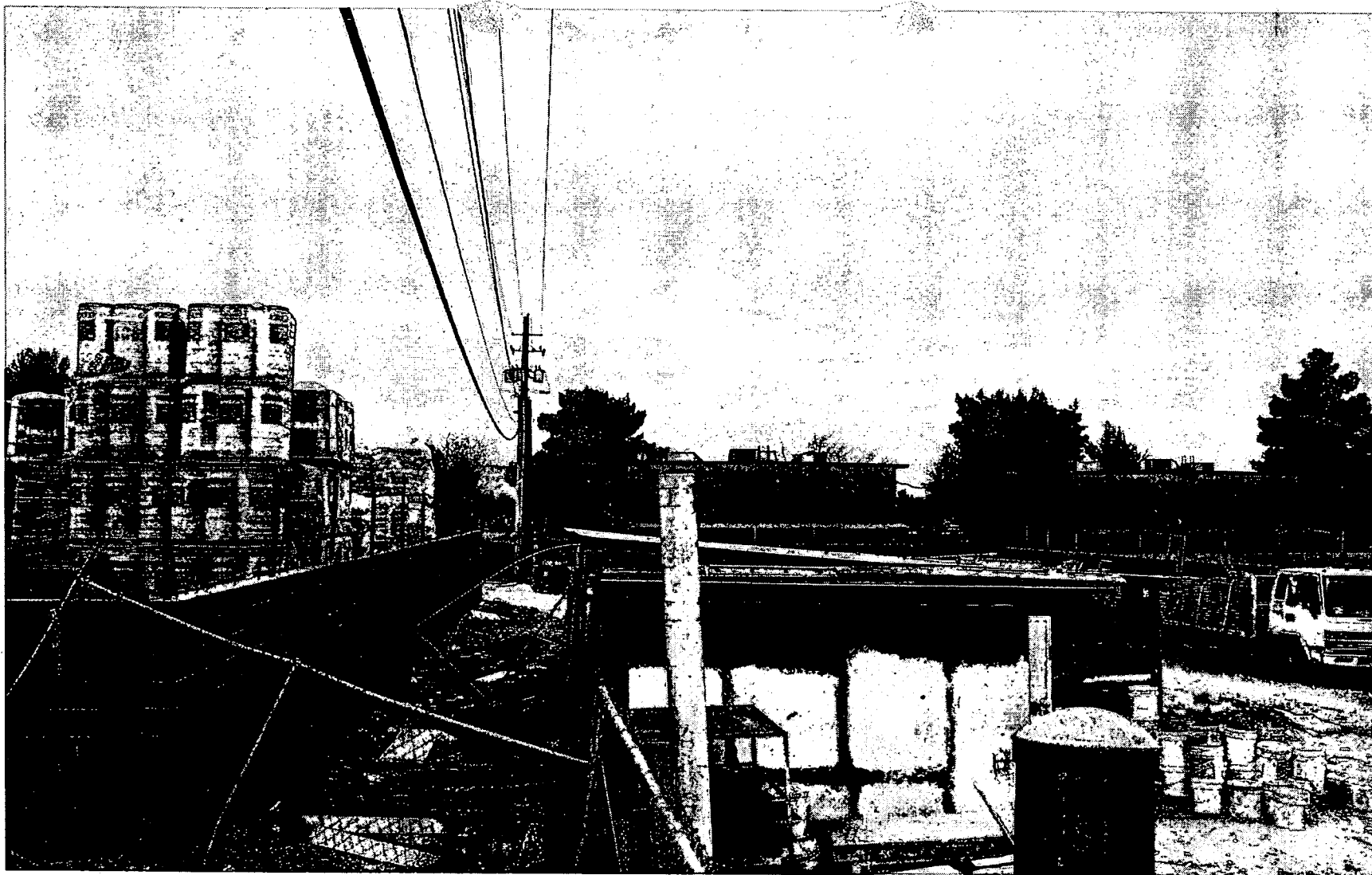
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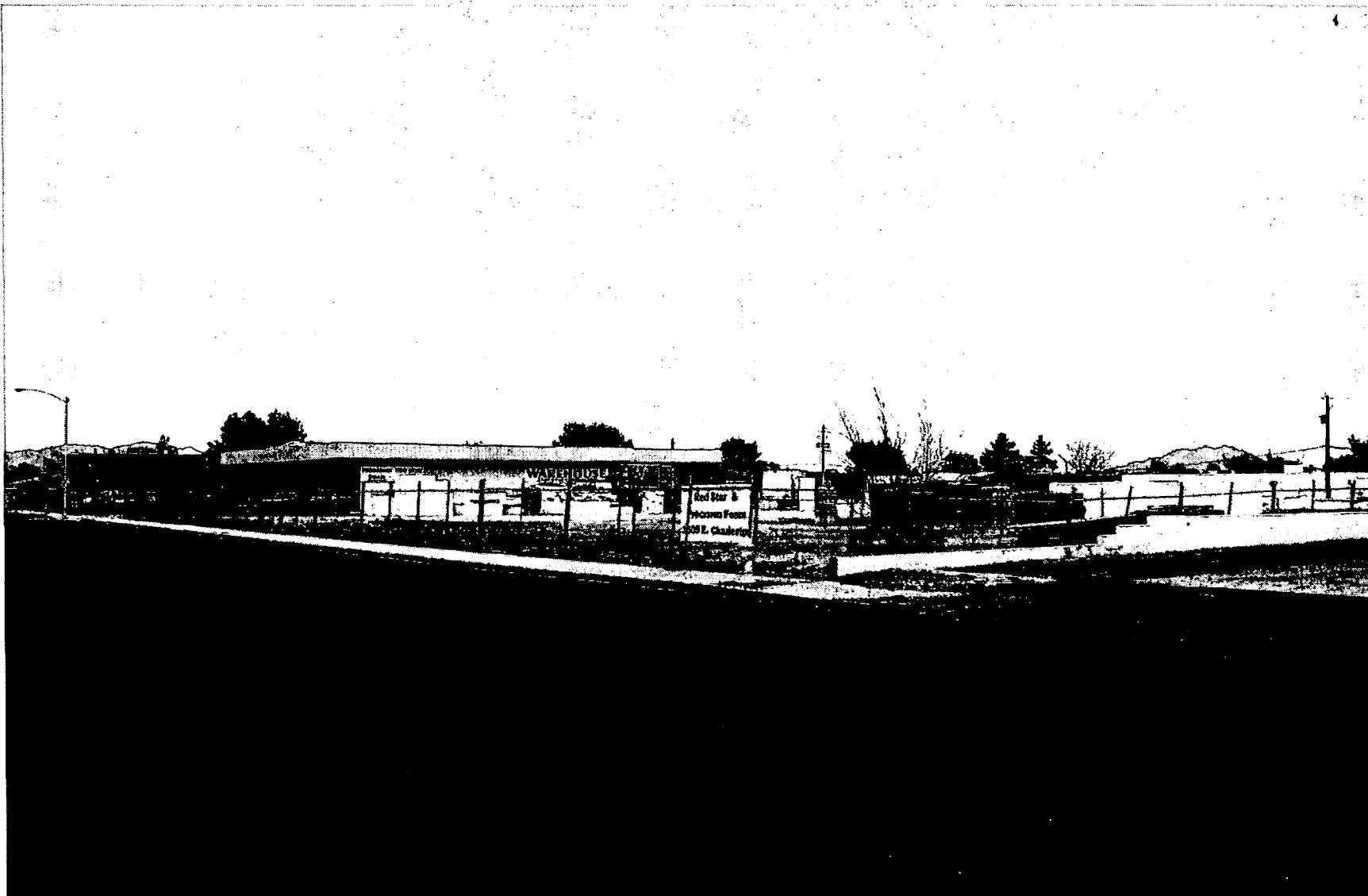
**RQR-5787 - APPLICANT/OWNER: C & C INVESTMENT CO.
3505 East Charleston Boulevard
FEBRUARY 2, 2005 CITY COUNCIL MEETING**

Picture taken 01/13/05



RQR-5787 - APPLICANT/OWNER: C & C INVESTMENT CO.
3505 East Charleston Boulevard
FEBRUARY 2, 2005 CITY COUNCIL MEETING

Picture taken 01/13/05



RQR-5787 - APPLICANT/OWNER: C & C INVESTMENT CO.

3505 East Charleston Boulevard

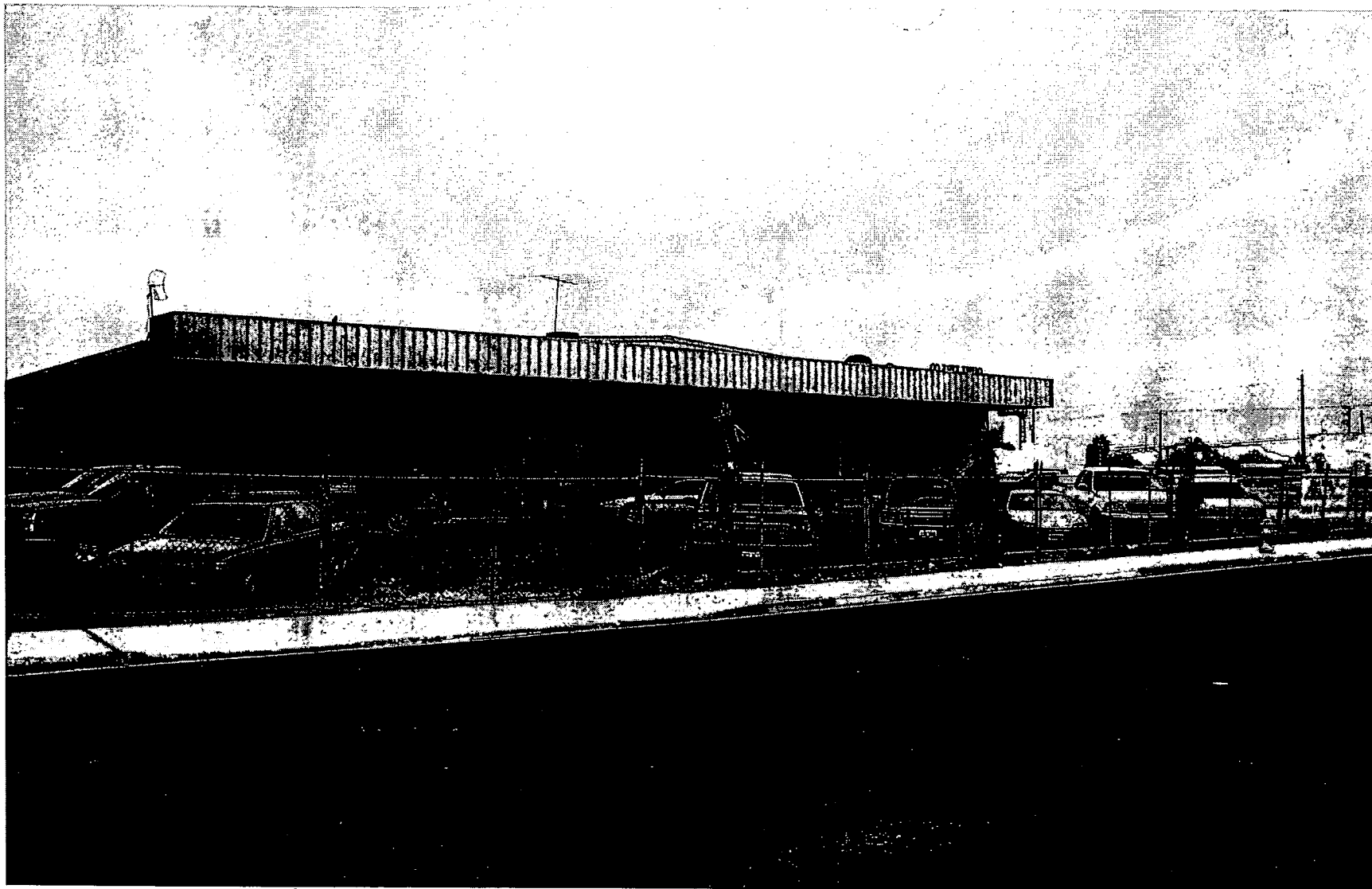
FEBRUARY 2, 2005 CITY COUNCIL MEETING

Picture taken 01/13/05



**RQR-5787 - APPLICANT/OWNER: C & C INVESTMENT CO.
3505 East Charleston Boulevard
FEBRUARY 2, 2005 CITY COUNCIL MEETING**

Picture taken 01/13/05



RQR-5787 - APPLICANT/OWNER: C & C INVESTMENT CO.
3505 East Charleston Boulevard
FEBRUARY 2, 2005 CITY COUNCIL MEETING

Picture taken 01/13/05



MAYOR
OSCAR B. GOODMAN

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

CITY MANAGER
DOUGLAS A. SELBY

March 1, 2004

Mr. Dick Bonar
C & C Investment Company
3505 East Charleston Boulevard
Las Vegas, Nevada 89104

RE: SUP-3385 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF FEBRUARY 4, 2004
Related to GPA-3382, ZON-3383 & SDR-3384

Dear Mr. Bonar:

The City Council at a regular meeting held February 4, 2004 APPROVED the request for a Special Use Permit FOR 40 PERCENT OF THE LOT AREA CONTAINING THE PRINCIPAL USE TO BE USED FOR OUTSIDE STORAGE WHERE FIVE PERCENT IS THE MAXIMUM PERMITTED on property located at 3505 East Charleston Boulevard (APN: 140-31-401-033, 042, and a portion of 043), R-2 (Medium-Low Density Residential), R-1 (Single-Family Residential), and C-1 (Limited Commercial) Zones [PROPOSED: C-M (Commercial/Industrial) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on February 5, 2004. This approval is subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in one year.
2. Outside storage is not permitted within required setback or buffer areas.
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. Approval and conformance to the Conditions of Approval Site Development Plan Review (SDR-3384).
5. All City Code requirements and design standards of all City departments must be satisfied.

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

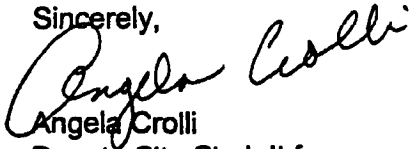
VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

RQR-5787

Mr. Dick Bonar
SUP-3385 – Page Two
March 1, 2004

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

Sincerely,



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



Margo Wheeler, AICP
Deputy Director
Planning and Development Department

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

Mr. John Coolidge
3505 East Charleston Boulevard
Las Vegas, Nevada 89104

Mr. Dick Bonar
8275 South Eastern Avenue
Las Vegas, Nevada 89123

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT

RQR-5171 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC - Appeal filed by the Applicant from the Denial by the Planning Commission of a Required Two Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3900 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-1 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 (6-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Lamar Advertising
5. Submitted after final agenda - Abeyance request by Lamar Advertising

MOTION:

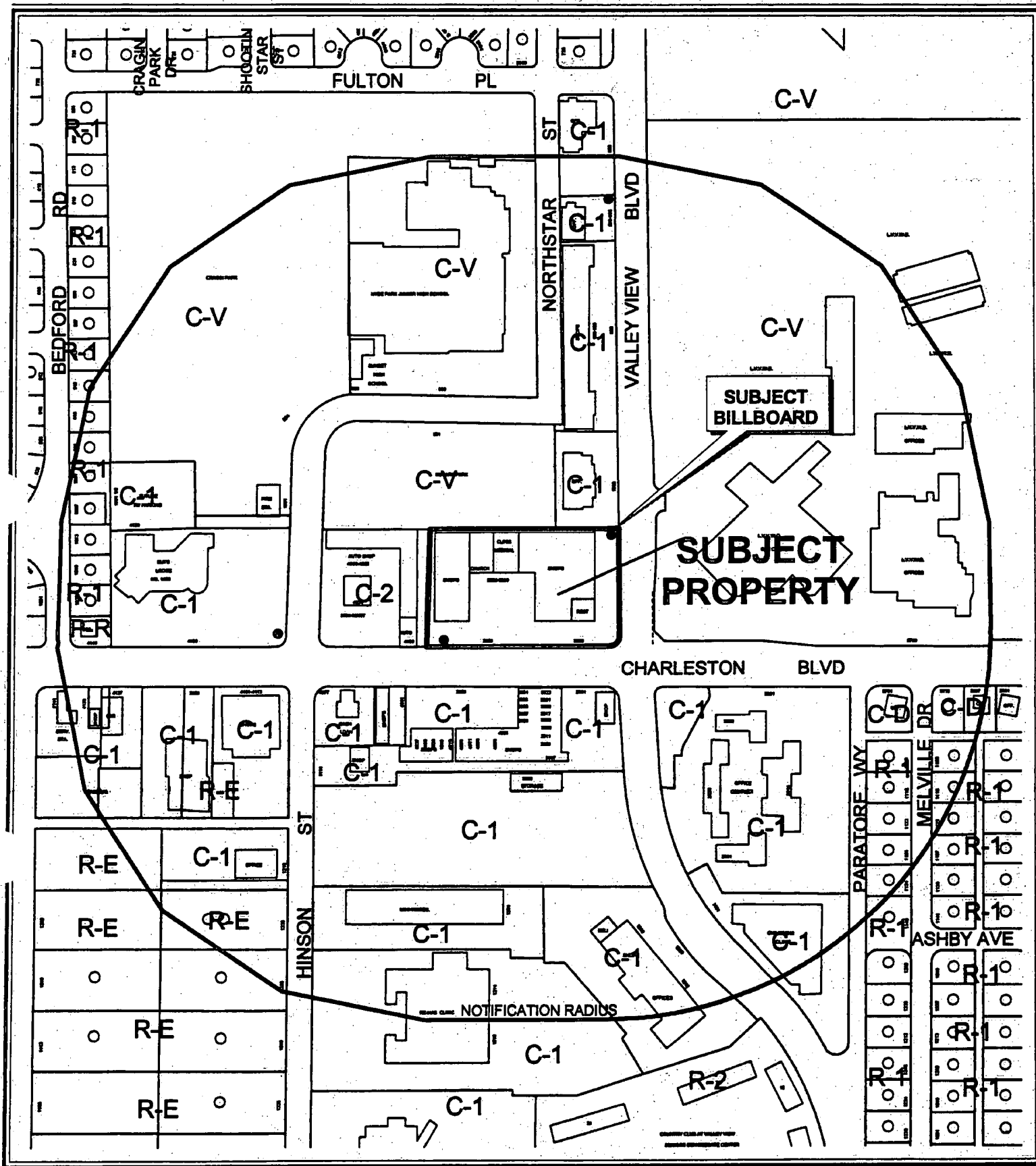
REESE - Motion to STRIKE Item 61 [5604 Emperor Way], Item 62 [1832 Lewis Avenue], Item 63 [1836 Lewis Avenue], and to HOLD IN ABEYANCE Item 76 [SUP-2848], Item 77 [SUP-3394], Item 78 [SUP-4532] to 2/16/2005 and HOLD IN ABEYANCE Item 72 [RQR-5138], Item 74 [RQR-5171], Item 75 [RQR-5513] and Item 79 [SUP-4693] to 3/2/2005 - UNANIMOUSLY with BROWN and MACK excused

MINUTES:

There was no discussion.

(1:05 - 1:08)

3-1

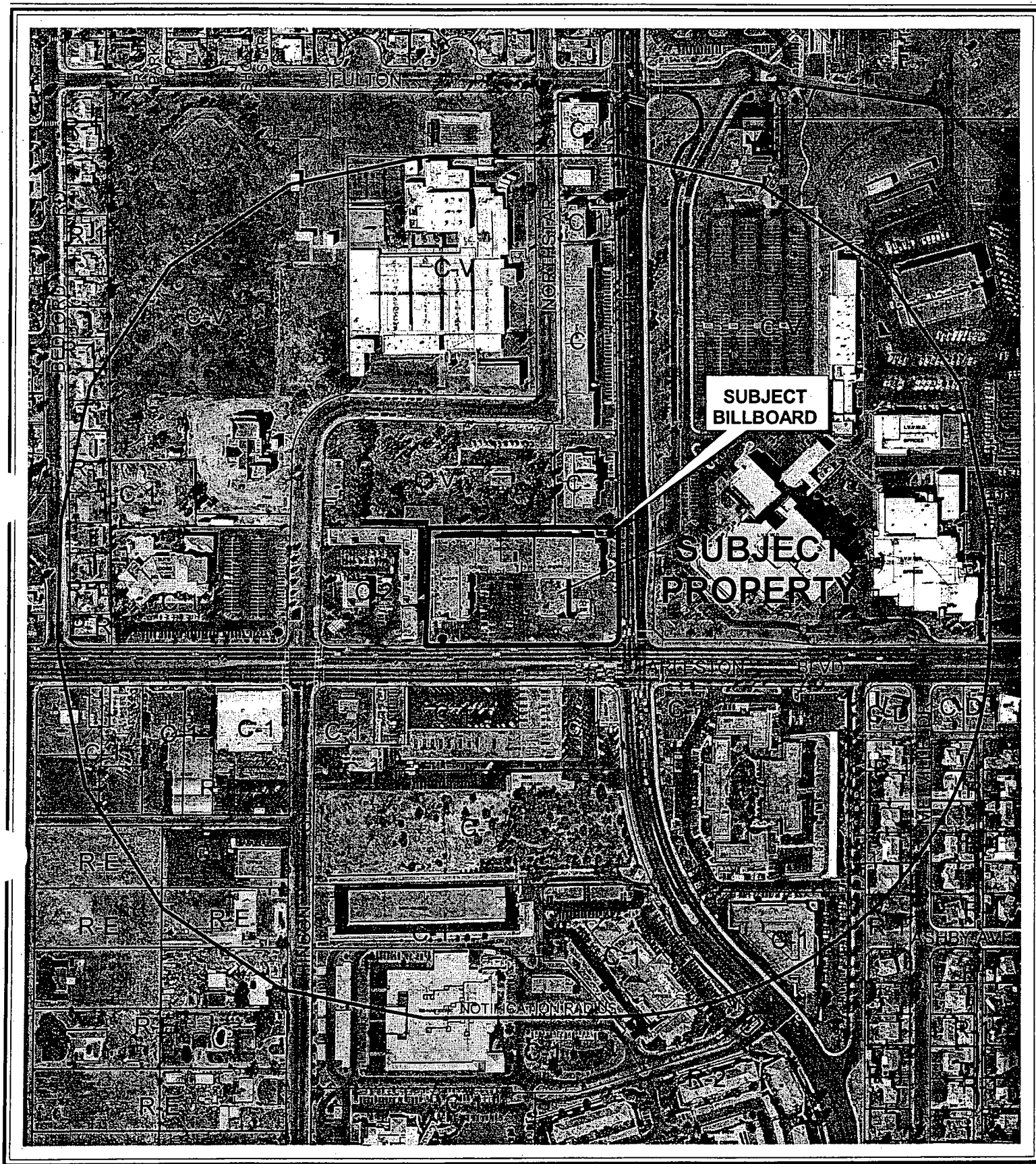


CASE: RQR-5171

RADIUS: 750 FT

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





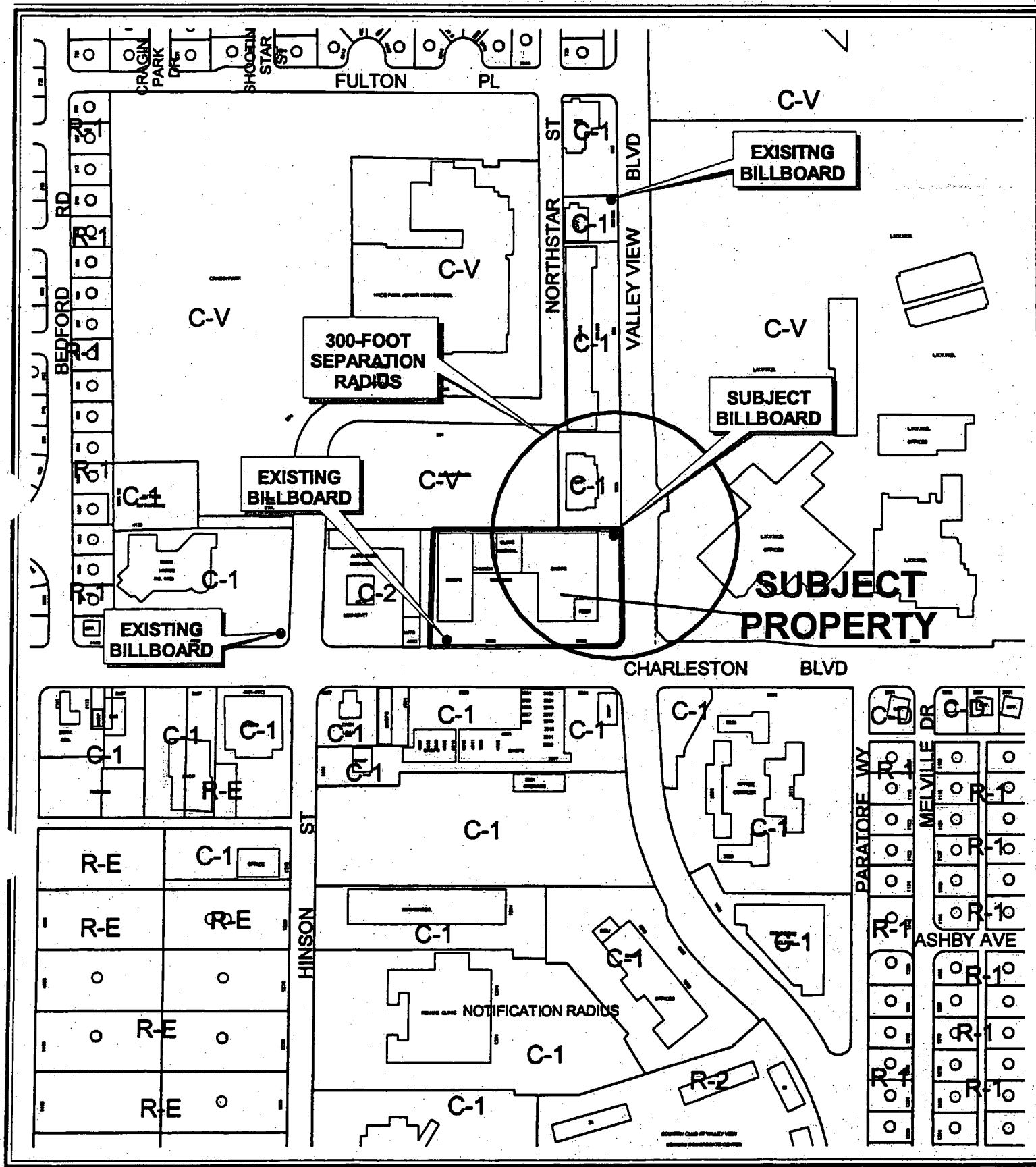
CASE: RQR-5171

RADIUS: 750 FT

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

0 200 400 Feet





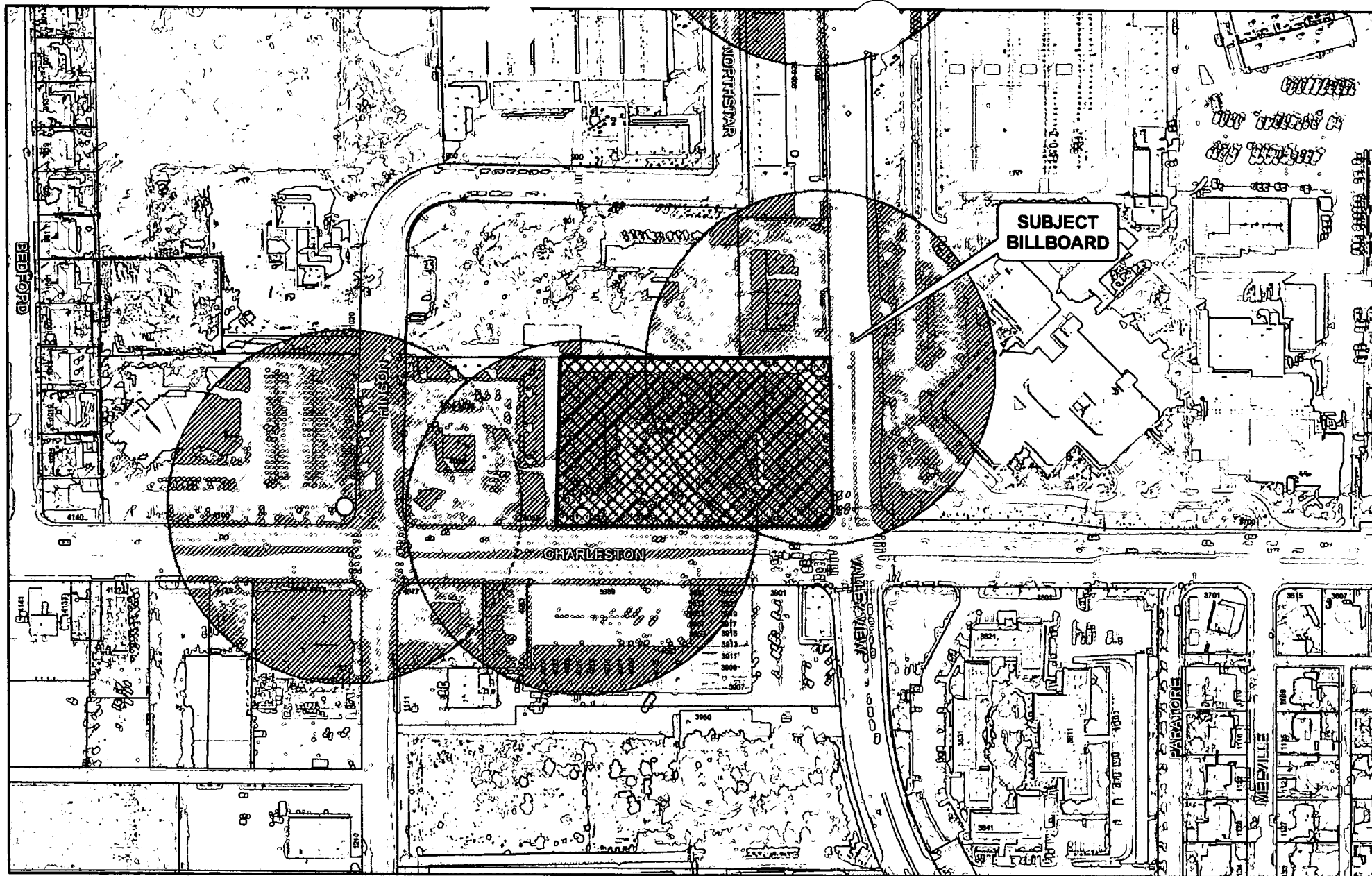
CASE: RQR-5171

SEPARATION RADIUS: 300 FT

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

0 200 400 Feet





RQR-5171

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: FEBRUARY 2, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - RQR-5171 – APPLICANT: LAMAR
ADVERTISING – OWNER: Z J & R PROPERTIES, LLC**

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

**** CONDITIONS ****

The Planning Commission (6-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year 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 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.
3. The off-premise advertising sign (billboard) supporting structure shall be designed to finish materials to complement the existing on-site building. 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.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti and bird droppings at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. 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 the applicant from the Denial by the Planning Commission on a Required One Year Review on an approved Special Use Permit, which allowed a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 3900 West Charleston Boulevard.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

- 04/20/94 The City Council approved a Special Use Permit (U-0043-94) for two 55-foot-high, 14-foot x 48-foot off-premise advertising (billboard) signs on the subject site.
- 05/29/99 The City Council approved a required five-year review [U-0043-94(1)] on the approved Special Use Permit; subject to review in two years time.
- 07/05/01 The City Council approved a required two-year review [U-0043-94(2)] on the approved Special Use Permit; subject to a one-year review for the billboard located at 3900 West Charleston Boulevard, and a two-year review for the billboard located at 3920 West Charleston Boulevard. The Planning Commission voted to approve the billboard at 3920 West Charleston Boulevard and denial of the billboard at 3900 West Charleston Boulevard.
- 08/21/02 The City Council reviewed an appeal of the denial of the Planning Commission and approved the two-year review of the approved Special Use Permit [U-0043-94(4)] for the billboard at 3900 West Charleston Boulevard.
- 11/05/03 The City Council reviewed an appeal of the denial of the Planning Commission and approved the one-year review (RQR-2860) of the approved Special Use Permit [U-0043-94(4)] for the billboard at 3900 West Charleston Boulevard. Planning Commission and staff recommended denial on September 25, 2003.
- 10/21/04 The Planning Commission voted 6-1 to recommend DENIAL (PC Agenda Item #11/srs).

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 1.23 Acres

B) *Existing Land Use*

Subject Property: Existing Retail
North: Existing Retail
South: Existing Retail
East: Las Vegas Valley Water District
West: Existing Retail

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: SC (Service Commercial)
East: PF (Public Facility)
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-V (Civic)
West: C-1 (Limited Commercial)

E) *General Plan Compliance*

The SC (Service Commercial) category of the Southeast Sector Land Use Plan of the General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

<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 billboard is not situated within any Special Area Plan, Special Overlay District, DINA, or PRS.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	406 feet to another Off Premise Sign

The nearest billboard oriented to Charleston Boulevard similar to the subject sign is beyond the 300-foot distance from the subject sign.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned C-1 (Limited Commercial). The existing off-premise advertising (billboard) sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.14.100 permits the removal of the sign if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not seen substantial change since initial approval of this Special Use Permit. However, the continuance of an off-premise advertising (billboard) sign in this area is inappropriate because of opening of the Las Vegas Springs Preserve to the east, a 110-acre public facility, representing important change in the immediate area.

- Current Condition of the Sign

A site visit of the parcel found the sign in conformance with Conditions of RQR-5171:

1. The Special Use Permit shall be reviewed in one year 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. 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 advertising sign.
5. All City Code requirements and design standards of all City departments must be satisfied.

FINDINGS

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

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

Title 19.14.100 permits the removal of the signs if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. This use is not compatible and harmonious with this and future land uses as projected by the General Plan. The presence of the Las Vegas Springs Preserve significantly improves the nature of the area, and is not compatible with the urban clutter of billboards. Denial of this use is recommended.

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

There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this commercial site.

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

Off-premise advertising signs do not generate automotive traffic and therefore will not affect the existing public rights-of-way adjacent to this site.

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

The off-premise advertising (billboard) sign will be subject to regular City inspections and licensing requirements and will not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NOTICES MAILED 54 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5171** APN: **139-31-801-018**
Name of Property Owner: **E.J.R. Properties LLC**
Name of Applicant: **Lamar Advertising**

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 Naffziger
Scott Naffziger
on behalf of owner

Subscribed and sworn before me

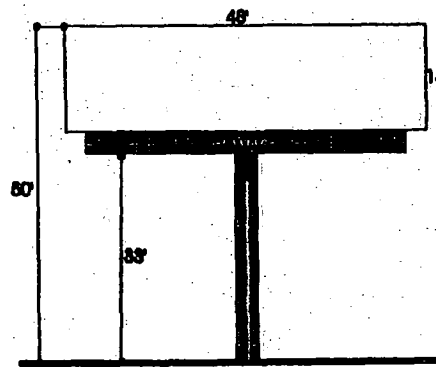
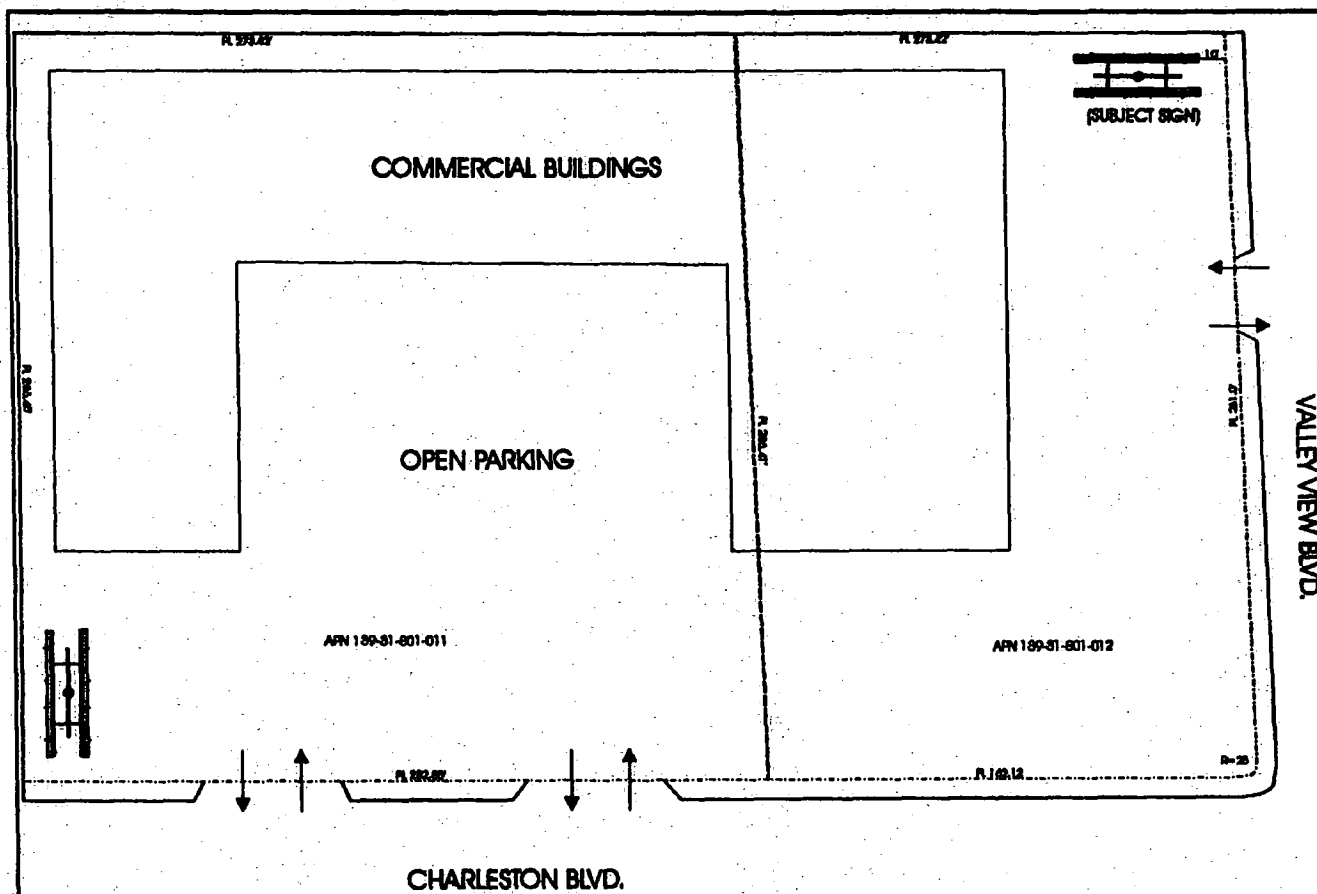
This **27** day of **August**, 20**04**

Lynda S Miles

Notary Public in and for said County and State



LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires 8 Sept. 25, 2007



ELEVATION (NO SCALE)

RQR-5171
10/21/04 PC

LAMAR OUTDOOR ADVERTISING		
SCALE: 1"=30'	DATE: 07/16/03	DRAWN BY: P. Rose
Z Properties #2		DRAWING NUMBER
APN 139-31-801-012		



RQR-5171 - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC
3900 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION



LAMAR ADVERTISING COMPANY

October 22, 2004

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

Dear Sir or Madam:

Lamar Advertising, with this letter, requests an appeal to the Las Vegas City Council of the October 22, 2004 Planning Commission's decision to deny application **RQR-5171**, a required review of a Special Use Permit for an existing off-premise sign.

Should you have any questions, please contact me at 873-4600. Thank you for your attention in this matter.

Sincerely,

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

Scott Naftzger
Project Coordinator, Lamar Advertising

RECEIVED
CITY CLERK

2004 OCT 22 A 11:43



LAMAR ADVERTISING COMPANY

RECEIVED
CITY CLERK

2005 JAN 31 P 2:57

January 31, 2005

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

Dear Sir or Madam:

Lamar Advertising would like to request that the following items from the February 2, 2005 City Council meeting be held in abeyance until the March 2, 2005 City Council meeting: #72. RQR-5168, a required review for an existing off-premise sign. #74. RQR-5171, a required review for an existing off-premise sign and #75. RQR-5513, a required review for an existing off-premise sign.

Thank you for your attention in this matter.

Sincerely,

Scott Naftzger
Project Coordinator, Lamar Advertising

Submitted after final agenda

Date 1/31/05 Item # 74

1863 Helm Drive, Las Vegas, Nevada 89119
PH. (702) 873-4600 FAX (702) 873-4344

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED FOUR YEAR REVIEW - SPECIAL USE PERMIT

RQR-5513 - ABEYANCE ITEM - 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.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

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. Submitted after final agenda - Abeyance request by Lamar Advertising

MOTION:

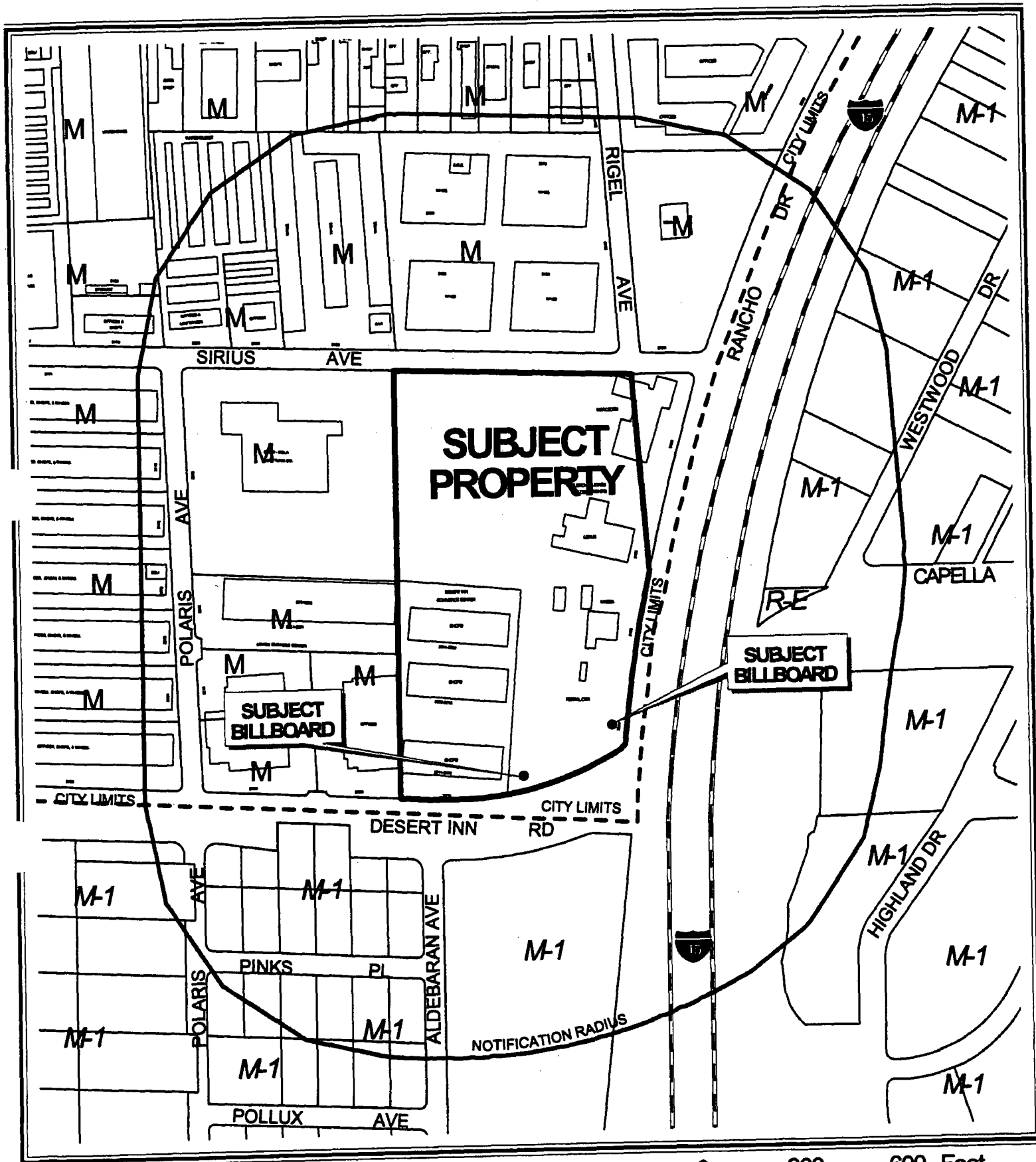
REESE - Motion to STRIKE Item 61 [5604 Emperor Way], Item 62 [1832 Lewis Avenue], Item 63 [1836 Lewis Avenue], and to HOLD IN ABEYANCE Item 76 [SUP-2848], Item 77 [SUP-3394], Item 78 [SUP-4532] to 2/16/2005 and HOLD IN ABEYANCE Item 72 [RQR-5138], Item 74 [RQR-5171], Item 75 [RQR-5513] and Item 79 [SUP-4693] to 3/2/2005 - UNANIMOUSLY with BROWN and MACK excused

MINUTES:

There was no discussion.

(1:05 - 1:08)

3-1



CASE: RQR-5513

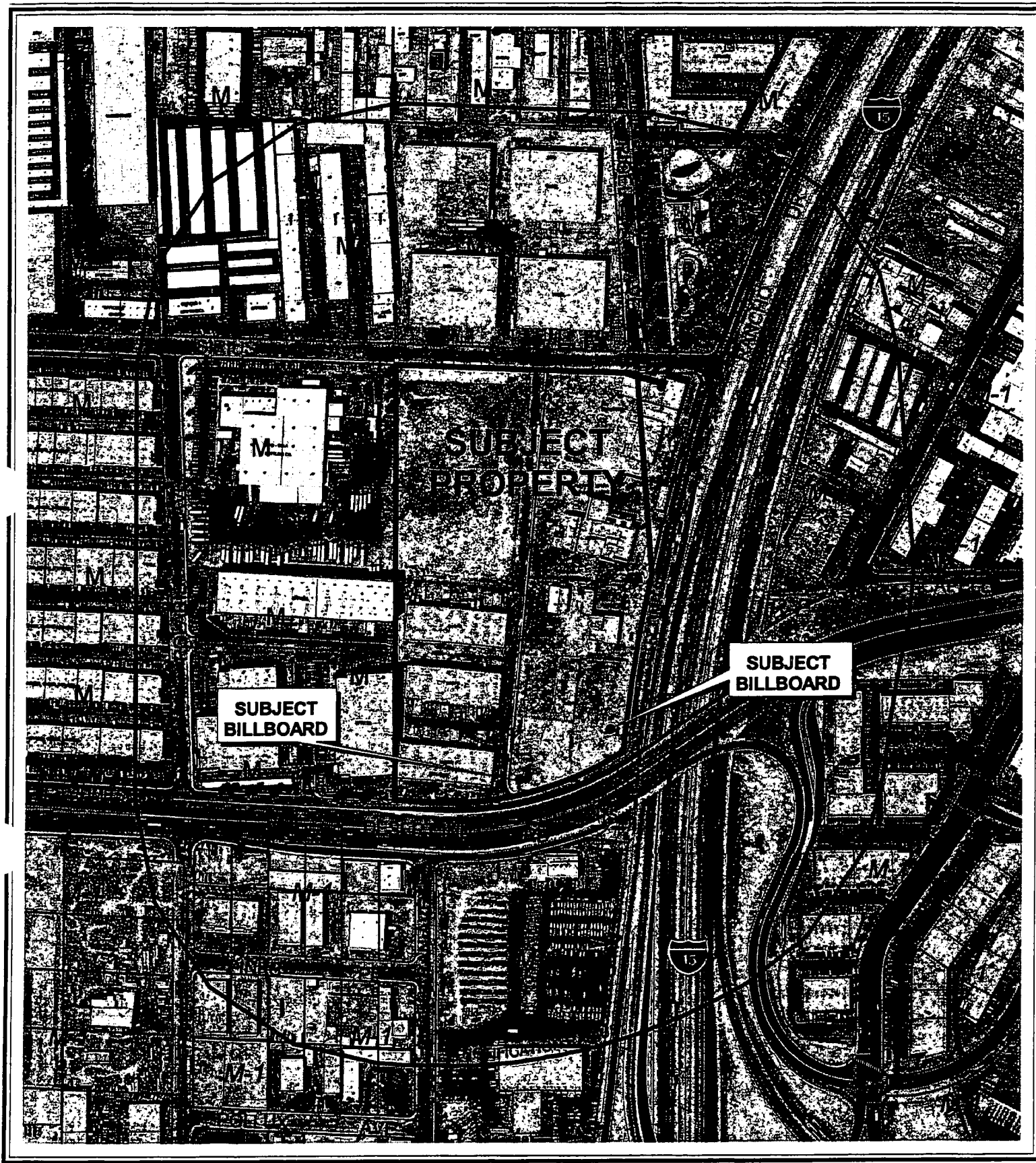
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

75





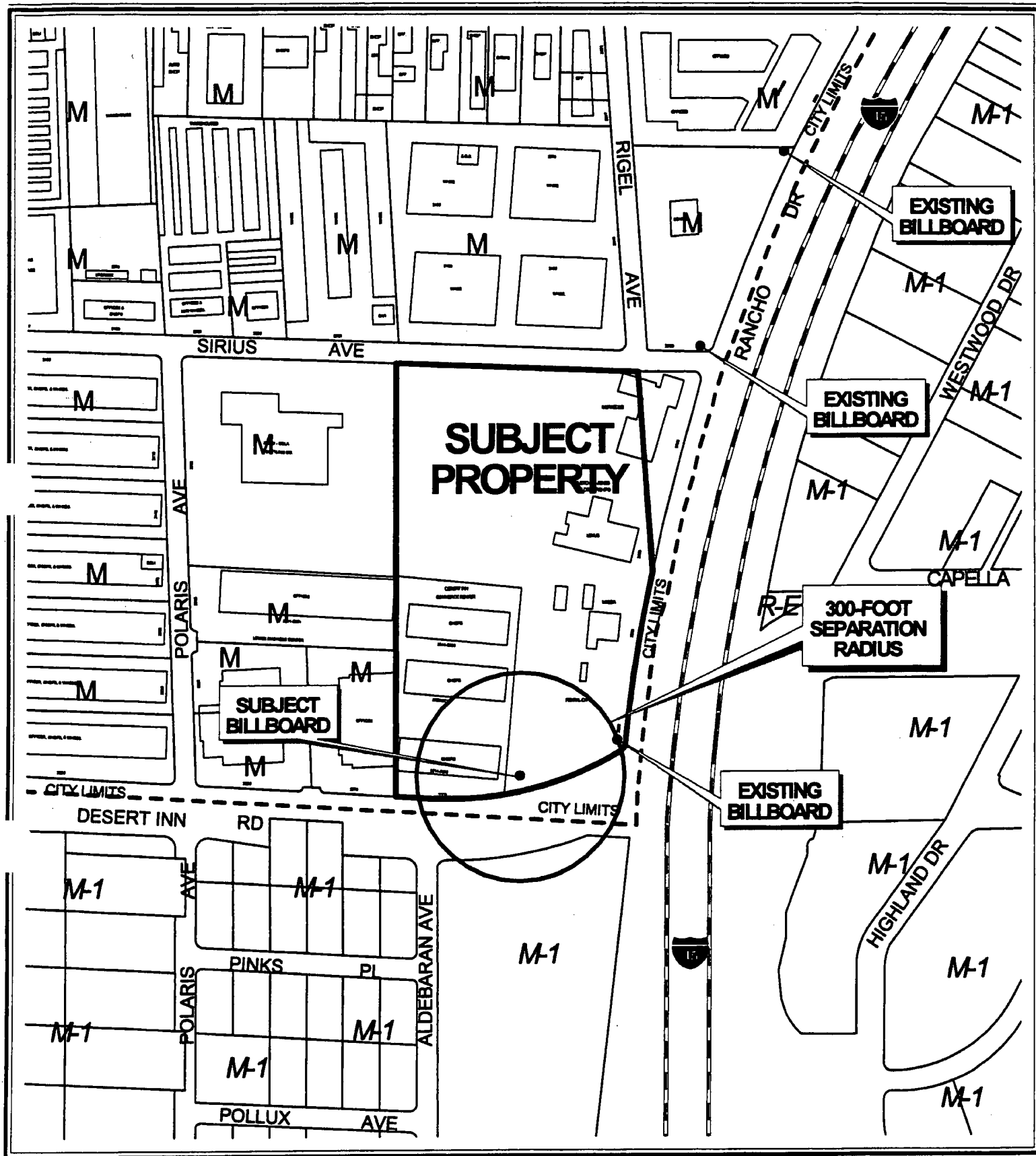
CASE: RQR-5513

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
M (INDUSTRIAL) AND M (INDUSTRIAL) UNDER RESOLUTION OF INTENT TO C-1
(LIMITED COMMERCIAL)

0 300 600 Feet





CASE: RQR-5513

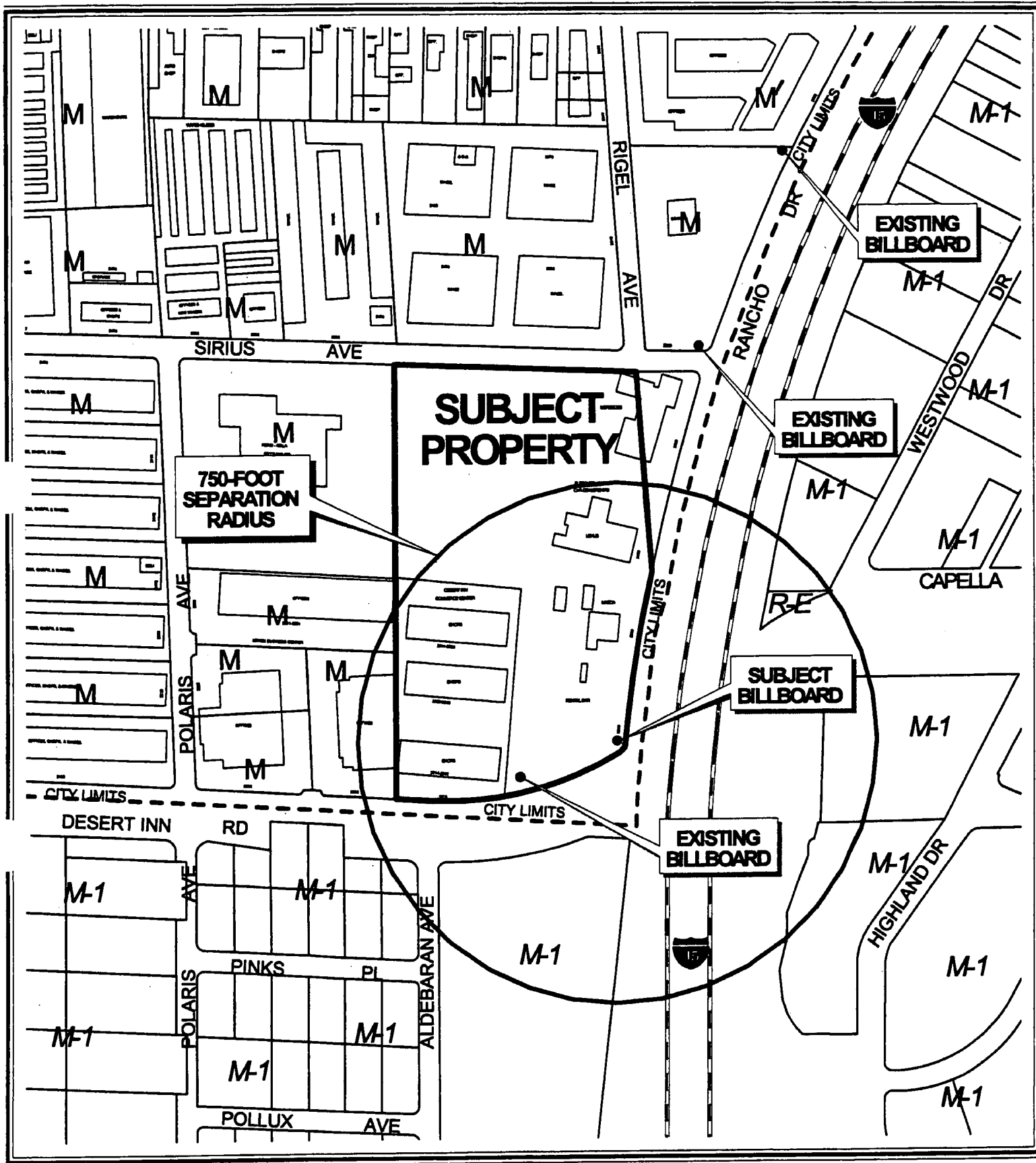
SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet





CASE: RQR-5513

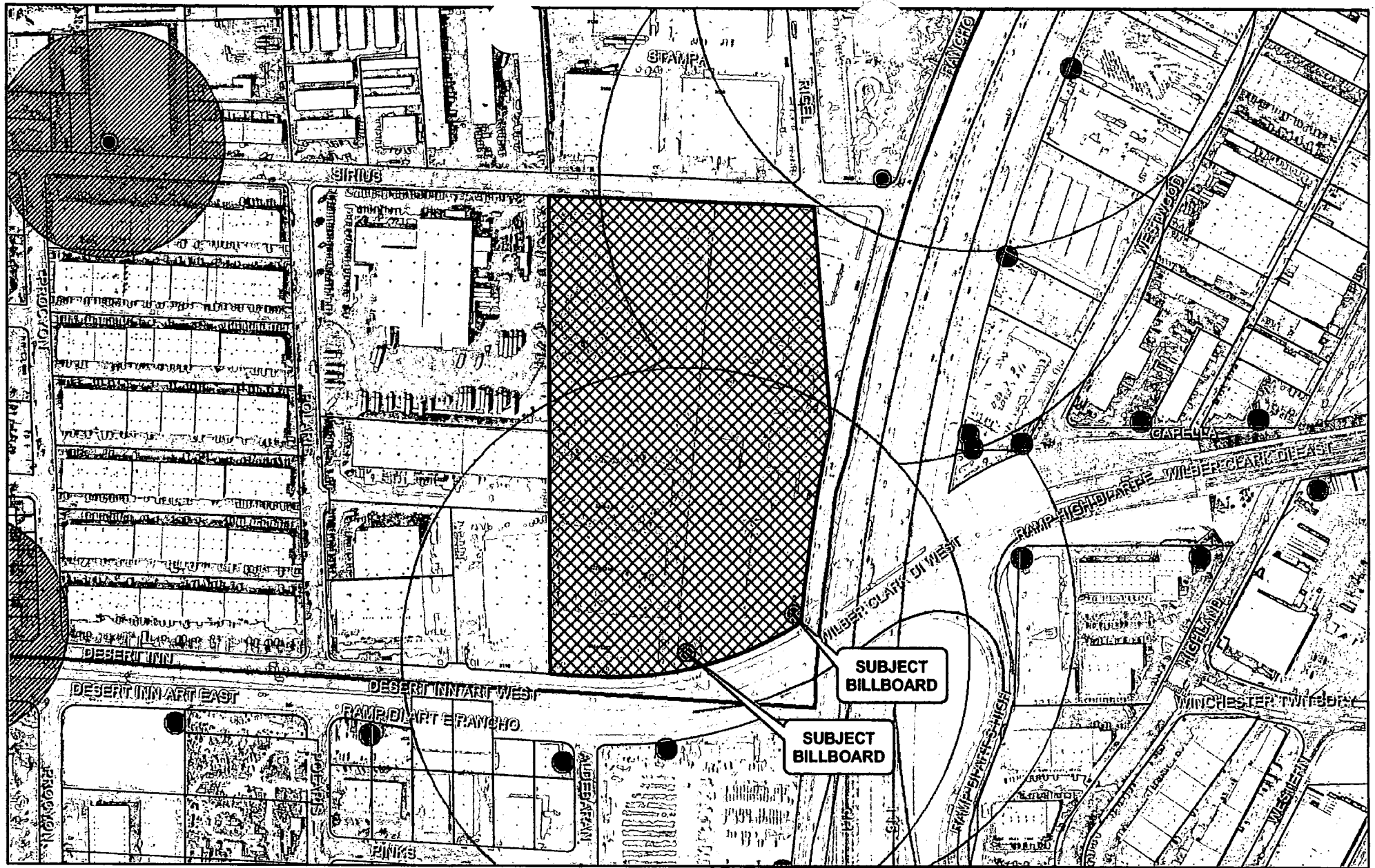
SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet





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: FEBRUARY 2, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

***THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 19, 2005 CITY COUNCIL
MEETING AT THE APPLICANT'S REQUEST.***

**** 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

ALMA OUTDOOR ADVERTISING, INC.

100%
100%
100%

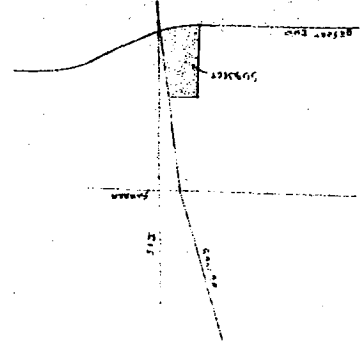
DESERT 100 ROAD
(UNDER CONSTRUCTION)

Center of sign to
be 35'

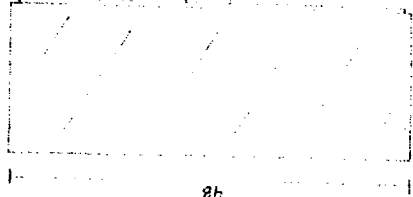
NEW LOT

INTERSTATE 15

RAVINE RD



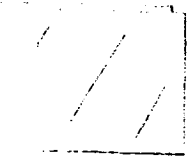
Location 2



48'

16'

Location 1



N

A. DATED: AS THE
SOUTH 1/2, SECTION 16,
TOWNSHIP 21 SOUTH,
RANGE 51 EAST
PRECEDENCE 1/2-08-001-001
PROJECT 3100 S. RAVINE

APPROVED
LOCATION ONLY
11/1/03

AS ORDERED
11/1/03

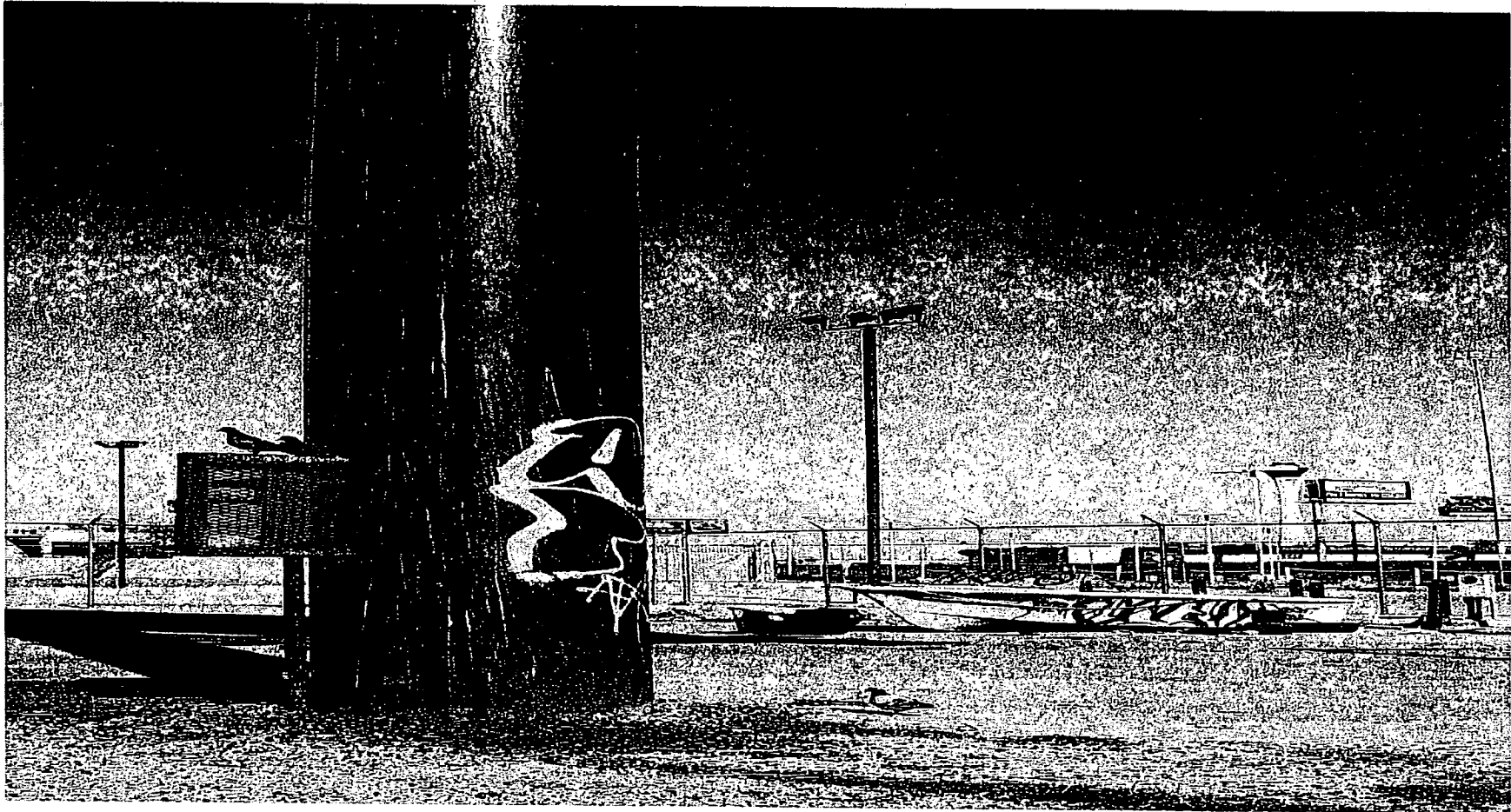
Project Name	Project No.
Project Date	Project Status
Project Location	Project Description

RQR-5513
12/16/04 PC



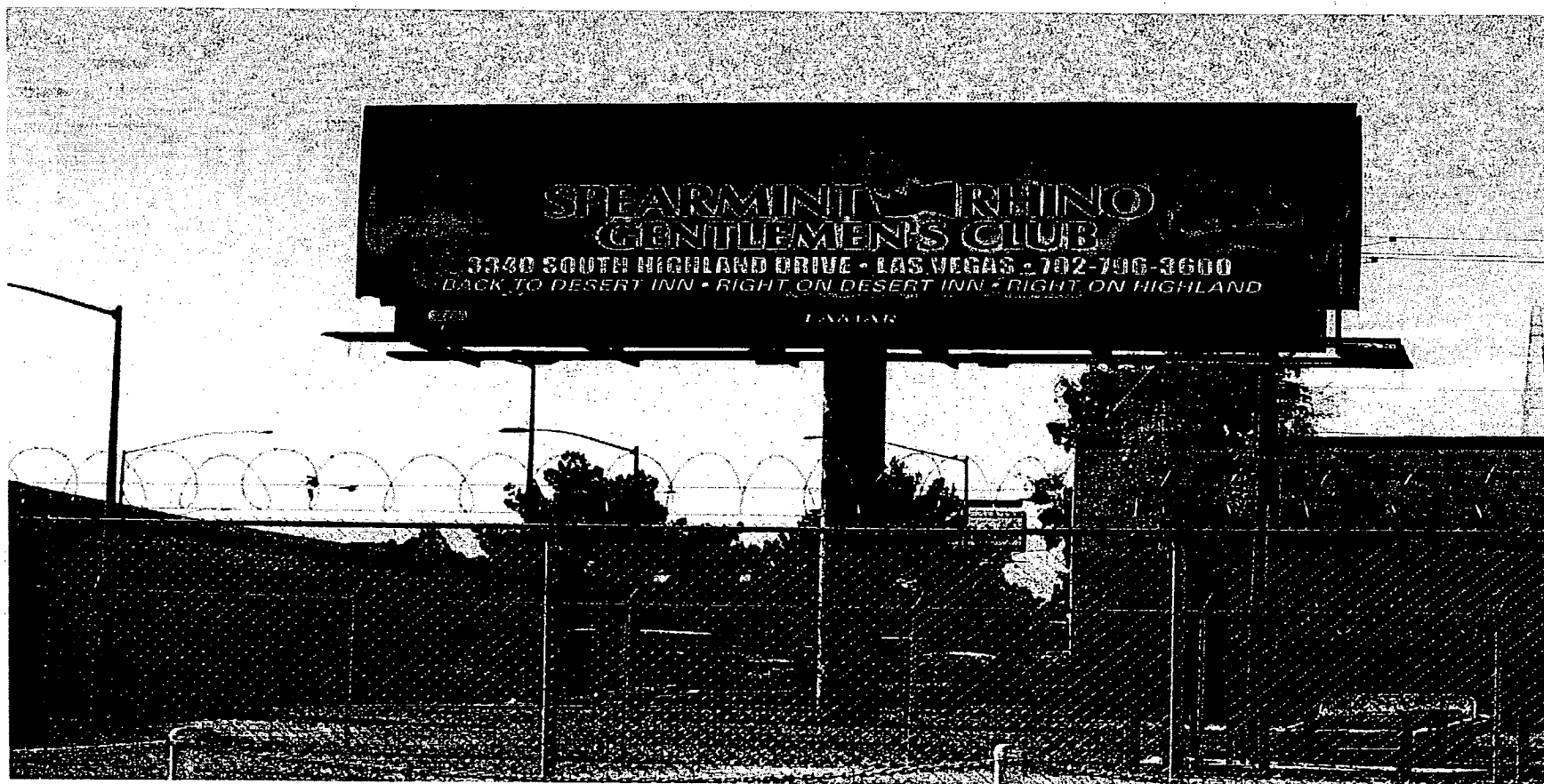
RQR-5513 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: FLETCHER JONES SR TRUST &
JR TRUST, ET AL
3200 SOUTH RANCHO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

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 &
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 &
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
TTE B. McDONALD
RENCE 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
ASSISTANT DEPUTY CITY CLERK for
BARBARA JO RONEMUS, CITY CLERK

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

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

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



LAMAR ADVERTISING COMPANY

RECEIVED
CITY CLERK

2005 JAN 31 P 2:57

January 31, 2005

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

Dear Sir or Madam:

Lamar Advertising would like to request that the following items from the February 2, 2005 City Council meeting be held in abeyance until the March 2, 2005 City Council meeting: #72. RQR-5168, a required review for an existing off-premise sign. #74. RQR-5171, a required review for an existing off-premise sign and #75. RQR-5513, a required review for an existing off-premise sign.

Thank you for your attention in this matter.

Sincerely,

Scott Naftzger
Project Coordinator, Lamar Advertising

Submitted after final agenda

Date 1/31/05 Item #75

1863 Helm Drive, Las Vegas, Nevada 89119
PH. (702) 873-4600 FAX (702) 873-4344

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 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 by Singer & Brown

MOTION:

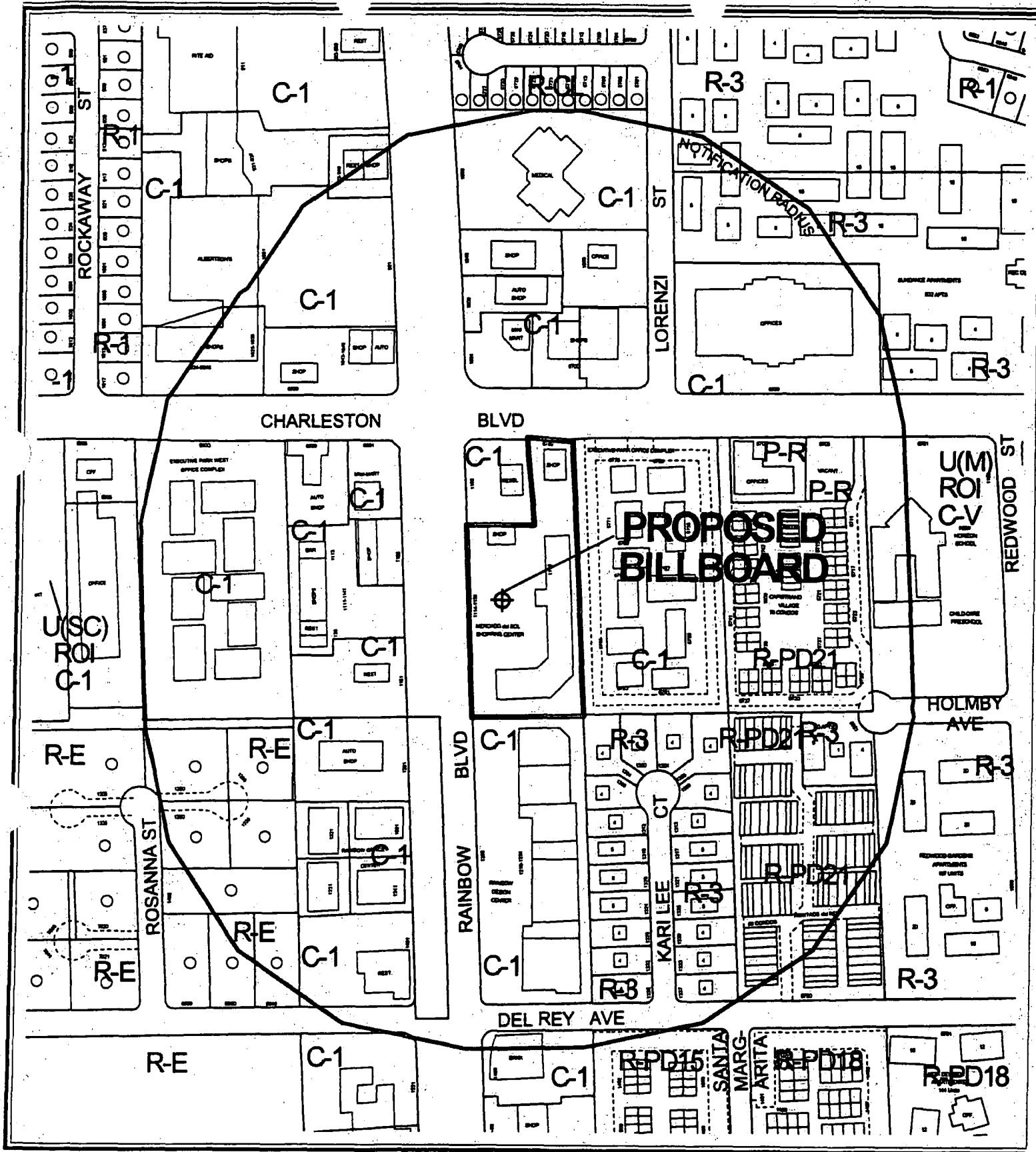
REESE - Motion to STRIKE Item 61 [5604 Emperor Way], Item 62 [1832 Lewis Avenue], Item 63 [1836 Lewis Avenue], and to HOLD IN ABEYANCE Item 76 [SUP-2848], Item 77 [SUP-3394], Item 78 [SUP-4532] to 2/16/2005 and HOLD IN ABEYANCE Item 72 [RQR-5138], Item 74 [RQR-5171], Item 75 [RQR-5513] and Item 79 [SUP-4693] to 3/2/2005 - UNANIMOUSLY with BROWN and MACK excused

NOTE: DEPUTY CITY ATTORNEY BRYAN SCOTT advised MAYOR GOODMAN of his ability to vote on the abeyance of Item 76 [SUP-2848]. Had the item been heard, he would have needed to abstain since JAY BROWN, an associate with whom he shares ownership of property on West Charleston Boulevard, represents the item.

MINUTES:

There was no discussion.

(1:05 - 1:08)



CASE: SUP-2848

RADIUS: 750 FT

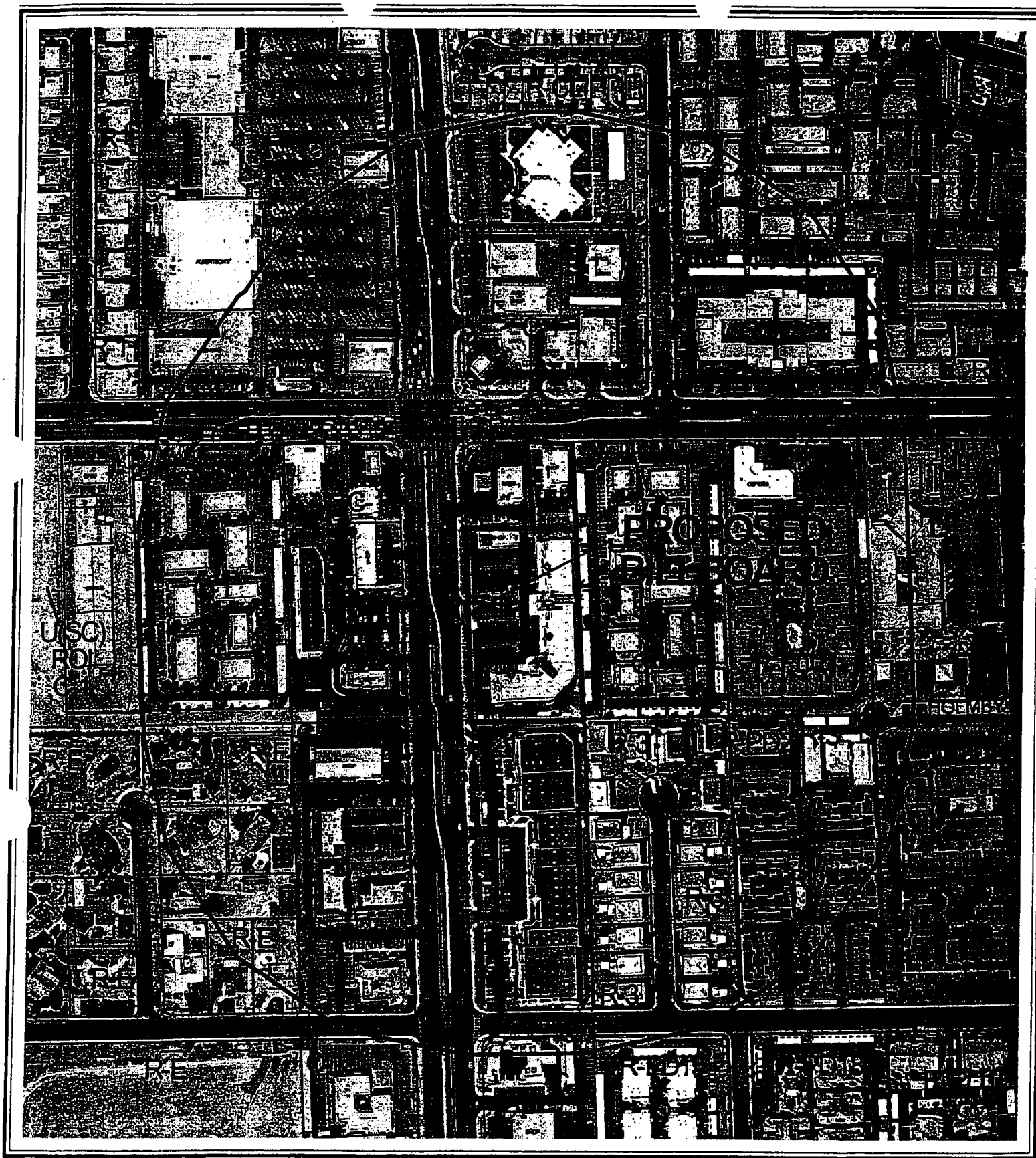
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



76





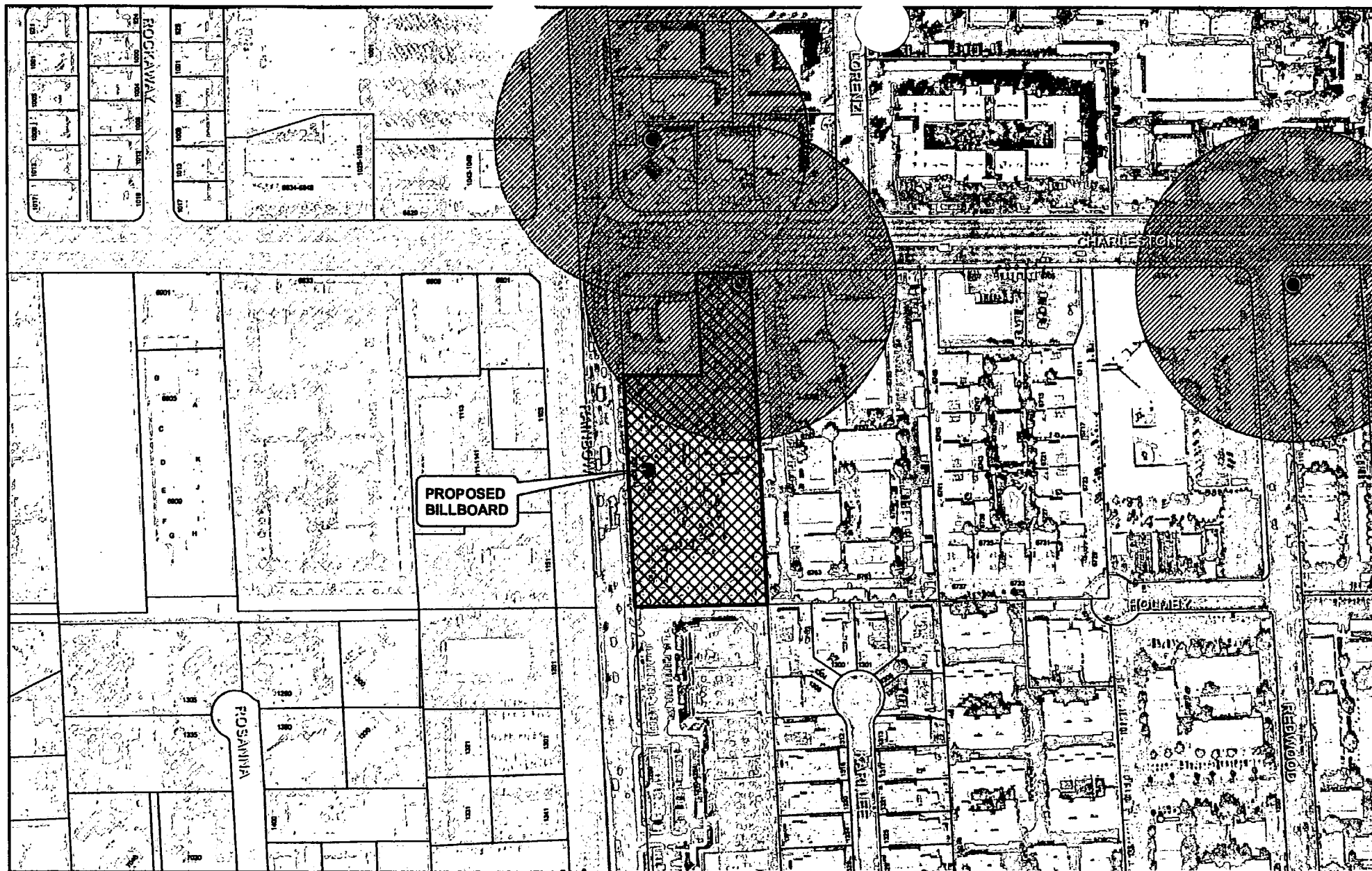
CASE: SUP-2848

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: FEBRUARY 2, 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 JANUARY 19, 2005 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.

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 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 JANUARY 19, 2005 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.”**

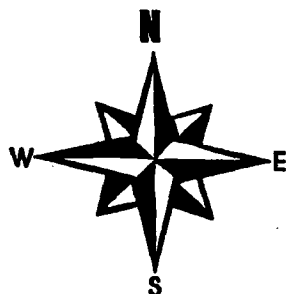
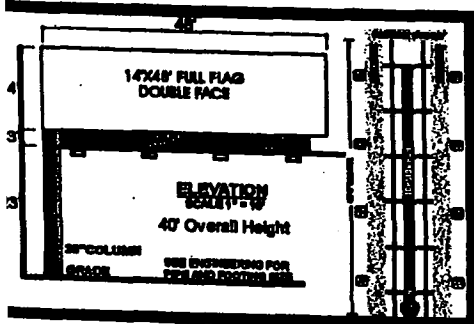
The proposed Off-Premises Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 297 by Planning Department

APPROVALS 0

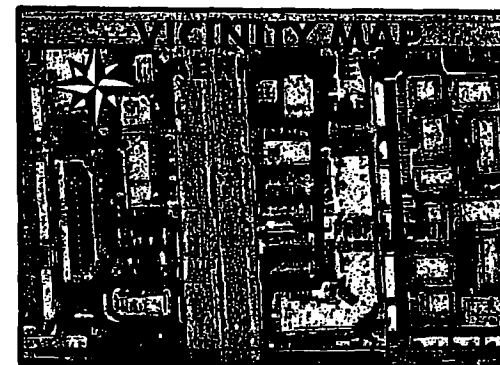
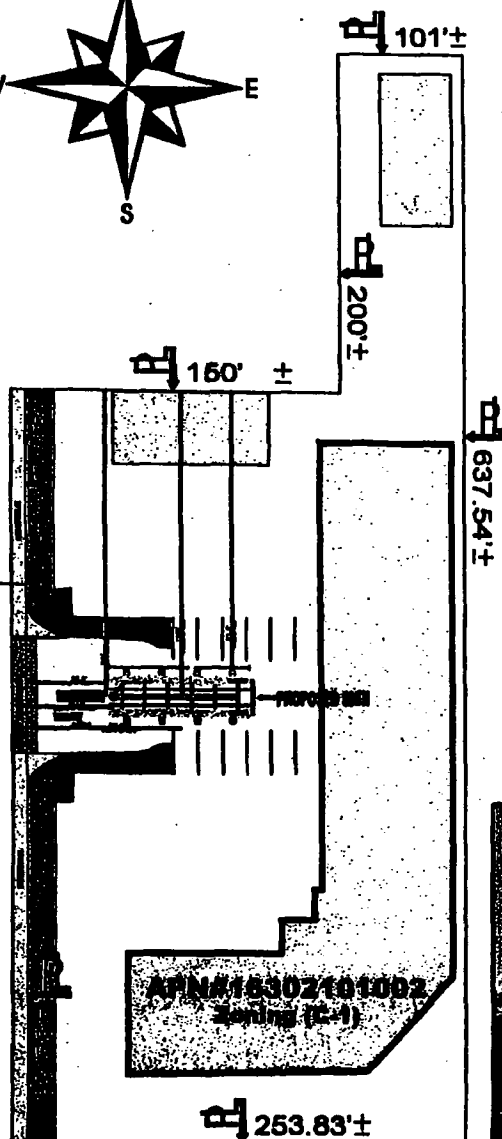
PROTESTS 2





RAINBOW

75'
HALF ROW



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**

JOINED

C O G III LTD			
DATE NOTED	FORWARDED BY	PROJECT BY	
DATE 7-11-03		PROJECT	
LOCATION 1110 S RAINBOW BLVD 89146			
APN# 16302101002		SHEET NUMBER 210	

**SUP-2848
09-11-03 PC**



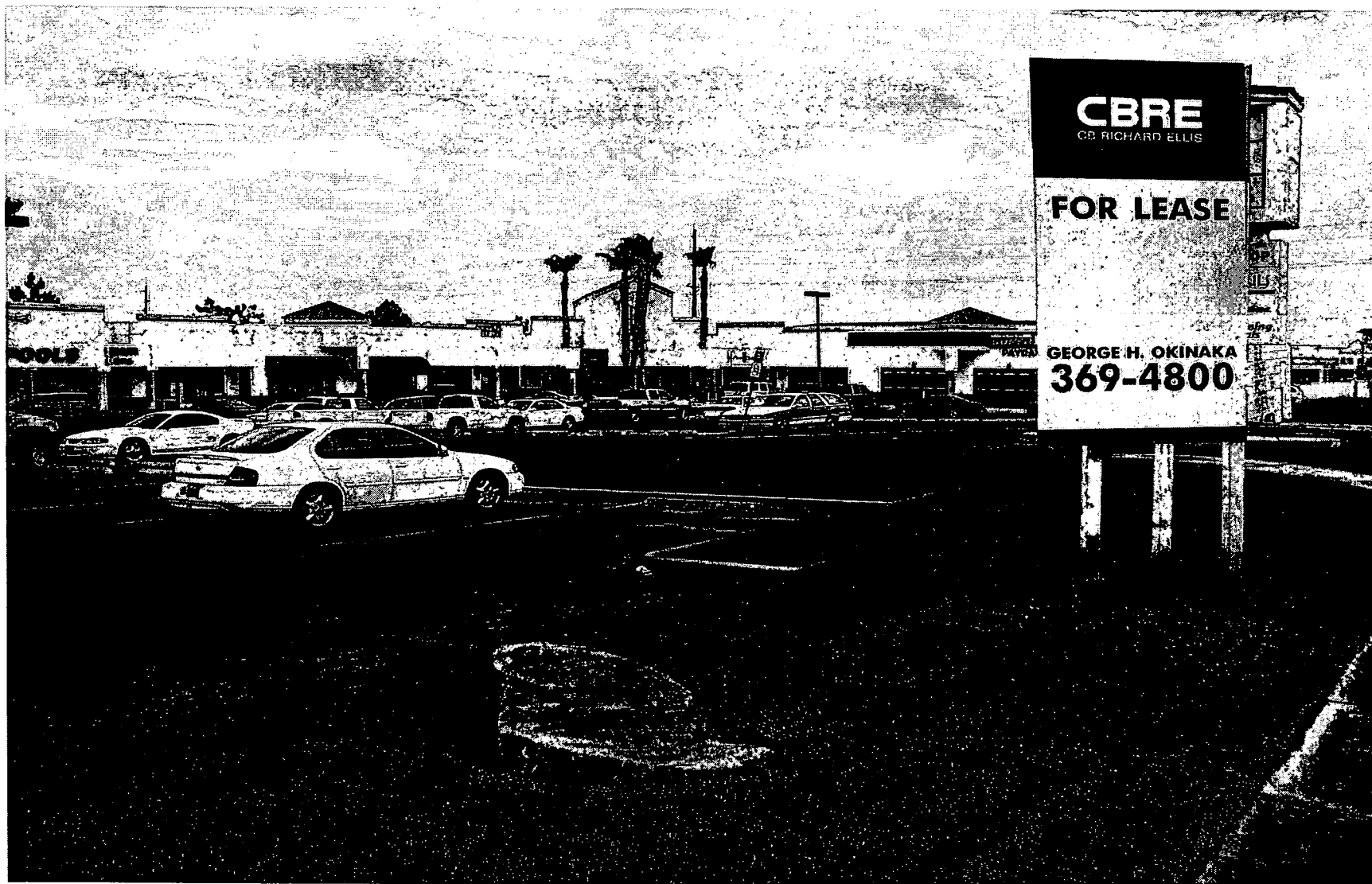
SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED
1110 South Rainbow Boulevard
AUGUST 4, 2004 CITY COUNCIL MEETING

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

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

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 89101-6593

TELEPHONE (702) 384-5583
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

January 31, 2005

FAX: 382-4803

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

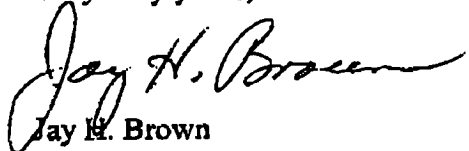
Re: Item No. 76 – City Council Agenda of February 2, 2005
SUP-2848- Special Use Permit
Reagan National Advertising on behalf of COG III, Limited

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 February 2, 2005 City Council meeting to the February 16, 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 2/1/05 Item #76

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 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 by Singer & Brown

MOTION:

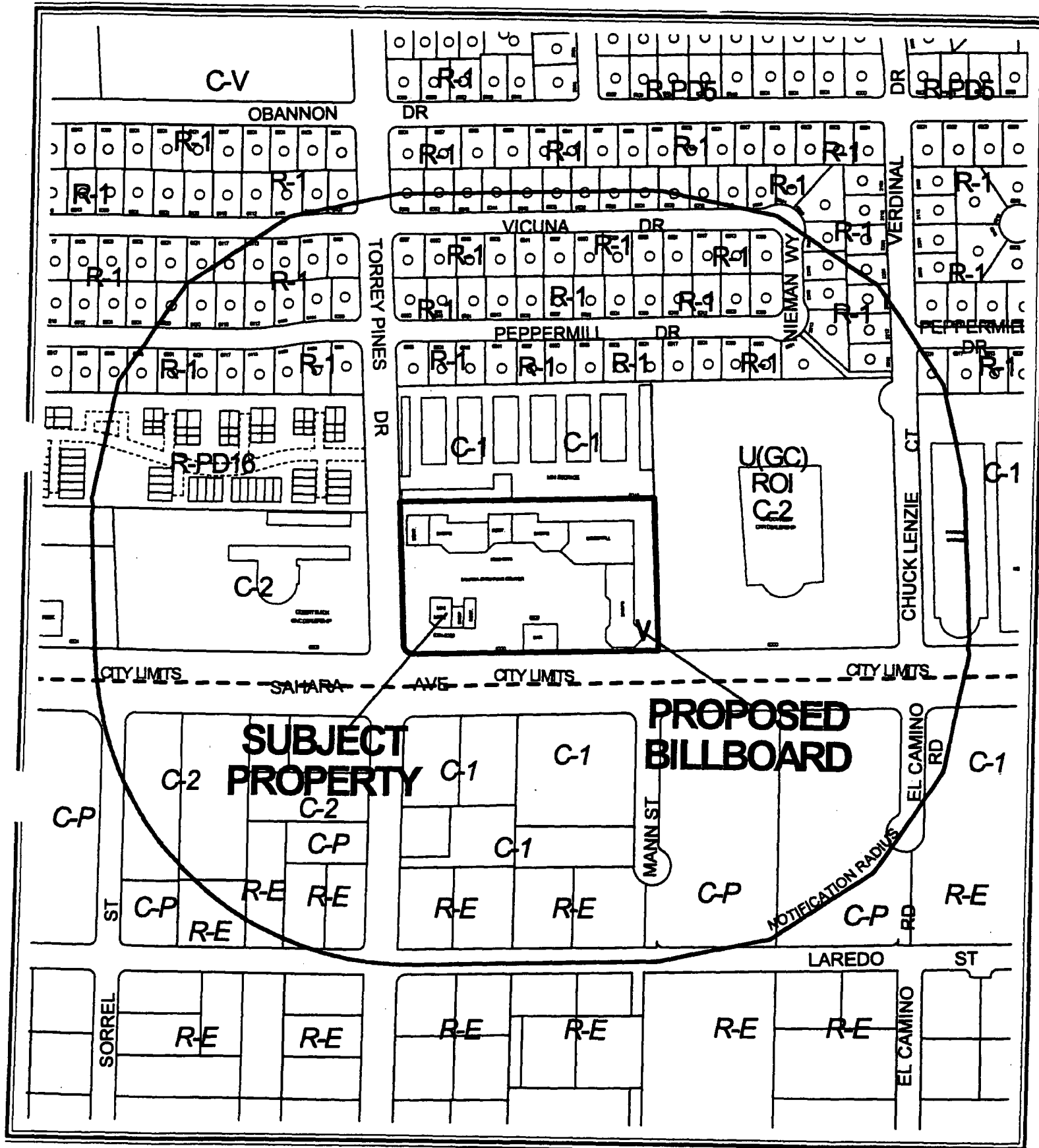
REESE - Motion to STRIKE Item 61 [5604 Emperor Way], Item 62 [1832 Lewis Avenue], Item 63 [1836 Lewis Avenue], and to HOLD IN ABEYANCE Item 76 [SUP-2848], Item 77 [SUP-3394], Item 78 [SUP-4532] to 2/16/2005 and HOLD IN ABEYANCE Item 72 [RQR-5138], Item 74 [RQR-5171], Item 75 [RQR-5513] and Item 79 [SUP-4693] to 3/2/2005 - UNANIMOUSLY with BROWN and MACK excused

MINUTES:

There was no discussion.

(1:05 - 1:08)

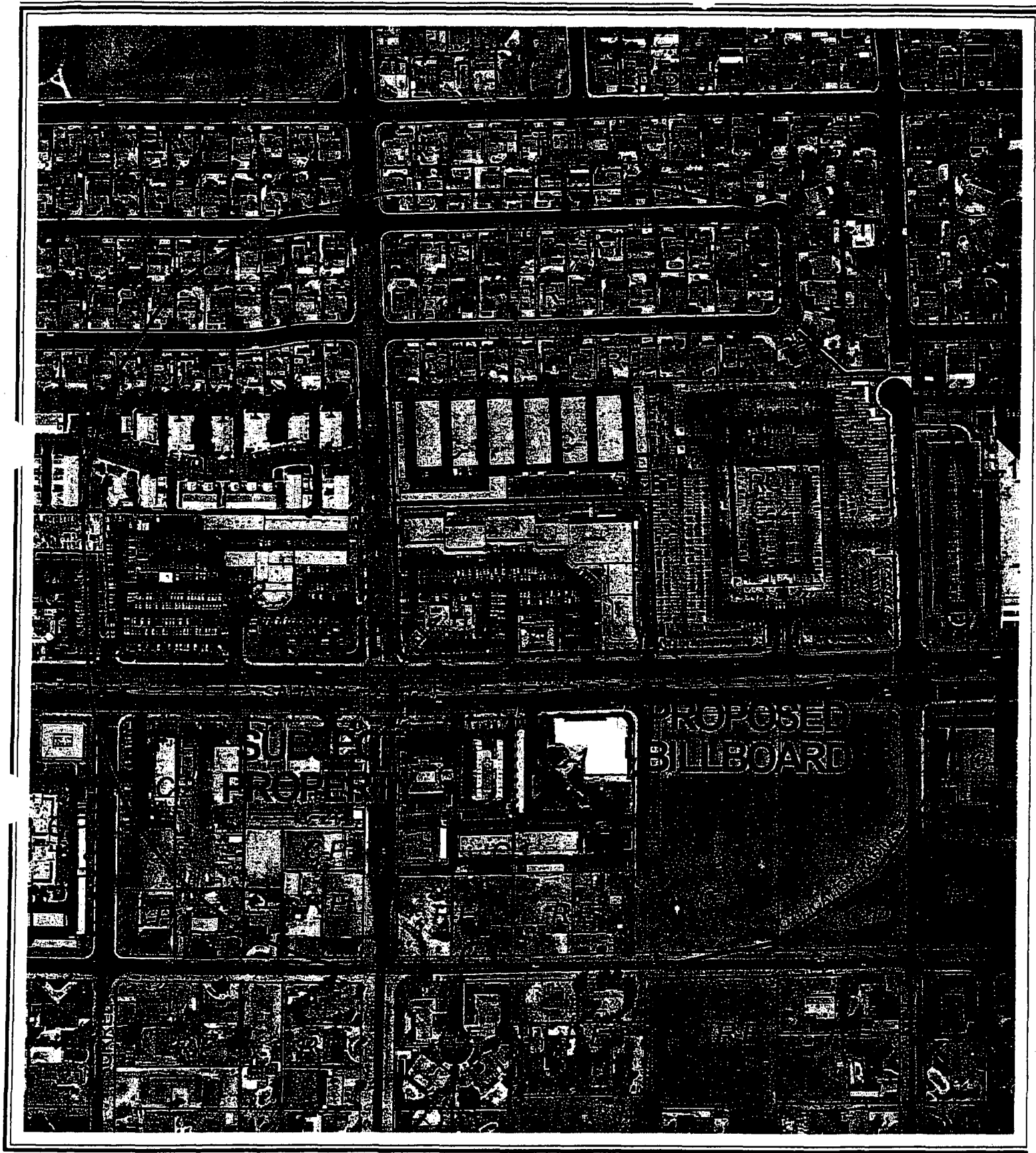
3-1



CASE: SUP-3394

RADIUS: 750 FT

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



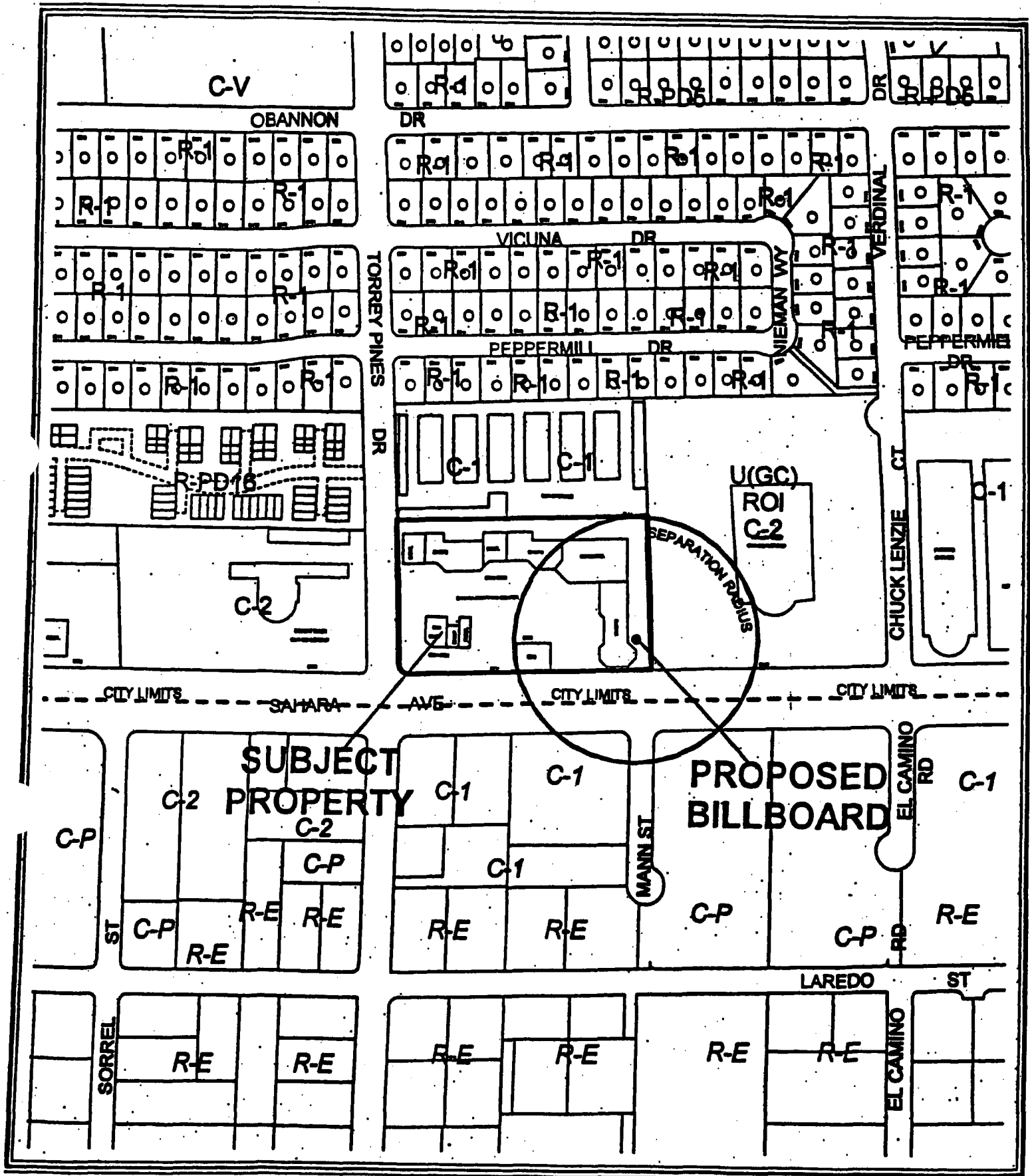
CASE: SUP-3394

RADIUS: 750 FT

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

0 200 400 Feet





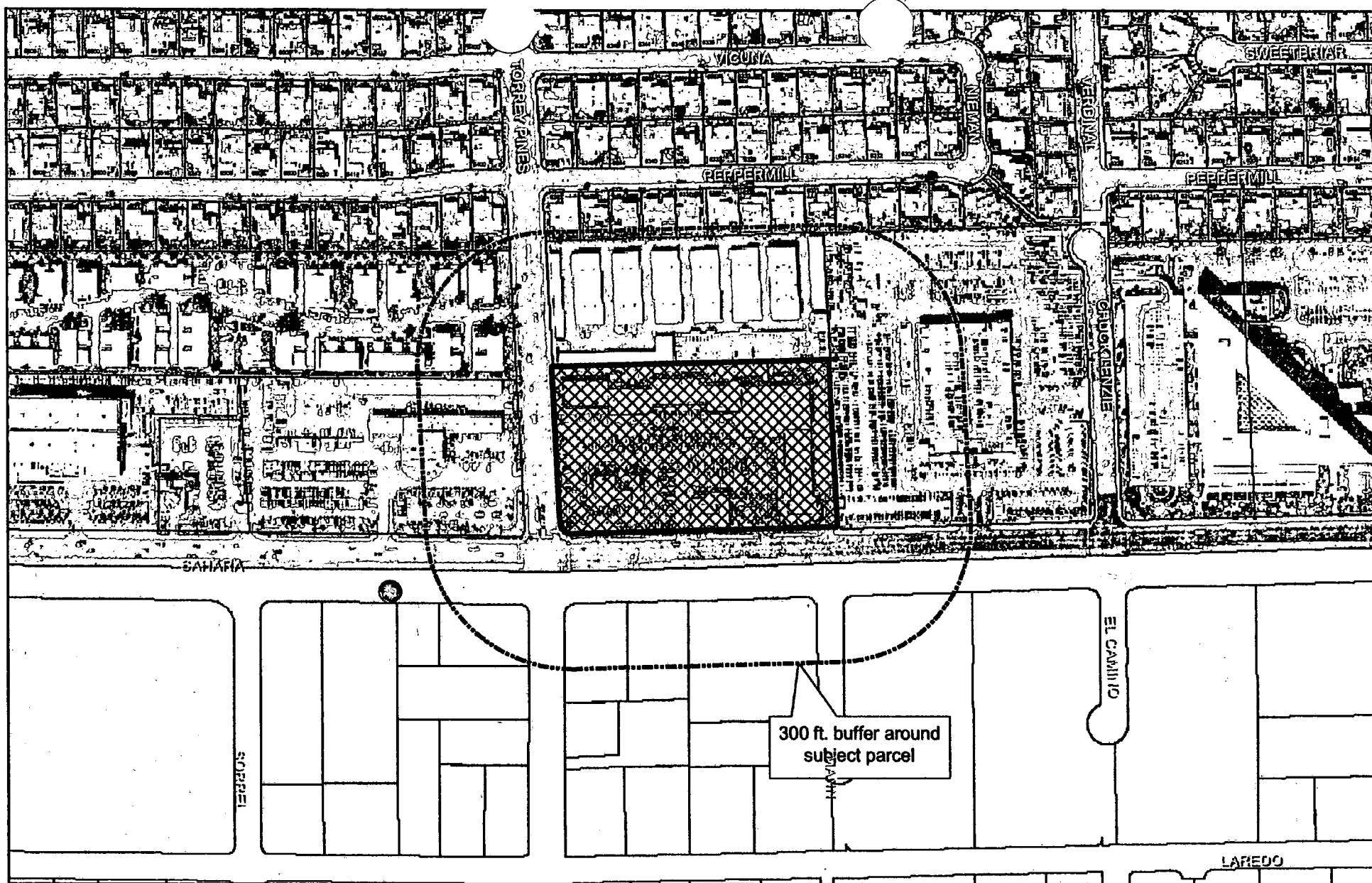
CASE: SUP-3394

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: FEBRUARY 2, 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 JANUARY 19, 2005 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

5665 S. Valley View
St. 4
89119

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3394 APN: 163-02-576-001

Name of Property Owner: WEST SUBARA ASSOCIATES

Name of Applicant: has veras libbard

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

Yes _____

No

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

City Official: _____

Partner(s): _____

APN: _____

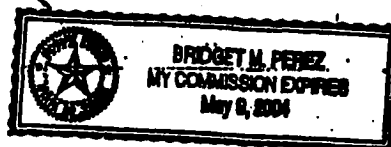
Signature of Property Owner/Authorized Agent: X

Print Name: Granville Harper

Subscribed and sworn before me

This 31 day of October, 2003

Notary Public in and for said County and State





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

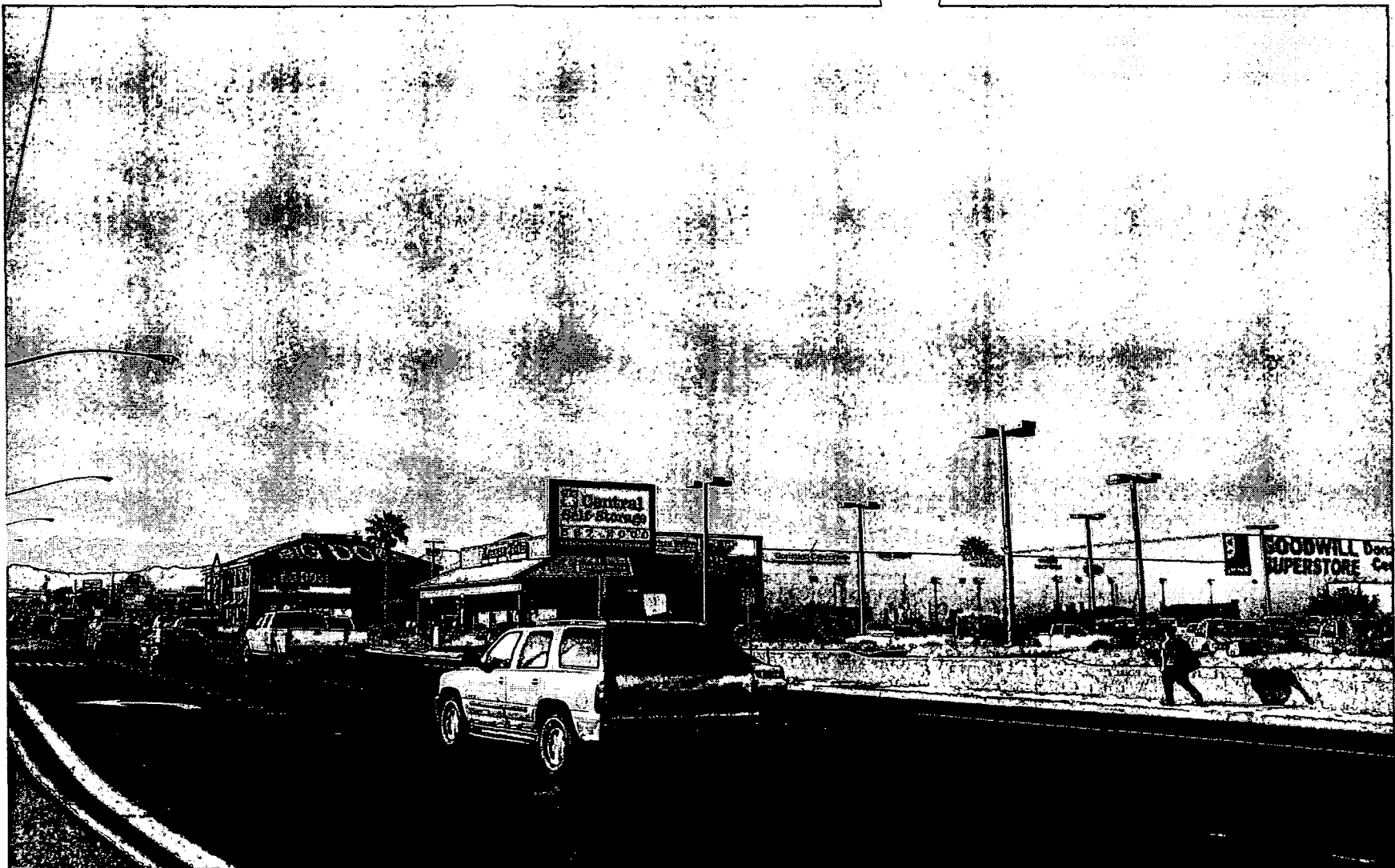
12/29/03



**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



**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**

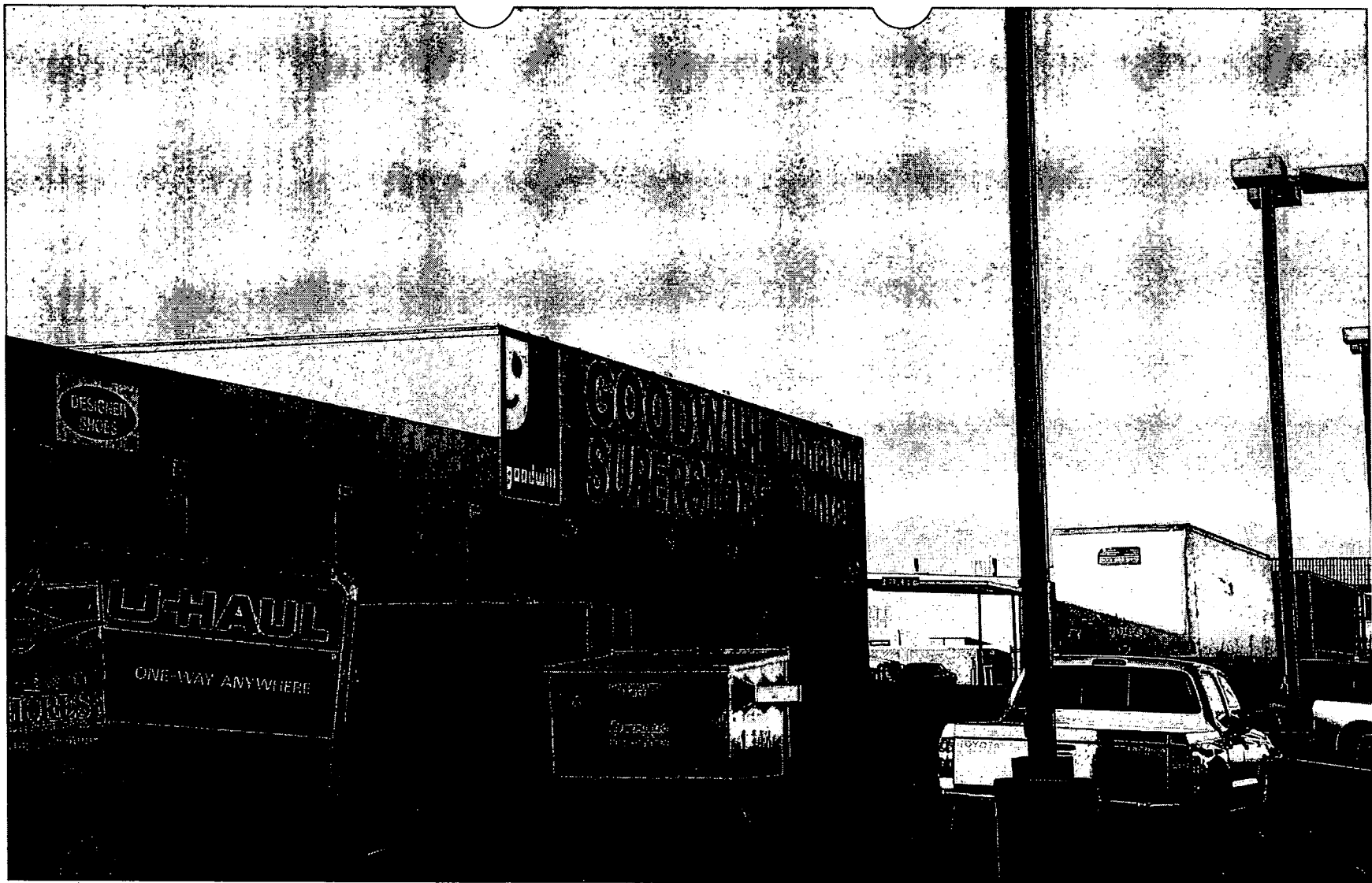
Picture taken 01/21/04



**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



**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**

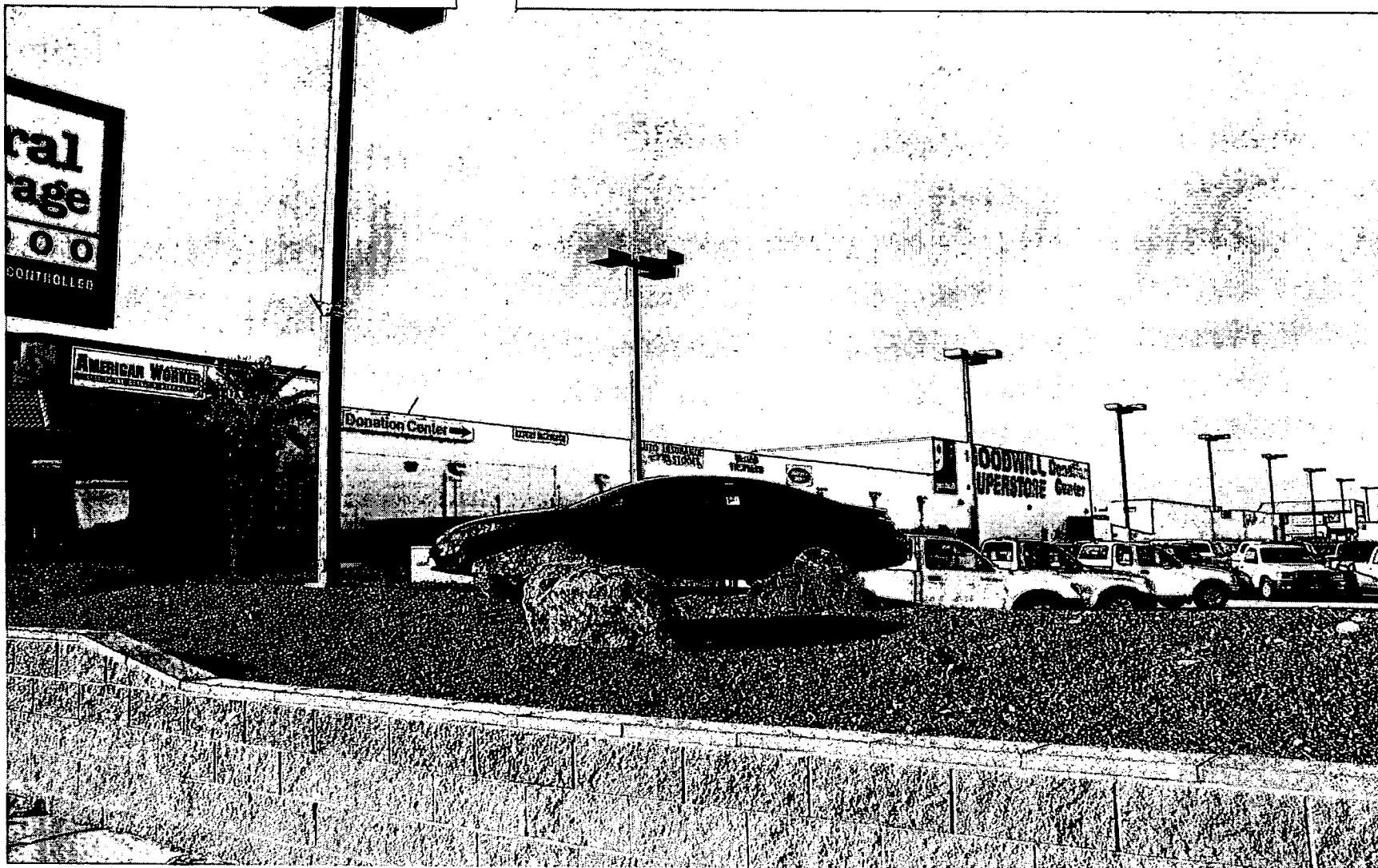
Picture taken 01/21/04



**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

LAS Consulting, Inc.
2754 Highland Drive, Suite A
Las Vegas, NV. 89109
Ofc. (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

February 1, 2005

FAX: 382-4803

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

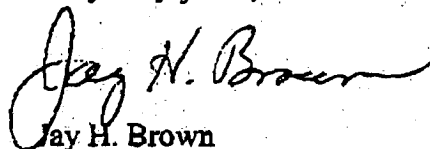
Re: Item No. 77 - City County Agenda of February 2, 2005
SUP-3394 -Special Use Permit-Las Vegas Billboards on behalf of
West Sahara Associates, Limited Partnership

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 February 2, 2005 City Council meeting to the February 16, 2005 City Council meeting.

Very truly yours,


Jay H. Brown

JHB:cc

Cc: Department of Planning & Development fax 385-7268

RECEIVED
CITY CLERK

2005 FEB -1 A 9:30

Submitted after final agenda

Date 2/1/05 Item # 77

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 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 by Singer & Brown

MOTION:

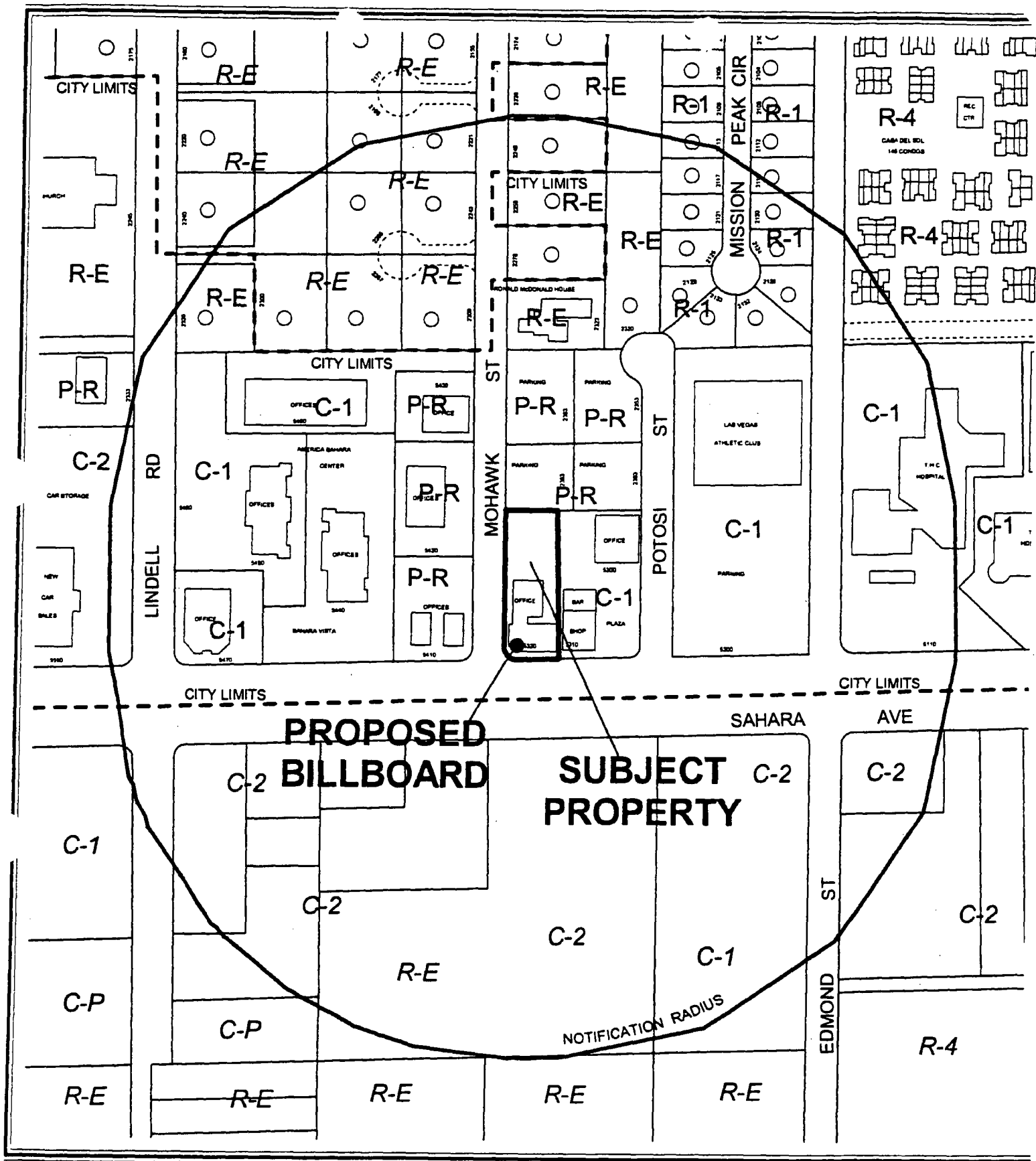
REESE - Motion to STRIKE Item 61 [5604 Emperor Way], Item 62 [1832 Lewis Avenue], Item 63 [1836 Lewis Avenue], and to HOLD IN ABEYANCE Item 76 [SUP-2848], Item 77 [SUP-3394], Item 78 [SUP-4532] to 2/16/2005 and HOLD IN ABEYANCE Item 72 [RQR-5138], Item 74 [RQR-5171], Item 75 [RQR-5513] and Item 79 [SUP-4693] to 3/2/2005 - UNANIMOUSLY with BROWN and MACK excused

MINUTES:

There was no discussion.

(1:05 - 1:08)

3-1



CASE: SUP-4532

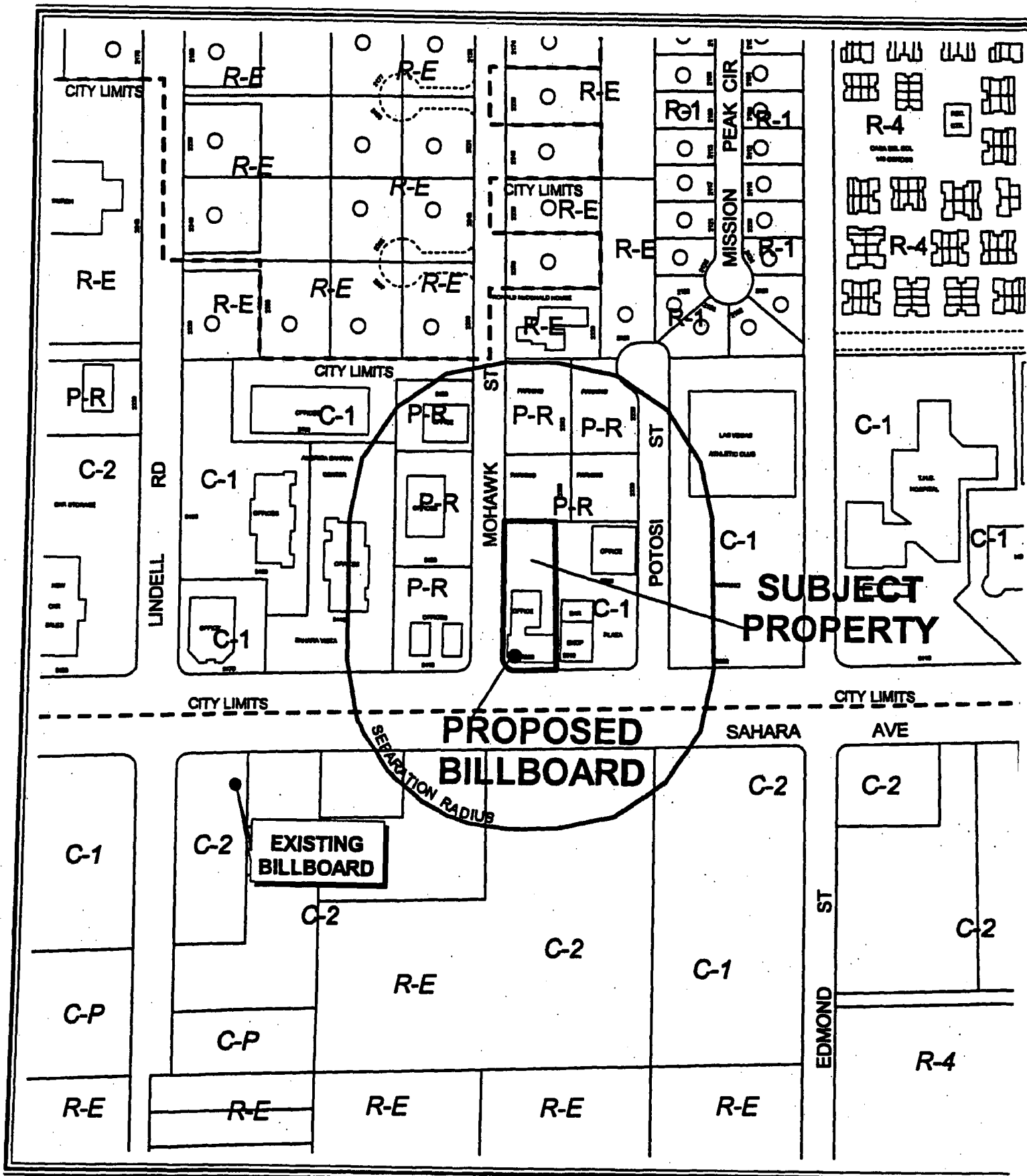
RADIUS: 750 FT

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

0 200 400 Feet

78



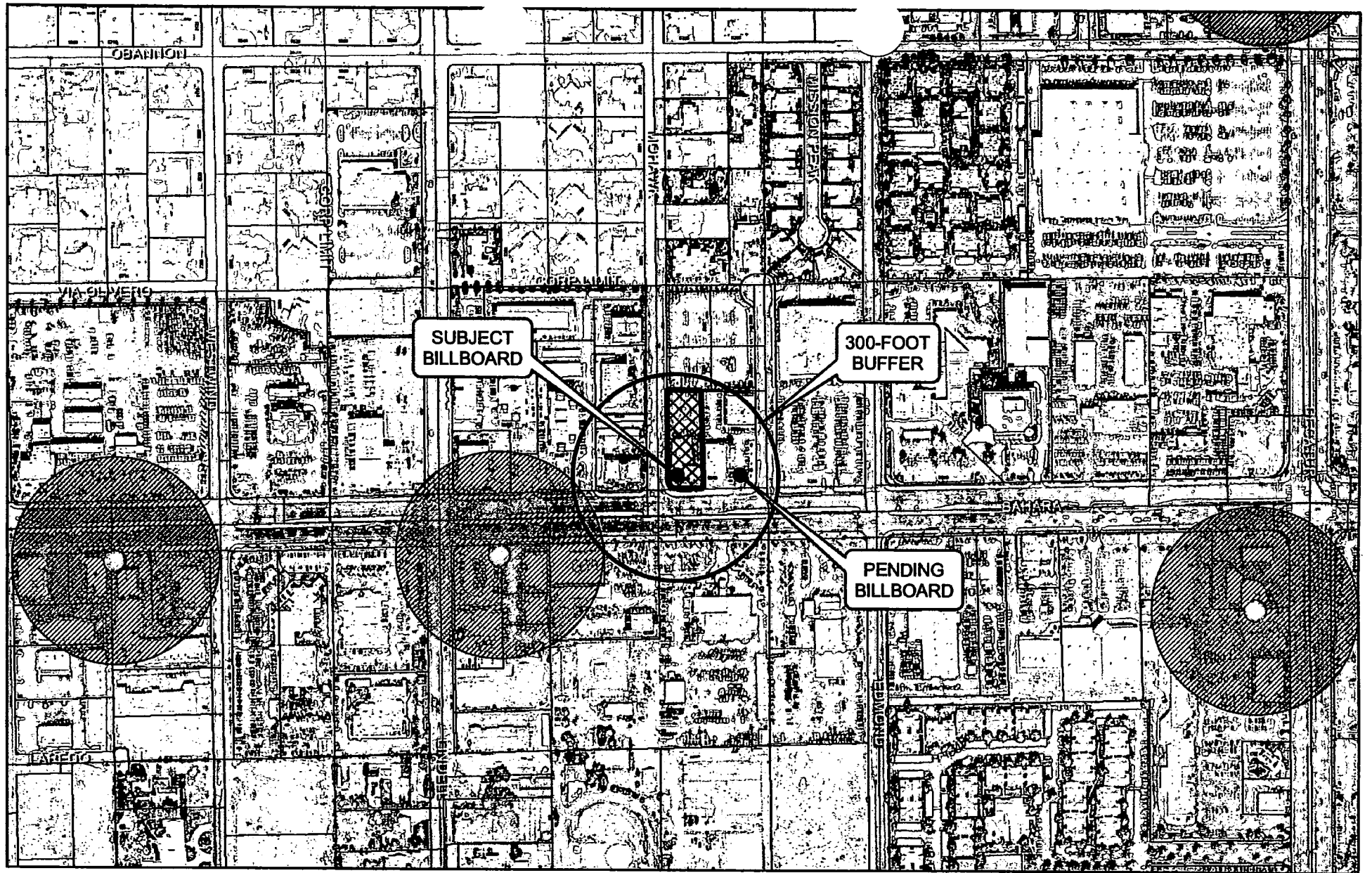


CASE: SUP-4532

SEPARATION RADIUS: 300 FT

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





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: FEBRUARY 2, 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 JANUARY 19, 2005 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: _____

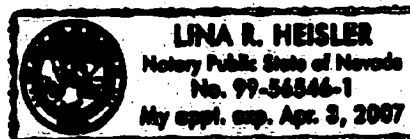
Signature of Property Owner/Authorized Agent:

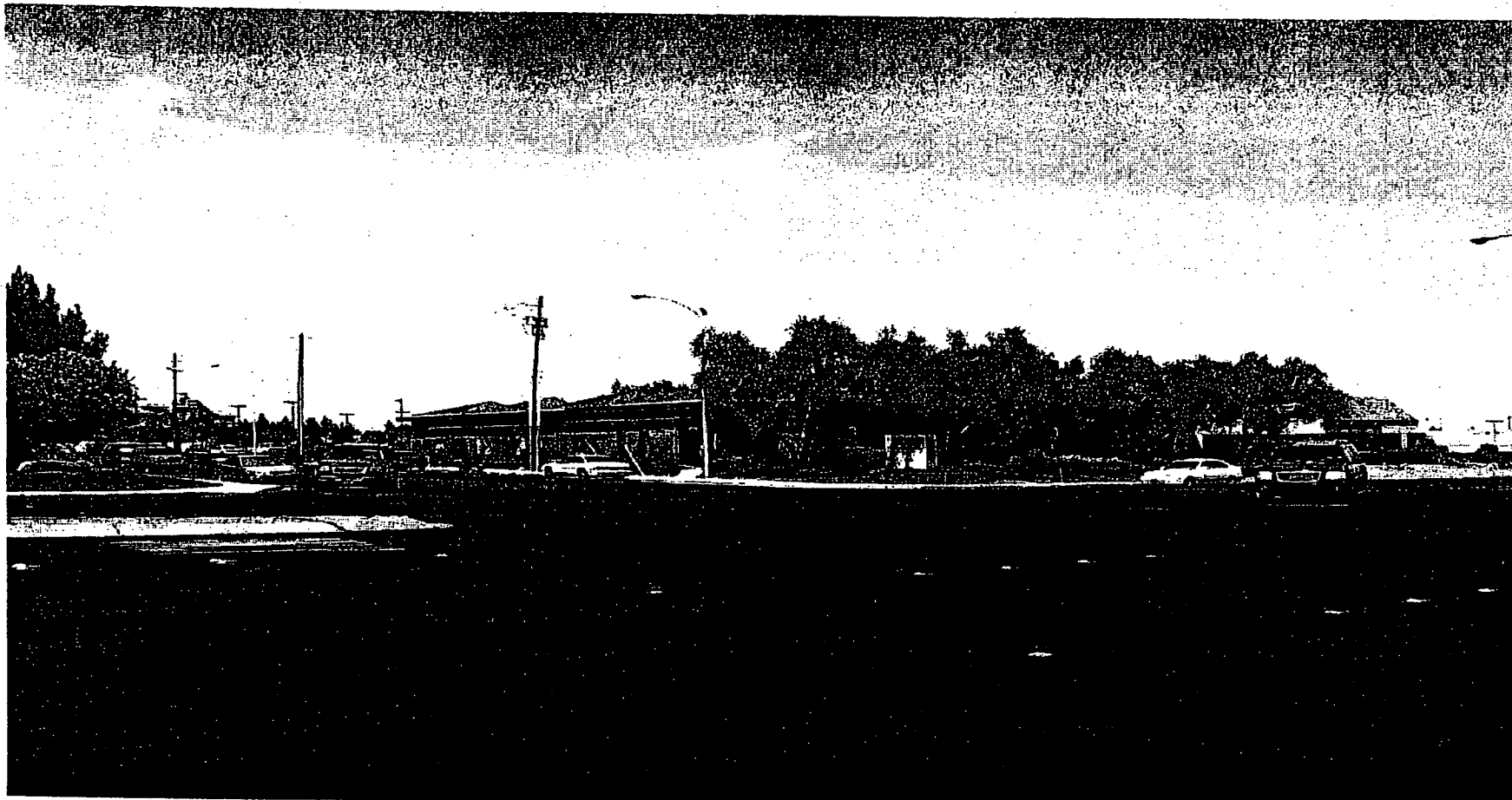
Print Name:

Subscribed and sworn before me

This 8 day of March, 2004

Notary Public in and for said County and State





**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*

RECEIVED
CITY CLERK
2004 JUL -9 P 12:56

July 9, 2004

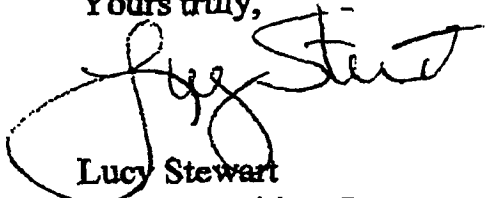
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101
Phone: (702) 229-6311
Fax: (702) 382-4803

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.

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

February 1, 2005

FAX: 382-4803

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

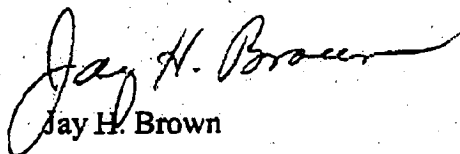
Re: Item No. 78 - City Council Agenda of February 2, 2005
SUP-4532 - Las Vegas Billboards on behalf of
Sahara Mohawk, Limited Liability Company

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 February 2, 2005 City Council meeting to the February 16, 2005 City Council meeting.

Very truly yours,


Jay H. Brown

JHB:cc

Cc: Planning & Development fax 385-7268

2005 FEB - 1 A 9:30

RECEIVED
CITY CLERK

Submitted after final agenda

Date 2/1/05 Item # 78

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 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 by Singer & Brown

MOTION:

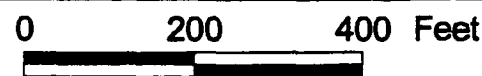
REESE - Motion to STRIKE Item 61 [5604 Emperor Way], Item 62 [1832 Lewis Avenue], Item 63 [1836 Lewis Avenue], and to HOLD IN ABEYANCE Item 76 [SUP-2848], Item 77 [SUP-3394], Item 78 [SUP-4532] to 2/16/2005 and HOLD IN ABEYANCE Item 72 [RQR-5138], Item 74 [RQR-5171], Item 75 [RQR-5513] and Item 79 [SUP-4693] to 3/2/2005 - UNANIMOUSLY with BROWN and MACK excused

MINUTES:

There was no discussion.

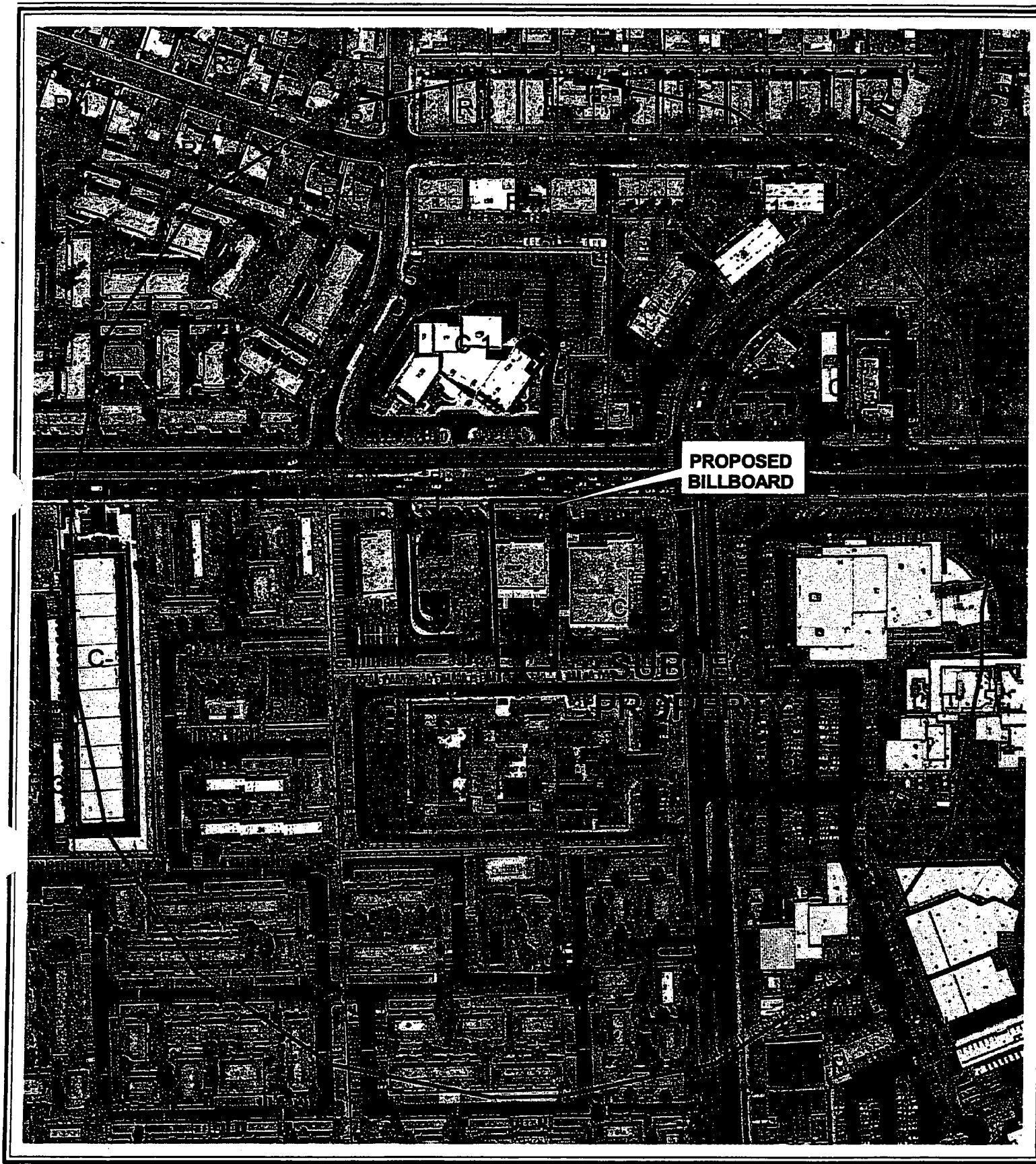
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3-1



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





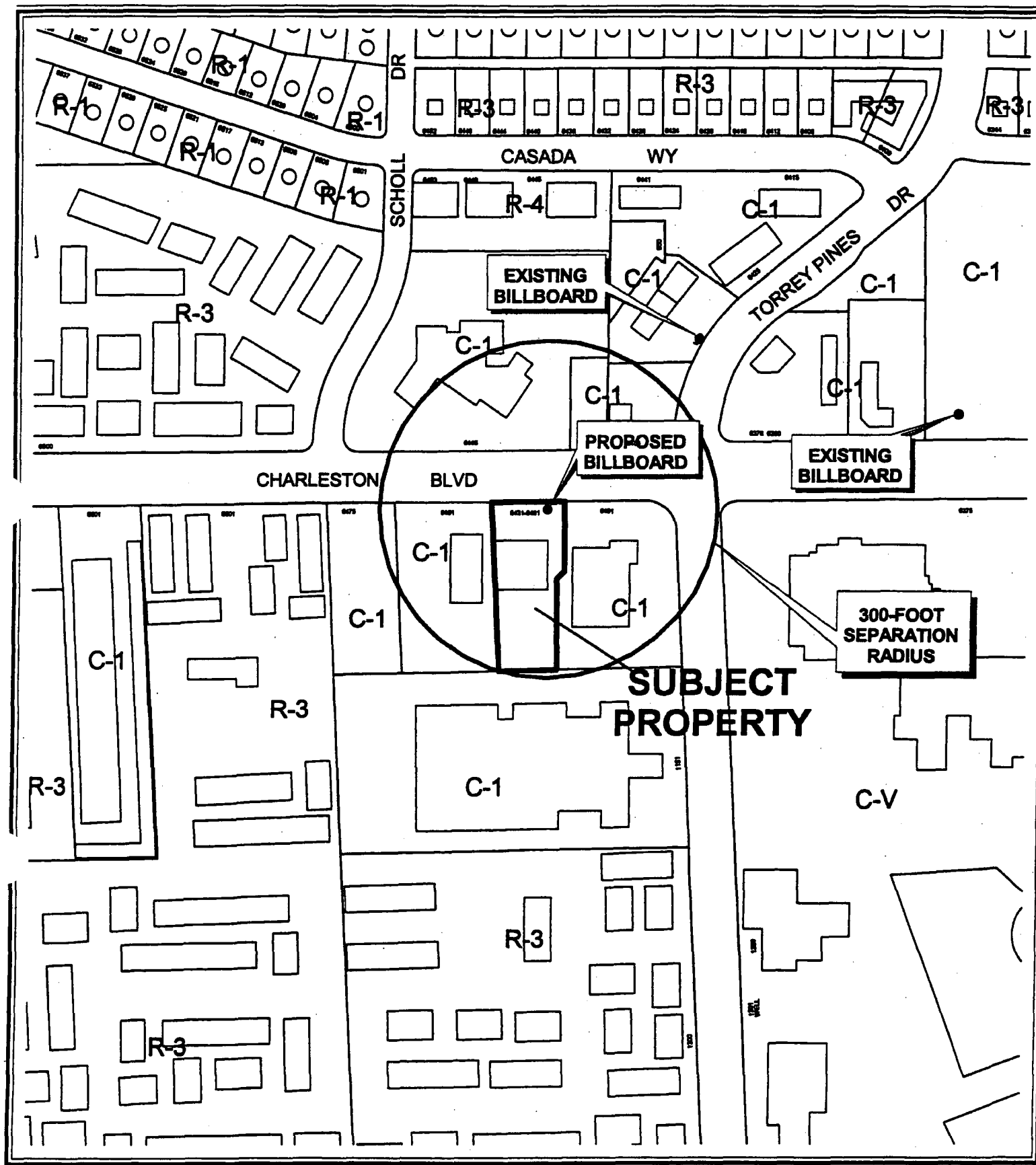
CASE: SUP-4693

RADIUS: 750 FT

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

0 200 400 Feet

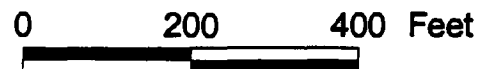


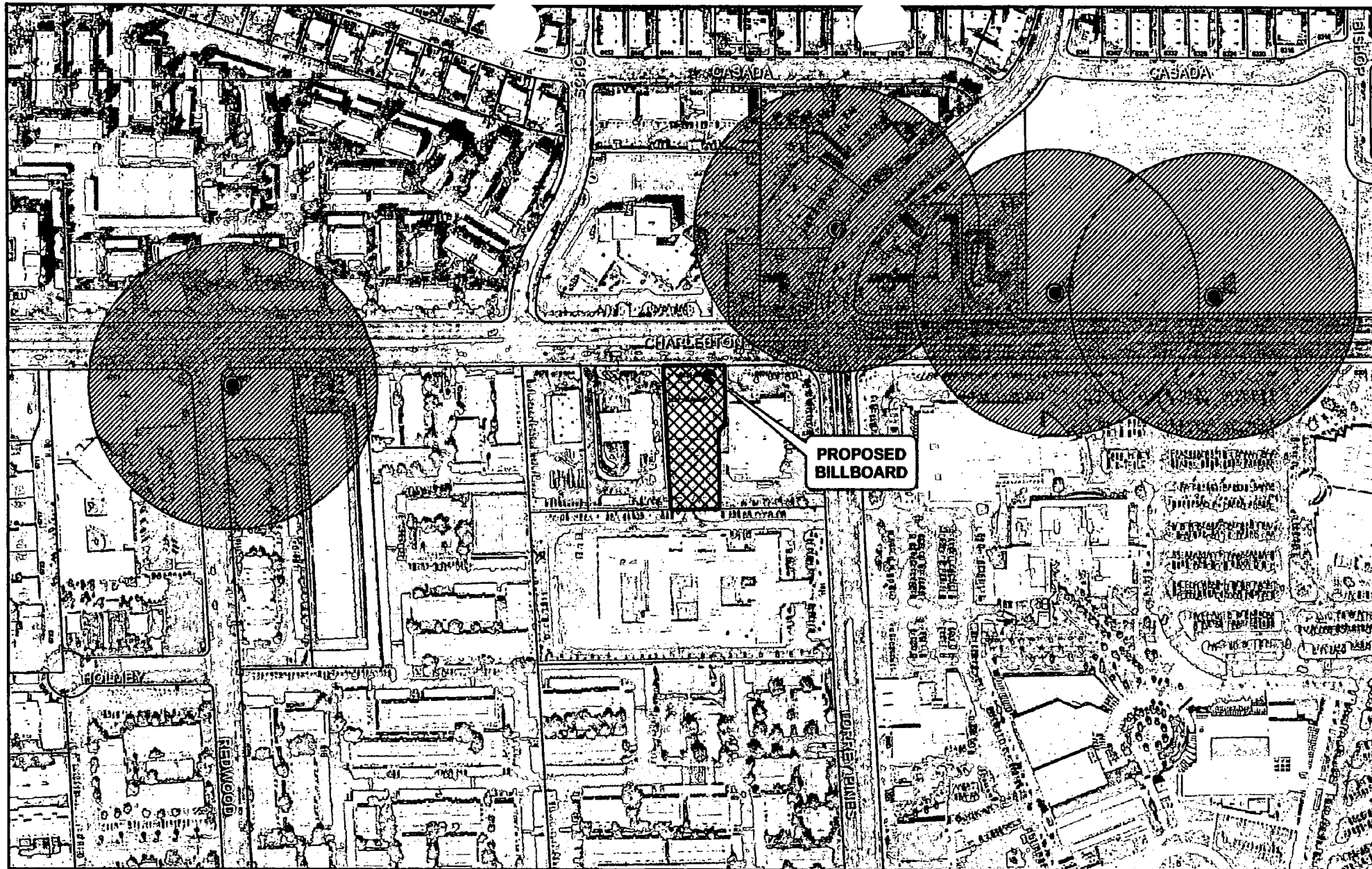


CASE: SUP-4693

SEPARATION RADIUS: 300 FT

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





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: FEBRUARY 2, 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 JANUARY 19, 2005 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

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4693 APN: 163-02-114-003

Name of Property Owner: Tom Ogata

Name of Applicant: Onion Outdoor media (Glenda Lippman)

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: _____

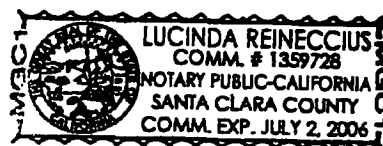
Signature of Property Owner/Authorized Agent: Tom Hales

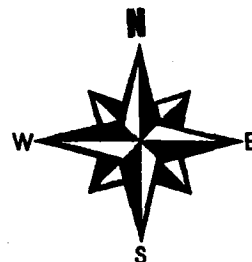
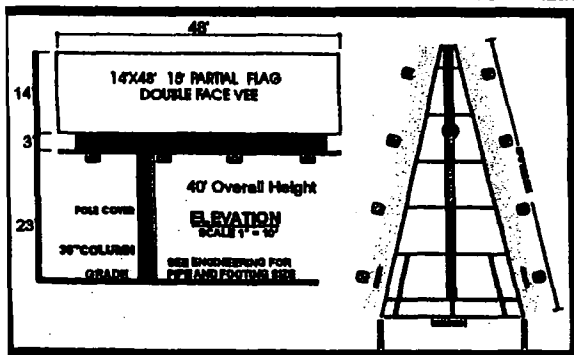
Print Name: Tom Obata

Subscribed and sworn before me

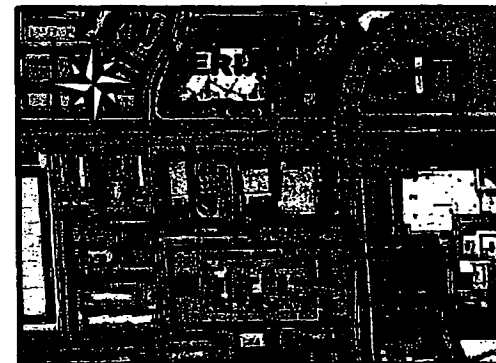
This 19th day of May, 2004

This 19th day of May, 2004
[Signature]
 Notary Public in and for said County and State

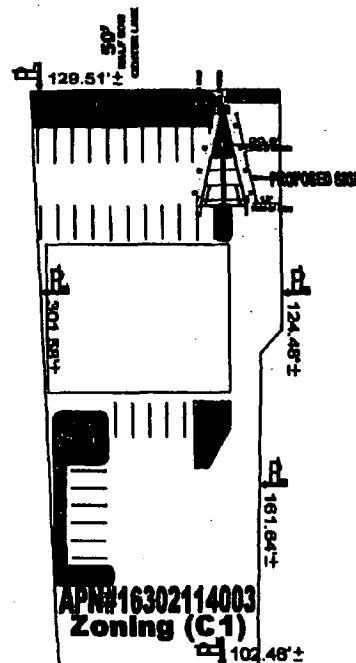




TOP VIEW
SCALE 1" = 30'
DETAIL



CHARLESTON



GENERAL NOTES

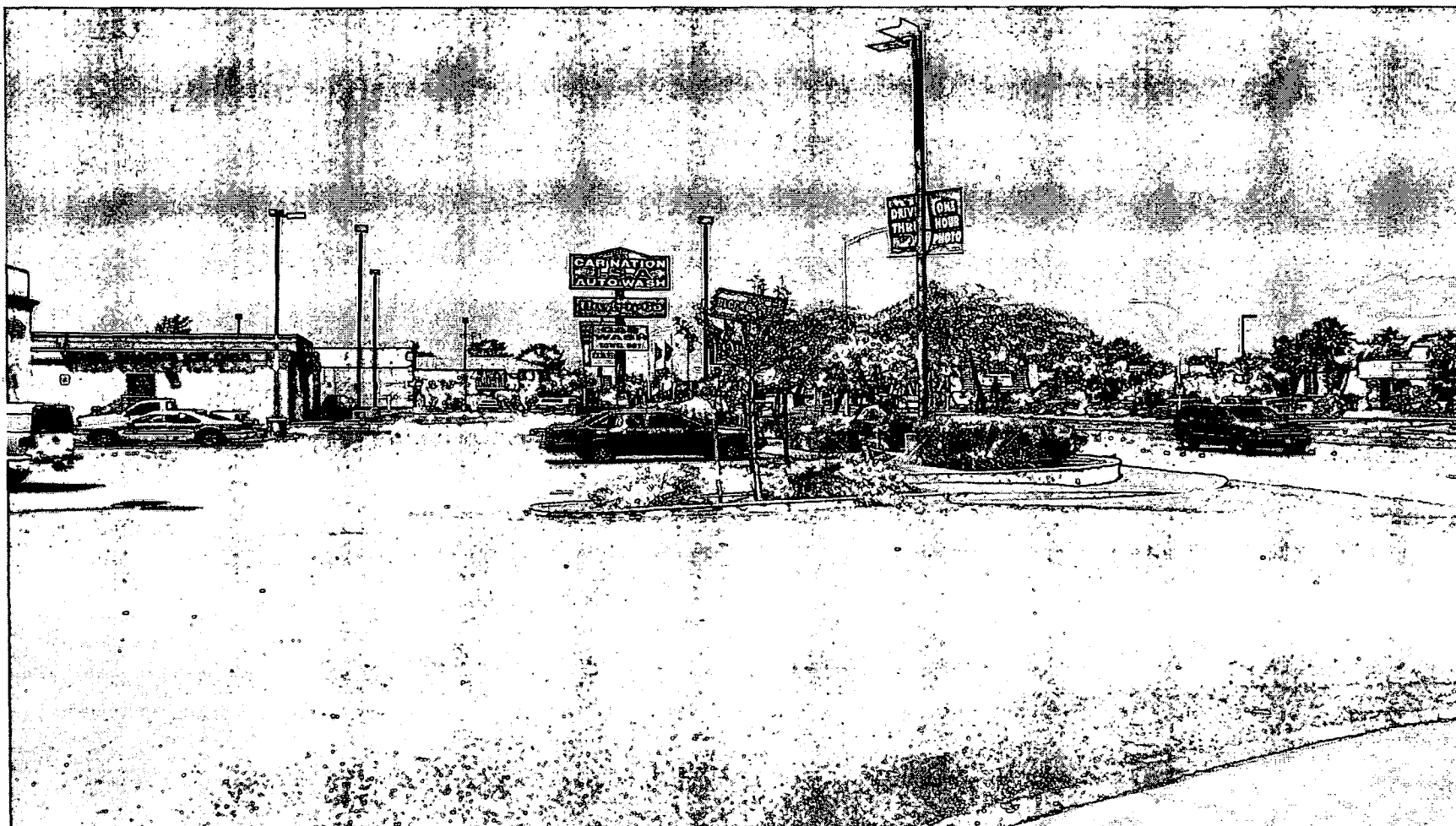
1. Not within 300 foot radius of another off-premise billboard.
2. Not within 300 foot radius of residential use.
3. No parking spaces will be taken for this location.

ORION
OUTDOOR MEDIA
GLENDALIPPMAN
595-4896

OBATA THOMAS J	
SCALE: NOTED	DATE: 4-23-04
6431 W CHARLESTON BLVD	
APN#16302114003	305

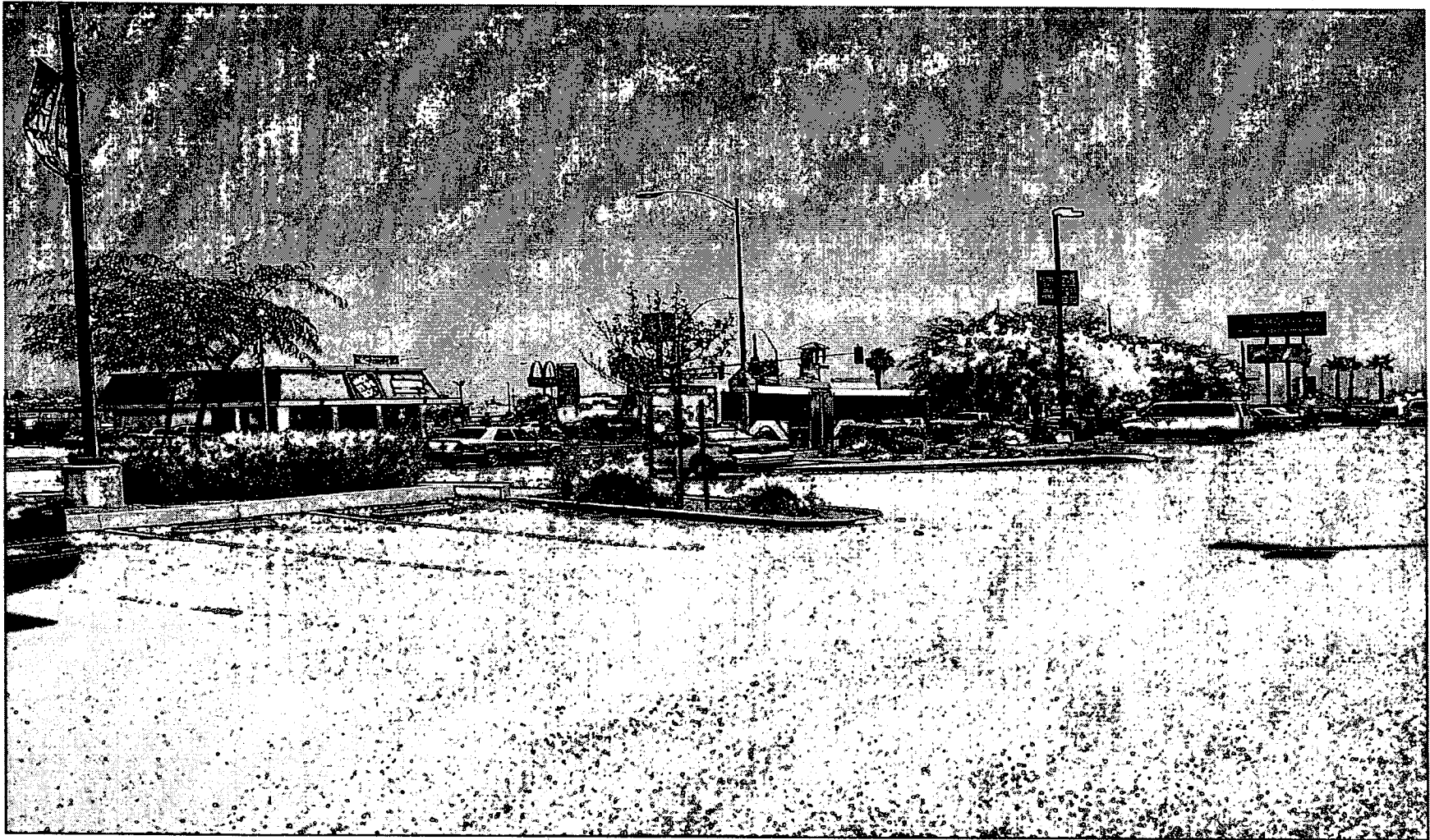
SUP-4693
08-12-04 PC





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 89101-8593TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

August 17, 2004

VIA FACSIMILE TO: 382-4803

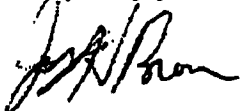
Ms. Barbara Jo Ronemus
Las Vegas City Clerk
400 E. Stewart Avenue
Las Vegas, NV 89101Re: SUP - 4693 Orion Outdoor Media on behalf of
Tom Obata

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

MICHAEL H. SINGER
JAY H. BROWN

RECEIVED
CITY CLERK
Singer & Brown
2005 JAN 31 P 1:52

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

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

January 31, 2005

FAX: 382-4803

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

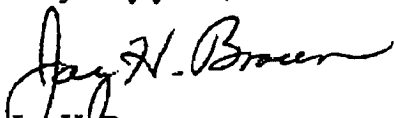
Re: Item No. 79 City Council Agenda of February 2, 2005
SUP-4693 – Orion Outdoor Media on behalf of Thomas J. Obata

Dear Ms. Ronemus:

Please be advised that I represent Orion Outdoor Media in connection with the above referenced application.

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

Very truly yours,


Jay H. Brown

JHB:cc

Cc: Planning & Development fax 385-7268

Submitted after final agenda

Date 1/31/05 Item #79

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-5582 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA LUZ DEL MUNDO" - Request for a Special Use Permit FOR AN EXPANSION (PARKING LOT) OF AN EXISTING CHURCH/HOUSE OF WORSHIP at 2413 Cedar Avenue and 2412 East Mesquite Avenue (APN 139-35-513-031 through 034), R-1 (Single-Family Residential) Zone, Ward 3 (Reese). 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

MOTION:

REESE - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 80 [SUP-5582] and Item 81 [SDR-5583].

AMINADAB CORONADO, appeared on behalf of La Luz Del Mundo (Church of the Living God) to express great pleasure in working with the City to achieve this goal. He concurred with all conditions and requested approval.

COUNCILMAN REESE requested two conditions be added for Item 81 [SDR-5583]. There will be no car sales allowed on the parking lot once the project is completed, and additional satellite parking will be required to avoid parking in the neighborhood if the parish grows. MARGO WHEELER, Director of Planning and Development Department, recommended an amendment to Condition 3 that the development shall be in conformance with the site plan and building elevations date stamped 11/2/2004. MR. CORONADO agreed with all the additional and amended conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 80 [SUP-5582] and Item 81 [SDR-5583].

(1:28 - 1:31)

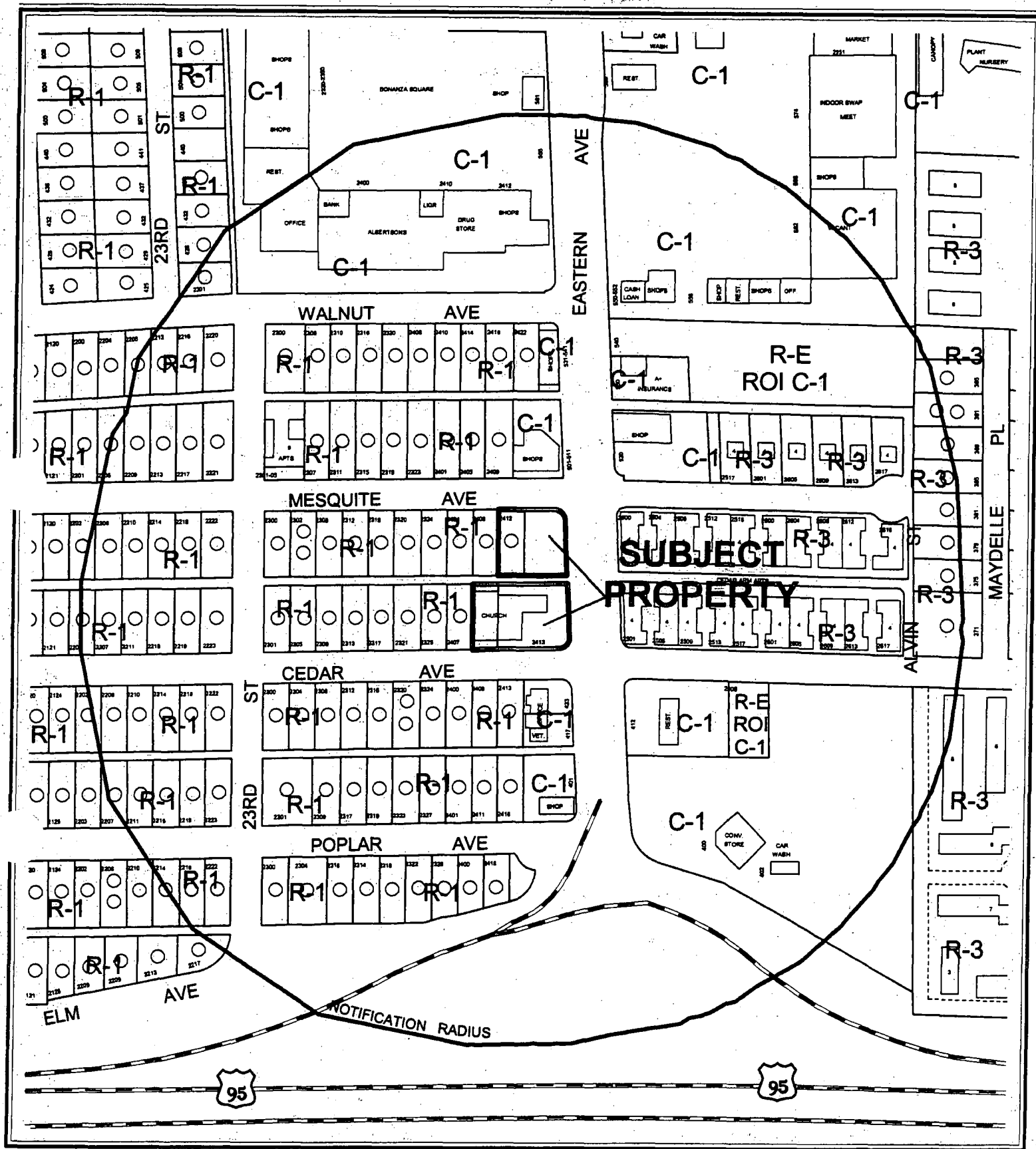
3-704

CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-5583].
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.



CASE: SUP-5582

RADIUS: 750 FT

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

0 200 400 Feet

80



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-5582 - APPLICANT/OWNER:
IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA LUZ DEL
MUNDO"**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 19, 2005 CITY COUNCIL
MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-5583].
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit to allow the expansion of an existing Church/House of Worship at 2413 Cedar Avenue and 2412 East Mesquite Avenue.

B) Applicant's Justification

The applicant justifies the application by stating, "We have youth programs that guide young people through their difficult choices in life, avoiding drug addiction and encouraging higher education. We provide marriage counseling to assist couples and promote family unity." The applicant goes further to state, "Currently our building is not sufficient to accommodate our membership, thus creating problems during our services. Our goal in expanding and remodeling our building is to provide a more comfortable and appealing place for our new members and our community."

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/59 The Board of City Commissioners approved Special Use Permit (U-0001-59) application for the construction of an off-street parking lot facility adjacent to an existing church at property located at the southwest corner of Mesquite Avenue and 25th Street. The Board of Zoning Adjustment and staff recommended approval.
- 05/27/65 The Board of Zoning Adjustment approved a Special Use Permit and Site Development Plan Review (U-0013-64) application to allow the construction of a sanctuary and classrooms, with additional parking facilities on property generally located at the northwest corner of 25th Street and Cedar Avenue. Staff recommended approval.
- 03/15/78 The Board of City Commissioners approved a Variance (V-0111-77) application to allow a 13-foot high sign, with the condition that, in event this reader board would be more suitable elsewhere on the property at some future time, it could be moved, on property located at 2413 East Cedar Avenue. The Board of Zoning Adjustment denied the application. The Department Director put forth the approved compromise.
- 03/27/86 The Board of Zoning Adjustment approved a Special Use Permit (U-0020-86) application to allow the operation of a day care nursery for children two through six, from 7 a.m. to 6 p.m., six days a week (Monday through Saturday), on property located at 2413 East Cedar Avenue. Staff recommended approval.

- 12/16/04 The Planning Commission recommended approval of a related case (SDR-5583).
- 12/16/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #49/pl).

B) Pre-Application Meeting

- 10/22/04 A pre-application conference was held resulting in the following comments:
1. The original use permit (U-0013-64) is still valid, but does not encompass the total area.
 2. The Traffic Signal Fee will be assessed at time of building permits.
 3. The pan driveway on Mesquite is o.k.
 4. No Traffic Impact Analysis required.
 5. Chord easement may need to be dedicated on Cedar/Eastern.
 6. Replace any substandard improvements in the right-of-way.
 7. No parking spaces will be permitted in the public right-of-way.
 8. Check with the City Surveyor to determine the best way to re-map the site.
 9. Submit an encroachment agreement for landscaping within the right-of-way.
 10. Not subject to residential adjacency standards due to being located within the Redevelopment Area.
 11. Propose 40-foot tall sanctuary.
 12. Add a parking analysis to the site plan.
 13. Check with Building and Safety regarding the location of the handicap parking spaces.
 14. Revise the site plan to indicate the area of expansion, summarize the SF.
 15. Show elevation drawing of existing / proposed perimeter walls.
 16. The use permit is to include additional lots not part of the original.

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: 0.89

B) Existing Land Use

Subject Property: Church & Undeveloped (Proposed parking lot expansion)

North: Single Family Residence

Commercial Building

South: Single Family Residence

Office Building

East: Four-plex

West: Single-Family Residences

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject parcels are designated L (Low Density Residential) and SC (Service Commercial) within the Southeast Sector Land Use map of the General Plan. All of the subject site is within a R-1 (Single Family Residence) zoning district, which is in conformance with the L (Low Density Residential) General Plan designation but not with the SC (Service Commercial) General Plan designation located on the parcels along the western alignment of Eastern Avenue. The existing Church on the subject site is a permitted use within an R-1 (Single Family Residence) zoning district by means of a Special Use Permit (U-0013-64).

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

Redevelopment Plan Area

The subject site is located within the Las Vegas Redevelopment Plan area as adopted by the 1996 extension of the Redevelopment Area Boundaries Plan Maps. As outlined by Section 110, the objectives of the Redevelopment Plan are to eliminate environmental deficiencies and blight which constitute either social or economic liabilities or both and require redevelopment in the interests of the health, safety and general welfare of the people.

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	Conditions	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Church / House of Worship	Not Provided	1 space for each 4 fixed seats or 1 space for each 100 sq ft of non-fixed seating area in gathering room, whichever is greater				
Gathering Room	5,247 SF.		50	3	50	3
Residence	1	2 Space per Dwelling Unit	2		2	
Totals			52	3	52	3

The applicant is proposing 55 parking spaces, which are composed of 38 standard parking spaces, 14 compact parking spaces and 3 handicap parking spaces. The applicant has, however, not supplied information pertaining to the number of fixed seats versus non-fixed seating area. Therefore, one cannot determine which parking calculation would be greater. Based upon the presented materials the applicant exactly meets the required number of parking spaces for the Church and residence building. The relocation of the proposed trash enclosure will result in the redistribution of a parking space to accommodate the required 50-foot minimum distance separation from protected properties.

A2) Minimum Distance Separation Requirements

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

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

Standards	Code Requirement	Provided
Trash Enclosure	50' from a protected property	No

The proposed location of the trash enclosure is within 50 feet of a protected property. Therefore, approval of the Site Development Plan Review (SDR-5583) will be conditioned upon the trash enclosure moving into the parking facility to the north of the subject site, maintaining a 50-foot separation from the protected properties to the west.

B) General Analysis and Discussion

- Zoning

The subject parcels are currently located within a R-1 (Single Family Residence) zoning district. A Church/House of Worship is a permitted use within a R-1 (Single Family Residence) zoning district by means of a Special Use Permit. The proposed site now boasts more area than was previously approved for a Church per Special Use Permit (U-0013-64), therefore requiring a new use permit to encapsulate the entire area.

- Use

“Church, House of Worship” means any building used for religious worship services, religious education and fellowship activities and programs of a religious organization. The term includes the use of the building and premises for other related activities, such as child care facilities, formal educational programs, preschool classes and recreational activities, but only when those activities are ancillary to the religious use and only after those uses have been approved by means of a use review or other procedure under Chapter 19.18. The term does not include any class of childcare center, general education classroom or facility, thrift shop, homeless shelter or commercial activity.

- Conditions

The Special Use Permit will be held to the conditions of approval of Site Development Plan Review (SDR-5583).

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 expansion of an existing Church/House of Worship use will continue to be conducted in a harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

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

The subject site has been utilized in the capacity of a church for over four decades, and now that the site is to be redeveloped with improved facilities the site continues to be 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 subject site will have access from Mesquite Avenue, a 60-foot public right-of-way and Eastern Avenue, a 100-foot primary arterial as defined by the Master Plan of Streets and Highways. Both avenues will continue to provide adequate access 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.”**

The proposed development will be subject to inspections and permitting, and therefore will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 138 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5582** APN: 139-35-513-031, 032, 033, 034

Name of Property Owner: LA LUZ DEL MUNDO CHURCH

Name of Applicant: LA LUZ DEL MUNDO CHURCH.
AMINADAB CORONADO

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

 Yes

 X No

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

City Official: N/A

Partner(s): N/A N/A.

APN: N/A

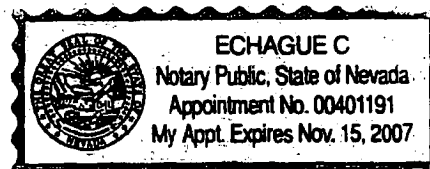
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: AMINADAB CORONADO

Subscribed and sworn before me

This 02 day of November, 2004

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



SUP-5582
SDR-5583
12-16-04 PC

E. MESQUITE AVE.

VICINITY MAP

SINGLE FAMILY
RESIDENCE

NEW FENCE DETAIL

ALLEY

EASTERN AVE.

CHURCH/SANCTUARY
AREA = 4,750 SQ. FT.
BLUING FOOTPRINT
THIS AREA
AREA = 1,071 SQ. FT.
PEZZANI

KITCHEN/HALL
AREA = 1,000 SQ. FT.
BLUING FOOTPRINT
THIS AREA

RESIDENCE

PLAY COURT

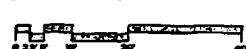
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SITE PLAN

CEDAR AVE.

"LA LUZ DEL MUNDO" CHURCH, LAS VEGAS, NEVADA



SCALE: 1" = 10'-0"

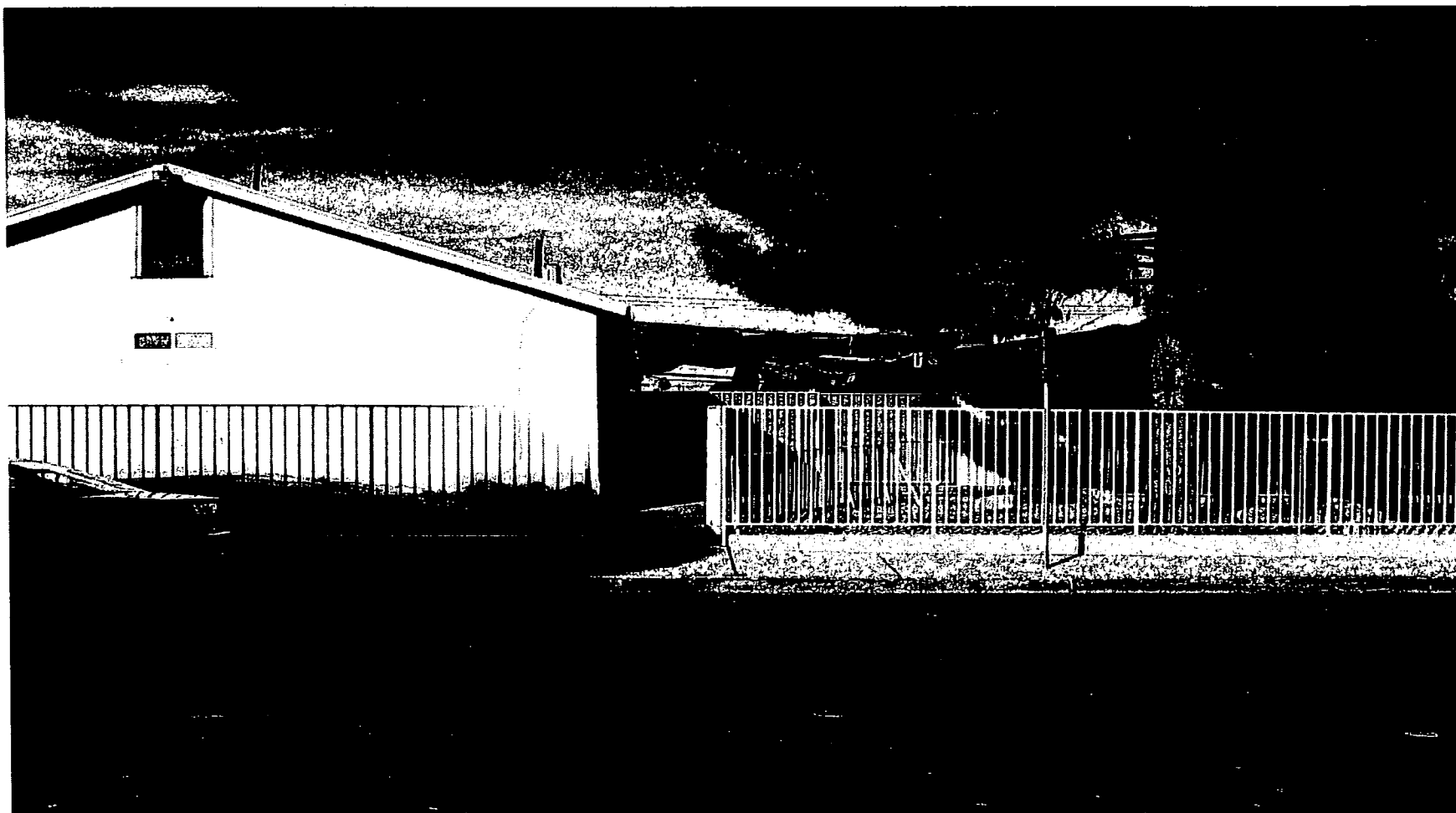
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SUP-5582 - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA
LUZ DEL MUNDO"
2413 CEDAR AVENUE AND 2412 EAST MESQUITE AVENUE
DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04



SUP-5582 - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA LUZ DEL MUNDO"

2413 CEDAR AVENUE AND 2412 EAST MESQUITE AVENUE

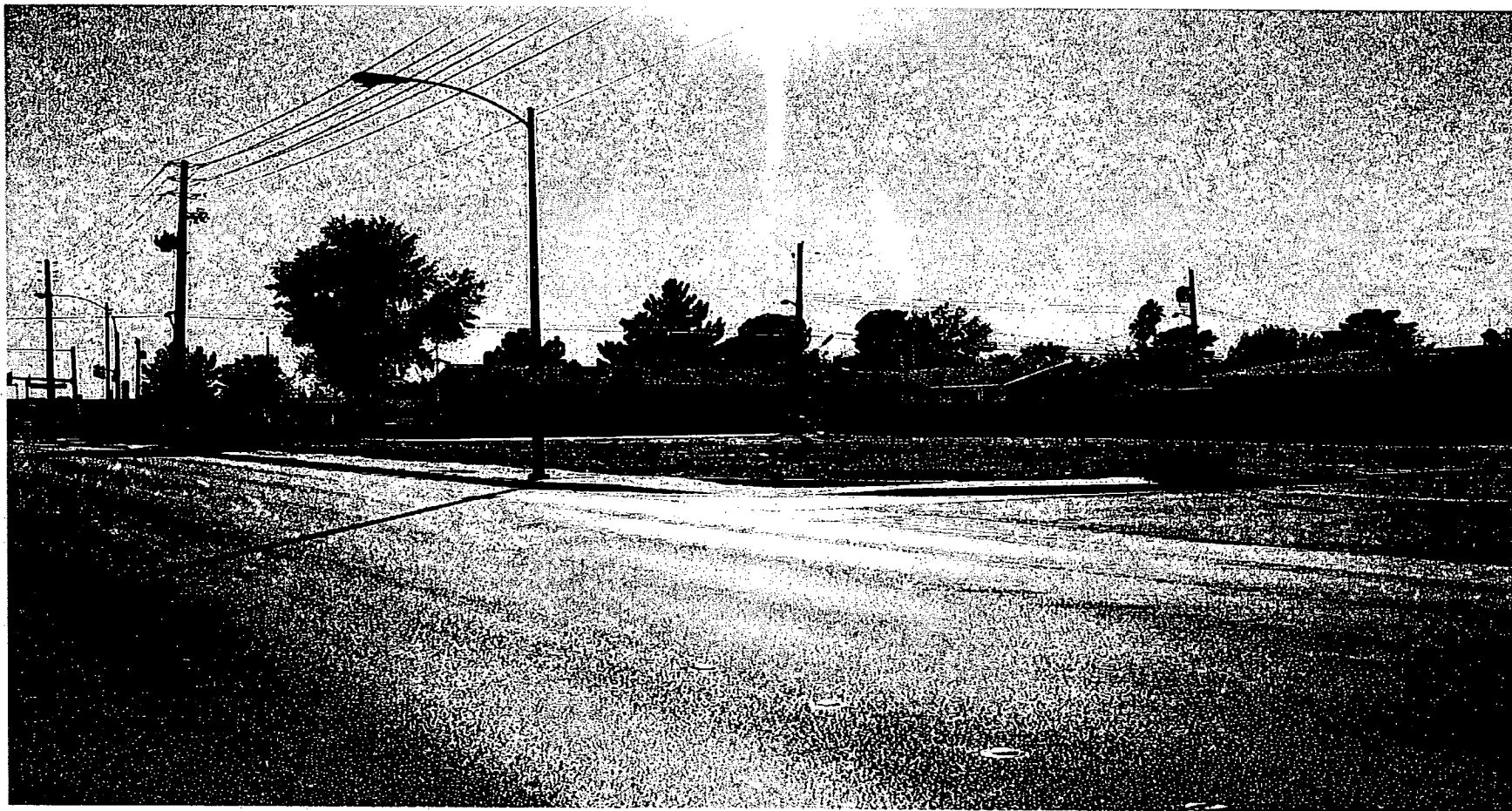
DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04



SUP-5582 - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA
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2413 CEDAR AVENUE AND 2412 EAST MESQUITE AVENUE
DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04



SUP-5582 - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA
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2413 CEDAR AVENUE AND 2412 EAST MESQUITE AVENUE
DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04



SUP-5582 - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA
LUZ DEL MUNDO"

2413 CEDAR AVENUE AND 2412 EAST MESQUITE AVENUE

DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5582

SDR-5583 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA LUZ DEL MUNDO" - Request for a Site Development Plan Review FOR A PROPOSED EXPANSION OF AN EXISTING CHURCH/HOUSE OF WORSHIP AND PARKING LOT; AND A WAIVER OF PERIMETER LANDSCAPING STANDARDS at 2413 Cedar Avenue and 2412 East Mesquite Avenue (APN 139-35-513-031 through 034), R-1 (Single-Family Residential) Zone, Ward 3 (Reese). 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

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 11/2/2004.

And the following added conditions as read for the record as follows:

- No cars for sale allowed on the parking lot when completed
- Additional satellite parking will be required if the parish grows to avoid parking in the neighborhood.
- UNANIMOUS

MINUTES:

NOTE: See Item 80 [SUP-5582] for related discussion.

(1:28 - 1:31)

3-704

CONDITIONS:

Planning and Development

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

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.

CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

CONDITIONS - Continued:

3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the relocation of the trash enclosure to a minimum of 50 feet from any protected property.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center where possible and a minimum of four five gallon shrubs for each tree within provided planters along Mesquite Avenue, Eastern Avenue and Cedar Avenue.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. A Waiver of perimeter landscaping requirements is hereby approved.
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. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Grant a Traffic Signal Chord easement at the northwest corner of Eastern Avenue and Cedar Avenue prior to the issuance of any permits. Contact the Right-of-Way section of the Department of Public Works for assistance with preparing the document.

CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

CONDITIONS - Continued:

16. Construct all incomplete half-street improvements (sidewalk) on Mesquite Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

17. Remove all substandard public street and alley 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.

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

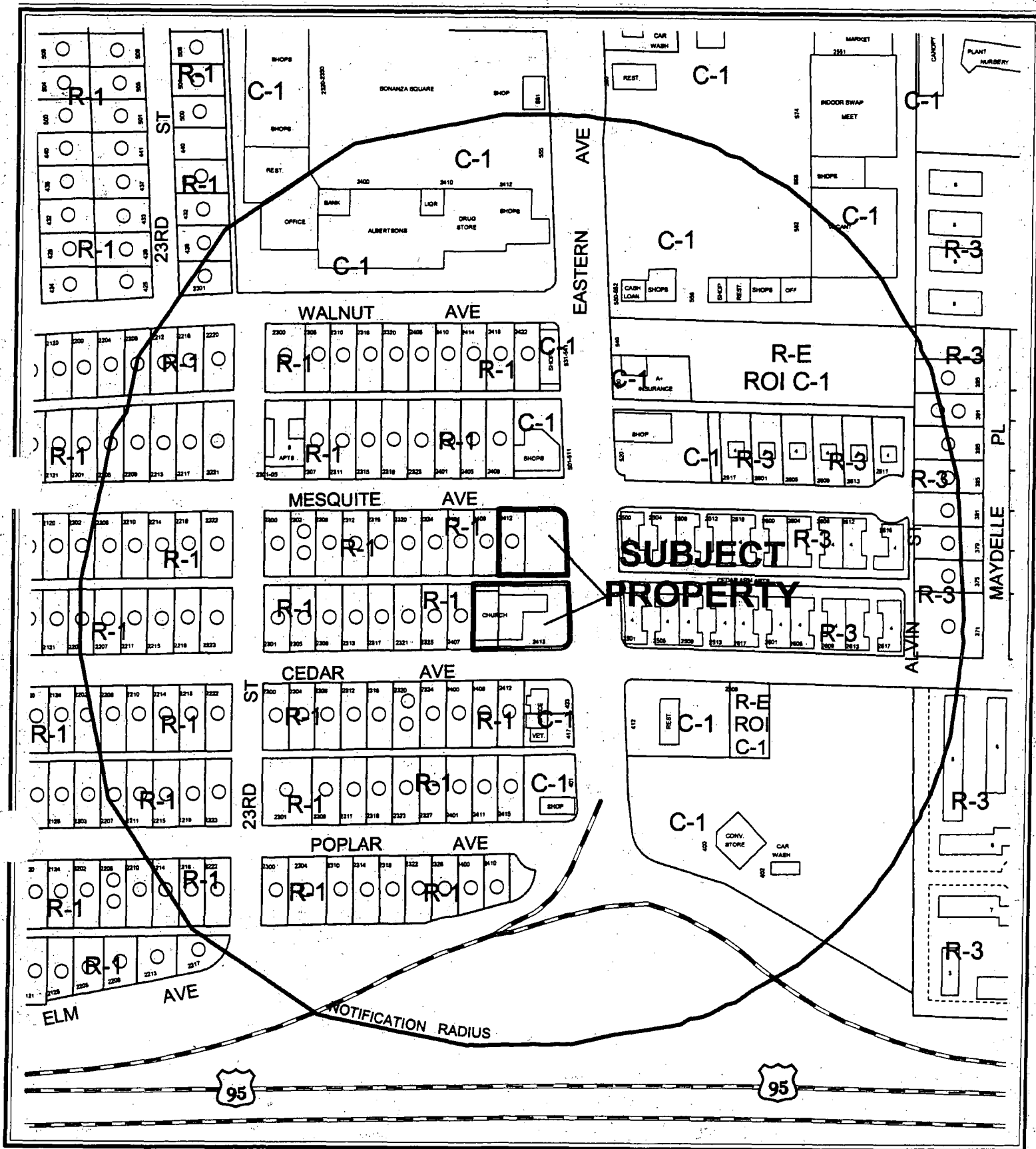
19. Landscape and maintain all unimproved rights-of-way on Eastern Avenue, Mesquite Avenue, and Cedar Avenue adjacent to this site concurrent with development.

20. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.

21. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

22. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility prior to the issuance of any permits.

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



CASE: SDR-5583

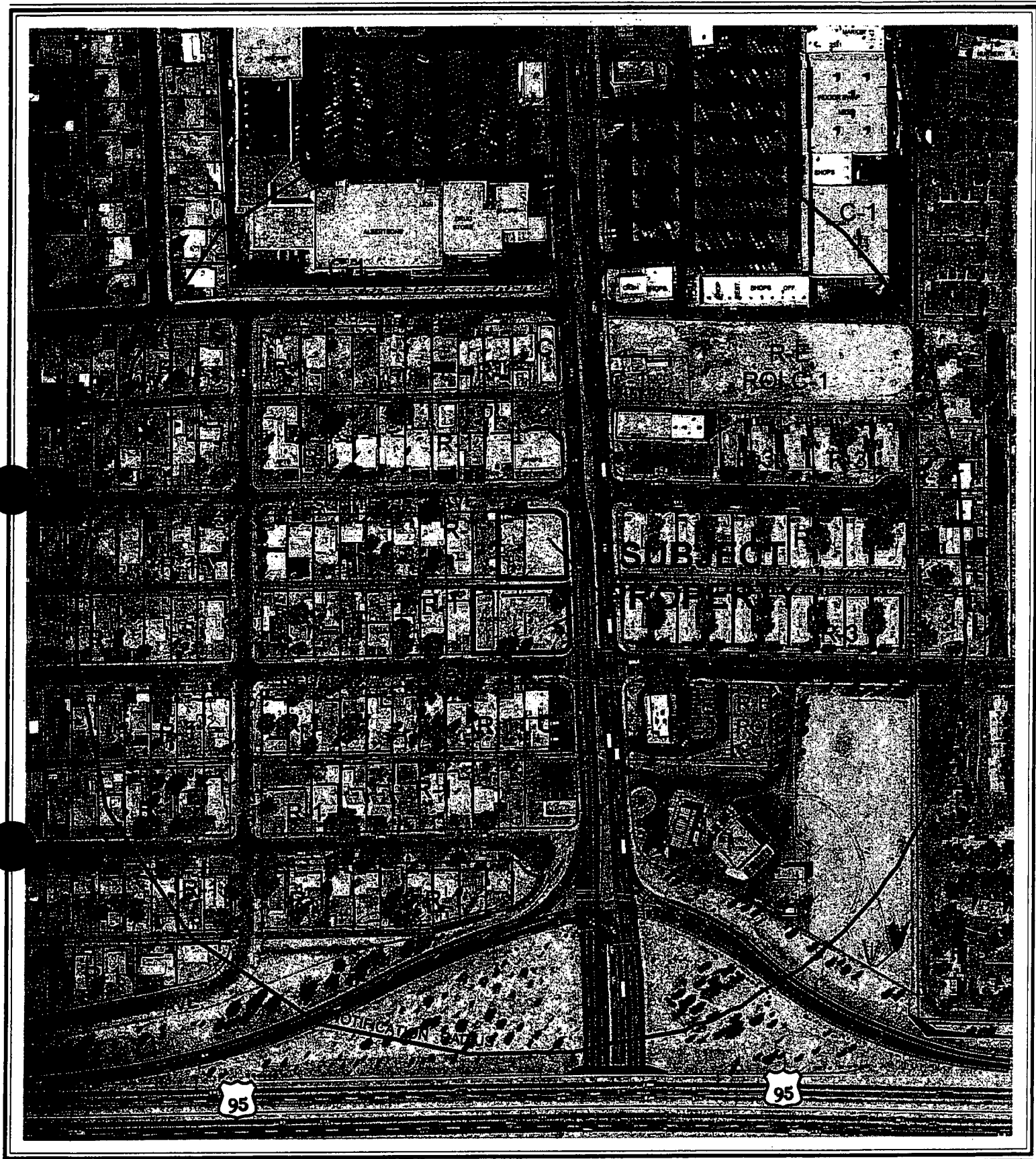
RADIUS: 750 FT

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

0 200 400 Feet

81





CASE: SDR-5583

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 2, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SDR-5583 - APPLICANT/OWNER:
IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA LUZ DEL
MUNDO"**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 19, 2005 CITY COUNCIL
MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

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

Planning and Development

1. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
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, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the relocation of the trash enclosure to a minimum of 50 feet from any protected property.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center where possible and a minimum of four five-gallon shrubs for each tree within provided planters along Mesquite Avenue, Eastern Avenue and Cedar Avenue.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. A Waiver of perimeter landscaping requirements is hereby approved.
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. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Grant a Traffic Signal Chord easement at the northwest corner of Eastern Avenue and Cedar Avenue prior to the issuance of any permits. Contact the Right-of-Way section of the Department of Public Works for assistance with preparing the document.
16. Construct all incomplete half-street improvements (sidewalk) on Mesquite Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
17. Remove all substandard public street and alley 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.
18. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
19. Landscape and maintain all unimproved rights-of-way on Eastern Avenue, Mesquite Avenue, and Cedar Avenue adjacent to this site concurrent with development.
20. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.
21. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Site Development Plan Review for a proposed expansion of an existing Church/House of Worship and a Waiver of perimeter landscaping standards at 2413 Cedar Avenue and 2412 East Mesquite Avenue.

B) *Applicant's Justification*

The applicant justifies the application by stating, "We have youth programs that guide young people through their difficult choices in life, avoiding drug addiction and encouraging higher education. We provide marriage counseling to assist couples and promote family unity." The applicant goes further to state, "Currently our building is not sufficient to accommodate our membership, thus creating problems during our services. Our goal in expanding and remodeling our building is to provide a more comfortable and appealing place for our new members and our community."

BACKGROUND INFORMATION

A) *Previous Actions*

- 05/20/59 The Board of City Commissioners approved Special Use Permit (U-0001-59) application for the construction of an off-street parking lot facility adjacent to an existing church at property located at the southwest corner of Mesquite Avenue and 25th Street. The Board of Zoning Adjustment and staff recommended approval.
- 05/27/65 The Board of Zoning Adjustment approved a Special Use Permit and Site Development Plan Review (U-0013-64) application to allow the construction of a sanctuary and classrooms, with additional parking facilities on property generally located at the northwest corner of 25th Street and Cedar Avenue. Staff recommended approval.
- 03/15/78 The Board of City Commissioners approved a Variance (V-0111-77) application to allow a 13-foot high sign, with the condition that, in event this reader board would be more suitable elsewhere on the property at some future time, it could be moved, on property located at 2413 East Cedar Avenue. The Board of Zoning Adjustment denied the application. The Department Director put forth the approved compromise.
- 03/27/86 The Board of Zoning Adjustment approved a Special Use Permit (U-0020-86) application to allow the operation of a day care nursery for children two through six, from 7 a.m. to 6 p.m., six days a week (Monday through Saturday), on property located at 2413 East Cedar Avenue. Staff recommended approval.

- 12/16/04 The Planning Commission recommended approval of a related case (SUP-5582).
- 12/16/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #50/pl).

B) Pre-Application Meeting

- 10/22/04 A pre-application conference was held resulting in the following comments:
1. The original use permit (U-0013-64) is still valid, but does not encompass the total area.
 2. The Traffic Signal Fee will be assessed at time of building permits.
 3. The pan driveway on Mesquite is o.k.
 4. No Traffic Impact Analysis required.
 5. Chord easement may need to be dedicated on Cedar/Eastern.
 6. Replace any substandard improvements in the right-of-way.
 7. No parking spaces will be permitted in the public right-of-way.
 8. Check with the City Surveyor to determine the best way to re-map the site.
 9. Submit an encroachment agreement for landscaping within the right-of-way.
 10. Not subject to residential adjacency standards due to being located within the Redevelopment Area.
 11. Propose 40-foot tall sanctuary.
 12. Add a parking analysis to the site plan.
 13. Check with Building and Safety regarding the location of the handicap parking spaces.
 14. Revise the site plan to indicate the area of expansion, summarize the SF.
 15. Show elevation drawing of existing / proposed perimeter walls.
 16. The use permit is to include additional lots not part of the original.

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: 0.89

B) Existing Land Use

Subject Property: Church & Undeveloped (Proposed parking lot expansion)
North: Single Family Residence & Commercial Building
South: Single Family Residence & Office Building
East: Four-plex
West: Single-Family Residences

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

The subject parcels are designated L (Low Density Residential) & SC (Service Commercial) within the Southeast Sector Land Use map of the General Plan. All of the subject site is within a R-1 (Single Family Residence) zoning district, which is in conformance with the L (Low Density Residential) General Plan designation but not with the SC (Service Commercial) General Plan designation located on the parcels along the western alignment of Eastern Avenue. The existing and proposed expansion of the Church on the subject site is a permitted use within an R-1 (Single Family Residence) zoning district by means of a Special Use Permit (U-0013-64).

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

Redevelopment Plan Area

The subject site is located within the Las Vegas Redevelopment Plan area as adopted by the 1996 extension of the Redevelopment Area Boundaries Plan Maps. As outlined by Section 110, the objectives of the Redevelopment Plan are to eliminate environmental deficiencies and blight which constitute either social or economic liabilities or both and require redevelopment in the interests of the health, safety and general welfare of the people.

PROJECT DESCRIPTION

The proposed development incorporates the remodeling of an existing Church and additional land to the north for the use of parking. The proposed renovations will expand the width and depth of the existing Church as well as increase the height of the building significantly. The existing residence building located on the southwest portion of the subject parcels is to remain with minor renovations that include the removal of storage room located along the public alley way. Additionally, an existing single-family dwelling is called for demolition to create the parking area on the northern portion of the site.

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	6,500 Square Feet	38,768.4 Square Feet	Yes
Min. Lot Width	65 Feet	127 Feet	Yes
Min. Setbacks			
• Front	20 Feet	50.4 Feet	Yes
• Side	5 Feet	24 Feet	Yes
• Corner	15 Feet	6 Feet	No*
• Rear	15 Feet	6.4 Feet	No*
Max. Lot Coverage	50 %	25 %	Yes
Max. Building Height	2 Stories / 35 Feet	35 Feet	Yes**
Trash Enclosure	Yes	Yes	Yes
Loading Zone	No	No	Yes

* The residence building indicated on the landscape/site plan was granted a house-moving permit and subsequent variance of front and rear yard setbacks as part of Special Use Permit (U-0013-64).

** The sanctuary of the Church is proposed at 35 feet in height, with a five-foot architectural embellishment, which skirts the entire building.

The proposed location of the trash enclosure is within 50 feet of a protected property. Therefore, approval of the Site Development Plan Review will be conditioned upon the trash enclosure moving into the parking facility to the north of the subject site, maintaining a 50-foot separation from the protected properties to the west.

The rest of the proposed redevelopments are in conformance with the development standards set forth by Title 19.08.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the Residential Adjacency Standards do not apply to the subject proposal, as a result of it being located within the Las Vegas Redevelopment Area, as described by ordinance.

A3) Parking and Traffic Standards

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

Uses	Conditions	Required		Provided	
		Ratio	Parking		Parking
			Regular	Handicap	
Church / House of Worship	Not Provided	1 space for each 4 fixed seats or 1 space for each 100 sq ft of non-fixed seating area in gathering room, whichever is greater			
Gathering Room	5,247 SF.		50	3	50 3
Residence	1	2 Space per Dwelling Unit	2		2
Totals			52	3	52 3

The applicant is proposing 55 parking spaces, which are composed of 38 standard parking spaces, 14 compact parking spaces and 3 handicap parking spaces. The applicant has, however, not supplied information pertaining to the number of fixed seats versus non-fixed seating area. Therefore, one cannot determine which parking calculation would be greater. Based upon the presented materials the applicant exactly meets the required number of parking spaces for the Church and residence building. The relocation of the proposed trash enclosure will result in the redistribution of a parking space to accommodate the required 50-foot minimum distance separation from protected properties.

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	10 Trees	11 Trees
Buffer:			
• Min. Trees	1 Tree / 20 Linear Feet	45 Trees	3 Trees
• Min. Zone Width			
• Front	15 Feet		6 – 38 Feet
• Side - Rear	8 Feet		0 – 6 Feet
• Wall height	8 Feet		Not Provided

The proposed landscaping of the Church will consist of 15 Brisbane Box trees, 11 of which are located within the parking facility to the north, 3 of which are located along the south and east property lines of the site and one tree that is located within the interior of the site. The subject parcels combined have a total of approximately 880 linear feet of property line, therefore requiring a total of 45 trees to be placed at an interval of 1 tree per 20 linear feet. The proposed redevelopment fails to meet this standard. The proposed landscape buffers have been measured from the property line inwards; as a result, the additional landscaping shown is to be established through an Encroachment Agreement, due to it being located within the public right-of-way. The proposed landscaped buffers constantly vary in depth and in some areas, especially the northwestern property line, have zero feet of landscaping. Therefore, the project fails to meet the required landscape standards and will require a waiver of said standards to be in compliance.

A5) Sign Standards

A sign has been indicated on the submitted landscape plan, but no details as to what type or size has been supplied. Previously, the Board of City Commissioners approved a Variance (V-0111-77) application to allow a 13-foot high sign, with the condition that, in event this reader board would be more suitable elsewhere on the property at some future time, it could be moved.

B) General Analysis and Discussion

- Zoning

The subject parcels are currently located within a R-1 (Single Family Residence) zoning district. A Church/House of Worship is a permitted use within a R-1 (Single Family Residence) zoning district by means of a Special Use Permit. The proposed site now boasts more area than was previously approved for a Church per Special Use Permit (U-0013-64), therefore requiring a new use permit to encapsulate the entire area.

- Site Plan

The site plan depicts the combining of four parcels into two parcels, bifurcated by a public alleyway. The proposed site encompasses both the southwest and northwest corners of Eastern Avenue and Cedar Avenue and Eastern Avenue and Mesquite Avenue, respectively. Access to the site will be made available via an two-way drive aisle from Mesquite Avenue, as well as from a public alleyway located directly between the portions of the proposed site via Eastern Avenue. The site will consist of a 3,044 square foot residence building and a 6,473 square foot Church/Sanctuary and hall, located on the southern portion of the site, and a parking facility located on the northern portion of the site. Parking to be provided on site totals 55 spaces, composed of 25 % compact spaces and 3 handicap spaces. The currently depicted location of the trash enclosure fails to meet the residential adjacency standards and will be conditioned to be relocated within the parking facility just north of the public alleyway.

- **Waivers**

The proposed redevelopment of the existing church facility will require a waiver of perimeter landscaping to be in conformance with applicable Title 19.12 requirements. Because the site is limited by existing structures, the necessary provision of required parking, the waiver request is acceptable, especially since the landscaping as a whole represents a marked improvement over existing conditions. However, 24-inch box trees will still be required along Mesquite Avenue, Eastern Avenue, and Cedar Avenue a maximum of 20 feet on center where possible.

- **Landscape Plan**

The landscape plan depicts 15-gallon Brisbane Box trees, 5-gallon Purple Pony, Heavenly Bamboo and Amur Privet shrubs and 1-gallon Munstead or Jean Davis and Blue Fescue shrubs. The site has a total 15 trees depicted, with the majority of them being located within the proposed parking area at the north of the site. The proposed redevelopment will require a waiver of perimeter landscaping standards to be in conformance.

- **Elevation**

The submitted building elevations depict a 35-foot tall building, adorned with an order of Corinthian capitals, which reach from the floor to a decorative cornice that skirts the entire building. Atop the cornice resides a decorative parapet that stands 5 feet in height. The building incorporates stained glass windows, as well as decorative torches to embellish the south elevation.

- **Floor Plan**

The floor plans of the church depicts a 4,170 square foot nave attached to a 1,209 square foot kitchen, as well as two restrooms. Centrally located within the nave is the chancel. On either side of the entry/lobby are stairways leading to a 1,077 square foot mezzanine.

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 church in question has been existence since at least 1959. Since that time the condition of the site and the surrounding community has been fairly static. The proposed redevelopment of the site would not change the relationship of the existing use with the surrounding area, and therefore would be compatible.

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 redevelopment of the site is in conformance with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards; with the granting of a waiver of the perimeter landscaping standards.

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

The proposed entrance and exit on Mesquite Avenue and from the public alleyway onto Eastern Avenue will also have no negative impact adjacent neighborhood roadways or neighborhood traffic; since the use previously had less available parking as well as less direct access to the site.

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

The proposed materials are well suited to both the area and the development that currently exists on the site.

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 quite ornate and indicative of a religious facility, therefore in conformance.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

NOTICES MAILED 137 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5583** APN: 139-35-513-031, 032, 033, 034

Name of Property Owner: LA LUZ DEL MUNDO CHURCH

Name of Applicant: LA LUZ DEL MUNDO CHURCH.
AMINADAB CORONADO

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

 Yes

 X No

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

City Official: N/A

Partner(s): N/A N/A.

APN: N/A

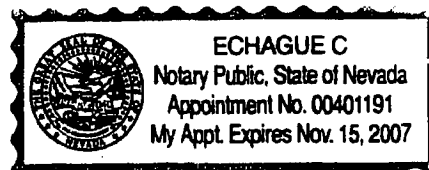
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: AMINADAB CORONADO.

Subscribed and sworn before me

This 02 day of November, 2004

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



SUP-5582
SDR-5583
12-16-04 PC

E. MESQUITE AVE.

VICINITY MAP

SINGLE FAMILY
RESIDENCE

NEW FENCE DETAIL

ALLEY

EASTERN AVE.

CHURCH/SANCTUARY

KITCHEN/HALL
AREA

RESIDENCE

SITE PLAN

CEDAR AVE.



SCALE: 1" = 10'-0"

A2

"LA LUZ DEL MUNDO" CHURCH, LAS VEGAS, NEVADA

RECEIVED
NOV 2 2004

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NOV 8 2004

E. MESQUITE AVE.

PLANT SYMBOL LEGEND

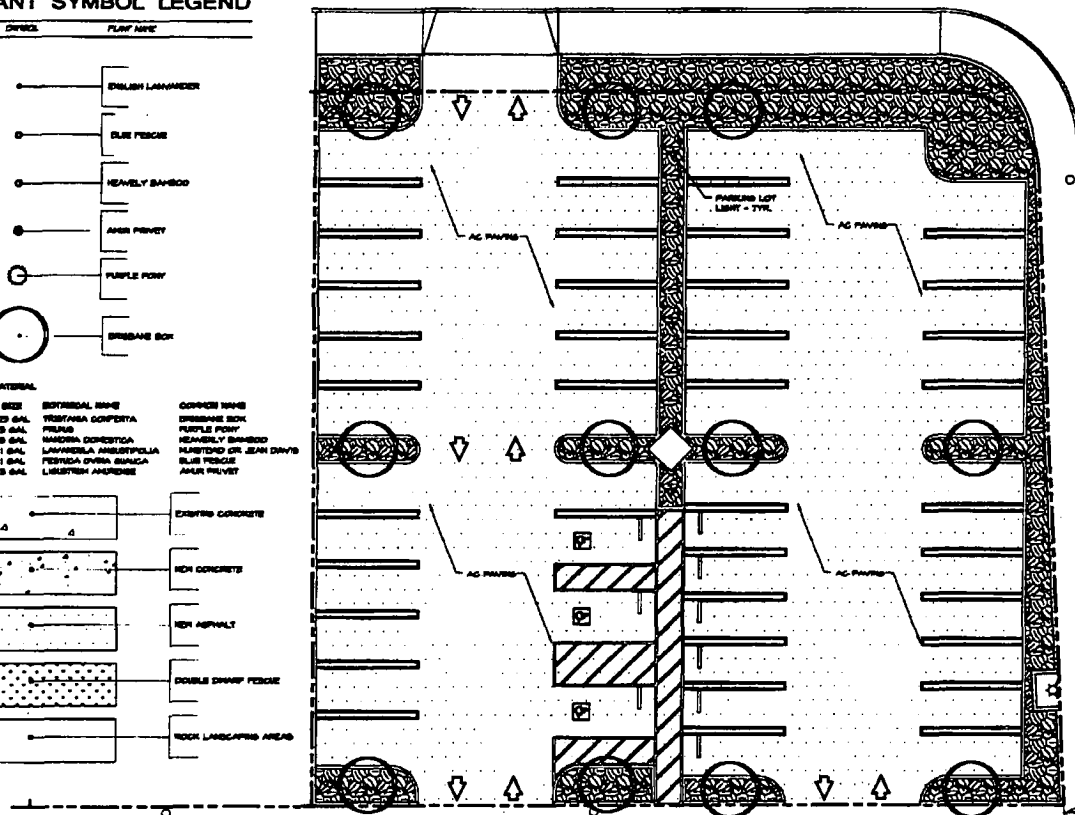
SYMBOL PLANT NAME

- ENGLISH LAMARCKIA
- BLUE PICE
- HEAVILY DAMAGED
- ANNE PRINCE
- PURPLE PONY
- DREDAKE BOX

PLANT MATERIAL

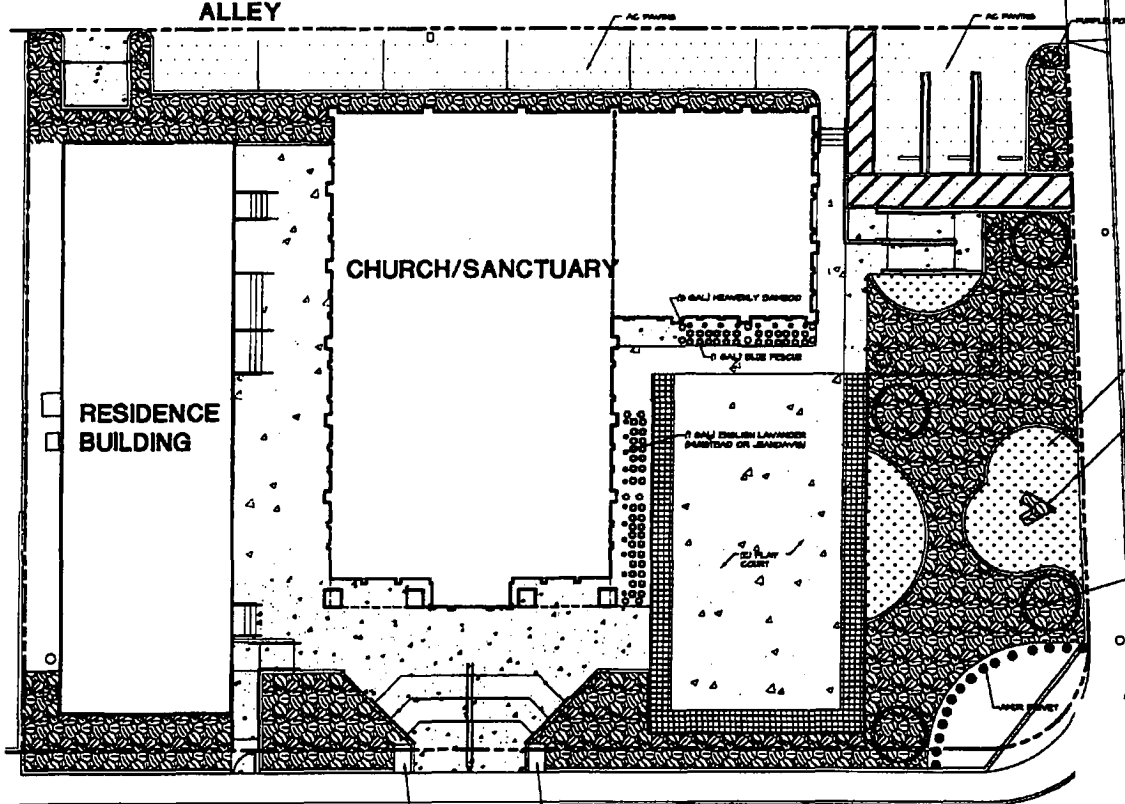
QTY.	SIZE	SYMBOL	SYMBOL NAME
10	20 GAL	ENGLISH LAMARCKIA	ENGLISH LAMARCKIA
10	20 GAL	HEAVILY DAMAGED	HEAVILY DAMAGED
10	20 GAL	ANNE PRINCE	ANNE PRINCE
10	20 GAL	PURPLE PONY	PURPLE PONY
10	20 GAL	DREDAKE BOX	DREDAKE BOX

- EXISTING CONCRETE
- NEW CONCRETE
- NEW ASPHALT
- DOUBLE DRIVE PAVEMENT
- ROCK LANDSCAPING AREA



EASTERN AVE.

ALLEY



CEDAR AVE.

SDR-5583

12-16-04 PC
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L1
SHEET

NOV 2 2004

LANDSCAPING PLAN

"LA LUZ DEL MUNDO" CHURCH, LAS VEGAS, NEVADA



SCALE: 1" = 10'-0"

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NOV 8 2004

NOVEMBER 2, 2004



SDR-5583
12/16/04 PC

LA LUZ DEL MUNDO CHURCH



SDR-5583
12-16-04 PC

GENERAL
OWNER: LA LUZ DEL MUNDO
PROJECT: CHURCH BUILDING
ARCHITECT: SDR-5583
DATE: 12/16/04
SHEET: 12/16/04 PC

GENERAL NOTES
1. SEE SITE PLAN FOR LOT LAYOUT.
2. SEE FLOOR PLAN FOR CHURCH LAYOUT.
3. SEE ELEVATIONS FOR CHURCH EXTERIOR.
4. SEE SECTION FOR CHURCH INTERIOR.
5. SEE SCHEDULE FOR CHURCH MATERIALS.
6. SEE SPECIFICATIONS FOR CHURCH CONSTRUCTION.

GENERAL NOTES
1. SEE SITE PLAN FOR LOT LAYOUT.
2. SEE FLOOR PLAN FOR CHURCH LAYOUT.
3. SEE ELEVATIONS FOR CHURCH EXTERIOR.
4. SEE SECTION FOR CHURCH INTERIOR.
5. SEE SCHEDULE FOR CHURCH MATERIALS.
6. SEE SPECIFICATIONS FOR CHURCH CONSTRUCTION.

SHEET INDEX
A1 COVER SHEET & CODE ANALYSIS
A2 SITE PLAN
A3 EXISTING FLOOR PLAN
A4 FLOOR PLAN
A5 EXTERIOR ELEVATIONS
A6 LANDSCAPING

OWNER
LA LUZ DEL MUNDO
12121 E. WILSON AVE.
LAS VEGAS, NEVADA 89123
TELEPHONE: 702.882.7000
FACSIMILE: 702.882.7000

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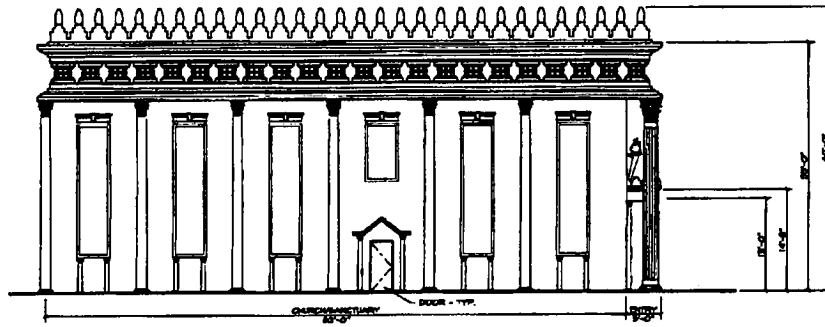
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A1
SHEET

COVER SHEET

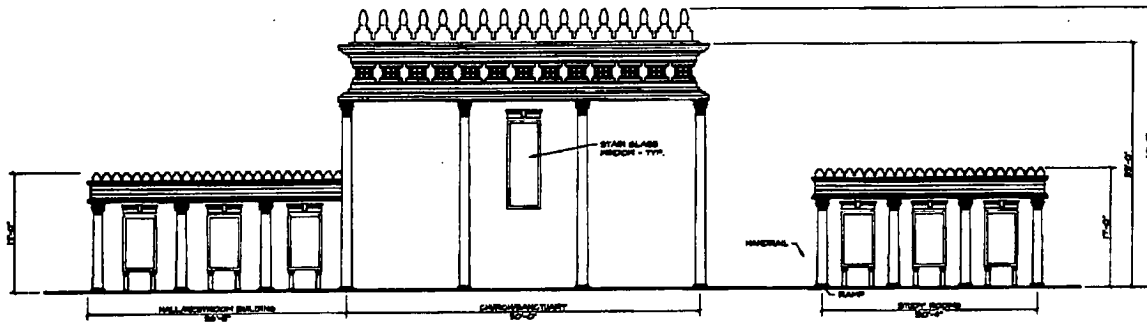
"LA LUZ DEL MUNDO" CHURCH, LAS VEGAS, NEVADA

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NOV 8 2004 NOVEMBER 2, 2004



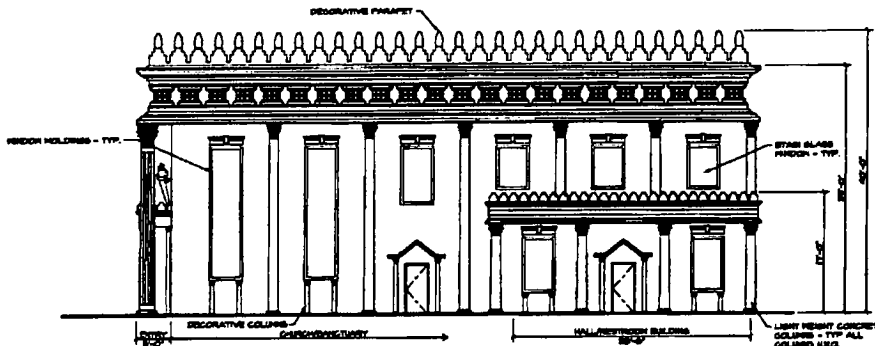
WEST ELEVATION

D



NORTH ELEVATION

C



EAST ELEVATION

B



SOUTH ELEVATION

A

MATERIAL	COLOR
BRICK - BRICK	PAINTED TO "TYPICAL"
BRICK - LIGHT BROWN - BRICK	PAINTED TO "TYPICAL"
GLAZED - LIGHT BROWN GLAZED	PAINTED TO "TYPICAL"
GLAZED - LIGHT BROWN GLAZED	PAINTED TO "TYPICAL"
GLAZED - LIGHT BROWN GLAZED	PAINTED TO "TYPICAL"

RECEIVED

NOV 2 2004

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

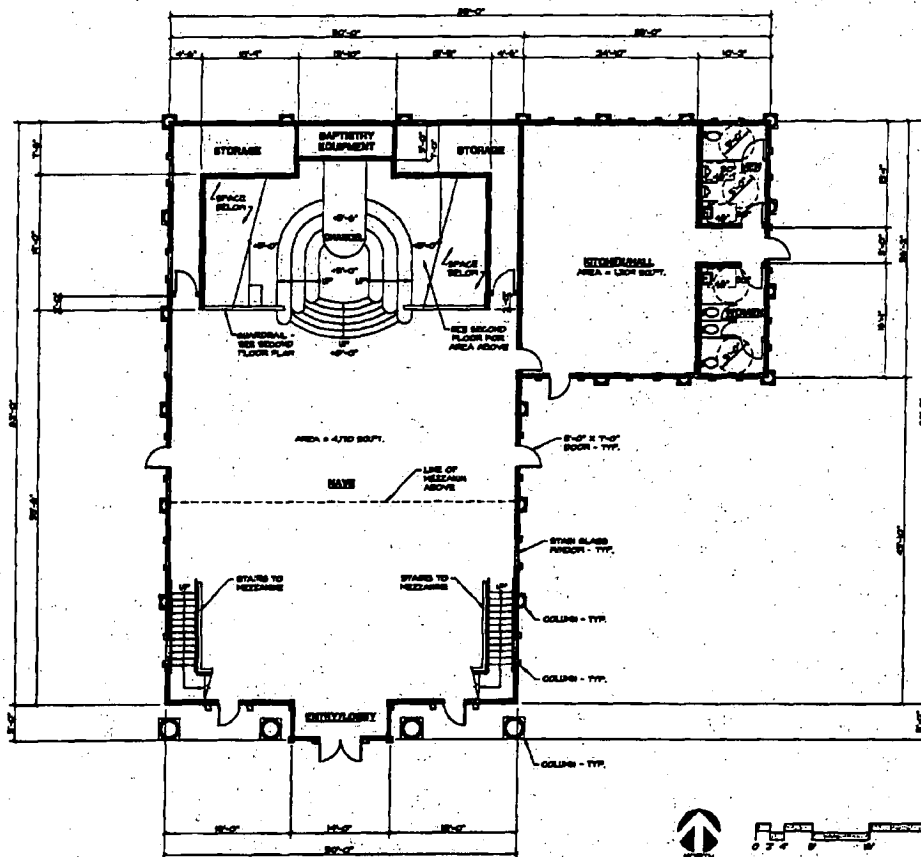
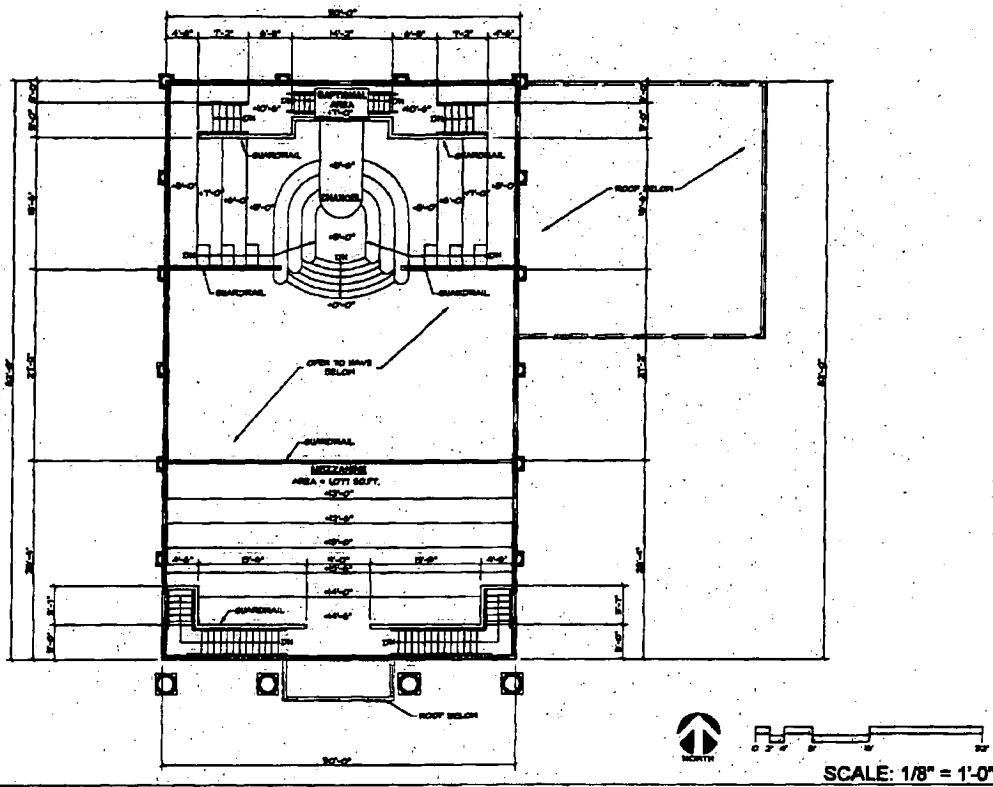
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NOV 8 2004 NOVEMBER 2, 2004

SDR-5583
12/16/04 PC

EXTERIOR ELEVATIONS

"LA LUZ DEL MUNDO" CHURCH, LAS VEGAS, NEVADA



SDR-5583
12-16-04 PC

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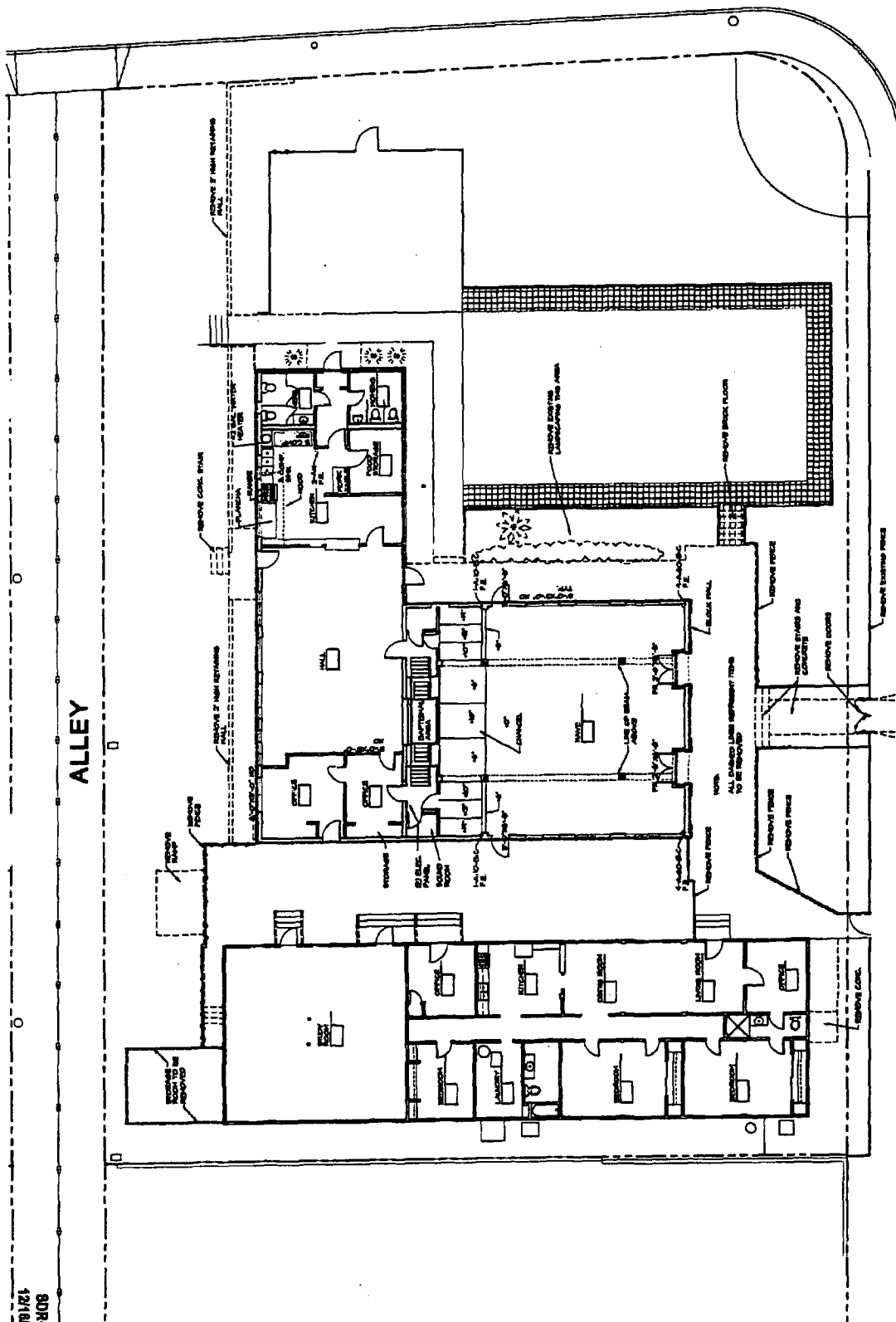
FLOOR PLANS

"LA LUZ DEL MUNDO" CHURCH, LAS VEGAS, NEVADA

RECEIVED
NOV 2 2004

NOVEMBER 2, 2004

SDR-5583
12/16/04 PC



CEDAR AVE.

NOV 2 2004

SDR-5583
12-16-04 PC

8DR-5583
12/18/04 PC

EXISTING FLOOR PLAN

"LA LUZ DEL MUNDO" CHURCH, LAS VEGAS, NEVADA



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

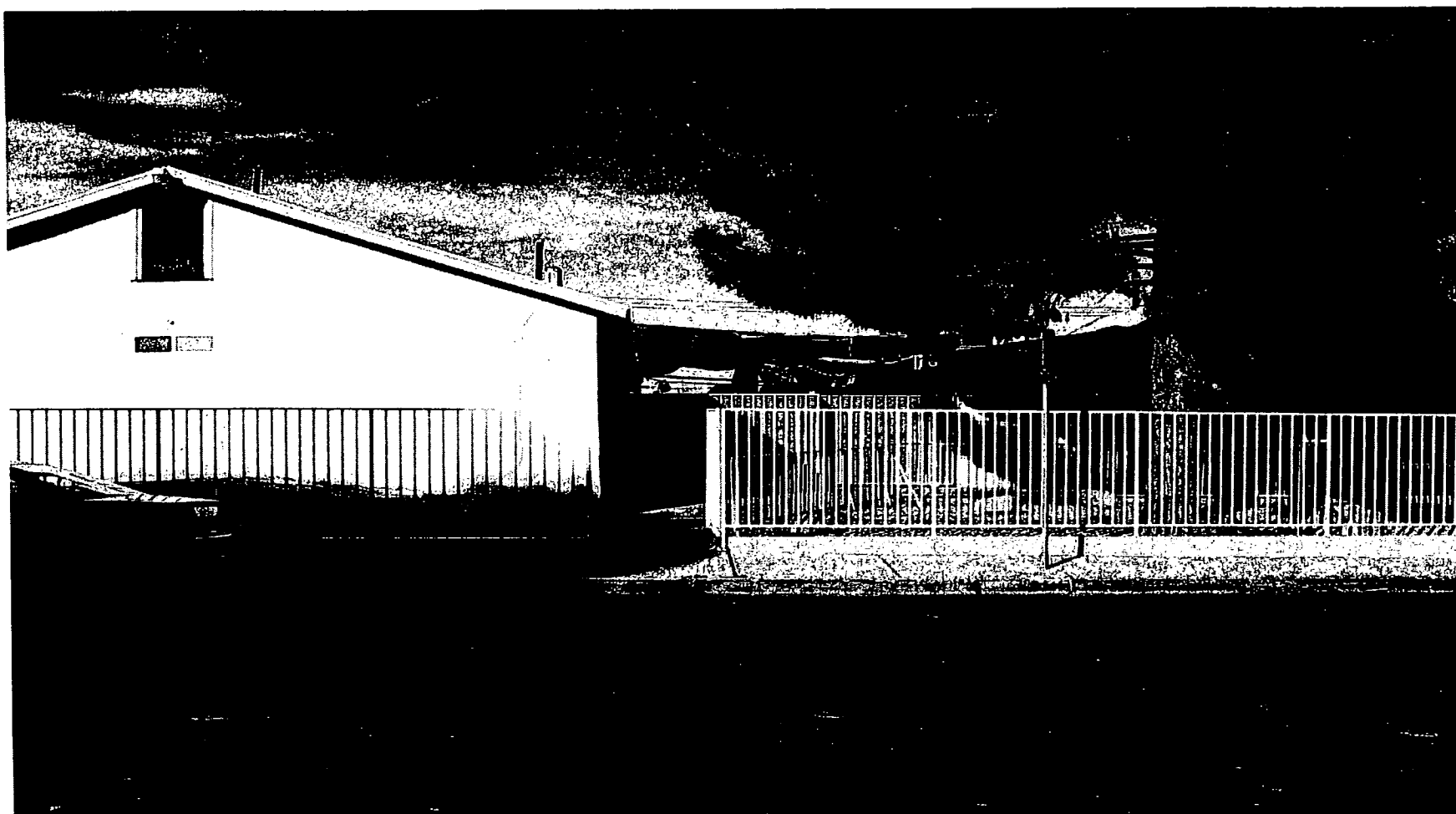
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11 2004



SDR-5583 - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA
LUZ DEL MUNDO"
2413 CEDAR AVENUE AND 2412 EAST MESQUITE AVENUE
DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04

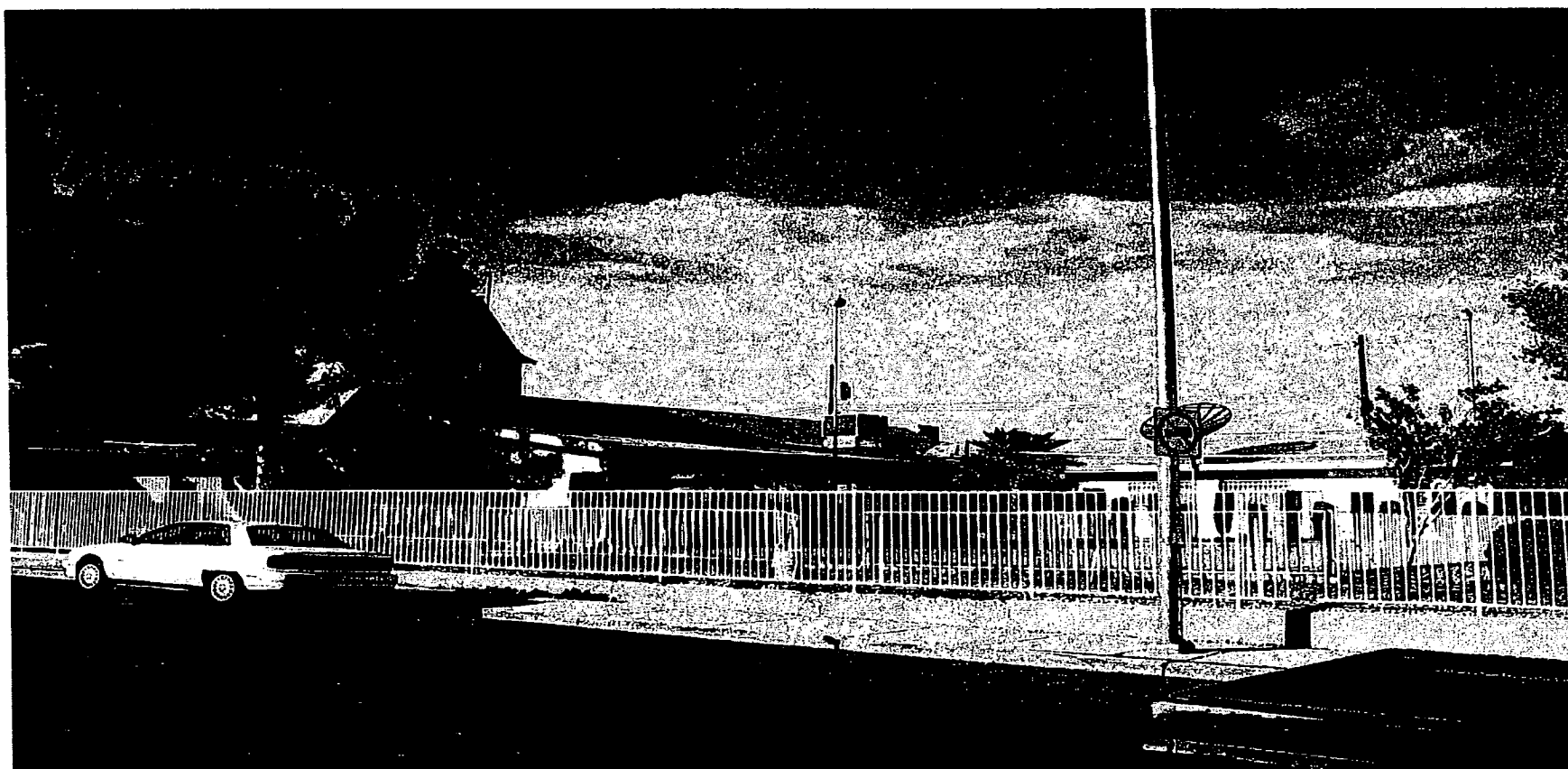


SDR-5583 - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA LUZ DEL MUNDO"

2413 CEDAR AVENUE AND 2412 EAST MESQUITE AVENUE

DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04



SDR-5583 - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA
LUZ DEL MUNDO"
2413 CEDAR AVENUE AND 2412 EAST MESQUITE AVENUE
DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04



SDR-5583 - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA LUZ DEL MUNDO"

2413 CEDAR AVENUE AND 2412 EAST MESQUITE AVENUE

DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04



SDR-5583 - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA LUZ DEL MUNDO"

2413 CEDAR AVENUE AND 2412 EAST MESQUITE AVENUE

DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

MINUTES:

DB 205 JACKSON AVENUE, DB 1912 HOLMES STREET; DB 510 W. McWILLIAMS AVENUE, NL 6101 DENVER CIRCLE; 519 W. VAN BUREN AVENUE, NL 2800 WALNUT AVENUE, SUP-5096, SUP-5627, SUP-5650, SUP-5659, SUP-5663, SUP-5664, SUP-5666, SUP-5687, SUP-5688, SUP-5718, SUP-5720, SUP-5722, SUP-5723, SUP-5870, VAC-5707, VAR-5099, VAR-5300, VAR-5557, VAR-5699, VAR-5705 and VAR-5730 - 2/16/2005 AGENDA

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: FEBRUARY 2, 2005

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

COUNCILMAN MACK stated he attended the Bureau of Land Management (BLM) land sale and emphasized the importance of the City protecting its interest with BLM land sale proceeds. Almost \$500 million of land was sold, with \$415 million just for the Kyle Canyon parcel. Because a great portion of those proceeds return to the City, they should be protected by the City. MAYOR GOODMAN instructed the City Manager to research if that money could be used to build a baseball stadium.

(1:30 - 1:31)

3-809

DOROTHY BARNES, Las Vegas resident, commented on her continued problem of false association with drugs and prostitutes and quality of life issues. She welcomed the new Councilperson.

(1:31 - 1:35)

3-838

BETTY MATHEWS spoke on land development problems in the Valley. Leon Rockwell, one of the earliest tycoons in Las Vegas, advised her at a young age to never sell real estate except maybe rentals. Commercial real estate should never be sold, if anything, it should be leased, and she explained the leasing options most commonly used. She fears that New York development companies may have already come to Las Vegas and obtained the last of the Union Pacific property downtown. She would like the City to take advantage of its popular growth and benefit from commercial real estate rather than give it up. MAYOR GOODMAN was interested in her concerns and invited her to call his office to further discuss the plans of the City.

(1:35 - 1:42)

3-965

COUNCILMAN BROWN noted that it was 129 years ago when professional baseball began. He welcomed COUNCILWOMAN TARKANIAN to the Council. He then informed the public that at 7:31 a.m. in Punxsutawney, Pennsylvania, Punxsutawney Phil was summoned to give the prediction of the coming of spring. He regretted to say that his shadow was seen meaning that six more weeks of winter is expected.

(1:42 - 1:44)

3-1207

THE MEETING ADJOURNED AT 1:44 P.M.