City of Las Vegas

Agenda Item No.: 26

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

ABEYANCE - SUP-5691 - SPECIAL USE PERMIT RELATED TO VAR-5693 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER OF THE 1,500-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING PARK adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN a portion of 125-09-401-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6, (Mack).

C.C.: 03/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	4	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

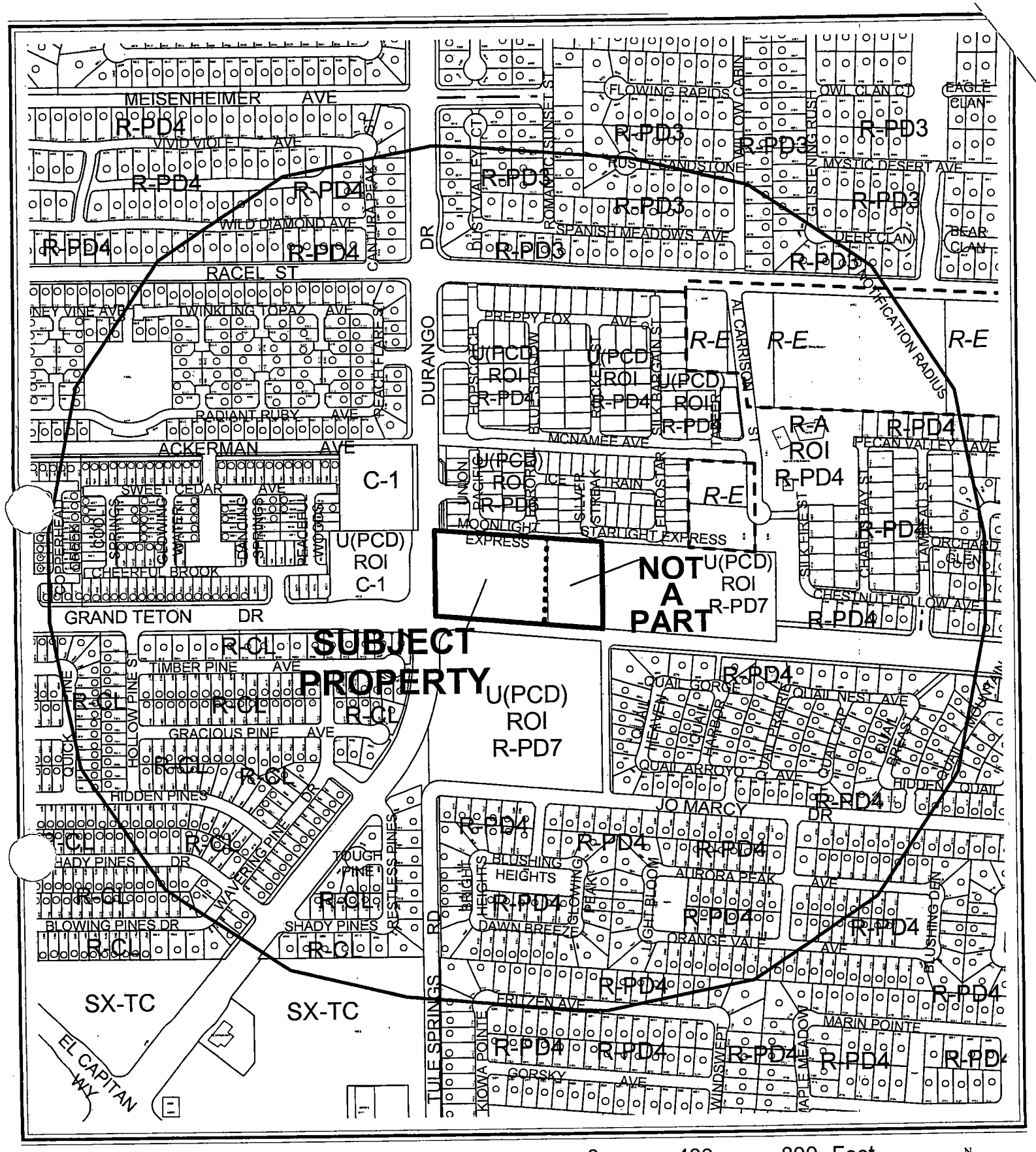
RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:
DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)

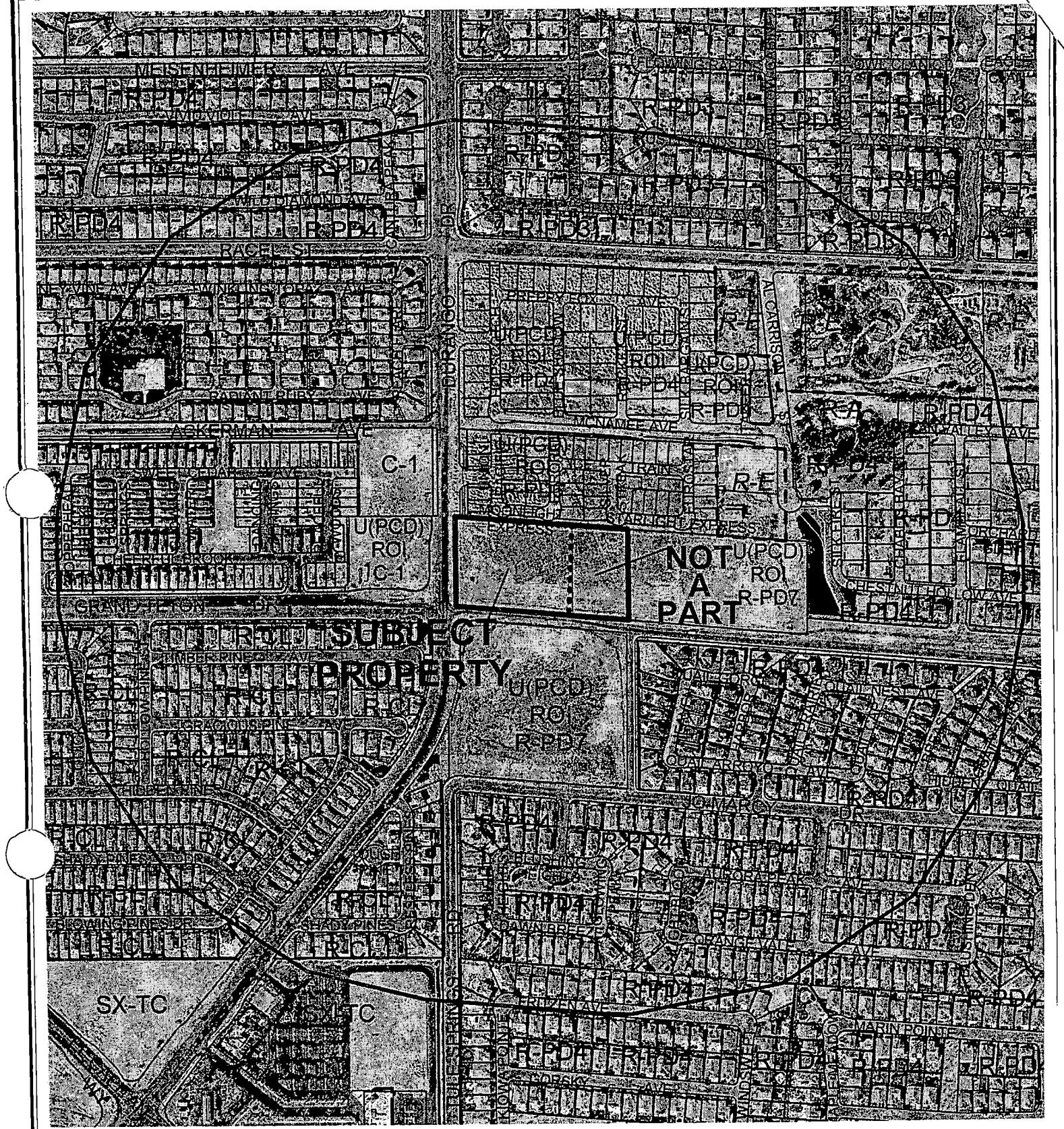


CASE: **SUP-5691**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) AND U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNTIY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)



0 400 800 Feet

N

CASE: **SUP-5691**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) AND U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNTIY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)



SUP-5691
Taverns

Business Licenses

Child Care/ Children Facility

Tavern

0 487.5 975 1,950 Feet

RELIGIOUS

PARKS

SCHOOLS

Subject Property

1500 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5691 - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP.

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Liquor Establishment (Tavern) use.

2. Approval of and conformance to the Conditions of Approval for a Variance (VAR-5694) and Site Development Plan Review [(SDR-5689)].

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

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

5. A Waiver of the 1,500-foot distance separation requirement from an existing park shall be granted.

6. Special Use Permit (SUP-5691) if approved, supercedes all previously approved Taverns on the subject site.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a Liquor Establishment (Tavern) on 2.55 acres and a Waiver of the 1,500-foot distance separation distance requirement from an existing park located at the northeast corner of Grand Teton Road and Durango Drive.

B) Applicant's Justification

The applicant justifies the request by stating that the project was previously approved, but has since expired. The applicant also states that the proposed Tavern and future retail/office pads will compliment the neighborhood architecturally.

BACKGROUND INFORMATION

A) Previous Actions

3/17/99	The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
6/08/99	The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
6/21/00	The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
7/17/02	The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.
01/13/05	The Planning Commission held this item in abeyance to the 02/10/05 Planning Commission Meeting at the request o the applicant.
02/10/05	The Planning Commission will consider companion requests for a Site Development Plan Review (SDR-5689) and Variance (VAR-5694).

B) Pre-Application Meeting

11/16/04	The elements of a Special Use Permit application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.55 acres

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single family residential
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North:	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD6 (Residential Planned Development -6 Units per Acre)
South:	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development -7 Units per Acre)
East:	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under resolution of intent to R-PD7 (Residential Planned Development -7 Units per Acre)
West:	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

This site is located in north- central portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan and designated as SC (Service Commercial). The SC (Service Commercial) category of the Centennial Hills General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. This Special Use Permit is not directly related to any specific General Plan policies.

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

Trails
The subject site contains two types of trails. The first trail is located along the northern property line, which is identified as an Equestrian Trail as indicated on Map 2 of the Recreation Trails Element. The Equestrian Trail has a five-foot landscape corridor, five-foot sidewalk, and a ten-foot equestrian trail path. The second trail is located along the western property line, which is identified as a Multi-Use Transportation Trail as indicated on Map 2 of the Transportation Trails Element. The Multi-Use Transportation Trail has a five-foot transition strip, a ten-foot public transportation trail path, and a five-foot private landscaped corridor. Both trails are referenced in the Las Vegas 2020 Master Plan Elements. The Multi-Use Transportation Trail was not indicated on the site plan. A condition has been added, which requires the trail to be added prior to issuance of civil plans. The placement of the trail could affect the final location of pad "A".

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	**Required**			**Provided** Parking	
		Ratio	Parking			
			Regular	Handicap	Regular	Handicap
Tavern	6,115 s.f.	1/50 sq. ft. of public seating/ 200 sq ft for remaining	76 spaces	2 spaces	76 spaces	2 spaces

Retail	9,615 s.f.	1/175	55 spaces	3 spaces	55 spaces	4 spaces
Total	15,730 s.f.	-	131 spaces	5 spaces	131 spaces	6 spaces

The applicant had requested a Variance (VAR-5693) from the required number of parking spaces. The Variance has since been withdrawn without prejudice. The revised site plan date stamped February 2, 2005 complies with Title 19 parking requirements, indicating 131 parking spaces with 6 handicapped spaces.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Tavern)	1,500 feet	1,124 feet

The proposed use requires a minimum separation distance of 1,500 feet between similar uses and any church, synagogue, school, child care facility licensed for more than twelve children or City park. The proposed use is located 1,124 feet from a City park; therefore, the applicant has requested a Waiver of the 1,500-foot distance separation requirement from an existing park. The proposed Waiver cannot be supported due to the location of the Tavern from the existing park.

B) General Analysis and Discussion

- Zoning

  The site is currently zoned U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial). A Liquor Establishment (Tavern) is permitted with the approval of a Special Use Permit.

- Use

  A Liquor Establishment (Tavern) is defined in Title 19 as a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.

- Conditions

  Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between liquor establishments (Tavern), and a minimum separation between a liquor establishment (Tavern) and certain other uses that should be protected from the

impacts associated with a liquor establishment (Tavern). Therefore, except as otherwise provided below, no liquor establishment (Tavern) may be located within fifteen hundred feet of any other liquor establishment (Tavern), church, synagogue, school, child care facility licensed for more than twelve children or City park.

The distance separation requirement set forth in the above-mentioned paragraph may be waived in accordance with the provisions of Subsection 19.04.050(A)(4), but only in connection with a proposed liquor establishment (Tavern) that: Will be separated from the existing use by a street or highway with a minimum right-of-way width of one hundred feet.

The Waiver complies with the requirement since Durango Drive has a 100-foot right-of-way. Staff cannot support the requested Waiver because of the Tavern's proximity to single-family residences and a City park. A condition of has been added, which would grant approval of the Waiver if the Special Use Permit is approved.

FINDINGS

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

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

   The proposed use cannot be conducted in a manner that is harmonious and compatible with the land uses surrounding the site because of its proximity to single-family residences and a City park.

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

   The overall site is physically suitable for the type and intensity of the proposed land use. The overall site would be better served with a location, which was not immediately adjacent to residential uses.

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

   Access site is via Durango Drive, a Primary (100-foot) Arterial and Grand Teton Drive, a Parkway (120-foot) Arterial as defined in the Master Plan of Streets and Highways, which are capable of handling the associated traffic.

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

   The proposed development will be subject to inspections and permitting, and therefore will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 786 – Mailed with VAR-5693, VAR-5694 and SDR-5689

APPROVALS 0

PROTESTS 4

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5691 APN: 125-09-401-006

Name of Property Owner: A.L.M. Corporation, Grand Teton Lodge Land LLC

Name of Applicant: Architect Gerald Garapich A.I.A.

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: STUART APOLLO

Subscribed and sworn before me

This 29th day of NOVEMBER 2004

Notary Public in and for said County and State

HEATHER M. MONAHAN
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 11-20-2008
Certificate No: 98-5232-1

PROJECT DATA:

APPLICATIONS: ZC-1181-98, ZON-5693

LEGAL DESCRIPTION:
THE SOUTH HALF (S1/2) OF THE SOUTH-EAST QUARTER (SE1/4) OF THE SOUTH-WEST QUARTER (SW1/4) OF THE SOUTH-WEST QUARTER (SW1/4) OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. & M.

ASSESSORS PARCEL NUMBER: 125-09-401-006

SITE AREA: 111,112 S.F. (2.55 ACRES)

CURRENT ZONING: C1 / U

PROPOSED ZONING: C1 / C2

SETBACKS:

	REQUIRED:	PROVIDED:
FRONT:	20'-0"	20'-0"
SIDES:	15'-0"	15'-0"
REAR:	20'-0"	20'-0"
CORNER:	15'-0"	-

BUILDING AREA: 18,615 S.F.

PAD 'A'	2,500 S.F.
PAD 'B'	4,000 S.F.
PAD 'C'	4,200 S.F.
LODGE / TAVERN	6,115 S.F.

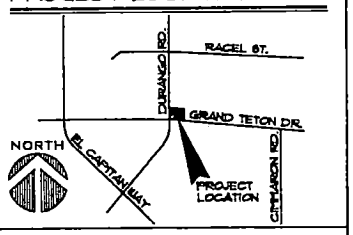
LOT COVERAGE: 16.7 %

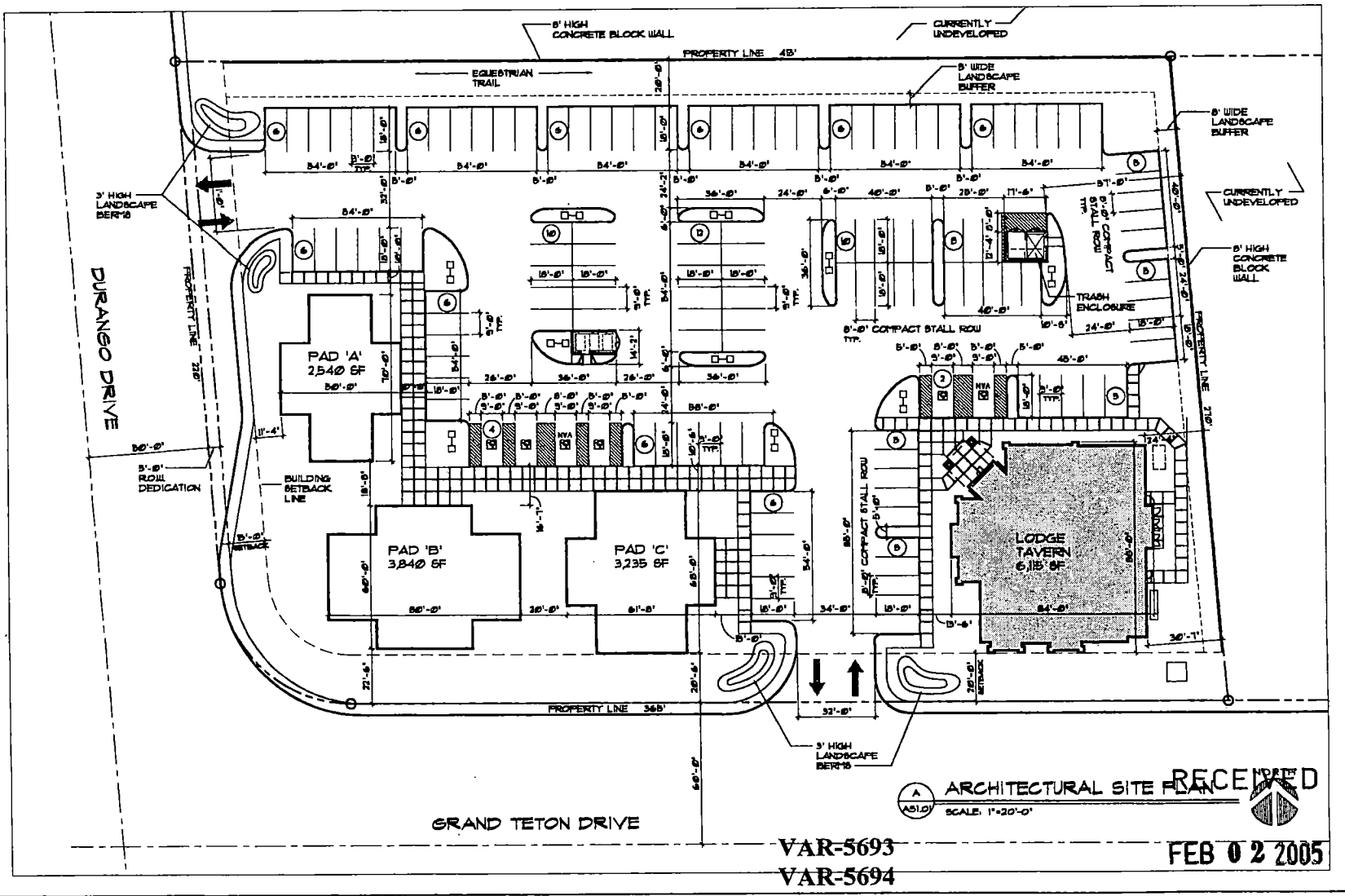
PARKING CALCULATIONS:
REQUIRED:

TAVERN: 1 : 50 PUBLIC SEATING	330 P/50 =	66 SPACES
1 : 200 SF FOR REMAINING GFA	3,330/200 =	16 SPACES
	SUBTOTAL =	76 SPACES
RETAIL: 1 : 175 GFA	9,615 SQ/175 =	55 SPACES
TOTAL REQUIRED:		131 SPACES

PROVIDED:
INCLUDING 6 HANDICAP SPACES
(W/ 2 SPACES VAN ACCESSIBLE) 131 SPACES

PROJECT LOCATION:





A AS1.01 ARCHITECTURAL SITE PLAN
SCALE: 1"=20'-0"

RECEIVED
FEB 02 2005

VAR-5693
VAR-5694
SUP-5691
SDR-5689
02.10.05 PC REVISED 02.02.05

ARCHITECT
GERALD GARDNER • AIA • LLC
10 COMMERCE CENTER DRIVE
HENDERSON, NEVADA 89014
(702) 456-8842 FAX (702) 456-7442

project title:
GRAND TETON AND DURANGO
COMMERCIAL DEVELOPMENT
GRAND TETON DRIVE / DURANGO DRIVE
LAS VEGAS, NEVADA

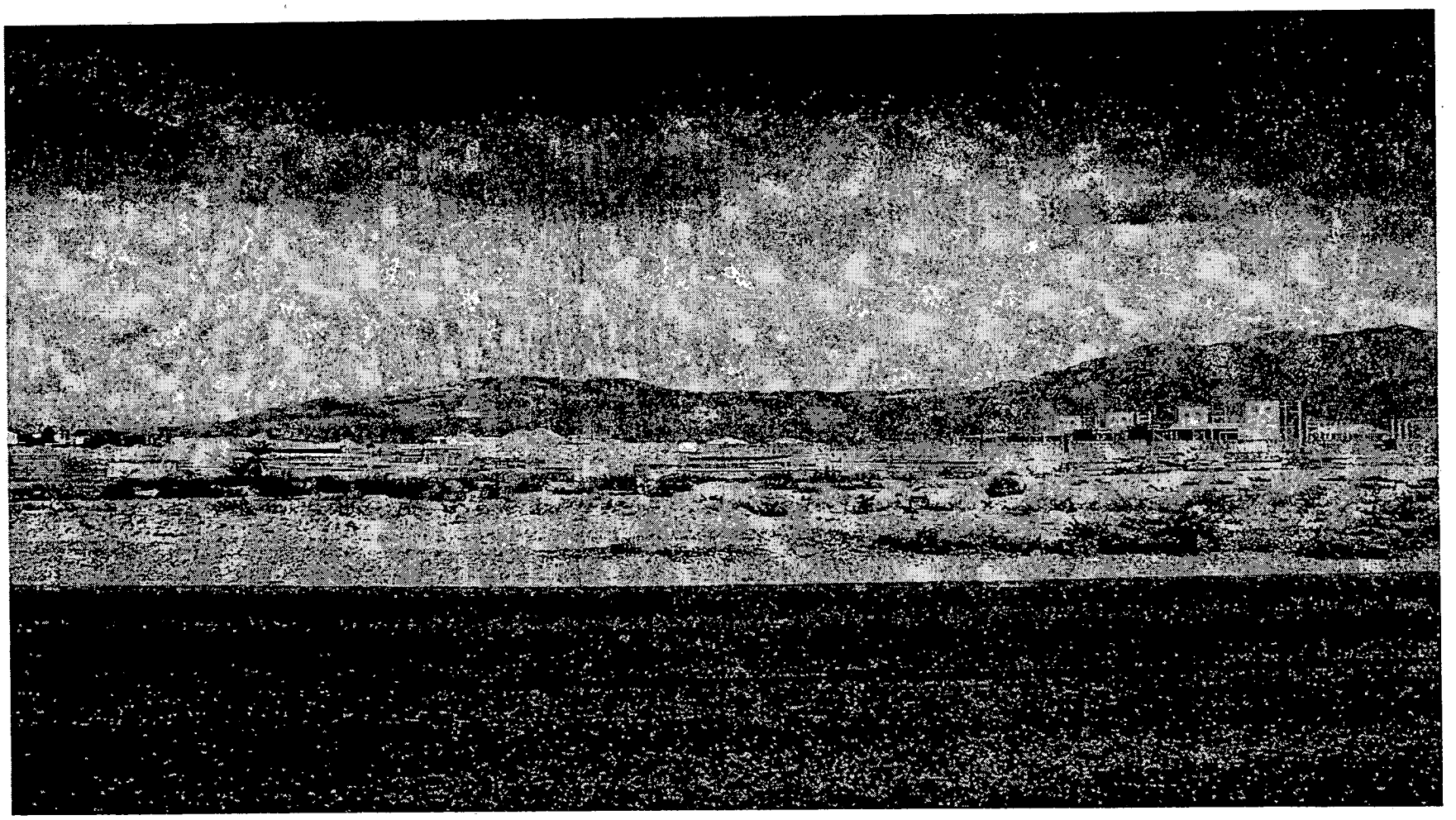
PRELIMINARY
NOT FOR CONSTRUCTION
02-02-05

sheet title: SITE PLAN

drawn by: GG
checked by: GG
project no.: 05-111
revisions:
sheet no.: AS1.01

AS INSTRUMENTS OF SERVICE, THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE REPRODUCED OR USED FOR ANY PURPOSE WHATSOEVER WITHOUT THE ARCHITECT'S WRITTEN CONSENT. COPIES OF THE DRAWINGS AND SPECIFICATIONS RELEASED BY THE ARCHITECT MAY BE UTILIZED ONLY FOR THEIR USE AND FOR ACTIVITIES RELATED TO THIS PROJECT. ANY OTHER USE OR REUSE BY ANY OTHER PARTY OR ANY REPRODUCTION OF THESE DRAWINGS WITHOUT THE ARCHITECT'S WRITTEN CONSENT SHALL BE AT THE SOLE RISK OF THE PARTY USING OR REPRODUCING THE DRAWINGS AND SHALL BE WITHOUT LIABILITY TO THE ARCHITECT. THESE DOCUMENTS ARE NOT FINAL AND READY FOR USE, AND THEREFORE NOT VALID, UNLESS THEY ARE SEALED, DATED, AND SIGNED BY THE ARCHITECT.

P:\02-171\Design Review\2171cs101.dwg Wed, 02 Feb 2005 - 10:25am



SUP-5691 - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP.
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

12/23/04

ARCHITECT
GERALD GARAPICH, AIA, LLC.
10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

November 29, 2004

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

Attn: Kyle Walton
Principal Planner

RE: GRAND TETON & DURANGO COMMERCIAL **PROJECT NO: 02-171**
JUSTIFICATION LETTER

Dear Mr. Walton,

We respectfully request favorable consideration for a use permit to move the location for a previously approved tavern approximately 200 feet to the east. This location is the same location that was presented to the neighbors at our meetings when the project consisted of 10 acres. The developer to the east of our site (on the 7 acres we sold him) is fully aware of the proposed tavern location and will disclose this to all homebuyers. This location is appropriate due to the limited driveway access and site layout.

Should you have any questions or require additional information please contact our office.

Sincerely,

Richard C. Gallegos
Project Director

Cc: 02-171.js.lt.use.permit.112904

SUP-56091

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

I VOTE NO
ON SPECIAL USE PERMIT
NO. 5691.
Gary R. Kronenberg
GARY R. KRONENBERG
8316 BLUSHING HTS. AVE. JAN. 5, 05

MEETING: PLANNING COMMISSION
DATE: JANUARY 13, 2005
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-5691

APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER OF THE 1,500-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING PARK ADJACENT TO THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN A PORTION OF 125-09-401-006), U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) ZONE, WARD 6, (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) http://www. lasvegasnevada.gov.

CITY OF LAS VEGAS NEVADA

GARY M. LEOBOLD, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

Telephone Protest/ Approval Log

Meeting Date: 01/13/05

Case Number: SDR 5689 - & SUP-5691; VAR-5693 & VAR-569

Date: 01/05/05
Name: Simon Jordan
Address: 8245 Quail Aurora 89131
Phone: (702) 396-5953
[X] **PROTEST** [ ] **APPROVE**

Date: 01/10/05
Name: William Weigand
Address: 7936 Quail Prairie St L.V. NV. 89131
Phone: 838-9669
[X] **PROTEST** [ ] **APPROVE**
VAR-5694
SDR-5689 SUP-5691 VAR-5693

Date: 1-6-04
Name: ~~WALTER &~~ MARCIA SCHULLER
Address: 7936 QUAIL HARBOR ST. L.V.
Phone: 656-9834
[✓] **PROTEST** [ ] **APPROVE**
Enough drinks w/o adding more bars

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

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

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

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

City of Las Vegas

Agenda Item No.: 27

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

ABEYANCE - SDR-5689 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5691, VAR-5693, AND VAR-5694 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - Request for a Site Development Plan Review FOR A 6,115 SQUARE-FOOT TAVERN AND A WAIVER OF TRASH ENCLOSURE SEPARATION on 2.55 acres adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN a portion of 125-09-401-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), ward 6, (Mack).

C.C. 03/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	4	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

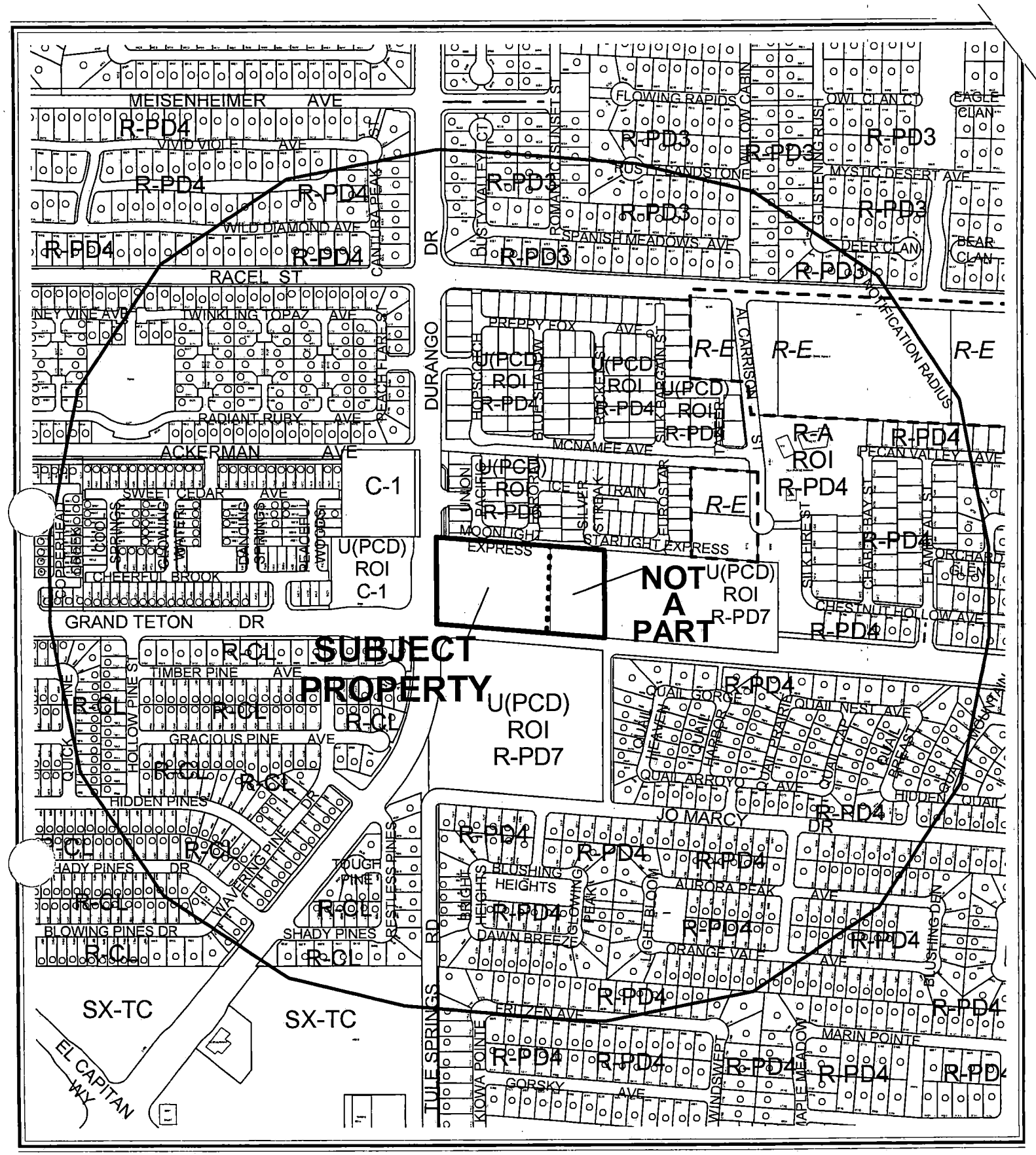
MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)



CASE: **SDR-5689**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) AND U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNTIY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5689 - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP.

** CONDITIONS **

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

Planning and Development

1. A revised site plan including the Multi-Use Transportation Trail located along the western property line shall be re-submitted prior to issuance of civil plans. The revision will delete a 20-foot portion of the eight-foot block wall, located on the northernmost portion of the east property line wall.

2. All development shall be in conformance with the site plan and building elevations, date stamped 02/02/2005 except as amended by conditions herein including the trails as indicated in the Las Vegas 2020 Master Plan Elements.

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

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

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

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

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

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

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

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

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

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

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

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

Public Works

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

16. 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.

17. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

18. In accordance with the intent of a commercial subdivision, all pad sites shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

19. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

20. Site development to comply with all applicable conditions of approval for Zoning Reclassification (ZON-3509) and all other applicable site-related actions.

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

22. The required multi-use equestrian trail shall be annotated "20-foot wide Multi-Use Equestrian Trail, no above-ground utility vaults that would substantially interfere with the intended use of the trail corridor shall be allowed and no such easement rights shall be granted to the utility companies, nor any other parties". The trail shall also be a separated lot that is to be conveyed to the City of Las Vegas within one year of mapping or occupancy of any portion of this site, whichever occurs first and shall be privately maintained prior to conveyance.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 6,115 square-foot Tavern on 2.55 acres adjacent to the northeast corner of Grand Teton Road and Durango Drive.

B) Applicant's Justification

The applicant justifies the request for a Tavern stating that it was previously approved, but is now being moved 200 feet to the east on the same site.

BACKGROUND INFORMATION

A) Previous Actions

3/17/99	The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
6/08/99	The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
6/21/00	The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
7/17/02	The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.
01/13/05	The Planning Commission held this item in abeyance to the 02/10/05 Planning Commission Meeting at the request of the applicant.
02/10/05	The Planning Commission will consider companion requests for a Special Use Permit (SUP-5691) and Variance (VAR-5694).

B) Pre-Application Meeting

11/16/04	The elements of a Site Development Plan Review were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.55 acres

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family residential
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North:	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD6 (Residential Planned Development -6 Units per Acre)
South:	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development -7 Units per Acre)
East:	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under resolution of intent to R-PD7 (Residential Planned Development -7 Units per Acre)
West:	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

This site is located in north- central portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan and designated as SC (Service Commercial). The SC (Service Commercial) category of the Centennial Hills General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The Site Development Plan Review complies with the General Plan policies.

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

Trails
The subject site contains two types of trails. The first trail is located along the northern property line, which is identified as an Equestrian Trail as indicated on Map 2 of the Recreation Trails Element. The Equestrian Trail has a five-foot landscape corridor, five-foot sidewalk, and a ten-foot equestrian trail path. The site plan indicates an eight-foot block wall located on the northern most portion of the east property line encroaches into the Equestrian Trail. Condition number one addressed this issue. The second trail is located along the western property line, which is identified as a Multi-Use Transportation Trail as indicated on Map 2 of the Transportation Trails Element. The Multi-Use Transportation Trail has a five-foot transition strip, a ten-foot public transportation trail path, and a five-foot private landscaped corridor. Both trails are referenced in the Las Vegas 2020 Master Plan Elements. The Multi-Use Transportation Trail was not indicated on the site plan. A condition has been added, which requires the trail to be added prior to issuance of civil plans. The placement of the trail could affect the final location of pad "A".

PROJECT DESCRIPTION

The proposal is for development of 6,115 square-foot Tavern on a 2.55 acre site. The proposal includes parking and landscaping for the overall site. The site includes three additional pads, which will be permitted in the future as retail/office uses as individual Site Development Plan Reviews. The Tavern was previously approved, but is now being moved 200 feet to the east.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	N/A	Y
Min. Lot Width	100 Feet	270 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	30.7 Feet	Y
• Corner	15 Feet	N/A	Y
• Rear	20 Feet	158 Feet	Y
Max. Lot Coverage	50 %	14 %	Y
Max. Building Height	None	29 Feet	Y
Trash Enclosure	Yes	Yes	Y

The applicant had requested a waiver of the trash enclosure separation distance requirement. The revised site plan date stamped 02/02/2005 indicates the trash enclosure has been relocated 56 feet from the residential property to the east. Trash enclosures are required to be at least 50 feet from residential property, therefore the Waiver is no longer needed.

A2) Residential Adjacency Standards

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

a) Proximity slope. The proposed Tavern is 24-feet and four-inches from the nearest property line. The applicant is proposing a building 29 feet and two and one-half inches in height. The 24-foot setback requires the building to be a maximum of 15 feet in height. The building exceeds this provision by 14 feet and two and one-half inches. The proposed Tavern fails to meet the proximity slope requirement. Since this fails to meet the proximity slope requirement denial of associated Variance (VAR-5694) is recommended.

b) Building setback. The proposed Tavern is 24-feet four-inches from the nearest property line, where only ten feet are required, therefore the proposed development meets the building setback requirement.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required**			**Provided**	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,115 s.f.	1/50 sq. ft. of public seating/ 200 sq ft for remaining	76 spaces	2 spaces	76 spaces	2 spaces
Retail	9,615 s.f.	1/175	55 spaces	3 spaces	55 spaces	4 spaces
Total	15,730 s.f.	-	131 spaces	5 spaces	131 spaces	6 spaces

The applicant had requested a Variance (VAR-5693) from the required number of parking spaces. The Variance has since been withdrawn without prejudice. The revised site plan date stamped 02/02/2005 complies with Title 19 parking requirements, indicating 131 parking spaces with 6 handicapped spaces.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/ 6 Spaces	25 Trees	25 Trees
Buffer: • Min. Trees	1 Tree/ 20 Linear Feet	61 Trees	61 Trees
• Min. Zone Width	8 Feet		8 Feet
• Wall height	8 Feet		8 Feet

The landscape plan meets the requirements pursuant to Title 19.12.

B) General Analysis and Discussion

- Zoning

The site is currently zoned U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial). A Liquor Establishment (Tavern) is permitted with the approval of a Special Use Permit.

- Site Plan

The site plan depicts the proposed Tavern and three future retail/office pads to be submitted in the future. The site is accessed via Durango Drive and Grand Teton Drive.

- Waivers

The revised site plan date stamped 02/02/2005 indicates a compliant trash enclosure; as a result, the previous request for a Waiver is no longer necessary. The site plan indicates a trash enclosure 56 feet from the east property line.

- Landscape Plan

The landscape plan depicts a variety of 24-inch box drought tolerant trees, shrubs, and ground cover. The landscape plan conforms to Title 19 Landscape and Buffer Standards for foundation and perimeter landscaping requirements.

- Elevation

  The elevation of the proposed tavern indicates a 29-foot 2-1/2 inch structure. The building utilizes tile roofing and stone veneer as an accent. The building also utilizes muted earth tones such as tan and green.

- Floor Plan

  The 6,115 square-foot building indicates one-half of the building is designated for patrons, while the remaining half is utilized as service and office areas.

FINDINGS

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

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

   The proposed development is incompatible with adjacent development and cannot be supported. The proposed site does not compliment the residential neighborhood to the north and the approved undeveloped neighborhood to the east.

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

   The proposed development is inconsistent with Title 19.08. The Code requires that standards shall not be compromised. The location of the proposed Tavern does not comply with Residential Adjacency Standards. The proposed pad locations have been inappropriately configured for the character of this area.

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

   The site will be accessed from Durango Drive a (100-foot) Primary Arterial and Grand Teton Drive a (120-foot) Parkway Arterial as designated on the Master Plan of Streets and Highways. On-site circulation will be not be negatively impacted since the parking has been revised.

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

   The building and landscape materials appear to be appropriate for the site and its surroundings.

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

   The proposed building elevations and design appear to be harmonious with the surrounding residential neighborhood, but the location of the Tavern is problematic. The site as configured are not harmonious nor is it compatible with development in the area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 786 – Mailed with VAR-5693, VAR-5694 and SUP-5691

APPROVALS 0

PROTESTS 4

PLANNING & DEVELOPMENT DEPARTMENT

Site Development Review

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5689 APN: 125-09-401-006

Name of Property Owner: A.L.M. Corporation Grand Teton Lodge Land, LLC

Name of Applicant: Architect Gerald Ganapich A.I.A.

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: STUART APOLLO

Subscribed and sworn before me

This 20th day of November 2004

[signature]

Notary Public in and for said County and State

HEATHER M. MONAHAN
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 11-20-2008
Certificate No: 98-5232-1

PROJECT DATA:

APPLICATIONS: ZC-1102-96, ZON-3809

LEGAL DESCRIPTION:
THE SOUTH HALF (S1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 64 EAST, M.D.B. & M.

ASSESSORS PARCEL NUMBER: 125-09-401-006

SITE AREA: 111,112 S.F. (2.55 ACRES)

CURRENT ZONING: C1 / U

PROPOSED ZONING: C1 / C2

SETBACKS:

	REQUIRED:	PROVIDED:
FRONT:	20'-0"	20'-0"
SIDES:	15'-0"	15'-0"
REAR:	20'-0"	20'-0"
CORNER:	15'-0"	-

BUILDING AREA: 16,615 S.F.

PAD 'A'	3,500 S.F.
PAD 'B'	4,800 S.F.
PAD 'C'	4,200 S.F.
LODGE / TAVERN	8,115 S.F.

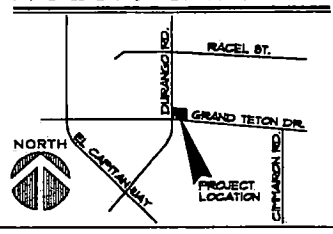
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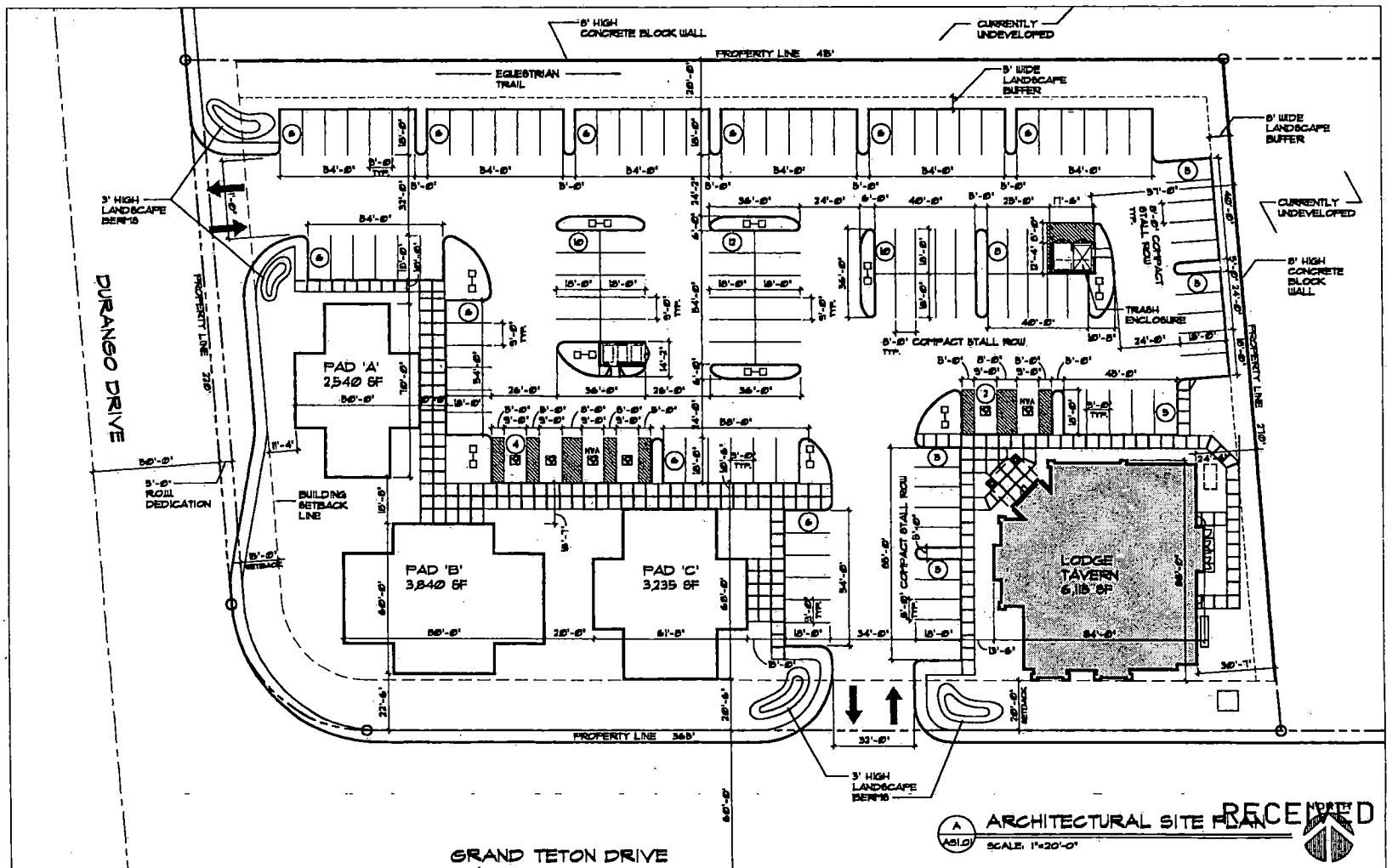
PARKING CALCULATIONS:
REQUIRED:

TAVERN: 1 PER PUBLIC SEATING	256/100 =	40 SPACES
1 PER 100 SF FOR REMAINING GFA	3,859/100 =	76 SPACES
	SUBTOTAL =	116 SPACES
RETAIL: 1 PER GFA	9,615 SQ/175 =	55 SPACES
TOTAL REQUIRED:		171 SPACES
PROVIDED:		171 SPACES

INCLUDING 6 HANDICAP SPACES (W/ 2 SPACES VAN ACCESSIBLE)

PROJECT LOCATION:





A AS1.0 ARCHITECTURAL SITE PLAN
SCALE: 1"=20'-0"

RECEIVED
FEB 02 2005

VAR-5693
VAR-5694
SUP-5691
SDR-5689
02-10-05 PC REVISED 02-02-05

ARCHITECT
GERALD GADARICH • AIA • LLC
10 COMMERCE CENTER DRIVE
HENDERSON, NEVADA 89014
(702) 454-9842 FAX (702)-454-9843

project title:
GRAND TETON AND DURANGO COMMERCIAL DEVELOPMENT
GRAND TETON DRIVE / DURANGO DRIVE
LAS VEGAS, NEVADA

PRELIMINARY
NOT FOR CONSTRUCTION
02-02-05

sheet title: SITE PLAN

issue dates:
drawn by:
JB
checked by:
RGG
project no.:
02-11
revisions:

sheet no.
AS1.01

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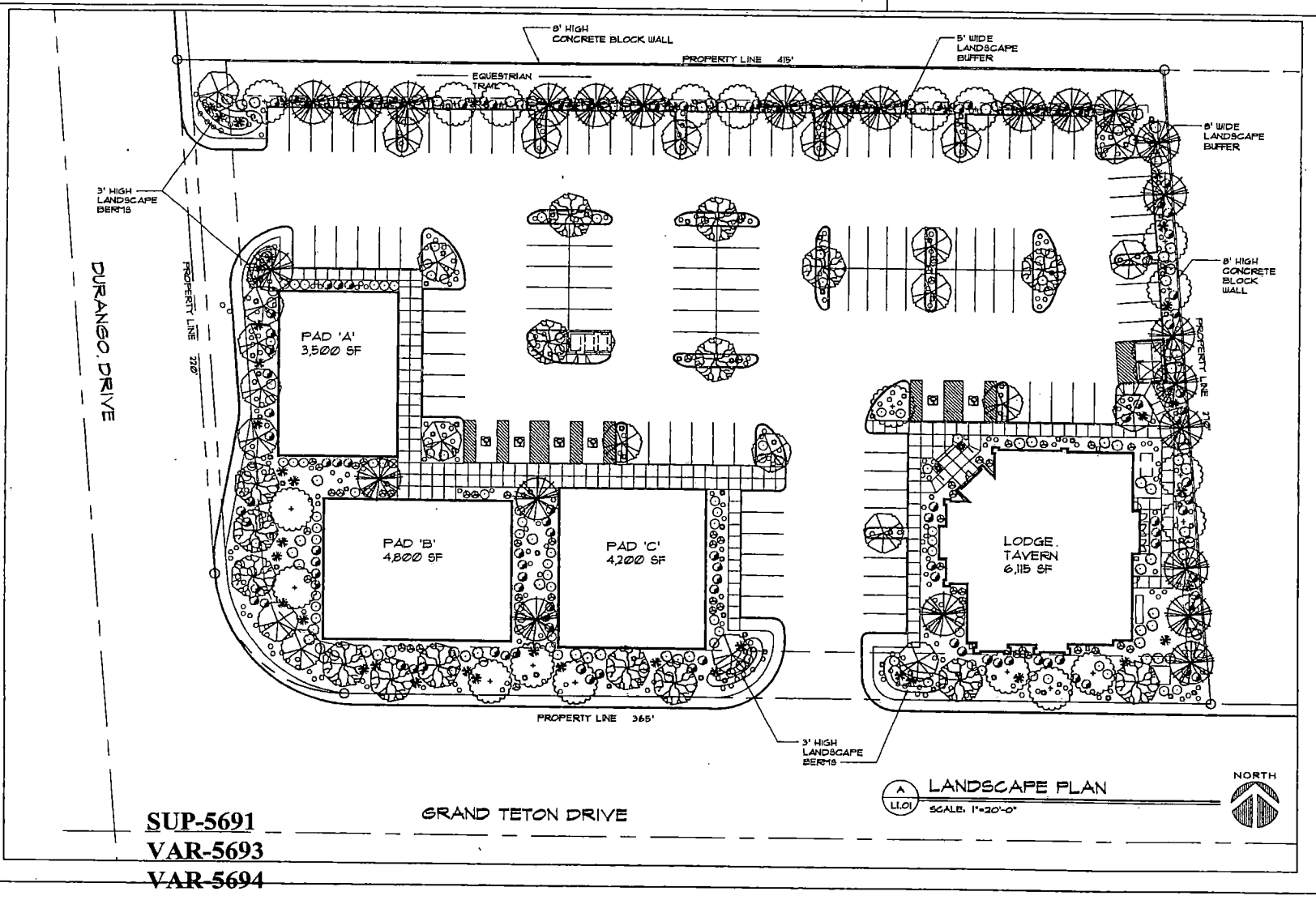
Landscape Legend

TREES	BOTANICAL NAME	COMMON NAME	SIZE	QUAN.
	PINUS ELDARICA	MONDEL PINE	24' BOX	25
	FRAXINUS VELUTINA	ARIZONA ASH	24' BOX	20
	PROSOPSIS GLANDULOSA	HONEY MESQUITE	24' BOX	16
	RHUS LANCEA	AFRICAN SUMAC	24' BOX	25

SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	QUAN.
	BUXUS MICROPHYLLA J.	JAPANESE BOXWOOD	5 GAL.	107
	NANDINA DOMESTICA	HEAVENLY BAMBOO	5 GAL.	56
	RAPHIOLEPSIS INDICA	INDIA HAWTHORN	5 GAL.	113
	PENNISETUM SETACEUM	FOUNTAIN GRASS	5 GAL.	46
	XYLOSMA CONGESTUM	XYLOSMA	5 GAL.	98
GROUNDCOVER & ACCENT				
	HESPERALOE PARVIFLORA	RED YUCCA	1 GAL.	104
	LANTANA MONTEVIDENS	LANTANA	1 GAL.	216
	MYOPORUM PARVIFLORUM	AUSTRALIAN RACER	1 GAL.	116

General Notes

1. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. PLANT LIST IS INTENDED AS A REFERENCE ONLY.
2. LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 48 HOURS.
3. PLANT MAT'L. IS TO HAVE IDENTIFICATION TAGS ON 10% OF TOTAL QUANTITY OF EACH SPECIES. SHOWING GENUS, SPECIES, VARIETY, ETC.
4. PROVIDE MATCHING SIZES & FORMS OF LIKE SHRUB SPECIES AS SHOWN ON DRAWINGS.
5. 3/4" DECORATIVE ROCK, COLOR TO BE SELECTED BY OWNER, 2" DEPTH TYP. IN ALL PLANTING BEDS.
6. SITE PLAN/LANDSCAPE PLAN DESIGNED PER TITLE 30 REQUIREMENTS.
7. ANY TREE WITHIN 5'-0" OF A SIDEWALK OR WALL SHALL BE PLANTED W/ A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.



A LANDSCAPE PLAN
L1.01 SCALE: 1"=20'-0"

SUP-5691
VAR-5693
VAR-5694
SDR-5689
01-13-05 PC

ARCHITECT
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project title:
GRAND TETON AND DURANGO
COMMERCIAL DEVELOPMENT
GRAND TETON DRIVE / DURANGO DRIVE
LAS VEGAS, NEVADA

PRELIMINARY
NOT FOR CONSTRUCTION
11-29-04

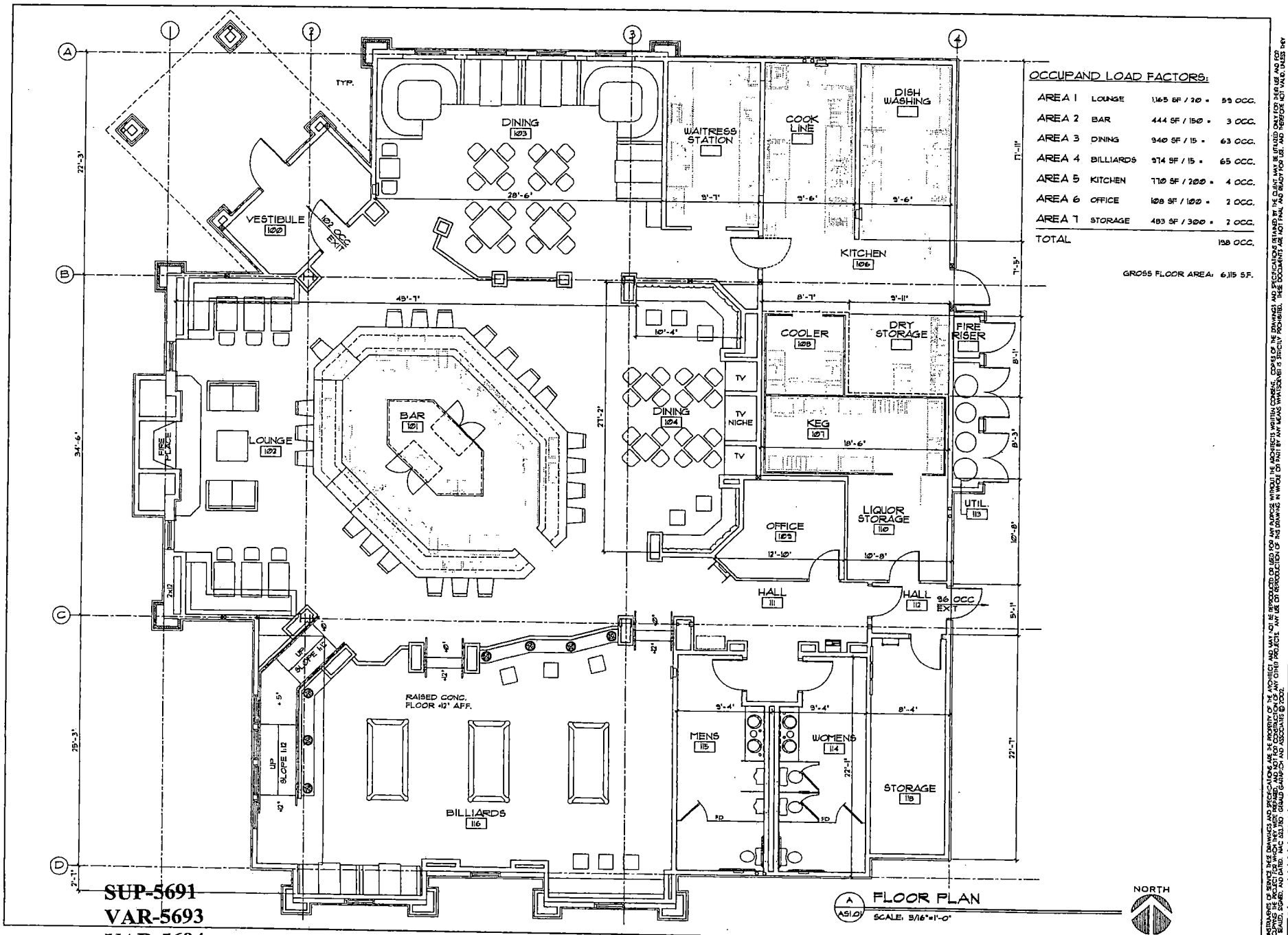
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LANDSCAPE PLAN

issue dates:
drawn by: RS
checked by: GG
project no.: 03-111
revisions:

sheet no. L1.01
of sheets

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P:\02-171\Design Review\2171L101.dwg Mon, 29 Nov 2004 - 5:45pm



OCCUPAND LOAD FACTORS:

AREA 1	LOUNGE	1,165 SF / 20 =	59 OCC.
AREA 2	BAR	444 SF / 150 =	3 OCC.
AREA 3	DINING	940 SF / 15 =	63 OCC.
AREA 4	BILLIARDS	974 SF / 15 =	65 OCC.
AREA 5	KITCHEN	770 SF / 200 =	4 OCC.
AREA 6	OFFICE	108 SF / 100 =	2 OCC.
AREA 7	STORAGE	483 SF / 300 =	2 OCC.
TOTAL			198 OCC.

GROSS FLOOR AREA: 6,115 S.F.

A AS1.01 FLOOR PLAN
SCALE: 3/16"=1'-0"

NORTH

SUP-5691
VAR-5693
VAR-5694
SDR-5689
01-13-05 PC

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project title:
GRAND TETON AND DURANGO
COMMERCIAL DEVELOPMENT
GRAND TETON DRIVE / DURANGO DRIVE
LAS VEGAS, NEVADA

PRELIMINARY
NOT FOR CONSTRUCTION
11-16-04

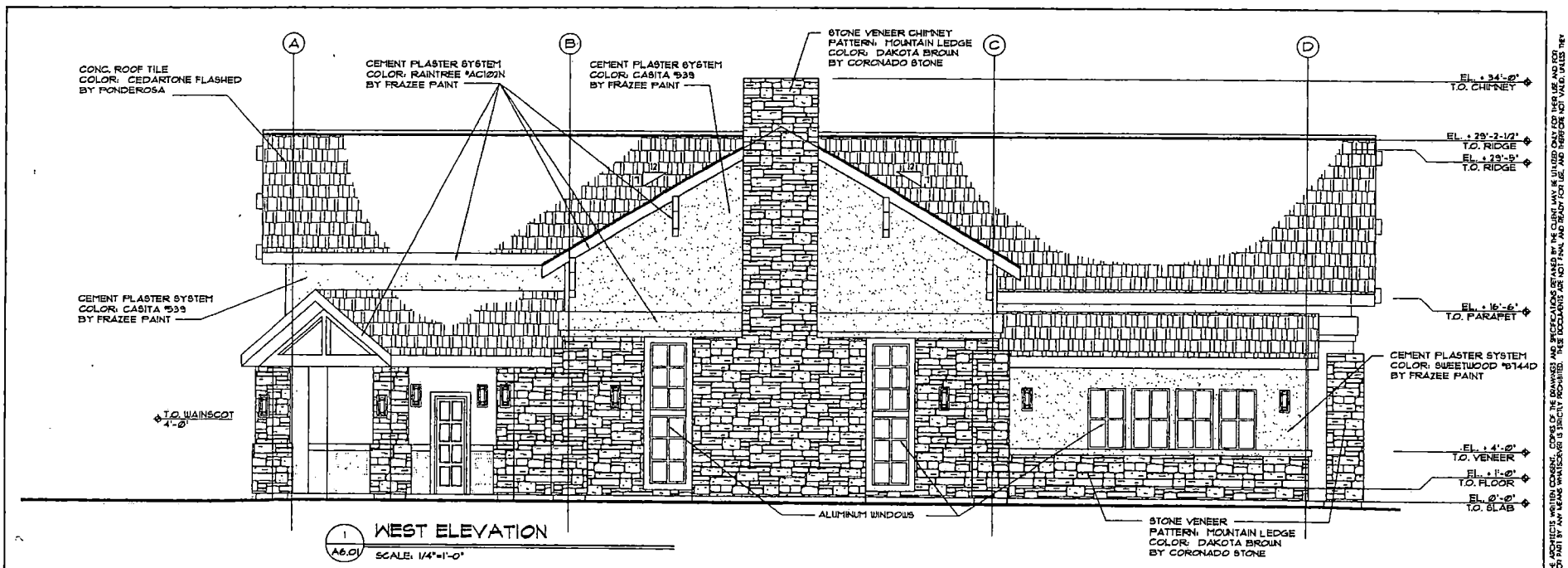
sheet title:
FLOOR PLAN

issue dates:

drawn by: mb
checked by: RGG
project no: 02-171
revisions:

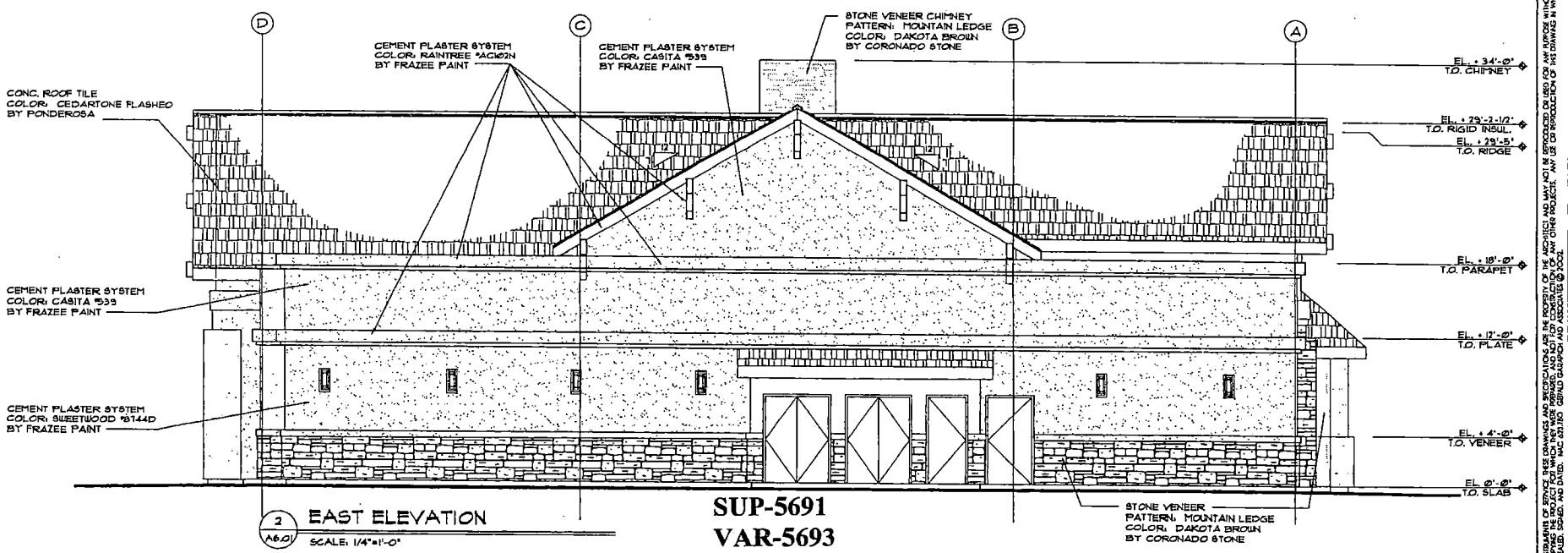
sheet no.
A1.01
of sheets

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1 A6.01 WEST ELEVATION

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



2 A6.01 EAST ELEVATION

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

SUP-5691
VAR-5693
~~VAR-5694~~
SDR-5689
01-13-05 PC

ARCHITECT
GERALD GADARIAN • AIA • LLC
10 COMMERCE CENTER DRIVE
HENDERSON, NEVADA 89014
(702) 454-5812 FAX (702) 454-7842

project title:
GRAND TETON AND DURANGO
COMMERCIAL DEVELOPMENT
GRAND TETON DRIVE / DURANGO DRIVE
LAS VEGAS, NEVADA

PRELIMINARY
NOT FOR CONSTRUCTION
11-28-04

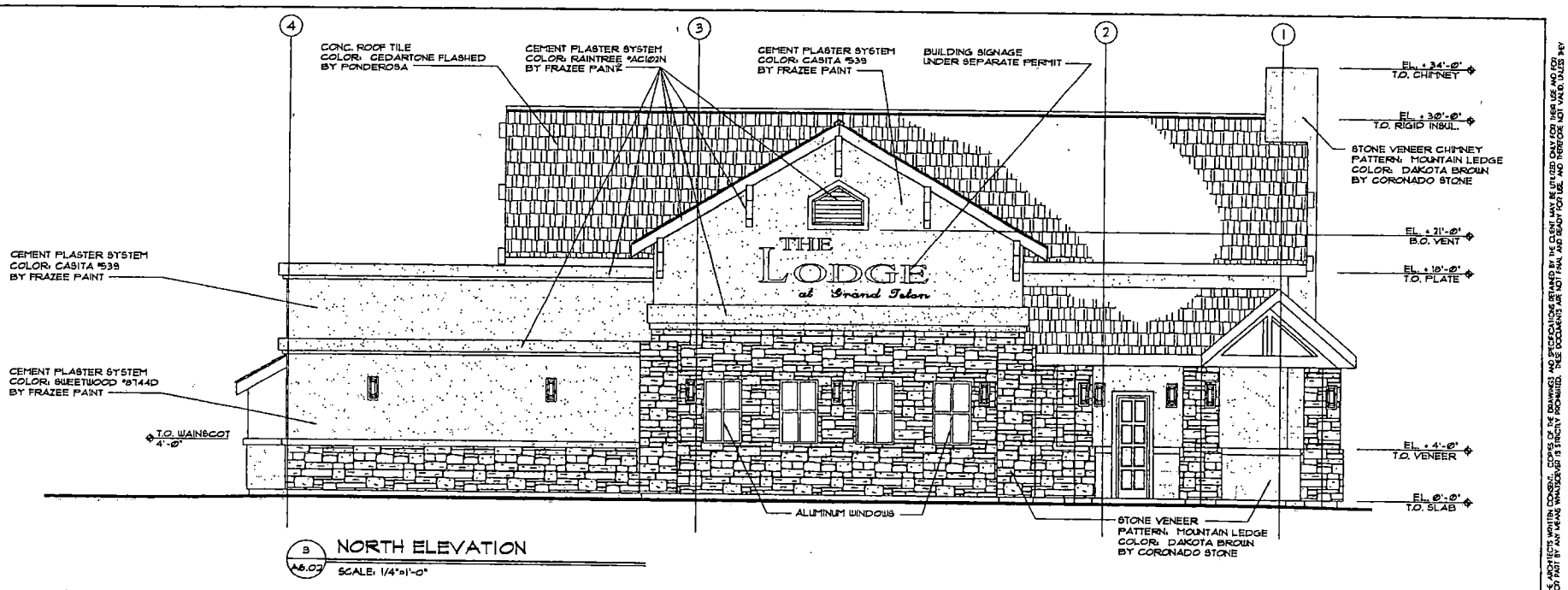
sheet title:
EXTERIOR ELEVATIONS

issue dates:
drawn by: RB
checked by: RGG
project no.: 03-171
revisions:

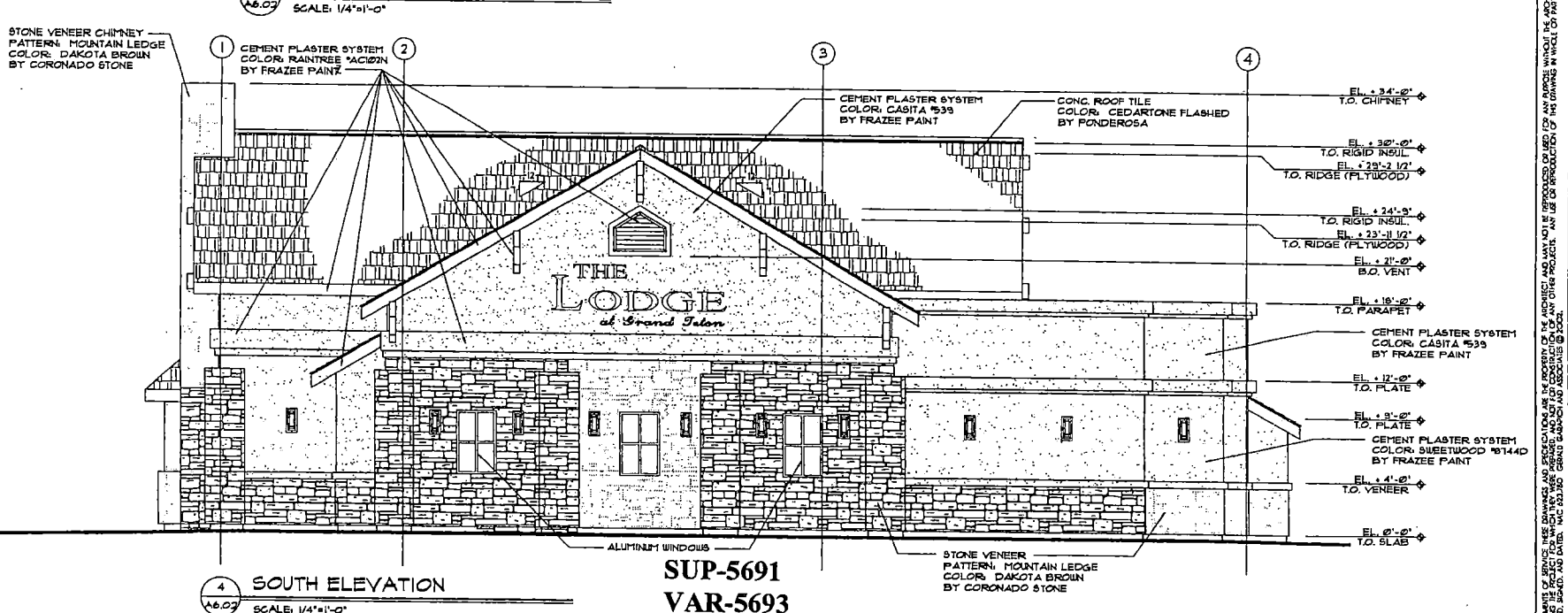
sheet no.
A6.01
of sheets

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3 / A6.02 NORTH ELEVATION
SCALE: 1/4"=1'-0"



4 / A6.02 SOUTH ELEVATION
SCALE: 1/4"=1'-0"

SUP-5691
VAR-5693
~~VAR-5694~~
SDR-5689
01-13-05 PC

ARCHITECT
GERALD GADAPCH • AIA • LLC
10 COMMERCE CENTER DRIVE
HENDERSON, NEVADA 89014
(702) 454-5812 FAX (702) 454-7812

project title:
GRAND TETON AND DURANGO
COMMERCIAL DEVELOPMENT
GRAND TETON DRIVE / DURANGO DRIVE
LAS VEGAS, NEVADA

PRELIMINARY
NOT FOR CONSTRUCTION
11-29-04

sheet title:
EXTERIOR ELEVATIONS

issue dates:
drawn by: RS
checked by: RGG
project no.: 03-171
revisions:
sheet no.: A6.02
of sheets

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SDR-5689 - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP.
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

12/23/04

ARCHITECT
GERALD GARAPICH, AIA, LLC.
10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

November 29, 2004

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

Attn: Kyle Walton
Principal Planner

RE: GRAND TETON & DURANGO COMMERCIAL **PROJECT NO: 02-171**
JUSTIFICATION LETTER

Dear Mr. Walton,

We respectfully request favorable consideration for a site development review to allow three retail/office pad sites totaling 12,500 sq. ft. and a single story restaurant tavern approximately 6, 115 sq. f t. The pad sites will come before you when the development occurs. The restaurant architecture is residential in style and the future buildings will also be compatible to the restaurant. We are asking for a waiver to allow a trash enclosure to be 8 foot from residential zoned property where 50 feet is required. The trash enclosure will be covered and architecturally match the commercial complex. The location shown is necessary so the enclosure can be close to the service area. The other waiver is to allow the restaurant structure 24' 4" from the east property line where 73 feet is required. The setback area will have intense landscaping and there are no windows which will be facing the residential development. The developer of the residential property to the east is fully aware of our proposed location and will provide a disclosure statement to all homebuyers within his development. The proposed development complies with all other aspects of the ordinance.

Should you have any questions or require additional information please contact our office.

Sincerely,

Richard C. Gallegos
Project Director

CC: 02-171.js.lt.site.dev.review.112904

SDR-5689

ARCHITECT
GERALD GARAPICH, AIA, LLC.
10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

December 13, 2004

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

Attn: Ben Sticka

RE: GRAND TETON & DURANGO COMMERCIAL **PROJECT NO: 02-171**
~~**SDR-5869**~~ 5689

Dear Ben,

Pursuant to our phone conversation today, we would like to clarify our application regarding the three pad sites as shown on the site plan. The pad sites are for future development and at this time the exact size and specific use is undefined. We propose that a condition be placed on our current application that requires the property owner to submit a separate Site Development Plan Review for each of the pad sites as they are developed.

Should you have any questions or require additional information please contact our office.

Sincerely,

Richard C. Gallegos
Project Director

CC: 02-171.lt.bensticka.121304

NOTICE OF PUBLIC HEARING

SITE DEVELOPMENT PLAN REVIEW

I VOTE NO
ON SITE DEV. PLAN REVIEW 5689
Gary R. Kronenberg
GARY R. KRONENBERG
8316 BLUSHING HTS. AVE,
JAN. 5, 05,

MEETING: PLANNING COMMISSION
DATE: JANUARY 13, 2005
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SDR-5689

APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - REQUEST FOR A SITE DEVELOPMENT PLAN REVIEW FOR A 6,115 SQUARE FOOT TAVERN AND A WAIVER OF TRASH ENCLOSURE SEPARATION ON 2.55 ACRES ADJACENT TO THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN A PORTION OF 125-09-401-006), U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6, (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) http://www. lasvegasnevada.gov.

CITY OF LAS VEGAS NEVADA

GARY M. LEOBOLD, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

Telephone Protest/ Approval Log

Meeting Date: 01/13/05

Case Number: SDR 5689 - & SUP-5691; VAR 5693 & VAR-5694

Date: 01/05/05
Name: Simon Jordan
Address: 8245 Quail Aurora 89131
Phone: (702) 396-5953
[X] **PROTEST** [ ] **APPROVE**

Date: 01/10/05
Name: William Weigand
Address: 7936 Quail Prairie St L.V. NV. 89131
Phone: 838-9669
[X] **PROTEST** [ ] **APPROVE**
SDR-5689 SUP-5691 VAR-5693 VAR-5694

Date: 1-6-04
Name: WALTER & MARCIA SCHULLER
Address: 7936 QUAIL HARBOR ST. L.V.
Phone: 656-9834
[✓] **PROTEST** [ ] **APPROVE**
Enough drunks w/o adding more bars

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

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

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

City of Las Vegas

Agenda Item No.: 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

ABEYANCE - VAR-5701 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JAMES L. MOORE - Request for a Variance TO ALLOW A PROPOSED SIX-FOOT WALL IN THE FRONT YARD WHERE FOUR FEET (TOP TWO FEET 50% OPEN) IS THE MAXIMUM HEIGHT ALLOWED on 1.04 acres at 2700 Alta Drive (APN 139-32-701-003), R-A (Ranch Acres) Zone, Ward 1 (Tarkanian).

THE APPLICANT HAS REQUESTED THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE

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

RECOMMENDATION:

Staff recommends WITHDRAWAL

BACKUP DOCUMENTATION:

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

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)

January 12, 2005

Gary Leobold, Planning Supervisor
Planning and Development Department
Current Planning Division

RE: VAR-5701 - VARIANCE

VIA FACSIMILE – 385-7268

Dear Gary:

Please allow me to withdraw my application for a variance, VAR-5701, which is scheduled for and in abeyance to the February 10, 2005 City Planning Commission Meeting as Agenda Item #28.

Please contact me at the following:

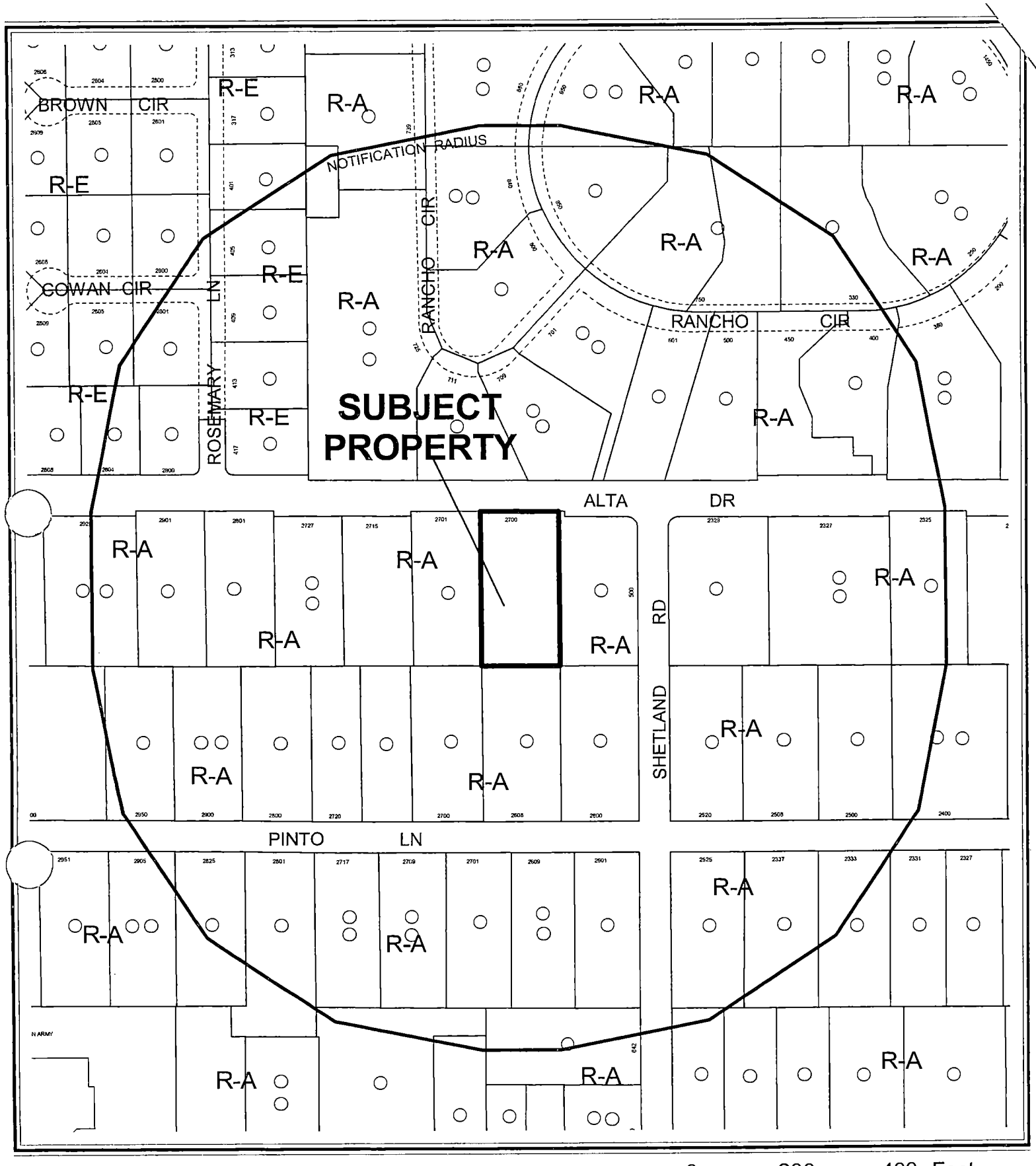
Jim Moore
5720 Fort Apache
Las Vegas, NV 89149

Phone – 461-5115
Fax – 248-2503

I appreciate your attention to this matter.

Sincerely,

James L. Moore

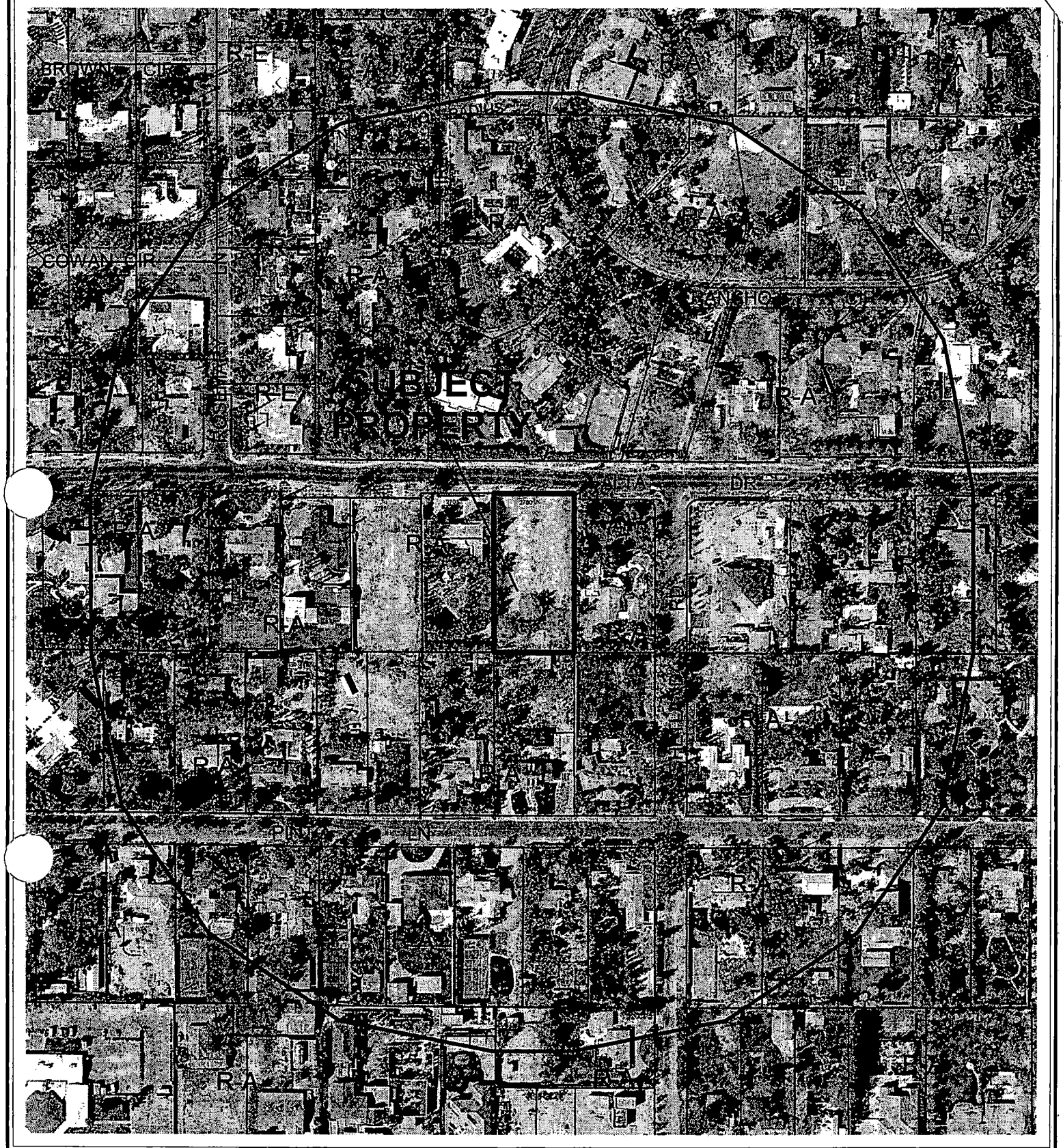


CASE: **VAR-5701**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-A (RANCH ACRES)

N



CASE: **VAR-5701**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-A (RANCH ACRES)

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5701 - APPLICANT/OWNER: JAMES L. MOORE

THE APPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5701 APN: 139-32-701-003

Name of Property Owner: JAMES L. MOORE

Name of Applicant: JAMES L. MOORE

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: JAMES L. MOORE

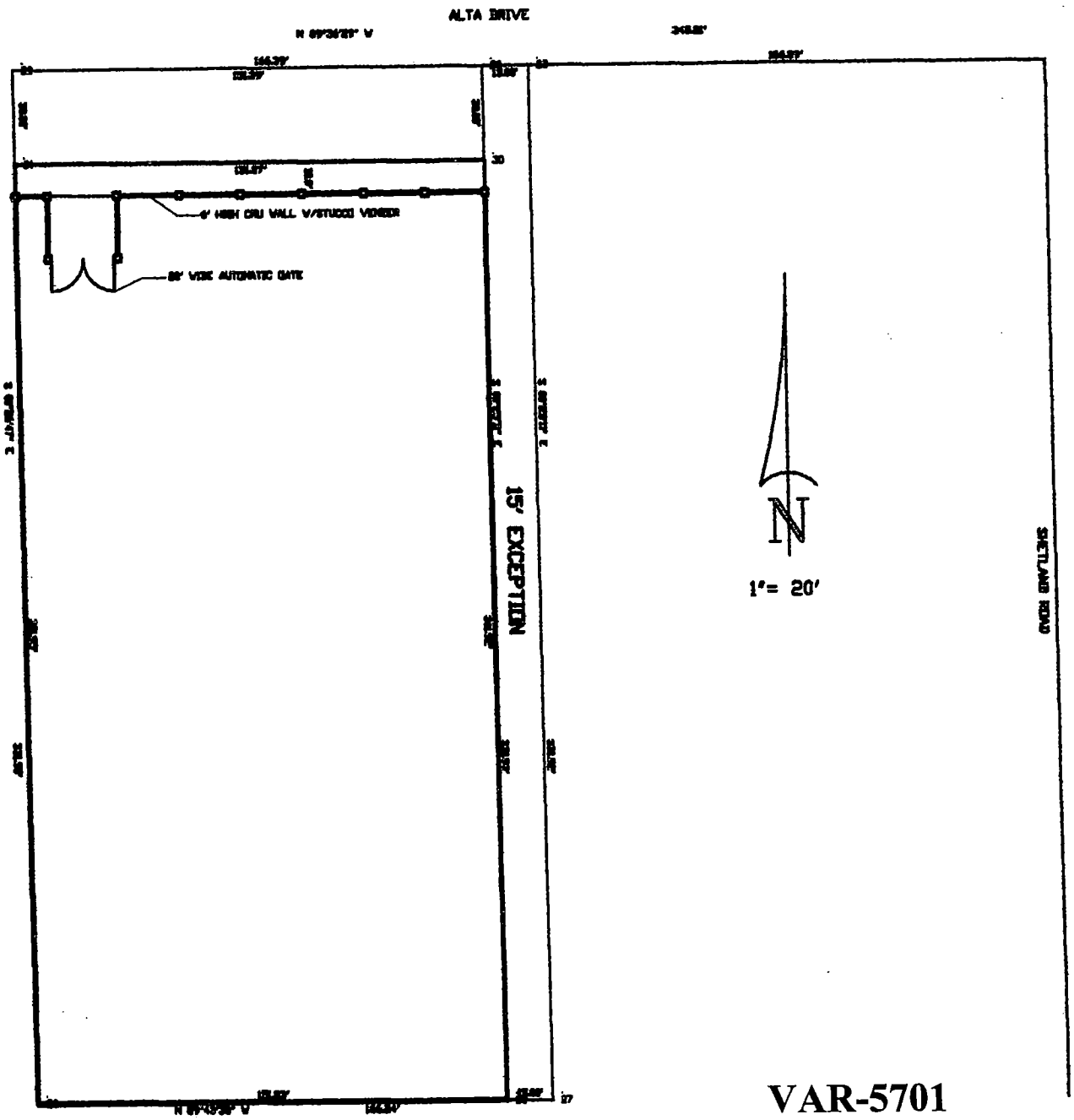
Subscribed and sworn before me

This 27 day of November, 2004

_____

Notary Public in and for said County and State

TRIXY ROCO
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 04-89114-1
MY APPT. EXPIRES APRIL 22, 2008



RECEIVED

NOV 30 2004

VAR-5701
01-13-05 PC



VAR-5701 - APPLICANT/OWNER: JAMES L. MOORE
2700 ALTA DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

12/23/04

November 24, 2004

City of Las Vegas:

RE: Justification Letter – Variance to Allow Six Foot High Solid Wall on Front Property Line

This application is for a variance to allow a six foot high solid wall on the front property line where a four foot high maximum wall with the top two feet to be 50% open is allowed, in a residential neighborhood (R-A Zoning Classification) located at 2700 Alta Drive. The requested variance is consistent with the existing neighborhood. Although the properties immediately to the north are a part of the Rancho Circle subdivision and the property lines on Alta are the back property lines of these residences, the existing walls are generally constructed to a height of 8 feet (as allowed by Las Vegas code). The three existing residences to the immediate east of the subject property all have walls with an approximate height of 6 feet facing Alta.

The primary reason for requesting this variance to allow for the construction of a 6 foot high wall is to reduce the level of traffic noise from Alta Drive. Although Alta Drive has been reduced to one lane of travel each direction from Rancho to Valley View, there continues to be a significant amount of traffic flow on this road. The construction of a solid wall to a height of six feet would mitigate the sound effect of this traffic with no adverse effect on the existing neighborhood.

James L. Moore
Property Owner

VAR-5701

City of Las Vegas

Agenda Item No.: 29

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

ABEYANCE - VAR-5713 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: FIRST CHRISTIAN CHURCH - Request for a Variance TO ALLOW AN EXISTING SIGN TO BE RAISED TO 13 FEET IN HEIGHT WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED on 4.81 acres at 101 South Rancho Drive (APN 139-32-501-001) R-1 (Single Family Residential) Zone, Ward 5 (Weekly).

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

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

RECOMMENDATION:
Staff recommends DENIAL

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

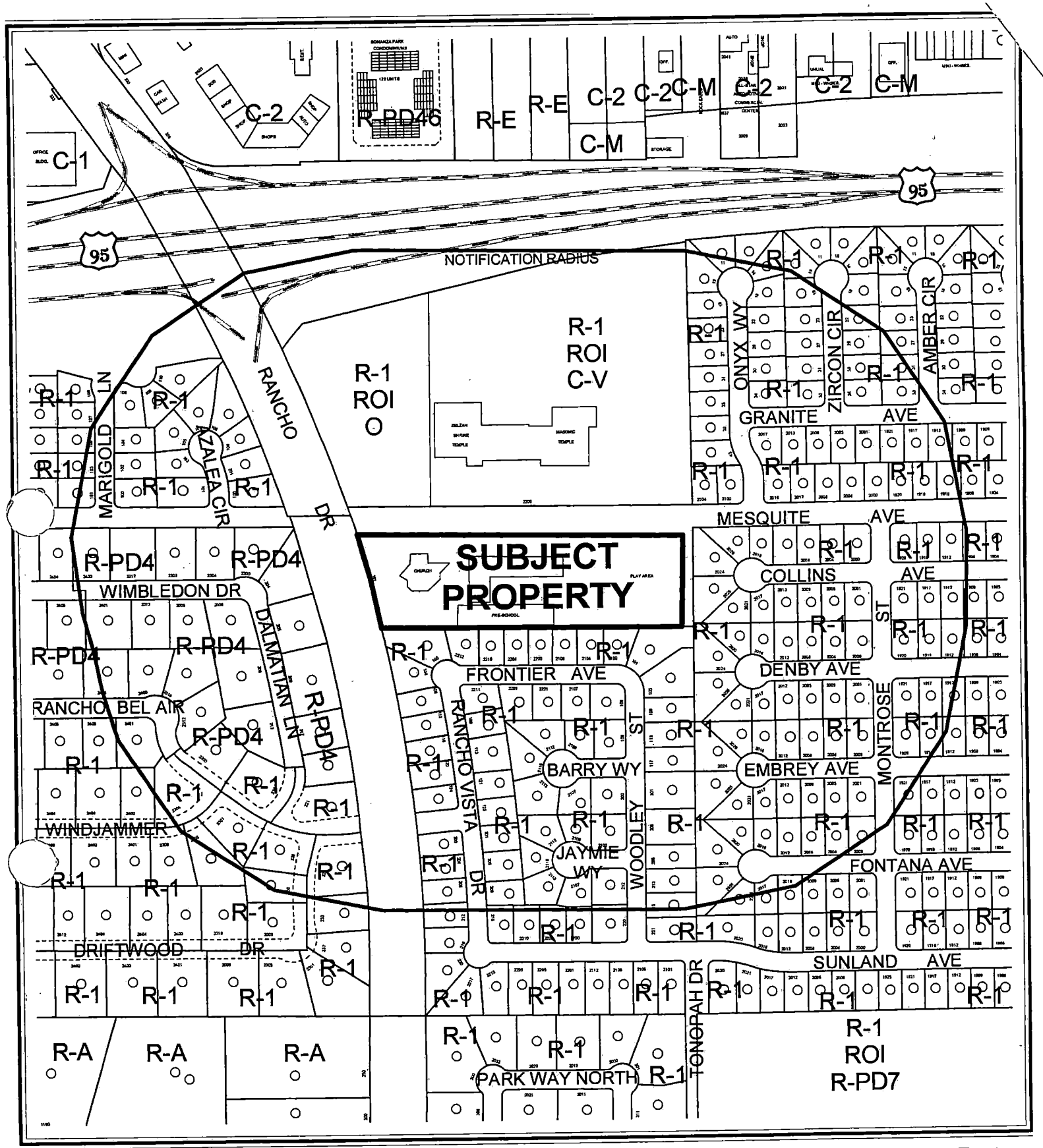
MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)



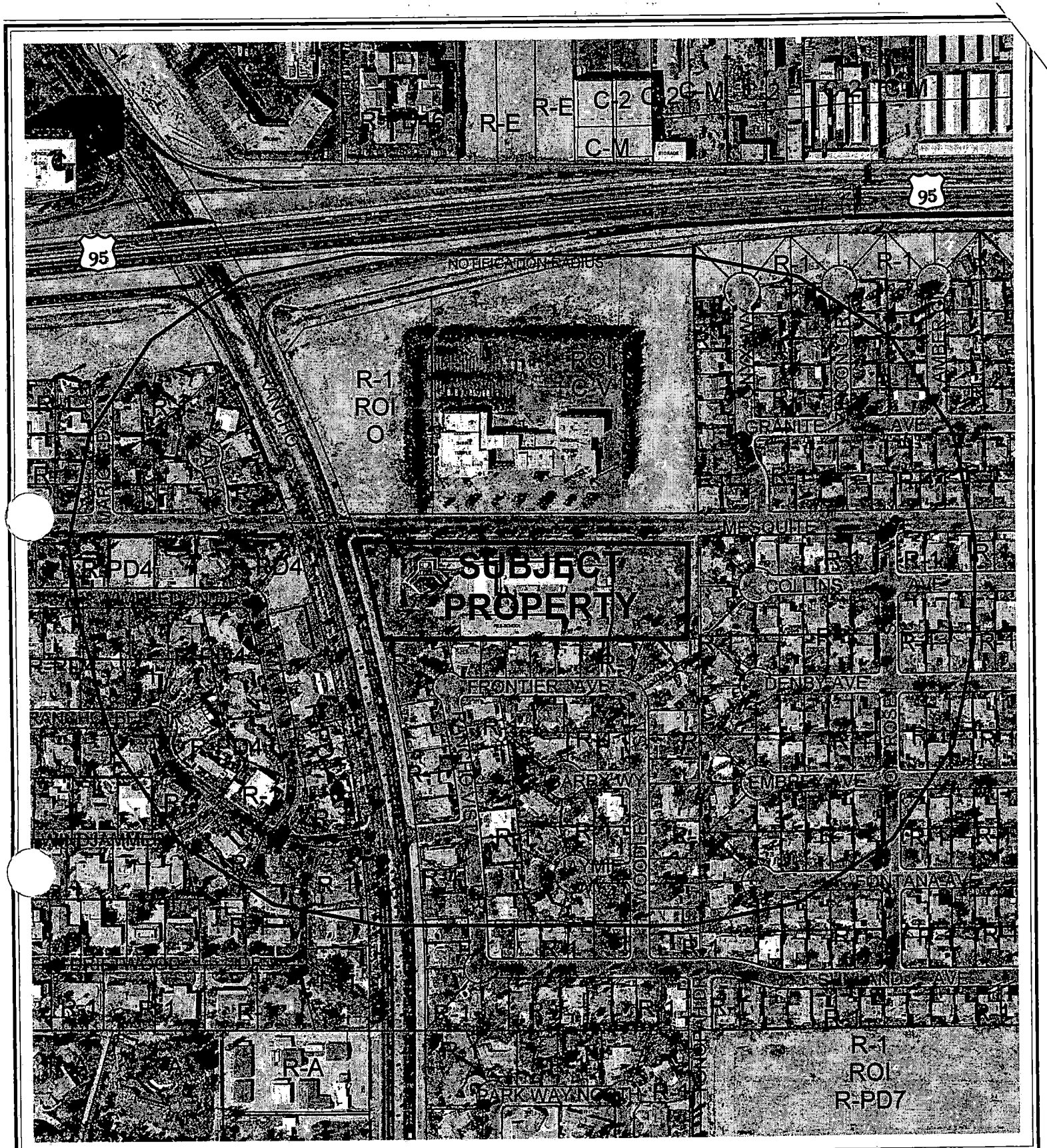
0 300 600 Feet

CASE: **VAR-5713**

RADIUS: 750 FT

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

N



0 300 600 Feet

CASE: **VAR-5713**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5713 - APPLICANT/OWNER: FIRST CHRISTIAN CHURCH

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance VAR-5713.

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

Public Works

3. Dedicate a 25-foot radius and grant a traffic signal chord easement on the southeast corner of Rancho Drive and Mesquite Avenue prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of any permits for this site. This condition shall not be enforced if the applicant provides proof of existing signage or other permanent improvements within the area requested for dedication.

4. The sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

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

6. Submit an Encroachment Agreement for all landscaping and private improvements located in the Rancho Drive and Mesquite Avenue public rights-of-way adjacent to this site prior to the issuance of a permit for this action.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a 13-foot high sign where eight feet is the maximum height allowed on 4.81 acres at 101 South Rancho Drive.

B) Applicant's Justification

The applicant has justified his request by stating: "We feel that the sign at eight feet high would simply be too low to the ground and would be subject to constant vandalism and graffiti."

BACKGROUND INFORMATION

A) Previous Actions

01/13/05 The Planning Commission held this item in abeyance to the 02/10/05 Planning Commission meeting to afford the applicant an opportunity to consider certain conditions of approval and discuss the implications of those conditions with staff.

02/10/05 Staff was unable to contact the applicant to discuss the conditions of approval. In regards to condition number three for the dedication of a 25-foot radius and grant a traffic signal chord easement on the southeast corner of Rancho Drive and Mesquite Avenue prior to the issuance of any permits , staff feels that this is a standard request.

B) Pre-Application Meeting

11/16/04 Submission requirements for a Variance Request were discussed at the meeting.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 4.81

B) Existing Land Use

Subject Property:	Non-Profit Organization
North:	Non-Profit Organization, Undeveloped
South:	Single Family Residential
East:	Single Family Residential
West:	Single Family Residential

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	PF (Public Facilities), O (Office)
South:	L (Low Density Residential)
East:	L (Low Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-1 (Single Family Residential)
North:	R-1 (Single Family Residential) under Resolution of Intent to C-V (Civic)
South:	R-1 (Single Family Residential)
East:	R-1 (Single Family Residential)
West:	R-PD (Residential Planned Development)

E) General Plan Compliance

This parcel is designated L (Low Density Residential) in the Southeast Sector of the General Plan The Low Density Residential category allows a maximum of 5.5 dwelling units per gross acre. The proposed Variance is not directly related to any General Plan policies.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		**X**
Special Overlay District		**X**
Trails	**X**	
Multi-Use Transportation Trail	X	
Development Impact Notification Assessment		**X**
Project of Regional Significance		**X**

The site of the subject Variance request is affected by the following:

Multi-Use Transportation Trail

A yet-to-be-built Multi-use Transportation Trail runs along the west property line of the subject site. The proposed sign, if placed properly as described below, will not impact this Multi-use Transportation Trail.

The west property line's distance from the current eastern curb of Rancho Drive ranges about 20 feet. This 20-foot wide strip of land is part of Rancho Drive right-of-way. If this Variance request is approved, the proposed sign will need to be located a minimum of five feet behind the subject parcel's western property line. Public Works has added a condition that requires the sign be located outside of the right-of-way.

A) Zoning Code Compliance

A1) Sign Standards

Pursuant to Title 19.14.060(A)(2), one freestanding institutional sign per street frontage is permitted on the same site as any House of Worship, school or other institution that is permitted in the R-1 zoning district. In the R-1 zone an internally illuminated freestanding sign, set five feet back from all property lines, 50 square feet in area, and up to eight feet in height, is allowed.

A2) Parking and Traffic Standards

The Department of Public Works notes that the proposed sign is located within the public right-of-way on the site plan and may conflict with the Rancho Multi-Use Trail that is adjacent to this site. Condition Number 2 above requires the sign be located outside of the right-of-way.

B) General Analysis and Discussion

Applicant proposes to install a 13-foot tall double face illuminated pole sign were only an eight-foot tall sign is allowed. The proposed sign, like the existing sign, would have a changing attraction panel to advertise various up-coming church events. There would be approximately eight feet from grade to the bottom of the changing attraction panel; this height is intended by the applicant to prevent potential vandalism and graffiti of the sign.

This area of the city along Rancho Drive, south of U.S. 9.5 houses professional offices. The area and the subject property's existing eight-foot high sign appears free of vandalism and graffiti. Other signs in the area conform to Title 19.14. There is no need to diverge from the Sign Code on this site.

FINDINGS

This Variance request is intended solely for the convenience of the property owner; consequently there is no legal basis for approval.

There is no evidence that the property has an unusual shape, slope, or dimensions that would preclude the installation of a sign which is no more than eight feet tall. Pursuant to State and City statutes and codes, this Variance request cannot be granted.

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

-summary of State of Nevada Revised Statutes Chapter 278

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 232

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5713 APN: 139-32-501-001

Name of Property Owner: First Christian Church (Disciples of Christ)

Name of Applicant: First Christian Church (Disciples of Christ)

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

_____ Yes ___X___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

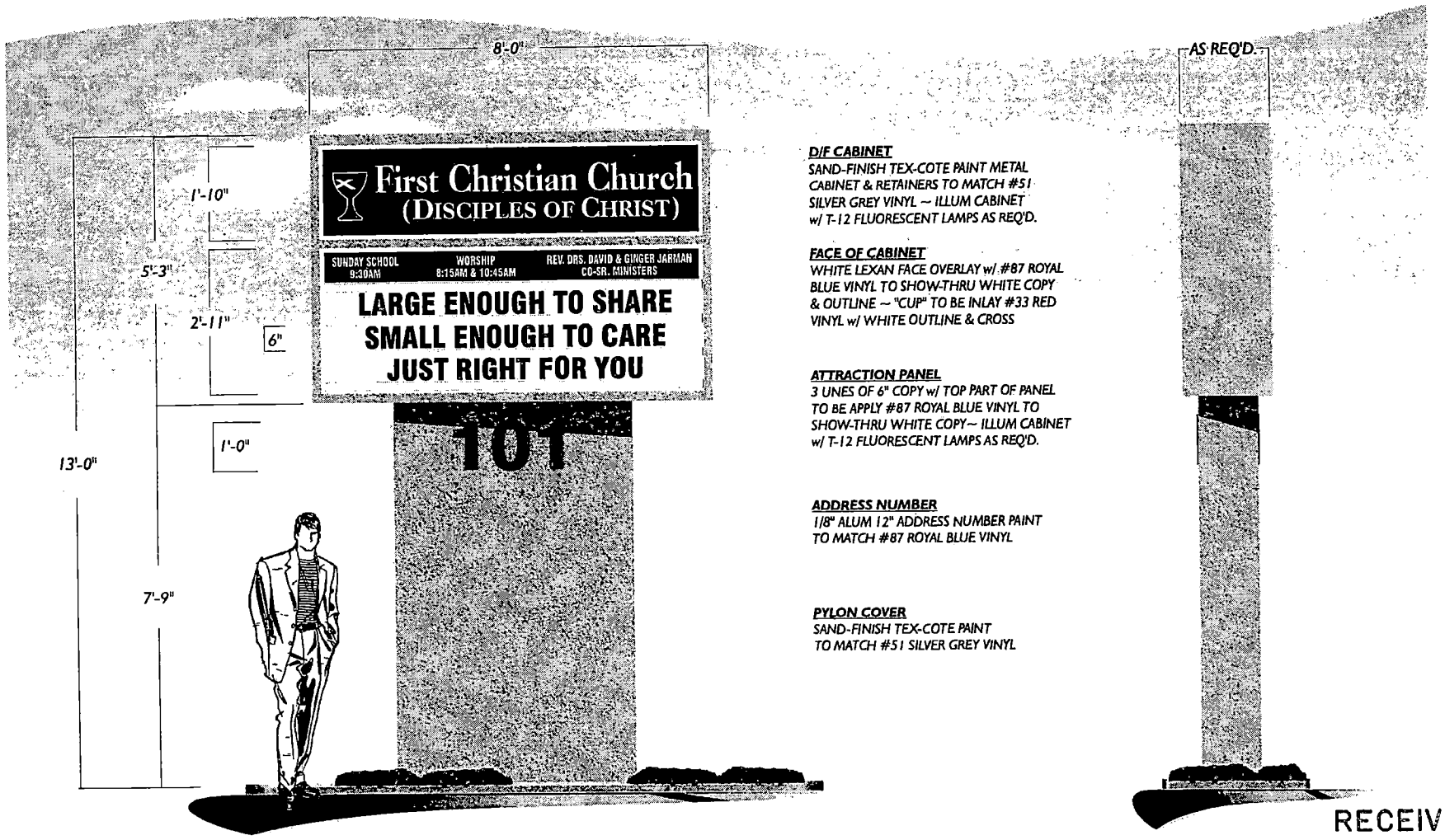
Print Name: DAVID JARMAN

Subscribed and sworn before me

This 21 day of September, 2004

Melody A. March
Notary Public in and for said County and State

MELODY A. MARCH
Notary Public, State of Nevada
Appointment No. 9834431
My Appt. Expires July 20, 2006



D/F CABINET
SAND-FINISH TEX-COTE PAINT METAL CABINET & RETAINERS TO MATCH #51 SILVER GREY VINYL ~ ILLUM CABINET w/ T-12 FLUORESCENT LAMPS AS REQ'D.

FACE OF CABINET
WHITE LEXAN FACE OVERLAY w/ #87 ROYAL BLUE VINYL TO SHOW-THRU WHITE COPY & OUTLINE ~ "CUP" TO BE INLAY #33 RED VINYL w/ WHITE OUTLINE & CROSS

ATTRACTION PANEL
3 UNES OF 6" COPY w/ TOP PART OF PANEL TO BE APPLY #87 ROYAL BLUE VINYL TO SHOW-THRU WHITE COPY~ ILLUM CABINET w/ T-12 FLUORESCENT LAMPS AS REQ'D.

ADDRESS NUMBER
1/8" ALUM 12" ADDRESS NUMBER PAINT TO MATCH #87 ROYAL BLUE VINYL

PYLON COVER
SAND-FINISH TEX-COTE PAINT TO MATCH #51 SILVER GREY VINYL

D/F INT. ILLUM MONUMENT SIGN 1/2"=1'-0"

RECEIVED
NOV 30 2004

VAR-5713
01-13-05 PC

JOB NO.	8810
DATE	08-06-2004
DRAWN	DERRICK
SALES	SHOCK
FILE NAME	FCC8810.CDR
SHEET	

First Christian Church
(DISCIPLES OF CHRIST)
101 S. RANCHO DR.

VISION SIGN
3625 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

DATE BY	REVISIONS MADE
08-26-04 DN	RAISE SIGN TO 13'

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.

C.L.V. GENERAL NOTES

1. ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THE LATEST(S) STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION CITY-SITE IMPROVEMENTS CLARK COUNTY AREA, PRIVATE STREET, THE LATEST EDITION OF UNIFORM STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, CLARK COUNTY AREA, PRIVATE STREET, LATEST EDITION, ANY OTHER APPLICABLE APPROVED STANDARDS ADOPTED BY THE CLARK COUNTY BOARD OF COMMISSIONERS, AND ANY SPECIAL DISTRICT, AGENCY OR UTILITY COMPANY HAVING JURISDICTION OVER THE PROJECT, THE UNIFORM BUILDING CODE, AND ALL LOCAL CITY CODES AND ORDINANCES APPLICABLE.

2. THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE PLANS ARE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS. THE CONTRACTOR IS REQUIRED TO TAKE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN AND ANY OTHER LINES OR STRUCTURES NOT SHOWN OR IN THE LOCATION SHOWN ON THESE PLANS. IT IS MUTUALLY AGREED BETWEEN ALL PARTIES CONCERNED THAT THE LOCATIONS SHOWN ON THESE PLANS ARE NOT GUARANTEED TO BE EXACT OR COMPLETE, AND THAT IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, AND INCLUDED IN THE CONTRACT PRICE, TO DETERMINE THE EXACT LOCATIONS OF ALL EXISTING UTILITY STRUCTURES BEFORE COMMENCING NEW CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT OCCUR TO EXISTING UTILITY STRUCTURES CAUSED BY HIS OPERATIONS, AND SHALL CONFER WITH THE VARIOUS UTILITY COMPANIES CONCERNED BEFORE STARTING WORK AND SHALL ASSUME ALL LIABILITY FOR DAMAGES CAUSED BY HIS OPERATIONS. THE CONTRACTOR SHALL NOTIFY THE FOLLOWING UTILITIES AT LEAST 48 HOURS, BUT NOT MORE THAN 10 WORKING DAYS, PRIOR TO COMMENCING CONSTRUCTION: SOUTHWEST GAS CORPORATION, CENTURY TELEPHONE, NEVADA POWER COMPANY, COX COMMUNICATIONS, CLARK COUNTY SANITATION DISTRICT, CITY OF LAS VEGAS TRAFFIC SIGNAL SECTION, CITY OF LAS VEGAS WATER POLLUTION CONTROL, CITY OF LAS VEGAS FIRE DEPARTMENT, CITY OF LAS VEGAS TRAFFIC ENGINEERING, CITY OF LAS VEGAS STREET MAINTENANCE, CITY OF LAS VEGAS WATER DISTRICT, AND ANY OTHER AGENCIES OR UTILITIES WHICH MAY BE AFFECTED BY THE CONSTRUCTION OPERATIONS.

3. ALL CONSTRUCTION SHALL BE AS SHOWN ON SHOP DRAWINGS, APPROVED BY THE CITY ENGINEER, AND ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST STANDARD SPECIFICATIONS AND STANDARD DRAWINGS OF THE CITY OF LAS VEGAS, UNLESS OTHERWISE NOTED.

4. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONARY MEASURES NECESSARY TO PROTECT EXISTING IMPROVEMENTS SHOWN ARE TO REMAIN IN PLACE, EVEN THOUGH, ANY SUCH IMPROVEMENTS OR STRUCTURES DAMAGED BY THE CONTRACTOR'S OPERATIONS SHALL BE REPAIRED OR RECONSTRUCTED SATISFACTORY TO THE OWNER AT THE EXPENSE OF THE CONTRACTOR.

5. THE CONTRACTOR SHALL NOT EXCEED ANY BOUNDARY OR EASEMENT LINES ON THE PROPERTY WITHOUT WRITTEN PERMISSION FROM THE OWNER OF THE PROPERTY OR EASEMENT INVOLVED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO PRIVATE PROPERTY, REAL OR PERSONAL, CAUSED BY HIS OPERATIONS AND SHALL RESTORE OR REPLACE ALL SUCH PROPERTY TO A CONDITION EQUAL TO THAT EXISTING BEFORE THE DAMAGE OCCURRED.

6. ALL CONSTRUCTION SHALL BE AS SHOWN ON SHOP PLANS, APPROVED BY THE CITY ENGINEER, AND ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST STANDARD SPECIFICATIONS AND STANDARD DRAWINGS OF THE CITY OF LAS VEGAS, UNLESS OTHERWISE NOTED.

7. TYPE V CONCRETE SHALL BE USED IN ALL CITY-WORK EXCEPTION BEING CONCRETE TO BE PLACED FOR A 2.5 SACK MIX WITH A MAXIMUM WATER/CEMENT RATIO OF 0.45 (TO BE DETERMINED BY CONE SLUMP DETECTED) AND A SLUMP OF NO GREATER THAN 5" AS DETERMINED BY THE CITY'S CONTROL ENGINEER PRIOR TO USE ON THE PROJECT.

8. THE CONTRACTOR SHALL, AT HIS OWN EXPENSE, LOCATE ALL UNDERGROUND UTILITIES AND STRUCTURES WHICH MAY AFFECT HIS OPERATIONS DURING CONSTRUCTION WITH SUFFICIENT TIME IN ADVANCE OF CONSTRUCTION TO ALLOW FOR ANY NECESSARY MODIFICATIONS TO AVOID DAMAGE TO SAME. THE CONTRACTOR SHALL USE EXTREME CAUTION WHEN WORKING NEAR OVERHEAD OR UNDERGROUND POWER LINES OR TELEPHONE FACILITIES SO AS TO AVOID ACCIDENTAL CONTACT THEREWITH. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL POSTINGS, AND EQUIPMENT, AND SHALL BE RESPONSIBLE FOR ALL COSTS AND LIABILITY IN CONNECTION THEREWITH.

9. PERMITS ARE REQUIRED FOR ANY WORK IN THE PUBLIC RIGHT OF WAY. THE CONTRACTOR SHALL OBTAIN ALL PERMITS AND INSPECTIONS REQUIRED FOR OWN CONSTRUCTION.

10. AC PAVEMENT TO BE 1/4" ABOVE LIP OF ALL GUTTER & VALLEY GUTTER AFTER COMPACTION.

11. APPLY TAR SEAL ONLY AFTER ALL CONNECTIONS AND ADJUSTMENTS HAVE BEEN MADE.

12. CURB & GUTTER WITH A GRADE OF LESS THAN FOUR TENTHS OF ONE PERCENT SHALL BE CONSTRUCTED BY BREAKING. EACH JOINT SHALL BE FORMED AT THE SAME GRADE AS PRIOR TO CONSTRUCTION AND NOT SAWED AS SOON AS POSSIBLE AFTER CONSTRUCTION.

13. WHEELCHAIR RAMPS SHALL BE CONSTRUCTED IN EACH QUADRANT OF AN INTERSECTION PER STANDARD DRAWING NO. EXACT LOCATION OF RAMPS MUST BE APPROVED BY THE FIELD BY A CITY INSPECTOR.

14. CONTRACTOR SHALL PROVIDE ALL NECESSARY HORIZONTAL AND VERTICAL TRANSITIONS BETWEEN NEW CONSTRUCTION AND EXISTING IMPROVED TO FACILITATE AND PROVIDE DRAINAGE AND ADA SERVICE, AND CONFORM TO EXISTING CONDITIONS. EXTENT OF TRANSITIONS TO BE AS SHOWN ON PLANS, OR AS REQUIRED IN THE FIELD BY A CITY INSPECTOR.

15. ALL GRADING WORK SHALL CONFORM TO THE SOILS REPORT AS PREPARED BY THE SOILS ENGINEER AND APPROVED BY THE CITY ENGINEER.

16. EXACT LOCATION OF ALL SAW CUT LINES SHALL BE DETERMINED IN THE FIELD BY A CITY OF LAS VEGAS INSPECTOR IF LOCATION ON PLANS IS NOT CLEARLY SHOWN, OR DRIVING PAVEMENT CONDITION REQUIRES RELOCATION.

17. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO PROTECT EXISTING PERMANENT SURVEY MONUMENTS. ANY MONUMENTS DISTURBED SHALL BE REPLACED AND ADJUSTED FOR AVAILABLE RECORDS IN ACCORDANCE WITH N.R.S. STATUTE NO. 625.090.

L.V.V.W.D. NOTES

1. ALL WORK TO CONFORM TO LAS VEGAS VALLEY WATER DISTRICT LATEST STANDARD PLATES AND SPECIFICATIONS.

2. ALL WORK, EXCEPT AS MODIFIED HEREON OR BY SHT NOTE 1, SHALL BE DONE IN ACCORDANCE WITH THE MOST CURRENT DRAFT OR EDITION OF UNIFORM STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION CITY-SITE IMPROVEMENTS CLARK COUNTY AREA.

3. NOTICE TO BE GIVEN TO THE INSPECTIONS DEPARTMENT OF THE LAS VEGAS VALLEY WATER DISTRICT 48 HOURS PRIOR TO ACTUAL CONSTRUCTION.

4. SERVICE SADDLES OR TAPPED COLLARS WILL BE REQUIRED ON ALL 3/4" AND 1" SERVICE LATERALS. SERVICE SADDLES ONLY WILL BE PERMITTED ON 1 1/2" AND 2" SERVICE LATERALS. DOUBLE TAPPED COLLARS ARE NOT PERMITTED.

5. ALL LINES TO BE PRESSURE TESTED TO 200 PSI.

6. INSTALL METER BOXES AS PER LVVWD STANDARD PLATE 1A.

7. DEFLECTION ANGLE SHALL NOT EXCEED 2 1/2 DEGREES PER 13 FOOT SECTION OF PIPE FOR PIPE SIZES SMALLER THAN 1 1/2 INCHES AND SHALL NOT EXCEED 5 DEGREES FOR PIPE SIZES BETWEEN 14" AND 16".

8. ALL MISSION SHALL BE LOCATED OUTSIDE OF DRIVEWAYS.

9. DETECTOR TAPE REQUIRED IN ACCORDANCE WITH STANDARD PLATE NO. 27 WHERE INDICATED AND AS FOLLOWS:
   A. OVER ALL MAINS NOT INSTALLED AT 5 FEET FROM BACK OF CURB.
   B. OVER ALL SERVICE LATERALS NOT INSTALLED AT RIGHT ANGLES TO MAINS.

10. CALL BEFORE YOU DIG 1-800-227-2600.

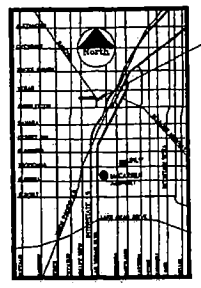
WATER ESTIMATE

①	90° ELL – 8"	4 EA.
	8" PVC WATER MAIN	345 LF.
②	FIRE HYD., VALVE & ASSY	2 EA.

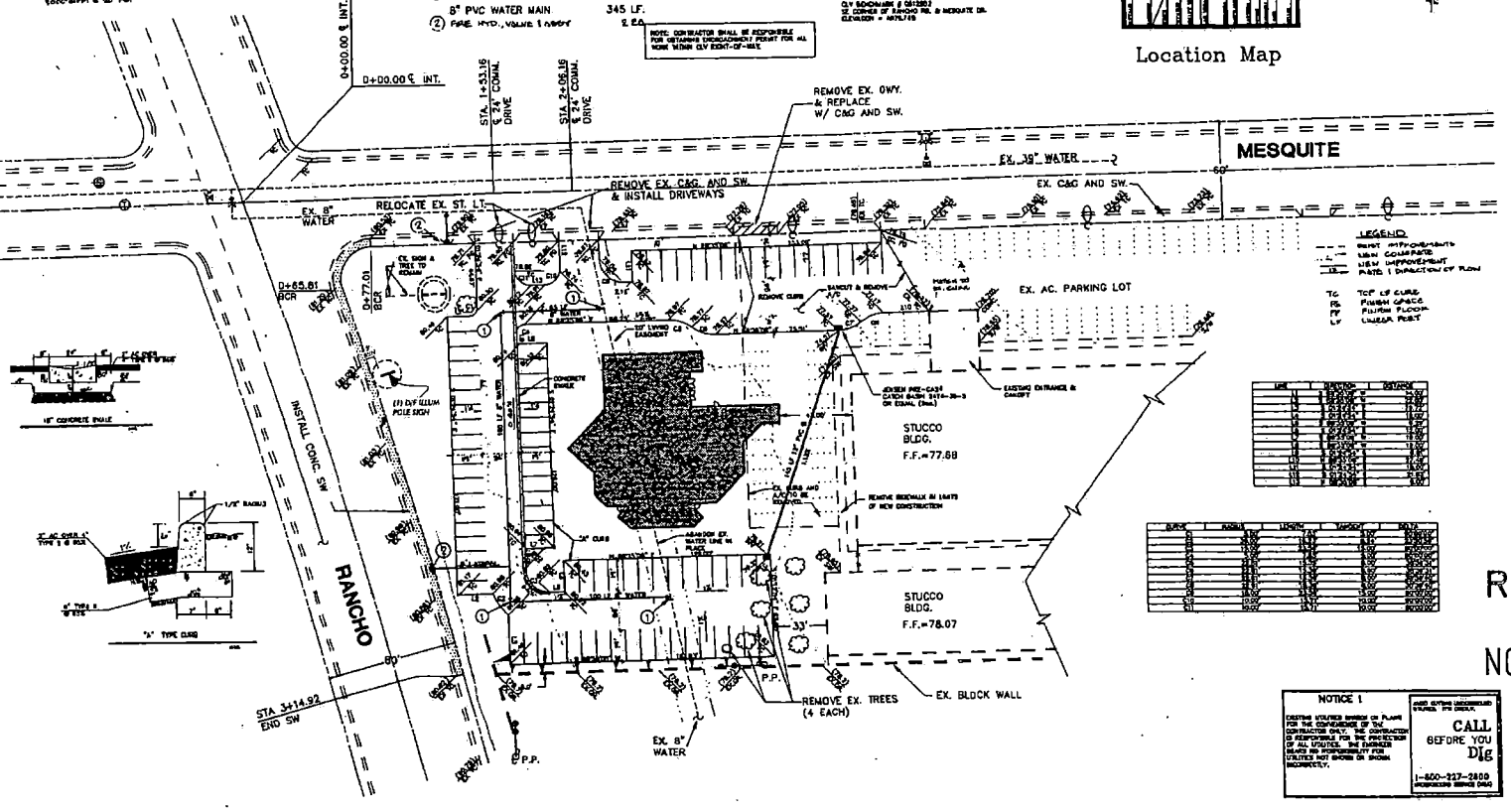
NOTE: CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ENCROACHMENT PERMIT FOR ALL WORK WITHIN CLV RIGHT-OF-WAY.

BENCHMARK

CLV BENCHMARK # 061282
SE CORNER OF RANCHO RD. & MESQUITE DR.
ELEVATION = 1870.715



Location Map



RECEIVED
NOV 3 0 2004

NOTICE 1
CALL BEFORE YOU DIG
1-800-227-2600

SITE PLAN N.T.S.

JOB NO.	8810
DATE	08-06-2004
DRAWN	DERRICK
SALES	SHOCK
FILE NAME	FCC8810.CDR
SHEET	

First Christian Church
(DISCIPLES OF CHRIST)
101 S. RANCHO DR.

VISION SIGN
3625 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

DATE / BY	REVISIONS PRICE

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.

VAR-5713
01-13-05 PC



VAR-5713 - APPLICANT/OWNER: FIRST CHRISTIAN CHURCH
101 SOUTH RANCHO DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

12/23/04

VISION SIGN INC.
3625 S. Polaris Las Vegas, NV 89103
Phone: (702) 895-7474
Fax: (702) 895-7444

December 1, 2004

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Subject: Family Christian Church

To Whom It May Concern:

Please accept this letter as our request to manufacture & install (1) 13'-0" tall double face illuminated pole sign were a 8'-0"is allowed by code.

As per the attached drawing this sign will have a change panel to advertise the various up coming events at the church. We feel that the sign at 8'-0" would simply be to low to the ground and would be subject to constant vandalism and graffiti.

OUR ~~Are~~ request of 13'-0" is to allow approx. 8'-0" from the bottom of the attraction panel to grade. We believe this will help with any potential vandalism and graffiti.

Sincerely,

Darrell Shock

City of Las Vegas

Agenda Item No.: 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

ABEYANCE - SDR-5700 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING – APPLICANT/OWNER: LAND INVESTMENTS, LLC - Request for a Site Development Plan Review FOR A 28-UNIT SINGLE-FAMILY DEVELOPMENT on 5.0 acres adjacent to the northwest corner of Cheyenne Avenue and Hualapai Way (APN 137-12-801-006), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], Under Resolution of Intent to PD (Planned Development) [ML (Medium-Low Residential) Lone Mountain Master Plan Land Use Designation, Ward 4 (Brown).

THE APPLICANT REQUESTS THIS ITEM BE TABLED

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

RECOMMENDATION:

Staff recommends TABLE

BACKUP DOCUMENTATION:

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

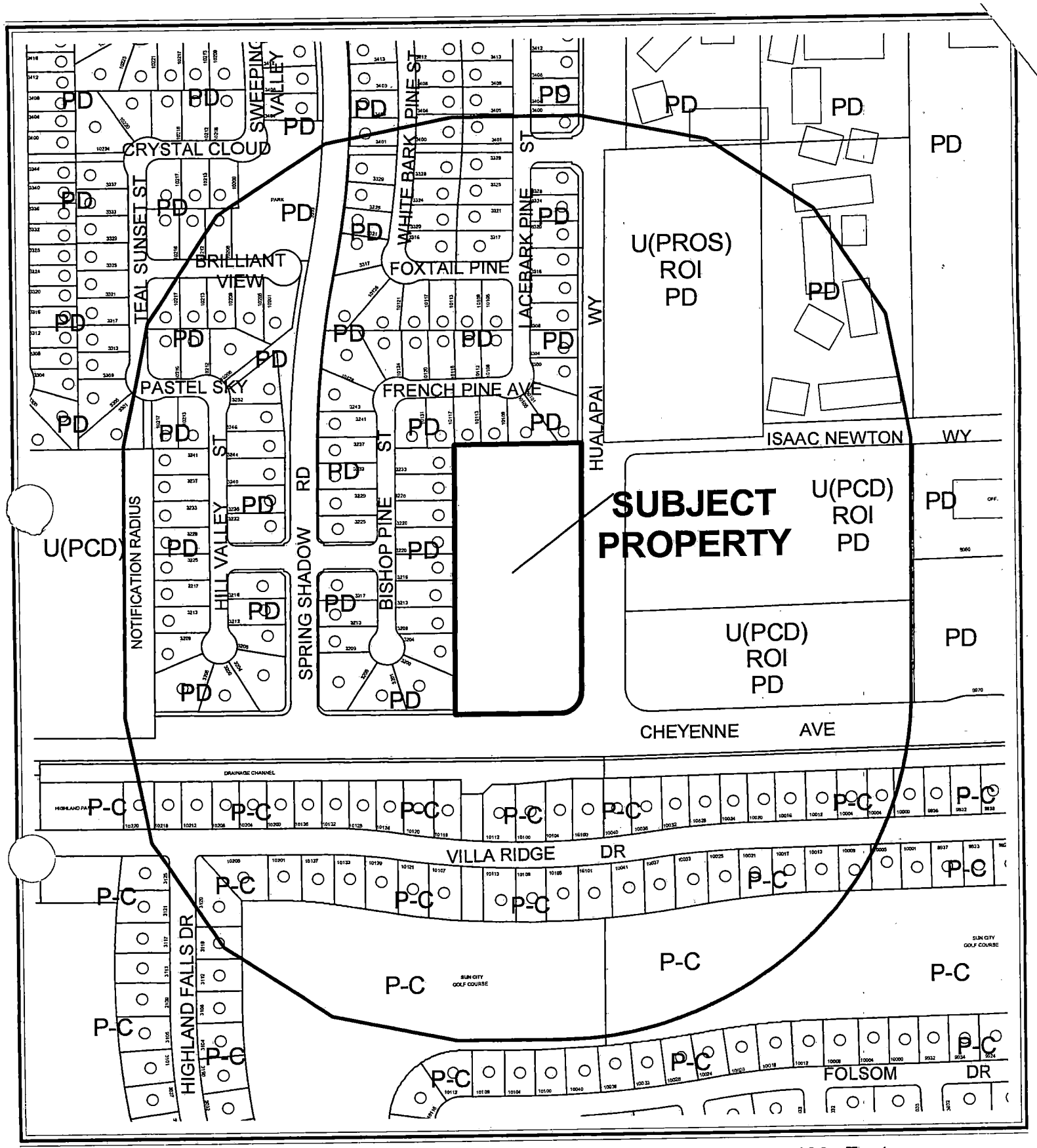
MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)



0 200 400 Feet

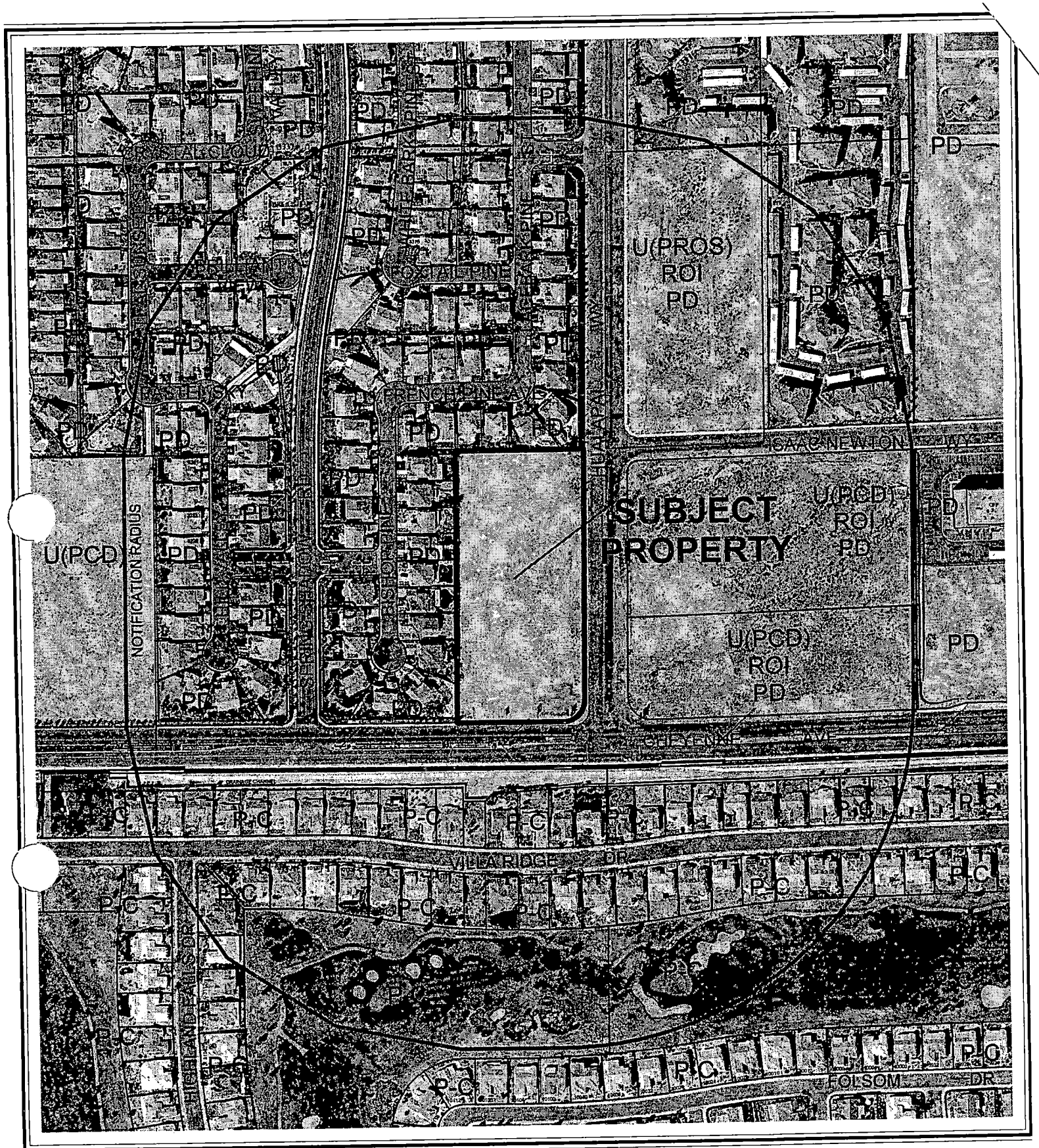
N

CASE: **SDR-5700**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) [ML (MEDIUM-LOW RESIDENTIAL) LONE MOUNTAIN MASTER PLAN LAND USE DESIGNATION]



0 200 400 Feet

N

CASE: **SDR-5700**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) [ML (MEDIUM-LOW RESIDENTIAL) LONE MOUNTAIN MASTER PLAN LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5700 - APPLICANT: KB HOME NEVADA INC - OWNER: LAND INVESTMENTS, LLC

THE APPLICANT REQUESTS THIS ITEM BE TABLED.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5700 APN: 137-12-801-006

Name of Property Owner: LAND INVESTMENTS L L C

Name of Applicant: KB HOME NEVADA INC.

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

_____Yes __XX__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: JOHN A. RITTER

Subscribed and sworn before me

This 27th day of October, 2004

Amanda Dalton

Notary Public in and for said County and State

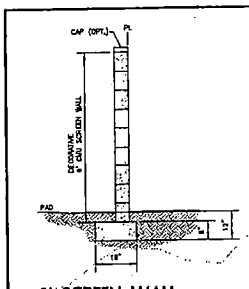
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
AMANDA DALTON
Appt. No. 00-64522-1
My Appt. Expires March 22, 2006

SDR-5700
01-13-05 PC

CHEYENNE/HUALAPAI

FOR

KB HOME NEVADA, INC.



6' SCREEN WALL
TYPICAL SECTION

SCALE: 1/2" = 1'

PROPOSED DEVELOPMENT
EXIST. ZONING – PD
EXIST. LAND USE – MLA
(UNDER CONSTRUCTION)

PROPOSED DEVELOPMENT
EXIST. ZONING – PD
EXIST. LAND-USE – NC
(UNDER CONSTRUCTION)

NORTH
1"=40'

GRAPHIC SCALE
(IN FEET)
1 inch = 80 ft.

HUALAPAI WAY

EXISTING CHEYENNE HUALAPAI – UNIT 4A
EXIST. ZONING – PD
EXIST. LAND USE – LDW

FRENCH PINE AVENUE

CHEYENNE AVENUE

EXISTING SUN CITY LAS VEGAS – UNIT 37
EXIST. ZONING – P-C
EXIST. LAND USE – MLR

EXISTING CHEYENNE HUALAPAI – UNIT 4A
EXIST. ZONING – PD
EXIST. LAND USE – LDW

BISHOP PINE STREET

1 3,741 S.F.	8 3,437 S.F.	9 3,390 S.F.	16 3,741 S.F.	17 3,513 S.F.	24 3,741 S.F. R=28'	25 4,404 S.F.							
2 3,384 S.F.	7 3,448 S.F.	10 3,449 S.F.	15 3,384 S.F.	18 3,335 S.F.	23 3,384 S.F.	26 4,024 S.F.							
3 3,448 S.F.	6 3,448 S.F.	11 3,448 S.F.	14 3,448 S.F.	19 3,448 S.F.	22 3,448 S.F.	27 3,683 S.F.							
4 3,437 S.F.	5 3,437 S.F.	12 3,397 S.F.	13 3,437 S.F.	20 3,387 S.F.	21 3,437 S.F.	28 4,130 S.F.							

OPEN SPACE 9,384 S.F.

15' PERIMETER LANDSCAPING

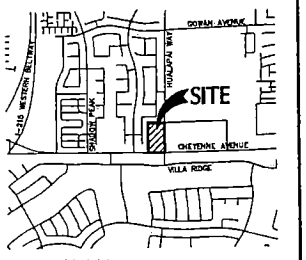
8' MIN. LANDSCAPE

7' MIN. LANDSCAPE

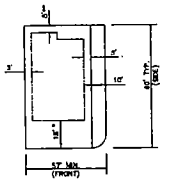
30' MIN. LANDSCAPING

EXIST. RETAINING WALL

EXIST. BOX



VICINITY MAP
SEC. 03, T.21 S., R. 60 E., M.D.M. N.T.S.



TYP. LOT SETBACKS
(TYPICAL LOT SIZE 3,439 SQ. FT. +/-)
NOT TO SCALE

*FRONT:
GARAGE ..... 18' MIN.
BUILDING ..... 10'
**REAR:
BUILDING ..... 8'
PATIO COVER ..... 5'
SIDE ..... 5'
CORNER ..... 10'



BUILDING FOOTPRINTS
NOT TO SCALE

TABULATION

APN #	137-12-801-006
CURRENT ZONING	PD
PROPOSED ZONING	PD
ACREAGE	5.0 ACRES±
NUMBER OF UNITS	28
D.U.A.	5.60
OPEN SPACE REQ'D	20,125 S.F.
OPEN SPACE PRV'D	5,284 S.F.

LEGAL DESCRIPTION

ALL THAT REAL PROPERTY SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA, BOUNDED AND DESCRIBED AS FOLLOWS: THE EAST HALF (E1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.B.&M.

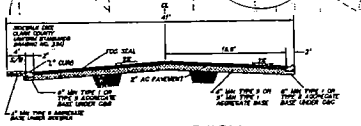
ALSO KNOWN AS: 137-12-801-006

CONTAINING 5.0 ACRES MORE OR LESS.

NOTES:

ALL ONSITE STREET INTERSECTION RADII ARE 20' AT BACK OF CURB.

ALL PRIVATE STREETS ARE PUBLIC UTILITY EASEMENT AND CITY OF LAS VEGAS SEWER EASEMENT ALONG WITH PUBLIC DRAINAGE EASEMENTS TO BE PRIVATELY MAINTAINED BY THE HOMEOWNERS ASSOCIATION.



41' PUBLIC STREET SECTION
INTERIOR STREETS N.T.S.

OWNER
LAND INVESTMENTS L L C
C/O JOHN RITTER
3339 N. BUFFALO, SUITE 204
LAS VEGAS, NV 89129
(702)242-3449

DEVELOPER
KB HOME NEVADA, INC.
750 PILOT ROAD , SUITE F
LAS VEGAS, NV 89119
(702)914-2934

CONCEPTUAL LAYOUT #008

DESIGNED BY: MGB | CHKD BY: MGB
DRAWN BY: MGB | DATE: 11/30/04
JOB NUMBER: 1262-050-041 | REVISION:
PKL | DATE (UPD.)

L. R. NELSON CONSULTING ENGINEERS, INC.
8765 West Russell Road, Suite 200
Las Vegas, Nevada 89118
(702) 798-7978
(702) 451-2296 FAX

SITE DEVELOPMENT PLAN REVIEW OF
CHEYENNE/HUALAPAI
FOR
KB HOME NEVADA, INC.
CITY OF LAS VEGAS NEVADA

SHEET NUMBER
1
OF 1 SHEETS
1262-050-041

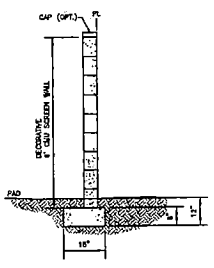
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SDR-5700
01-13-05 PC

CHEYENNE/HUALAPAI

FOR

KB HOME NEVADA, INC.



6' SCREEN WALL
TYPICAL SECTION

SCALE: 1/2" = 1'

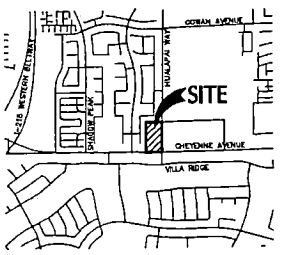
EXTERIOR WALL FINISH AND LOOK TO MATCH SHADOW HILLS MASTER PLAN BOUNDARY WALL.

PROPOSED DEVELOPMENT
EXIST. ZONING – PD
EXIST. LAND USE – MLA
(UNDER CONSTRUCTION)

PROPOSED DEVELOPMENT
EXIST. ZONING – PD
EXIST. LAND USE – NC
(UNDER CONSTRUCTION)

NORTH
1"=50'

GRAPHIC SCALE



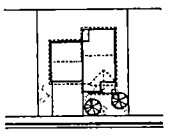
VICINITY MAP
SEC. 03, T.21 S., R. 60 E., M.D.M. N.T.S.

HUALAPAI WAY

EXISTING
CHEYENNE HUALAPAI – UNIT 4A
EXIST. ZONING – PD
EXIST. LAND USE – LOW

CHEYENNE AVENUE

EXISTING
SUN CITY LAS VEGAS – UNIT 37
EXIST. ZONING – P-C
EXIST. LAND USE – MLR



TYPICAL FRONT
YARD LANDSCAPE

4 – 24" BOX TREES
5 – 5 GAL. SHRUBS
5 – 1 GAL. SHRUBS

EXISTING
CHEYENNE HUALAPAI – UNIT 4A
EXIST. ZONING – PD
EXIST. LAND USE – LOW

OWNER

LAND INVESTMENTS L L C
C/O JOHN PITTER
3320 N. BUFFALO, SUITE 204
LAS VEGAS, NV 89129
(702)242-4049

DEVELOPER

KB HOME NEVADA INC.
790 PILOT ROAD - SUITE F
LAS VEGAS, NV 89119
(702)614-2624

LEGAL DESCRIPTION

ALL THAT REAL PROPERTY, SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA, BOUNDED AND DESCRIBED AS FOLLOWS: THE EAST HALF (E1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.B.&M.

ALSO KNOWN AS: 137-12-801-008

CONTAINING 0.0 ACRES MORE OR LESS.

NOTES:

1. PURSUANT TO THE CITY OF LAS VEGAS URBAN DESIGN GUIDELINES AND STANDARDS, EACH PERIMETER LANDSCAPE PLANTER SHALL CONTAIN A MINIMUM OF ONE (1) 24-INCH BOX TREE FOR EVERY THIRTY (30) LINEAR FEET OF PLANTER, PLUS ONE (1) ADDITIONAL 24-INCH BOX TREE.

2. PURSUANT TO THE CITY OF LAS VEGAS URBAN DESIGN STANDARDS, GROUND COVER SHALL INCLUDE A MINIMUM OF FOUR (4)-5 GALLON SHRUBS PER 24-INCH BOX TREE PLANTED.

LANDSCAPE LEGEND

SYMBOL	SPECIES	COMMON NAMES	SIZE	SPACING	LOCATION
	ALBIZIA JULIBRISSIN CERCIDIUM FLORIDUM CHILOPIS LINEARIS	SILK TREE BLUE PALO VERDE DESRT WILLOW	24" BOX	30' O.C.	PER PLAN
	GENESTA HISPANICA JUNIPAUK (PROSTRATE) ROSMARINUS OFFICINALIS	SPANISH BROOM JUNIPER ROSEMARY	1 GAL.	PER TITLE 17 – 60% COVERAGE	PER PLAN

TABULATION

APN #	137-12-801-008
CURRENT ZONING	PD
PROPOSED ZONING	PD
ACREAGE	5.0 ACRES±
NUMBER OF UNITS	28
D.U.A.	5.60
OPEN SPACE REQ'D	20,125 S.F.
OPEN SPACE PRV'D	9,264 S.F.

LANDSCAPE PLAN

LANDSCAPING SHALL COMPLY WITH ALL CITY OF LAS VEGAS REQUIREMENTS FOR SIZE, SPACING AND QUANTITIES OF PLANT MATERIALS AND WATERING SCHEDULES.

TOTAL LANDSCAPE AREA 20,479 S.F.

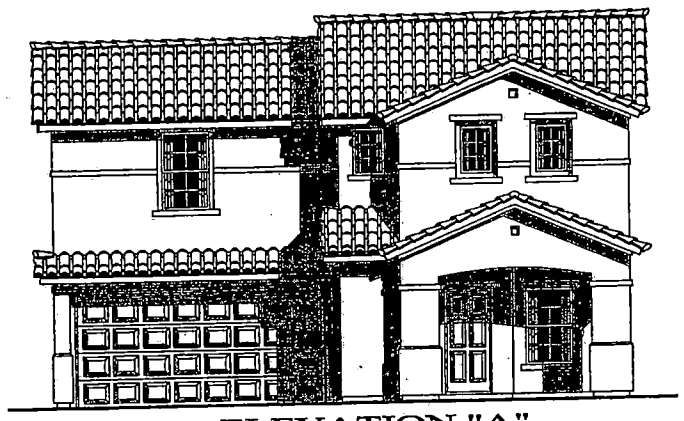
DESIGNED BY: MGB | DRAWN BY: MGB | CHKD BY:
JOB NUMBER: 1262-050-041 | DATE: 11/30/04 | DATE APP.:
NO. | REVISION

L. R. NELSON CONSULTING ENGINEERS, INC.
6765 West Russell Road, Suite 200
Las Vegas, Nevada 89118
(702) 798-7978
(702) 451-2236 FAX

LANDSCAPE PLAN OF
CHEYENNE/HUALAPAI
FOR
KB HOME NEVADA, INC.
CLARK COUNTY NEVADA

SHEET NUMBER
1
OF 1 SHEETS
1262-D5D-D41

H:\Land Projects\1262050\dwg\Planning\Site Plan\Landscape5.dwg, 11/30/2004 10:50:35 AM, Plotted By: MGB



ELEVATION "A"



ELEVATION "B"



ELEVATION "C"

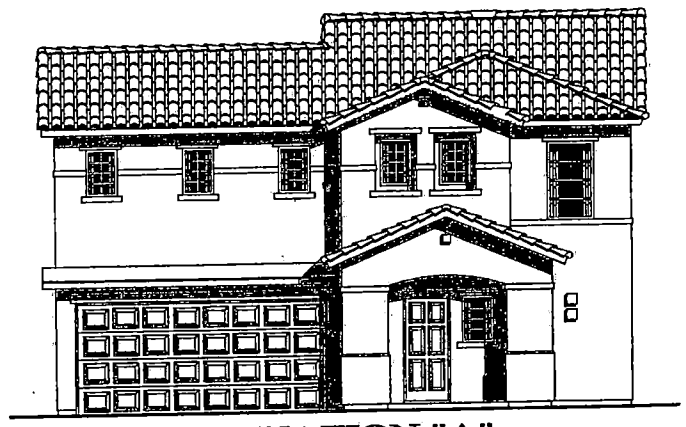
KB HOME

2 CAR VILLAS

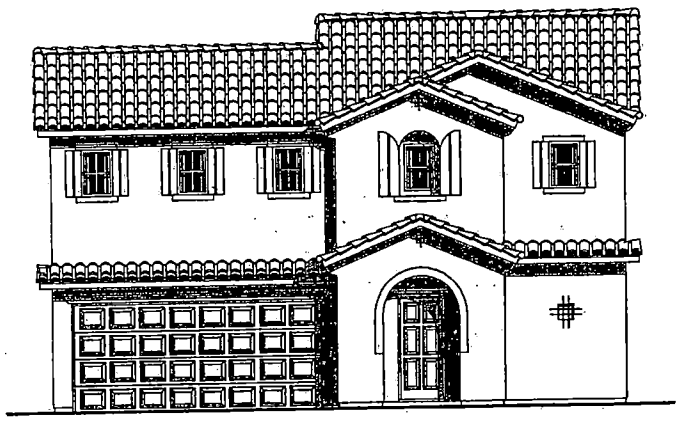
LAS VEGAS DIVISION

SDR-5700
01-13-05 PC

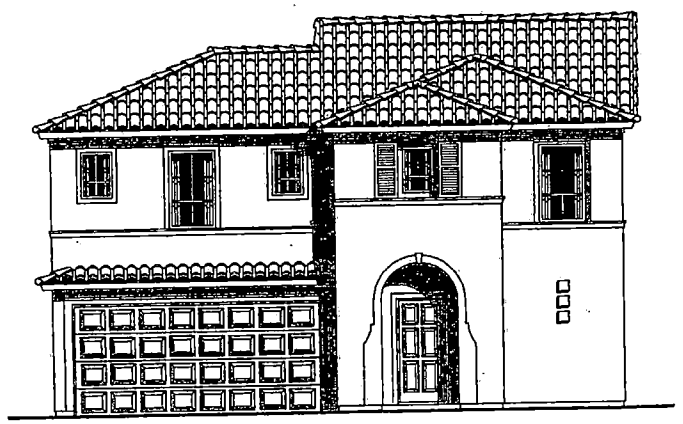
PLAN: 237.1750
PROJECT: 850999.81
DATE: 11/26/04



ELEVATION "A"



ELEVATION "B"



ELEVATION "C"

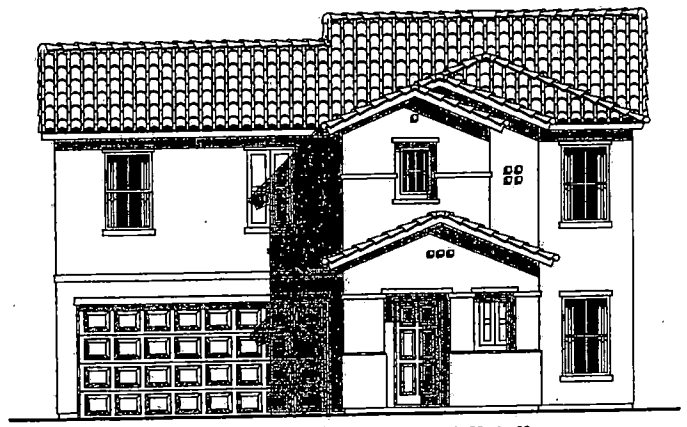
KB HOME

2 CAR VILLAS

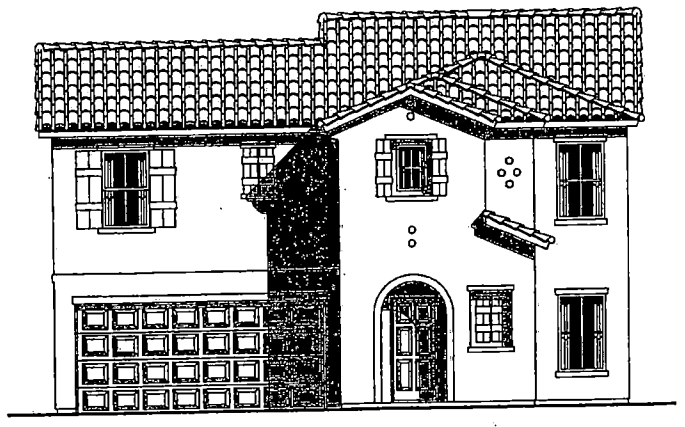
LAS VEGAS DIVISION

SDR-5700
01-13-05 PC

PLAN: 237.1835
PROJECT: 850999.81
DATE: 11/26/04



ELEVATION "A"



ELEVATION "B"



ELEVATION "C"

KB HOME

2 CAR VILLAS

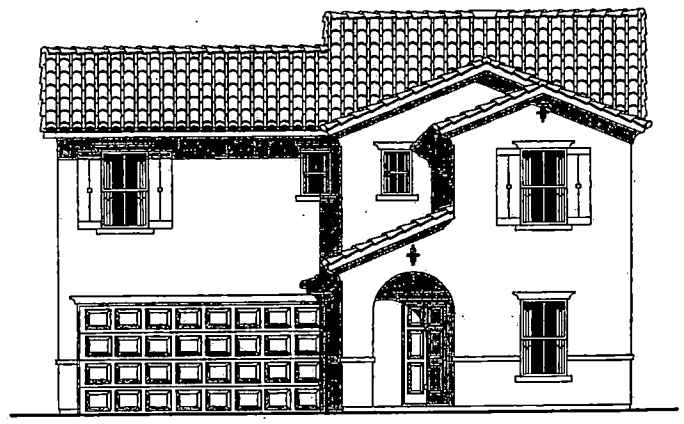
SDR-5700
01-13-05 PC

LAS VEGAS DIVISION

PLAN: 237.1851
PROJECT: 850999.81
DATE: 11/26/04



ELEVATION "A"



ELEVATION "B"



ELEVATION "C"

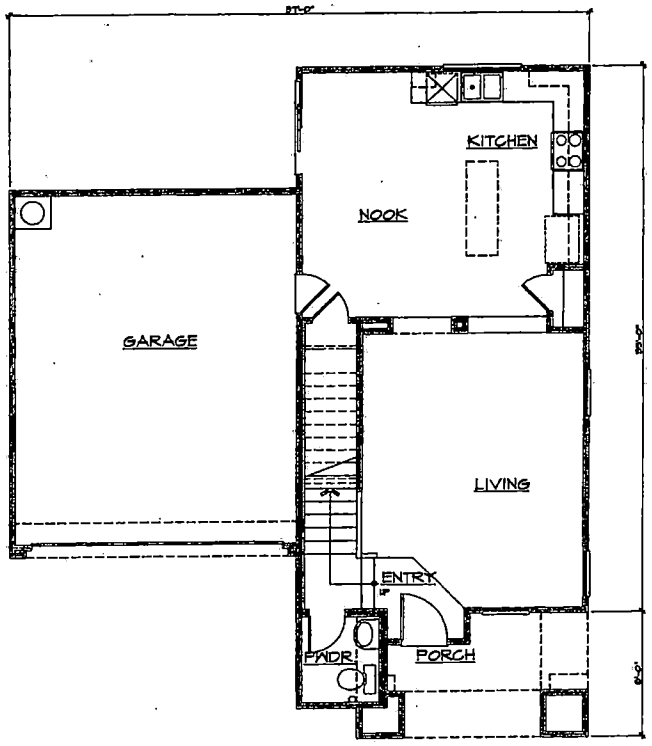
KB HOME

2 CAR VILLAS SDR-5700

01-13-05 PC

LAS VEGAS DIVISION

PLAN: 237.1891
PROJECT: 850999.81
DATE: 11/26/04



FIRST FLOOR PLAN

SECOND FLOOR PLAN

SDR-5700
01-13-05 PC

ELEVATION "C"

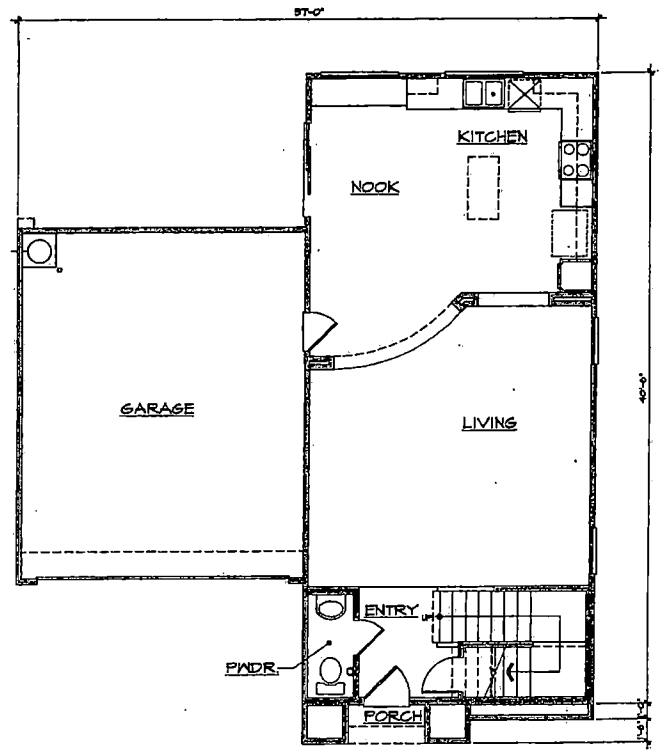
KB HOME

2 CAR VILLAS

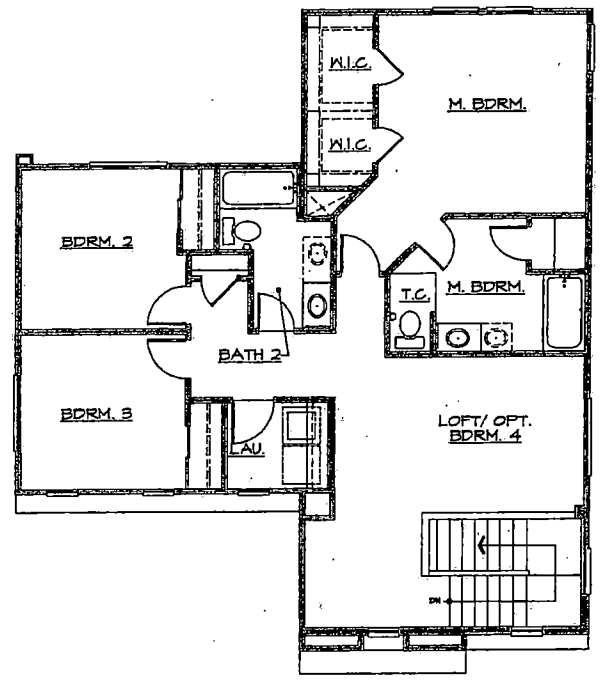
LAS VEGAS DIVISION

SQUARE FOOTAGE		
PLAN: 237.1750		
FIRST FLOOR AREA	649	SQ.FT.
SECOND FLOOR AREA	1051	SQ.FT.
TOTAL AREA	1750	SQ.FT.

PLAN: 237.1750
PROJECT: 850999.81
DATE: 11/26/04



FIRST FLOOR PLAN



SECOND FLOOR PLAN

ELEVATION "B"

KB HOME

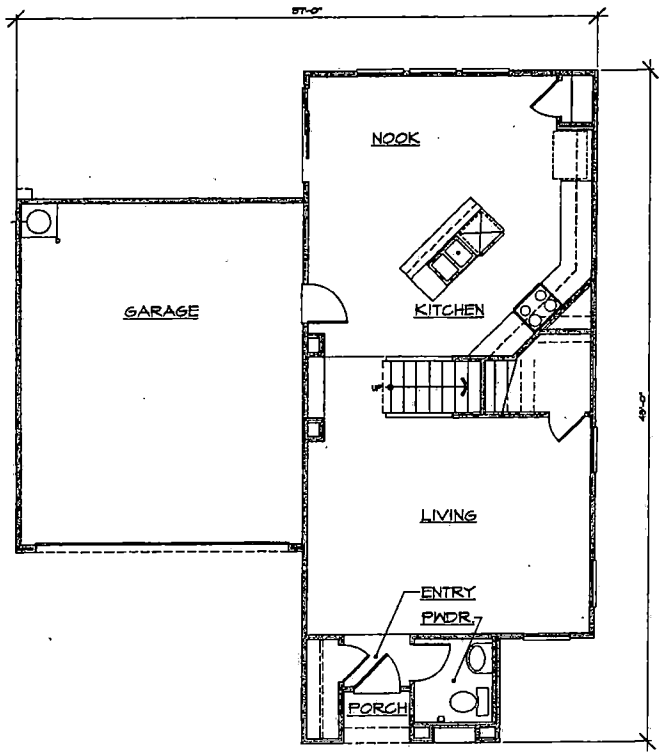
2 CAR VILLAS SDR-5700

01-13-05 PC

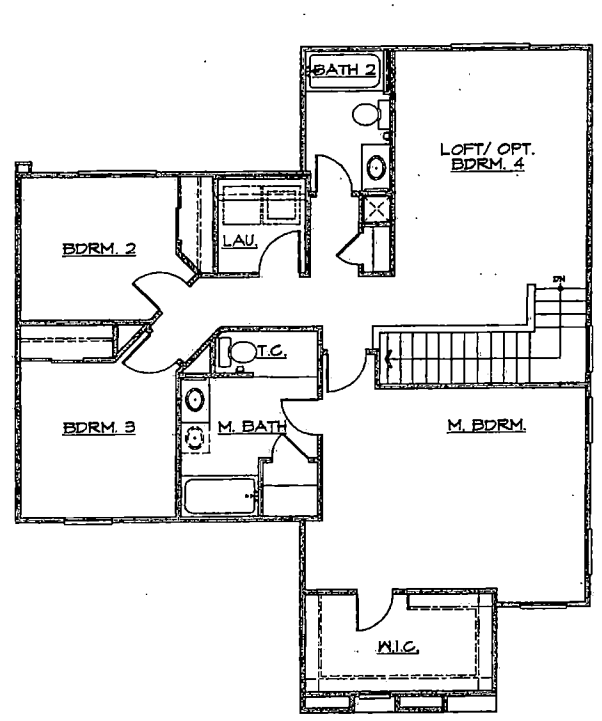
LAS VEGAS DIVISION

SQUARE FOOTAGE		
PLAN: 237.1835		
FIRST FLOOR AREA	756	SQ.FT.
SECOND FLOOR AREA	1079	SQ.FT.
TOTAL AREA	1835	SQ.FT.

PLAN: 237.1835
PROJECT: 850999.81
DATE: 11/26/04



FIRST FLOOR PLAN



SECOND FLOOR PLAN

ELEVATION "C"

KB HOME

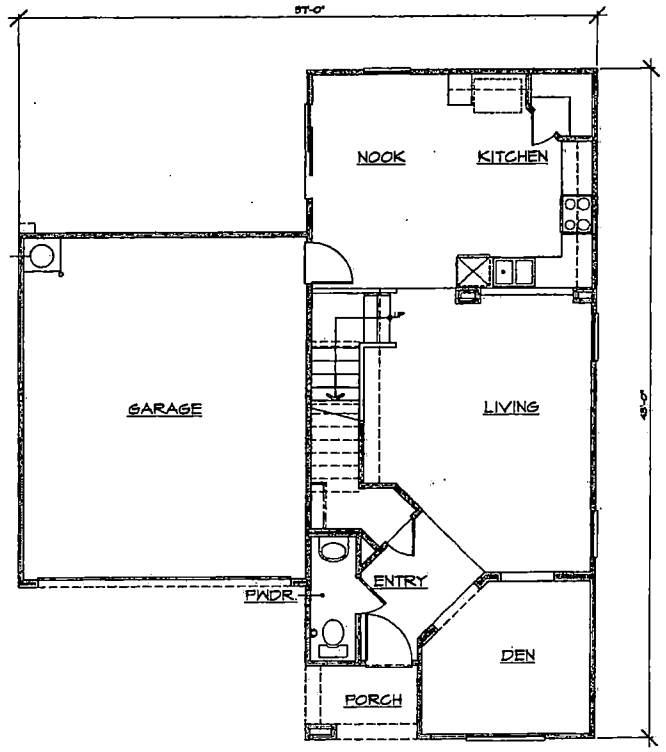
2 CAR VILLAS

LAS VEGAS DIVISION

SDR-5700
01-13-05 PC

SQUARE FOOTAGE		
PLAN: 237.1851		
FIRST FLOOR AREA	1165	SQ.FT.
SECOND FLOOR AREA	686	SQ.FT.
TOTAL AREA	1851	SQ.FT.

PLAN: 237.1851
PROJECT: 850999.81
DATE: 11/26/04



FIRST FLOOR PLAN

SECOND FLOOR PLAN

ELEVATION "A"

KB HOME

LAS VEGAS DIVISION

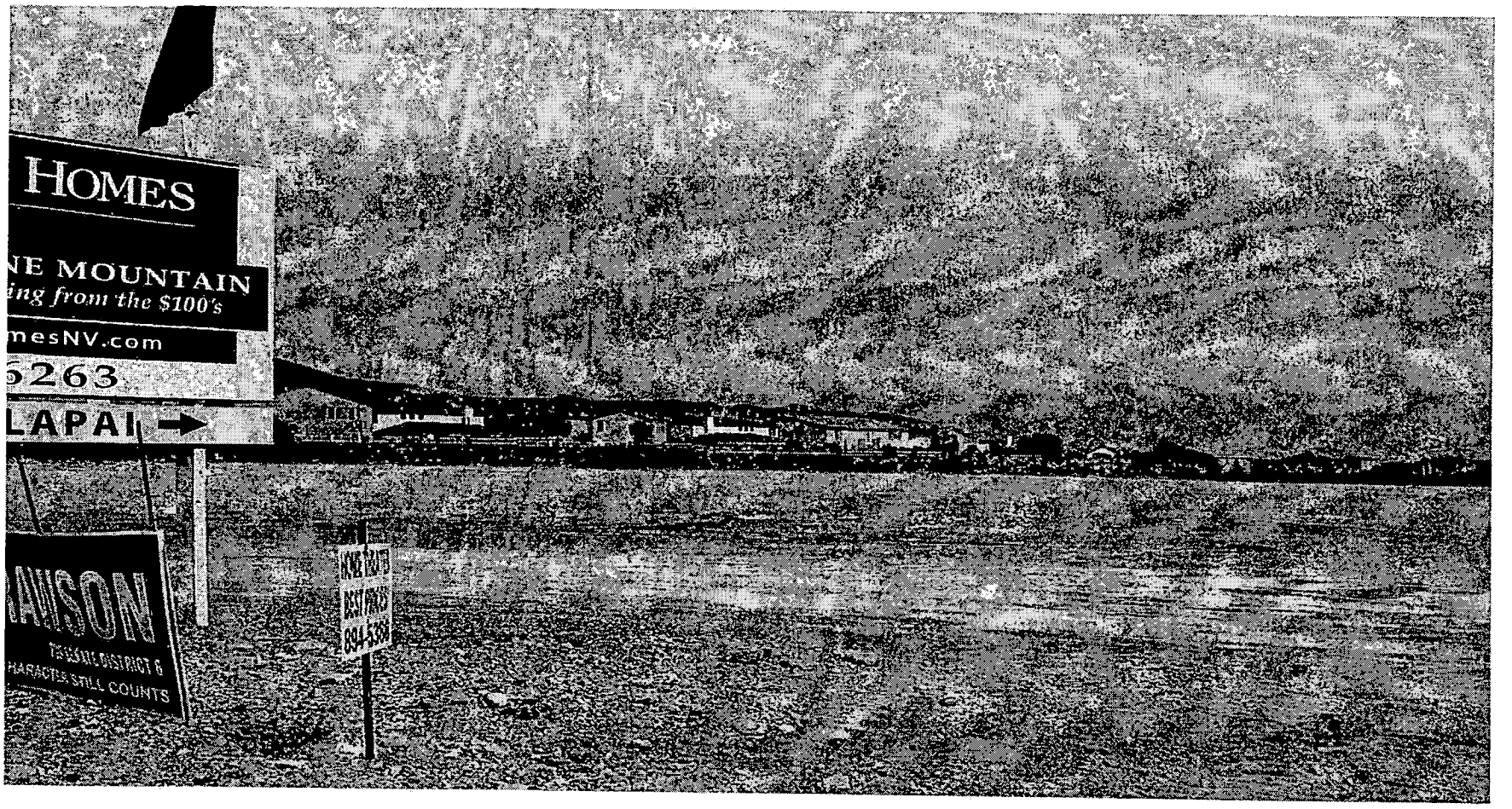
2 CAR VILLAS

SDR-5700

01-13-05 PC

SQUARE FOOTAGE		
PLAN: 237.1891		
FIRST FLOOR AREA	760	SQ.FT.
SECOND FLOOR AREA	1129	SQ.FT.
TOTAL AREA	1841	SQ.FT.

PLAN: 237.1891
PROJECT: 850999.81
DATE: 11/26/04



SDR-5700 - APPLICANT/OWNER: LAND INVESTMENTS, LLC
NORTHWEST CORNER OF CHEYENNE AVENUE AND HUALAPAI WAY
FEBRUARY 10, 2005 PLANNING COMMISSION

12/23/04

Project Number: 1262-050-041

LARRY R. NELSON, P.E.
President

November 1, 2004

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

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING

Re: CHEYENNE/HUALAPAI – SITE DEVELOPMENT PLAN REVIEW - APN 137-12-801-006

Dear Staff:

On behalf of our client, KB Home Nevada, inc., we are including this letter to provide information on the Site Development Plan Review being submitted for consideration on the above referenced project.

We are requesting to develop 5.00 acres of property located on the northwest corner of Cheyenne Avenue and Hualapai Way as a Detached Single Family Residential Subdivision. This subdivision would consist of twenty-eight (28) single family detached dwellings that are two stories and would have a density of 5.60 units/acre.

North and west of the site is an existing PD development and to the south across Cheyenne Avenue is the existing Sun City Summerlin Master Plan. To the east there is a PD development currently under construction.

Our client feels that the development we are proposing is compatible with the surrounding area and will be an enhancement to the neighborhood. With this in mind, we would respectfully request approval of this Site Development Plan Review. If you have any questions or concerns, please contact this office at your convenience.

Sincerely,
L. R. NELSON CONSULTING ENGINEERS, INC.

Mark Bangan
Planning Manager

VADA
NELSON
CONSULTING ENGINEERS, INC.
6765 West Russell Road, Suite 200
Las Vegas, NV 89118-1811

Phone 702 / 798-7978
FAX 702 / 451-2296
Email lrnelson@lrneng.com

UTAH

L.R. NELSON
CONSULTING ENGINEERS, L.L.C.
51 West 9000 South
Sandy, UT 84070-2008

Phone 801 / 565-8580
FAX 801 / 565-9340
Email lrnslc@qwest.net

SDR-5700

City of Las Vegas

Agenda Item No.: 31

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

WVR-5933 - WAIVER RELATED TO SDR-5700 - PUBLIC HEARING - APPLICANT/OWNER: LAND INVESTMENTS, LLC - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 195 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED IN CONJUNCTION WITH A PROPOSED 28-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.00 acres adjacent to the northwest corner of Cheyenne Avenue and Hualapai Way (APN 137-12-801-006), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], Under Resolution of Intent to PD (Planned Development), Ward 4 (Brown).

THE APPLICANT REQUESTS THIS ITEM BE TABLED

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

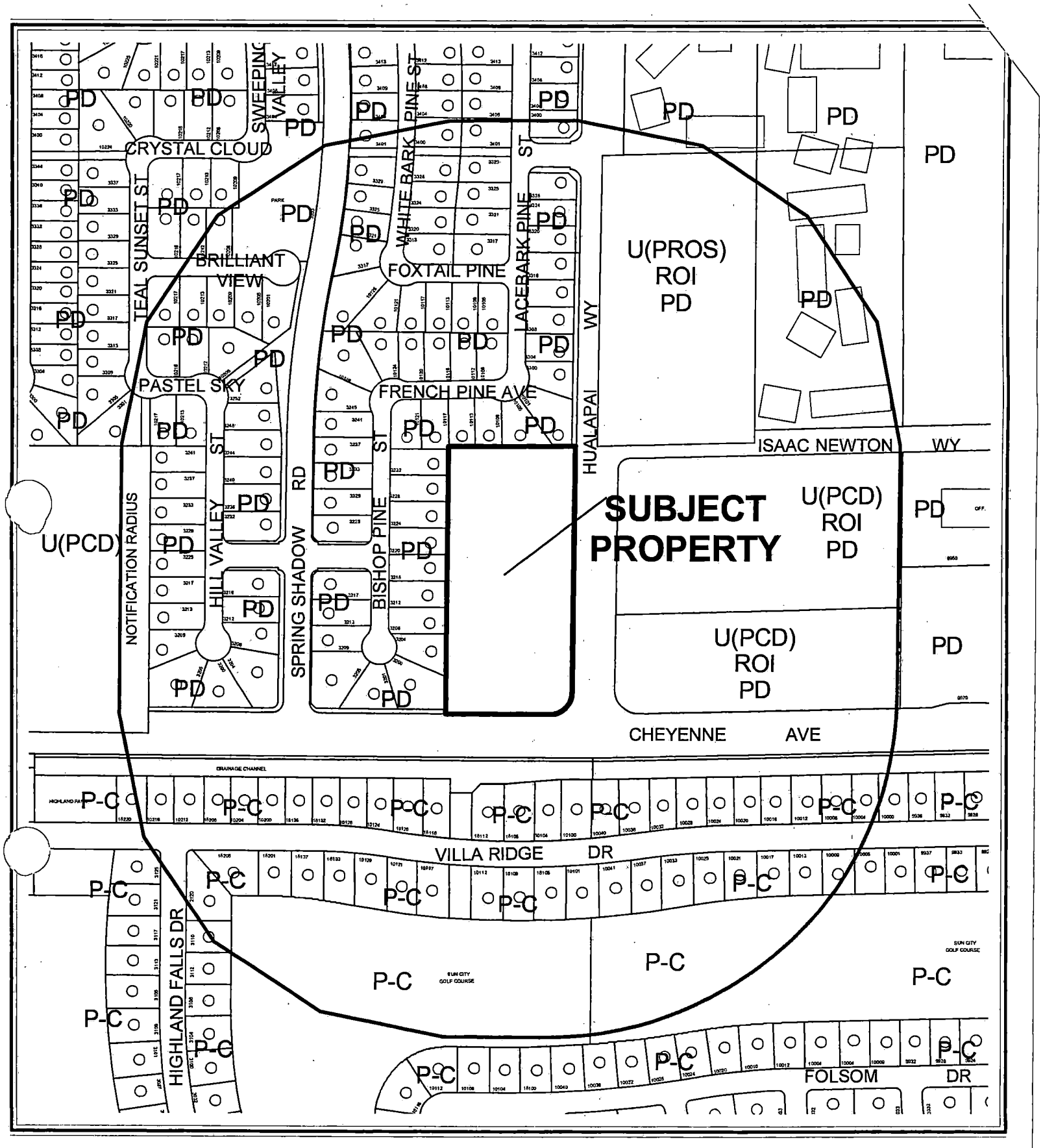
RECOMMENDATION:
Staff recommends TABLE

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:
DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)



CASE: **WVR-5933**

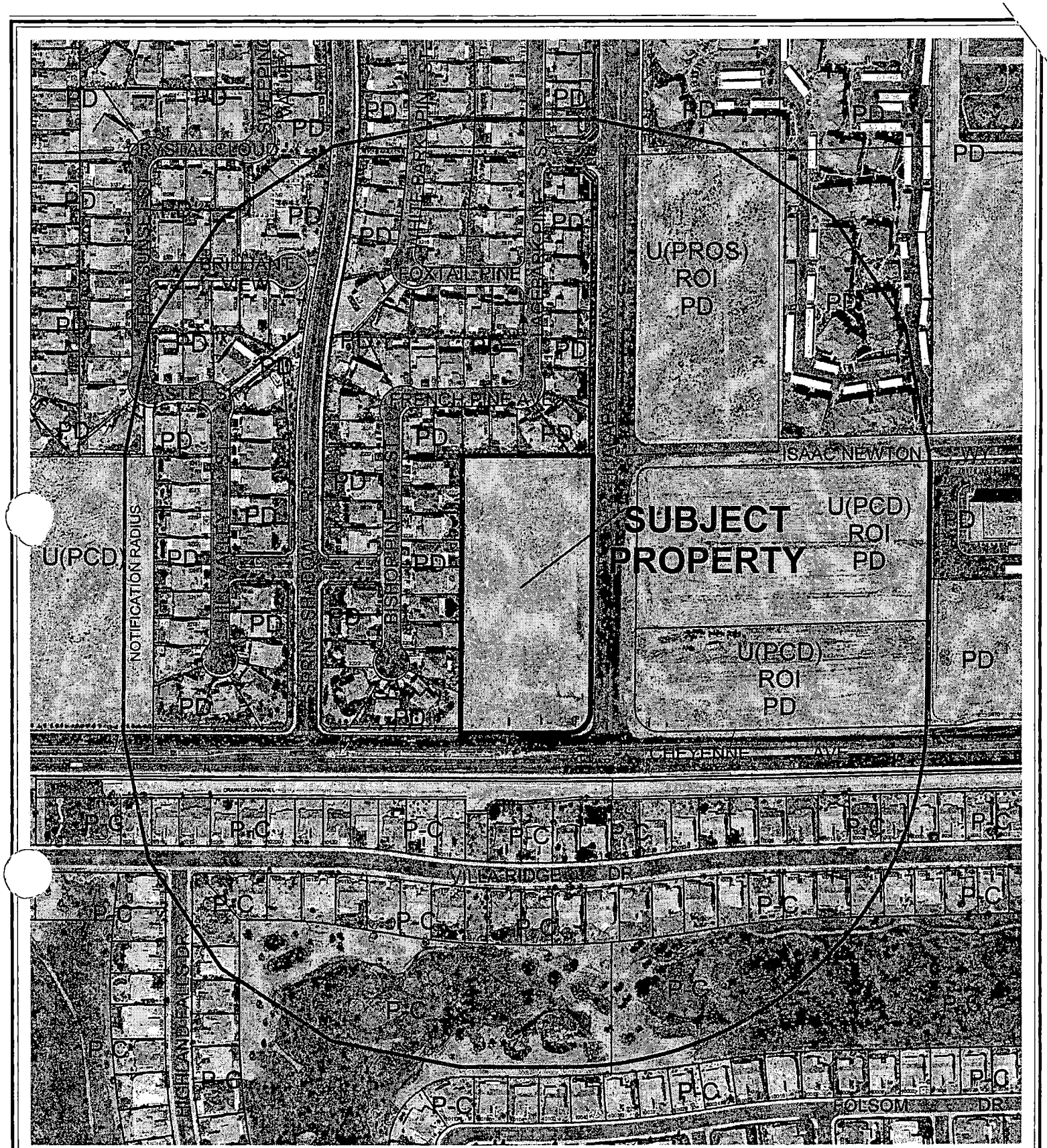
RADIUS: 750 FT

0 200 400 Feet

N

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) [ML (MEDIUM-LOW RESIDENTIAL) LONE MOUNTAIN MASTER PLAN LAND USE DESIGNATION]



0 200 400 Feet

N

CASE: **WVR-5933**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) [ML (MEDIUM-LOW RESIDENTIAL) LONE MOUNTAIN MASTER PLAN LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-5933 - APPLICANT/OWNER: LAND INVESTMENTS, LLC

THE APPLICANT REQUESTS THIS ITEM BE TABELD.

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-5933 APN: 137-12 80 -006

Name of Property Owner: Land Investments LLC

Name of Applicant: Land Investments LLC

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

_____Yes ____xx____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: JOHN A. RITTER

Subscribed and sworn before me

This 27th day of October, 2004

Amanda Dalton

Notary Public in and for said County and State

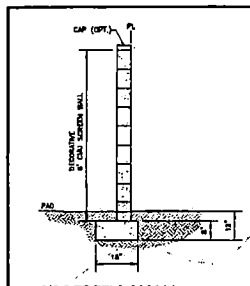
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
AMANDA DALTON
Appt. No. 00-64522-1
My Appt. Expires March 22, 2006

WVR-5933
02-10-05 PC

CHEYENNE/HUALAPAI

FOR

LAND INVESTMENTS LLC



6' SCREEN WALL
TYPICAL SECTION
SCALE: 1/2" = 1'

PROPOSED DEVELOPMENT
EXIST. ZONING – PD
EXIST. LAND USE – MLA
(UNDER CONSTRUCTION)

PROPOSED DEVELOPMENT
EXIST. ZONING – PD
EXIST. LAND USE – NC
(UNDER CONSTRUCTION)

HUALAPAI WAY

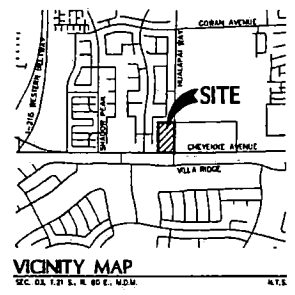
165' STREET OFFSET

670.11'

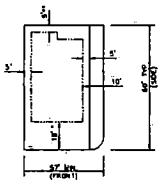
S00°43'55"W

NORTH

GRAPHIC SCALE



VICINITY MAP
SEC. 03, T.21 S., R. 60 E., M.D.M.
N.T.S.



TYP. LOT SETBACKS
(TYPICAL LOT SIZE 3,420 SQ. FT. +/-)
NOT TO SCALE

"FRONT:
GARAGE ..... 18' MIN.
BUILDING ..... 10'
"REAR:
BUILDING ..... 5'
PATIO COVER ..... 5'
SIDE ..... 5'
CORNER ..... 10'

EXISTING CHEYENNE HUALAPAI – UNIT 4A
EXIST. ZONING – PD
EXIST. LAND USE – LOW

8' WIDE LANDSCAPE

10' PERIMETER LANDSCAPING

EXISTING SUN CITY LAS VEGAS – UNIT 37
EXIST. ZONING – P-C
EXIST. LAND USE – MLR

CHEYENNE AVENUE

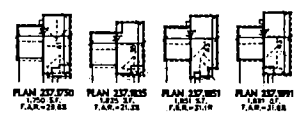
FRENCH PINE AVENUE

1 3,741 S.F.	8 3,427 S.F.	9 3,311 S.F.	16 3,741 S.F.	17 3,513 S.F.	24 3,741 S.F.	25 4,408 S.F.							
2 3,264 S.F.	7 3,448 S.F.	10 3,448 S.F.	15 3,384 S.F.	18 3,330 S.F.	23 3,384 S.F.	26 4,028 S.F.							
3 3,448 S.F.	6 3,449 S.F.	11 3,448 S.F.	14 3,449 S.F.	19 3,448 S.F.	22 3,448 S.F.	27 3,965 S.F.							
4 3,427 S.F.	5 3,427 S.F.	12 3,397 S.F.	13 3,427 S.F.	20 3,397 S.F.	21 3,427 S.F.	28 4,130 S.F.							

OPEN SPACE 9,264 S.F.

EXISTING CHEYENNE HUALAPAI – UNIT 4A
EXIST. ZONING – PD
EXIST. LAND USE – LOW

BISHOP PINE STREET



BUILDING FOOTPRINTS
NOT TO SCALE

TABULATION

APN #	137-12-801-008
CURRENT ZONING	PD
PROPOSED ZONING	PD
ACREAGE	5.0 ACRES±
NUMBER OF UNITS	28
D.U.A.	5.6D
OPEN SPACE REQ'D	20,125 S.F.
OPEN SPACE PRV'D	9,264 S.F.

LEGAL DESCRIPTION

ALL THAT REAL PROPERTY, SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA, BOUNDED AND DESCRIBED AS FOLLOWS: THE EAST HALF (E1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 58 EAST, M.D.B.&M.

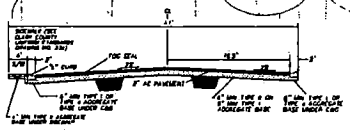
ALSO KNOWN AS: 137-12-801-008

CONTAINING 5.4 ACRES MORE OR LESS.

NOTES:

ALL ONSITE STREETS INTERSECTION RADII ARE 25' AT BACK OF CURB.

ALL PRIVATE STREETS ARE PUBLIC UTILITY EASEMENT AND CITY OF LAS VEGAS SEWER EASEMENT ALONG WITH PUBLIC DRAINAGE EASEMENTS TO BE PRIVATELY MAINTAINED BY THE HOMEOWNERS ASSOCIATION.



41' PUBLIC STREET SECTION
GARDEN STREET
N.T.S.

OWNER

LAND INVESTMENTS L L C
C/O JOHN RITTER
3320 N. BUFFALO, SUITE 204
LAS VEGAS, NV 89129
(702)313-4949

DEVELOPER

LAND INVESTMENTS L L C
C/O JOHN RITTER
3320 N. BUFFALO, SUITE 204
LAS VEGAS, NV 89128
(702)242-4818

CONCEPTUAL LAYOUT #008

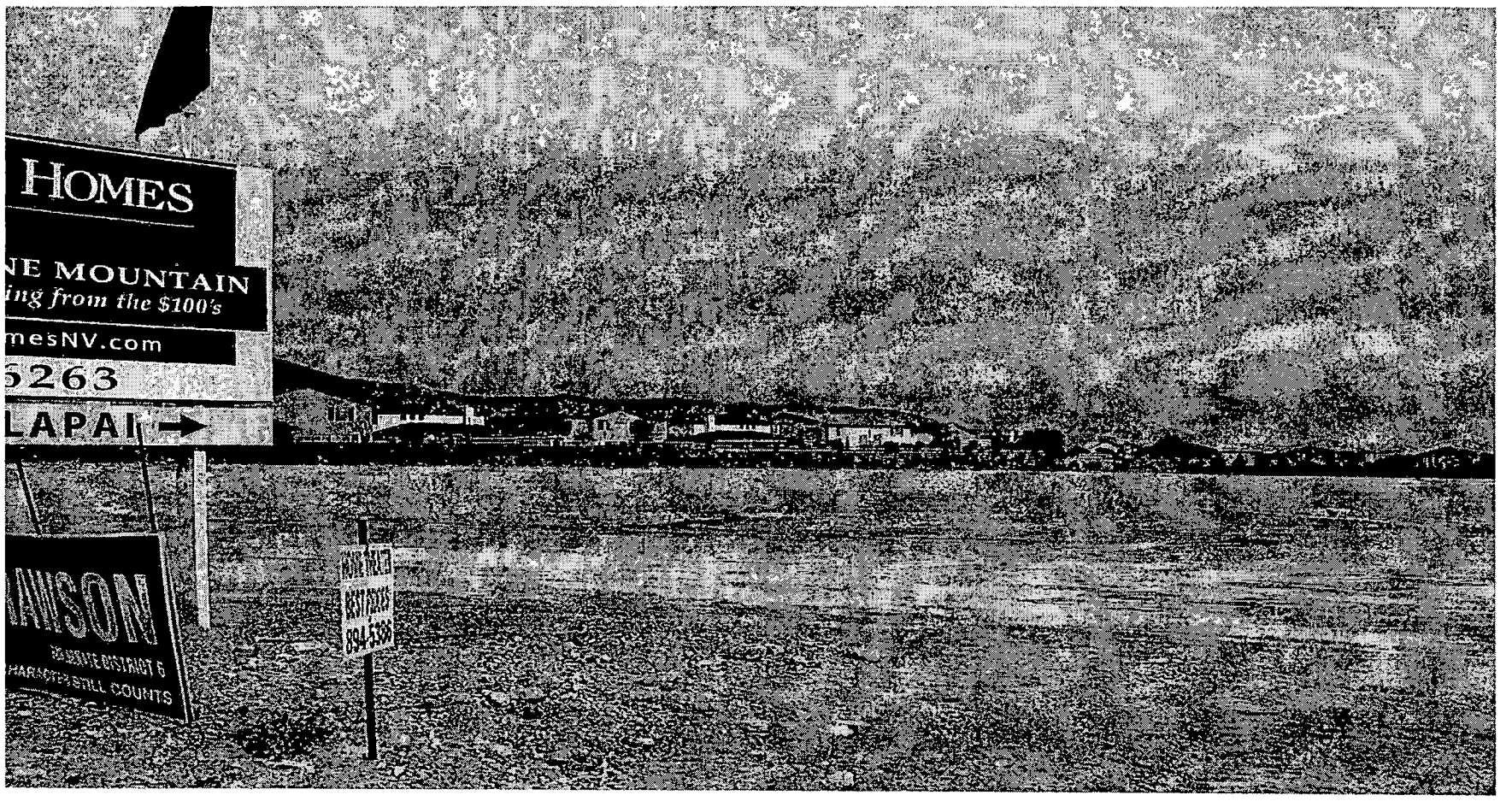
DESIGNED BY:	MSB	DRAWN BY:	MSB	CHKD BY:	
JOB NUMBER:	1262-050-041	DATE:	11/30/04	DATE	APPL
NO	REVISION				

L. R. NELSON CONSULTING ENGINEERS, INC.
6765 West Russell Road, Suite 200
Las Vegas, Nevada 89118
(702) 798-7978
(702) 451-2236 FAX

SITE DEVELOPMENT PLAN REVIEW OF
CHEYENNE/HUALAPAI
FOR
LAND INVESTMENTS LLC
CITY OF LAS VEGAS NEVADA

SHEET NUMBER
1
OF 1 SHEETS
1262-050-041

H:\Land Projects\1262050\dwg\Planning\Site Plan\SDPR5.dwg, 1/10/2005 8:19:25 AM, Mark.Bangan



WVR-5933 - APPLICANT/OWNER: LAND INVESTMENTS, LLC
NORTHWEST CORNER OF CHEYENNE AVENUE AND HUALAPAI WAY
FEBRUARY 10, 2005 PLANNING COMMISSION

12/23/04

Project Number: 1386-001-051

LARRY R. NELSON, P.E.
President

January 10, 2005

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

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING

Re: CHEYENNE/HUALAPAI – WAIVER REQUEST JUSTIFICATION LETTER - APN 137-12-801-006

Dear Staff:

On behalf of our client, Land Investments LLC, we are including this letter to provide information on the Waiver Request being submitted for consideration on the above referenced project.

We are requesting to develop 5.00 acres of property located on the northwest corner of Cheyenne Avenue and Hualapai Way as a Detached Single Family Residential Subdivision. This subdivision would consist of twenty-eight (28) single family detached dwellings that are two stories and would yield a density of 5.60 units/acre.

North and west of the site is an existing PD development and to the south across Cheyenne Avenue is the existing Sun City Summerlin Master Plan. To the east there is a PD development currently under construction.

Our client is respectfully requesting a reduction of the offset distance between two opposing 60' wide streets from 220 feet to 195 feet. The other alternative would be to move the entrance to the south which would decrease the separation to a major intersection. Our client feels that this location would be a more satisfactory one.

Our client feels that the development we are proposing is compatible with the surrounding area and will be an enhancement to the neighborhood. With this in mind, we would respectfully request approval of this waiver request. If you have any questions or concerns, please contact this office at your convenience.

Sincerely,
L. R. NELSON CONSULTING ENGINEERS, INC.

Mark Bangan
Planning Manager

IEVADA

L.R. NELSON
CONSULTING ENGINEERS, INC.
6765 West Russell Road, Suite 200
Las Vegas, NV 89118-1811

Phone 702 / 798-7978
FAX 702 / 451-2296
Email lrnelson@lrneng.com

UTAH

L.R. NELSON
CONSULTING ENGINEERS, L.L.C.
51 West 9000 South
Sandy, UT 84070-2008

Phone 801 / 565-8580
FAX 801 / 565-9340
Email lrnslc@qwest.net

City of Las Vegas

Agenda Item No.: 32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

ABEYANCE - SDR-5711 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SANSONE DEVELOPMENT - OWNER: BUREAU OF LAND MANAGEMENT - Request for a Site Development Plan Review FOR A 40,125 SQUARE-FOOT COMMERCIAL DEVELOPMENT AND WAIVERS OF THE BUILD TO LINE, FRONT LANDSCAPING, AND FRONT, SIDE AND REAR SETBACK STANDARDS on 4.18 acres adjacent to the southwest corner of Lake Mead Boulevard and Rock Springs Drive (APN 138-22-701-005), U (Undeveloped) [PF (Public Facilities) General Plan Designation] Under Resolution Intent to C-1 (Limited Commercial) Zone, Ward 4 (Brown).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions and amending the following condition:
3. All development shall be in conformance with the submitted revised site plan *for a maximum of 38,089 square feet* and building elevations date-stamped 01/28/05, except as amended by conditions herein.
– Motion carried with STEINMAN voting NO

To be heard by City Council 3/16/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development, gave a brief overview of the proposed project. The

MINUTES – Continued:

applicant is proposing parking lot landscaping using diamonds instead of landscape fingers. This does not meet Code; however, they are providing a larger number of diamonds with trees and it exceeds the City's Code requirement for parking lot landscaping.

JAMES GRINDSTAFF, 3138 Quail Crest Avenue, appeared on behalf of the applicant and thanked staff for all of their help. He explained the applicant would prefer to use the landscape diamonds because they can provide a greater shade field. He asked that Condition 3 be amended to allow the diamonds.

MR. GRINDSTAFF also questioned Condition 11 explaining the traffic study had already been reviewed and approved by Nevada Department of Transportation (NDOT). NDOT agreed with the study that 201.1 was not warranted on the current movements so the applicant asked that Condition 11 be deleted. BART ANDERSON, Public Works, clarified that the condition contained verbiage stating "unless specifically noted as not required in the approved Traffic Impact Analysis". If the applicant correctly represented the study indicated it was not warranted, the condition, as written, would still work. MR. GRINDSTAFF was satisfied with that clarification and did not request amendment to the condition.

COMMISSIONER McSWAIN did not have an issue with the diamonds and would support the request to allow the diamonds to be used.

COMMISSIONER STEINMAN stated the area is very bad due to the stacking caused by people waiting to get on the I-95. He voiced concerns over the left turn exiting the site to access Lake Mead Boulevard. The egress should be right turn only to avoid problems. MR. GRINDSTAFF acknowledged his remarks and explained the situation is pre-existing and the applicant cannot be held responsible for it. The Commissioner could not support the item without a restriction on that egress. MR. ANDERSON stated that no left turn out of any property is guaranteed on a 100-foot right-of-way. If an accident history developed or the City Traffic Engineer judges it as unsafe, the left turns could be closed with a raised median. COMMISSIONER STEINMAN could not understand why accidents have to happen before action is taken.

VICE CHAIRMAN TRUESDELL found it odd that there was a public right-of-way running through the property and clarified with MR. ANDERSON that the conditions imposed on this application did were not applicable to the development to the east of the subject site. MR. ANDERSON explained that there is a Bureau of Land Management (BLM) right-of-way across the site and it does slice it into two pieces. The application pertains to the larger section and the remainder of the parcel would be the restaurant property. Staff understood the buyer of the BLM site and the entities to the east have entered into a private agreement regarding ownership. Their

MINUTES – Continued:
side of the street and parking lots are already built. The conditions on this application apply to the larger section only. These conditions would clear up the title issue on the large parcel. VICE CHAIRMAN TRUESDELL felt the new design was improved and he would support the item.

CHAIRMAN NIGRO declared the Public Hearing closed.

(9:11 – 9:22)

2-3198

CONDITIONS:
Planning and Development

1. The site plan shall be revised to depict two additional loading spaces as required by Title 19.10.020 of the Zoning Code.

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

3. All development shall be in conformance with the submitted revised site plan and building elevations date-stamped 01/28/05, except as amended by conditions herein. The applicant shall redesign the parking lot landscaping to eliminate the landscape "diamonds" and replace them with landscape "islands" on the landscaping and site plans.

4. Landscaping shall be provided in accordance with the revised landscape plan date-stamped 01/28/05. The use of turf shall be limited to 12.5% of all landscape areas on the site.

5. The required landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

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

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Any on-site trash enclosure shall be walled and roofed in accordance with the requirements of Title 19.08.045.

CONDITIONS – Continued:

8. 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.

8. 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.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

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

Public Works

11. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis.

12. 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.

13. In accordance with the intent of a commercial subdivision, all pad sites comprising this overall site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

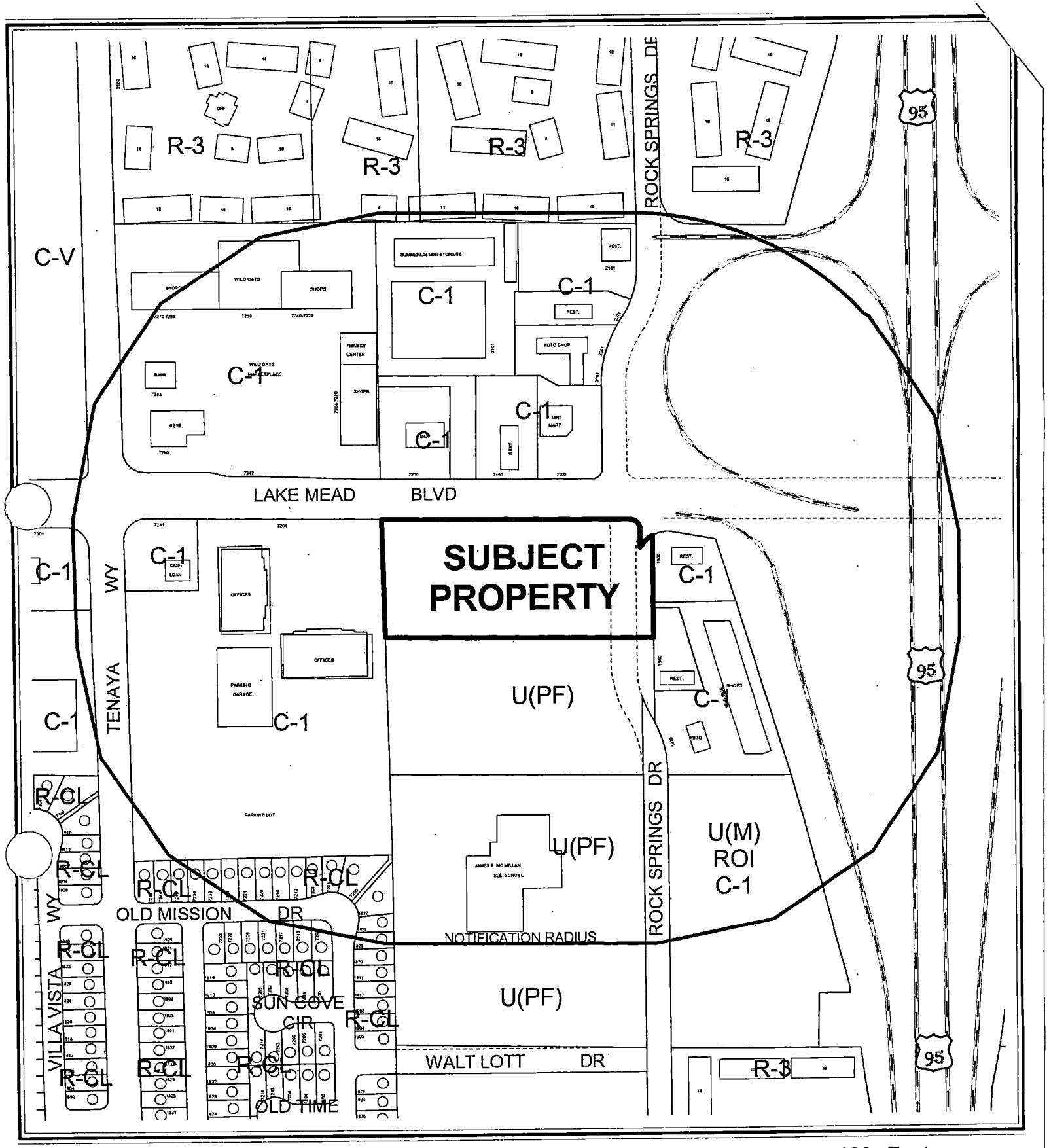
14. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

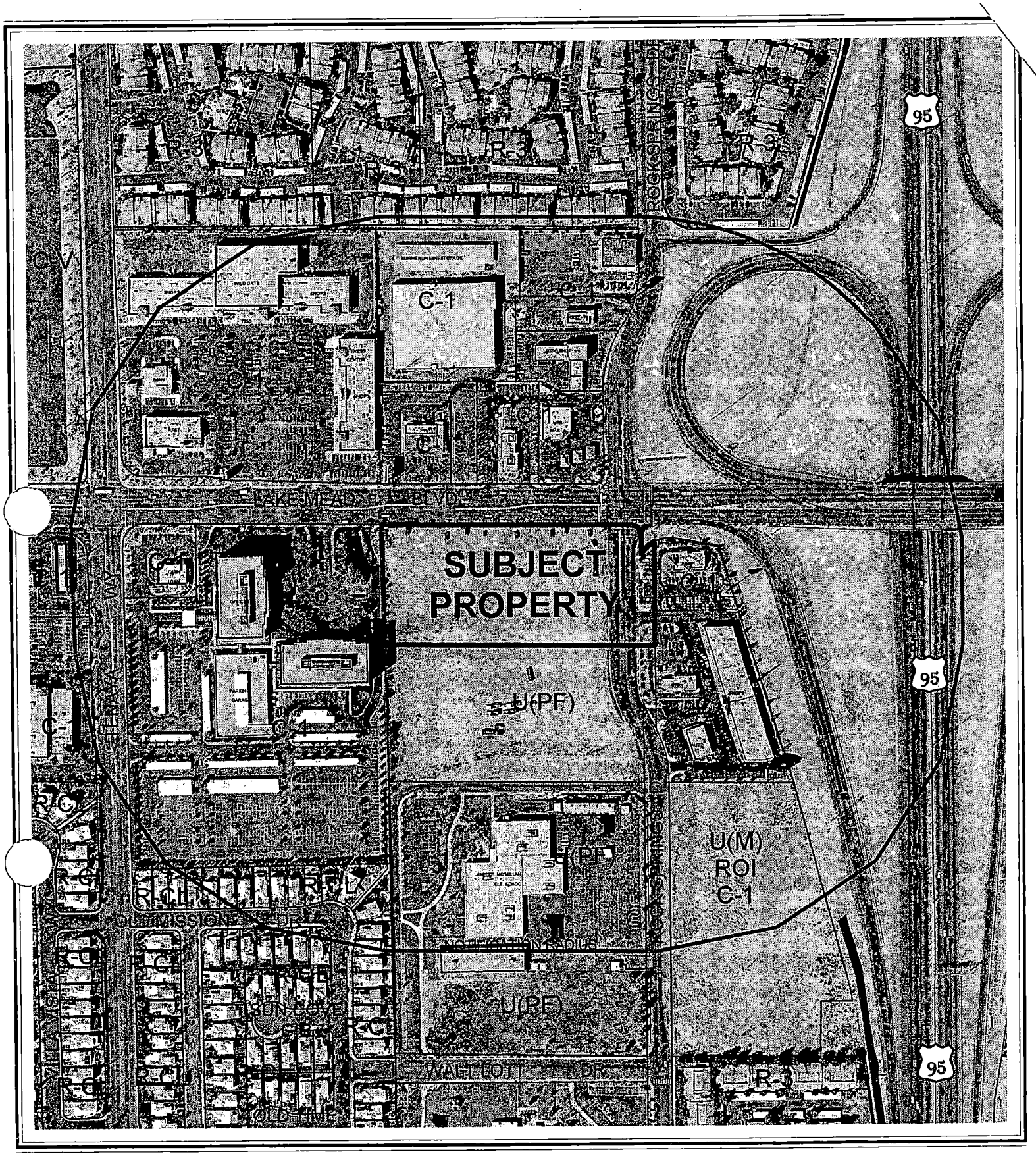
CONDITIONS – Continued:

15. Obtain an Encroachment Agreement for all landscaping and private improvements in the public right-of-way.

16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5206 and all other subsequent site-related actions.


SUBJECT PROPERTY
C-V
R-3
C-1
C-1
C-1



0 200 400 Feet

CASE: **SDR-5711**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PF (PUBLIC FACILITIES) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5711 - APPLICANT:SANSONE DEVELOPMENT - OWNER: BUREAU OF LAND MANAGEMENT

** CONDITIONS **

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

Planning and Development

1. The site plan shall be revised to depict two additional loading spaces as required by Title 19.10.020 of the Zoning Code.

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

3. All development shall be in conformance with the submitted revised site plan and building elevations date-stamped 01/28/05, except as amended by conditions herein. The applicant shall redesign the parking lot landscaping to eliminate the landscape "diamonds" and replace them with landscape "islands" on the landscaping and site plans.

4. Landscaping shall be provided in accordance with the revised landscape plan date-stamped 01/28/05. The use of turf shall be limited to 12.5% of all landscape areas on the site.

5. The required landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

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

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Any on-site trash enclosure shall be walled and roofed in accordance with the requirements of Title 19.08.045.

8. 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.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

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

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11. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis.

12. 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.

13. In accordance with the intent of a commercial subdivision, all pad sites comprising this overall site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

14. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

15. Obtain an Encroachment Agreement for all landscaping and private improvements in the public right-of-way.

16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis.

If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5206 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 40,125 square-foot commercial development and waivers of the build-to line, front landscaping, and rear setback standards on 4.18 acres adjacent to the southwest corner of Lake Mead Boulevard and Rock Springs Drive.

B) Applicant's Justification

The applicant believes this request is justified based on the existing zoning and development in the area.

BACKGROUND INFORMATION

A) Previous Actions

11/17/04	The City Council approved a request to amend the General Plan designation of the subject site from PF (Public Facilities) to SF (Service Commercial) (GPA-5205). The Planning Commission and staff recommended approval.
11/17/04	The City Council approved a rezoning of the subject site from U (Undeveloped) [Pf (Public Facilities) General Plan Designation] to C-1 (Limited Commercial) (ZON-5206). The Planning Commission and staff recommended approval.
01/13/05	The Planning Commission held this item in abeyance at the request of the applicant to consider design alternatives.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.18

B) Existing Land Use

Subject Property:	Undeveloped
North:	Commercial
South:	Undeveloped
East:	Fast Food Restaurant
West:	Office Building

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	PF (Public Facilities)
East:	SC (Service Commercial)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	U (Undeveloped) [SC (Service Commercial) General Plan Designation] under a Resolution of Intent to C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	U (Undeveloped) [PF (Public Facilities) General Plan Designation]
East:	C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

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

PROJECT DESCRIPTION

Initially, the applicant had proposed to construct two retail buildings 40,159 square feet in the southwest portion of the subject site. Revised plans submitted date-stamped 01/28/05 have reduced the overall project size to 38,089 square feet. These two buildings will include 7,033 square feet of restaurant space divided into two spaces, one on each end of the site, with the rest of the floor area being used for retail. A 57-foot wide driveway provides access to Lake Mead Boulevard and a 34-foot wide driveway to Rock Springs Drive. The exterior of the buildings will feature smooth stucco finish walls and painted metal canopies above a storefront window system. Landscaping is provided in 15-foot wide planters with 36-inch box trees spaced at 20 feet on center along the north and east property lines. Landscaping "diamonds", each containing a 36-inch box tree, are shown in the parking lot. Landscaping is also shown in planter areas adjacent to the building.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	542 Feet	Y
Min. Setbacks			
• Front	20 Feet	137 Feet	Y
• Side	10 Feet	7 Feet*	N*
• Corner side	15 Feet	15 Feet	Y
• Rear	20 Feet	7.5 Feet*	N*
Max. Lot Coverage	50 %	21 %	Y
Trash Enclosure	Walled and roofed	Yes	Y
Loading Zone	3	1	N
Mech. Equipment	Screened	Yes	Y

Initially, the applicant was seeking waivers of the front, side and rear setback requirements, and had not identified the provision of a walled and roofed trash enclosure and the provision of two additional loading spaces on the site. The revised site plans now show that the project meets most of the setback requirements. Along the south wall of the building, all but 47 feet of the building meets the required 10-foot setback; the 47 feet of the south wall associated with the end unit proposed for restaurant use has a seven-foot setback. Along the west wall, the setback varies between 7.5 feet and 10 feet; however, the applicant has indicated that he is working with the owners of the adjacent office building to the west to integrate the landscaped area adjacent to the entrance drive to that office building with the landscaping in the setback, to create a larger comprehensively designed landscaped area. Only one loading zone is shown on the revised plan.

A2) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Retail	31,056 sf	1 space/250 sf GFA	125 spaces			
Restaurant	7,033 sf	1 space/50 sf GFA seating area + 1 space/200 sf kitchen, etc.	71 spaces (based on 40% of total space as public area as proposed by applicant)			
Totals	38,089 sf		196 spaces	6 spaces	212 spaces	7 spaces

Initially, the applicant did not provide information regarding the types of restaurants and the amount of public seating. In the revised plan, the applicant has indicated two restaurant spaces totaling 7,033 square feet, with a public seating area of 40% of the total gross floor area, and 31,056 square feet of retail space. As proposed, the project exceeds the parking requirements of the Code; however, if the ratio of public seating area in the restaurants changes, then the parking requirement may also change. It would only take a small change in this ratio to make the site parking-deficient.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/6 Spaces	36 Trees	40 Trees
Buffer: • Min. Trees	1 Tree/30 Linear Feet	50 Trees	54 Trees
• Min. Zone Width	15 Feet along north and east property lines. 8 Feet along south and west property lines		Y Y*

The revised landscaping plan now provides trees in excess of the number and size required. The only landscaping deficiency is the provision of parking lot landscaping on "diamonds" instead of on "islands". A condition of approval requires the landscape and site plans to be revised to address this issue.

B) General Analysis and Discussion

- Zoning

  The subject property is zoned C-1 (Limited Commercial); the proposed retail and restaurant uses are in conformance with the uses permitted in that district.

- Site Plan

  The proposed development complies with most regulations of the Zoning Code with the exception of waivers required to address minor deficiencies in setbacks, building placement, loading areas and parking lot landscaping. These are discussed below.

- Waivers

  Waivers have been requested as follows:

1. *Building placement.* Title 19.08.045 requires that buildings be located at the front setback line, with parking located to the side or the rear. The building along the south property line does not comply with this requirement. The applicant has justified this request by placing additional perimeter landscaping around the site. As all of the nearby commercial developments are situated in a similar fashion, the waiver request is appropriate.

2. *Perimeter Buffer.* Initially, the applicant had requested a waiver of the requirements of Title 19.12, which requires a 15-foot wide planter along the north and east property lines of this site, as they are both adjacent to public streets. The applicant has submitted revised plans which now comply with these requirements along the north and east edges of the site. The Zoning Code also requires eight-foot wide planters along the south and west property lines. The revised site plan now substantially complies with this requirement, with the exception of limited areas along the south and west boundaries of the site where the landscaping buffer is approximately seven feet; this minor deficiency is acceptable.

3. *Building Setbacks.* The revised plan is in substantial conformance with the setback requirements except for minor portions of the south and west boundaries of the site, where the setbacks are approximately seven feet. For the reasons previously described in this report, waiver of these standards to the extent requested are acceptable.

4. *Loading Zone.* One loading zone is provided where three are required. The applicant has requested through the revised site plan that only one zone be provided. This request is acceptable as the site will be composed of a series of small retail outlets where large deliveries will be infrequent.

5. *Parking Lot Landscaping.* The applicant has proposed the use of "diamonds" instead of "islands" in the parking lot area. The city does not support the use of diamonds as the potential for damage to foliage by vehicles is considerably increased when compared to the use of islands. The applicant has attempted to justify this request by provided parking lot landscaping that exceeds both the size and number of trees required by Code. Regardless, a condition of approval recommends the use of islands.

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 building as designed is compatible with the office structure to the west and will integrate satisfactorily with other commercial developments in the area.

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

The site plan as revised depicts a project which complies with General Plan policies, and is in substantial conformance with Title 19, the Design Standards Manual and the Landscape, Wall and Buffer Standards with minor waivers relating to setbacks, building placement, loading areas, perimeter buffers and parking lot landscaping. The request as currently configured is acceptable with the exception of the use of landscaping "diamonds" in the parking lot area.

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

The subject site has access to Lake Mead Boulevard, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways and Rock Springs Drive, an 80-foot street. Lake Mead Boulevard and Rock Springs Drive will be adequate to meet the requirements of the proposed commercial building.

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

Building materials are appropriate for the proposed building, and the amount and size of the proposed landscaping exceeds the landscape standards of the Code.

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

The exterior of the buildings will feature smooth stucco finish walls and painted metal canopies above a storefront window system. The building should be visually compatible with other buildings in the area. The requested waivers are minor in nature and are supported, with the exception of the parking lot landscaping islands.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 40

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5711 APN: 138-22-701-005

Name of Property Owner: BLM

Name of Applicant: SanSone Development

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Judy A. Dry for BLM

Print Name: Judy A. Dry

Subscribed and sworn before me

This 7th day of September 2004

Carol A. McDermott

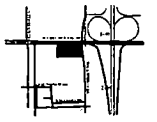
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CAROL A. McDERMOTT
No: 94-4995-1
My Appointment Expires Sept. 8, 2006

Fire Turning Radius

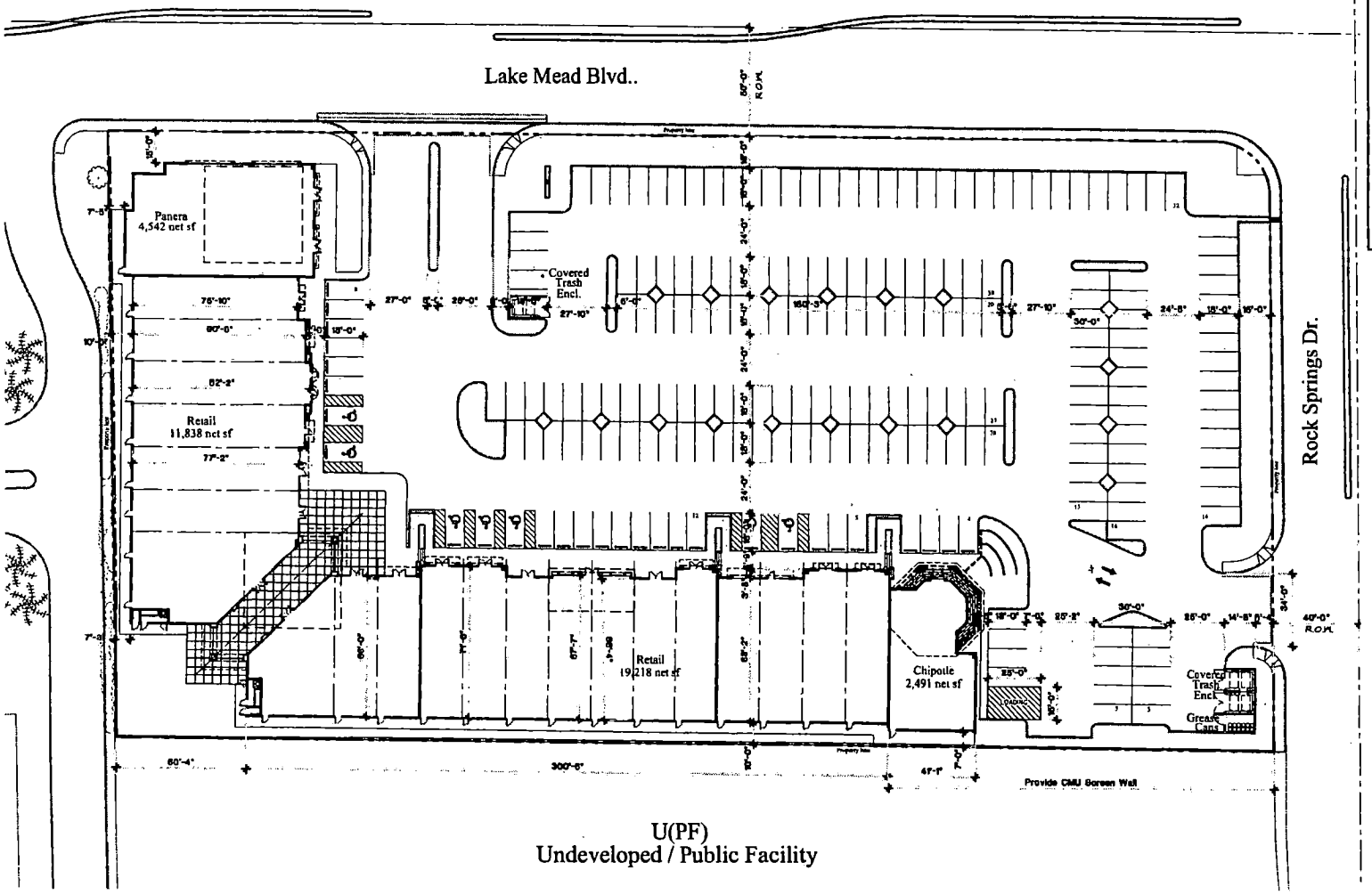
Typical Parking Spaces

Proposed Perimeter CMU Wall Detail





Vicinity Map



U(PF)
Undeveloped / Public Facility

OVERALL SITE PLAN
SCALE: 1"=20'-0"

SITE INFORMATION

APN: 138-22-701-055
C-1 Limited Commercial

PARCEL AREA
Gross Area: 181,205 sf 4.16 acres
Net Area: 155,917 sf 3.58 acres

BUILDING AREA
Retail 31,056 gsf
Panera Restaurant
60% non-public 2,725 gsf
40% public 1,817 gsf
total 4,542 gsf
Chipotle Restaurant
60% non-public 1,495 gsf
40% public 996 gsf
total 2,491 gsf
Total 36,089 gsf

FAR 4.4

PARKING REQUIREMENTS
Code Required:
Retail Required 1 per 1000 sf = 31,056/250 = 125 Spaces
Provided 125 Spaces
Panera
Public Required 1 per 50 sf = 1,817/50 = 37 Spaces
Provided 37 Spaces
non-public Required 1 per 500 sf = 1,725/500 = 9 Spaces
Provided 8 Spaces
subtotal Required 46 Spaces
Provided 45 Spaces
Chipotle
Public Required 1 per 50 sf = 996/50 = 20 Spaces
Provided 20 Spaces
non-public Required 1 per 500 sf = 1,495/500 = 9 Spaces
Provided 5 Spaces
subtotal Required 25 Spaces
Provided 25 Spaces
total parking Required 196 Spaces
Provided 213 Spaces
HC Required 7 Spaces
Provided 9 Spaces
Setbacks: Front 15'-0"
Side 7'-0"
Rear 7'-0"

LOT COVERAGE
Provided: 36,089 / 155,013 X 100 = 24.07 %

SDR-5711
02-10-05 PC
REVISED 01-28-05

RECEIVED
JAN 28 2005

104492
SANSONE DEVELOPMENT
Perlman ARCHITECTS
PERLMAN ARCHITECTS OF NEVADA, INC.
2230 CORPORATE CIRCLE
SUITE 200
HENDERSON, NEVADA 89074
702.990.6900 702.932.3222 fax

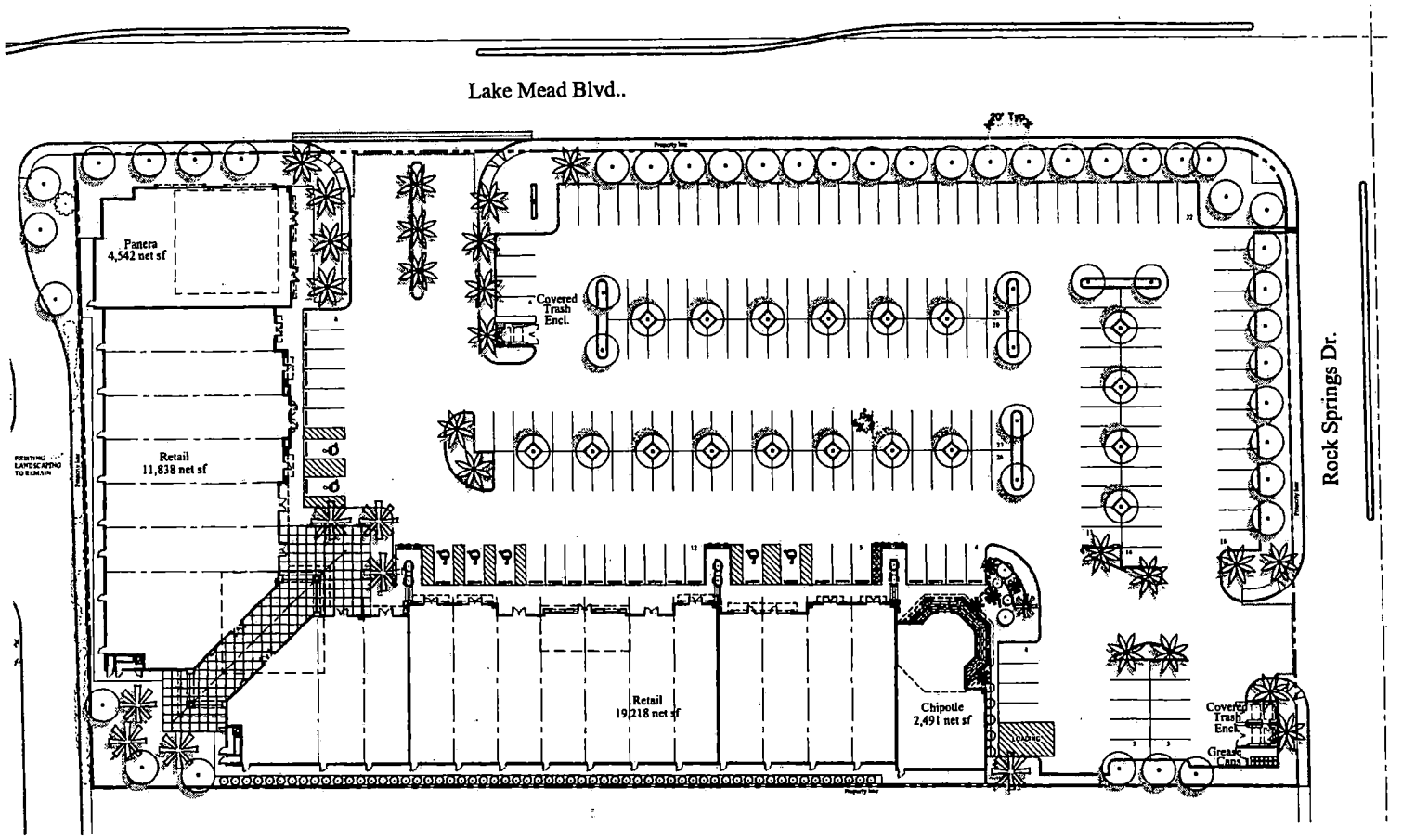
Seal

Rev	Date	By	Description
1			
2			

LAKE MEAD & ROCK SPRINGS
SANSONE DEVELOPMENT
N.W. CORNER LAKE MEAD AND ROCK SPRINGS DR.
LAS VEGAS, Nevada

Drawn/Checked By: KB/CD
Date: 1-31-05
Project Number: 104492
Sheet Number: OVERALL SITE PLAN
AS1.0

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LANDSCAPE PLAN

SCALE : 1"=20'-0"

TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	41	36" Box	30' O/C Staked	Date Palm	Phoenix Dactylifera
	6	24" Box	20' O/C Staked	Cooperyana	Leguminosae Indica
	41	36" Box	20' O/C Staked	Texas Mid Olive	Olea Europea
	80	5 Gal.	5' O/C Min.	Water Saliences Plant Palms approved list	Water Saliences Plant Palms approved list
		N/A	N/A	Groundcover	

LANDSCAPE PER TITLE 19: 1 TREE PER 6 PARKING SPACES
215 SPACES / 6 = 36 TREES
PROVIDED = 52 TREES

RECEIVED
JAN 28 2005

SDR-5711
02-10-05 PC
REVISED 01-28-05

104492
SANSONE DEVELOPMENT
Perlman ARCHITECTS
PERLMAN ARCHITECTS OF NEVADA, INC.
2230 CORPORATE CIRCLE
SUITE 200
HENDERSON, NEVADA 89074
702 990 9900 702.932.3722 fax

Seal

Rev	Date	By	Description
1			

LAKE MEAD & ROCK SPRINGS
SANSONE DEVELOPMENT
N.W. CORNER LAKE MEAD AND ROCK SPRINGS DR.
LAS VEGAS, Nevada

Drawn/Checked By: KB/CD
Date: 1-31-05
Project Number: 104492
Sheet Number: LANDSCAPE PLAN
AL1.01

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NORTH ELEVATION



SOUTH ELEVATION

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0 30 60

NORTH & SOUTH ELEVATIONS

PROJECT No. 104492 JANUARY 22, 2005

SANSONE

LAKE MEAD & ROCK SPRING

Las Vegas, Nevada

RECEIVED

JAN 2 8 2005

Perlman ARCHITECTS

SDR-5711
02-10-05 PC
REVISED 01-28-05



EAST ELEVATION



WEST ELEVATION

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0 30 60

EAST & WEST ELEVATIONS

PROJECT NO. 104492 JANUARY 22, 2005

SANSONE

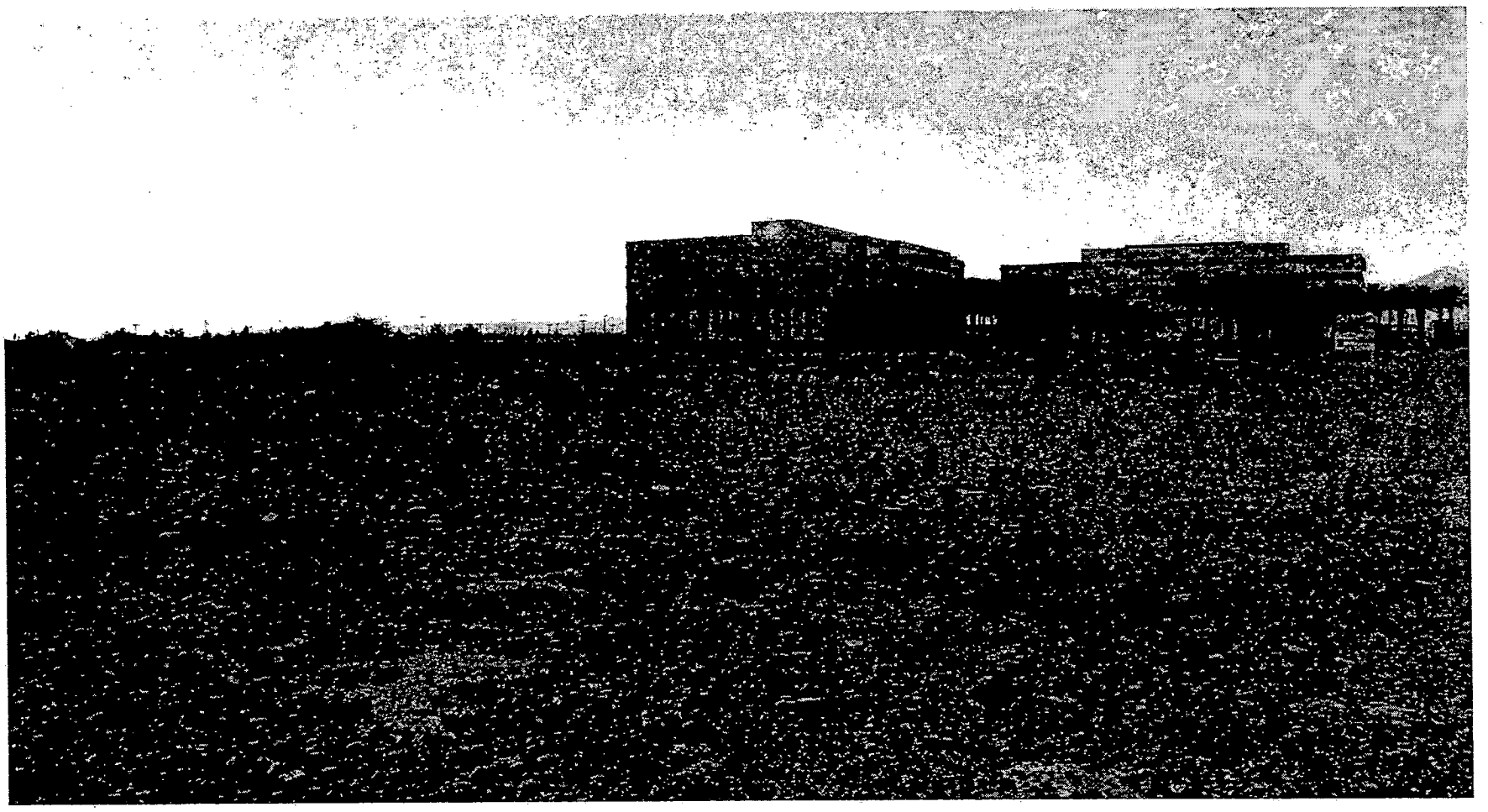
LAKE MEAD & ROCK SPRING

Las Vegas, Nevada

RECEIVED
JAN 28 2005

Perlman ARCHITECTS

SDR-5711
02-10-05 PC
REVISED 01-28-05



SDR-5711 - APPLICANT: SANSONE DEVELOPMENT - OWNER: BUREAU OF LAND MANAGEMENT
SOUTHWEST CORNER OF LAKE MEAD BOULEVARD AND ROCK SPRINGS DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 33

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

ABEYANCE - SDR-5782 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: TRACIE J. LOCKETT-GREEN - Request for a Site Development Plan Review FOR PROPOSED CONVERSION OF AN 821 SQUARE-FOOT HOUSE TO A PROFESSIONAL OFFICE AND WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN REQUIREMENTS FOR UNDERGROUND UTILITIES, AND PARKING LOT AND STREETSCAPE LANDSCAPING AND TREATMENTS on 0.17 acres adjacent to the southwest corner of Casino Center Boulevard and Hoover Avenue (APN 139-34-410-032), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
McSWAIN – APPROVED subject to conditions and amending the following condition:

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

– UNANIMOUS

To be heard by City Council 3/16/2005

NOTE: VICE CHAIRMAN TRUESDELL disclosed that he owns property in the downtown area. It is not within the notice area and is not affected by this action so he would vote on the item.

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

PLANNING COMMISSION MEETING OF FEBRUARY 10, 2005
Planning and Development Department
Item 33 – SDR-5782

MINUTES – Continued:

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application, which was held in abeyance from the 1/27/2005 meeting to address concerns raised at that time. The Site Plan was revised to include more landscaping and parking spaces and a fence around the parking area at the front of the property. Conditions have been amended to require a review of the Site Development plan in five years. The applicant proposed a two-phase plan and if Phase II has not been initiated within the five-year period, the applicant would be required to install fully conforming streetscape treatments and perimeter landscaping as required by the Downtown Centennial Plan.

MELVIN GREEN, 3841 Dream Street, appeared on behalf of the applicant and confirmed the comments made by MR. LEOBOLD. He explained both properties would be re-roofed and painted. He asked if the requirements of Condition 8 could be imposed on Phase II of the project. MARGO WHEELER, Planning & Development, indicated the change could be easily made by inserting the word "New" at the beginning of the condition.

COMMISSIONER McSWAIN said any improvement to the site would benefit the corner and she could support the project as revised.

COMMISSIONER DAVENPORT asked staff why a five-year review was imposed when the justification letter from the applicant indicated Phase II would begin in three years. MR. LEOBOLD indicated that the Urban Design Coordinator had discussions with the applicant and determined five-years to be appropriate because of the scope of the improvements.

CHAIRMAN NIGRO declared the Public Hearing closed.

(9:22 – 9:27)

2-3868

CONDITIONS:

Planning and Development

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

2. This Site Development Plan Review shall be subject to a five (5) year review by the Planning Commission and City Council. At that time, full Downtown Centennial Plan improvements may be required.

CONDITIONS – Continued:

3. All development shall be in conformance with the site plan and elevations, date stamped 02/01/05, and all other documentation, date stamped 12/14/05, except as amended by conditions herein.

4. A Waiver from the Downtown Centennial Plan requirement for an 11-foot wide sidewalk and five-foot deep amenity zone on Casino Center Boulevard and Hoover Avenue is hereby approved. The Waiver is subject to a five-year review as described in Condition #2.

5. A Waiver from the installation of the standard Fourth Street style fixtures as required by Subsection DS3.1.k of the Downtown Centennial Plan is hereby approved. The Waiver is subject to a five-year review as described in Condition #2.

6. A Waiver of the 8-foot parking lot landscape buffer as required by the Downtown Centennial Plan is hereby approved. The Waiver is subject to a five-year review as described in Condition #2.

7. Shade trees shall be installed in the public right-of-way on Hoover Avenue at a maximum spacing of 30 feet on center, in accordance with Subsection DS4.2.b of the Downtown Centennial Plan. Minimum tree size shall be a 24-inch box.

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

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

10. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan.

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

CONDITIONS – Continued:

12. Any new 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. 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.

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

Public Works

15. Dedicate a 10-foot radius on the southwest corner of Hoover Avenue and Casino Center Boulevard prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

16. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits.

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

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

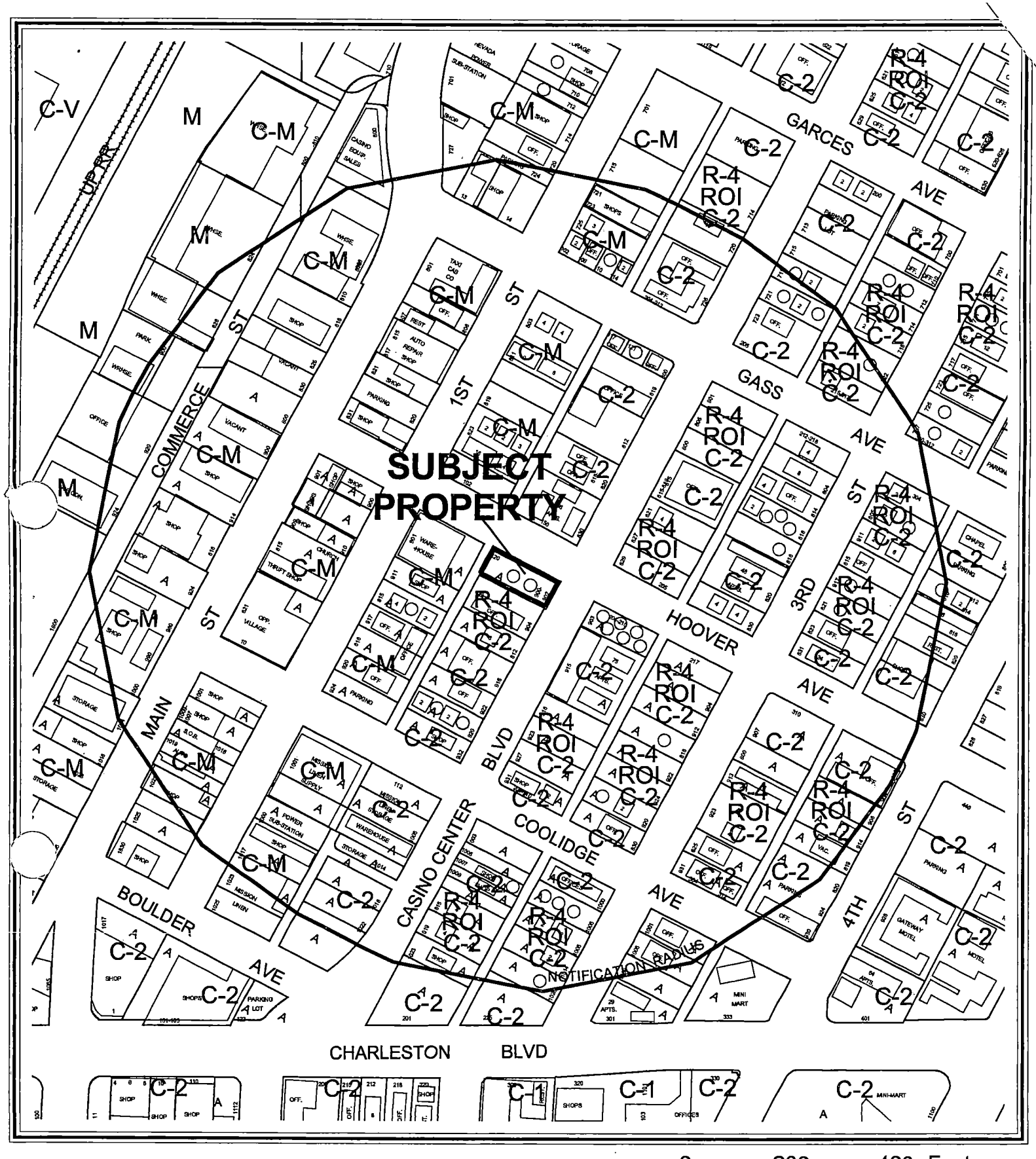
19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and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

20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first.

CONDITIONS – Continued:

No deviations from adopted City drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

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



CASE: **SDR-5782**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

N



CASE: **SDR-5782**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5782 - APPLICANT/OWNER: TRACIE J. LOCKETT-GREEN

** CONDITIONS **

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

Planning and Development

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

2. This Site Development Plan Review shall be subject to a five (5) year review by the Planning Commission and City Council. At that time, full Downtown Centennial Plan improvements may be required.

3. All development shall be in conformance with the site plan and elevations, date stamped 02/01/05, and all other documentation, date stamped 12/14/05, except as amended by conditions herein.

3. A Waiver from the Downtown Centennial Plan requirement for an 11-foot wide sidewalk and five-foot deep amenity zone on Casino Center Boulevard and Hoover Avenue is hereby approved. The Waiver is subject to a five-year review as described in Condition #2.

4. A Waiver from the installation of the standard Fourth Street style fixtures as required by Subsection DS3.1.k of the Downtown Centennial Plan is hereby approved. The Waiver is subject to a five-year review as described in Condition #2.

5. A Waiver of the 8-foot parking lot landscape buffer as required by the Downtown Centennial Plan is hereby approved. The Waiver is subject to a five-year review as described in Condition #2.

6. Shade trees shall be installed in the public right-of-way on Hoover Avenue at a maximum spacing of 30 feet on center, in accordance with Subsection DS4.2.b of the Downtown Centennial Plan. Minimum tree size shall be a 24-inch box.

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

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

9. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

11. Any new 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.

12. 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.

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

Public Works

14. Dedicate a 10-foot radius on the southwest corner of Hoover Avenue and Casino Center Boulevard prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

15. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits.

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

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

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for proposed conversion of an 821 square-foot house to a professional office and waivers of the Downtown Centennial Plan requirements for underground utilities and parking lot and streetscape landscaping and treatments on 0.17 acres adjacent to the southwest corner of Casino Center Boulevard and Hoover Avenue.

B) Applicant's Justification

The applicant justifies this application by stating that the Site Development Plan Review will be the first phase of two, which will result in the eventual construction of mid-rise mixed-use building with an emphasis on creating a "viable residential downtown neighborhood for artists." The applicant's intent is to convert one of the existing residences into a professional office and to retain the other existing 400 square foot residential unit on the property. The second phase of the proposed project will consist of the demolition of all structures on the property to make way for a future ten-story mixed-use project.

The applicant is requesting a waiver of design standards for a period of three years. Specifically, the applicant is requesting a waiver from the requirement to provide underground utilities from the alleyway to the building, as well as landscaping and streetscape requirements along Casino Center Boulevard and Hoover Street.

BACKGROUND INFORMATION

A) Related Actions

07/21/65 The City Council adopted Ordinance No. 934-77 as part of the approval of a Rezoning (Z-0100-64) that amended the Land Use Plan Map adopted by Title XI, Chapter 1, Section 3, of the Municipal Code of the City of Las Vegas, Nevada 1960. The subject property was rezoned from R-4 (High Density Residential) to C-2 (General Commercial). The planning Commission and Staff both recommended approval.

PL

01/27/05 The Planning Commission held this item in abeyance to the 02/10/05 Planning Commission Meeting to provide the applicant with an opportunity to work with staff regarding the design and landscaping issues. The applicant has since revised the site plan to include additional parking spaces, screening, building improvements, and right-of-way landscaping.

B) Pre-Application Meeting

11/22/04 A pre-application conference was held and resulted in the following comments:

1. The site's current zoning is R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial).
2. Office use is permitted on the subject property.
3. A Site Development Plan Review is required for the conversion of the house to an office.
4. The applicant wishes to retain one unit located at the rear of the property.
5. The project will require the following improvements: Streetscape treatments, parking lot screening and the utilities need to be placed underground.
6. The applicant was informed to discuss parking requirements for the uses in the justification letter.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

B) Existing Land Use

Subject Property:	2 Single-Family Residential Dwellings
North:	56-Unit Apartment Complex
South:	2 Vacant Structures
East:	6 Standalone 1-Unit Cottages
West:	Commercial/Industrial Warehouse

C) Planned Land Use

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

PL

D) Existing Zoning

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

E) General Plan Compliance

The Las Vegas Redevelopment Plan designates the parcel MXU (Mixed Use), which permits low-density residential, medium-low density residential, medium-density residential, high density residential, office, service commercial, general commercial, and public facility uses. The proposed office conversion is consistent with the MXU (Mixed Use) designation.

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

Redevelopment Plan Area

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The parcel is located within the Arts District, which encourages a mixture of arts-related businesses, single- and multifamily residences, and service commercial uses. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional landscape and architectural requirements are applicable. The proposed office conversion and the retaining of the 1-unit dwelling, constitutes a mixed-use development and would be allowed in the Arts District as a permitted use.

PL

Airport Overlay District

The parcel is located within the boundaries of the Airport Overlay District; as the existing buildings are less than 200 feet in height, no additional reviews or actions are necessary.

PROJECT DESCRIPTION

The proposed project entails the conversion of an existing 821 square-foot residential dwelling into a professional office. A handicap parking space will be provided along the western property line with direct access to Casino Center Boulevard South. The applicant proposes to landscape a portion of the northern property line, which fronts Hoover Avenue; a screen fence will be installed to shield the handicap parking space from the street. Both buildings will be re-roofed and repainted.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The table below will illustrate to what extent the proposed office conversion will require such exemptions.

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	0.17 Acres	N/A
Min. Lot Width	100 Feet	50 Feet	No
Min. Setbacks			
• Front	0 Feet	27 Feet	N
• Side	N/A	5 Feet	Y
• Corner	0 Feet	3 Feet 11 Inches	N
• Rear	0 Feet	37 Feet	Y
Max. Lot Coverage	Up to 100%	17%	Y
Max. Building Height	N/A	16 Feet	N/A
Trash Enclosure	Walled/roofed	None	Y
Loading Zone	N/A	None	Y
Mech. Equipment	Screened	Screened	Y

The existing lot does not conform to the minimum lot width requirement in the C-2 (General Commercial) district, but is an existing lot of record. The Centennial Plan requires that buildings be located directly at the frontage line for a minimum of 70% of the lot width; as the buildings are existing and built to different zoning standards,

they do not conform to this requirement. The project complies with other development standards of the Downtown Centennial Plan.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards. There are no residentially-zoned properties in the immediate vicinity of the site.

A3) Parking and Traffic Standards

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

Uses	GFA	**Provided** Parking	
		Regular	Handicap
Office	821 SF		
Residential	1 Unit		
Total:		3	1

A total of three parking spaces will be provided on the site; Title 19.10 would typically require a total of five parking spaces for a comparable development. On-street parking is available immediately abutting the site.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
East/West Street Hoover Avenue	1 Shade Tree @ 30' o.c. max. (min. 24" box)	5 Trees	4 Trees
North/South Street Casino Center Boulevard	1 Palm Tree @ 35' o.c. max. (min. 25' height)	2 Trees	0 Trees
Sidewalk	11' Sidewalk 5' Amenity Zone	N/A	Hoover: N Casino: N

The submitted landscape plan illustrates the use of Date Palm trees in the public right-of-way along Hoover Avenue; the Centennial Plan requires shade trees along the street. Additional Date Palm trees and Mondell pine trees will be located along the north property line to provide additional screening. Due to the existing configuration of the property and the dimensional requirements of the handicap parking space, no landscaping has been provided along the eastern property line abutting Casino Center Boulevard. A screen fence will be provided to shield the

front parking area from the street as required by the Downtown Centennial Plan. A 5-foot sidewalk exists along Casino Center Boulevard South but does not continue around the corner to Hoover Street; the applicant has requested a Waiver from the full provision of the Downtown Centennial Plan streetscape requirements at this time, but has committed to the development of the required streetscape elements within three years.

A5) Sign Standards

The Downtown Centennial Plan exempts signage within the Arts District from the automatic application of size, type and area limitations. However, signage is required to reflect the arts-related nature of the district by incorporating artistic details, sculptural elements, three-dimensional features, ornate designs, or other similar expressive elements. In addition, the signage should coordinate with the architecture of the building. The submitted documentation does not illustrate any existing or proposed signage.

B) General Analysis and Discussion

- Zoning

The proposed uses are consistent with the uses permitted in the Arts District and the underlying zoning. As the project is located within the boundaries of the Arts District, a Special Use Permit for the mixed-use development is not required. The parcel does not meet the minimum width requirements specified by the C-2 (General Commercial) zoning district, but is an existing parcel of record. The existing structure does not meet the Centennial Plan build-to requirement, but conforms with all other general development standards.

- Site Plan

The site plan depicts an 821 square-foot residence, which will be converted into a professional office, and a 400 square-foot residential dwelling. The proposed office fronts on Casino Center Boulevard South, while the residential dwelling fronts on Hoover Street. The residential dwelling to remain has additional access to Hoover Street via the public alleyway located adjacent to the western property alignment. The required handicap parking space will be located in front of the office and will be accessed from Casino Center Boulevard South; two additional spaces are provided at the rear of the lot and are accessed from the alley. The proposed van accessible handicap parking space is not in compliance with the ADA standards, therefore can only be counted as a regular handicap parking space.

- Waivers

The proposed conversion of an existing residential dwelling to a professional office will require the following waivers from the Las Vegas Downtown Centennial Plan standards:

1. *Streetscape Requirements.* The applicant has requested a Waiver from the Downtown Centennial Plan requirement for an 11-foot wide sidewalk and five-foot deep amenity zone on Casino Center Boulevard and Hoover Avenue, due to the fact that the property is intended for redevelopment in a three-year time frame. Palm trees will be provided in the public right-of-way along Hoover Avenue as an interim measure; the Centennial Plan actually requires shade trees along east/west streets. In addition to the delayed provision of the landscaping and sidewalk improvements, the applicant has request to delay the installation of the Fourth Street-style light fixtures and other features until the property is redeveloped. A Condition of Approval has been added to require a review of the project and the development of the Centennial Plan streetscape treatment in five years if the redevelopment of the site does not proceed.

2. *Parking Lot Screening.* A Waiver has been requested from the provision of an eight-foot landscape buffer that is required for parking lots facing public streets as described in Subsection DS3.1.g & h. and Graphic 5 of the Downtown Centennial Plan. The applicant will provide the required Centennial Plan screen fence, but the configuration of the property does not allow adequate room for the handicap parking space and the landscape buffer.

3. *Underground Utilities.* A Waiver has been requested from the requirement to relocate utility and power service lines underground as described in Subsection DS2.1.f. of the Downtown Centennial Plan, due to the burden for one property owner to place all utilities in the alley underground.

- Landscape Plan

The submitted landscape plan depicts the provision of street trees in the right-of-way, additional trees at the interior of the site, and the provision of shrubs along the front of the existing building. The applicant has requested a Waiver from the provision of the Centennial Plan streetscape requirements, as described above. A screen fence will be used to buffer the front parking area from the street, although it is not possible to provide the required landscape buffer.

- Elevation

The existing building at the front of the property will be re-roofed and repainted as depicted in the submitted documentation; new doors and windows have already been added. No other improvements are proposed as the applicant intends to eventually development a mixed-use building on the site. The residential building at the rear of the property will also be re-roofed and repainted.

PL

- Floor Plan

  The proposed conversion of the existing building at the front of the property illustrates two offices, a drafting and printing room, restroom and a central reception area. No changes are proposed to the floor plan of the existing residential building at the rear of the property.

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;"**

   Landscaping and minor improvements to the exterior of the building will assist in improving the appearance of the property. The existing development is not compatible with the intended development of the Arts District, but the minor improvements are an appropriate temporary measure until the property can be redeveloped.

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

   The proposed development is consistent with the General Plan, but fails to be consistent with Title 19, and the Downtown Centennial Plan. The applicant has requested Waivers from the Downtown Centennial Plan as a temporary measure; a Condition of Approval will require a review of the project and possible compliance after a five-year period.

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

   The configuration of the parking areas will have little impact on neighborhood circulation. The amount of traffic generated by the uses on the site will have no impact on adjacent roadways.

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

   The existing buildings will be repainted and re-roofed; the proposed improvements are appropriate for the area. The proposed landscape materials are generally appropriate, with the exception of the palm trees proposed in the right-of-way along Hoover Avenue, which are required to be replaced with shade trees.

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

The building elevations and design characteristics as they currently exist are unsightly; the proposed improvements to the buildings will assist in upgrading the appearance of the property.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 117 (01/27/05 PC)

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5782** APN: 139-34-410-032

Name of Property Owner: Tracie Green

Name of Applicant: Tracie Green

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: Tracie J Green

Print Name: Tracie Green

Subscribed and sworn before me

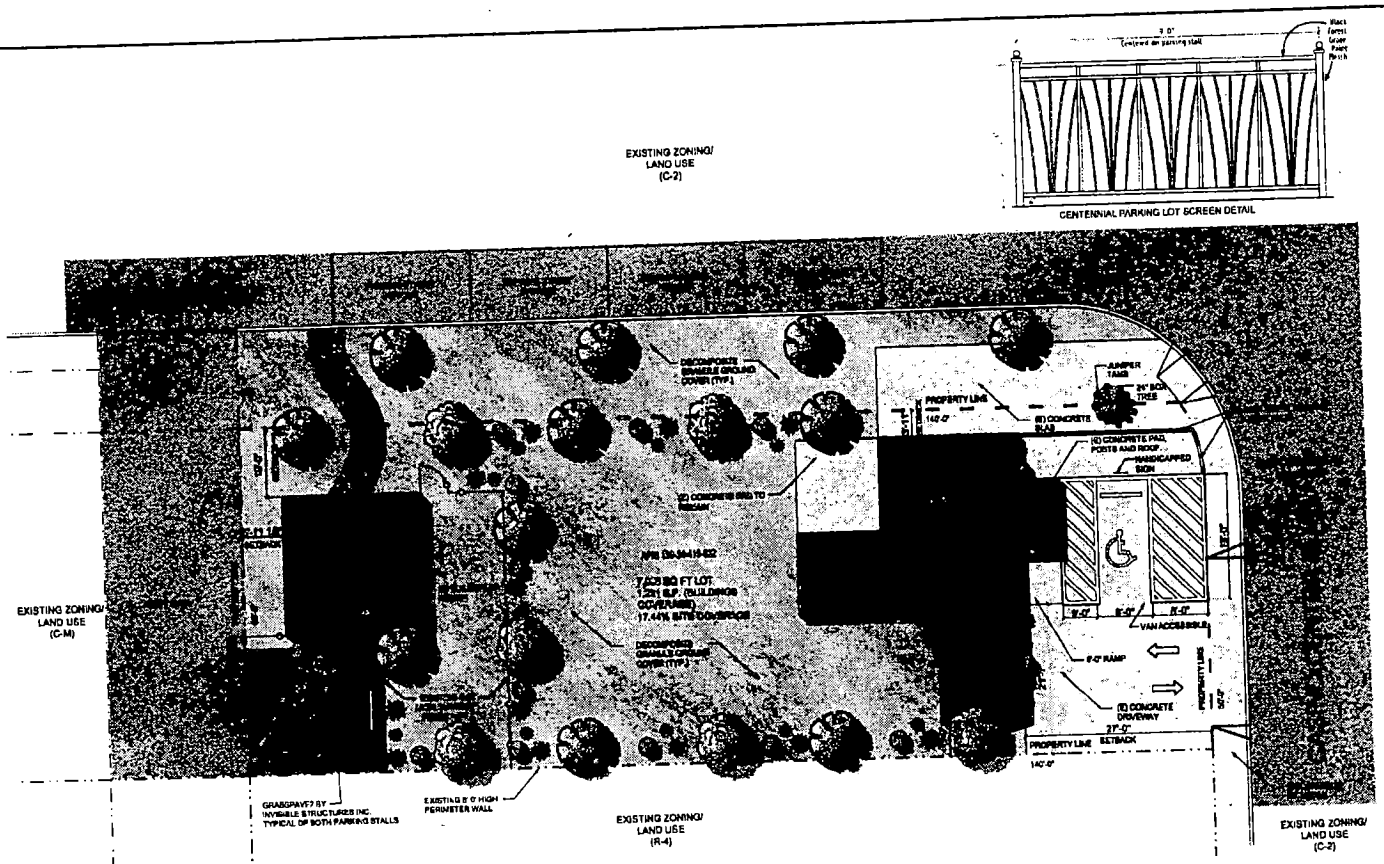
This 15th day of November, 2004

_____

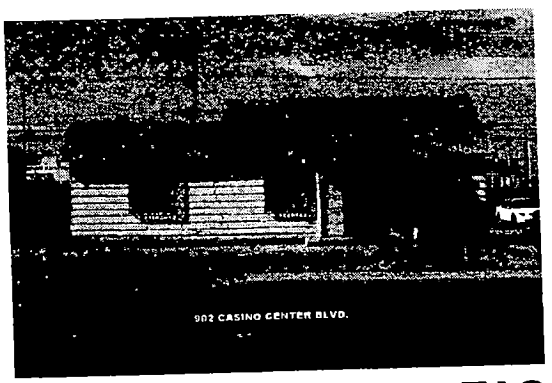
Notary Public in and for said County and State

MICHAEL R. BODAK
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 94-3084-1
EXPIRES JULY 7, 2006

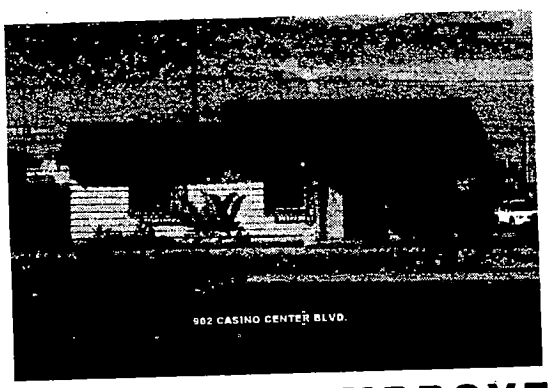
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CENTENNIAL PARKING LOT SCREEN DETAIL



EXISTING CONDITION



PROPOSED IMPROVEMENTS

PROJECT SITE ANALYSIS

SITE

SITE AREA =	18 ACRES
BUILDING AREA	1,221 S.F.
SITE COVERAGE =	17.44%
OCCUPANCY GROUP	B/R2
TYPE OF CONSTRUCTION	V-B

ZONING

PROJECT PROPERTY = SITE DEVEL. PLAN	R-4 (EXISTING)

PARKING

REQUIRED:

STUDIO USE
1.25 SPACES PER STUDIO = 1.25 SPACES

OFFICE USE
1.5 SPACES PER 300 s.f. = 821/300 SPACES = 2.74 SPACES

HANDICAPPED PARKING (APART OF TOTAL)
VAN HANDICAPPED SPACES = 1.5PACE

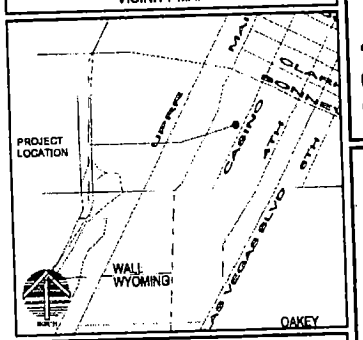
TOTAL PARKING REQUIRED = 4 SPACES

PARKING PROVIDED

PARALLEL SPACES 10' X 20' = 3 SPACES
VAN HANDICAPPED SPACES = 1 SPACE

TOTAL PARKING PROVIDED = 4 SPACES

VICINITY MAP



LANDSCAPING

LANDSCAPE / IRRIGATION NOTES;

THE CONCEPTUAL LANDSCAPING PLAN INDICATES LAND AREAS WITHIN THE PROJECT LIMITS THAT ARE TO RECEIVE LANDSCAPING
AND IRRIGATION SYSTEMS. ALL LANDSCAPING TREE SPECIMENS, SHRUBS, GROUND-COVER, INCLUDING DENSITIES AND SIZES SHALL BE IN FULL COMPLIANCE WITH THE CITY OF LAS VEGAS URBAN DESIGN GUIDELINES AND STANDARDS.
THE OWNER SHALL SUBMIT FULLY-DETAILED LANDSCAPING / IRRIGATION CONSTRUCTION DOCUMENTS, SPECIFICATIONS AND LANDSCAPING PALETTE, PREPARED BY THE LANDSCAPE ARCHITECT, TO A BUILDING DEPARTMENT FOR APPROVAL PRIOR TO INSTALLATION.

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MGA Melvin Green Architect, Ltd.

REVISIONS

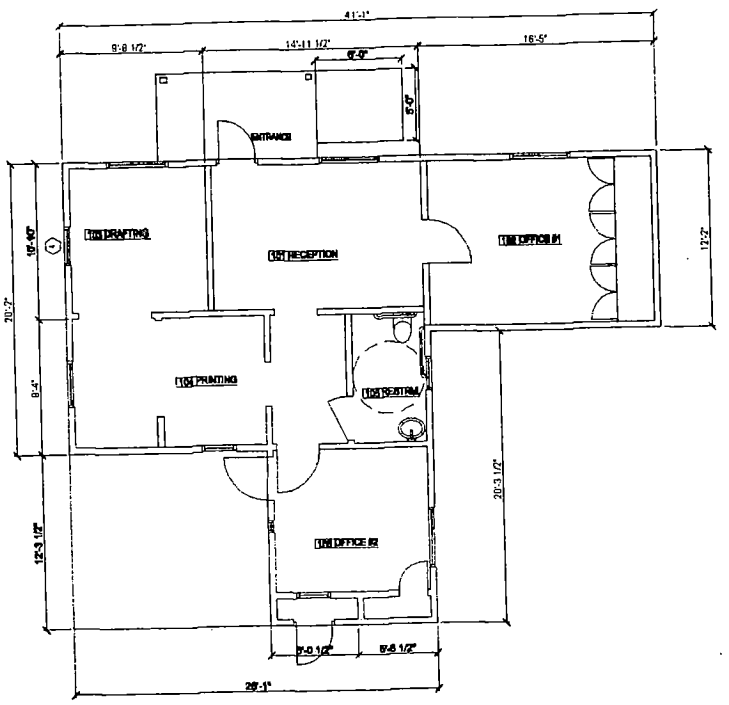
PROJECT: OFFICE REMODEL PROJECT
902 CASINO CENTER BLVD.
LAS VEGAS, NEVADA 89101

SHEET TITLE: SITE PLAN AND LEGENDS

DATE 11-10-04
SCALE NO SCALE
DRAWN MG AS
JOB NO 04-12

SHEET AS1.01
OF SHEETS

SDR-5782
02-10-05 PC
REVISED 02-01-05



1 FLOOR PLAN - 821 S.F.
1/4" = 1'-0"

NORTH

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SDR-5782
01/27/05 PC

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REVISIONS	BY

MGA Melvin Green Architect, Ltd.
commercial, residential
6674 W. Spring Mountain Rd. Suite 107 • Las Vegas, NV 89146 • (702) 804-0706

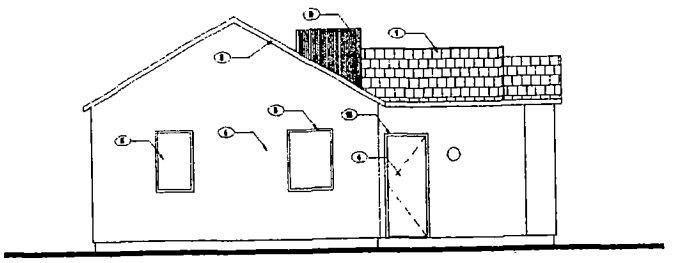
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PROJECT: OFFICE REMODEL PROJECT
902 CASINO CENTER BLVD.
LAS VEGAS, NEVADA 89101

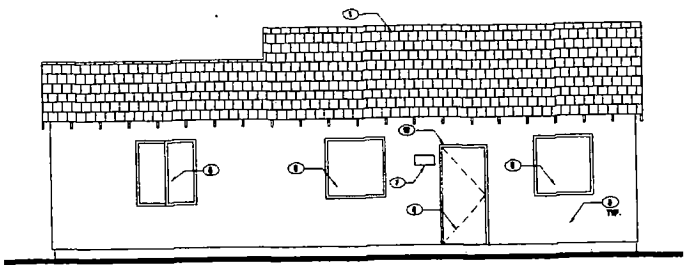
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DATE: 11-09-04
SCALE: AS NOTED
DRAWN: MGMB
JOB NO.: 04-17

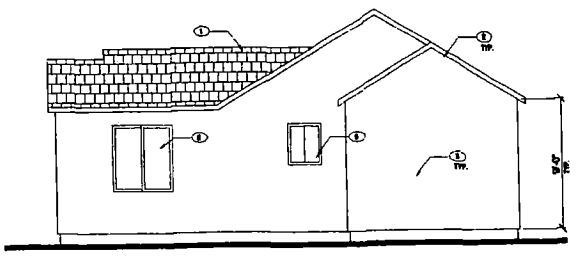
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OF SHEETS



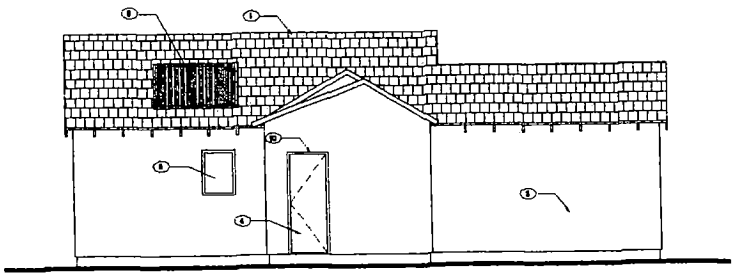
1 NORTH ELEVATION



2 EAST ELEVATION



3 SOUTH ELEVATION



4 WEST ELEVATION

KEY NOTES

NO.	DESCRIPTION
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	DOOR FRAME: DARK BLUE

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PROJECT: OFFICE REMODEL PROJECT
902 CASINO CENTER BLVD.
LAS VEGAS, NEVADA 89101

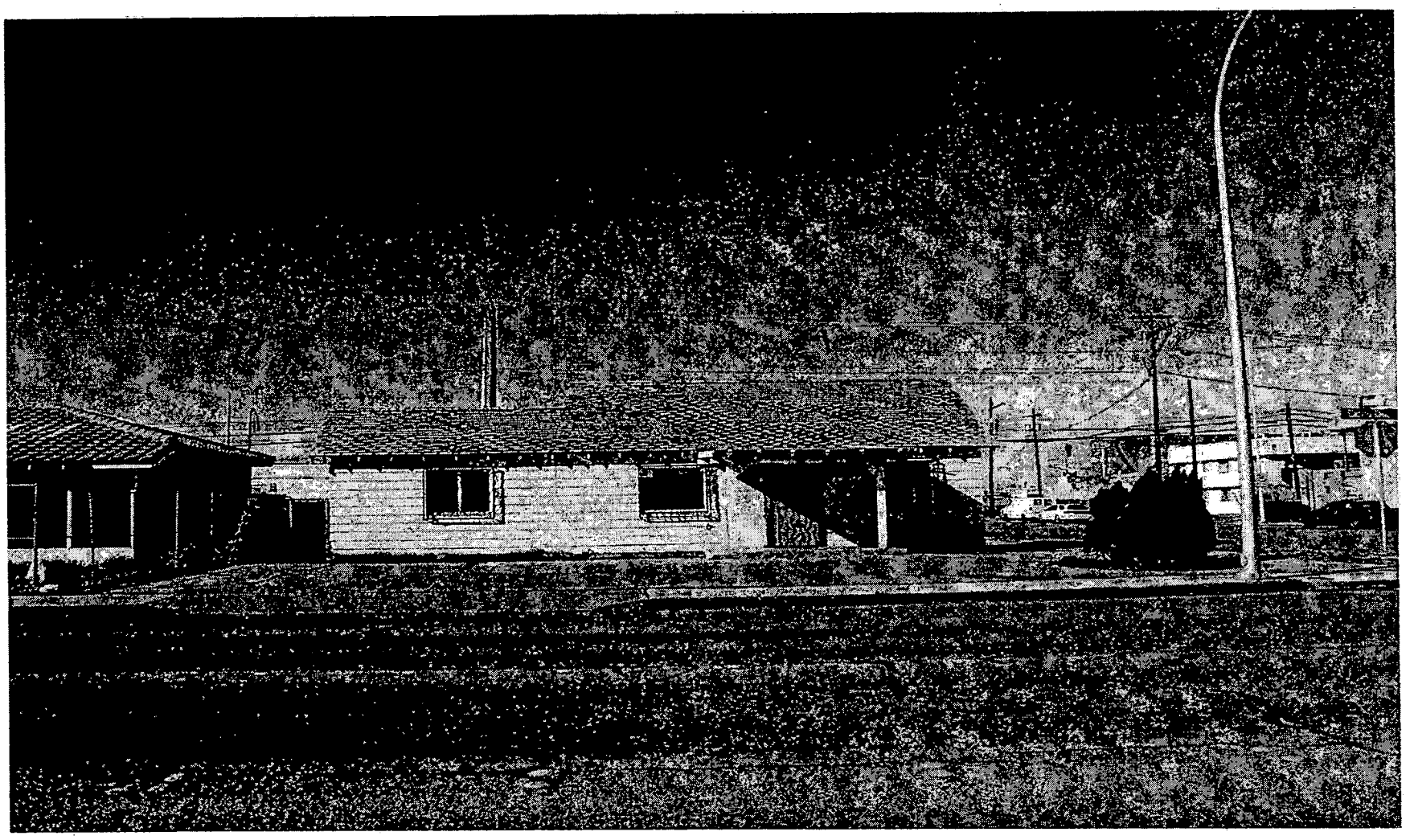
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DATE: 11-09-04
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DRAWN: MGMS
JOB NO: 04-15

SHEET A6.01
OF SHEETS

SDR-5782
01/27/05 PC

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SDR-5782 - APPLICANT/OWNER: TRACIE J. LOCKETT-GREEN
SOUTHWEST CORNER OF CASINO CENTER BOULEVARD AND HOOVER AVENUE
FEBRUARY 10, 2005 PLANNING COMMISSION

1/11/05

RECEIVED

JAN 14 2005

MGA

MELVIN GREEN ARCHITECT, LIMITED

January 12, 2005

Planning and Development Department
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

RE: REVISED Justification Letter for Rezoning 902 Casino Center to C2
APN # 139-34-410-032

On behalf of the applicant, Tracie Lockett-Green, we are requesting a Rezoning of 902 Casino Center Blvd. and 120 Hoover Street from R-4 to C-2.

The project will consist of: Phase I converting an existing vacant 821 square foot house to a professional office while retaining existing 400 square residential unit on the back portion of the property.

Phase II will consist of demolishing both buildings to make way for a Ten-story Mixed-Use project that will include Ground Floor Retail Spaces, Offices, Apartments and a Penthouse that will conform to the Arts District Design Standards (see attachment). Applicant's goal is to provide a live-work situation for Artists in the designated Art District as well as providing a live-work environment for herself. Construction of Phase II will commence within three years of the approved Rezoning.

The applicant's commitment to live and work Downtown is consistent with the Mayor's vision to revitalize the Area. To build a community requires full-time residency. Unlike most of the luxury high-rise developments underway, this project will try to help make the area a viable residential downtown neighborhood for artists.

In order to make Phase II work financially, the applicant is requesting a wavier of Design Standard for a Three Year period. The wavier request includes requirements to provide underground Utilities from the alleyway to the building, Landscaping and Streetscape along Casino Center Blvd. and Hoover Street and decorative fencing to screen parking. The Art District Design Standards requirements mentioned above will be met if the project does not start within the three-year period. Additionally, we are requesting a waiver for the requirement to provide on-site parking for 2 office parking spaces and 2 residential spaces. Again, this request is only for the three-year period.

REVISED
1.14.05

5782

3305 WEST SPRING MOUNTAIN ROAD, SUITE 92 ■ LAS VEGAS, NEVADA 89102
PHONE: 702.362.8974 ■ FAX: 702.364 9406 ■ email: mgreen@mgci.com

RECEIVED
JAN 14 2005

Some Landscaping will be provided along Hoover Street as depicted on the landscape drawings.

The building will not have an adverse affect on the surrounding neighborhood. The building footprint and exterior elevations will remain the same.

Please contact us at 702-362-8974 or 702-353-0988 with questions.

Sincerely,

Melvin Green, NCARB
President
Melvin Green Architect, Ltd.

City of Las Vegas

Agenda Item No.: 34

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
MOD-5854 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: GREEN WORLD CLEANERS - OWNER: LONE MOUNTAIN PLAZA, LLC - Request for a Major Modification to the Lone Mountain Master Development Plan Use Table TO ADD "DRY CLEANERS" AS A PERMITTED USE IN NEIGHBORHOOD COMMERCIAL AND VILLAGE COMMERCIAL SPECIAL LAND USE DESIGNATIONS, Ward 4(Brown).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
STEINMAN – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/16/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning & Development Department, gave a brief overview of the application.

JOE NGUYEN, 7621 Jacaranda Street, appeared on behalf of the applicant and concurred with all conditions.

COMMISSIONER STEINMAN felt this type of use was necessary as much of the commercial in

MINUTES – Continued:
the area is being turned to residential. The applicant has operated in the State of California and is very experienced.

CHAIRMAN NIGRO declared the Public Hearing closed.
(9:27 – 9:29)
3-298

CONDITION:
Planning and Development
1. Conformance to the Lone Mountain Master Development Plan, except as amended by this request.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-5854 - APPLICANT: GREEN WORLD CLEANERS - OWNER: LONE MOUNTAIN PLAZA, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to the Lone Mountain Master Development Plan, except as amended by this request.

KCW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Major Modification to the Lone Mountain Master Development Plan to add "Dry Cleaners" as a permitted use in areas of the Lone Mountain with the NC (Neighborhood Commercial) or VC (Village Commercial) special land use designations.

B) Applicant's Justification

According to the applicant the Dry Cleaner use is very common in the typical shopping center. The use is allowed in developments zoned as C-1 (Limited Commercial) and C-2 (General Commercial).

BACKGROUND INFORMATION

A) Previous Actions

06/23/97 The City Council approved a request for a rezoning (Z-0033-97) on property generally located on the north side of Cheyenne Avenue, east and west of Hualapai Way from: C-V (Civic), N-U (Non Urban) and N-U (Non Urban) under Resolution of Intent to R-CL (Single Family Compact Lot), R-PD9 (Residential Planned Development - 9 Units per Acre), R-2 (Two Family Residence) and C-V (Civic), to PD (Planned Development) Zone. Proposed Use: Mixed Use Master Plan.

B) Pre-Application Meeting

12/16/04 The following was discussed at a pre-application conference with the applicant.

- Language of the request
- The Land Use Districts in Lone Mountain that should permit the use
- Location of the first Dry Cleaner business

C) Neighborhood Meetings

A neighborhood meeting is not required for a Major Modification application.

KCW

D General Plan Compliance

The subject area that is governed by the Lone Mountain Master Development Plan is designated PCD (Planned Community Development) land use on the Centennial Hills Interlocal Land Use Plan map within the Centennial Hills Sector Plan of the General Plan. The commercial use Dry Cleaner is similar to other uses in the Neighborhood Commercial and Village Commercial Special Land Use Districts so the use conforms to the PCD (Planned Community Development) General Plan designation. The proposed addition of a use to the Use Table of the Lone Mountain Master Development Plan is not affected by any specific General Plan policies.

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

Lone Mountain Plan
The Lone Mountain Master Development Plan shall reflect the objectives set forth in the PD (Planned Development) zoning district which is a Special Purpose District defined in Title 19.06.050 and adopted by the City Council of the City of Las Vegas 02/05/97. Development within the Lone Mountain Plan area is subject to the policies and standards of the Lone Mountain Master Development Plan.

DETAILS OF APPLICATION REQUEST

This proposed Major Modification seeks to add the use Dry Cleaner to the table of permitted uses in the Lone Mountain Master Development Plan as a permitted use in the NC (Neighborhood Commercial) or VC (Village Commercial) special land use districts of the Lone Mountain Master Development Plan. This request will potentially affect any location within the Lone Mountain Master Development Plan area that is, or will in the future be, designated with the NC (Neighborhood Commercial) or VC (Village Commercial) Special Land Use designations.

The operation will be within a fully enclosed building. The use conforms to the definition of a Dry Cleaner found Title 19.20. Specifically, the use will be a facility that is used to provide, to individual households, cleaning services for items such as clothing and linens. The use includes a facility where the plant operation is located on- or off-site.

KCW

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The Major Modification will have no effect on zoning regulations, guidelines, or other development standards, other than those contained within the definitions of the NC (Neighborhood Commercial) or VC (Village Commercial) special land use designations and associated standards of the Lone Mountain Master Development Plan.

B) General Analysis and Discussion

The proposed Major Modification of the Lone Mountain Master Development Plan is appropriate in that it will add a low-intensity commercial use to the land use table for the NC (Neighborhood Commercial) or VC (Village Commercial) land use categories. The use is found in the typical strip commercial center located throughout the valley. The use is of the low intensity type similar to grocery stores, furniture stores, barber shops, beauty salons, and other low impact commercial uses; therefore, it is recommended that this request be approved.

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."**

   All land designated as NC (Neighborhood Commercial) or VC (Village Commercial) within the Lone Mountain Master Development Plan area is designated in the General Plan as PCD (Planned Community Development). The subject request is consistent with the intent of this General Plan designation.

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."**

   This Major Modification of the Lone Mountain Master Development Plan would allow Dry Cleaners within the areas designated with the NC (Neighborhood Commercial) or VC (Village Commercial) land use designations within the Lone Mountain area. The proposed use would be compatible with multi-family, single family residential, public facilities, and other commercial development on adjacent or nearby sites.

KCW

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

   The proposed addition the Land Use table of the Lone Mountain Master Development Plan is a very common commercial use in light to medium intensity commercial development elsewhere in the valley. At present the public in Lone Mountain Plan area is forced to drive considerable distances in some cases to find a Dry Cleaner. The change to the use table will enable the citizens in the Lone Mountain to minimize the amount driving currently done to find a dry cleaning business.

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."**

   This request will affect the areas designated as NC (Neighborhood Commercial) or VC (Village Commercial) in the Lone Mountain Master Development Plan. Both of these areas have access to Cheyenne Avenue, designated as a Primary (100-foot) Arterial and as a Secondary (80-foot) Collector west of the Beltway, on the Master Plan of Streets and Highways. It is anticipated that this street will be adequate in size to meet the requirements of the project as proposed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED Newspaper Only

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: MDD-5854 APN: 138-07-401-016

Name of Property Owner: Lone Mountain Plaza, LLC

Name of Applicant: Joe Nguyen / Green World Cleaners

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: Alan Roselinsky

Print Name: ALAN ROSELINSKY

Subscribed and sworn before me

This 17th day of December, 2004

Jennifer L. Roberts

Notary Public in and for said County and State

JENNIFER L. ROBERTS
Notary Public State of Nevada
No. 97-4318-1
My appt. exp. Sept. 23, 2005

Joe Nguyen and Harry Gibson
7621 Jacaranda Bay Street
Las Vegas, NV 89139

December 3, 2004

City of Las Vegas
Planning & Development Dept.
731 S. 4th Street
Las Vegas, Nevada 89101

RE: REQUEST FOR MODIFICATION TO LONE MOUNTAIN PLAN USE TABLE
Lone Mountain Plaza, NE Corner Cheyenne & Hualapai
Las Vegas, NV

Dear Planner,

I am requesting a modification to the Lone Mountain Plan for my dry cleaning store which will be located in the above referenced Center, and I would like to present this Letter of Justification and also request that "Dry Cleaner with Laundry/Plant" be added to the Use Table as a permitted use in Neighborhood and Village Commercial Districts.

I presently am in the dry cleaning business in California. I intend to have both dry cleaning and laundry equipment in the premises to offer the best service possible. I am aware of all the Hazardous Waste issues including proper handling and disposal of these materials, and the owner has deemed this an accepted use based upon my long-term experience in the industry. The use is not out of the ordinary to be situated in a Shopping Center; rather such stores are typically located in shopping centers throughout the City and County. This use is an allowed use in a C-1 zone per Title 19. requirements.

This is a very up-scale Center and the Landlord requires a very professional look and operation. As a Tenant, I am bound to keep all areas in and around the building in which I am located immaculate and sanitary. There is ample parking in the Center and easy ingress and egress is provided for all visitors to the Center and to the Premises. There is no adverse impact on vehicular traffic as I will have the use of a special drive-thru lane adjacent to my Premises.

The commercial building in which I am leasing space is part of the larger commercial project. It is presently under construction and my dry cleaning store and my equipment will be new and will be built to all of the latest Uniform Building Codes. The architecture of the building has previously been approved by the City. It is architecturally compatible with the surrounding neighborhood and the business shall be operated in a strictly professional manner.

If you have any further questions, please call the Owner at their office, 253-5751 or the Applicant (Tenant).

Yours truly,

Joe Nguyen

Joe Nguyen
Partner
Green World Cleaners

MOD-5854

GREAT AMERICAN
CAPITAL

A Leader in Diversified Real Estate Development

December 17, 2004

City of Las Vegas
Planning & Development Dept.
731 S. 4th Street
Las Vegas, Nevada 89101

RE: REQUEST FOR MODIFICATION TO THE LONE MOUNTAIN PLAN TO INCLUDE "DRY CLEANER" AS A USE
Lone Mountain Plaza located at the NE corner of Cheyenne & Hualapai, Las Vegas, NV

Dear Planning and City Council Members,

As part of the application for a dry cleaning store which will be located in our above referenced Center, we would like to present this additional Letter of Justification in reference to the requirement for your Major Modification approval. Our tenant is presently in the dry cleaning business in California. He intends to have both dry cleaning and laundry equipment in the premises to offer the best service possible to the neighborhood community. He has a keen awareness and sensitivity for the Hazardous Waste Issues including proper handling and disposal of these materials, as do we as the owners of this Center, and we are pleased to have such a professional operator with long-term experience in the industry.

The use is not out of the ordinary to be situated in a Shopping Center; rather such stores are typically located in shopping centers throughout the City and County. This use is an allowed use in a C-1 zone. We respectfully request your additional approval of the Major Modification proposal to add "Dry Cleaner with Laundry/Plant" to the list of Personal Service Permissible Uses in the Lone Mountain Plan.

This is a very up-scale Center and we require a very professional look and operation from our Tenants. Mr. Nguyen is bound to keep all areas in and around the building in which he is located immaculate and sanitary.

The commercial building in which he is located is part of our larger commercial project. It is presently under construction and the dry cleaning store will be all new and will be built to all of the latest Uniform Building Codes. The architecture of the building has previously been approved by the City. It is architecturally compatible with the surrounding neighborhood and the business shall be operated in a strictly professional manner. If you have any further questions, please call us at our office at 253-5751.

Yours truly,

Noam Schwartz, Treasurer
Great American Capital (formerly Great American Homes), the Manager of
Lone Mountain Plaza, LLC, Owner

MOD-5854

8350 West Sahara Ave., Suite 210 • Las Vegas, NV 89117 • P: 702.253.5751 • F: 702.851.7733 • www.GreatAC.com

City of Las Vegas

Agenda Item No.: 35

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
ZON-5669 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH, LLC - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 5.33 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), Ward 5 (Weekly).

THE APPLICANT REQUESTS THIS ITEM BE HELD IN ABEYANCE TO 03/24/05 PC

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

RECOMMENDATION:
Staff recommends ABEYANCE

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:
DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)

City of Las Vegas
Planning and Development Department
Attention: Kyle Walton/Doug 229-5408

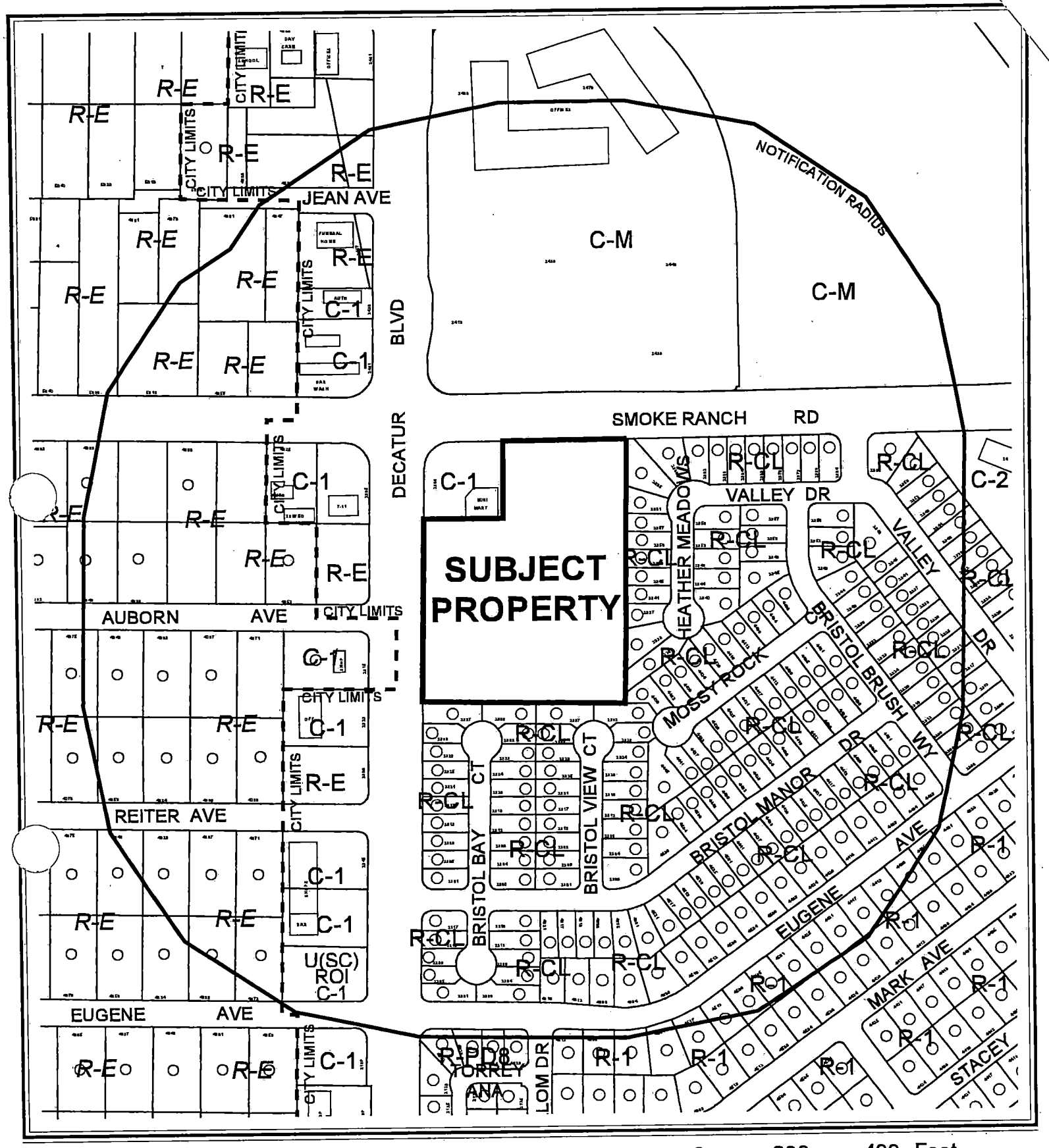
Date: 01/31/05

Re: Zoning Case No.: ZON-5669

We would like to hold this application until March 24 2005. Please confirm with me that this Case No.: ZON-5669 is being held until March 24 2005.

Thank you

Nolan Carl
(702) 990-8415
(702) 938-1053
nolan@creatvsys.com

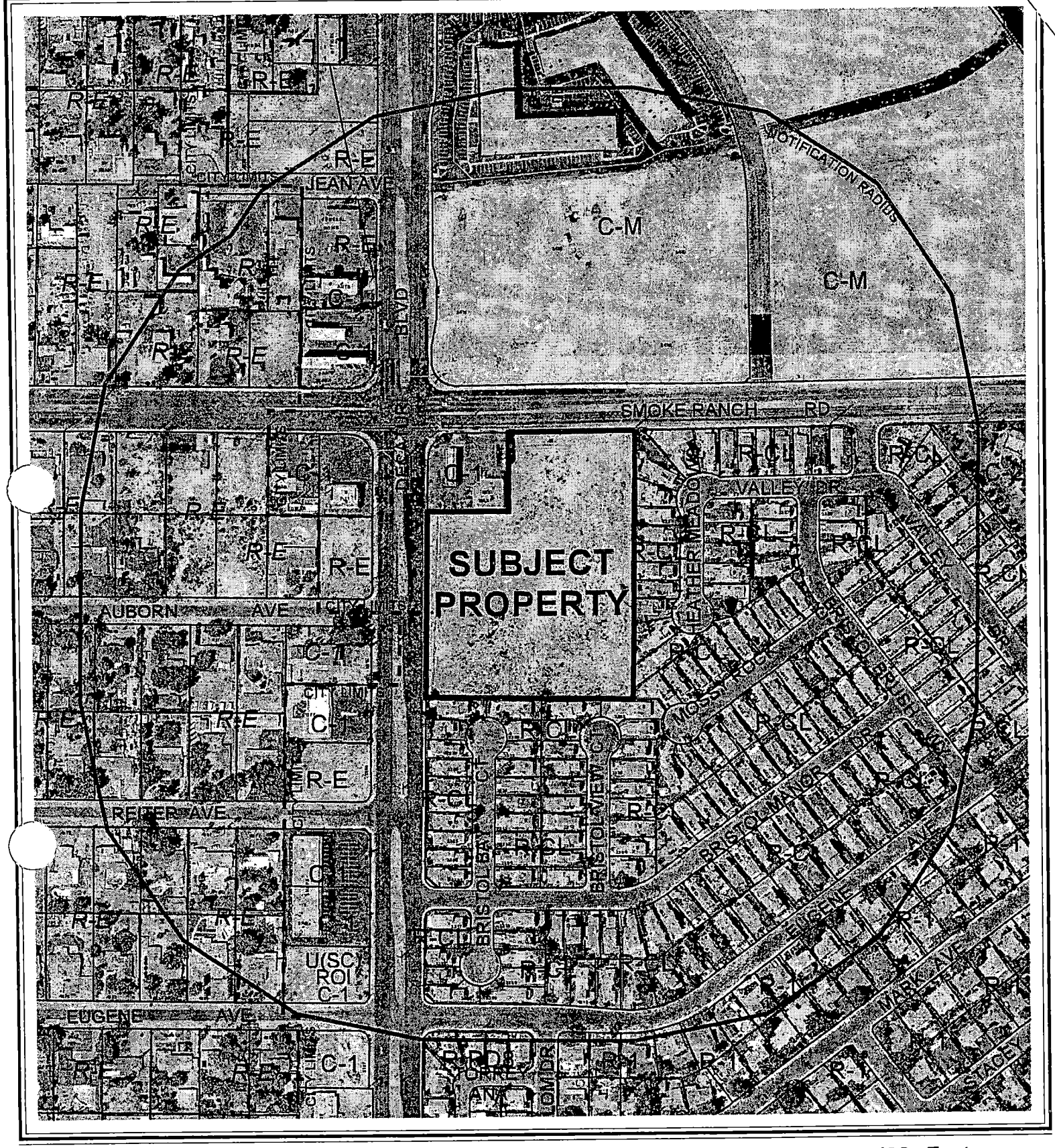


CASE: **ZON-5669**

RADIUS: 750 FT

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

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



0 200 400 Feet

CASE: **ZON-5669**

RADIUS: 750 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5669 - APPLICANT/OWNER: SMOKE RANCH LLC

THE APPLICANT REQUESTS THIS ITEM BE HELD IN ABEYANCE TO THE MARCH 24, 2005 PLANNING COMMISSION MEETING.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5669 APN: 139-19-101-002

Name of Property Owner: Smoke Ranch llc

Name of Applicant: Smoke Ranch llc

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

_____Yes __XX__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: By: Smoke Ranch Realty, LLC

Print Name: Thomas H. Bergman, Trustee of MBJR Trust, Manager

Subscribed and sworn before me

This 24th day of November, 2004

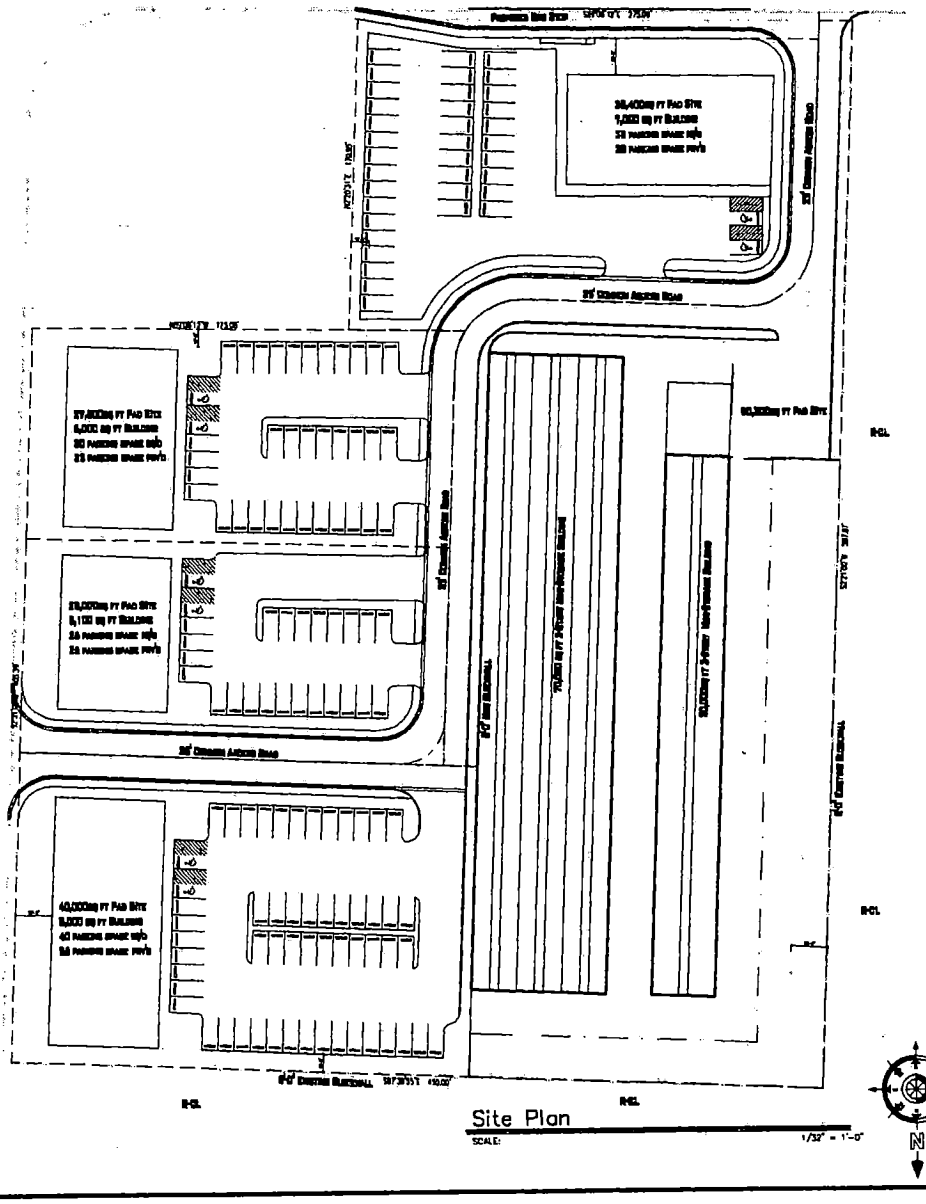
Notary Public in and for said County and State

NOTARY PUBLIC STATE OF OHIO

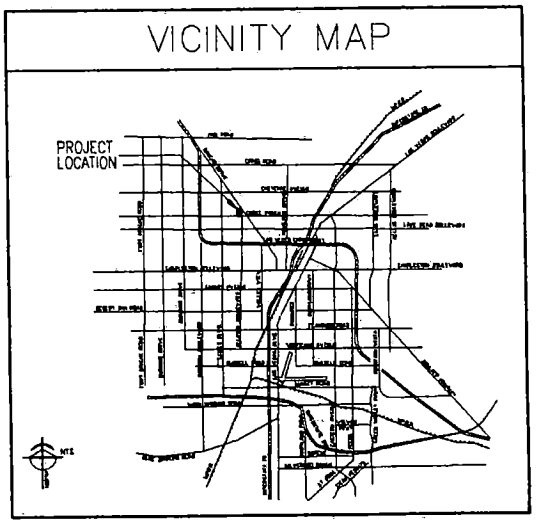
JILL RENEE McGRAIL
Notary Public, State of Ohio
My Commission Expires
November 11, 2007

Revised 2/12/02

SMOKE RANCH



VICINITY MAP



ZON-5669
01-13-05 PC

PROJECT: Smoke Ranch/Decatur
LOCATION: SMOKE RANCH/DECATUR
OWNER/AGENT: Smoke Ranch LLC
DETAILS OF: Proposed Site Plan

Smoke Ranch llc
Development Company
8360 West Sahara Avenue
Las Vegas, Nevada 89117
Suite 230
TEL: (702)385-4450
FAX: (702)362-4345

REVISION

DRAWN BY: DL
APPROVED BY: DL
DATE: 11/1504
PROJECT NUMBER
SCALE: AS NOTED
SHEET A-0 OF



ZON-5669 - APPLICANT/OWNER: SMOKE RANCH, LLC
SOUTHEAST CORNER OF SMOKE RANCH ROAD AND DECATUR BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

Smoke Ranch, llc
8360 West Sahara Avenue
Suite 230
Las Vegas, Nevada 89117
Tel: (702) 362-4450
Fax: (702) 362-4348

November 23, 2004

Subject: Conforming Zone change Smoke Ranch & Decatur
Parcel Number: 139-19-101-002
Justification Letter

The character of Smoke Ranch and Decatur justifies the subject properties [APN: 139-19-101-002] change of zoning to Local Business District (C-1). The 5.2 gross acre property fronts on Smoke Ranch and Decatur. There is high density residential to the north and west and Commercial Industrial to the South the residential properties to the east are buffered by Decatur itself. There are numerous examples of C-1 property with these exact characteristics in the local area.

This area is has a strong residential growth especially as it becomes more central, and the Valley expands. There would be no additional adverse affects with the designation to any service due to this change.

This change would conform to other plans and goals for similar sized properties on the same and adjacent streets in the area.

There are to many properties to mention that have set the precedent for a Local Business District (C-1) designation. This change would absolutely not set a precedent for future zoning.

Sincerely,

Nolan Carl
Smoke Ranch, llc

City of Las Vegas

Agenda Item No.: 36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
VAR-5952 - VARIANCE - PUBLIC HEARING - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST - Request for a Variance to ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT on 4.87 ACRES WHERE 5.00 ACRES IS THE MINIMUM AREA REQUIRED adjacent to the southeast corner of Ann Road and Torrey Pines Drive (APN 125-35-501-001), Ward 6 (Mack).

C.C. 03/16/05

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

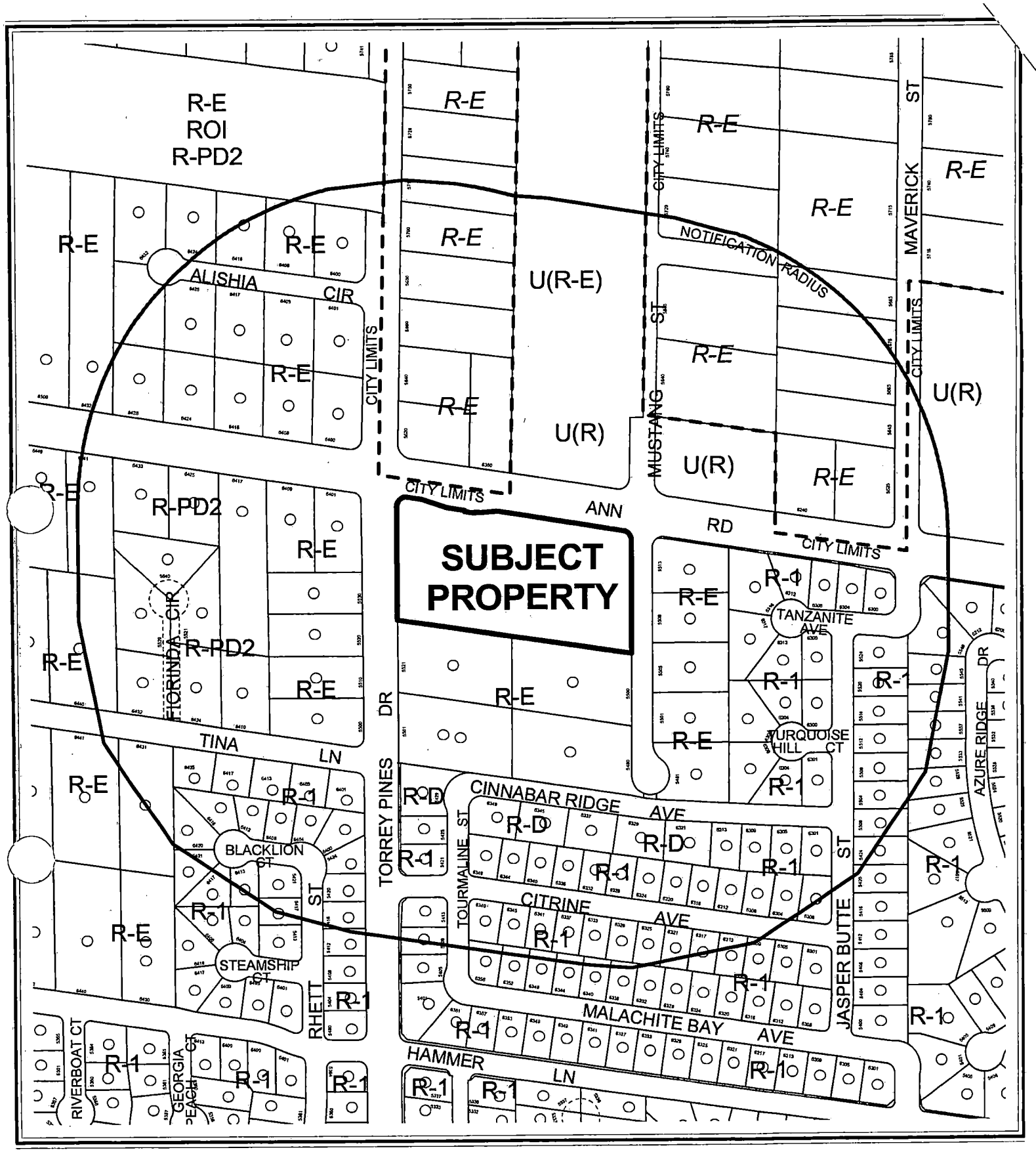
RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:
DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)



0 300 600 Feet

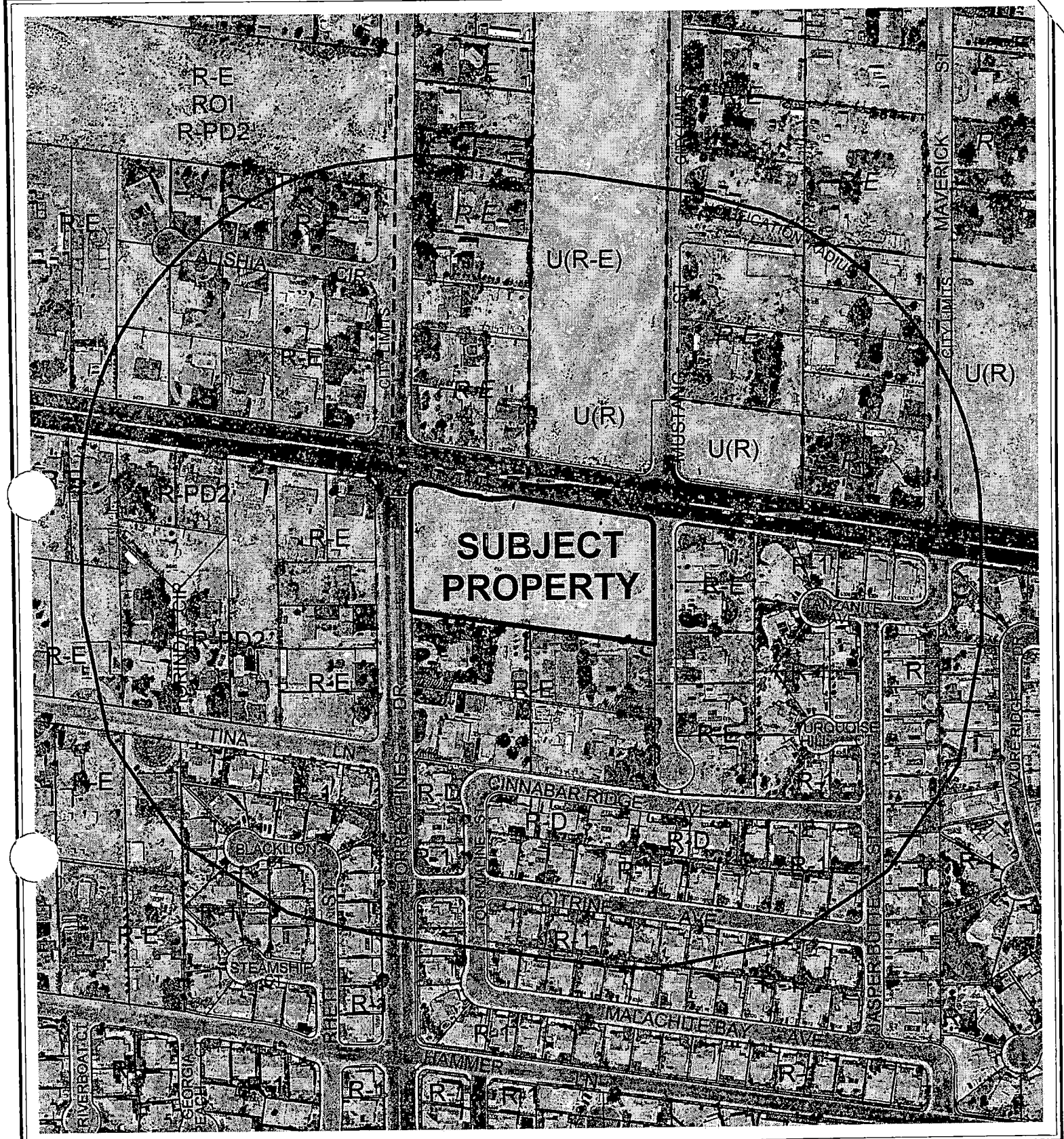
CASE: **VAR-5952**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N



0 300 600 Feet

CASE: **VAR-5952**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5952 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5788), Title 18 Waiver (WVR-5790), and Site Development Plan Review (SDR-5789).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow Residential Planned Development zoning to be implemented on a 4.87-acre parcel where five acres is the minimum site area required, adjacent to the southeast corner of Ann Road and Torrey Pines Drive.

B) Applicant's Justification

According to the applicant's justification letter, the proposed R-PD development will be similar to other residential developments in the area and will also provide landscaping that conforms to City requirements.

BACKGROUND INFORMATION

A) Previous Actions

There are no recent zoning actions on the subject property.

12/15/04 The City Council approved a request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from R-E (Rural Estates) to R (Rural Density Residential) on approximately 6.7 acres (GPA-5172), a Rezoning (ZON-5174) from U (Undeveloped) [R (Rural Density Residential) and RE (Rural Estates) General Plan designations] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 10.65 acres, a Waiver of Title 18.12.160 (WVR-5331) to allow a 182-foot separation between intersections where a minimum of 220 feet is required, and a Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road. The Planning Commission recommended approval of all items. Staff recommended denial on all applications.

02/10/05 The Planning Commission will hear related items ZON-5788, WVR-5790 and SDR-5789 as part of this agenda.

B) Pre-Application Meeting

12/03/04 A pre-application meeting was held and staff made the following recommendations:

1. Right-of-way will need to be dedicated on Ann Road and Torrey Pines. Also a flood study will need to be done.
2. All off-site half-street improvements, including Mustang will need to be installed. A turn lane along Ann Road may be needed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	4.87 acres
Net Acres:	3.37 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential)
East:	R (Rural Density Residential)
West:	R (Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Rural Estates Residential – Clark County Designation) R-PD3 (Residential Planned Development – 3 Units Per Acre)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified R (Rural Density Residential) land use category. The property is zoned R-E (Residence Estates). The proposed development of 15 single-family lots on 4.87 acres, which generates a density of development of 3.1 dwelling units

per acre, is permitted within the R land use category but not in the present zoning. Therefore, the applicant is requesting approval of an application for Rezoning to R-PD3 (Residential Planned Development – 3 Units per Acre) that would permit up to 3.49 dwelling units per acre. This Variance request is not directly affected by General Plan policies.

ANALYSIS

A) Zoning Code Compliance

A1) Residential Planned Development Standards

Pursuant to Title 19.06.040.A, the minimum site area that is eligible for rezoning to the R-PD category is five acres. As the subject site is 4.87 acres in size, the applicant has requested a Variance from this standard in order to allow the related applications to proceed, in order to develop a 15-unit single-family project on the site. The subject deviation is 2.6%.

B) General Analysis and Discussion

The project as conceived would not readily fit within the parameters of any of the standard residential zoning districts in Title 19. Although the R-D (Single-Family Residential - Restricted) zoning district allows up to the 3.59 units per acre that is the maximum density allowed in the property's existing R (Rural Density Residential) land use designation, the R-D district contains a minimum lot size requirement of 11,000 square feet, minimum width requirement of 90 feet, and front and rear setbacks that would not work with the project as proposed. There are no other standard zoning districts in the Code that would be adequate for a project of this type within the existing allowable density range. The extent of the requested Variance is minor, as the site is approximately three percent smaller than the minimum standard.

FINDINGS

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

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

SS

Additionally, Title 19.18.070.L states:

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

As this is an infill parcel, no additional land is available to develop according to the requirements of a standardized zoning district. There is no alternative design or option that would allow conformance to these specific Title 19 requirements. In view of the limitations imposed by the site's physical characteristics, it is concluded that the applicant's hardship is real, and it is recommended that the Variance be granted.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 160

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5952 APN: 125-35 501-001

Name of Property Owner: Cox, Orlo E.

Name of Applicant: William Richardson, Graughen Richardson, Dev.

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: _____

Print Name: Orlo E. Cox JR

Subscribed and sworn before me

This 10th day of Jan, 2005

Carol K. Schilcher

Notary Public in and for said County and State

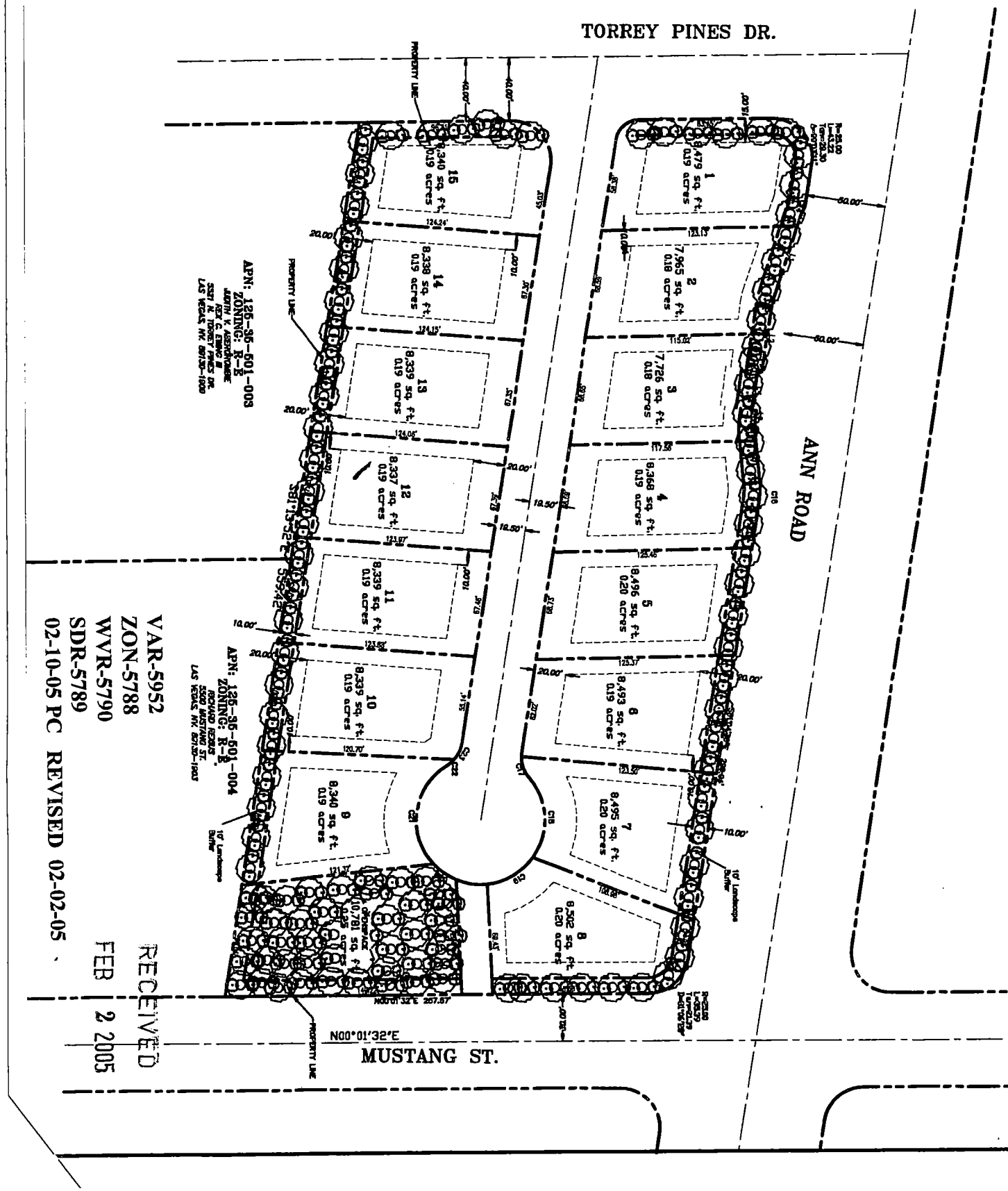
CAROL K. SCHILCHER
Notary Public, State of Nevada
Appointment No. 9229471
My Appt. Expires May 22, 2008

JPL ENGINEERING INC.
8620 S. EASTERN STE #8
LAS VEGAS NV. 89123

ANN & TORREY PINES

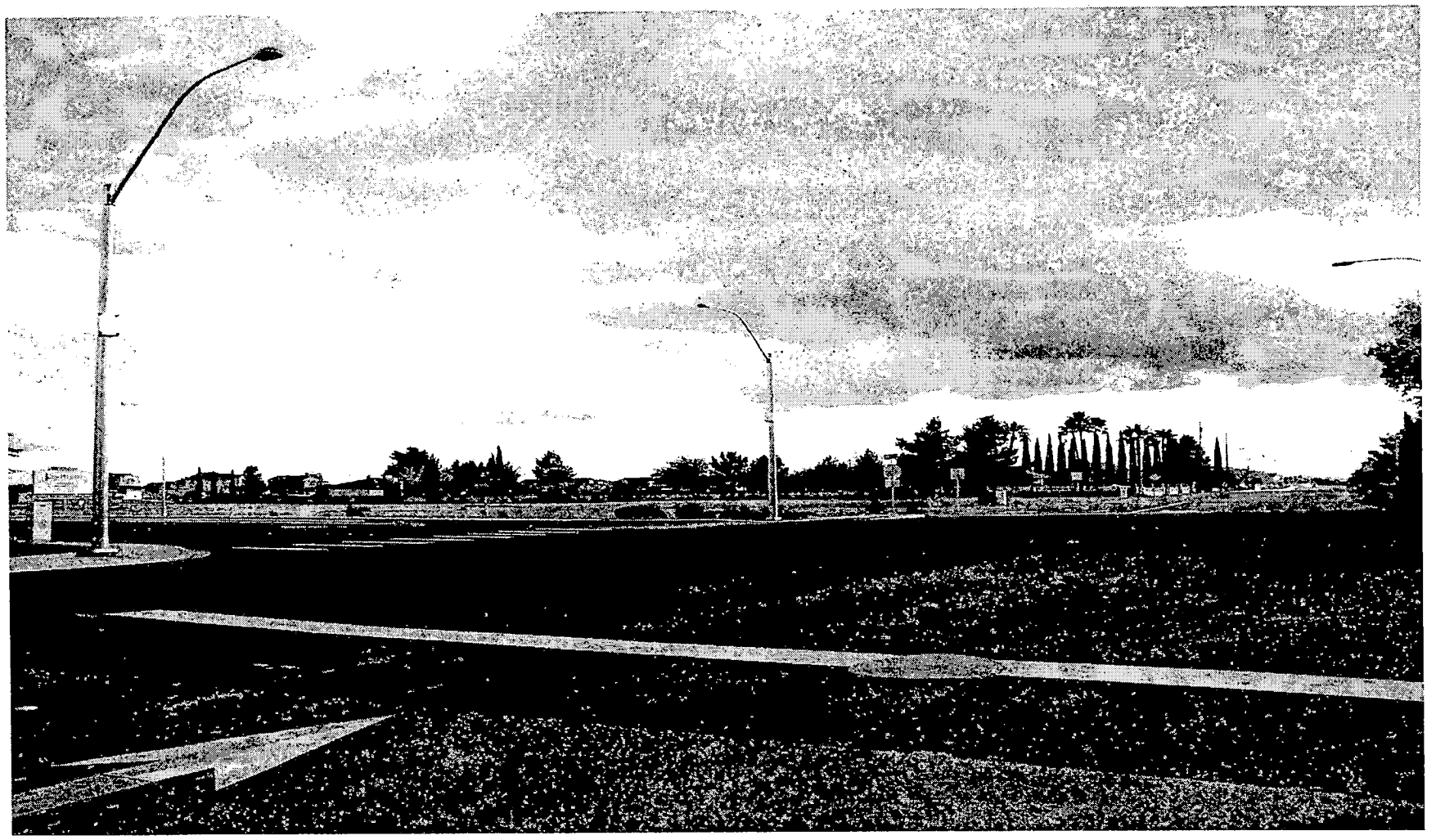
EXHIBIT

NOT TO SCALE



VAR-5952
ZON-5788
WVR-5790
SDR-5789
02-10-05 PC REVISED 02-02-05

RECEIVED
FEB 2 2005



VAR-5952 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST
SOUTHEAST CORNER OF ANN ROAD AND TORREY PINES DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

JPL ENGINEERING INC

8620 S. Eastern Ave., Suite 8
Las Vegas, NV 89123

January 11. 2005

Current Planning Division
City of Las Vegas
731 south 4th Street
Las Vegas, NV 89101

RE: Variance (5+/- gross acres) located at the northeast corner of Ann Road and Torrey Pines Dr. (APN 125-35-501-001)

The intent of this letter is to request a Variance for the 5-acre minimum for RPD3 development. The subject parcel is 4.87 acres.

The proposed development is 15-lot subdivision located at the northeast corner of Ann Rd. and Torrey Pines Dr. The average lot save is approximately 8300 sq-ft. There are like type developments with similar lot site (R1) to the (east, north, west, and south).

The site will conform to all landscaping requirements and will provide approximately 10,700 square foot of open space amenities and landscape buffer around the perimeter of the site. It is anticipated that future residences on the site will be 1 and 2 story custom homes 2000 to 4000 square feet with landscaped front yards and stucco and rock facade finishes.

We sincerely hope that these requests will be reviewed and considered. Please contact me at 898-6269 if you have any questions or concerns.

Respectfully,

James P. Lopez, P.E.
President
JPL Engineering, Inc.

JPL/JJL

City of Las Vegas

Agenda Item No.: 37

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
ZON-5788 - REZONING RELATED TO VAR-5952 - PUBLIC HEARING - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 4.87 acres adjacent to the southeast corner of Ann Road and Torrey Pines Drive (APN 125-35-501-001), Ward 6 (Mack).

C.C. 03/16/05

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

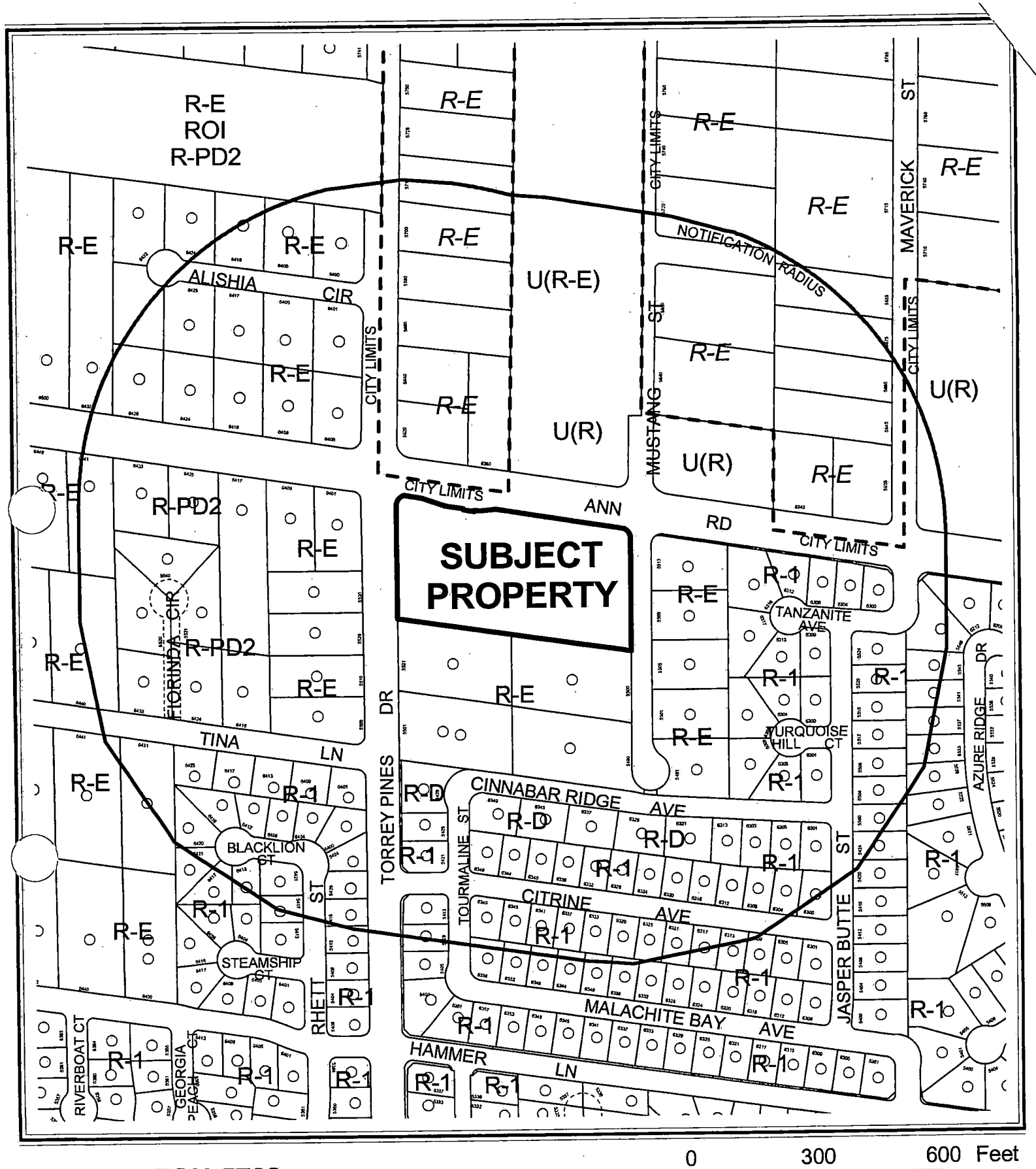
RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:
DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)

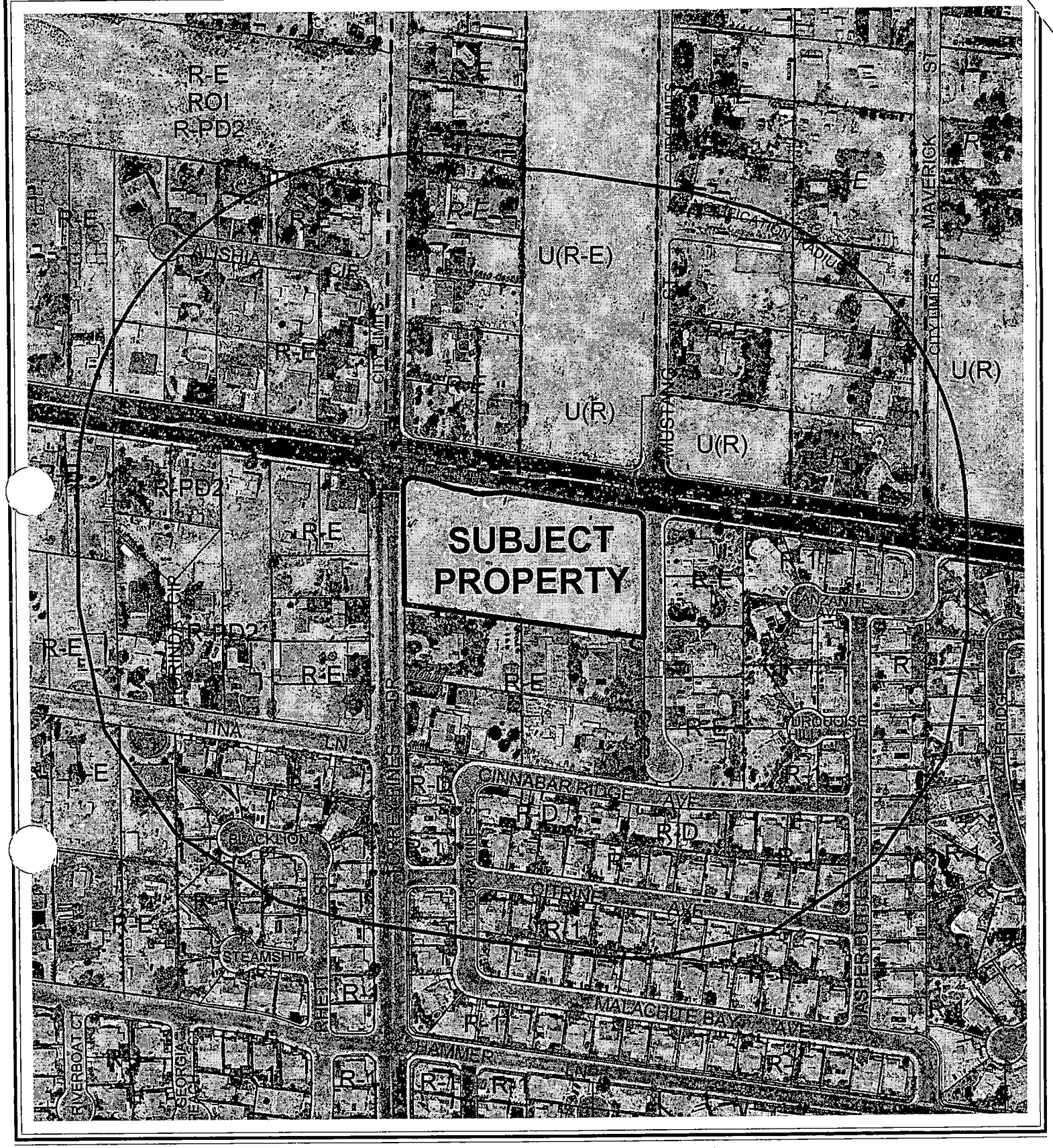


CASE: **ZON-5788**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



0 300 600 Feet

CASE: **ZON-5788**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5788 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST

** CONDITIONS **

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

Planning and Development

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

2. Approval of Variance (VAR-5952), Title 18 Waiver (WVR-5790), and a Site Development Plan Review (SDR-5789) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southeast corner of Torrey Pines Drive and Ann Road.

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

5. Construct all incomplete half-street improvements on Mustang Street and Torrey Pines Drive, including a median island that restricts access to Torrey Pines Drive to right-in/right-out only, adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

6. Landscape and maintain all unimproved right-of-way adjacent to this site concurrent with development.

7. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

DA/SS

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units per Acre) on 4.87 acres adjacent to the southeast corner of Ann Road and Torrey Pines Drive.

B) Applicant's Justification

The applicant justifies this application by stating that the proposed rezoning is consistent with the overall plan of the area. There are also similar developments in the area.

BACKGROUND INFORMATION

A) Previous Actions

There are no recent zoning actions on the subject property.

12/15/04 The City Council approved a request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from R-E (Rural Estates) to R (Rural Density Residential) on approximately 6.7 acres (GPA-5172), a Rezoning (ZON-5174) from U (Undeveloped) [R (Rural Density Residential) and RE (Rural Estates) General Plan designations] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 10.65 acres, a Waiver of Title 18.12.160 (WVR-5331) to allow a 182-foot separation between intersections where a minimum of 220 feet is required, and a Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road. The Planning Commission recommended approval of all items. Staff recommended denial on all applications.

02/10/05 The Planning Commission will hear related items VAR-5952, WVR-5790 and SDR-5789 as part of this agenda.

SS

B) Pre-Application Meeting

12/03/04 A pre-application meeting was held and staff made the following recommendations:

1. Right-of-way will need to be dedicated on Ann Road and Torrey Pines. Also a flood study will need to be done.
2. All off-site half-street improvements, including Mustang will need to be installed. A turn lane along Ann Road may be needed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	4.87 acres
Net Acres:	3.37 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential)
East:	R (Rural Density Residential)
West:	R (Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Rural Estates Residential – Clark County Designation) R-PD3 (Residential Planned Development – 3 Units Per Acre)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified R (Rural Density Residential) land use category. The property is zoned R-E (Residence Estates). The proposed development of 15 single-family lots on 4.87 acres, which generates a density of development of 3.1 dwelling units per acre, is permitted within the R land use category but not in the present zoning.

SS

Therefore, the applicant is requesting approval of an application for Rezoning to R-PD3 (Residential Planned Development – 3 Units per Acre) that would permit up to 3.49 dwelling units per acre.

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

No special districts, plans, zones or trails are associated with the subject site.

ANALYSIS

A) General Analysis and Discussion

The proposed Rezoning to R-PD3 (Residential Planned Development – 3 Units per Acre) will allow for a proposed 15-lot single-family residential subdivision on the subject site. The proposed gross density of 3.1 dwelling units per acre conforms to the density range required by the R (Rural Density Residential) General Plan designation, which allows up to 3.59 units per acre. The average size of lots within the development is approximately 8,500 square feet, which is comparable to lots recently approved in the single-family development on the north side of Ann Road. Other existing lots surrounding the subject area are half-acre or larger in size. Access to the site is from Torrey Pines Drive. A Waiver of Title 18 for minimum distance separation with regard to this entrance and the intersection of Ann Road and Torrey Pines Drive will be heard concurrently with this application and is supported by staff.

FINDINGS

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

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

   The proposed Rezoning request to R-PD3 (Residential Planned Development – 3 Units per Acre) conforms to the existing R (Rural Density Residential) General Plan designation for this area.

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 area surrounding the subject property consists of primarily half-acre rural residential lots, with some smaller lots on the north side of Ann Road. The proposed single-family uses, though slightly higher in density, will be compatible with these surrounding R-E (Residence Estates) and R-PD3 (Residential Planned Development – 3 Units per Acre) zoning districts.

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

   The proposed rezoning will allow for development of an infill parcel that is only appropriate for single-family residential uses.

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

   Torrey Pines Drive, classified as an 80-foot Secondary Collector on the Master Plan of Streets and Highways, will provide access to the property and will be adequate in size to handle traffic generated by the proposed single-family development. The single-entry point will also serve to keep traffic off of nearby local streets.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 160 – Mailed with VAR-5952, WVR-5790 and SDR-5789

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5788 APN: 125-35-501-001

Name of Property Owner: CKLO Cox

Name of Applicant: Gaughan Richardson Dev

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

____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: CKLO C Cox JR.

Subscribed and sworn before me

This 30th day of November, 2004

Cindy Nevin

Notary Public in and for said County and State

CINDY NEVIN
Notary Public State of Nevada
No. 04-90084-1
My appt. exp. June 22, 2008

Revised 2/12/02 f:\depot\Application Packet\Statement of Financial Interest.doc

RECEIVED
DEC 14 2004

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5788 APN: 125-35-501-001

Name of Property Owner: Orlo E. Cox

Name of Applicant: William Richardson, Gaughan Richardson Dev.

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

_____ Yes ___X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: ORLO E COX JR

Subscribed and sworn before me

This 16th day of Dec, 20 04

[signature]
Notary Public in and for said County and State
County of Clark
State of Nevada

RECEIVED
DEC 16 2004

CAROL K. SCHLICHER
Notary Public, State of Nevada
Appointment No. 92-0471
My Appt. Expires May 5, 2008

ANN & TORREY PINES
EXHIBIT

JPL ENGINEERING INC.
8620 S. EASTERN STE #8
LAS VEGAS NV. 89123

NOT TO SCALE

TORREY PINES DR.

ANN ROAD

MUSTANG ST.

1	8,479 sq. ft. 0.19 acres
2	7,965 sq. ft. 0.18 acres
3	7,726 sq. ft. 0.18 acres
4	8,368 sq. ft. 0.19 acres
5	8,496 sq. ft. 0.20 acres
6	8,493 sq. ft. 0.19 acres
7	8,495 sq. ft. 0.20 acres
8	8,502 sq. ft. 0.20 acres
9	8,340 sq. ft. 0.19 acres
10	8,339 sq. ft. 0.19 acres
11	8,339 sq. ft. 0.19 acres
12	8,337 sq. ft. 0.19 acres
13	8,339 sq. ft. 0.19 acres
14	8,338 sq. ft. 0.19 acres
15	8,340 sq. ft. 0.19 acres

10' Landscape Buffer

PROPERTY LINE

S81°13'52"E 559.42'

N00°01'32"E

APN: 125-35-501-003
ZONING: R-E
JUDITH V. ABERCROMBIE
REX G. EBING III
5321 N. TORREY PINES DR.
LAS VEGAS, NV. 89130-1909

APN: 125-35-501-004
ZONING: R-E
RICHARD REBUS
5500 MUSTANG ST.
LAS VEGAS, NV. 89130-1903

VAR-5952
ZON-5788
WVR-5790
SDR-5789
02-10-05 PC REVISED 02-02-05

RECEIVED
FEB 2 2005



ZON-5788 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST
SOUTHEAST CORNER OF ANN ROAD AND TORREY PINES DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



ZON-5788 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST
SOUTHEAST CORNER OF ANN ROAD AND TORREY PINES DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

8620 S. Eastern Ave., Suite 8
Las Vegas, NV 89123

December 7, 2004

Clark County Department of Development Services
Current Planning Division
500 S. Grand Central Parkway
Las Vegas, NV 89155-1841

RE: Zone Change from R-E to R-PD3 of (3.73 acres +/-) located at the northwest corner of Ann Road and Torrey Pines Dr. (APN 125-35-501-001)

The intent of this letter is to request a conforming zone change for the above referenced site. The proposed development is 15-lot subdivision located at the northwest corner of Ann Rd. and Torrey Pines Dr. The request is inconsistent with current R-E to RPD3 zoning which allows 3.5 units per acre density.

The conforming Zone Change is consistent with the overall plan of the area. The average lot save is approximately 8300 sq-ft. There are like type developments with similar lot site (R1) to the (east, north, west, and south).

The site will conform to all landscaping requirements and will provide approximately 10,700 square foot of open space amenities and landscape buffer around the perimeter of the site. Lots only are proposed at this time but it is anticipated that in the future homes in this development are anticipated to be 1 and 2 story custom homes 2000 to 4000 square feet with landscaped front yards and stucco and rock facade finishes.

We sincerely hope that these requests will be reviewed and considered. Please contact me at 898-6269 if you have any questions or concerns.

Respectfully,

James P. Lopez, P.E.
President
JPL Engineering, Inc.

JPL/JJL

RECEIVED
DEC 14 2004

City of Las Vegas

Agenda Item No.: 38

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

WVR-5790 - WAIVER RELATED TO VAR-5952 AND ZON-5788 - PUBLIC HEARING - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 190 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED IN CONJUNCTION WITH A PROPOSED 15-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.87 acres adjacent to the southeast corner of Ann Road and Torrey Pines Drive (APN 125-35-501-001), Ward 6 (Mack).

C.C. 03/16/05

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

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

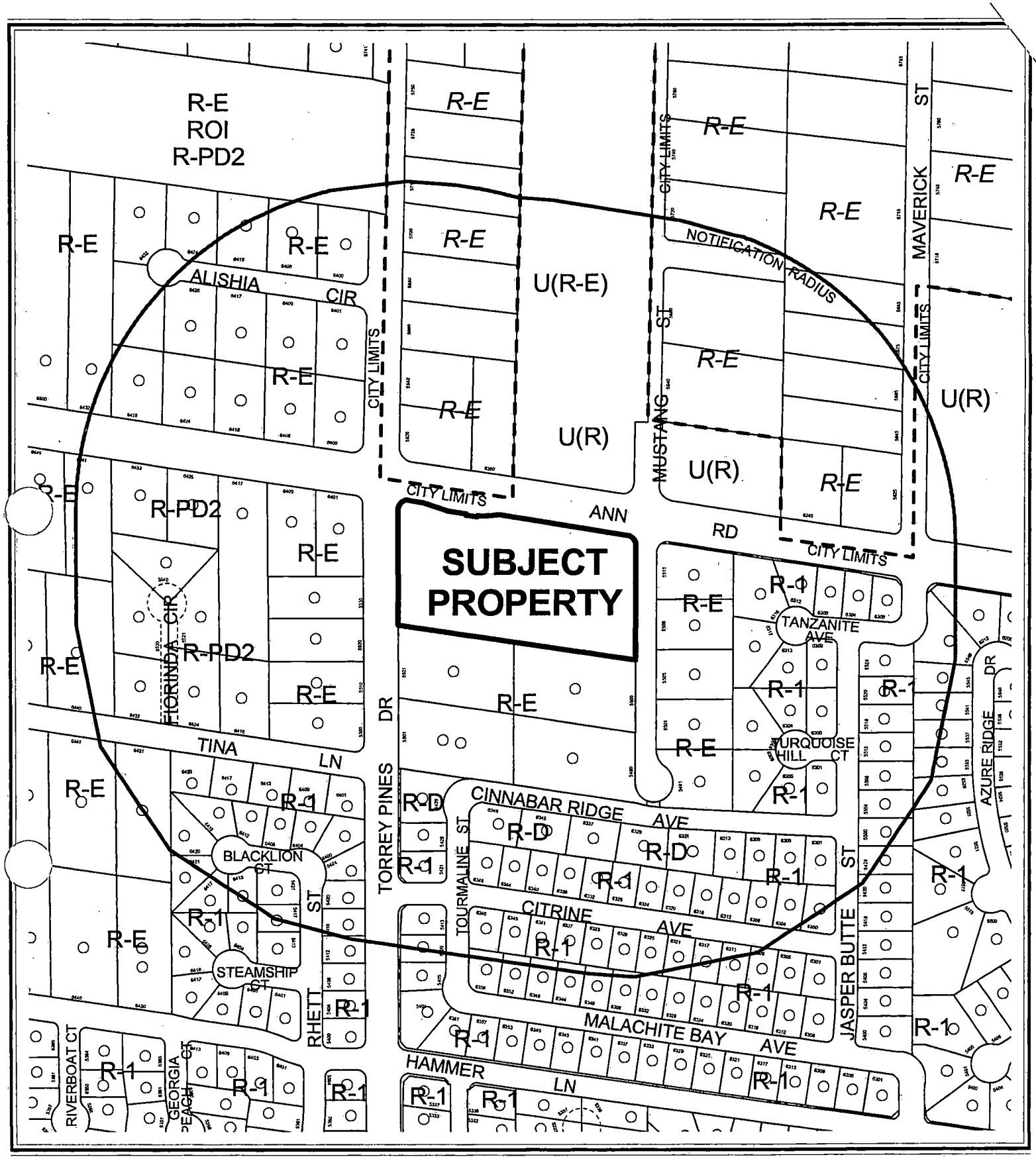
MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)



0 300 600 Feet

CASE: **WVR-5790**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-5790 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-5952), Rezoning (ZON-5788), and Site Development Plan Review (SDR-5789).

2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Waiver of Title 18.12.160 to allow approximately 196 feet between street intersections where 220 feet is the minimum distance separation required in conjunction with a proposed 15-lot single-family residential development on 4.87 acres adjacent to the southeast corner of Ann Road and Torrey Pines Drive.

B) Applicant's Justification

The applicant's justification pertained to a proposed access from Mustang Street, which had a 190-foot separation from Ann Road. The applicant claimed that no adverse impacts to adjacent properties would result from approval of the waiver, since Mustang Street is built out and existing development along this street is minimal. The site plan has since been revised so that the entrance to the development is on Torrey Pines Drive. The applicant offered no justification for the waiver of intersection separation distance requirements still necessary

BACKGROUND INFORMATION

A) Previous Actions

There are no recent zoning actions on the subject property.

12/15/04 The City Council approved a request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from R-E (Rural Estates) to R (Rural Density Residential) on approximately 6.7 acres (GPA-5172), a Rezoning (ZON-5174) from U (Undeveloped) [R (Rural Density Residential) and RE (Rural Estates) General Plan designations] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 10.65 acres, a Waiver of Title 18.12.160 (WVR-5331) to allow a 182-foot separation between intersections where a minimum of 220 feet is required, and a Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road. The Planning Commission recommended approval of all items. Staff recommended denial on all applications.

02/10/05 The Planning Commission will hear related items ZON-5788, VAR-5952 and SDR-5789 as part of this agenda.

B) Pre-Application Meeting

12/03/04 A Pre-application meeting was held and staff made the following recommendations:

1. Right-of-way will need to be dedicated on Ann Road and Torrey Pines. Also a flood study will need to be done.
2. All off-site half-street improvements, including Mustang will need to be installed. A turn lane along Ann Road may be needed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	4.87 acres
Net Acres:	3.73 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential)
East:	R (Rural Density Residential)
West:	R (Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Rural Estates Residential – Clark County Designation) R-PD3 (Residential Planned Development – 3 Units Per Acre)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified R (Rural Density Residential) land use category. The property is zoned R-E (Residence Estates). The proposed development of 15 single-family lots on 4.87 acres, which generates a density of development of 3.1 dwelling units per acre, is permitted within the R land use category but not in the present zoning. Therefore, the applicant is requesting approval of an application for Rezoning to R-PD3 (Residential Planned Development – 3 Units per Acre) that would permit up to 3.49 dwelling units per acre. This Title 18 Waiver request is not directly affected by General Plan policies.

ANALYSIS

A) General Analysis and Discussion

This report seeks to waive the requirements of the Subdivision Code with regard to the minimum distance required between the intersections of streets providing internal access to subdivisions with other streets of 60 feet or more in width. This requirement, found in Title 18.12.160, prescribes this minimum distance as 220 feet.

Specifically, Title 18.12.160 states:

"Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet."

The applicant originally submitted a plan showing access to the development from Mustang Street, with a centerline-to-centerline intersection separation of 190 feet. A revised plan was subsequently submitted changing the access to Torrey Pines Drive. Reconfiguration of the access point to the residential development from either end to Ann Road would not be possible without substantially compromising the concept and design of the project. Access from Torrey Pines Drive is preferable to Mustang Street, since traffic will be diverted from local residential streets. However, the Department of Public Works has indicated that a median would be required in Torrey Pines Drive, which would not allow for left turns into the development. The requested reduction represents a relatively minor 11% reduction in the minimum standard.

FINDINGS

If a median in Torrey Pines Drive is required as a condition of approval of the rezoning for the proposed residential development, no left turns into the development will be possible. Otherwise, the hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 160 – Mailed with VAR-5952, ZON-5788 and SDR-5789

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **WVR-5790** APN: 125-35-501-001

Name of Property Owner: Orlo E. Cox

Name of Applicant: William Richardson, Gaughan Richardson Dev. LLC

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: William J Richardson

Subscribed and sworn before me

This 13TH day of DECEMBER, 2004

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

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEBRA A. TROUGH
Appt. No. 95-1171-1
My Appt. Expires Oct 28, 2008

Revised 12-03-04

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-5790 APN: 125-35-501-001

Name of Property Owner: Orlo E. Cox

Name of Applicant: William Richardson, Gaughan Richardson Dev.

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: _____

Print Name: ORLO E Cox JR

Subscribed and sworn before me

This 16th day of Dec, 2004

Carol K Schilcher

Notary Public in and for said County and State

County of Clark

State of Nevada

RECEIVED

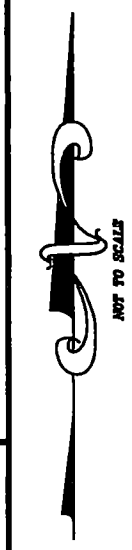
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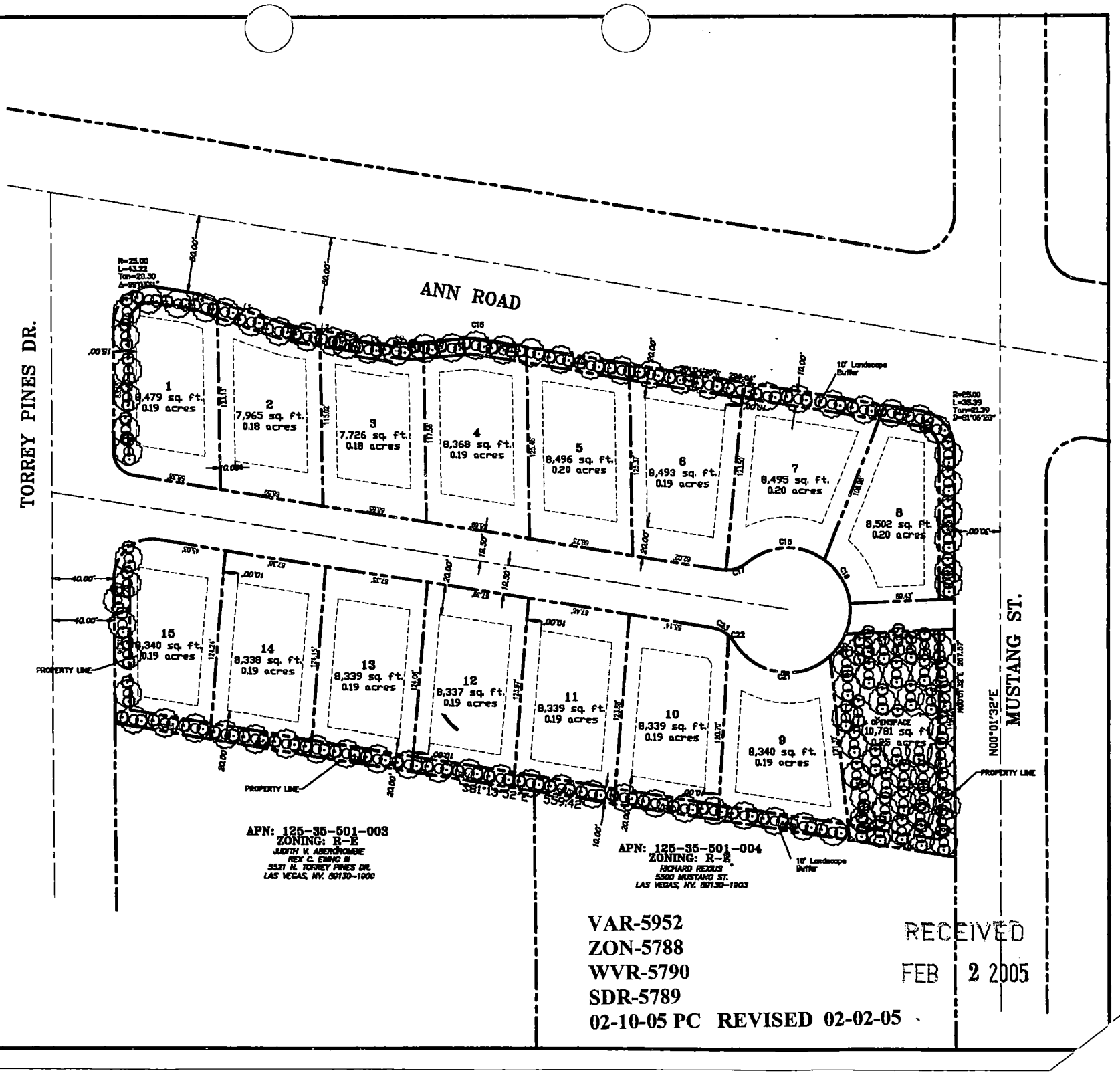
Revised 12-03-04

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CAROL K. SCHILCHER
Notary Public, State of Nevada
Appointment No. 9229471
My Appt. Expires May 22, 2008

ANN & TORREY PINES
EXHIBIT





JPL ENGINEERING INC.
8620 S. EASTERN STE #8
LAS VEGAS NV. 89123

VAR-5952
ZON-5788
WVR-5790
SDR-5789
02-10-05 PC REVISED 02-02-05

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WVR-5790 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST
SOUTHEAST CORNER OF ANN ROAD AND TORREY PINES DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



WVR-5790 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST
SOUTHEAST CORNER OF ANN ROAD AND TORREY PINES DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

JPL ENGINEERING INC
8620 S. Eastern, Suite 8
Las Vegas, NV 89123
Ph. (702) 898-6269 Fx. (702) 896-0647

December 14, 2004

Clark County Department of Development Services
Current Planning Division
500 S. Grand Central Parkway
Las Vegas, NV 89155-1841

Re: Waiver of Development Standards for 15-lot subdivision at the northwest corner of Ann Road and Torrey Pines Dr. (APN 125-35-501-001)

The purpose of this letter is to request a waiver of development standards for the proposed 15-lot subdivision located at the northwest corner of Ann Road and Torrey Pines Dr. The requested standards to be waived are: minimum distance separation between center line of Torrey Pines and the site drive entrance and for full off-sites on Mustang Street.

The minimum distance between center line of Torrey Pines to the site entrance drive is 220-feet. The proposed site plan has distance separation is 190-feet.

We are requesting that the standards of providing full off-site improvements for Mustang Street be waived. As an alternative, street improvements will be made in accordance to non-urban standard guidelines for Mustang Street. Non-urban standards for Mustang Estates for this development are in conformance to adjacent parcels and to similar developments in this area.

Mustang is a minor local street servicing fully built out residential property. There are 7 lots currently being accessed on Mustang. These lots are fully developed and no future development is anticipated. Mustang also terminates in a cul-de-sac and all indications are that this will remain this way in perpetuity. The waiver request is similar to those that have been granted in the general area and is consistent with existing improvements on Mustang Street. There will be no adverse impacts to adjacent properties as a result of the waiver of standards and all other standards will be met as required. Because of the minimal existing development on Mustang and because Mustang is currently in full "future built out" condition we feel as this waiver is justifiable and consistent with the land usage in the area.

We sincerely hope that these requests for a waiver of development standards be reviewed and considered. Please feel free to contact me at 702.898.6269, Monday thru Friday, 8 a.m. to 5 p.m., if you have any questions or comments.

Respectfully,

James P. Lopez, P.E.
President
JPL Engineering, Inc.

JPL/JJL

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DEC 14 2004

City of Las Vegas

Agenda Item No.: 39

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

SDR-5789 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5952, ZON-5788 AND WVR-5788 - PUBLIC HEARING - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED 15-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.87 acres adjacent to the southeast corner of Ann Road and Torrey Pines Drive (APN 125-35-501-001), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone], Ward 6 (Mack).

C.C. 03/16/05

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

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

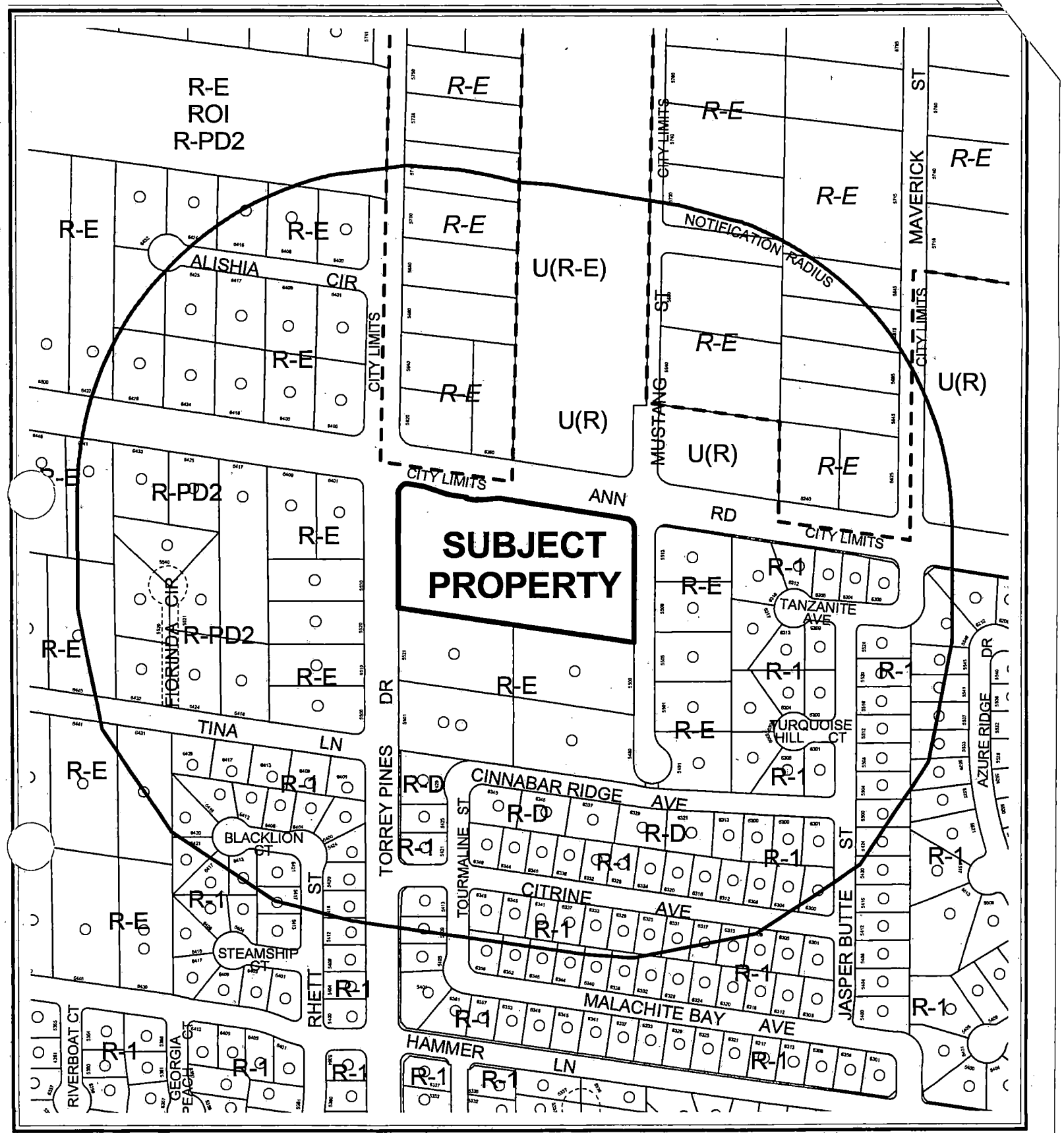
MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)


R-E
ROI
R-PD2
R-E
R-E
R-E

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5789 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST

** CONDITIONS **

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

Planning and Development

1. A Variance (VAR-5952) to allow an R-PD zoning district on less than five acres, a Rezoning (ZON-5788) to a R-PD3 (Residential Planned Development - 3 Units per Acre) Zoning District, and a Waiver of Title 18 (WVR-5790) approved by the City Council.

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

3. All development shall be in conformance with the site plan and building elevations date stamped 02/02/05, except as amended by conditions herein.

4. All homes within the development shall be single-story homes.

5. The elevations shall be submitted and approved by Planning and Development Department staff prior to the time application is made for a building permit.

6. The setbacks for this development shall be a minimum of 20 feet to the front of the house and face of garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 10 feet on the side, 15 feet on the corner side, and 20 feet in the rear.

7. The 6-foot landscaped strip located on the perimeter of the development must be placed within a common lot element that will be maintained by a homeowners' association.

8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit.

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

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

11. 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.

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

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

Public Works

14. The proposed 39-foot street shall be private and may not be gated as currently configured.

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

16. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

17. Site development to comply with all applicable conditions of approval for ZON-5788 and all other site-related actions.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Site Development Plan Review for a proposed 15-lot single family residential subdivision on 4.87 acres located adjacent to the southeast corner of Torrey Pines Road and Ann Road.

B) Applicant's Justification

This is a proposed 15 lot subdivision that will conform to the proposed zone change from R-E to R-PD3 that would allow up to 3.49 dwelling units to the acre. Lots sizes will be approximately 8,300 square feet, which conforms to similar developments that are found to the south, northwest and east. The subdivision will conform to title 19 standards for landscaping and buffering with a 6 foot perimeter landscaping buffer and approximately 10,700 square feet of open space. All homes within the subdivision will be a one-story home that will have landscaped front yards and stucco and rock façade finishes.

BACKGROUND INFORMATION

A) Previous Actions

There are no recent zoning actions on the subject property.

12/15/04 The City Council approved a request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from R-E (Rural Estates) to R (Rural Density Residential) on approximately 6.7 acres (GPA-5172), a Rezoning (ZON-5174) from U (Undeveloped) [R (Rural Density Residential) and RE (Rural Estates) General Plan designations] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 10.65 acres, a Waiver of Title 18.12.160 (WVR-5331) to allow a 182-foot separation between intersections where a minimum of 220 feet is required, and a Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road. The Planning Commission recommended approval of all items. Staff recommended denial on all applications.

02/10/05 The Planning Commission will hear related items ZON-5788, VAR-5952 and WVR-5790 as part of this agenda.

DA

B) Pre-Application Meeting

12/03/04 A Pre-application meeting was held and staff made the following recommendations:

1. Right-of-way will need to be dedicated on Ann Road and Torrey Pines. Also a flood study will need to be done.
2. All off-site half-street improvements, including Mustang will need to be installed. A turn lane along Ann Road may be needed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	4.87 acres
Net Acres:	3.73 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential)
East:	R (Rural Density Residential)
West:	R (Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Rural Estates Residential – Clark County Designation) R-PD3 (Residential Planned Development – 3 Units Per Acre)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified R (Rural Density Residential) land use category. The property is zoned R-E (Residence Estates). The proposed development of 15 single family lots on 4.87 acres, which generates a density of development of 3.1 dwelling units per

acre, is permitted within the Rural land use category but not in the present zoning. Therefore, the applicant is requesting approval of an application for Rezoning to R-PD3 (Residential Planned Development – 3 Units per Acre) that would permit up to 3.49 dwelling units per acre.

PROJECT DESCRIPTION

The proposed project is a 15-unit single family residential subdivision on 4.87 acres located adjacent to the southeast corner of Ann Rd and Torrey Pines Road. The subject site will be accessed from Torrey Pines Road, which is a Secondary 80-foot Collector Street as defined and depicted in the Master Plan of Streets and Highways.

The proposed subdivision will consist of lots ranging from approximately 7,965 to 8,500 square feet, which results in a density of 3.1 units per acre. Based on R-PD standards such a density would require 10,500 square feet of open space to be supplied for the purpose of public use or enjoyment. The supplied site plan indicates 10,781 square feet of open space that will be placed on the interior of the project on the east end of the development adjacent to Mustang Street

There were no proposed elevations or floor plans submitted with this development. It will be required that all homes within the development are to be single story.

The proposed landscaping meets the requirements of Title 19.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, Development Standards for an R-PD (Residential Planned Development) zoning district are established at the time of Site Development Plan Review. The applicant is proposing the following development standards:

Standards	Proposed
Min. Lot Size	7,700 sq feet
Min. Lot Width	50 Feet
Min. Setbacks	
• Front	20 Feet
• Side	10 Feet
• Corner	15 Feet
• Rear	20 Feet
Max. Building Height	1 Story / 35 Feet

DA

The proposed lot sizes, setbacks and building height are appropriate for a residential project of this nature.

A3) Parking and Traffic Standards

The applicant is requesting a waiver (WVR-5790) to title 18.12.160 to allow an approximately 195 foot separation of intersection on Torrey Pines Road from Ann Road. Public Works is requiring that a median be installed in Torrey Pines to provide a left turn lane and also that access to the subject site be limited to right-in and right-out only.

A4) Landscape and Open Space Standards

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

Standards	**Required**		**Provided**
	Ratio	Trees	
Buffer: • Min. Trees	1 Tree/30 Linear Feet	26 Trees	42 Trees
• Min. Zone Width (Torrey Pines Rd. and Ann Rd.)	6 Feet 6 Feet		6 feet
• Wall height			

The proposed landscaping meets the requirements set forth by Title 19.12.

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

Total Acreage	Density	**Required**			**Provided**	
		Ratio	Percent	Area	Percent	Area
4.87 acres	3.1	1.65	4.95%	10,500 SF	5.08 %	10,781 SF

The proposed development does meet the open space requirements for Title 19.

B) General Analysis and Discussion

- Zoning

The R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning will allow densities up to 3.49 dwelling units per acre. The proposed site plan is depicting an overall density of 3.1 dwelling units per acre, which is consistent with the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) Zoning.

- Site Plan

  The proposed development consists of 15 single family residential lots on 3.37 acres. The access for the development will be off of Torrey Pines Rd. with a right-in and right-out only access.

- Waivers

  The applicant is applying for a waiver to title 18.12.160 to allow an approximately 196 foot separation between street intersections where 220 feet is the minimum distance required.

- Landscape Plan

  The landscaping plan for this project is showing a 6 foot wide landscaped area around the perimeter of the project. The landscaped area is currently being shown as being placed on individual properties rather than in a common element. This landscaping should be placed into a common lot rather then being placed on individual lots. The landscape strip does show 1 tree being place every 20 feet on center along the north property line adjacent to Ann Road, and along the east property line adjacent to Mustang Street, and along the south property line adjacent to the abutting property owners.

- Elevation

  No elevations were provided at this time from the applicant. The homes will be required to be 1 story.

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 15-lot single family residential development is located adjacent to other single family residential properties on all sides. The project will tie into the surrounding community with its proposed open space and increased landscaping.

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 subject site is designated R-E (Residence Estate). The companion rezoning (ZON-5788) will rezone the site to R-PD3 (Residential Planned Development – 3 Dwelling Units Per Acre). The proposed site plan does conform to all Title 19 requirements and design standards.

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

The proposed entrance off of Torrey Pines Road, a Secondary 80-foot collector street, will have to be a right-in and right-out only with a median being installed on Torrey Pines Road. This access may impact the traffic flow through this neighborhood and adjoining neighborhoods. This entrance may have a negative impact to Torrey Pines Road and Ann Road

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

The proposed street and landscaping design as well as the proposed residences will provide an aesthetically appropriate environment throughout the site. The proposed open space is internal to the site and provides compliance with the code requirements.

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

No building elevations or floor plans were submitted at this time. The exterior material of the homes will be stucco and stone, which is aesthetically harmonious with this area and will be compatible.

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 15

NOTICES MAILED 160 – Mailed with VAR-5952, ZON-5788 and WVR-5790

APPROVALS 0

PROTESTS 0

DA

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5789 APN: 125-35-501-001

Name of Property Owner: _____

Name of Applicant: _____

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

_____Yes _____X_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: William J Richardson

Subscribed and sworn before me

This 13th day of DECEMBER 2004

_____

Notary Public in and for said ~~County and State~~

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEBRA A. TROUGH
Appt. No. 95-1171-1
My Appt. Expires Oct 26, 2006

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DEC 14 2004

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5789 APN: 125-35-501-001

Name of Property Owner: Orlo E. Cox

Name of Applicant: William Richardson, Gaughan Richardson Dev.

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_____ 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: _____

Print Name: ORLO E COX JR

RECEIVED

DEC 16 2004

Subscribed and sworn before me

This 16th day of Dec, 2004

_____

Notary Public in and for said County and State

County of Clark

State of Nevada

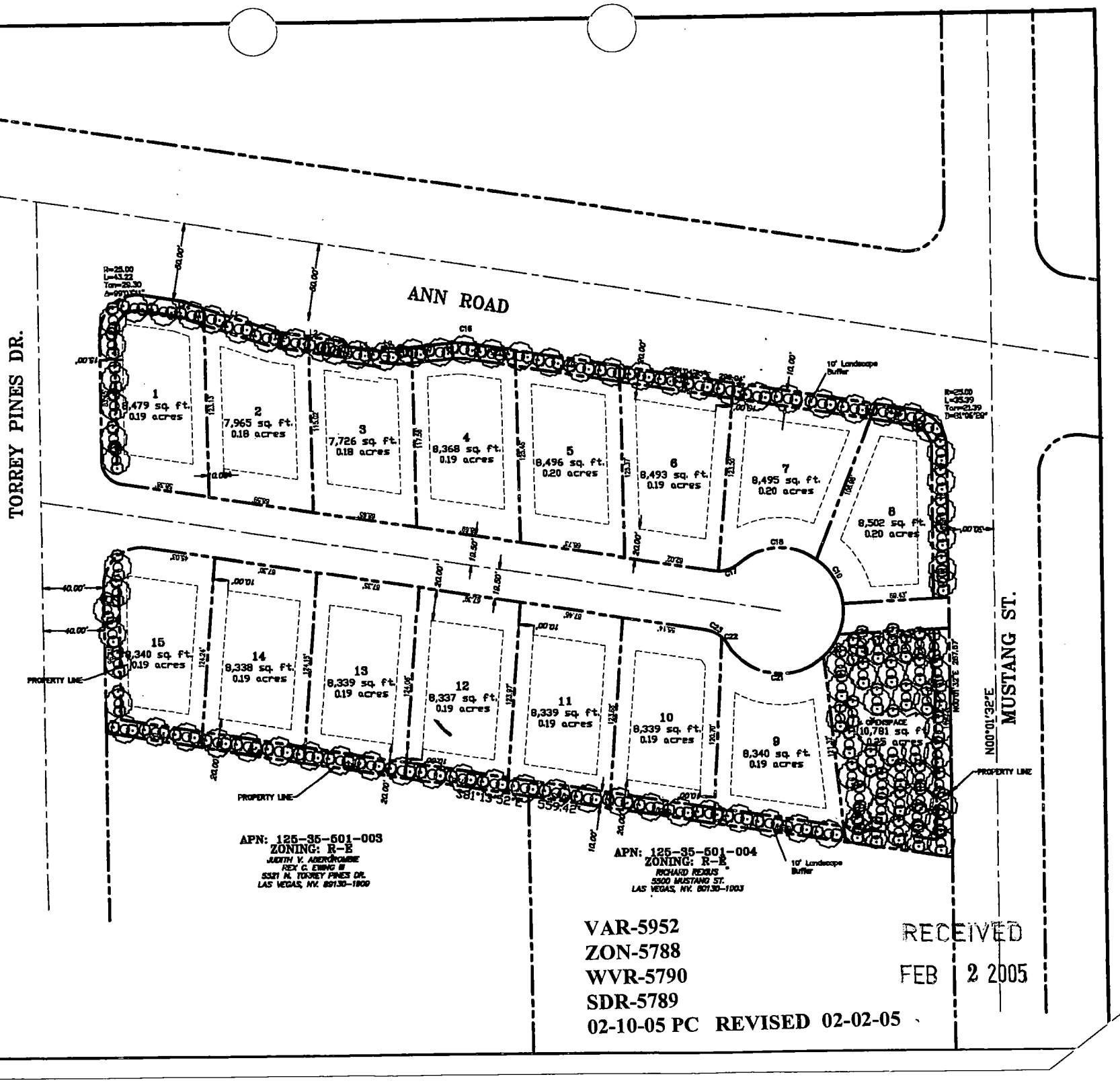
CAROL K. SCHILCHER
Notary Public, State of Nevada
Appointment No. 9229471
My Appt. Expires May 22, 2008

Revised 12-03-04

ANN & TORREY PINES

EXHIBIT





VAR-5952
ZON-5788
WVR-5790
SDR-5789
02-10-05 PC REVISED 02-02-05

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FEB 2 2005

JPL ENGINEERING INC.
8620 S. EASTERN STE #8
LAS VEGAS NV. 89123



SDR-5789 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST
SOUTHEAST CORNER OF ANN ROAD AND TORREY PINES DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SDR-5789 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST
SOUTHEAST CORNER OF ANN ROAD AND TORREY PINES DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

8620 S. Eastern Ave., Suite 8
Las Vegas, NV 89123

December 7, 2004

Current Planning Division
City of Las Vegas
731 south 4th Street
Las Vegas, NV 89101

RE: Site Development Plan for parcel (3.73 acres +/-) located at the northwest corner of Ann Road and Torrey Pines Dr. (APN 125-35-501-001)

The intent of this letter is to request a site Development Review for the above referenced site. The proposed development is a 15-lot subdivision located at the northwest corner of Ann Rd. and Torrey Pines Dr. The request is in conjunction with a zone change from R-E to R-PD3 to both of which designates 3.5 units per acre density. Lots sizes are approximately 8300 sq-feet and there are similar type developments (R1) to the south northwest and east. The site will conform to all landscaping requirements including 6-foot landscaping buffer around the perimeter and approximately 10,700 sq-ft of open space.

Lots only are being developed at this time but it is anticipated that the future typical homes in this development are anticipated to be 1 and 2 story homes 2000 to 4000 square feet with landscaped front yards and stucco and rock façade finishes.

We sincerely hope that these requests will be reviewed and considered. Please contact me at 898-6269 if you have any questions or concerns.

Respectfully,

James P. Lopez, P.E.
President
JPL Engineering, Inc.

RECEIVED
DEC 14 2004

JPL/JJL

City of Las Vegas

Agenda Item No.: 40

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
ZON-5849 - REZONING - PUBLIC HEARING - APPLICANT/ OWNER: BRADLEY VILLAS, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE-FAMILY RESIDENTIAL) on 4.77 acres adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard (APN 125-24-701-005), Ward 6 (Mack).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends APPROVAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Opposition with 92 signatures from Sam Hobbs

MOTION:
TRUESDELL – APPROVED subject to conditions and adding the following conditions:
- ***The project shall be limited to a single story product.***
- ***The project shall not exceed 16 lots.***

– Motion carried with GOYNES voting NO

To be heard by City Council 3/16/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open on Item 40 [ZON-5850] and Item 41 [WVR-5850].

GARY LEOBOLD, Planning and Development Department, gave a brief overview of the applications. The project conforms to the General Plan. A waiver is requested for a 175-foot separation distance where a minimum of 220 feet is required. Staff finds the hardship justifiable due to the restrictions resulting from the narrow end of the site.

MINUTES – Continued:

Although a Site Plan is not required for R-1, the applicant did submit one. Staff suggested that lots 9 and 10 on that plan might not be the required 65-feet in width and advised the applicant to assure that width or a Variance would be required to allow the design to proceed.

BILL CROCKETT, Alpha Engineering, 3131 Mead Avenue, appeared on behalf of the applicant and concurred with all staff conditions. He agreed with MR. LEOBOLD'S assessment of lots 9 and 10 and indicated the applicant would have to return with a Waiver application for the width.

SAM HOBBS, President of the Meister Park Homeowners Association, represented the majority of the 250 people in the association who oppose this application. It is a high-density development that is not compatible with the area and property values will suffer. Privacy will be affected if there are two-story products or if two-story additions are allowed in the future. Horse property in the area creates potential for conflict between new and established residents. Two new developments have been built in the area already and one is under construction. There are two more developments planned and MR. HOBBS was happy to say those developers have met with the homeowners association to avoid problems and conflict. He noted the developer of this application has not had any contact with the association at all.

DAVID BREWER, 5316 Rome Boulevard, MORRY BEAL, 5216 Elm Hill Court, AL DIXON, 5216 Primrose Flower Avenue and CHARLES HENRY, 6713 Cypress Park Court, voiced concerns over the density and future neighbor complaints regarding the horse properties. All would like single-story requirements and higher walls to protect privacy.

MR. CROCKETT said the developer would continue the existing trail and landscaping along Bradley Road. The development density is under four lots per acre and staff indicated the project could go up to eight units per acre. MR. CROCKETT could not confirm if the project would be two-story products.

COMMISSIONER McSWAIN asked about the side setback at the end of the bulb to the east. MR. CROCKETT explained the 10-foot side yard setback with the drainage channel would create approximately 15-foot setbacks. She confirmed with staff that the request is for R-1 and the surrounding area is R-1, except for one lot to the south. Also, unless there was a problem with the width on lots 9 and 10, a Site Plan would not be required at a public meeting. COMMISSIONER McSWAIN stated the zoning request is compatible with the area but she might not be able to support a variance for a more narrow lot.

MINUTES – Continued:

COMMISSIONER GOYNES confirmed with MR. CROCKETT that the developer did not have a neighborhood meeting. The Commissioner suggested that would have been a good idea. The area should remain R-E. The project would be jammed in an area of horse properties.

VICE CHAIRMAN TRUESDELL stated the neighbors live in R-1 lots and this is as close to conforming in the intent of the Code. He was not sure if he could support the two narrow lots on the east side of the property. He confirmed that homes in the DR Horton subdivision on Elm Hill were single story. He could support the zoning if limited to 16, single-story lots.

COMMISSIONER EVANS confirmed with DEPUTY CITY ATTORNEY BRYAN SCOTT that the Commission did have the authority to place that type of restriction on a development.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 40 [ZON-5850] and Item 41 [WVR-5850].

(9:29 – 9:49)

CONDITIONS:

Planning and Development

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

2. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

3. Approval of and conformance to the Conditions of Approval of WVR-5850.

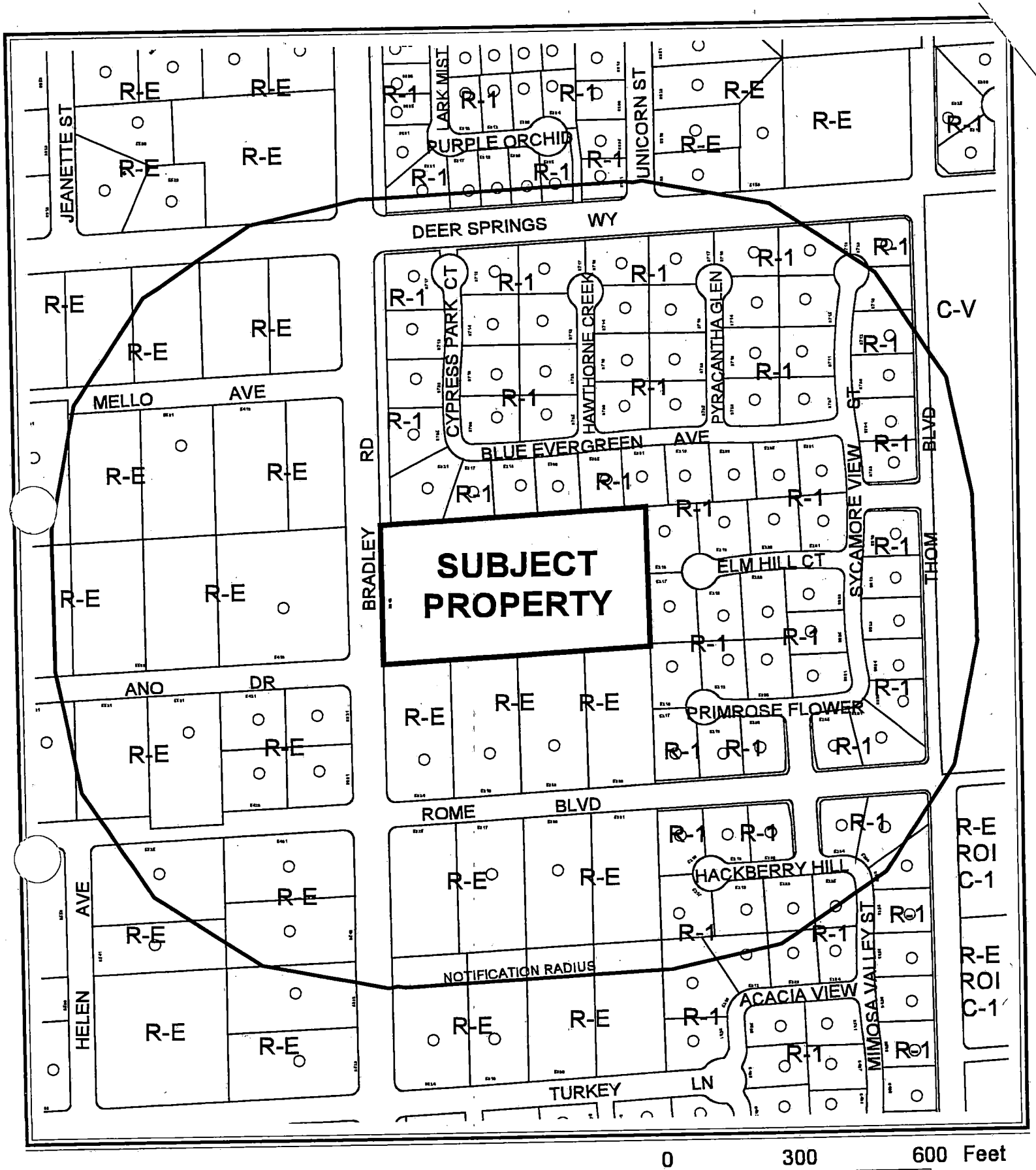
Public Works

4. Construct half-street improvements on Bradley Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

CONDITIONS – Continued:

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

6. The approval of all Public Works related improvements shown on the submitted plan is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that a non-standard cul-de-sac length is proposed on the site plan.



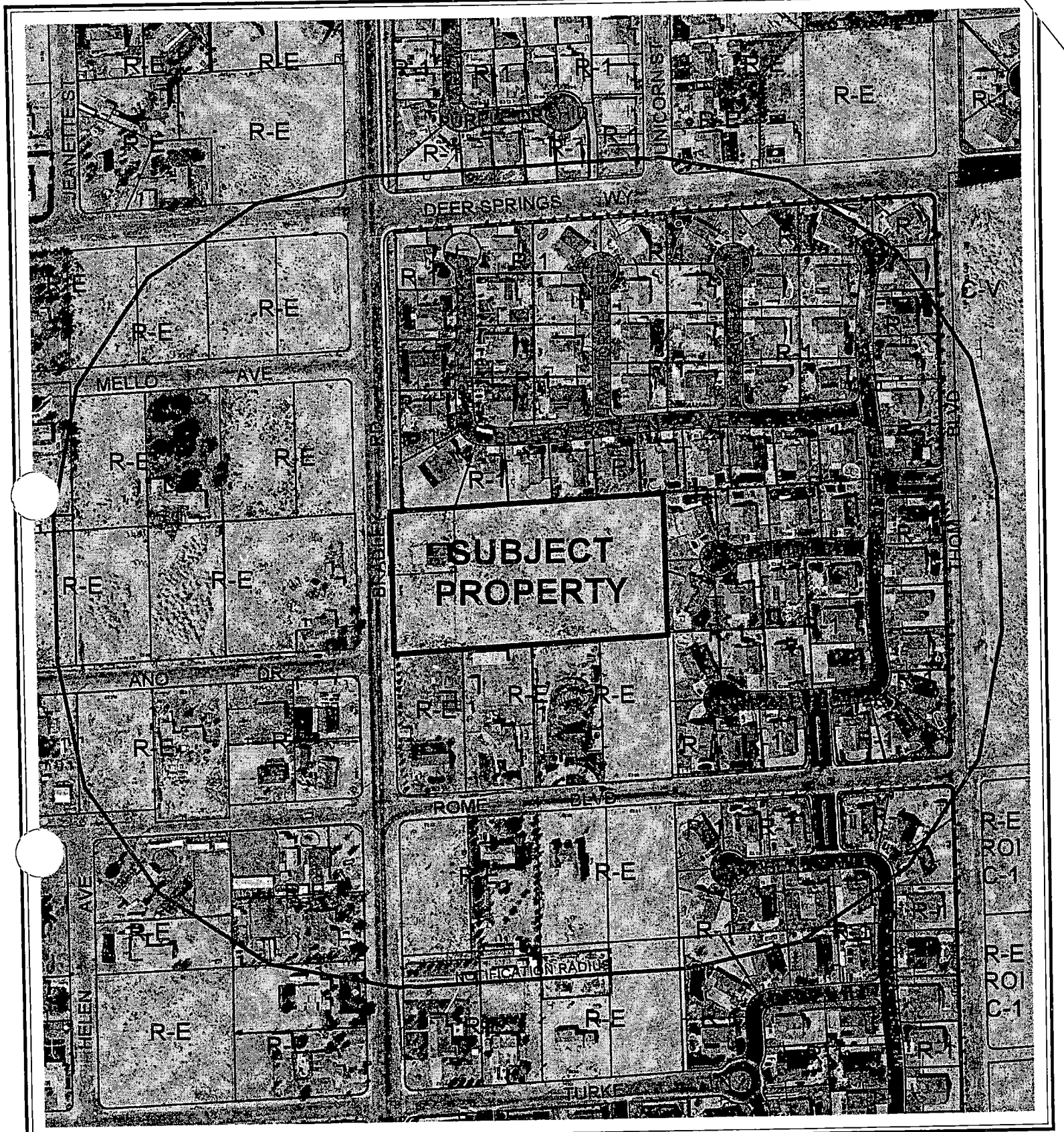
CASE: **ZON-5849**

RADIUS: 750 FT

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

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

N



0 300 600 Feet

CASE: **ZON-5849**

RADIUS: 750 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5849 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC

** CONDITIONS **

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

Planning and Development

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

2. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

3. Approval of and conformance to the Conditions of Approval of WVR-5850.

Public Works

4. Construct half-street improvements on Bradley Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

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

BTS

6. The approval of all Public Works related improvements shown on the submitted plan is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that a non-standard cul-de-sac length is proposed on the site plan.

BTS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residential) on 4.77 acres adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard.

B) Applicant's Justification

The applicant states that the proposed project is compatible with the existing development.

BACKGROUND INFORMATION

A) Previous Actions

02/10/05 The Planning Commission shall consider a companion Waiver (WVR-5850) of Title 18.12.160 to allow approximately 175 feet between intersections where 220 feet is the minimum distance separation required.

B) Pre-Application Meeting

01/27/05 The following items were discussed at the pre-application meeting:

- A Title 18.12.160 waiver is required.
- Average lot size is less than existing homes to the north and east.
- R-1 zoning may have compatibility issues with neighboring R-E zoning.
- Public Works comments include traffic signal impact fee, drainage study, trails, and cross sections.

C) Neighborhood Meetings

No neighborhood meeting was required nor conducted with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.77 acres

BTS

B) Existing Land Use

Subject Property:	Single Family Dwelling
North:	Single Family Development
South:	Single Family Dwelling/Undeveloped
East:	Single Family Development
West:	Single Family Dwelling

C) Planned Land Use

Subject Property:	ML (Medium-Low Residential)
North:	ML (Medium-Low Residential)
South:	ML (Medium-Low Residential)
East:	ML (Medium-Low Residential)
West:	L (Low Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-1 (Single Family Residential)
South:	R-E (Residence Estates)
East:	R-1 (Single Family Residential)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject property is designated ML (Medium-Low Residential) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Map of the General Plan. This category permits single-family dwellings and related uses up to a maximum density of 8.0 units per gross acre. The proposed rezoning to R-1 (Single Family Residential) would permit a maximum density of 5.5 units per gross acre, in conformance with the General Plan.

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

TRAIL
A 30-foot Multi-Use Equestrian Trail is required on the east side of Bradley Road, which is indicated on Exhibit 3 of the Recreation Trails Element in the Las Vegas 2020 Master Plan.

BTS

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 S.F.	7,755 S.F.	Y
Min. Lot Width	65 Feet	65.06 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 5 Feet 15 Feet 5 Feet	 20 Feet 5 Feet 15 Feet 15 Feet	 Y Y Y Y
Max. Lot Coverage	50 %	*	*
Max. Building Height	2 Stories / 35 Feet	1 Story / 28 Feet	Y

* The applicant meets the development standards for R-1 (Single Family Residential) development standards. Although the applicant has not provided a footprint for the proposed homes, 50% lot coverage is the maximum allowed in an R-1 (Single Family Residential) zone.

B) General Analysis and Discussion

The proposed development includes 18-lots on 4.77 aces. The resulting density is 3.77 units per acre. The site is accessed from Bradley Road, a Secondary Collector (80-foot) street as indicated in the Master Plan of Streets and Highways. The internal lots are accessed from a 37-foot public street.

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 subject property is designated ML (Medium Low Residential) on the Centennial Hills Land Use Plan of the General Plan. This category permits single-family dwellings and related uses up to a maximum density of 8.0 units per gross acre. The proposed rezoning to R-1 (Single Family Residential) would permit a maximum density of 5.5 units per gross acre and therefore is in conformance with 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 proposed single-family development on this site is similar in density to other residential development in this area. The proposed R-1 (Single Family Residential) zoning will be compatible with surrounding land uses and zoning districts

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

   The proposed R-1 (Single Family Residential) zoning on the subject site is an appropriate transition from the R-E (Residence Estates) zoning to the south and west of the site. The site is also bordered by R-1 (Single Family Residential) zoning to the north and east of the proposed site.

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

   Access to the property is adequate and provided by Bradley Road, a Primary Collector (80-foot) street.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 123 – Mailed with WVR-5850

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5849 APN: 125-24-701-005

Name of Property Owner: BRADLEY VILLAS LLC

Name of Applicant: BRADLEY VILLAS LLC

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Lior Gamliel

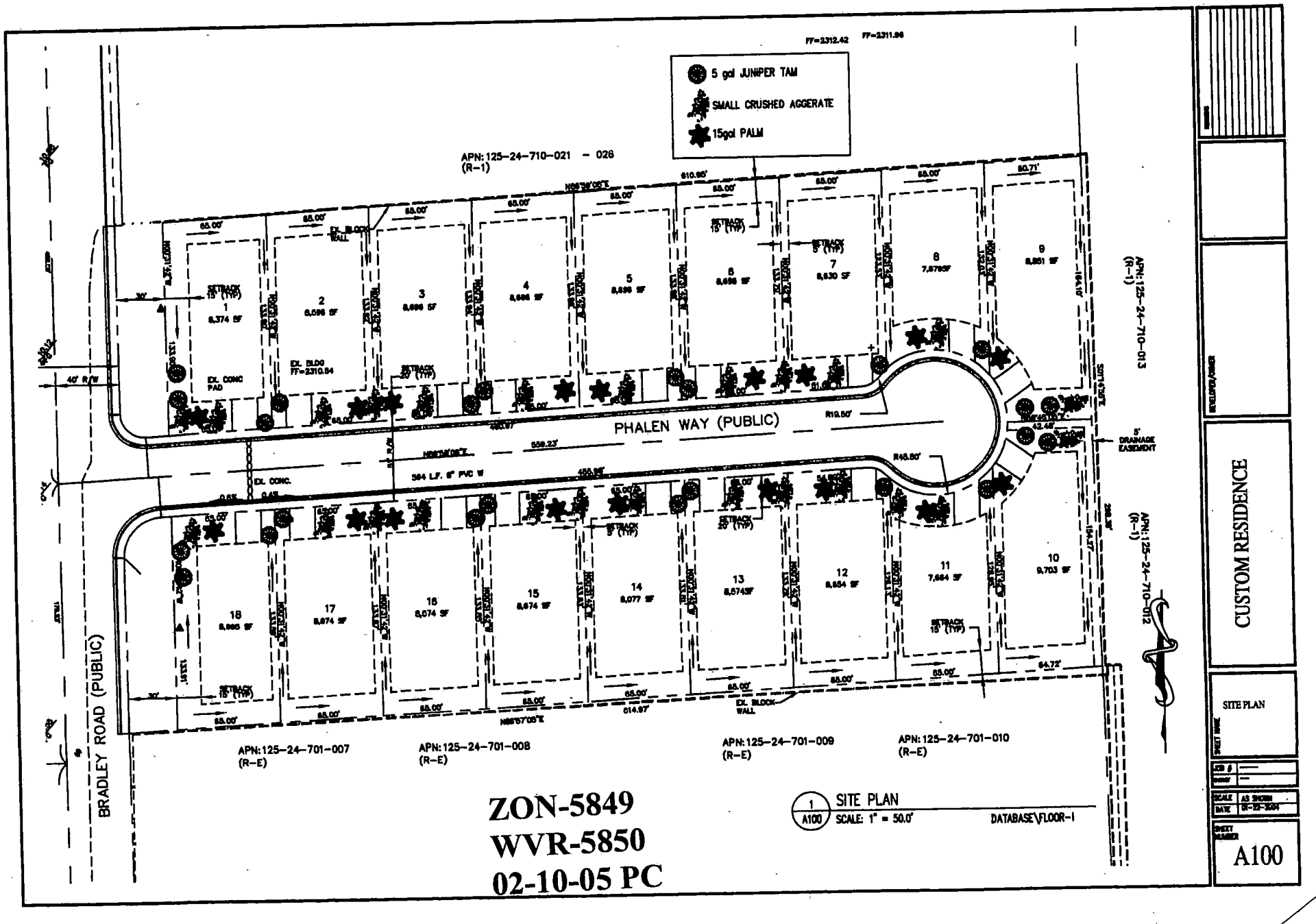
Print Name: Lior Gamliel

Subscribed and sworn before me

This 21 day of Nov, 2004

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JAY A. SCHENA
No: 99-51352-1
My Appointment Expires Jan. 25, 2007



ZON-5849
WVR-5850
02-10-05 PC

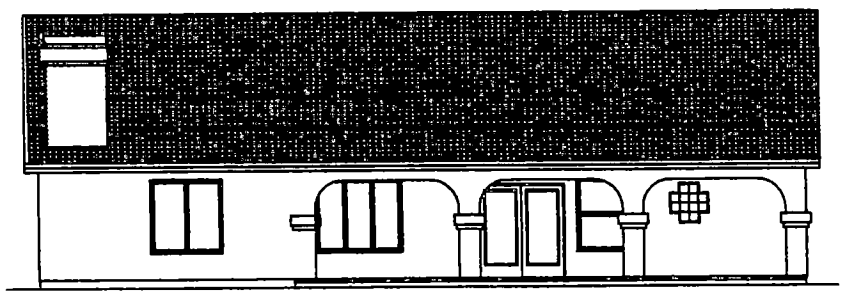
CUSTOM RESIDENCE

SITE PLAN

A100



FRONT ELEVATION



REAR ELEVATION

ZON-5849
WVR-5850
02-10-05 PC

DEVELOPER/OWNER

CUSTOM RESIDENCE

SHEET NAME: ELEVATIONS

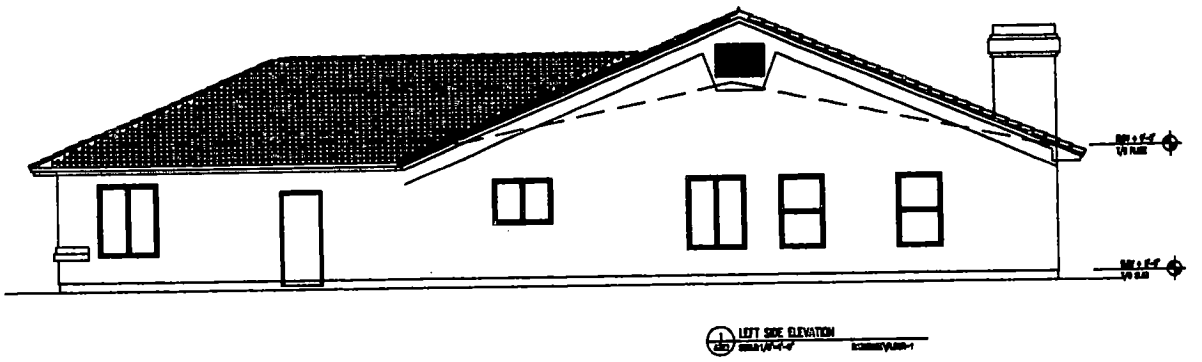
JOB #

DRAWN

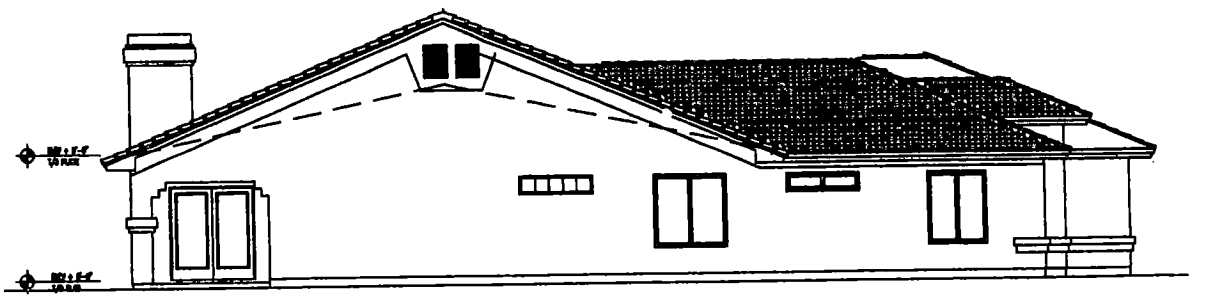
SCALE: AS SHOWN

DATE: 01-22-2004

SHEET NUMBER: A300



LEFT SIDE ELEVATION



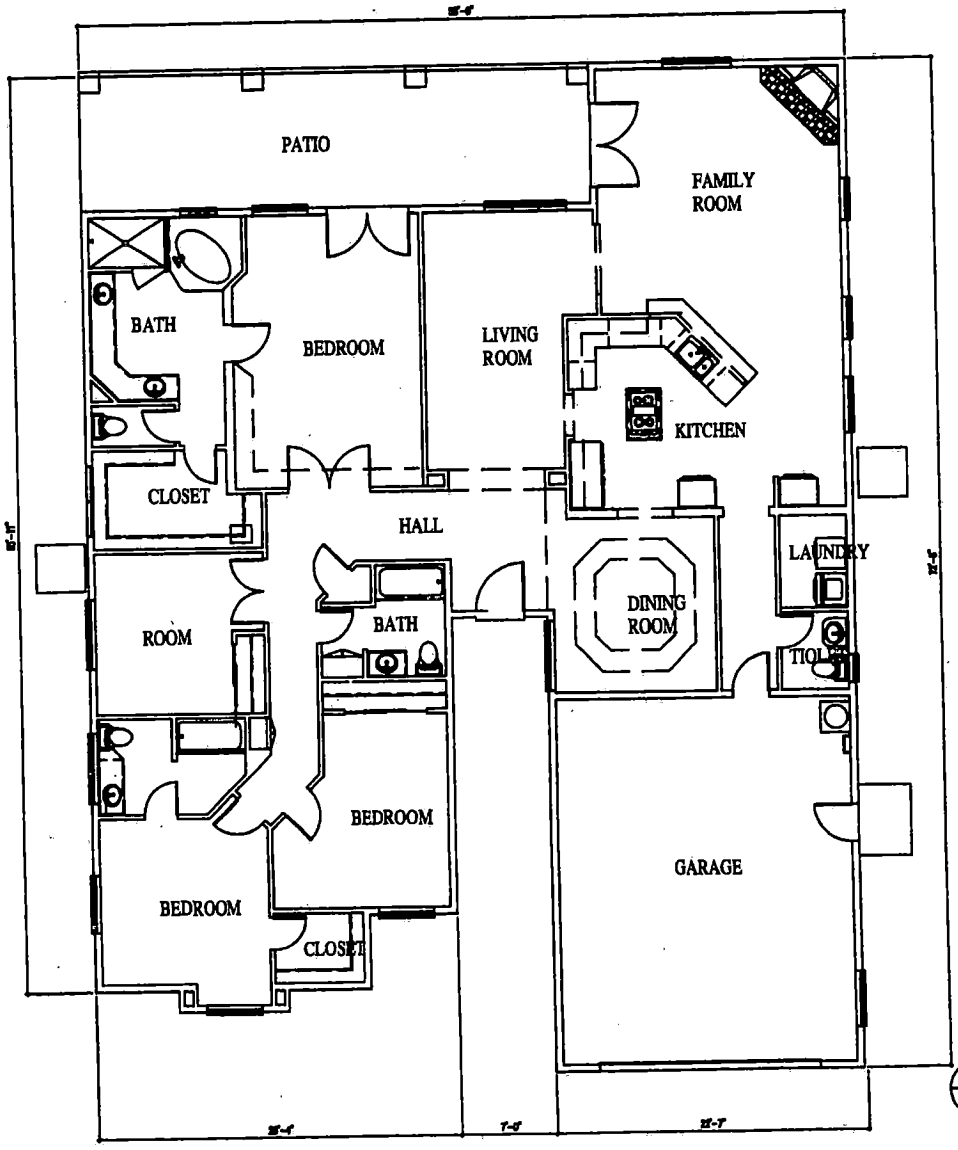
RIGHT SIDE ELEVATION

ZON-5849
WVR-5850
02-10-05 PC

CUSTOM RESIDENCE

ELEVATIONS

A310



ZON-5849
WVR-5850
02-10-05 PC

1 / A100 FLOOR PLAN 2,651 SQ.FT.
SCALE: 1/4" = 1'-0" DATABASE\FLOOR-1

CUSTOM RESIDENCE

SHEET NAME: FLOOR PLAN

JOB #

SCALE: AS SHOWN
DATE: 01-22-2004

SHEET NUMBER: A200

OWNER/DEVELOPER

BRADLEY VILLAS, LLC
4485 S. BUFFALO, STE. 2
LAS VEGAS, NV 89147

REFERENCE INFORMATION

ZONING: R-E (EXISTING)
ZONING: R-1 (PROPOSED)

ESTIMATED SEWAGE CONTRIBUTION

GPD AVERAGE 4,050 GPD
GPD PEAK 15,750 GPD

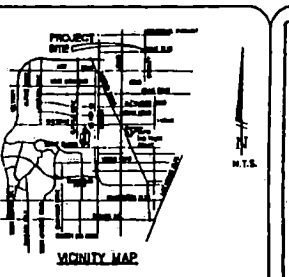
PARKING

2/UNIT + 1 GUEST/6 REQUIRED = 38 REQUIRED
2 GARAGE 2 DRIVEWAY 4 X18 = 72 PROVIDED

SITE PLAN
FOR
FOR "BRADLEY VILLAS"
A RESIDENTIAL SUBDIVISION
A PORTION OF THE NORTH HALF (N 1/2)
OF THE SOUTHEAST QUARTER (SE 1/4)
OF SECTION 24, TOWNSHIP 19 SOUTH,
RANGE 60 EAST, CLARK COUNTY, NEVADA

- MINIMUM LOT SIZE – 7,884SF
- AVERAGE LOT SIZE – 8,780 SF
- GROSS AREA = 4.77 ACRES MORE OR LESS
- NET AREA = 3.57 ACRES MORE OR LESS
- 3.56 LOTS PER ACRE

CURVE TABLE				
CURVE	LENGTH	RADIUS	TANGENT	DELTA
C1	84.22	15.00	15.67	92°30'11"
C2	12.20	14.50	6.48	48°11'23"
C3	219.48	43.50	40.78	276°22'46"
C4	12.20	14.50	6.48	48°11'23"
C5	30.18	25.00	23.93	69°09'19"



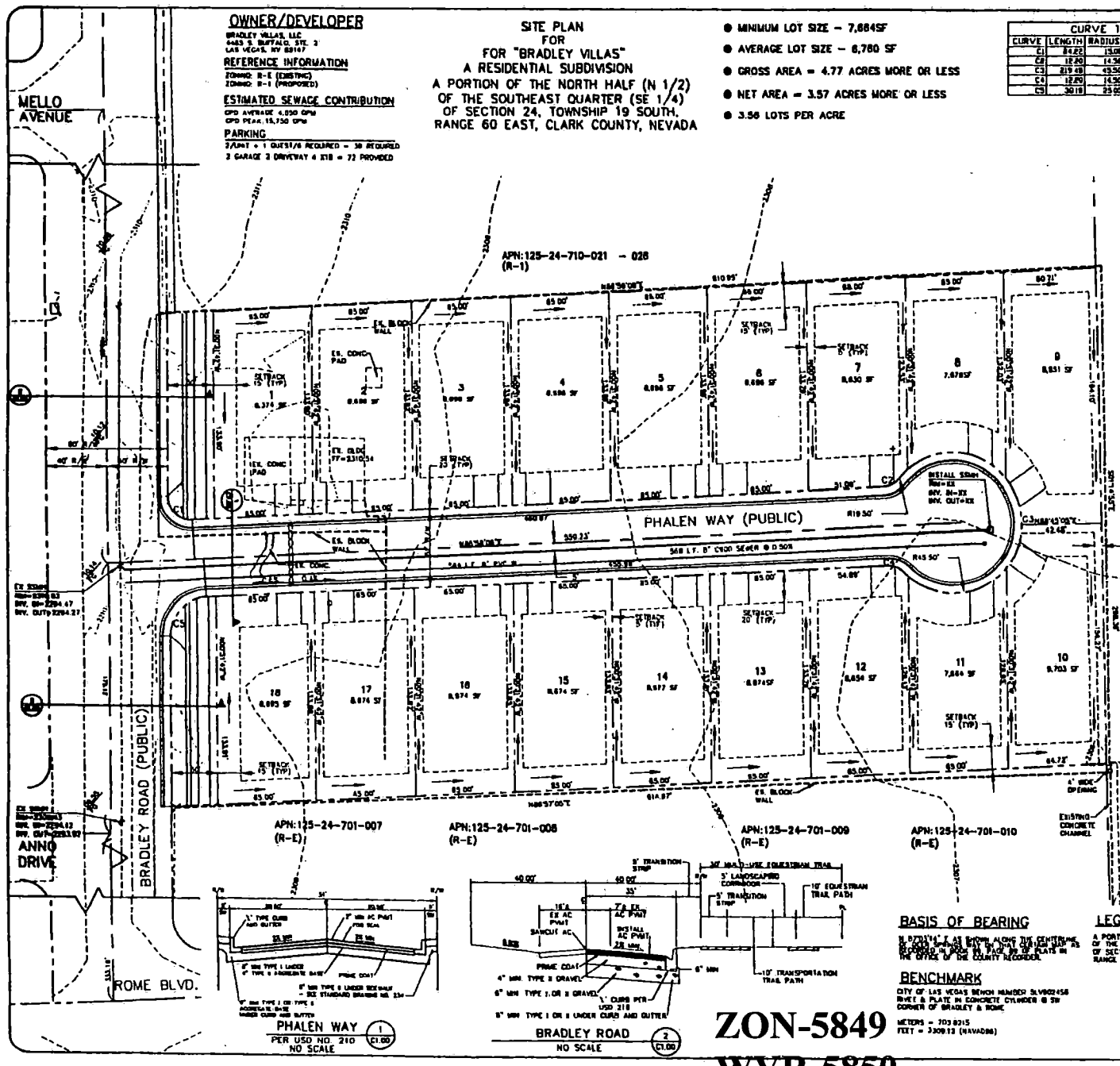
VICINITY MAP

GENERAL NOTES

1. ALL IMPROVEMENTS SHALL CONFORM TO THE CITY OF LAS VEGAS STANDARDS AND SPECIFICATIONS.
2. UTILITIES.

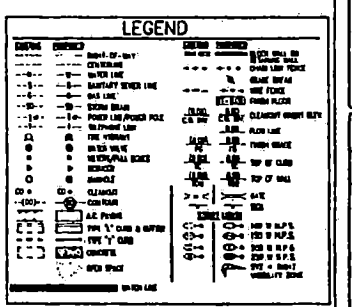
WATER	LAS VEGAS VALLEY WATER DISTRICT
SEWER	CITY OF LAS VEGAS
POWER	NEVADA POWER COMPANY
TELEPHONE	SPRINT
GAS	SOUTHERN NEVADA GAS CORPORATION
CATV	TIME CABLE
SOLID WASTE DISPOSAL	REPUBLIC SERVICES

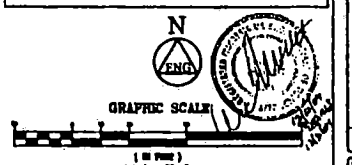
3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES.
4. MINIMUM BUILDING SETBACKS (R-1)
   FRONT 20'
   SIDE 5'
   REAR 15'
   CORNER 10'
   STRUCTURES 2 STORY MAXIMUM/35' TALL MAXIMUM
5. THIS DEVELOPMENT IS SHOWN IN ITS ENTIRETY AND IS NOT PART OF ANY MASTER PLAN
6. FIRM PANEL 32003C1785 DATED: SEPTEMBER 27, 2002. ENTIRE AREA WITHIN FIVA ZONE "X"
7. NO PROTECTIVE COVENANTS OR DEED RESTRICTIONS ARE PLANNED
8. THERE ARE NO KNOWN FAULTS OR FISSURES ON THE SITE.
9. GROUND WATER IS LOCATED AT A DEPTH GREATER THAN 300-FEET.



PHALEN WAY (1 / C1.00)
PER USD NO. 210
NO SCALE

BRADLEY ROAD (2 / C1.00)
NO SCALE





BASIS OF BEARING

N 87°31'16" E AS SHOWN ALONG THE CENTERLINE OF CLOUD SPRINGS WAY ON THAT CERTAIN MAP AS RECORDED IN BOOK 98, PAGE 99 OF PLATS IN THE OFFICE OF THE COUNTY RECORDER.

BENCHMARK

CITY OF LAS VEGAS BENCH MARK(S) SLV602456
BRASS & PLATE IN CONCRETE CYLINDER @ SW CORNER OF BRADLEY & ROME
METERS = 703.8215
FEET = 2309.13 (NAVD88)

LEGAL DESCRIPTION

A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 60 EAST, CLARK COUNTY, NEVADA

Call before you Dig— 1-800-227-2600

Call before you OVERHEAD 1-702-393-6111

DELTA ENGINEERING ASSUMES NO RESPONSIBILITY FOR EXISTING UTILITY LOCATIONS AND ELEVATIONS. THE UTILITIES SHOWN ON THIS DRAWING HAVE BEEN PLOTTED FROM THE BEST AVAILABLE INFORMATION. IT IS, HOWEVER, THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION AND ELEVATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. CONTRACTOR TO FIELD VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO CONSTRUCTION. IF A CONFLICT EXISTS BETWEEN WHAT IS SHOWN ON THESE DRAWINGS AND WHAT EXISTS IN THE FIELD, THE CONTRACTOR IS TO NOTIFY THE ARCHITECT OR ENGINEER IMMEDIATELY.

ZON-5849
WVR-5850
02-10-05 PC

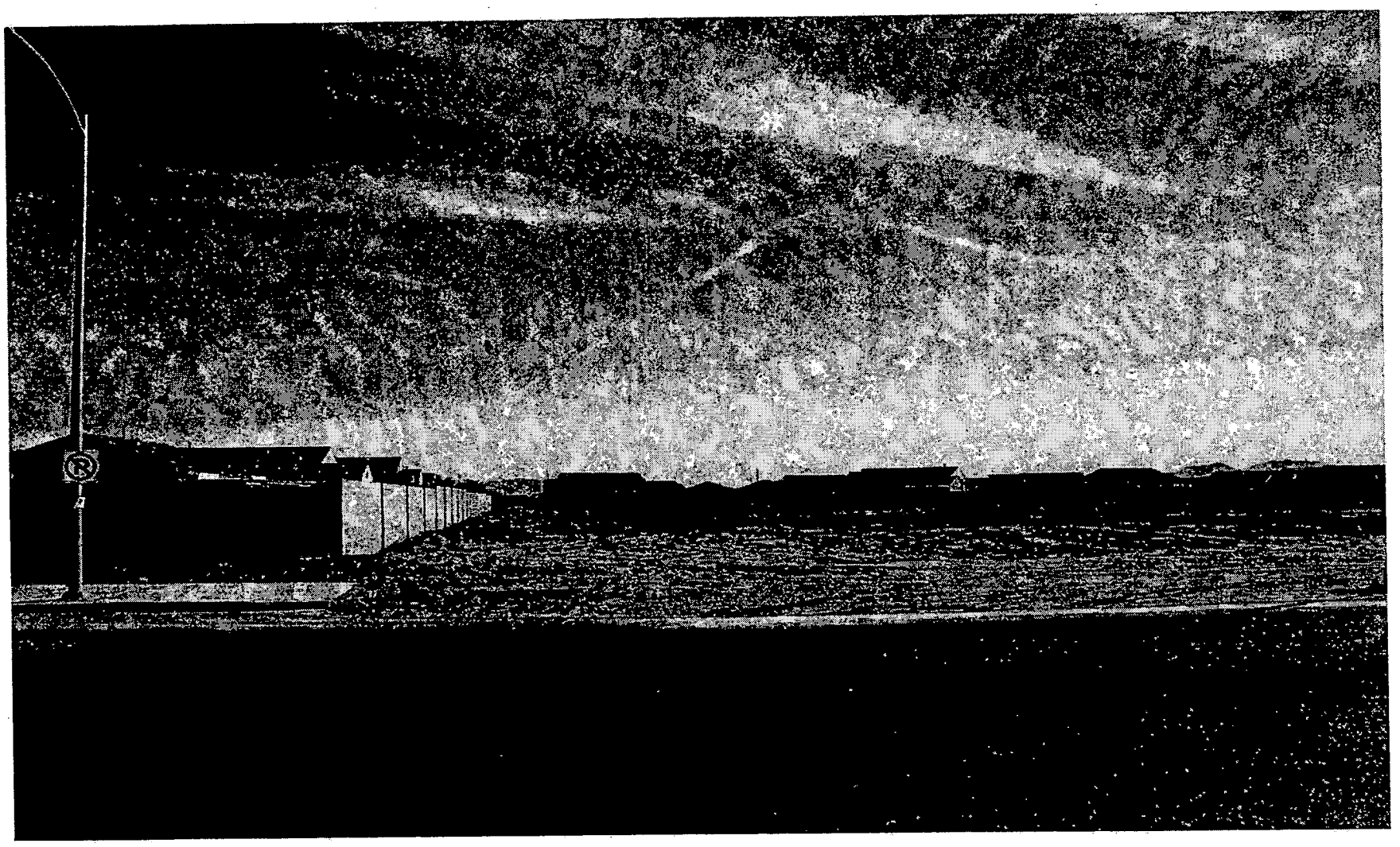
DELTA ENGINEERING
9121 WEST RUSSELL ROAD, SUITE 6
LAS VEGAS, NEVADA 89148
TEL (702) 304-0211
FAX (702) 304-0213
E-MAIL: MAIL@DELTALV.COM

BRADLEY VILLAS, LLC
4485 S. BUFFALO, STE.2
LAS VEGAS, NV 89147

APN:125-24-701-005

SITE PLAN

C1.00



ZON-5849 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC
EAST SIDE OF BRADLEY ROAD, BETWEEN DEER SPRINGS WAY AND ROME BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



ZON-5849 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC
EAST SIDE OF BRADLEY ROAD, BETWEEN DEER SPRINGS WAY AND ROME BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

DELTA ENGINEERING
Civil Engineering & Land Surveying Consultants

3131 Meade Avenue, Suite D
Las Vegas, Nevada 89102
Office: (702) 364-9777
Fax: (702) 364-9333
E-mail: EngrDelta@aol.com

December 10, 2004

City of Las Vegas Planning Department
Las Vegas, Nevada

Subject: APN 125-24-701-005 Justification for Rezoning

Gentlemen:

Per the requirements of the City of Las Vegas Department of Planning & Development, Title 19, the following justification letter is provided for Rezoning of A.P.N. 125-24-701-005 4.77+/- Acres from the existing Residential Estates District (RE) to R-1 Residential Single-Family District. The proposed planned project includes 18-single family residences.

The project is located on the east side of Bradley Road north of Rome Boulevard. R-1 Residential Single-Family District Residential Estates District is a 6,500-sf minimum lot residential zoning. The existing zoning to the north and east of the site is R-1 and south of the site is RE. The proposed project is compatible with the existing development. The project matches the surrounding development and the infrastructure is more than adequate for the proposed project.

If there are questions or you wish to discuss this further, please contact us.

Sincerely,

William S. Crockett, P. E.

ZON-5849

Sam Hobbs
6714 Cypress Park Ct
Las Vegas, NV 89131

February 10, 2005

City of Las Vegas Planning Commission

Re: ZON-5849 and WVR-5850

As a Board Member of the Meister Park North Homeowners Association, I represent approximately 250 individuals, the vast majority of whom are opposed to the approval of the proposed rezoning request (ZON-5849) of a tract of land adjacent to Meister Park North from Residential Estates (R-E) to Single Family Residential (R-1) and the associated waiver for minimum distance between intersections on Bradley Road (WVR-5850).

Bradley Villas, LLC (who is proposing the rezoning) has not, to our knowledge, directly communicated with the community regarding their plans other than the statutory communication made by the Planning Commission.

Our reasons for opposition are:

- When homeowners in Meister Park North (and in the surrounding community) purchased their property, they had a reasonable expectation that the existing zoning represented planning and goals for the area.
- The proposed re-zoning allows much smaller lot sizes and will likely reduce the property value for surrounding property.
- The smaller lot sizes will have an adverse affect on privacy for some residents in Meister Park North.
- Once such a re-zoning is approved, development of two story homes could be undertaken, further affecting privacy.
- The existing Residential Estate property (also adjacent to the subject area for the proposed rezoning) are well established and, in many cases, animals are kept on the estate property. A high-density single family residential development near those existing estates may well result in objections to legitimate established use of nearby properties.
- Bradley Road has two intersections between Deer Springs and Rome. Adding another intersection serving a relatively high-density dwelling area will contribute to congestion and represents a potential safety hazard.

Maintaining the current zoning will allow the continued orderly development of the neighborhood under existing Residential Estates zoning. Such development continues in the immediate neighborhood. Two new residences have been completed in the past year, another is under construction, and two more are planned, all in the immediate vicinity of the area proposed for rezoning.

A copy of the objection letter faxed to the Commission by the President of the Meister Park North Homeowners Association is also attached.

Petitions from part of the residents of Meister Park North opposed to the rezoning and waiver are attached.

Thank you for your consideration.

Sam Hobbs

Submitted at Planning Commission

Date 2/10/04 Item 40+41

FAX

From: Carol Healey
6501 Mimosa Valley St.
Las Vegas, NV 89131
Home 702 658-7046
FAX 702 658-7046

Date: February 7, 2005

To: Gary Leobold
Planning Commission
FAX 702 385-7268

Re: ZON-5849 &WVR-5850

Number of pages (including this page) _1_

Comments: As President of the "Meister Park North Homeowners Association" I represent approximately 280 homeowners. The majority of our homeowners are opposed to the following items that are on the Planning Commission agenda for February 10, 2005: WVR-5850 and ZON-5849

ZON-5849 - We are opposed to rezoning from Residence Estates (R-E) to Single-Family Residential (R-1) because our community is comprised of large, single story homes that are built on large lots. The rezoning could allow lower priced, smaller two story homes to be built that could invade the privacy and lower the value of a substantial number of homes in our community.

WVR-5850 - We are also opposed to the request for a waiver to reduce the minimum distance between intersections from 220 feet to 175 feet. This could pose a significant safety hazard on Bradley Road.

On behalf of the Meister Park North Homeowners Association, please do not approve these two items.

Petition to Oppose ZON-5849 to change zoning from R-E (Residential Estates) to R-1 (Single Family Residential) and the associated WVR-5850 to reduce allowed separation between intersections on Bradley.

Stephanie Brewer	5316 Rome Blvd.
	5309 Rome Blvd

Petition to Oppose ZON-5849 to change zoning from R-E (Residential Estates) to R-1 (Single Family Residential) and the associated WVR-5850 to reduce allowed separation between intersections on Bradley.

John & Donna Foreman	6501 Gazania St. 89131
Hugh + Pat Robinson	6496 GAZANIA ST 89131
Randy + Dana Hayward	6492 Gazania ST 89131
[illegible]	6485 GAZANIA ST 89131
Carrie Baker	6485 GAZANIA ST 89131
Lael K. Seifert	6489 Gazania St 89131
Walter W. Seifert	6489 GAZANIA ST. 89131
Shawn Sachs	5216 Acacia View 89131
Kerry F Kuhl	5208 ACACIA VIEW 89131
[illegible]	6501 Mimosa Valley 89131
[illegible]	" " " "
[illegible]	6493 MIMOSA VALLEY, 89131
Elena C. Salas	6488 MIMOSA VALLEY ST, 89131
Lois Brown	6508 MIMOSA VALLEY ST. 89131
Stephen Brown	6508 Mimosa Valley St 89131
William Wells	6512 Mimosa Valley St 89131
Charles Wells	5200 Hackberry Hill Ave 89131

Petition to Oppose ZON-5849 to change zoning from R-E (Residential Estates) to R-1 (Single Family Residential) and the associated WVR-5850 to reduce allowed separation between intersections on Bradley.

Thomas E Fleming	5204 Hackberry Hill Ave

TOTAL 17

Petition to Oppose ZON-5849 to change zoning from R-E (Residential Estates) to R-1 (Single Family Residential) and the associated WVR-5850 to reduce allowed separation between intersections on Bradley.

Kelly Krzmarzick	5217 Elm Hill Ct 89131
Shirnice Villano	5212 Elm Hill Ct 89131
Nichole Joshua	5213 Elm Hill Ct. 89131
HAROLD' CLEER	6609 SYCAMORE VIEW ST. 89131
ELAINE CLEER	6609 SYCAMORE VIEW ST 89131
LULA STURDIVANT	6605 SYCAMORE VIEW ST 89131
ART STURDIVANT	6605 SYCAMORE VIEW ST 89131
Teresa Jones	5208 PRIMROSE Flower
Sam Tenty	5208 PRIMROSE Flower
[illegible]	5212 Primrose flower
[illegible]	5212 Primrose Flower Ave
[illegible]	5216 Primrose Flower Ave
Alan & Dixie	5216 Primrose Flower ave
Jay Sten	5217 Primrose Flower Ave
Ed Cominford	5217 Primrose Flower Ave
Richard Campbell	5213 Primrose Flower Ave.
Lynnel Campbell	5213 Primrose Flower Ave.

Petition to Oppose ZON-5849 to change zoning from R-E (Residential Estates) to R-1 (Single Family Residential) and the associated WVR-5850 to reduce allowed separation between intersections on Bradley.

Nancy Kate	5213 Blue Evergreen Las Vegas NV 89131
[illegible]	5309 Blue Evergreen Las Vegas NV 89131
Heather d. Mollari	5313 Blue Evergreen LV 89131
Robert & Patricia Klapperich	5308 Rome Blvd
Linda M. DeBoer	6101 Sycamore View St

TOTAL
18

Petition to Oppose ZON-5849 to change zoning from R-E (Residential Estates) to R-1 (Single Family Residential) and the associated WVR-5850 to reduce allowed separation between intersections on Bradley.

Angela M Farris	5205 Primrose Flower Ave Las Vegas NV 89131
	5201 Primrose Flower Las Vegas NV 89131
	5201 Primrose Flower Ave Las Vegas, NV 89131
	6600 Sycamore View St LV 89131
Shirley Boland	6604 Sycamore View St LV 89131
Ralph L Boland	6604 Sycamore View St LV 89131
	6608 Sycamore View ST.
Keith Junior	6612 Sycamore View St
Beverly Junior	6612 Sycamore View St
Janet Beal	5216 Elm Hill Ct
Joe Beal	5216 Elm Hill Ct
	5217 Elm Hill Ct.
Donna Thornton	5201 Elm Hill Ct
	5201 Blue Evergreen Ave
	5201 Blue Evergreen Ave
	5205 Blue EVERGREEN
	5209 Blue Evergreen.

Petition to Oppose ZON-5849 to change zoning from R-E (Residential Estates) to R-1 (Single Family Residential) and the associated WVR-5850 to reduce allowed separation between intersections on Bradley.

Larry Horner	6708 Sycamore View
Tom MACK	6720 SYCAMORE VIEW
David Martson	6719 Sycamore Vieee
Jerry Anders Barnes	6715 Sycamore View St
Ark Elliott	6711 SYCAMORE VIEW. ST.
Jim Hall	6707 SYCAMORE VIEW ST
Ann Hall	6707 Sycamore View St.
[illegible]	6706 Pyracantha Glen
Albert H. Clapp	6710 PYRACANTHA GLEN CT.
Todd Curtis	6714 Pyracantha Glen Ct.
Jane Curtis	6714 Pyracantha Glen Ct.
Edyta Jankowski	6718 Pyracantha glen CT
Arlen FLORES	6717 PYRACANTHA GLEN CT.
Daniel Davis	6713 PYRACANTHA GLEN CT
Connie Davis	6713 Pyracantha Glen Ct.
ERIC KENO	6709 PYRACANTHA GLEN CT
Sam Hobbs	6714 Cypress Park Ct

Petition to Oppose ZON-5849 to change zoning from R-E (Residential Estates) to R-1 (Single Family Residential) and the associated WVR-5850 to reduce allowed separation between intersections on Bradley.

Joe Plante 5321 Blue Evrgr Ln VR89131	5321 Blue Evergreen
David Ratajczyk	5313 Blue Evergreen
Thomas Nicholson	5301 Blue Evergreen
	6714 Hawthorne Creek Ct.
Don Nowag	6705 Hawthorne Creek Ct
Troy Fischer	5213 Elm Hill Court
	5201 Elm Hill Ct
Donna Gillas	5309 Blue Evergreen Ave
	5213 Evergreen Ave.
Brenda Aldridge	6493 Yellow Bells Ct
Dorothy Baker	6492 Yellow Bells Ct.
	6705 Cypress Park Ct
	5209 BLUE EVERGREEN AVE.
Marie L. Nicholson.	5301 BLUE EVERGREEN AVE
Georgette Jones	5305 Blue Evergreen ave.
Chandler M. Jones	5301 Blue Evergreen Ave.

City of Las Vegas

Agenda Item No.: 41

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
WVR-5850 - WAIVER RELATED TO ZON-5849 - PUBLIC HEARING - APPLICANT/ OWNER: BRADLEY VILLAS, LLC - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 175 FEET BETWEEN INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED for property adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard (APN 125-24-701-005), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential) Zone], Ward 6 (Mack).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/16/2005

MINUTES:
See Item 40 [ZON-5850] for related discussion on Item 40 [ZON-5850] and Item 41 [WVR-5850].

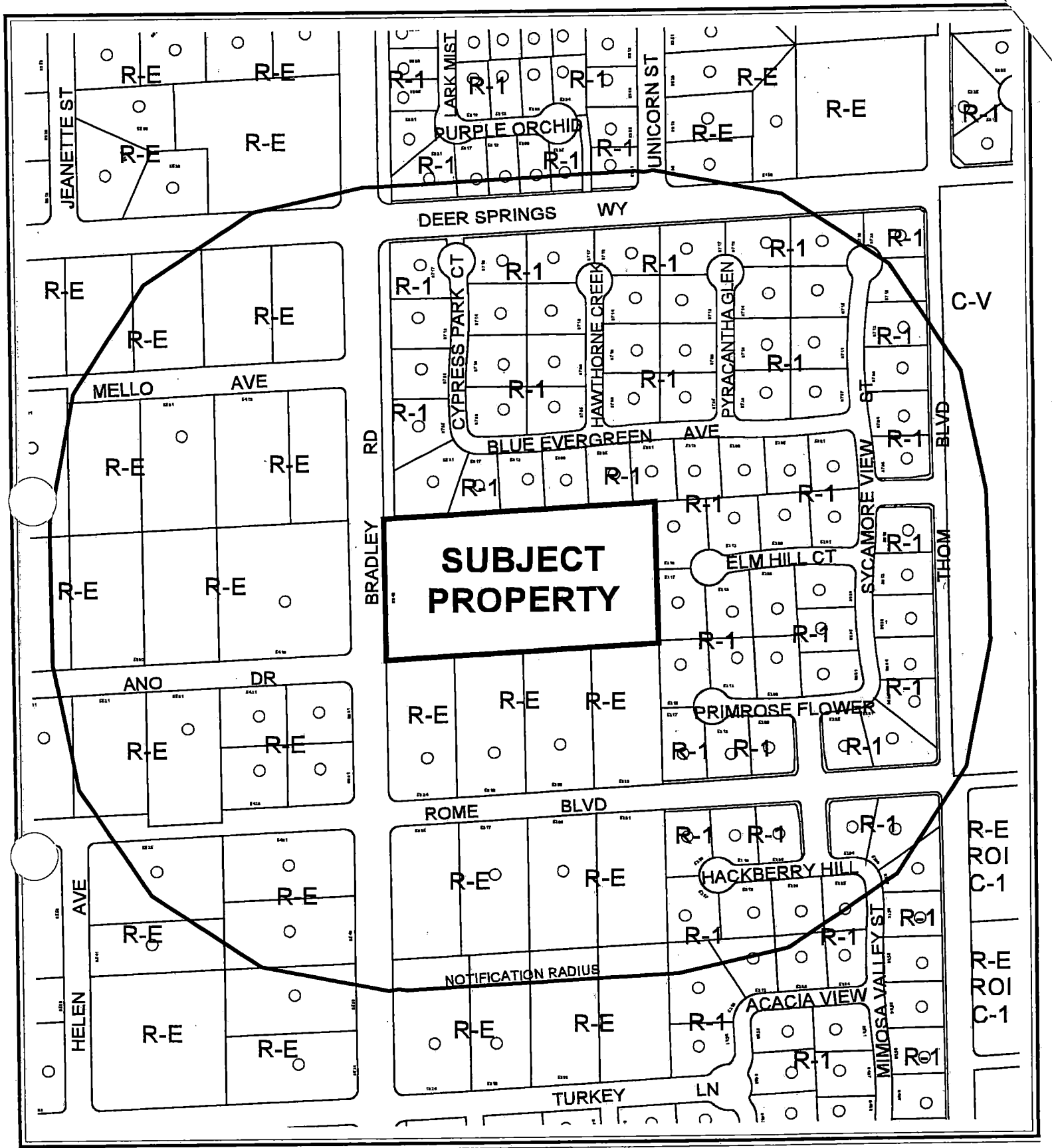
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3-362

CONDITIONS:
Planning and Development
1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5849).

PLANNING COMMISSION MEETING OF FEBRUARY 10, 2005
Planning and Development Department
Item 41 – WVR-5850

CONDITIONS – Continued:

2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.



0 300 600 Feet

CASE: **WVR-5850**

RADIUS: 750 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-5850 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5849).

2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

BTS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Waiver of Title 18.12.160 to allow a 175-foot separation between intersections, where a minimum of 220 feet is required for property adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard.

B) Applicant's Justification

The applicant states that the proposed roadway for a cul-de-sac with 18 single-family residences will not adversely affect the traffic or traffic patterns.

BACKGROUND INFORMATION

A) Previous Actions

02/10/05 The Planning Commission shall consider a companion Rezone (ZON-5849) from R-E (Residence Estates) to R-1 (Single Family Residential).

B) Pre-Application Meeting

01/27/05 The following items were discussed at the pre-application meeting:

- A Title 18.12.160 waiver is required.
- Average lot size is less than existing homes to the north and east.
- R-1 zoning may have compatibility issues with neighboring R-E zoning.
- Public Works comments include traffic signal impact fee, drainage study, trails, and cross sections.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.77

BTS

B) Existing Land Use

Subject Property:	Single Family Dwelling
North:	Single Family Dwelling
South:	Single Family Dwelling/Undeveloped
East:	Single Family Development
West:	Single Family Dwelling

C) Planned Land Use

Subject Property:	ML (Medium-Low Residential)
North:	ML (Medium-Low Residential)
South:	ML (Medium-Low Residential)
East:	ML (Medium-Low Residential)
West:	L (Low Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-1 (Single Family Residential)
South:	R-E (Residence Estates)
East:	R-1 (Single Family Residential)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject property is designated ML (Medium Low Residential) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Map of the General Plan. This category permits single family dwellings and related uses up to a maximum density of 8.0 units per gross acre. The proposed rezoning to R-1 (Single Family Residential) would permit a maximum density of 5.5 units per gross acre, in conformance with the General Plan.

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

Trails
A 30-foot Multi-Use Equestrian Trail is required on the east side of Bradley Road, which is indicated on Exhibit 3 of the Recreation Trails Element in the Las Vegas 2020 Master Plan.

BTS

PROJECT DESCRIPTION

The subject 4.77-acre site is located adjacent to Bradley, designated by the Master Plan of Streets and Highways as a Secondary Collector (80-foot) street as indicated in the Master Plan of Streets. The submitted site plan indicates the subdivision will consist of 18-lots, ranging in size from 7,755 square feet to 19,386 square feet. The proposed residential roadway and Ano Drive are the subject of this request.

B) General Analysis and Discussion

This request seeks to waive the requirements of the Subdivision Code with regard to the minimum distance required between the intersections of streets providing internal access to subdivisions with other streets of 60 feet or more in width. This requirement, found in Title 18.12.160, prescribes this minimum distance as 220 feet.

Specifically, Title 18.12.160 states:

"Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet."

The proposed design will allow adequate stacking and turning movements between the proposed intersection of the entry street, the internal street within the development, and the nearby intersection to the south. Approximately 44 feet separate the two intersections of Bradley Road and Ano Drive. The Department of Public Works has no objection to the request. Approval will be conditioned upon approval of the Rezoning (ZON-5849), which accompanies this application.

FINDINGS

The proposed design does not appear to present turn conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 123 – Mailed with ZON-5849

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-585 APN: 125-24-701-005

Name of Property Owner: BRADLEY VILLAS LLC

Name of Applicant: BRADLEY VILLAS LLC

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

_____Yes ___X___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Lior Ganliel

Print Name: Lior Ganliel

Subscribed and sworn before me

This 11 day of NOV. 2004

Jay A. Schena

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JAY A. SCHENA
No: 99-51352-1
My Appointment Expires Jan. 25, 2007

OWNER/DEVELOPER
BRADLEY VILLAS, LLC
4465 S. BUFFALO, STE. 2
LAS VEGAS, NV 89147

REFERENCE INFORMATION
ZONING: R-E (EXISTING)
ZONING: R-1 (PROPOSED)

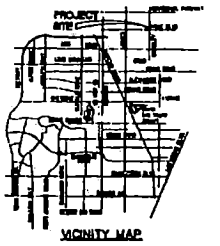
ESTIMATED SEWAGE CONTRIBUTION
DPD AVERAGE 4,250 GPM
DPD PEAK 15,750 GPM

PARKING
2/UNIT + 1 GUEST/6 REQUIRED = 38 REQUIRED
2 GARAGE 2 DRIVEWAY 4 X18 = 72 PROVIDED

SITE PLAN
FOR
FOR "BRADLEY VILLAS"
A RESIDENTIAL SUBDIVISION
A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 60 EAST, CLARK COUNTY, NEVADA

- MINIMUM LOT SIZE – 7,684SF
- AVERAGE LOT SIZE – 9,760 SF
- GROSS AREA = 4.77 ACRES MORE OR LESS
- NET AREA = 3.57 ACRES MORE OR LESS
- 3.56 LOTS PER ACRE

CURVE TABLE				
CURVE	LENGTH	RADIUS	TANGENT	DELTA
C1	84.82	15.00	55.67	92°30'11"
C2	12.20	14.50	6.48	48°11'23"
C3	219.48	45.50	60.70	276°22'46"
C4	12.20	14.50	6.48	48°11'23"
C5	39.10	85.00	83.93	87°29'49"



VICINITY MAP

MELLO AVENUE
ANNO DRIVE
BRADLEY ROAD (PUBLIC)
ROME BLVD.
PHALEN WAY (PUBLIC)
EX. BLOCK WALL
EX. CONC. PAD
EX. CONC. SWALE
EX. SSMH
INSTALL SSMH
568 L.F. 8" C900 SEWER @ 0.50%
5' DRAINAGE EASEMENT
4' WIDE OPENING
EXISTING CONCRETE CHANNEL
EX. BLOCK WALL
SETBACK 15' (TYP)
SETBACK 20' (TYP)
SETBACK 5' (TYP)

APN:125-24-710-021 – 026 (R-1)
APN:125-24-710-013 (R-1)
APN:125-24-710-012 (R-1)
APN:125-24-701-007 (R-E)
APN:125-24-701-008 (R-E)
APN:125-24-701-009 (R-E)
APN:125-24-701-010 (R-E)

1 8,374 SF
2 8,696 SF
3 8,696 SF
4 8,696 SF
5 8,696 SF
6 8,696 SF
7 8,630 SF
8 7,879SF
9 8,851 SF
10 8,703 SF
11 7,986 SF
12 8,054 SF
13 8,074SF
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17 8,674 SF
18 8,695 SF

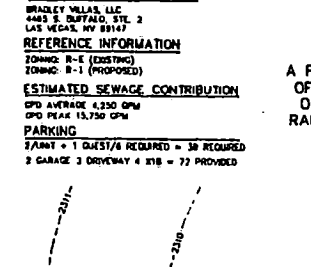
GENERAL NOTES
1. ALL IMPROVEMENTS SHALL CONFORM TO THE CITY OF LAS VEGAS STANDARDS AND SPECIFICATIONS.
2. UTILITIES:

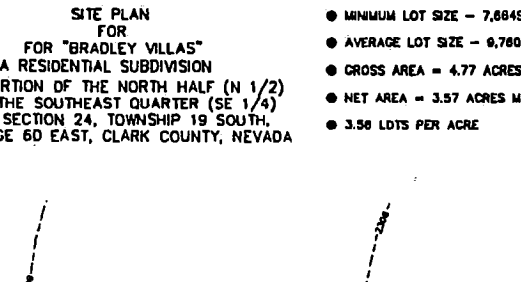
WATER	LAS VEGAS VALLEY WATER DISTRICT
SEWER	CITY OF LAS VEGAS
POWER	NEVADA POWER COMPANY
TELEPHONE	SPRINT
GAS	SOUTHERN NEVADA GAS CORPORATION
CATV	PRIME CABLE
SOLID WASTE DISPOSAL	REPUBLIC SERVICES

3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES.
4. MINIMUM BUILDING SETBACKS (R-1)
   FRONT 20'
   SIDE 5'
   REAR 15'
   CORNER 15'
   STRUCTURES 2 STORY MAXIMUM/35' TALL MAXIMUM
5. THIS DEVELOPMENT IS SHOWN IN ITS ENTIRETY AND IS NOT PART OF ANY MASTER PLAN
6. FIRM PANEL 32003C1785 DATED SEPTEMBER 27, 2002. ENTIRE AREA WITHIN FEMA ZONE "X"
7. NO PROTECTIVE COVENANTS OR DEED RESTRICTIONS ARE PLANNED
8. THERE ARE NO KNOWN FAULTS OR FISSURES ON THE SITE.
9. GROUND WATER IS LOCATED AT A DEPTH GREATER THAN 300-FEET.

LEGEND

GRAPHIC SCALE
1 INCH = 100 FT.





BASIS OF BEARING
N 87°01'16" E AS SHOWN ALONG THE CENTERLINE OF DEER SPRINGS WAY ON THAT CERTAIN MAP AS RECORDED IN BOOK 90, PAGE 99 OF PLATS IN THE OFFICE OF THE COUNTY RECORDER.

BENCHMARK
CITY OF LAS VEGAS BENCH NUMBER 5LV002456
RIVET & PLATE IN CONCRETE CYLINDER @ SW CORNER OF BRADLEY & ROME
METERS = 703.8215
FEET = 3309.13 (NAVD88)

LEGAL DESCRIPTION
A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 60 EAST, CLARK COUNTY, NEVADA

Call before you Dig– 1-800-227-2600

Call before you OVERHEAD 1-702-593-8111

DELTA ENGINEERING ASSUMES NO RESPONSIBILITY FOR EXISTING UTILITY LOCATIONS AND ELEVATIONS. THE UTILITIES SHOWN ON THIS DRAWING HAVE BEEN PLOTTED FROM THE BEST AVAILABLE INFORMATION. IT IS, HOWEVER, THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION AND ELEVATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. CONTRACTOR TO FIELD VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO CONSTRUCTION. IF A CONFLICT EXISTS BETWEEN WHAT IS SHOWN ON THESE DRAWINGS AND WHAT EXISTS IN THE FIELD, THE CONTRACTOR IS TO NOTIFY THE ARCHITECT OR ENGINEER IMMEDIATELY.

DELTA ENGINEERING
3191 E. WARM SPRINGS, SUITE B
LAS VEGAS, NEVADA 89120
PH (702) 368-4331
FAX (702) 368-4371
E-MAIL DELTAENG@AOL.COM

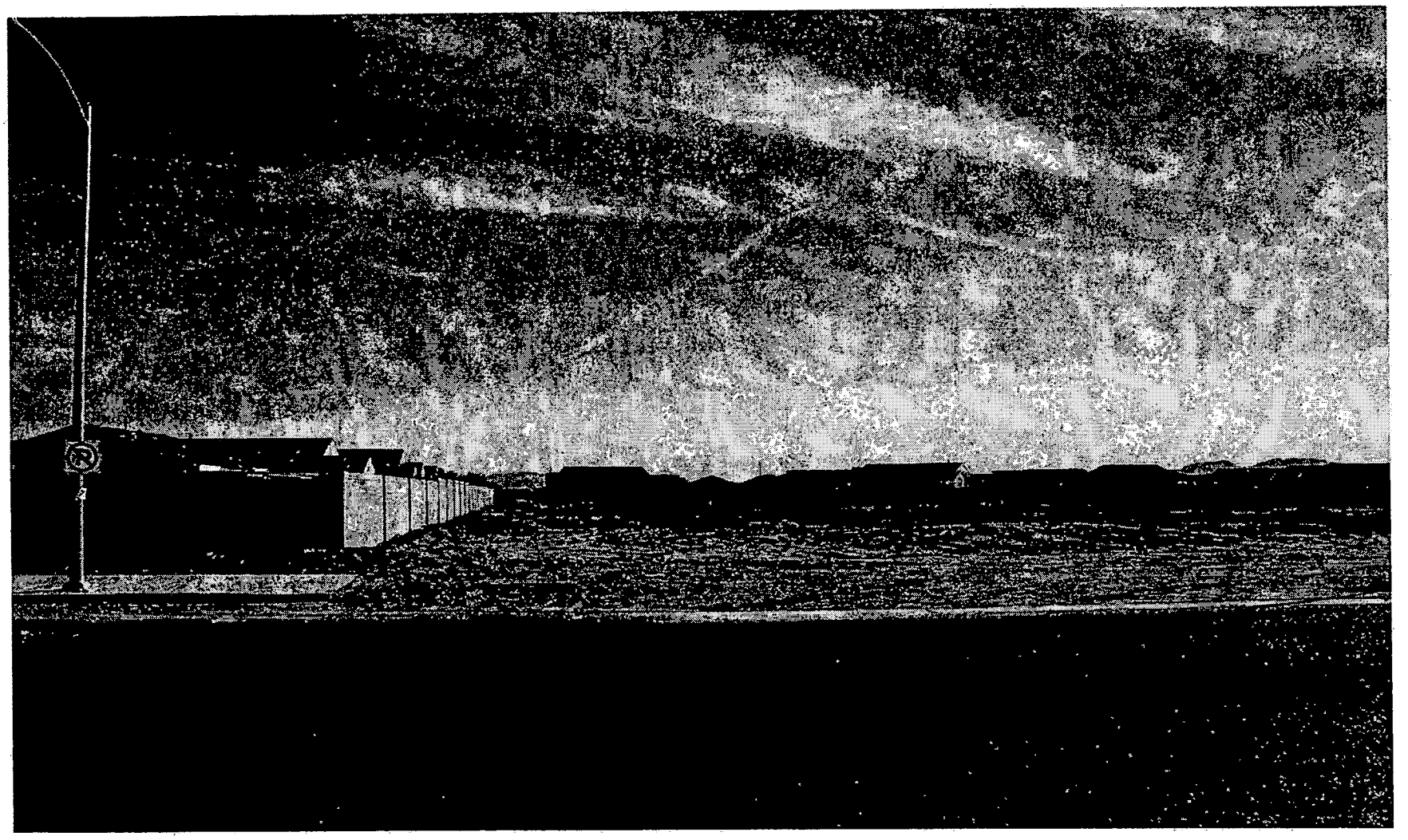
JOB TITLE: BRADLEY VILLAS, LLC
4465 S. BUFFALO, STE.2
LAS VEGAS, NV 89147
APN:125-24-701-005

SHEET TITLE: SITE PLAN

DATE: 12/03/04
JOB NO. 04088
DESIGN BY: R.B.R.
DRAWN BY:

C1.00

ZON-5849
WVR-5850
02-10-05 PC



WVR-5850 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC
EAST SIDE OF BRADLEY ROAD, BETWEEN DEER SPRINGS WAY AND ROME BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



WVR-5850 - APPLICANT/OWNER: BRADLEY VILLAS, LLC
EAST SIDE OF BRADLEY ROAD, BETWEEN DEER SPRINGS WAY AND ROME BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

DELTA ENGINEERING
Civil Engineering & Land Surveying Consultants

3131 Meade Avenue, Suite D
Las Vegas, Nevada 89102
Office: (702) 364-9777
Fax: (702) 364-9333
E-mail: EngrDelta@aol.com

December 10, 2004

City of Las Vegas Planning Department
Las Vegas, Nevada

Subject: APN 125-24-701-005 Justification for Waiver

Gentlemen:

Per the requirements of the City of Las Vegas Department of Planning & Development, Title 18, the following justification letter is provided for a proposed Waiver of the requirements of Subsection 18.12.160. This requires that the minimum distance between roadway intersections be 220-feet.

The project is proposing a public roadway on Bradley Road, a 80-foot right-of-way, the distance between the Bradley Road Ano Drive intersection and the Bradley Road proposed road intersection is 175.23-feet, which is 44.77-feet less than the minimum per 18.12.160. The site has been designed to maximize this distance. 30-foot trail equestrian system has been provided along Bradley Road and the site roadway is centered on the remainder of the property.

The proposed roadway, a cul-de-sac with 18 single-family residences, location will not adversely affect the traffic or traffic patterns. The site is an infill project with existing residential projects on the north, east, southwest, and Bradley Road on the west, which limits the site design on all four sides. Centering the roadway allows the lots to be somewhat uniform, which aids in project construction and long-term maintenance of the proposed infrastructure.

If there are questions or you wish to discuss this further, please contact us.

Sincerely,

William S. Crockett, P. E.

WVR-585D

City of Las Vegas

Agenda Item No.: 42

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
VAR-5878 – VARIANCE – APPLICANT: PARKWAY CENTER LLC – OWNER: CITY PARKWAY IV A INC. – Request for a Variance FROM THE 750-FOOT SEPARATION REQUIREMENT AND THE 10-FOOT FREEWAY RIGHT-OF-WAY SETBACK REQUIREMENT FOR AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 City Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Weekly).

C.C. 03/16/05

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

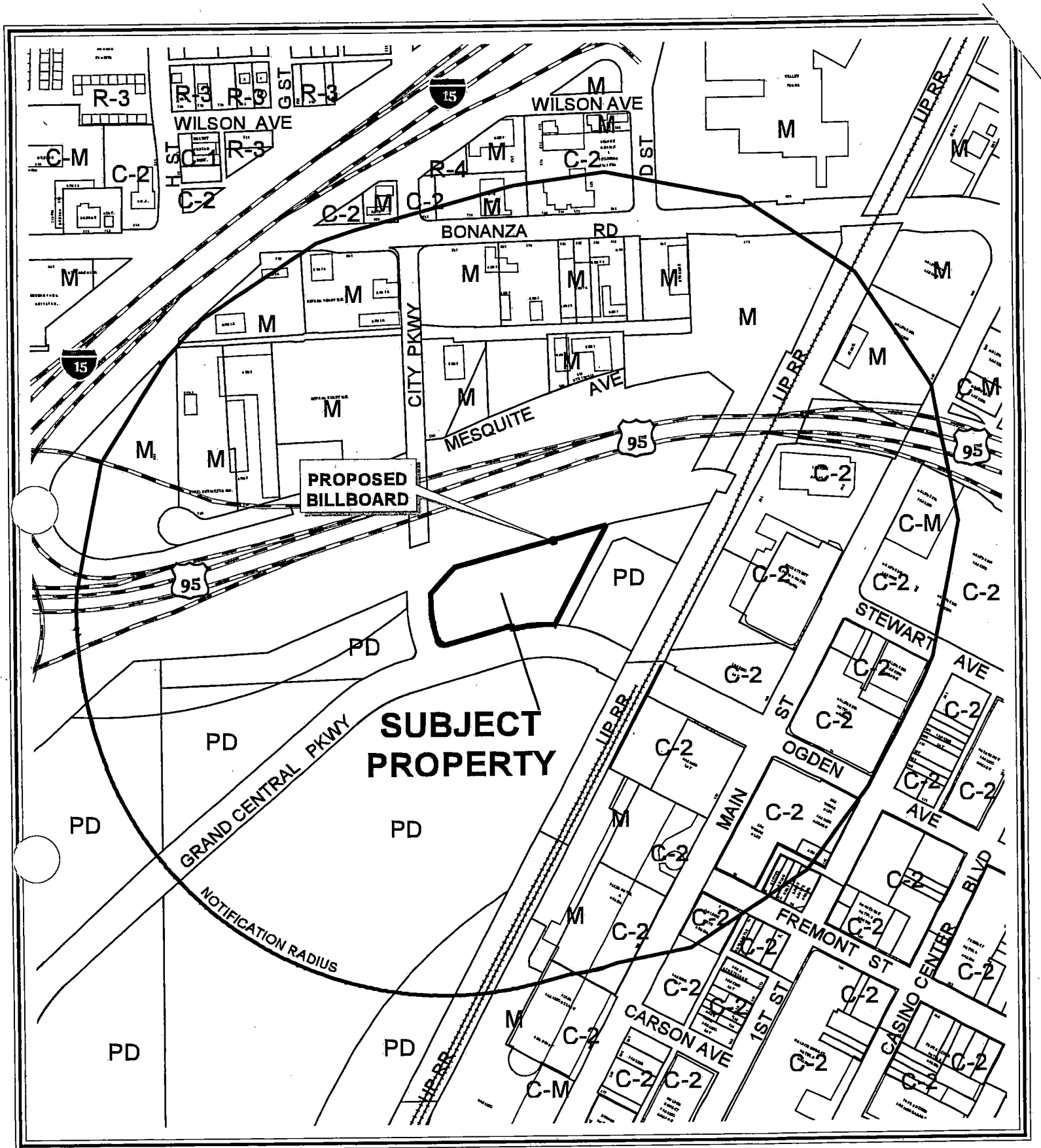
RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:
DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)



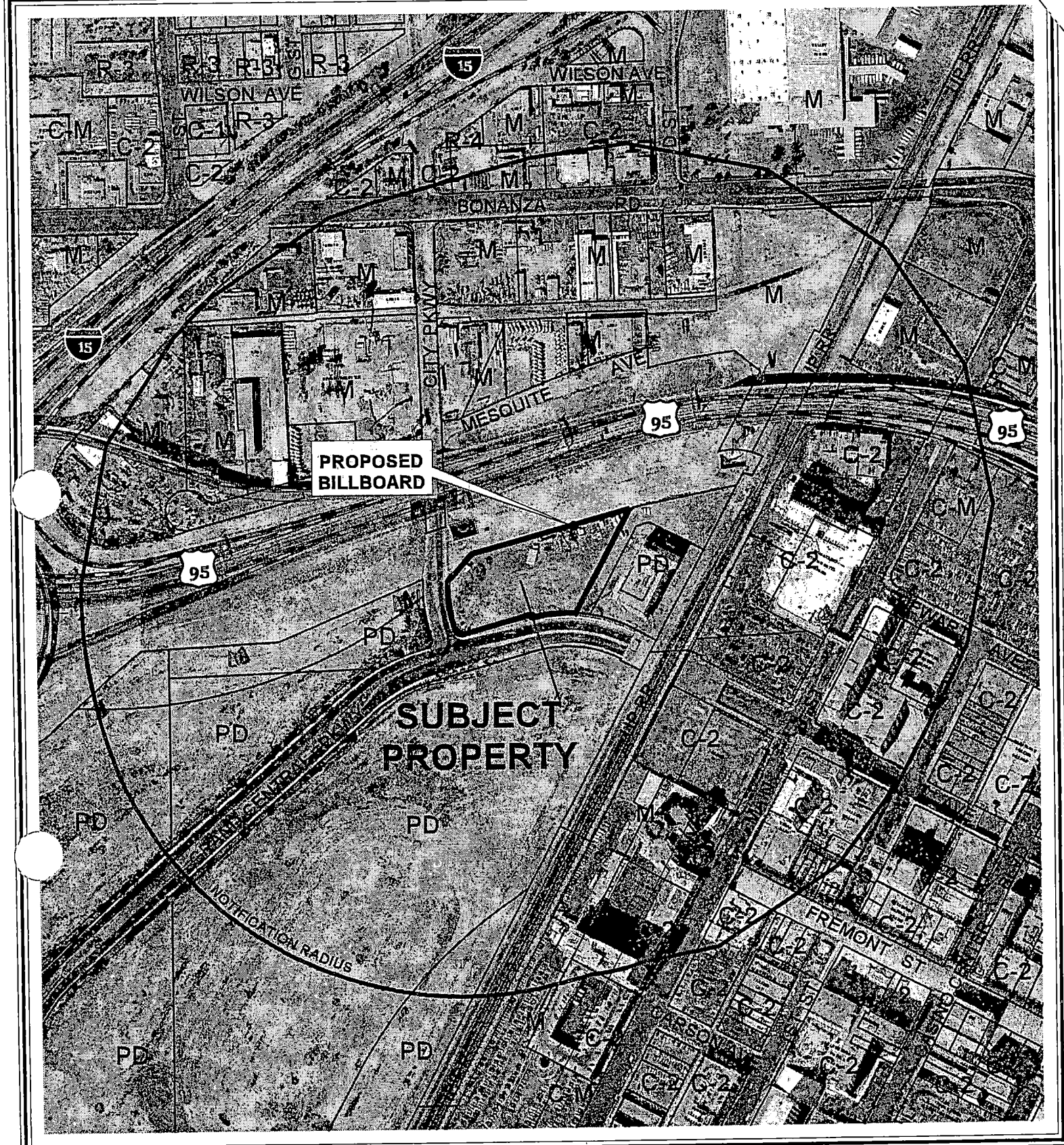
0 400 800 Feet

CASE: **VAR-5878**

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



CASE: **VAR-5878**

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5878 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5876 and Variance SUP-5877.

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

3. Acquire all necessary permits from the Department of Building and Safety.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Request for a Variance for the to allow a proposed 510-foot Minimum Separation Distance between Off-Premise (Billboard) Signs where 750 feet is the minimum allowed for billboard signs along a freeway and on the same side of the highway and to allow a proposed zero foot right-of-way setback where 10 feet is the minimum allowed on 2.55 Acres at 110 City Parkway.

B) Applicant's Justification

The applicant has justified the request by stating the sign will be harmonious and compatible with the area. Removal of the pole structure in favor of a more visually appealing structure affixed to the parking structure will enhance the area. The sign will be maintained by the owner of the Parkway Center so the sign will be kept in good condition so as to not detract from the attractiveness of the overall office and retail complex.

BACKGROUND INFORMATION

A) Previous Actions

11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject site as part of a larger request. The Planning Commission recommended approval. Included in that approval was the ability to maintain the existing Off-Premise (Billboard) Signs.

01/02/02 The City Council adopted a general development plan and development standards for the Parkway Center as a discussion item on the Business Development portion of the agenda.

04/24/03 The Planning Commission approved a Site Development Plan Review (SDR-2037) to allow a 84,201 square-foot office building on a portion of the subject property. The project was reviewed and approved by the PC-ARC (Parkway Center—Architecture Review Committee) on 03/05/03. Staff recommended approval.

KCW

05/21/03 The City Council approved a Required Review (RQR-1974) for 12 Off-Premise (Billboard) Signs; one of the reviewed signs is located on the subject site. The Planning Commission and Staff recommended approval.

10/21/04 The Planning Commission approved a Review of Condition (ROC-5347) relative to the previously-approved Site Development Plan Review to allow for temporary off-site parking and landscaping to be installed upon a later phase of the development. Staff recommended approval.

01/18/05 The Parkway Center-Architecture Review Committee (PC-ARC) recommended approval of the proposed development and the requested Waivers.

02/10/05 The Planning Commission is scheduled to consider an associated (SUP-5877) to allow the relocation of the existing Off-Premise (Billboard) Sign on the site, as well as a Site Development Plan Review (SDR-5876) for the construction of 250,000 square-foot office building on the site.

02/24/05 The Planning Commission is scheduled to consider a Required Review (RQR-5683) for eight Off-Premise (Billboard) Signs, one of which is the subject of this application.

B) Pre-Application Meeting

12/14/04 At the pre-application conference, issues were discussed relative to the conditions of the previous Required Review (RQR-1974) for the Off-Premise (Billboard) Sign, as well as setback and construction issues.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.55 (A portion of a larger 5.1 acre parcel)

KCW

B) Existing Land Use

Subject Property:	Undeveloped
North:	US 95 Right-of-Way
South:	Undeveloped
East:	Office Use
West:	Undeveloped

C) Planned Land Use

Subject Property:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)
North:	US 95 Right-of-Way
South:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)
East:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)
West:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)

D) Existing Zoning

Subject Property:	PD (Planned Development)
North:	US 95 Right-of-Way
South:	PD (Planned Development)
East:	PD (Planned Development)
West:	PD (Planned Development)

E) General Plan Compliance

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

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Downtown City of Las Vegas Redevelopment Plan Area	X	
Special Overlay District	X	
Airport Overlay District	X	
Trails		X

KCW

Rural Preservation Neighborhood		**X**
Development Impact Notification Assessment		**X**
Project of Regional Significance		**X**

Downtown City of Las Vegas Redevelopment Plan Area
The parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use land use designation. There are no policies of the Downtown City of Las Vegas Redevelopment Plan that pertain to the subject request.

Downtown Centennial Plan
The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Parkway Center District. The district is intended to accommodate a wide variety of commercial, public and residential uses within vertically or horizontally mixed-use configuration. Existing Off-Premise (Billboard) Sign signs that are removed may be replaced if the sign is incorporated in the new development and approved by a new special use permit.

Airport Overlay District
The parcel is located within the Airport Overlay District; Federal Aviation Administration (FAA) review is required for any building over 175 feet in height, based on the location of the property.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Setbacks- Right- of-way	10 Feet	0 Feet	N
Min. Separation along the same side of a freeway	750 Feet	510 Feet	N
Min. Separation in all directions	300 Feet	492 Feet	Y
Max. Sign Area	672 Square feet	672 Square Feet	Y
Max. Sign Height: Option 1	30 feet above elevated freeway	50 Feet	Y
Max. Sign Height: Option 2	55 Feet	50 Feet	Y

KCW

Street Intersection Separation	50 Feet	N/A	N/A
Separation from a Residential District	300 feet	N/A	N/A

The subject application for a Variance to setback and separation between signs is required to relocate the sign to it's planned location.

B) General Analysis and Discussion

The applicant's request for this Variance is the result of the plan to relocate the existing sign to the roof of a parking structure that is planned to cover the location of the existing sign. The existing sign is located at the proper setback of 10 feet but when the replacement is installed on the roof of building the sign will be located up to the setback. The separation of 510 feet to the closest similar sign on the same side of US 95 is the current condition thus making the existing sign non-conforming.

The setback of zero feet is not justified. The sign could be positioned on the parking structure to be conforming to standards. But the relocation of the sign to the top of the parking structure also cannot be supported because the proposal is not consistent with the conditions of approval for RQR-1974. Condition 7 of RQR-1974 states that Off-Premise (Billboard) signs, once removed, can be relocated on the Parkway Center property if the replacement signs are conforming to Title 19. The proposed location of the subject sign is not consistent with the standards that require a billboard to be freestanding (not attached to a building) and ground mounted (not located on the top of a parking structure).

As to the separation between signs, once the nonconforming sign is removed it should be located so it conforms to Title 19. The relocation of the sign that is not in harmony with Title 19 and therefore, cannot be supported.

FINDINGS

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

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

KCW

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented. The applicant has created a self-imposed hardship by designing the location of the sign on the top of the parking structure to close the freeway. An alternative position on the top of the building would allow conformance to the Title 19 setback requirements.

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 35 – Mailed with SUP-5877 and SDR-5876

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5878 APN: 139-27-410-008

Name of Property Owner: City Parkway IV A Inc.

Name of Applicant: Parkway Center LLC

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Douglas Selby

Print Name: Douglas Selby

Subscribed and sworn before me

This 22nd day of December, 2004

Cecili C. Green

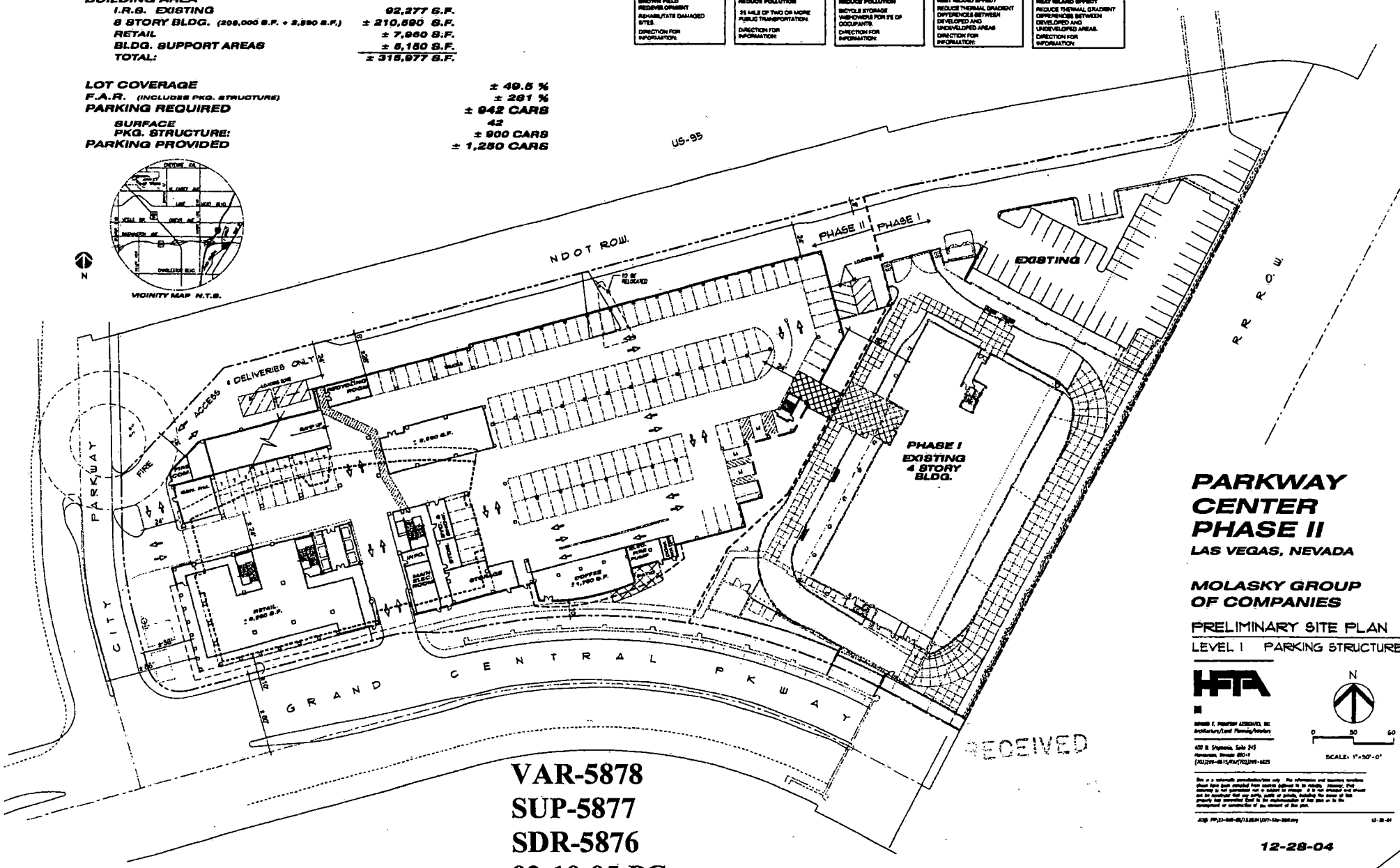
Notary Public in and for said County and State

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

PROJECT SUMMARY

LAND AREA		± 5.1 AC
BUILDING AREA		
I.R.S. EXISTING	92,277 S.F.	
8 STORY BLDG. (205,000 S.F. + 2,590 S.F.)	± 210,590 S.F.	
RETAIL	± 7,960 S.F.	
BLDG. SUPPORT AREAS	± 5,150 S.F.	
TOTAL:	± 315,977 S.F.	
LOT COVERAGE		± 49.5 %
F.A.R. (INCLUDES PKG. STRUCTURE)		± 2.81 %
PARKING REQUIRED		± 942 CARS
SURFACE		42
PKG. STRUCTURE:		± 900 CARS
PARKING PROVIDED		± 1,250 CARS

LEED	LEED	LEED	LEED	LEED
SUSTAINABLE SITE CREDIT 5 - 1PT BROWN FIELD REDEVELOPMENT REHABILITATE DAMAGED SITES. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 6.1 - 1PT REDUCE POLLUTION 35 MILE OF TWO OR MORE PUBLIC TRANSPORTATION. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 4.2 - 1PT REDUCE POLLUTION BICYCLE STORAGE W&SHOWERS FOR 5% OF OCCUPANTS. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 7.1- 1PT HEAT ISLAND EFFECT REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 7.2- 1PT HEAT ISLAND EFFECT REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS. DIRECTION FOR INFORMATION



PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY SITE PLAN

LEVEL 1 PARKING STRUCTURE

HFTA

Hawkins E. Fransden Associates, Inc.
Architecture/Land Planning/Interiors
400 S. Stephanie, Suite 245
Henderson, Nevada 89012
(702)259-8615/FAX(702)259-8625

N

0 30 60

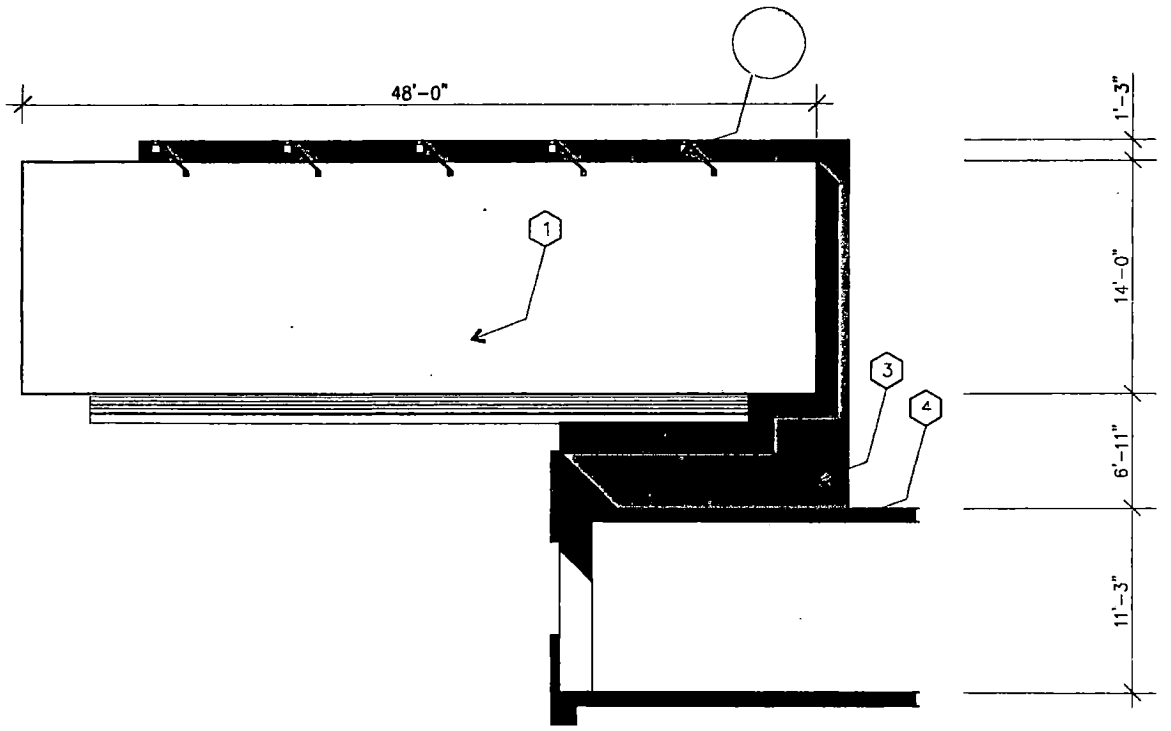
SCALE: 1"=30'-0"

These documents and ideas incorporated herein as an instrument of service are and shall remain the property of Hawkins E. Fransden Associates, Inc. and may not be used in whole or in part without the written consent of Hawkins E. Fransden Associates, Inc. This property line information is for the purpose of site plan only and is not to be construed as a survey description.

12-28-04

RECEIVED

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC



WEST ELEVATION

PROPOSED SIGNAGE

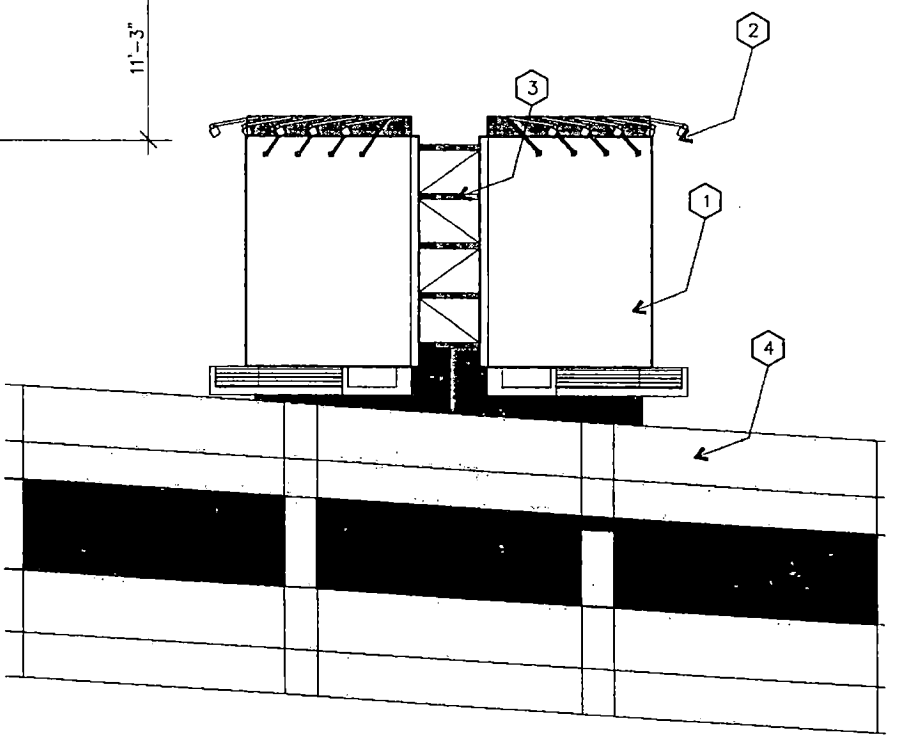
HOWARD F. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6615/FAX(702)269-6635

0 4' 8'
1/8"=1'-0"

JOB#: F:\PR\23-049-00/12-28-04/SIGN-ELEVATIONS.DWG DATE: 12-22-04

MATERIAL LEGEND

1. SIGN BOARD
2. LIGHTS
3. SUPPORT
4. PARKING STRUCTURE



NORTH ELEVATION

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC



VAR-5878 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.
110 CITY PARKWAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



VAR-5878 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.
110 CITY PARKWAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



VAR-5878 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.
110 CITY PARKWAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW
WWW.KKBR.COM

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89109-0907
Tel: 702.792.7000
Fax: 702.796.7181

8600 Technology Way
Suite 104
Reno, NV 89521-5941
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kkbr.com

December 27, 2004

VIA HAND DELIVERY

Mr. Flynn Fagg
CITY OF LAS VEGAS
DEPT. OF PLANNING & DEVELOPMENT
City of Las Vegas Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Re: Justification Letter
Off-Premise Sign – Parkway Center
APN: 139-27-410-008

Dear Mr. Fagg:

Please be advised, this office represents the applicant with respect to the development of Phase II of Parkway Center which will consist of a multi-story office building and retail component. The applicant is filing a site plan review for Phase II of the Parkway Center concurrent with this request for a special use permit and variance for an off-premise sign.

The off-premise sign (the "Sign") is an existing pole structure with advertisements that face towards both directions of the 95 freeway. As part of the site plan review for the Phase II of Parkway Center, the applicant is requesting to remove the standard pole structure and instead affix the Sign onto the parking garage. The parking garage will service the retail businesses, IRS building and tenants and visitors of Phase II of Parkway Center.

The applicant is seeking a special use permit and a variance for the Sign. The variance is necessary to waive the distance restrictions imposed by 19.14.100(C)(5) between off-premise signs located on the same side of a freeway. The Sign will be elevated approximately 50 feet above the freeway. The existing off-premises signs located along this corridor have been in existence for several years and precede the code requirement cited above. A review of these off-premise signs was approved by the City of Las Vegas City Council on May 21, 2003 (RQR-1974). Condition number 7 of RQR-1974 allows an applicant to seek a special use permit for the new structure and a variance to the applicable standards of Title 19.

LAW FIRMS WORLDWIDE MERITAS

VAR-5878 7248.16

Since the Sign will be located in the core of Las Vegas and adjacent to a major freeway where other off-premise signs currently exist, erection of the Sign on the parking structure will be harmonious and compatible with the area. Additionally, removal of the pole structure in favor of a more visually appealing structure affixed to the parking garage will enhance the area. Finally, the Sign will be maintained by the owner of the Parkway Center so the Sign will be kept in good condition so as to not detract from the attractiveness of the overall office and retail complex.

If you have any questions, please do not hesitate to contact me.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jennifer Lazovich

JJL/dmf
Encl.

VAR-5878

City of Las Vegas

Agenda Item No.: 43

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
SUP-5877 – SPECIAL USE PERMIT RELATED TO VAR-5878 – PUBLIC HEARING – APPLICANT: PARKWAY CENTER LLC – OWNER: CITY PARKWAY IV A INC. – Request for a Special Use Permit FOR A PROPOSED 50-FOOT HIGH, 14-FOOT x 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 City Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Weekly).

C.C.: 03/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

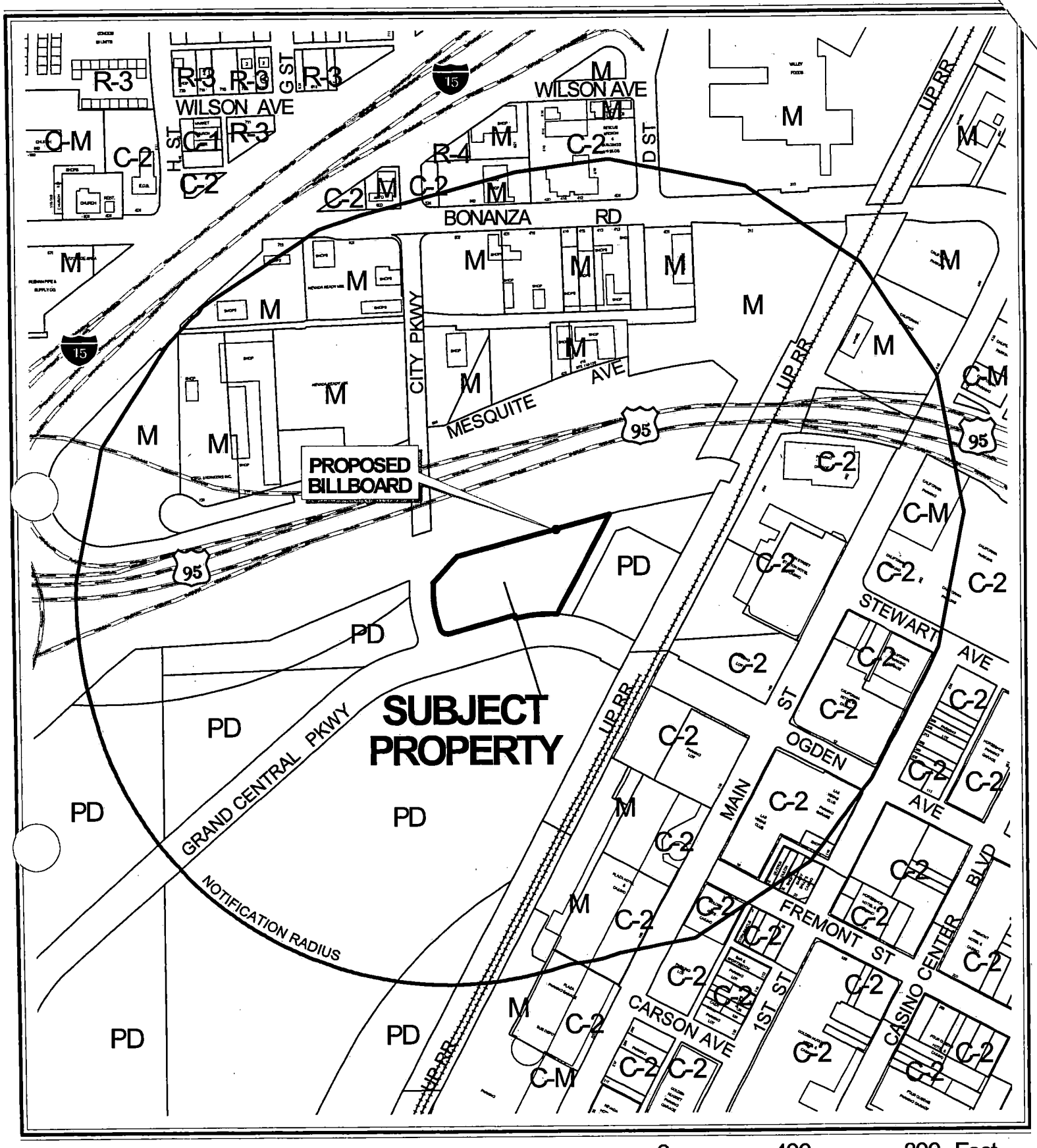
RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:
DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)



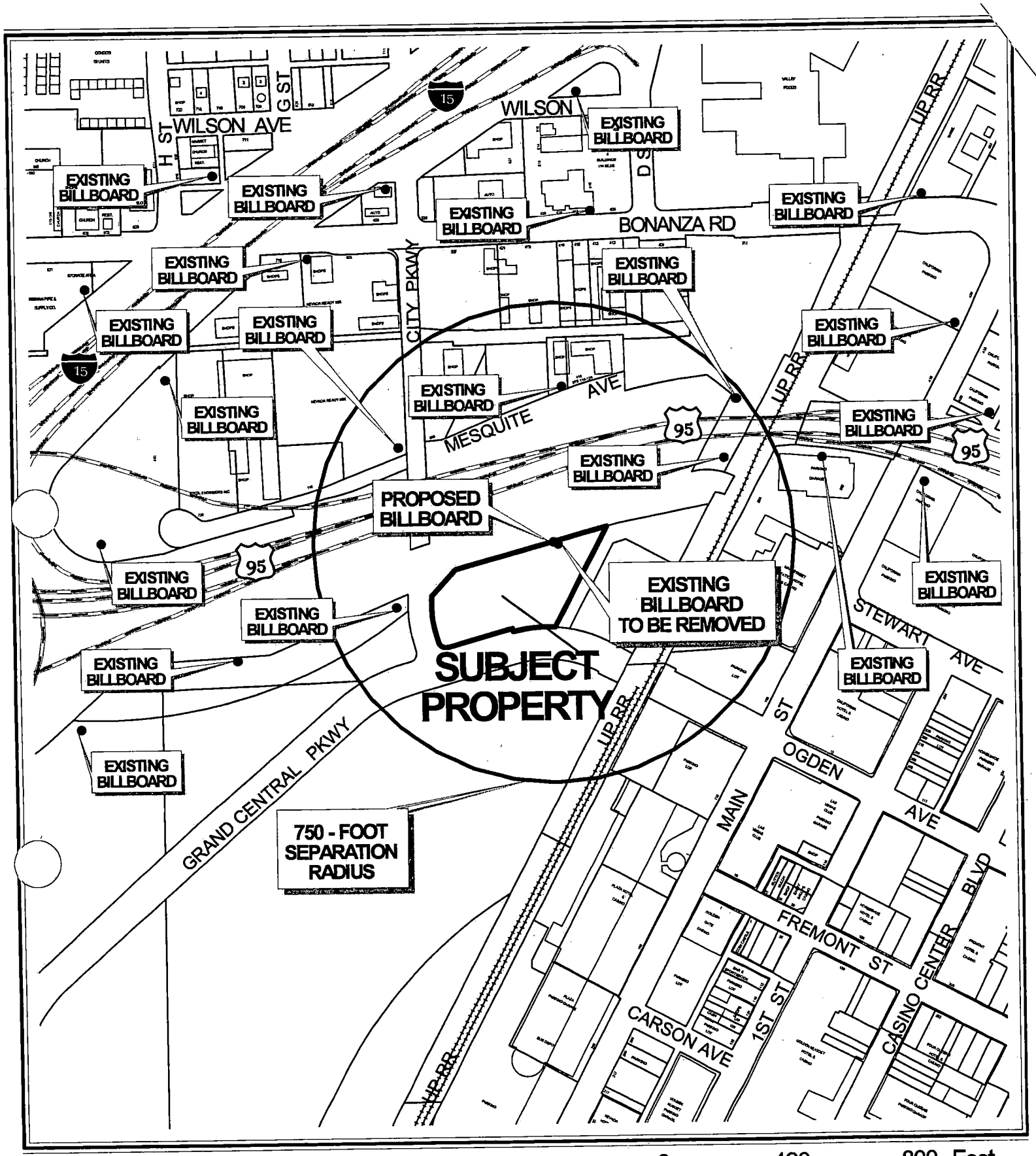
0 400 800 Feet

CASE: **SUP-5877**

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

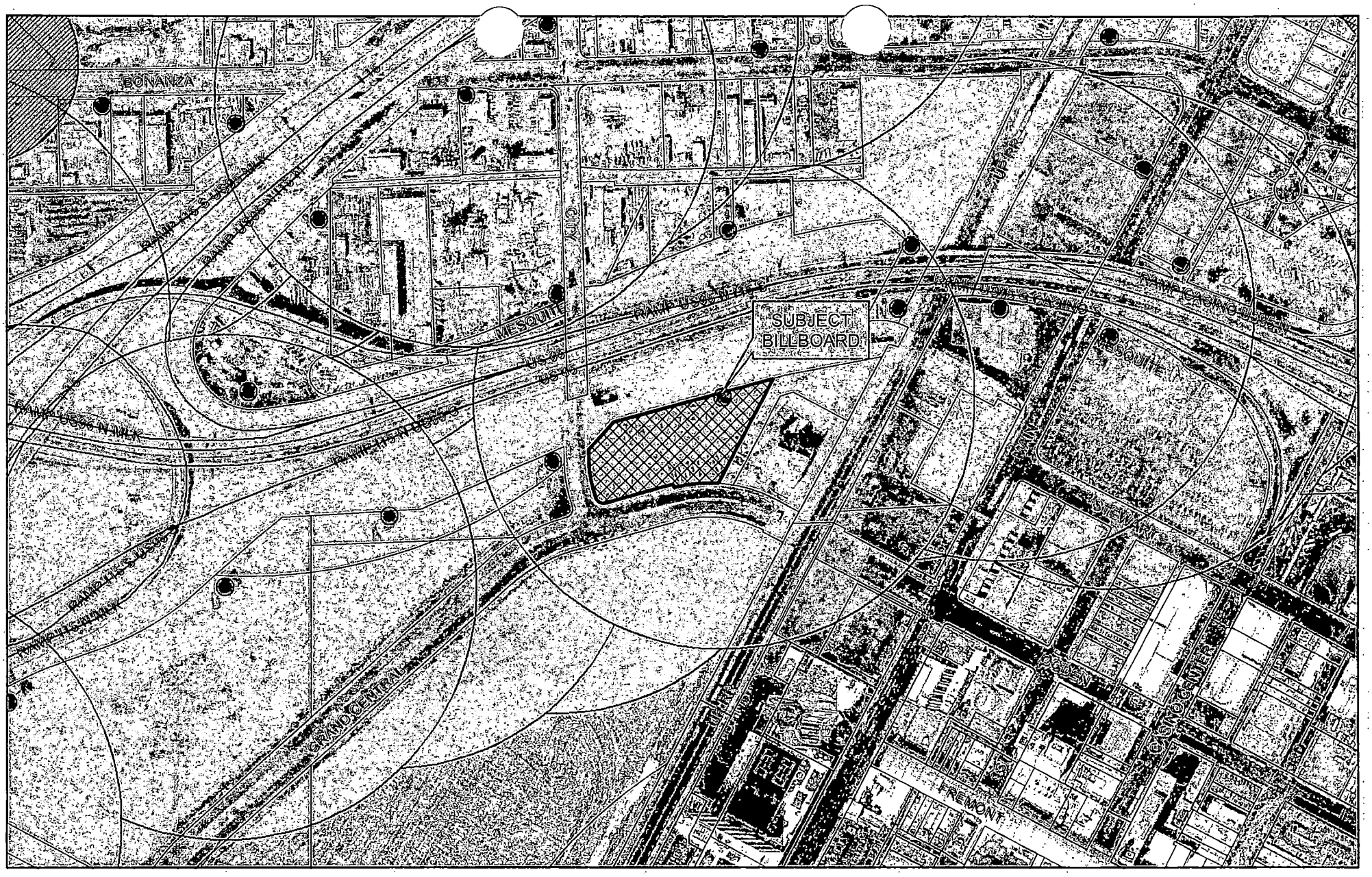
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CASE: **SUP-5877**

SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



SUP-5877

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5877 – APPLICANT: PARKWAY CENTER LLC -- OWNER: CITY PARKWAY IV A INC.

** CONDITIONS **

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

Planning and Development

1. The use shall be subject to the conditions of approval of RQR-1974 and RQR-5683.

2. Approval of SDR-5876 and VAR-5878 by the City Council.

3. Signs shall conform to the elevations and site plan, date stamped December 27, 2004, except as amended herein.

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

5. 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 (Billboard) Sign be removed.

6. If a Site Development Plan Review for new development includes property in which an Off-Premise (Billboard) Sign is located the billboard(s) shall be reviewed for compatibility with the proposed development. Conditions of approval may be imposed that require the removal or redesign of some or all of the Off-Premise (Billboard) Signs.

7. If the proposed Off-Premise Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise 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.

8. The Off-Premise (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 (Billboard) Sign.

9. Only one advertising sign is permitted per sign face.

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

Public Works

11. The proposed Off-Premise (Billboard) Sign shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

FF

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for the removal and reinstallation of an existing 50-foot high, 14-foot x 48-foot Off-Premise (Billboard) Sign.

B) Applicant's Justification

The applicant has justified the request by stating that the sign will be located adjacent to a major freeway where other Off-Premise Signs currently exist, and erection of the sign on the parking structure will be harmonious and compatible with area. In addition, the removal of the pole structure in favor of a more visually appealing structure affixed to the garage will enhance the area.

BACKGROUND INFORMATION

A) Previous Actions

11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject site as part of a larger request. The Planning Commission recommended approval. Included in that approval was the ability to maintain the existing Off-Premise (Billboard) Signs.

04/30/99 The Signboard Site License was entered into between Union Pacific Railroad Company and DR Partners, doing business as Donrey Outdoor Advertising, for the existing sign.

01/02/02 The City Council adopted a general development plan and development standards for the Parkway Center as a discussion item on the Business Development portion of the agenda.

04/24/03 The Planning Commission approved a Site Development Plan Review (SDR-2037) to allow an 84,201 square-foot office building on a portion of the subject property. The project was reviewed and approved by the PC-ARC (Parkway Center—Architecture Review Committee) on 03/05/03. Staff recommended approval.

05/21/03 The City Council approved a Required Review (RQR-1974) for 12 Off-Premise (Billboard) Signs; one of the reviewed signs is located on the subject site. The Planning Commission and Staff recommended approval.

10/21/04 The Planning Commission approved a Review of Condition (ROC-5347) relative to the previously approved Site Development Plan Review to allow for temporary off-site parking and landscaping to be installed upon a later phase of the development. Staff recommended approval.

01/18/05 The Parkway Center-Architecture Review Committee (PC-ARC) recommended approval of the proposed development and the requested Waivers.

02/10/05 The Planning Commission is scheduled to consider an associated (VAR-5878) to allow the relocation of the existing Off-Premise (Billboard) Sign on the site, as well as a Site Development Plan Review (SDR-5876) for the construction of 250,000 square-foot office building on the site.

02/24/05 The Planning Commission is scheduled to consider a Required Review (RQR-5683) for eight Off-Premise (Billboard) Signs, one of which is the subject of this application.

B) Pre-Application Meeting

12/14/04 At the pre-application conference, issues were discussed relative to the conditions of the previous Required Review (RQR-1974) for the Off-Premise (Billboard) Sign, as well as setback and construction issues.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.55 (A portion of a larger 5.1 acre parcel)

B) Existing Land Use

Subject Property:	Undeveloped
North:	US 95 Right-of-Way
South:	Undeveloped
East:	Office Use
West:	Undeveloped

C) Planned Land Use

Subject Property:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)
North:	US 95 Right-of-Way
South:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)
East:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)
West:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)

D) Existing Zoning

Subject Property:	PD (Planned Development)
North:	US 95 Right-of-Way
South:	PD (Planned Development)
East:	PD (Planned Development)
West:	PD (Planned Development)

E) General Plan Compliance

The subject property is located within the boundaries of the Downtown City of Las Vegas Redevelopment Plan area, and has a Mixed-Use land use designation. The Mixed-Use designation allows uses comparable to the following land use categories: L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), GC (General Commercial), and PF (Public Facilities). There are no General Plan policies that pertain to the this Special Use Permit request.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Downtown City of Las Vegas Redevelopment Plan Area	X	
Special Overlay District	X	
Airport Overlay District	X	

Trails		**X**
Rural Preservation Neighborhood		**X**
Development Impact Notification Assessment		**X**
Project of Regional Significance		**X**

Downtown City of Las Vegas Redevelopment Plan Area
The parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use land use designation. There are no policies of the Downtown City of Las Vegas Redevelopment Plan that pertain to the subject request.

Downtown Centennial Plan
The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Parkway Center District. The district is intended to accommodate a wide variety of commercial, public and residential uses within vertically or horizontally mixed-use configuration. Existing Off-Premise (Billboard) Signs that are removed may be replaced if the sign is incorporated in the new development and approved by a new special use permit.

Airport Overlay District
The parcel is located within the Airport Overlay District; Federal Aviation Administration (FAA) review is required for any building over 175 feet in height, based on the location of the property.

ANALYSIS

An existing Off-Premise (Billboard) Sign is located on the subject property, and the applicant has requested to relocate the sign in order to allow the construction of a new 250,000 square-foot commercial building on the site. The footprint of the proposed building and location of a perimeter access drive requires the sign to be mounted on top of the proposed parking structure, and will be approximately 15 feet northwest of its current location. The sign will not have any support pole, but will be cantilevered over the perimeter driveway. The cantilevered support structure will be decorative and will utilize similar materials and colors as the principal building.

The Las Vegas Downtown Centennial Plan permits the existing signs to remain as they are. If the signs are to be removed, the Downtown Centennial Plan allows new signs at the existing locations provided the signs are designed in a manner that is architecturally similar to the existing development. An example is the Off-premise (Billboard) Signs is located on the Las Vegas Premium Outlets Mall.

The subject sign falls under the same umbrella as described above except the agreement between Union Pacific and Donrey Outdoor stipulates that the subject sign can only be moved and replaced just once.

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.14, the following separation requirements apply to the subject proposal:

Standards	Code Requirement	Provided
Off-Premise (Billboard) Sign	750' separation from other Off-Premise (Billboard) Signs oriented towards freeway	N
	300' separation from any other Off-Premise (Billboard) Sign	Y
	300' separation from any U or R zoning district	Y

The proposed sign will be located within 750 feet of another Off-Premise (Billboard) Sign. Based on the Conditions of Approval of Required Review RQR-1974, the sign is allowed to be replaced provided a Special Use Permit and Variance are approved by City Council.

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

Standards	Code Requirement	Provided
Height	30' above elevation of highway or 55' maximum	50'
Maximum Area	672 SF	672 SF
Setback from Right-of-Way	10'	0'
Setback from Intersection	50'	420'
	The sign is freestanding and ground mounted	Not freestanding or ground mounted

The proposed sign will comply with the height, area, and intersection setback requirements. The sign will not conform to the required 10-foot setback from the freeway right-of-way. A Variance (VAR-5878) application has been filed to address this issue.

The proposal is in conflict with the condition of approval of RQR-1974 that states that relocated signs must conform to the locational requirements of Title 19. One of the locational requirements of Off-Premise (Billboard) Signs is the sign shall be freestanding (not attached to a building) and ground mounted (not attached to the roof of a building).

It is the Variance, noncompliance to the conditions of RQR-1974, and the location of the sign in a manner that is inconsistent with Title 19 that is the basis for the denial of this Special Use Permit request.

B) General Analysis and Discussion

- Zoning

The subject property is zoned PD (Planned Development) and Off-Premise (Billboard) Signs are not a permitted use in PD zoned areas. The Conditions of Approval of the Rezoning (Z-0100-97) state that no new Off-Premise (Billboard) Signs are allowed; however, the pre-existing signs may remain subject to review. As noted above, the Conditions of Approval of the Required Review (RQR-1974) requires that relocated signs must conform to locational requirements Title 19. A roof mounted Off-Premise (Billboard) Sign does not conform to Title19.14.

- Use

The use and relocation of the use is permitted in the Downtown Centennial Plan area if the sign is incorporated in the new development. But, as the request can not be supported because of conflict with Title 19 and prior conditions of approval the use is not appropriate as proposed.

- Conditions

In accordance with the Rezoning (Z-0100-97) for the property, the sign shall be subject to review by City Council, giving consideration to changing conditions in the area and whether or not the use can continue to be conducted in a manner that is compatible with surrounding land uses.

FINDINGS

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

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

   The proposed use will not be harmonious with the existing billboard signs as the new sign would be the first roof mounted sign and all of the other signs are freestanding and ground mounted.

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

   As the proposed layout of the building and vehicular circulation areas for the site eliminate most locations for the support pole of the sign, the sign will be attached to the parking structure. The cantilevered sign will extend to the rear property line along the freeway.

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, and will not negatively impact the use of 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 (Billboard) Sign will not be a threat to public health, safety, or welfare, as its license is subject to ongoing City inspections and enforcement.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 35 – Mailed with VAR-5878 and SDR-5876

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUB-5877 APN: 139-27-410-008

Name of Property Owner: City Parkway IV A Inc.

Name of Applicant: Parkway Center LLC

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Douglas Selby

Print Name: Douglas Selby

Subscribed and sworn before me

This 22nd day of December, 2004

Cecili C. Green

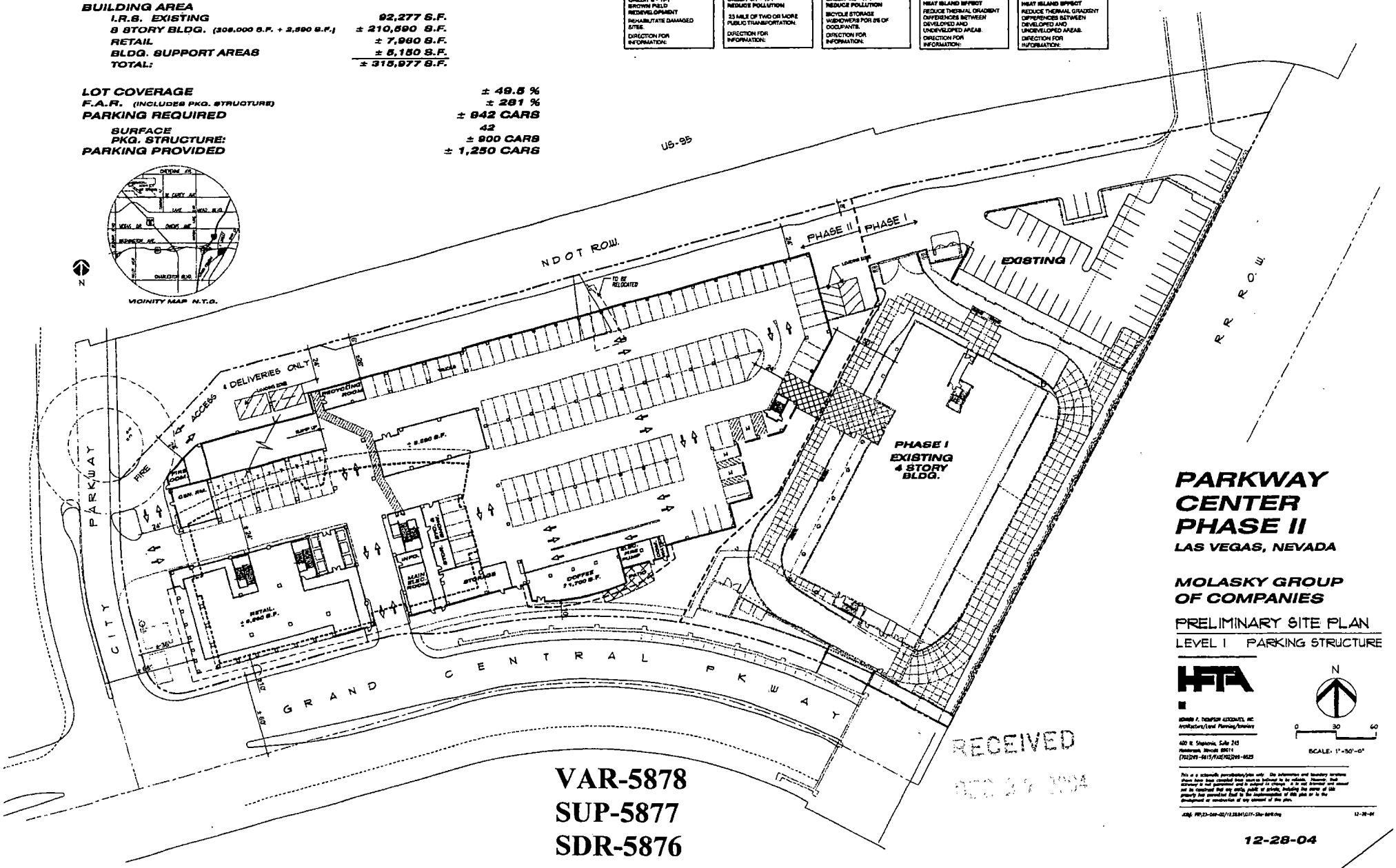
Notary Public in and for said County and State

Notary Public-State of Nevada
COUNTY OF CLARK
CECELI C. GREEN
My Appointment Expires
March 7, 2008
No. 96-1693-1

PROJECT SUMMARY

LAND AREA		± 5.1 AC
BUILDING AREA		
I.R.S. EXISTING	92,277 S.F.	
8 STORY BLDG. (208,000 S.F. + 2,690 S.F.)	± 210,690 S.F.	
RETAIL	± 7,980 S.F.	
BLDG. SUPPORT AREAS	± 5,150 S.F.	
TOTAL:	± 315,977 S.F.	
LOT COVERAGE		± 49.5 %
F.A.R. (INCLUDES PKG. STRUCTURE)		± 281 %
PARKING REQUIRED		± 942 CARS
SURFACE		42
PKG. STRUCTURE:		± 900 CARS
PARKING PROVIDED		± 1,250 CARS

LEED	LEED	LEED	LEED	LEED
SUSTAINABLE SITE CREDIT 8 - 1PT BROWN FIELD REDEVELOPMENT REHABILITATE DAMAGED SITES. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 4.1 - 1PT REDUCE POLLUTION 25 MILE OF TWO OR MORE PUBLIC TRANSPORTATION. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 4.3 - 1PT REDUCE POLLUTION BICYCLE STORAGE W/SHOWERS FOR 5% OF OCCUPANTS. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 7.1- 1PT HEAT ISLAND EFFECT REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 7.2- 1PT HEAT ISLAND EFFECT REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS. DIRECTION FOR INFORMATION:



PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY SITE PLAN

LEVEL 1 PARKING STRUCTURE

HFTA

Edwin F. Thompson Associates, Inc.
Architecture/Land Planning/Interiors

400 E. Stephenie, Suite 245
Henderson, Nevada 89014
(702)269-6815/FAX(702)269-6825

N

0 30 60

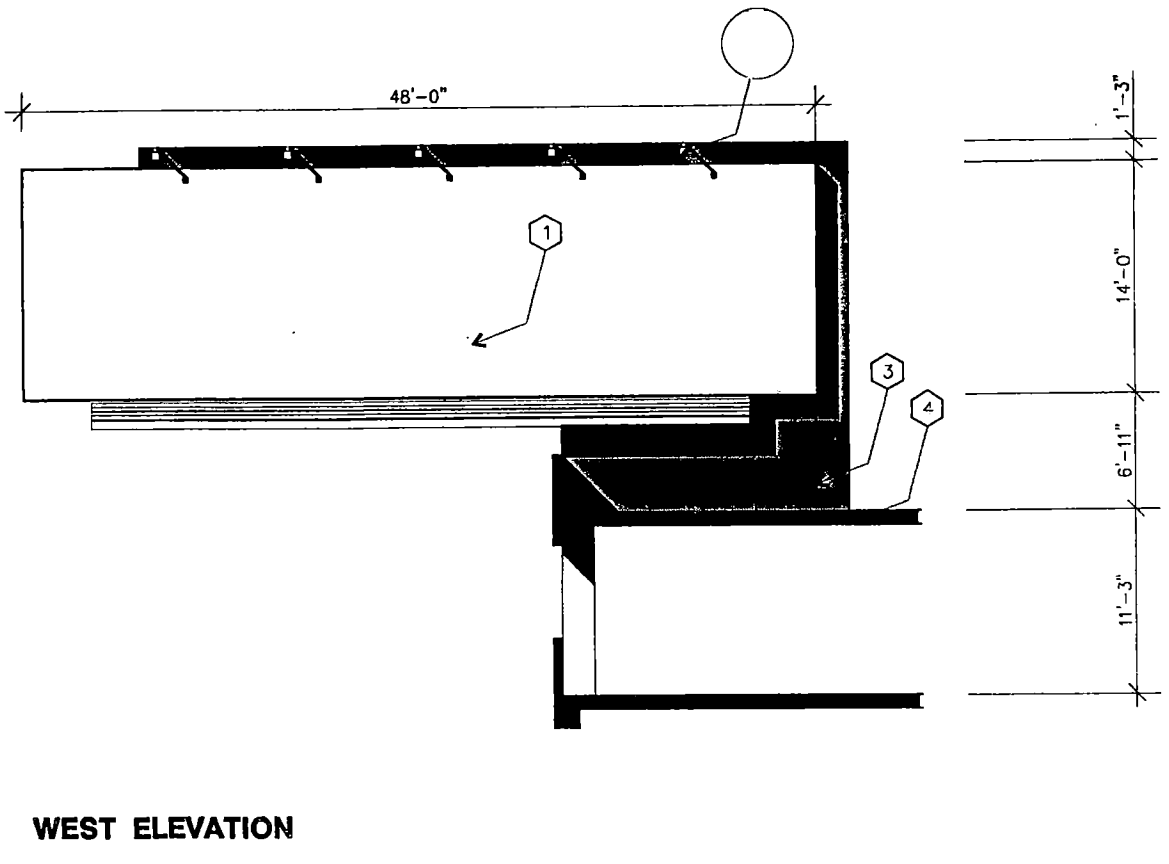
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This is a schematic representation only. The information and boundary locations shown have been compiled from sources believed to be reliable, however, such information is not guaranteed and is subject to change. It is not intended and must not be construed that any certain parcel of private property has permitted land to be built/completed of this plan or to the development or construction of any element of the plan.

12-28-04

RECEIVED
DEC 27 2004

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

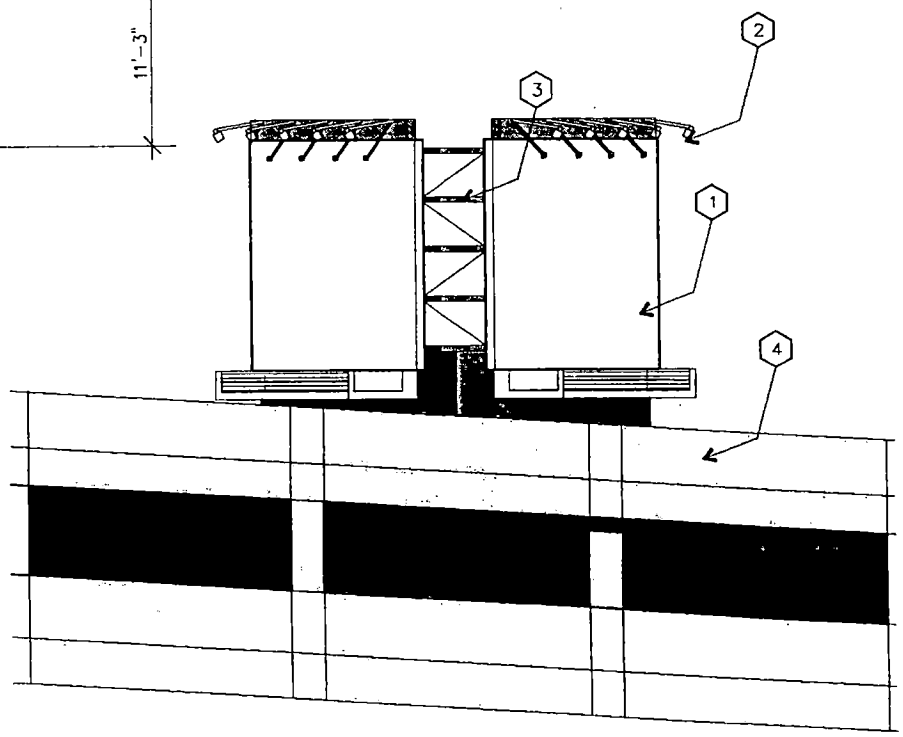


MATERIAL LEGEND

1. SIGN BOARD
2. LIGHTS
3. SUPPORT
4. PARKING STRUCTURE

WEST ELEVATION

PROPOSED SIGNAGE



NORTH ELEVATION

HOWARD F. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6615/FAX(702)269-6615

0 4' 8'
1/8"=1'-0"

JOB#: F:\PR\23-049-00/12-28-04/SIGN-ELEVATIONS.DWG DATE: 12-22-04

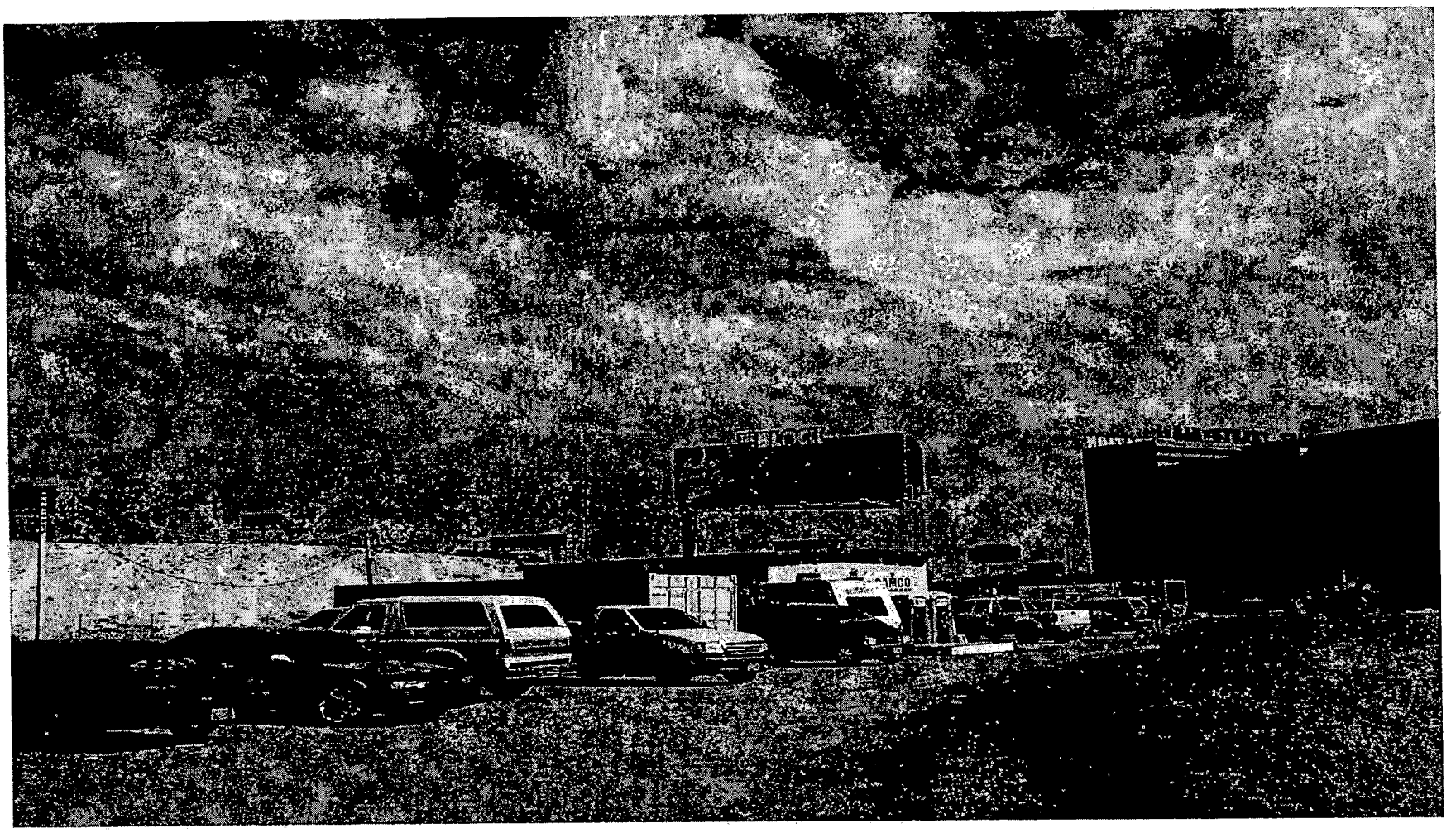
RECEIVED
DEC 27 2004

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC



SUP-5877 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.
110 CITY PARKWAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SUP-5877 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.
110 CITY PARKWAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SUP-5877 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.
110 CITY PARKWAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW
WWW.KKBR.COM

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89109-0907
Tel: 702.792.7000
Fax: 702.796.7181

8600 Technology Way
Suite 104
Reno, NV 89521-5941
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kkbr.com

December 27, 2004

VIA HAND DELIVERY

Mr. Flynn Fagg
CITY OF LAS VEGAS
DEPT. OF PLANNING & DEVELOPMENT
City of Las Vegas Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Re: Justification Letter
Off-Premise Sign – Parkway Center
APN: 139-27-410-008

Dear Mr. Fagg:

Please be advised, this office represents the applicant with respect to the development of Phase II of Parkway Center which will consist of a multi-story office building and retail component. The applicant is filing a site plan review for Phase II of the Parkway Center concurrent with this request for a special use permit and variance for an off-premise sign.

The off-premise sign (the "Sign") is an existing pole structure with advertisements that face towards both directions of the 95 freeway. As part of the site plan review for the Phase II of Parkway Center, the applicant is requesting to remove the standard pole structure and instead affix the Sign onto the parking garage. The parking garage will service the retail businesses, IRS building and tenants and visitors of Phase II of Parkway Center.

The applicant is seeking a special use permit and a variance for the Sign. The variance is necessary to waive the distance restrictions imposed by 19.14.100(C)(5) between off-premise signs located on the same side of a freeway. The Sign will be elevated approximately 50 feet above the freeway. The existing off-premises signs located along this corridor have been in existence for several years and precede the code requirement cited above. A review of these off-premise signs was approved by the City of Las Vegas City Council on May 21, 2003 (RQR-1974). Condition number 7 of RQR-1974 allows an applicant to seek a special use permit for the new structure and a variance to the applicable standards of Title 19.

Since the Sign will be located in the core of Las Vegas and adjacent to a major freeway where other off-premise signs currently exist, erection of the Sign on the parking structure will be harmonious and compatible with the area. Additionally, removal of the pole structure in favor of a more visually appealing structure affixed to the parking garage will enhance the area. Finally, the Sign will be maintained by the owner of the Parkway Center so the Sign will be kept in good condition so as to not detract from the attractiveness of the overall office and retail complex.

If you have any questions, please do not hesitate to contact me.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jennifer Lazovich

JJL/dmf
Encl.

SUP-5877

City of Las Vegas

Agenda Item No.: 44

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

SDR-5876 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5878 AND SUP-5877 - PUBLIC HEARING - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC. - Request for a Site Development Plan Review FOR A 15-STORY, 250,000 SQUARE FOOT OFFICE AND COMMERCIAL DEVELOPMENT AND WAIVERS FROM THE PARKWAY CENTER STREETSCAPE REQUIREMENTS, BUILD-TO LINE, AND EXTERIOR MATERIALS REQUIREMENTS on 2.55 acres at 110 City Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Weekly).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

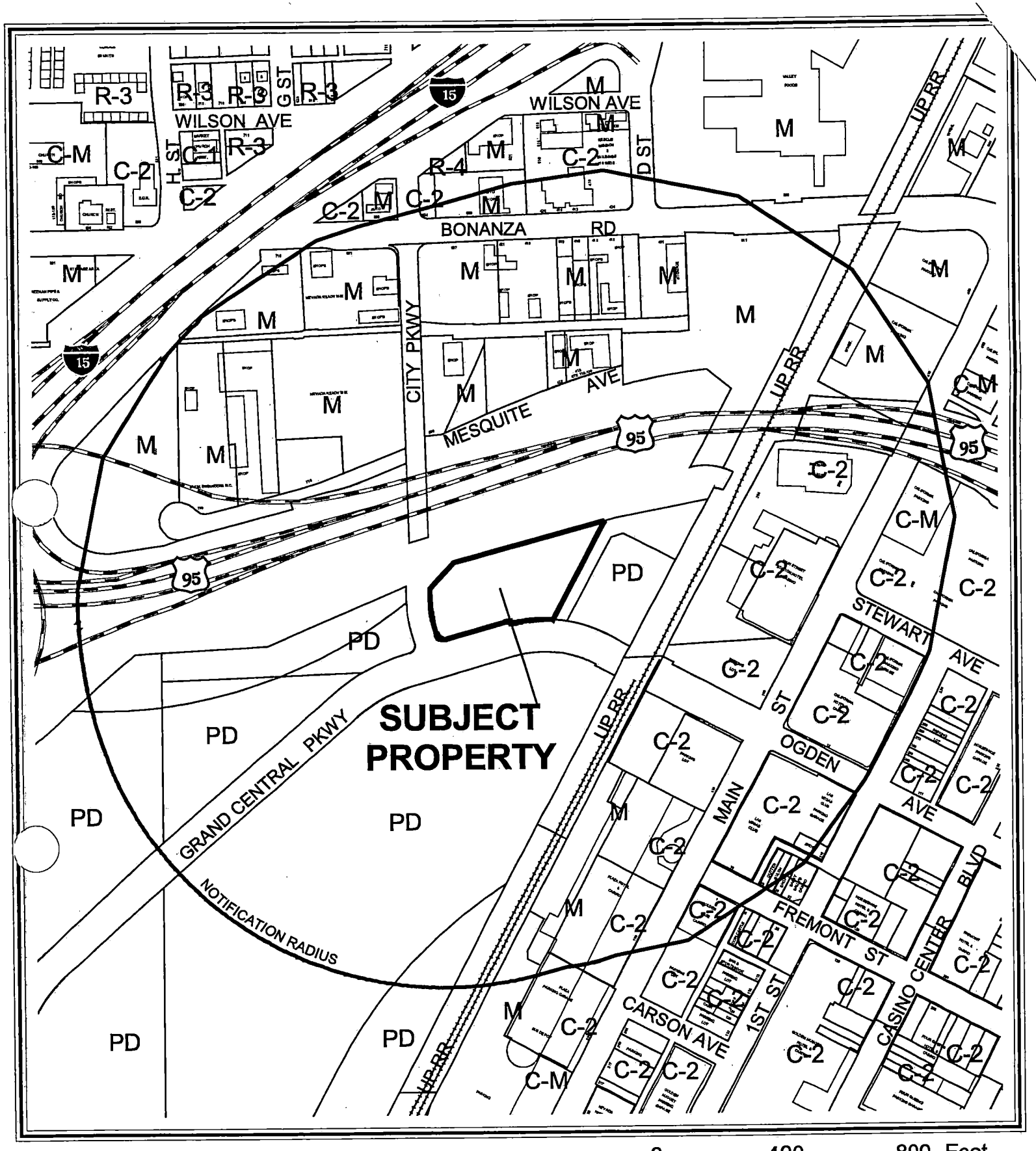
MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)



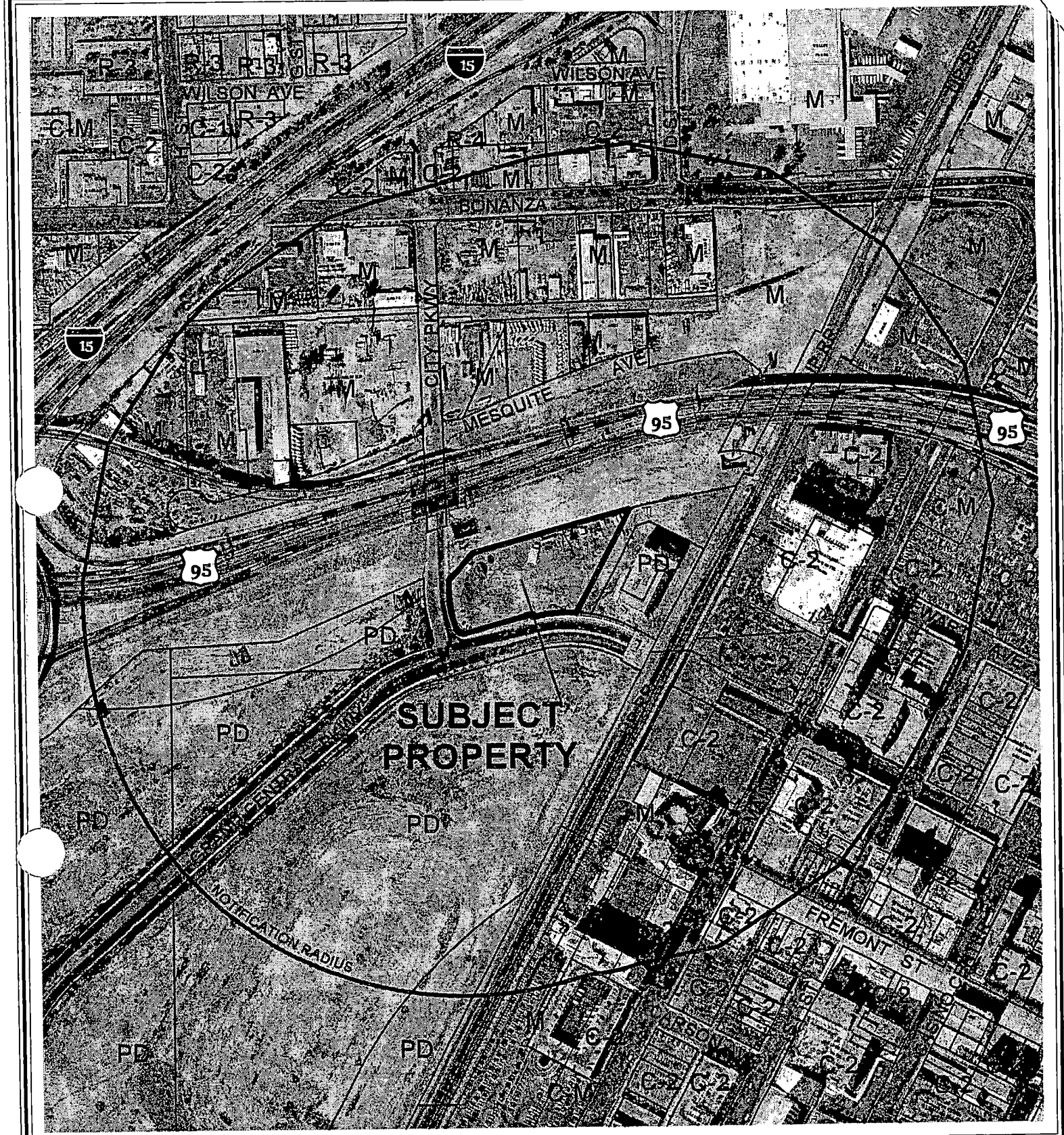
0 400 800 Feet

CASE: **SDR-5876**

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



0 400 800 Feet

CASE: **SDR-5876**

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5876 – APPLICANT: PARKWAY CENTER LLC – OWNER: CITY PARKWAY IV A INC.

** CONDITIONS **

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

Planning and Development

1. Approval of VAR-5878 and SUP-5877 by the City Council.

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

3. All development shall be in conformance with the site plan and building elevations, dated 12/27/04, and the perspective drawings, dated 1/20/05, except as amended by conditions herein.

4. The Waiver from the Parkway Center Standards build-to requirement is hereby approved, due to existing conditions of the public right-of-way.

5. The Waiver from the Parkway Center streetscape requirements is hereby approved, based on the continuation of the existing landscape palette and sidewalk width. Sidewalk paving materials shall comply with Parkway Center requirements.

6. The Waiver from the Parkway Center perimeter landscape standards is hereby approved, provided the number of trees in the buffer areas meets or exceeds Code requirements.

7. The Waiver from the Parkway Center exterior materials requirement is hereby approved to allow the use of pre-cast concrete on the lower levels of the building. The use of any other non-conforming materials shall be subject to the final review and approval of the PC-ARC (Parkway Center-Architecture Review Committee).

8. Glazing shall comply with Parkway Center Standards. Any variation from the Parkway Center Standards shall be subject to the final review and approval of the PC-ARC (Parkway Center-Architecture Review Committee).

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

10. Parking spaces within the parking structure may be reduced in width, subject to the requirements of Title 19.10.010(J)(2c).

11. Handicap parking spaces shall be provided in accordance with Title 19.10.

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

13. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with the Parkway Center Development Standards. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building. Trash enclosure shall have walls and a roof. Any variation in the screening of mechanical equipment from Code requirements shall be subject to the final review and approval of the PC-ARC (Parkway Center-Architecture Review Committee).

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

15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

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

17. 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.

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

Public Works

19. Construct all incomplete half-street improvements on Grand Central Parkway and City Parkway adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

20. 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.

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

22. Access driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

23. In accordance with the intent of a commercial subdivision, all pad sites comprising this overall site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

24. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

25. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.

26. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for a 15-story, 250,000 square-foot office and commercial development and Waivers of the Parkway Center streetscape requirements, build-to line, and exterior materials requirements on 2.55 acres at 110 City Parkway. An associated Special Use Permit application (SUP-5877) and Variance (VAR-5878) for an off-premise sign on the property will be considered concurrently.

B) Applicant's Justification

The applicant states that the building will be designed and built as a LEED (Leadership in Energy and Environmental Design) structure, and that the requested Waivers will not be detrimental to the surrounding area and that the project will enhance the Parkway Center.

BACKGROUND INFORMATION

A) Previous Actions

11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject site as part of a larger request. The Planning Commission recommended approval. Included in that approval was the ability to maintain the existing Off-Premise Advertising (Billboard) Signs.

01/02/02 The City Council adopted a general development plan and development standards for the Parkway Center as a discussion item on the Business Development portion of the agenda.

04/24/03 The Planning Commission approved a Site Development Plan Review (SDR-2037) to allow a 84,201 square-foot office building on a portion of the subject property. The project was reviewed and approved by the PC-ARC (Parkway Center—Architecture Review Committee) on 03/05/03.

05/21/03 The City Council approved a Required Review (RQR-1974) for 12 Off-Premise Advertising (Billboard) Signs; one of the reviewed signs is located on the subject site.

10/21/04 The Planning Commission approved a Review of Condition (ROC-5347) relative to the previously-approved Site Development Plan Review to allow for temporary off-site parking and landscaping to be installed upon a later phase of the development.

01/18/05 The Parkway Center-Architecture Review Committee (PC-ARC) recommended approval of the proposed development and the requested Waivers.

02/10/05 The Planning Commission is scheduled to consider an associated Special Use Permit (SUP-5877) and Variance (VAR-5878) to allow the relocation of the existing Off-Premise Advertising (Billboard) Sign on the site.

02/24/05 The Planning Commission is scheduled to consider a Required Review (RQR-5683) for eight Off-Premise Advertising (Billboard) Signs, one of which is located on the subject property.

B) Pre-Application Meeting

12/14/04 At the pre-application conference, it was noted that the Parkway Center development standards would apply to the project, and that waivers would be needed from the build-to line requirement and landscaping standards.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.55 (A portion of a larger 5.1 acre parcel)

B) Existing Land Use

Subject Property:	Undeveloped
North:	US 95 Right-of-Way
South:	Undeveloped
East:	Office Use
West:	Undeveloped

C) Planned Land Use

Subject Property:	MXU (Mixed-Use)
North:	US 95 Right-of-Way
South:	MXU (Mixed-Use)
East:	MXU (Mixed-Use)
West:	MXU (Mixed-Use)

D) Existing Zoning

Subject Property:	PD (Planned Development)
North:	US 95 Right-of-Way
South:	PD (Planned Development)
East:	PD (Planned Development)
West:	PD (Planned Development)

E) General Plan Compliance

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

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

Redevelopment Plan Area
The parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan
The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Parkway Center District. The district is intended to accommodate a wide variety of commercial, public and residential uses within vertically or horizontally mixed-use configuration. The proposed project is generally consistent with the goals and objectives of the Downtown Centennial Plan.

Airport Overlay District
The parcel is located within the Airport Overlay District; Federal Aviation Administration (FAA) review is required for any building over 175 feet in height, based on the location of the property.

PROJECT DESCRIPTION

The proposed project entails the development of a 250,000 square-foot office and retail building, incorporating an integral parking structure that will serve the proposed building and the previously-approved office building under construction on the eastern portion of the site. The building will be 15 stories in height, with retail space located on the ground floor of the building facing Grand Central Parkway, and the office portion of the structure occupying the upper eight stories of the building. The parking structure will occupy the intermediate levels of the building, with entrances from Grand Central Parkway and City Parkway.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	2.55 Acres	N/A
Min. Lot Width	N/A	225 Feet	N/A
Min. Setbacks • Front • Corner • Rear	 0 Feet 0 Feet N/A Feet	 10 Feet 36 Feet 24 Feet	 N N N/A
Build-to Line	75% of frontage line	80%	N
Max. Lot Coverage	Up to 100%	49.5%	Y
Max. Building Height	N/A	15 stories	N/A
Min. Building Height	4 stories	15 stories	Y
F.A.R.	1.5	2.81	Y
Trash Enclosure	Walled/roofed	Interior	Y
Mech. Equipment	Screened	Screened	Y

The proposed building will be located approximately ten feet behind the front property line and 36 feet from the corner side yard property line, instead of being located directly at the property line. The Parkway Center Standards require that the building be located at the frontage line for a minimum of 75% of the building width. The structure will comply with all other development standards.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards. The parcel is located over 1,800 feet from the nearest single-family residence.

A3) Parking and Traffic Standards

Pursuant to Section 4.12 of the Parkway Center Development Standards, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Parking Ratio	Parking Regular	Parking Handicap	**Provided** Parking Regular	Parking Handicap
Office	302,867	3 spaces per 1,000 SF	909			
Retail	7,960	2 spaces per 1,000 SF	16			
Total			925	19	1,250	Not indicated

The parking calculations listed above include the square footage of both the Phase I and Phase II buildings, as both will share the parking structure. The development will provide parking spaces in excess of Parkway Center requirements; handicap spaces will need to be provided in accordance with Code requirements. The applicant has requested approval for a reduction in the size of the parking spaces within the parking structure, in accordance with Title 19.10.010(J)(2-c), which may be approved administratively by the Planning and Development Director, provided that none of the spaces are less than 8-1/2 feet in width.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Perimeter Buffer: • Front: 5' • Rear: 20'	 1 Tree/30' o.c. max. 1 Tree/30' o.c. max.	 14 Trees 29 Trees	 10'/14 Trees 0'-8'/48 Trees
Streetscape Treatment East/West Street	1 Shade Tree/30' o.c. max. (min. 24" box)	13 Trees	17 Palm Trees
Sidewalk	11' Sidewalk		6' Sidewalk

FF

The number of trees provided in all buffer and streetscape amenity zones exceeds the amount required by Code. The front perimeter buffer area exceeds the required depth, but the rear landscape buffer does not conform to Code requirements. The sidewalk width, amenity zone, and the type of provided street trees do not conform to the Parkway Center streetscape standard.

A5) Sign Standards

No signage information has been provided on the submitted elevations or site plan. All signage shall be subject to the requirements listed in the Parkway Center Development Standards.

B) General Analysis and Discussion

- Zoning

The proposed office and retail uses are permitted by the Parkway Center Development Standards. The structure is not located directly at the front property line as stipulated in the Parkway Center Standards, due to right-of-way conditions at the Grand Central Parkway underpass. Despite this condition, the building is located as far towards the front of the property as possible, and the proposed retail spaces will have direct access from the public sidewalk as required by the Parkway Center Standards.

- Site Plan

The site plan depicts the retail spaces and a vehicular entrance at the front of the property facing Grand Central Parkway, with additional driveways for the parking structure and a perimeter access drive located on City Parkway. The site is shared with a four-story office structure (Phase I) that is already under construction; the parking structure will be utilized by both buildings. Landscape areas will be provided along the Grand Central Parkway and City Parkway frontages; a perimeter buffer will be provided along the majority of the rear property line adjacent to the freeway.

- Waivers

The project requires the following Waivers:

1. *75% Build-to requirement.* The building maintains a nearly continuous 10-foot setback along the front of the property, rather than being located directly at the property line as required by the Parkway Center standards. This setback is due to the right-of-way condition and location of the retaining wall at the Grand Central Parkway underpass. In addition, the building is set back 36 feet from the City Parkway frontage line, due to the location of utilities at the front of the property and future plans to provide

freeway access from City Parkway. Staff recommends approval of the Waiver due to the fact that the retail spaces have direct access to the public sidewalk on Grand Central Parkway as required and that the building maintains a continuous frontage along both streets.

2. Streetscape treatment. The applicant is proposing to utilize palm trees instead of the required shade trees in the right-of-way, and is utilizing the existing six-foot wide sidewalk instead of the 11-foot wide sidewalk that is required. The use of palm trees along the northern portion of Grand Central Parkway is appropriate, due to the curvilinear nature of the street and the existing palette of materials that is already in place. In addition, the reduced sidewalk width is also acceptable due to the constraints of the right-of-way and existing conditions.

3. Perimeter landscape buffers. The rear landscape buffer does not conform to the required 20-foot buffer depth; the applicant argues that the freeway right-of-way contributes to the buffer area. Even with the limited buffer depth, the applicant will be providing more trees than would be required by Code in the buffer area; consequently, staff would recommend approval of the Waiver.

4. Reflective glazing. The applicant has requested the ability to use reflective glazing as one of the elements of complying with the LEED certification, and would like flexibility in selecting the glazing as they are still in the process of investigating materials. The Parkway Center standard limits reflective or tinted glass to 60% of the façade area, and glazing shall not exceed 15% reflectivity; in addition, windows at the ground floor shall be clear glass or have a minimum light transmittance of 60%. It is recommended that applicant comply with the Parkway Center requirement, and that any need for a Waiver be presented to the PC-ARC (Parkway Center—Architecture Review Committee) for final review and approval.

5. Exterior materials. The Parkway Center Standards require stone cladding up to the third story of a building; the applicant is proposing to use pre-cast concrete panels on the ground floor and on all elevations of the parking structure portion of the building. As the cladding and colors are generally consistent with the adjacent Phase I building, staff recommends approval of the Waiver. As the applicant is still in the process of investigating exterior materials that comply with LEED standards, any request for changes from the materials indicated in the submitted plans shall be subject to review and approval by the PC-ARC (Parkway Center—Architecture Review Committee).

- Landscape Plan

  As previously noted, the applicant has requested a Waiver from the streetscape and perimeter landscape requirements; however, the number of trees provided in the landscape areas exceed Code requirements. All other landscaping is in conformance with the Parkway Center Standards.

- Elevations

  The elevations depict the use of pre-cast concrete panels on the ground floor and parking structure, with glazing, spandrel glass, and metal panels on the office portion of the structure. The applicant has requested a Waiver for the use of pre-cast concrete rather than stone veneer, as described above; the other proposed materials are permitted by the Parkway Center Standards. The building will generally be compatible with the design and materials of the Phase I building that is currently under construction on the site.

  Section 4.10 of the Parkway Center Standards requires that the exterior walls of all parking structures be compatible with the color, texture, architectural features, and articulation of the main building. While the detailing of the parking structure portion of the building is minimal, decorative metal shade structures and the pattern of score lines in the pre-cast concrete panels assist in adding interest and shadow to those portions of the facades.

- Floor Plan

  The ground floor plan of the building depicts the retail spaces fronting Grand Central Parkway, with the principal entrance to the spaces directly accessible from the public sidewalk. Access to the office levels of the building will be from elevators on each floor of the parking structure; the principal lobby entrance to the office building will from the top deck of the parking structure, facing a roof-top landscaped terrace.

FINDINGS

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

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

   The proposed development is generally consistent with adjacent development and the development that is proposed for the area.

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

   The proposed development is consistent with the General Plan and Title 19. The development requires a number of Waivers from the Parkway Center Standards, but is generally consistent with the overall goals and objectives of the Downtown Centennial Plan.

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

   The development will have access from Grand Central Parkway and City Parkway, and will not negatively impact adjacent roadways or traffic in the immediate vicinity of the project.

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

   The proposed building materials and landscape materials are appropriate for the City, and will conform with LEED standards.

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

   The design of the building will be compatible with the adjacent Phase I development, and will assist in creating an orderly and aesthetically pleasing environment.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 35 – Mailed with VAR-5878 and SUP-5877

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5876 APN: 139-27-410-008

Name of Property Owner: City Parkway IV A Inc.

Name of Applicant: Parkway Center LLC

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Douglas Selby

Print Name: Douglas Selby

Subscribed and sworn before me

This 22nd day of December, 2004

Cecili C. Green

Notary Public in and for said County and State

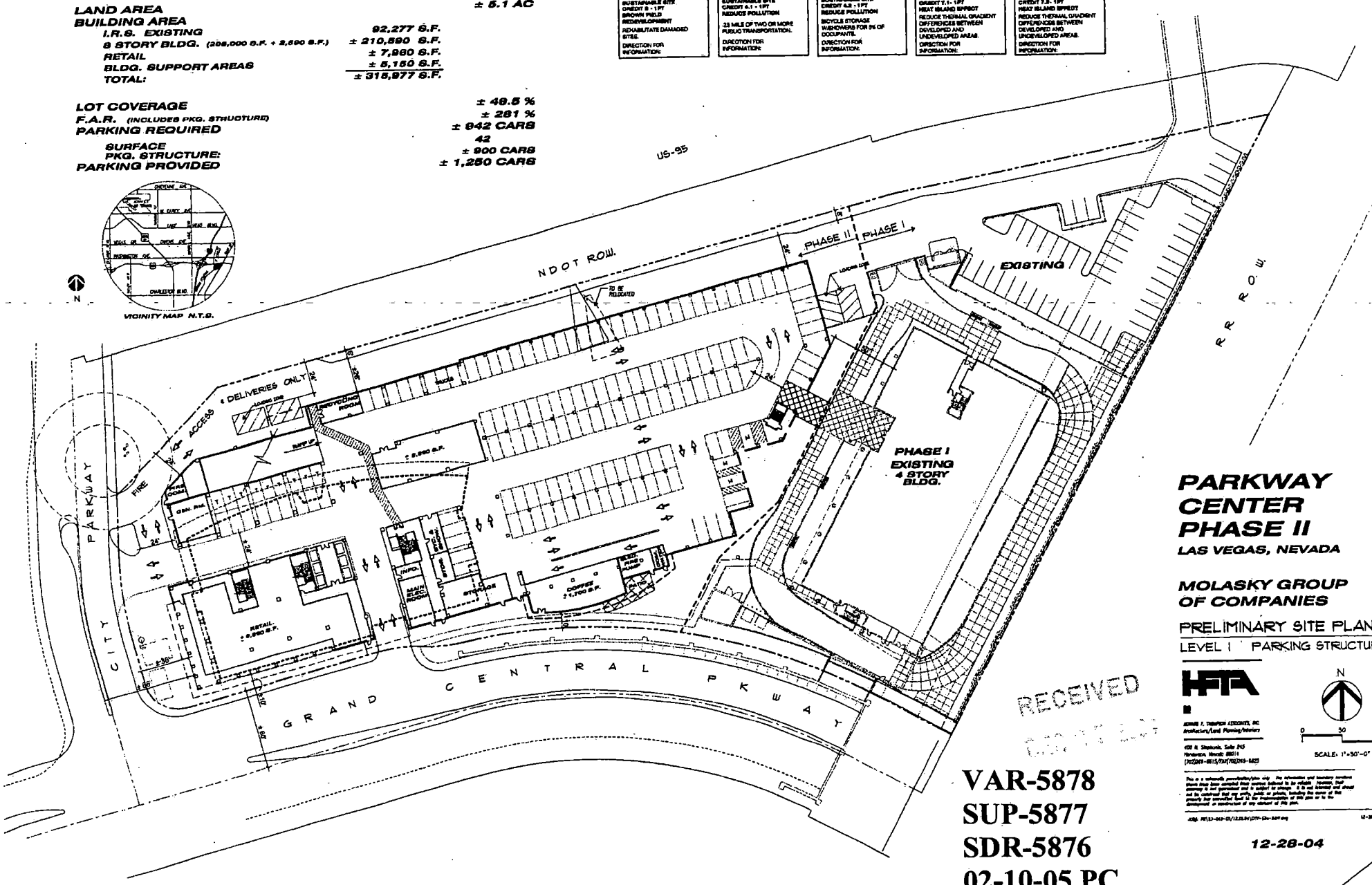
Notary Public-State of Nevada
COUNTY OF CLARK
CECELI C. GREEN
My Appointment Expires
March 7, 2008
No. 96-1693-1

PROJECT SUMMARY

LAND AREA		± 5.1 AC
BUILDING AREA		
I.R.S. EXISTING	92,277 S.F.	
8 STORY BLDG. (206,000 S.F. + 2,590 S.F.)	± 210,590 S.F.	
RETAIL	± 7,980 S.F.	
BLDG. SUPPORT AREAS	± 5,150 S.F.	
TOTAL:	± 315,977 S.F.	
LOT COVERAGE		± 48.5 %
F.A.R. (INCLUDES PKG. STRUCTURE)		± 281 %
PARKING REQUIRED		± 942 CARS
		42
SURFACE		± 900 CARS
PKG. STRUCTURE:		± 1,250 CARS
PARKING PROVIDED		

LEED	LEED	LEED	LEED	LEED
SUSTAINABLE SITE CREDIT 5 - 1 PT BROWN FIELD REDEVELOPMENT REHABILITATE DAMAGED SITES. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 6.1 - 1 PT REDUCE POLLUTION 23 MILE OF TWO OR MORE PUBLIC TRANSPORTATION. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 4.2 - 1 PT REDUCE POLLUTION BICYCLE STORAGE WASHOWERS FOR 5% OF OCCUPANTS. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 7.1- 1PT HEAT ISLAND EFFECT REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 7.2- 1PT HEAT ISLAND EFFECT REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS. DIRECTION FOR INFORMATION:

VICINITY MAP N.T.S.



PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY SITE PLAN

LEVEL I PARKING STRUCTURE

HFA

ADAMS F. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors

450 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-8815/FAX(702)269-8825

N

0 30 60

SCALE: 1"=30'-0"

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12-28-04

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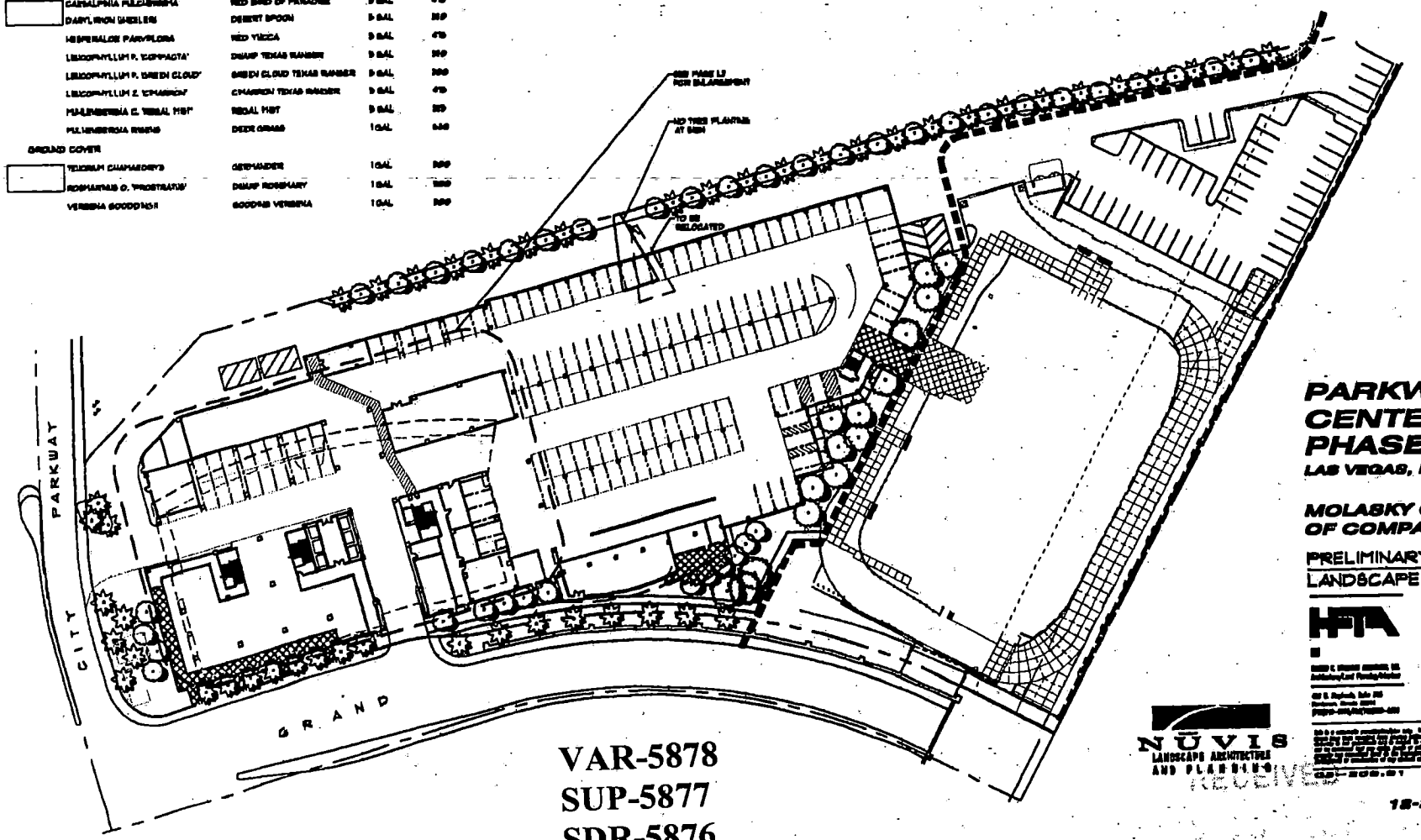
VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

PLANTING LEGEND

	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
TREES				
	CHILOPSIS LINEARIS	DESERT WILLOW	36" BOX	35
	PALO ELDARICA	MINDEL PINE	24" BOX	19
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	36" BOX	40
SHRUBS				
	CAESALPINIA PULCHERRIMA	RED BIRD OF PARADISE	5 GAL	475
	DASYLIRION WHEELERI	DESERT SPOON	5 GAL	350
	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL	475
	LEUCOPHYLLUM F. 'COMPACTA'	DWARF TEXAS RANGER	5 GAL	350
	LEUCOPHYLLUM F. 'GREEN CLOUD'	GREEN CLOUD TEXAS RANGER	5 GAL	350
	LEUCOPHYLLUM Z. 'CIMARRON'	CIMARRON TEXAS RANGER	5 GAL	475
	MUHLENBERGIA C. 'REGAL MIST'	REGAL MIST	5 GAL	350
	MUHLENBERGIA RIGENS	DEER GRASS	1 GAL	640
GROUND COVER				
	TEUCRIUM CHAMAEDRYS	GERMANDER	1 GAL	500
	ROSMARINUS O. 'PROSTRATUS'	DWARF ROSEMARY	1 GAL	350
	VERBENA GOODDINGII	GOODING VERBENA	1 GAL	500

LEED

WATER EFFICIENCY
CREDIT 1: = 1 PT
WATER EFFICIENT
LANDSCAPING
LIMIT OR ELIMINATE THE
USE OF POTABLE WATER.
IRRIGATION FOR ESTABLISHMENT



VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY
LANDSCAPE PLAN

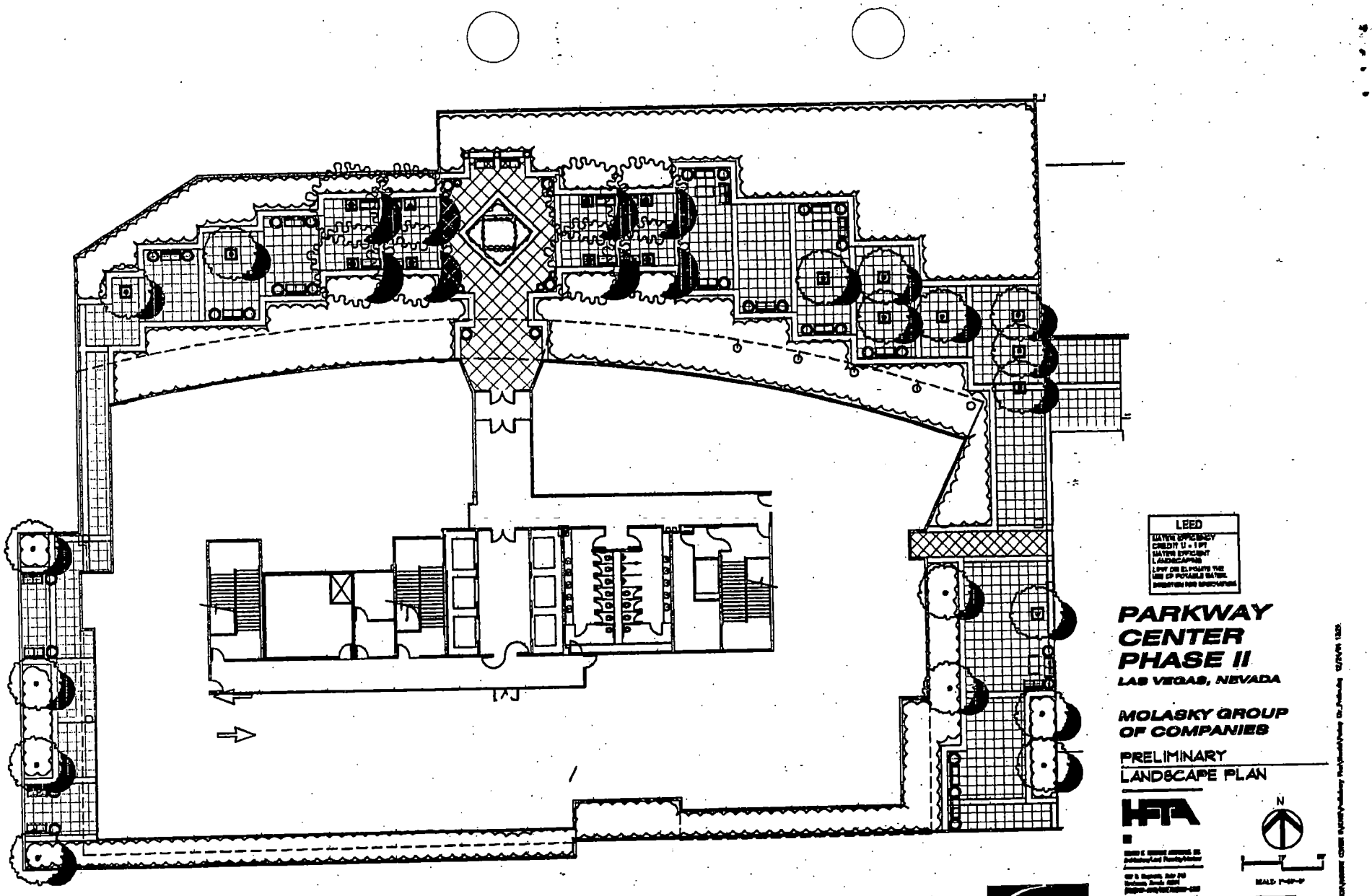
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AND PLANNING

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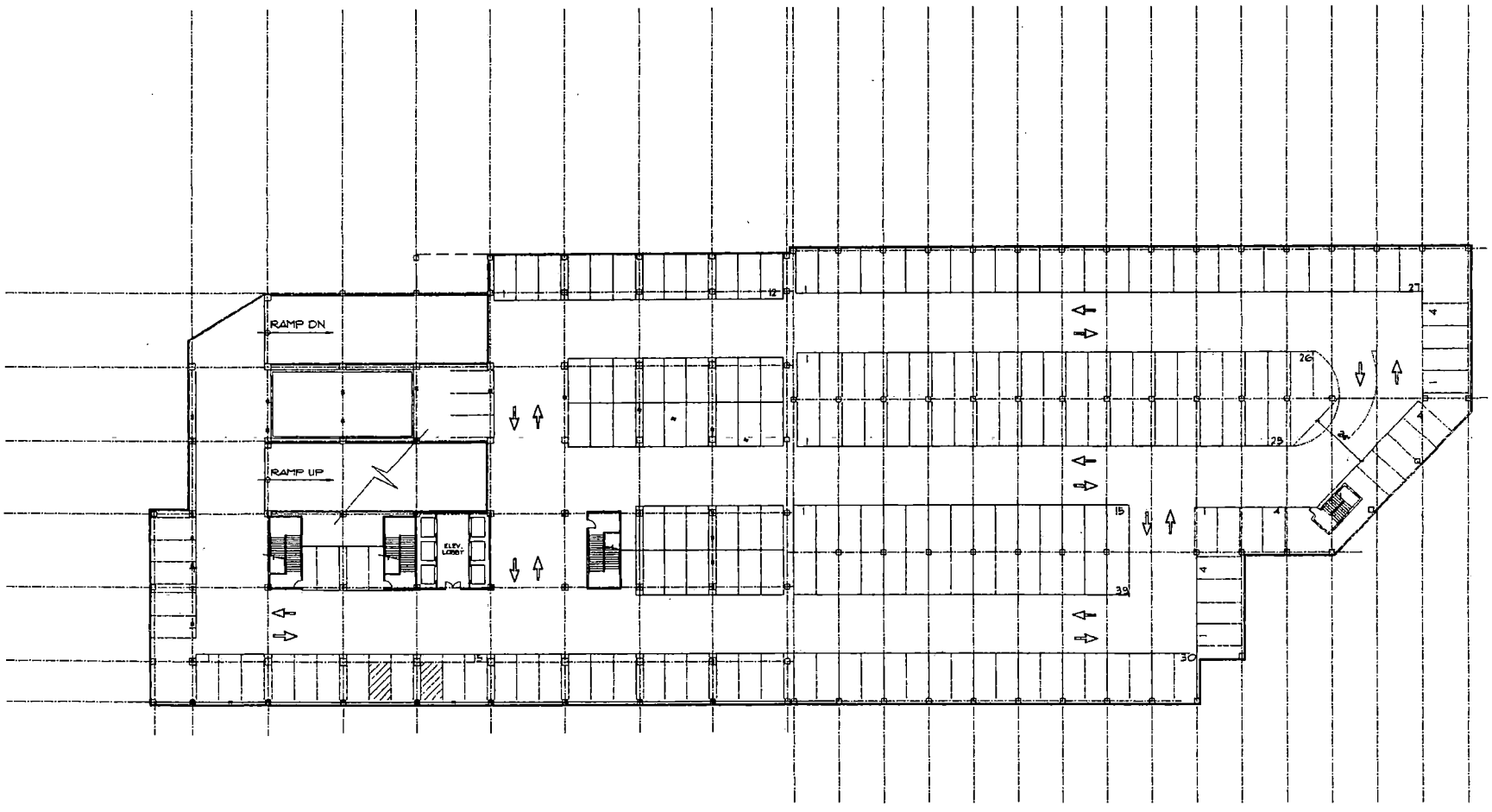
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VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

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VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

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PARKWAY CENTER PHASE II
LAS VEGAS, NEVAD

MOLASKY GROU OF COMPANIES

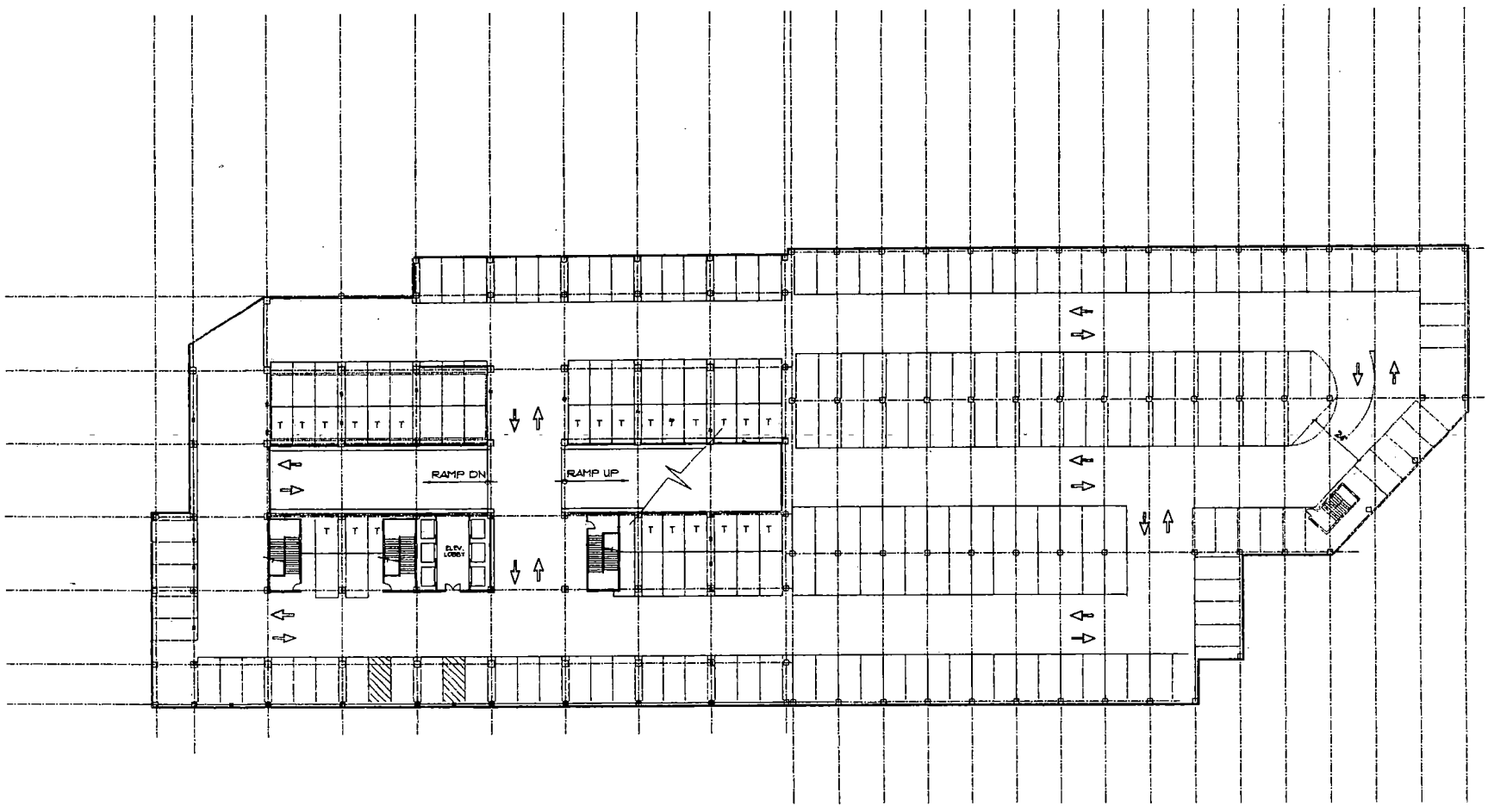
PRELIMINARY PARKING STRUCTUR
LEVEL 2 FLOOR PL

HFA
HOWARD F. HAWKINS ASSOCIATES, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6611/FAX(702)263-6925

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0 20
SCALE: 1"=20'-

This is a schematic representation only. The information and layout shown have been compiled from sources believed to be reliable. However, accuracy is not guaranteed and is subject to change. It is not intended as an inducement that any party shall enter into a contract. It is not property has committed itself to the improvement of any plan or to the development or construction of any portion of the plan.

12-28-04



PARKWAY CENTER PHASE II

LAS VEGAS, NEVAD

MOLASKY GROU OF COMPANIES

PRELIMINARY
PARKING STRUCTUR

LEVEL 3 FLOOR PL

HFA

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Architecture/Land Planning/Interiors

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Henderson, Nevada 89014
(702)263-5615/FAX(702)791-6925

SCALE

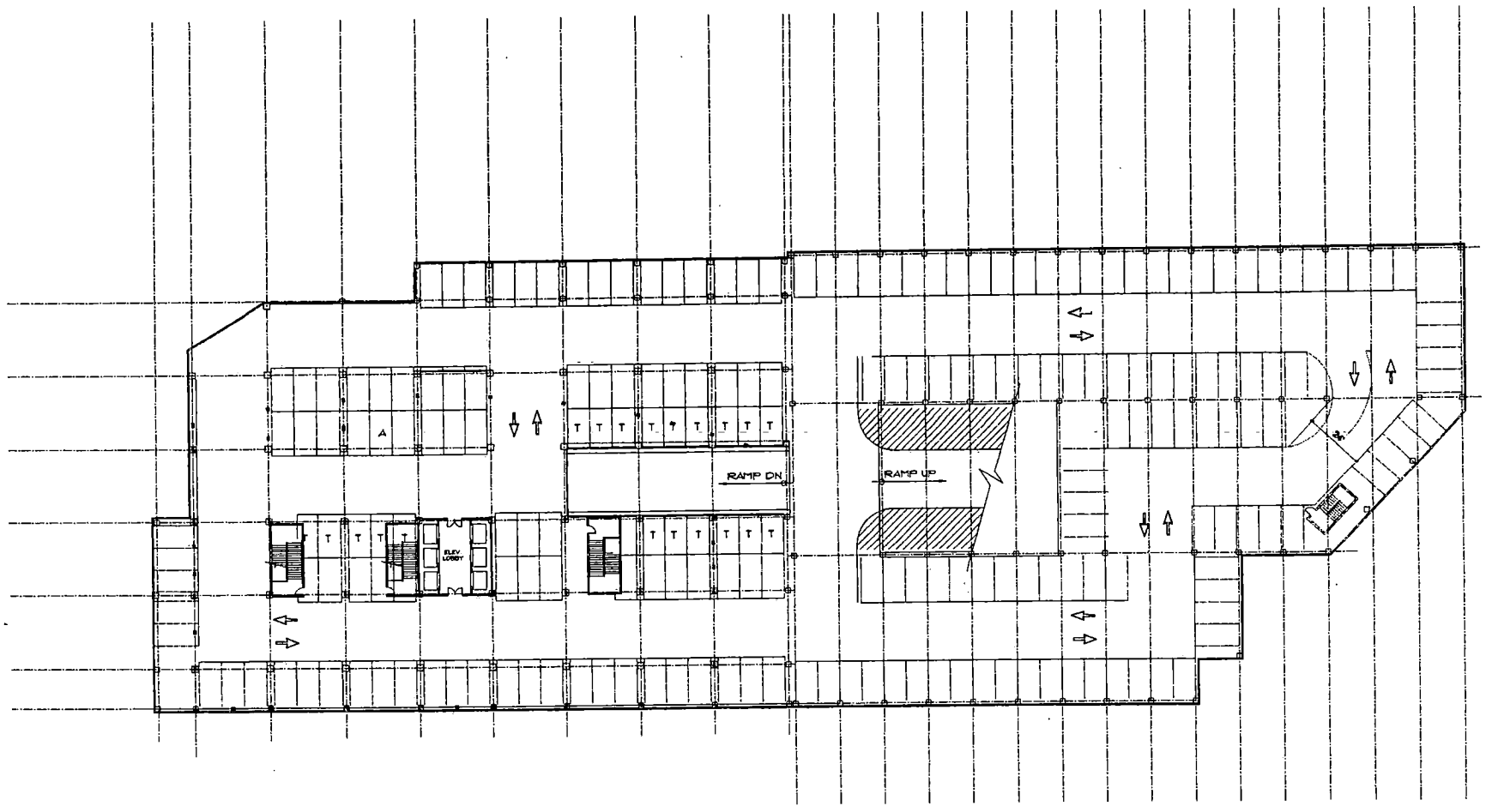
This is a schematic presentation only. The information and boundaries shown hereon have been compiled from sources believed to be reliable. However, their accuracy is not guaranteed and is subject to change. It is not intended or shall not be construed that any entity, public or private, making the owner of the property has committed itself to the implementation of this plan or to the development or completion of any element of this plan.

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12-28-04

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SUP-5877
SDR-5876
02-10-05 PC

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PARKWAY CENTER PHASE II
LAS VEGAS, NEVAD

MOLASKY GROU OF COMPANIES

PRELIMINARY PARKING STRUCTUR
LEVEL 4 FLOOR PL

HFA
HOWARD F. THOMPSON ASSOCIATES, INC.
Architecture/Space Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6615/FAX(702)269-6925

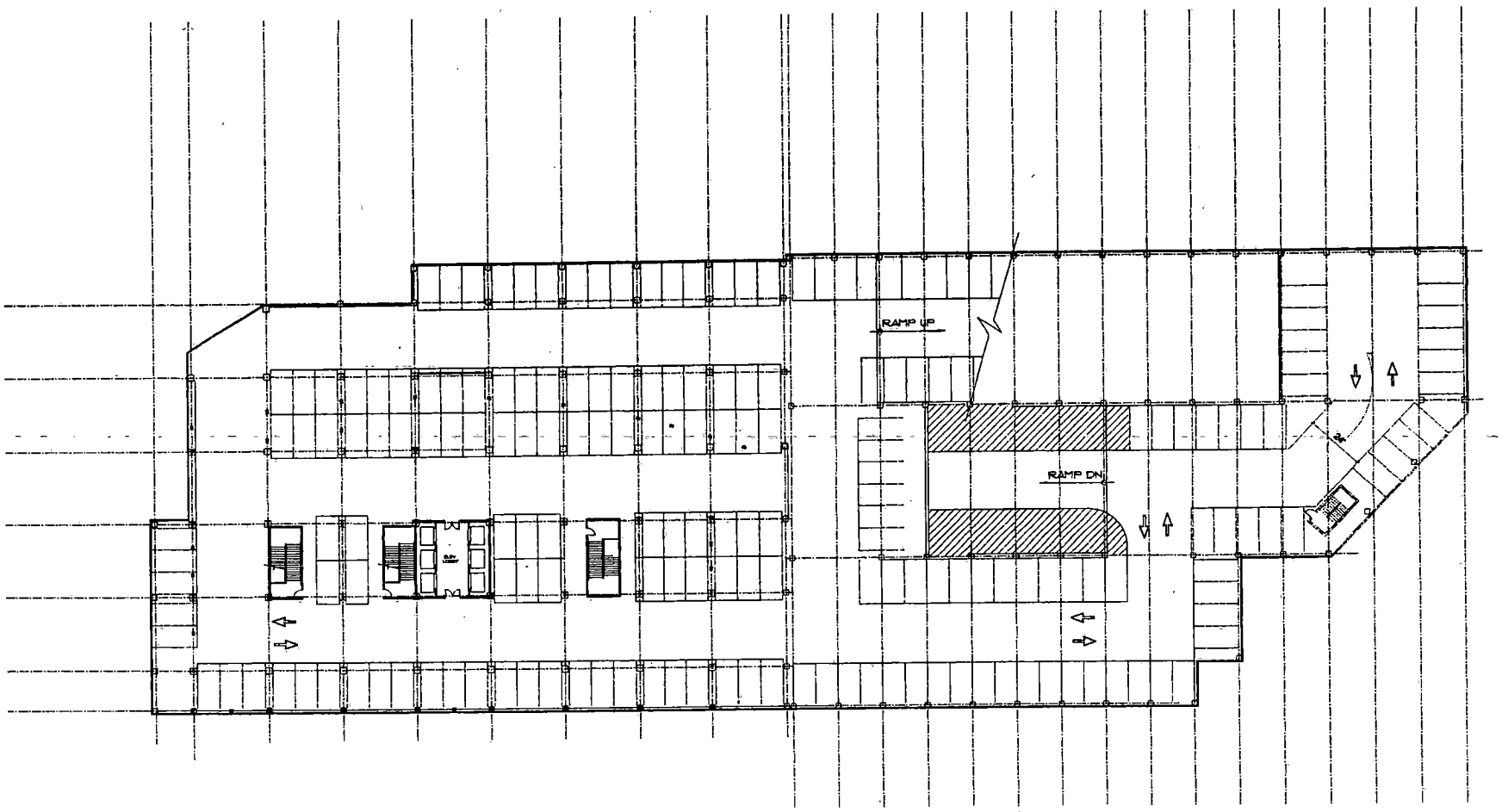
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This is a schematic presentation only. The information and boundary shown have been compiled from sources believed to be reliable. However, accuracy is not guaranteed and is subject to change. It is not intended to be construed that any entity, public or private, including the owner of the property has committed itself to the responsibilities of the plan or to the development or construction of any element of the plan.

12-28-04

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SDR-5876
02-10-05 PC

RECEIVED



PARKWAY CENTER PHASE II
LAS VEGAS, NEVAD

MOLASKY GROU OF COMPANIES

PRELIMINARY
PARKING STRUCTUR
LEVEL 5 FLOOR P_

HFTA

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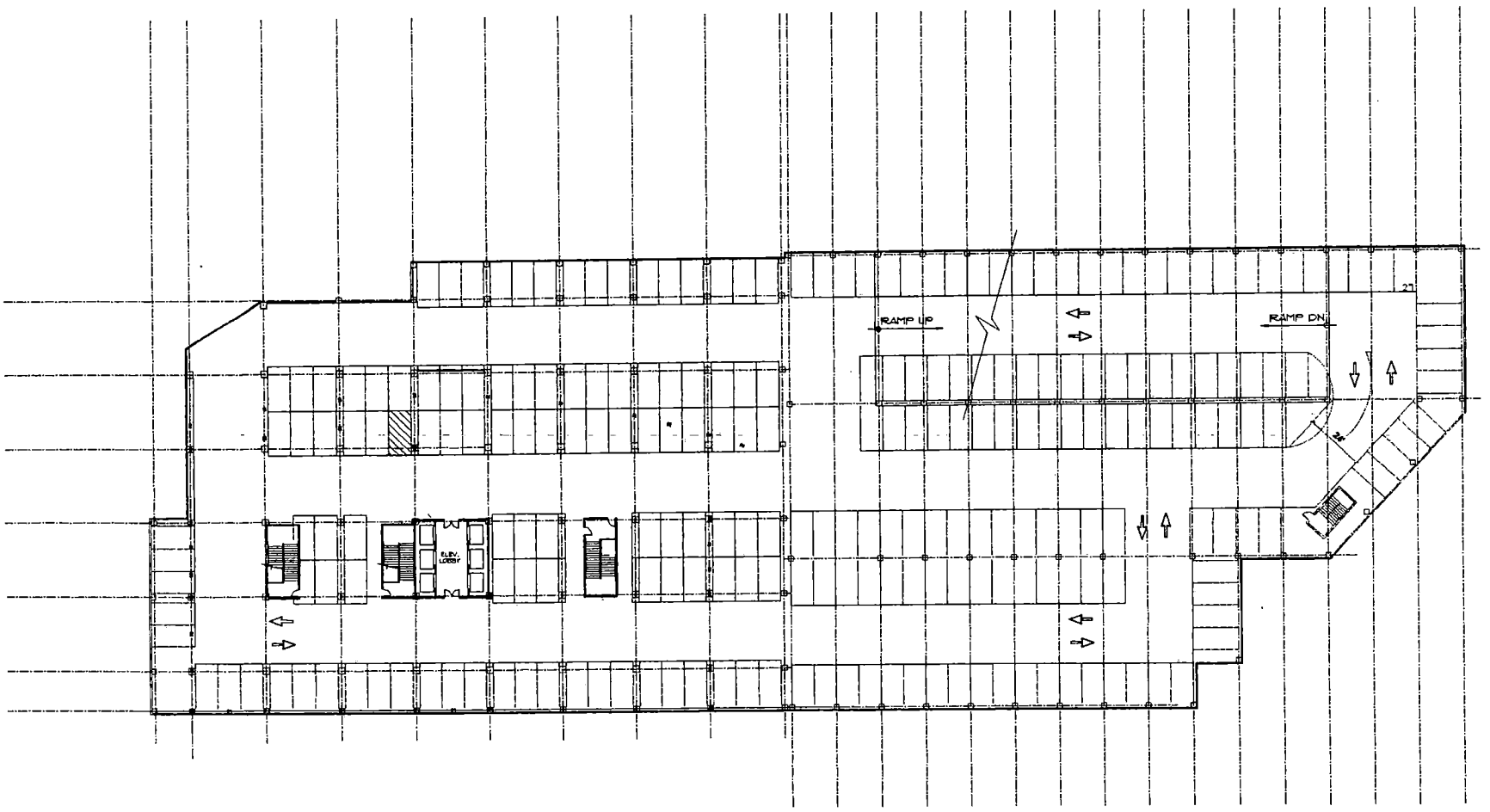
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RECEIVED

VAR-5878
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SDR-5876
02-10-05 PC

12-28-04



PARKWAY CENTER PHASE II
LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY
PARKING STRUCTURE
LEVEL 6 FLOOR PLAN

HFTA

EDWARD L. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors
409 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-4615/Fax(702)269-4625

SCALE: 1"=20'

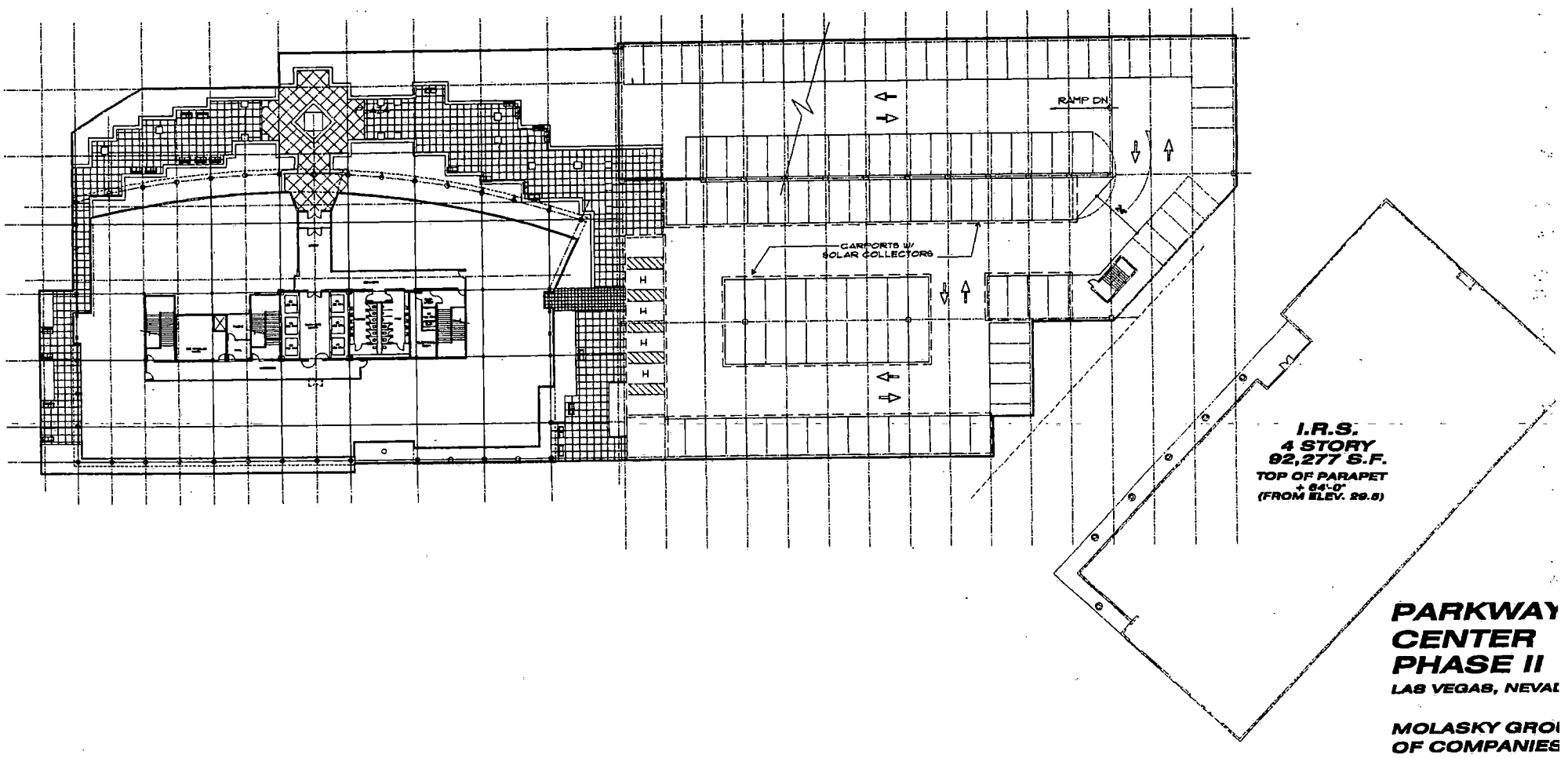
This is a schematic representation only. The information and dimensions shown have been compiled from sources believed to be reliable. However, accuracy is not guaranteed and is subject to change. It is not intended to be construed that all units, suites, or private property are shown. Any property not controlled shall be the responsibility of the owner or tenant for development or production of any aspect of this plan.

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12-28-04



PARKWAY CENTER PHASE II

LAS VEGAS, NEVAL

MOLASKY GRO OF COMPANIES

PRELIMINARY
PARKING STRUCTU

LEVEL 1 FLOOR PL

HFA

HERMAN F. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors

400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)294-4815/FAX(702)294-4823

N

0 20

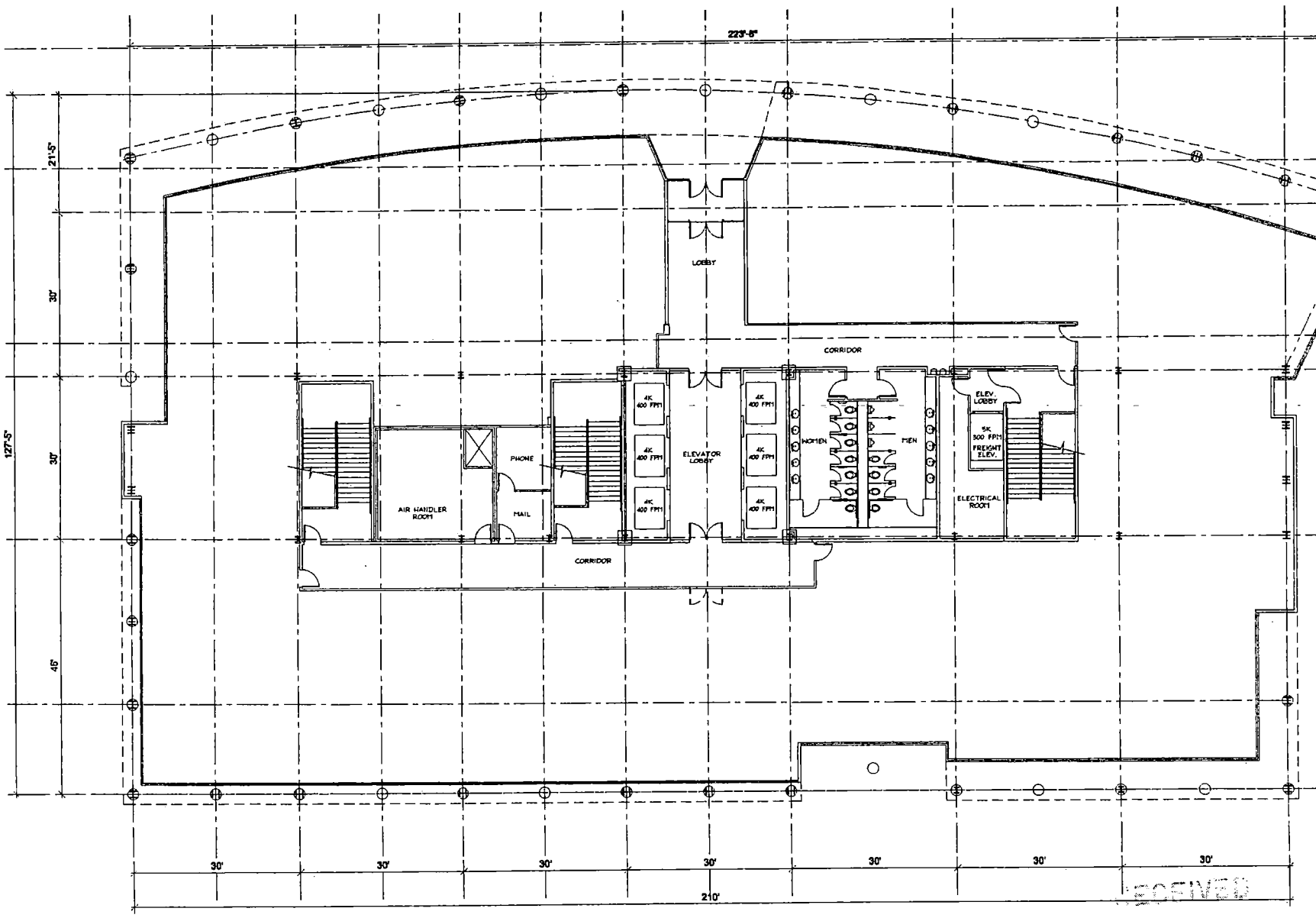
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12-28-04

RECEIVED

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC



LEED

WATER USE REDUCTION
CREDIT 5.0 - 5 PT
WATER USE REDUCTION: 20%

MAXIMIZE WATER EFFICIENCY WITHIN BUILDINGS

DIRECTION FOR INFORMATION

LEED

MATERIALS & RESOURCES PREREQUISITE STORAGE & COLLECTION OF RECYCLABLES
REDUCTION OF WASTE DESIGNATED FOR LANDFILLS

PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY

FIRST FLOOR PLAN

HFA

400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6613 FAX(702)251-9925

N

0 8'

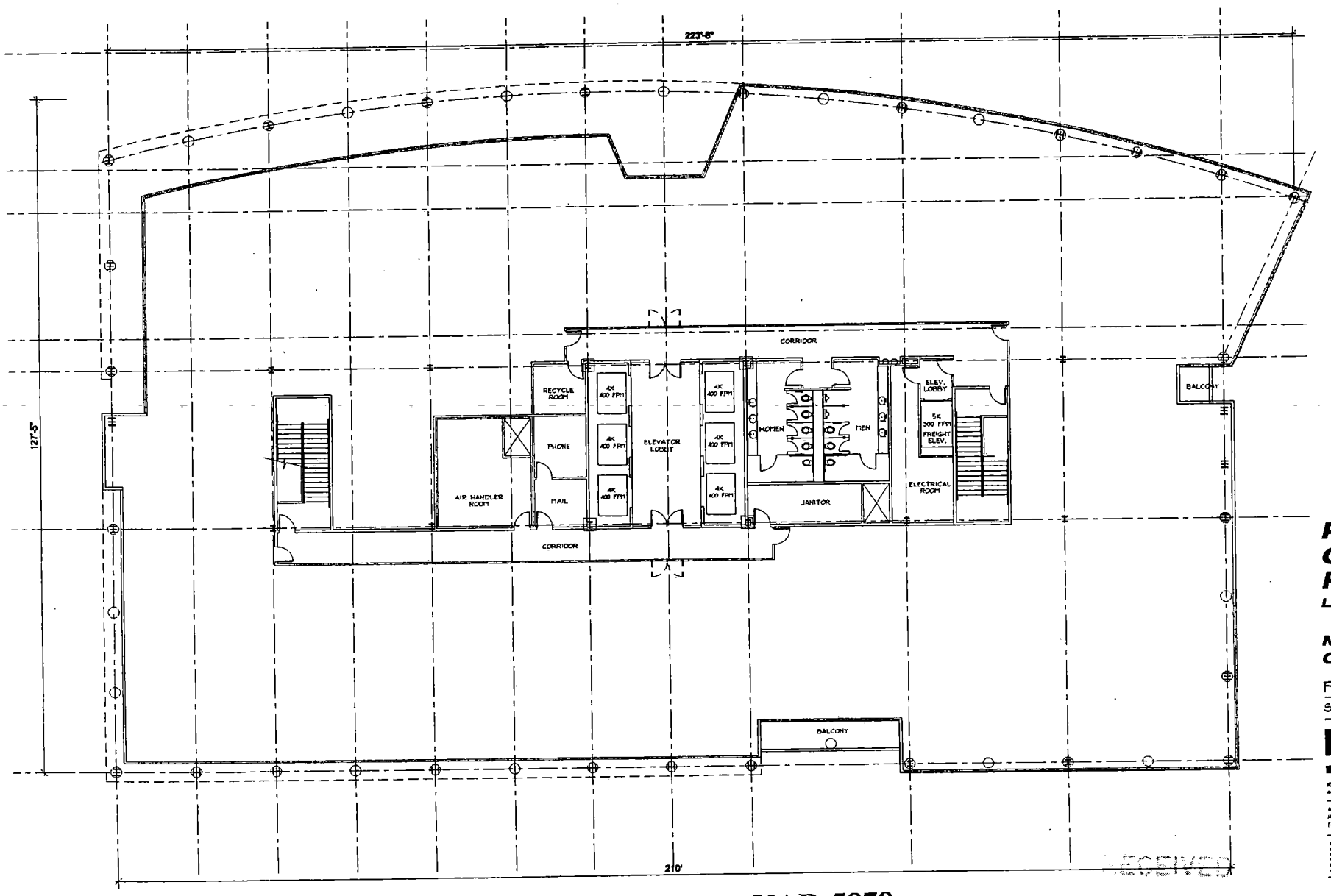
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This is a molasky personalization only. The information and drawings shown have been compiled from sources believed to be reliable. However, no guarantee or warranty is made to its accuracy or completeness, and it is subject to change. It is not intended that any public or private agency including the owner of the property take action that shall in the implementation of this plan be the development or construction of any element of the plan.

RECEIVED

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

12-28-04



LEED

WATER USE REDUCTION
CREDIT 5.8 - 6 PT
WATER USE REDUCTION: 50%

MAXIMIZE WATER EFFICIENCY WITHIN BUILDINGS.

DIRECTION FOR INFORMATION:

LEED

MATERIALS & RESOURCES PREREQUISITE
STORAGE & COLLECTION OF RECYCLABLES
REDUCTION OF WASTE DESIGNATED FOR LANDFILLS.

PARKWAY CENTER PHASE II

LAS VEGAS, NEVAD

MOLASKY GROU OF COMPANIES

PRELIMINARY

SECOND FLOOR PLAN

HFTA

HOWARD F. THOMPSON ASSOCIATES, PC
Architecture/Land Planning/Interiors

400 N. Stephanie, Suite 143
Henderson, Nevada 89014
(702)269-4310/FAX(702)269-4809

N

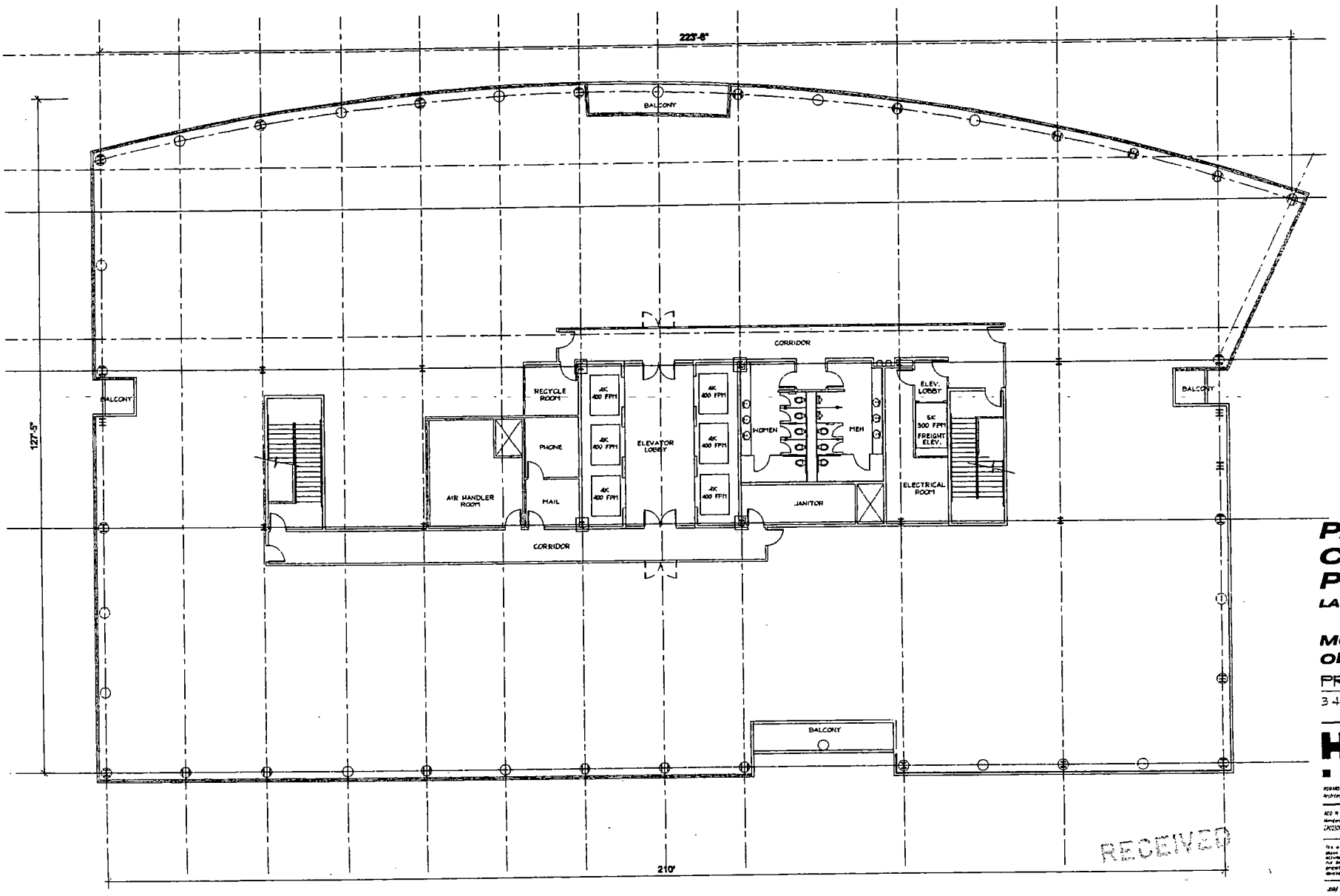
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1/8"

This is a schematic representation only. The dimensions and locations shown have been compiled from sources believed to be reliable. However, accuracy is not guaranteed and is subject to change. It is not implied that the architect has made public or private inquiries into the current or proposed use conditions except to the extent necessary for the preparation of this plan for the development or construction of any element of this plan.

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

12-28-04



LEED

WATER USE REDUCTION
CREDIT 3.2 - 2 PT
WATER USE REDUCTION: 30%

MAXIMIZE WATER EFFICIENCY WITHIN BUILDINGS.

DONATION FOR INFORMATION

LEED

MATERIALS & RESOURCES PREREQUISITE STORAGE & COLLECTION OF RECYCLABLES
REDUCTION OF WASTE DESIGNATED FOR LANDFILLS.

PARKWAY CENTER PHASE II

LAS VEGAS, NEVAD

MOLASKY GROU OF COMPANIES

PRELIMINARY

3 4, 5, 6 7 FLOOR PL

HFTA

RICHARD E. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors

800 N. Stephanie, Suite 240
Henderson, Nevada 89014
(702)269-9512/FAX(702)269-8626

N

0 8'

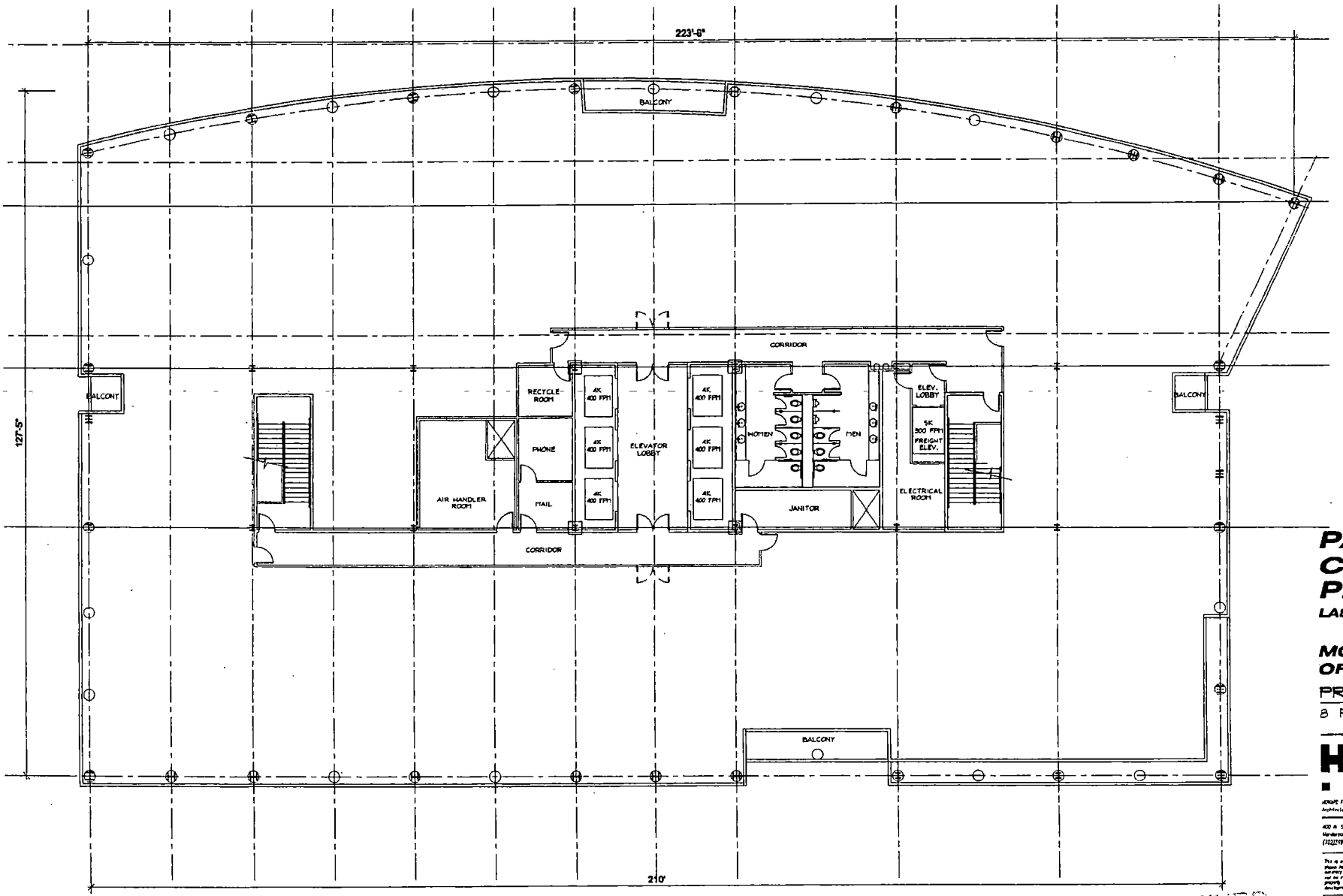
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This is a preliminary general description only. The information and illustrations were taken primarily from sources believed to be reliable, however, accuracy is not guaranteed and is subject to change. It is not intended to be construed that any party, and is not private, including the owner of property has completed Draft to the implementation of this plan or the development or construction of any planned on the plan.

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12-28-04 **1**

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC



LEED

WATER USE REDUCTION
CREDIT 3.3 - 2 PT
WATER USE REDUCTION 30%

MAXIMIZE WATER EFFICIENCY WITHIN BUILDINGS.
DIRECTION FOR INFORMATION

LEED

MATERIALS & RESOURCES PREREQUISITE
STORAGE & COLLECTION OF RECYCLABLES
REDUCTION OF WASTE DESIGNATED FOR LANDFILLS

PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY

8 FLOOR PLAN

HFTA

ADRIAN F. THOMPSEN ASSOCIATES, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6610/FAX(702)269-6925

N

0 8' 16'

1/8"=1'-0"

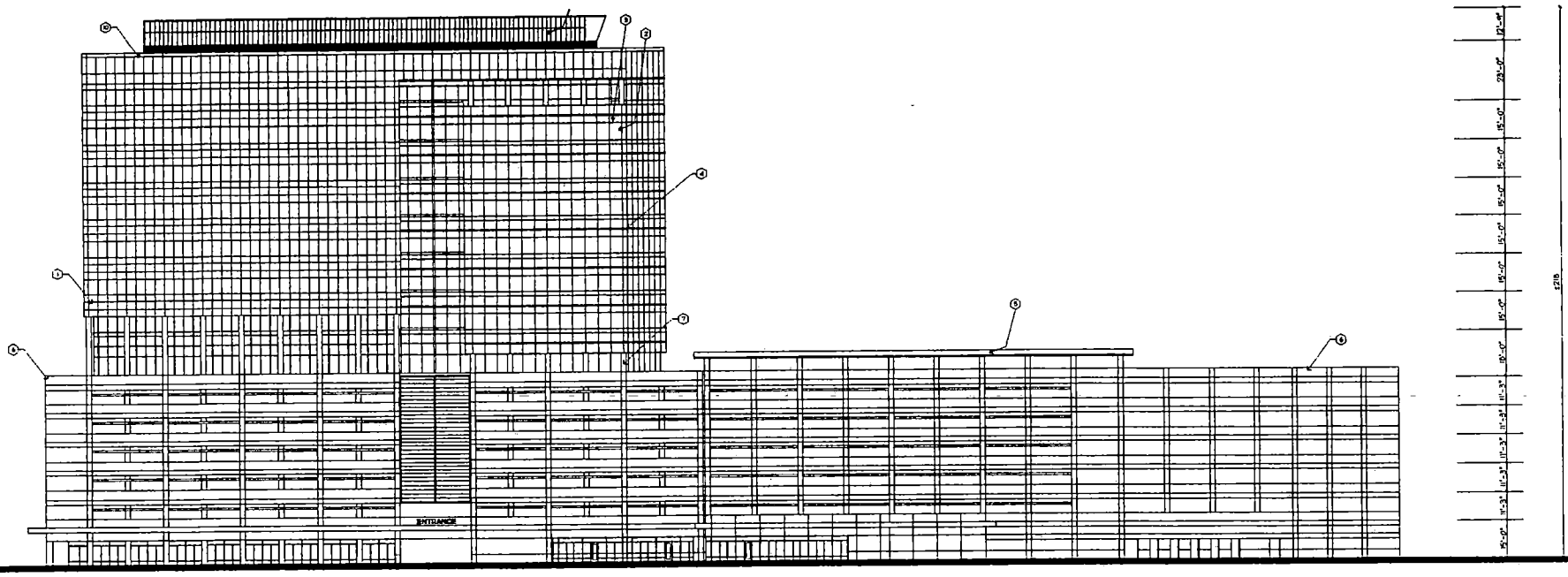
This is a preliminary, partial release/plan only. The information and boundaries indicated hereon have been compiled from sources believed to be reliable. However, the accuracy is not guaranteed and is subject to change. It is not intended and should not be construed that any action, public or private, including the owner of the property, has committed itself to the implementation of this plan or to the development or construction of any element of this plan.

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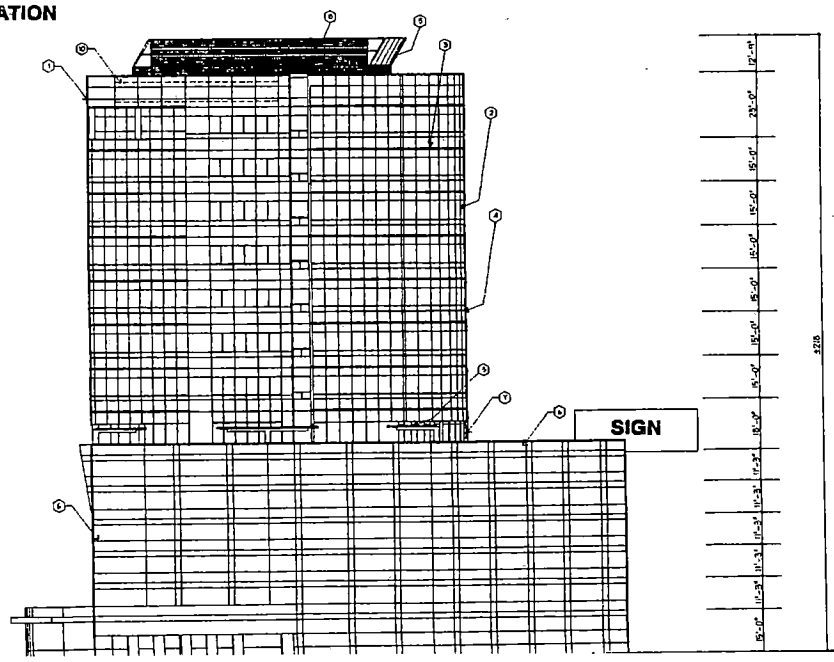
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SDR-5876
02-10-05 PC

12-28-04 11



SOUTH ELEVATION



EAST ELEVATION

MATERIAL LEGEND

1. METAL PANEL
2. VISION GLASS
3. SPANDREL GLASS
4. ALUMINUM CURTAIN WALL SYSTEM
5. SOLAR PANELS
6. PRECAST CONCRETE PANEL
7. ROUND ALUMINUM COLUMN COVER
8. METAL LOUVER
9. METAL TRELLIS
10. SIGN BY OTHERS

VAR-5878
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SDR-5876
02-10-05 PC

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PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PROPOSED OFFICE BUILDING

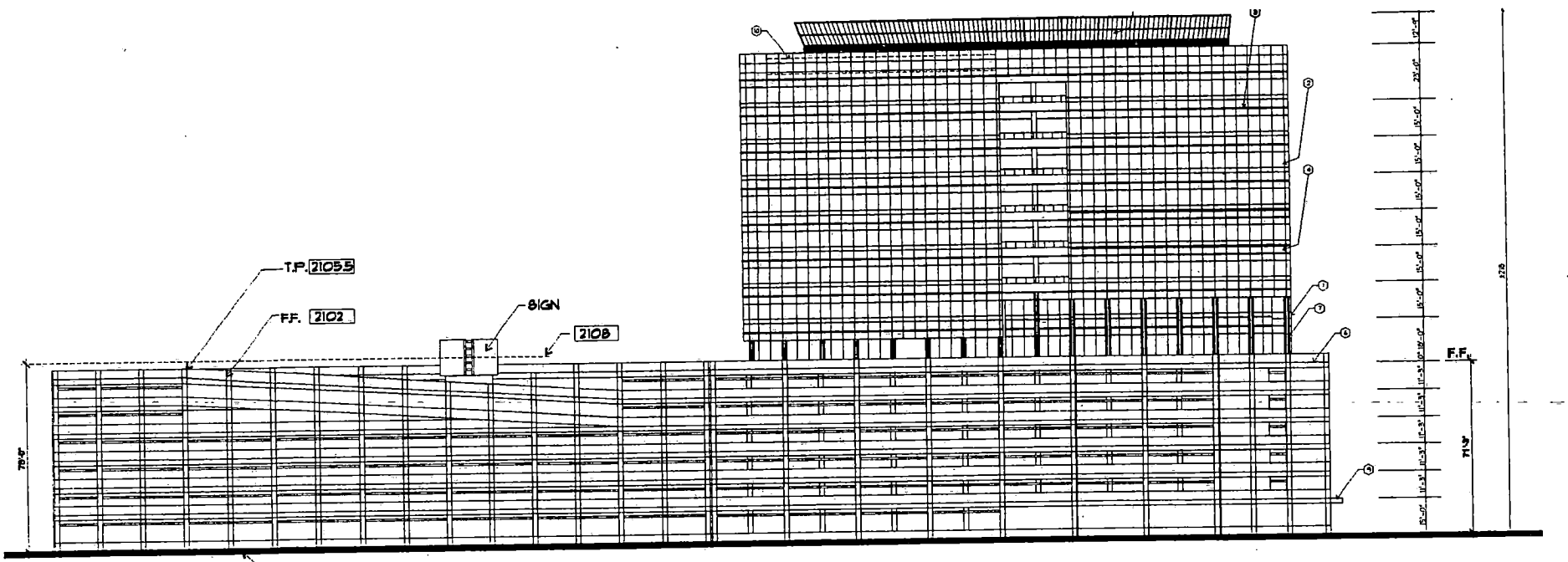
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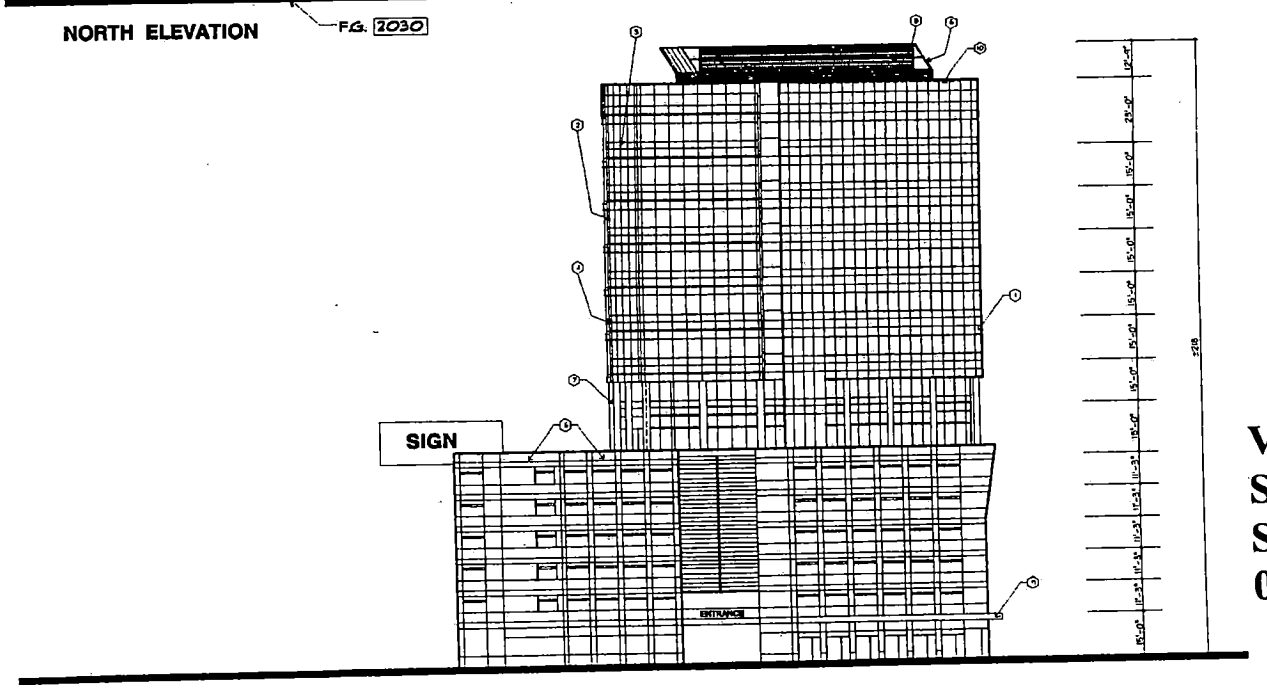
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)268-8813/FAX(702)268-8873

0' 20' 40'
SCALE: 1"=20'-0"

This is a schematic presentation only. The information and boundary locations shown here were compiled from sources believed to be reliable. However, their accuracy is not guaranteed and is subject to change. It is not intended and should not be construed that any public or private facilities are known of the property has committed itself to the implementation of this plan or to the development or construction of any element of this plan.

12-28-04 **12**





MATERIAL LEGEND

1. METAL PANEL
2. VISION GLASS
3. SPANDREL GLASS
4. ALUMINUM CURTAIN WALL SYSTEM
5. SOLAR PANELS
6. PRECAST CONCRETE PANEL
7. ROUND ALUMINUM COLUMN COVER
8. METAL LOUVER
9. METAL TRELLIS
10. SIGN BY OTHERS

PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PROPOSED OFFICE BUILDING

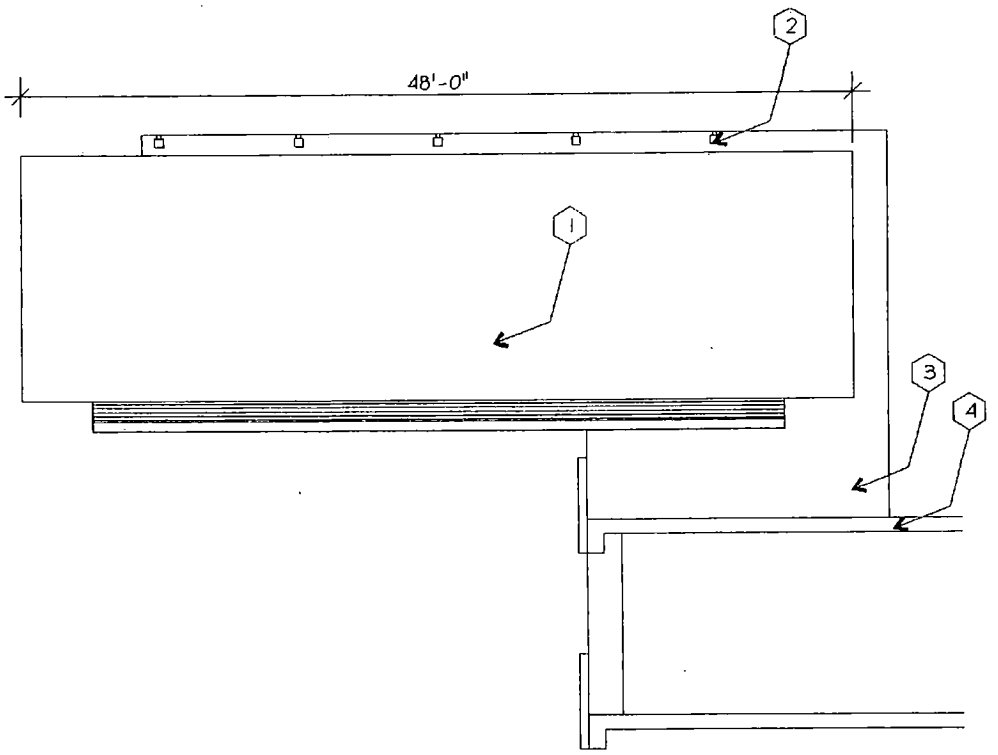
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SUP-5877
SDR-5876
02-10-05 PC

HOWARD T. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)263-6615/FAX(702)269-6525

0' 20' 40'
SCALE: 1"=20'-0"

12-28-04



MATERIAL LEGEND

1. SIGN BOARD
2. LIGHTS
3. SUPPORT
4. PARKING STRUCTURE

WEST ELEVATION

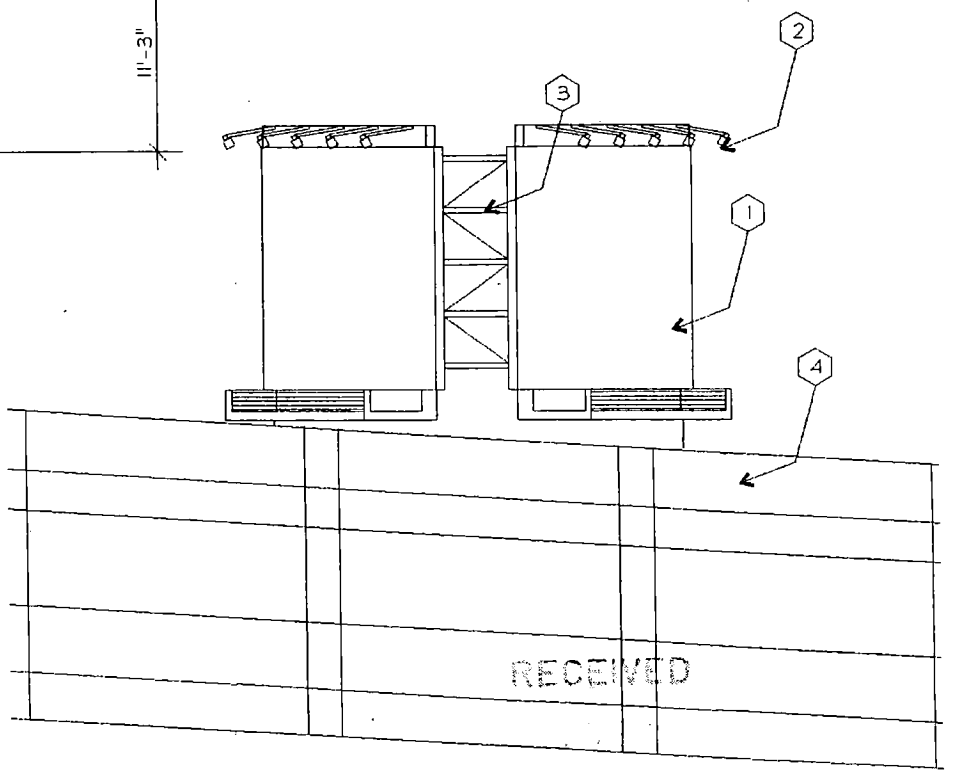
PROPOSED SIGNAGE

HOWARD I. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6615/FAX(702)269-6625

0 4' 8'
1/8"=1'-0"

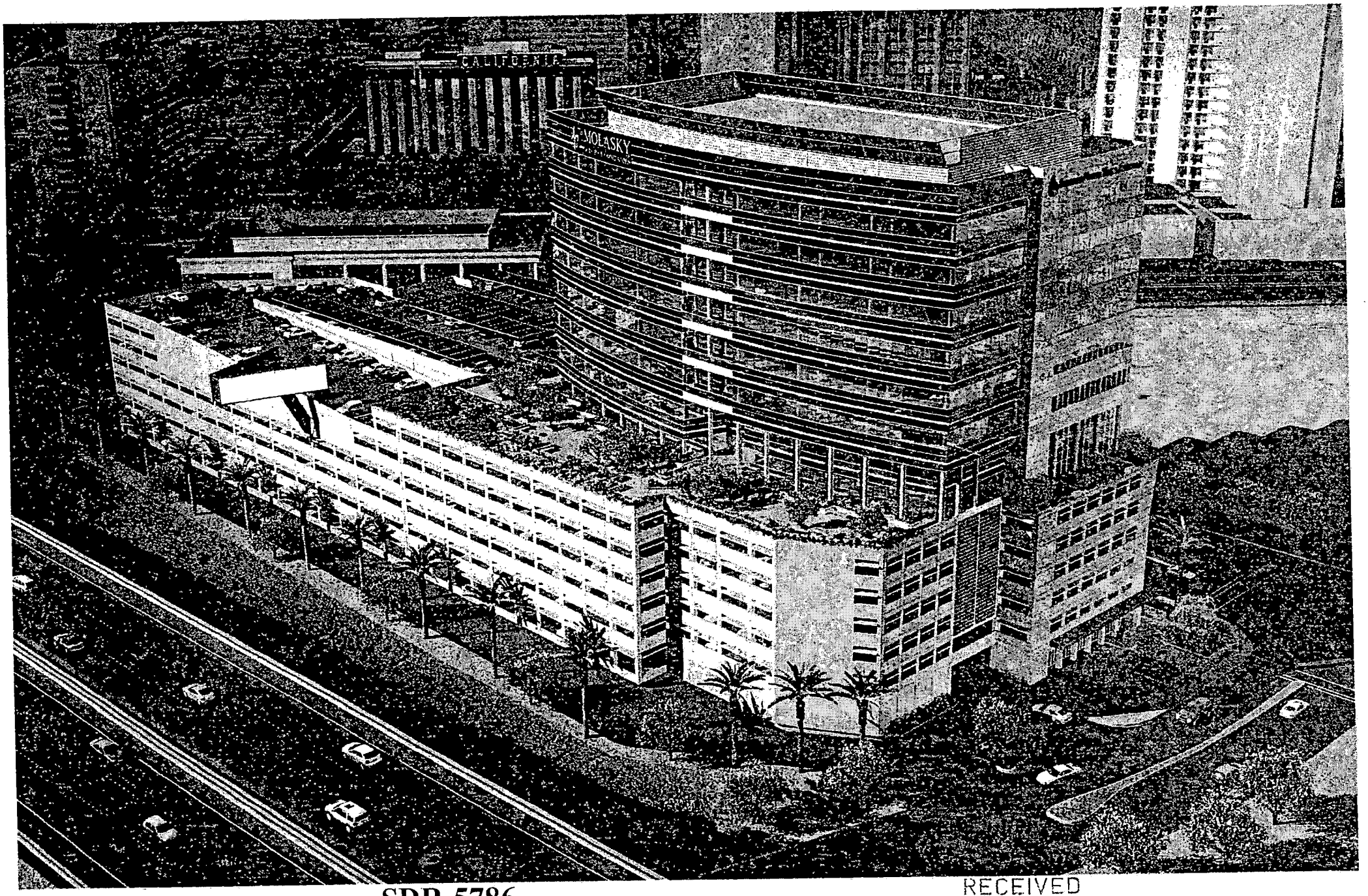
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SUP-5877
SDR-5876
02-10-05 PC



RECEIVED

NORTH ELEVATION



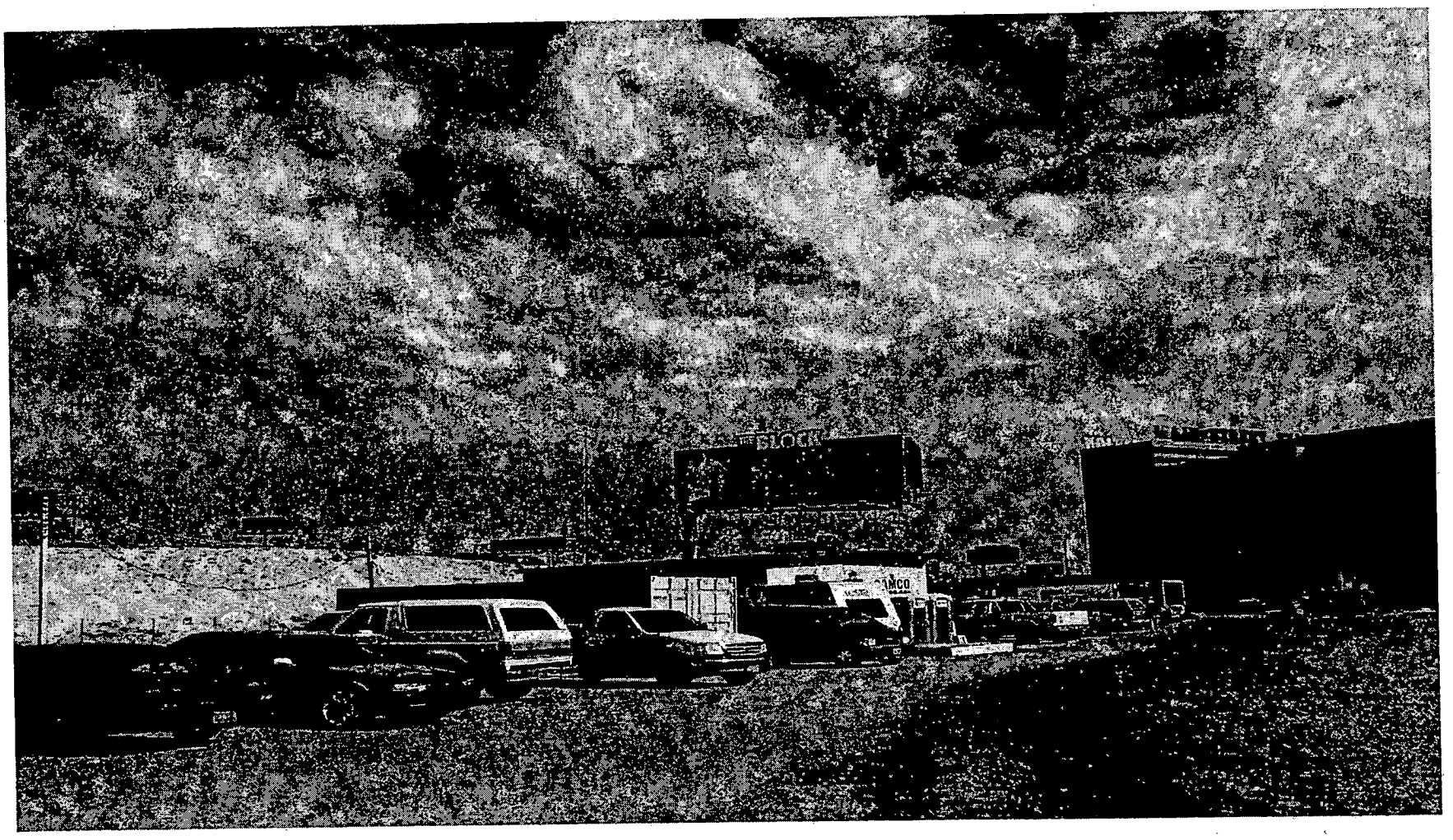
SDR-5786
02-10-05 PC

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SDR-5876 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.
110 CITY PARKWAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SDR-5876 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.
110 CITY PARKWAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SDR-5876 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.
110 CITY PARKWAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW
WWW.KKBR.COM

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Fax: 775.852.3982

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kkbr.com

January 26, 2005

VIA FACSIMILE (702) 385-7268

Mr. Flynn Fagg
CITY OF LAS VEGAS
DEPT. OF PLANNING & DEVELOPMENT
City of Las Vegas Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Re: REVISED Justification Letter
Parkway Center – Site Plan Review

Dear Mr. Fagg:

Please be advised, this office represents the applicant in the above referenced matter. The applicant will be constructing Phase II of Parkway Center which will consist of a **fifteen (15) story building with approximately 250,000 square feet of office space and multi-level garage** with retail uses on the ground level (the "Project"). **Combined, the garage and office building will be fifteen stories in height.** Phase I is under construction and will contain the office space for the Internal Revenue Service upon completion. The applicant is also submitting a special use permit and variance for an off-premise sign. These applications should run concurrently with the site plan review of the Project.

The Project is subject to the guidelines required by the Parkway Center Development Standards and Title 19. The Project will be designed and built as a LEED (Leadership in Energy and Environmental Design) structure. In conjunction with the site plan review, there are certain waivers of the Parkway Center Development Standards and Title 19 that must be requested. Following is a list of these waivers:

Parkway Center Development Standards

2.2 Building entry faces the street.

- The parking structure precludes direct access into the building from the street. The best alternative is to take advantage of the Freeway exposure. While the entrance doors to the office building are technically located on the north side of the Project, the primary entrance into the building will be the use of the elevator in the parking garage with access from Grand Central Parkway.

3.3 East-West streets shall use primarily shade trees

- The applicant is proposing to use palm trees to mitigate the parking structure elevation along Grand Central Parkway.

4.8 10 foot setback for parking structure.

- The retail uses on the ground floor will allow for a reduced setback. The applicant is seeking the ability to integrate the hardscape/landscape feature for the retail area with the required sidewalk and reduced street landscape.

5.4 Reflective (15% coefficient) or tinted glass

- Because this building is a LEED structure, the applicant would like the flexibility to use the latest available technology in building glazing which includes alternative glazing systems. The applicant is seeking this waiver subject to a condition requiring staff's approval of the proposed materials at plans review.

5.7 Stone to be used on the elevations.

- The applicant is seeking the ability to use aesthetically pleasing alternative materials due to the location of the office tower on top of the parking structure. The retail area will be appropriately addressed with materials conducive to pedestrian viewing. Because it is a LEED project, the applicant is also seeking the flexibility to modify colors and materials as the project evolves, subject to staff approval.

5.10 Articulated roof line,

- The roof equipment screen has been designed to accomplish a level of detail that makes the cornice unnecessary.

6.2 Minimum landscape areas

- There is a 10 foot utility easement and deceleration lane on Parkway Center so a waiver is necessary in this area.

Title 19 of the City of Las Vegas (On-Site Parking Standards)

19A.10.010.K.2.a Compact Spaces Permitted
- Up to 30 % of spaces provided

19A.10.010.K.2.c. Size Adjustments
- Standard stall size in parking structure to be 8.5' wide

19A.10.010.K.8 Tandem Parking
- Will be utilized during high use periods (i.e. tax season – approximately January through April) and with valet service.

Landscape, Wall & Buffer Standards

- Rear yard landscaping along the freeway right-of-way will have a 6 foot planter and no landscaping for the first +/- 180'. The freeway is elevated at this point, so the existing slope will provide the visual relief intended by the code.

A conceptual Materials and Conceptual Landscape Plan will be provided at the time the site plan review application is filed. However, we respectfully request that a condition be added to allow the applicant the ability to work with staff on possible modifications to the materials or landscaping due to the evolving design and compliance with LEED requirements. Given the developer's desire to be a leader in the community by building an environmentally sensitive structure that will conserve resources, we believe this condition would be appropriate. Finally, the requested waivers will not be detrimental to the surrounding area and the Project will enhance the area.

Please do not hesitate to contact me if you have any questions.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jennifer Lazovich

JJL/dmf
Encl.

cc: Suzanne Sanders
Daniela Kennedy

City of Las Vegas

Agenda Item No.: 45

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
VAR-5888 - VARIANCE - PUBLIC HEARING - APPLICANT/ OWNER: BONANZA PINES III LIMITED PARTNERSHIP - Request for a Variance TO ALLOW A 10-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SENIOR HOUSING DEVELOPMENT on 1.29 acres on the north side of Bonanza Road approximately 1,300 feet west of Lamb Boulevard (APN 140-30-802-007), R-E (Residence Estates) Zone under Resolution of Intent to R-5 (Apartment) Zone, Ward 3 (Reese).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Notices Regarding Parking Fees from Kayla Maglish

MOTION:
GOYNES – APPROVED subject to conditions – Motion carried with McSWAIN abstaining because her company has been erroneously named in a construction defect lawsuit with Nevada Hand

To be heard by City Council 3/16/2005

NOTE: COMMISSIONER McSWAIN explained that she had been named, in error, in a construction defect lawsuit with Nevada Hand. She advised their Counsel about the error but had not received a response. She asked DEPUTY CITY ATTORNEY SCOTT how that affected her ability to vote and he suggested she abstain.

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open on Item 45 [VAR-5888], Item 46 [VAR-5889] and Item 47 [SDR-5891].

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, gave a brief overview on the applications. The plans were previously approved as a four-story building with parking designed around the structure. Because of parking issues with the first phase, the developer has chosen to place parking under the building so it is now proposed at five stories.

BOB FEIBLEMAN, Nevada Hand, 295 East Warm Springs Road, appeared on behalf of the applicant. He explained that the original plan proposed sharing parking with the Phase I development. Unfortunately that will not be possible because there is no overflow of parking to use. To meet the parking requirement, the building was lifted so parking could go under it with parking outside as well. The exterior parking requires the buildings to be pushed back, which has resulted in the setback variance.

EDNA MINOR, 4170 East Bonanza Road, Apt. 407, a 90-year old resident of Bonanza Pines, spoke in favor of the project. She enjoys her apartment in Phase I. Senior housing in the Valley is hard to come by and it would be a shame to deny the variance and not have the project built. KAYLA MAGLISH, 4170 East Bonanza Road, Apt. 405, spoke in opposition of the project. On Phase I, the developer received a Variance for parking and now, the residents must pay for parking at several of the Pines locations around town. She felt it was wrong to provide covered parking only to charge for it. Copies of notices regarding parking fees were submitted for the record.

MR. FEIBLEMAN explained that he is not in the property management department; however, he did know that there was an expense involved in supplying covered parking canopies. He was unaware of a charge for parking at the properties. The developer is not required to provide covered parking but it is offered. The current application's covered parking in the garage would be free to residents.

VICE CHAIRMAN TRUESDELL recalled that there was a lot of discussion over the parking for Phase I. The developer had provided survey data, which justified the Variance. The fact that the requested number of spaces are inadequate indicates that Code requirements were a better estimate than the survey data. The project is sorely needed in the City so he would support the items but was concerned about the developer charging a fee.

COMMISSIONER EVANS clarified with MR. FEIBLEMAN that individuals without cars do not pay any fees. The prices could not be raised uniformly to cover parking expenses. He had no problem with charging a nominal fee for a guaranteed or covered space. MR. FIEBLEMAN pointed out that this project is unique in that the parking is crowded. Other projects have partially empty parking lots most of the time. MR. LEOBOLD confirmed that the new plan, with the parking under the structure, meets the parking requirement.

MINUTES – Continued:

COMMISSIONER STEINMAN questioned whether a parking charge could be tacked onto a subsidized project. MR. FEIBLEMAN pointed out that it is an optional fee, the residents do not have to take advantage of it. There is no shortage of uncovered spaces and there is a waiting list to obtain a covered space.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 45 [VAR-5888], Item 46 [VAR-5889] and Item 47 [SDR-5891].

(9:49 – 10:11)

3-1009

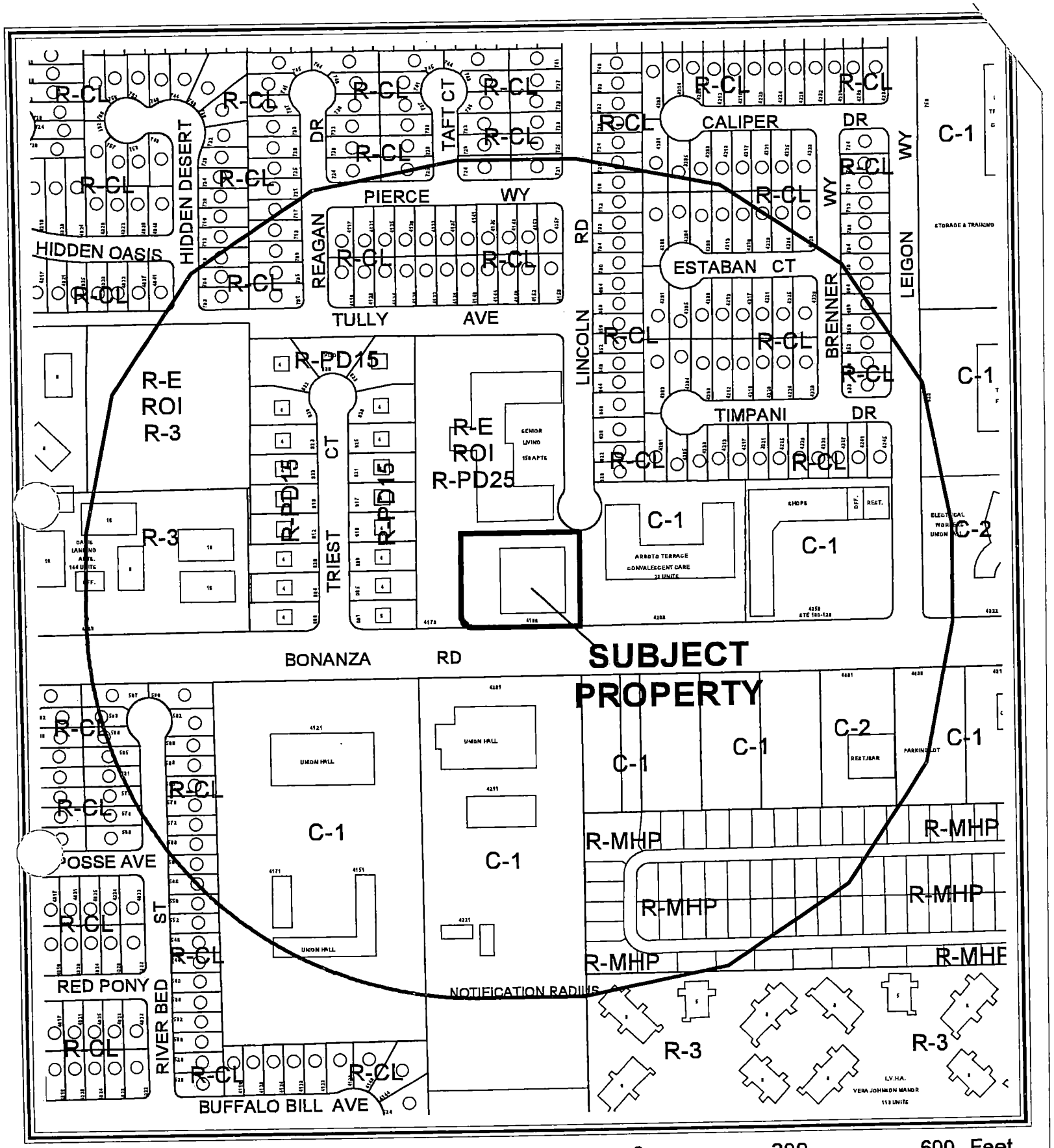
CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5891 and Variance VAR-5889.

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

3. Acquire all necessary permits from the Department of Building and Safety.

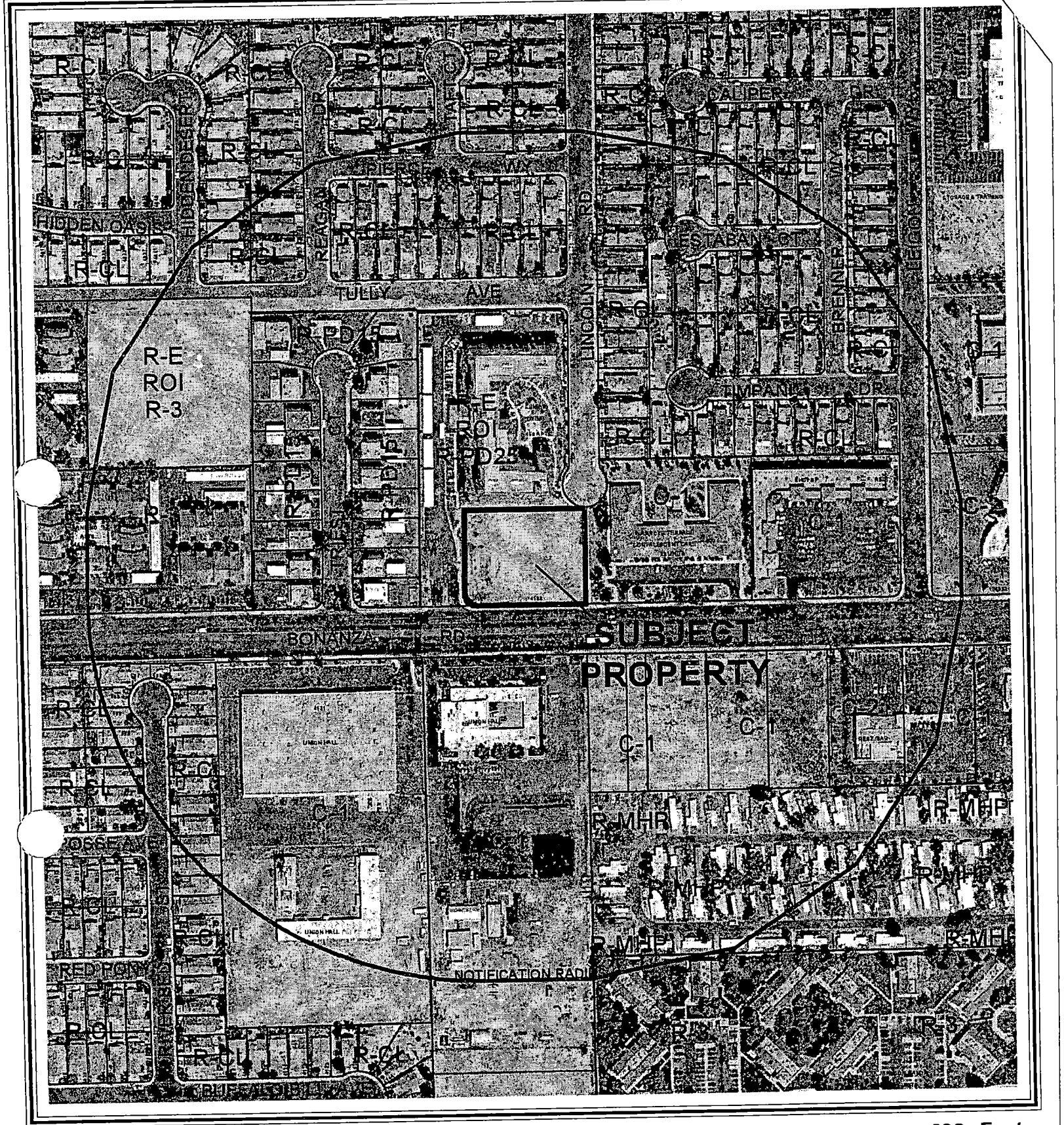


CASE: **VAR-5888**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-5 (APARTMENT)



0 300 600 Feet

CASE: **VAR-5888**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-5 (APARTMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5888 - APPLICANT/ OWNER: BONANZA PINES III LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5891 and Variance VAR-5889.

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

3. Acquire all necessary permits from the Department of Building and Safety.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a proposed 10-foot rear setback where 20 feet is the minimum allowed for a proposed senior housing development on 1.29 acres on the northside of Bonanza Road approximately 1,300 feet west of Lamb Boulevard.

B) Applicant's Justification

According to the applicant, this variance request is necessary to provide on site parking and an entry drive with sufficient throat depth so as to not impede the flow of traffic on Bonanza Road.

BACKGROUND INFORMATION

A) Previous Actions

02/20/02 The City Council approved a Rezoning (Z-0089-01) to R-PD25 (Residential Planned Development – 25 units per acre) and a Site Development Plan Review [Z-0089-01(1)] of a 96-unit senior apartment project on the adjacent parcel to the north. The Planning Commission and staff recommended approval.

02/20/02 The City Council approved a request for a Variance (V-0089-01) to allow a proposed senior apartment complex 76 feet from a single family residential property line where the Residential Adjacency Standards require a minimum setback of 129 feet on property located adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road. The Planning Commission recommended approval, staff recommended denial.

02/20/02 The City Council approved a request for a Variance (V-0090-01) to allow 101 parking spaces where the proposed use (a senior apartment complex) requires a minimum of 116 spaces on 3.78 Acres adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road. The Planning Commission recommended approval, staff recommended denial.

11/05/03 The City Council approved a request to amend a portion of the Southeast Sector Plan of the General Plan (GPA-2953) from SC (Service Commercial) to H (High Density Residential). The Planning Commission and staff recommended approval.

KCW

11/05/03 The City Council approved a request for a Rezoning (ZON-2954) from R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) to R-5 (Apartment). The Planning Commission and staff recommended approval.

11/05/03 The City Council approved a request for a Variance (VAR-2956) to allow 16 parking spaces where 75 spaces are required for a proposed 62-unit Senior Apartment Development. The Planning Commission recommended approval, staff recommended denial.

11/05/03 The City Council approved a request for a Site Development Plan Review (SDR-2955) for a 62-unit senior apartment development. The Planning Commission recommended approval, staff recommended denial.

B) Pre-Application Meeting

12/17/04 The elements of a complete Variance application were discussed at pre-application submittal conference with the applicant.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.29

B) Existing Land Use

Subject Property:	Undeveloped
North:	Senior Housing
South:	Union Hall
East:	Convalescent facility
West:	Multi-family

C) Planned Land Use

Subject Property:	H (High Density Residential)
North:	M (Medium Density Residential)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	M (Medium Density Residential)

KCW

D) Existing Zoning

Subject Property:	R-E (Residence Estates) Under Resolution of Intent to R-5 (Apartment)
North:	R-E (Residence Estates) Under Resolution of Intent to R-PD25 (Residential Planned Development – 25 units per acre)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	R-E (Residence Estates) Under Resolution of Intent to R-PD25 (Residential Planned Development – 25 units per acre)

E) General Plan Compliance

This site is located in the Southeast Sector Plan area of the General Plan and designated with a land use of H (High Density Residential). The H (High Density Residential) land use category of the Southeast Sector Plan allows low to high density residential development. This district is intended to allow the development of high density multi-family in high intensity areas suitable for such residential development. The R-5 (Apartment) zoning district is consistent with the policies of the High Density Residential land use category of the General Plan. This Variance request is not directly related to any specific General Plan policies.

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

There are no special area plans, overlay districts, trail corridors, or special notifications that relate to the subject request.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	7,000 Square Feet	56,192.4 Square Feet	Y
Min. Lot Width	N/A	N/A	N/A

KCW

Min. Setbacks • Front • Side • Corner • Rear	 10 Feet 5 Feet 5 Feet 20 Feet	 10 Feet 5 Feet 5 Feet 10 Feet	 Y Y Y N
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	5 Stories or 55 Feet	55 Feet	N

The proposal needs the subject variance from the requirement for rear setback of Title 19. The subject deviation is 50% or 10 feet.

B) General Analysis and Discussion

The subject development has the building positioned at the back of the site up to the proposed setback line with surface parking between the building and the street. The distance from the back of the building to the rear property line is 10 feet, 10 feet short of the required setback of 20 feet for the R-5 (Apartment) zoning of the site and the subject of this variance request. The building is positioned at the correct setbacks for the sides of the building and the front setback from the right-of-way of Bonanza Avenue. Between the front setback and the building is a parking lot with a single row of 90-degree parking spaces along the front property line and 24-foot drive aisle between the parking spaces and the building.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

KCW

No evidence of a unique or extraordinary circumstance has been presented. The applicant has created a self-imposed hardship by proposing a building to large for the site. An alternative design such as a smaller building that would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 224 – Mailed with VAR-5889 and SDR-5891

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5888 APN: 140-30-802-007

Name of Property Owner: Bonanza Pines III Limited Partnership

Name of Applicant: Bonanza Pines III Limited Partnership

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: N/A

Partner(s): N/A _____

APN: N/A

Signature of Property Owner: [signature]

Print Name: Bonanza Pines III Limited Partnership, a Nevada limited partnership

By: HAND Enterprises Inc., as General Partner

By: Michael Mullin, President

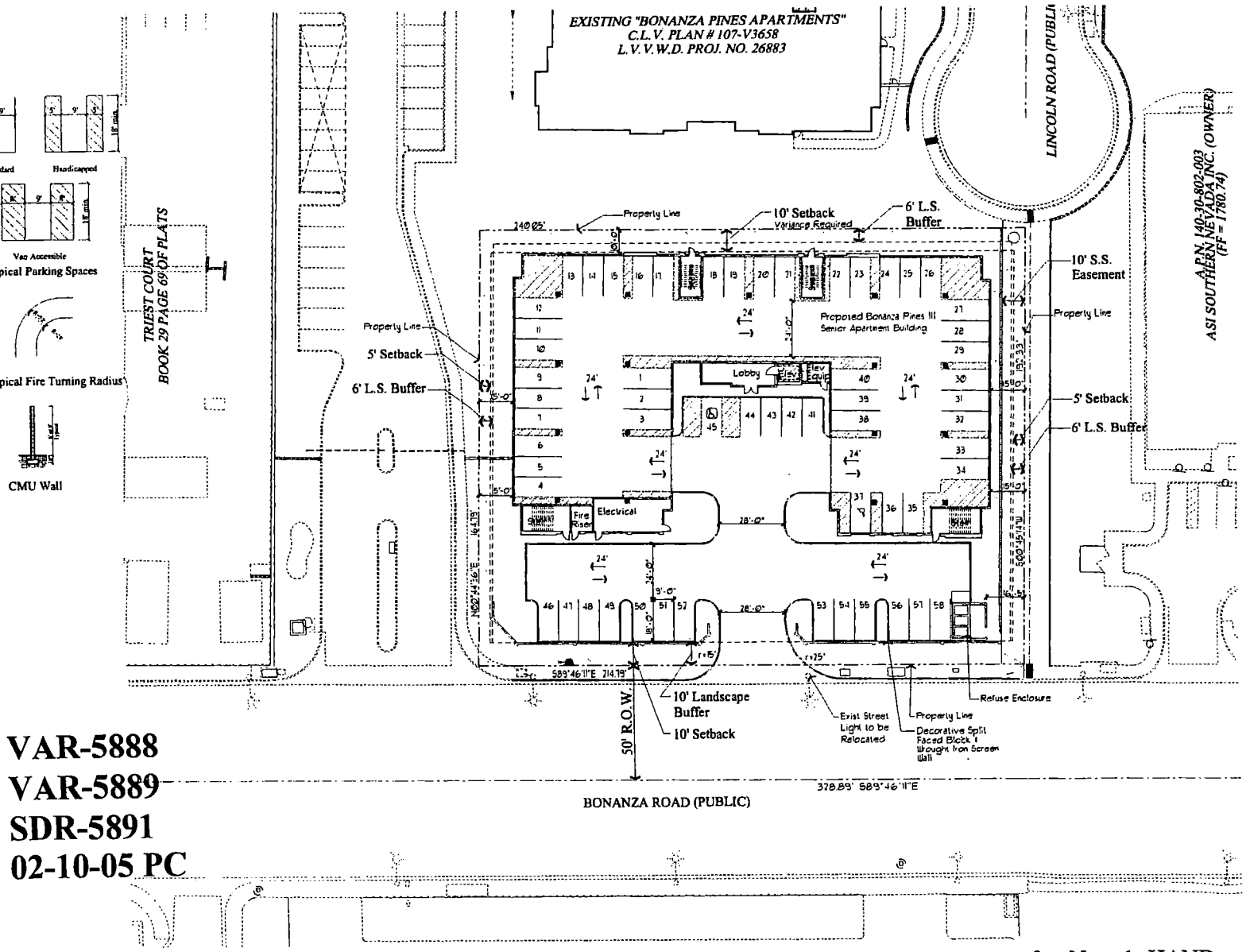
Subscribed and sworn before me

This 20th day of December, 2004

[signature]

Notary Public in and for said County and State

JACLYN S. HAAS
Notary Public State of Nevada
No. 03-84818-1
My appt. exp. Oct. 17, 2007



Site Information

ZONING - City of Las Vegas
R-5 Multi-Family District (Senior Housing)
APN 140-30-802-001

AREA (Approximate to be Verified)
Gross Area: +/- 117612 sf +/- 1.29 acres

BUILDINGS

Buildings		Units
Type 1	1 - Bedroom	40
	2 - Bedrooms	22
TOTALS		62

DENSITY: 48 Units / acre

PARKING REQUIREMENTS

Parking Required.		
1 - Bedrooms	40 * 0.75 =	30
2 - Bedrooms	22 * 0.75 =	16.5
TOTAL		44
Parking Provided		
Parking Garage Spaces		40
Open Spaces		18
TOTAL		58
Parking Ratio		0.935 / unit
H.C. Parking Required		2
H.C. Parking Provided		2

SETBACKS

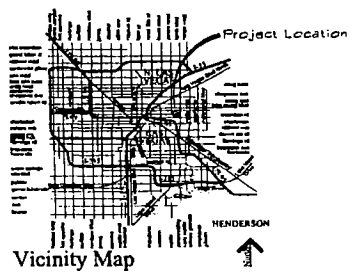
Front	10 ft
Side	5 ft
Rear	20 ft
	10 ft Provided
	Req. Variance

LANDSCAPE BUFFER

Front	10 ft
Side	6 ft
Rear	6 ft

HEIGHT

Maximum Allowed.	55 ft
Provided:	55 ft



Vicinity Map

Note:
This plan has been prepared without benefit of a complete survey.
It is Conceptual in Nature and No Guarantee of its accuracy is implied.

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

North

Scale: 1" = 20'

Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual Site - Scheme A

for: Nevada HAND
702-739-3345

Date: December 27, 2004
Project Number: 103209.2

Perlman ARCHITECTS
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

© COPYRIGHT 2004, PERLMAN ARCHITECTS, INC.



VAR-5888 - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP
NORTH SIDE OF BONANZA ROAD APPROXIMATELY 1,300 FEET WEST OF LAMB BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



VAR-5888 - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP
NORTH SIDE OF BONANZA ROAD APPROXIMATELY 1,300 FEET WEST OF LAMB BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

Perlman
ARCHITECTS

Las Vegas • Newport Beach • Scottsdale

December 28, 2004

City of Las Vegas
Current Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

RE: Bonanza Pines III- Justification Letter – Rear Setback Variance
APN: 140-30-802-007

To Whom It May Concern:

We respectfully request a variance for the rear setback from 20 feet to 10 feet, a 50% reduction. This variance is necessary to provide on site parking and an entry drive with sufficient throat depth so as to not impede the flow of traffic on Bonanza Road.

Because of the small site and the fact that existing driveways are immediately adjacent to this property on the adjoining properties to both the East and West, the only practical location for the entry drive is in the center of the site. Because of this location and the required throat depth of the driveway, the structure must be located near the rear of the property.

Sincerely,

Rick Salyer
Director of Residential Studio
Perlman Architects, Inc.

VAR-5888

2230 Corporate Circle, Suite 200 Henderson, Nevada 89074-6387
702.990.9900 702.932.3222 Fax

Bonanza Pines Apartments
4170 East Bonanza Road
Las Vegas, Nevada 89110
(702) 437-2703

Dear Residents,

Effective October 1, 2004 covered parking will be assigned, and charged a monthly fee dependant on location. Please be aware that any car parked in a covered carport that is not assigned will be towed at the owner's expense. I will be contacting all residents directly and spaces will be offered to those that occupied first, as well as those that have an extensive distance between the car lot and there apartments.

Thank You,

Tania Schwenke
Property Manager

Submitted at Planning Commission

Date 2/10/05 Item 45-46-47

Bonanza Pines Apartments
4170 East Bonanza Road
Las Vegas, Nevada 89110
(702) 437-2703

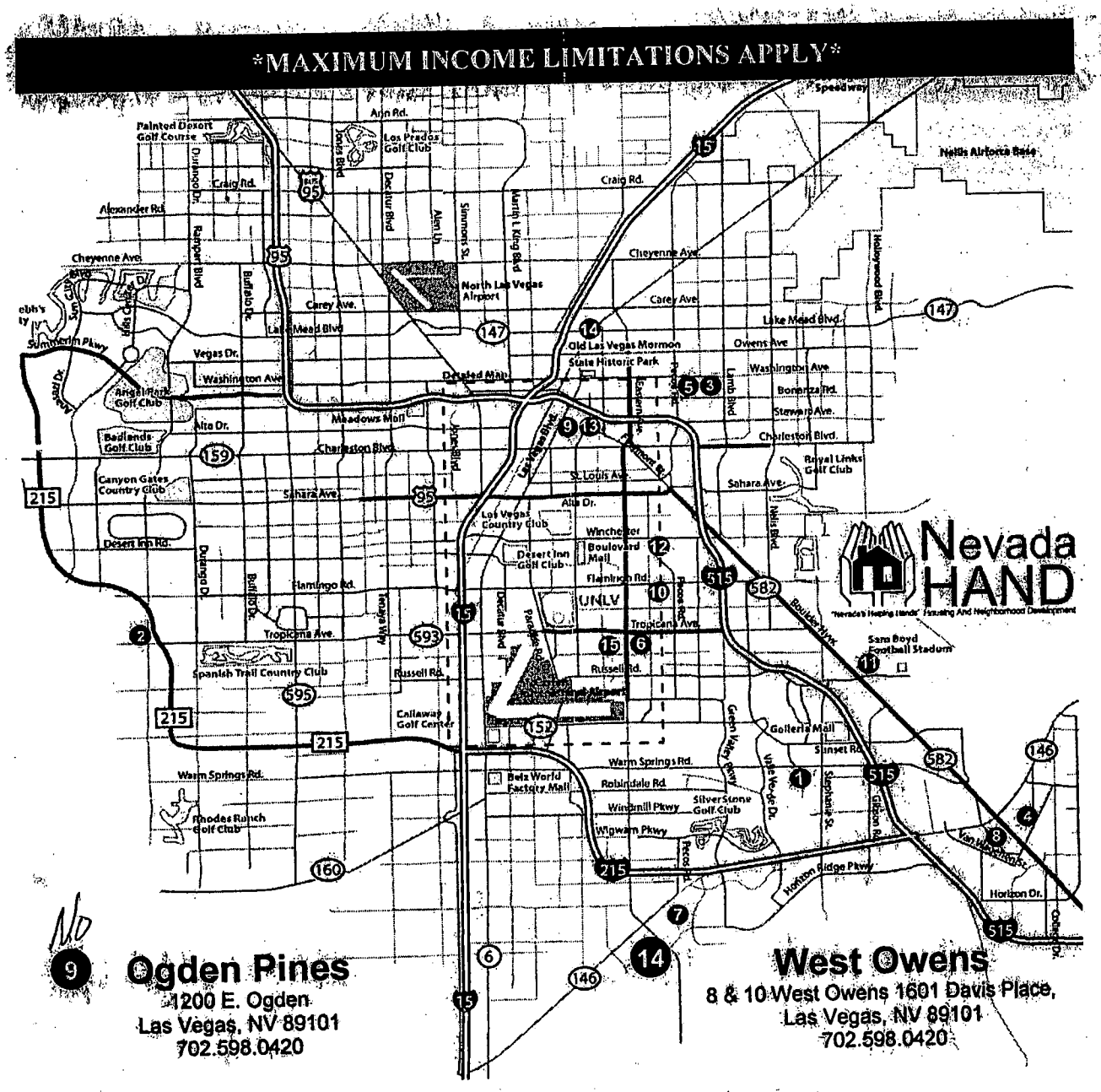
Dear Residents,

Just a friendly reminder that effective Friday, October 1,2004 assigned carports will be enforced. Please inform your guest that all uncovered carports that do not have the reserved space marked will be towed at the vehicles owner expense.

Thank you,

Tania Schwenke
Property Manager

MAXIMUM INCOME LIMITATIONS APPLY



NO 9

Ogden Pines
1200 E. Ogden
Las Vegas, NV 89101
702.598.0420

West Owens
8 & 10 West Owens 1601 Davis Place,
Las Vegas, NV 89101
702.598.0420

NO 7

HORIZON PINES
SENIORS



2570 Horizon Ridge Pkwy.
Henderson, NV 89052
702.492.0343

UNDER CONSTRUCTION

SENIORS

8

Pacific Pines
130 E. Pacific Ave.
Henderson, NV 89015
702.235.5744

UNDER CONSTRUCTION

10 **Rochelle Pines**

4285 Hildebrand Lane Las Vegas, NV 89121
702.235.5744

SENIORS

ALL LEASED NOT OCCUPIED

COMING SOON NOT OPEN JUNE OR JULY

SENIORS

1 **Annabelle Pines**

Stephanie/Warm Springs Henderson, NV 89121
702.235.5744

11 **SILVER PINES**

SENIORS WELCOME

FAMILY



6650 E. Russell Rd.
Las Vegas, NV 89122
702.730.0035

3 Bdrms

2 **Apache Pines**

MULTI-FAMILY



9552 W. Tropicana Ave. Las Vegas, NV 89147
702.579.7719

3 **Bonanza Pines**

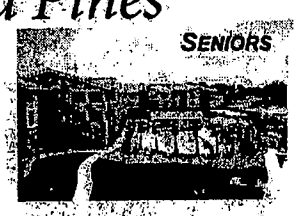
SENIORS

4170 E. Bonanza Rd. Las Vegas, NV 89110
702.235.5744

H 5-10-15 UNCOVERED GG SPACES RESERVED

12 **Sierra Pines**

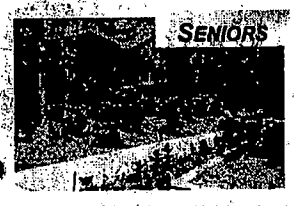
SENIORS



3201 Mojave Avenue
Las Vegas, NV 89121
702.369.3609

13 **Stewart Pines**

SENIORS



1351 & 1391 E. Stewart Ave Las Vegas, NV 89101
702.598.0420

#6 Covered

4 **Capistrano Pines**

SENIORS



400 N. Major Avenue
Henderson, NV 89015
702.568.5181

Sept 690 2 bed 2 bath

(Garage Chg)
Free Carport

5 **Desert Pines**

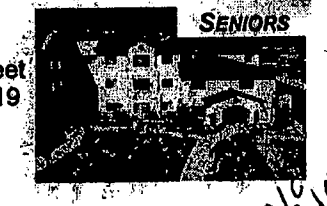
MULTI-FAMILY



3750 E. Bonanza Rd.,
Las Vegas, NV 89110
702.452.4401

15 **Tropical Pines**

SENIORS



5030 S. Jeffreys Street
Las Vegas, NV 89119
702.795.1576

ERNESTINE

NO CHG.

UNDER CONSTRUCTION

6 **Harrison Pines**

SENIORS

5045 Harrison Dr. Las Vegas, NV 89120
702.235.5744

TRY FEB

CHG PKG.

Nevada H.A.N.D., Inc. is a local non-profit organization that develops affordable housing in Southern Nevada. Since our inception in 1993, we have been very successful in providing highly functional, clean, energy efficient affordable housing to Nevada's low-income seniors and families. We strongly believe however, that providing the "bricks and mortar" that house our residents is only part of our mission. To further our efforts we have created our ***Resident Service Department*** to provide opportunities for financial empowerment and enhanced quality of life for our residents.

mission

IMPROVING THE LIVES OF INDIVIDUALS BY PROVIDING AFFORDABLE HOUSING SOLUTIONS AND SUPPORTIVE SERVICES.

Experience the comfort and truly affordable excellence of HAND Communities. Each thoughtfully designed apartment offers interior amenities provided to meet the needs of today's families and active seniors.

Inside our communities you will enjoy...

Computer Centers w/Internet Access
*Private Balconies / Patios
Large Community Areas
Spacious Closets
*Sparkling Pools
Contemporary Window Coverings
*Controlled Access Entries
Covered Parking
On-site Laundry Facilities
Fitness Centers
*Detached Garages
*On-site Library
*Cable-ready outlets

and much more.

*Select Communities

HAND promises to offer our residents a variety of outstanding differences and the assurance that every detail concerning the special needs of our residents has been well thought out. Residents will find an uncommon sense of a caring community. Offering the enjoyment of planned age-appropriate activities by an on-site Resident Service Coordinator including: English as a Second Language and computer classes for all ages, senior water aerobics, after-school programs and tutoring for youth, and free transportation services at our senior communities. You'll appreciate the caring attentive staff presented to you by ***HAND Property Management Company.***

City of Las Vegas

Agenda Item No.: 46

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

VAR-5889 - VARIANCE RELATED TO VAR-5888 - PUBLIC HEARING - APPLICANT/ OWNER: BONANZA PINES III LIMITED PARTNERSHIP - Request for a Variance TO ALLOW A 154-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 165 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SENIOR HOUSING DEVELOPMENT on 1.29 acres on the north side of Bonanza Road approximately 1,300 feet west of Lamb Boulevard (APN 140-30-802-007), R-E (Residence Estates) Zone under Resolution of Intent to R-5 (Apartment) Zone, Ward 3 (Reese).

C.C. 03/16/05

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

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Notices Regarding Parking Fees from Kayla Maglish

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with McSWAIN abstaining because her company has been erroneously named in a construction defect lawsuit with Nevada Hand

To be heard by City Council 3/16/2005

NOTE: COMMISSIONER McSWAIN explained that she had been named, in error, in a construction defect lawsuit with Nevada Hand. She advised their Counsel about the error but had not received a response. She asked DEPUTY CITY ATTORNEY SCOTT how that affected her ability to vote and he suggested she abstain.

PLANNING COMMISSION MEETING OF FEBRUARY 10, 2005
Planning and Development Department
Item 46 – VAR-5889

MINUTES:
See Item 45 [VAR-5888] for related discussion on Item 45 [VAR-5888], Item 46 [VAR-5889] and Item 47 [SDR-5891].

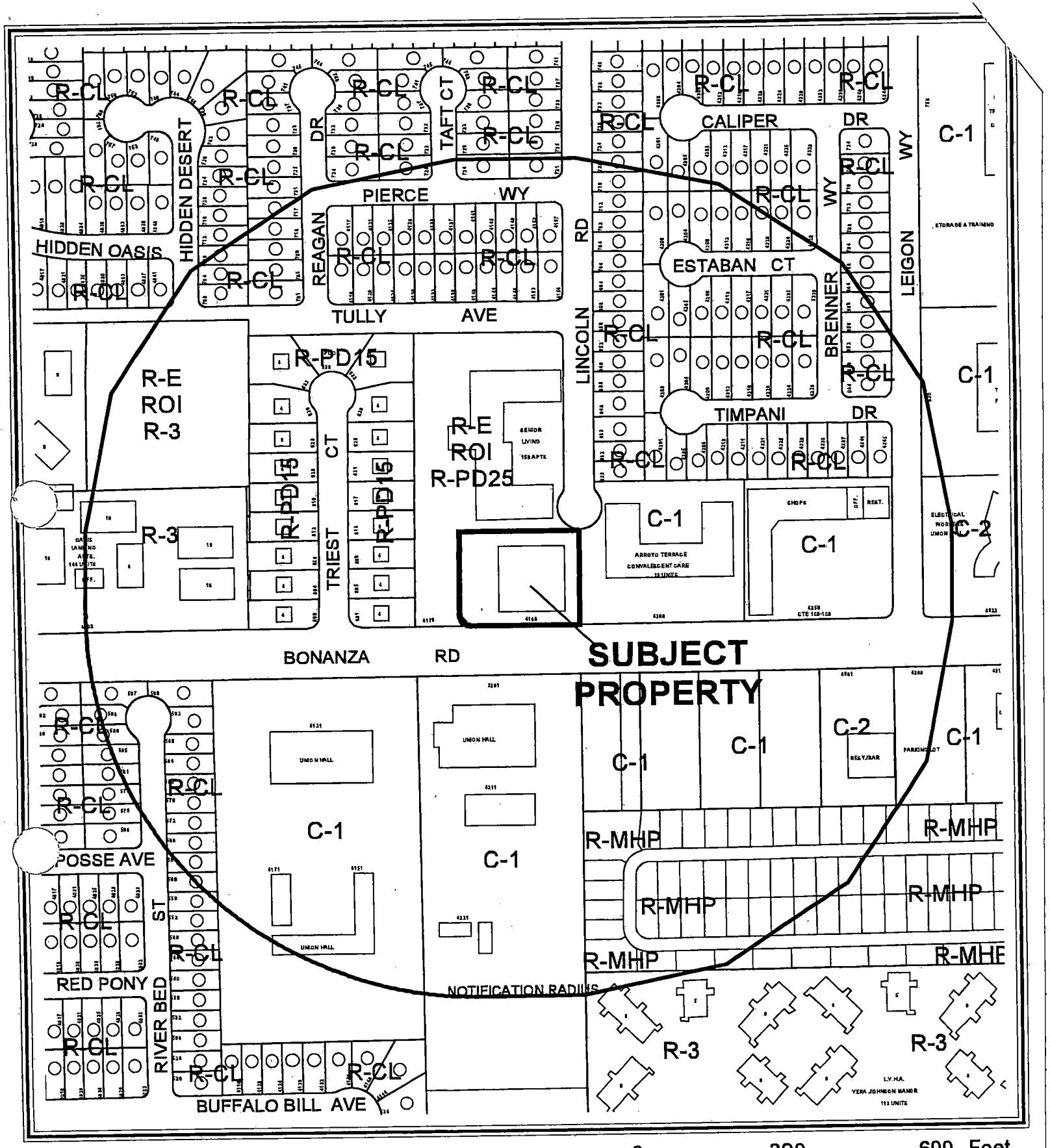
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3-1009

CONDITIONS:
Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5891 and Variance VAR-5888.

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

3. Acquire all necessary permits from the Department of Building and Safety.



CASE: **VAR-5889**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-5 (APARTMENT)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5889 - APPLICANT/ OWNER: BONANZA PINES III LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5891 and Variance VAR-5888.

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

3. Acquire all necessary permits from the Department of Building and Safety.

KCW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Request for a Variance, to allow a 154-foot setback where Residential Adjacency Standards require a minimum of 165-feet from the residential development to the north of the site, on 1.29 acres on the northside of Bonanza Road approximately 1,300 feet west of Lamb Boulevard.

B) Applicant's Justification

The applicant believes the request is justified by the fact that the exterior walls and windows nearest to the residential properties meet the 3:1 setback and intent of the code. The encroachment of the parapet into the 3:1 slope line occurs well inboard of the exterior walls.

BACKGROUND INFORMATION

A) Previous Actions

02/20/02 The City Council approved a Rezoning (Z-0089-01) to R-PD25 (Residential Planned Development – 25 units per acre) and a Site Development Plan Review [Z-0089-01(1)] of a 96-unit senior apartment project on the adjacent parcel to the north. The Planning Commission and staff recommended approval.

02/20/02 The City Council approved a request for a Variance (V-0089-01) to allow a proposed senior apartment complex 76 feet from a single family residential property line where the Residential Adjacency Standards require a minimum setback of 129 feet on property located adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road. The Planning Commission recommended approval, staff recommended denial.

02/20/02 The City Council approved a request for a Variance (V-0090-01) to allow 101 parking spaces where the proposed use (a senior apartment complex) requires a minimum of 116 spaces on 3.78 Acres adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road. The Planning Commission recommended approval, staff recommended denial.

11/05/03 The City Council approved a request to amend a portion of the Southeast Sector Plan of the General Plan (GPA-2953) from SC (Service Commercial) to H (High Density Residential). The Planning Commission and staff recommended approval.

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11/05/03 The City Council approved a request for a Variance (VAR-2956) to allow 16 parking spaces where 75 spaces are required for a proposed 62-unit Senior Apartment Development. The Planning Commission recommended approval, staff recommended denial.

11/05/03 The City Council approved a request for a Site Development Plan Review (SDR-2955) for a 62-unit senior apartment development. The Planning Commission recommended approval, staff recommended denial.

B) Pre-Application Meeting

12/17/04 The elements of a complete Variance application were discussed at pre-application submittal conference with the applicant.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.29

B) Existing Land Use

Subject Property:	Undeveloped
North:	Senior Housing
South:	Union Hall
East:	Convalescent facility
West:	Multi-family

KCW

C) Planned Land Use

Subject Property:	H (High Density Residential)
North:	M (Medium Density Residential)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) Under Resolution of Intent to R-5 (Apartment)
North:	R-E (Residence Estates) Under Resolution of Intent to R-PD25 (Residential Planned Development – 25 units per acre)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	R-E (Residence Estates) Under Resolution of Intent to R-PD25 (Residential Planned Development – 25 units per acre)

E) General Plan Compliance

This site is located in the Southeast Sector Plan area of the General Plan and designated with a land use of H (High Density Residential). The H (High Density Residential) land use category of the Southeast Sector Plan allows low to high density residential development. This district is intended to allow the development of high density multi-family in high intensity areas suitable for such residential development. The R-5 (Apartment) zoning district is consistent with the policies of the High Density Residential land use category of the General Plan. This Variance request is not directly related to any specific General Plan policies.

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

There are no special area plans, overlay districts, trail corridors, or special notifications that relate to the subject request.

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

a) Proximity slope. The tallest portion of the proposed senior housing is 154 feet from the nearest residential property line. As the applicant is proposing a building 55 feet in height, the setback is required to be 165 feet from the property line. The project fails to meet proximity slope requirement. This Variance request is intended to address this deficiency. The subject deviation is 6.7% or 11 feet.

b) Building setback. The proposed senior housing is 10 feet from the nearest property line, where 20 feet are required, therefore the proposed development fails the building setback requirement. An associated application, VAR-5888, was filed to address the deficiency. The subject deviation is 50% or 10 feet.

B) General Analysis and Discussion

The subject development has the building positioned at the back of the site with surface parking at the front between the building and the street. The building is five stories with an overall height of 55 feet. The rear elevation, the height of which is the subject of this variance request, has a variety of vertical surfaces. Some of the surfaces have heights less than that might be allowed. Because of this characteristic the portion of the building that exceeds height based on the 3:1 slope can be shortened and the attractiveness of the building would not be adversely affected.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

KCW

No evidence of a unique or extraordinary circumstance has been presented. The applicant has created a self-imposed hardship by designing the subject building in manner that results in the building exceeding the height standards. Alternative design of the building that changes the portion of the parapet that exceeds the height standards would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 224 – Mailed with VAR-5888 and SDR-5891

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5889 APN: 140-30-802-007

Name of Property Owner: Bonanza Pines III Limited Partnership

Name of Applicant: Bonanza Pines III Limited Partnership

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: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner: [signature]

Print Name: Bonanza Pines III Limited Partnership, a Nevada limite partnership

By: HAND Enterprises Inc., as General Partner

By: Michael Mullin, President

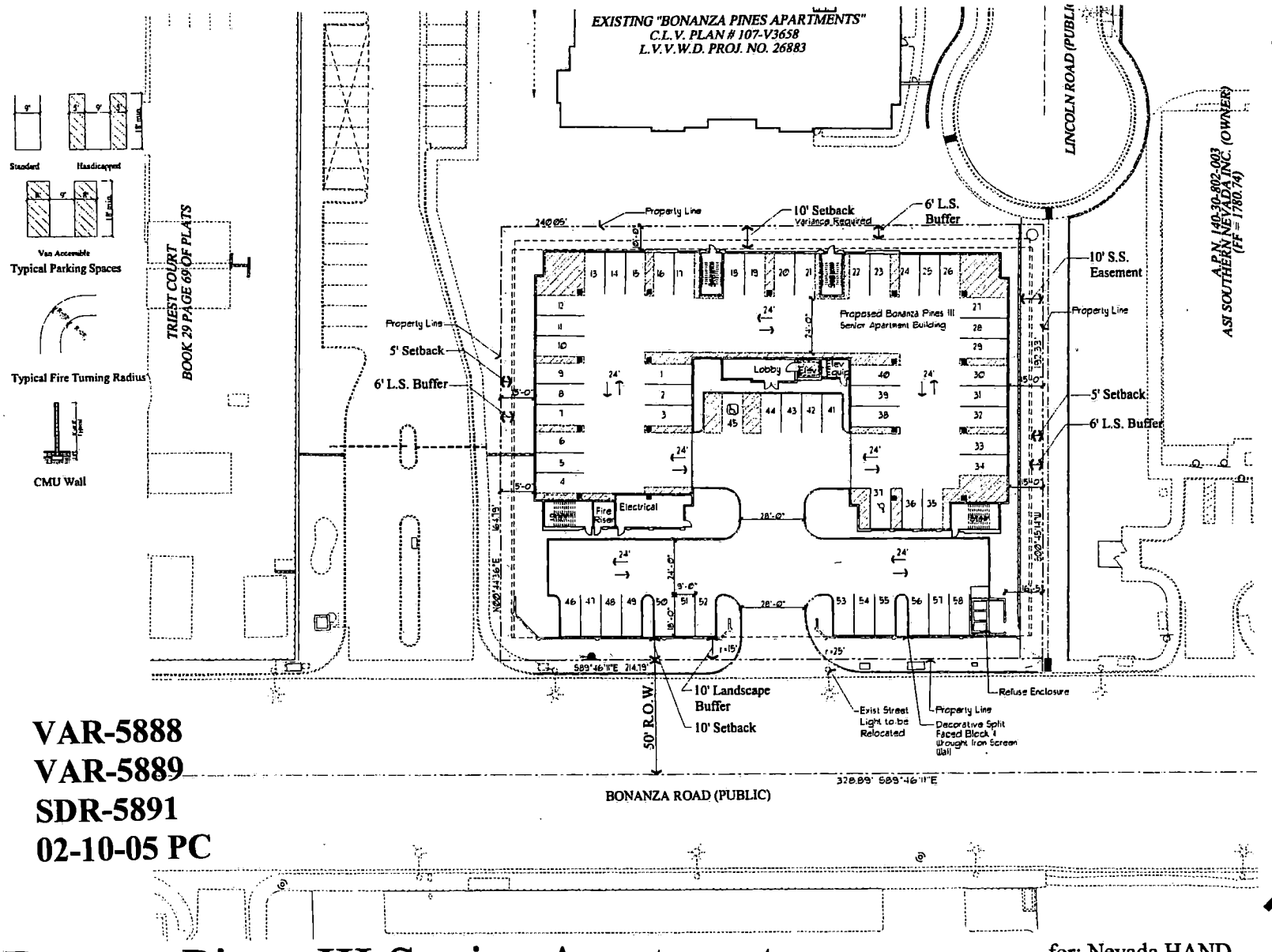
Subscribed and sworn before me

This 20th day of December, 2004

[signature]

Notary Public in and for said County and State

JACLYN S. HAAS
Notary Public State of Nevada
No. 03-84818-1
My appt. exp. Oct. 17, 2007



Site Information

ZONING - City of Las Vegas
R-5 Multi-Family District (Senior Housing)
APN 140-30-802-001

AREA (Approximate to be Verified)
Gross Area: +/- 117612 sf +/- 129 acres

BUILDINGS

Buildings		Units
Type I	1 - Bedroom	40
	2 - Bedrooms	22
TOTALS		62

DENSITY: 48 Units / acre

PARKING REQUIREMENTS

Parking Required.		
1 - Bedrooms	40 * 0.75 =	30
2 - Bedrooms	22 * 0.75 =	16.5
TOTAL		44
Parking Provided		
Parking Garage Spaces		40
Open Spaces		18
TOTAL		58
Parking Ratio		0.935 / unit
H.C. Parking Required		2
H.C. Parking Provided		2

SETBACKS

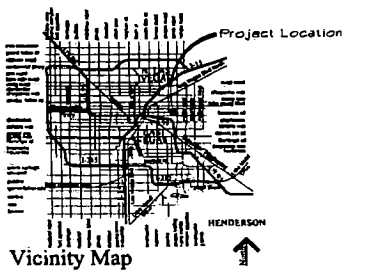
Front	10 ft
Sides	5 ft
Rear	20 ft
	10 ft Provided Req. Variance

LANDSCAPE BUFFER

Front	10 ft
Side	6 ft
Rear	6 ft

HEIGHT

Maximum Allowed:	55 ft
Provided.	55 ft



Vicinity Map

Note:
This plan has been prepared without benefit of a complete survey.
It is Conceptual in Nature and No Guarantee of its accuracy is implied.

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

North

Scale: 1" = 20'

Bonaza Pines III Senior Apartments

for: Nevada HAND
702-739-3345

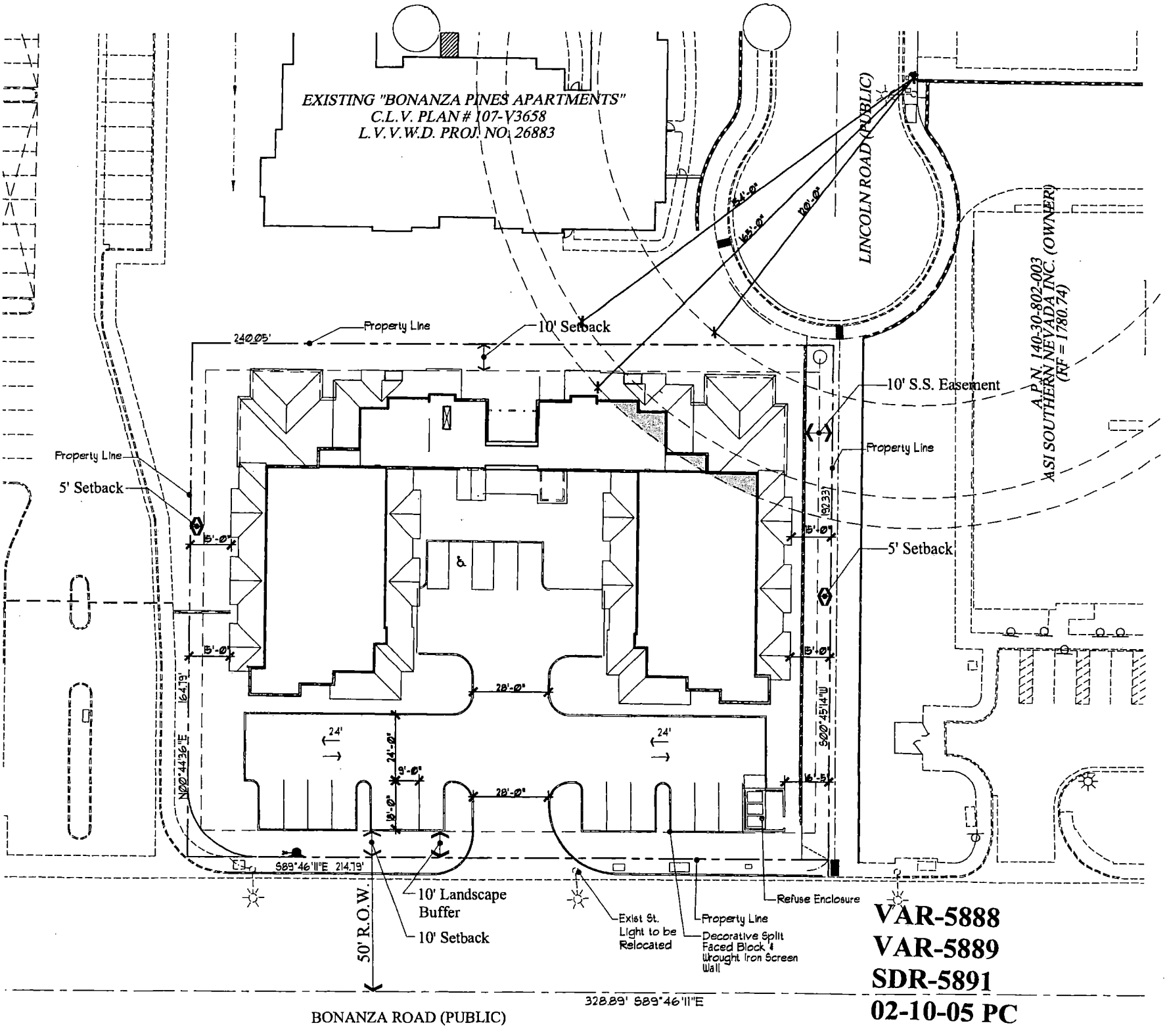
Bonanza near Sandhill, Las Vegas, Nevada

Conceptual Site - Scheme A

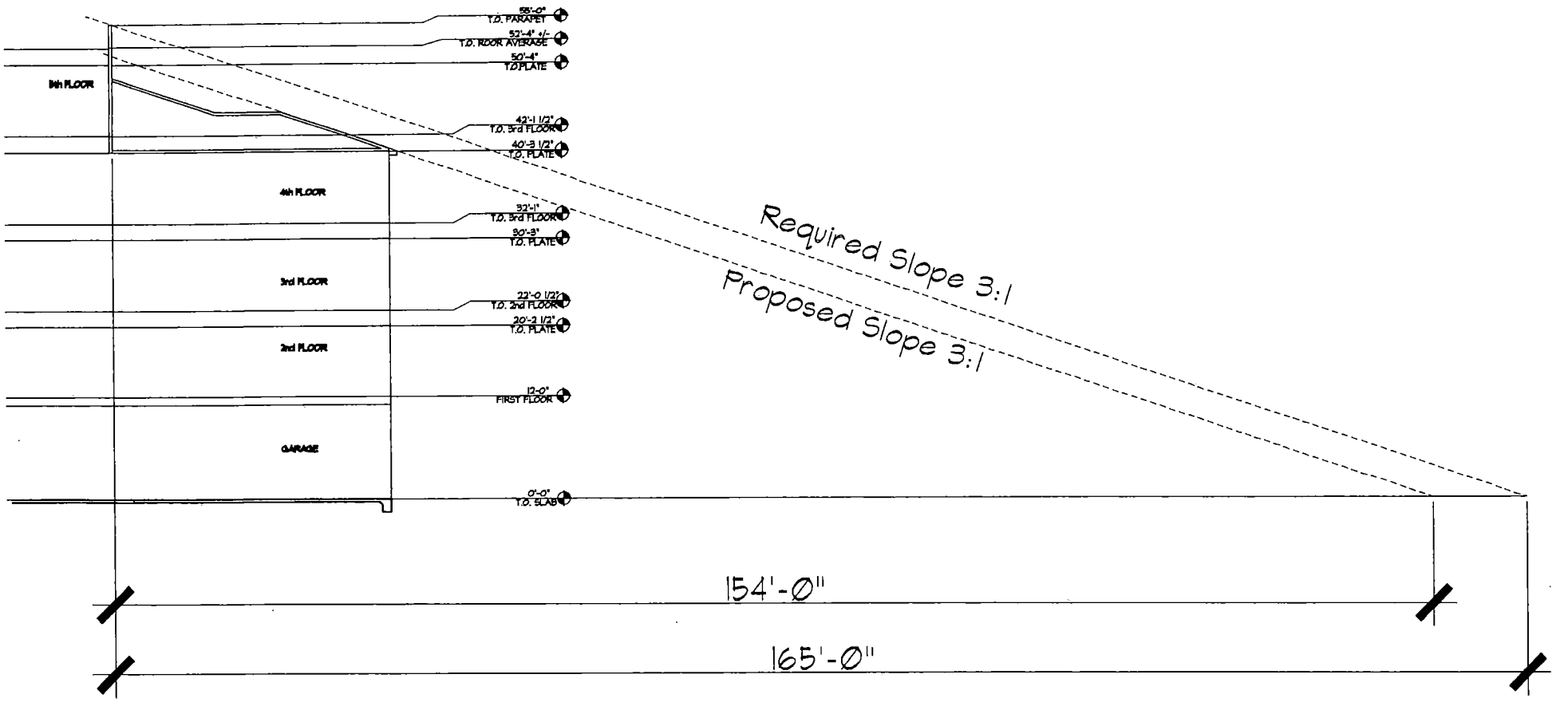
Date: December 27, 2004
Project Number: 103209.2

Perlman ARCHITECTS
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

© COPYRIGHT 2004, PERLMAN ARCHITECTS, INC.

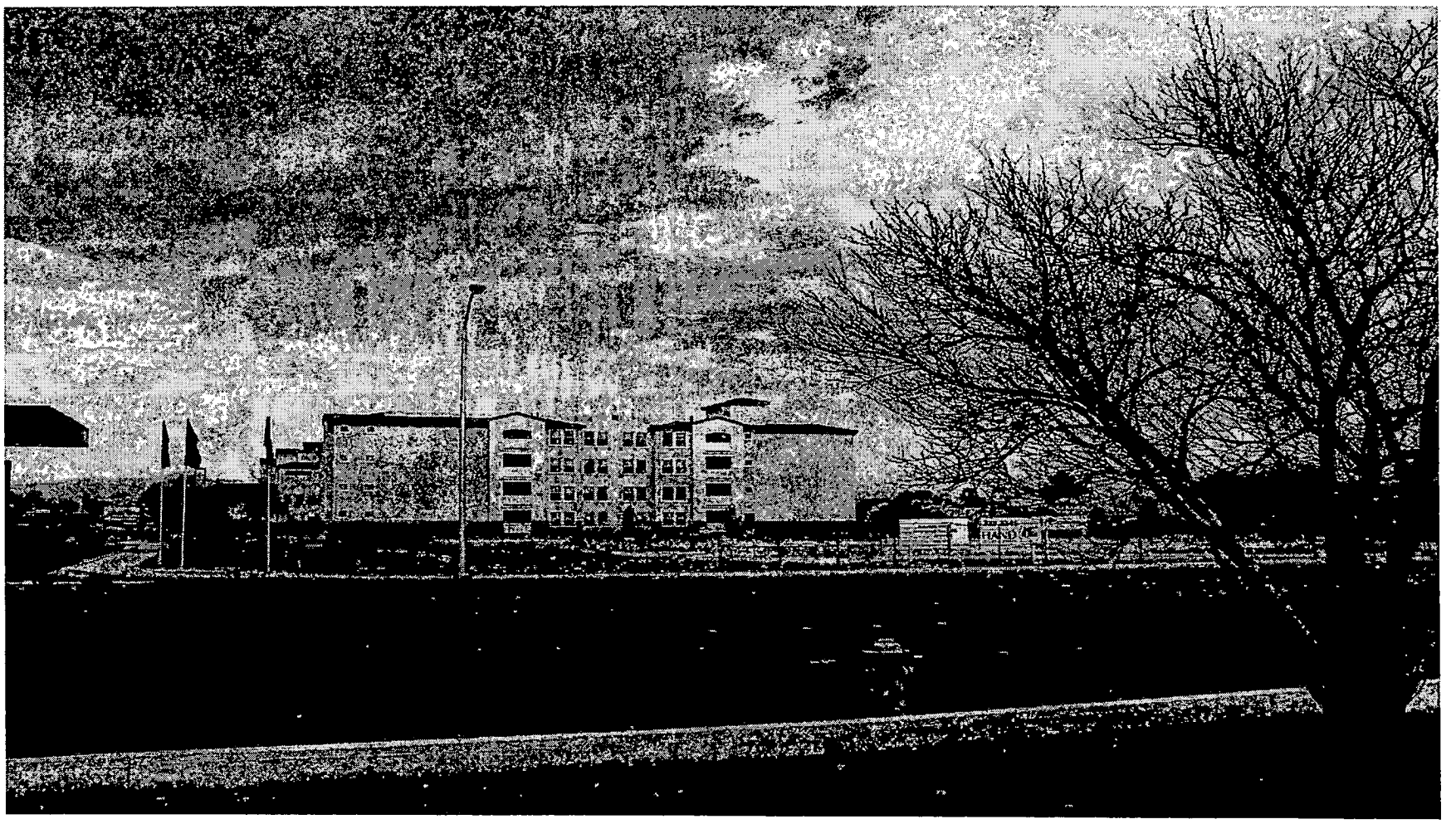


VAR-5888
VAR-5889
SDR-5891
02-10-05 PC



3:1 Residential Adjacency Slope

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC



VAR-5889 - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP
NORTH SIDE OF BONANZA ROAD APPROXIMATELY 1,300 FEET WEST OF LAMB BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



VAR-5889 - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP
NORTH SIDE OF BONANZA ROAD APPROXIMATELY 1,300 FEET WEST OF LAMB BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

Perlman
ARCHITECTS

Las Vegas • Newport Beach • Scottsdale

December 28, 2004

City of Las Vegas
Current Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

RE: Bonanza Pines III- Justification Letter – 3:1 Residential Adjacency Setback
APN: 140-30-802-007

To Whom It May Concern:

We respectfully request a variance for the 3:1 residential adjacency setback. Our request is a reduction to 154 feet where 165 feet is required, a reduction of 11 feet or less than 7%.

The project was designed to minimize the impact it has on the adjacent residential properties. To do so the North East corner of the building was intentionally reduced in height by one story. This served to make the corner of the building most immediately adjacent to the residential properties compliant with the code requirements. However, the parapet of the roof of the 5th story still extends slightly above the 3:1 slope line, Thereby requiring this request for variance.

We believe this request is justified by the fact that the exterior walls and windows nearest the residential properties meet the 3:1 setback and the intent of the code. The encroachment of the parapet into the 3:1 slope line occurs well inboard of the exterior walls. There are no windows in the wall of the parapets which encroach. The encroachment of the parapets into the 3:1 slope is minimal (approximately 3 foot 9 inches) and only occurs for a portion of the parapet corners (as indicated on the attached diagrams). The reduction of the corner of the building from 5 stories to 4 stories, also, has drastically diminished the potential encroachment at the corner of the building.

Additionally, a hardship exists preventing the location of the building further to the South. The required throat depth of the entry drive to prevent the back-up of traffic on Bonanza Road necessitates the location of the structure toward the rear of the property.

With these facts, we hope that you will approve this request for variance.

Sincerely,

Rick Salyer
Director of Residential Studio
Perlman Architects, Inc.

VAR-5889

2230 Corporate Circle, Suite 200 Henderson, Nevada 89074-6387
702.990.9900 702.932.3222 Fax

City of Las Vegas

Agenda Item No.: 47

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

SDR-5891 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5888 AND VAR-5889 - PUBLIC HEARING - APPLICANT/ OWNER: BONANZA PINES III LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A 62-UNIT, FIVE-STORY SENIOR HOUSING DEVELOPMENT on 1.29 acres on the north side of Bonanza Road approximately 1,300 feet west of Lamb Boulevard (APN 140-30-802-007), R-E (Residence Estates) Zone under Resolution of Intent to R-5 (Apartment) Zone, Ward 3 (Reese).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Notices Regarding Parking Fees from Kayla Maglish

MOTION:
GOYNES – APPROVED subject to conditions – Motion carried with McSWAIN abstaining because her company has been erroneously named in a construction defect lawsuit with Nevada Hand

To be heard by City Council 3/16/2005

NOTE: COMMISSIONER McSWAIN explained that she had been named, in error, in a construction defect lawsuit with Nevada Hand. She advised their Counsel about the error but had not received a response. She asked DEPUTY CITY ATTORNEY SCOTT how that affected her ability to vote and he suggested she abstain.

PLANNING COMMISSION MEETING OF FEBRUARY 10, 2005
Planning and Development Department
Item 47 – SDR-5891

MINUTES:

See Item 45 [VAR-5888] for related discussion on Item 45 [VAR-5888], Item 46 [VAR-5889] and Item 47 [SDR-5891].

(9:49 – 10:11)
3-1009

CONDITIONS:

Planning and Development

1. Variance VAR-5888 and VAR-5889 approved by the City Council.

2. A revised landscaping plan shall be submitted to the Planning and Development Department prior to the issue of building permits showing a parking lot screen that includes a three-foot high landscaped berm along the front property line that would obscure the parking lot from the street. Plan shall show five five-gallon and five one-gallon shrubs for each 24-inch box tree around the perimeter of the site.

3. A revised site plan shall be submitted to the Planning and Development Department prior to the issue of building permits showing an additional handicap parking space.

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

5. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/28/04, except as amended by conditions herein.

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

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

8. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the

CONDITIONS – Continued:

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

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

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and from residential development.

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

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

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

14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

CONDITIONS – Continued:

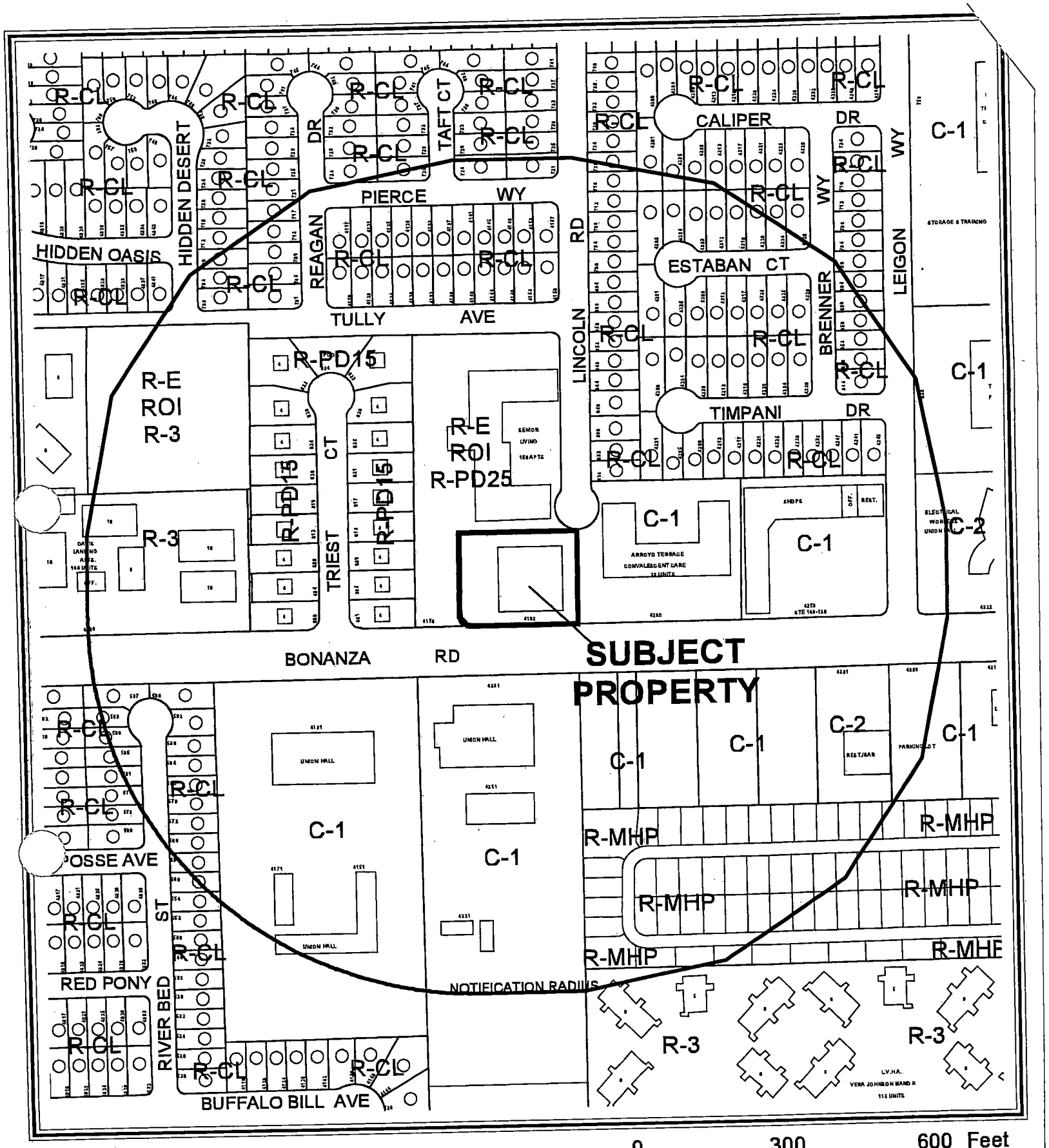
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

17. Driveways shall be designed, located and constructed in accordance with Standard drawing #222A.

18. Site development to comply with all applicable conditions of approval for ZON-2954 and all other applicable site-related actions.



CASE: **SDR-5891**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-5 (APARTMENT)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5891 - APPLICANT/ OWNER: BONANZA PINES III LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

1. Variance VAR-5888 and VAR-5889 approved by the City Council.

2. A revised landscaping plan shall be submitted to the Planning and Development Department prior to the issue of building permits showing a parking lot screen that includes a three-foot high landscaped berm along the front property line that would obscure the parking lot from the street. Plan shall show five five-gallon and five one-gallon shrubs for each 24-inch box tree around the perimeter of the site.

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

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

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KCW

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

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17. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

18. Site development to comply with all applicable conditions of approval for ZON-2954 and all other applicable site-related actions.

KCW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 94,570 square-foot, five-story, 62-unit senior apartment development on 1.29 acres adjacent to the north side of Bonanza Road, approximately 1,300 feet west of Lamb Boulevard.

B) Applicant's Justification

The applicant states that the proposed design demonstrates their continued efforts to do what is right for the community by listening to its needs. They believe that the project will provide another new, high quality, and affordable senior housing development.

BACKGROUND INFORMATION

A) Previous Actions

02/20/02 The City Council approved a Rezoning (Z-0089-01) to R-PD25 (Residential Planned Development – 25 units per acre) and a Site Development Plan Review [Z-0089-01(1)] of a 96-unit senior apartment project on the adjacent parcel to the north. The Planning Commission and staff recommended approval.

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KCW

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Net Acres: 1.29

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KCW

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E) General Plan Compliance

This site is located in the Southeast Sector Plan area of the General Plan and designated with a land use of H (High Density Residential). The H (High Density Residential) land use category of the Southeast Sector Plan allows low to high density residential development. This district is intended to allow the development of high density multi-family in high intensity areas suitable for such residential development. The R-5 (Apartment) zoning district is consistent with the policies of the High Density Residential land use category of the General Plan.

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

There are no special area plans, overlay districts, trail corridors, or special notifications that relate to the subject request.

PROJECT DESCRIPTION

Access to the proposed senior housing development will be from the north side of Bonanza Road. The building is situated at the back of the site and oriented to Bonanza Road. It features two parallel wings extending out perpendicular from the entrance wing, forming a "U" shape with interior space that could be used as a courtyard. A total of 58 parking spaces are provided, 40 of which are in the garage that is the first floor of the building and 18 spaces in the lot between the building and the street. Two handicap spaces are shown where three spaces are required. A trash enclosure is located at the southeastern corner of the site.

Landscaping is provided within a minimum 10-foot wide planter along the south property line along the street. The landscaping along the street is between the front property line and a decorative split faced block and wrought iron screen wall. This planter contains 24-inch box deciduous trees in clusters spaced roughly 45 feet on center with shrubs clustered between the trees. The side buffer area has a minimum width of six feet on the west and east, with of 24-inch box evergreen trees 30 feet apart.

KCW

The elevation for the building depicts a Mediterranean-style construction featuring a hipped and gabled roof with tower elements, arched patio openings, and varied wall lines. Building materials include tile for the roof and roof elements and stucco on walls.

The proposed senior housing development will contain 40 one-bedroom and 22 two-bedroom units.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	7,000 Square Feet	56,192.4 Square Feet	Y
Min. Lot Width	N/A	N/A	N/A
Min. Setbacks • Front • Side • Corner • Rear	 10 Feet 5 Feet 5 Feet 20 Feet	 10 Feet 5 Feet 5 Feet 10 Feet	 Y Y Y N
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	5 Stories or 55 Feet	55 Feet	N

The proposal needs the variance VAR-5888 from the requirement for rear setback of Title 19. The subject deviation is 50% or 10 feet.

A2) Residential Adjacency Standards

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

a) Proximity slope. The tallest portion of the proposed senior housing is 154 feet from the nearest residential property line. As the applicant is proposing a building 55 feet in height, the setback is required to be 165 feet from the property line. The project fails to meet proximity slope requirement. The subject deviation is 6.7% or 11 feet. The Variance application VAR-5889 has been filed by the applicant to address the issue.

b) Building setback. The proposed senior housing is 10 feet from the nearest property line, where 20 feet are required, therefore the proposed development fails the building setback requirement. The subject deviation is 50% or 10 feet. The variance application VAR-5888 was filed to address the issue.

A3) Parking and Traffic Standards

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

Uses	Units	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
One Bedroom Units	40 Units	0.75 Space / Unit: 40 X 0.75	30 Spaces			
Two Bedroom Units	22 Units	0.75 Space / Unit: 22 X 0.75	17 Spaces			
Totals	62 Units		45	2	58	2

The proposal exceeds the requirements of Title 19 for parking in terms of providing a more than sufficent number of parking spaces. But, one more handicap space needs to be shown as the 58 spaces proposed requires three handicap parking spaces. A condition has been added to address the discrepancy.

A4) Landscape Standards

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

Standards	**Required** Ratio	**Required** Trees	**Provided**
Parking Area	1 Trees/ 6 Spaces: 13 spaces/ 6 = 2.2	3 Trees	2
Buffer: • Min. Trees	1 Trees/ 30 Linear Feet: 810 LF/ 30 = 27 trees	27 Trees	28
• Min. Zone Width- Front • Min. Zone Width- Sides and Rear • Wall height	10 Feet 6 Feet Not Shown		10 Feet 6 Feet Not Shown

KCW

The proposal meets the requirements of Title 19 for landscaping in terms of trees and planters. The site plan does not show a required landscaped screen for the parking lot. A condition has been added to address the issue.

A5) Sign Standards

Insufficient information was provided that would facilitate the review of onsite signage pursuant the Sign Standards of Title 19. Signage will be evaluated through separate reviews.

B) General Analysis and Discussion

- Zoning

The R-5 (Apartment) zoning district is intended to allow for the development of high density multi-family units within the downtown urban core and in other high intensity areas suitable for high density residential development. The proposed senior apartment development at the subject location is consistent with the intensity of the area around the site and is in conformance with the R-5 (Apartment) zoning and the H (High Density Residential) land use designation.

- Site Plan

The subject development has the building positioned at the back of the site with surface parking at the front between the building and the street. The building is five stories with an overall height of 55 feet. The rear elevation, the height of which is the subject of the variance request VAR-5889, has a variety of vertical surfaces. Some of the surfaces have heights less than that might be allowed. Because of this characteristic the portion of the building that exceeds height based on the 3:1 slope can be shortened and the attractiveness of the building would not be adversely affected.

The distance from the back of the building to the rear property line is 10 feet, 10 feet short of the required setback of 20 feet for the R-5 (Apartment) zoning of the site and the subject of the variance VAR-5888. The building is positioned at the correct setbacks for the sides of the building and the front setback from the right-of-way of Bonanza Avenue. Between the front setback and the building is a parking lot with a single row of 90-degree parking spaces along the front property line and 24-foot drive aisle between the parking spaces and the building.

- Waivers

No waivers are part of this application.

KCW

- Landscape Plan

  The proposal meets the requirements of Title 19 for landscaping in terms of trees and planters. The site plan does not show a required landscaped screen for the parking lot and sufficient number of shrubs in relation to the number of 24-inch box trees.

- Elevation

  The elevations show the typical features of Mediterranean architecture: low pitched roofs with hips and gables, arches, arcades, gridded windows, stuccoed walls, and tile roofs. The submitted elevations are appropriate for this development and are compatible with the adjacent housing development.

- Floor Plan

  The floor plans show a typical layout of a mixture of one and two bedroom apartments.

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 senior housing development is compatible with adjacent development, with the exception of the height of the building. A companion Variance application (VAR-5889) was filed to address the issue.

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

   With the approval of the companion Variance applications, the proposed senior housing development is consistent with the General Plan, Title 19, and the Landscape, Wall and Buffer Standards.

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

   The proposed site access and circulation will not negatively impact adjacent roadways or neighborhood traffic. All traffic will access the site via a private drive on the adjacent parcel from Bonanza Road, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways.

KCW

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

   The proposed building is an aesthetically appropriate structure for housing the elderly population of the area. The landscape materials as proposed will be appropriate for this project with the implementation of the recommended conditions.

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

   The building elevations and design characteristics of the proposed building are well-suited for senior housing and would be harmonious with the design of the adjacent senior housing development, other residential development, and nearby commercial structures.

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

   The proposed senior apartment building will be subject to the provisions of the Uniform Building Code; therefore, the use will not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 224 – Mailed with VAR-5888 and VAR-5889

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5891 APN: 140-30-802-007

Name of Property Owner: Bonanza Pines III Limited Partnership

Name of Applicant: Bonanza Pines III Limited Partnership

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: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner: [signature]

Print Name: Bonanza Pines III Limited Partnership, a Nevada limited partnership

By: HAND Enterprises Inc., as General Partner

By: Michael Mullin, President

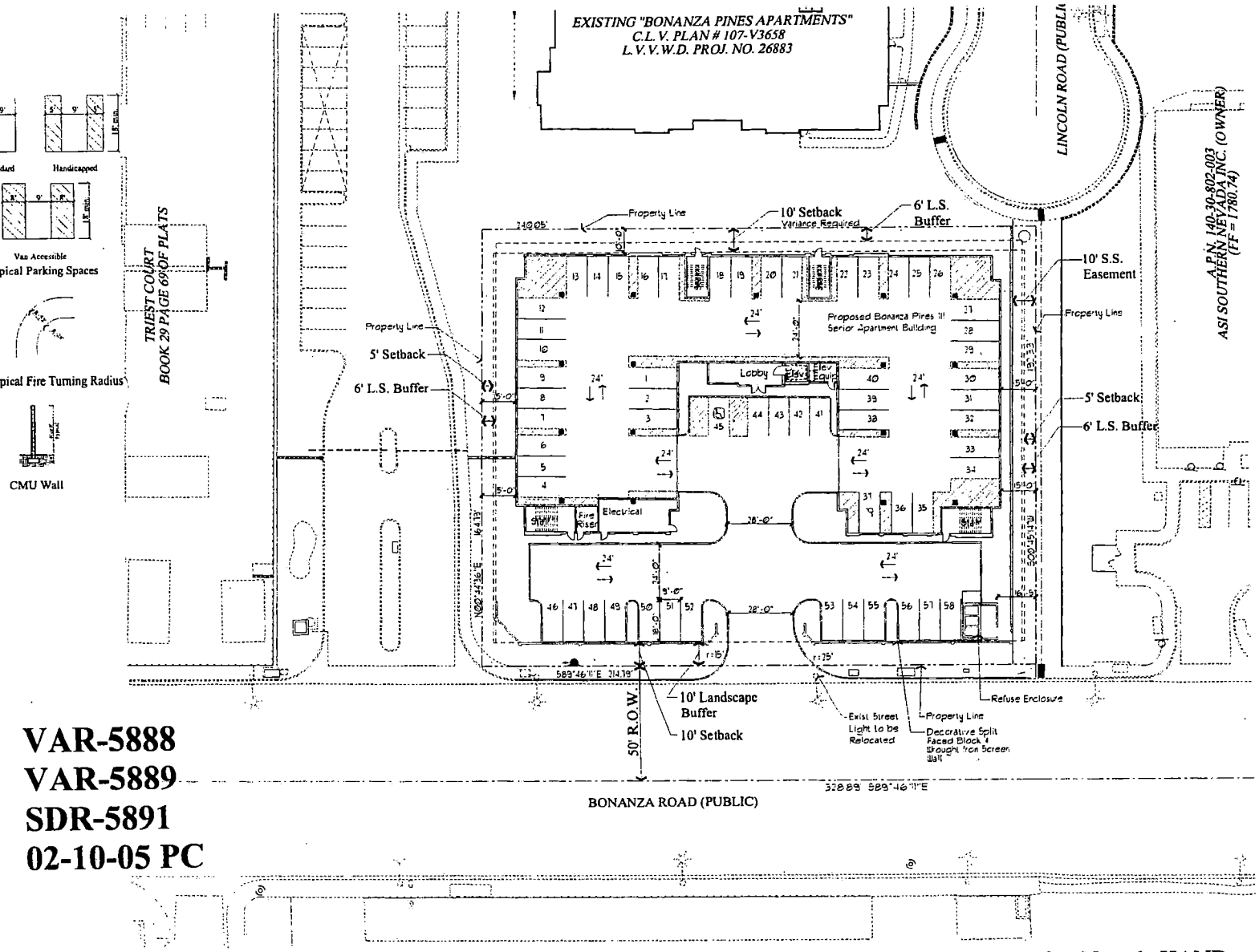
Subscribed and sworn before me

This 20th day of December, 2004

[signature]

Notary Public in and for said County and State

JACLYN S. HAAS
Notary Public State of Nevada
No. 03-84818-1
My appt. exp. Oct. 17, 2007



VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

Site Information

ZONING - City of Las Vegas
R-5 Multi-Family District (Senior Housing)
APN 140-30-802-007

AREA (Approximate to be verified)
Gross Area: +/- 117612 sf +/- 1.29 acres

BUILDINGS

Buildings		Units
Type I	1 - Bedroom	40
	2 - Bedrooms	22
TOTALS		62

DENSITY: 48 Units / acre

PARKING REQUIREMENTS

Parking Required:		
1 - Bedrooms	40 · 0.75 =	30
2 - Bedrooms	22 · 0.75 =	16.5
TOTAL		44
Parking Provided		
Parking Garage Spaces		40
Open Spaces		18
TOTAL		58
Parking Ratio		0.935 / unit
H.C. Parking Required		2
H.C. Parking Provided		2

SETBACKS

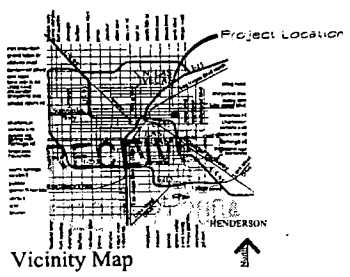
Front	10 ft
Side	8 ft
Rear	20 ft
	10 ft Provided Req. Variance

LANDSCAPE BUFFER

Front	10 ft
Side	8 ft
Rear	6 ft

HEIGHT

Maximum Allowed:	55 ft
Provided:	55 ft



Vicinity Map

Note:
This plan has been prepared without benefit of a complete survey.
It is Conceptual in Nature and No Guarantee of its accuracy is implied.

North

Scale: 1" = 20'
0 20 40

Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

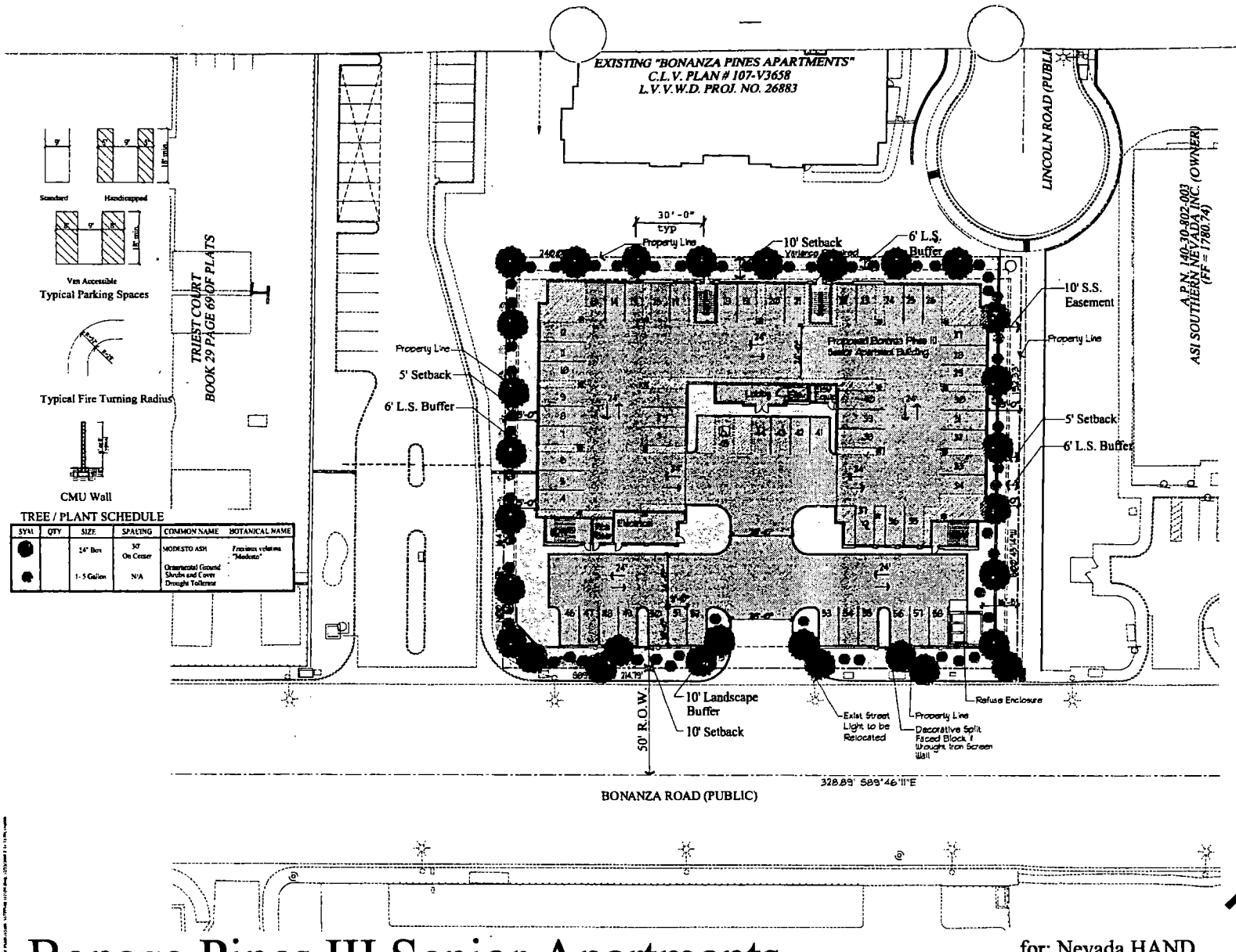
Conceptual Site - Scheme A

for: Nevada HAND
702-739-3345

Date: December 27, 2004
Project Number: 103209.2

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PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

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TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
		24" Box	30' On Center	MODESTO ASH	Fraxinus velutina "Modesto"
		1-5 Gallon	N/A	Ornamental Ground Shrubs and Cover Drought Tollerent	

Site Information

ZONING - City of Las Vegas
R-5 Multi-Family District (Senior Housing)
APN 140-30-802-007

AREA (Approximate, to be Verified)
Gross Area: +/- 111,612 sf +/- 1.29 acres

BUILDINGS

Buildings		Units
Type I	1 - Bedroom	40
	2 - Bedrooms	22
TOTALS		62

DENSITY: 48 Units / acre

PARKING REQUIREMENTS

Parking Required:		
1 - Bedrooms	40 *0.75 =	30
2 - Bedrooms	22* 0.75 =	16.5
TOTAL		44
Parking Provided		
Parking Garage Spaces		40
Open Spaces		18
TOTAL		58
Parking Ratio		0.935 / unit
H.C. Parking Required		2
H.C. Parking Provided		2

SETBACKS

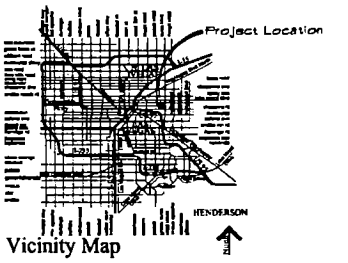
Front	10 ft
Side	5 ft
Rear	20 ft
	10 ft Provided Req. Variance

LANDSCAPE BUFFER

Front	10 ft
Side	6 ft
Rear	6 ft

HEIGHT

Maximum Allowed:	55 ft
Provided:	55 ft



Vicinity Map

Note:
This plan has been prepared without benefit of a complete survey.
It is Conceptual in Nature and No Guarantee of its accuracy is implied.

North

Scale: 1" = 20'
0 20 40

Bonaza Pines III Senior Apartments

for: Nevada HAND
702-739-3345

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual Site - Scheme A

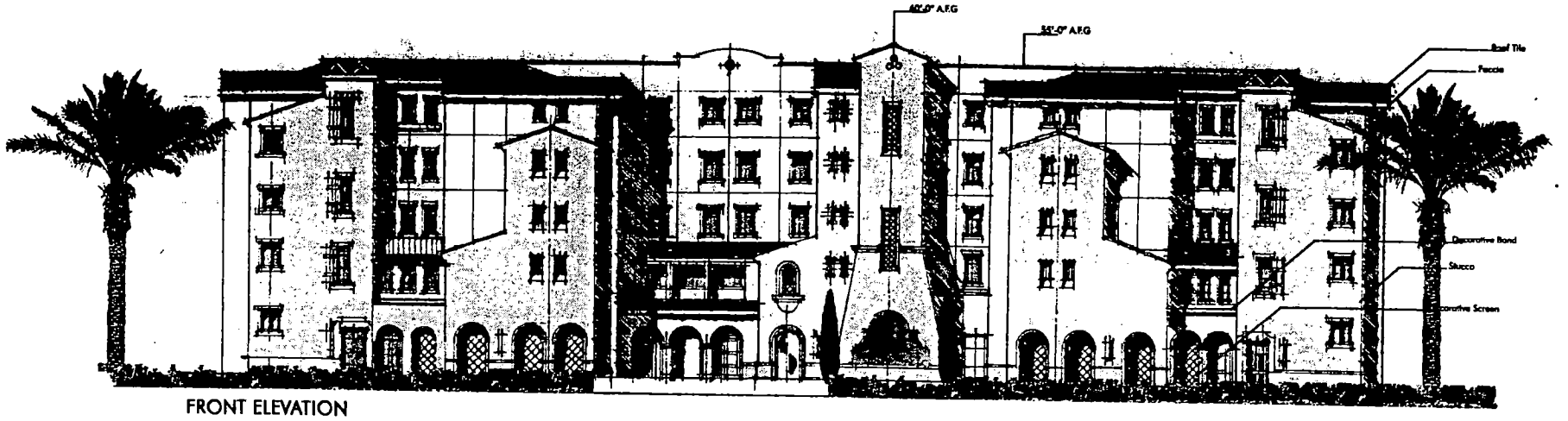
Date: December 21, 2004
Project Number: 103209.2

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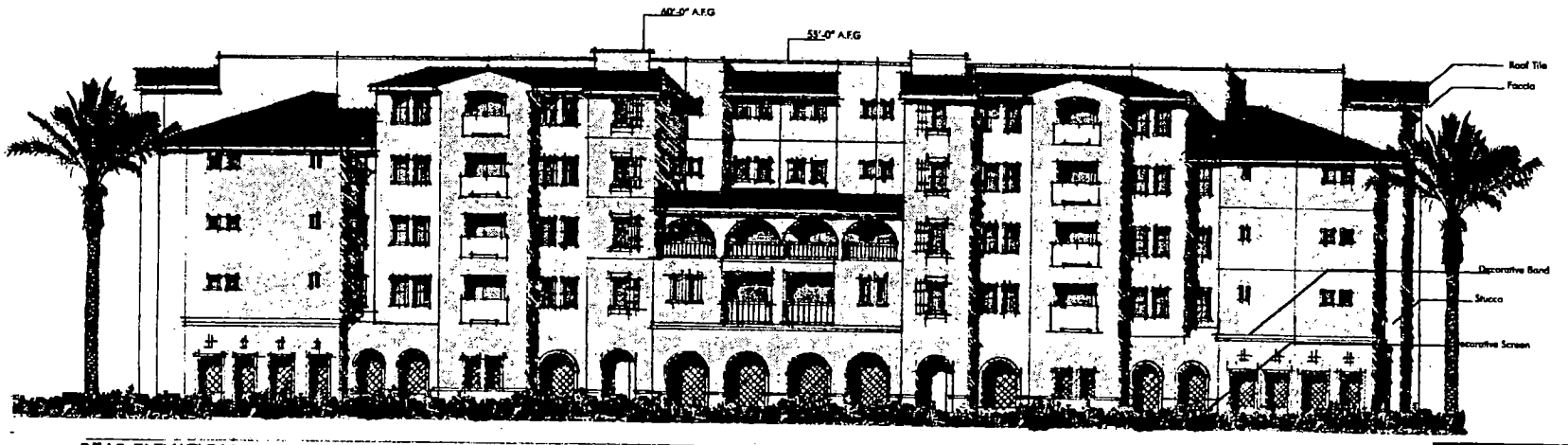
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FRONT ELEVATION



REAR ELEVATION

Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

VAR-5888
VAR-5889
SDR-5891

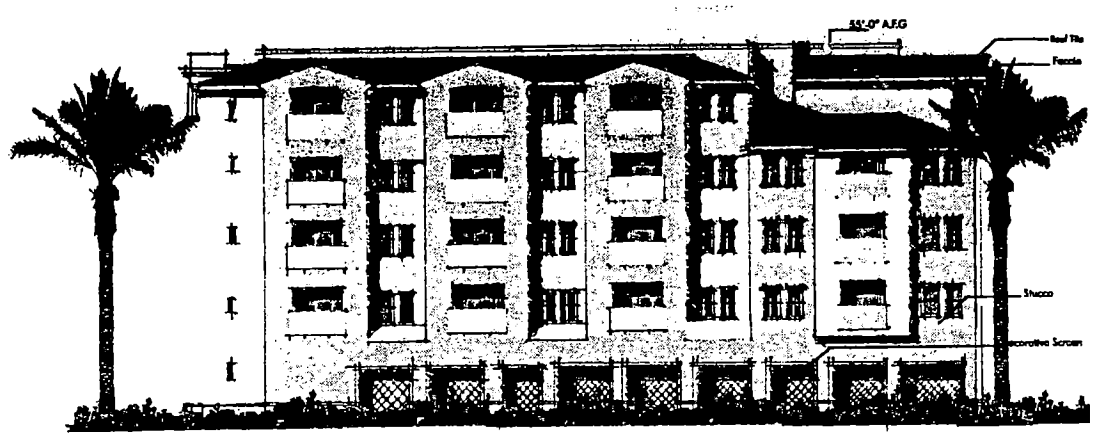
Conceptual Elevations- Scheme A

for: Nevada HAND
702-739-3345

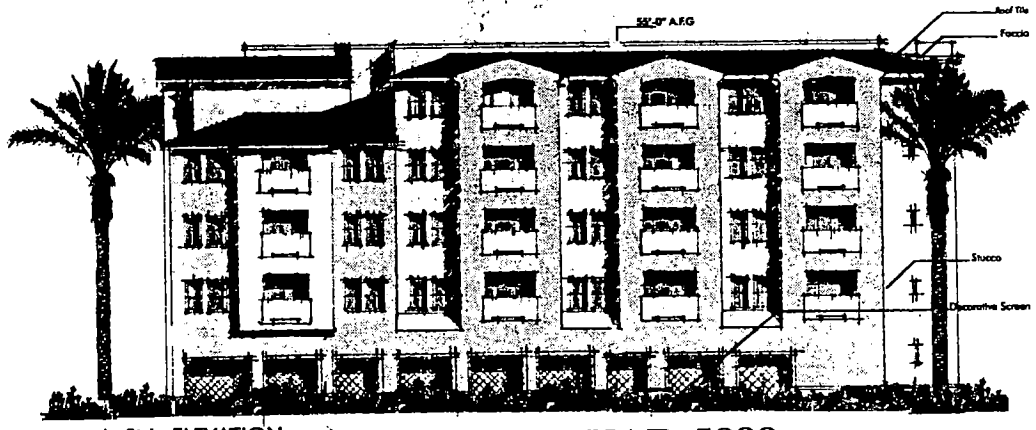
Date: December 27, 2004
Project Number: 103209.2

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R. Side ELEVATION



L. Side ELEVATION

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for: Nevada HAND
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Bonaza Pines III Senior Apartments

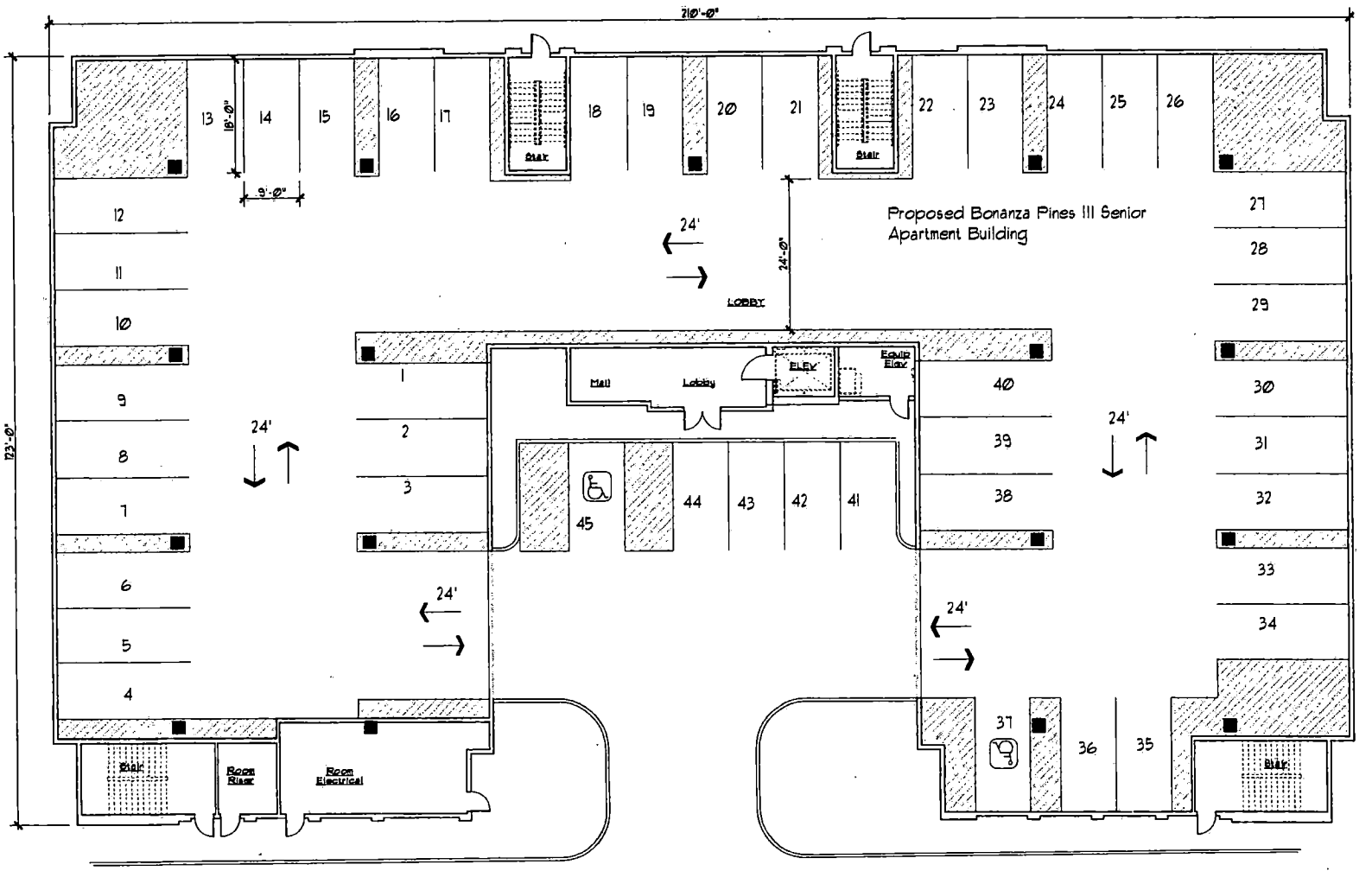
Bonanza near Sandhill. Las Vegas, Nevada

Conceptual Elevations- Scheme A

Date: December 27, 2004
Project Number: 103209.2

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Garage Level	20,884 S.F.
2nd Floor	19,694 S.F.
3rd Floor	18,869 S.F.
4th Floor	18,869 S.F.
5th Floor	16,254 S.F.
Total	94,570 S.F.

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VAR-5889
SDR-5891
02-10-05 PC

Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual Garage plan

for: Nevada HAND
702-739-3345

North

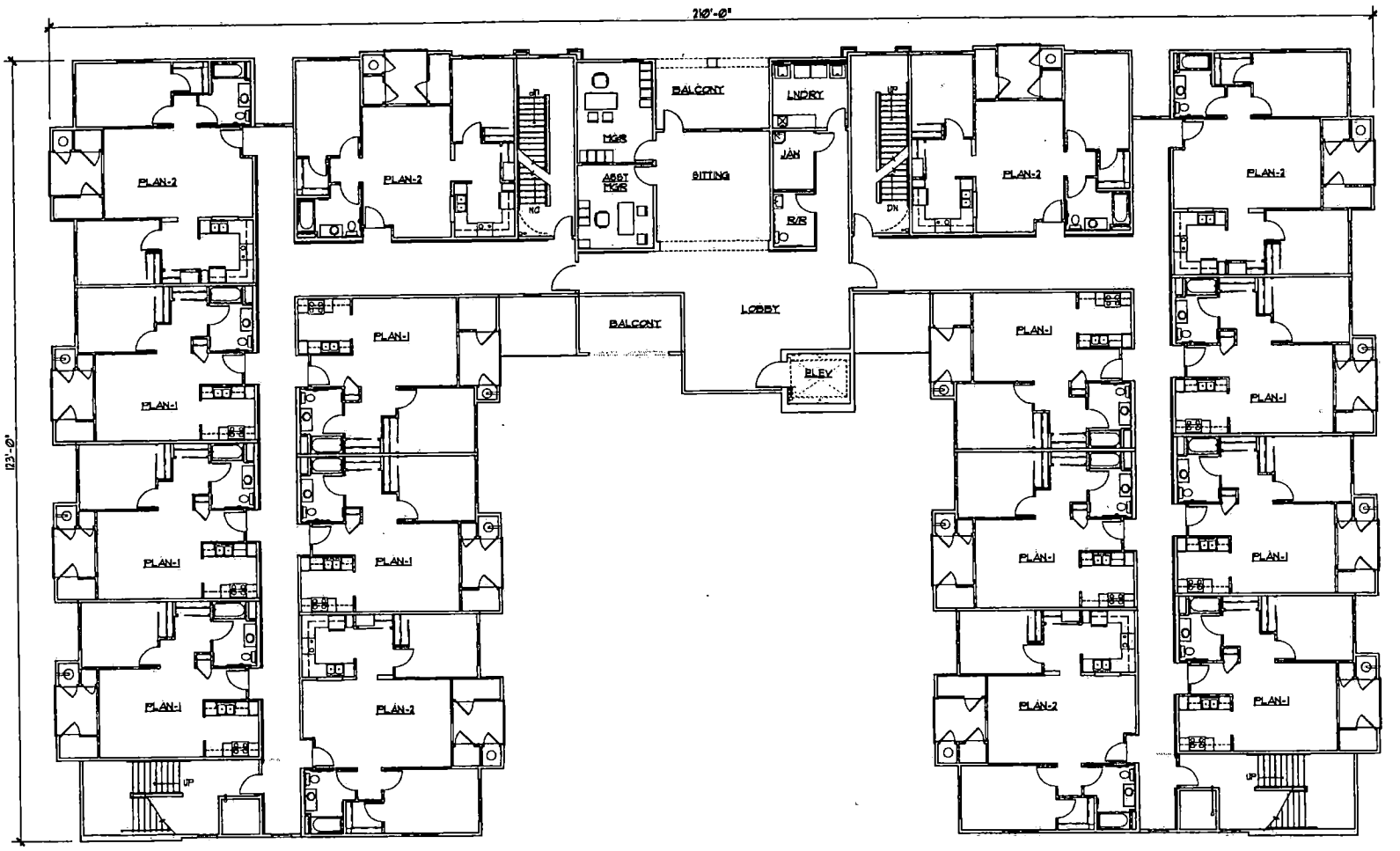
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Date: December 21, 2004
Project Number: 103209.2

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19,694 S.F.

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Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual 2nd Floor Plan

for: Nevada HAND
702-739-3345

North

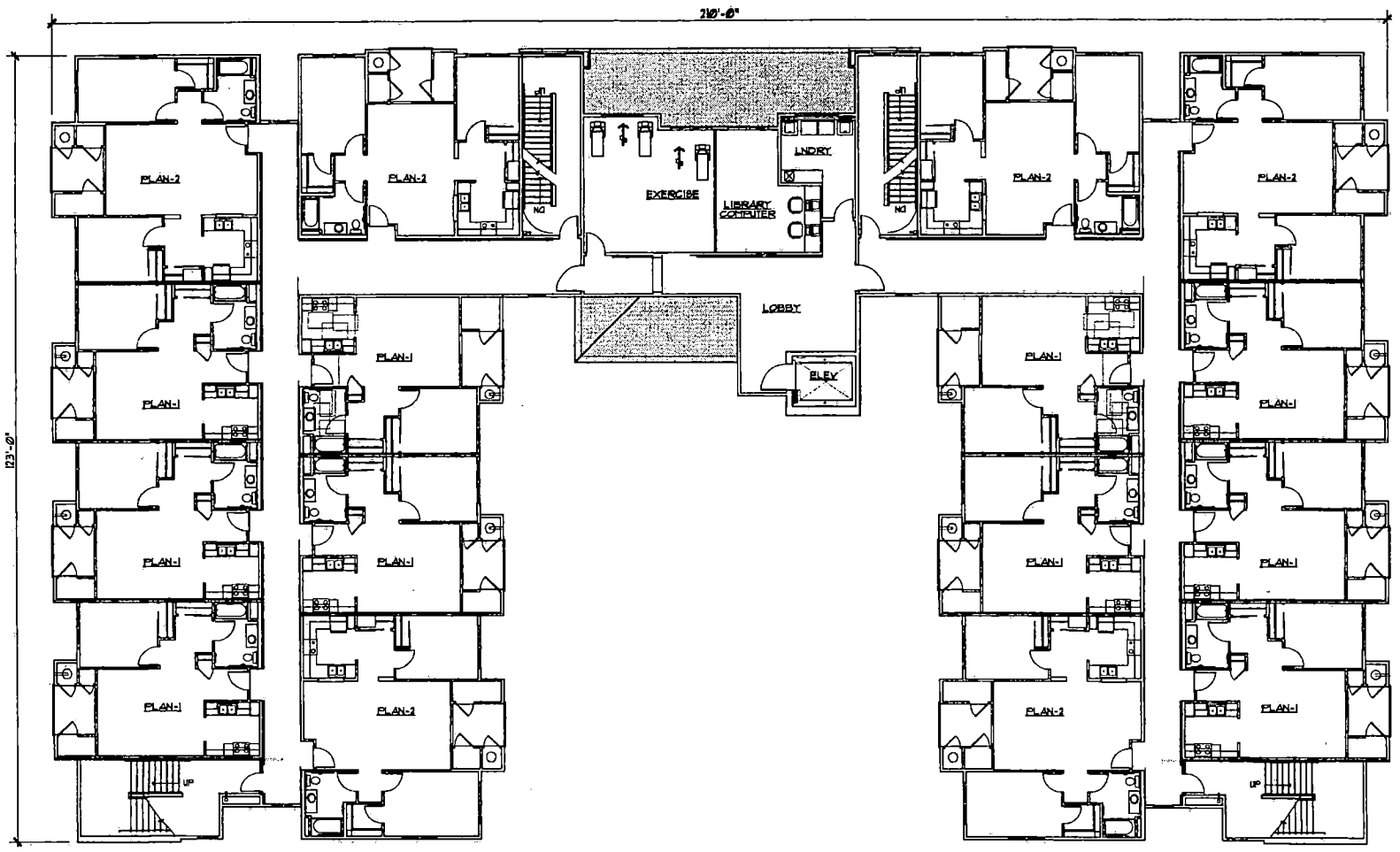
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0 8 16

Date: December 21, 2004
Project Number: 103209.2

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18,869 S.F.

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Bonaza Pines III Senior Apartments

for: Nevada HAND
702-739-3345

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual 3rd Floor Plan

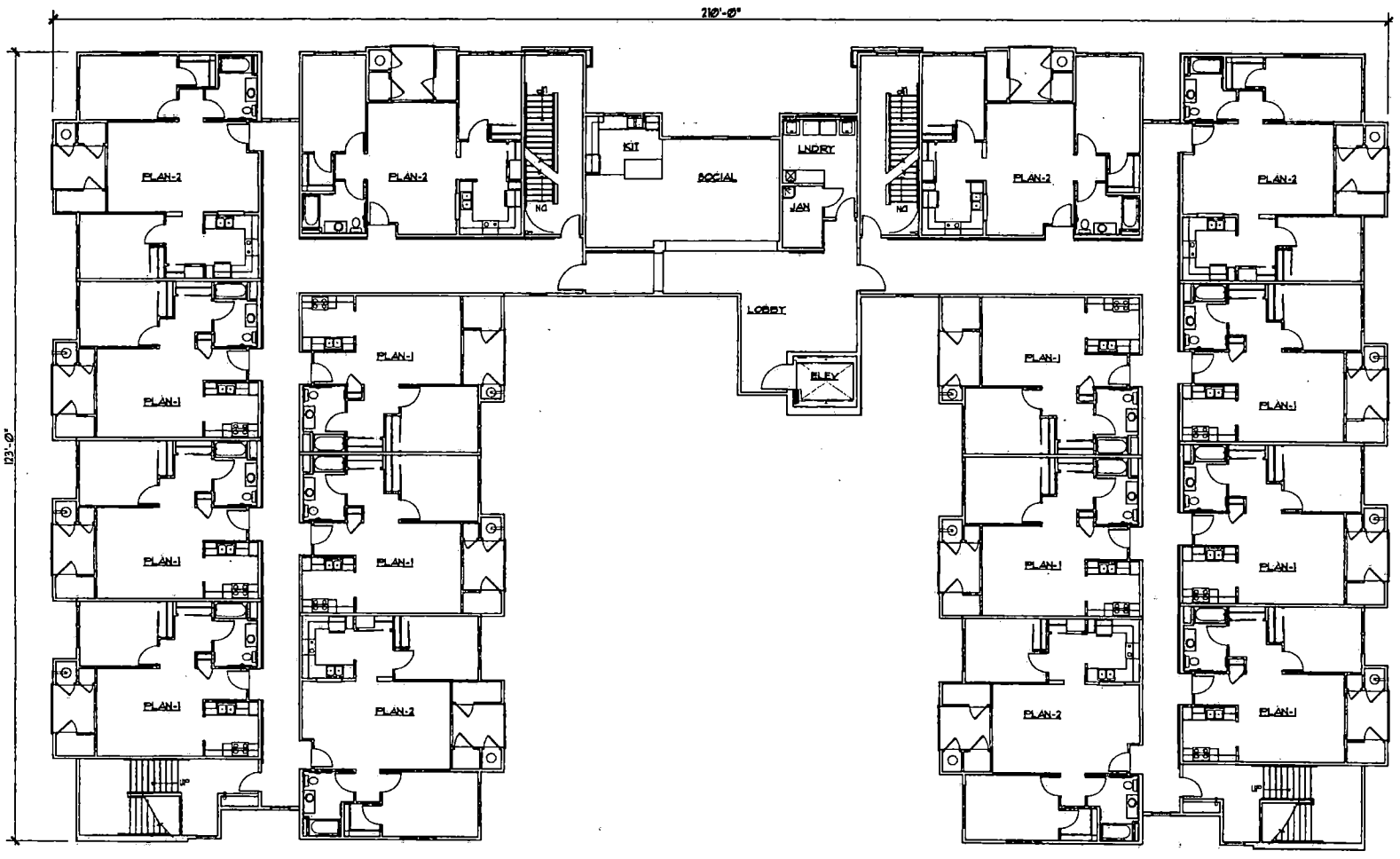
North

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

Date: December 21, 2004
Project Number: 103209.2

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Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual 4th Floor Plan

for: Nevada HAND
702-739-3345

North

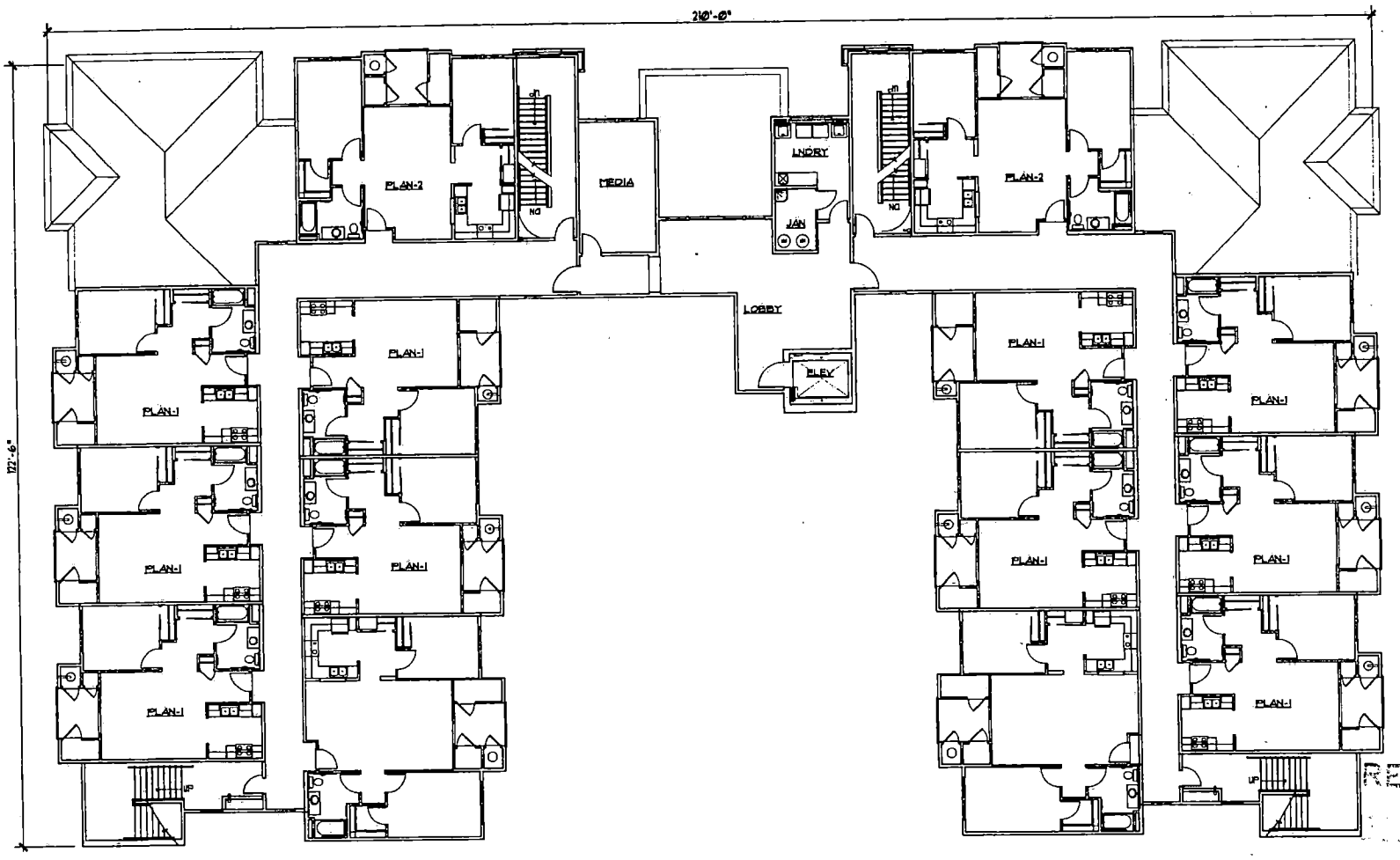
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Date: December 21, 2004
Project Number: 103209.2

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16,254 S.F.

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02-10-05 PC

Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual 5th Floor plan

for: Nevada HAND
702-739-3345

North

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

Date: December 21, 2004
Project Number: 103209.2

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SDR-5891 - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP
NORTH SIDE OF BONANZA ROAD APPROXIMATELY 1,300 FEET WEST OF LAMB BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SDR-5891 - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP
NORTH SIDE OF BONANZA ROAD APPROXIMATELY 1,300 FEET WEST OF LAMB BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

"Nevada's Helping Hands"

HAND CONSTRUCTION COMPANY
295 E. Warm Springs Road, Suite 101
Las Vegas, NV 89119
Telephone: (702) 739-3345; Fax: (702) 739-3005

December 22, 2004

City of Las Vegas
Current Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

RE: Bonanza Pines III- Justification Letter
APN: 140-30-802-007

To Whom It May Concern:

We are seeking to obtain Site Development Plan Review approval for our site. This application requires two variances: 1) Reduce rear setback from 20 feet to 10 feet, and 2) Residential adjacency reduction.

In order to fully utilize our property, and create a development that offers the most amenities for the residents we are proposing to change certain design aspects of our previously approved development. This project previously received approvals as SDR-2955, GPA-2953, ZON-2954, and Var-2956.

We had expected to share parking with phase one. Now that phase one is fully occupied we have determined that this new phase would be better served to have it's own parking. Phase one appears to utilize almost all the provided parking. Therefore phase II should provide it's own parking and not rely on the Cross Parking Agreement.

To accomplish this we propose to raise the building one level and add parking under it. Therefore we'd have a five-story building, level one on-grade parking and levels two through five apartments.

We will require a height increase variance due to the Residential Adjacency calculation.

Planning staff prefers that the onsite parking be located away from the street. We believe that the site plan with parking along the street is better for this development. We are proposing a view wall along Bonanza that doubles as a flood barrier required by Public Works. This wall is planned as two feet of

SDR-5891

masonry with four feet of metal fencing on top. Masonry pilasters will be located approximately thirty feet on center. Behind the wall will be an intense landscape buffer of ten feet. The combination of wall and landscape between the street and parked cars will provide an adequate visual barrier. This parking location also helps to minimize car-stacking issues, and maximize turn radii into stalls. Both of which add to the ease for seniors to navigate onsite.

To provide the on site parking, adequate landscaping and a good architectural look, the plan requires a reduced rear setback from twenty to ten feet. Pushing the building back greatly enhances the ability to create a dramatic entry, architectural facade, vehicular maneuverability, and increased parking. This re-design will provide more than the minimum required parking.

This re-design demonstrates our continued efforts to do what is right for the community by listening to its needs. We have determined that the property needs additional parking so we are re-designing to meet this need, all the while providing another new high quality affordable senior housing development.

These apartments are restricted to low-income seniors with rents targeted to households with incomes between 30% to 50% of the Area Median Income, which means rents will be approximately $233 to $540 per month.
We appreciate your support and request your approval.

If I can be of further assistance please contact me at 739-3344 ext. 229.
Thank you for your consideration.

Sincerely yours,

Robert D. Feibleman
Executive Vice President
HAND Construction Company

SDR-5891

City of Las Vegas

Agenda Item No.: 48

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

VAR-5886 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ERICH F. FELTON AND SARAH JAMES FELTON - Request for a Variance TO ALLOW A SIX-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED FOR AN EXISTING ATTACHED STORAGE SHED on 0.18 acres at 5320 Backwoodsman Avenue (APN 125-25-810-024), R-1 (Single Family Residential) Zone, Ward 6 (Mack).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Letters of approval from adjacent property owners from Erich Felton
6. Submitted at Meeting – Shed photos from Erich Felton

MOTION:
GOYNES – APPROVED subject to conditions – Motion carried with GOYNES, McSWAIN and STEINMAN voting NO

To be heard by City Council 3/16/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, gave a brief overview of the project. The shed sits eight feet into the required 15-foot setback.

ERICH FELTON, 5320 Backwoodsman Avenue, appeared and requested approval on the item. He explained that he is improving the property with the addition of fruit trees, a pool and a home

MINUTES – Continued:

addition. All of those improvements left only one place for a storage shed as shown in photos he submitted. The hardship is self-imposed; however, he was unaware that a shed would need a Variance the same way a home would. He gave technical details on the construction of the shed.

VICE CHAIRMAN TRUESDELL stated the structure looks to be compatible with the surrounding homes.

COMMISSIONER STEINMAN confirmed that a permit was not pulled for the shed before construction began. He asked why the shed could not be built in the very large side yard. MR. FELTON informed him that the swimming pool would go there along with a room addition. COMMISSIONER STEINMAN felt the shed was not homogenous with the neighborhood and he would not support it.

COMMISSIONER DAVENPORT confirmed that the neighbor adjacent to MR. FELTON'S property is supportive of the item. MR. FELTON submitted letters from his neighbors approving of the shed.

COMMISSIONER GOYNES feared approval would set precedent and everyone on the street would be building non-conforming structures.

COMMISSIONER McSWAIN stated that because there was other space available for the shed she would not be supporting the item.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:11 – 10:19)

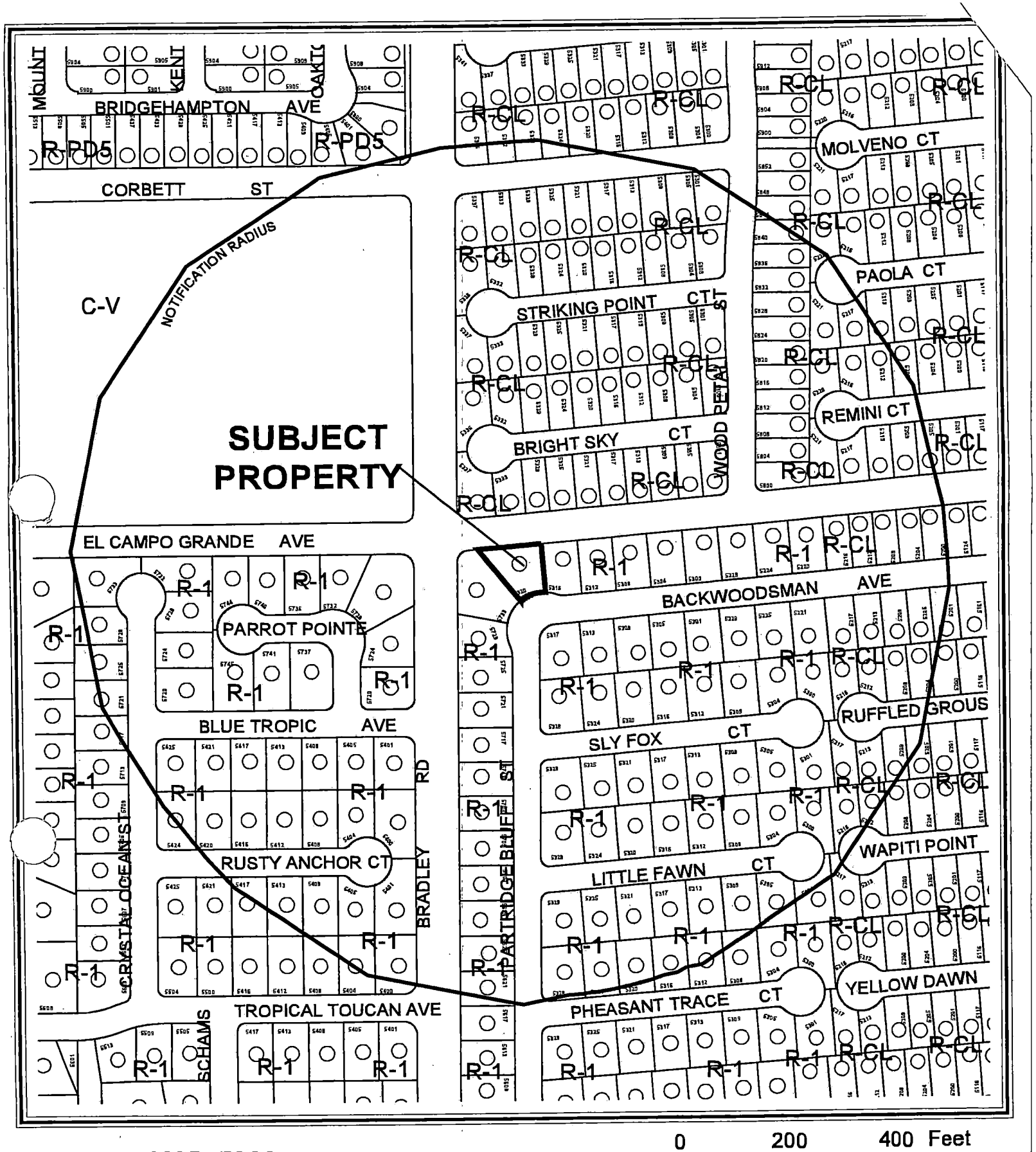
3-1841

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0078-94).

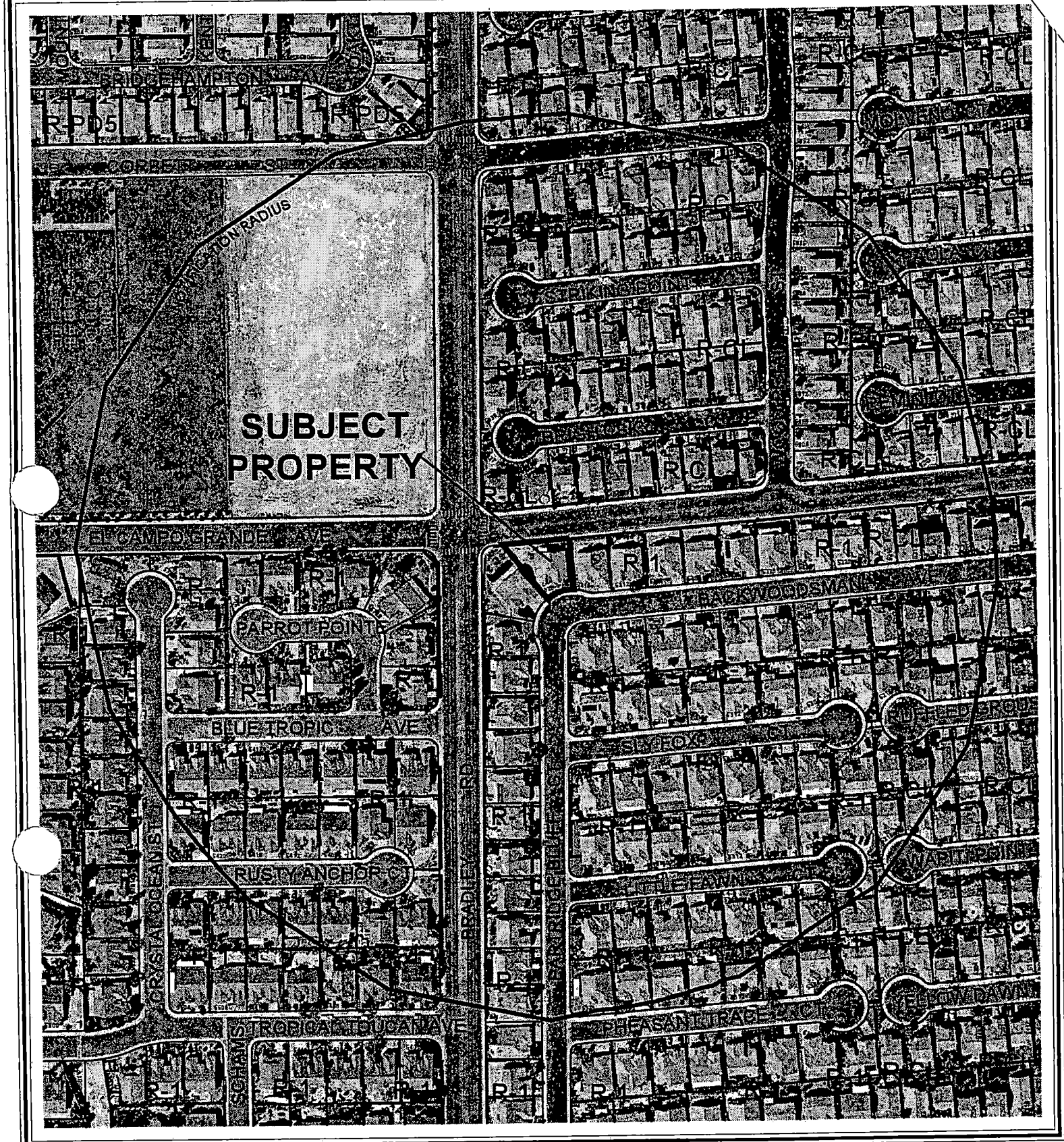
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: **VAR-5886**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **VAR-5886**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5886 – APPLICANT/OWNER: ERICH F. FELTON AND SARAH JAMES FELTON

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0078-94).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a seven-foot rear yard setback where 15 feet is the minimum required for an existing and attached storage shed on 0.18 acres at 5320 Backwoodsman Avenue.

B) Applicant's Justification

The applicant has justified the request by stating that an attached storage shed would leave enough room for a swimming pool and landscaping. An attached shed would also add shade to the house during the late afternoon during the summer months, and shelter the patio from high winds. Also, the attached shed would appear to be a part of the house itself.

BACKGROUND INFORMATION

A) Previous Actions

10/05/94 The City Council approved a request for Rezoning (Z-0078-94) of this property as part of a larger request from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.

01/20/05 The Code Enforcement Division reports no actions related to the subject property.

B) Pre-Application Meeting

11/30/04 Submission requirements for a Variance Request were discussed at the meeting.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.18

B) Existing Land Use

Subject Property:	Single-Family Dwelling
North:	Single-Family Dwelling
South:	Single-Family Dwelling
East:	Single-Family Dwelling
West:	Single-Family Dwelling

C) Planned Land Use

Subject Property:	ML (Medium-Low Density Residential)
North:	ML (Medium-Low Density Residential)
South:	ML (Medium-Low Density Residential)
East:	ML (Medium-Low Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-1 (Single Family Residential)
North:	R-1 (Single Family Residential)
South:	R-1 (Single Family Residential)
East:	R-1 (Single Family Residential)
West:	R-1 (Single Family Residential)

E) General Plan Compliance

The site is designated as ML (Medium-Low Density Residential) on the Centennial Hills Sector Map of the General Plan. The ML (Medium-Low Density Residential) land use category allows a maximum of eight dwelling units per gross acre. The proposed Variance is not directly affected by any General Plan policies.

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

This site is not affected by any Special Districts/Zones.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

SRS

Standards	Required	Requested	Compliance
Min. Lot Size	6,500 Square Feet	8,055 Square Feet	Y
Min. Lot Width	30 Feet	50 Feet	Y
Min. Setbacks • Front • Side • Rear	 20 Feet 5 Feet 15 Feet	 20 Feet 9 Feet 7 Feet	 Y Y N
Max. Lot Coverage	50 %	38 %	Y
Max. Building Height	2 Stories / 35 Feet	1 Story	Y

The proposal needs variance from the rear yard setback requirement. The subject deviation is 47%.

B) General Analysis and Discussion

The subject storage shed was built without the benefit of a Variance and Building Permit. The applicant has requested this Variance without the prompting of Code Enforcement action.

This storage shed encroaches eight feet into the required 15-foot rear yard setback of this R-1 zoned property. Other properties along the north side of Backwoodsman Avenue abide by the same required 15-foot rear yard setback, ensuring neighbors of an unencumbered view to the east and west. The requested exception to the required rear yard setback would place an undue physical hardship on neighboring properties.

However, the applicant would be working within Title 19.08 development standards if the storage shed were to be attached to the northern portion of the west face of the dwelling. Placed in such position, ample room is provided for the required five-foot side yard setback, a storage shed, and even a modest sized swimming pool. Further, the late-afternoon sun-shading properties of a west-facing shed would yield an even more beneficial effect.

FINDINGS

This Variance request is intended solely for the convenience of the property owner; consequently there is no legal basis for approval.

There is no evidence that the property has an unusual shape, slope, or dimensions that would preclude compliance with Title 19 requirements. Pursuant to State and City statutes and codes, this Variance request cannot be granted.

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

-summary of State of Nevada Revised Statutes Chapter 278

SRS

City of Las Vegas Codes for Variances

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 218

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5886 APN: 125-25-810-024

Name of Property Owner: ERICH F FELTON AND SARAH JAMES-FELTON

Name of Applicant: ERICH FELTON

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: ERICH F. FELTON & Sarah James-Felton

Subscribed and sworn before me

This 27th day of December, 2004

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JOHNNY VAUGHT
Appt. No. 93-0569-1
My Appt. Expires Aug 21, 2005

existing dwelling wall

wired from former outside light

Interior of Dwelling

3/8" = 1'

SEALED Exterior switch

existing Landing 3'x3'

3 layers of Stucco over Vapor barrier & wire mesh

1st floor

2' Slope

4'8" overhead shelf

Slope

12'

PATIO

6'4" to property line wall

PATIO (Landing)

RAISED 2" ABOVE PATIO

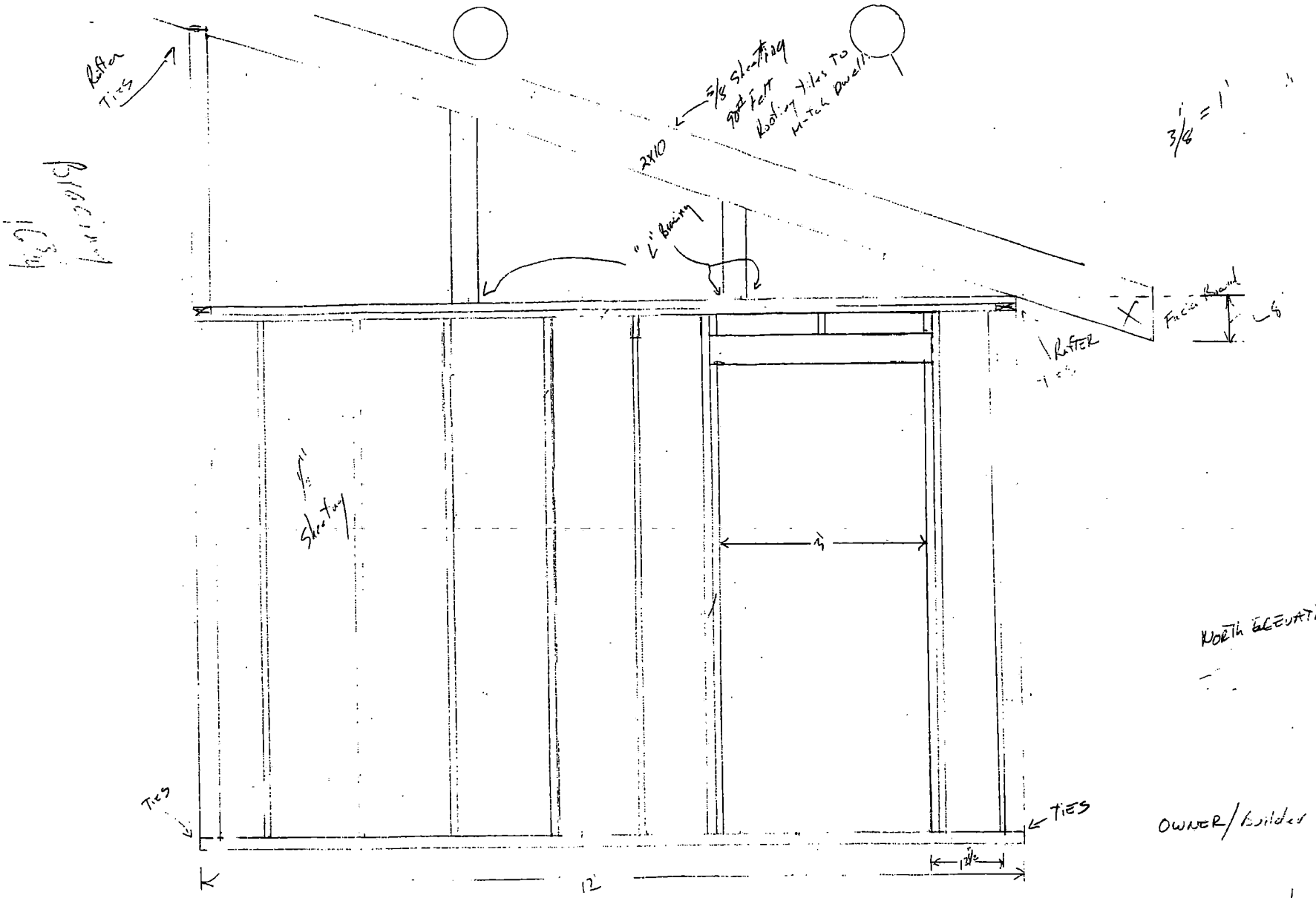
4" PATIO Thickness

GRADE

owner/Builder

ERICH FELTON

VAR-5886
02-10-05 PC

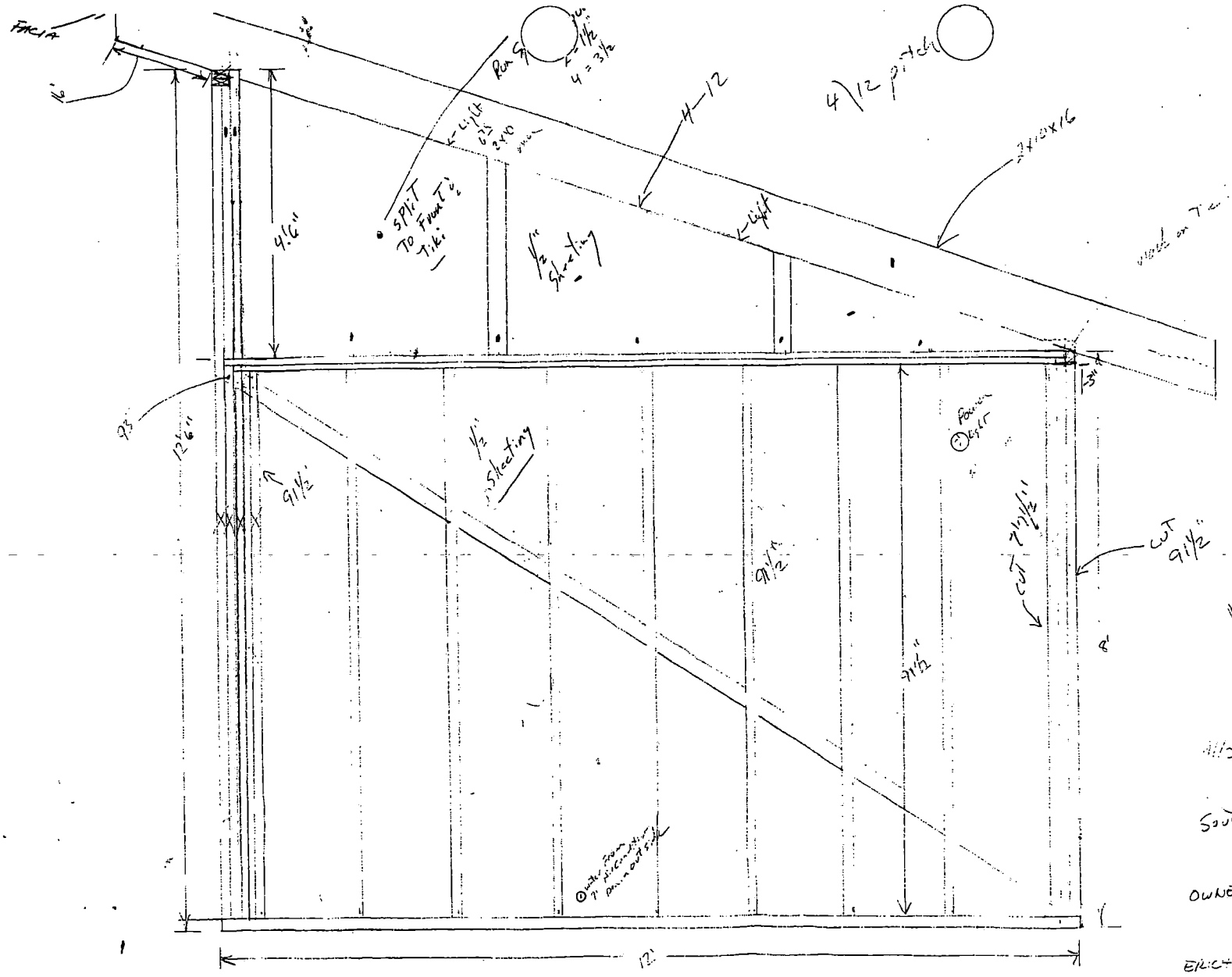


NORTH ELEVATION

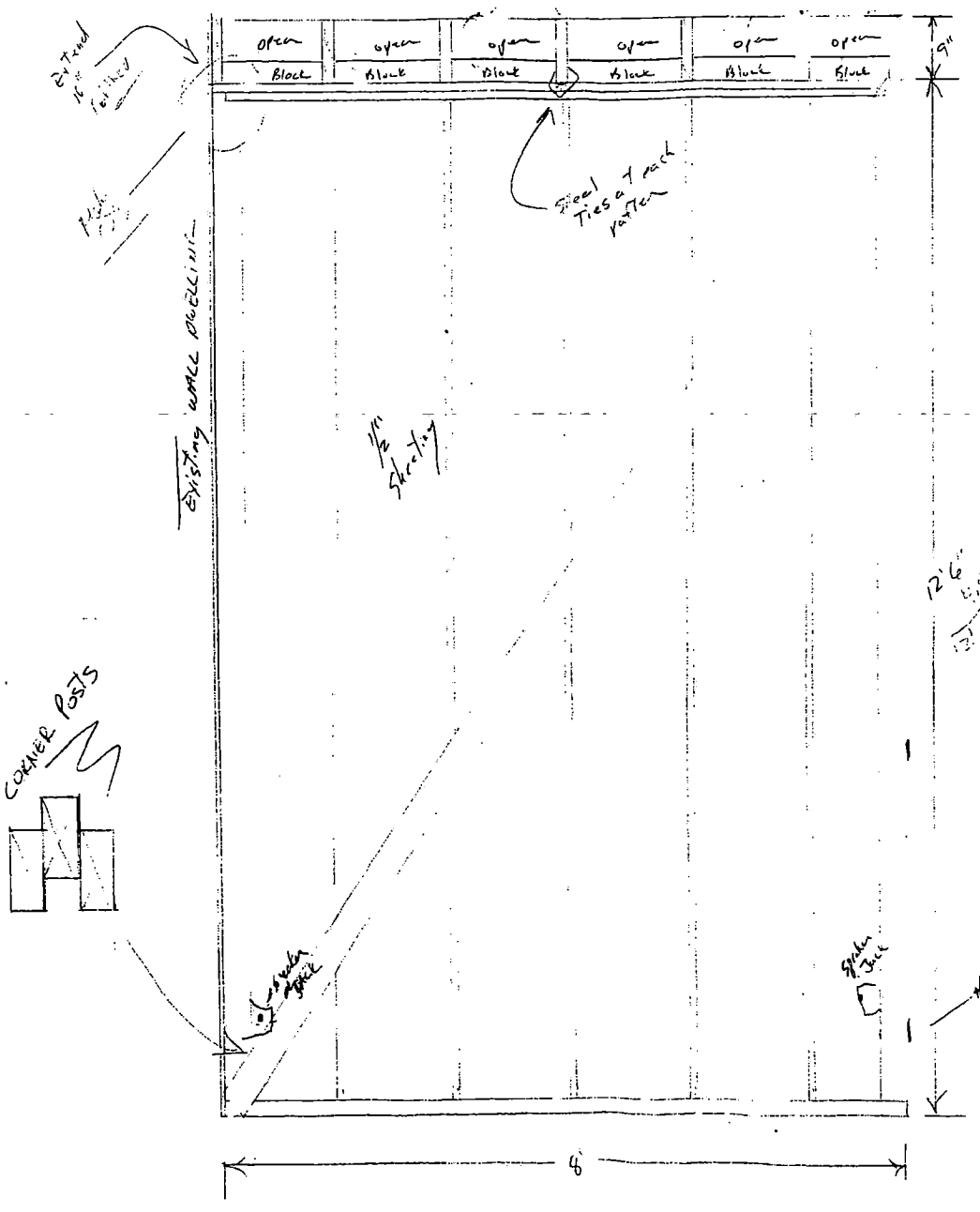
OWNER/Builder

EACH FELTON

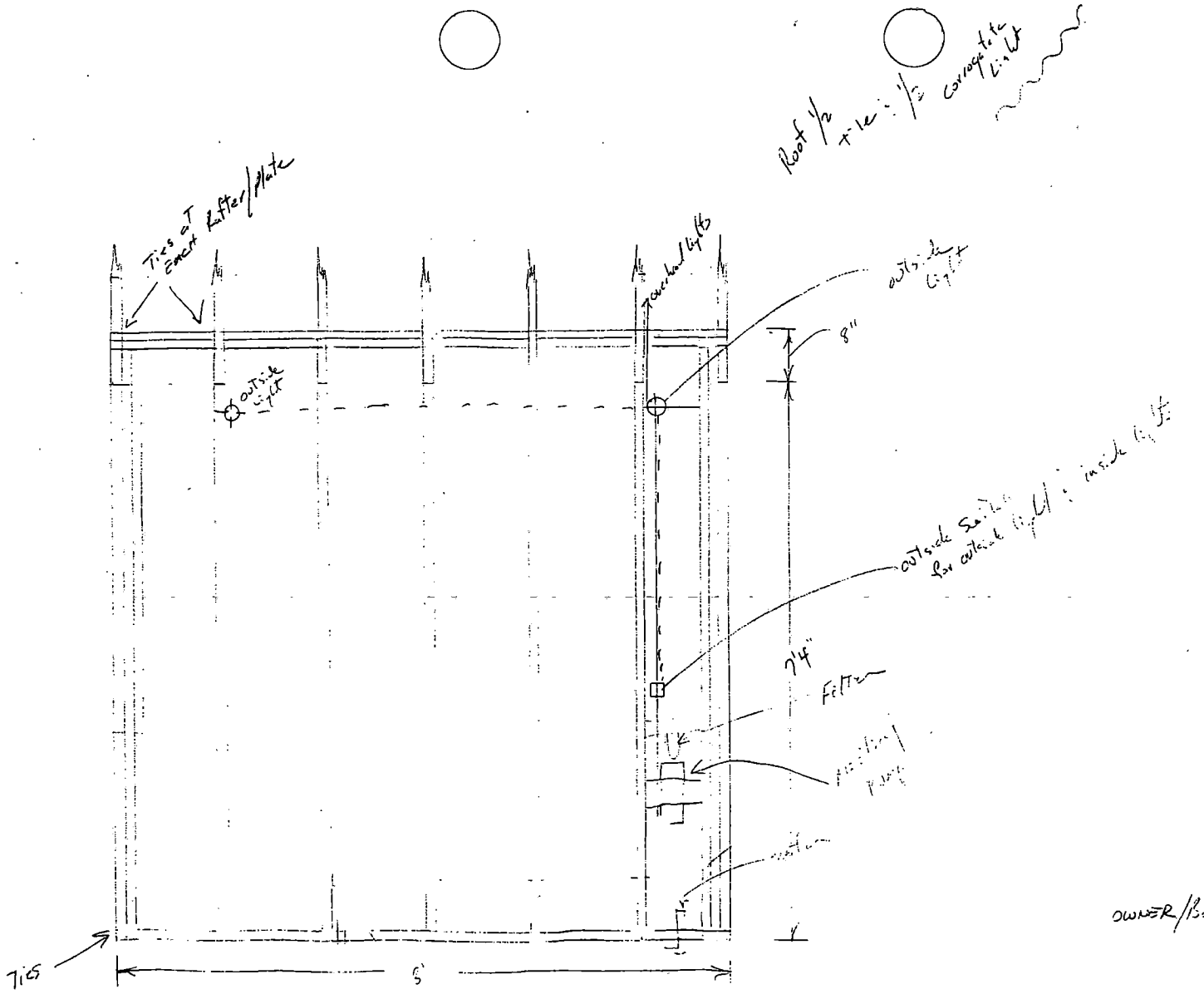
VAR-5886
02-10-05 PC



VAR-5886
02-10-05 PC



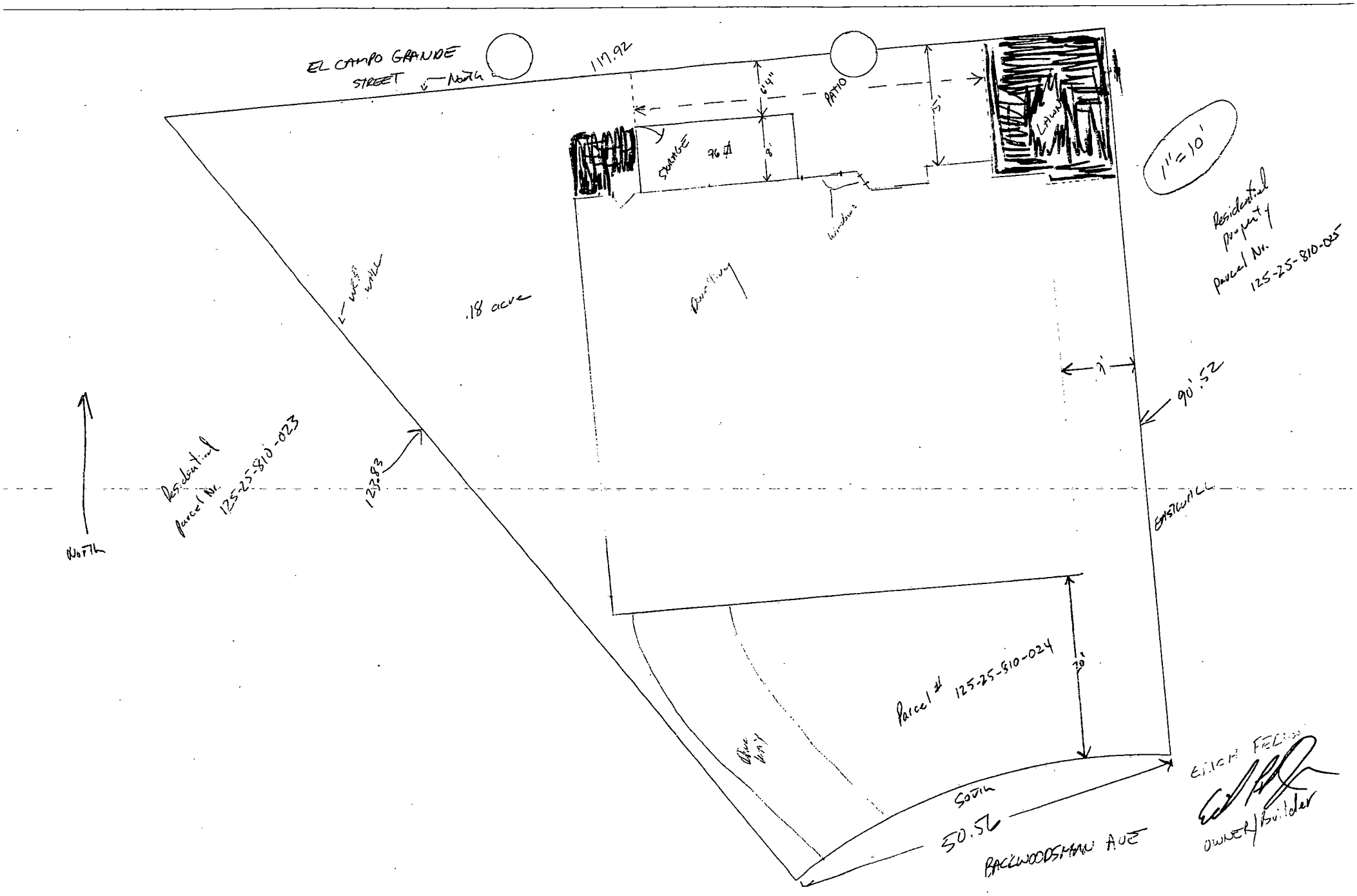
VAR-5886
02-10-05 PC



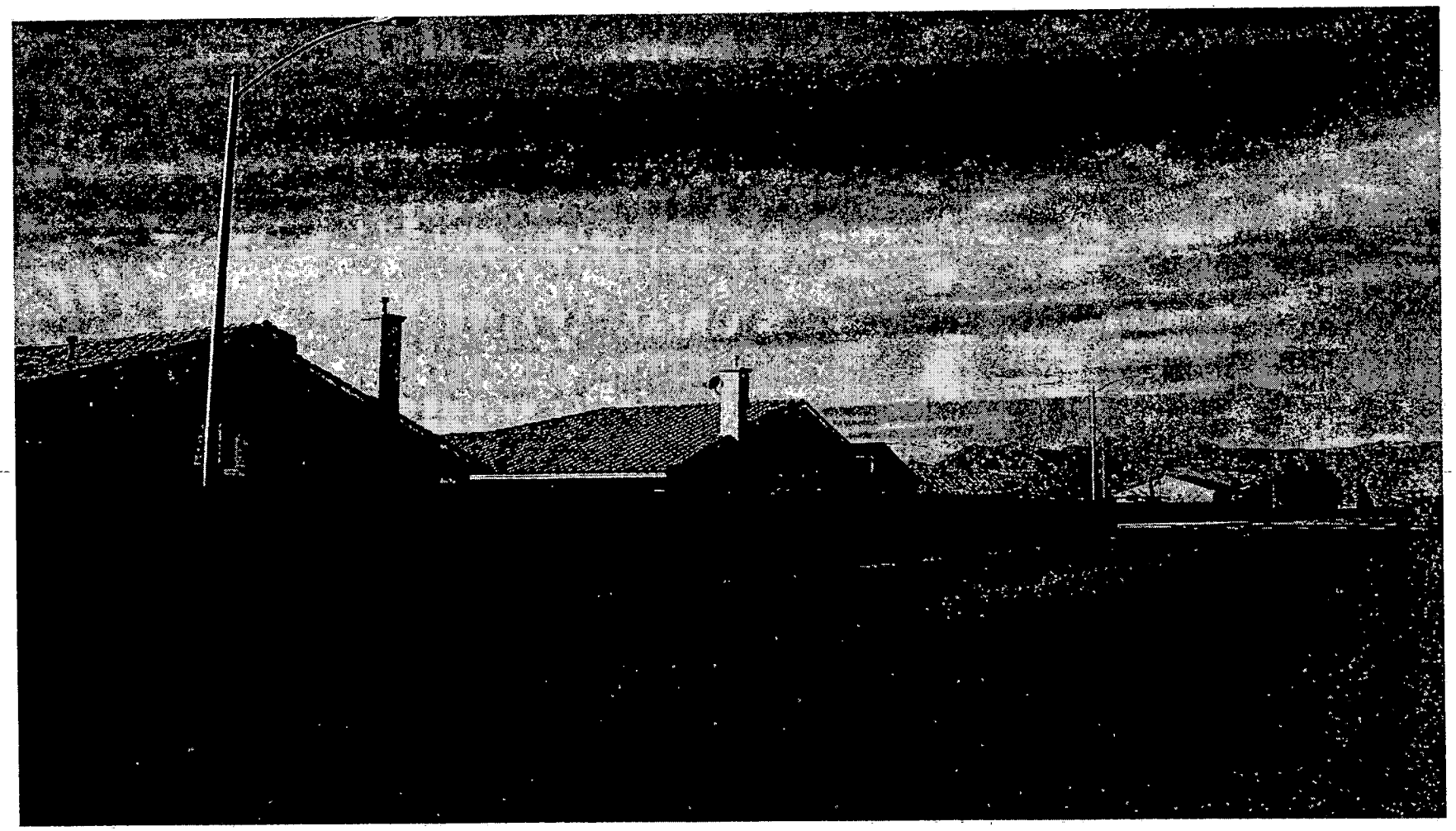
owner/Builder

Erich F. Fecteau

VAR-5886
02-10-05 PC

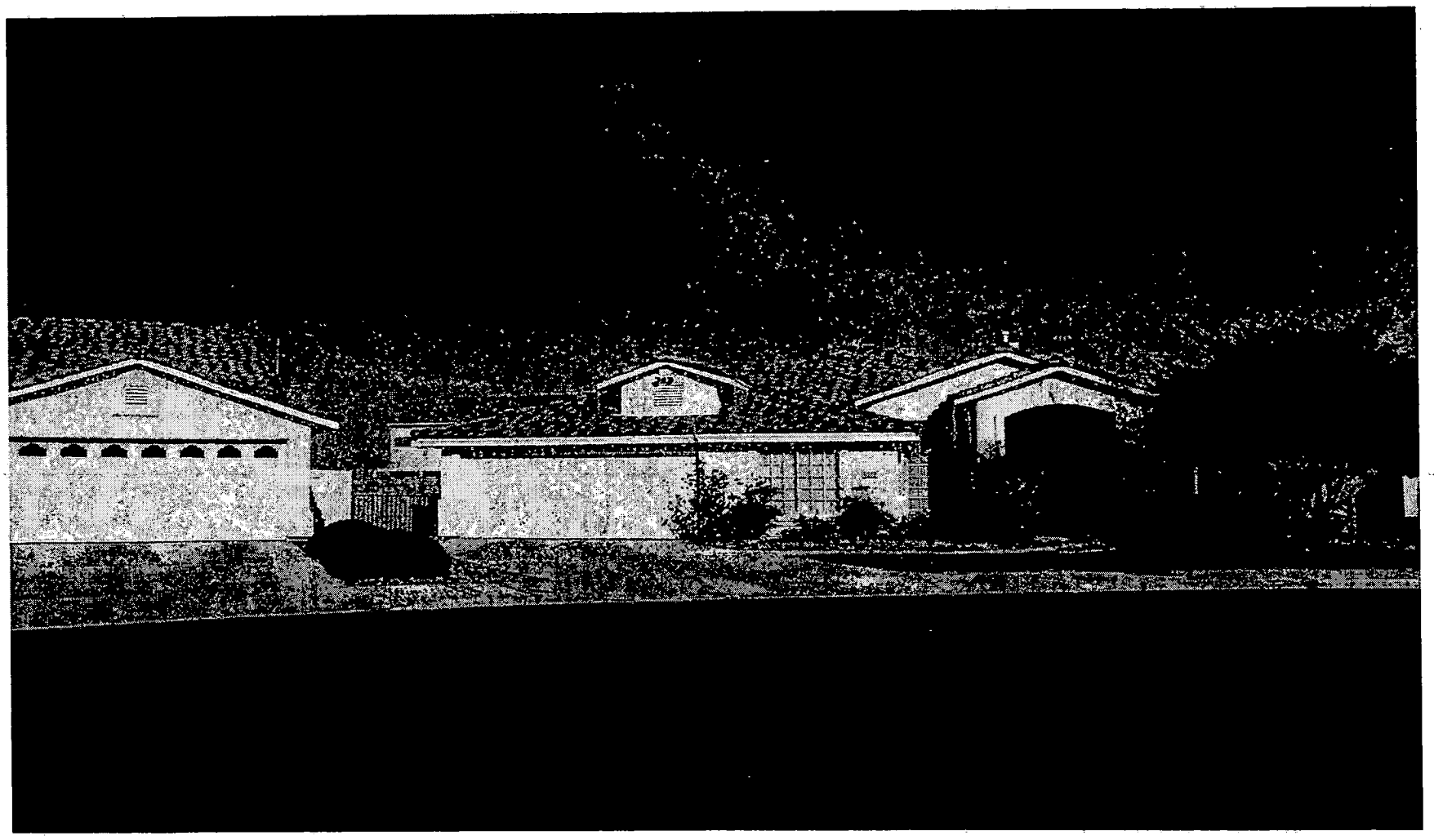


VAR-5886
02-10-05 PC



VAR-5886 - APPLICANT/OWNER: ERICH F. FELTON AND SARAH JAMES FELTON
5320 BACKWOODSMAN AVENUE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



VAR-5886 - APPLICANT/OWNER: ERICH F. FELTON AND SARAH JAMES FELTON
5320 BACKWOODSMAN AVENUE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

Justification letter.

Request approval for a storage shed located on the north side of the dwelling located at 5320 Backwoodsman Ave.

For several years we have been looking at purchasing a "Tuff Shed" or similar structure in order to clear out our garage of stored items. We decided against a pre-built shed because we have seen them in our neighborhood and they look out of place and not homogenous to the area. And, buying a pre-built shed, we would have to place it in an area on the property that is the only place that can accommodate a pool. Placing the shed closer to the house would obscure views from one or two windows (there are 22 windows in the house). There is only one place that was logical to place the storage shed – on the back wall of the dwelling, between the bathroom's exterior door and the kitchen nook's window. In this location it would not interfer with any view and would appear to be part of the house itself. The shed will look identical to the rest of the house in roof line, stucco and roof tile. The height of the east wall (12') was to give the 4 – 12 pitch that the house has and would allow extra storage over 8' on that wall. The height was figured also to shade the patio area in the late afternoon during the hotter summer months. The east wall also has a "old European" facade to make the patio area appear to be in an old European setting. The proximity to the back wall (north) allows for a gate between the shed and the wall for added security to the back of the house.

Having the shed at this location provides the aforementioned plus allows the area for a future pool and landscaping. An added bonus in having this shed in its current location is sheltering the patio area from the high winds that are prevalent in our area. This allows the use of the patio in comfort even during windy days and evenings.

Thank you for consideration,

Erich F Felton

VAR-5886

To whom it May Concern.

I Louis Womack have no problem with the Variance set Back at 5320 Buckwood mesa. Ave. My next Door Neighbor

Louis Womack
5733 Partridge Bluff st
Las Vegas NV 89130

Submitted at Planning Commission

Date 2/10/05 Item 48

The Ferreri's

January 31, 2005

Planning and Development Dept.
Current Planning Division
Development Services Center
731 South Fourth St.
Las Vegas, NV 89101

Re: VAR-5886

To Whom It May Concern:

We are owners of the property located at
5729 Partridge Bluff St.,, Las Vegs, NV 89130 and are
in receipt of either objection or approval of the above VAR-5886
located at 5320 Backwoodsman Ave.,
(APN125-25-810-024). We give our approval of the plan
requested.

If there is any further information requested, please feel free to contact us.

Respectfully,

Nick & Mary Ferreri
5729 Partridge Bluff St.
Las Vegas, NV 89130
(702)645-7255

Submitted at Planning Commission

Date 2/10/05 Item 4/8

NOTICE OF PUBLIC HEARING

VARIANCE

MEETING:	PLANNING COMMISSION
DATE:	FEBRUARY 10, 2005
TIME:	6:00 P.M.
LOCATION:	CITY COUNCIL CHAMBERS 400 STEWART AVENUE LAS VEGAS, NEVADA

Case: VAR-5886

12525810022
FERRERI NICK & MARY
5729 PARTRIDGE BLUFF ST
LAS VEGAS NV 89130-1570

VAR-5886

APPLICANT/OWNER: ERICH F. FELTON AND SARAH JAMES FELTON - REQUEST FOR A VARIANCE TO ALLOW A SIX-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED FOR AN EXISTING ATTACHED STORAGE SHED ON 0.18 ACRES AT 5320 BACKWOODSMAN AVENUE (APN 125-25-810-024), R-1 (SINGLE FAMILY RESIDENTIAL) ZONE, WARD 6 (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request, or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) http://www.lasvegasnevada.gov.

CITY OF LAS VEGAS NEVADA

GARY M. LEOBOLD, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

January 29, 2005 Aqueduct - Inner Handicapped for: FAST

Make certain to read the instructions in the box below.

Race #1

	STONG	(m)	72.5
2	TARAKAN	( )	72.2
2	FOR LOVE AND	(m)	72.1
	AFFAIR IN THE	( )	71.7
	DRAW PLAY	( )	71.3
	GLAMDRING	(m)	69.0
	FIGHTING ROY	( )	68.8

Race #2

	JET'S VICTORY	( )	64.7
	GODDESS OF LO	(M)	64.5
	HISTORYINTHEM	( )	64.0
	SMOTHEREDWITH	( )	63.9
	LOOK TO THE S	( )	59.5
	DESPINA	(p)	55.0
	MINING QUEEN	( )	54.5

Race #3

	GREENJAY	( )	68.0
	RADICAL BANKE	( )	67.6
1	GATITO FUERTE	( )	67.0
	ABSOLUTE	( )	65.2
	DIRECT CALL	( )	65.0*
	MR SHAWKEE	( )	64.5
	WHATEVERALOHA	(p)	63.5

Race #4

	BREEZE ON	( )	63.7
	DANCIN IN THE	( )	63.2
	BAYSWATER	(m)	63.0
	NORTHERN STOR	( )	62.6
	BOGGY CREEK D	( )	62.0
	WONFORJODI	(m)	61.5
	NOHASSLATDCAS	( )	61.2
	ENGLISH RAIN	( )	61.0
	TRIKARAKORUM'	( )	57.5
	JERICHO TURNP	( )	53.0

Race #5

	EVENING EDITI	(m)	68.2*
	DASL CAMMY	( )	67.7
	MAIDEZ	(m)	65.9
	SIMPLY DANA	( )	64.5
	ATHENA GIRL	( )	63.7
	LADY KITTY KA	( )	63.5
	RANDAMM	(m)	63.5
	CURLY'S PRIDE	( )	63.4

Race #6

	WHAT'S YOUR P	( )	69.4
	ACEY DEUCEY	( )	68.4
	DYNAMO HUM	(p)	66.2
1	WHATATROPHY R	( )	66.2
	MISS GREENY	( )	65.5
	ONE O'CLOCK	( )	65.2
	MERGER OF EQU	( )	63.5
	STORMIN ALYSE	( )	57.0

Race #7

	TIE BREAK	( )	74.0
2	EXPLOIT LAD	( )	72.0
	CITIZENSHIP	(m)	71.7
1	DOCTOR JALILI	(M)	71.4
	RUBI ECHO	(m)	70.7
	JET PROSPECTO	(m)	70.5
1	KARAKORUM PAT	(m)	70.4
	FINE AND DAND	( )	68.5
	SIR TYLER T	(p)	68.2

Race #8

	PAPUA	(m)	78.2*
1	UNCLE CAMIE	(m)	77.9
1	DON SIX	(m)	77.7
	LUCKY GAMBLE	( )	77.6
	GATORS N BEAR	( )	77.3
	MR. WHITESTON	(m)	77.0
1	KORBYN GOLD	( )	76.2
	PERSONAL TOUC	(p)	75.0
	POLISH RIFLE	( )	74.7

Race #9

	ACT OF REFORM	(m)	70.7
	IT'S SO SIMPL	(m)	70.2
	GIBBONS TERRA	( )	70.0
	MISTER HENNES	(M)	69.7
	BUBBA SPARKS	( )	69.5
	MYSWEETHEARTS	(m)	69.2
1	COLES A CHAMP	( )	68.9
	BOLDEST HEART	(m)	68.7
	UNANIMOUS DEC	( )	68.5
	ROBIN OF TRIN	( )	68.2

Use the PPN as an IMPACT NUMBER

The PPN includes weight. We make NO ADJUSTMENT for anticipated good/bad trips or tough post positions or jock changes. We don't include trainer stats or workout. *Make your own adjustments!*

Today's PPN's are rated for FAST track. In the event of WET conditions increase the horses assigned an (m or M) 1 to 4 points. *"p or P" = Potential to improve in Wet.*

- **PPN's are based on the more recent races, we use our own *SPEED FIGS and our own methodologies.***
- *First Time Starters are in no particular order* other than their STAR status. 4.5 Furlong races are NOT rated!
- We list a max. of 12 horses in a race, main body and STAR horses first.

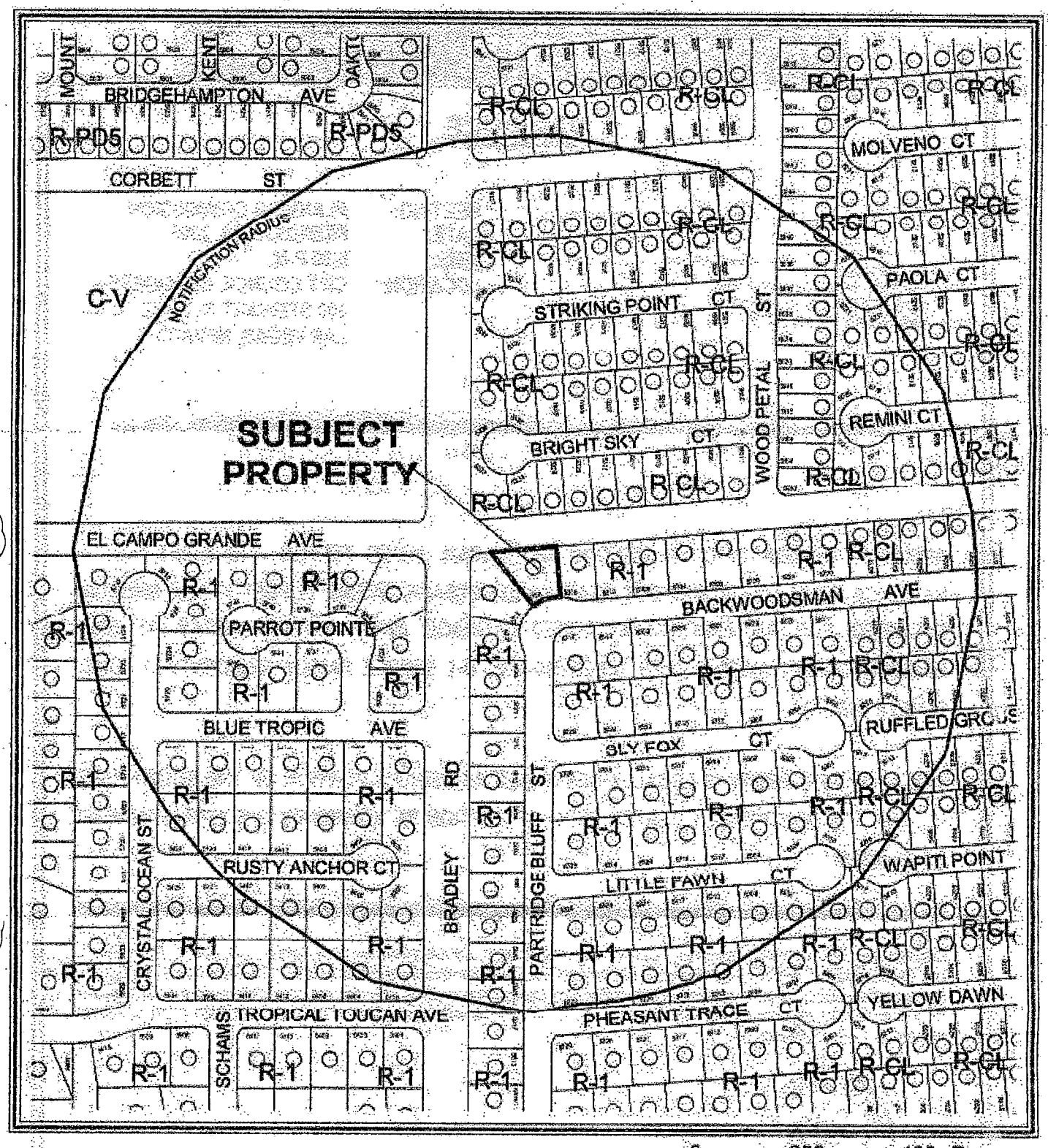
www.jerryjpowerpage.com 702-258-6914

LEGEND	*** = Top Form (Highest Potential)**	**(1)** =Front Runner	**(m)** = mudder
	Ship = Shipper	**(2)** = Very fast Presser	**(p)** =potential on off track
	MTO = Main Track Only	**....**= First Time Starter	**CAPS to emphasize**

The **Power Page** offers a professional grading for each horse. The *projected power number* should hit approximately 33 % of the time. Horses who are assigned an (*) have the best chance to exceed their designated number. This handicapping aid is generated by the experience from using and studies of ***Jerry J's Performance Pages.***

Past results are not a guarantee of future performance.

© Copyright 2005 All Rights Reserve


MOUNT
KENT
OAKT
BRIDGEHAMPTON AVE
R-PD5
R-PD5
CORBETT ST
NOTIFICATION RADIUS
C-V
SUBJECT PROPERTY
R-CL
R-CL
R-CL
R-CL
MOLVENO CT
R-CL
R-CL
PAOLA CT
STRIKING POINT CT
R-CL
R-CL
R-CL
R-CL
WOOD PETAL ST
REMINI CT
R-CL
BRIGHT SKY CT
R-CL
R-CL
R-CL
EL CAMPO GRANDE AVE
R-1
R-1
R-1
PARROT POINTE
R-1
R-1
R-1
R-1
BLUE TROPIC AVE
R-1
R-1
R-1
R-1
RUSTY ANCHOR CT
R-1
R-1
R-1
CRYSTAL OCEAN ST
BRADLEY RD
TROPICAL TOUCAN AVE
SCHAMS
R-1
R-1
R-1
R-1

January 29, 2005 Aqueduct - Inner Handicapped for: FAST

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Race #1

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	GODDESS OF LO	(M)	64.5
	HISTORYINTHEM	( )	64.0
	SMOTHEREDWITH	( )	63.9
	LOOK TO THE S	( )	59.5
	DESPINA	(p)	55.0
	MINING QUEEN	( )	54.5

Race #3

	GREENJAY	( )	68.0
	RADICAL BANKE	( )	67.6
1	GATITO FUERTE	( )	67.0
	ABSOLUTE	( )	65.2
	DIRECT CALL	( )	65.0*
	MR SHAWKEE	( )	64.5
	WHATEVERALOHA	(p)	63.5

Race #4

	BREEZE ON	( )	63.7
	DANCIN IN THE	( )	63.2
	BAYSWATER	(m)	63.0
	NORTHERN STOR	( )	62.6
	BOGGY CREEK D	( )	62.0
	WONFORJODI	(m)	61.5
	NOHASSLATDCAS	( )	61.2
	ENGLISH RAIN	( )	61.0
	TRIKARAKORUM'	( )	57.5
	JERICHO TURNP	( )	53.0

Race #5

	EVENING EDITI	(m)	68.2*
	DASL CAMMY	( )	67.7
	MAIDEZ	(m)	65.9
	SIMPLY DANA	( )	64.5
	ATHENA GIRL	( )	63.7
	LADY KITTY KA	( )	63.5
	RANDAMM	(m)	63.5
	CURLY'S PRIDE	( )	63.4

Race #6

	WHAT'S YOUR P	( )	69.4
	ACEY DEUCEY	( )	68.4
	DYNAMO HUM	(p)	66.2
1	WHATATROPHY R	( )	66.2
	MISS GREENY	( )	65.5
	ONE O'CLOCK	( )	65.2
	MERGER OF EQU	( )	63.5
	STORMIN ALYSE	( )	57.0

Race #7

	TIE BREAK	( )	74.0
2	EXPLOIT LAD	( )	72.0
	CITIZENSHIP	(m)	71.7
1	DOCTOR JALILI	(M)	71.4
	RUBI ECHO	(m)	70.7
	JET PROSPECTO	(m)	70.5
1	KARAKORUM PAT	(m)	70.4
	FINE AND DAND	( )	68.5
	SIR TYLER T	(p)	68.2

Race #8

	PAPUA	(m)	78.2*
1	UNCLE CAMIE	(m)	77.9
1	DON SIX	(m)	77.7
	LUCKY GAMBLE	( )	77.6
	GATORS N BEAR	( )	77.3
	MR. WHITESTON	(m)	77.0
1	KORBYN GOLD	( )	76.2
	PERSONAL TOUC	(p)	75.0
	POLISH RIFLE	( )	74.7

Race #9

	ACT OF REFORM	(m)	70.7
	IT'S SO SIMPL	(m)	70.2
	GIBBONS TERRA	( )	70.0
	MISTER HENNES	(M)	69.7
	BUBBA SPARKS	( )	69.5
	MYSWEETHEARTS	(m)	69.2
1	COLES A CHAMP	( )	68.9
	BOLDEST HEART	(m)	68.7
	UNANIMOUS DEC	( )	68.5
	ROBIN OF TRIN	( )	68.2

Use the PPN as an IMPACT NUMBER

The PPN includes weight. We make NO ADJUSTMENT for anticipated good/bad trips or tough post positions or jock changes. We don't include trainer stats or workout. *Make your own adjustments!*

Today's PPN's are rated for FAST track. In the event of WET conditions increase the horses assigned an (m or M) 1 to 4 points. *"p or P" = Potential to improve in Wet.*

- **PPN's are based on the more recent races, we use our own *SPEED FIGS and our own methodologies.***
- *First Time Starters are in no particular order* other than their STAR status. 4.5 Furlong races are NOT rated!
- We list a max. of 12 horses in a race, main body and STAR horses first.

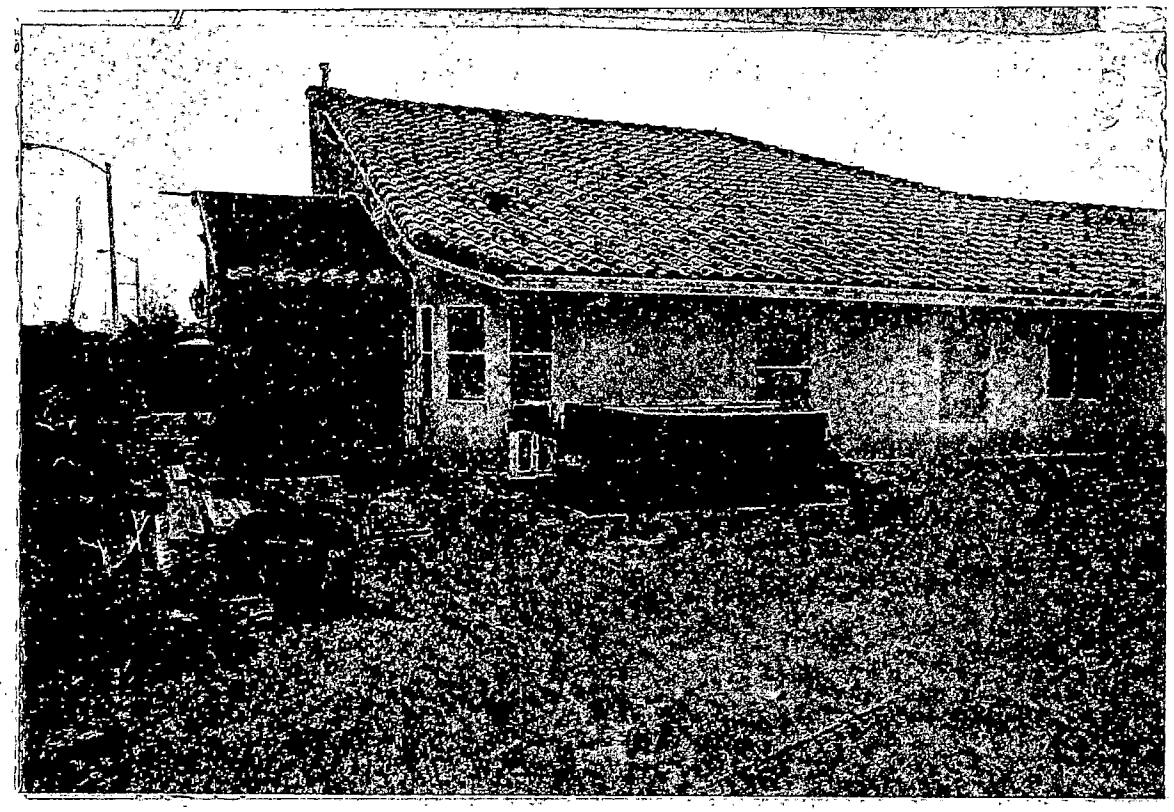
www.jerryjpowerpage.com 702-258-6914

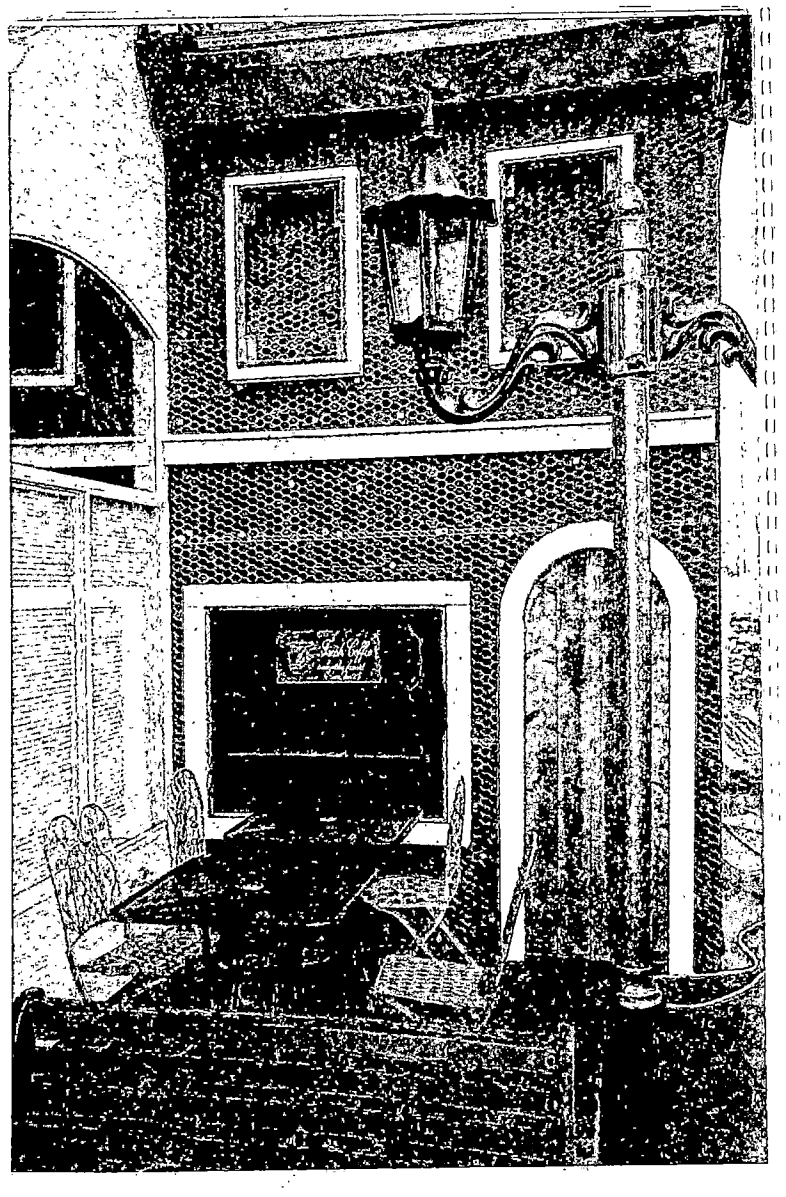
LEGEND	* = Top Form (Highest Potential)	(1) =Front Runner	(m) = mudder
	Ship = Shipper	(2) = Very fast Presser	(p) =potential on off track
	MTO = Main Track Only	....= First Time Starter	CAPS to emphasize

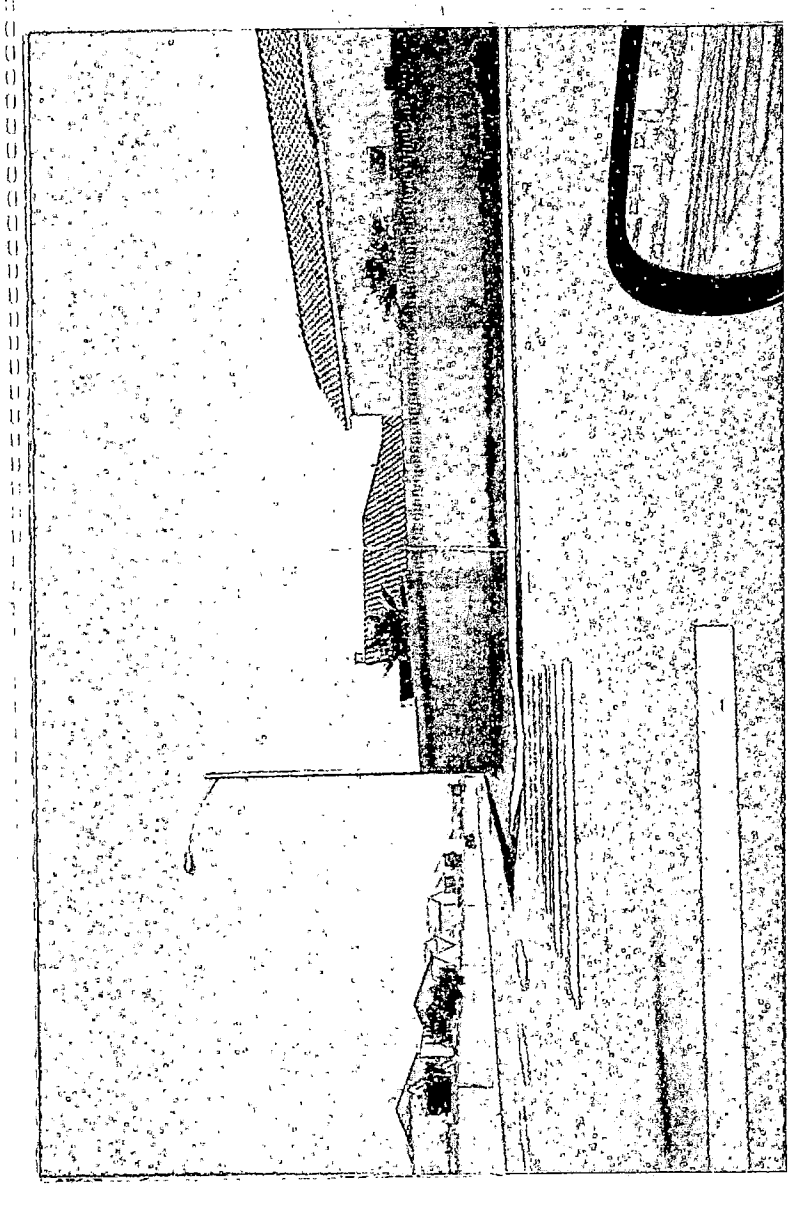
The **Power Page** offers a professional grading for each horse. The *projected power number* should hit approximately 33 % of the time. Horses who are assigned an (*) have the best chance to exceed their designated number. This handicapping aid is generated by the experience from using and studies of ***Jerry J's Performance Pages.***

Past results are not a guarantee of future performance.

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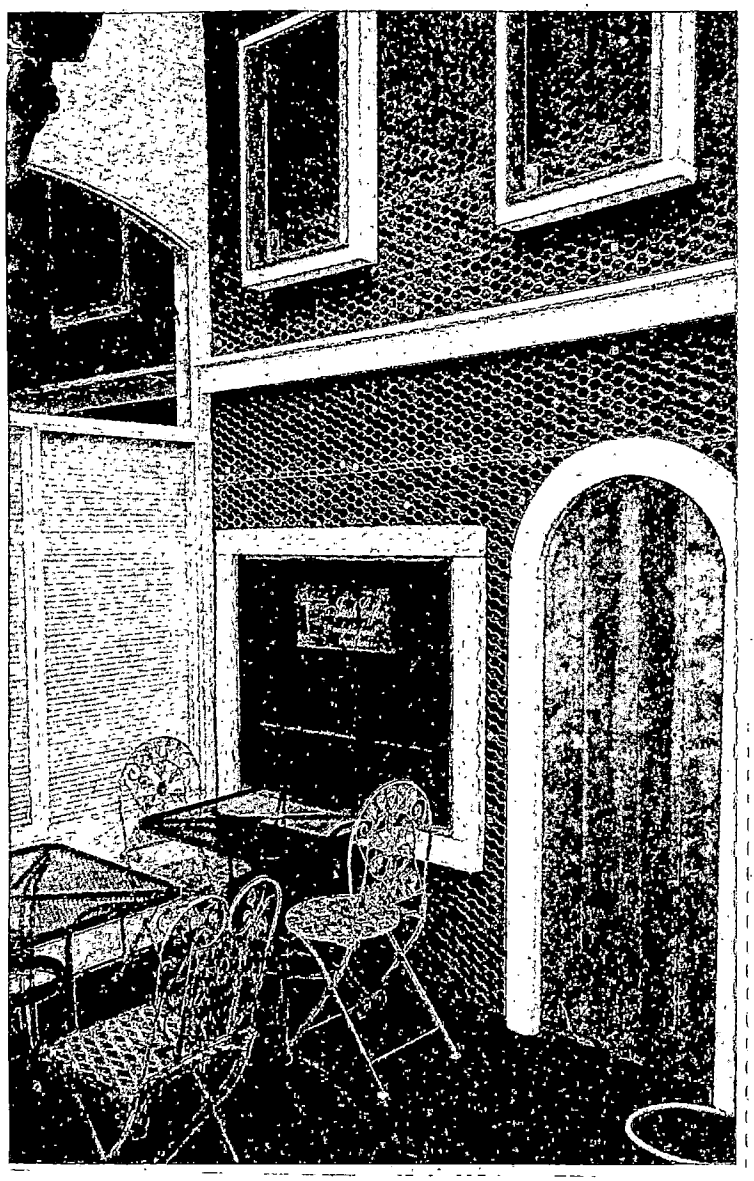


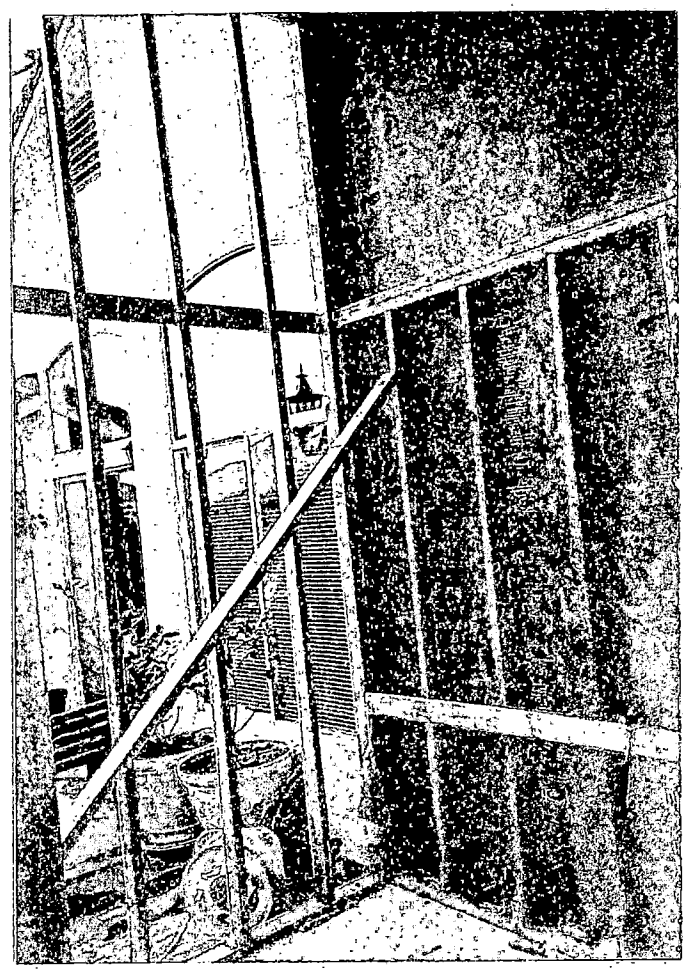


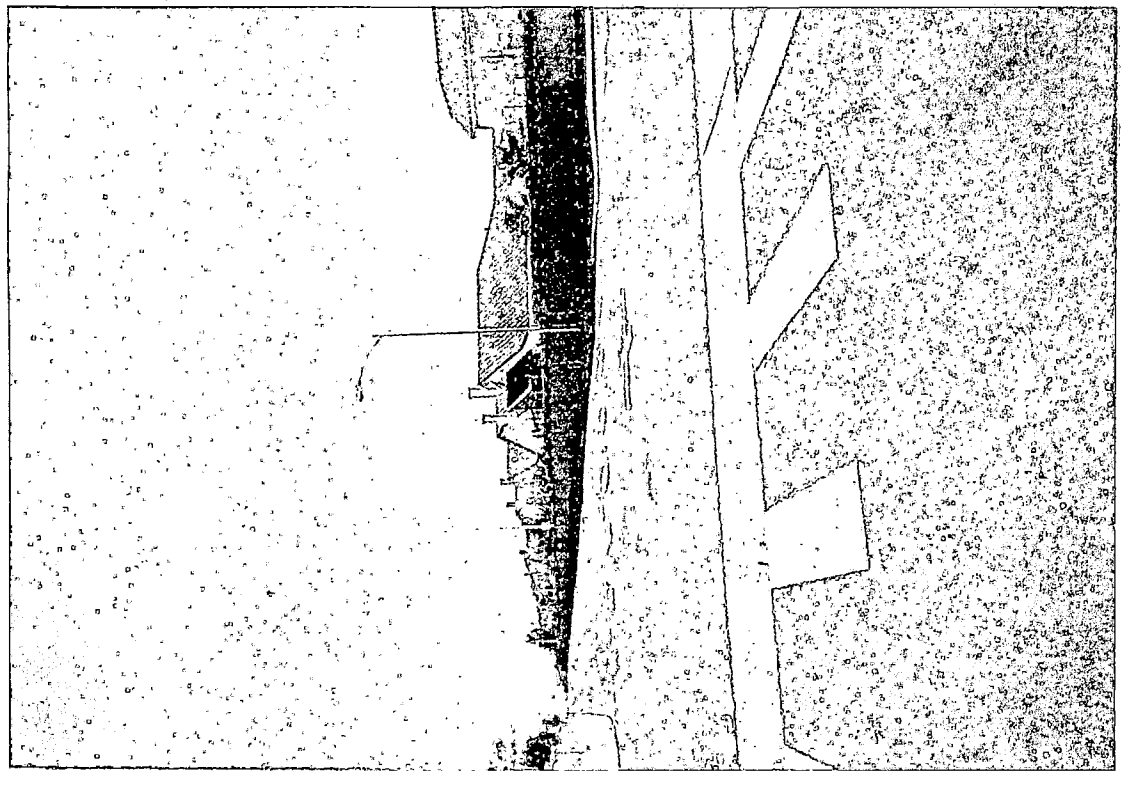












Photos

Building

ELEVATIONS

M-5205-04

Submitted at Planning Commission

Date 02-10-05 Item # 48

9 Photos

City of Las Vegas

Agenda Item No.: 49

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
SUP-5894 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC. - Request for a Special Use Permit FOR A PROPOSED CONVENIENCE STORE WITH FUEL PUMPS adjacent to the southwest corner of Tenaya Drive and Azure Way (APN 125-27-222-006), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

ABEYANCE TO THE MARCH 24, 2005 PLANNING COMMISSION MEETING

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

RECOMMENDATION:
Staff recommends ABEYANCE

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:
DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)

MONTECITO
COMPANIES

February 3, 2005

City of Las Vegas
Planning and Development Department
Attn: Doug Rankin
731 S. Fourth Street
Las Vegas, NV 89101
Fax 385-7268
229-5408

RE: Azure South Request to Hold Application

Dear Mr. Rankin:

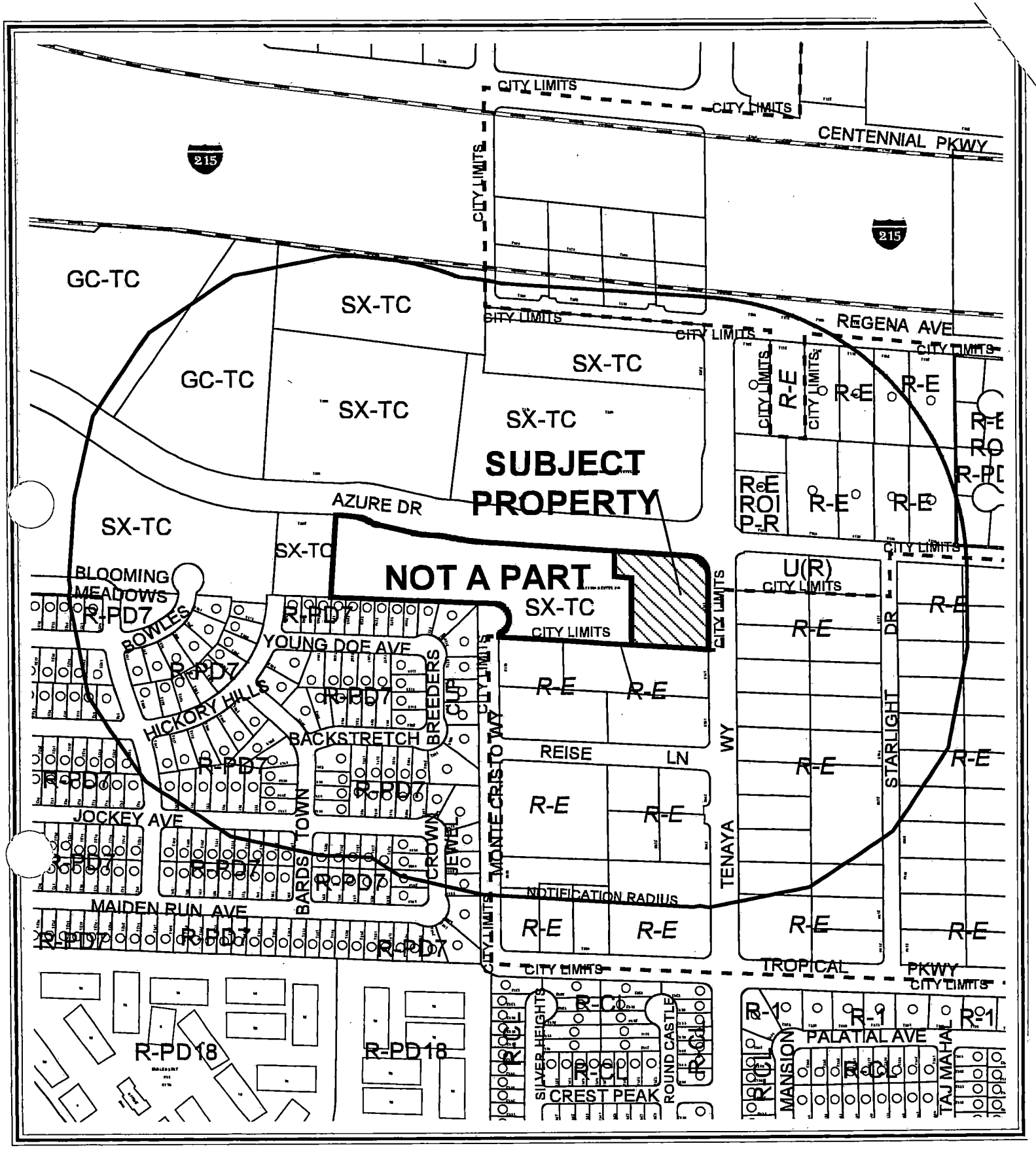
Per our discussion earlier this morning, this letter is prepared to request that our application for Special Use Permit SUP 5894 and our application for Site Development Review SDR 5893 be held until the March 24, 2005 planning commission. These applications were originally scheduled to be heard February 10, 2005, however per our meeting, it cannot be heard until our Waiver of Conditions is heard before the City Council. We are proposing to have the Waiver of Conditions heard at the March 16, 2005 City Council Meeting, and we ask that this application remain in the queue for the following March 24, 2005 date.

Thank you in advance for your cooperation in this matter. Please contact me if you have any questions.

Sincerely,

Joe Gwerder
Vice President of Construction

6600 W Charleston Blvd, Suite 120
Las Vegas, NV 89146
Phone (702) 798-5111 Facsimile (702) 892-7754



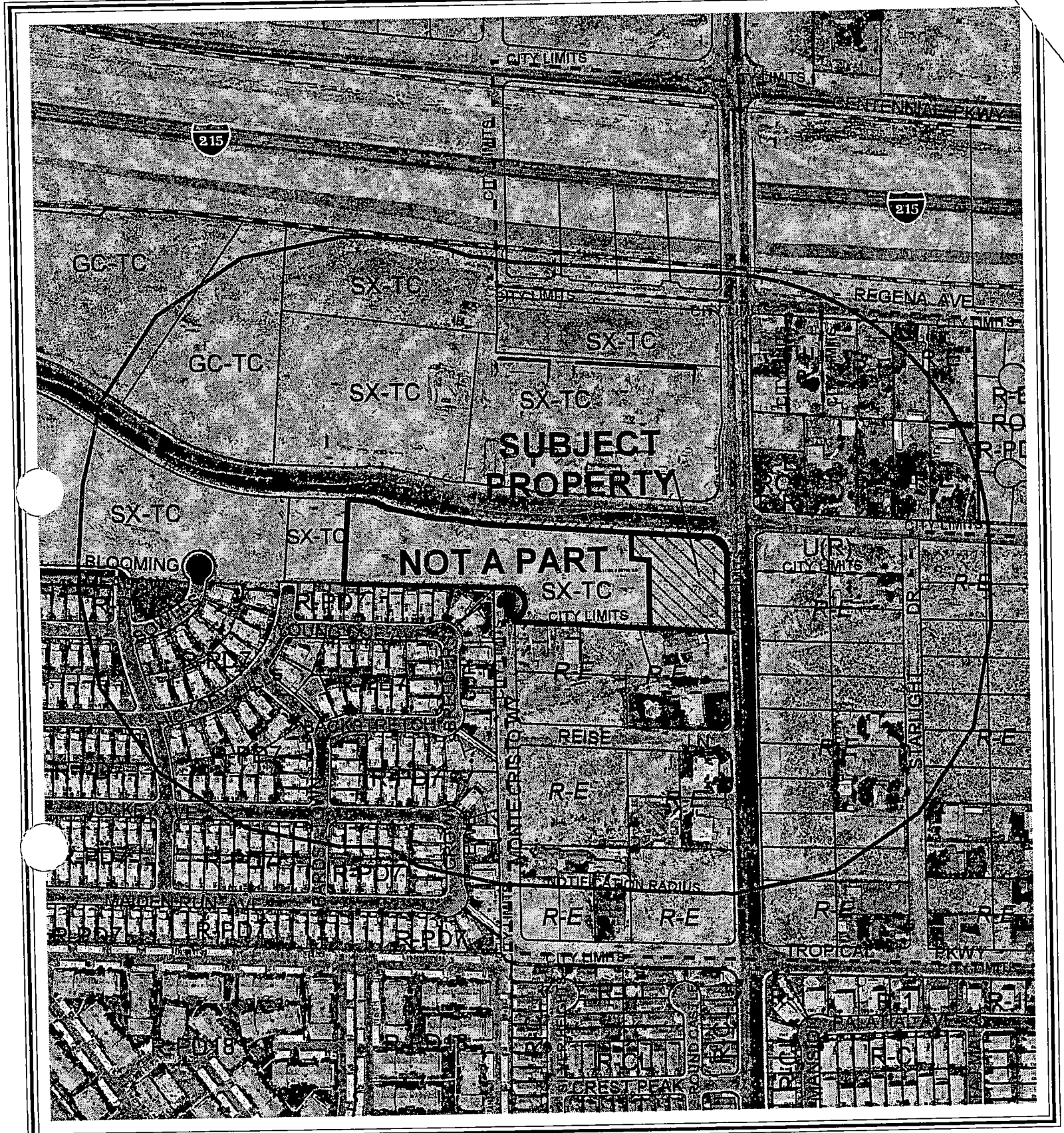
0 400 800 Feet

CASE: **SUP-5894**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE[SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N


CITY LIMITS
CENTENNIAL PKWY
215
GC-TC
SX-TC
GC-TC
SX-TC
SX-TC
SX-TC
SUBJECT PROPERTY
SX-TC
SX-TC
NOT A PART
SX-TC
CITY LIMITS
BLOOMING
R-PD
R-E
REISE LN
R-E
R-PD
R-PD
R-PD

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5894 - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC.

ON FEBRUARY 3, 2005 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE MARCH 24, 2005 PLANNING COMMISSION MEETING.

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5894 APN: 125-27-222-006

Name of Property Owner: Azure South Inc.

Name of Applicant: The Montecito Companies

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: _____

Print Name: Frank Nielsen

Subscribed and sworn before me

This 24 day of December, 2004

_____

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
ENNIS JULIAN
No. 03-85126-1
My Appointment Expires Nov. 4, 2007

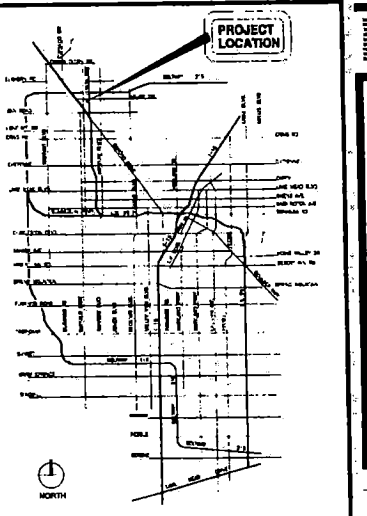
SITE INFORMATION

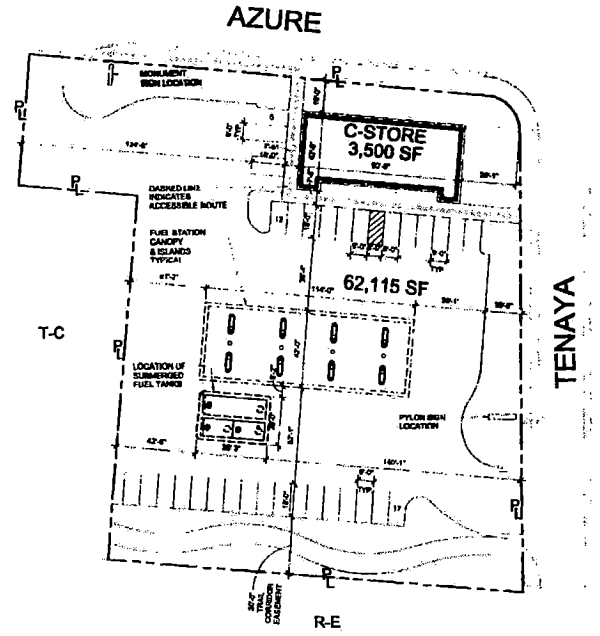
ASSESSORS PARCEL NUMBER (APN)		125-27-222-008
CURRENT ZONING		T-C
SITE AREA		+/- 1.43 - 62,115 S.F.
PROPOSED BUILDING		
C-STORE		3,500 S.F.
SITE COVERAGE		
C-STORE		5.63 %
PARKING REQUIRED		
C-STORE	5/1000 S.F.	18 SPACES
PARKING PROVIDED (INCLUDES ACCESSIBLE SPACES)		
C-STORE		34 SPACES

OWNER

AZURE SOUTH, INC.
9900 W. CHARLESTON BLVD., STE. #120
LAS VEGAS, NEVADA 89145
CONTACT: JOE GWERDER
CONTACT: P 702.369.4444 F 702.892.7784

VICINITY MAP

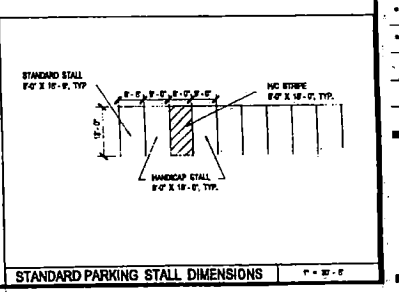




SUP-5894
SDR-5893
02-10-05 PC

0 15 30 60 90

NORTH



STANDARD PARKING STALL DIMENSIONS

SITE PLAN
SCALE: 1"=30'-0"

Vedelago Petsch AIA architects
5495 S. Rainbow Blvd
Suite 203
Las Vegas, Nevada 89118
Phone (702) 951-0300
Fax (702)-951-0302

SEAL:

NOT FOR CONSTRUCTION

OWNER:

MONTECITO

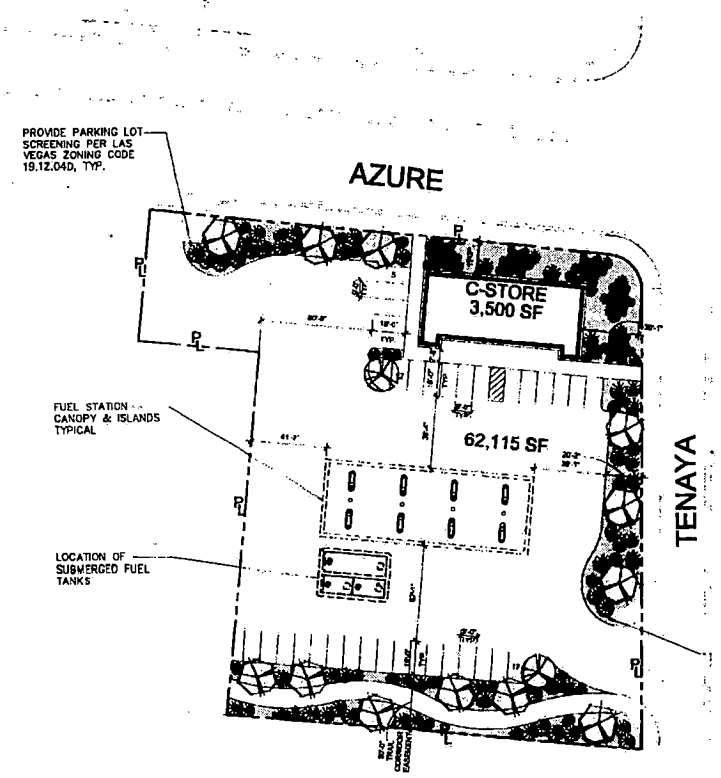
PROJECT NAME:
TENAYA VILLAGE CENTER
SWC of Tenaya Way & Azure Drive, Las Vegas, NV

SHEET TITLE:
Enlarged Site Plan

REV.	DESCRIPTION	DATE

Project No: 2004'23
Drawn By: Office
Date: 12/28/04
Scale: See Drawing
Sheet No:

A-1.01



0 15 30 60 90

NORTH

LANDSCAPE PLAN

SCALE: 1"=60'-0"

TREES

SYMBOL	QUANTITY	SIZE	COMMON NAME	BOTANICAL NAME
	5	36" BOX	MEXICAN FAN PALM OR EQUIVALENT	WASHINGTONIA ROBUSTA HYBRID or EQ.
	12	15 GAL.	AFRICAN SUMAC OR EQUIVALENT	RHUS LANCEA or EQ.
	0	15 GAL.	ARGENTINE MESQUITE or EQUIVALENT	PROSOPIS or EQUIVALENT
	1	15 GAL.	TAMARISK or EQUIVALENT	TAMARIX or EQUIVALENT

SHRUBS

SYMBOL	QUANTITY	SIZE	COMMON NAME	BOTANICAL NAME
	49	5 GAL.	BRITTLEBUSH or EQUIVALENT	ENCELIA or EQUIVALENT
	48	5 GAL.	DESERT HONEYSUCKLE or EQUIVALENT	ANISACANTHUS or EQ.

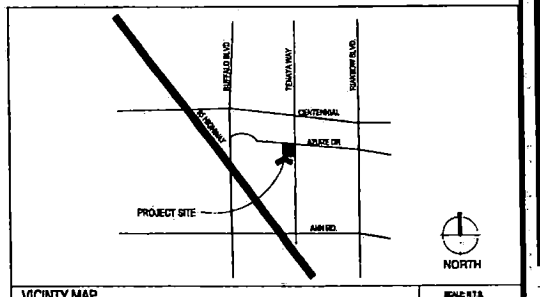
GROUND COVER

SYMBOL	QUANTITY	COVERAGE	COMMON NAME	-
	15,506 S.F.	24.3%	DECORATIVE GRAVEL or EQ.	-

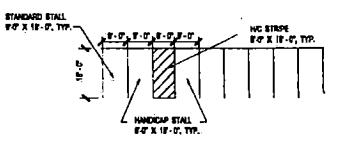
LANDSCAPE PALETTE

TOTAL AREA: 62,115 S.F, 1.43 ACRES
OPEN SPACE AREA PROVIDED: 43,109 S.F, 0.99 ACRES
OPEN SPACE / TOTAL AREA RATIO: 94.4 % (LANDSCAPE INCL.)
LANDSCAPE AREA PROVIDED: 15,506 S.F, 0.35ACRE
LANDSCAPE / TOTAL AREA RATIO: 24.9 %

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

1" = 30'-0"

Vedelago Petsch AIA architects

8485 S. Rainbow Blvd, Suite 203
Las Vegas, Nevada 89139
Phone (702) 951-5300
Fax (702)-951-0307

SEAL:

NOT FOR CONSTRUCTION

DATE:

MONTECITO

REV.	DESCRIPTION	DATE

PROJECT NAME:

TENAYA VILLAGE CENTER
SWC of Tenaya Way & Azure Drive, Las Vegas, NV

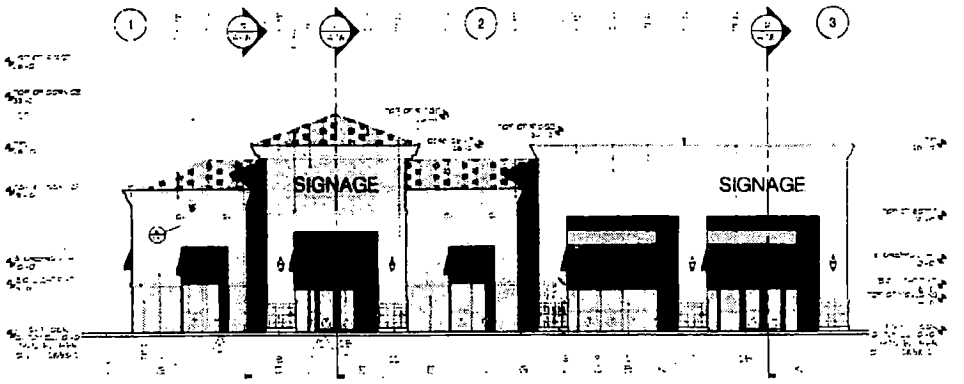
SHEET TITLE:

Enlarged Landscape Plan

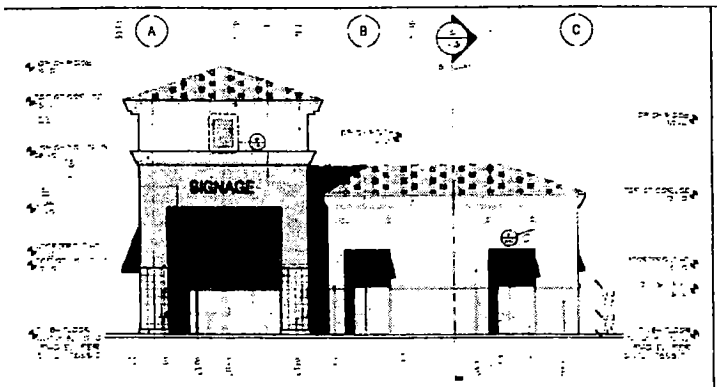
Project No: 2004'23
Drawn By: Office
Date: 12/28/04
Scale: See Drawing
Sheet No:

LP-1

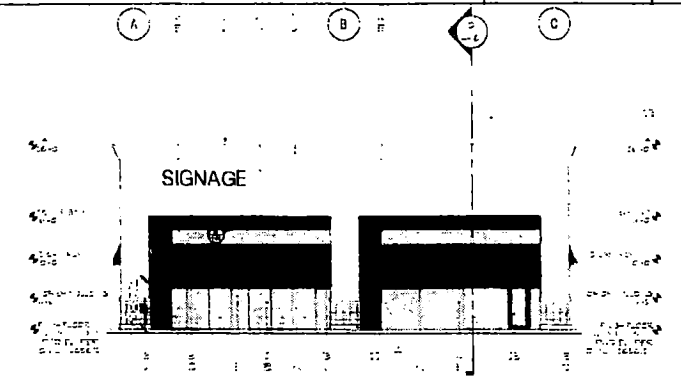
SUP-5894
~~SDR-5893~~
02-10-05 PC



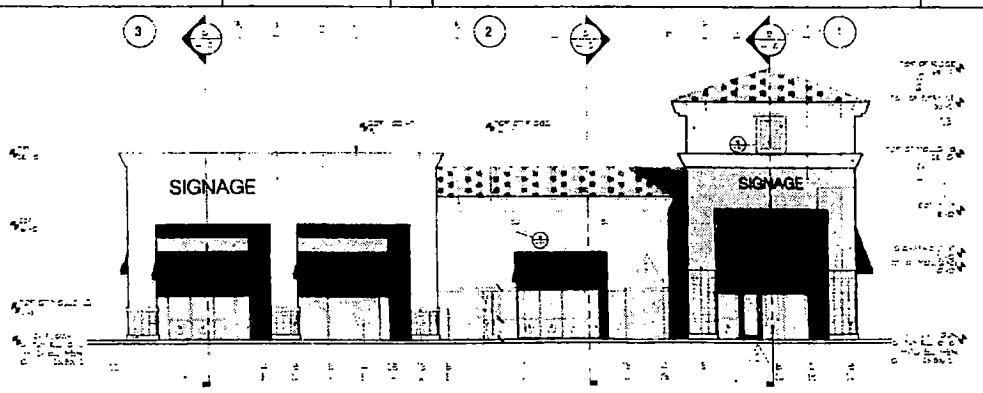
CONCEPTUAL SOUTH ELEVATION 1



CONCEPTUAL WEST ELEVATION 4



CONCEPTUAL EAST ELEVATION 2



CONCEPTUAL NORTH ELEVATION 3

SUP-5894
SDR-5893
02-10-05 PC

Montecito Companies, LLC

Perkowitz+Ruth Architects
Architecture/Planning/Store Design

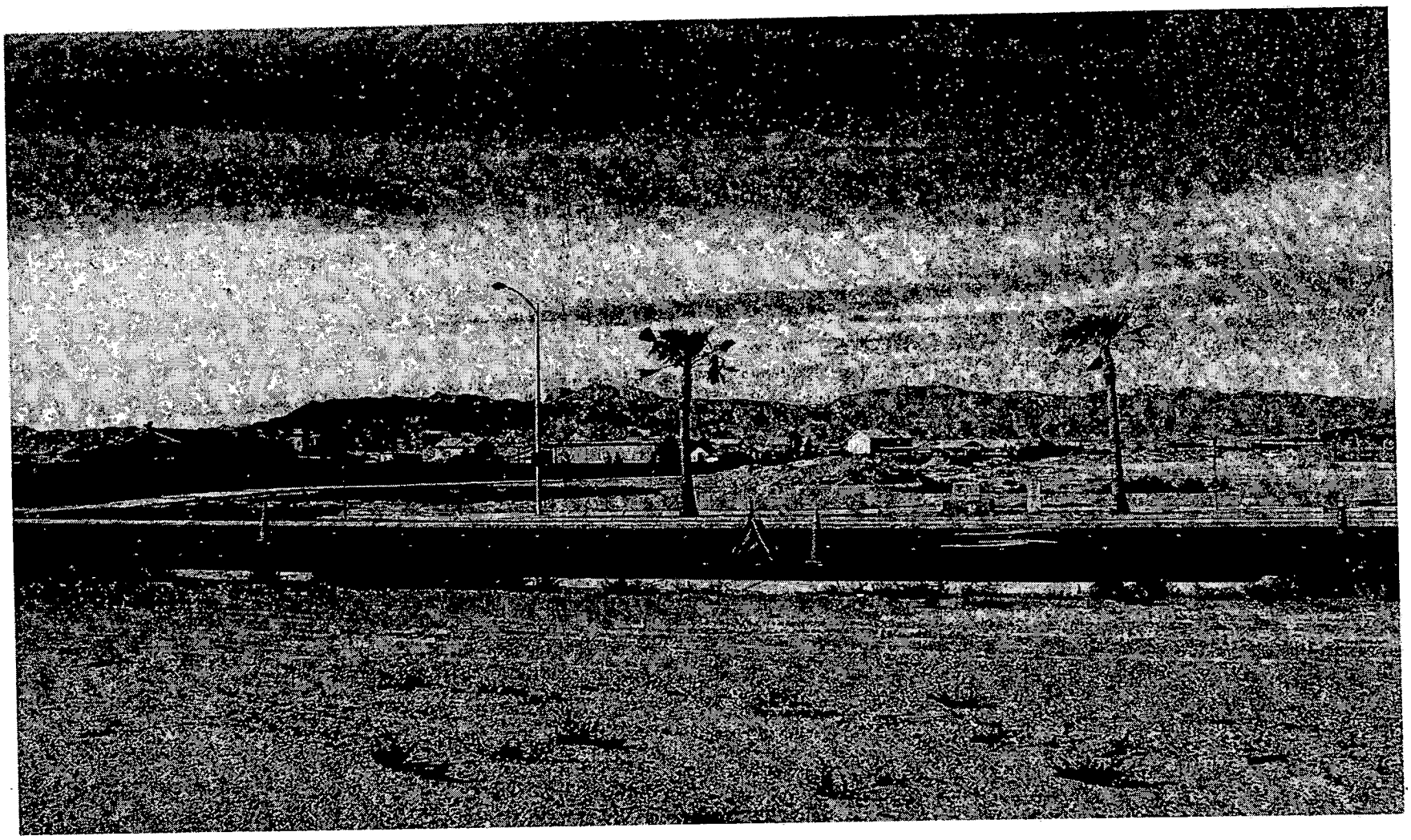
Tenaya Village Center
SITE AND BUILDING DESIGN
NWC TENAYA AND AZURE
LAS VEGAS, NEVADA

A-1.4



SUP-5894 - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC.
SOUTHWEST CORNER OF TENAYA DRIVE AND AZURE WAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SUP-5894 - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC.
SOUTHWEST CORNER OF TENAYA DRIVE AND AZURE WAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

MONTECITO
COMPANIES

December 27, 2004

City of Las Vegas
Planning and Development Department
Attn: Flinn Fagg
731 S. Fourth Street
Las Vegas, NV 89101

RE: Tenaya Village Center Special Use Permit Justification for a Convenience Store with fuel pumps

Dear Sir:

This letter is prepared as a justification letter for the proposed Special Use Permit to allow a Convenience Store with fuel pumps. This request is actually a revision to the previously approved Site Development Review (Z-0076-98(20)) approved May 9, 2001 with an approved Extension of Time (EOT-2152) approved June 23, 2003. Furthermore, the design of this project is proposed to tie in architecturally with the approved Site Development Review for Montecito East (SDR-2399) revised 6-23-03. Please note that the area covered under the reviews of Montecito East has been renamed Tenaya Village Center.

In general, the building has been located near the Southwest corner of the intersection of Tenaya Way and Azure Drive with the applicable setbacks and landscape buffer per the Town Center Development Standards. The conceptual elevation of the building is proposed to match closely to the elevations of the current phase of Tenaya Village that is under construction, including the articulated roof line and cornice line which also conform to the Town Center Development Standards. The colors chosen for the building will complement those established in this first phase of the project and as approved in the previous Site Development Reviews for this area. Furthermore, the proposed building reduces the amount of building area previously approved for the area, decreases the previously approved Floor to Area Ratio (FAR), and provides more than sufficient parking. The proposed convenience store use with fuel pumps will provide a much needed facility that is lacking in the Town Center area. Also, the proposed use is located on the outskirts of the Town Center area at a favorable intersection of the Town Center Loop Road system, providing for continuous mixed use within the body of the Town Center limits.

It should be noted that along with this request, we are requesting a waiver from the standard of 330' distance separation from single family dwellings as outlined in Part B (Development Uses) Section 4,B,14 of the Town Center Development Standards (page 34). The requirement to place convenience stores a minimum of 330' from single family dwellings can not be met as the location of the convenience store is at the outskirts of the Town Center area, closer to residential uses. The proposed location of the convenience store is at a primary corner Town Center Loop Road system, which is where a convenience store is ideally located. It should also be noted that with the review of the initial Site Development Review (Z-0076-98(20)) a tremendous effort was made with the surrounding neighborhood to allow the proposed development to occur, including gaming and alcohol sales. During this phase of the development, several requirements were negotiated with the surrounding neighbors and

6600 W Charleston Blvd. Suite 120
Las Vegas, NV 89146
Phone (702) 798-5111 Facsimile (702) 892-7784

SUP-5894

became conditions of approval for the proposed request. These included a 10' sidewalk/trail along the West side of Tenaya Way with a 5' landscape buffer, a 30' wide heavily landscaped trail/buffer area along the southern property line, and a 6' foot decorative block wall along portions abutting residential development. Because of the tremendous efforts previously made to buffer this corner from the existing residential uses, we ask that this proposed waiver be approved.

To conclude, we sincerely feel that every effort has been made to make the overall Tenaya Village Center project a architecturally pleasing and aesthetic development. We have designed the project to be in substantial conformance with the Town Center Development Standards and provided several landscape/hardscape features at this corner of the development to serve as a buffer to the surrounding residential neighbors. We believe these efforts made justify approval of the proposed Special Use Permit and the proposed waiver from the distance separation requirement. Please feel free to contact at our office at 798-5111 to discuss this matter further. Thank you in advance for your consideration of this request.

Sincerely,

Joe P. Gwerder

Joe P. Gwerder, PE
Vice President of Construction
Montecito Companies

6600 W Charleston Blvd. Suite 120
Las Vegas. NV 89146
Phone (702) 798-5111 Facsimile (702) 892-7784

SUP-5894

City of Las Vegas

Agenda Item No.: 50

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

SDR-5893 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5894 - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH INC. - Request for a Site Development Plan Review FOR A 3,500 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND WAIVERS OF THE 70% GLAZING AND THE 330-FOOT SEPARATION REQUIREMENTS on 1.43 acres adjacent to the southwest corner of Tenaya Way and Azure Drive (APN 125-27-222-006), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

ABEYANCE TO THE MARCH 24, 2005 PLANNING COMMISSION MEETING

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

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

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

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 25 [VAR-5694], Item 26 [SUP-5691], Item 27 [SDR-5689], Item 36 [VAR-5952], Item 37 [ZON-5788], Item 38 [WVR-5790], Item 39 [SDR-5789], Item 42 [VAR-5878], Item 43 [SUP-5877] and Item 44 [SDR-5876] to 3/10/2005 Planning Commission meeting; Item 35 [ZON-5669], Item 49 [SUP-5894] and Item 50 [SDR-5893] to 3/24/2005 Planning Commission Meeting; STRIKE Item 24 [VAR-5693]; TABLE Item 21 [VAC-5569], Item 22 [VAR-5567], Item 23 [SDR-5565], Item 30 [SDR-5700] and Item 31 [WVR-5933]; and WITHDRAW WITHOUT PREJUDICE Item 28 [VAR-5701], Item 29 [VAR-5713] – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:07)

MONTECITO
COMPANIES

February 3, 2005

City of Las Vegas
Planning and Development Department
Attn: Doug Rankin
731 S. Fourth Street
Las Vegas, NV 89101
Fax 385-7268
229-5408

RE: Azure South Request to Hold Application

Dear Mr. Rankin:

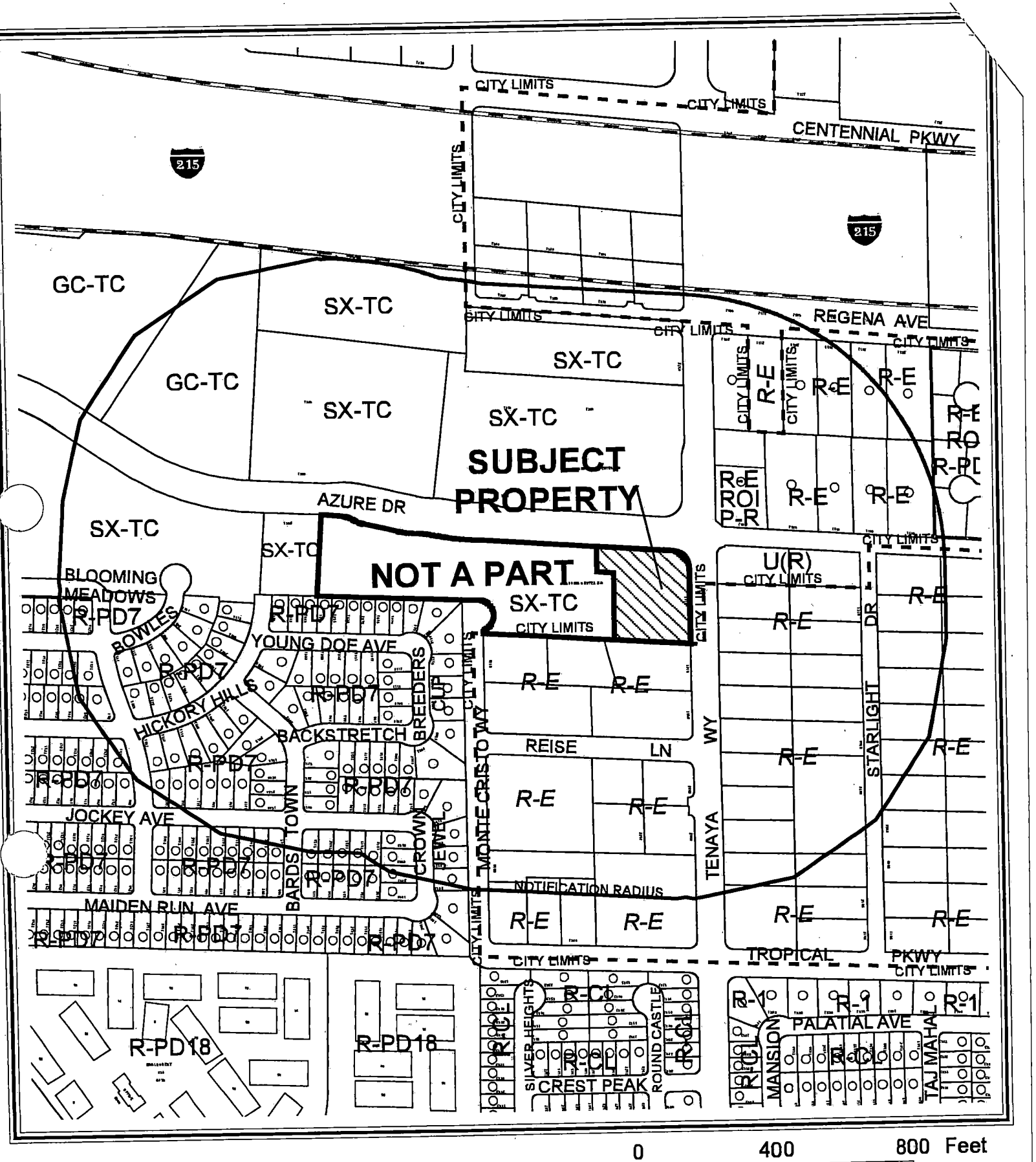
Per our discussion earlier this morning, this letter is prepared to request that our application for Special Use Permit SUP 5894 and our application for Site Development Review SDR 5893 be held until the March 24, 2005 planning commission. These applications were originally scheduled to be heard February 10, 2005, however per our meeting, it cannot be heard until our Waiver of Conditions is heard before the City Council. We are proposing to have the Waiver of Conditions heard at the March 16, 2005 City Council Meeting, and we ask that this application remain in the queue for the following March 24, 2005 date.

Thank you in advance for your cooperation in this matter. Please contact me if you have any questions.

Sincerely,

Joe Gwerder
Vice President of Construction

6600 W Charleston Blvd, Suite 120
Las Vegas, NV 89146
Phone (702) 798-5111 Facsimile (702) 892-7754


CITY LIMITS
CENTENNIAL PKWY
215
GC-TC
SX-TC
GC-TC
SX-TC
SX-TC
SX-TC
SUBJECT PROPERTY
AZURE DR
SX-TC
SX-TC
NOT A PART
SX-TC
CITY LIMITS
REGENA AVE
R-E
R-E
R-E

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5893 - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH INC.

ON FEBRUARY 3, 2005 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE MARCH 24, 2005 PLANNING COMMISSION MEETING.

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5893 APN: 125-27-222-006

Name of Property Owner: Azure South Inc.

Name of Applicant: The Montecito Companies

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: _____

Print Name: Frank Nielsen

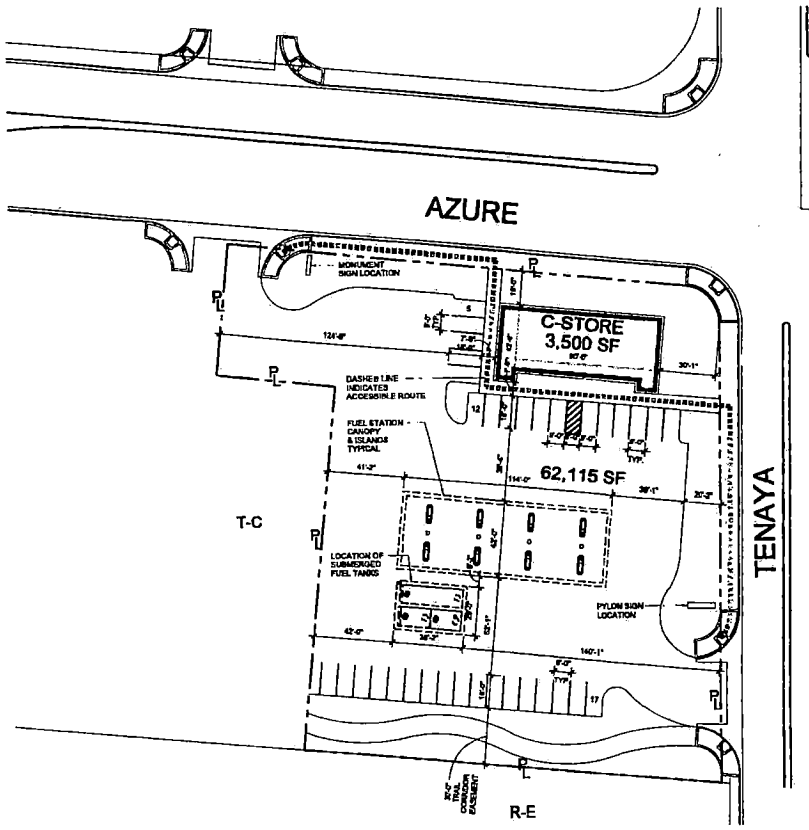
Subscribed and sworn before me

This 24 day of December, 2004

_____

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
ENNIS JULIAN
No. 03-85126-1
My Appointment Expires Nov. 4, 2007



SITE PLAN

SCALE: 1"=30'-0"

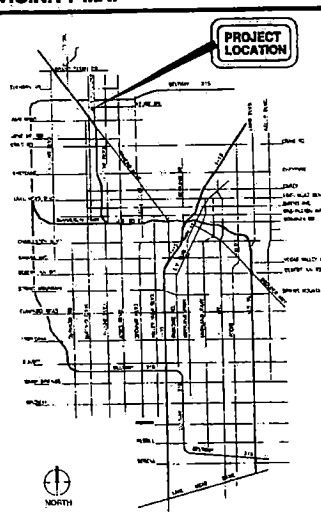
SITE INFORMATION

ASSESSORS PARCEL NUMBER (APN)		125-27-222-006
CURRENT ZONING		T-C
SITE AREA		+/- 1.43 - 62,115 S.F.
PROPOSED BUILDING C-STORE		3,500 S.F.
SITE COVERAGE C-STORE		5.63 %
PARKING REQUIRED C-STORE	5/1000 S.F.	18 SPACES
PARKING PROVIDED (INCLUDES ACCESSIBLE SPACES) C-STORE		34 SPACES

OWNER

AZURE SOUTH, INC.
6600 W. CHARLESTON BLVD., STE. #120
LAS VEGAS, NEVADA 89146
CONTACT: JOE GWERDER
CONTACT: P 702.369.4444 F 702.892.7764

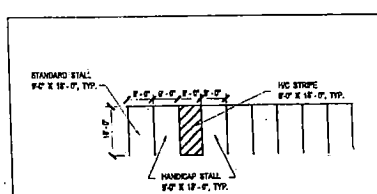
VICINITY MAP



SUP-5894
SDR-5893
02-10-05 PC

0 15 30 60 90

NORTH



STANDARD PARKING STALL DIMENSIONS

1" = 20'-0"

Vedelago Petsch AIA
architects
5495 S. Rainbow Blvd.
Suite 203
Las Vegas, Nevada 89118
Phn (702)-951-0300
Fax (702)-951 0360

SEAL:

NOT FOR CONSTRUCTION

OWNER:

MONTECITO
COMPANIES

PROJECT NAME:
TENAYA VILLAGE CENTER
SWC of Tenaya Way & Azure Drive, Las Vegas, NV

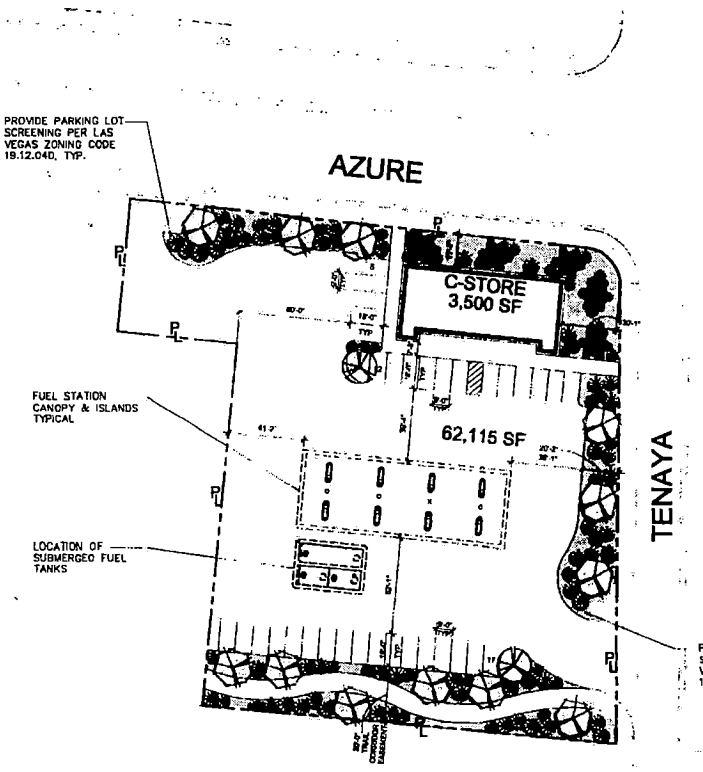
SHEET TITLE:
Enlarged Site Plan

REV.	DESCRIPTION	DATE

Project No. 2004123
Drawn By: Office
Date: 12/28/04
Scale: See Drawing
Sheet No:

A-1.01

PRELIMINARY - NOT FOR CONSTRUCTION



LANDSCAPE PLAN

SCALE: 1"=30'-0"

0 15 30 60 90

NORTH

TREES

SYMBOL	QUANTITY	SIZE	COMMON NAME	BOTANICAL NAME
	5	36" BOX	MEXICAN FAN PALM OR EQUIVALENT	WASHINGTONIA ROBUSTA HYBRID or EQ.
	12	15 GAL.	AFRICAN SUMAC OR EQUIVALENT	RHUS LANCEA or EQ.
	0	15 GAL.	ARGENTINE MESQUITE or EQUIVALENT	PROSOPIS or EQUIVALENT
	1	15 GAL.	TAMARISK or EQUIVALENT	TAMARIX or EQUIVALENT

SHRUBS

SYMBOL	QUANTITY	SIZE	COMMON NAME	BOTANICAL NAME
	49	5 GAL.	BRITTLEBUSH or EQUIVALENT	ENCELIA or EQUIVALENT
	48	5 GAL.	DESERT HONEYSUCKLE or EQUIVALENT	ANISACANTHUS or EQ.

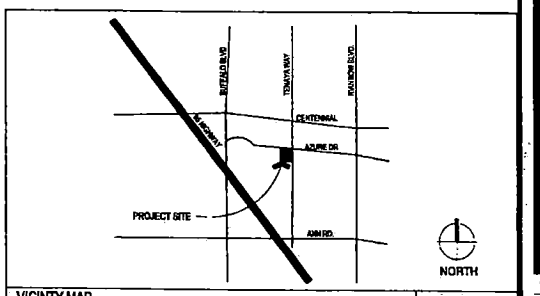
GROUND COVER

SYMBOL	QUANTITY	COVERAGE	COMMON NAME	-
	15,506 S.F.	24.3%	DECORATIVE GRAVEL or EQ.	-

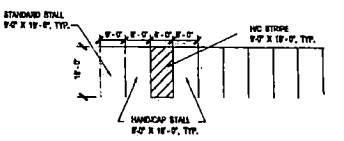
LANDSCAPE PALETTE

TOTAL AREA: 62,115 S.F, 1.43 ACRES
OPEN SPACE AREA PROVIDED: 43,109 S.F, 0.99 ACRES
OPEN SPACE / TOTAL AREA RATIO: 94.4 % (LANDSCAPE INCL.)
LANDSCAPE AREA PROVIDED: 15,506 S.F, 0.35ACRE
LANDSCAPE / TOTAL AREA RATIO: 24.9 %

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

Vedelago Petsch AIA architects
5495 S. Rainbow Blvd.
Suite 202
Las Vegas, Nevada 89118
Phn (702) 851-0300
Fax (702)-851-0302

STAMP:

NOT FOR CONSTRUCTION

OWNER:

MONTECITO

PROJECT NAME:

TENAYA VILLAGE CENTER

SWC of Tenaya Way & Azure Drive, Las Vegas, NV

SHEET TITLE:

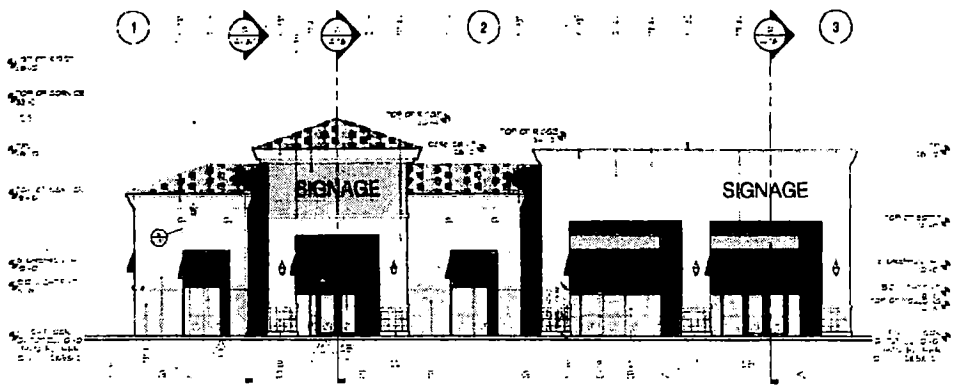
Enlarged Landscape Plan

REV.	DESCRIPTION	DATE
•		
•		
•		

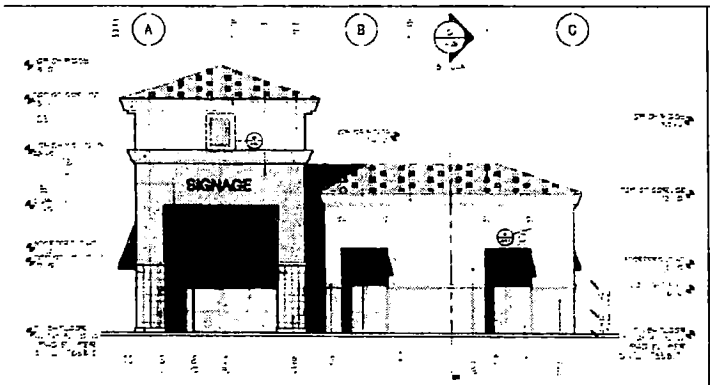
Project No: 2004'23
Drawn By: Office
Date: 12/28/04
Scale: See Drawing
Sheet No:

LP-1

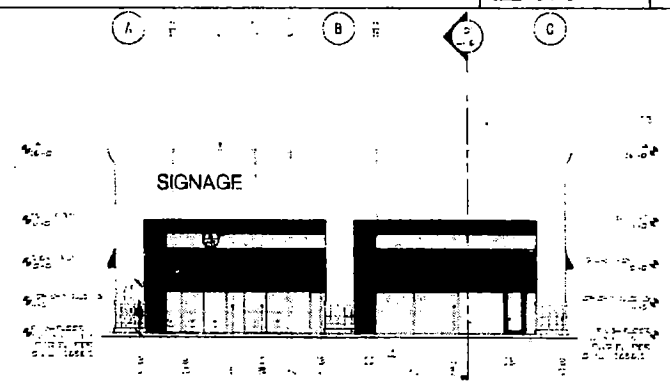
SUP-5894
~~**SDR-5893**~~
02-10-05 PC



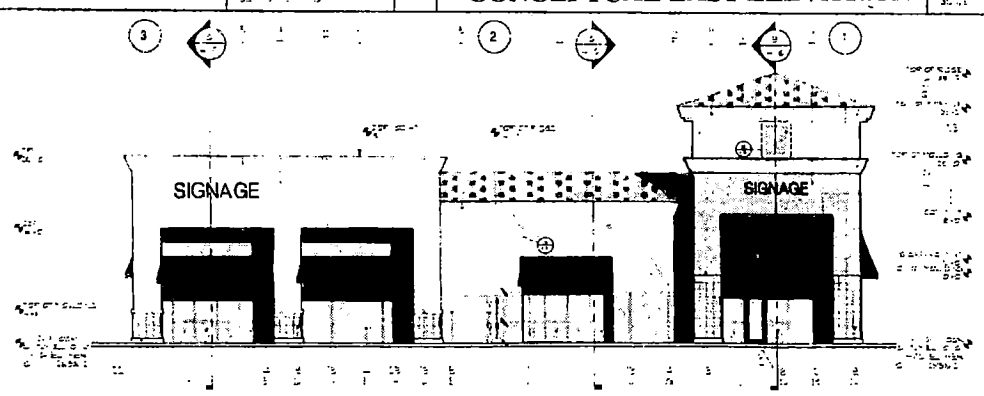
CONCEPTUAL SOUTH ELEVATION 1



CONCEPTUAL WEST ELEVATION 4



CONCEPTUAL EAST ELEVATION 2



CONCEPTUAL NORTH ELEVATION 3

SUP-5894
SDR-5893
02-10-05 PC

Montecito Companies, LLC

Perkowitz+Ruth Architects
Architecture/Planning/Store Design

Tenaya Village Commercial
SITE AND BUILDING DESIGN
NWC TENAYA AND AZURE
LAS VEGAS, NEVADA

A-1.4



SDR-5893 - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC.
SOUTHWEST CORNER OF TENAYA DRIVE AND AZURE WAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SDR-5893 - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC.
SOUTHWEST CORNER OF TENAYA DRIVE AND AZURE WAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

MONTECITO
COMPANIES

December 27, 2004

City of Las Vegas
Planning and Development Department
Attn: Flinn Fagg
731 S. Fourth Street
Las Vegas, NV 89101

RE: Tenaya Village Center Site Development Review Justification and Waiver Request

Dear Sir:

This letter is prepared as a justification letter for the proposed revision to the previously approved Site Development Review (Z-0076-98(20)) approved May 9, 2001 with an approved Extension of Time (EOT-2152) approved June 23, 2003. Furthermore, the design of this project is proposed to tie in architecturally with the approved Site Development Review for Montecito East (SDR-2399) revised 6-23-03. Please note that the area covered under the reviews of Montecito East has been renamed Tenaya Village Center. The proposed revision is to replace the previously approved Pads P1 and P2 with an approximate 3,500 square foot Convenience Store with fuel pumps.

In general, the building has been located near the Southwest corner of the intersection of Tenaya Way and Azure Drive with the applicable setbacks and landscape buffer per the Town Center Development Standards. The conceptual elevation of the building is proposed to match closely to the elevations of the current phase of Tenaya Village that is under construction, including the articulated roof line and cornice line which also conform to the Town Center Development Standards. The colors chosen for the building will complement those established in this first phase of the project and as approved in the previous Site Development Reviews for this area. Furthermore, the proposed building reduces the amount of building area previously approved for the area, decreases the previously approved Floor to Area Ratio (FAR), and provides more than sufficient parking. The proposed convenience store use with fuel pumps will provide a much needed facility that is lacking in the Town Center area. Also, the proposed use is located on the outskirts of the Town Center area at a favorable intersection of the Town Center Loop Road system, providing for continuous mixed use within the body of the Town Center limits.

For the reasons outlined above, it is our opinion that the proposed changes are in substantial conformance with City standards for development in this area and warrants approval.

It should be noted that along with this request, two waivers are proposed. The first proposed waiver is from the requirement of 70% glazing for portions of the building facing a street as outlined in Part D (Development Standards) Section 1,B,1 of the Town Center Development Standards (page 72). The second is for the 330' distance requirement to single family dwellings as outlined in Part B (Development Uses) Section 4,B,14 of the Town Center Development Standards (page 34).

6600 W Charleston Blvd. Suite 120
Las Vegas, NV 89146
Phone (702) 798-5111 Facsimile (702) 892-7784

SDR-5893

The requirement for 70% clear glazing along street frontages is not practical for the proposed convenience store use. This proposed requirement is more likely to have been met if the building was located away from the street as typical convenience stores have little or no glazing at the rear of the buildings, but more at the front of the store. However, as outlined in the Town Center Development Standards, it is preferable to locate the structure close to the street. By meeting this standard, it does not the allow the facility to function as a typical convenience store with freezers, storage, offices, and restrooms placed at the rear of store and merchandise and service stations located at the entrance. For these reasons, we believe this proposed waiver warrants approval.

The requirement to place convenience stores a minimum of 330' from single family dwellings can not be met as the location of the convenience store is at the outskirts of the Town Center area, closer to residential uses. The proposed location of the convenience store is at a primary corner Town Center Loop Road system, which is where a convenience store is ideally located. It should also be noted that with the review of the initial Site Development Review (Z-0076-98(20)) a tremendous effort was made with the surrounding neighborhood to allow the proposed development to occur, including gaming and alcohol sales. During this phase of the development, several requirements were negotiated with the surrounding neighbors and became conditions of approval for the proposed request. These included a 10' sidewalk/trail along the West side of Tenaya Way with a 5' landscape buffer, a 30' wide heavily landscaped trail/buffer area along the southern property line, and a 6' foot decorative block wall along portions abutting residential development. Because of the tremendous efforts previously made to buffer this corner from the existing residential uses, we ask that this proposed waiver be approved.

To conclude, we sincerely feel that every effort has been made to make the overall Tenaya Village Center project a architecturally pleasing and aesthetic development. We have designed the project to be in substantial conformance with the Town Center Development Standards and provided several landscape/hardscape features at this corner of the development to serve as a buffer to the surrounding residential neighbors. We believe these efforts made justify approval of the proposed Site Development Review and the two requested Waivers. Please feel free to contact at our office at 798-5111 to discuss this matter further. Thank you in advance for your consideration of this request.

Sincerely,

Joe P. Gwerder

Joe P. Gwerder, PE
Vice President of Construction
Montecito Companies

6600 W Charleston Blvd. Suite 120
Las Vegas. NV 89146
Phone (702) 798-5111 Facsimile (702) 892-7784

SDR-5893

City of Las Vegas

Agenda Item No.: 51

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
SUP-5868 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VIENGSAMAI MONSAY - OWNER: ZELZAH SHRINE TEMPLE - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB AND A WAIVER OF THE 400-FOOT MINIMUM SEPARATION DISTANCE REQUIREMENT FROM AN EXISTING PARK at 2327 South Eastern Avenue (APN 162-01-401-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 03/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/16/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning & Development Department, gave a brief overview of the application. The use is compatible with the area and allowed in this zoning.

VIENGSAMAI MONSAY, 8140 Pecan Valley Avenue appeared with his nephew, PHETSAMONE MAOKHAMPHIOU, 5316 Striking Point Court, and concurred with conditions.

COMMISSIONER EVANS thought the proposed supper club would be a fine addition to the shopping center.

MINUTES – Continued:
MR. MAOKHAMPHIOU indicated the restaurant is already open and doing very well. The owner donates the use of the facility to a local church for fundraising purposes.

CHAIRMAN NIGRO declared the Public Hearing closed.
(10:19 – 10:23)
3-2192

CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.

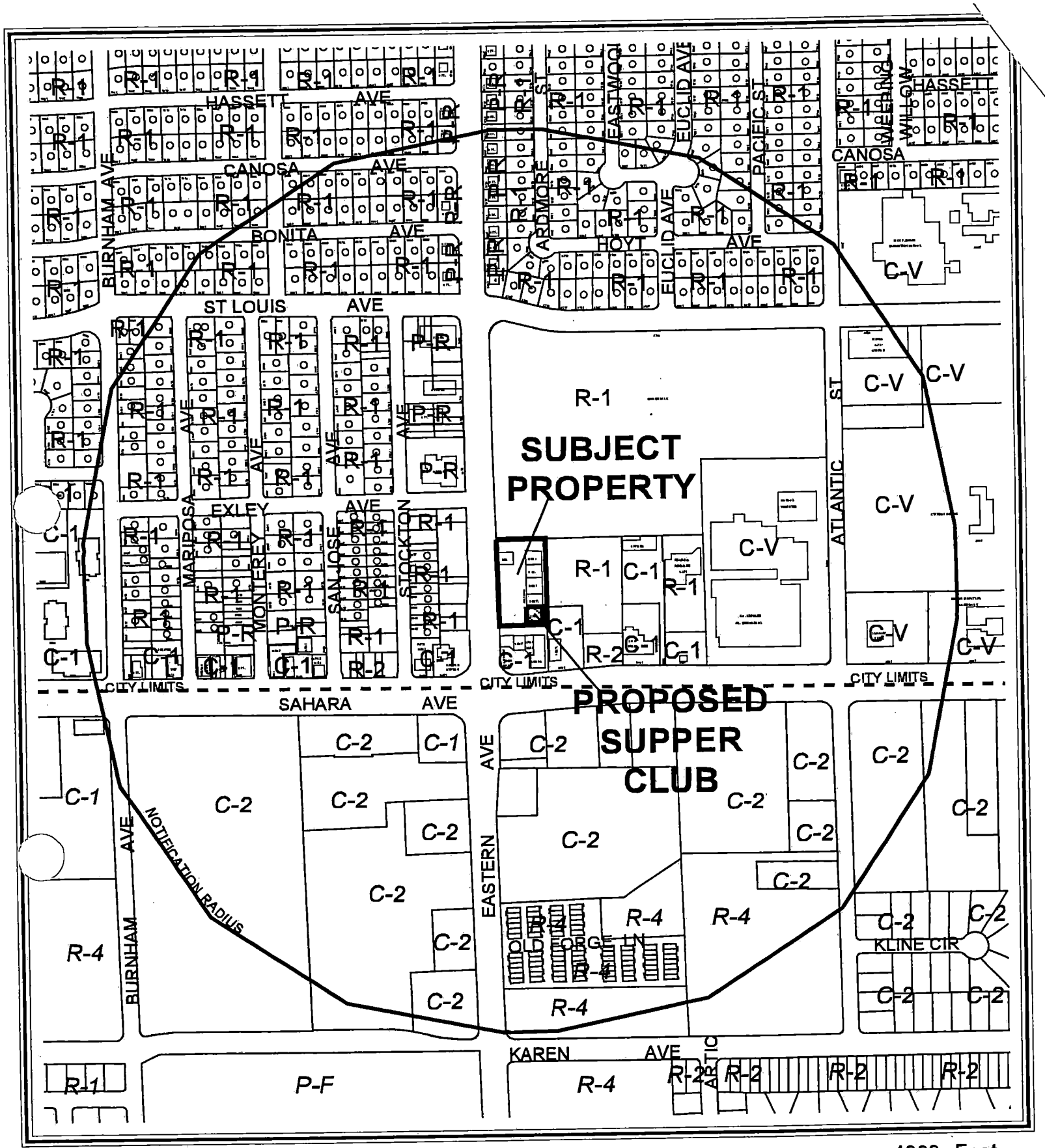
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

6. A new trash enclosure meeting all Title 19.08.045.G.4 requirements shall be added to the site, prior to the issuance of a liquor license.



CASE: **SUP-5868**

RADIUS: 1500 FT

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



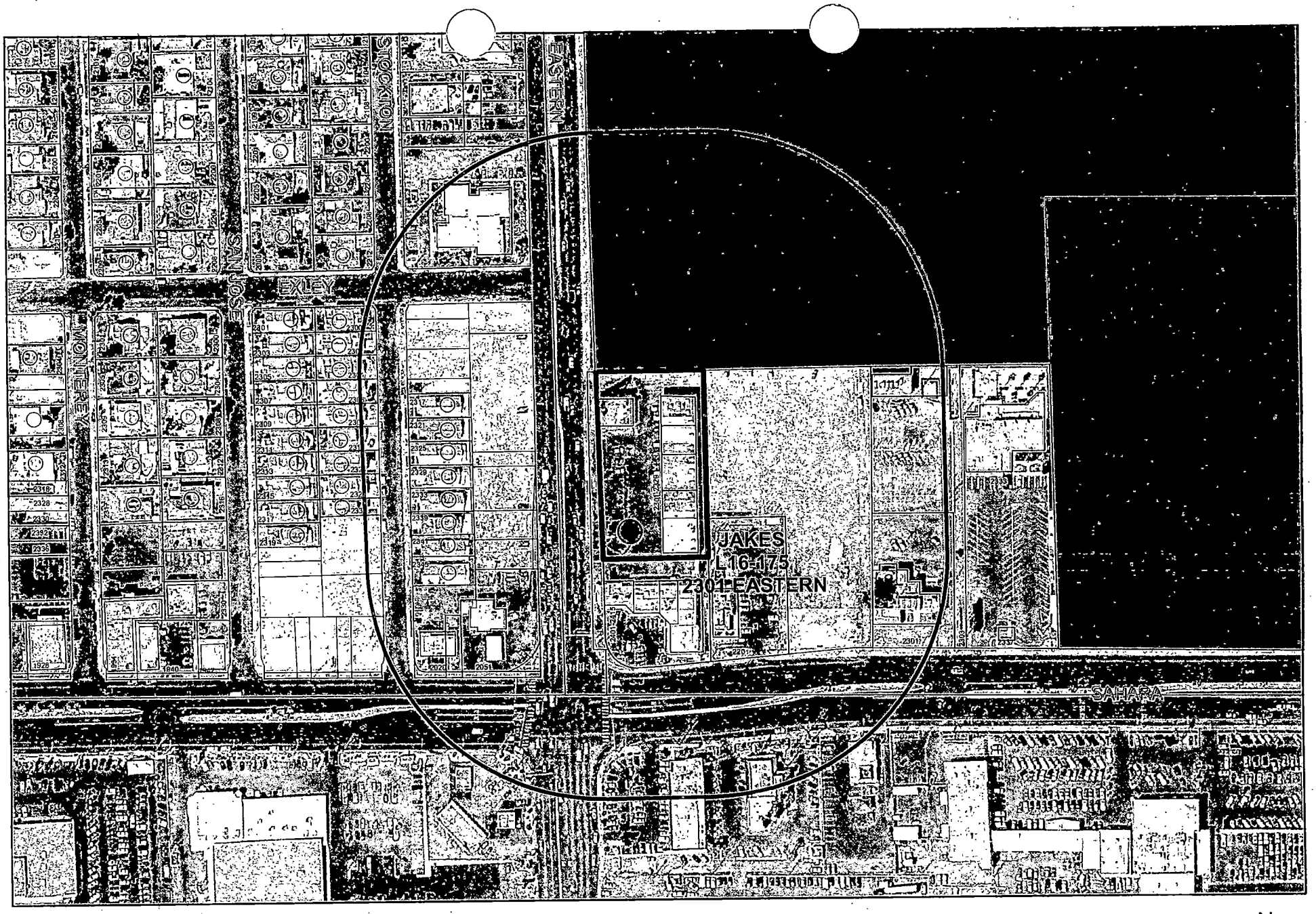
0 500 1000 Feet

CASE: **SUP-5868**

RADIUS: 1500 FT

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

N



SUP-5868

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

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

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5868 – APPLICANT: VIENGSAMAI MONSAY -- OWNER: ZELZAH SHRINE TEMPLE

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.

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

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

6. A new trash enclosure meeting all Title 19.08.045.G.4 requirements shall be added to the site, prior to the issuance of a liquor license.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Supper Club and Waiver of the minimum separation distance requirement from a public park at 2327 South Eastern Avenue.

B) Applicant's Justification

The applicant has justified the request by stating: "This restaurant will provide mostly food to our customers. Along with alcoholic beverages, this restaurant is a benefits to our Laos-Thai community, and will also be used for fund raising for the Laos-Thai Temple, and will also serve as a tie to the Las Vegas community."

BACKGROUND INFORMATION

A) Previous Actions

04/13/72 The City Council approved a request for a Rezoning from R-1 (Single Family Residential) to C-1 (Limited Commercial) for the proposed use of retail stores and offices. The Planning Commission and staff both recommended approval.

07/12/84 The Planning Commission approved a Site Development Plan Review [Z-0030-72(1)] for two Off-premise Advertising (Billboard) Signs on the subject site.

11/06/02 The City Council approved a request for a Special Use Permit for a Waiver of the minimum 400-foot separation requirement from a city park for a Restaurant Service Bar in conjunction with an existing restaurant in the same retail strip as the subject request. The Planning Commission and staff both recommended approval.

01/20/05 Code Enforcement records show three resolved cases involving graffiti, weeds, and a vagrant encampment on this parcel. The applicant's business licence (R09-Restaurants seating 45 persons or more) was initiated in June 2004 and is current. The applicant's building permit (Restaurant Tenant Improvement) was granted in August 2004 and has no associated issues.

SRS

B) Pre-Application Meeting

12/15/04 Submission requirements for a Special Use Permit Request were discussed at the meeting.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.27

B) Existing Land Use

Subject Property:	Shops, Restaurant, Office, Tavern
North:	Jaycee Park
South:	Mini-Mart, Restaurant, Shops
East:	Single Family Dwelling
West:	Single Family Dwelling

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	PROS (Parks, Recreation, Open Space)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Service Commercial)
North:	R-1 (Single Family Residential)
South:	C-1 (Service Commercial)
East:	C-1 (Service Commercial) and R-1 (Single Family Residential)
West:	R-1 (Single Family Residential)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southeast Sector Map of the General Plan. The SC (Service Commercial) land use category allows retail, restaurants, drinking establishments, offices and other light commercial uses. The proposed use is not directly affected by any General Plan policies.

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

This site is not located in any special area plans or overlay districts.

INTERAGENCY ISSUES

Project of Regional Significance
Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" because it is a Special Use Permit within 500 feet of the corporate boundaries of Clark County.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received:

1) Flood Control does not require a drainage study for this project.
2) Wastewater collection system says this project will have minimal impacts.
3) Las Vegas Valley Water District has determined that the subject project will not have a significant impact on the capacity of the District's water supply system.

Las Vegas Metropolitan Police Department — Distance to Property: 3.54 Miles
Downtown Area Command
621 North 9th Street
Las Vegas, NV 89101

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Laundry	2,200 s.f.	1 space/250 s.f. of g.f.a.	9 spaces			
Tax Offices	2,200 s.f.	1 space/250 s.f. of g.f.a.	7 spaces			
General Retail Stores	3,300 s.f.	1 space/175 s.f. of g.f.a.	19 spaces			
Beauty Parlor	1,100 s.f.	3 spaces/station	9 spaces			
Restaurant w/ Service Bar; Tavern	5,200	1 space/50 s.f. public seating/waiting area, + 1 space /200 s.f. of remaining g.f.a.	73 spaces			
Supper Club	3,596 s.f. (2,158 public seating; 1,438 s.f. remaining g.f.a.)	1 space/50 s.f. of public seating area + 1 space/200 s.f. of remaining g.f.a.	50 spaces			
Totals	17,596 s.f.		167 spaces	6 spaces	79 spaces	3 spaces
			173 spaces		82 spaces	

The retail strip and out pad (Eastern Village Shopping Center) that contains the subject requested use was built in 1972 and conformed to the City Zoning requirements in place at the time.

Pursuant to the parking requirements of Title 19.10, this shopping center is 91 spaces short of what would be required of the same center if it were built today. Only 47% of the required spaces are currently provided.

It should be noted however, that the subject request for a Supper Club use is not required to add any more parking spaces than if this business were to remain as a restaurant without an alcohol-related component.

Pursuant to Title 19.10.010(C), "Parking-Impaired Development":

> "A land use or building which is existing on the effective date of this Title and which complied with the applicable parking standards at the time the use or building was established, but which does not comply with the requirements of this subchapter, shall not be considered a nonconforming use or non-conforming building; but rather, it shall be considered a "parking- impaired development." This use will not add any new parking to the site

SRS

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Synagogue, Church	400 Feet separation	Y
School	400 Feet separation	Y
Child Care Facility	400 Feet separation	Y
City Park	400 Feet separation	N

A city park abuts the subject property along its north property line. The request waiver will eliminate the requirement for the 400-foot separation to a City Park if approved as part of this Special Use Permit.

Pursuant to Title 19.08.045.G.4, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Trash Enclosure	Away from street and enclosed by walls (see below)	Not Indicated

The applicant has indicated a trash enclosure or refuse collection area on the submitted site plan, but not on the elevations submitted with the companion Site Development Plan Review SDR-5685. Condition of Approval number 6 for a trash enclosure which meets the City's current Code requirements has been added above.

B) General Analysis and Discussion

- Zoning

The proposed Supper Club is a permitted use with the approval of a Special Use Permit within the C-1 (Limited Commercial) zoning district. Section 19A.04.050 of the City of Las Vegas Zoning Code establishes the criteria for the approval of alcohol-related uses.

- Use

Pursuant to Title 19.04.050, Supper Clubs must to be a minimum of 400 feet from any church, synagogue, school, childcare facility, or city park.

A city park abuts the subject property along its north property line. On 11/06/02 the City Council approved a Special Use Permit for a restaurant service bar in conjunction with an existing restaurant in the same retail strip as the subject request. The Permit was approved with a Waiver of the minimum 400-foot separation requirement from a city park.

There is also an existing Tavern use at another business on this parcel. This business is a more intense alcohol-related use than the proposed Supper Club. With these Tavern and liquor-use precedents, and with no record of code enforcement problems, the proposed Supper Club can be operated in a manner that is harmonious and compatible with the development in the area.

- Conditions

The dumpster area behind the subject restaurant and shopping center is overflowing with trash and debris. This area has become a nuisance to the park and to the surrounding properties. This dumpster enclosure needs to be brought into compliance with the City Code. Condition of Approval number 6 has been added calling for a new trash enclosure that will meet all of Title 19.08.045.G.4 requirements be installed prior to the issuance of a liquor license.

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."**

   A Supper Club is allowed within the C-1 (Limited Commercial) zone on this site. The proposed Supper Club is surrounded by commercial uses within the existing shopping center, including a Tavern. The proposed Supper Club use is compatible with the existing uses and the future land uses as projected in the General Plan.

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

   The subject site will be physically suitable for the type and intensity of land use for the proposed Supper Club.

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

   The abutting street network, including Eastem Avenue and Sahara Avenue, will be adequate for the traffic generated by this proposed Supper Club.

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 Supper Club will be subject to regular inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 467

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5868 APN: 162-01-401-003

Name of Property Owner: _____

Name of Applicant: Viengsamai Monsay

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: Steve Allen

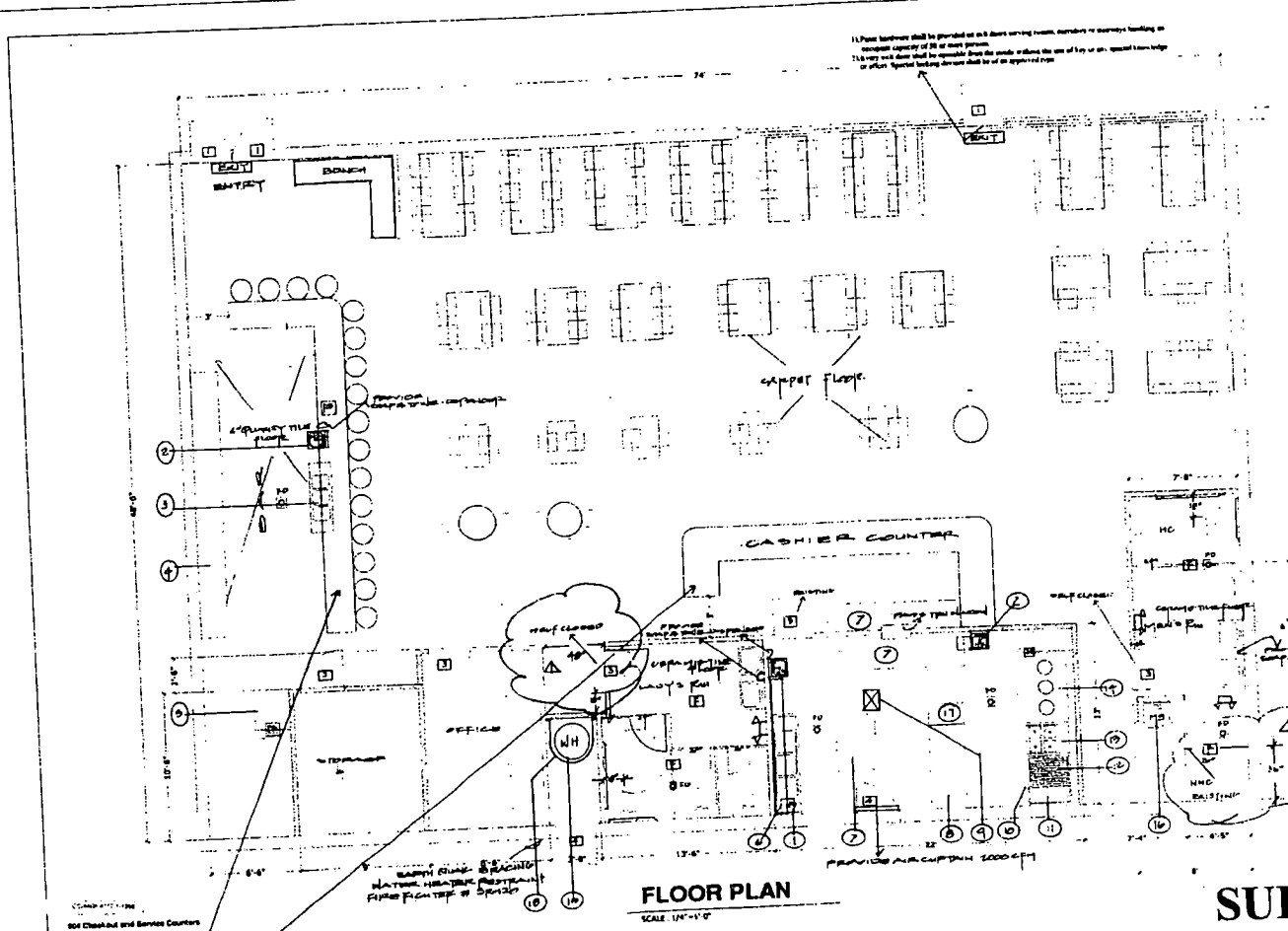
Subscribed and sworn before me

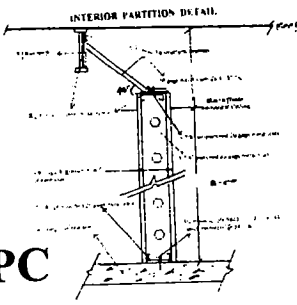
This 22 day of December, 2004

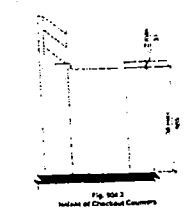
_____
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ANGELA VALDEZ
No: 03-84010-1
My Appointment Expires Aug. 18, 2007

RECEIVED
DEC 23 2004







GENERAL NOTE:

1) All work shall comply with the 2003 International Building Code Edition and all applicable Southern Nevada and County and City of Las Vegas Building Codes and regulations.
2) It shall be the contractor's and equipment supplier's responsibility to verify all dimensions and conditions at the job site and to check details and dimensions shown on the drawing.
3) Separate permits for electrical, mechanical, plumbing and other work to be done, not covered by the building permit are to be obtained from their respective authorities by the contractors.
4) All and shall be separable from the inside without the use of a key or any special knowledge or effort.
5) 1hr rated wood stud partition between kitchen and dining area.
6) Provide 2 hr rated wall between kitchen and storage room.
7) Provide 1 hr rated wall between storage room and restroom.
8) Provide 1 hr rated wall between restroom and dining area.
9) Provide 1 hr rated wall between dining area and storage room.
10) Provide 1 hr rated wall between storage room and kitchen.
11) Provide 1 hr rated wall between kitchen and dining area.
12) Provide 1 hr rated wall between dining area and restroom.
13) Provide 1 hr rated wall between restroom and storage room.
14) Provide 1 hr rated wall between storage room and kitchen.
15) Provide 1 hr rated wall between kitchen and dining area.
16) Provide 1 hr rated wall between dining area and restroom.
17) Provide 1 hr rated wall between restroom and storage room.
18) Provide 1 hr rated wall between storage room and kitchen.
19) Provide 1 hr rated wall between kitchen and dining area.
20) Provide 1 hr rated wall between dining area and restroom.
21) Provide 1 hr rated wall between restroom and storage room.
22) Provide 1 hr rated wall between storage room and kitchen.
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34) Provide 1 hr rated wall between storage room and kitchen.
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45) Provide 1 hr rated wall between restroom and storage room.
46) Provide 1 hr rated wall between storage room and kitchen.
47) Provide 1 hr rated wall between kitchen and dining area.
48) Provide 1 hr rated wall between dining area and restroom.
49) Provide 1 hr rated wall between restroom and storage room.
50) Provide 1 hr rated wall between storage room and kitchen.

INTERIOR FINISH SCHEDULE

Room	ceiling	wall	floor	base	remark
Dining room	11	4	2	2	
Bar	12	3	6	2	
Cashier	11	3	6	2	
Lady's room	11	3	6	2	
Men's room	11	3	6	2	
Storage room	11	3	6	2	
Kitchen	12	4	6	2	
Office	11	3	6	2	

1. Semi gloss paint over gypsum board.
2. Carpet.
3. 6" vinyl base.
4. Wood base paint
5. Full height FRP panel
6. 8" epoxy tile
7. 4" epoxy clr 3/8 radius cove base.
8. Ceramic tile.
9. 6" ceramic 1/8 radius rise clear tile.
10. Ceramic tile 4 feet off the floor surface then semi-gloss paint
11. Clear urethane.
12. Vinyl wallpaper over wood board ceiling panel

EQUIPMENT SCHEDULE

NO	EQUIPMENT NAME	MODEL #	ELECTRIC VOLT	ELECTRIC AMP	PLUMING WATER COLD	PLUMING WATER HOT	PLUMING WASTE	BTU	NSF	REMARK
1	REFRIGERATOR/FREEZER									
2	WOK STOVE									
3	FRYER									
4	DISHWASHER									
5	MICROWAVE									
6	FOOD WARMER									
7	FOOD TABLE									
8	REFRIGERATOR									
9	CASHIER									
10	HOOD									
11	SINK									
12	SINK									
13	SINK									
14	WATER HEATER									
15	WATER HEATER									
16	SUPPLY/OTHER EQUIP.									
17	FIXTURE									

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

SUP-5868
02-10-05 PC

KC
KIM CONSTRUCTION
BUILDING, ELECTRICAL & MECHANICAL CONTRACTORS
3339 HIGHLAND DRIVE
LAS VEGAS, NEVADA 89103
OFFICE (702) 369-3627 FAX (702) 366-8584

PROJECT
LANG-XANG LAO THAI CHINESE CAFE
2327 SOUTH EASTERN AVENUE
LAS VEGAS, NEVADA

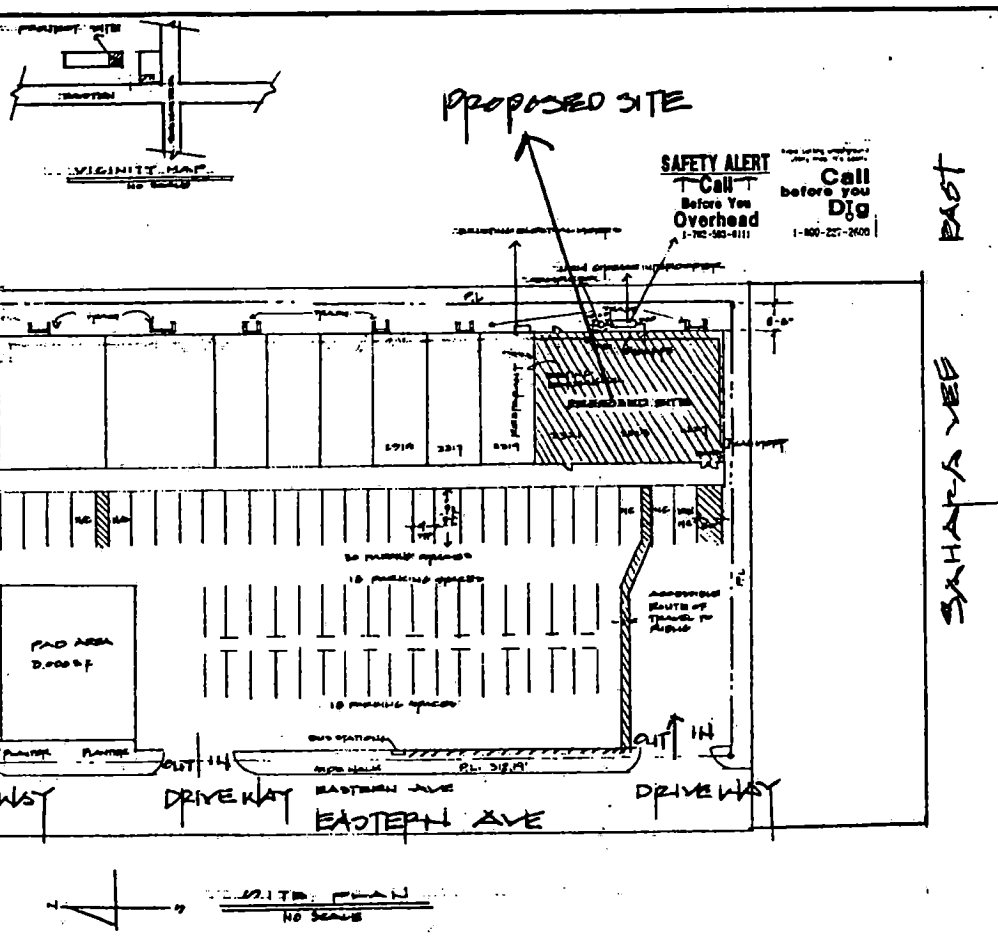
SHEET TITLE
FLOOR PLAN

DATE 7-19-04
SCALE AS SHOWN
DRAWN M. A. Kim
JOB NO

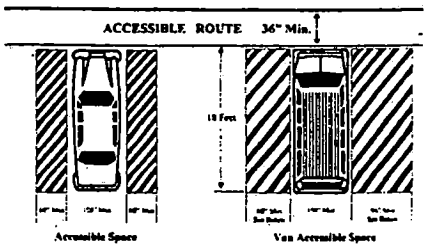
SHEET
A1 - 2
OF

These drawings are instruments of service and are the property of Kim Construction expressly reserves its common law copyright and other property rights to

RECEIVED
DEC 23 2004

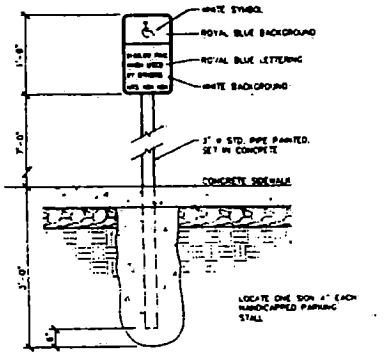


This Design Includes Requirements from 1992 CABO / ANSI A117.1, Section 4.6, and the City of Las Vegas Planning Department, Title 19A, Chapter 19A.10 G3a



Surface Slope: Section 4.6.1	Accessible parking spaces shall be located on a surface with a slope not exceeding 1:48 (2 %) in all directions
Dimensions of parking spaces: Section 4.6.2 Additional access aisles: Las Vegas Zoning Code Title 19 A	Accessible space: Shall be 108" wide plus two adjacent 60" wide access aisles Van accessible space: Shall be 144" wide plus two adjacent 60" wide access aisles with a clear height of 98" minimum. One of the adjacent access aisles may be 60" wide min. All Accessible Spaces: Two accessible parking spaces may share a common access aisle. Curb ramps are not allowed in access aisles
Signs: Section 4.6.4 ; IN R S 484.408 requires signs for all handicapped parking)	Accessible parking spaces shall be identified by a sign showing the international symbol of accessibility. Signs shall not be obscured by a vehicle parked in the space, and van accessible signs shall be marked "Van Accessible."

WHEEL STOPS AT HANDICAP PARKING SPACES SHALL NOT BE PLACED SUCH THAT VEHICLE OVERHANG WILL IMPEDE HANDICAP PEDESTRIAN TRAFFIC WITHIN THE HANDICAP ACCESS ROUTES



HANDICAPPED PARKING SPACE SIGN

SUP-5868
02-10-05 PC

LAO THAI RESTAURANT
2327 South Eastern Ave
Las Vegas, Nevada

KIM CONSTRUCTION & ASSOCIATES
1330 Highland Drive, Las Vegas, Nevada 89109

7/14/04



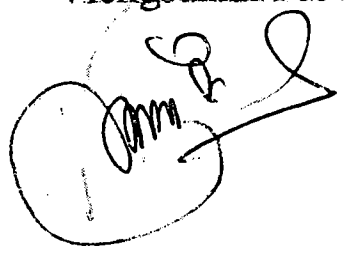
SUP-5868 - APPLICANT: VIENGSAMAI MONSAY - OWNER: ZELZAH SHRINE TEMPLE
2327 SOUTH EASTERN AVENUE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

I, Viengsamai Monsay is opening a Lao-Thai Restaurant at 2327 S. Eastern BLV. Las Vegas N.V 89104 Lanxang Café and asking the commissioner permission to obtain a Supper-Club license, this restaurant will provide mostly food to our customer, along with alcohol beverage, this restaurant is a benefits to our Laos-Thai community, in the fact that it will also be held for fund raising for the Laos-Thai temple, it is also a tie to the community of Las Vegas, I would be very greatful if I would be considered for the opportunity to serve my community and the Las Vegas community.

Thank You,

Viengsamai Monsay



SUP-5868

City of Las Vegas

Agenda Item No.: 52

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

SUP-5871 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM P. MIGUEL, ET AL - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED AND A WAIVER OF THE 200 FOOT SEPARATION FROM ANY RESIDENTIAL USE, A WAIVER OF THE 1000 SEPARATION FROM A SIMILAR USE, AND A WAIVER OF THE 1,500 SQUARE FOOT MINIMUM FLOOR AREA REQUIREMENT at 765 North Nellis Boulevard #9 (APN 140-29-802-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 03/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – DENIED – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning & Development Department, gave a brief overview of the application. Staff felt the number of waivers made the project incompatible with surrounding land uses.

VINCE LAMBIASI, appeared on behalf of the tenant, Express Cash Financial Services of Nevada, and concurred with all conditions. The tenant has four stores in the Las Vegas Valley and over 80 stores in eight states. He detailed the requests for the variances.

MINUTES – Continued:

The project does not meet the 200-foot minimum adjacency requirement; however, MR. LAMBIASI felt the project met with the intent of the ordinance. The rear of the center has a 12-foot tall wall separating it from the residential community. There is no access or traffic created by any tenants from this shopping center.

MR. LAMBIASI stated the project does not meet with the 1,500 square foot requirement but that it was his understanding the requirement was intended to discourage kiosk type establishments. He vouched for the stability of the company by indicating the company signed a 5-year lease. The company would only need 800 square feet to operate but would take a 1,500 square foot unit if one were available, there was not. COMMISSIONER McSWAIN clarified for him that the kiosk scenario was never part of the discussions for the ordinance.

The final variance requested pertained to the 1,000 minimum distance separation to similar uses. MR. LAMBIASI stated there was only one truly similar use in the area and it was a Money Tree store. It is over 1,000 square feet from the front door of the proposed project but less than 1,000 square feet from the shopping center property line. MR. LAMBIASI indicated the Hispanic community in this neighborhood is underserved and the shop would be staffed with individuals who spoke Spanish. COMMISSIONER McSWAIN stated that the ordinance was created because areas of town were being over saturated with this type of use and neighbors felt the communities were being degraded.

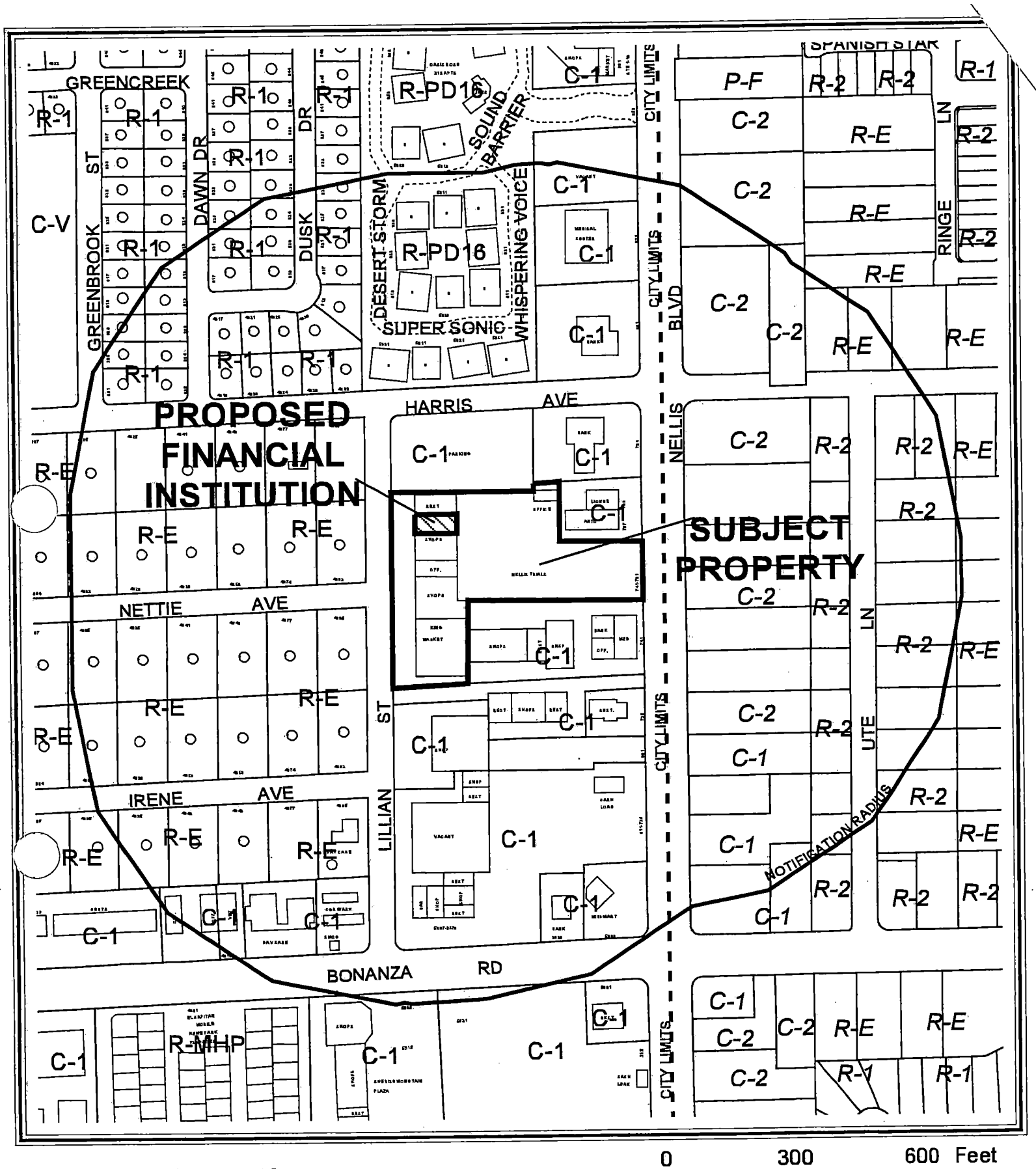
MR. LAMBIASI stated there are quality companies in the payday loan business that provide a real service to the community. It is not a predatory business; it is an aide to people who need it. Most clients come from households with annual incomes of 25,000 to 70,000 dollars. The service is less expensive than predatory practices of the mainstream financial businesses. The free market is the best solution for bad practices.

COMMISSIONER McSWAIN agreed with MR. LAMBIASI'S comments regarding a competitive market place but there was an outcry from the community to minimize the impact of this type of usage on neighborhoods. Now that the Council has given parameters to work within, she would vote with the ordinance in mind.

COMMISSIONER STEINMAN indicated that he thought there was a bank in the shopping center that was not reflected on the map.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:23 – 10:37)

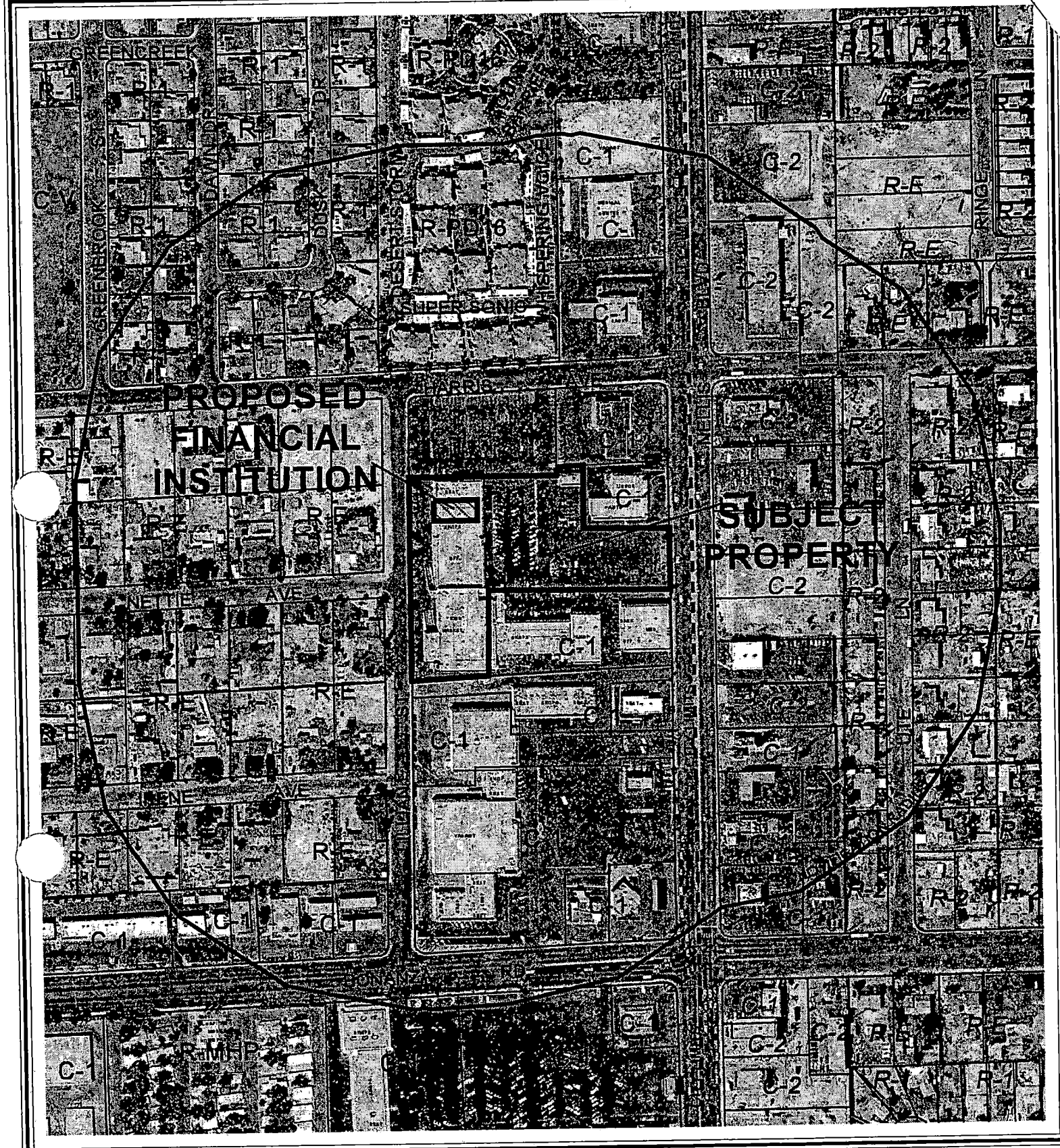


CASE: **SUP-5871**

RADIUS: 750 FT

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

N



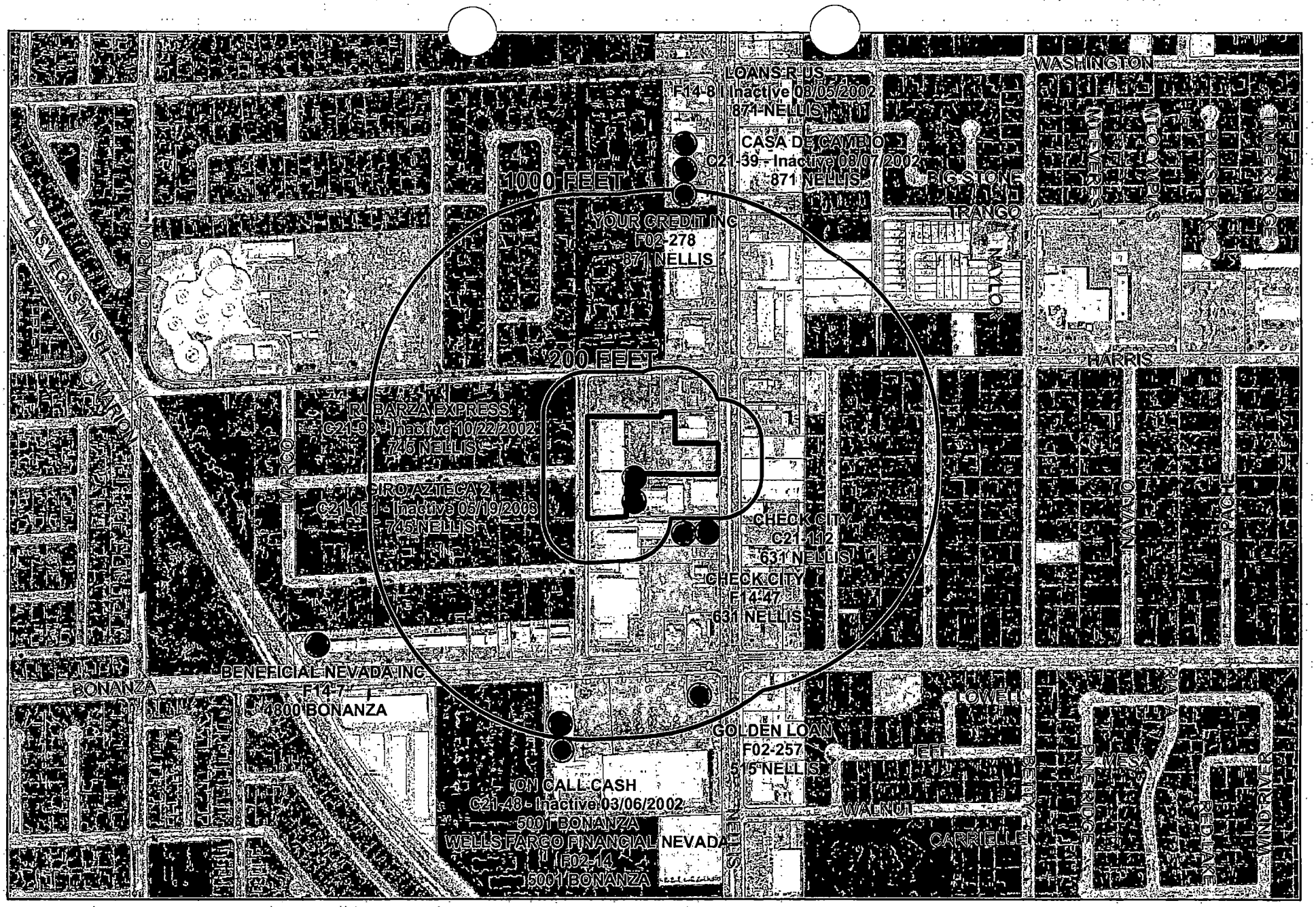
0 300 600 Feet

CASE: **SUP-5871**

RADIUS: 750 FT

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

N



SUP-5871

Financial Business Locations

- Finance Company
- Automobile Title Loan
- Auto Pawn
- Financial Institution, Specified *(Check Cashing Service)*
- Financial Institution, Specified *(Check Cashing Service with Gross)*

Subject Property
Residential Property
Buffer

0 380 760 1,520 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5871 - APPLICANT/OWNER: WILLIAM P. MIGUEL, CONSTANTINO MIGUEL AND ALICE MIGUEL, AND ANER J. IGLESIAS

** CONDITIONS **

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

Planning and Development

1. A Waiver of the 200-foot separation from residential, 1,000-foot separation from similar use, and a 1,500 square-foot minimum floor area shall be granted.

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

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

BTS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Financial Institution, Specified and a Waiver of the 200-foot separation from any residential use, a Waiver of the 1,000-foot separation from a similar use and a Waiver of the 1,500 square-foot minimum floor area requirements at 765 North Nellis Boulevard #9.

B) Applicant's Justification

The applicant justifies the Financial Institution, Specified and the Waivers as follows:

1) 200-foot separation from residential zoned property.
   - A combination of landscaping and streets justifies this request.

2) 1,000-foot separation of similar uses.
   - The location of Nellis Trails Shopping Center its customer base and the proposed services offered by "Ready Money" justifies this request.

3) Tenant space less than 1,500 square feet.
   - The required store operation size and the businesses commitment to operating a business for many years, justifies this request.

BACKGROUND INFORMATION

A) Previous Actions

10/17/84 The City Council approved a Rezoning (Z-70-84) to C-1 Limited Commercial) on this site. The Planning Commission and staff recommended approval on September 25, 1984.

06/20/01 The City Council approved a Special Use Permit (U-0049-01) and a Waiver of the minimum 400-foot separation from an existing child-care facility to allow packaged liquor sales in conjunction with a grocery store. The Planning Commission and staff recommended approval on May 10, 2001.

BTS

08/26/04 The Planning Commission denied a Special Use Permit (SUP-4845) for a Financial Institution, specified with a separation of 50 feet where 200 is required from a residential property, a separation of zero feet where 1,000 feet is required from a similar use and an interior building space of 54 square where 1,500 square feet is the minimum required. The case was not appealed to the City Council.

B) Pre-Application Meeting

12/01/04 The following was discussed at the pre-application meeting:

- Within 1,000 feet of similar uses
- Within 200 feet of residential property
- Tenant space is less than 1,500 square feet
- Requires a Waiver for conditions 6 and 7
- Within 500 feet of the county, which results in a PRS

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres:	3.85

B) Existing Land Use

Subject Property:	Retail Commercial Center
North:	Retail Commercial Center
South:	Retail Commercial Center
East:	Undeveloped and Commercial
West:	Single Family Residential

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	M (Industrial)/SC (Service Commercial)
South:	SC (Service Commercial)
East:	Unincorporated Clark County
West:	R (Rural Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-1 (Limited Commercial)
East:	Unincorporated Clark County
West:	R-E (Residence Estates)

E) General Plan Compliance

This site is designated SC (Service Commercial) on the Southeast Sector Map of the General Plan. The existing C-1 (Limited Commercial) Zoning is in conformance with the General Plan.

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

INTERAGENCY ISSUES

1) Any Special Use Permit 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) With respect to the wastewater collection system, this project will have minimal impacts.

2) Flood Control has no comment and does not require a drainage study for this project.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

This use will be located within an approved retail commercial center and will not require additional parking.

BTS

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Financial Institution, Specified	200 feet from any parcel used or zoned for residential use	50 feet from single family residential to the west
	1,000 feet from any other specified financial institution, auto tile loan or auto pawn use	Adjacent to a similar use (check cashing and auto tile loans)/with 4 other similar uses within the 1,000 foot distance separation

The proposed Financial Institution, Specified use does not meet the minimum distance separation requirements from three residential properties and similar uses.

A3) Financial Institution, Specified Building Size

Standards	Code Requirement	Provided
Financial Institution, Specified	The building or portion thereof that is dedicated to the use shall have a minimum size of 1,500 square feet.	1,002.25 square feet

At 1,002.25 square feet, the proposed Financial Institution, Specified does not meet the minimum 1,500 square-foot space size requirement.

B) General Analysis and Discussion

- Zoning

The Financial Institution, Specified use is permitted in C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit, subject to meeting certain requirements.

- Use

  The proposed Financial Institution, Specified will be located in a tenant space located in an approved retail commercial building. The use is subject to operational standards as listed under conditions below.

- Conditions

  Title 19.04.050 lists the following conditions for a Financial Institution, Specified use, adopted by City Council 04/21/04.

  1. The use shall comply with all applicable requirements of Las Vegas Municipal Code Title 6.

  2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

  3. No temporary signs (as described in Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

  4. Window signs shall not:
     a. Cover more than twenty percent (20%) of the area of all exterior windows;
     b. Include flashing lights or neon lighting; or
     c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

  5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

  6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

  7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to lines of fee interest parcels and not leasehold parcels.

BTS

The proposed Financial Institution, Specified fails to comply with recently adopted conditions 6 and 7 of Title 19.04 regarding minimum space size and minimum separation distances. The proposed use will occupy a 1,002.25 square foot area within the existing market that is considerably smaller that 1,500 square feet required. The use is also located within the 200-foot minimum separation distances from residential properties to the west and within 1,000 feet of 4 similar uses (check cashing, auto title loan, installment loan). Since there is no compelling reason to justify the deviation from standards the recommendation for this request is denial.

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 land use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan due to noncompliance of the use in terms of space size requirements and minimum distance separation requirements. Therefore, the recommendation for this request is denial.

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

   The subject tenant space is inadequate as set forth by Bill No. 2003-78, adopted April 21, 2004, which requires a minimum of 1,500 square feet of interior space, to provide sufficient customer waiting areas, customer queuing, and transaction space for a Financial Institution, Specified. Therefore, a waiver from the minimum interior space requirement is required for approval. The existing parking area is adequate to accommodate 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."**

   Access is provided via a drive from Nellis Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The street facilities are adequate in size to meet the requirements of the proposed use.

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 Financial Institution, Specified use will be subject to City inspections and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

NOTICES MAILED 120

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP 5871 APN: 146-29-802-003

Name of Property Owner: 1993 MIGUEL FAMILY TRUST

Name of Applicant: _____

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

_____ Yes ___X___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Mark Holten

Print Name: MARK HOLTEN

Subscribed and sworn before me

This 23 day of December, 2004

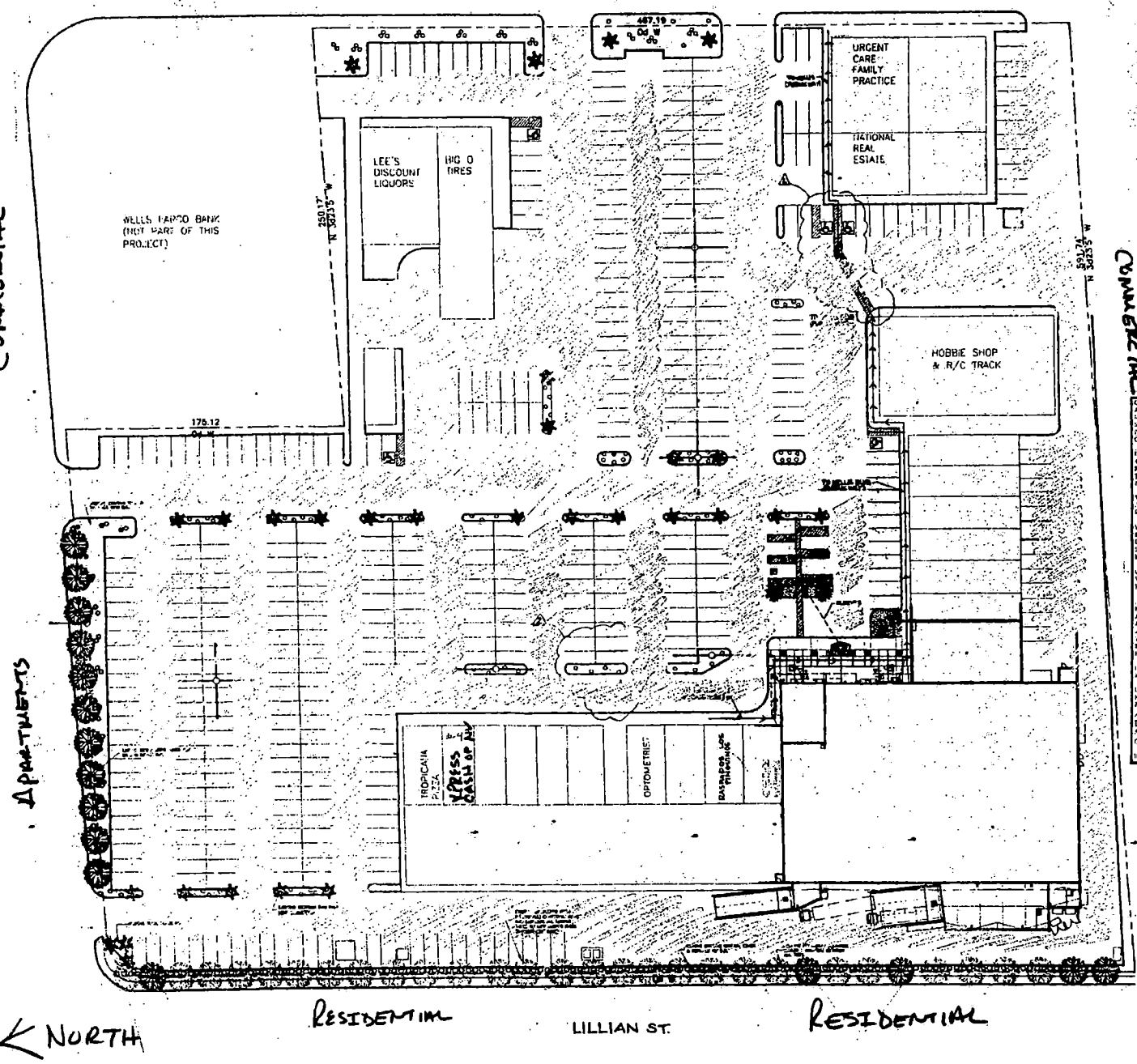
Jewel M. Andrus

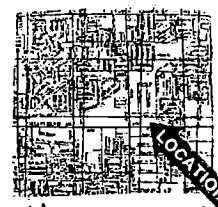
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JEWEL M. ANDRUS
My Appointment Expires
No: 92-0072-1 October 20, 2008

COMMERCIAL

765 N NELLIS BLVD #9





VICINITY MAP

CODE ANALYSIS (PROJECT DATA)

A.P.N.	140-29-602-009
ACREAGE	5.86 ACRES
BUILDING	1000 SF
ZONING	C-1
BUILDING CODES	UBC 1997, UPC, UMC, NEC, NFPA
BUILDING DEPARTMENT	CITY OF LAS VEGAS
SEISMIC ZONE	2B
OCCUPANCY TYPE	B
OCC. LOAD FOR OFFICE AREA	100 @ 2000 SF = 100
OCC. LOAD FOR KITCHEN AREA	100 @ 500 SF = 2.0
OCC. LOAD FOR PAINTING AREA	5 @ 2500 SF = 11.47
OCC. LOAD FOR RESTROOMS	0 @ 818 SF = 0.00
TOTAL OCCUPANCY LOAD =	223
CONSTRUCTION TYPE	V-N
FIRE SPRINKLERS	YES
BUILDING HEIGHT	25'
DESCRIPTION OF USE	FOR TAKE OUT ONLY

COMPLY WITH ALL REQUIREMENTS OF THE UNIFORM BUILDING CODE AND THE ANSI A-117.1 SEA. ACCESSIBILITY FOR THE DISABLED AND SAFETY ALL STATE AND FEDERAL REQUIREMENTS. THE FOLLOWING ARE SOME BUT NOT ALL REQUIREMENTS. IT IS THE RESPONSIBILITY OF THE PERMIT HOLDER TO UNDERSTAND AND COMPLY WITH ALL ADOPTED CODES AND ORDINANCES.

INACCESSIBLE BUILDING ENTRANCES, INACCESSIBLE PUBLIC TOILETS AND BATHING FACILITIES AND ELEVATORS AND OF AN ACCESSIBLE ROUTE SHALL BE PROVIDED WITH DIRECTIONAL SIGNAGE INDICATING THE ROUTE TO THE NEARER SIMILAR ACCESSIBLE ELEMENT. SECTION 1103.2.8 1997 UBC.

WHERE MORE THAN ONE BUILDING OR FACILITY IS SITUATED ON SITE ACCESSIBLE ROUTES SHALL BE PROVIDED CONNECTING ACCESSIBLE BUILDINGS AND ACCESSIBLE SITE FACILITIES. SECTION 1103.2.1 1997 UBC.

WHERE MORE THAN 1 EXIT IS REQUIRED FROM ANY ACCESSIBLE SPACE EACH ACCESSIBLE PORTION OF THE SPACE SHALL BE SERVED BY NOT LESS THAN TWO ACCESSIBLE MEANS OF EGRESS. HANDICAP EXIT SIGNAGE SHALL CLEARLY INDICATE THE PATH OF EXIT TRAVEL IF ARE NOT ACCESSIBLE

CURB RAMPS AT HANDICAP PARKING SHALL BE PLACED SUCH THAT VEHICLE OVERHANG WILL NOT IMPEDE PEDESTRIAN TRAFFIC WITHIN THE HANDICAP ACCESS ROUTES

ALL ACCESSIBLE PARKING SPACES SHALL BE LOCATED ON THE SHORTEST POSSIBLE ACCESSIBLE ROUTE FROM ADJACENT PARKING TO AN ACCESSIBLE BUILDING ENTRANCE. IN FACILITIES WITH MULTIPLE ACCESSIBLE BUILDING ENTRANCES WITH UNRELATED PARKING ACCESSIBLE PARKING SPACES SHALL BE DISPERSED AND LOCATED NEAR THE ACCESSIBLE ENTRANCES.

EXCEPTION: IN MULTIPLE PARKING STRUCTURES, ACCESSIBLE VAN PARKING SPACES MAY BE LOCATED ON ONE LEVEL.

HANDICAP RAMP SLOPES ARE NOT TO EXCEED 8% RUNNING SLOPE AND 2% CROSS SLOPE

STRUCTURE OF PROVISION(S) FIND 1 — DATE 6/6/02

BUILDING INSPECTOR MUST VERIFY THE EXISTENCE AND COMPLIANCE PRIOR

A. HANDICAPPED ACCESSIBLE PARKING, ACCESS AISLES AND SIGNAGE

B. ACCESSIBLE PATHWAY WITH COMPLIANT SLOPES TO THE PUBLIC WAY AND

C. ACCESSIBLE RESTROOMS

IF ONE ACCESSIBLE ELEMENT IS NOT PROVIDED THEN ALL ACCESSIBLE ELEMENTS MUST BE PROVIDED

ARCHITECTURAL SITE PLANS APPROVED FOR HANDICAP ASPECTS ONLY.

RECEIVED
JAN 04 2002
CITY OF LAS VEGAS PLANNING

PLANS APPROVED
ARCHITECTURAL
Building & Safety Dept.
City of Las Vegas
BY: JUN 06 2002

CLV

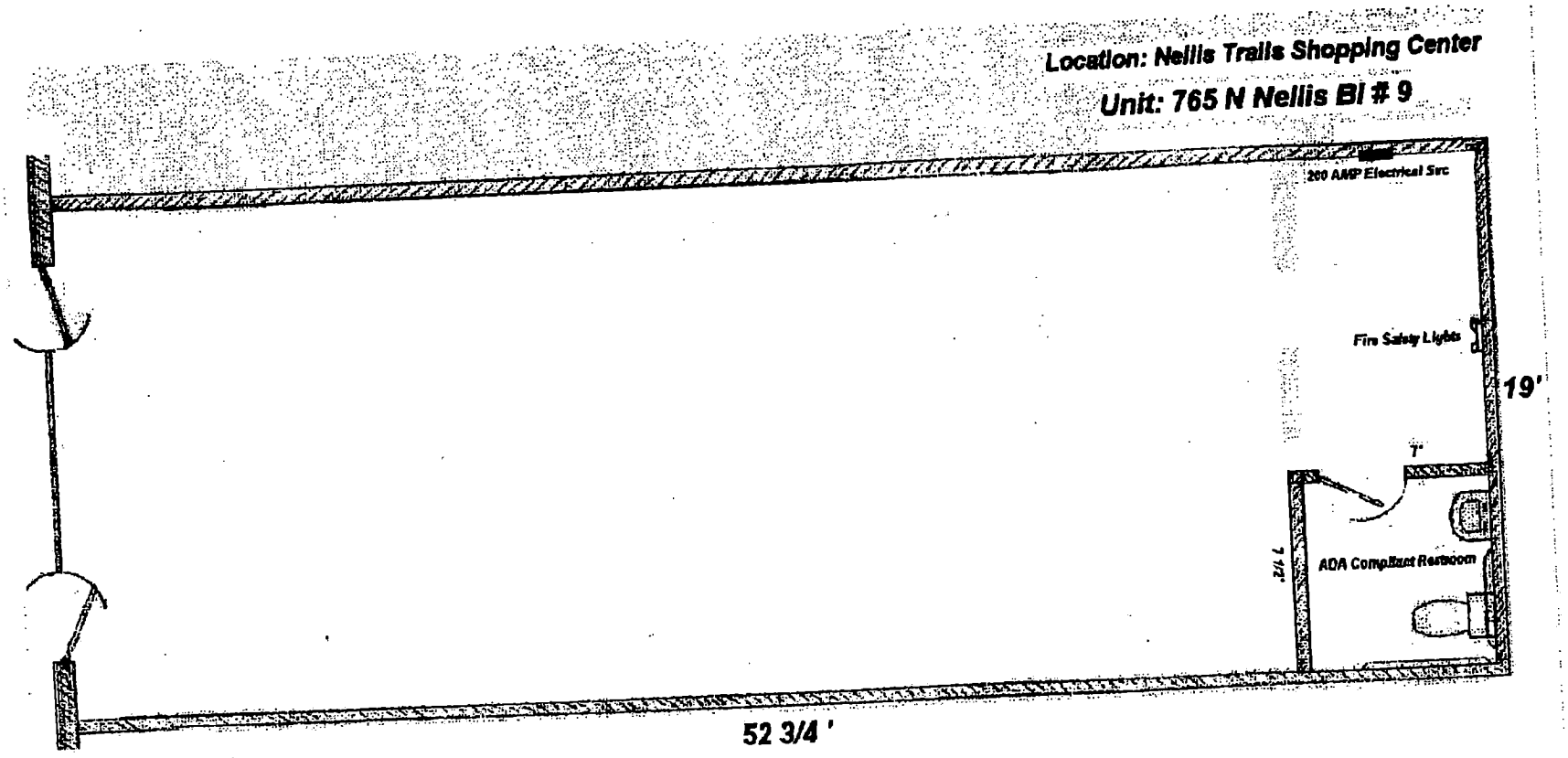
SITE PLAN
RASRADOS LOS PINGUINOS
765 N. NELLIS, SUITE 9
LAS VEGAS, NV

DATE: 12/19/02
JOB: 05-21
SHT: 01-15

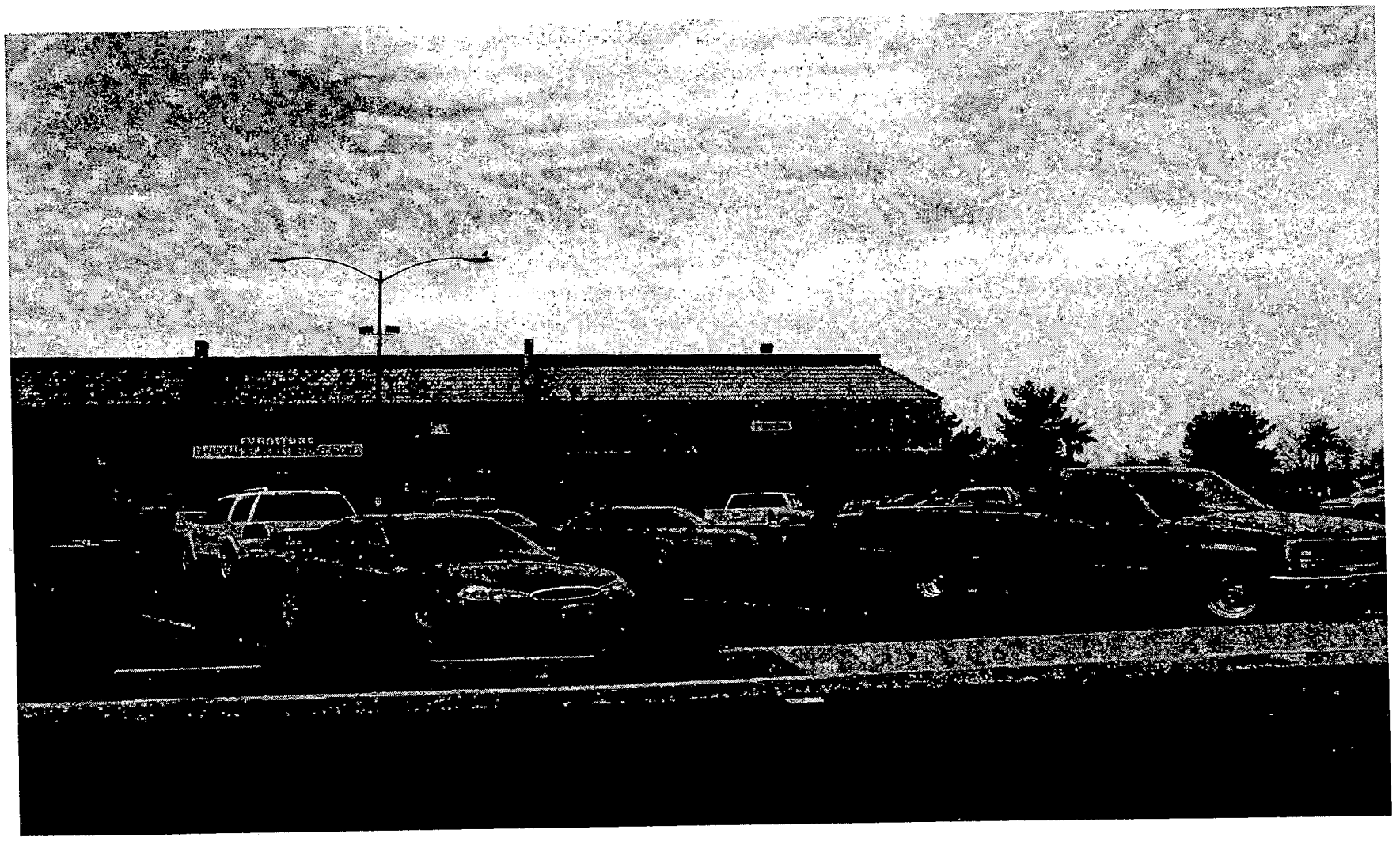
A1

SHEET 1 OF 2

SUP-5871
02-10-05 PC



SUP-5871
02-10-05 PC



SUP-5871 - APPLICANT/OWNER: WILLIAM P. MIGUEL, ET AL
765 NORTH NELLIS BOULEVARD #9
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

Xpress Cash Financial Services of Nevada, LLC

dba *Money*

December 22, 2004

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

Re: Application for Deferred Payment Services license
765 N. Nellis, Suite 9, Las Vegas, 89110

Dear Sir,

Xpress Cash Financial Services of Nevada, LLC respectfully submits the following facts in support of its request for variance approval:

Variance: 200 Foot Separation from Residential Zoned Property

We believe a variance to the 200 foot separation rule is justified because:

a) A beautifully landscaped perimeter wall separates the shopping center from the residential community. This wall and the incorporated landscaping create a soft "buffer" between the residents and the shopping center (see picture Exhibit A).
b) Adjacent to this landscaped "buffer" area is a two lane city street (with shoulders) separating the shopping center from the residential community (see picture Exhibit A).
c) On the residential side of the street, the community has created its own landscaped "buffer" (see picture Exhibit A). And, on the northwest side of the street, the community is surrounded by its own perimeter wall

The combination of walls, "buffer" areas and the city street separating the shopping center from the community are ample justification for the requested variance.

Variance: 1,000 Foot Separation of Similar Uses (businesses).

If the separation were measured from storefront to storefront Ready Money would meet this requirement. We are well beyond the 1,000 foot separation requirement from the nearest "similar" use business (Check City).

We believe the 1,000 Ft separation from other/like financial institutions should be waived because;

a) The Nellis Trails Shopping Center is isolated from all other business on N. Nellis Blvd and the adjacent cross streets. The center is configured in a "U" shaped with the anchor tenant Ranch Market and the proposed Ready Money space set-back 300 feet from the street (see Site Plan). This center shape and the setback create a cocoon/self contained environment. It is a major inconvenience for shoppers in this center to be required to drive to the nearest *payday loan* provider.

b) The Nellis Trails Shopping Center caters to a Spanish speaking clientele. Ready Money has designed a store and store staff that will meet the language and cultural needs of this clientele. Other businesses in the area do not seem to have a strong Hispanic emphasis.

c) Ready Money is distinctly different than the "similar" businesses listed by the City of Las Vegas

   a. Ready Money offers one service, Deferred Payment Services (payday loans). We issue the advance in the form of a check; consequently, minimum amounts of cash are kept on hand in the store.
   b. The Ranch Market grocery store cashes checks, facilitates wire transfers and issues and/or cashes money orders (see picture Exhibit B). They do not offer payday loans or other loans.
   c. Golden Loan is a "Payday Loan Alternative" as evidenced by their store signage (see picture Exhibit C).
   d. The Wells Fargo Financial Center serves a customer who does not need a payday loan (see picture Exhibit D).
   e. The Check City store does provide a similar service however it is evident that this store is not convenient to the Nellis Trails Shopping Center customer and requires an unnecessary "drive and park" effort to obtain this service.

The Nellis Trails Center customer is currently under-served and Ready Money offers a sound remedy.

Variance: Tenant Space Less Than 1,500 Square Feet.

The proposed Ready Money space is 1,000 square feet.

a) It is our understanding that the current ordinance was written to prevent "loan kiosks" from popping-up all over the city. We support this notion.
b) Typical shopping center space is offered in 1,000 square foot increments.
c) Ready Money requires 800 to 1,000 square feet to conduct business.
d) Ready money has signed a multi year lease with options to extend that lease by another 10 years. We are committed to building a business and serving the community for a long time.

The size of the space we have leased should not be an issue in this case.

Xpress Cash Financial Services of Nevada, LLC currently operates four (4) Ready Money stores in the greater Las Vegas area. We treat our customers, employees and the community with the greatest respect. Ready Money welcomes the opportunity to discuss our plans with the Las Vegas Planning and Development Department, the Planning Commission and the City Council.

Respectfully,

Vincent A. Lambiase
For Ready Money

512 327-7704
vince@lambiase.net

City of Las Vegas

Agenda Item No.: 53

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
SUP-5895 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LAGUNA RESTAURANTS, LLC. - OWNER: SEA BREEZE VILLAGE, LLC. - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR at 1750 N. Buffalo Drive (APN 138-22-418-008), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

C.C.: 03/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
STEINMAN – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/16/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning & Development Department, gave a brief overview of the application. The center has multiple uses and this would not negatively impact the area.

There was no applicant present.

DEPUTY CITY ATTORNEY BRYAN SCOTT explained that the Nevada Revised Statutes provide that if an applicant is agreeable to the conditions of an application, the City cannot be sued in the future over any situation resulting from the conditions. He told the Commission that

MINUTES – Continued:
they could pass the item if that was desired and hopefully, the applicant would be present at the City Council Meeting and can verbally agree to the conditions at that time.

(10:37 – 10:40)

3-3110

CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.

2. Conformance to all applicable requirements of Site Development Plan Review Z-0097-90(5)] and Floor Plans date stamped January 25, 2005.

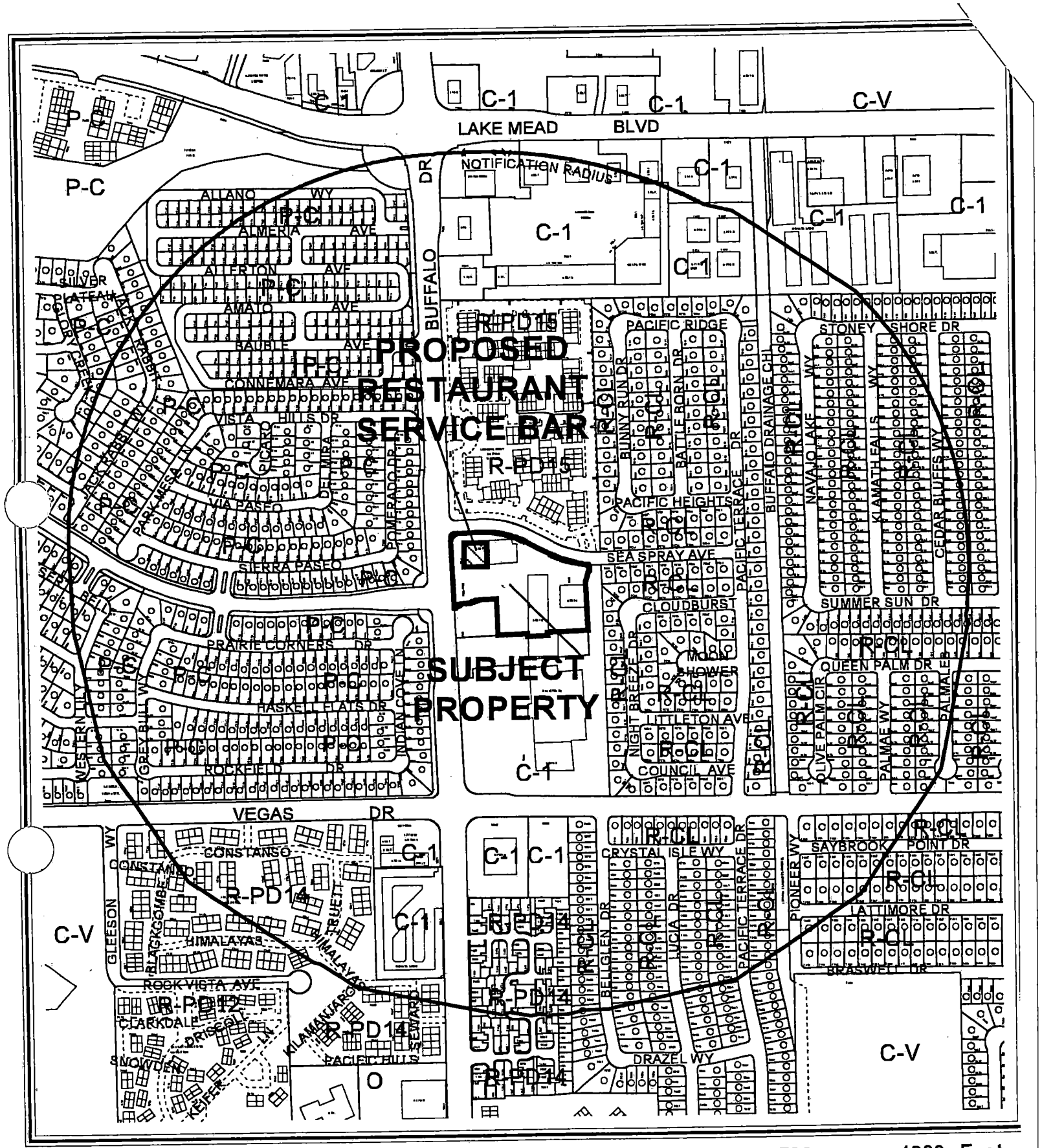
3. This Special Use Permit shall expire one years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. The on-site sale of alcoholic beverages shall be limited to the sale of beer and wine only.

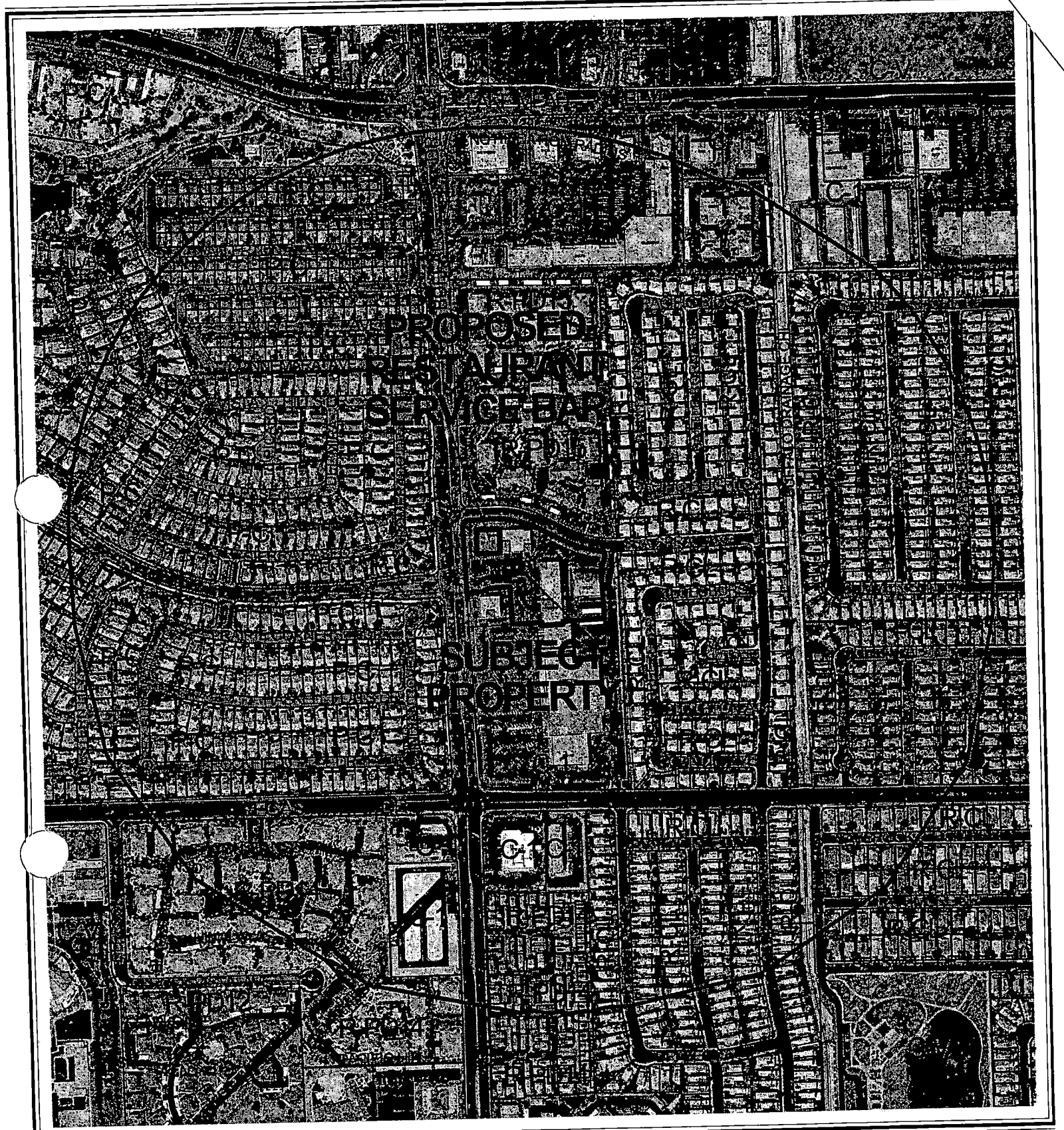
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: **SUP-5895**

RADIUS: 1500 FT

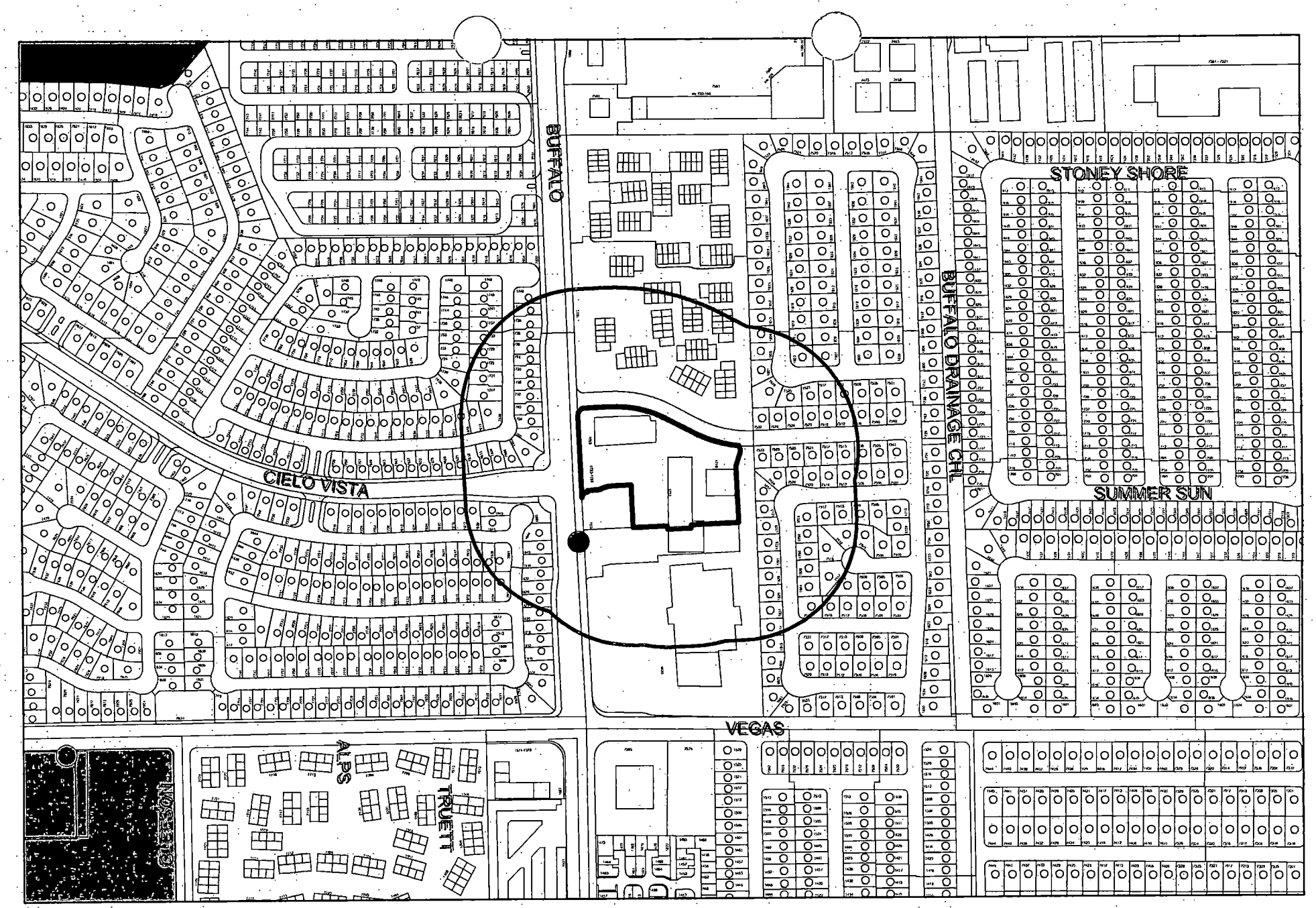
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-5895**

RADIUS: 1500 FT

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



SUP-5895

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

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

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5895 – APPLICANT: LAGUNA RESTAURANTS, LLC – OWNER: SEA BREEZE VILLAGE, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.

2. Conformance to all applicable requirements of Site Development Plan Review Z-0097-90(5)] and Floor Plans date stamped January 25, 2005.

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

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The on-site sale of alcoholic beverages shall be limited to the sale of beer and wine only.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit to allow a proposed Restaurant Service Bar on property located at 1750 N. Buffalo Drive. The Restaurant Service Bar will be in conjunction with a 5,850 square-foot Coco's Restaurant, which already exists on this site. This special use permit will result in an internal remodeling of the building, as no expansion will take place.

B) Applicant's Justification

The applicant has justified the request by stating: "Coco's Restaurant and Bakery believes the opportunity to provide beer and wine to patrons will significantly enhance Coco's business and reputation, make it competitive with other restaurants in the area and reduce the number of patrons that choose to leave because of the unavailability of beer and wine with their meals."

BACKGROUND INFORMATION

A) Previous Actions

06/16/93	The City Council approved a Rezoning (Z-0097-90) from N-U (Non-Urban) to C-1 (Limited Commercial) on this site as part of a larger request. The Planning Commission recommended approval.
03/09/98	The City Council approved a Site Development Plan Review [Z-0097-90(5)] for a 142,352 square-foot retail center on the subject site as part of a larger request. The City Council approved a Special Use Permit (U-0138-97) to allow packaged liquor sales in conjunction with a proposed drug store. The Planning Commission recommended approval of these applications.
03/23/98	The City Council approved a Special Use Permit (U-0012-98) for a Liquor Establishment (Off-premise Consumption - Package Liquor) in conjunction with a proposed grocery store. The Planning Commission recommended approval.

12/18/02 The City Council approved a Special Use Permit (U-0041-02) for a Tavern within the commercial retail center on this site. The Planning Commission recommended approval of this request on November 21, 2003. Planning and Development staff recommended approval of this request.

01/22/03 The City Council approved a Variance (V-0054-02) to allow 652 Parking Spaces where 729 Parking Spaces are required for the commercial retail center. The Planning Commission recommended approval of this request on December 19, 2002. Planning Commission and staff recommended denial of this request.

01/21/04 The City Council approved a Required One-Year Review of an approved Variance (V-0054-02) to allow 652 parking spaces where 729 spaces are required on this property. Planning Commission and staff recommended approval of this request.

B) Pre-Application Meeting

11/09/04 Submission requirements for a Special Use Permit Request were discussed at the meeting.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.81

B) Existing Land Use

Subject Property:	Restaurant and Shops
North:	Condominium Development
South:	Tavern, Shops, Gas Station
East:	Single Family Homes
West:	Single Family Homes

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-PD 15 (Residential Planned Development-15 Units /Acre)
South:	C-1 (Limited Commercial)
East:	R-CL (Single-Family-Compact Lot Residential)
West:	P-C (Planned Community)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The SC (Service Commercial) land use category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons. The proposed Special Use Permit is not directly related to any General Plan policies.

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

There are no Special Districts/Zones which affect the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Restaurant w/ Service Bar	5,850 SF.	1 space/50 s.f. public area, + 1 space /200 s.f. of remaining g.f.a.	48	2	652	13

The proposal exceeds the parking requirement Title 19.10. There is an adequate number of parking spaces associated directly with the existing restaurant, and the Buffalo/Sea Spray Shopping Center, of which the subject restaurant is a part, provides shared parking for it's tenants. It should be noted that a Restaurant Service Bar is not required to add any more parking spaces than if this business were to remain as a restaurant without an alcohol-related component.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Synagogue, Church	400 Feet separation	Yes
School	400 Feet separation	Yes
Child Care Facility	400 Feet separation	Yes
City Park	400 Feet separation	Yes

The proposal meets the separation requirements for protected uses of the code.

Pursuant to Title 19.08.045.G.4, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Trash Enclosure	Away from street and enclosed by walls (see below)	Yes

The proposal meets the Trash Enclosure requirements of the code.

B) General Analysis and Discussion

- Zoning

  The subject property is zoned C-1 (Limited Commercial), which allows a Restaurant Service Bar with approval of a Special Use Permit.

- Use

  Pursuant to Title 19.04.050, Restaurant Service Bars must to be a minimum of 400 feet from any church, synagogue, school, childcare facility, or city park. These requirements are met.

  Also, there is an existing Tavern use at another business in this shopping center and is a more intense alcohol-related use than the proposed Restaurant Service Bar. Also, a grocery store and a drug store in the subject shopping center are approved for package liquor sales. With these Tavern and liquor-use precedents, and with no record of code enforcement problems, the proposed
  Restaurant Service Bar can be operated in a manner that is harmonious and compatible with the development in the area.

- Conditions

  This restaurant service bar shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code. Condition of Approval number 6 reflects this requirement.

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."**

   An approved Tavern use is located 305 feet southeast of this proposal, and has operated without incident. As the subject Restaurant Service Bar is a less intensive alcohol-related use, the proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses or those projected by the General Plan.

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

   The subject site is physically suitable for a Restaurant Service Bar.

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."**

   Vehicular access to the site will utilize Buffalo Drive, a Primary Arterial (100-foot) on the Master Plan of Streets and Highways. This Right-of-Way will be adequate for traffic generated by the proposed Restaurant Service Bar.

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

   The proposed use will be subject to periodic inspections by the health department, therefore, this use should not compromise the health safety, or welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 1,390

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5895 APN: 138-22-418-008

Name of Property Owner: Sea Breeze Village, LLC

Name of Applicant: Laguna Restaurants, LLC (Vince Eupierre- Manager)

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: _____

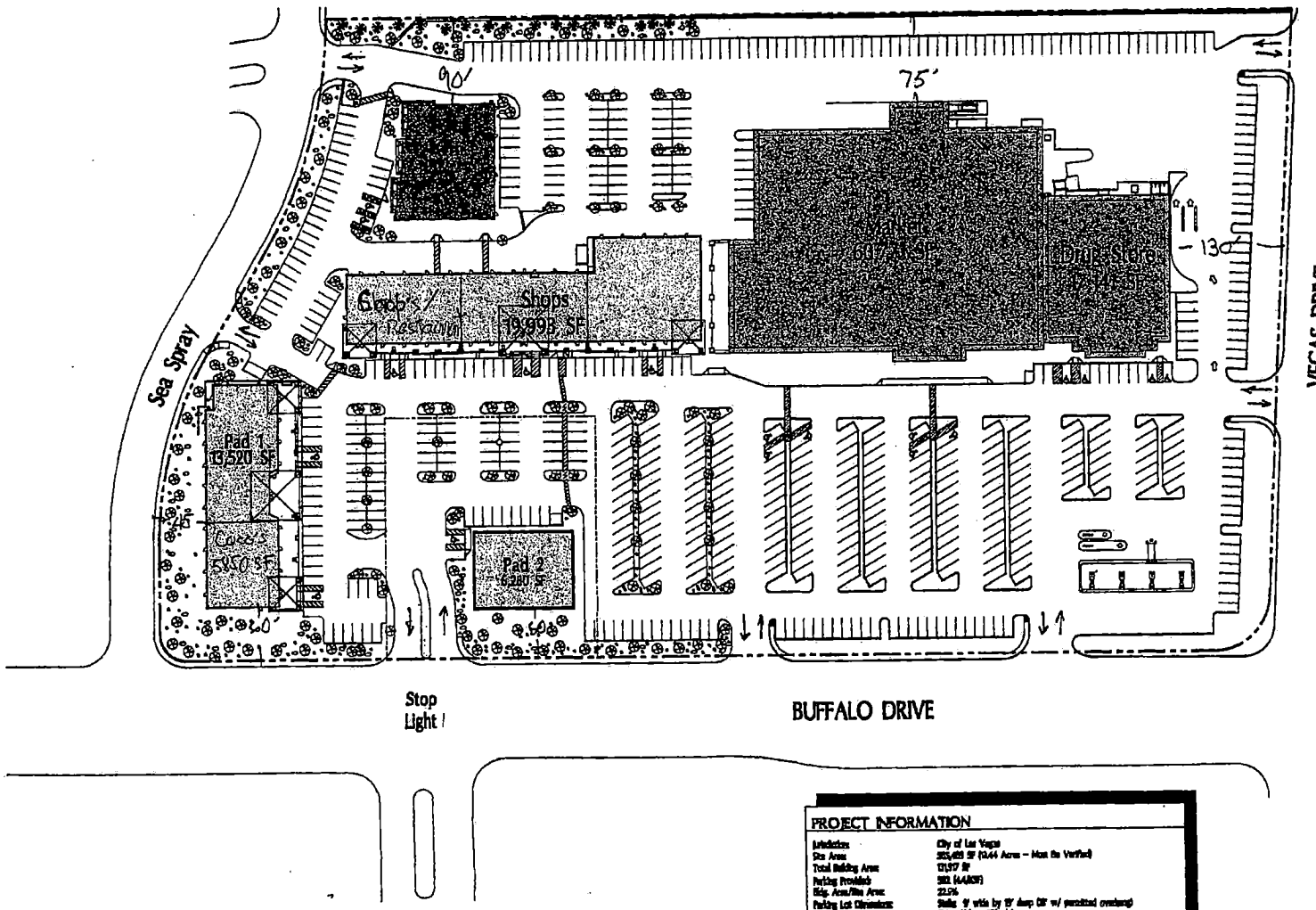
Print Name: RICHARD GORDON
EXECUTIVE VICE PRESIDENT

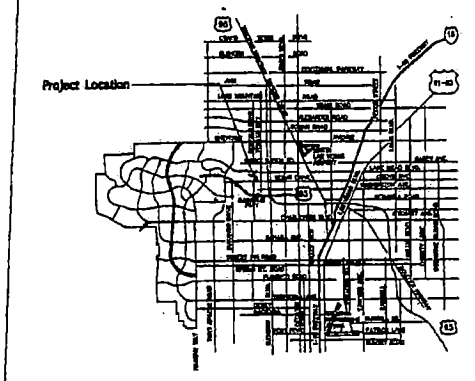
Subscribed and sworn before me

This 29 day of Nov., 2004

_____
Notary Public in and for said County and State

LAURA GROSETH
Notary Public State of Nevada
No. 98-3646-1
My appt. exp July 1, 2006





Vicinity Map

PROJECT INFORMATION

Jurisdiction	City of Las Vegas
Site Area	353,488 SF (8.44 Acres – Must Be Verified)
Total Building Area	17,177 SF
Parking Provided	203 (4.4/KSF)
Bldg. Area/Site Area	22.5%
Parking Lot Dimensions	Stalls 9' wide by 19' deep OR w/ permitted overhang Drive Aisles 23' minimum

LANDSCAPING LEGEND

Qty.	Botanical / Common Name
	24" Box
	24" Box
	24" Box
	24" Box
	5 Gallon

Plants shown to be removed to decomposed granite or other approved surface.

PRELIMINARY SITE/LANDSCAPE PLAN

Great American Capital • Buffalo/Sea Spray Shopping Center

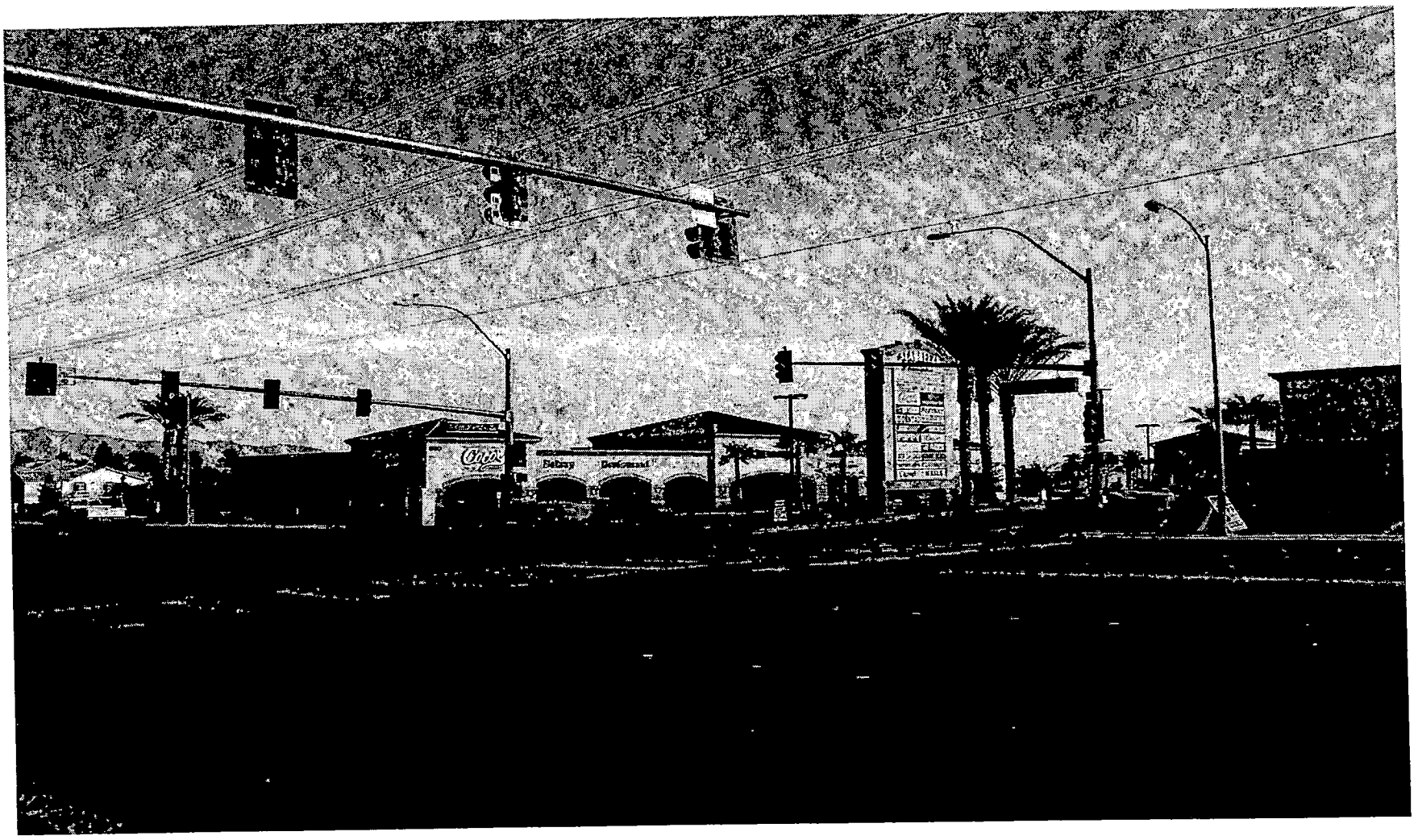
SUP-5895
02-10-05 PC

JAN 26 2005



SUP-5895 - APPLICANT: LAGUNA RESTAURANTS, LLC. - OWNER: SEA BREEZE VILLAGE, LLC.
1750 N. BUFFALO DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SUP-5895 - APPLICANT: LAGUNA RESTAURANTS, LLC. - OWNER: SEA BREEZE VILLAGE, LLC.
1750 N. BUFFALO DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

HALE LANE

ATTORNEYS AT LAW

2300 West Sahara Avenue | Eighth Floor | Box 8 | Las Vegas, Nevada 89102
Telephone (702) 222-2500 | Facsimile (702) 365-6940
Website:http://www.halelane.com

November 30, 2004

Edward Everett Hale
(1929-1993)
Steve Lane
J. Stephen Peek
Karen D. Dennison
R. Craig Howard
Stephen V. Novacek
Richard L. Elmore
Richard Bennett
Alex J. Flangas
Kristin B. McMillan
James L. Kelly
Kelly Testolin
N. Patrick Flanagan
Matthew E. Woodhead
Michelle D. Mullins
Roger W. Jeppson
Lance C. Earl
Jeremy J. Nork
David A. Garcia
Fred D. Gibson, III
Elissa F. Cadish
Pauline Ng Lee
Timothy A. Lukas
Frederick J. Schmidt
James Newman
David G. LeGrand
Julia S. Gold
Torry R. Somers
Patrick J. Reilly
Scott D. Fleming
Darci M. Poloni
Jerry M. Snyder
Brent C. Eckersley
Frederick R. Battcher
Patricia C. Halstead
Matthew B. Hippler
Brad M. Johnston
Bryce K. Kunimoto
Douglas C. Flowers
Justin C. Jones
Alexis G. Michaud
Natalie M. Edwards
Samuel G. Bateman*
Angela M. LeDuc

Of Counsel

Andrew Pearl
Roy Farrow

*Licensed in Utah only

Via Hand Delivery

Clark County Development
Services Department
500 South Grand Central Parkway
P.O. Box 551810
Las Vegas, Nevada 89155-1810

Re: Application for Special Use Permit – Laguna Restaurants, LLC
d/b/a Coco's Restaurant & Bakery #6047

To Whom It May Concern:

Laguna Restaurants, LLC, d/b/a Coco's Restaurant & Bakery #6047 is located Sea Breeze Village, 1750 N. Buffalo Drive, Las Vegas, Nevada 89128. Sea Breeze Village is a retail shopping area located on Buffalo Drive between Vegas Drive and Sea Spray. This location requires a special use permit due to the possibility that the location is within 200 feet of residential use. Coco's is a full service restaurant with seating for fifty or more persons and would like to apply for a retail beer and wine license.

Coco's Restaurant & Bakery is open from 6:30 a.m. to 10:00 p.m. and believes the opportunity to provide beer and wine to patrons will significantly enhance Coco's business and reputation, make it competitive with other restaurants in the area and reduce the number of patrons that choose to leave because of the unavailabity of beer or wine with their meals.

We appreciate your consideration of this request. Please do not hesitate to contact me directly at 222-2560, if you require further information.

Sincerely,

Steve Lane, Esq.

SL/mw

SUP-5895

City of Las Vegas

Agenda Item No.: 54

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
SDR-5835 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: KAREN M. BAILEY AND THOMAS PRATO - Request for a Site Development Plan Review FOR 1,710 SQUARE FEET OF PROPOSED PAINT BOOTHS ASSOCIATED WITH AN EXISTING MANUFACTURING/WAREHOUSE FACILITY AND WAIVERS OF PERIMETER, FOUNDATION, AND PARKING LOT LANDSCAPING REQUIREMENTS on 1.47 acres adjacent to the southwest corner of Charleston Boulevard and Commerce Street (APN 162-04-506-008), M (Industrial) Zone, Ward 1 (Tarkanian).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/16/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning & Development Department, gave a brief overview of the application. The requested paint booths would be located on the west property line and 24-inch box trees would be planted to screen the booths from the view from Charleston Boulevard.

DAVID SPRUELL, 4312 East Russell Road, appeared on behalf of the applicant and requested

MINUTES – Continued:

clarification on Condition 17, which pertained to an update to a drainage study. He questioned why the requirement was imposed since all of the paving and drawings exist. No revisions are requested and no changes were made. BART ANDERSON, Public Works, confirmed with MR. SPRUELL that the paint booths are structures that will occupy space on the ground. Because rainfall will have to channel around them, the Flood Control section requests an update to the approved drainage study. He suggested keeping the condition as is and having the applicant meet with Flood Control to discuss the situation. It would be possible for the condition to be removed at Council if Flood Control is satisfied with the situation.

THOMAS PRATO, 9220 Golden Eagle Drive, asked if the drainage study process would be a lengthy process. MR. ANDERSON explained that the day the site was reviewed by the Flood Control Division, the determination would be made. MR. PRATO was satisfied.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:40 – 10:46)

CONDITIONS:

Planning and Development

1. The paint facility shall not be used for painting of motor vehicles.

2. All development shall be in conformance with the site plan and building elevations, dated 12/15/04, except as amended by changes by these conditions.

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

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

CONDITIONS – Continued:

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

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

6. 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.

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

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

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

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

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

PLANNING COMMISSION MEETING OF FEBRUARY 10, 2005
Planning and Development Department
Item 54 – SDR-5835

CONDITIONS – Continued:

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

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

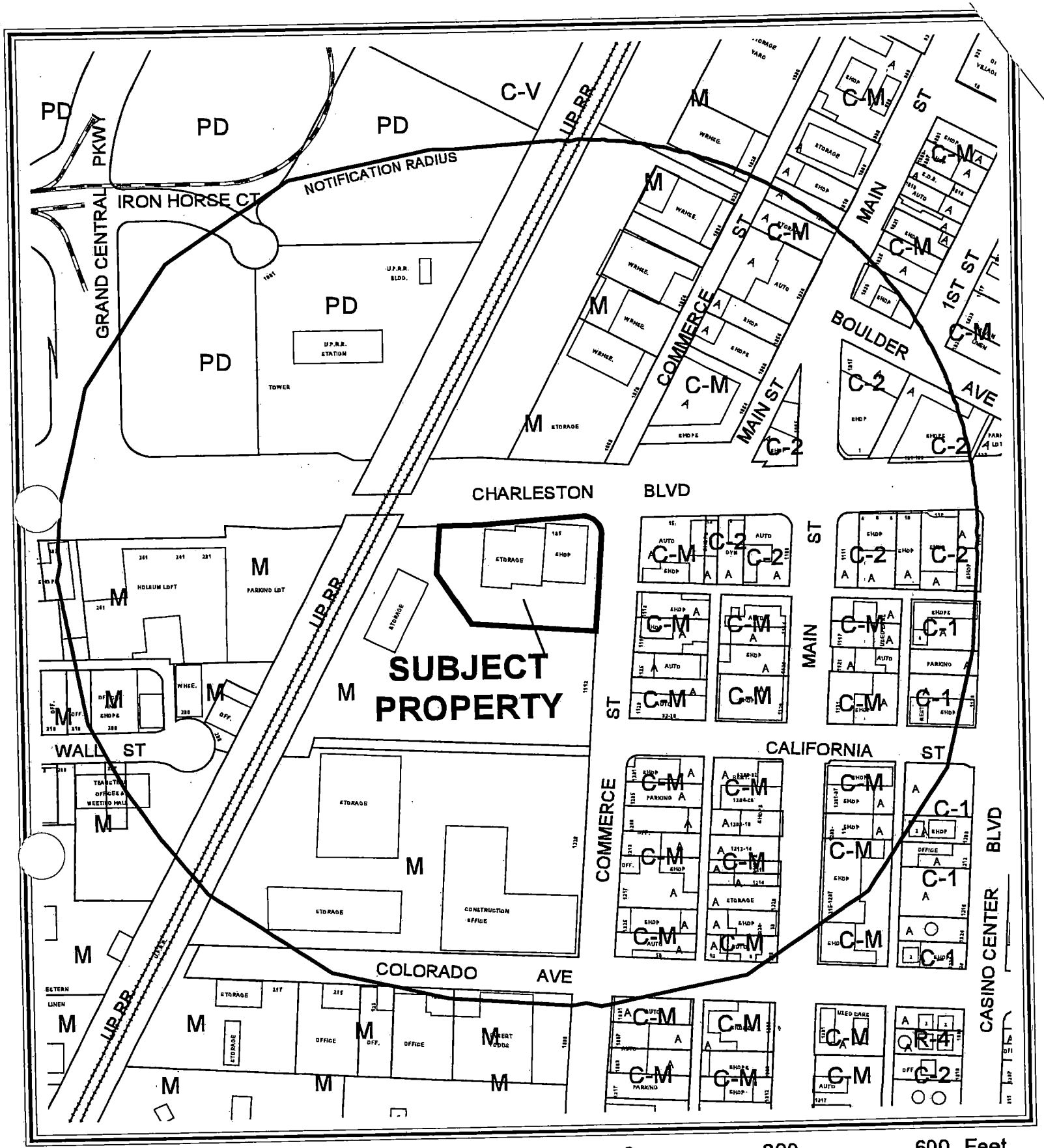
Public Works

14. Grant an appropriate Traffic Signal Chord Easement on the southwest corner of Charleston Boulevard and Commerce Street prior to the issuance of any permits for this site.

15. Remove all substandard public street improvements adjacent to this site and replace with new improvements meeting current Las Vegas Downtown Centennial City Standards prior to the issuance of any permits for this site.

16. This site has an existing City of Las Vegas Sewer Easement near the northern perimeter, no building or structures shall be allowed to encroach upon the existing sewer easement.

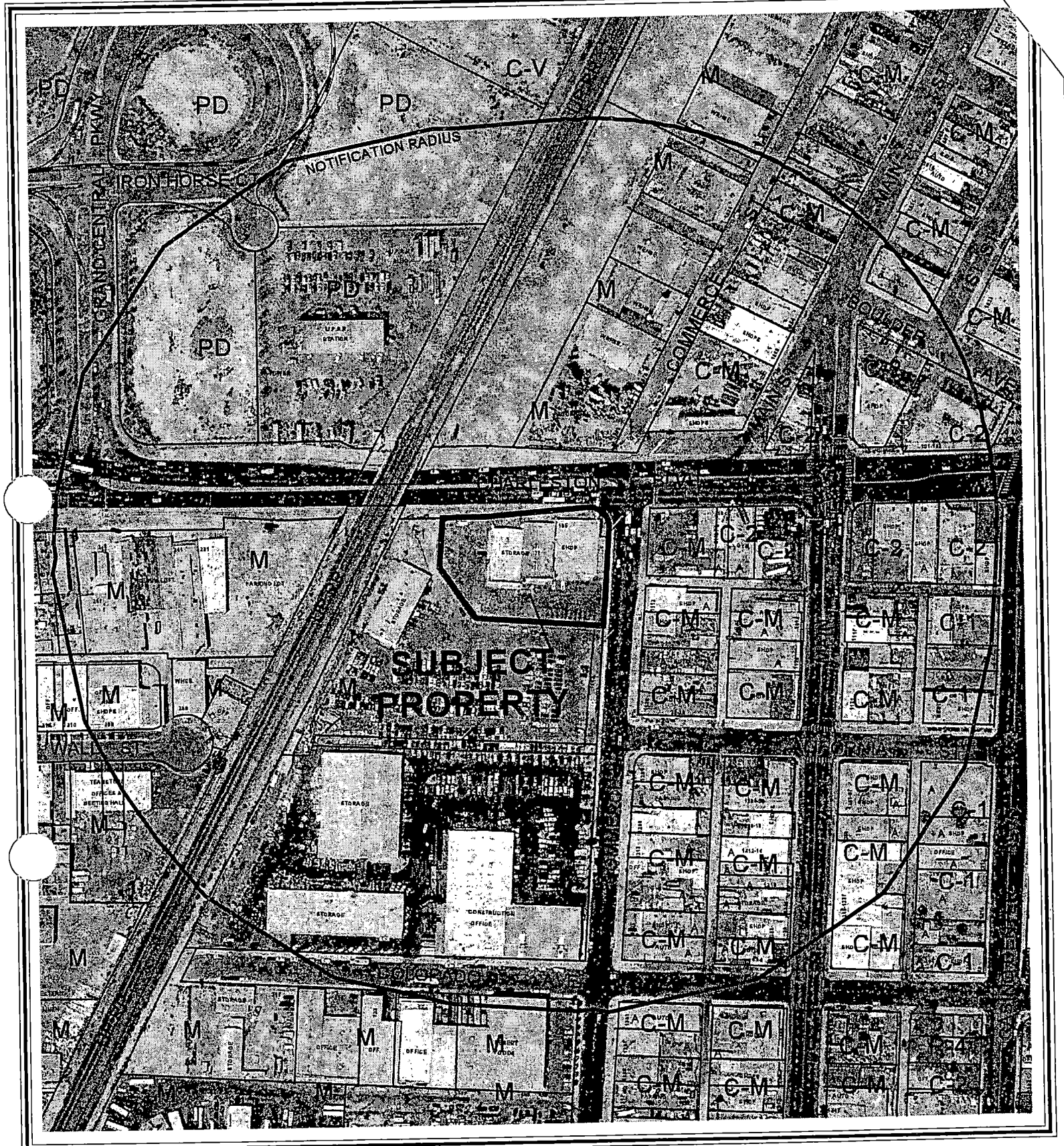
17. An update to the Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study update.



CASE: **SDR-5835**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



0 300 600 Feet

CASE: **SDR-5835**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5835 - APPLICANT/OWNER: KAREN M. BAILEY AND THOMAS PRATO

** CONDITIONS **

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

Planning and Development

1. The paint facility shall not be used for painting of motor vehicles.

2. All development shall be in conformance with the site plan and building elevations, dated 12/15/04, except as amended by changes by these conditions.

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

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

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

6. 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.

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

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

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

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

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

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

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

Public Works

14. Grant an appropriate Traffic Signal Chord Easement on the southwest corner of Charleston Boulevard and Commerce Street prior to the issuance of any permits for this site.

15. Remove all substandard public street improvements adjacent to this site and replace with new improvements meeting current Las Vegas Downtown Centennial City Standards prior to the issuance of any permits for this site.

16. This site has an existing City of Las Vegas Sewer Easement near the northern perimeter, no building or structures shall be allowed to encroach upon the existing sewer easement.

17. An update to the Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study update.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review for four proposed painting buildings, with a total of 1,710 square feet in size, on 1.47 acres to the rear of an existing commercial building adjacent to the southwest corner of Charleston Boulevard and Commerce Street. The request includes waivers of the perimeter, foundation, and parking lot landscaping requirements.

B) Applicant's Justification

Artistic Iron has been in business in Las Vegas since October of 1990. They specialize in custom ornamental ironwork. The site for the subject review has been known in recent years as Carpet Barn. The applicant purchased the location in November of 2003 and has been remodeling and doing building improvements since then. The applicant feels that the development will be an asset to the city.

BACKGROUND INFORMATION

A) Previous Actions

There are no past actions that pertain to the subject site.

B) Pre-Application Meeting

12/06/04 The following was discussed at a pre-application conference meeting with the applicant.

- The application may be eligible for administrative review
- Need number of warehouse spaces
- Include number of parking spaces
- Two paint booths and one paint storage area are proposed
- Landscape plans needed with full compliance or close to it

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.47

B) Existing Land Use

Subject Property:	Industrial use
North:	Outdoor Storage
South:	Outdoor Storage
East:	Shops
West:	Outdoor / Indoor Storage

C) Planned Land Use

Subject Property:	DTR-C (City of Las Vegas Downtown Redevelopment Plan- Commercial)
North:	DTR-C (City of Las Vegas Downtown Redevelopment Plan- Commercial)
South:	DTR-C (City of Las Vegas Downtown Redevelopment Plan- Commercial)
East:	DTR-C (City of Las Vegas Downtown Redevelopment Plan- Commercial)
West:	DTR-C (City of Las Vegas Downtown Redevelopment Plan- Commercial)

D) Existing Zoning

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

E) General Plan Compliance

The site is located within the area covered by the City of Las Vegas Downtown Redevelopment Plan, a Special Area Plan of the Southeast Sector Plan of the General Plan. The Downtown Redevelopment Plan currently designates this site as DTR-C (City of Las Vegas Downtown Redevelopment Plan- Commercial). The current zoning of M (Industrial) conforms to the DTR-C land use designation and the proposed development is consistent with the M zoning.

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

City of Las Vegas Downtown Redevelopment Plan
The Plan was prepared by the City of Las Vegas Downtown Redevelopment Agency pursuant to the Community Redevelopment Law of NRS Section 279.382 et. seq. of the State of Nevada and all applicable local laws and ordinances.

PROJECT DESCRIPTION

The project consists of four proposed structures totaling 1,710 square feet in size, located adjacent to the west side of the existing showroom / production building. The existing building is at the southwest corner of Charleston Boulevard and Commerce Street. The four structures are located between the west end of the main building and the parking area along the west property line. This area will be screened from Charleston Boulevard by a row of 24 inch box trees spaced 20 feet apart along the northern property line. The parking for the buildings will be to the south and west of the buildings. Vehicular access to the site is from Commerce Street.

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. Setbacks			
• Front	10 Feet	N/A	N/A
• Side	10 Feet	80 Feet	Y
• Corner	10 Feet	30 Feet	Y
• Rear	20 Feet	49 Feet	Y

The proposal meets the development requirements of Title 19.

A2) Residential Adjacency Standards

The Residential Adjacency Standards pursuant to Title 19.08 do not apply to the subject proposal as there are no residential uses adjacent to the subject site.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Industrial/ Warehousing	24,110 SF	1space / 1000 SF of GFA	23	1	50	2

The proposal exceeds the parking requirements of Title 19.

A4) Landscape Standards

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

Standards	**Required** Ratio	**Required** Trees	**Provided**
Parking Area	1 Trees/ 6 Spaces	9 Trees	0
Buffer:			
• Min. Trees Along Streets	1 Tree /20 Linear Feet	20 Trees	11
• Min. Trees Along Perimeter	1 Tree /30 Linear Feet	22 Trees	0
• Min. Zone Width along Streets	15 Feet		5 Feet
• Min. Zone Width along sides and rear	8 Feet		0
• Wall height	6 Feet		5 Feet

The applicant has requested waivers of perimeter, landscaping, and parking lot landscaping. The waivers can be supported as the request is limited to the addition of four detached structures at the rear of the site.

A5) Sign Standards

Insufficient information was provided by the applicant in regards to onsite signage therefore review of the signage pursuant to Title 19.14 was not possible. Evaluation of signage for the site will be conducted under a separate review at a later date.

B) General Analysis and Discussion

- Zoning

  The proposed site plan conforms to the regulations of the M (Industrial) Zoning District.

- Site Plan

  The site plan shows a total of 1,710 square feet of proposed detached structures in addition to the existing industrial building onsite. The structures will be at the rear of the existing building no closer than 49 feet from the rear property line. The structures are 30 feet from Charleston Boulevard to the north.

  Parking areas are behind and south of the proposed structures and existing building with the public parking along the south of the buildings. Vehicular access will be from one access to Commerce Street to the east. A separate application to identify signage on the site will need to be submitted by the applicant.

- Waivers

  The applicant has requested waivers of perimeter, landscaping, and parking lot landscaping. The waivers can be supported as the request is limited to the addition of four detached structures at the rear of the site.

- Landscape Plan

  The Landscape Plan shows 24 inch box trees 20 feet apart along the north property line and a five foot planter at the front of the building. Waivers of perimeter, landscaping, and parking lot landscaping has been requested by the applicant for the other areas of the site without landscaping.

- Elevation

  Photos of the existing building show a single story building with a gabled front above the entry doors and parapets along the other elevations. A service door is at the rear and display windows on the other sides of the exteriors.

  The elevations of the proposed painting structures show the typical details of this type of use. The existing building and the proposed structures are compatible to the existing development around the site.

- Floor Plan

  The floor plan shows interior design typical to this type of use.

FINDINGS

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

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

   The proposed development will be compatible with commercial and industrial development in the neighborhood.

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

   The proposed development is consistent with the General Plan. With approval of the waivers of the landscape standards the proposal will conform to Title 19 and the Landscape, Wall and Buffer Standards.

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

   The subject site has access to Commerce Street, which will be adequate to meet the requirements of the proposed development. The site is adjacent to Charleston Boulevard, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways.

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

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

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

   The building elevations are typical of industrial businesses in this vicinity and will be compatible with surrounding development.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 69

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5835 APN: 162-04-506-008

Name of Property Owner: Karen M. Bailey + Thomas Prato Trust

Name of Applicant: _____

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

_____ Yes _X_ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: /Karen M Bailey/

Print Name: /Karen M. Bailey/

Subscribed and sworn before me

This 5th day of November, 2004

Sharri Carothers

Notary Public in and for said County and State

OFFICIAL SEAL
SHARRI CAROTHERS
NOTARY PUBLIC - NEVADA
PRINCIPAL OFFICE IN
CLARK COUNTY
My Commission Exp. March 18, 2005

PARKING REQUIREMENTS:

Showroom area 7700 SQ.FT. ..... 30 spaces
parking required @ 1 space/250 ft
General retail - other than listed

Office area 1500 SQ.FT. ..... 5 spaces
parking required @ 1 space/300 ft
office professional - other than listed

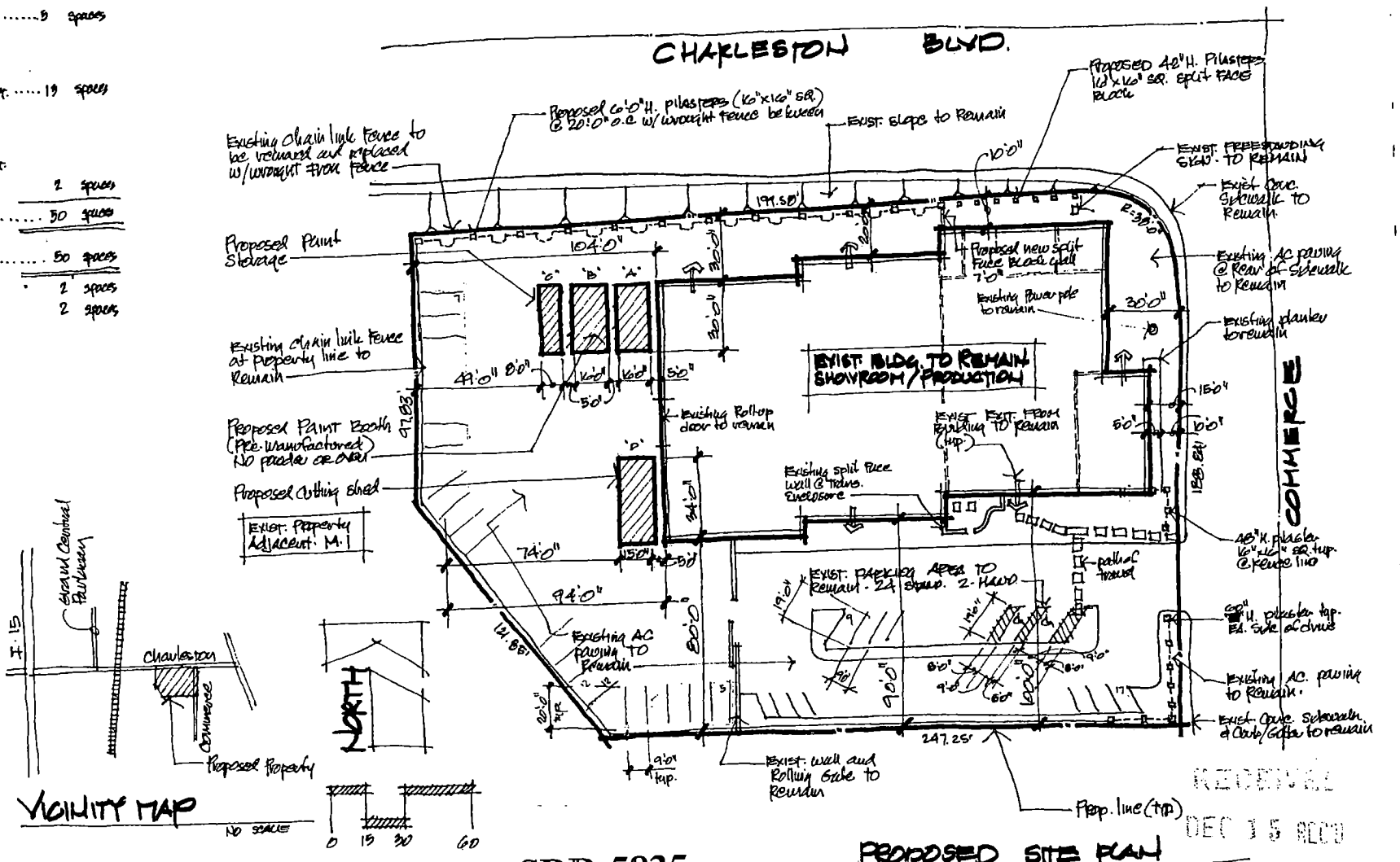
Warehouse/manufacturing 19,200 SQ.FT. ..... 19 spaces
Parking required @ 1 space/1000 ft
industrial/warehouse

Proposed Paint booth 1920 SQ.FT:
parking required @ 1 space/1000 ft — 2 spaces
industrial/warehouse

total required ..... 50 spaces

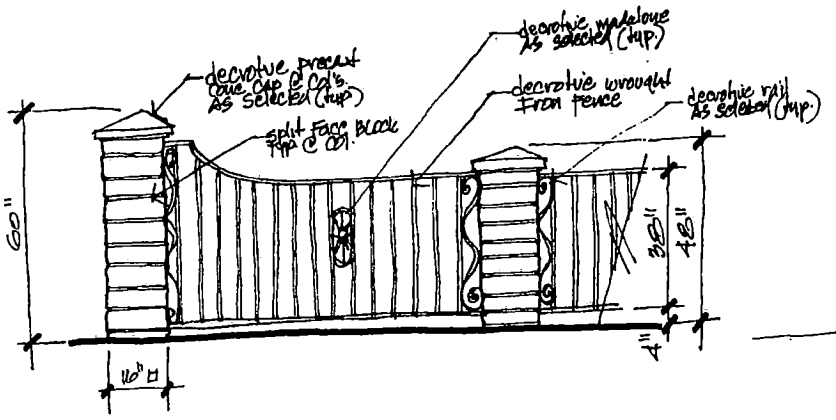
Total Parking provided ..... 50 spaces

Required Handicapped spaces — 2 spaces
Handicapped spaces Provided — 2 spaces
(1-Standard 1-Van)



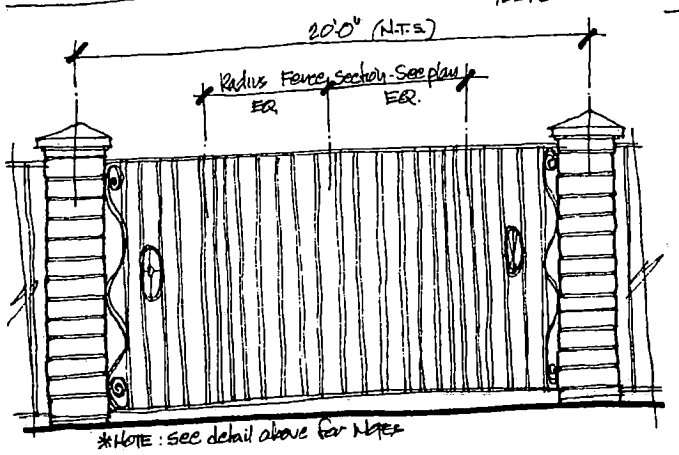
RECEIVED
DEC 15 RECD

SDR-5835
02-10-05 PC



PROPOSED DECROTIVE FENCE @ COMMERCE DRIVE ENTRY

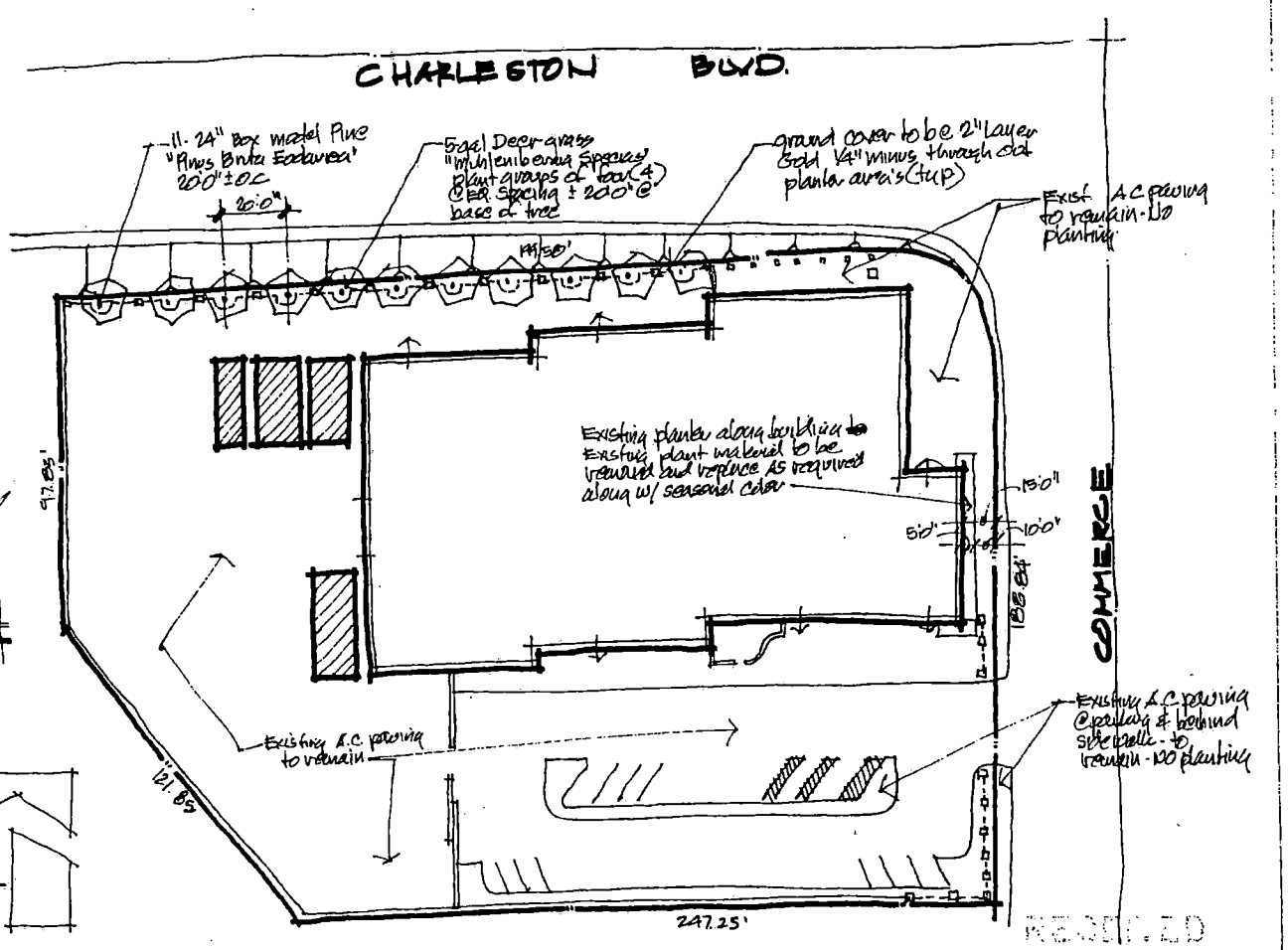
1/2"=1'-0"

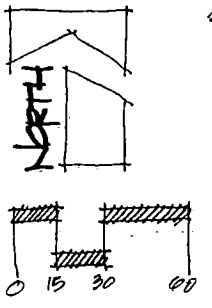


*NOTE: see detail above for notes

PROPOSED DECROTIVE FENCE @ CHARLESTON PROP LINE

CHARLESTON BLVD.





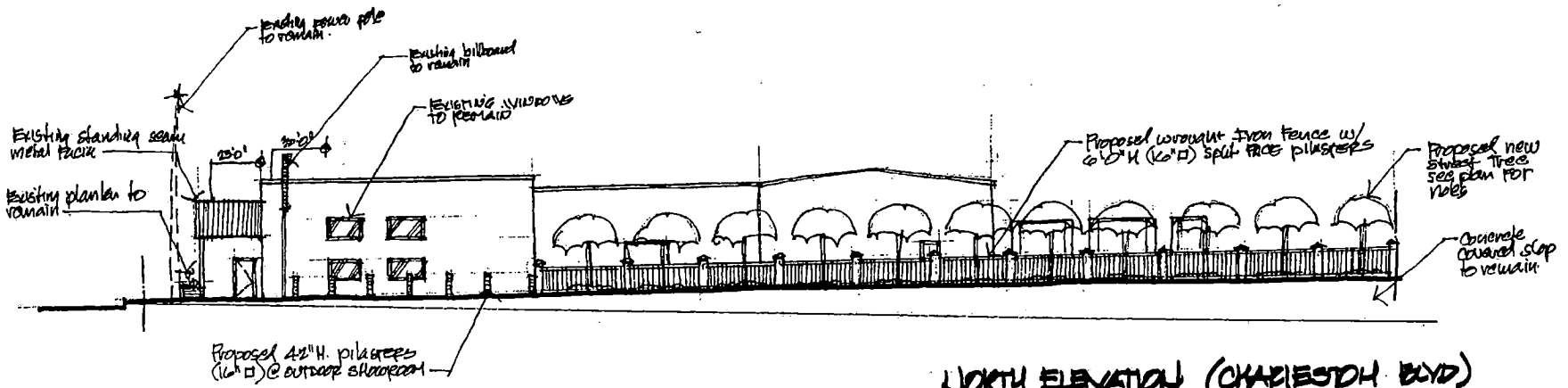
PROPOSED LANDSCAPE PLAN

1"=30'-0"

RECEIVED

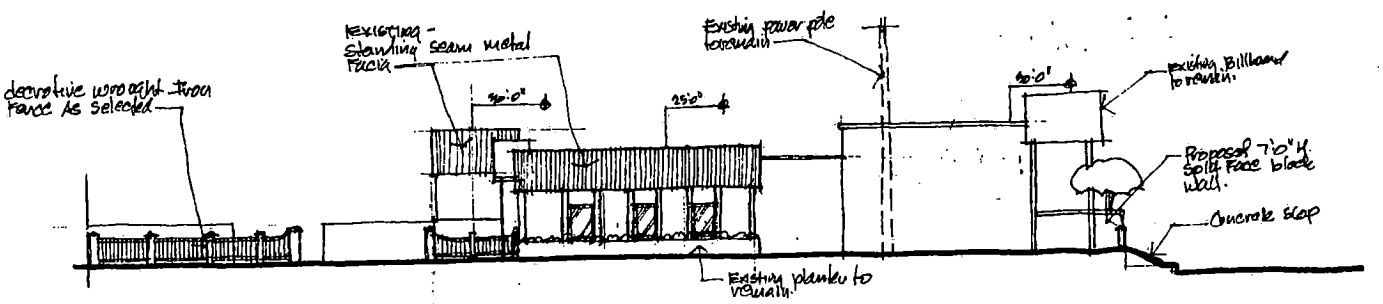
SDR-5835

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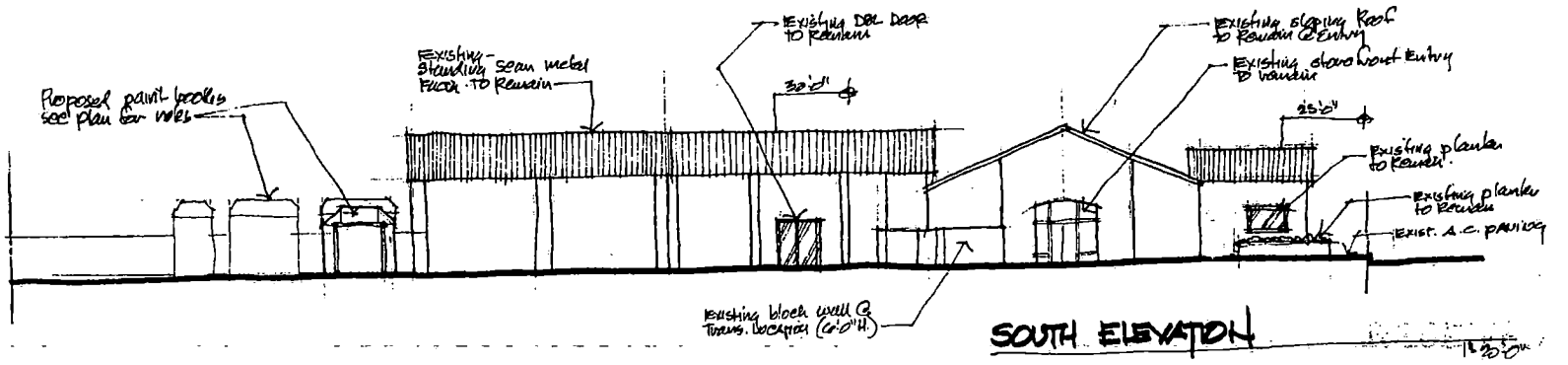
NORTH ELEVATION (CHARLESTON BLVD)

1"=20'-0"



EAST ELEVATION (COMMERCIAL)

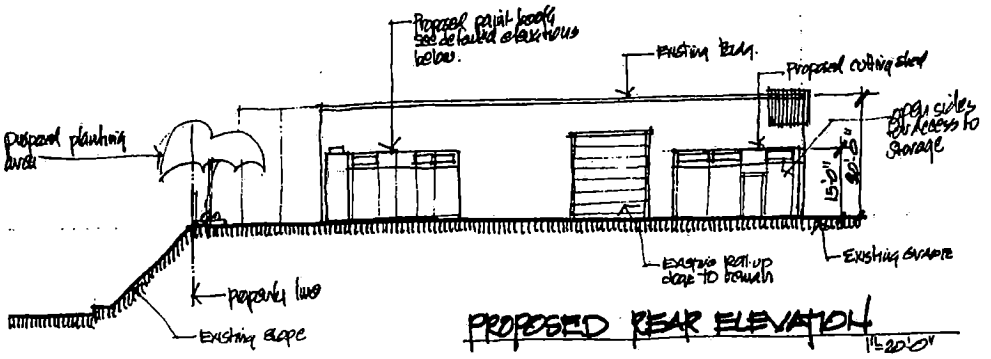
1"=20'-0"

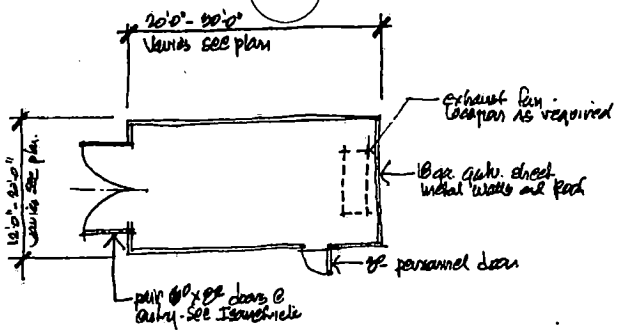


SOUTH ELEVATION

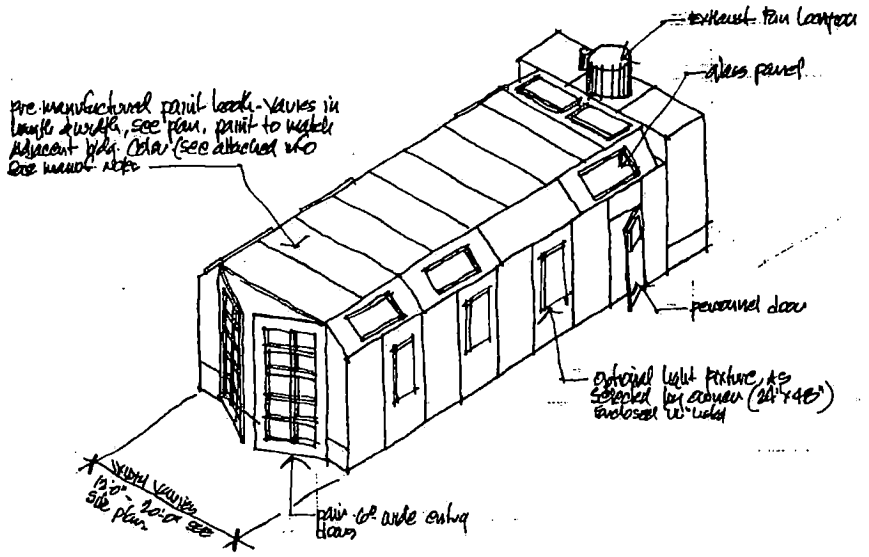
1"=20'-0"

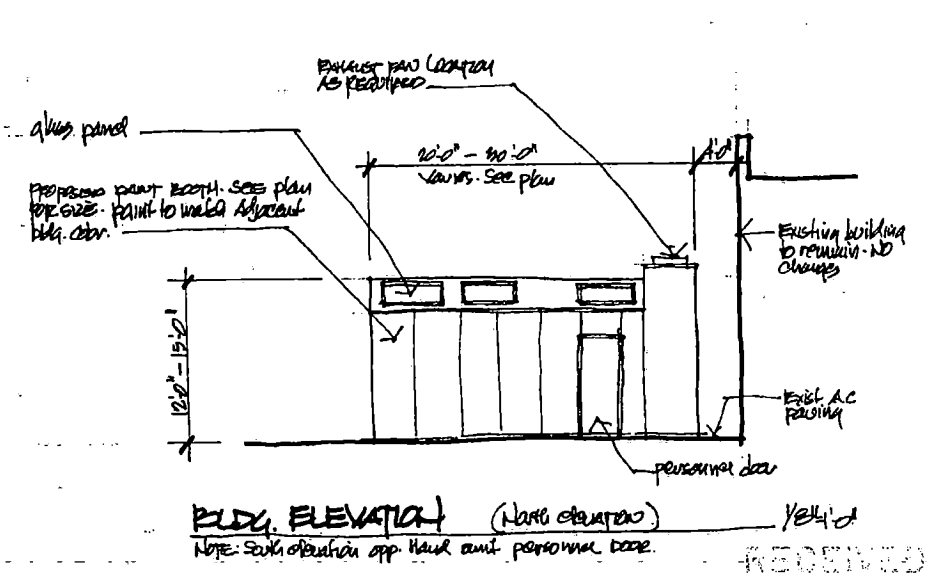
SDR-5835
02-10-05 PC





Notes:
- All materials of construction are non-combustible - panels are 18ga Galv. sheet metal, paint to match adjacent building color
- Contractor to verify all dimensions in field and report any discrepancies to engineer prior to starting work.

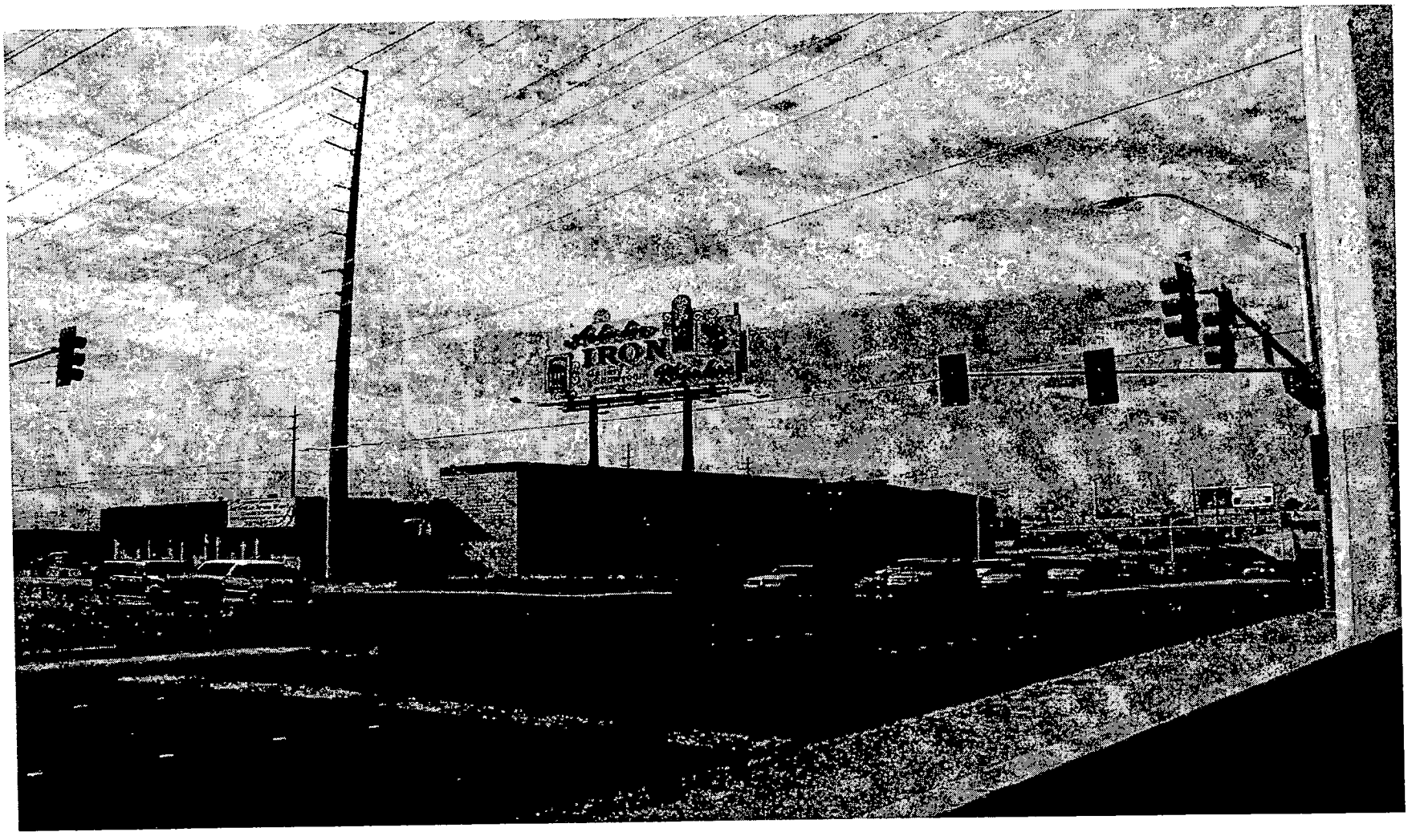




RECEIVED
DEC 15 REC'D

SDR-5835

02-10-05 PC



SDR-5835 - APPLICANT/OWNER: KAREN M. BAILEY AND THOMAS PRATO
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND COMMERCE STREET
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

License #0031909

Artistic Iron Works

2310 Industrial Road • Las Vegas, NV 89102
(702) 387-8688 • Fax (702) 387-8942
www.artisticiron.com • e-mail: aiw@lvcm.com

11-8-04

City of Las Vegas

RE: Permit at 105 W. Charleston

We are requesting a use permit at 105 W. Charleston for us to add two paint booths at the rear of our building as per plans.

Artistic Iron has been in business in Las Vegas since October of 1990. We specialize in custom ornamental iron work. We do anything from simple iron to full custom designs. Our building has been most known in recent years as the "Carpet Barn". We purchased it in November of 2003 and we are currently in the redevelopment zone. We have been remodeling and doing building improvements since. Within a half mile radius of us we have the International Furniture Mart, Loft Towers and Holsum.

Our hope and goal for the new shop is to create a fantasy in iron extravaganza that people will come from all over to see and have us custom fabricate specialty items. We not only will have the largest iron showroom in the world but also we will have the fabrication shop at the rear of the building in our warehouse. We will be able to duplicate anything in iron with simple measurements and a picture of the design. We currently employ between 45 and 50 people. We have several artisan iron workers that handcraft and forge iron from flat steel and solid bars to create beautiful iron pieces to be enjoyed by all. When fabrication is complete we will apply paint finishes (per the customer's request) inside of our paint booths. We have a very talented painter who professionally applies custom faux finishes with multicolor or simple primer.

We have painted and redesigned parts of our building to accommodate our iron displays and various areas around the building. Centered at the corner of Commerce and Charleston we would like to remove city ordinate trees at ~~billboard~~ sign approximately 70' west to block wall. We will be putting displays on the face of the building and on pavement at that area. Wording and advertising will also be affected by future growth of trees by viewing of displays from Charleston.

As part of the design review we are requesting a waiver of standards for the landscape requirements within the parking area and perimeter landscape along commerce st. These areas are covered with existing A.C. paving and would be difficult to provide planting within. It would also be difficult to provide irrigation to these planting areas. In addition this area is located directly under existing high power lines, which cannot

SDR-5835

be relocated. We are proposing to provide perimeter landscaping along Charleston blvd. beginning approximately 70'-0" west of the intersection and continuing to the west property line. Omitting the landscape the first seventy feet will provide clear visibility to the proposed outdoor display area. Please see attached site plan and landscape for details.

If you see our billboard on the corner of Charleston and Commerce you will see the beauty of what we will be able to do on the inside of the showroom. We feel we will be an asset to the City of Las Vegas by being able to show and produce our product while observing city ordinances and laws.

Sincerely,

David Spruell

SDR-5835

City of Las Vegas

Agenda Item No.: 55

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

SDR-5883 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: KING'S CROSSING, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 440-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 18.07 acres at 2150 North Tenaya Way (APN 138-22-601-001, 002, and 003), R-3 (Medium Density Residential) Zone, Ward 4 (Brown).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Parking Study from Bob Gronauer

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/16/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application. The development was originally approved in 1988 and at that time, met City standards. Under the current Code, the project is deficient by 100 parking spaces and only provides about 50 percent of the required perimeter landscaping.

MINUTES – Continued:

BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with all conditions. He oriented the Commission to the site and addressed the parking deficiency. The project is a condominium conversion and when originally approved, it did meet Code. A parking study was done at various times at the subject site and the results from that study justify the argument that the parking is adequate for the site. Once the units are sellable, each unit would receive one reserved parking stall and the remainder would be available to anyone. MR. GRONAUER said the developer understood the conditions pertaining to the landscaping deficiency and agreed to meet the conditions imposed to resolve the situation.

COMMISSIONER McSWAIN confirmed with MR. GRONAUER that the occupancy rate of the apartment complex is at 90 to 95 percent. She suggested a five percent variation would not change the numbers found in the parking study.

COMMISSIONER EVANS said he would support the item; however, he wanted to voice his concern that at some point, the multiple conversions being approved within the City would displace individuals who like to rent. He hoped a dialogue would take place in the future to discuss this topic. CHAIRMAN NIGRO concurred.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:46 – 10:53)

3-3653

CONDITIONS:

Planning and Development

1. All development shall be in conformance with the site plan and building elevations, date stamped December 28, 2004 except as amended by conditions herein.

2. A total of 61 parking lot trees are required pursuant to the Urban Design Guidelines and Standards. Landscape islands located at the end of all parking rows shall provide at least one (1) 24-inch box tree. Only half of the trees provided at such islands can be counted toward the minimum tree requirement per parking space.

3. The front, rear, and side planter areas shall contain a minimum of one (1) 24-inch box deciduous or evergreen tree for every thirty (30) linear feet of planter, plus one (1) additional 24-inch box tree.

4. Parking shall meet Title 19 handicapped parking requirements.

CONDITIONS – Continued:

5. The applicant shall meet with the Department of Building and Safety for any ADA compliance issues.

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

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

8. A landscaping plan must be submitted prior to or at the same time application is made for a final map.

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

10. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf. The remaining turf shall only be used in the active amenity areas, not as an accent feature.

11. A revised landscape plan shall be submitted prior to final map approval. The revised landscape plan shall reflect all conditions of approval into one plan.

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

CONDITIONS – Continued:

by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

13. The applicant shall meet with the Department of Building and Safety for any ADA compliance issues.

14. 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.

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

Public Works

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to recordation of a map for this site.

17. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

19. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map mylar submittal.

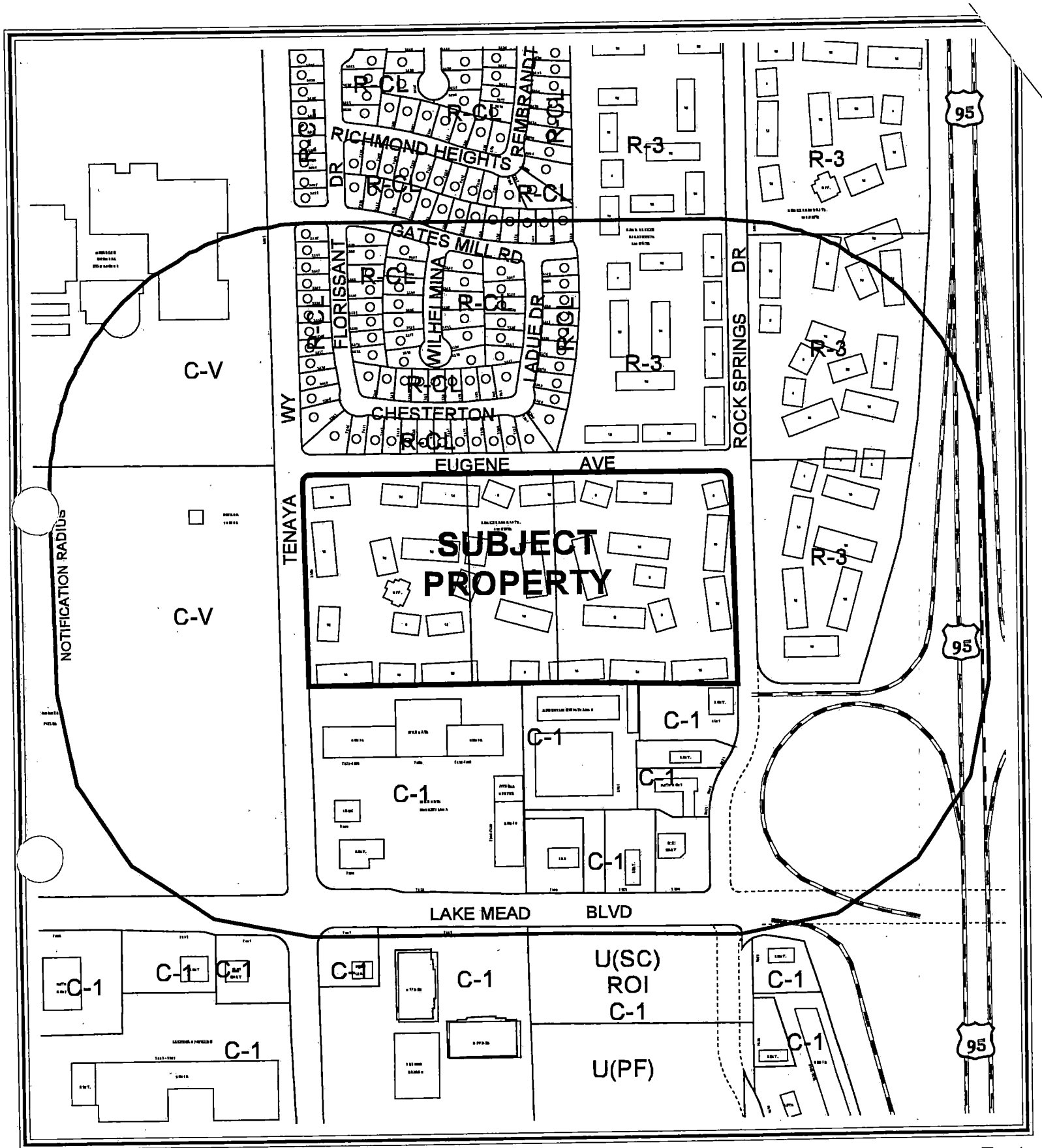
20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and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

CONDITIONS – Continued:

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

21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map to discuss fire requirements for the proposed use of this facility.

22. Site development to comply with all applicable conditions of approval for Z-74-84 and all other subsequent site-related actions.

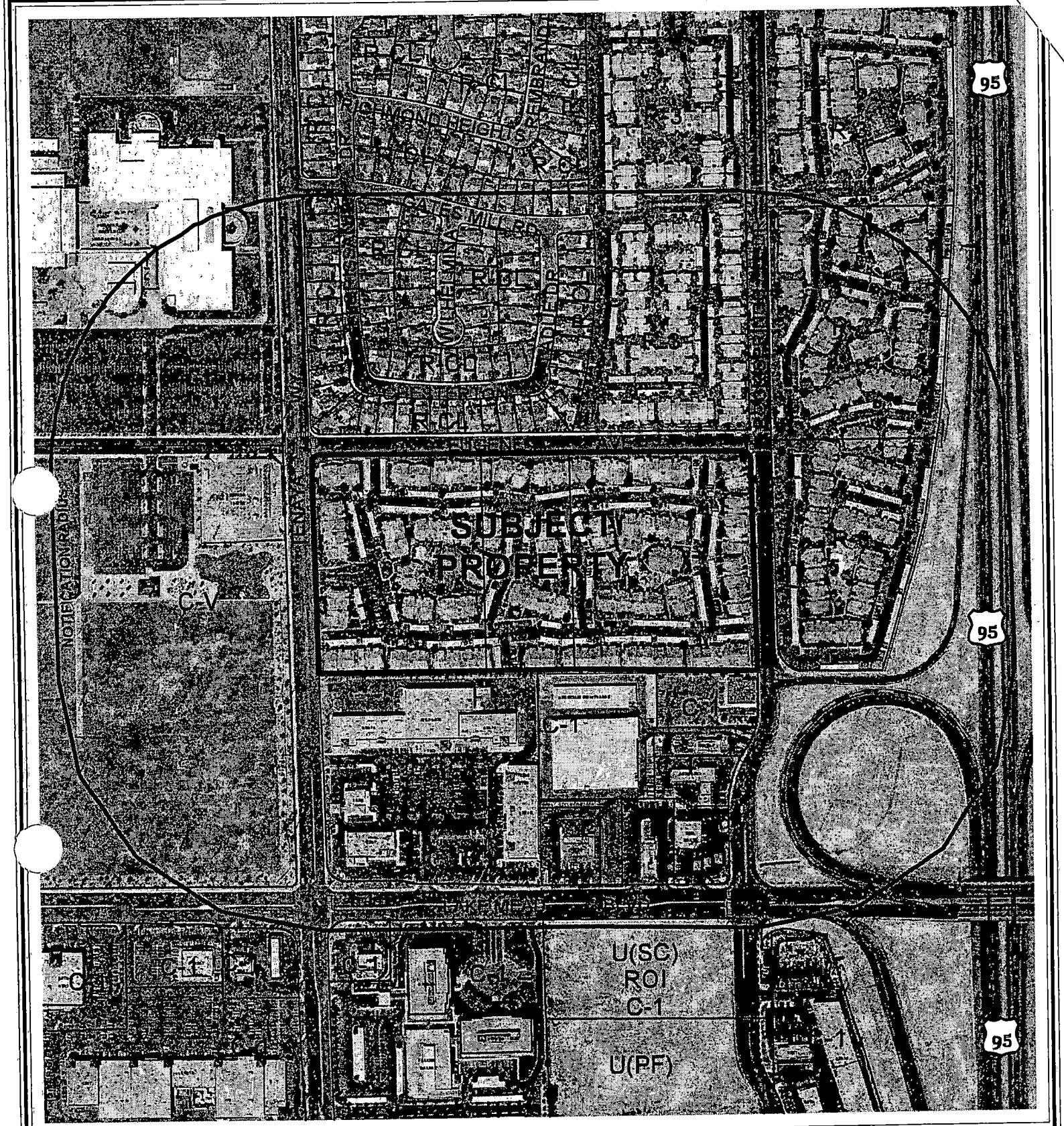


CASE: **SDR-5883**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

N



0 400 800 Feet

CASE: **SDR-5883**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5883 - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: KING'S CROSSING, LLC

** CONDITIONS **

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

Planning and Development

1. All development shall be in conformance with the site plan and building elevations, date stamped December 28, 2004 except as amended by conditions herein.

2. A total of 61 parking lot trees are required pursuant to the Urban Design Guidelines and Standards. Landscape islands located at the end of all parking rows shall provide at least one (1) 24-inch box tree. Only half of the trees provided at such islands can be counted toward the minimum tree requirement per parking space.

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

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21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map to discuss fire requirements for the proposed use of this facility.

22. Site development to comply with all applicable conditions of approval for Z-74-84 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for the conversion of an existing 440-unit apartment project to a condominium development on 18.07 acres at 2150 North Tenaya Way.

B) Applicant's Justification

The applicant states that the developer intends to change the ownership structure from a single owner apartment complex into an undivided common interest property.

BACKGROUND INFORMATION

A) Previous Actions

12/07/88 The City Council approved a Site Development Plan Review [Z-74-84(9)] for a 440-unit apartment complex on 18.8 acres. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

12/08/04 The following items were discussed at the pre-application meeting:

- Public Works comments regarding sewer fees, flood study update, and any off-sites must be brought up to code.
- Parking, setbacks, and landscaping must be brought into conformance with Title 19.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 18.07

B) Existing Land Use

Subject Property:	Apartments
North:	Single Family Residential/Apartments
South:	Shopping Center
East:	Apartments
West:	Power Substation/City Park

C) Planned Land Use

Subject Property:	M (Medium Density Residential)
North:	ML (Medium-Low Density Residential)/M (Medium Density Residential)
South:	SC (Service Commercial)
East:	M (Medium Density Residential)
West:	PF (Public Facilities)/PR (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property:	R-3 (Medium Density Residential)
North:	RCL (Residential Compact Lot)/R-3 (Medium Density Residential)
South:	C-1 (Limited Commercial)
East:	R-3 (Medium Density Residential)
West:	C-V (Civic)

E) General Plan Compliance

The subject site is designated M (Medium Density Residential) within the Centennial Hills Sector Plan of the General Plan. The present zoning of R-3 (Medium Density Residential) is in conformance with this land use designation. The site is in conformance with the General Plan, but does not meet certain aspects of the existing zoning.

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

Airport Overlay
The subject site lies within the North Las Vegas Airport Overlay District. The maximum height allowed without additional approval is 175 feet. The existing structures are well below the recommended height.

PROJECT DESCRIPTION

The existing project contains 440-units on 18 acres. The project consists of 96 one-bedroom, 280 two-bedroom and 64 three-bedroom units. Access to the site is provided from Tenaya Way, Rock Springs Drive, and Eugene Avenue.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required R-3	Provided	Compliance
Min. Lot Size	6,500 Square Feet	18.07Acres (net)	Y
Min. Lot Width	N/A	585 Feet	N/A
Min. Setbacks • Front • South Side • North Side • Rear • Min. Distance Between Buildings	 20 Feet 5 Feet 5 Feet 20 Feet 10 Feet	 19.44 Feet 8.98 Feet 16.41 Feet 20 Feet 11.49 Feet	 N Y Y Y Y
Max. Building Height	2 Stories / 35 Feet	2 Stories / 28 Feet	Y

The development standards for the existing apartment complex are as set forth by Site Development Plan Review [Z-0074-84(9)].

The development complies with most of the R-3 development standards; however, the site fails to comply with the minimum front setback; therefore the site plan does not conform to the provisions of Title 19.08.

A3) Parking and Traffic Standards

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

Uses	Units	Required			Provided Parking	
		Ratio	Parking			
			Regular	Handicap	Regular	Handicap
Multi-family and Condominium Developments	440	* see below	812	16	718	7

The original Site Development Plan Review [Z-74-84(9)] complied with minimum on-site parking space requirements for a multi-family development. Since the project was built, on-site parking requirements have increased. Currently, the Code requires 812 spaces with 16 required to be handicap accessible. A condition of approval has been added, which addresses handicapped parking. The project was built with 718 parking spaces with 440 covered and seven handicapped. When the project was built the code required 542 spaces. The site is deficient 94 parking spaces pursuant to Title 19.10. For this reason, the recommendation is denial.

* The existing development is composed of one, two, and three bedroom units. The parking standards for such development are as follows:

Multi-family and Condominium Developments	Required
Studio and one bedroom	One and one-quarter spaces per unit, plus one guest space for every six units.
Two bedrooms	One and three-quarter spaces per unit, plus one guest space for every six units.
Three bedrooms and above	Two spaces per unit, plus one guest space for every six units.

A4) Landscape and Open Space Standards

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

Standards	Required Ratio	Required Trees	Provided
Parking Area	1 Trees/6 Space	61 Trees	33 Trees
Buffer:			
• Min. Trees (Front)	1 Trees/ 30 Linear Feet	21 Trees	4 Trees
• North Side	1 Trees/ 30 Linear Feet	41 Trees	17 Trees
• South Side	1 Trees/ 30 Linear Feet	42 Trees	3 Trees
• Rear	1 Trees/ 30 Linear Feet	22 Trees	13 Trees
• Wall height (N,W,E)	8 Feet		5.8 Feet
• Wall height (S)	8 Feet		7.7 Feet

The parking area requires a total of 61 trees. The existing landscaping indicates 33 trees. A condition has been added, which requires additional trees to be located throughout the parking area.

The minimum buffer requirements do not comply with the Urban Design Guidelines and Standards. Currently the site is lacking a large number of trees in all buffer areas. A condition has been added, which requires additional trees to be added.

B) General Analysis and Discussion

- Zoning

  The purpose of the R-3 (Medium Density Residential) District is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The R-3 (Medium Density Residential) District is consistent with the policies of the Medium Density Residential category of the General Plan.

- Site Plan

  This is a request for the conversion of a 440-unit apartment project to a condominium development. There are no proposed changes to the buildings or structures within the development. The existing site does not conform with parking, landscaping, and setback standards.

- Waivers

  The applicant has requested a waiver for the front setback. Waivers or Variances are not being accepted for apartment to condominium conversions.

- Landscape Plan

  The landscape plan does not comply with Landscaping and Buffer Standards. The overall site requires 117 additional trees. A condition has been added, which requires 61 additional trees located throughout the parking area. Additionally, a condition has been added, which requires each planter to contain a minimum of one (1) 24-inch box deciduous or evergreen tree for every thirty (30) linear feet of planter, plus one (1) additional 24-inch box tree.

- Elevation

  There are no elevation changes proposed.

- Floor Plan

  There are no floor plan changes proposed.

FINDINGS

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

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

   The proposed development is incompatible with adjacent developments, because the development does not meet current parking and perimeter landscape standards of the Code.

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

   The proposed development is inconsistent with Title 19 regarding the perimeter landscaping, buffer standards, and parking requirements.

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

Site access for this existing development will not be negatively impacted by the proposed conversion.

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

   The building materials are consistent with the area of the city, while the landscaping is not. The landscaping consists of an overabundance of turf. A condition of approval has been added, which requires the removal of the turf in non-active areas. The landscaping shall be replaced to include drought tolerant landscaping. A revised landscape plan shall be submitted prior to the submittal of a final map.

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;"**

   There are no changes proposed to the existing building elevations. Therefore, the buildings are harmonious and compatible with development in the area.

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

   The proposed development will be subject to ongoing inspections, and therefore the development will not compromise the public health, safety or general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 95

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5883 APN: 138-22-601-001, 002 & 003

Name of Property Owner: King's Crossing Apartments, LLC

Name of Applicant: Great American

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: Haskel Iny

Subscribed and sworn before me

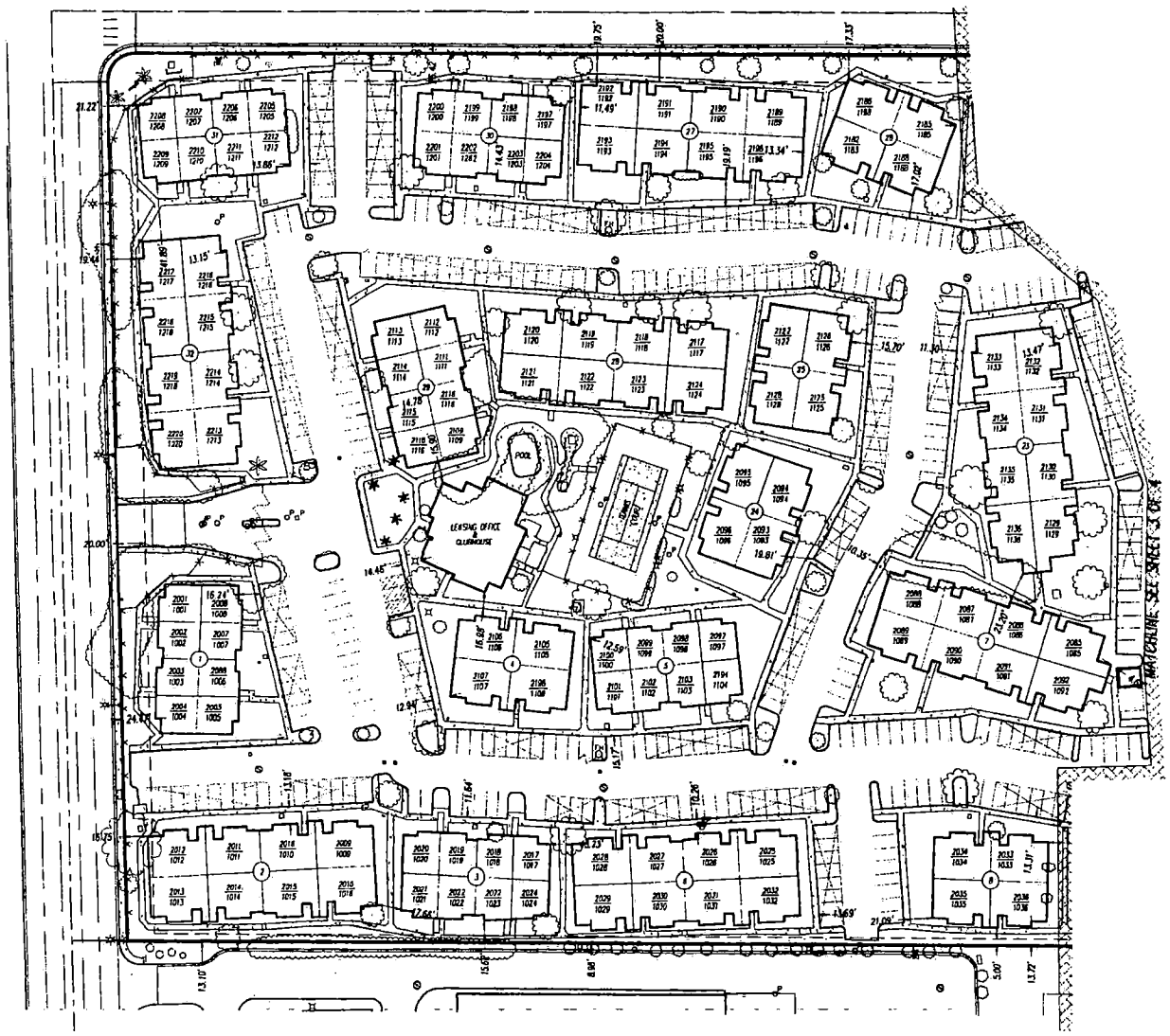
This 8th day of December, 2004

_____

Notary Public in and for said County and State

JENNIFER L. ROBERTS
Notary Public State of Nevada
No. 97-4318-1
My appt. exp. Sept. 23, 2005

SITE PLAN MAP
OF
KINGS CROSSINGS CONDOMINIUMS



LEGEND

SYMBOL	DESCRIPTION
F	FLAG
P	MAIL BOX
	PALM TREE
	POST
	CURB & GUTTER CATCH BASIN
	FIRE HYDRANT
	CHAIN RAILING
	SIGN WITH MULTIPLE POST
	STREET LIGHT
	LIGHT POLE
	UTILITY POLE
	SINGLE POST SIGN
	TREE
	UTILITY POLE W/STREETLIGHT
	HANDICAPPED
	BUILDING
	PARKING CANOPY
	ROAD CENTER LINE
	FENCE
	CURB & GUTTER
	RETAINING WALL
	TREE LINE
	UTILITY BOX
	PARKING STRIPES
	DOMESTIC WATER LINE
	FIRE WATER LINE
	SEWER LINE
	WALL
	HANDICAP RAMP
	GATE
TC	TRASH ENCLOSURE
	WATER VALVE
	SEWER CLEANOUT
	SIDEWALK
1	BUILDING NUMBERS
G1	GARAGE NUMBERS
116.3 / 216.3	UNIT NUMBERS = (STRUCTURE# / SPETIME)
	SETBACK LINE PER ORIGINALLY APPROVED ARCHITECTURAL PLANS

N

SCALE: 1"= 40'

NOTE:
THIS SITE PLAN MAP CONSTITUTES AN ASBUILT SURVEY.

GREAT AMERICAN CAPITAL
8687 WEST SAHARA AVE. #201
LAS VEGAS, NV 89117
702-753-5751

ENGINEERING COMPANY
3311 N. BUFFALO RD #200
LAS VEGAS, NEVADA 89129
TELEPHONE: (702) 897-1300

ALPHA ∝

SITE PLAN MAP

KINGS CROSSINGS

DRAWN BY: DWC — 10-20-04
DESIGNED BY: DWC — 10-20-04
CHECKED BY: JJL — 12-22-04
PROJECT NO. 4105-32 — SCALE: 1"= 40'

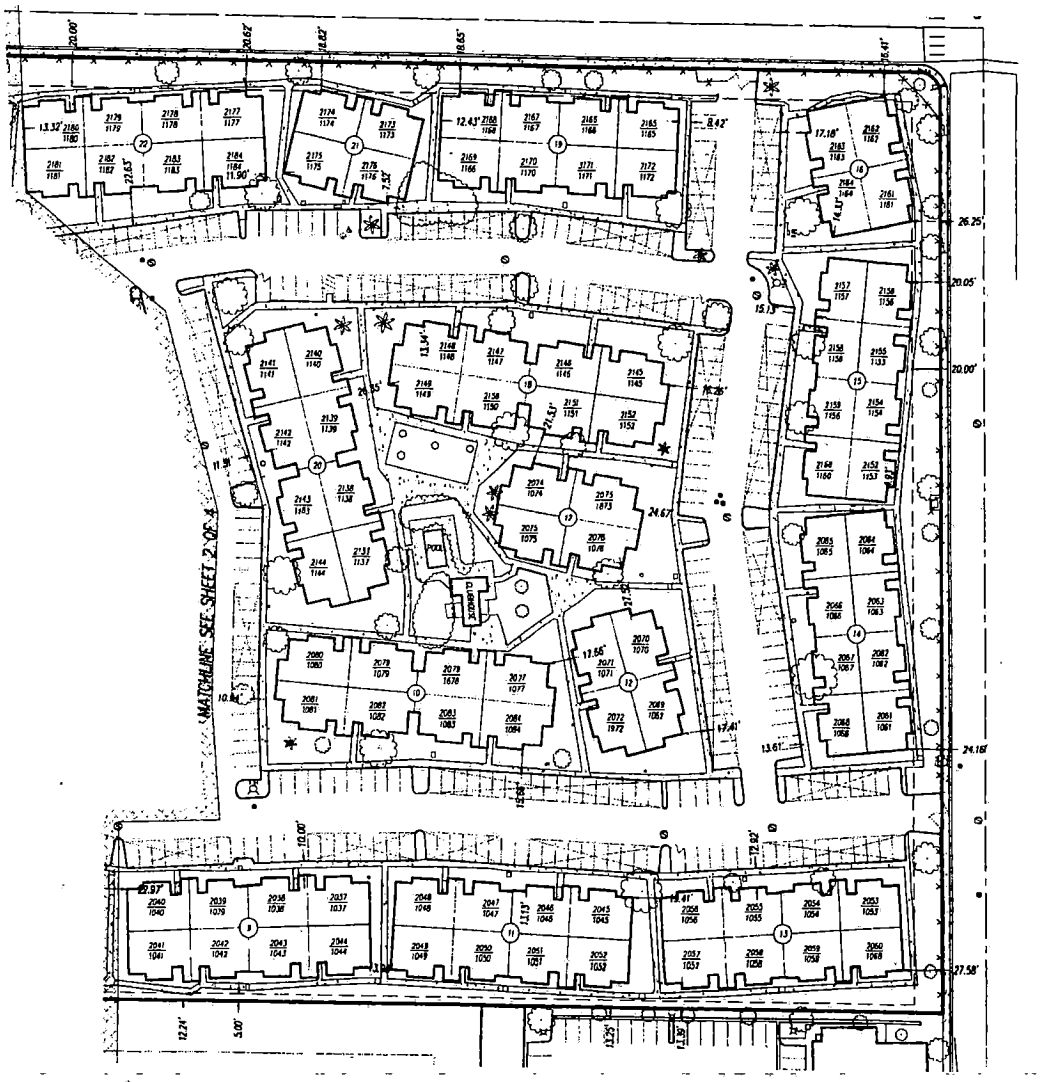
SHEET SP1
1 OF 2 SHEETS

VIEW NAME: *
FILE NAME: *

SDR-5883
02-10-05 PC

RECEIVED
DEC 28 2004

SITE PLAN MAP
OF
KINGS CROSSINGS CONDOMINIUMS



LEGEND

SYMBOL	DESCRIPTION
P	FLAG
P	MAIL BOX
	PALM TREE
	POST
	CURB & GUTTER CATCH BASIN
	FIRE HYDRANT
	SEWER MANHOLE
	SIGN WITH MULTIPLE POST
	STREET LIGHT
	LIGHT POLE
	UTILITY POLE
	SINGLE POST SIGN
	TREE
	UTILITY POLE WITH STREETLIGHT
	HANDICAPPED
	BUILDING
	PARKING CANOPY
	ROAD CENTER LINE
	FENCE
	CURB & GUTTER
	RETAINING WALL
	TREE LINE
	UTILITY BOX
	PARKING STRIPES
4" WATER	DOMESTIC WATER LINE
8" WATER	FIRE WATER LINE
8" SEWER	SEWER LINE
	WALL
	HANDICAP RAMP
	GATE
TE	TRASH ENCLOSURE
	WATER VALVE
	SEWER CLEANOUT
	CENTERLINE
1	BUILDING NUMBER
G1	GARAGE NUMBER
1163 / 2163	UNIT NUMBER (DOWNSTAIRS / UPSTAIRS)
	3' FENCE LINE PER CITY APPROVED ARCHITECTURAL PLANS

N

SCALE: 1" = 40'

GREAT AMERICAN CAPITAL
8687 WEST SAHARA AVENUE #201
LAS VEGAS, NV 89117
(702) 255-5721

ALPHA ENGINEERING COMPANY
331 BAYHILL DRIVE, SUITE 100
LAS VEGAS, NEVADA 89119
TELEPHONE: (702) 837-1300

NO	DATE	BY	REVISION

SHEET: SITE PLAN MAP

TITLE: KINGS CROSSINGS

DRAWN BY: CMC — 10-20-04
DESIGNED BY: CMC — 10-20-04
CHECKED BY: JEL — 12-27-04
PROJECT NO: 4105-12
SCALE: 1" = 40'

LAND SURVEYOR
EDWARD LEAVITT
No. 5876
STATE OF NEVADA
12/31/05

SHEET: SP2
2 OF 7 SHEETS
DRAWING NO.

FILE NAME: ?
VIEW NAME: ?

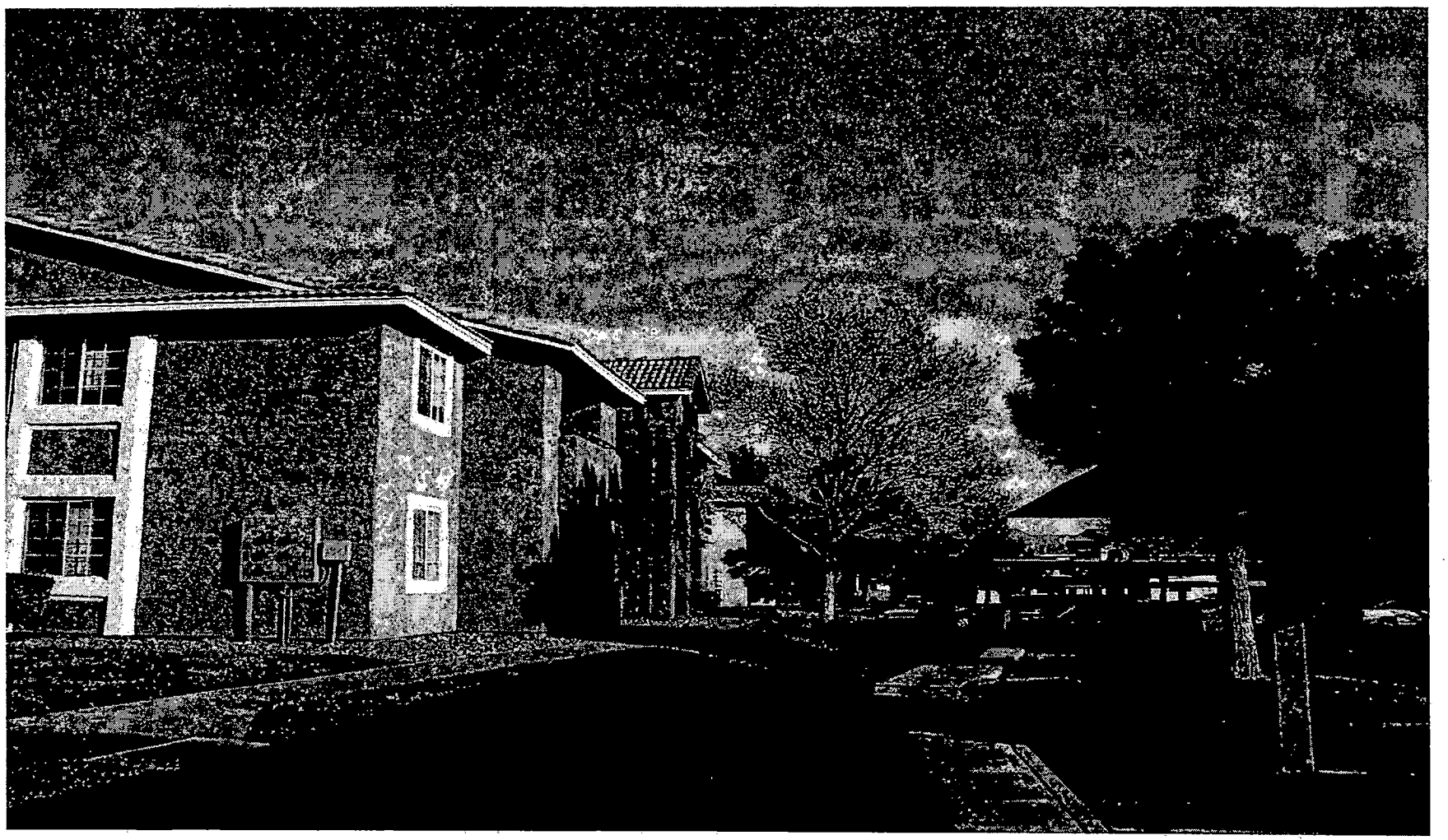
SDR-5883

02-10-05 PC



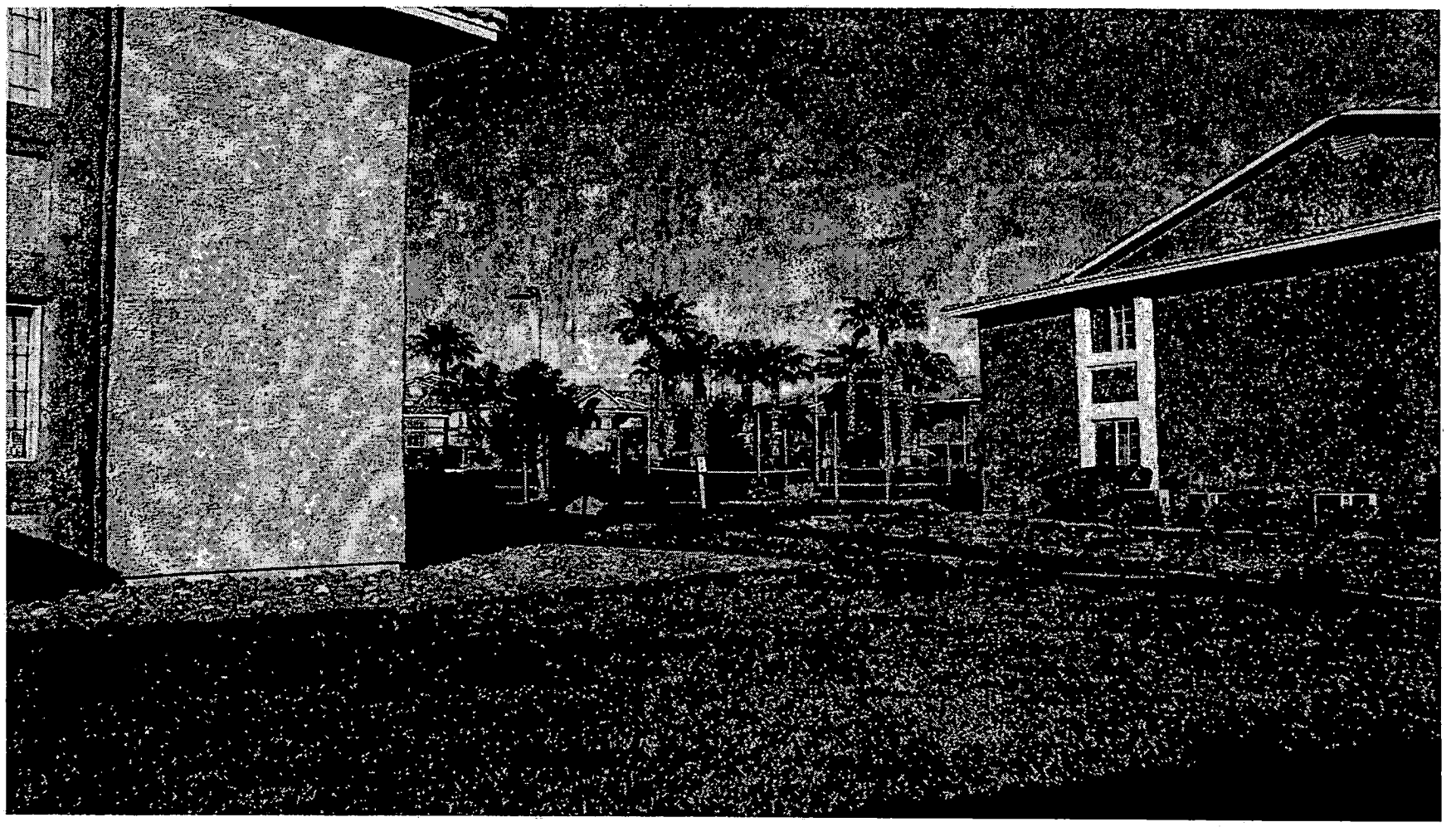
SDR-5883 - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: KING'S CROSSING, LLC
2150 NORTH TENAYA WAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SDR-5883 - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: KING'S CROSSING, LLC
2150 NORTH TENAYA WAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SDR-5883 - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: KING'S CROSSING, LLC
2150 NORTH TENAYA WAY
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

Alpha Engineering

3321 N. Buffalo Drive, Suite 200 • Las Vegas, NV 89129
702.877.1300 • Fax 702.877.0300

December 27, 2004

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

RE: Justification Letter
Kings Crossings
APN #138-22-601-001, 002, & 003

To Whom It May Concern:

Alpha Engineering, on behalf of the current owner, Kings Crossings, LLC, is submitting for Site Development Plan Review for the existing Kings Crossings Apartment complex. The developer intends to change the ownership structure from a single owner apartment complex into an undivided common interest community.

This property is on 18.07 acres located at 2150 North Tenaya Way. There are 440 units and the property was originally constructed in 1991.

Additionally, we are requesting a Waiver of Setbacks. The property is currently at 19.44 feet with the required being 20 feet.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Ann McLaughlin
Processor

:amm

SDR-5883

GREAT AMERICAN CAPITAL
KING'S CROSSING – LAKE MEAD & TENAYA

PARKING SURVEY

CARS

DATE/ TIME OF DAY	TOTAL # OF SPACES AVAILABLE	TOTAL # OF CARS	TOTAL # OF EMPTY SPACES	PERCENTAGE OF SPACES USED
Tuesday 02/08/05				
2:30 PM	718	254	464	35%
6:30 PM	718	391	327	54%
Wednesday 02/09/05				
12:30 PM	718	245	473	34%
6:30 PM	718	348	370	48%
Thursday 02/10/05				
8:00 AM	718	298	420	41%
4:00 PM	718	253	465	35%
AVERAGE	718	298	419	41%

Submitted at Planning Commission

Date 2/10/05 Item 55

152480_1.DOC 1000.1

SDR5083

City of Las Vegas

Agenda Item No.: 56

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:

SDR-5890 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: DESERT SHORES HOLDINGS, LLC - OWNER: DESERT SHORES L.L.C - Request for a Site Development Plan Review FOR THE CONVERSION OF A 424-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 19.23 acres adjacent to the southeast corner of Rampart Boulevard and Cheyenne Avenue (APN 138-16-110-001), R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 4 (Brown).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Parking Study from Bob Gronauer

MOTION:
TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/16/2005

MINUTES:
GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application. The development was originally approved in 1988 and at that time, met City standards. Under the current Code, the project is deficient by 37 parking spaces.

BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with all conditions. He explained the developer is well known in Florida and very experienced in condominium conversions.

MINUTES – Continued:

The project is a condominium conversion and when originally approved, it did meet Code. A parking study was done at various times at the subject site and the results from that study justify the argument that the parking is adequate for the site. He has had contact with the individuals from the Desert Shores community and they are happy to have the apartments be converted. The price range would be from 100,000 to 150,000 dollars per unit.

VICE CHAIRMAN TRUESDELL asked about any notice process involving the existing residents. MR. GRONAUER indicated that this company not only notifies the tenant but gives them the first right of refusal on the units and offers an incentive package for purchasing the units. VICE CHAIRMAN TRUESDELL said he would like the Commission to consider having a requirement that developers meet with the residents of the apartment complex being converted. Currently, surrounding residents would most likely receive notice before the residents within the apartments would. MR. LEOBOLD stated that there is an association pertaining to condominium conversions and he would provide the Commission with information from that association on conversion notification policy prior to the next meeting.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:53 – 11:00)

4-221

CONDITIONS:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations of Site Development Plan Review [Z-0043-87 (1)], except as amended by conditions herein.

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

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

CONDITIONS – Continued:

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

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

7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to recordation of a map for this site.

8. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

10. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to

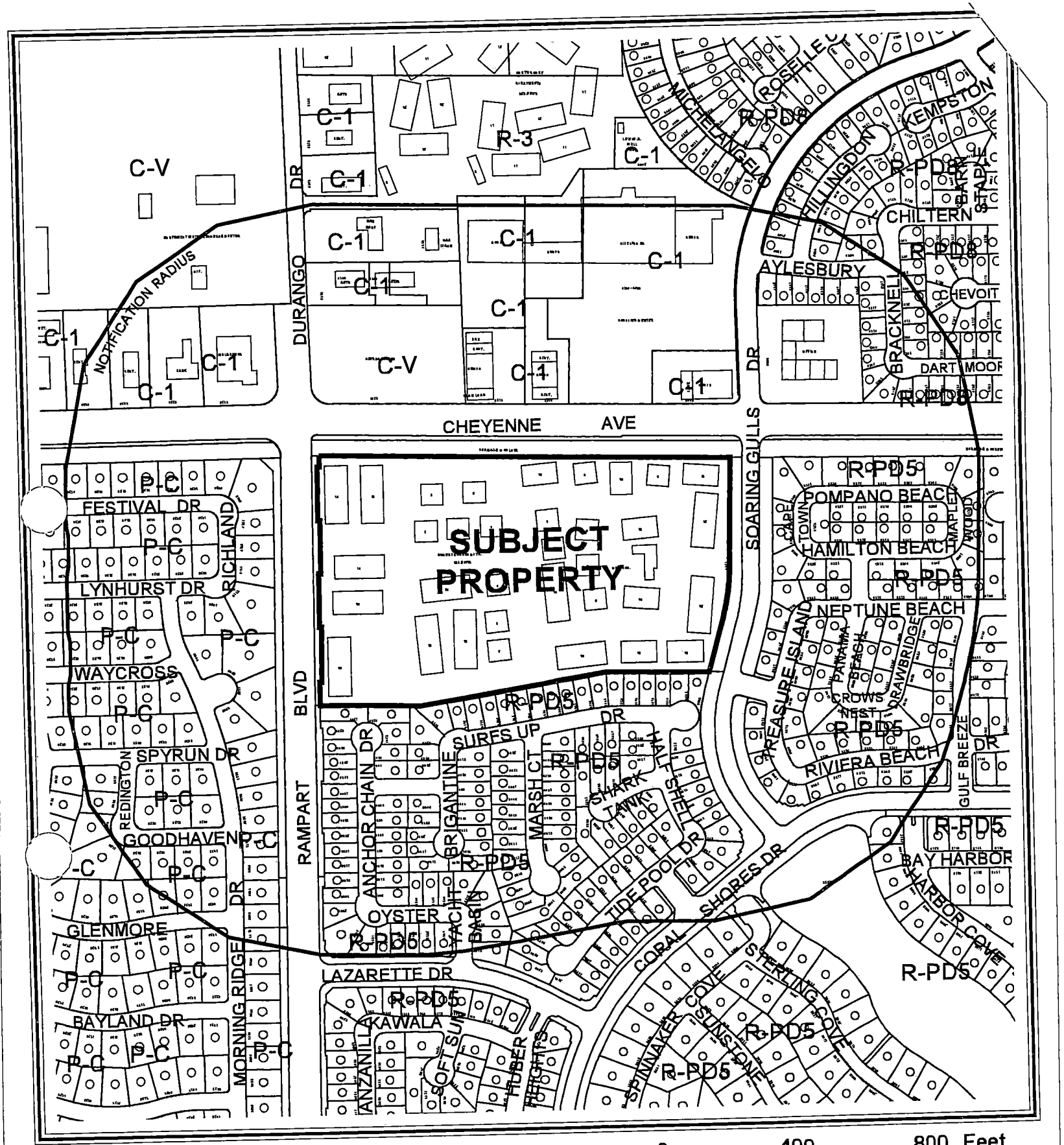
CONDITIONS – Continued:

Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map mylar submittal.

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

12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map to discuss fire requirements for the proposed use of this facility.

13. Site development to comply with all applicable conditions of approval for Z-43-87 and all other subsequent site-related actions.


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City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5890 - APPLICANT: DESERT SHORES HOLDINGS, LLC - OWNER: DESERT SHORES L.L.C

** CONDITIONS **

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

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations of Site Development Plan Review [Z-0043-87 (1)], except as amended by conditions herein.

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

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

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

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

Public Works

7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to recordation of a map for this site.

8. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

10. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map mylar submittal.

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

12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map to discuss fire requirements for the proposed use of this facility.

13. Site development to comply with all applicable conditions of approval for Z-43-87 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for the for the conversion of an existing 424-unit apartment project to a condominium development on 19.23 acres adjacent to the southwest corner of Cheyenne Avenue and Soaring Gulls Drive.

B) Applicant's Justification

The developer intends to change the subject development from a "for rent" apartment complex into an undivided common interest community. Condominium conversion projects have become very popular in the Las Vegas valley due to the rapidly increasing property value. This application addresses a housing niche not otherwise served by the current trend of luxury condominium conversions.

BACKGROUND INFORMATION

A) Previous Actions

06/03/87 The City council approved an application for reclassification of property (Z-0043-87) generally located west of Buffalo Drive between Lake Mead Boulevard and Cheyenne Avenue, From: N-U (Non-Urban) To: R-PD5 (Residential Planned Development) and C-1 (Limited Commercial) and C-2 (General Commercial), Proposed use: Single and Multi-Family Residential, Retail Commercial, and a Hotel. The Planning Commission recommended approval.

06/28/88 The Planning Commission approved a Plot Plan Review [Z-0043-87 (1)] regarding a proposed apartment complex on property located on the southeast corner of Cheyenne Avenue and Rampart Boulevard.

B) Pre-Application Meeting

12/19/04 The elements of a Site Development Plan Review were discussed with the applicant during a pre-application conference.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 19.23

B) Existing Land Use

Subject Property:	Apartments
North:	Water Facility
	Commercial
South:	Single Family Detached
East:	Single Family Detached
West:	Single Family Detached

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-PD5 (Residential Planned Development- 5 units per acre)
North:	C-V (Civic)
	C-1 (Limited Commercial)
South:	R-PD5 (Residential Planned Development- 5 units per acre)
East:	R-PD5 (Residential Planned Development- 5 units per acre)
West:	P-C (Planned Community)

E) General Plan Compliance

The subject parcel is designated M (Medium Density Residential) on the Southwest Sector Plan of the General Plan. The subject development has a density of 22 dwelling units per acre when 24 dwelling units per acre are allowed, conforming to the M (Medium Density Residential) General Plan designation. The current zoning of R-PD5 (Residential Planned Development- 5 units per acre) is consistent with M land use as the zoning of the development is within the density range of the land use designation. The proposed condominium conversion is not affected by any specific General Plan policies.

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

There are no area plans, overlay districts, trail corridors, or special notifications that pertain to the subject request.

PROJECT DESCRIPTION

Two driveways, one on Soaring Gulls Drive, the primary access, and the other on Rampart Boulevard, provide access to the apartment complex. The site features an internal loop road network with parking along the interior roads and the majority of the apartment buildings toward the inside. The apartment complex has two pools at opposite ends of the development for use by the residents. The administrative office is located on the east end of the property off of the primary access to Soaring Gulls Drive. The elevations portray two-story typical elevations with single color stucco wall construction with contrasting colored eve trim and concrete tile roofs.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards- R-3	Required	Provided	Compliance
Min. Lot Size	6,500 Feet	873,659 SF	Y
Dwelling Units per Acre	12-25	22	Y
Min. Lot Width	N/A	N/A	N/A
Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 5 Feet 5 Feet 20 Feet	 20 Feet 10 Feet 20 Feet 20 Feet	 Y Y Y Y
Max. Lot Coverage	N/A	N/A	Y
Min. Between Bldg	10 Feet	10 Feet	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories / 35 Feet	Y

The proposal meets the multi-family development requirements of Title 19.

A2) Parking and Traffic Standards

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

Use: Condos	**Units**	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
• One Bedroom	112	1.25 Spaces / Unit	140			
• Two Bedroom	168	1.75 Spaces / Unit	294			
• Three Bedroom	144	2.0 Spaces / Unit	288			
Guest Units		1 Space / 6 Units: 424/6=	71			
Total	424		777	16	749	5

The proposed conversion of an existing apartment complex to a condominium complex will utilize the same parking requirements as defined within Title 19.10. The subject development has 754 existing parking spaces where 793 are required and therefore is considered as "parking impaired". Specifically the development has 28 fewer regular spaces and 11 fewer handicap spaces. The reason for a recommendation for denial for the conversion is due to the parking deficiency of the development.

A4) Landscape and Open Space Standards

The proposal meets the requirements for landscaping for a multi-family development. The buffers appear to be six or more feet in width, most of which have curvilinear sidewalks separated from the streets by landscaped strips. There are fully mature deciduous and evergreen trees in the buffers and through out the development and a decorative stuccoed wall is around the perimeter of the site.

B) General Analysis and Discussion

- Zoning

The current zoning of R-PD5 (Residential Planned Development- 5 Dwelling Units per Acre) is consistent with M land use as the zoning of the development is within the density range of the land use designation.

- Site Plan

  The submitted site plan depicts 17 condominium buildings, which are accessible from entry gates located on Soaring Gulls Drive and Rampart Boulevard. There is no evident change between the approved site plan from Site development Plan Review Z-0043-87 (1) and current Site Development Plan Review (SDR-5887) site plan.

- Waivers

  The applicant is requesting no waivers as part of this application.

- Landscape Plan

  The photos that were supplied instead of a landscape plan show a well maintained and designed landscape layout with wide buffers that have mature tress and dense shrubbery.

- Elevation

  The building elevations show a development that will be visually compatible with the future residential developments, in that the submitted materials depict appropriate façade design.

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 condominium uses are consistent with planned development in the area. This development will act as a buffer between traffic and commercial uses along Charleston Boulevard and the adjacent lower density residential uses to the south.

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

   The condominium development is compatible with City Ordinances and Standards except for the amount of necessary parking. This parking deficiency is the reason for the recommendation of denial of the proposal.

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

   The proposed site plan shows two access points, the primary access being on Soaring Gulls Drive, and a secondary access to Rampart Boulevard. These access streets will be sufficient to handle the traffic impacts of this site.

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

   The existing project, as established by the conditions of [Z-0043-87 (1)], has provided an appropriate appearance of the site from surrounding existing development and surrounding streets.

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

   The design of the development is harmonious with existing development around the site.

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

   The development will be subject to all codes, ordinances, and standards that will secure the health, safety, and general welfare of the public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 349

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-589D APN: 138-16-110-001

Name of Property Owner: Desert Shores, LLC

Name of Applicant: Sunvest 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: _____

Owner: Desert Shores, L.L.C.
a Delaware limited liability company
By: CRW Holdings Managers, L.L.C.,
a Texas limited liability company
Its Manager

Print Name: Robert A. McClain

Title: Vice President

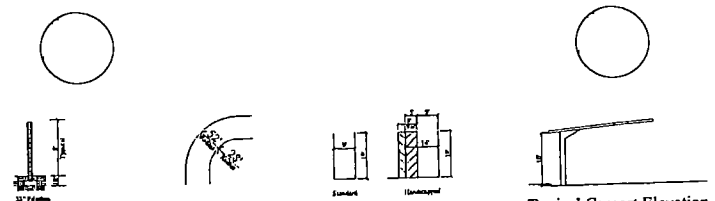
Subscribed and sworn before me

This 16th day of December, 2004

Maria Sheppard

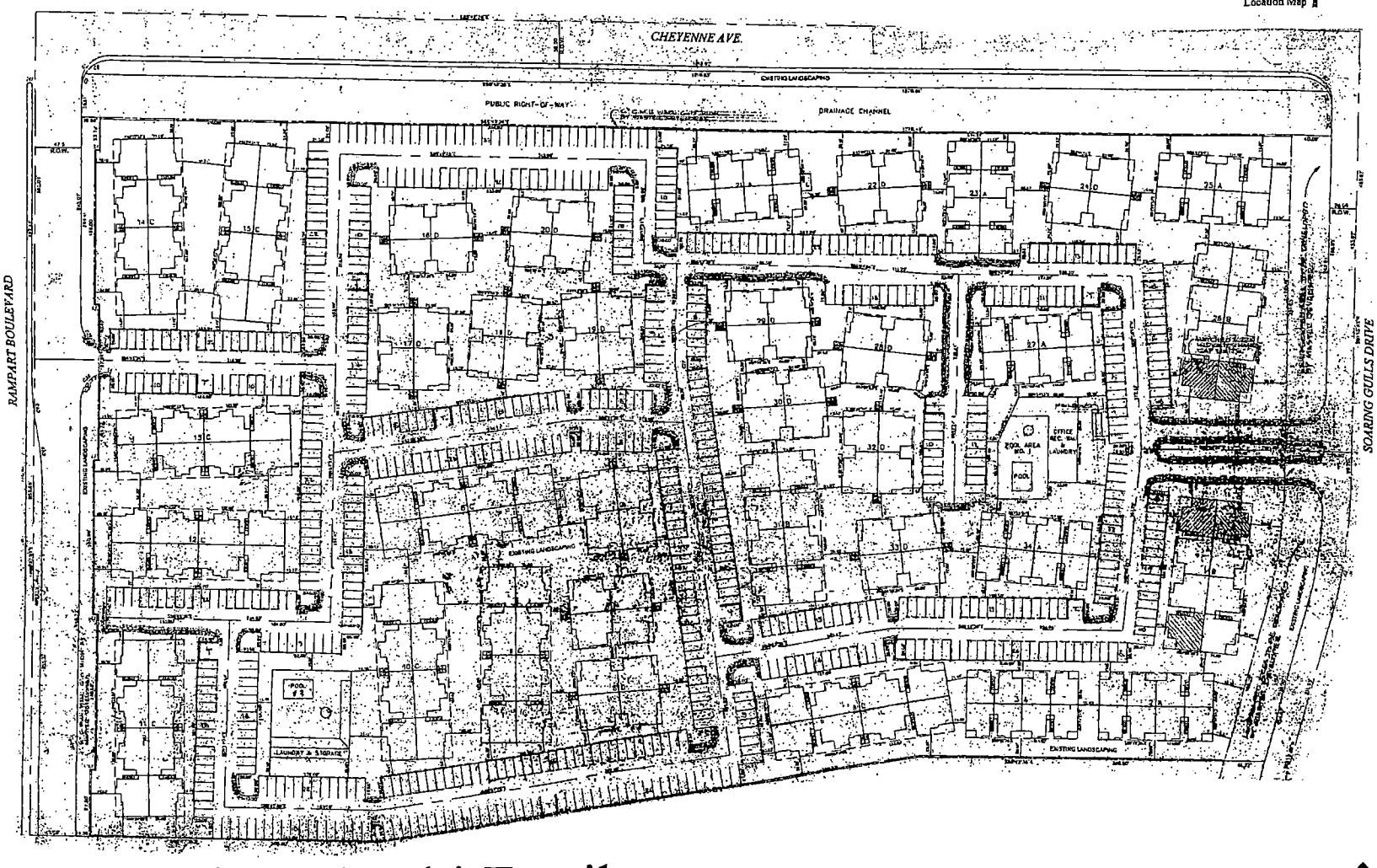
Notary Public in and for said County and State

Revised 2/12/02





Location Map



SITE INFORMATION

ZONING - City of Las Vegas
R-PD5 Residential Planned Development
APN - 138-16-110-001

AREA (Approximate, to be Verified)

Parcel Area:	837,659 sf	19.23 acres

BUILDINGS

Buildings	17 totoal	Bldgs	%	Units
Type A	One Bedroom- 16 plex	7	21	112
Type B	Twn Bedroom- 16 plex	3	9	48
Type C	Three Bedroom- 16 plex	9	26	144
Type D	Two Bedroom- 8 plex	15	44	120
TOTALS		34	100	424

DENSITY: 22.0 units / acre

PARKING REQUIREMENTS

Parking Required:		
1 - Bedrooms	112 * 1.25 =	140
2 - Bedrooms	168 * 1.75 =	280
3 - Bedrooms	144 * 2.00 =	288
Guest	424 / 6.0 =	71
TOTAL		779

Parking Provided	
Motorcycle	10
Covered Spaces	423
Open Spaces	316
TOTAL	749
Parking Ratio	1.77 / unit
H.C. Parking Required	16
H.C. Parking Provided	5

SETBACKS

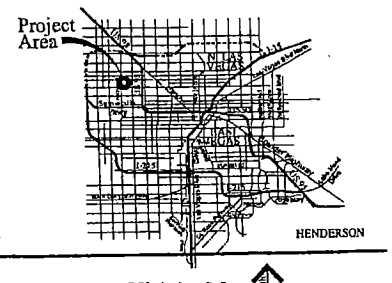
Front	10 ft
Side	5 ft
Corner Side	5 ft
Rear	20 ft

LANDSCAPE BUFFERS
Road Frontage: Existing

HEIGHT
Maximum Allowed: 55 ft
Provided: Two Story less than 55 ft

Accessible Route
Required to each ground floor unit, and all common use buildings and facilities
5% max running slope, 2% max cross slope, changes in level over 1/2" via 8% max slope ramp with handrails or curb ramp 8% max slope

Accessible Dwelling Unit = Accessible Dwelling unit
UBC Type 'A' accessible unit at ground floor per ANSI A117.1
All other ground floor units UBC Type 'B' adaptable dwelling units



Vicinity Map

Desert Shores Multi-Family

Cheyenne Ave. and Rampart Blvd.

Existing Site Plan

Date: December 22, 2004
Project Number: 04-0024

Scale: 1 : 50
0 50' 100'

N

SDR-5890
02-10-05 PC

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, Nevada 89109-0907

Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.com

JON EVENSEN FIELD
jfield@kkbr.com

December 28, 2004

Via Hand Delivery

PLANNING & DEVELOPMENT DEPARTMENT
City of Las Vegas
731 S. Fourth Street
Las Vegas, Nevada 89101

RE: Justification Letter – Desert Shores Holdings, LLC
Site Development Plan Review and Parking Variance for a condominium conversion generally located on the southwest corner of Cheyenne and Soaring Gulls
Assessors Parcel Number 138-16-101-001

Ladies and Gentlemen:

This office represents Desert Shores Holdings, LLC (hereinafter "Applicant") in connection with its proposed conversion of an existing "for rent" apartment complex to a "for sale" condominium complex. Applicant seeks a site development plan review and a parking variance with its proposed condominium conversion generally located at the southwest corner of Cheyenne and Soaring Gulls, as more particularly described as Assessor's Parcel Number 138-16-101-001 (the "Property").

Site Development Plan Review

The Property is situated on approximately 19.23 improved acres and the existing apartment complex consists of 17 buildings with 424 total units. The 34 buildings are designed into 4 types as follows: Type A – one bedroom 16 plex consisting of 7 buildings and 112 units; Type B – two bedroom 16 plex consisting of 3 buildings and 48 units; Type C – three bedroom 16 plex consisting of 9 buildings and 144 units; and Type D – two bedroom 8 plex consisting of 15 buildings and 120 units.

Applicant proposes to convert the existing "for rent" apartment use to a "for sale" condominium project. Condominium conversion projects have become very popular in the Las Vegas Valley due to the rapidly increasing property values. This application addresses a housing niche not otherwise served by the current trend of luxury condominium conversions. The practical effects of this change on surrounding properties are minimal, if affected at all. The proposed intensity/density of the condominium project will be substantially similar what presently exists and thus remains compatible with the surrounding uses in this area. The only change will be that the individuals already living on the subject property will have the opportunity to own a home as opposed to renting.

As stated previously, the proposed conversion does not represent a change that will have any effect on public facilities or infrastructure that were not already contemplated by the existing use. The demographics of individuals and families using the property now will be substantially similar to the demographics of the owners of units once converted to condominiums. Accordingly, there should be increase in the usage of facilities and services than what is the present effect on the same. All public

SDR-5890

facilities and services have been operated in accordance with Las Vegas requirements with no adverse effects.

Parking Variance

Applicant provides for 749 parking spaces where 779 are required, which only results in approximately 4% reduction. The requested reduction in required parking space is justified because the demographics of individuals and families using the property now will be substantially similar to the demographics of the owners of units once converted to condominiums. Presently, there are substantially more parking spaces available than needed by the residents of the apartment complex. As such, it is unlikely that the actual parking usage on any given day will create a lack of available parking at the project.

Should you have any questions or require additional information to evaluate this request, please do not hesitate to contact me directly.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jon Evensen Field

SDR-5890

11799.1

BROADSTONE AT DESERT SHORES

PARKING SURVEY

CARS

DATE/ TIME OF DAY	TOTAL # OF SPACES AVAILABLE	TOTAL # OF CARS	TOTAL # OF EMPTY SPACES	PERCENTAGE OF SPACES USED
Monday 02/07/05				
1:30 PM	749	208	541	27%
7:30 PM	749	375	374	50%
Tuesday 02/08/05				
1:30 PM	749	228	521	30%
7:00 PM	749	383	366	51%
Wednesday 02/09/05				
1:30 PM	749	217	532	29%
7:00 PM	749	367	382	49%
Thursday 02/10/05				
8:30 AM	749	329	420	44%
4:00 PM	749	221	528	29%
AVERAGE	749	291	458	38%

Submitted at Planning Commission

Date 2/10/05 Item 56 ph

SDR5890

City of Las Vegas

Agenda Item No.: 57

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
SDR-5896 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: AMSOURCE COMPANIES - OWNER: WAL-MART STORES, INC. - Request for a Site Development Plan Review FOR A PROPOSED 12,360 SQUARE-FOOT COMMERCIAL DEVELOPMENT AND WAIVERS OF FOUNDATION LANDSCAPING AND THE 20-FOOT PERIMETER LANDSCAPING REQUIREMENT on 1.76 acres adjacent to the northeast corner of Craig Road and Jones Boulevard (APN a portion of 138-01-219-002), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/16/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, gave a brief overview of the application. A sewer easement runs along Craig Road through the landscaping planter and staff recommended amending Condition 5 to address the issue.

JEFF RANDALL, Great Basin Engineering, 2010 North Redwood Road, Salt Lake City, Utah,

MINUTES – Continued:
appeared on behalf of the applicant. He explained the project was for a general retail building. The applicant has had discussions with staff regarding the landscaping requirements for the front and regarding the placement of additional trees in regards to the sewer easement. He concurred with all conditions and the amendment MR. RANKIN read into the record.

VICE CHAIRMAN TRUESDELL questioned whether trucks could circulate in the back of the building. He recollected that when the center was approved, he thought such circulation was prohibited. MR. RANKIN thought he was correct. He supported the application as proposed.

CHAIRMAN NIGRO declared the Public Hearing closed.
(11:00 – 11:04)
4-435

CONDITIONS:
Planning and Development

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

2. Conformance to all applicable Conditions of Approval for Rezoning (Z-0108-88), Site Development Plan Review (Z-0108-88(15)), Tentative Map (TM-0024-99), Final Map (FM-0077-99), and Master Sign Plan (MSP-5003).

3. All development shall be in conformance with the site plan and building elevations date stamped 12/28/04 of Site Development Plan Review [SDR-5896] except as amended by conditions herein.

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

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 an additional four 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along Craig Road. A total of nineteen 24-inch box trees are required along Craig Road.

CONDITIONS – Continued:

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

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

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

9. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements.

   (a) The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components.

   (b) The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan.

   (c) The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is then required to provide for said maintenance.

   (d) The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

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

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

CONDITIONS – Continued:

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

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

14. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map or building permit, to reflect the move of the east pylon sign proposed for the Craig Boulevard frontage so that it will be located a minimum of 73'-6" from the nearest single-family property to the east in accordance with the Residential Protection Standards listed in Title 19.14. and Master Sign Plan MSP-5003.

Public Works

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

16. No structures shall be built within the existing public sewer easements located along the south and east portion of this site.

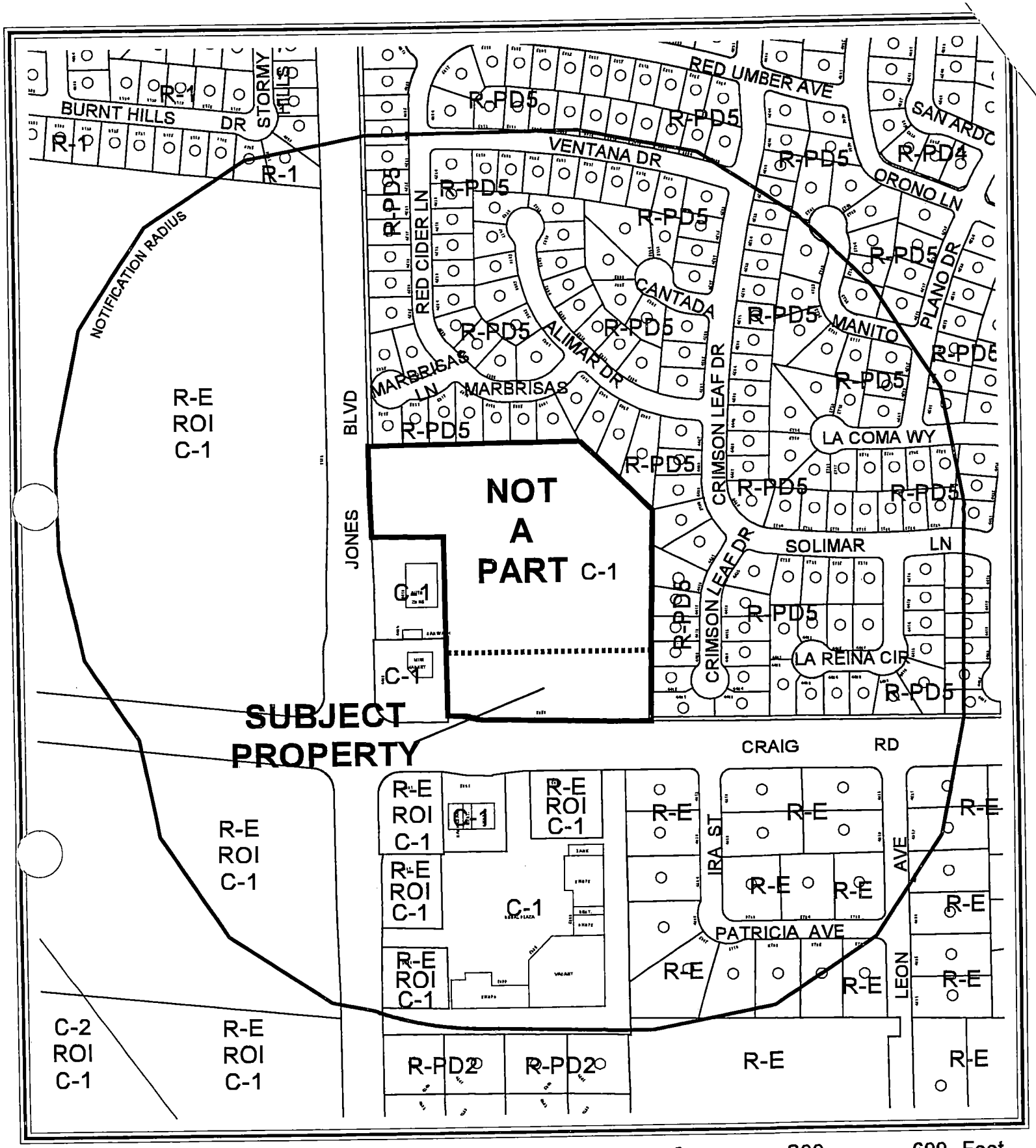
17. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting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

18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, the submittal of any construction drawings, or the recordation of a Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

PLANNING COMMISSION MEETING OF FEBRUARY 10, 2005
Planning and Development Department
Item 57 – SDR-5896

CONDITIONS – Continued:

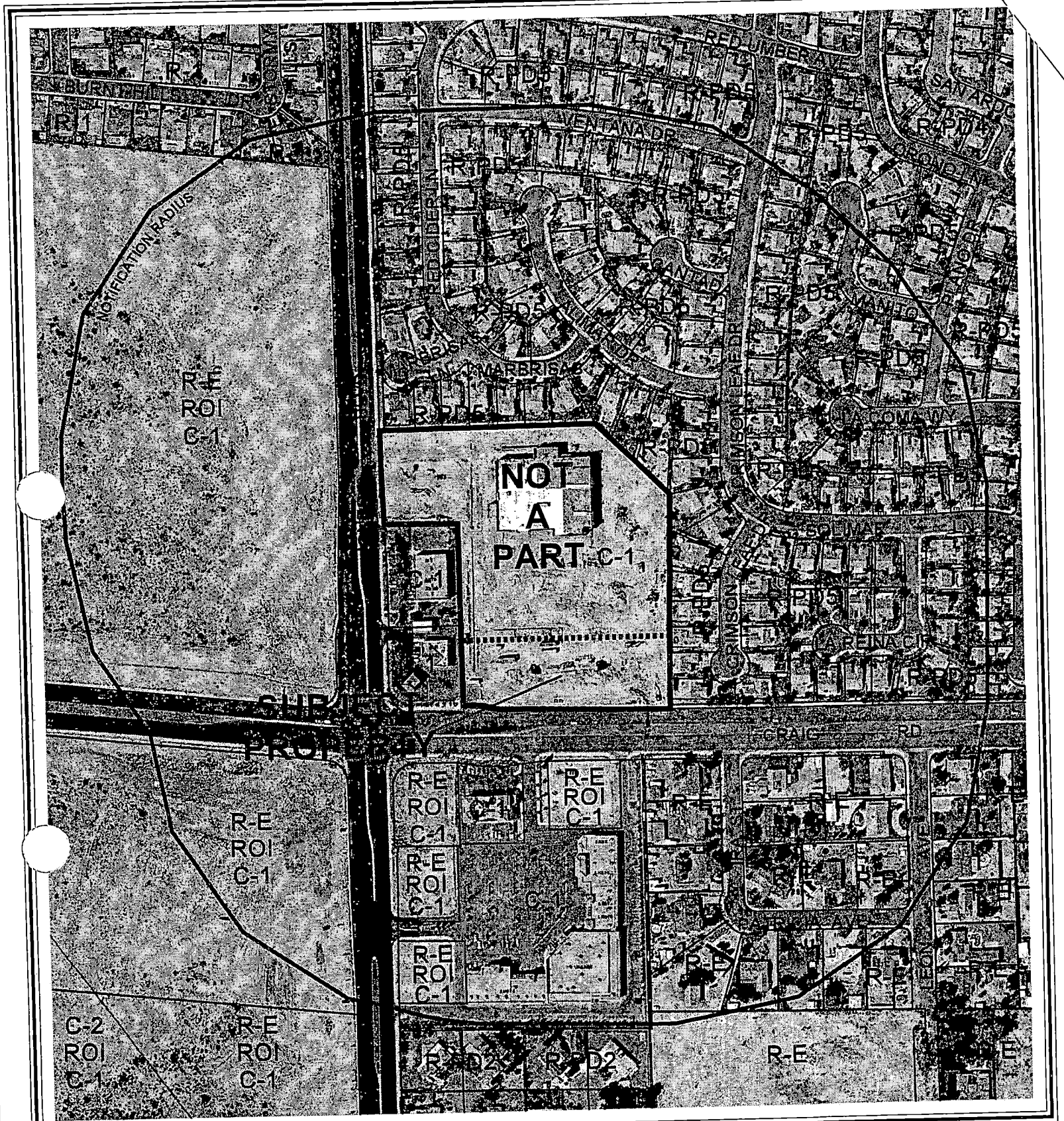
19. Site development to comply with all applicable conditions of approval for Z-108-88, the Alta Mira Plaza (Commercial Subdivision) and all other subsequent site-related actions.



CASE: **SDR-5896**

RADIUS: 750 FT

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



CASE: **SDR-5896**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5896 - PUBLIC HEARING – APPLICANT: AMSOURCE COMPANIES -- OWNER: WAL-MART STORES

** CONDITIONS **

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

Planning and Development

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

2. Conformance to all applicable Conditions of Approval for Rezoning (Z-0108-88), Site Development Plan Review (Z-0108-88(15)), Tentative Map (TM-0024-99), Final Map (FM-0077-99), and Master Sign Plan (MSP-5003).

3. All development shall be in conformance with the site plan and building elevations date stamped 12/28/04 of Site Development Plan Review [SDR-5896] except as amended by conditions herein.

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

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 an additional four 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along Craig Road. A total of nineteen 24-inch box trees are required along Craig Road.

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

SRS

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

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

9. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements.

   (a) The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components.

   (b) The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan.

   (c) The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is then required to provide for said maintenance.

   (d) The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

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

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

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

SRS

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

14. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map or building permit, to reflect the move of the east pylon sign proposed for the Craig Boulevard frontage so that it will be located a minimum of 73'-6" from the nearest single-family property to the east in accordance with the Residential Protection Standards listed in Title 19.14. and Master Sign Plan MSP-5003.

Public Works

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

16. No structures shall be built within the existing public sewer easements located along the south and east portion of this site.

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

18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, the submittal of any construction drawings, or the recordation of a Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

19. Site development to comply with all applicable conditions of approval for Z-108-88, the Alta Mira Plaza (Commercial Subdivision) and all other subsequent site-related actions.

SRS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and Waivers of foundation and perimeter landscaping requirements for a proposed 12,360 square foot commercial development on 1.76 acres adjacent to the northeast corner of Craig Road and Jones Boulevard.

B) Applicant's Justification

The applicant has justified the Waiver of perimeter landscaping by stating: "In order to provide the required amount of parking and a loading zone and dumpster enclosure for each building, the amount of landscaping provided along Craig Road was reduced from the 20-foot requirement determined for the overall Wal-Mart to 15 feet. The 15-foot landscape along Craig Road doesn't meet the conditions of approval for the overall site, but does meet the requirements set on the current zoning of the site."

BACKGROUND INFORMATION

A) Previous Actions

12/07/88	The City Council approved a Rezoning (Z-0108-88) to C-1 (Limited Commercial) on this site as part of a larger request.
06/10/99	The Planning Commission approved the Alta Mira Commercial Tentative Map (TM-0024-99) on this site. Staff recommended approval.
10/28/99	The Planning Commission approved the Alta Mira Commercial Final Map (FM-0077-99) on this site. Staff recommended approval.
10/16/02	The City Council approved a request for a Site Development Plan Review (Z-0108-88(15) for a 39,910 square foot Wal-Mart Neighborhood Market located adjacent to the northeast corner of Craig Road and Jones Boulevard. The Planning Commission and staff both recommended approval.
09/23/04	The Planning Commission approved a request for a Master Sign Plan (MSP-5003) for a 39,910 square-foot Wal-Mart Neighborhood Market on 8.17 acres adjacent to the northeast corner of Craig Road and Jones Boulevard.

B) Pre-Application Meeting

10/20/04 Submission requirements for a Site Development Plan Review Request were discussed at the meeting. Of note:

1) The applicant was informed that that the Center Driveway onto Craig Road needs NDOT approval, was not supported by Public Works staff, and nor was it approved as part of the site review.

2) The applicant was asked to show elevations that include Residential Adjacency slope from the single family residential to the east into the proposed Pad B building.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.76 acres

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwellings
South:	Undeveloped
	Commercial Center Use
	Single Family Dwellings
East:	Single Family Dwellings
West:	Car Wash Use
	Convenience Store Use
	Undeveloped

C) Planned Land Use

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

C) ***Existing Zoning***

Subject Property:	C-1 (Limited Commercial)
North:	R-PD5 (Residential Planned Development – 5 Units Per Acre)
South:	R-E (Residence Estates) R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) C-1 (Limited Commercial)
East:	R-PD5 (Residential Planned Development – 5 Units Per Acre)
West:	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) C-1 (Limited Commercial)

E) ***General Plan Compliance***

The subject property is designated SC (Service Commercial) within the Centennial Hills Section Plan of the General Plan. The Service Commercial designation allows low- to medium-intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The proposed use is in conformance with the General Plan designation.

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

PROJECT DESCRIPTION

These are two retail pads that are to be located in front of the Wal-Mart Neighborhood Market along Craig Road. The site will be accessed by two entrances off of Craig Road that will feed into the Wal-Mart parking lot and then into the proposed site. The two pad buildings are 6,180 square-feet in size and will contain space for general retail and a restaurant. There are 85 parking spaces provide on site along with four handicap stalls adjacent to the buildings. The two trash enclosures and loading zones will be placed on the north side of the buildings along the driveway. The trash enclosures will be enclosed with material to match the buildings along with being roofed. The enclosures will be screened with landscaping.

The landscaping in the parking lot area is showing the appropriate amount of 24-inch box deciduous trees and 5 gallon shrubs at the end of the parking rows as well as a tree every six parking stalls along the north end of the site. The remaining perimeter landscaping along the north end of the site is providing 24-inch box deciduous trees every 20 feet on center, along with four five gallon shrubs per tree. The landscaping along Craig road is showing 24-inch box deciduous trees approximately 30 feet on center in a cluster design. This landscape area is deficient five 24-inch box deciduous trees that will need to be installed along with the appropriate amount of 5 gallon shrubs. The size of the landscape area along Craig Road was required to be a minimum 20 feet wide, but the site currently only shows a 15 foot wide landscape area.

The elevations of the buildings will be stucco with a brick veneer that will be similar in style and design to that of the Wal-Mart Neighborhood Market.

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. Setbacks • Front • Side • Corner • Rear	 20 Feet 10 Feet 15 Feet 20 Feet	 30 & 40 feet 20 feet N/A 35 feet	 Y Y Y Y
Max. Lot Coverage	50 %		
Max. Building Height	N/A	N/A	
Trash Enclosure	Walled, gated, roofed	Walled, gated, roofed	Y
Loading Zone	2	2	Y
Mech. Equipment	Screened	Screened	Y

The proposed development standards are acceptable and will create a harmonious and aesthetically pleasing development.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards do not apply to the subject property.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required** Parking Ratio	Regular	Handicap	**Provided** Parking Regular	Handicap
Retail	10,160 SF.	1/175 GFA	59	2	59	2
Restaurant Indoor	800 SF.	1/50 GFA	16	1	16	1
Seating, Outdoor	120 SF.	1/50 GFA	3		3	
Seating, Remaining	1400 SF.	1/200 GFA	7	1	7	1

Public works is requiring that all substandard public street improvements be removed as well as any unused driveway cuts that are adjacent to the site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Trees/ 6 Spaces	14 Trees	30
Buffer: • Min. Trees	1 Trees/ 20 Linear Feet	19 Trees	15
• Min. Zone Width - Along Street - Perimeter	20 Feet 8 Feet		15 8
• Wall height	N/A		

The project site has sufficient number of trees within the parking areas. The required landscaped area along Craig Rd. is not meeting the landscaping requirements of Title 19 or the Urban Standards & Design Guidelines.

A5) Sign Standards

Pursuant to Master Sign Plan MSP-5003 approved for the entire Alta Mira Commercial Center (Wal-Mart Neighborhood Market and Outpads), the following Sign Standards apply to the subject proposal, Numbered as Conditions of Approval in MSP-5003:

2. All freestanding signage shall be located a minimum of five feet from the front property line in accordance with the requirements of Title 19.14.

3. Freestanding signage for the development shall be restricted to the pylon sign and monument sign proposed for the Craig Boulevard frontage, and the monument sign proposed for the Jones Boulevard frontage.

4. The pylon sign proposed for the Craig Boulevard frontage shall be located a minimum of 73'-6" from the nearest single family property to the east in accordance with the Residential Protection Standards listed in Title 19.14.

   The proposal does not meet Condition number 4 of MSP-5003. The east pylon sign should be located at least 73'-6" from the residential property to the east. The proposed site plan depicts a distance of only 67 feet. A Condition of Approval has been added above, requiring a revised site plan showing compliance with this location change.

B) General Analysis and Discussion

- Zoning

  The proposed supermarket is a permitted use within the C-1 (Limited Commercial) zoning district.

- Site Plan

  The submitted site plan indicates, for the most part, an effective means of ingress/egress and circulation throughout the site. However, staff notes that the layout of the proposed parking lot is not appropriate. Staff finds the proposed parking lot depicts five 20-foot wide one-way driveways, one 25-foot wide two-way driveway, one 30-foot wide two-way driveway, and one 31-foot wide two-way driveway. Staff finds that if the three eastern most rows of parking were "flipped," the parking lot would be less confusing. Therefore staff has included a condition requiring the site plan to be revised to depict revised parking layout. In addition, staff finds that there is a row of handicap parking spaces that are directly adjacent to the front of the building. Staff notes that the parking that directly abuts the front of a building is undesirable and can prove to be dangerous when allowed. Therefore, staff has included a condition requiring the deletion of the row of parking abutting the front of the proposed supermarket.

- Waivers

  The requested waiver to the landscape buffer from 20-feet to 15-feet along Craig Road will not have an overall effect on the site plan. The landscaping along Craig Road will need to be installed per City requirements.

- Landscape Plan

  The submitted landscape plan indicates landscaping that is in conformance with the requirements of the Urban Design Guidelines and Standards for the parking areas, but along Craig Road the landscaping is short five 24" box trees. These trees will need to be installed to meet code requirements. A condition of approval has been included to addresses this.

- Elevation

  Section 19A.08.060 of the Las Vegas Zoning Code requires any new non-residential development to maintain a three to one slope away from the nearest residential property. In this case, there are existing residential uses to the north and east of the site. The building height is staggered from front to rear. At the front elevation, the building has a maximum height of twenty-four feet (24'), and the rear elevation has a maximum height of sixteen feet (16'). Therefore, staff finds the proposed supermarket is in compliance with the Residential Adjacency Standards.

  In addition, staff finds the submitted building elevations depict an attractive building with appropriate contrast and architectural design.

- Floor Plan

  The floor plans for the two buildings show a typical layout for individual suites to be built out. The suites will include general retail and restaurant uses.

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 commercial development will be appropriate, in terms of the type and intensity of anticipated uses, as neighborhood-serving retail and potential restaurant uses for existing and planned 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 project will be consistent with Title 19 and applicable policies and standards with implementation of the conditions that are recommended.

SRS

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

   The site circulation is appropriate and will not negatively impact adjacent roadways in that three driveways are being proposed for the site.

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

   The proposed project will incorporate appropriate building and landscape materials for the area and for the City in that the elevations provide adequate architecture and materials and the landscaping will help buffer surrounding uses by creating a visual screen.

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 project will create an aesthetically pleasing and orderly site plan with a central parking area. Staff finds the building elevations and landscaping will also provide an aesthetically pleasing environment by creating a visual screen.

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

   The proposed development will be subject to regular inspections for licensing, and therefore the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 196

APPROVALS 0

PROTESTS 0

SRS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

[redacted]

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5896 APN: 18801219002

Name of Property Owner: WALMART STORES INC.

Name of Applicant: AMSOURCE COMPANIES

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: Carole J. Baker

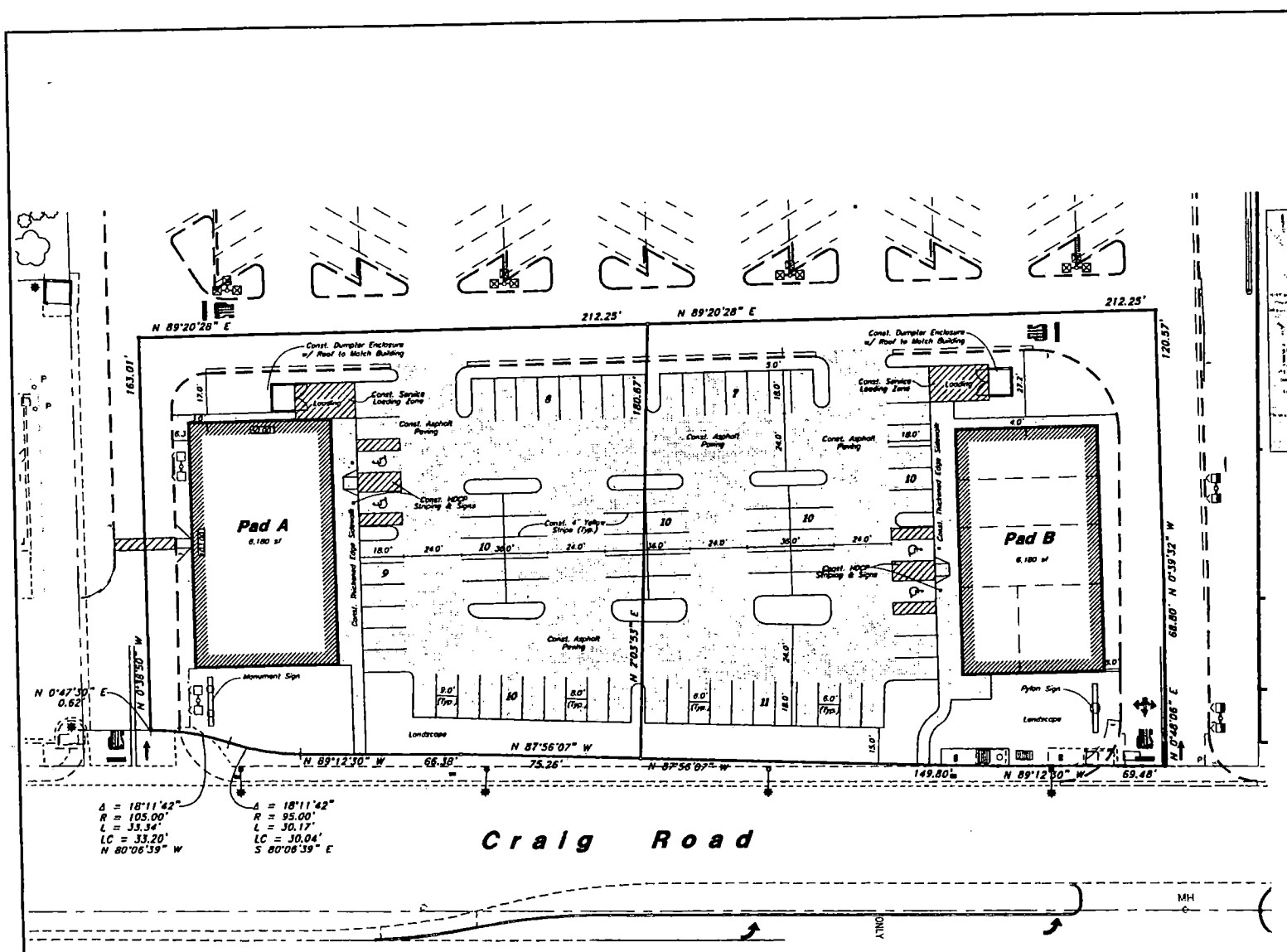
Print Name: CAROLE J. BAKER

Subscribed and sworn before me

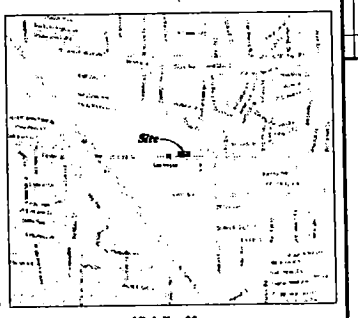
This 8th day of December, 2006

Notary Public in and for said County and State

Arkansas
Benton County



Scale : 1" = 20'



Vicinity Map

Site Data:

Zoning = C-1 Limited Commercial District

Total Site Area = 76,538 sf (1.76 Ac.)

Building Area = 12,360 sf (16.1%)

Landscape Area Provided = 13,463 sf (17.6%)

Parking Required:

Pad A

Retail - 6,180 s.f. @ 1/175 = 36 stalls

Pad B

Retail - 3,980 s.f. @ 1/175 = 23 stalls

Restaurant - 800 s.f. @ 1/50 = 16 stalls

- 1,400 s.f. @ 1/200 = 7 stalls

Outdoor Seating - 120 s.f. @ 1/50 = 3 stalls

Total Parking Required = 85 stalls

Parking Provided = 85 Stalls (6.88/1000)

No Perimeter Wall

NOTE:
This plan has been prepared without benefit of a complete survey. It is conceptual in nature and no guarantee of its accuracy is implied

GREAT BASIN ENGINEERING - SOUTH
CONSULTING ENGINEERS and LAND SURVEYORS
2010 North Redwood Road, P.O. Box 16747
Salt Lake City, Utah 84116
Tel (801)521-8529 Fax (801)521-9331

Conceptual Site Plan

Craig & Jones

Craig Rd & Jones Blvd
Las Vegas, Nevada

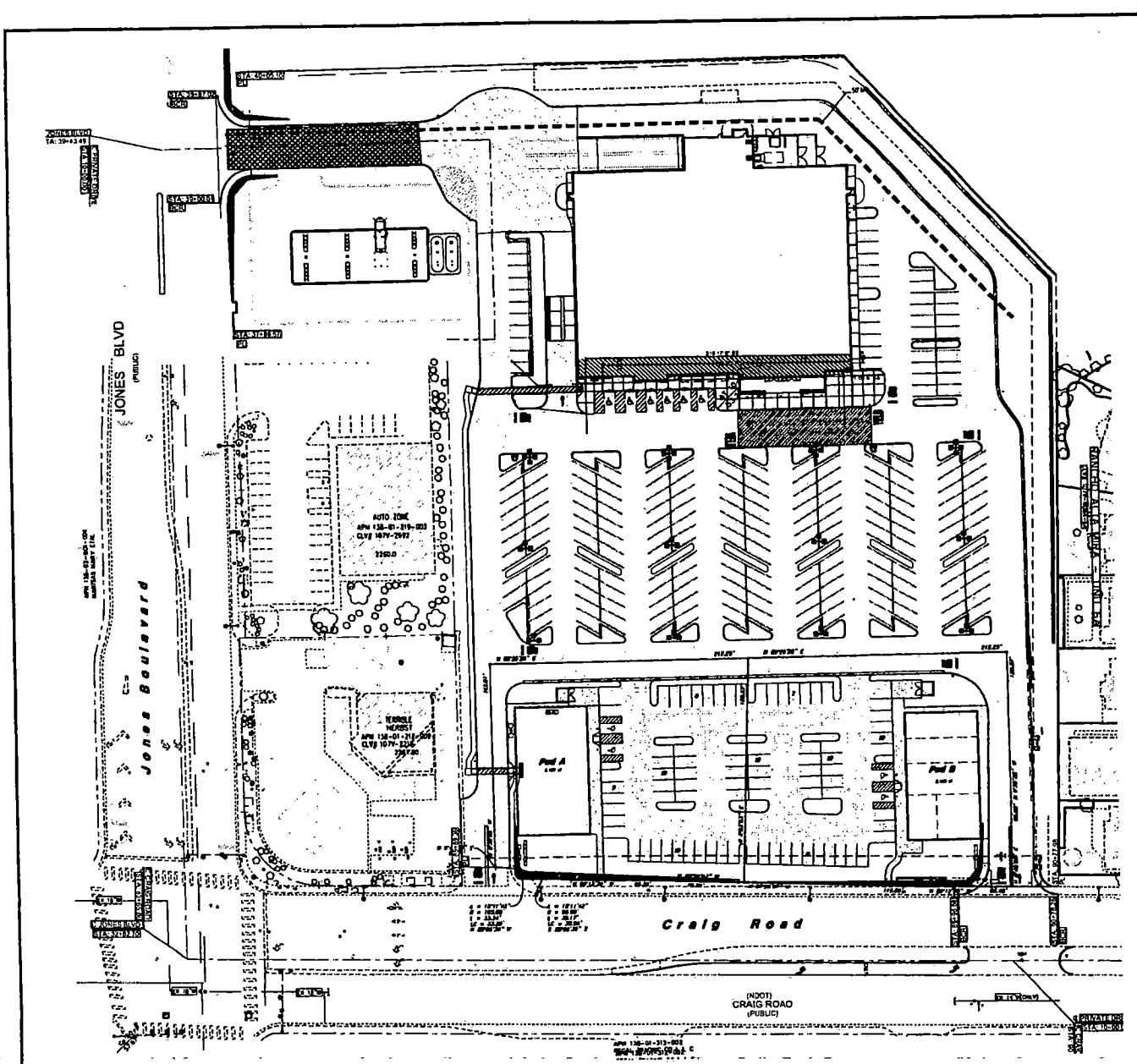
Amsource
350 South Rio Grande
Suite 200
Salt Lake City, Utah 84101
801-994-7000
801-532-2109 fax

17 Dec, 2004

SHEET NO 1

SDR-5896
02-10-05 PC

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Site Data:
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Restaurant - 800 s.f. @ 1/50 = 16 stalls
- 1,300 s.f. @ 1/200 = 7 stalls
Outdoor Seating - 120 s.f. @ 1/50 = 3 stalls
Total Parking Required = 85 stalls
Parking Provided = 85 Stalls (8.00/1000)

ACREAGE:

Wal-Mart:	5.75 AC
Future Lease Lot:	0.67 AC
Outlots:	1.76 AC
Total:	8.18 AC

BUILDING AREA:

Wal-Mart:	39,690 SF

PARKING REQUIRED (WAL-MART):

Standard:	193
Accessible:	4
Cart Corrals:	3
Total Required:	200

PARKING PROVIDED (WAL-MART):

Standard:	190
Accessible:	6
Cart Corrals:	4
Total Provided:	200
Ratio:	5.00

GREAT BASIN ENGINEERING - SOUTH
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2010 North Redwood Road, P.O. Box 16747
Salt Lake City, Utah 84116
Salt Lake City (801)521-8529 Vegas (801)384-7868 Fax (801)521-1531

REV DATE DESCRIPTION

Conceptual Site Plan

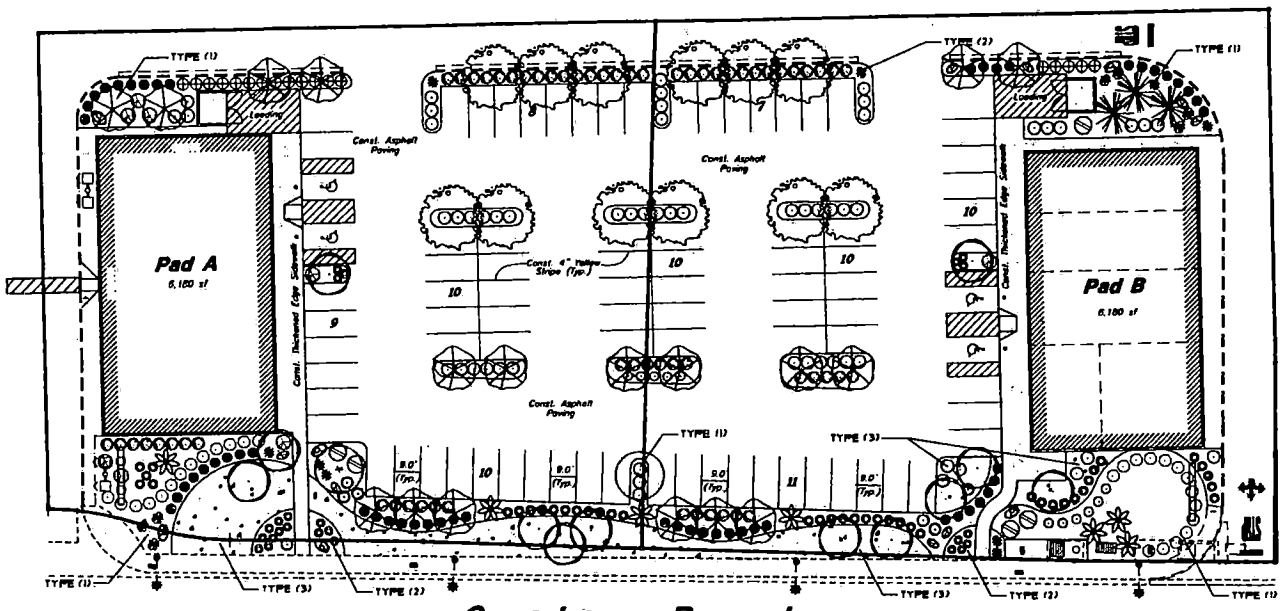
Craig & Jones
Craig Rd. & Jones Blvd
Las Vegas, Nevada

28 Oct, 2004

SHEET NO
2

SDR-5896
02-10-05 PC

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Craig Road

Plant List (TREES)

Quan.	Symbol	Botanical Name	Common Name	Size	Remarks
12		Acacia stenophylla	Shoestring Acacia	24" Box	10'-12' Height
1		Chamaerops humilis	Mediterranean Fan Palm	24" Box	3'-4' Height
16		Eucalyptus microtheca 'Blue Ghost'	Blue Ghost Eucalyptus	24" Box	10'-12' Height
3		Pinus eldarica	Mondel Pine	24" Box	6'-8' Height
7		Prosopis chilensis	Chilean Mesquite	24" Box	10'-12' Height
12		Pyrus kawakamii	Evergreen Pear	24" Box	8'-10' Height

Plant List (SHRUBS)

Quan.	Symbol	Botanical Name	Common Name	Size	Remarks
8		Agave americana	Century Plant	5 Gallon	15" - 18"
58		Cassia artemisioides	Feathery Cassia	5 Gallon	18" - 24"
9		Dasylirion wheeleri	Desert Spoon	5 Gallon	15" - 18"
61		Leucophyllum f. 'Green Cloud'	Green Cloud Texas Ranger	5 Gallon	18" - 24"
18		Oleander 'Petite Salmon'	Petite Salmon Oleander	5 Gallon	18" - 24"
26		Pittosporum tobira 'Variegata'	Variegated Mockorange	5 Gallon	15" - 18"
11		Rhaphiolepis indica 'Ballerina'	Ballerina Dwarf Hawthorn	5 Gallon	15" - 18"
99		Rosmarinus 'Prostratus'	Prostrate Rosemary	5 Gallon	15" - 18"
7		Yucca aloifolia	Spanish Bayonet	5 Gallon	18" - 24"
7		Yucca recurvifolia	Curveleaf Yucca	5 Gallon	18" - 24"

Plant List (GRASSES)

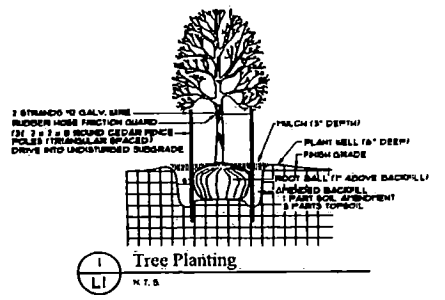
Quan.	Symbol	Botanical Name	Common Name	Size	Remarks
5		Cortaderia selloana	Pampas Grass	5 Gallon	36" - 36"
24		Muhlenbergia rigens	Deer Grass	1 Gallon	15" - 18"
41		Pennisetum setaceus 'Cupreus'	Cupreus Fountain Grass	1 Gallon	12" - 15"

Planting Notes

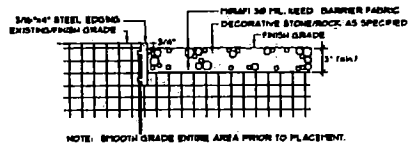
1. All landscaped areas shall receive topsoil and/or fill material to provide a rough grade at (4) inches below ultimate finish grades, allowing for the weed barrier fabric and gravel surfacing installation.
2. All plant material holes shall be dug twice the diameter of the rootball and (6) inches deeper. Excavated material removed from the site.
3. Plant backfill mixture shall be composed of 3 parts topsoil, to 1 part native soil, to 1 part humus mulch additive and shall be rotary sieved on-site prior to installation.
4. Plant fertilizer shall be 'Agriform' brand 21 gram tablets used as per manufacturers recommendations.
5. Upon completion of planting operations, all shrub and tree wells shall receive a (3) inch minimum depth of stone surfacing as specified. The stone surfacing shall be placed immediately following the installation of the weed barrier fabric.
6. All areas where different types of stone surfacing are to used shall be separated with 3/16"x4" steel edging, and shall be installed per manufacturer's recommendations.
7. All landscape boulders shall be of similar color and shape previously used on the site.
8. The project shall be swept clean of dirt and debris prior to completion of the project.
9. The contractor shall comply with all warranties and guarantees set forth by the Owner, and in no case shall that period be less than one year following the date of final completion and acceptance.
10. The landscape contractor shall be responsible for completing all maintenance requirements as outlined in the project specifications.

General Notes

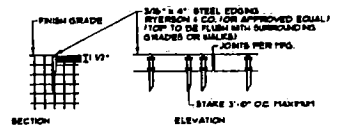
1. The contractor shall verify the exact location of all existing and proposed utilities, and all site conditions prior to beginning construction. The contractor shall coordinate his work with the project manager and all other contractors working on the site.
2. The finish grade of all planting areas shall be smooth, even and consistent, free of any humps, depressions or other grading irregularities. The finish grade of all landscape areas shall be graded consistently 3/4" below the top of all surrounding walks, curbs, etc.
3. The contractor shall stake the location of all plants for approval prior to planting. Trees shall be located equidistant from all surrounding plant material. Shrubs and groundcovers shall be triangular and equally spaced.
4. The contractor shall provide all materials, labor and equipment required for the proper completion of all landscape work as specified and shown on the drawings.
5. All plant materials shall be approved prior to planting. The Owner/Landscape Architect has the right to reject any and all plant material not conforming to the specifications.
6. The contractor shall keep the premises, storage areas and paving areas neat and orderly at all times. Remove trash, sweep, clean, hose, etc. daily.
7. The contractor shall plant all plants per the planting details, stake/guy as shown. The top of the root balls shall be planted flush with the finish grade.
8. The contractor shall not impede drainage in any way. The contractor shall always maintain positive drainage away from the building, walls, etc.



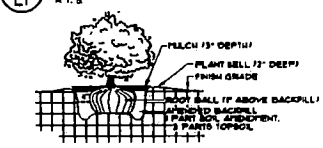
1 / L1 Tree Planting
N.T.S.



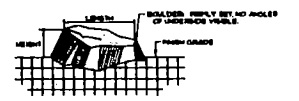
2 / L1 Steel Edging / Stone Surfacing
N.T.S.



3 / L1 Steel Edging - 3/16" x 4"
N.T.S.



4 / L1 Shrub Planting
N.T.S.



NOTE: USE CARE TO PROTECT PLANTING & SCULPTURE.

5 / L1 Decorative Boulder
N.T.S.

Legend/Miscellaneous

Ryerson (or equal) 3/16"x4" Steel Edging
Landscape Bandstone 18"-24" Diameter

Stone Surfacing

TYPE (1) : "Natural Rock" Decomposed Granite (3/4"-1")
TYPE (2) : "Fisheye Gold" Decomposed Granite (3/4"-1")
TYPE (3) : "Fisheye Gold" Decomposed Granite (1"-1 1/2")

APPLICATION PROCEDURE :
1. Place pre-emergent herbicide on fine grade layer.
2. Place weed barrier fabric (if specified).
3. Place 3" minimum decomposed granite to finish grade.
4. Place pre-emergent herbicide on finish grade.

Scale: 1" = 20'

GREAT BASIN ENGINEERING - SOUTH
CONSULTING ENGINEERS and LAND SURVEYORS
2010 North Redwood Road, P.O. Box 16747
Salt Lake City, Utah 84116
Salt Lake City (801)521-8529 Tooele (801)882-7588 * Fax (801)521-8531

NO.	DESCRIPTION	DATE

Conceptual Landscape Plan

Craig & Jones

22 Dec, 2004

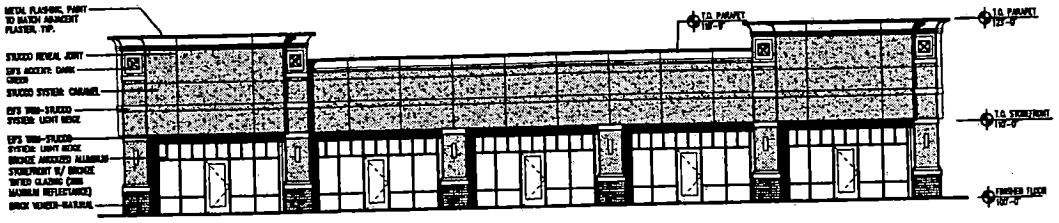
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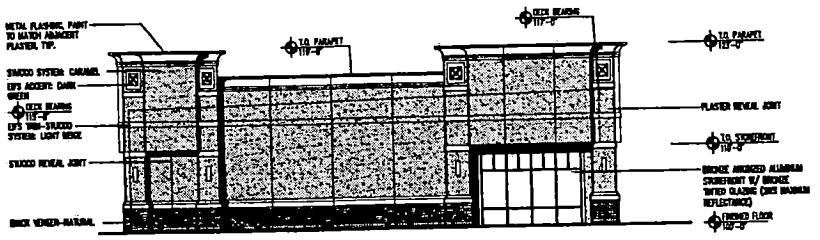
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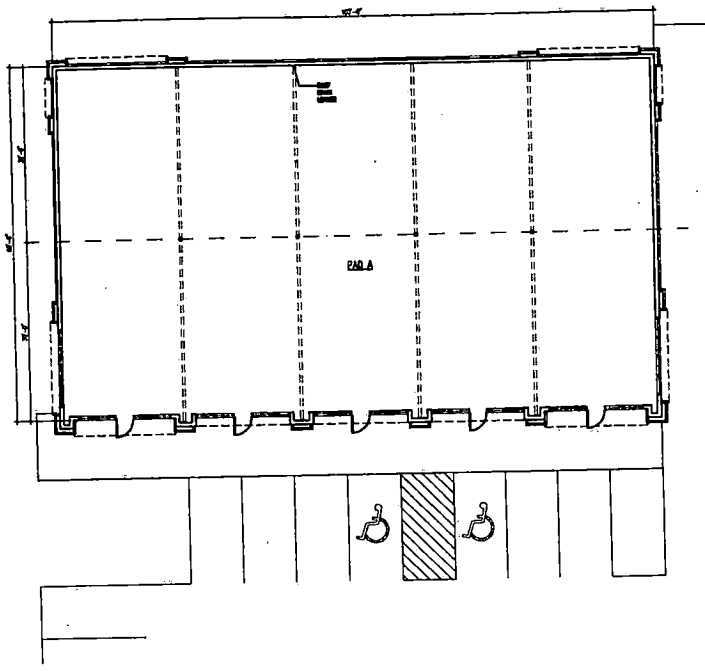
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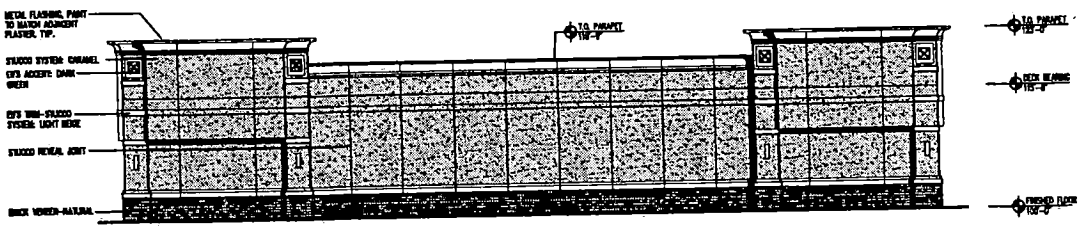
CRAIG & JONES
EAST ELEVATION BUILDING A
1/8"=1'-0"



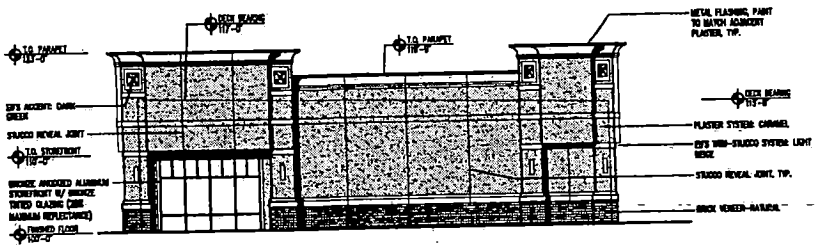
CRAIG & JONES
SOUTH ELEVATION BUILDING A
1/8"=1'-0"



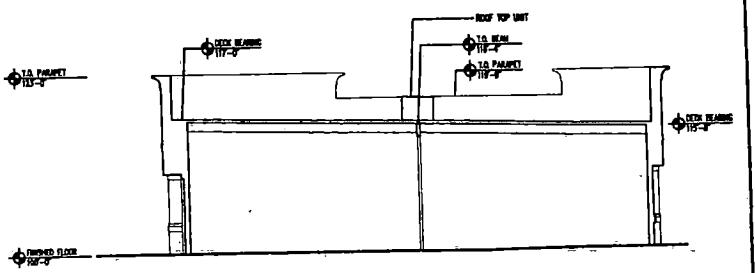
CRAIG & JONES
BUILDING A FLOOR PLAN
3/32"=1'-0"



CRAIG & JONES
WEST ELEVATION BUILDING A
1/8"=1'-0"



CRAIG & JONES
NORTH ELEVATION BUILDING A
1/8"=1'-0"



CRAIG & JONES
BUILDING SECTION LOOKING SOUTH
1/8"=1'-0"

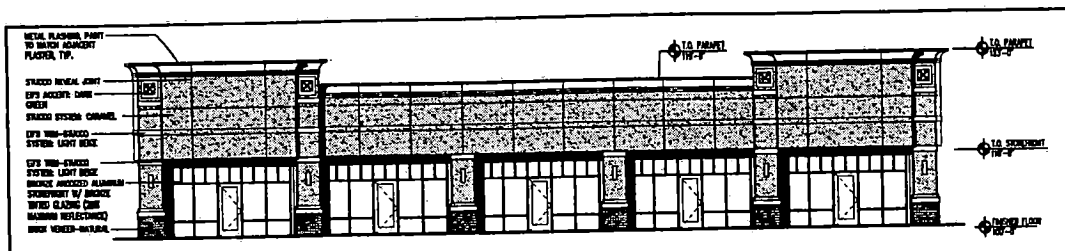
SDR-5896
02-10-05 PC

PRESCOTT MUIR ARCHITECTS, P.C. • 171 WEST PIERPONT AVE. • SALT LAKE CITY, UTAH 84101 • TEL: 801.521.9111 FAX: 801.521.9158

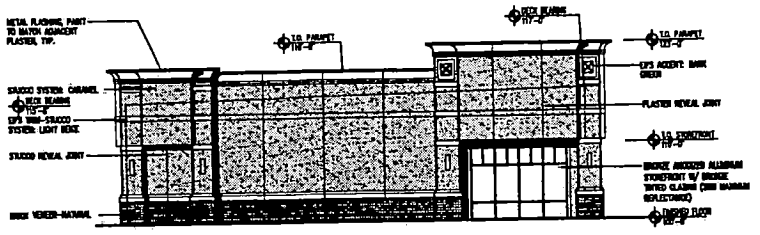
AMSOURCE SHOPS
BUILDINGS
LAS VEGAS, NEVADA

DRAWN BY:
PROJECT NO: 2048
DATE: 10.26.04

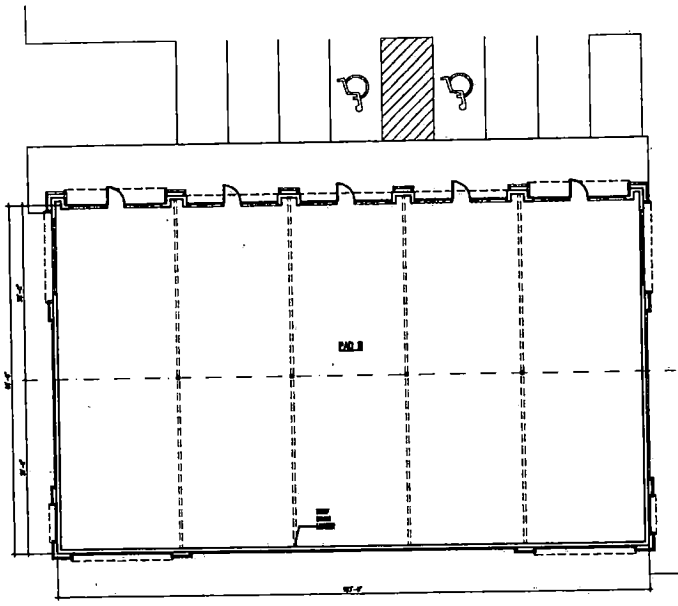
SHEET NO: A1.2A



CRAIG & JONES
WEST ELEVATION BUILDING B
1/8"=1'-0"

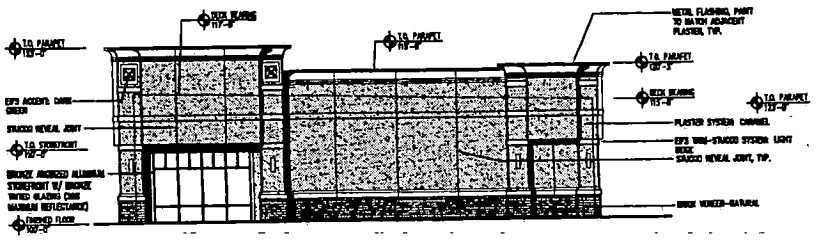


CRAIG & JONES
NORTH ELEVATION BUILDING B
1/8"=1'-0"

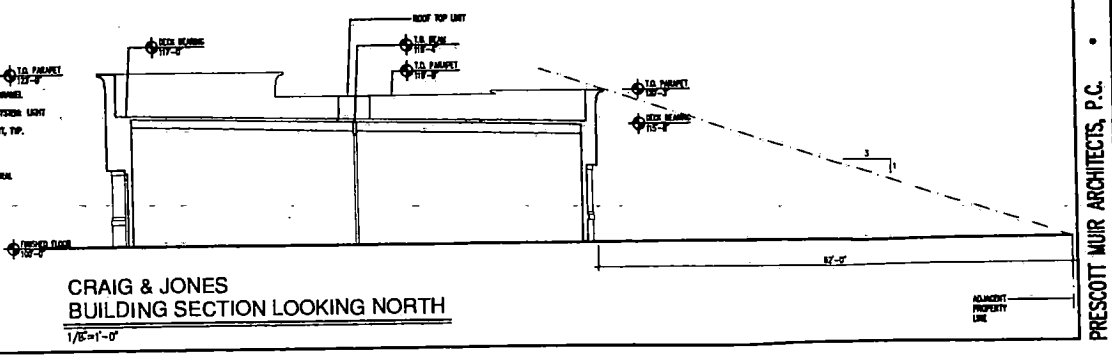


CRAIG & JONES
BUILDING A FLOOR PLAN
3/32"=1'-0"

CRAIG & JONES
EAST ELEVATION BUILDING B
1/8"=1'-0"



CRAIG & JONES
SOUTH ELEVATION BUILDING B
1/8"=1'-0"



CRAIG & JONES
BUILDING SECTION LOOKING NORTH
1/8"=1'-0"

SDR-5896
02-10-05 PC

PRESCOTT MUIR ARCHITECTS, P.C. • 171 WEST PIERPONT AVE. • SALT LAKE CITY, UTAH 84101 • TEL: 801.521.9111 FAX: 801.521.9158

AMSOURCE SHOPS
BUILDINGS
LAS VEGAS, NEVADA

DRAWN BY:
PROJECT NO: 3048

DATE: 12/23/04

SHEET NO: A1.2B



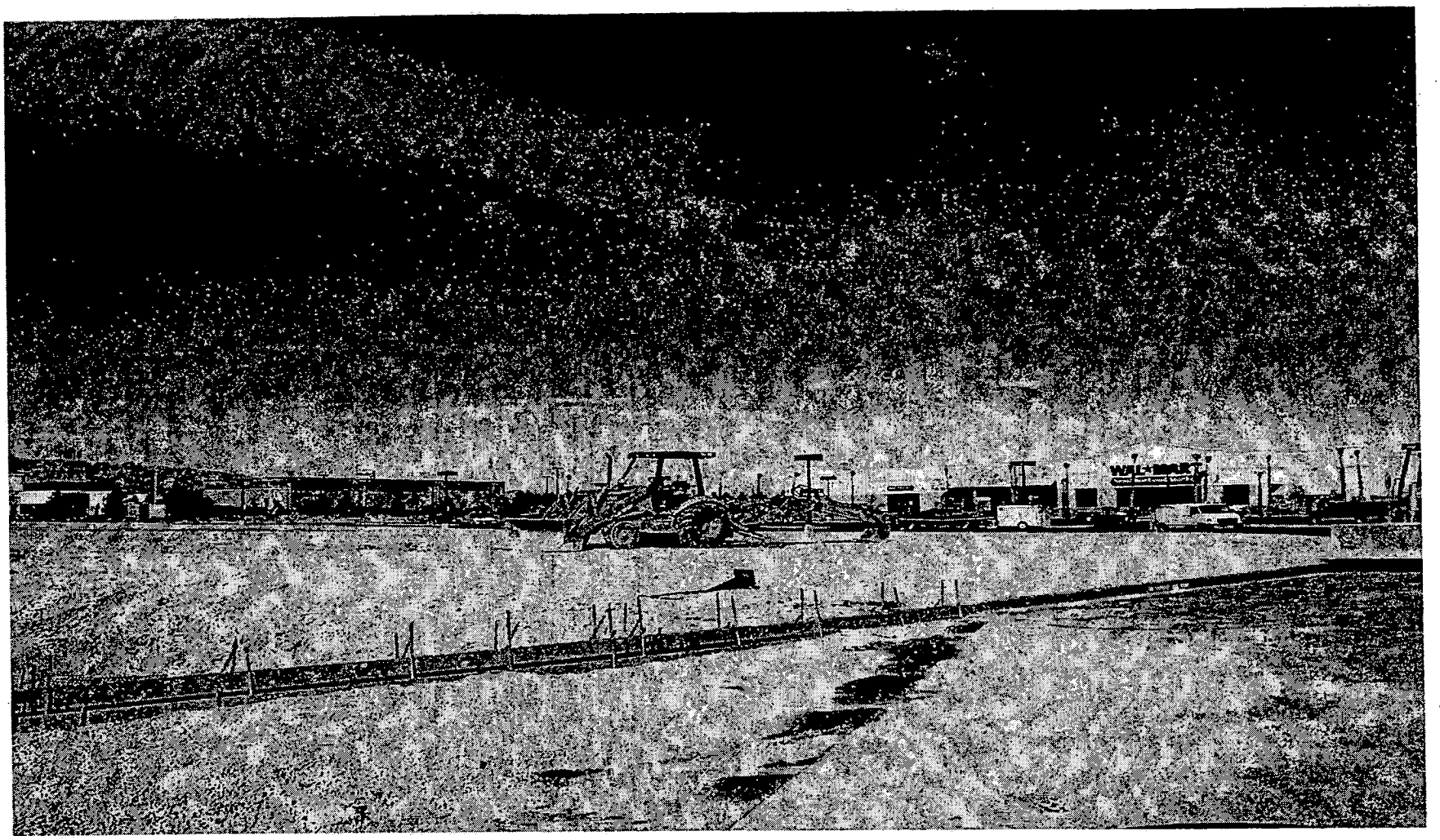
SDR-5896 - APPLICANT: AMSOURCE COMPANIES - OWNER: WAL-MART STORES, INC.
NORTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SDR-5896 - APPLICANT: AMSOURCE COMPANIES - OWNER: WAL-MART STORES, INC.
NORTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SDR-5896 - APPLICANT: AMSOURCE COMPANIES - OWNER: WAL-MART STORES, INC.
NORTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

GREAT BASIN ENGINEERING - South
2010 North Redwood Road • P.O. Box 16747 • Salt Lake City, Utah 84116
(801) 521-8529 • (801) 394-7288 • Fax (801) 521-9551

CONSULTING ENGINEERS
AND LAND SURVEYORS

November 9, 2004

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Attention: Stephen Swanton

RE: Pad A – Craig Road & Jones Blvd.
Justification Letter

Dear Stephen,

Amsource Companies is proposing a retail site which is part of the overall Wal-Mart site located near the intersection of Craig Road & Jones Boulevard. The site consists of two 6,180 s.f. retail buildings to be used for retail and restaurant space. The Pad A building will be used for retail space only and Pad B will have 3 retail tenants and 1 restaurant or food service tenant on the south end of the building. The site data table shown on the Conceptual Site Plan displays the breakdown of the building uses and the required parking for each use and the overall site. In order to provide the required amount of parking and a 25'x10' loading zone and dumpster enclosure for each building, the amount of landscaping provide along Craig Road was reduced from the 20 foot requirement determined for the overall Wal-Mart to 15 feet. The 15 foot landscape along Craig Road doesn't meet the conditions of approval for the overall site, but does meet the requirements set on the current zoning of the site.

The building setbacks from Craig Road are slightly more than the standard. The driving factor for the placement of the buildings is the location of the existing pylon and monument sign for the Wal-Mart store. In order to provide the appropriate amount of parking the buildings were placed as close to the existing driveways as possible. With the buildings being close to the driveways, the signs limit how close the buildings can be placed toward Craig Road.

This site plan has been designed to meet all codes and ordinances. We would respectfully request your approval of this application. Please see the attached site plan for your review. If you have any questions or concerns, please contact me at (801) 521-8529.

Sincerely,

Cameron Preston
Project Manager

SDR-5896

City of Las Vegas

Agenda Item No.: 58

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

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

SUBJECT:
SDR-5899 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: COLIN AND JENNIFER FRANK - Request for a Site Development Plan Review FOR A CHILD CARE FACILITY AND WAIVERS OF THE BUILD-TO STANDARD, FOUNDATION LANDSCAPING, AND PERIMETER LANDSCAPING on 0.65 acres adjacent to the southeast corner of Martin Luther King Boulevard and Miller Avenue (APN 139-21-510-078, 079), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C. 03/16/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/16/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, gave a brief overview of the application. He indicated there were landscaping deficiencies; however, staff felt it was appropriate because the landscaping made up for the parking lot and perimeter area landscaping on the site. The use is appropriate.

MINUTES – Continued:
MELVIN GREEN, 3305 West Spring Mountain Road, Apt. 92, appeared on behalf of the applicant and concurred with staff's conditions.

CHAIRMAN NIGRO declared the Public Hearing closed.
(11:04 – 11:05)
4-564

CONDITIONS:
Planning and Development

1. A Waiver of the building placement, foundation landscaping, and perimeter landscaping regulations as requested shall be granted.

2. The existing sign located on the site shall be removed.

3. All development shall be in conformance with the site plan and building elevations, date stamped 02/02/2005 except as amended by conditions herein.

4. The existing fence on the southern property line shall be replaced with a six-foot block wall. 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.

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

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

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

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

CONDITIONS – Continued:

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

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

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

12. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.

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

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

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

Public Works

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

17. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development

CONDITIONS – Continued:

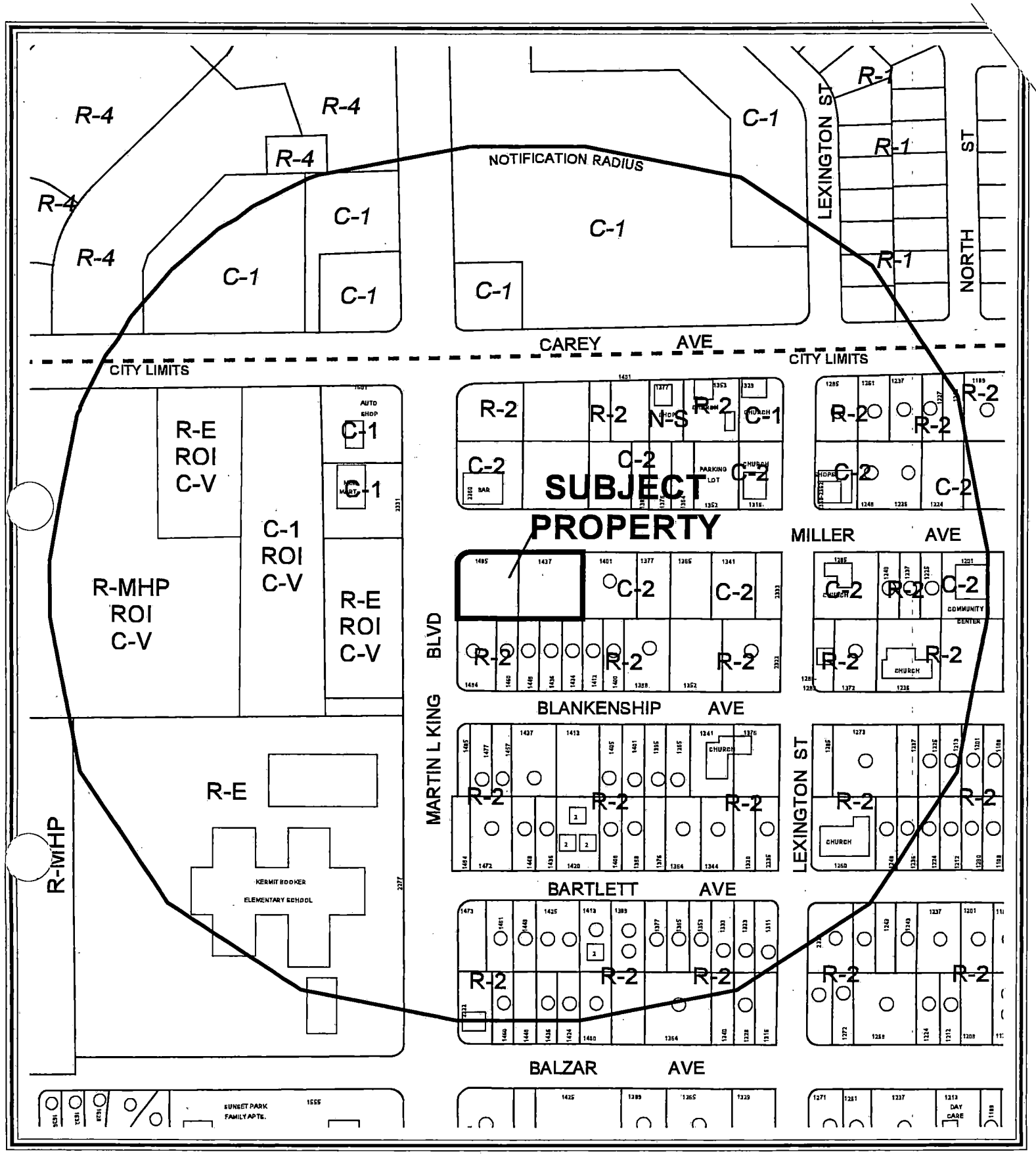
shall be restored at its original location and to its original width concurrent with development of this site.

18. Driveways shall be designed, located and constructed as required by City of Las Vegas Traffic Engineering.

19. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.

20. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

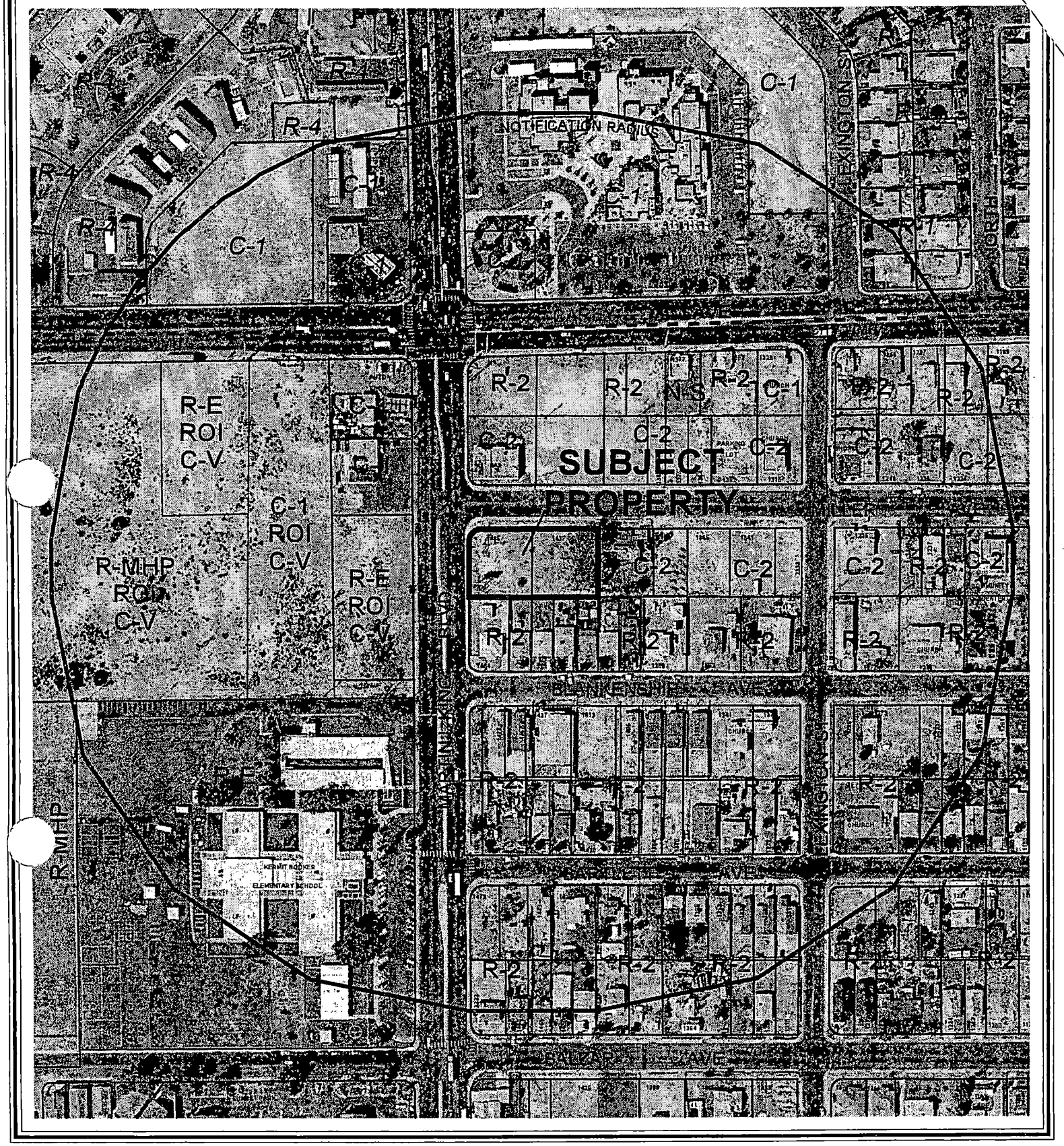
21. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and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



CASE: **SDR-5899**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **SDR-5899**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 10, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5899 - APPLICANT/OWNER: COLIN AND JENNIFER FRANK

** CONDITIONS **

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

Planning and Development

1. A Waiver of the building placement, foundation landscaping, and perimeter landscaping regulations as requested shall be granted.

2. The existing sign located on the site shall be removed.

3. All development shall be in conformance with the site plan and building elevations, date stamped 02/02/2005 except as amended by conditions herein.

4. The existing fence on the southern property line shall be replaced with a six-foot block wall. 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.

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

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

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

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

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

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

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

12. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.

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

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

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

Public Works

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

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

18. Driveways shall be designed, located and constructed as required by City of Las Vegas Traffic Engineering.

19. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.

20. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Child Care Facility and Waivers of building placement, foundation landscaping, and perimeter landscaping on 0.65 acres adjacent to the southeast corner of Martin L King Boulevard and Miller Avenue.

B) Applicant's Justification

The applicant has provided no justification for the proposed site.

BACKGROUND INFORMATION

A) Previous Actions

There is no previous history on the subject property.

B) Pre-Application Meeting

12/16/04 Planning and Public works expressed the following comments:

- 22 parking spaces are required on the site.
- Setbacks: Front-20 feet, Corner Side-15 feet, Rear-20 feet, and Side-10 feet
- Landscape requirements 15-foot buffer at the streets and 1 tree every 20 feet
- Eight foot buffer at the side and rear and 1 tree every 20 feet
- Additional articulation of the façade may be needed.
- Residential adjacency standards are a concern
- Configuration of driveway; appears the right-of-way has been dedicated; bring off-site improvements up to code; meet with flood control.
- Traffic signal impact fee is based on the 150 students, which may require a traffic study.
- Trash enclosure is 50 feet from the residential area.

C) Neighborhood Meetings

A neighborhood meeting is not required for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.65

B) Existing Land Use

Subject Property:	Undeveloped
North:	Liquor Establishment (Tavern)/Undeveloped
South:	Single-family residential
East:	Single-family residential
West:	Undeveloped

C) Planned Land Use

Subject Property:	DTR-MXU (Downtown Mixed-Use)/ SC (Service Commercial)
North:	DTR-MXU (Downtown Mixed-Use/ SC (Service Commercial)
South:	DTR-MXU (Downtown Mixed-Use)
East:	SC (Service Commercial)
West:	DTR-MXU (Downtown Mixed-Use)

D) Existing Zoning

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

E) General Plan Compliance

The site is designated as DTR-MXU (Downtown Mixed Use) on the City of Las Vegas Downtown Redevelopment Plan and SC (Service Commercial) on the West Las Vegas Plan on the Southeast Sector Map of the General Plan. The SC (Service Commercial) category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The DTR-MXU category allows for L, ML, M, H, O, SC, GC and PF. The C-2 (General Commercial) zoning is consistent with DTR-MXU and SC land uses. The proposed site plan conforms with General Plan requirements.

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

West Las Vegas Plan

The West Las Vegas Plan, which is currently under review, does not provide specific future land use or other policy direction for the site other than reflecting the SC (Service Commercial) land use designation that was in place on the overall site at the time the Plan was prepared.

The Las Vegas Redevelopment Plan

The Las Vegas Redevelopment Plan area applies to the west 0.32 acres of the overall site along Martin L King Boulevard. This site was part of a comprehensive amendment to the Redevelopment Plan in October 2003, which streamlined the land use approach in the Plan and reduced the number of land use designations in the Plan to four. The DTR-MXU (Downtown Redevelopment Mixed Use) special land use category was applied to the above-noted portion of the subject site.

Airport Overlay District

The subject site lies within the North Las Vegas Airport Overlay District. The maximum height allowed within this area is 105 feet without additional F.A.A. review. The building is proposed at 24 feet in height. The project is below the maximum height allowed.

PROJECT DESCRIPTION

The applicant is proposing one 6,658 square foot building located at the southeast corner of Martin L King Boulevard and Miller Avenue. The site provides ingress and egress from Miller Avenue and egress from Martin L King Boulevard. The site provides 21 standard parking spaces with one handicapped space.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	220 Feet	Y
Min. Setbacks			
• Front	20 Feet	33.8 Feet	Y
• Side	10 Feet	20 Feet	Y
• Corner	15 Feet	25.5 Feet	Y
• Rear	20 Feet	67.8 Feet	Y
Max. Lot Coverage	50 %	17.4%	Y

The subject property complies with the Development Standards set forth in the C-2 (General Commercial) zoning district.

A2) Residential Adjacency Standards

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

Residential Adjacency Standards apply to east half of the subject site, APN 139-21-510-079. The west half of the site is located in the Las Vegas Redevelopment Plan Area, which does not require residential adjacency standards to be adhered to. There is a proposed Text Amendment, which would remove this exemption, but has not been approved yet.

a) Proximity slope. The proposed building is 20 feet from the nearest property line. The applicant is proposing a building 24 feet in height. If the entire building were 24 feet tall the required setback would be 72 feet. Since the portion of the building affected by the 3:1 proximity slope is 14.6 feet tall, that portion of the building is exempt. The proposed daycare meets all proximity slope requirements.

b) Building setback. The proposed daycare is 24-feet four-inches from the nearest property line, where only 20 feet are required, therefore the proposed development meets the building setback requirement.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Child Care Center	6,658 SF.	One space for each staff member, plus one space for each ten children	22	1	22	1

The proposed Child Care Center meets the Title 19.10 Parking Standards.

A4) Landscape and Open Space Standards

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

Standards	Required Ratio	Required Trees	Provided
Parking Area	1 Trees/ 6 Space	6 Trees	2 Trees
Buffer:			
• Min. Trees along Martin Luther King Blvd. and Miller Ave.	1 Trees/30 Linear Feet	12 Trees	16 Trees
• Min. Trees along East and South	1 Trees/ 20 Linear Feet	18 Trees	25 Trees
• Wall height	6 Feet		6 Feet

The applicant does not meet the landscape buffer, parking island, and foundation requirements required by Title 19. The Waivers can be approved, because the applicant is increasing the amount of trees and shrubs in several areas. The landscape plan indicates 24-inch box trees 15 feet on center where 30 feet is required, and 24-inch box trees 10 feet on center where 20 feet is required.

B) General Analysis and Discussion

- Zoning

The Child Care Center is a permitted use in the C-2 (General Commercial) zoning district. The proposed project meets all height, setback, and lot coverage requirements.

- Site Plan

The proposed one-story structure is approximately 6,658 square-feet. Phase II will be added at a later date. The proposal takes Phase II into account for setbacks, lot coverage, and parking. Vehicular access will be from two access points, one from Miller Avenue and the other from Martin L King Boulevard.

- Waivers

The applicant is requesting Waivers of building placement, foundation landscaping, and perimeter landscaping. The proposed Waivers can be supported because the intended use and the additional landscaping the applicant is providing.

- Landscape Plan

The landscape plan indicates 42 Date Palms and a variety of Junipers, Desert Cassia, and Rosemary shrubs. The applicant is requesting Waivers of the foundation landscaping and perimeter landscaping. The applicant acknowledges the lack of landscaping, and is including additional trees and shrubs throughout the site. The landscape plan includes trees 15-foot on center where 30 feet is required, and 10 feet on center where 20 feet is required.

- Elevation

  The submitted building elevations provide interest and variety as well as a sense of continuity.

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 Child Care center will be an appropriate use adjacent to an elementary school and single family residential uses. The overall site contains sufficient landscaping and visual buffering.

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

   The applicant has requested waivers of the foundation and perimeter landscaping. The applicant has mitigated the waivers by increasing the amount of required landscaping throughout the site. The request for the waivers can be supported due to the additional landscaping.

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

   The site is bordered by Martin L King Boulevard a Primary (100-foot) Arterial to the west, as designated by the Master Plan of Streets and Highways, and by Miller Avenue (60-foot local street) to the south. Ingress and egress will be provided from Miller Avenue, while only egress will be from Martin L King Boulevard. These streets will be adequate to provide access to the subject site for the intensity of the development.

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

   The proposed development will be appropriate for the City, in terms of the facility layout, buildings, and vehicular and pedestrian circulation. The proposed site layout demonstrates an effective arrangement of amenities that will create a harmonious facility.

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 provide interest and variety as well as a sense of continuity.

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

The proposed Child Care Center development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 105

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5899 APN: 139-21-510-78, 79

Name of Property Owner: COLIN FRANK & JENNIFER FRANK

Name of Applicant: COLIN FRANK & JENNIFER FRANK

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: Colin Frank

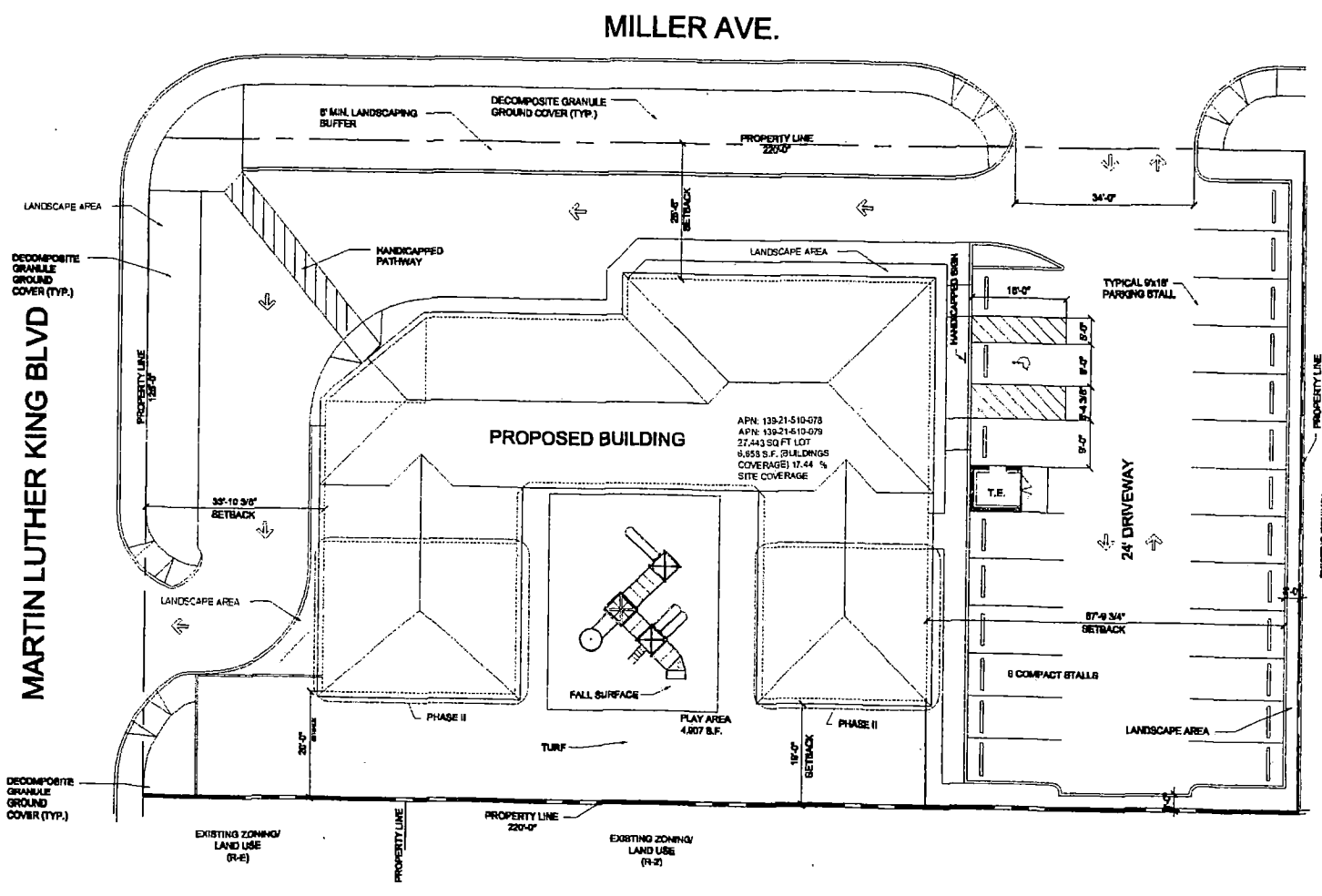
Subscribed and sworn before me

This 30th day of November, 2004

Jamie E Typovsky

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JAMIE E. TYPOVSKY
No: 02-77763-1
My Appointment Expires Sept. 16, 2005



1 SITE PLAN - 6,658 S.F.
1" = 10'

PROJECT SITE ANALYSIS

SITE	
SITE AREA =	.93 ACRES
BUILDING AREA	6,658 S.F.
SITE COVERAGE =	24%
OCCUPANCY GROUP	E
TYPE OF CONSTRUCTION	V-B

ZONING	
PROJECT PROPERTY = SITE DEVEL. PLAN	C-2 (EXISTING)

PARKING

REQUIRED

CLASSROOM USE
1 SPACES PER 18 CHILDREN = 16 SPACES

STAFF
1 SPACES PER STAFF = 7 SPACES

HANDICAPPED PARKING (APART OF TOTAL)
VAN HANDICAPPED SPACES = 1 SPACE

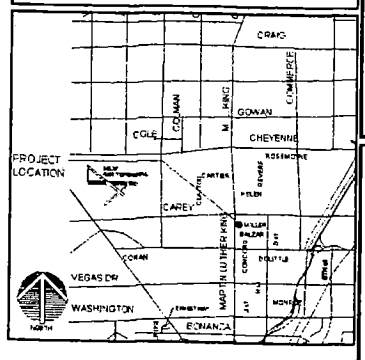
TOTAL PARKING REQUIRED = 22 SPACES

PARKING PROVIDED

STANDARD PARKING STALLS = 15 SPACES
COMPACT CARS = 6 SPACES
VAN HANDICAPPED SPACES = 1 SPACE

TOTAL PARKING PROVIDED = 22 SPACES

VICINITY MAP



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REVISIONS	BY

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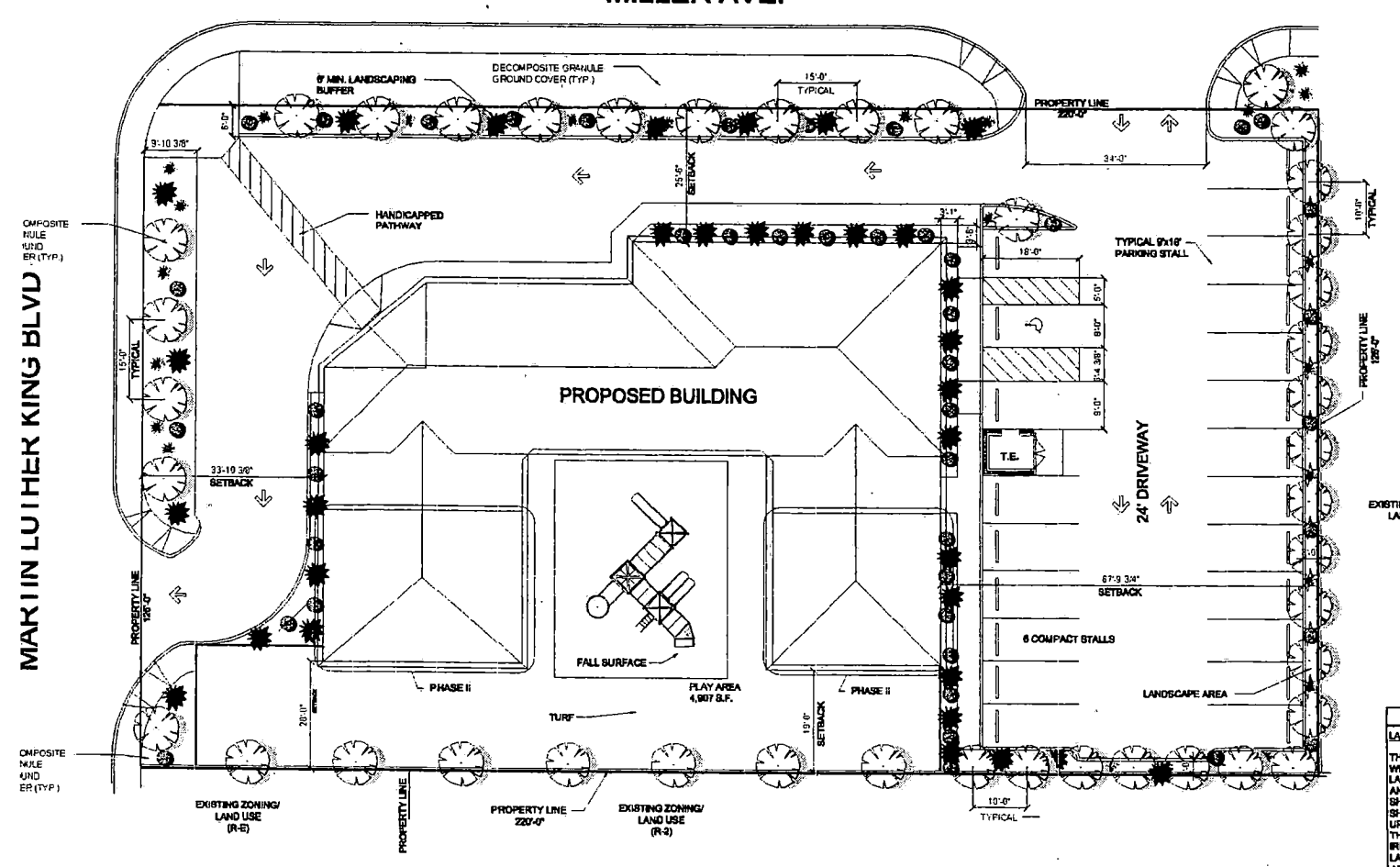
PROJECT: OBSIDIAN ACADEMY CHILD DAYCARE CENTER
1437 AND 1485 MILLER STREET
LAS VEGAS, NEVADA 89106

SHEET TITLE: SITE PLAN

DATE: 12-20-04
SCALE: AS INDICATED
DRAWN: MGR/BM/RTD
JOB NO: 0442

SHEET AS1.01
OF SHEETS

SDR-5899
02-10-05 PC



1 LANDSCAPE PLAN
1" = 10'

DEC 29 2004

LANDSCAPING

LANDSCAPE / IRRIGATION NOTES:

THE CONCEPTUAL LANDSCAPING PLAN INDICATES LAND AREAS WITHIN THE PROJECT LIMITS THAT ARE TO RECEIVE LANDSCAPING AND IRRIGATION SYSTEMS. ALL LANDSCAPING TREE SPECIMENS, SHRUBS, GROUND-COVER, INCLUDING DENSITIES AND SIZES SHALL BE IN FULL COMPLIANCE WITH THE CITY OF LAS VEGAS URBAN DESIGN GUIDELINES AND STANDARDS.
THE OWNER SHALL SUBMIT FULLY-DETAILED LANDSCAPING / IRRIGATION CONSTRUCTION DOCUMENTS, SPECIFICATIONS AND LANDSCAPING PALETTE, PREPARED BY THE LANDSCAPE ARCHITECT, TO A BUILDING DEPARTMENT FOR APPROVAL PRIOR TO INSTALLATION.

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
	PHOENIX -	DATE PALM -	24" BOX @ 20'-0" o.c.	
	JUNIPERUS, CASSIA, ROSEMARINUS	SHURB JUNIPERS, DESERT CASSIA, ROSEMARY	5 GALLON	GROUP OF THREE

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PROJECT: OBSIDIAN ACADEMY CHILD DAYCARE CENTER
1437 AND 1485 MILLER STREET
LAS VEGAS, NEVADA 89106

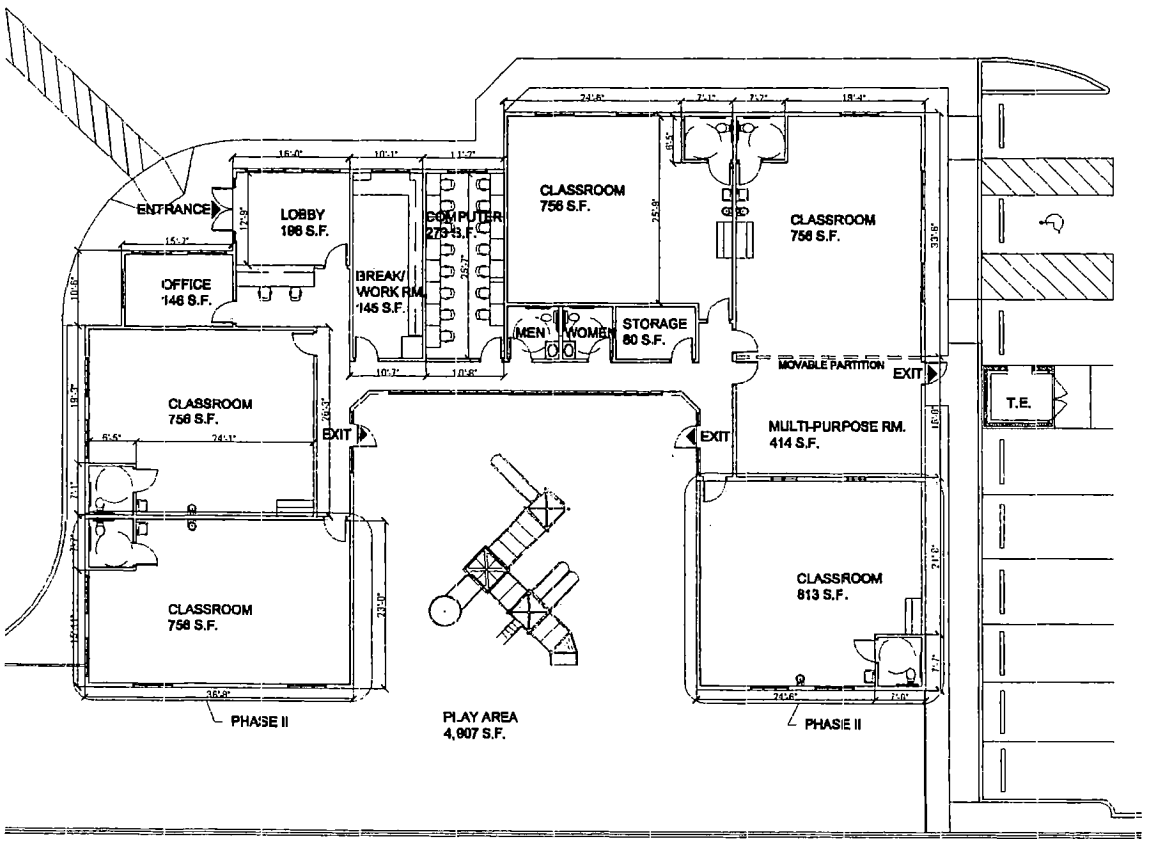
SHEET TITLE: LANDSCAPE PLAN

DATE: 12-29-04
SCALE: AS INDICATED
DRAWN: MGR/SMW/JP
JOB NO: 0442

SHEET LS1.01
OF SHEETS

SDR-5899
02-10-05 PC

MAXIMUM OCCUPANCY	
LOBBY	154 S.F. /7 = 22
OFFICE	98 S.F. / 100 = 1
BREAK/WORK ROOM	146 S.F. /15 = 9
CLASSROOM	756 S.F. /20 = 37
CLASSROOM	756 S.F. /20 = 37
CLASSROOM	756 S.F. /20 = 37
CLASSROOM	756 S.F. /20 = 37
CLASSROOM	756 S.F. /20 = 37
COMPUTER ROOM	273 S.F. /20 = 13
MULTI-PURPOSE ROOM	414 S.F. / 15 = 27
MAXIMUM OCCUPANCY	257



1 FLOOR PLAN - 6,658 S.F.
1/8" = 1'-0"

SDR-5899
02-10-05 PC

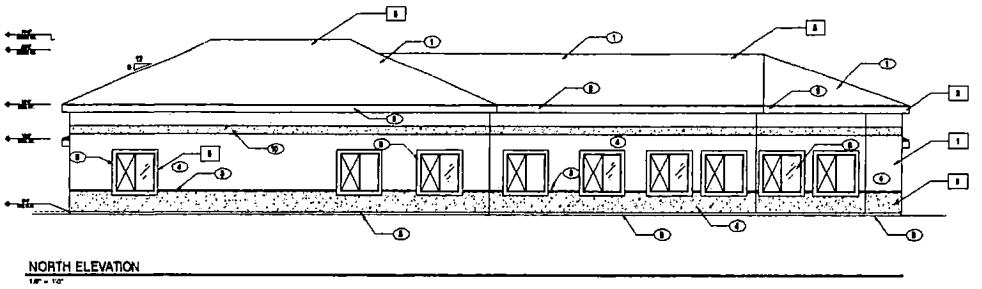
MGA Melvin Green Architect, Ltd.

PROJECT: OBSIDIAN ACADEMY CHILD DAYCARE CENTER
1437 AND 1485 MILLER STREET
LAS VEGAS, NEVADA 89106

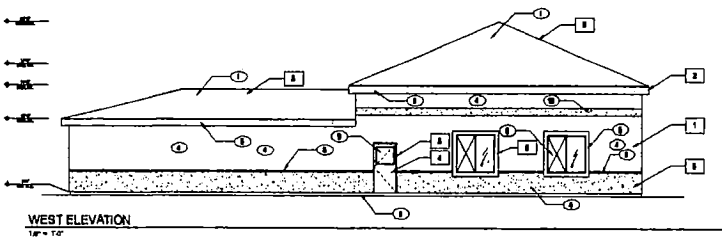
SHEET TITLE: FLOOR PLAN

DATE: 1-28-04
SCALE: AS NOTED
DRAWN: MG/RB
JOB NO: 04-02

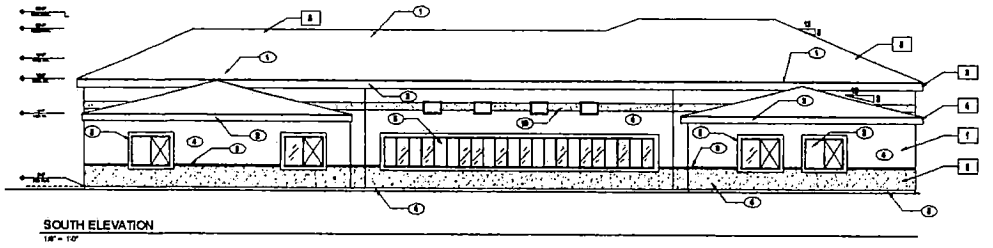
SHEET: A1.01



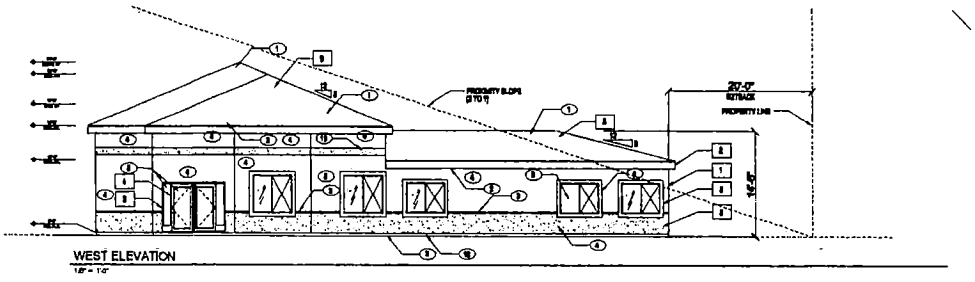
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

KEY NOTES

NO.	DESCRIPTION
1	ROOFING MATERIALS, REFER TO ROOF PLAN.
2	8 X 8 FASCIA.
3	2 1/2" METAL REVEAL, PAINTED.
4	STUCCO OVER PAPER BACKED METAL LATH.
5	2 x4 TREIL
6	SILICONE GLASS WINDOW.
7	STUCCO OVER WOOD TREIL
8	ALL CONTROL/EXP. STUCCO SCREED.
9	TEMPERED GLASS.
10	12" STUCCO POP OUT BAND

EXTERIOR FINISH SCHEDULE

NO.	MATERIAL	FINISH	DESCRIPTION/COLOR
1	STUCCO	TEXTURED	LT. TAN - SILBRICO "SUMMER HAZE" 44YY 69/13
2	ROOF BAND TRIM	SMOOTH	MED. BROWN - SILICON "SAPPER DIM" 40YY 09/08
3	STUCCO POP-OUT	TEXTURED	MED. BROWN - SILICON "SAPPER DIM" 40YY 09/08
4	DOOR	SMOOTH	LT. TAN - SILICON "SUMMER HAZE" 44YY 69/13
5	DOOR TRIM	SMOOTH	MED. BROWN - SILICON "SAPPER DIM" 40YY 09/08
6	ROOF TILES	SMOOTH	EAGLES PRODUCTS "EGG THERSERY" 6004

SDR-5899
02-10-05 PC
REVISED 02/02/05

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FEB 02 2005

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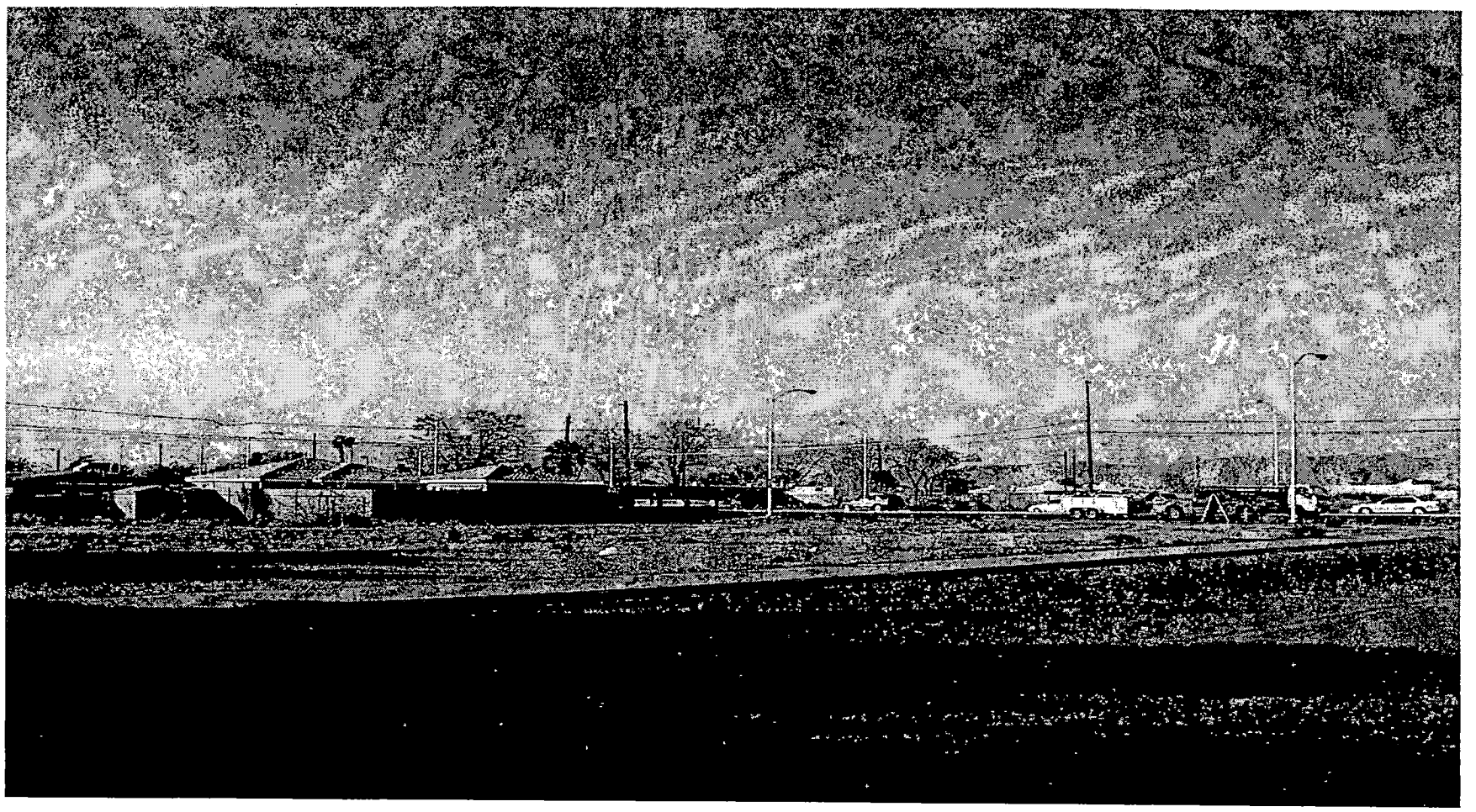
PROJECT: OBSIDIAN ACADEMY CHILD DAYCARE CENTER
1437 AND 1485 MILLER STREET
LAS VEGAS, NEVADA 89106

SHEET TITLE: BUILDING ELEVATIONS

DATE: 10-28-04
SCALE: AS NOTED
DRAWN: MB/RB
JOB NO: 0403

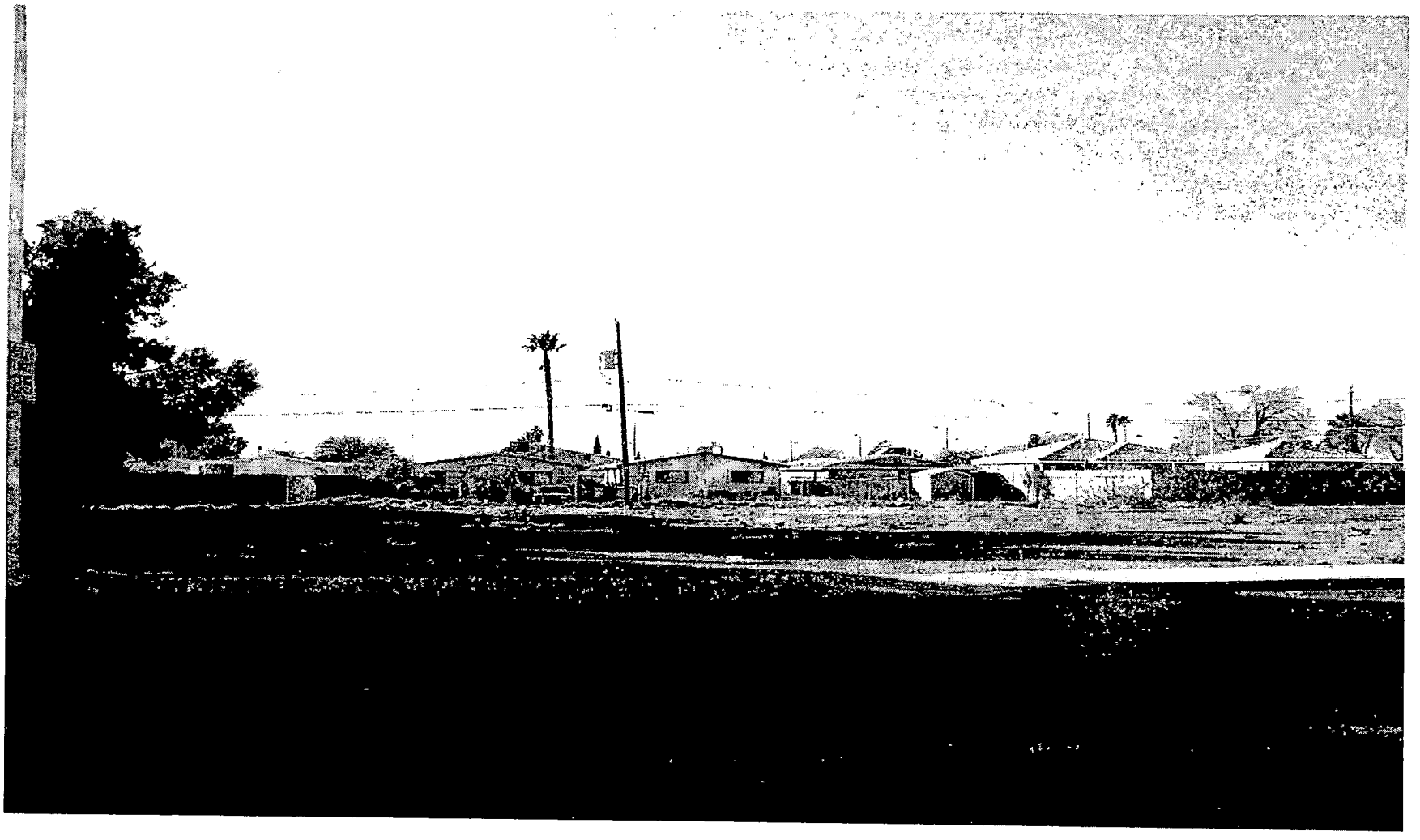
SHEET A6.01

OF SHEETS



SDR-5899 - APPLICANT/OWNER: COLIN AND JENNIFER FRANK
SOUTHEAST CORNER OF MARTIN LUTHER KING BOULEVARD AND MILLER AVENUE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SDR-5899 - APPLICANT/OWNER: COLIN AND JENNIFER FRANK
SOUTHEAST CORNER OF MARTIN LUTHER KING BOULEVARD AND MILLER AVENUE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

MGA

MELVIN GREEN ARCHITECT, LIMITED

December 28, 2004

Planning and Development Department
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

RE: Justification Letter for Site Development Plan Review
For a Child Care Facility in a C-2 Zone
APN # 139-21-510~~078~~,079

On behalf of the applicants, Colin and Jennifer Frank, we are requesting a Site Development Plan Review for a Private Child Care Facility in a C-2 Zone.

0.65

The project will consist of approximately 6,658 square feet, single-storey wood/stucco structure, located on ~~.63~~ acres. The building will have five (5) classrooms (three classrooms under Phase I, and two classrooms under Phase II) and support offices, reception, and multi-purpose room.

The building will not have an adverse affect on the surrounding neighborhood. The elevation of the building will be residential in character with flat concrete roof tiles. Color selections will be earth tone in nature.

In addition, we are requesting a waiver to Las Vegas Zoning Code Title 19A Design Standards for building placement on property, 15 foot buffer on Martin Luther King and Miller Street, 8 foot buffer at East side of property, and 6 foot landscape buffer at foundation of building between building and sidewalk. We are requesting this waiver in order to provide better protection for the playground area. We have located the building away from the busy streets and also have provided the required drop-off lane in front of the building. The site is relatively compact and in lieu of providing the full 15-foot and 8-foot landscape buffers, we propose providing intense landscaping in these areas – including 24-inch box 15-foot on center trees where 30-foot is required, and 24-inch box trees 10-foot on center where 20-foot is required.

Please contact us at 702-362-8974 or 702-353-0988 with questions.

Sincerely,

Melvin Green, NCARB
President
Melvin Green Architect, Ltd.

SDR-5899

3305 WEST SPRING MOUNTAIN ROAD, SUITE 92 ▪ LAS VEGAS, NEVADA 89102
PHONE: 702.362.8974 ▪ FAX: 702.364.9406 ▪ email: mgreen@mgci.com

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: FEBRUARY 10, 2005

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

None.

MEETING ADJOURNED AT 11:04 P.M.

Respectfully submitted:

Stacey Campbell

STACEY CAMPBELL, DEPUTY CITY CLERK

YDOLEENA YTURRALDE, DEPUTY CITY CLERK