

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5687

SDR-5685 - PUBLIC HEARING - APPLICANT/OWNER: KMW, LLC - Request for a Site Development Plan Review FOR A 9,150 SQUARE-FOOT ANIMAL HOSPITAL WITHOUT OUTSIDE PENS AND WAIVERS OF THE LANDSCAPE BUFFER WIDTH AND BUILDING PLACEMENT STANDARDS on 0.91 acres approximately 200 feet north of the intersection of Buffalo Drive and Gowan Road (APN 138-10-201-026), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office) Zone, Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED subject to conditions, amending the following conditions as read for the record:

7. The trash enclosure shall be established subject to the approval of the Planning and Development staff to allow staff to work with the applicant and adjacent property owner.

12. If the wall lighting does not meet minimum Code standards, bollard lighting shall be required. 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.

And the following added condition as read for the record:

- There shall be no windows on the north and east facing walls of the kennel.

- UNANIMOUS

MINUTES:

NOTE: See Item 112 [SUP-5687] for all related discussion.

(3:51 - 4:21)

5-3446

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.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

2. All City Code requirements and design standards of all City departments must be satisfied.
3. All development shall be in conformance with the site plan and building elevations, date stamped November 30, 2004 except as amended by conditions herein.
4. A Waiver of the landscape buffer width on the west half of the south side of the building, from six feet to five feet is hereby granted.
5. A Waiver of the Building Placement Standard (19.08.045.C.4.c) is hereby granted, provided that the seven parking spaces depicted at the front of the property shall be replaced by landscaping.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect signage which conforms to Title 19.14 Sign Standards for the O (Office) Zone.
7. A new trash enclosure meeting all Title 19.08.045.G.4 requirements shall be added to the site.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing no more than 15% of the total landscaped area as turf.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

(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.

16. No exterior pens or animal runs shall be allowed on the site.

Public Works

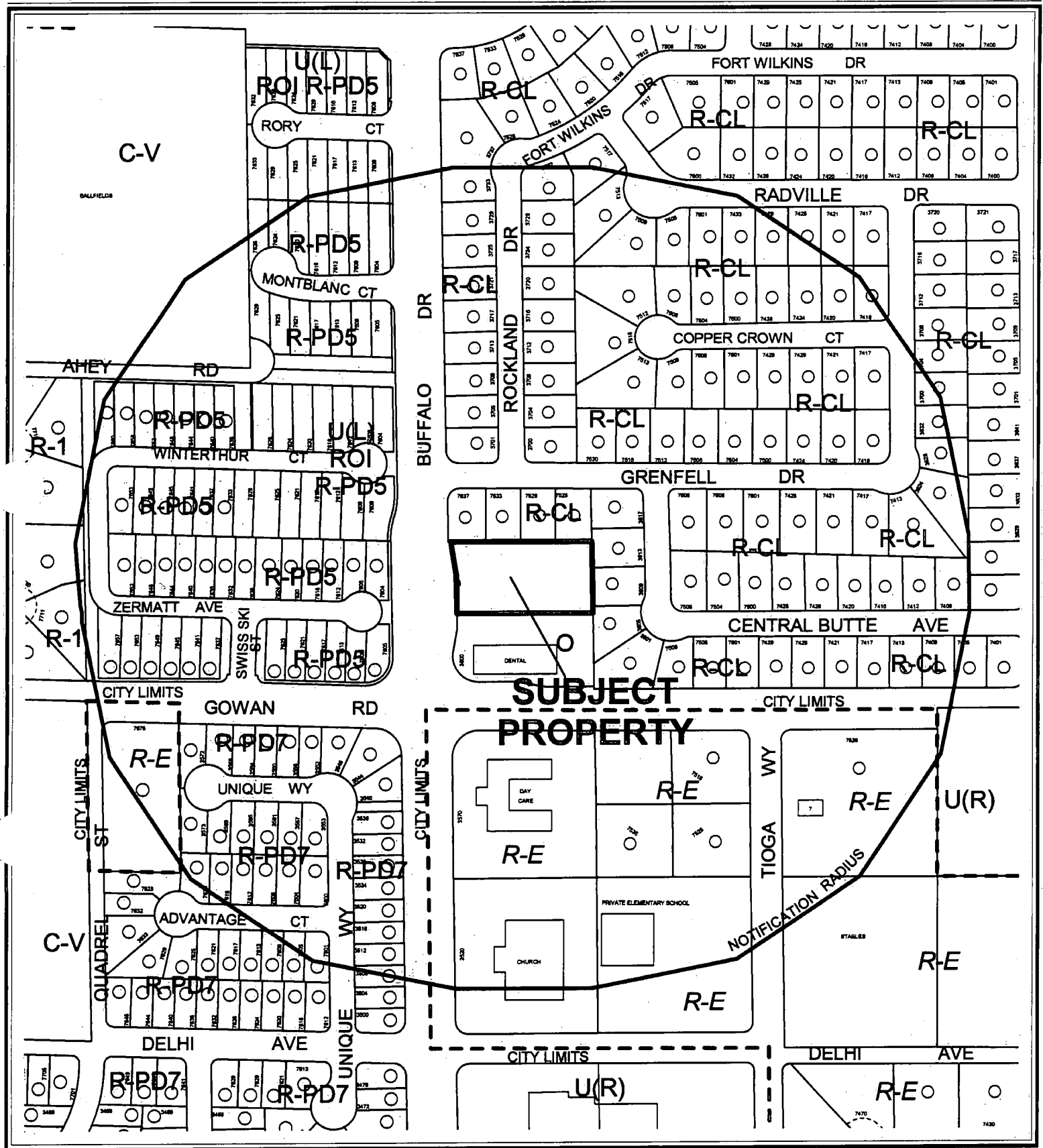
17. Construct all incomplete half-street improvements on Buffalo Drive adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

18. 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.

19. The proposed driveway accessing Buffalo Drive may not encroach into the existing bus storage lane and shall be designed, located and constructed in accordance with Standard Drawing #222A.

20. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the issuance of any permits.

21. A Drainage Plan and Technical Drainage Study Update must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.



CASE: SDR-5685

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER
RESOLUTION OF INTENT TO O (OFFICE)

0 200 400 Feet

113



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5685 - APPLICANT/OWNER: KMW, LLC

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All development shall be in conformance with the site plan and building elevations, date stamped November 30, 2004 except as amended by conditions herein.
4. A Waiver of the landscape buffer width on the west half of the south side of the building, from six feet to five feet is hereby granted.
5. A Waiver of the Building Placement Standard (19.08.045.C.4.c) is hereby granted, provided that the seven parking spaces depicted at the front of the property shall be replaced by landscaping.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect signage which conforms to Title 19.14 Sign Standards for the O (Office) Zone.
7. A new trash enclosure meeting all Title 19.08.045.G.4 requirements shall be added to the site.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing no more than 15% of the total landscaped area as turf.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements.
 - (a) The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components.
 - (b) The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan.
 - (c) The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is then required to provide for said maintenance.
 - (d) The adoption process must include recordation of the plan against all parcels prior to approval of the final map.
16. No exterior pens or animal runs shall be allowed on the site.

Public Works

17. Construct all incomplete half-street improvements on Buffalo Drive adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

18. 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.
19. The proposed driveway accessing Buffalo Drive may not encroach into the existing bus storage lane and shall be designed, located and constructed in accordance with Standard Drawing #222A.
20. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the issuance of any permits.
21. A Drainage Plan and Technical Drainage Study Update must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 9,150 square foot Animal Hospital without Outside Pens and Waivers of the landscape buffer width and building placement standards on 0.91 acres approximately 200 feet north of the intersection of Buffalo Drive and Gowan Road

B) Applicant's Justification

Applicant states: "The waiver of landscape buffer width from six feet to five feet is to incorporate a means of egress on the south elevation of the building. The other waiver, to allow the use of windows in the kennel areas is to allow a limited amount of natural light into the kennel area on the east side of the facility. The facility is currently separated from the existing residences by an eight-foot landscape buffer and approximately 65 feet of parking and driveway. It is also our intent to use four inch thick glass block at this location if acceptable."

BACKGROUND INFORMATION

A) Previous Actions

- 09/19/90 The City Council approved a petition for an Annexation (A-0010-90) of 7.5 acres which included the subject parcel. Effective date: 09/29/90. Planning Commission and staff recommended approval.
- 12/01/99 The City Council approved a request to amend (GPA-0037-99) a portion of the Northwest Sector Plan on 2.5 acres of property located adjacent to the northeast corner of Buffalo Drive and Gowan Road, from L (Low Density Residential) to O (Office). Planning Commission and staff recommended approval.
- 02/02/00 The City Council approved a request to Rezone (Z-73-99) 2.5 acres of property located adjacent to the northeast corner of Buffalo Drive and Gowan Road from U (Undeveloped) [L (Low Density Residential) general plan designation] to O (Office). Planning Commission and staff recommended approval.
- 11/15/01 The City Council approved a request for a Site Development Plan Review [Z-0073-99(2)] for a 9,811 square foot office building on 1.95 acres (the new parcel which now abuts the south property line of the subject proposal) located adjacent to the northeast corner of the intersection of Gowan Road and Buffalo Drive. Planning Commission and staff recommended approval.
- 01/13/05 The Planning Commission recommended approval of a related item (SUP-5687).

01/13/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #74/srs).

B) Pre-Application Meeting

11/09/04 A pre-application conference was held resulting in the following comments:

1. The applicant will request waivers of landscape buffer width and window placement requirements. Waivers of Landscape Buffer Width and Building Placement Requirements are discussed in this Site Development Plan Review. Window placement requirements are discussed in the companion Special Use Permit request (SUP-5687), as it is a condition for the Animal Hospital use.
2. Basic submittal requirements for a Special Use Permit were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required of this application, however, the applicant met with adjacent neighbors on 11/30/04 to discuss their plan and incorporate feedback.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.91

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Residential
South: Office Buildings
East: Single Family Residential
West: Single Family Residential

C) Planned Land Use

Subject Property: O (Office)
North: L (Low Density Residential)
South: O (Office), R-E (Residence Estates, Clark County Designation)
East: L (Low Density Residential)
West: L (Low Density Residential)

D) Existing Zoning

Subject Property: Undeveloped (Office) under Resolution of Intent to O (Office)
North: R-CL (Residential Compact Lot)
South: Office, R-E (Residence Estates, Clark County Designation)
East: R-CL (Residential Compact Lot)
West: R-PD5 (Residential Planned Development-5 Dwelling Units per Acre)

E) General Plan Compliance

The site is designated as O (Office) on the Centennial Hills Sector Map of the General Plan. The O (Office) land use category provides for small lot office conversions as a transition, along primary and secondary streets, from residential and commercial uses, and for large planned office areas. There are no General Plan policies directly relevant to this request.

PROJECT DESCRIPTION

The submitted site plan indicates access to the site will be from Buffalo Drive. The proposed 9,150 square-foot, one-story animal hospital is located on the southern portion of the site, 10½ feet from the property line. The site plan indicates that this area is enclosed by existing decorative block wall on the north and east property lines, and landscaping on all four sides. The site plan depicts parking located on the north, east (rear) and west (front) sides of the building. The building elevations depict stucco and cultured stone exteriors with concrete tile roof and precast stone trim.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	39,517 Square Feet	N/A
Min. Lot Width	100 Feet	149 Feet	Y
Min. Setbacks			
• Front	25 Feet	68 Feet	Y
• Side	10 Feet	59 Feet, 8" (north)	Y
		10 Feet, 6" (south)	Y
• Corner	15 Feet	N/A	N/A
• Rear	15 Feet	65 Feet	Y
Max. Lot Coverage	30 %	23 %	Y
Max. Building Height	2 Stories or 35 Feet, whichever is less	1 Story / 24 Feet	Y
Mechanical Equipment	Screened	Screened	Y
Trash Enclosure	Away from street, enclosed by walls	Not Indicated	N

The applicant has indicated a trash enclosure or refuse collection area on the submitted site plan, but not on the elevations submitted with the companion Site Development Plan Review SDR-5685. Condition of Approval number 5 for a trash enclosure which meets the City's current Code requirements has been added above.

Title 19.08.045.G.4 calls for trash enclosures being located away from the street front and screened from view from rights-of-way, sidewalks, and abutting properties through the use of landscaping and screening. Also, trash enclosures shall be enclosed by walls a minimum of six feet in height, finished in the same manner as the main structures within the development and shall follow the same design theme and use similar materials to those used in the main structures. All such enclosures shall have solid metal gates, and shall have a roof.

A2) Residential Adjacency Standards

Pursuant to Title 19.08.060.B, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. At 16 feet high the proposed building meets the proximity slope requirement of Title 19.08.060.B.
- b) Building setback. The proposal exceeds the 15 foot rear yard and 10 foot side yard setback requirements. Actual setbacks for this proposal are 65 feet rear yard and 59 feet, 8 inches side yard.

A3) Parking Standards

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

Uses	Ratio	Required		Provided	
		Parking		Parking	
		Regular	Handicap	Regular	Handicap
Animal Hospital Without Outside Pens	One space for every two on-duty employees	5 spaces			
	One space per doctor	4 space			
	One space per examination room	6 spaces			
	Total	15 spaces	1 space	26 spaces	2 spaces

This proposal exceeds Title 19.10 parking requirements.

A4) Landscape Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	9 Trees	11 Trees
Buffer:			
• Min. Trees	1 Trees / 20 Linear Feet	21 Trees	28 Trees
• Min. Zone Width	8 Feet		8 Feet
• Wall height	8 Feet		8 Feet

The proposal exceeds the Title 19.12, Landscape Standards for commercially-zoned properties.

A5) Sign Standards

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

Freestanding Signs: [None Indicated]

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total	None Indicated
Maximum Area	75 SF.	None Indicated
Maximum Height	16 Feet	None Indicated
Minimum Setback	5 Feet	None Indicated
Illumination	Internal	None Indicated

Monument Signs: [None Indicated]

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total	None Indicated
Maximum Area	75 SF /sign	None Indicated
Maximum Height	10 Feet	None Indicated
Minimum Setback	5 Feet	None Indicated
Illumination	Internal	None Indicated

Wall Signs: [None Indicated]

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total	None Indicated
Maximum Area	10% of front elevation	None Indicated
Maximum Projection	1 Foot	None Indicated
Illumination	Internal	None Indicated

This proposal does not indicate signage on its elevations or site plan. Condition of Approval number 6 is included above, which requires that the site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect signage which conforms to Title 19.14 Sign Standards for the O (Office) Zone.

B) General Analysis and Discussion

- Zoning

The subject property is zoned Undeveloped (Office) under Resolution of Intent to O (Office). The City Council approved the request to Rezone (Z-73-99) on February 2, 2000, with a Resolution of Intent (Condition #1) set to expire on February 2, 2002. The Resolution of Intent has not expired as yet. There have been no requests for Extensions of Time for this property.

- Site Plan

The submitted site plan indicates access to the site will be from Buffalo Drive. The proposed 9,150 square foot building is located on the southern portion of the site, 10 ½ feet from the property line. The site plan indicates that this area is enclosed by existing decorative block wall on the north and east property lines, and landscaping on all four sides. The site plan depicts parking located on the north, east (rear) and west (front) sides of the building. Even with the removal of seven parking spaces from the front (west) side of the site, this Animal Hospital will have 12 more parking spaces than is required.

- Waivers

The applicant is requesting a Waiver of landscape buffer to allow a five-foot width along half of the building's south perimeter, to allow for egress paths. Staff has added Condition of Approval number 4 above, which grants this Waiver.

Staff has granted a Waiver of the Building Placement Standard (19.08.045.C.4.c) that buildings for stand alone projects be located at the front of the site at the minimum setback line. In this O (Office) zone, the building placement line would be 25 Feet from the front property line.

The proposed building will be located 68 feet from the minimum setback line. This placement accommodates a 15-foot bus turn-out lane and a five-foot wide sidewalk. Another 15 feet is dedicated as a cross-access driveway that accesses the adjacent office building to the south. The building may be placed as depicted on condition that the seven parking spaces proposed to be placed at the front of the property be replaced by landscaping. Staff has added Condition of Approval number 5 above, which grants this Waiver.

- Landscape Plan

The landscaping provided compliments the existing landscaping on site. The applicant intends to use Mondell Pine, Modesto Ash, Mexican Palm, and a variety of shrubs, which were used around the previously approved auto dealership site.

- Elevation

The submitted elevations depict one single-story rectangle-shaped building at 24 feet in height. The building elevations depict earth tone stucco and cultured stone exteriors with concrete tile roofing and precast stone trim. This building's elevation renderings indicate the façade articulation called for in Title 19.08 (Development Standards).

- Floor Plan

The floor plan of the Animal Hospital indicates six examination rooms, 16 kennels, surgery room, dental room, X-ray room, intensive care room, recovery room, grooming room, file room, adoption room, file room, four offices, a dog waiting room, a cat waiting room, a pharmacy, a lounge area, a library/conference area, retail area, and four restrooms; totaling 9,150 square feet.

FINDINGS

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

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

The proposed Animal Hospital will be compatible with the adjacent residential neighborhoods and office developments.

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

Staff finds the proposed Animal Hospital will be consistent with Title 19, applicable City plans, policies and standards with implementation of the conditions presented below regarding the landscape plan, mechanical screening, exterior lighting, and signage standards.

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

The abutting street network will be adequate for the traffic generated by the proposed Animal Hospital. Access to the site is from Buffalo Drive, a 100-foot wide Primary Arterial street on the Master Plan of Streets and Highways.

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

The design and materials used for the proposed Animal Hospital are similar to the surrounding commercial uses nearby. The applicant is requesting a waiver of landscape buffer to allow a five-foot width along half of the building's south perimeter, to allow for egress paths. The visual impact of this waiver will be negligible. The provided landscaping compliments the existing landscaping on surrounding sites. The applicant intends to use Shoestring Acacia, Mesquite, Chamaerops Humulis, and a variety of shrubs.

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

Building elevations for the proposed Animal Hospital are attractive and will be compatible with the adjacent office building on the parcel south of this site.

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

The proposed Animal Hospital will be subject to inspections for occupancy and therefore will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission added Condition #16 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 181 by Planning Department

APPROVALS 2

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5485 APN: 13810201026

Name of Property Owner: Cheyenne West Animal Hospital

Name of Applicant: _____

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

_____ Yes

_____ X No

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

City Official: _____

Partner(s): _____

APN: _____

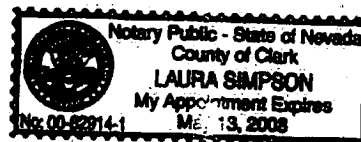
Signature of Property Owner/Authorized Agent: _____

Print Name: H. R. Eninger

Subscribed and sworn before me

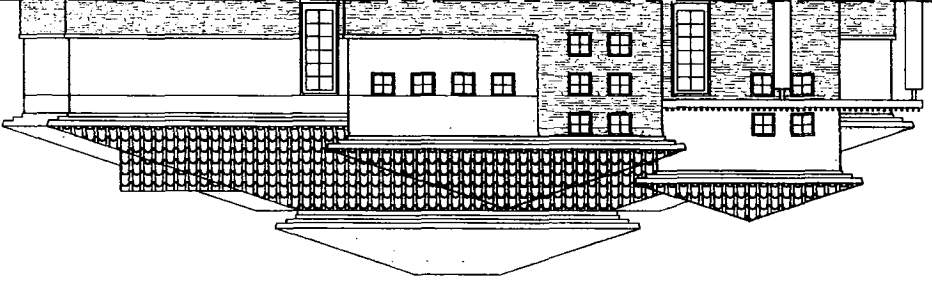
This 30th day of November, 2004

Laura Simpson
Notary Public in and for said County and State



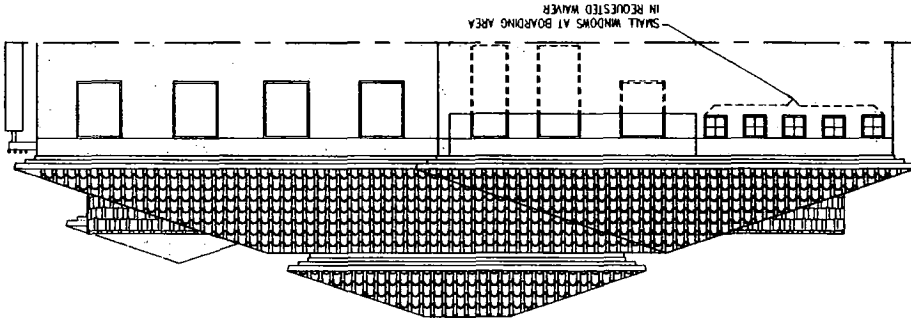
WEST ELEVATION
SCALE: 3/8" = 1'-0"

4



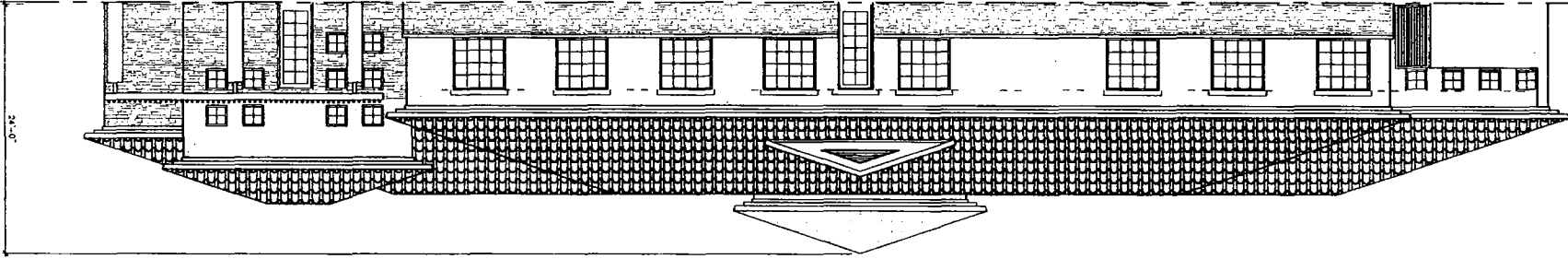
EAST ELEVATION
SCALE: 3/8" = 1'-0"

3



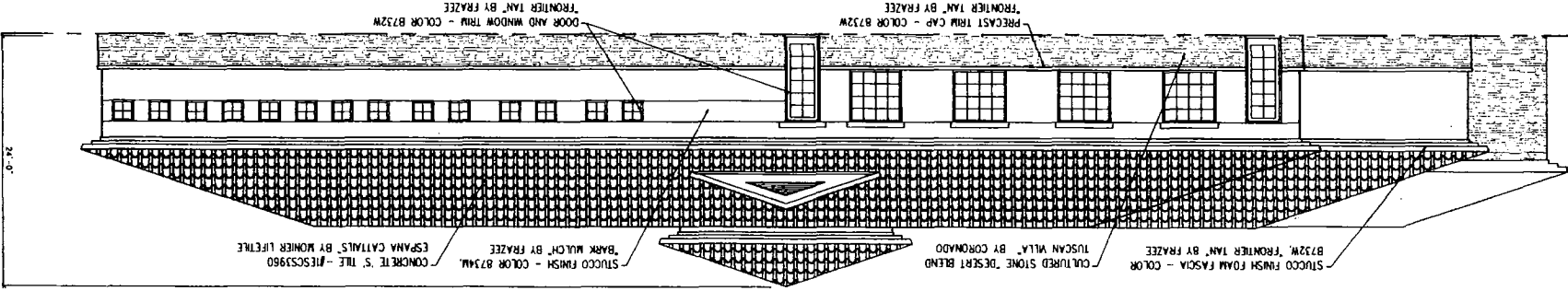
NORTH ELEVATION
SCALE: 3/8" = 1'-0"

2



SOUTH ELEVATION
SCALE: 3/8" = 1'-0"

1



SDR-5685
01-13-05 PC
SUP-5687

RECEIVED
NOV 3 0 2004

A.2



EXTERIOR ELEVATIONS
WEST CHEYENNE ANIMAL CLINIC
W. CHEYENNE AND BUFFALO
LAS VEGAS, NEVADA

CONSULTANT

These drawings are the property of Purvis Architects and are to be used only for the project and location specified. Any reproduction or use of these drawings for any other project without the written consent of Purvis Architects is strictly prohibited. The user of these drawings agrees to hold Purvis Architects harmless from and against all claims, damages, losses, and expenses, including reasonable attorneys' fees, that may be incurred by Purvis Architects due to the use of these drawings for any purpose other than that intended by Purvis Architects.

Building an improvement of human and animal health and the environment is the primary goal of the American Veterinary Medical Association (AVMA). The AVMA is committed to the highest standards of care and to the continuous improvement of the veterinary profession. The AVMA is committed to the highest standards of care and to the continuous improvement of the veterinary profession. The AVMA is committed to the highest standards of care and to the continuous improvement of the veterinary profession.

CONSULTANT

FLOOR PLAN
WEST CHEYENNE ANIMAL CLINIC
W. CHEYENNE AND BUFFALO
LAS VEGAS, NEVADA

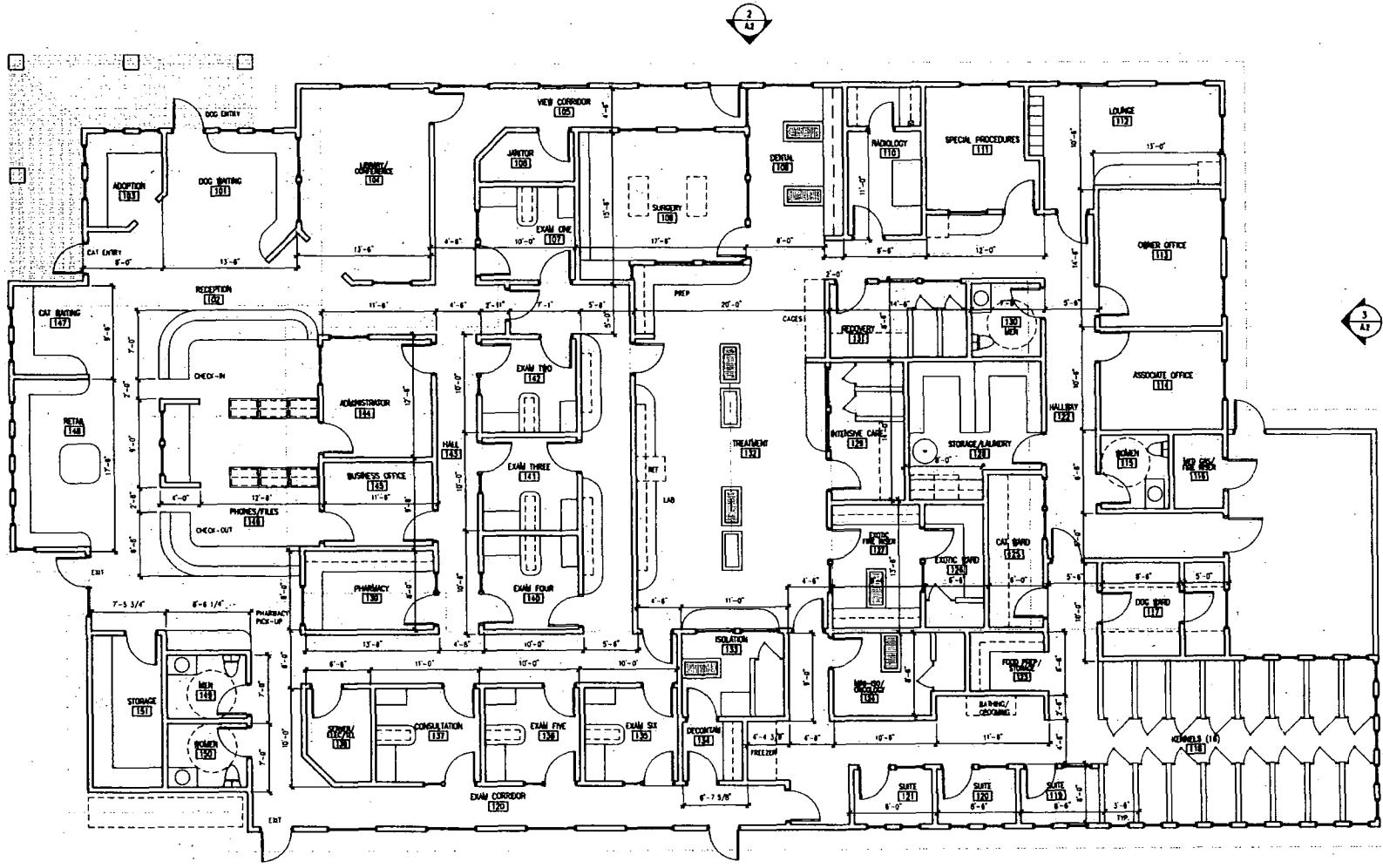
PURVIS ARCHITECTS
architects + planners



2031 N. Lind Drive
Las Vegas, Nevada 89101
Tel 702.496.4900 Fax 702.496.4901
www.purvisarch.com

REV. DATE DESCRIPTION

A.1



FLOOR PLAN

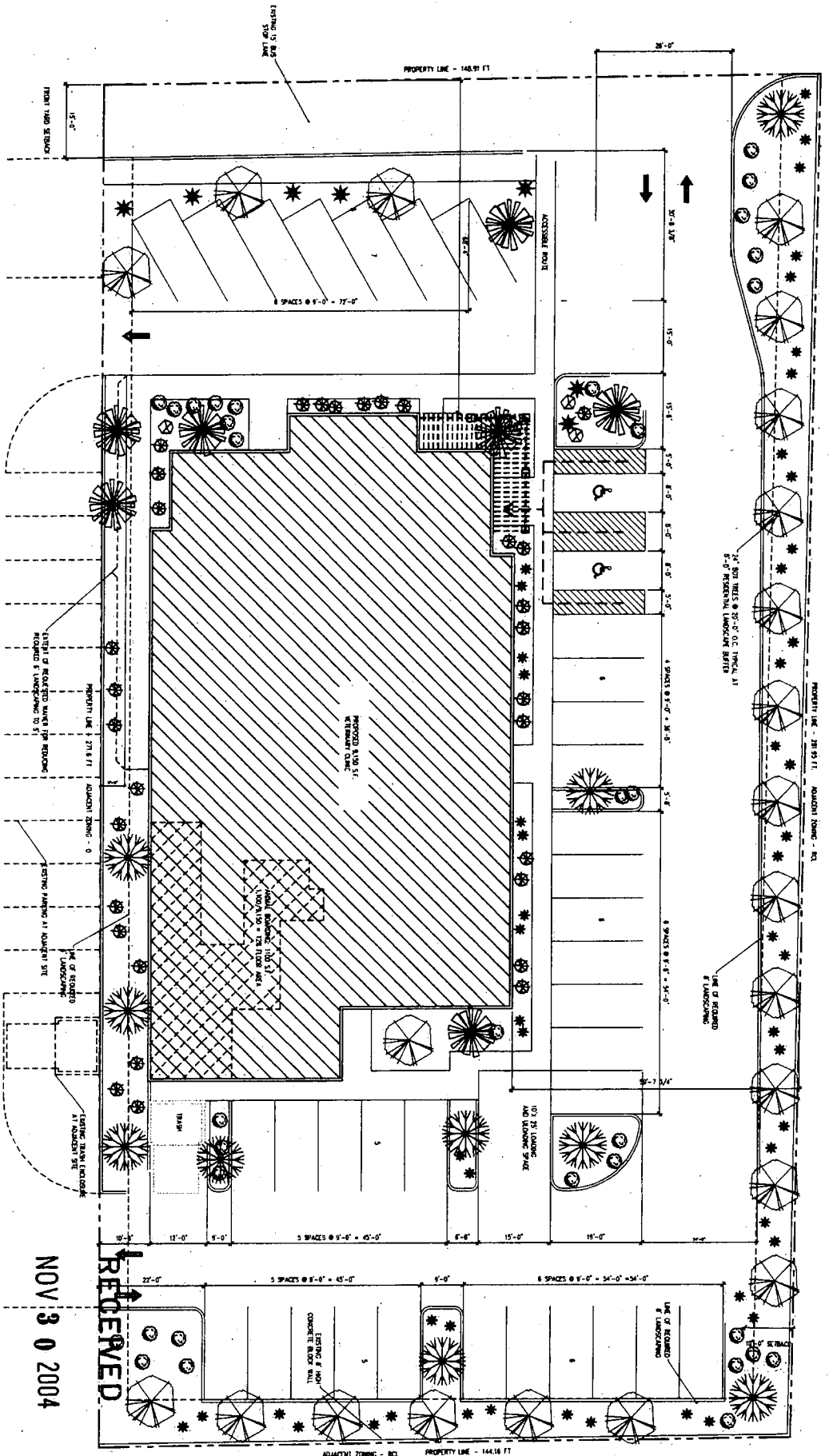
SCALE: 3/16"=1'-0"

RECEIVED

NOV 30 2001

SUP-5687
SDR-5685
01-13-05 PC

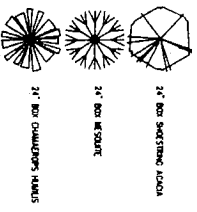
CENTERLINE BUFFALO DRIVE



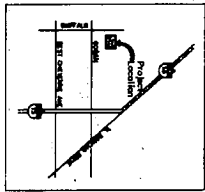
SITE PLAN

SCALE: 1" = 30'-0"

- SITE INFORMATION AND LANDSCAPE**
- 1. ALL PLANTING TO BE DONE BY THE CONTRACTOR
 - 2. COMPLETE LANDSCAPE PLAN SHALL BE SUBMITTED TO THE CITY OF LAS VEGAS FOR REVIEW
- LANDSCAPE NOTICES**
- 1. ALL PLANTING TO BE DONE BY THE CONTRACTOR
 - 2. COMPLETE LANDSCAPE PLAN SHALL BE SUBMITTED TO THE CITY OF LAS VEGAS FOR REVIEW



- 5' CALLEEN LINDEN
- 5' CALLEEN VICKI
- 5' CALLEEN RICK
- 1' CALLEEN LINDEN
- 200' - 300' PLANTING BOLLERS



NOV 30 2004

RECEIVED

SUP-5687
SDR-5685
01-13-05 PC

SITE PLAN
WEST CHEYENNE ANIMAL CLINIC
W. CHEYENNE AND BUFFALO
LAS VEGAS, NEVADA

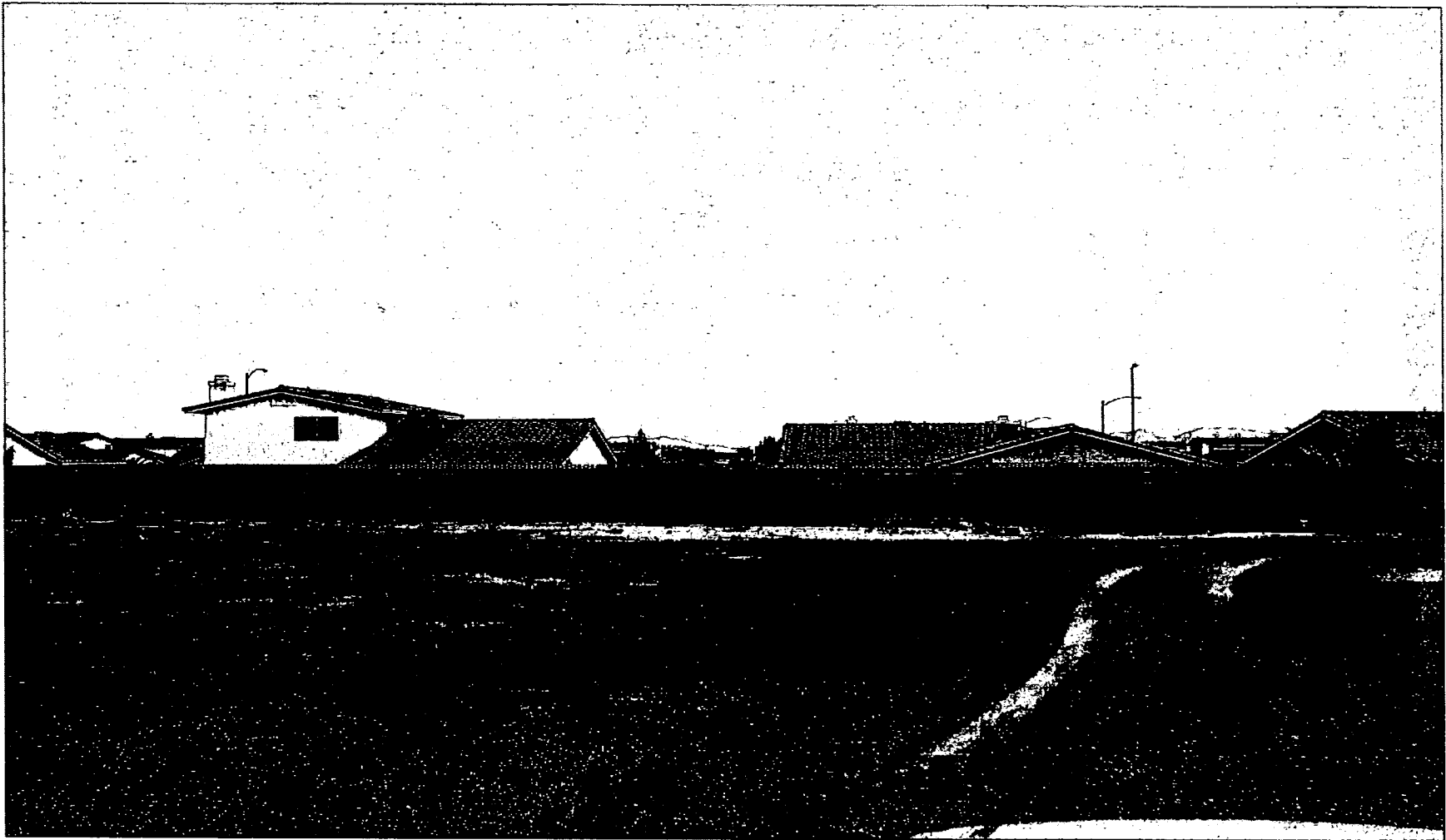


2004 The J. R. Architects
14141 Las Vegas Blvd. Suite 100
Las Vegas, NV 89143
Tel: 702.735.1111
Fax: 702.735.1112
www.jrarchitects.com

CONSULTANT

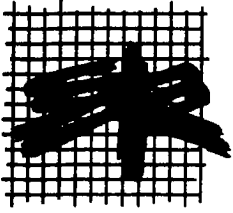
2004 The J. R. Architects
14141 Las Vegas Blvd. Suite 100
Las Vegas, NV 89143
Tel: 702.735.1111
Fax: 702.735.1112
www.jrarchitects.com

AS.1



SDR-5685 - APPLICANT/OWNER: KMW, LLC
APPROXIMATELY 200 FEET NORTH OF THE INTERSECTION OF BUFFALO DRIVE AND GOWAN ROAD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04



November 22, 2004

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

**Re: Cheyenne West Animal Hospital - A.P.N. #13810201026
Justification Letter**

To Whom It May Concern:

On behalf of Cheyenne West Animal Hospital, SR Construction is requesting approval of the attached application and special use permit for the construction of an Animal Hospital on the above-referenced parcel, consisting of one single story (~9,150sf) facility on approximately 0.91 acres.

Cheyenne West Animal Hospital has been providing veterinary care to the Northwest Las Vegas Valley area since 1999. Dr. Brian Hewitt, DVM and Dr. Annette Shaver, DVM have been providing veterinary medicine in the Las Vegas Valley for over fifteen years. Due to the increased demand for their services, current space constraints and a continued commitment to the Las Vegas Valley they find it necessary to increase their size to accommodate the growth of the community and the business. At this time we anticipate approximately (12) on-duty employees to support three doctors. This facility hopes to see approximately (60) patients per day and will only be providing kennel space to accommodate (16) dogs. As you will notice on our site plan we have provided approximately 50% more parking and landscaping than is required by code.

In an effort to become a good neighbor and incorporate feedback from the surrounding neighborhood we have scheduled a meeting with the local residents to discuss our plan. This meeting is currently scheduled for Tuesday, November 30, at 7:00PM.

As this parcel is currently zoned (U(O)), we are hereby submitting this project for planning commission approval, as well as requesting a special use permit in accordance with Las Vegas Zoning Code 19.04.050 (B). Additionally, we are requesting two waivers of standards for this project:

SR CONSTRUCTION

www.srconstructionlv.com

3579 Red Rock Street
Las Vegas, Nevada 89103
Nevada License #33080A

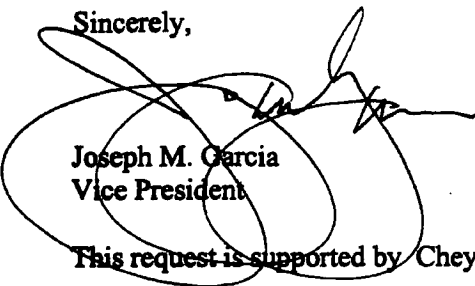
702 877.6111
702 258.6326 FAX
E-Mail: srconstructionlv.com

The first waiver requested is for the 6' landscape requirement on the South side of the facility. We would like to incorporate a means of egress on the South elevation of the building with a five foot wide sidewalk to accommodate this exit. This addition would require us to reduce the landscape buffer from 6' to 5' for approximately 50% of the South West side of the building. A 10' landscape buffer would be provided for the South East side of the building provided this waiver is acceptable.

The Second waiver requested is to allow the use of windows in the kennel area, (19.04.050 (B) Item #4) "Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences". Our intent is to allow a limited amount of natural light into the kennel area which is on the East side of the facility. The facility is currently separated from the existing residences by an 8' landscape buffer and approximately 65' of parking and driveway. It is also our intent to use 4" thick glass block at this location if acceptable.

We do feel that this will be a welcome addition to the neighborhood and appreciate your consideration of this submittal. If you need additional information, please contact me at 877-6111.

Sincerely,



Joseph M. Garcia
Vice President

This request is supported by Cheyenne West Animal Hospital.

Dr. Brian Hewitt, DVM

cc: Dr. Annette Shaver, DVM
Carolyn Lawrence
File

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-5688 - PUBLIC HEARING - OWNER: A.J. GILBERT - APPLICANT: EDWARD KAKOSIAN - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE AND A WAIVER FROM THE MINIMUM SITE AREA REQUIREMENT TO ALLOW TWO PARCELS TO BE USED TO MEET THE REQUIREMENT at 2201 Industrial Road (APN 162-04-803-008 and 009), C-M (Commercial/Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

EDWARD KAKOSIAN, 5390 Hanging Tree Lane, concurred with staff conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:21 - 4:22)

6-904

CONDITIONS:

Planning and Development

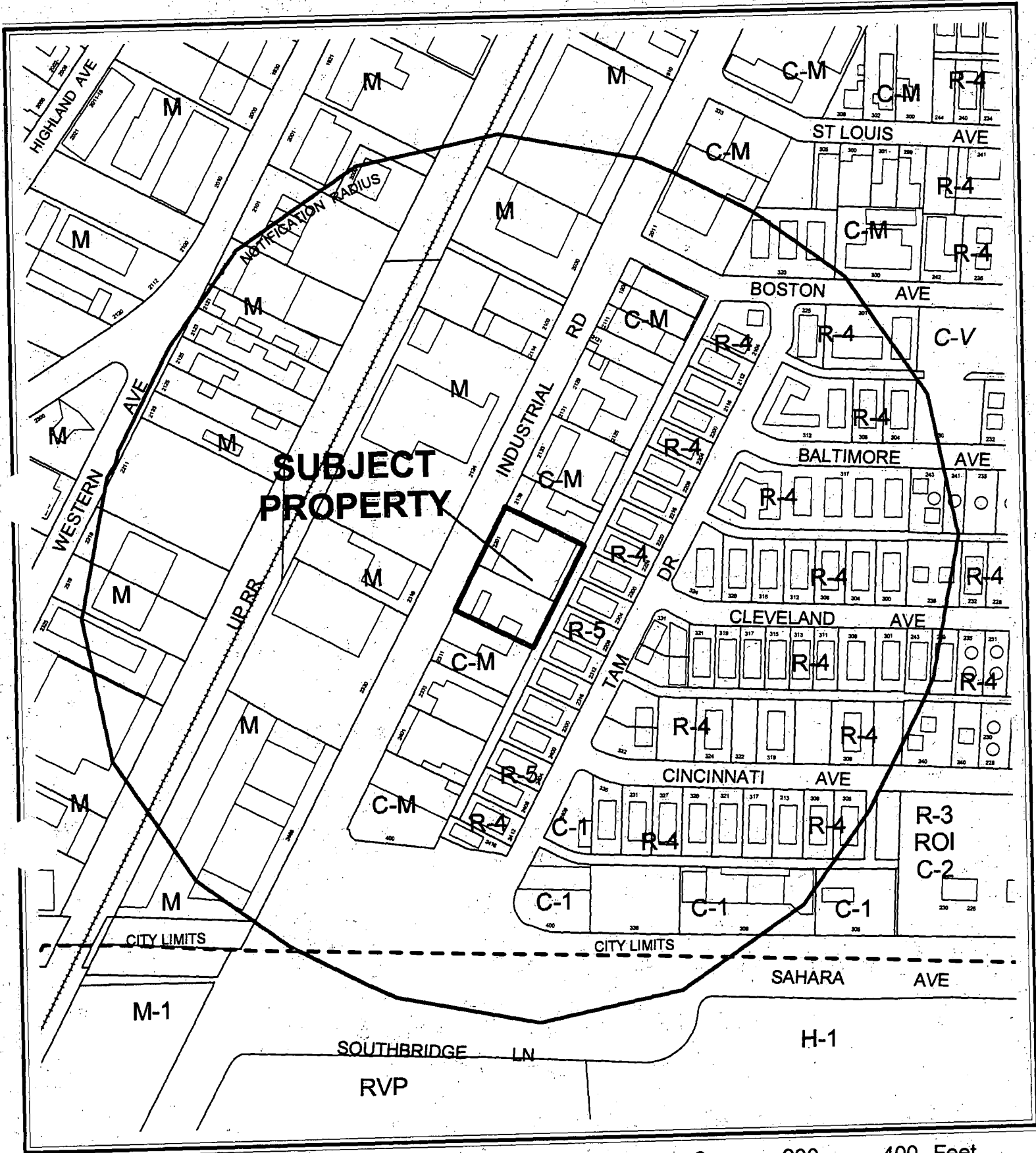
1. The Motor Vehicle Sales (Used) use shall occur on a minimum of 25,000 square feet, thereby requiring the two parcels to remain connected as long as this use is conducted on the site.
2. Conformance to all Minimum Requirements under Title 19.04.050 for the Motor Vehicle Sales (Used) use.
3. The applicant shall revise the site plan to show one van accessible handicap space that is compliance

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

with the standards prior to the approval of a business license for the Motor Vehicle Sales (Used) use.

4. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. Vehicles displayed, stored or sold, or exchanged from the subject property shall have been manufactured within the last five (5) model years of the display, storage, sale or exchange date. Customer and employee vehicles, classic or collector vehicles (defined as any motor vehicle, including trucks, that are at least twenty (20) model years old, or any motor vehicle of a defunct make), or any vehicle displayed inside the building shall be exempt from this limitation.
6. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining items or devices shall be displayed upon the subject property or on any vehicle displayed for sale in the parking lot of the subject property.
7. The used car dealership shall not operate on Sundays.
8. All City Code requirements and design standards of all City departments must be satisfied.

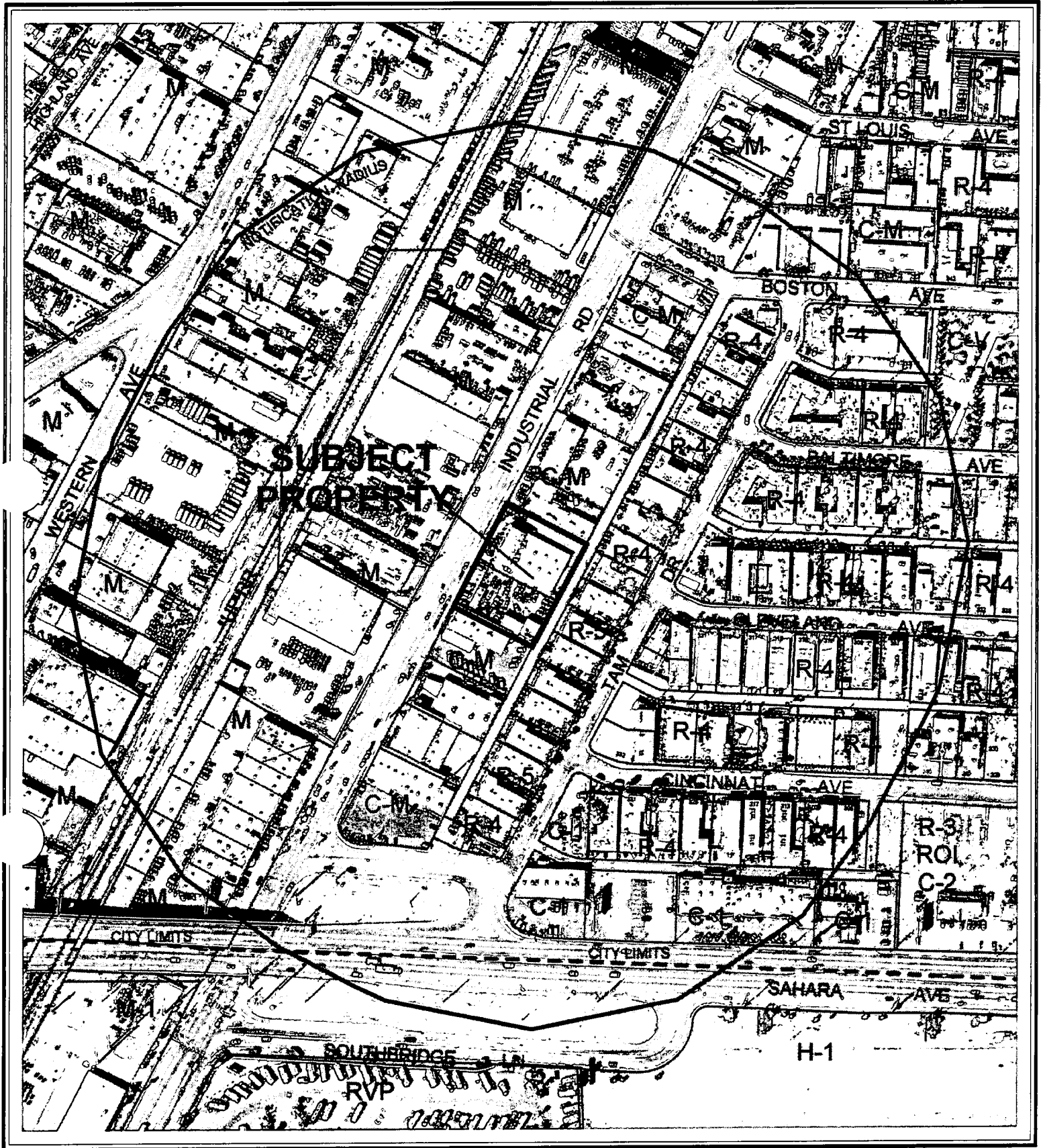


CASE: SUP-5688

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)





CASE: SUP-5688

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5688 - OWNER: A.J. GILBERT - APPLICANT: EDWARD KAKOSIAN

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. The Motor Vehicle Sales (Used) use shall occur on a minimum of 25,000 square feet, thereby requiring the two parcels to remain connected as long as this use is conducted on the site.
2. Conformance to all Minimum Requirements under Title 19.04.050 for the Motor Vehicle Sales (Used) use.
3. The applicant shall revise the site plan to show one van accessible handicap space that is compliance with the standards prior to the approval of a business license for the Motor Vehicle Sales (Used) use.
4. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. Vehicles displayed, stored or sold, or exchanged from the subject property shall have been manufactured within the last five (5) model years of the display, storage, sale or exchange date. Customer and employee vehicles, classic or collector vehicles (defined as any motor vehicle, including trucks, that are at least twenty (20) model years old, or any motor vehicle of a defunct make), or any vehicle displayed inside the building shall be exempt from this limitation.
6. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining items or devices shall be displayed upon the subject property or on any vehicle displayed for sale in the parking lot of the subject property.
7. The used car dealership shall not operate on Sundays.
8. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for Motor Vehicle Sales (Used) use and a waiver from the minimum site area requirement to allow two parcels to be used to meet the requirement, on 0.93 acres at 2201 Industrial Road.

B) Applicant's Justification

The applicant's justification letter indicates the nature of the business is to buy and sell used cars, mostly from insurance auctions with light damage and have the cars repaired and prepared for sale at an auction or retail.

BACKGROUND INFORMATION

A) Previous Actions

There is no available zoning case history on this site.

01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #80/mp).

B) Pre-Application Meeting

11/16/04 The applicant was advised of the requirements for a Special Use Permit application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area
 Gross Acres: 0.93
 Net Acres: 0.62

B) ***Existing Land Use***
 Subject Property: Shops, Offices and Storage
 North: Shop
 South: Shop
 East: Apartments
 West: Office and Warehouse

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-M (Commercial/Industrial)
North: C-M (Commercial/Industrial)
South: C-M (Commercial/Industrial)
East: R-4 (High Density Residential) and R-5 (Apartment)
West: M (Industrial)

E) General Plan Compliance

The site is located in the Redevelopment Plan Area of the General Plan and is designated as Industrial. The existing C-M (Commercial/Industrial) zoning is in conformance with the General Plan designation.

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

This site is located in the Las Vegas Redevelopment Plan area. There are no requirements within this plans that would affect the proposed Motor Vehicle Sales (Used) use.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Motor Vehicle Sales (Used)	5,211 SF.	One space for each 500 square feet of enclosed gross floor area	11	1	11	0

The proposed Motor Vehicle Sales (Used) use requires 11 parking spaces, including one handicap accessible space. The submitted site plan depicts 11 spaces will be provided; however, the handicap accessible space does not meet the design standards of the Code. A condition has been added requiring the applicant to revised the plan to show one van accessible handicap space that is compliance with the standards.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Motor Vehicle Sales (Used) use, and there are no similar approved uses within the 750-foot notification distance.

B) General Analysis and Discussion

• Zoning

The proposed Motor Vehicle Sales (Used) use is allowed as a conditional use in the C-M (Commercial/Industrial) zoning district subject to meeting certain standards. The submitted site plan depicts an area of 27,174 square feet will be used for the Motor Vehicle Sales (Used) use; however, this square footage is achieved by using two different parcels. In the event one of the parcels is sold and not used for the requested use, the 25,000 square-foot minimum site area required by Title 19 would not be met. This deficiency therefore required the applicant to file this Special Use Permit application. A condition has been added requiring the use to occur on a minimum of 25,000 square feet, thereby requiring the two parcels to remain connected as long as this use in conducted on the site.

• Use

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

- Conditions

Pursuant to Title 19.04.040, the following conditions are placed on the Motor Vehicle Sales (Used) use. If any of these conditions are unable to be fulfilled, a Special Use Permit is required.

1. The minimum site area shall be twenty-five thousand square feet.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. Openings in service bays shall not face public rights-of way and shall be designed to minimize the visual intrusion into adjoining properties.
6. Accessory automobile rental is permitted.

FINDINGS

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

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

The proposed Motor Vehicle Sales (Used) use will be located on two lots that already contains automotive related businesses and is surrounded by land uses are industrial in character.

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

With the implementation of a condition requiring the Motor Vehicle Sales (Used) use to occur on a site with a minimum area of 25,000 square feet, thereby requiring the two parcels to remain connected as long as this use is conducted on the site, the subject site is physically suitable for this use.

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

The proposed used car lot will be served by a driveway from Industrial Road, designated as a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. This roadway will be adequate to meet the demand of the uses on the site.

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

The businesses on the subject site are routinely inspected for compliance to applicable codes; therefore, the public health, safety, and general welfare will be safeguarded

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

NOTICES MAILED 67 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SD-368 APN: _____

Name of Property Owner: A.J. Gilbert

Name of Applicant: Edward Kahanian

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: A.J. Gilbert

Print Name: A.J. GILBERT

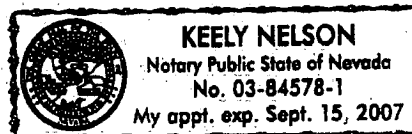
Subscribed and sworn before me

This 29 day of November, 2004

Keely Nelson

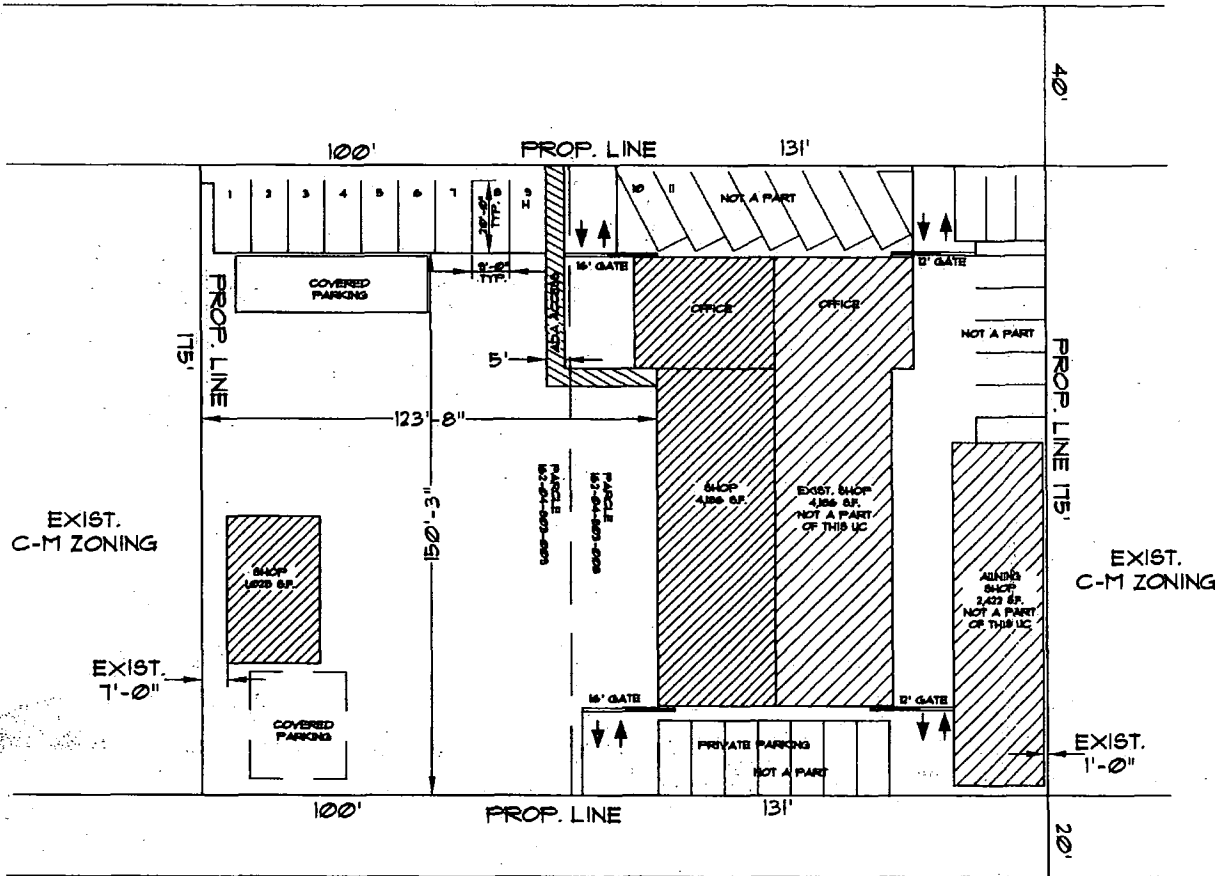
Notary Public in and for said County and State

Clark County
Nevada



EXIST.
M ZONING

INDUSTRIAL RD.



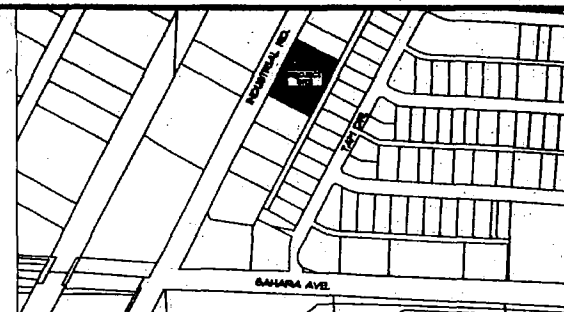
EXIST.
R-5 ZONING

EXIST.
R-4 ZONING

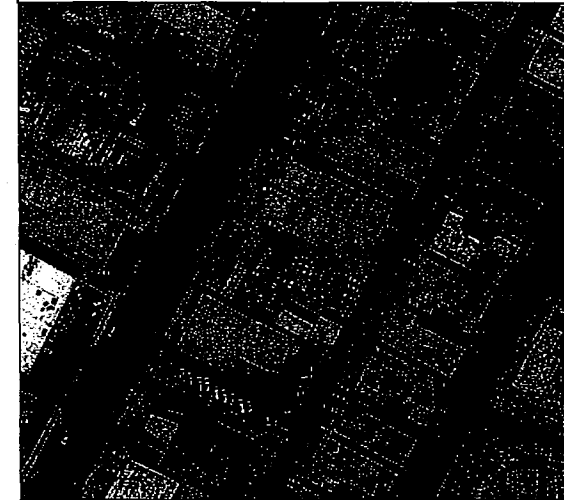
SITE & LANDSCAPE PLAN
SCALE 1/8" = 1'-0"



SUP-5688
01-13-05 PC



VICINITY MAP



EXISTING CONDITIONS

PROJECT DATA

ADDRESS:

2201 INDUSTRIAL RD
LAS VEGAS, NV 89102

REQUESTED USE: USED CAR DEALERSHIP

PARCELS:

162-04-003-003 (0.40 ACRE)
PART OF 162-04-003-006 (0.50 ACRE)

USED LOT AREA = 21,174 SF (0.62 ACRE)

ENCLOSED GROSS FLOOR AREA (GFA) = 5,211 SF
PARKING REQUIREMENTS PER
ONE SPACE FOR EACH 500 SF OF ENCLOSED GFA

REQUIRED PARKING 11 SPACES
11 SPACES PROVIDED

ARCHITECT
HARRIS A. KATZ, AIA
ONLY THESE PEOPLE
ARE AUTHORIZED TO
SEAL AND SIGN
FOR THIS PROJECT

PROJECT NO.
DATE

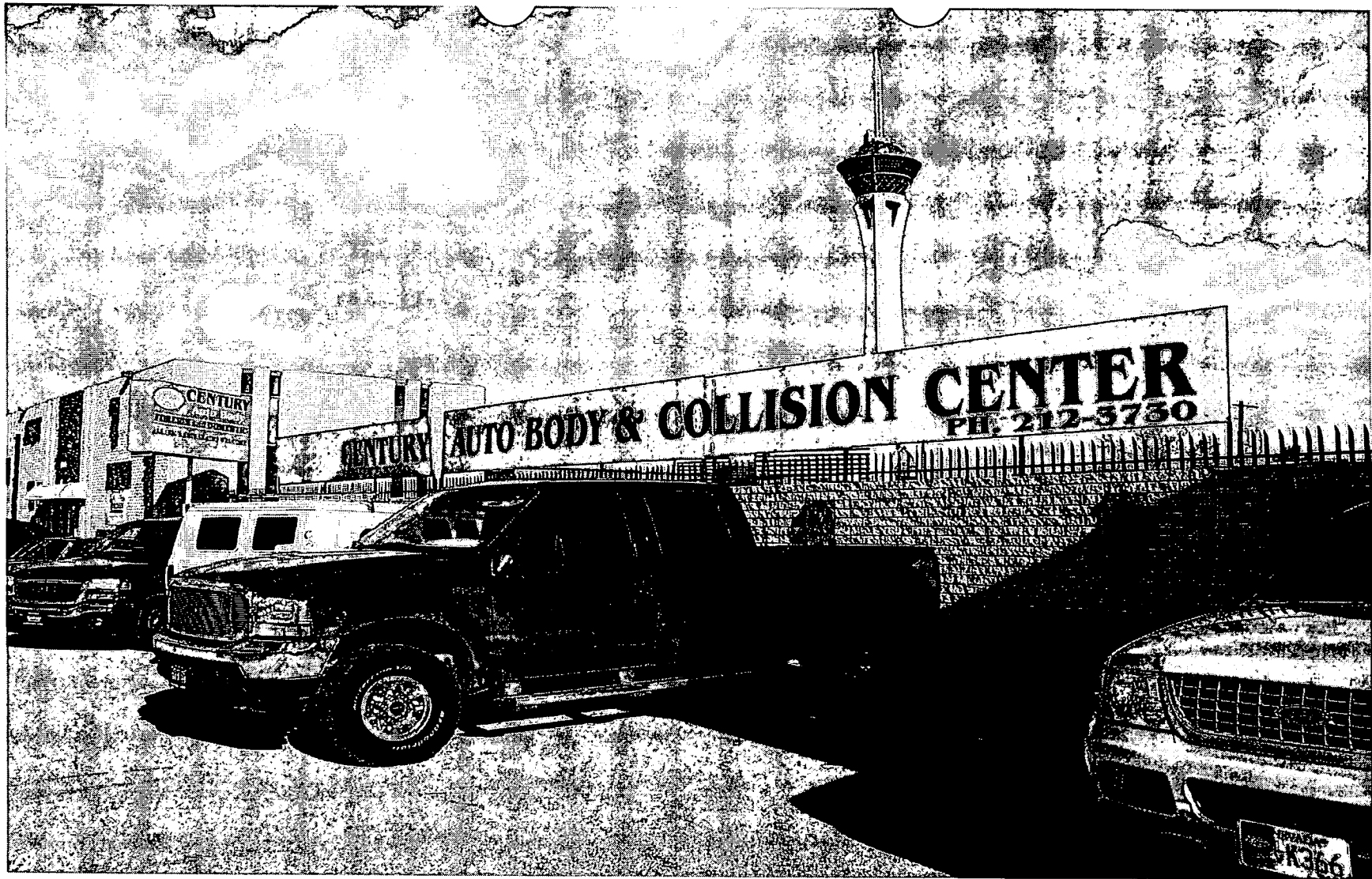
REVISIONS
NO. DESCRIPTION
DATE

USE PERMIT APPLICATION FOR
2201 INDUSTRIAL RD
LAS VEGAS, NV 89102

SITE PLAN
PROJECT DATA

PROJECT NO.
DATE

1



SUP-5688 - OWNER: A.J. GILBERT – APPLICANT: EDWARD KAKOSIAN
2201 Industrial Road
FEBRUARY 16, 2005 CITY COUNCIL MEETING

Picture taken 02/01/05



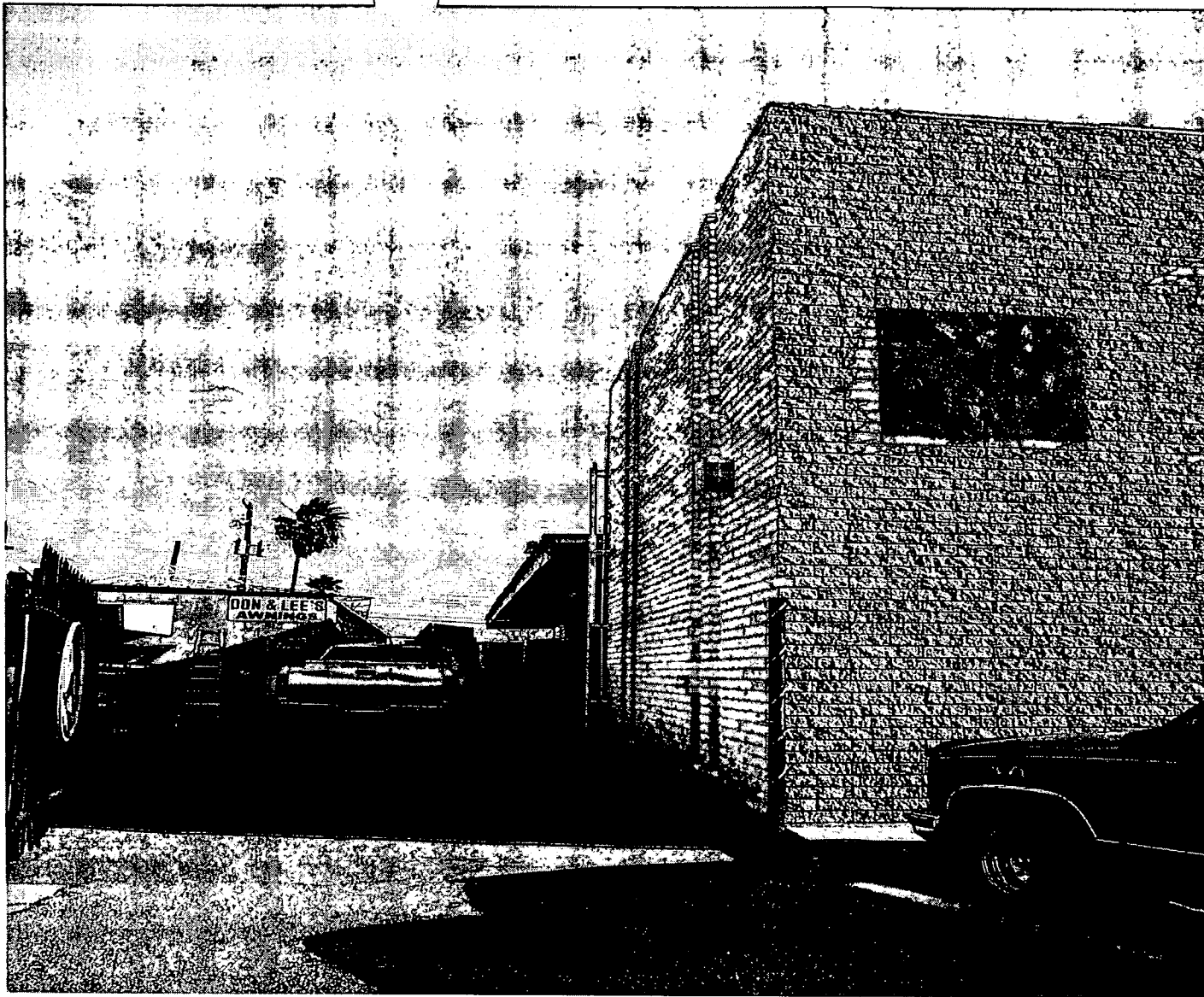
SUP-5688 - OWNER: A.J. GILBERT – APPLICANT: EDWARD KAKOSIAN
2201 Industrial Road
FEBRUARY 16, 2005 CITY COUNCIL MEETING

Picture taken 02/01/05



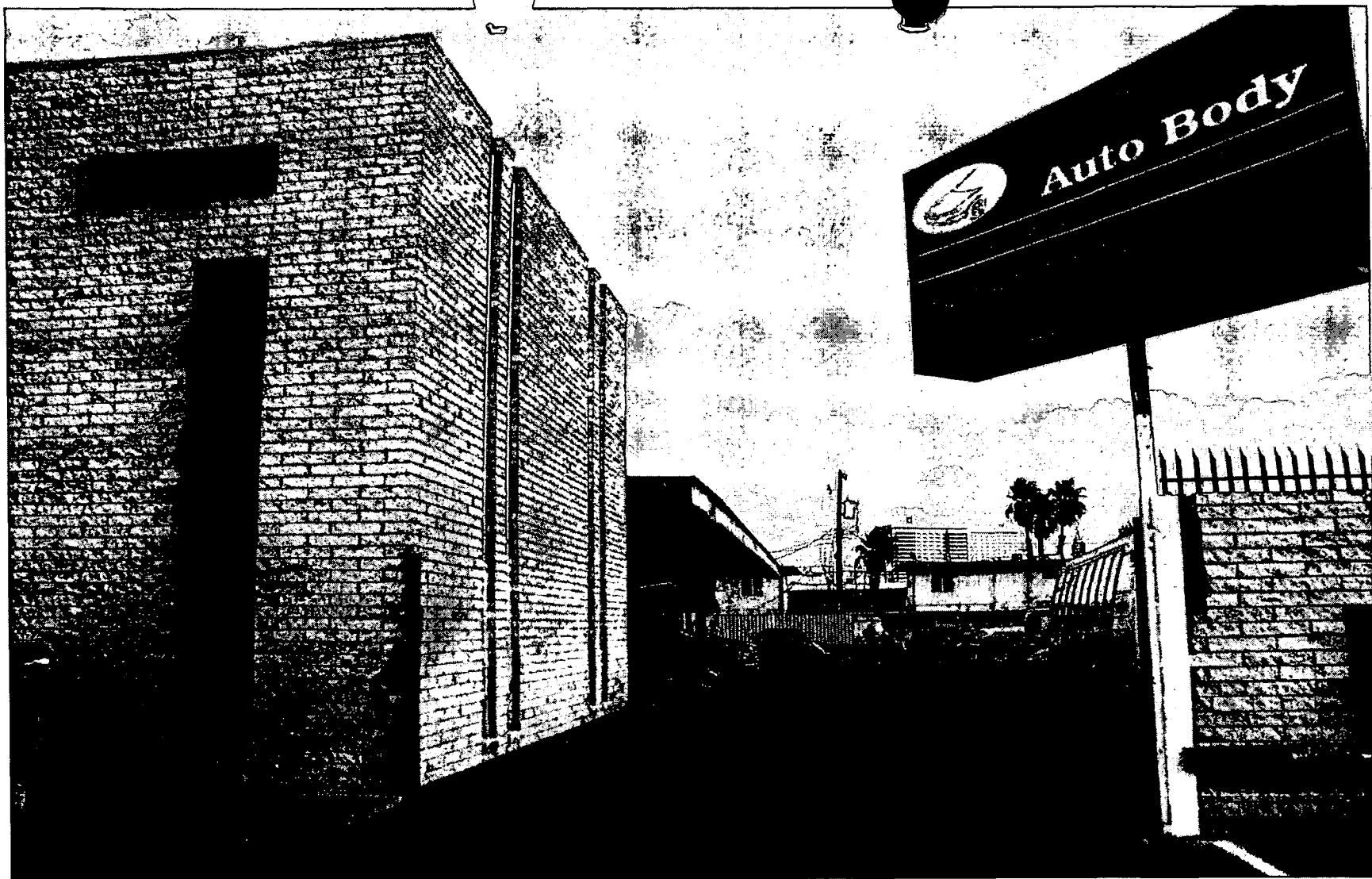
SUP-5688 - OWNER: A.J. GILBERT – APPLICANT: EDWARD KAKOSIAN
2201 Industrial Road
FEBRUARY 16, 2005 CITY COUNCIL MEETING

Picture taken 02/01/05



SUP-5688 - OWNER: A.J. GILBERT – APPLICANT: EDWARD KAKOSIAN
2201 Industrial Road
FEBRUARY 16, 2005 CITY COUNCIL MEETING

Picture taken 02/01/05



SUP-5688 - OWNER: A.J. GILBERT – APPLICANT: EDWARD KAKOSIAN
2201 Industrial Road
FEBRUARY 16, 2005 CITY COUNCIL MEETING

Picture taken 02/01/05

ELITE AUTO DEALER INC.

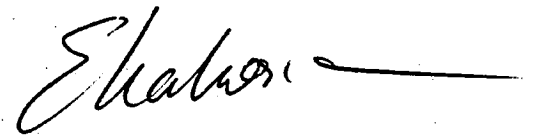
Edward Kakosian

To whom it may concern: My name is Edward Kakosian and Im an owner of Elite Auto Dealer Inc at 1500 E Tropicana #141 Las Vegas NV 89119. I would like to transfer my license to the city at 2201 Industrial Rd Las Vegas NV 89102.

Im submitting all the required paper work for a special use permit, which would allow me to conduct business form 2201 Industrial rd LV NV 89102. The nature of my business is to buy and sell used cars, mostly from insurance auctions with light damages and have the cars repaired and get them ready for sale at an auction or retail. I believe I have meet minimal requirements for a limited auto dealer license with all the paperwork I am providing .

If there are any questions please contact me at 702 429 6901 Edward Kakosian.

Would greatly appreciate your favorable consideration on this request.

A handwritten signature in cursive script, appearing to read 'E. Kakosian', followed by a horizontal line.

SUP-5688

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: M. MARGO WHEELER**☐**CONSENT**☒**DISCUSSION****SUBJECT:****SPECIAL USE PERMIT**

SUP-5718 - PUBLIC HEARING - APPLICANT: MONTECITO COMPANIES - OWNER: MONTECITO PADS, LLC - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, GENERAL WITH DRIVE-THROUGH on Pad P of the Montecito Marketplace Development adjacent to the southeast corner of Durango Drive and Elkhorn Road (APN 125-20-510-005), T-C (Town Center) Zone [UC-TC (Urban Center - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

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

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Protest letter from Deborah Ruiz for Item 115 [SUP-5718], Item 116 [SUP-5720], Item 117 [SUP-5722], Item 118 [SUP-5723] and Item 119 [SDR-5731] filed under Item 115 [SUP-5718]

MOTION:**MACK - APPROVED subject to conditions - UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open on Item 115 [SUP-5718], Item 116 [SUP-5720], Item 117 [SUP-5722], Item 118 [SUP-5723] and Item 119 [SDR-5731].

ATTORNEY CHRIS KAEMPER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, concurred with all conditions.

PASTOR KRISTOPHER DAHIR, 8931 Snowtrack Avenue, expressed concern about the location of the tavern and its impact on the surrounding residential neighborhood. ATTORNEY KAEMPFER explained that the tavern has been moved to a different pad.

ANDREA ALLRED, Grassyview Court, wanted to make sure the tavern will not be located along Durango Drive. ATTORNEY KAEMPFER explained that these uses have been approved and are part of the Town Center and Montecito Plan. He has worked very hard with the neighbors to ensure that each use is compatible with the neighborhood. COUNCILMAN MACK invited PASTOR DAHIR and MS. ALLRED to visit his office to see the zoning maps related to Town Center, its guidelines and what has been developed thus far. There are no distance requirements and Durango Drive will have some

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

MINUTES - Continued:

intense uses and taverns. ATTORNEY KAEMPFER reiterated the tavern was moved from Pad P to Pad G to mitigate the residents' concern of its location. He explained for MAYOR GOODMAN that Durango Drive separates the two pads and Dorrell Lane is a private street.

COUNCILMAN BROWN stated the tavern would be located west of Durango Drive abutting Dorrell Lane. The entire plan was approved before the first house was ever built. COUNCILMAN MACK further added that the entire concept of Town Center Plan was to keep the commercial in a condensed area. In fact, no convenience stores, car washes or taverns are located along section line roads.

MS. ALLRED asked the City Council to consider not having the tavern adjacent to residential areas and to be considerate about children playing in the area. ATTORNEY KAEMPFER reassured MS. ALLRED that although it is called a tavern, it will probably be a restaurant that serves liquor.

STEVEN "CAPTAIN TRUTH" DEMPSEY stated the residents are not getting due process and asked that the item be abeyed to clarify unresolved issues.

COUNCILMAN MACK commented that the City, Clark County and other jurisdictions worked very hard on the Town Center Master Plan. It is unfortunate when new residents move into the area and are not aware of current zoning or development. He wishes there were stricter restrictions imposed on homebuilders regarding disclosures. The commercial is being kept in condensed areas and taverns away from residential.

MAYOR GOODMAN declared the Public Hearing closed on Item 115 [SUP-5718], Item 116 [SUP-5720], Item 117 [SUP-5722], Item 118 [SUP-5723] and Item 119 [SDR-5731].

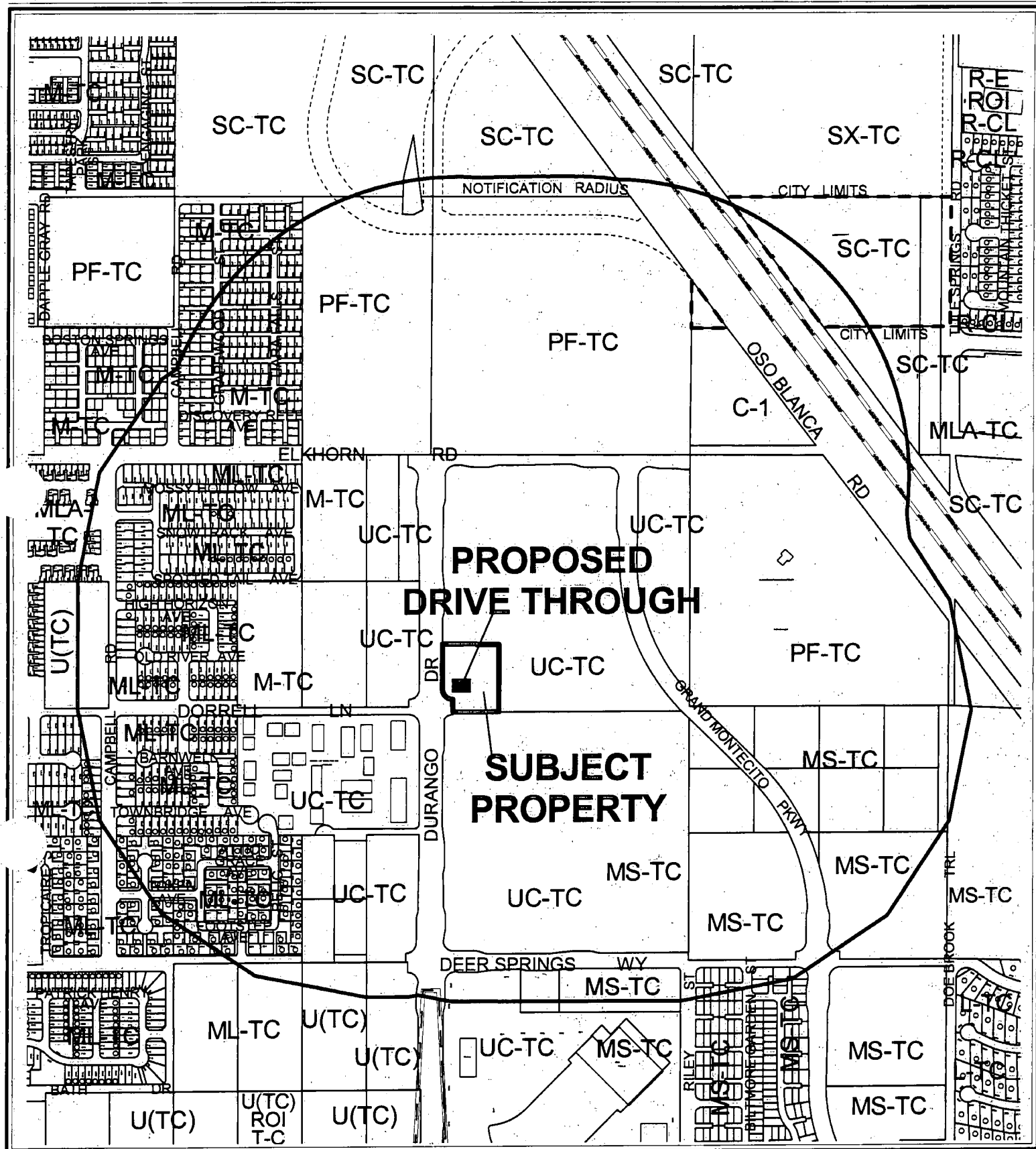
(4:22 - 4:40)

6-932

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764] and [SDR-5731].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-5718

RADIUS: 1500 FT & SPECIAL

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5718 - APPLICANT: MONTECITO COMPANIES -
OWNER: MONTECITO PADS, LLC**

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3764) and [SDR-5731].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Drive-Through Facility on Pad P of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre easterly portion of the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.
- 01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the westerly five acres of the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 12/04/03 The Planning Commission approved a request for a Site Development Plan Review (SDR-3267) for a proposed hospital on 40 acres adjacent to the northeast corner of Durango Drive and Deer Springs Way. Staff recommended approval of the request.

04/07/04 The City Council approved a Site Development Plan Review (SDR-3764) related to Modification (MOD-3763) and Rezoning (ZON-3840) for a proposed 587,750 square-foot mixed-use commercial development on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive. Additionally, the following Special Use Permits were also approved: (SUP-3765) for liquor sales on Pad A, (SUP-3767) for gaming (incidental) on Pad A, (SUP-3769) for a drive-through facility on Pad A, (SUP-3770) for a drive-through facility on Pad O, (SDR-3771) for a tavern on Pad P, (SUP-3773) for gaming (incidental) on Pad P, (SDR-3764) for gasoline sales on Pad Q, (SUP-3776) for a car wash on Pad Q, (SUP-3777) for gaming (incidental) on Pad Q, (SUP-3778) for liquor sales on Pad Q, (SUP-3779) for a tavern on Pad Z, (SUP-3780) for gaming (incidental) on Pad Z, (SUP-3781) for a drive-through on Pad F, (SUP-3783) for liquor sales on Pad HH, (SUP-3785) for gaming (incidental) on Pad HH, (SUP-3786) for a drive-through facility on Pad HH, (SUP-3788) for a drive-through facility on DD, and (SUP-3789) for a drive-through facility on EE. The Planning Commission and staff recommended approval on March 11, 2004.

01/13/05 The Planning Commission recommended approval of related items (SUP-5720, SUP-5722, SUP-5723 and SDR-5731).

01/13/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #12/bts).

B) Pre-Application Meeting

11/19/04 The elements of an Special Use Permit application were discussed.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either

side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a Primary 100-foot Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

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, 2000 sq. ft. or more w/Drive Through	3,288 SF.	1/100 GFA	33 spaces	2 spaces	33 spaces (1,839 parking spaces provided)	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Drive-Through Facility uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, which does not allow Drive-Through Facilities for banks or restaurants in the UC-TC and MS-TC special land use designations, which are the Town Center designations of the subject site.

B) *General Analysis and Discussion*

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Drive-Through Facility" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would prohibit Drive-Through Facility uses within the UC-TC and MS-TC special land use designations, such restrictions are superceded for Town Center lands, such as the subject site, which are within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Drive-Through Facility use, other than it will be ancillary to the principal Restaurant use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764) and (SDR-5731).

FINDINGS

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

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

Although the Town Center Development Standards prohibit Drive-Through Facility uses within the UC-TC and MS-TC special land use designations, the Montecito Development Agreement has no such restriction for a Drive-Through Facility use. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

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

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

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway (120 feet) Arterial. Dorrell Lane, to the south of the site, is a Town Center 80-foot Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a Primary 100-foot Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

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

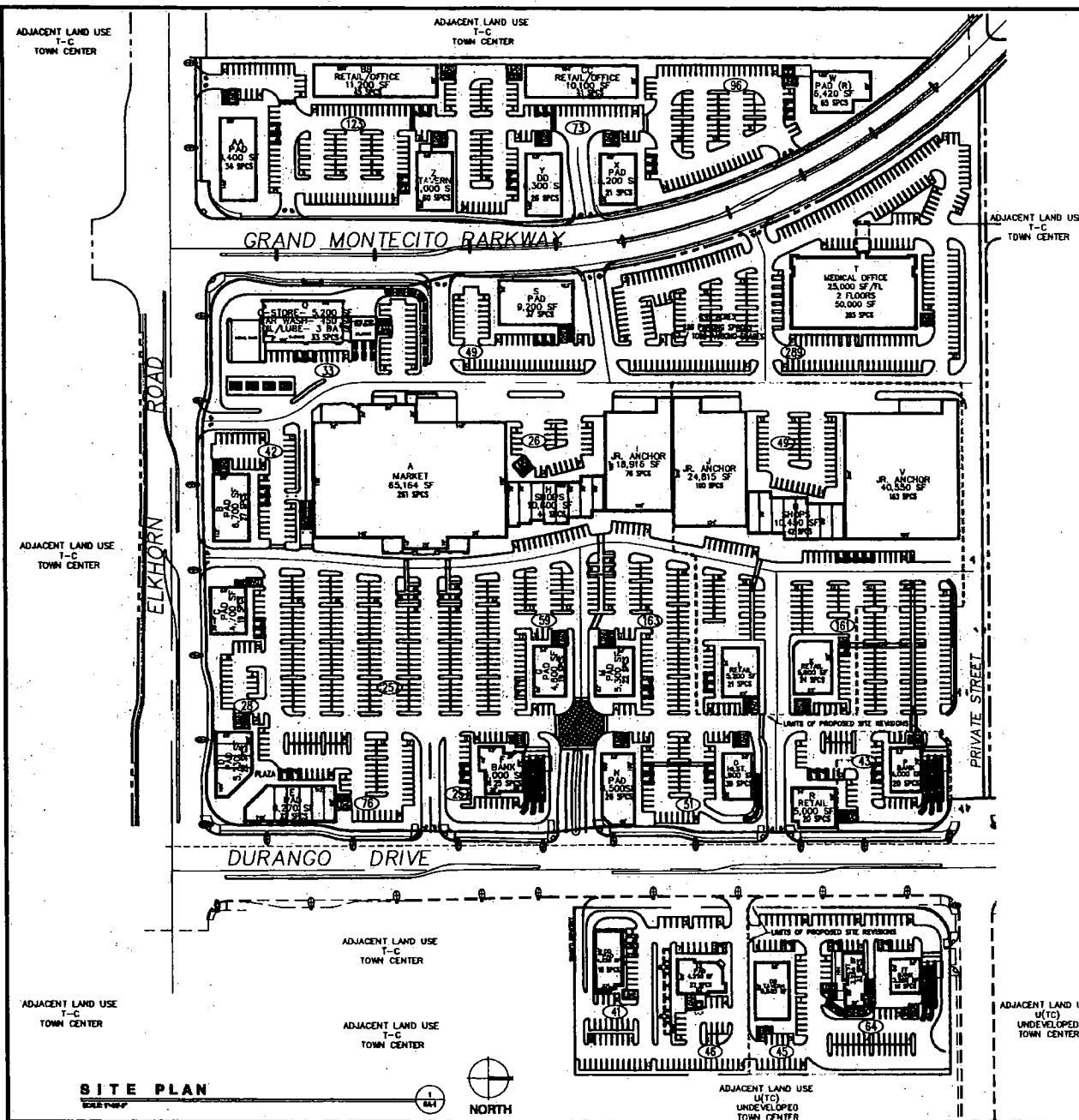
NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

NOTICES MAILED 294 by City Clerk

APPROVALS 0

PROTESTS 0



KEYNOTES NOTES

SUMMARY

LAND AREA (GROSS) • APPROX. 45.8 ACRES (1,886,391 SF)
 LAND AREA (NET) • APPROX. 38.8 ACRES (1,580,540 SF)
 BUILDING AREA • 317,803 SF
 LAND/BUILDING RATIO • 4.41 22.6%
 PARKING REQUIRED • 1,790 STALLS
 PARKING PROVIDED • 1,839 STALLS
 PARKING RATIO • 4.81/1000

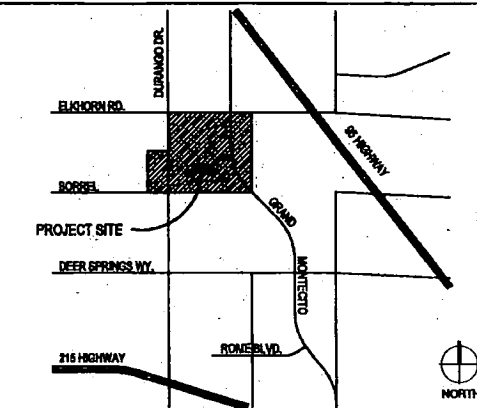
PARKING REQUIRED BASED UPON THE FOLLOWING:
 RETAIL (214,001 SF) @ 1 STALL/250 SF = 856 STALLS
 RESTAURANT (65,100 SF) @ 1 STALL/100 SF = 651 STALLS
 MARKET (65,164 SF) @ 1 STALL/250 SF = 261 STALLS
 MEDICAL OFFICE (25,000 SF) @ 1 STALL/250 SF = 10 STALLS
 MEDICAL OFFICE (40,000 SF) @ 1 STALL/175 SF = 228 STALLS
 BANK (18,250 SF) @ 1 STALL/250 SF = 73 STALLS
 CONVENIENCE STORE (5,200 SF) @ 1 STALL/250 SF = 21 STALLS
 CAR WASH - FULL SERVICE (400 SF) @ 1 STALL/150 SF = 3 STALLS
 AUTO LUBE - 8 BAYS @ 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS

SUMMARY / PARKING ANALYSIS / F.A.R.

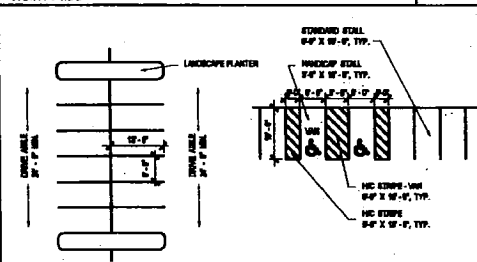
HANDICAP PARKING: 29 REQUIRED, 52 PROVIDED

OPEN SPACE AREA PROVIDED • - SF
 OPEN SPACE/LAND RATIO • -1 % (INCL. LANDSCAPE AREA)
 LANDSCAPE AREA PROVIDED • - SF
 LANDSCAPE/LAND RATIO • -1 % LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

Vedelago Petsch AIA
 architects

5495 S. Rainbow Blvd.
 Suite 203
 Las Vegas, Nevada 89118
 Phn (702) 951-0300
 Fax (702) 951-0302

NOT FOR
 CONSTRUCTION

OWNER:
**MONTECITO
 COMPANIES**

**RETAIL CENTER
 MONTECITO MARKETPLACE**
 SEC of Durango Drive & Elkhorn Rd, Las Vegas, NV
 PROJECT NAME:
 SHEET TITLE:
 SHEET NO.:

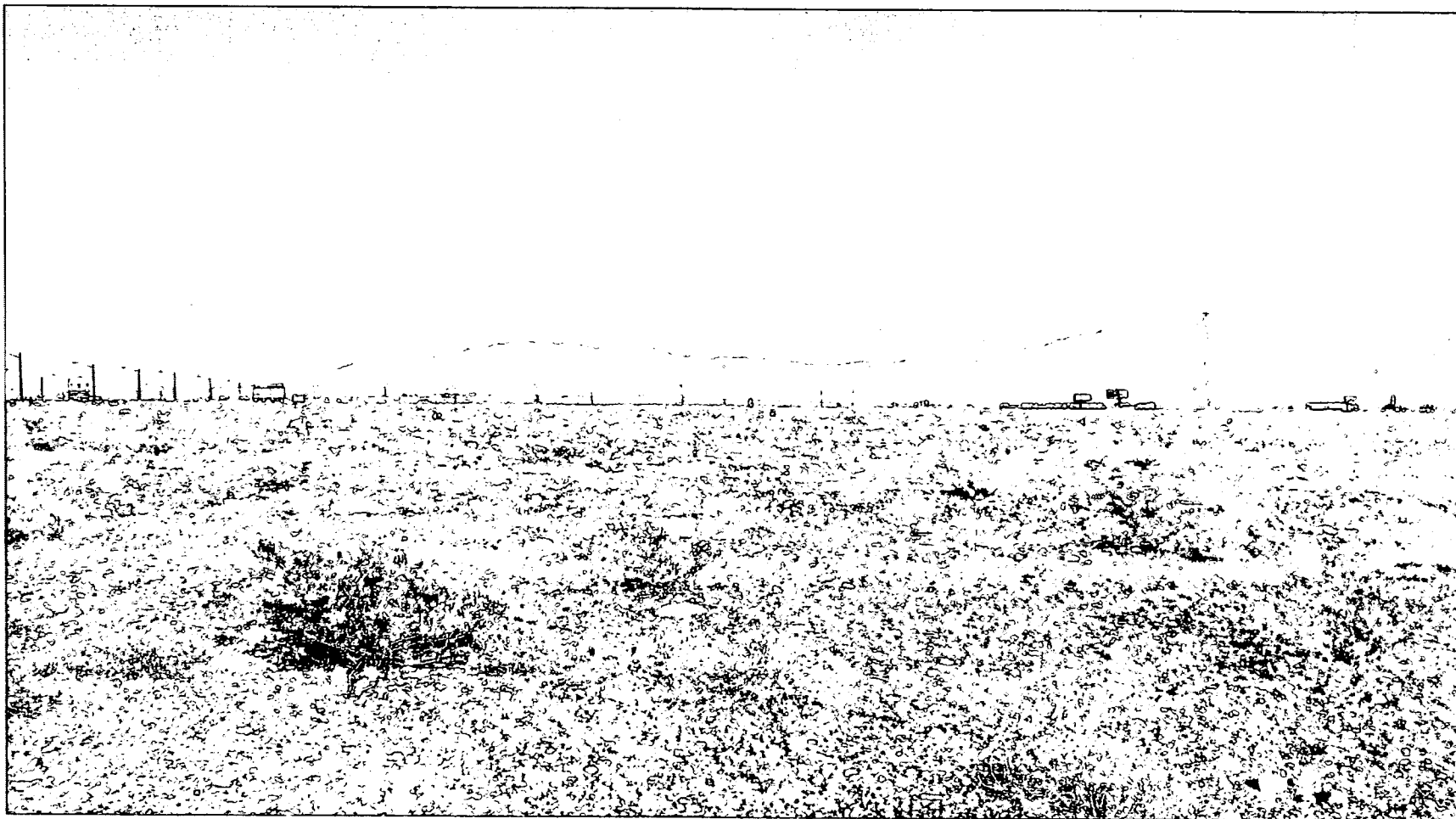
REV.	DESCRIPTION	DATE

Project No: 2004123
 Drawn By: Office
 Date: 11/30/04
 Scale: 1" = 80'-0"
 Sheet No:

SA-1

SUP-5718
 SUP-5720
 SUP-5722
 SUP-5723
 SDR-5731
 01-13-05 PC

RECEIVED
 NOV 30 2004



SUP-5718 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MONTECITO COMPANIES -
OWNER: MONTECITO PADS, LLC
SOUTHEAST CORNER OF DURANGO DRIVE AND ELKHORN ROAD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

MONTECITO

COMPANIES

November 29, 2004

City of Las Vegas
Planning and Development Department
Attn: Flinn Fagg
731 S. Fourth Street
Las Vegas, NV 89101

RE: Montecito Marketplace Special Use Permit Justification (Pad P - Drive Through)

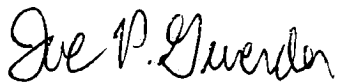
Dear Sir:

This letter is prepared as a justification letter for a Special Use Permit to allow a drive through for a 4,000 square foot Bank located at Pad P of a previously approved Site Development Review (SDR 3764) for Montecito Marketplace.

In general, this request will decrease the square footage to 4,000 square feet from the previously approved 6,000 square foot Tavern. The proposed Bank will also provide a much needed service in the area and the drive through is typical for this type of use. Furthermore, the drive through will be designed and constructed to meet all necessary City requirements and standards

For the reasons outlined above, it is our opinion that the proposed drive through is in substantial conformance with City's standards for development in this area and warrants approval. 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, PE
Vice President of Construction
Montecito Companies

6600 W Charleston Blvd, Suite 120
Las Vegas, NV 89146
Phone (702) 798-5111 Facsimile (702) 892-7754

SUP-5718

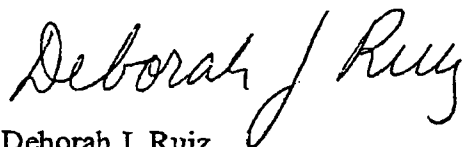
2/14/05

To Whom it May Concern,

This letter is to formally register my **OPPOSITION** to the following items that are to be considered by the city council on 2/16/05.

1. SDR 5731
2. SUP 5723 - TAVERN
3. SUP 5722 - GAMING
4. SUP 5720 - DRIVE THRU RESTAURANT
5. SUP 5718 - DRIVE THRU RESTAURANT

Sincerely,



Deborah J. Ruiz
9308 Longhorn Falls Ct
Las Vegas, NV 89149
702-643-4365

Protest

2005 FEB 14 P 1:02

RECEIVED
CITY CLERK

Submitted after final agenda

Date 2/14/05 Item #115-119

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-5718

SUP-5720 - PUBLIC HEARING - APPLICANT: MONTECITO COMPANIES - OWNER: MONTECITO PADS, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT WITH DRIVE-THROUGH on Pad HH of the Montecito Marketplace Development adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Protest letter from Deborah Ruiz for Item 115 [SUP-5718], Item 116 [SUP-5720], Item 117 [SUP-5722], Item 118 [SUP-5723] and Item 119 [SDR-5731] filed under Item 115 [SUP-5718]

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 115 [SUP-5718] for all related discussion.

(4:22 - 4:40)

6-932

CONDITIONS:

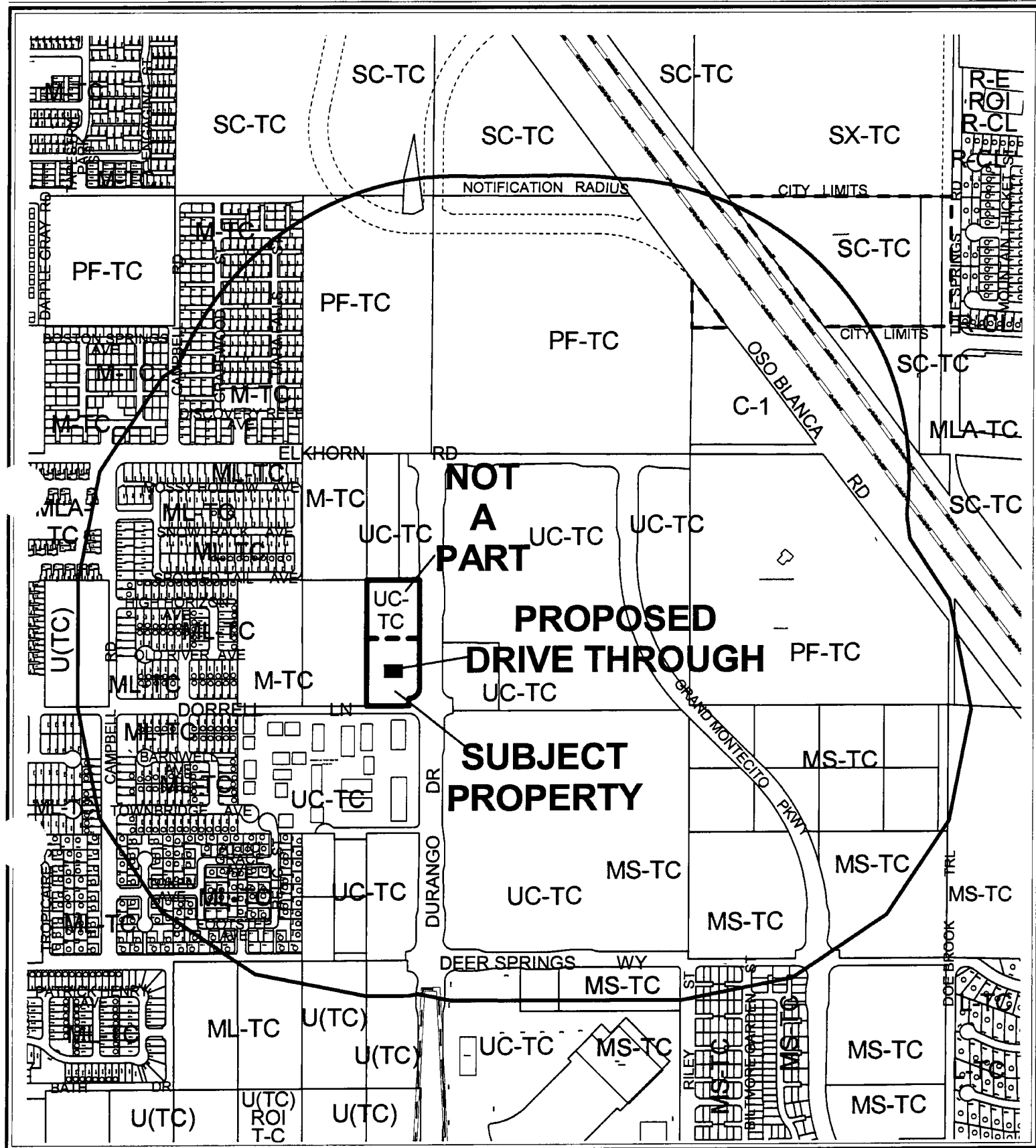
Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3764) and [SDR-5731].
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.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-5720

RADIUS: 1500 FT & SPECIAL

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

0 500 1000 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5720 - APPLICANT: MONTECITO COMPANIES -
OWNER: MONTECITO PADS, LLC**

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3764) and [SDR-5731].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Drive-Through Facility on Pad HH of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre easterly portion of the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.
- 01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the westerly five acres of the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 12/04/03 The Planning Commission approved a request for a Site Development Plan Review (SDR-3267) for a proposed hospital on 40 acres adjacent to the northeast corner of Durango Drive and Deer Springs Way. Staff recommended approval of the request.

04/07/04 The City Council approved a Site Development Plan Review (SDR-3764) related to Modification (MOD-3763) and Rezoning (ZON-3840) for a proposed 587,750 square-foot mixed-use commercial development on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive. Additionally, the following Special Use Permits were also approved: (SUP-3765) for liquor sales on Pad A, (SUP-3767) for gaming (incidental) on Pad A, (SUP-3769) for a drive-through facility on Pad A, (SUP-3770) for a drive-through facility on Pad O, (SDR-3771) for a tavern on Pad P, (SUP-3773) for gaming (incidental) on Pad P, (SDR-3764) for gasoline sales on Pad Q, (SUP-3776) for a car wash on Pad Q, (SUP-3777) for gaming (incidental) on Pad Q, (SUP-3778) for liquor sales on Pad Q, (SUP-3779) for a tavern on Pad Z, (SUP-3780) for gaming (incidental) on Pad Z, (SUP-3781) for a drive-through on Pad F, (SUP-3783) for liquor sales on Pad HH, (SUP-3785) for gaming (incidental) on Pad HH, (SUP-3786) for a drive-through facility on Pad HH, (SUP-3788) for a drive-through facility on DD, and (SUP-3789) for a drive-through facility on EE. The Planning Commission and staff recommended approval on March 11, 2004.

01/13/05 The Planning Commission recommended approval of related items (SUP-5718, SUP-5722, SUP-5723 and SDR-5731).

01/13/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #13/bts).

B) Pre-Application Meeting

11/19/04 The elements of a Special Use Permit application were discussed.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway (120 feet) Arterial, which includes a five-foot amenity zone and a 14.5-foot sidewalk on either

side of the street. Dorrell Lane, to the south of the site, is shown as a Town Center 80-foot Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a Primary 100-foot Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

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, 2000 sq. ft. or more w/Drive Through	3,288 SF.	1/100 GFA	33 spaces	2 spaces	33 spaces (1,839 parking spaces provided)	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Drive-Through Facility uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, which does not allow Drive-Through Facilities for banks or restaurants in the UC-TC and MS-TC special land use designations, which are the Town Center designations of the subject site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Drive-Through Facility" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would prohibit Drive-Through Facility uses within the UC-TC and MS-TC special land use designations, such restrictions are superceded for Town Center lands, such as the subject site, which are within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Drive-Through Facility use, other than it will be ancillary to the principal Restaurant use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764) and (SDR-5731).

FINDINGS

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

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

Although the Town Center Development Standards prohibit Drive-Through Facility uses within the UC-TC and MS-TC special land use designations, the Montecito Development Agreement has no such restriction for a Drive-Through Facility use. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

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

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

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway (120 feet) Arterial. Dorrell Lane, to the south of the site, is a Town Center 80-foot Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a Primary 100-foot Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

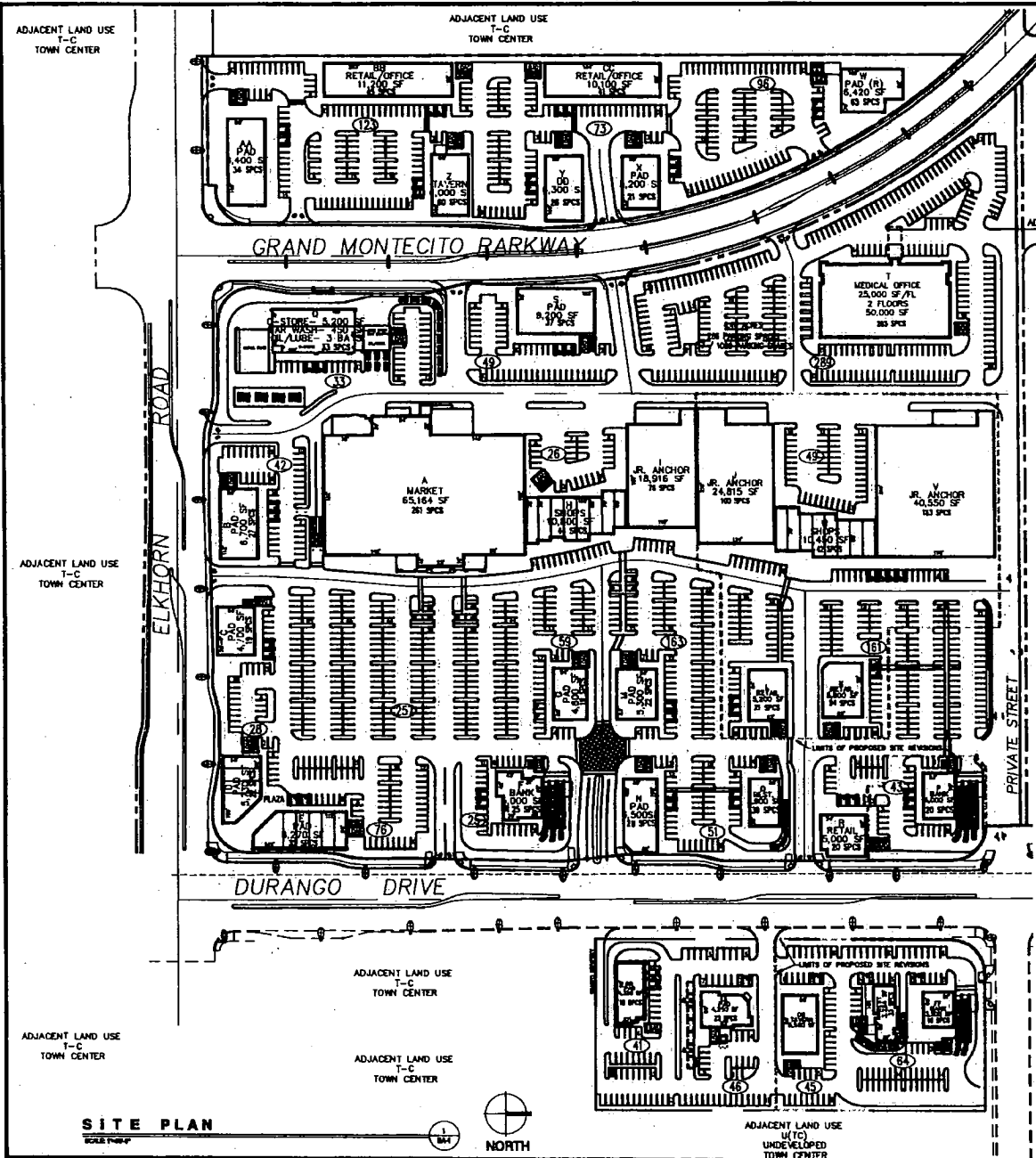
7

NOTICES MAILED 294 by City Clerk

APPROVALS 0

PROTESTS 0





SITE PLAN

KEYNOTES

SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
 LAND AREA (NET) • APPROX. 38.6 ACRES (1,680,540 SF±)
 BUILDING AREA • 317,803 SF
 LAND/BUILDING RATIO • 4.4/1 22.8%
 PARKING REQUIRED • 1,780 STALLS
 PARKING PROVIDED • 1,839 STALLS
 PARKING RATIO • 4.8/1000

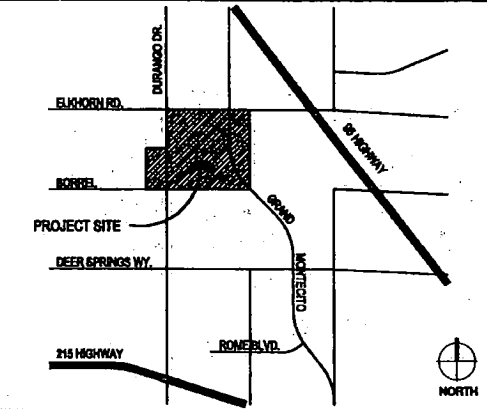
PARKING REQUIRED BASED UPON THE FOLLOWING:
 RETAIL (218,001 SF) @ 1 STALL/250 SF = 873 STALLS
 RESTAURANT (25,100 SF) @ 1 STALL/100 SF = 252 STALLS
 MARKET (85,184 SF) @ 1 STALL/250 SF = 341 STALLS
 MEDICAL OFFICE (2,000 SF) @ 1 STALL/200 SF = 10 STALLS
 MEDICAL OFFICE (40,000 SF) @ 1 STALL/175 SF = 229 STALLS
 BANK (16,250 SF) @ 1 STALL/200 SF = 82 STALLS
 CONVENIENCE STORE (5,200 SF) @ 1 STALL/250 SF = 21 STALLS
 CAR WASH - FULL SERVICE (400 SF) @ 1 STALL/150 SF = 3 STALLS
 AUTO LUBE - 3 BAYS @ 1 STALL/BAY = 3 STALLS

SUMMARY / PARKING ANALYSIS / F.A.R.

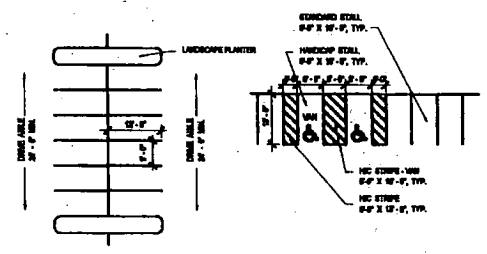
HANDICAP PARKING: 28 REQUIRED, 62 PROVIDED

OPEN SPACE AREA PROVIDED • - SF
 OPEN SPACE/LAND RATIO • -1-% (INCL. LANDSCAPE AREA)
 LANDSCAPE AREA PROVIDED • - SF
 LANDSCAPE/LAND RATIO • -1-% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

Vedatgo Petsch AIA
 5405 S. Rainbow Blvd.
 Suite 203
 Las Vegas, Nevada 89118
 Phone (702) 251-0300
 Fax (702) 251-0302

NOT FOR CONSTRUCTION

MONTECITO COMPANIES

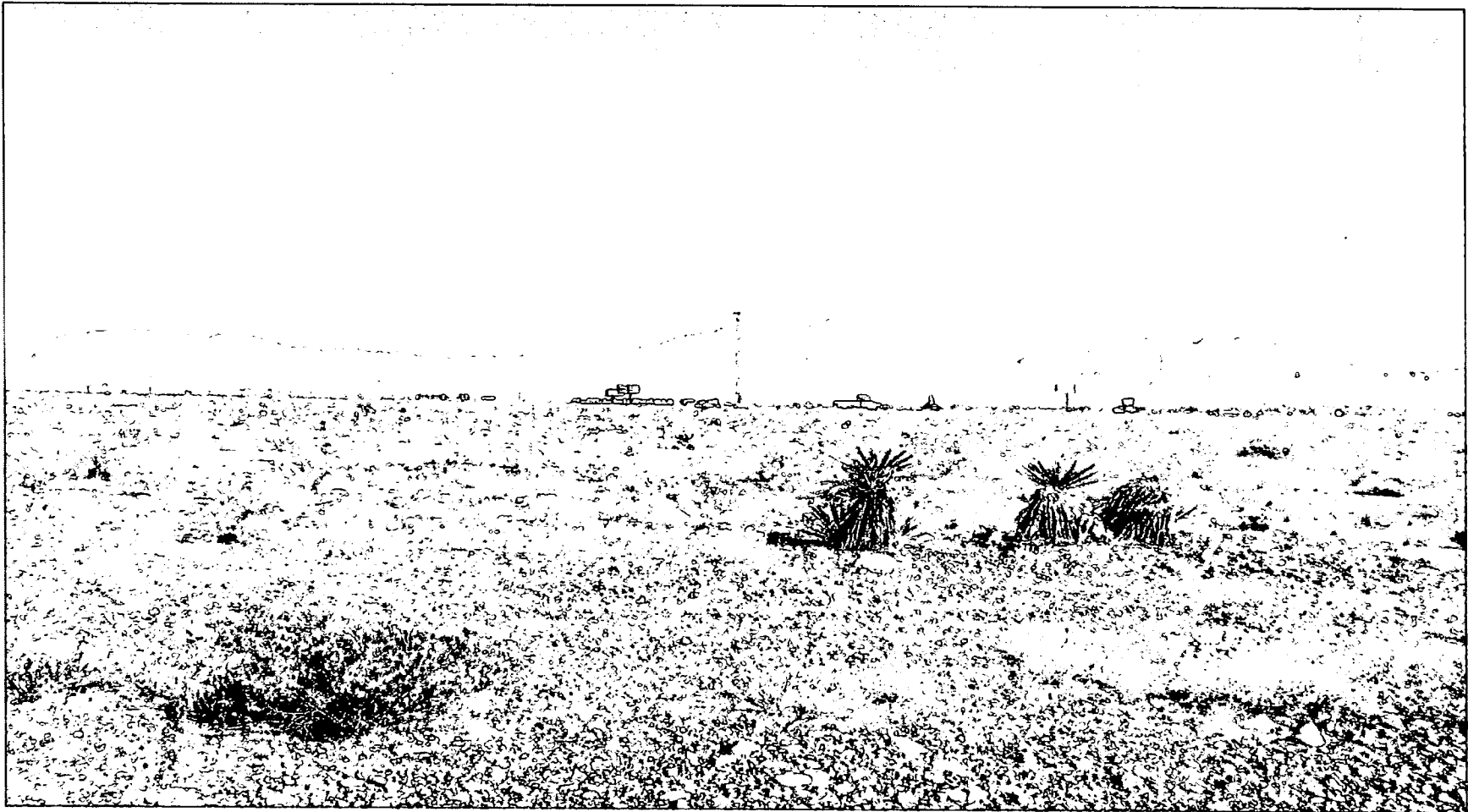
RETAIL CENTER
MONTECITO MARKETPLACE
 SEC of Durango Drive & Elkhorn Rd., Las Vegas, NV

REV.	DESCRIPTION	DATE

Project No: 2004123
 Drawn By: Office
 Date: 11/30/04
 Scale: 1" = 80'-0"

Sheet No:
SA-1

SUP-5718
 SUP-5720
 SUP-5722
 SUP-5723
 SDR-5731
 01.13.05 PC



SUP-5720 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MONTECITO COMPANIES -
OWNER: MONTECITO PADS, LLC
NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

MONTECITO

COMPANIES

November 29, 2004

City of Las Vegas
Planning and Development Department
Attn: Flinn Fagg
731 S. Fourth Street
Las Vegas, NV 89101

RE: Montecito Marketplace Special Use Permit Justification (Pad HH - Drive Through)

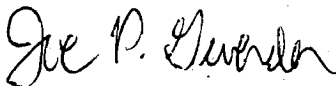
Dear Sir:

This letter is prepared as a justification letter for a Special Use Permit to allow a drive through for a 3,288 square foot Fast Food Restaurant located at Pad HH of a previously approved Site Development Review (SDR 3764) for Montecito Marketplace.

In general, the previously approved 15,000 square foot Pharmacy (which included a drive through) is proposed to be broken down into two separate pads, each with an individual drive through. The combination of the two pads (Pad HH and Pad FF) will result in decreased square footage going from 15,000 square feet for the previously approved pad to less than 7,500 square foot for the proposed pads. The proposed Fast Food restaurant will also provide a much needed service in the area and the drive through is typical for this type of use. Furthermore, the drive through will be designed and constructed to meet all necessary City requirements and standards

For the reasons outlined above, it is our opinion that the proposed drive through is in substantial conformance with City's standards for development in this area and warrants approval. 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, PE
Vice President of Construction
Montecito Companies

6600 W Charleston Blvd, Suite 120
Las Vegas, NV 89146
Phone (702) 798-5111 Facsimile (702) 892-7754

SUP-5720

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-5718 AND SUP-5720

SUP-5722 - PUBLIC HEARING - APPLICANT: MONTECITO COMPANIES - OWNER: MONTECITO PADS, LLC - Request for a Special Use Permit FOR A PROPOSED GAMING USE IN CONJUNCTION WITH A TAVERN on Pad GG of the Montecito Marketplace Development adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Protest letter from Deborah Ruiz for Item 115 [SUP-5718], Item 116 [SUP-5720], Item 117 [SUP-5722], Item 118 [SUP-5723] and Item 119 [SDR-5731] filed under Item 115 [SUP-5718]
6. Submitted after final agenda - Protest letter from Bert and Melissa Moscon for Item 117 [SUP-5722], Item 118 [SUP-5723] and Item 119 [SDR-5731] filed under Item 117 [SUP-5722]

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 115 [SUP-5718] for all related discussion.
(4:22 - 4:40)
6-932

CONDITIONS:

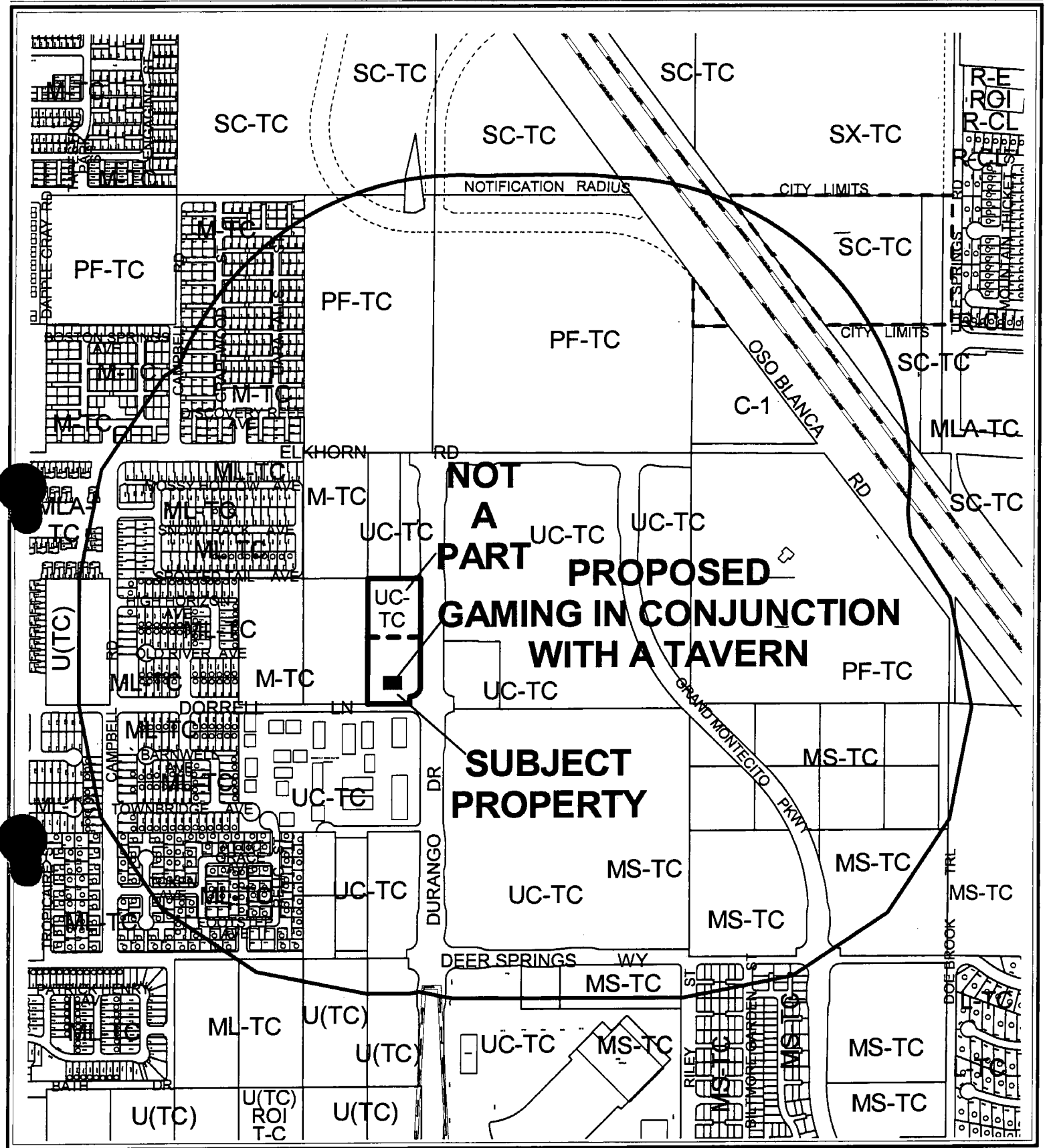
Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming Use In Conjunction with a Tavern.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3764) and [SDR-5731].
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.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-5722

RADIUS: 1500 FT & SPECIAL

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5722 - APPLICANT: MONTECITO COMPANIES -
OWNER: MONTECITO PADS, LLC**

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming Use In Conjunction with a Tavern.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3764) and [SDR-5731].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Gaming Use In Conjunction With A Tavern on Pad GG of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre easterly portion of the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.
- 01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the westerly five acres of the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 12/04/03 The Planning Commission approved a request for a Site Development Plan Review (SDR-3267) for a proposed hospital on 40 acres adjacent to the northeast corner of Durango Drive and Deer Springs Way. Staff recommended approval of the request.

04/07/04 The City Council approved a Site Development Plan Review (SDR-3764) related to Modification (MOD-3763) and Rezoning (ZON-3840) for a proposed 587,750 square-foot mixed-use commercial development on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive. Additionally, the following Special Use Permits were also approved: (SUP-3765) for liquor sales on Pad A, (SUP-3767) for gaming (incidental) on Pad A, (SUP-3769) for a drive-through facility on Pad A, (SUP-3770) for a drive-through facility on Pad O, (SDR-3771) for a tavern on Pad P, (SUP-3773) for gaming (incidental) on Pad P, (SDR-3764) for gasoline sales on Pad Q, (SUP-3776) for a car wash on Pad Q, (SUP-3777) for gaming (incidental) on Pad Q, (SUP-3778) for liquor sales on Pad Q, (SUP-3779) for a tavern on Pad Z, (SUP-3780) for gaming (incidental) on Pad Z, (SUP-3781) for a drive-through on Pad F, (SUP-3783) for liquor sales on Pad HH, (SUP-3785) for gaming (incidental) on Pad HH, (SUP-3786) for a drive-through facility on Pad HH, (SUP-3788) for a drive-through facility on DD, and (SUP-3789) for a drive-through facility on EE. The Planning Commission and staff recommended approval on March 11, 2004.

01/13/05 The Planning Commission recommended approval of related items (SUP-5718, SUP-5720, SUP-5723 and SDR-5731).

01/13/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #14/bts).

B) Pre-Application Meeting

11/19/04 The elements of a Special Use Permit application were discussed.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6 acres

B) Existing Land Use

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

C) *Planned Land Use*

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) *Existing Zoning*

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: T-C (Town Center)

E) *General Plan Compliance*

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming Use In Conjunction With A Tavern" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either

side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Gaming (Incidental) use. Since the proposed use is ancillary to the principal Tavern use on Pad GG, it will not generate additional parking to that which would be required for the Tavern use. Since the Agreement has no specific parking standards for these uses, then 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
Tavern	5,500 s.f.	1 space/50 s.f. of seating + waiting GFA and 1 space/200 s.f. of remaining area	55 spaces (assumes a 50:50 split)		55 spaces (1,839 spaces provided overall)	
			10 spaces			
Totals			65 spaces	3 spaces	65 spaces	3 spaces

The project does appears to meet the parking requirements of the Zoning Code, for both handicap spaces or the total number of spaces; however, this use is part of an overall site plan that contains a number of surplus parking spaces.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Gaming (Incidental) uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 330-foot separation distance between "Gaming (Restricted)" uses and any single-family detached dwelling.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Gaming (Incidental)" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require a "Gaming (Restricted)" use to be a minimum of 330 feet from any single-family dwelling, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Gaming (Incidental) use, other than it will be ancillary to the principal Tavern use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764) and (SDR-5731).

FINDINGS

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

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

Although the Town Center Development Standards require a Gaming (Restricted) use to be a minimum of 330 feet from any single-family residential dwelling, the Montecito Development Agreement has no such requirement for a "Gaming (Incidental)" use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no single-family homes within 330 of the subject parcel. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Gaming (Incidental) use.

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

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway (120 feet) Arterial. Dorrell Lane, to the south of the site, is a Town Center 80-foot Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a Primary 100-foot Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

The proposed Gaming (Incidental) use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

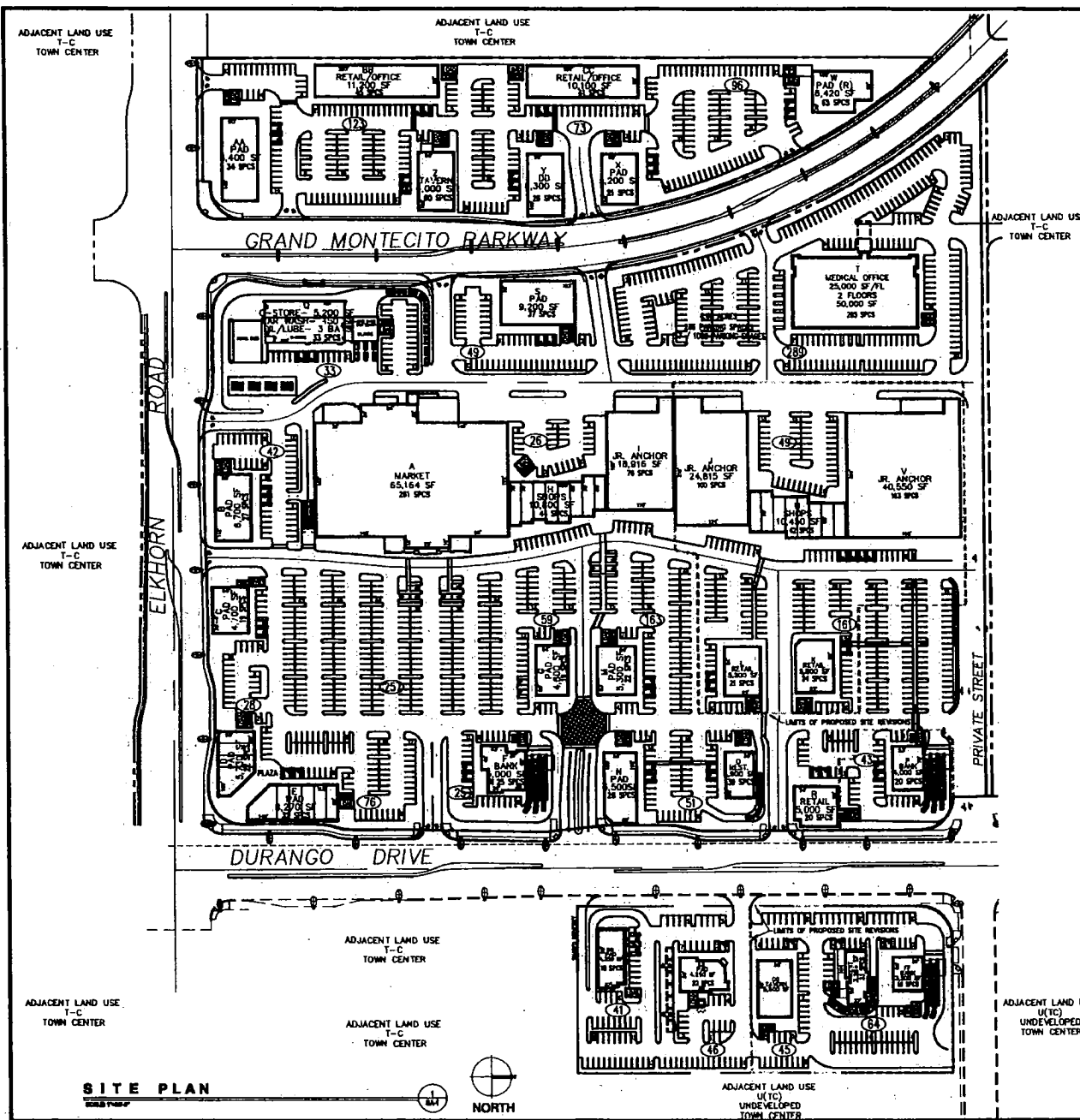
7

NOTICES MAILED 294 by City Clerk

APPROVALS 0

PROTESTS 0





KEYNOTES

SUMMARY

LAND AREA (GROSS) • APPROX. 45.8 ACRES (1,988,391 SF)
LAND AREA (NET) • APPROX. 38.8 ACRES (1,680,540 SF)
BUILDING AREA • 317,803 SF
LAND/BUILDING RATIO • 4.4/1 22.8%
PARKING REQUIRED • 1,790 STALLS
PARKING PROVIDED • 1,839 STALLS
PARKING RATIO • 4.8/1000

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (218,081 SF) @ 1 STALL/250 SF = 873 STALLS
RESTAURANT (25,108 SF) @ 1 STALL/100 SF = 252 STALLS
MARKET (65,164 SF) @ 1 STALL/250 SF = 261 STALLS
MEDICAL OFFICE (2,000 SF) @ 1 STALL/200 SF = 10 STALLS
MEDICAL OFFICE (40,000 SF) @ 1 STALL/175 SF = 276 STALLS
BANK (14,250 SF) @ 1 STALL/250 SF = 57 STALLS
CONVENIENCE STORE (5,200 SF) @ 1 STALL/250 SF = 21 STALLS
CAR WASH - FULL SERVICE (450 SF) @ 1 STALL/150 SF = 3 STALLS
AUTO LUBE - 3 BAYS @ 1 STALL/BAY + 1 STALL/EMP. = 6 STALLS

SUMMARY / PARKING ANALYSIS / F.A.R.

HANDICAP PARKING: 29 REQUIRED, 52 PROVIDED

OPEN SPACE AREA PROVIDED • - SF
OPEN SPACE/LAND RATIO • -1.1% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED • - SF
LANDSCAPE/LAND RATIO • -1.1% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA

VICINITY MAP

STANDARD PARKING STALL DIMENSIONS

RETAIL CENTER
MONTECITO MARKETPLACE
 SEC of Durango Drive & Elkhorn Rd., Las Vegas, NV
 PROJECT NAME: SA-1
 PROJECT NO: 2004123
 DRAWN BY: Office
 DATE: 11/30/04
 SCALE: 1" = 80'-0"
 SHEET NO:

SUP-5718
 SUP-5720
 SUP-5722
 SUP-5723
 SDR-5731
 01-13-05 PC

RECEIVED
 NOV 30 2004



SUP-5722 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MONTECITO COMPANIES -
OWNER: MONTECITO PADS, LLC
NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

MONTECITO

COMPANIES

November 29, 2004

City of Las Vegas
Planning and Development Department
Attn: Flinn Fagg
731 S. Fourth Street
Las Vegas, NV 89101

RE: Montecito Marketplace Special Use Permit Justification (Pad GG - Gaming Use)

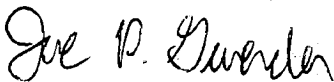
Dear Sir:

This letter is prepared as a justification letter for a Special Use Permit to allow Gaming use upon Pad GG of the Montecito Marketplace project. The Gaming is proposed in conjunction with a proposed Tavern use upon the same pad. The proposed structure is proposed to be 5,500 square feet and is located within a previously approved Site Development Review (SDR 3764) for the project.

In general, this request will move the previously approved Special Use Permit for a Gaming use from Pad P located across the street. Pad P, which is now proposed to become a Bank pad, is within the same previously approved Site Development Review area as Pad GG. Furthermore, the Gaming use associated with the Tavern use is proposed to reduce the size of the building area from the previously approved 6,400 square feet to the 5,500 square feet indicated above.

For the reasons outlined above, it is our opinion that the proposed Gaming use is in substantial conformance with City standards for development in this area and warrants approval. 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, PE
Vice President of Construction
Montecito Companies

6600 W Charleston Blvd, Suite 120
Las Vegas, NV 89146
Phone (702) 798-5111 Facsimile (702) 892-7754

SUP-5122

To whom it may concern,

We are writing to appose the tavern with gaming planned for the corner of Durango and Dorrell. SDR 5731, SUP 5723, and SUP 5722.

We live at 9317 Dorrell Lane. We feel that the planned tavern site is too close to a residential area. The houses on Dorrell lane all face the street. There are often children playing along the street and there is an elementary school bus stop about two blocks from the proposed tavern site. The housing developments in this area are not surrounded by a wall and gated. The houses lining Dorrell have no buffer from the main street.

We are concerned about the possibility of intoxicated drivers and late night traffic and activities that do not belong in a residential neighborhood with so many young families with children. I know land is scarce here but I ask you to reconsider placing this tavern on a residential street.

Please take these facts into consideration when planning for construction on the corner of Dorrell and Durango.

Thank you,

But Moscon
Melissa Moscon

Protest

2005 FEB 15 P 12:52

RECEIVED
CITY CLERK

Submitted after final agenda

Date 2/15/05 Item #117 -
#119

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-5718, SUP-5720 AND SUP-5722

SUP-5723 - PUBLIC HEARING - APPLICANT: MONTECITO COMPANIES - OWNER: MONTECITO PADS, LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) on Pad GG of the Montecito Marketplace Development adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Protest letter from Deborah Ruiz for Item 115 [SUP-5718], Item 116 [SUP-5720], Item 117 [SUP-5722], Item 118 [SUP-5723] and Item 119 [SDR-5731] filed under Item 115 [SUP-5718]
6. Submitted after final agenda - Protest letter from Bert and Melissa Moscon for Item 117 [SUP-5722], Item 118 [SUP-5723] and Item 119 [SDR-5731] filed under Item 117 [SUP-5722]

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 115 [SUP-5718] for all related discussion.

(4:22 - 4:40)

6-932

CONDITIONS:

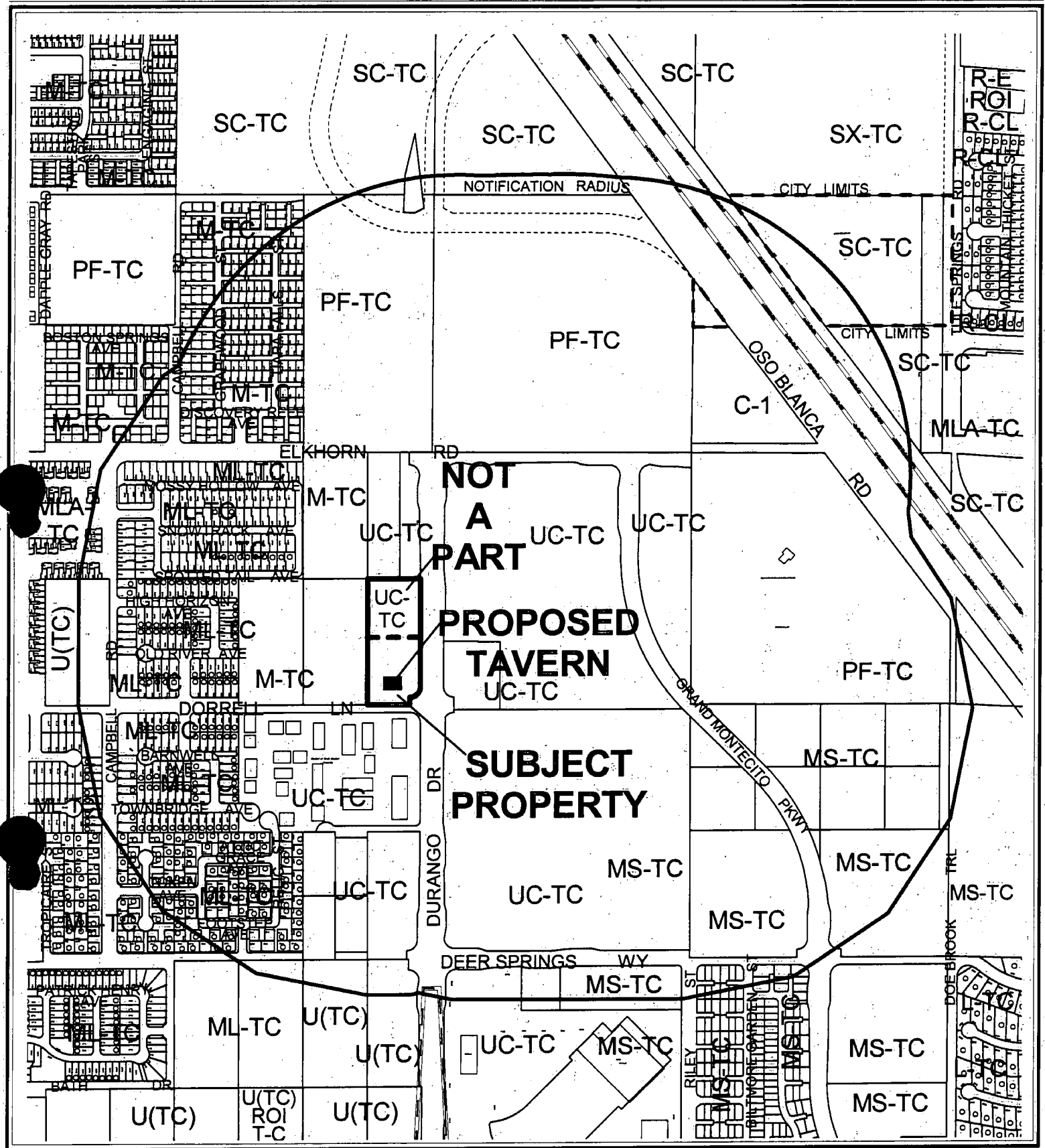
Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-5731) and [SDR-3764].
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.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

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. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-5723

RADIUS: 1500 FT & SPECIAL

ZONING OF SUBJECT PROPERTY:

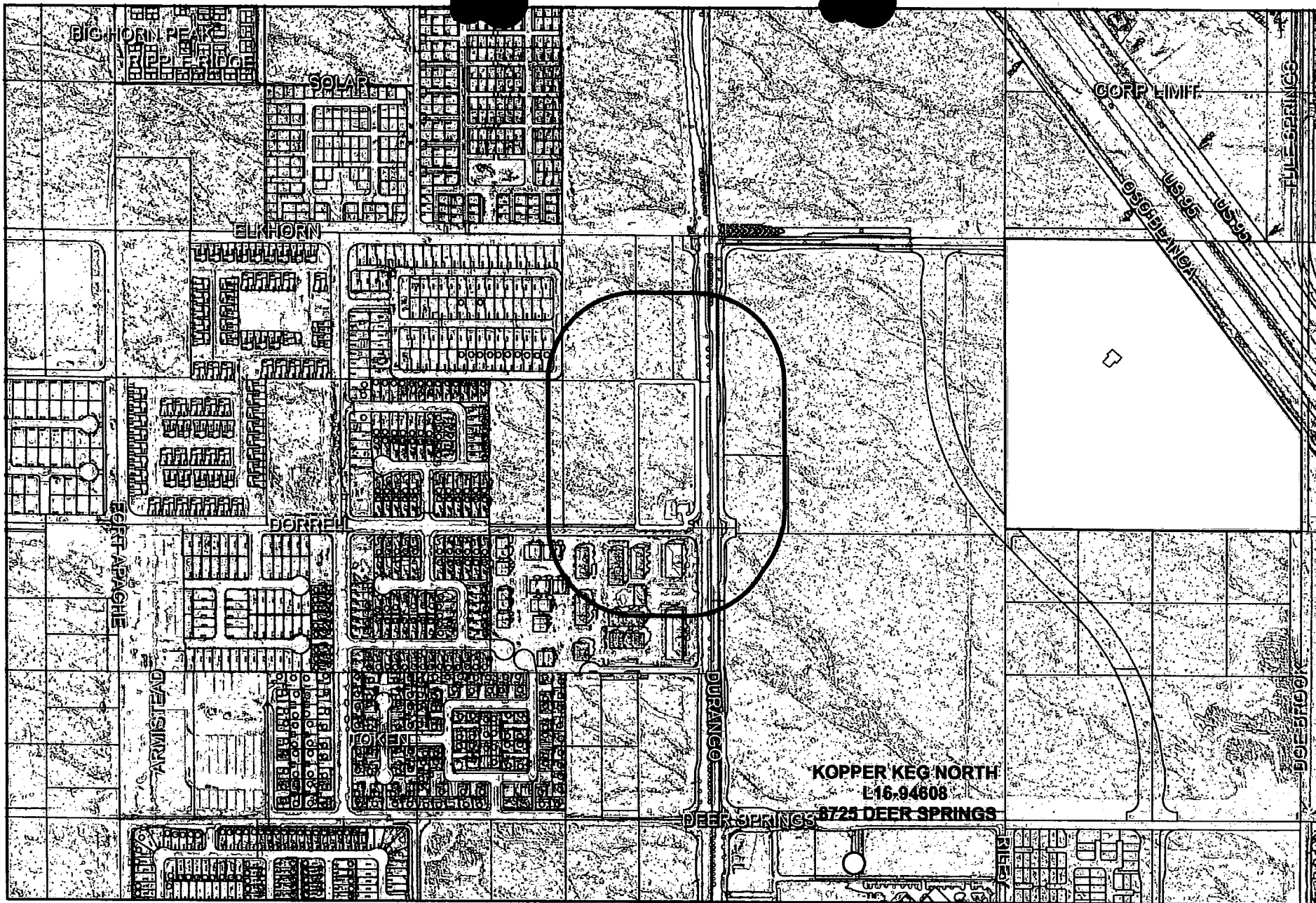
T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

0 500 1000 Feet



118





SUP-5723
Taverns

Business Licenses

- Child Care/
Children Facility
- Tavern

- RELIGIOUS
- PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer

0 470 940 1,880 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5723 - APPLICANT: MONTECITO COMPANIES -
OWNER: MONTECITO PADS, LLC**

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-5731) and [SDR-3764].
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. Approval of this Special Use Permit does not constitute approval of a liquor license.
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 application is a request for a Special Use Permit to allow a Liquor Sales use on Pad GG, on a portion of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

05/20/64	The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre easterly portion of the subject site. The effective date of this annexation was May 29, 1964.
12/07/98	The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.
01/17/01	The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the westerly five acres of the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.
12/19/02	The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
12/04/03	The Planning Commission approved a request for a Site Development Plan Review (SDR-3267) for a proposed hospital on 40 acres adjacent to the northeast corner of Durango Drive and Deer Springs Way. Staff recommended approval of the request.

04/07/04 The City Council approved a Site Development Plan Review (SDR-3764) related to Modification (MOD-3763) and Rezoning (ZON-3840) for a proposed 587,750 square-foot mixed-use commercial development on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive. Additionally, the following Special Use Permits were also approved: (SUP-3765) for liquor sales on Pad A, (SUP-3767) for gaming (incidental) on Pad A, (SUP-3769) for a drive-through facility on Pad A, (SUP-3770) for a drive-through facility on Pad O, (SDR-3771) for a tavern on Pad P, (SUP-3773) for gaming (incidental) on Pad P, (SDR-3764) for gasoline sales on Pad Q, (SUP-3776) for a car wash on Pad Q, (SUP-3777) for gaming (incidental) on Pad Q, (SUP-3778) for liquor sales on Pad Q, (SUP-3779) for a tavern on Pad Z, (SUP-3780) for gaming (incidental) on Pad Z, (SUP-3781) for a drive-through on Pad F, (SUP-3783) for liquor sales on Pad HH, (SUP-3785) for gaming (incidental) on Pad HH, (SUP-3786) for a drive-through facility on Pad HH, (SUP-3788) for a drive-through facility on DD, and (SUP-3789) for a drive-through facility on EE. The Planning Commission and staff recommended approval on March 11, 2004.

01/13/05 The Planning Commission recommended approval of related items (SUP-5718, SUP-5720, SUP-5722 and SDR-5731).

01/13/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #15/bts).

B) Pre-Application Meeting

11/19/04 The elements of a Special Use Permit application were discussed.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Liquor Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site will be governed by the provisions of the Montecito Town Center Development Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the east boundary of the site that is to be added to the Agreement area, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Gaming (Incidental) use. Since the proposed use is ancillary to the principal Tavern use on Pad GG, it will not generate additional parking to that which would be required for the Tavern use. Since the Agreement has no specific parking standards for these uses, then 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
Tavern	5,500 s.f.	1 space/50 s.f. of seating + waiting GFA and 1 space/200 s.f. of remaining area	55 spaces (assumes a 50:50 split) 10 spaces		55 spaces (1,839 spaces provided overall)	
Totals			65 spaces	3 spaces	65 spaces	3 spaces

The project will meet or exceed the parking requirements of the Zoning Code.

The project does appears to meet the parking requirements of the Zoning Code, for both handicap spaces or the total number of spaces; however, this use is part of an overall site plan that contains a number of surplus parking spaces.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Liquor Sales uses in the Montecito Town Center Development Agreement, which supercedes the

requirements of the Town Center Development Standards Manual, that require a 400-foot separation distance between Alcoholic Beverage Sales/Liquor Store uses and any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line. The Montecito Marketplace project, if fully approved as requested, will contain three Liquor Sales uses and two Taverns on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The proposed Liquor Sales use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Liquor Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Liquor Sales" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require an "Alcoholic Beverage Sales/Liquor Store" to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, such restrictions are superceded for Town Center lands which fall within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the policies which will apply to the area if the Major Modification is approved.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Liquor Sales use, other than it will be ancillary to the principal Drug Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-3764) and (SDR-5731).

FINDINGS

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

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

Although the Town Center Development Standards require a Alcoholic Beverage Sales/Liquor Store use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, the Montecito Development Agreement has no such restriction for a Liquor Sales use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no identified sensitive uses within 400 feet of the subject parcel.

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

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

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

Durango Drive, on the east boundary of this five-acre portion of the overall site, will be developed as a Town Center Parkway (120 feet) Arterial. Dorrell Lane, to the south of the site, is shown as a Town Center 80-foot Collector. These streets will have adequate capacity to serve the proposed development.

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

The proposed Liquor Sales use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

PLANNING COMMISSION ACTION

The Planning Commission amended conditions as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

NOTICES MAILED 294 by City Clerk

APPROVALS 0

PROTESTS 0

Case Number: SUP-5723 APN: 125-20-101-017
Name of Property Owner: Montecito Pads, LLC
Name of Applicant: The Montecito Companies

Yes ☒ No

City Official: _____

Partner(s): _____

APN: _____

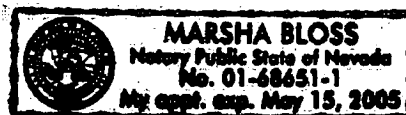
Signature of Property Owner/Authorized Agent: _____

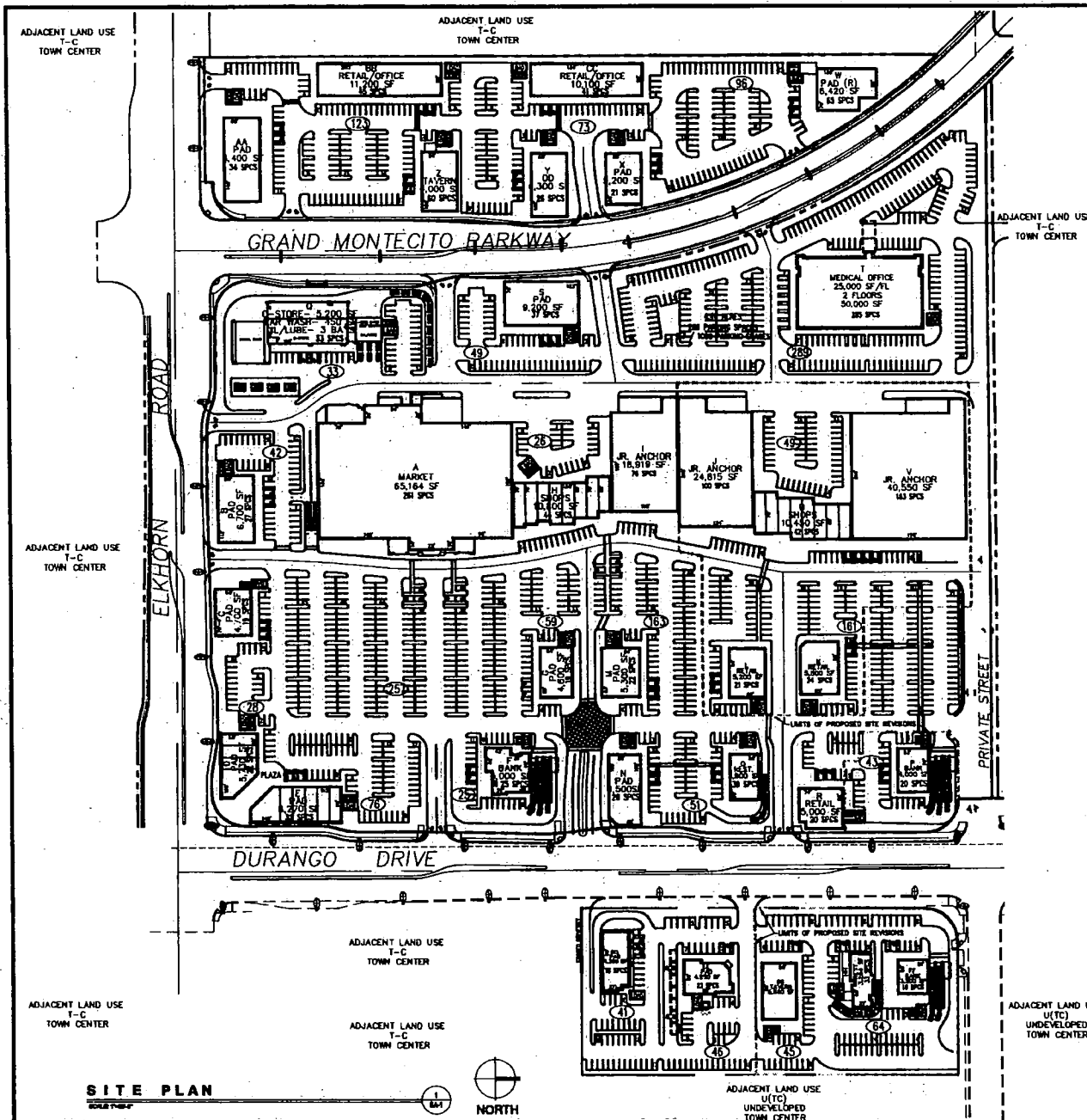
Print Name: Frank Nielsen, Manager
me SFI-NIC, LLC, manager

Subscribed and sworn before me

This 30 day of November, 2004

Marsha Bloss
Notary Public in and for said County and State





SITE PLAN

KEYNOTES

SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,988,391 SF±)
 LAND AREA (NET) • APPROX. 38.6 ACRES (1,680,540 SF±)
 BUILDING AREA • 317,803 SF
 LAND/BUILDING RATIO • 4.4/1 22.8%
 PARKING REQUIRED • 1,780 STALLS
 PARKING PROVIDED • 1,838 STALLS
 PARKING RATIO • 4.8/1000

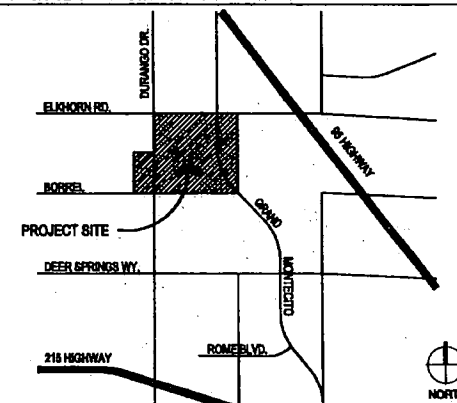
PARKING REQUIRED BASED UPON THE FOLLOWING:
 RETAIL (214,081 SF) @ 1 STALL/250 SF = 878 STALLS
 RESTAURANT (25,100 SF) @ 1 STALL/100 SF = 252 STALLS
 MARKET (63,164 SF) @ 1 STALL/250 SF = 251 STALLS
 MEDICAL OFFICE (23,000 SF) @ 1 STALL/250 SF = 10 STALLS
 MEDICAL OFFICE (40,000 SF) @ 1 STALL/175 SF = 226 STALLS
 BANK (18,250 SF) @ 1 STALL/200 SF = 92 STALLS
 CONVENIENCE STORE (5,300 SF) @ 1 STALL/250 SF = 21 STALLS
 CAR WASH - FULL SERVICE (450 SF) @ 1 STALL/150 SF = 3 STALLS
 AUTO LUBE - 3 BAYS @ 1 STALL/BAY + 1 STALL/EMP. = 2 STALLS

SUMMARY / PARKING ANALYSIS / F.A.R.

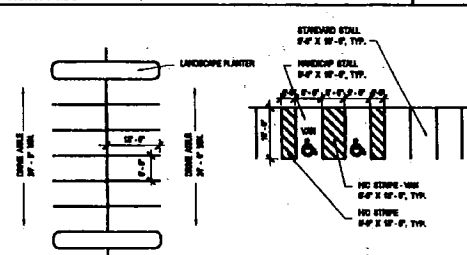
HANDICAP PARKING: 28 REQUIRED, 52 PROVIDED

OPEN SPACE AREA PROVIDED • SF
 OPEN SPACE/LAND RATIO • 11% (INCL. LANDSCAPE AREA)
 LANDSCAPE AREA PROVIDED • SF
 LANDSCAPE/LAND RATIO • 11% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

Vedolago Petsch AIA

5465 S. Rainbow Blvd.
 Suite 203
 Las Vegas, Nevada 89118
 Phone (702) 951-0300
 Fax (702) 951-0302

NOT FOR CONSTRUCTION

MONTECITO COMPANIES

RETAIL CENTER
MONTECITO MARKETPLACE
 SEC of Durango Drive & Elkhorn Rd., Las Vegas, NV
 SHEET TITLE: Site Plan

REV.	DESCRIPTION	DATE
1	ISSUED FOR PERMITTING	11/30/04
2	ISSUED FOR CONSTRUCTION	01/13/05

Project No: 2004123
 Drawn By: Office
 Date: 11/30/04
 Scale: 1" = 80'-0"
 Sheet No:

SA-1

SUP-5718
 SUP-5720
 SUP-5722
 SUP-5723
 SDR-5731
 01-13-05 PC

RECEIVED

NOV 30 2004



SUP-5723 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MONTECITO COMPANIES -
OWNER: MONTECITO PADS, LLC
NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

MONTECITO

COMPANIES

November 29, 2004

City of Las Vegas
Planning and Development Department
Attn: Flinn Fagg
731 S. Fourth Street
Las Vegas, NV 89101

RE: Montecito Marketplace Special Use Permit Justification (Pad GG - Tavern Use)

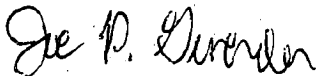
Dear Sir:

This letter is prepared as a justification letter for a Special Use Permit to allow a Tavern use upon Pad GG of the Montecito Marketplace project. The Tavern is proposed to be 5,500 square feet and is located within a previously approved Site Development Review (SDR 3764).

In general, this request will move the previously approved Special Use Permit for a Tavern from Pad P located across the street. Pad P, which is now proposed to become a Bank pad, is within the same previously approved Site Development Review area as Pad GG. Furthermore, the Tavern use is proposed to reduce the size of the building area from the previously approved 6,400 square feet to the 5,500 square feet indicated above.

For the reasons outlined above, it is our opinion that the proposed Tavern use is in substantial conformance with City standards for development in this area and warrants approval. 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, PE
Vice President of Construction
Montecito Companies

6600 W Charleston Blvd, Suite 120
Las Vegas, NV 89146
Phone (702) 798-5111 Facsimile (702) 892-7754

SUP-5723

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5718, SUP-5720, SUP-5722 AND SUP-5723

SDR-5731 - PUBLIC HEARING - APPLICANT: MONTECITO COMPANIES - OWNER: MONTECITO PADS, LLC AND MTC 118, INC. - Request for a Site Development Plan Review FOR A 380,000 SQUARE-FOOT COMMERCIAL DEVELOPMENT on 45.6 acres adjacent to the southeast corner of Durango Drive and Elkhorn Road and the northwest corner of Durango Drive and Dorrell Lane (APN 125-20-101-017, 125-20-510-004 and 005) T-C (Town Center) Zone [UC-TC (Urban Center - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Protest letter from Deborah Ruiz for Item 115 [SUP-5718], Item 116 [SUP-5720], Item 117 [SUP-5722], Item 118 [SUP-5723] and Item 119 [SDR-5731] filed under Item 115 [SUP-5718]
6. Submitted after final agenda - Protest letter from Bert and Melissa Moscon for Item 117 [SUP-5722], Item 118 [SUP-5723] and Item 119 [SDR-5731] filed under Item 117 [SUP-5722]

MOTION:**MACK - APPROVED subject to conditions - UNANIMOUS****MINUTES:**

NOTE: See Item 115 [SUP-5718] for all related discussion.

(4:22 - 4:40)

6-932

CONDITIONS:

Planning and Development

1. All development shall be in conformance with the approved Site Development Plan Review (SDR-3764), Rezoning (ZON-3840), and Modification (MOD-3763).
2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
3. All development shall be in conformance with the revised site plan and building elevations date stamped 12/30/04, except as amended by conditions herein.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

4. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.
5. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied.
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. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
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, 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. Additionally, the landscape plan shall be revised to incorporate additional landscaping located in front of Pad J, V, and Shops U where the minimum pedestrian areas are not affected. The landscaped area shall match the area in front of Pad V. Finally, the plan must include plant species that appear on the Appendix B (Plant Palette) of the Montecito Town Center Development Agreement.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

in this development.

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

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. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee prior to the issuance of a Certificate of Occupancy for any building on the site.

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

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.

Public Works

18. Construct full width street improvements on Grand Montecito Parkway adjacent to this site concurrent with development of this site. Coordinate with the City Engineer regarding the Elkhorn Road overpass improvement project and how this site will be impacted, if at all. 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).

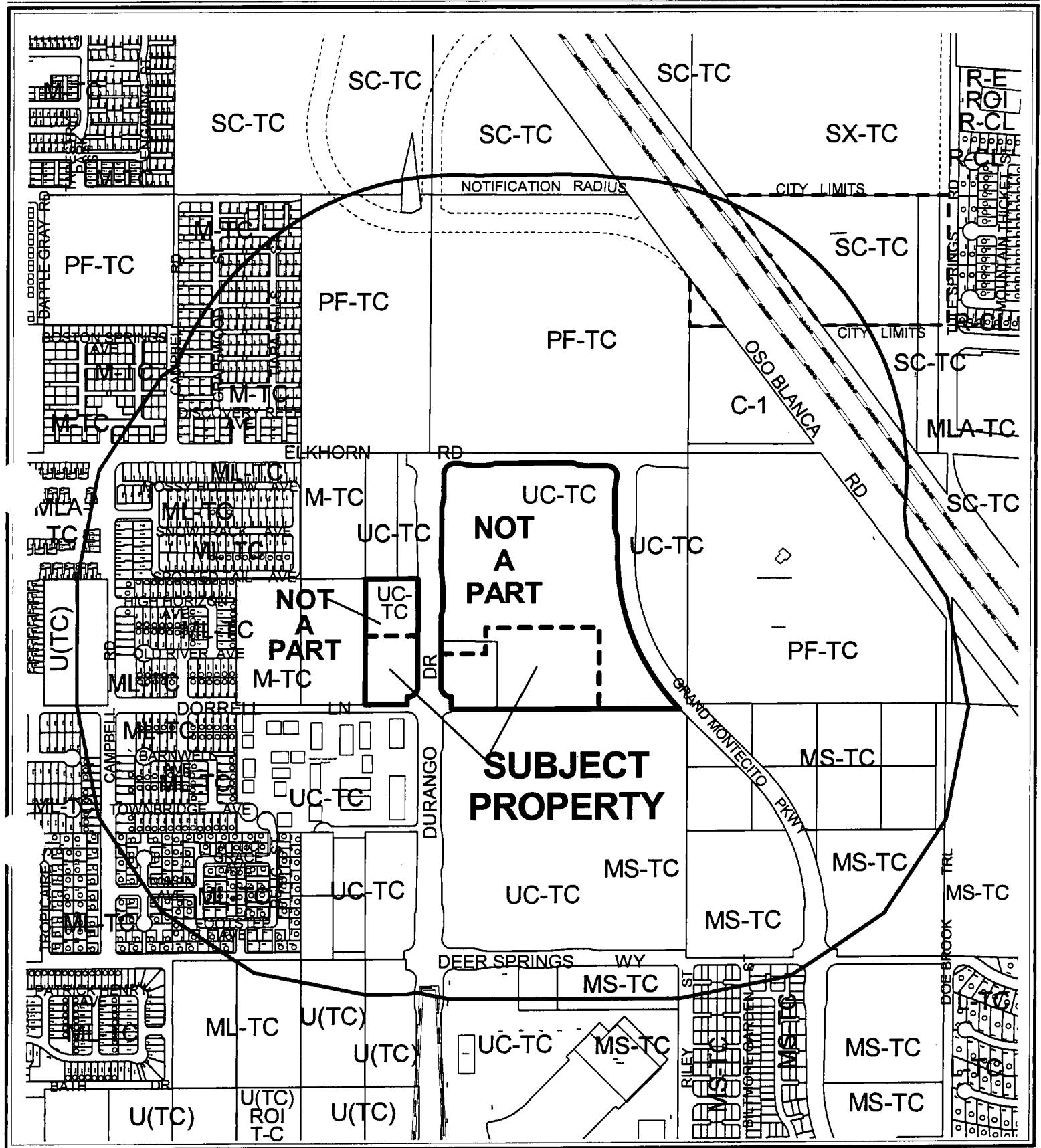
19. All issues of ownership and assessor parcel numbers shall be resolved with the Clark County Assessor Office prior to the issuance of any permits for this site.

20. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine downstream sewer construction requirements per the Montecito Development Agreement. Provide a plan to the Department of Public Works for approval prior to submittal of construction drawings for this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

21. Coordinate with the City Engineer's office to determine the correct median opening locations on Grand Montecito Parkway and coordinate with the City Traffic Engineer for driveway placement at the openings.
22. Landscape and maintain all unimproved rights-of-way adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.
24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
25. Site development to comply with all applicable conditions of approval for Rezonings (Z-76-98) and (ZON-3840), Durango/Dorrell commercial subdivision, the Montecito Town Center North Tentative Map (TMP-1244) and the Montecito Town Center Development Agreement.



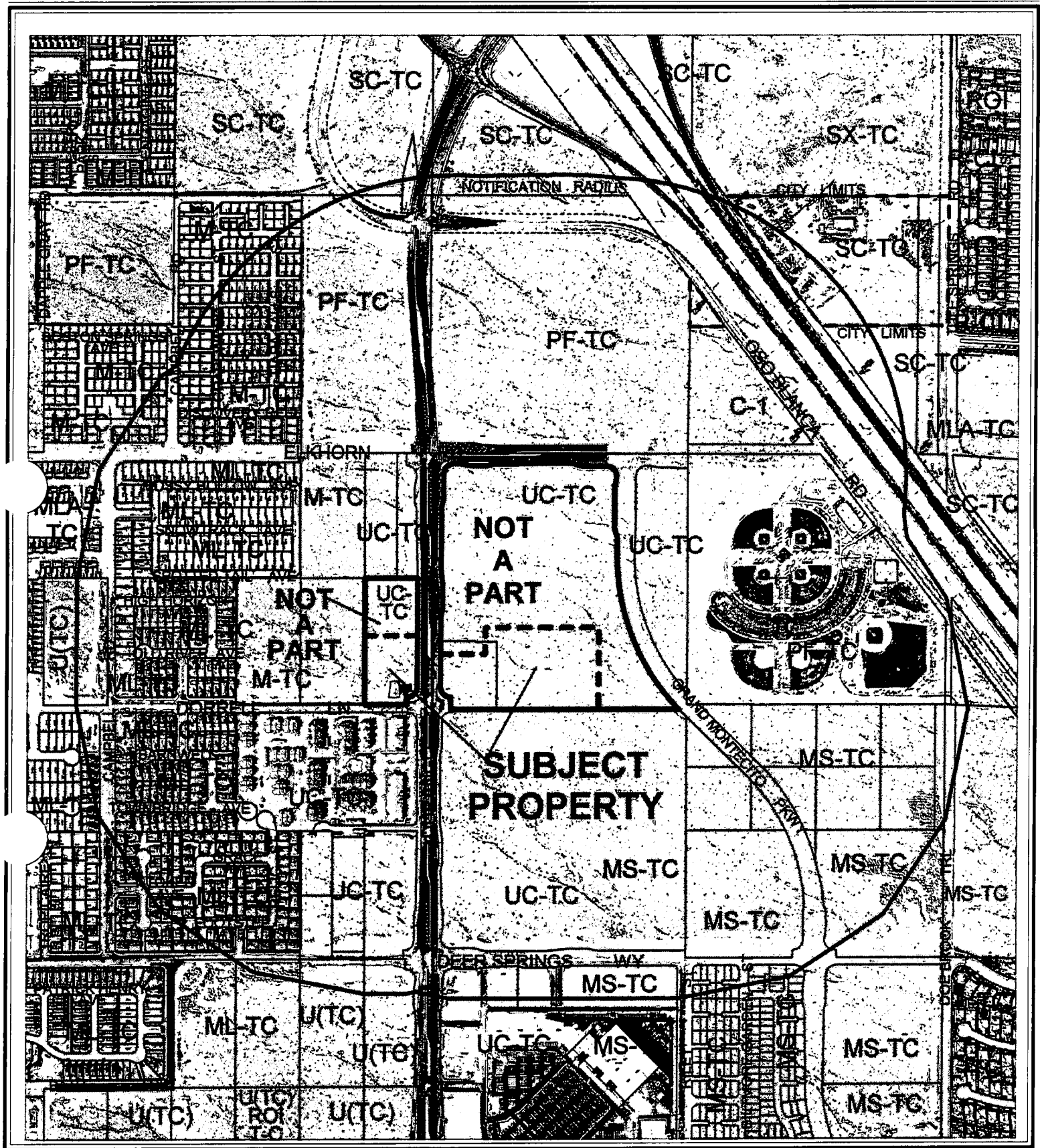
CASE: SDR-5731

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER - TOWN CENTER) SPECIAL LAND USE DESIGNATION]





CASE: SDR-5731

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

0 500 1000 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5731 - APPLICANT: MONTECITO COMPANIES -
OWNER: MONTECITO PADS, LLC AND MTC 118, INC.**

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. All development shall be in conformance with the approved Site Development Plan Review (SDR-3764), Rezoning (ZON-3840), and Modification (MOD-3763).
2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
3. All development shall be in conformance with the revised site plan and building elevations date stamped 12/30/04, except as amended by conditions herein.
4. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.
5. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied.

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. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
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, 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. Additionally, the landscape plan shall be revised to incorporate additional landscaping located in front of Pad J, V, and Shops U where the minimum pedestrian areas are not affected. The landscaped area shall match the area in front of Pad V. Finally, the plan must include plant species that appear on the Appendix B (Plant Palette) of the Montecito Town Center Development Agreement.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
12. Any internal property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
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. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee prior to the issuance of a Certificate of Occupancy for any building on the site.
16. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

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.

Public Works

18. Construct full width street improvements on Grand Montecito Parkway adjacent to this site concurrent with development of this site. Coordinate with the City Engineer regarding the Elkhorn Road overpass improvement project and how this site will be impacted, if at all. 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).
19. All issues of ownership and assessor parcel numbers shall be resolved with the Clark County Assessor Office prior to the issuance of any permits for this site.
20. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine downstream sewer construction requirements per the Montecito Development Agreement. Provide a plan to the Department of Public Works for approval prior to submittal of construction drawings for this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
21. Coordinate with the City Engineer's office to determine the correct median opening locations on Grand Montecito Parkway and coordinate with the City Traffic Engineer for driveway placement at the openings.
22. Landscape and maintain all unimproved rights-of-way adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.
24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be

determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

25. Site development to comply with all applicable conditions of approval for Rezoning (Z-76-98) and (ZON-3840), Durango/Dorrell commercial subdivision, the Montecito Town Center North Tentative Map (TMP-1244) and the Montecito Town Center Development Agreement.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review for a 380,003 square-foot commercial development (Montecito Marketplace) on 45.6 acres adjacent to the southeast corner of Durango Drive and Elkhorn Road and the northwest corner of Durango Drive and Dorrell Lane.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre easterly portion of the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.
- 01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the westerly five acres of the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.

- 12/04/03 The Planning Commission approved a request for a Site Development Plan Review (SDR-3267) for a proposed hospital on 40 acres adjacent to the northeast corner of Durango Drive and Deer Springs Way. Staff recommended approval of the request.
- 04/07/04 The City Council approved a Site Development Plan Review (SDR-3764) related to Modification (MOD-3763) and Rezoning (ZON-3840) for a proposed 587,750 square-foot mixed-use commercial development on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive. Additionally, the following Special Use Permits were also approved: (SUP-3765) for liquor sales on Pad A, (SUP-3767) for gaming (incidental) on Pad A, (SUP-3769) for a drive-through facility on Pad A, (SUP-3770) for a drive-through facility on Pad O, (SDR-3771) for a tavern on Pad P, (SUP-3773) for gaming (incidental) on Pad P, (SDR-3764) for gasoline sales on Pad Q, (SUP-3776) for a car wash on Pad Q, (SUP-3777) for gaming (incidental) on Pad Q, (SUP-3778) for liquor sales on Pad Q, (SUP-3779) for a tavern on Pad Z, (SUP-3780) for gaming (incidental) on Pad Z, (SUP-3781) for a drive-through on Pad F, (SUP-3783) for liquor sales on Pad HH, (SUP-3785) for gaming (incidental) on Pad HH, (SUP-3786) for a drive-through facility on Pad HH, (SUP-3788) for a drive-through facility on DD, and (SUP-3789) for a drive-through facility on EE. The Planning Commission and staff recommended approval on March 11, 2004.
- 01/13/05 The Planning Commission recommended approval of related items (SUP-5718, SUP-5720, SUP-5722 and SUP-5723).
- 01/13/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #16/bts).

B) Pre-Application Meeting

The following information was discussed at the pre-application meeting:

- The changes in uses from the previously approved Site Development Plan Review may require a new traffic study.
- An updated drainage for the new uses.
- Pharmacy becomes a bank and fast food (Pad HH)
- Tavern becomes a bank drive through (Pad P)
- Retail becomes a tavern (Pad R)

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the two subject parcels on the Centennial Hills Sector Plan map is TC (Town Center), with special land use designations of UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) under the Town Center Development Standards Manual. The larger (40-acre) parcel is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed site plan is in compliance with the provisions of the Development Agreement.

PROJECT DESCRIPTION

The original Site Development Review Plan (SDR-3764) was approved by the City Council on April 7, 2004. The approval included a Modification (MOD-3763), Rezoning (ZON-3840) and eighteen (18) Special Use Permits. The site included approximately 584,544 square feet of commercial/office uses designed to integrate primarily with the approved hospital, medical and retail uses located to the south of the site. The site contains 2,060 parking spaces and is accessed from several points of ingress and egress located along Grand Montecito Parkway, Elkhorn Road, and Durango Drive.

The applicant has since revised a portion of the overall site plan. The changes will result in a reduction of total square footage from approximately 584,544 square feet to 380,003 square feet. The revisions will affect building configuration, parking, ingress/egress, and landscaping. The applicant has outlined the proposed changes as follows:

- Pad P – Change the previously approved 6,000 s.f. Tavern located on Pad P to a 4,000 s.f. Bank with a drive through.
- Pad HH and FF – Change the previously approved 15,000 s.f. Pharmacy (previously described as Pad HH) containing one drive through is now two separate pads. These include revised Pad HH, a 3,288 s.f. Fast Food Restaurant containing a drive through, and newly added Pad FF, a 3,200 s.f. Bank containing a drive through.
- Pad GG – Change the 6,400 square foot retail pad to a 5,500 square foot Tavern with Gaming.
- Pad J, V and Shops U – Change the previously approved 200,000 s.f. Office Towers and parking garage originally described as Pad V and the previously approved 23,780 s.f. of two-story in-line shops originally described as Shops J into two retail pads and one single story shops pad. These three new pads include the 24,815 s.f. retail pad J, the 40,550 s.f. Retail Pad V, and the 10,450 s.f. single-story Shops Pad U.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

The Development Standards for projects located within the Montecito Development Agreement area are set forth under Sections 3, 4 and 5 of the Agreement. Section 3 provides for general site development requirements, including streetscapes and pathways, setbacks, walls, signage, entry features, and the use of easements and screening for utilities. Section 4 provides for some general architectural and landscaping guidelines. Section 5 provides design standards for commercial projects, including site planning and circulation, required open space, and architecture, including building massing, colors and finishes, roof design and the use of lighting. The proposal appears to meet these requirements of the Development Agreement.

The site plan also provides for at least one loading zone per pad or structure for a total number that exceeds the nine zones called for by the Code; similarly, a satisfactory number of trash collection enclosures are identified on the plan.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that apply to this project.

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
Retail	218,081 SF.	1/250 GFA	873	-	873	-
Restaurant	25,108 SF.	1/100 GFA	252	-	252	-
Market	65,164	1/250 GFA	261	-	261	-
Medical Office	6,700	1/200 GFA	34	-	34	-
Medical Office	50,000	1/175 GFA	286	-	286	-
Bank	16,250	1/200 GFA	82	-	82	-
C-Store	5,200	1/250 GFA	21	-	21	-
Car Wash	450	1/150 GFA	3	-	3	-
Auto Lube	3 Bays	1 stall/bay + 1 stall/emp	9	-	9	-
Total Area	317,803 SF	-	1,821	29	2,060	57

The revised site plan indicates the proposed site revisions. The applicant has requested four (4) new Special Use Permits, which are associated with the new Site Development Plan Review (SDR-5731). The previous Site Development Plan Review (SDR-3764) was approved for a 587,750 square foot development with 2,470 parking spaces. The revised site plan proposes a 380,003 square foot development with 2,060 parking spaces.

A4) Landscape and Open Space Standards

The revisions to Pads P, HH, GG, V, and Shops J represent the change to the overall site plan. The landscape palette has not changed. The trees are a variety of Mexican Fan Palms, African Sumac, Mesquite, and Tamarisk. The proposed shrubs are Brittlebush and Desert Honeysuckle. The ground cover is proposed to be Decorative Gravel. The subject area constitutes a landscape area of 34,124 square feet. Portions of the site plan appear to conform to Town Center landscape standards. A condition has been added to include additional landscaping in front of Pad J, V, and Shops U where the minimum pedestrian areas are not affected. The area unaffected by (SDR-5731) shall conform to Site Development Plan Review (SDR-3764).

A number of the plants proposed do not appear on Appendix B to the Montecito Town Center Development Agreement, namely, African Sumac (*Rhus Lancea*), Tamarisk (*Tamarix*), and Desert Honeysuckle (*Anisacanthus*). A condition of approval will require a revision of the landscaping plan to provide for trees, plants and shrubs that conform with the Development Agreement.

No walls have been identified for the proposed project. This is suitable where the site is not coterminus with other parcels; however, the east and west boundaries of the site have common boundaries with other lands that are not rights-of-way. In these areas, a six-foot meeting the design conditions of the Code must be provided. A condition of approval will address this matter.

B) General Analysis and Discussion

- Zoning

The site is currently zoned T-C (Town Center). The Town Center category is intended to be a principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities, shopping centers and other retail facilities; high-density residential uses; planned business, office and industrial parks; and recreational uses.

The Montecito Town Center Development Agreement supercedes the Town Center Development Standards Manual requirements, unless the Agreement is silent on a given topic. The site plan as presented meets the requirements of the Development Agreement.

- Site Plan

The site plan depicts a 380,003 square-foot commercial/office complex that is designed to integrate primarily with approved hospital and retail uses located to the south of the site within other portions of the Montecito Agreement area. The site plan makes little provision for integration with lands to the east, developed as recreational sports fields, and lands to the north, designated for as yet unspecified public facilities uses.

- Waivers

No waivers have been requested as part of this application.

- Landscape Plan

The landscape plan depicts an amount of landscaping and open space which meets the standards of the Development Agreement; however, most of this landscaping and open space is found in parking lot landscaping islands and perimeter landscaping areas, which while necessary from a design perspective, do not lend themselves to any active uses.

- Elevation

The new site plan identifies the following elevation changes, which range from 27 feet to 42 feet. Pads P, HH, FF, and GG include a typical parapet height of 27 feet with tower/architectural elements and a height of 34 feet. Pads V, J, and Shops U include a typical parapet height of 30 feet with tower/architectural elements at a height of 42 feet.

Building materials consist of painted exterior cement plaster over tilt-up pre-cast panels, with cultured stone veneer, stained wood and metal accents, with aluminum and glazing storefront components. Foam accents and pop-outs with a painted plaster finish provide finishing details. The roofing is standing seam metal roofing accented with ceramic roof tiles. Black wrought-iron railings and fabric awnings in various colors will complete the trim details.

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;"**

This proposed development will be compatible with other development that is adjacent or nearby within the Montecito Development Agreement area. Nearby areas within Town Center intended for commercial development, but outside the Development Agreement boundary will be held to more stringent development standards that require minimum two-story building heights and other specific design requirements; however, the proposed project should be compatible with these town Center projects.

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;"**

Projects within the Development Agreement area are only required to comply with the provisions of the Agreement, unless the Agreement is silent on a particular standard. The project as submitted appears to comply with those Title 19 standards, such as parking, which apply to the site.

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

Durango Drive, running through the overall site, will be developed as a Town Center Parkway (120 feet) Arterial. Dorrell Lane, to the south of the site, is a Town Center 80-foot Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a Primary 100-foot Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

The building and landscape materials are typical of a commercial development of this type, and are complementary to those used in other surrounding and nearby commercial, office and institutional projects in the area.

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

The design, articulation and overall layout of the project are harmonious and compatible with other similar projects within the Montecito Development Agreement area.

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

The proposed development will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

NOTICES MAILED 299 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5731 APN: 125-20-510-004

Name of Property Owner: MTL 118, Inc

Name of Applicant: 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

☒ Yes ☐ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]

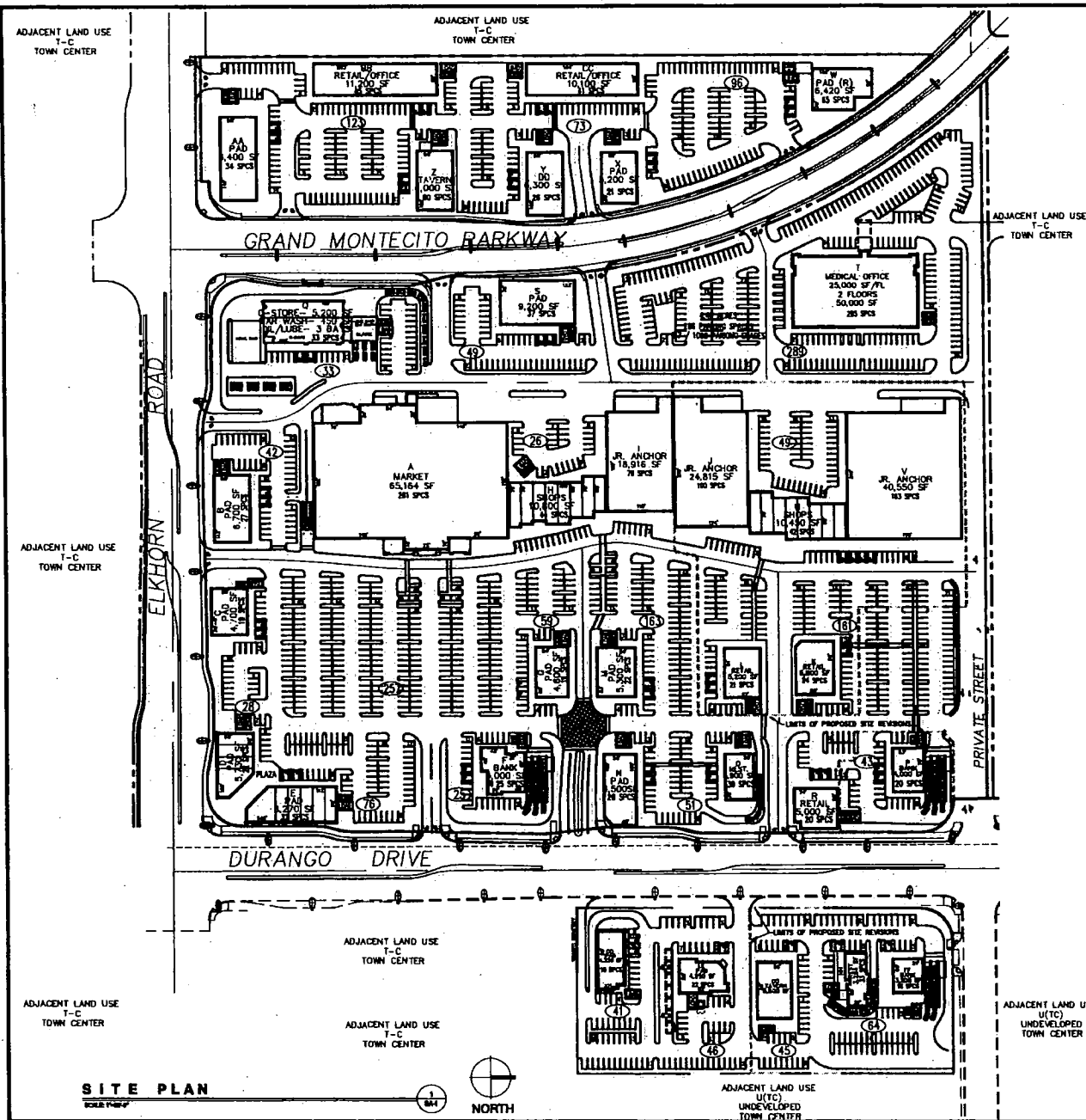
Print Name: Frank Nielsen, President

Subscribed and sworn before me

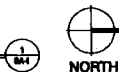
This 30 day of November, 2004

Marsha Bloss
Notary Public in and for said County and State





SITE PLAN
SCALE 1/8" = 1'-0"



KEYNOTES GENERAL

SUMMARY

LAND AREA (GROSS) • APPROX. 45.8 ACRES (1,988,391 SF±)
 LAND AREA (NET) • APPROX. 38.6 ACRES (1,680,540 SF±)
 BUILDING AREA • 317,803 SF
 LAND/BUILDING RATIO • 4.4/1 22.6%
 PARKING REQUIRED • 1,790 STALLS
 PARKING PROVIDED • 1,839 STALLS
 PARKING RATIO • 4.8/1000

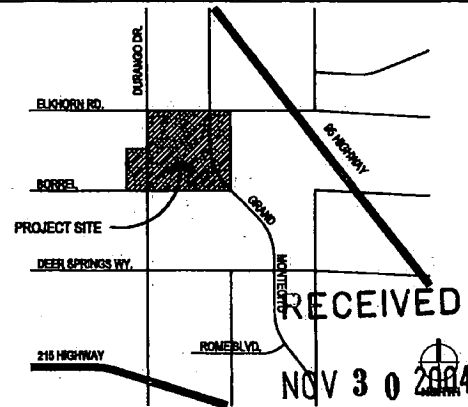
PARKING REQUIRED BASED UPON THE FOLLOWING:
 RETAIL (218,081 SF) @ 1 STALL/250 SF = 873 STALLS
 RESTAURANT (25,108 SF) @ 1 STALL/100 SF = 252 STALLS
 MARKET (65,184 SF) @ 1 STALL/250 SF = 261 STALLS
 MEDICAL OFFICE (40,000 SF) @ 1 STALL/250 SF = 160 STALLS
 MEDICAL OFFICE (40,000 SF) @ 1 STALL/175 SF = 229 STALLS
 BANK (16,230 SF) @ 1 STALL/250 SF = 65 STALLS
 CONVENIENCE STORE (5,200 SF) @ 1 STALL/250 SF = 21 STALLS
 CAR WASH - FULL SERVICE (400 SF) @ 1 STALL/150 SF = 3 STALLS
 AUTO LUBE - 3 BAYS @ 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS

SUMMARY / PARKING ANALYSIS / F.A.R.

HANDICAP PARKING: 29 REQUIRED, 52 PROVIDED

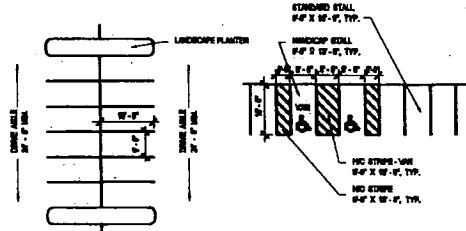
OPEN SPACE AREA PROVIDED • - SF
 OPEN SPACE/LAND RATIO • -1.-% (INCL. LANDSCAPE AREA)
 LANDSCAPE AREA PROVIDED • - SF
 LANDSCAPE/LAND RATIO • -1.-% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP

SCALE 1/8" = 1'-0"



STANDARD PARKING STALL DIMENSIONS

Vedatago Petach AIA
 5405 S. Rainbow Blvd.
 Suite 200
 Las Vegas, Nevada 89118
 Phone (702) 851-0300
 Fax (702) 851-0302

SEAL:

NOT FOR
CONSTRUCTION

OWNER:

**MONTECITO
COMPANIES**

**RETAIL CENTER
MONTECITO MARKETPLACE**

SEC of Durango Drive & Elkhorn Rd., Las Vegas, NV

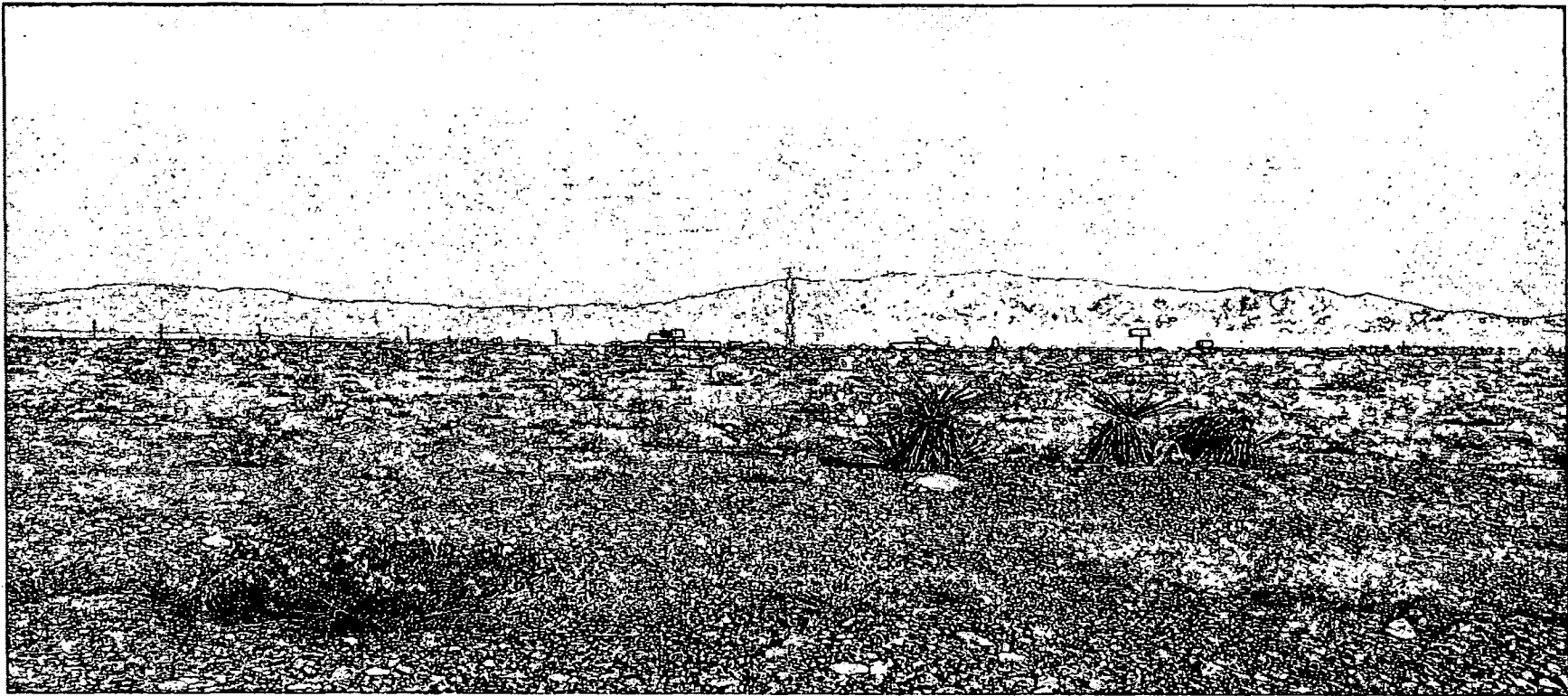
SUB
PLAN

REV.	DESCRIPTION	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Project No: 2004123
 Drawn By: Office
 Date: 11/30/04
 Scale: 1" = 80'-0"
 Sheet No:

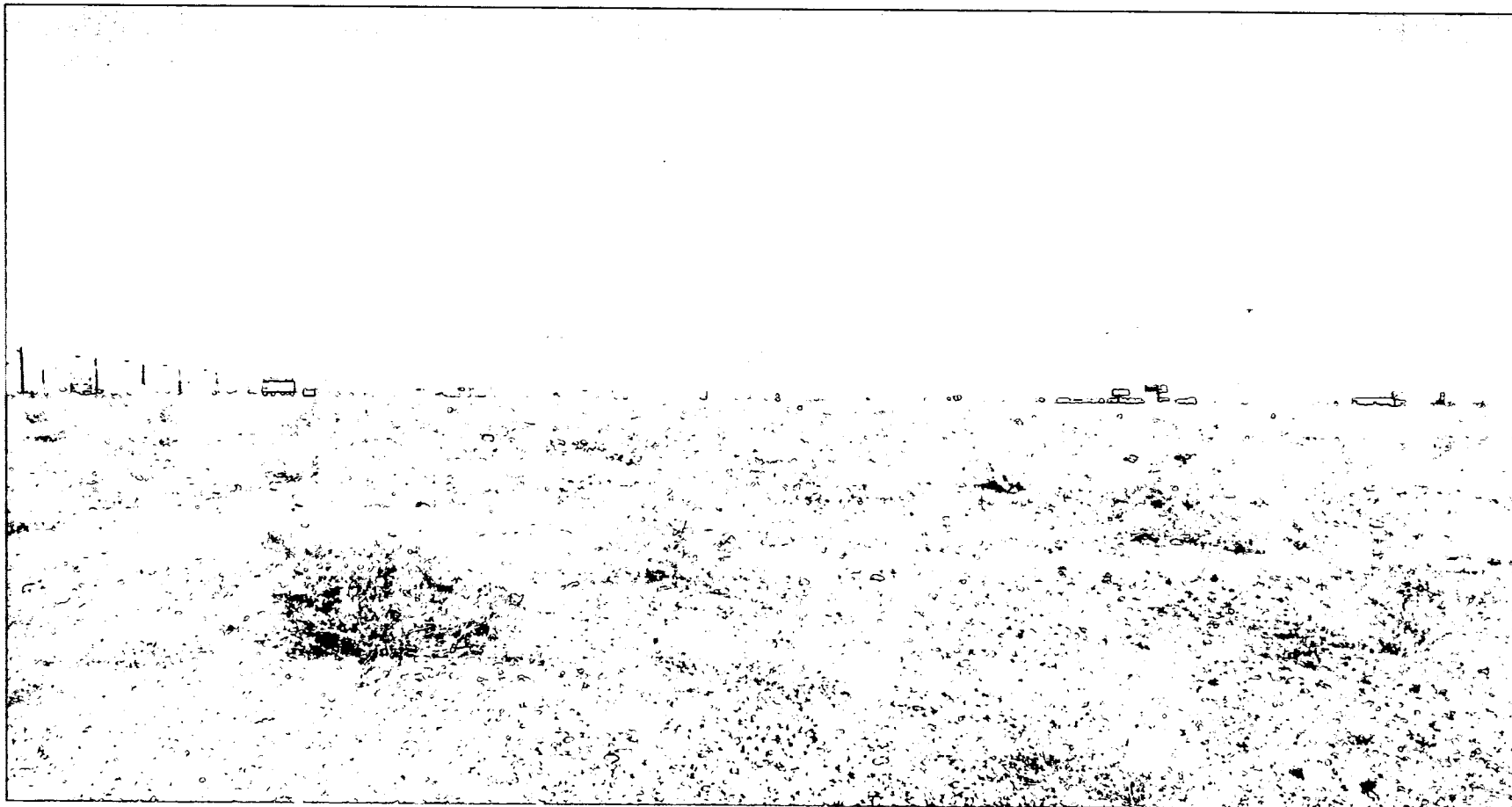
SA-1

SUP-5718
 SUP-5720
 SUP-5722
 SUP-5723
 SDR-5731
 01-13-05 PC



SDR-5731 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MONTECITO COMPANIES -
OWNER: MONTECITO PADS, LLC
SOUTHEAST CORNER OF DURANGO DRIVE AND ELKHORN ROAD AND THE NORTHWEST CORNER OF
DURANGO DRIVE AND DORRELL LANE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04



SDR-5731 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MONTECITO COMPANIES -
OWNER: MONTECITO PADS, LLC
SOUTHEAST CORNER OF DURANGO DRIVE AND ELKHORN ROAD AND THE NORTHWEST CORNER OF
DURANGO DRIVE AND DORRELL LANE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

MONTECITO

COMPANIES

January 4, 2005

City of Las Vegas
Planning and Development Department
Attn: Flinn Fagg
731 S. Fourth Street
Las Vegas, NV 89101

RE: Montecito Marketplace Updated Site Development Review Justification (SDR-3764)

Dear Sir:

This letter is prepared as a justification letter for the proposed revisions to the previously approved Site Development Review (SDR 3764) of Montecito Marketplace. The proposed revisions are as follows:

1. Pad P - Change the previously approved 6,000 square foot(sf) Tavern located on Pad P to a 4,000 sf Bank with a drive through (the drive through request will require a separate Special Use Permit).
2. Pad HH and Pad FF - Change the previously approved 15,000 sf Pharmacy (previously described as Pad HH) containing one drive through into two separate pads. These include revised Pad HH, a 3,288 sf Fast Food Restaurant containing a drive through, and newly added Pad FF, a 3,200 sf Bank containing a drive through (the additional drive through at the Fast Food (revised Pad HH) pad will require a separate Special Use Permit).
3. Pad GG - Change the previously approved 6,400 sf Retail Pad GG to a 5,500 sf Tavern with Gaming (the request for a Tavern and the request for Gaming will each require a separate Special Use Permit).
4. Pad J, Pad V and Shops U - Change the previously approved 200,000 sf of Office Towers and Parking Garage originally described as Pad V and the previously approved 23,780 sf of two-story In-Line Shops originally described as Shops J into two retail pads and one single story shops pad. These three new pads include the 24,815 sf Retail Pad J, the 40,550 sf Retail Pad V, and the 10,450 sf single story Shops Pad U.

Overall, the proposed revisions outlined above will decrease the Building Area from the previously approved 584,544 sf to 380,003 sf, will decrease the Land/Building Ratio from 34.8% to 22.6%, and will increase the Parking Ratio from 4.4 spaces per 1,000 sf to 4.8 spaces per 1,000 sf. Furthermore, the proposed revisions will exchange the office towers, for much needed retail uses in the area. Also, the previously approved office towers will not be a high priority for development as the neighboring hospital will also be providing sufficient office space to the area.

In general, the proposed revisions will continue to adhere to the proposed criteria outlined in the Design Abstract submitted with the January 27, 2004 application. This Design Abstract outlined the proposed criteria as they related the required standards, including such elements as building setbacks, parking, and landscaping. The letter dated January 23, 2004 which

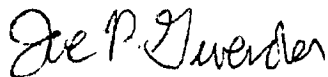
6600 W Charleston Blvd, Suite 120
Las Vegas, NV 89146
Phone (702) 798-5111 Facsimile (702) 892-7784

contains this Design Abstract is attached as Exhibit 'A' and details the proposed specifics of setbacks, parking, and landscaping that the above revisions will continue to adhere to.

It should also be noted that the entire Montecito Marketplace development consists within a recorded Commercial Subdivision. Because of the size of the project and to provide clarity, reduced copies of the two Commercial Subdivision maps that make up this project are included as Exhibit "B". The information contained within this exhibit detail the specifics of the property lines, the property area, and the property dimensions.

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. 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,

A handwritten signature in cursive script that reads "Joe P. Gwerder".

Joe P. Gwerder, PE
Vice President of Construction
Montecito Companies

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING

ZON-5485 - PUBLIC HEARING - APPLICANT: GREGORY L. WILDE - OWNER: GEORGE GILL - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.17 acres at 228 South Jones Boulevard (APN 138-36-112-016), Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS with GOODMAN not voting

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 120 [ZON-5485] and Item 121 [SDR-5486].

ATTORNEY GREG WILDE, 208 South Jones Boulevard, appeared on behalf of the applicant and the owner and concurred with staff recommendations.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 120 [ZON-5485] and Item 121 [SDR-5486].

(4:40 - 4:42)

6-1592

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

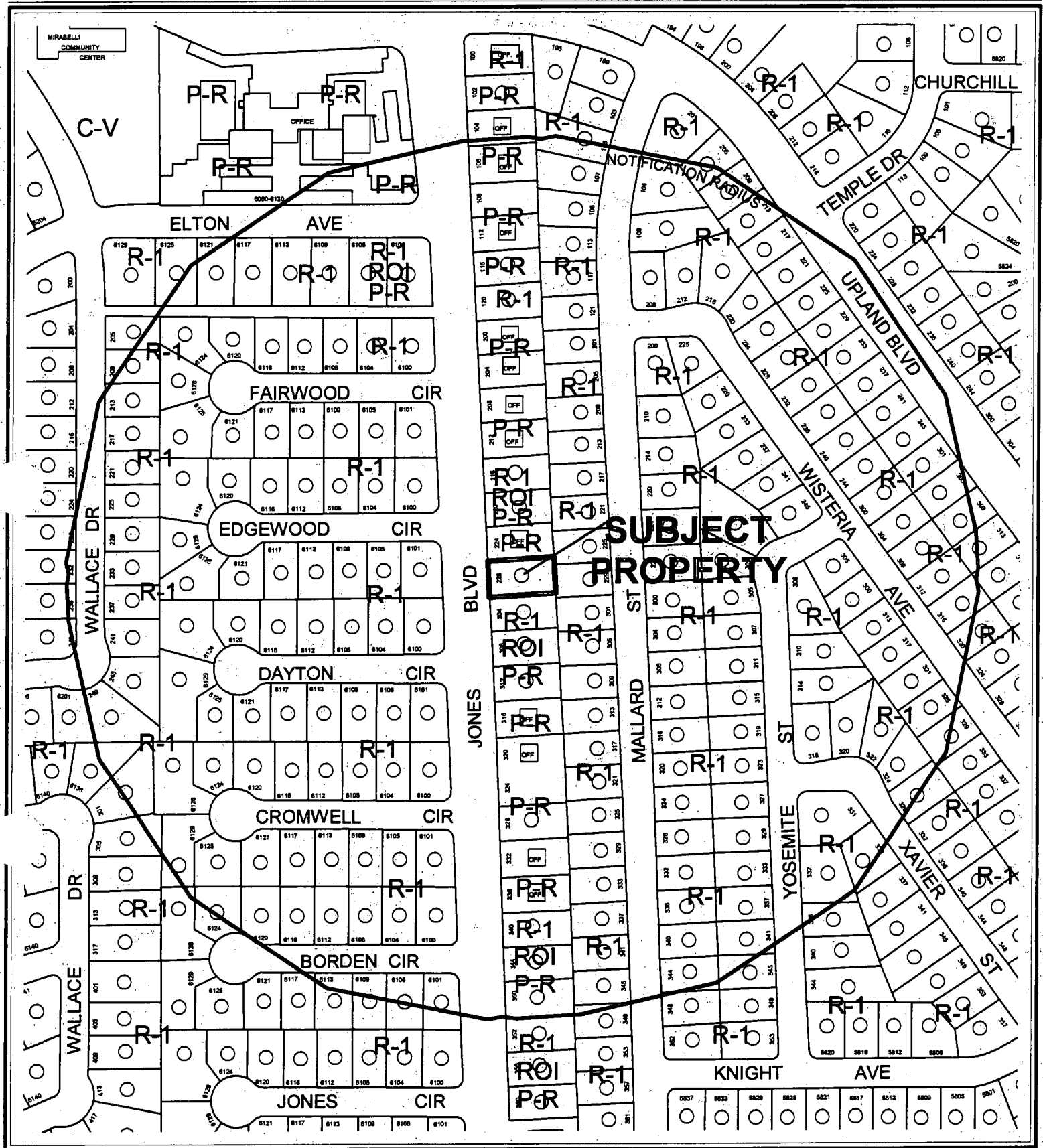
2. A Site Development Plan Review (SDR-5486) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
4. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.



CASE: ZON-5485

RADIUS: 750 FT

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

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
4. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

01/13/05 The Planning Commission recommended approval of a related item (SDR-5486).

01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #43/bts).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.17 acres

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

NOTICES MAILED 243 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5485 APN: 138 36 112 016

Name of Property Owner: GEORGE GILL

Name of Applicant: GREGORY WILDE, ESQ.

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

Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

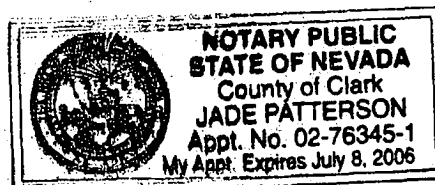
Signature of Property Owner/Authorized Agent: (X) 

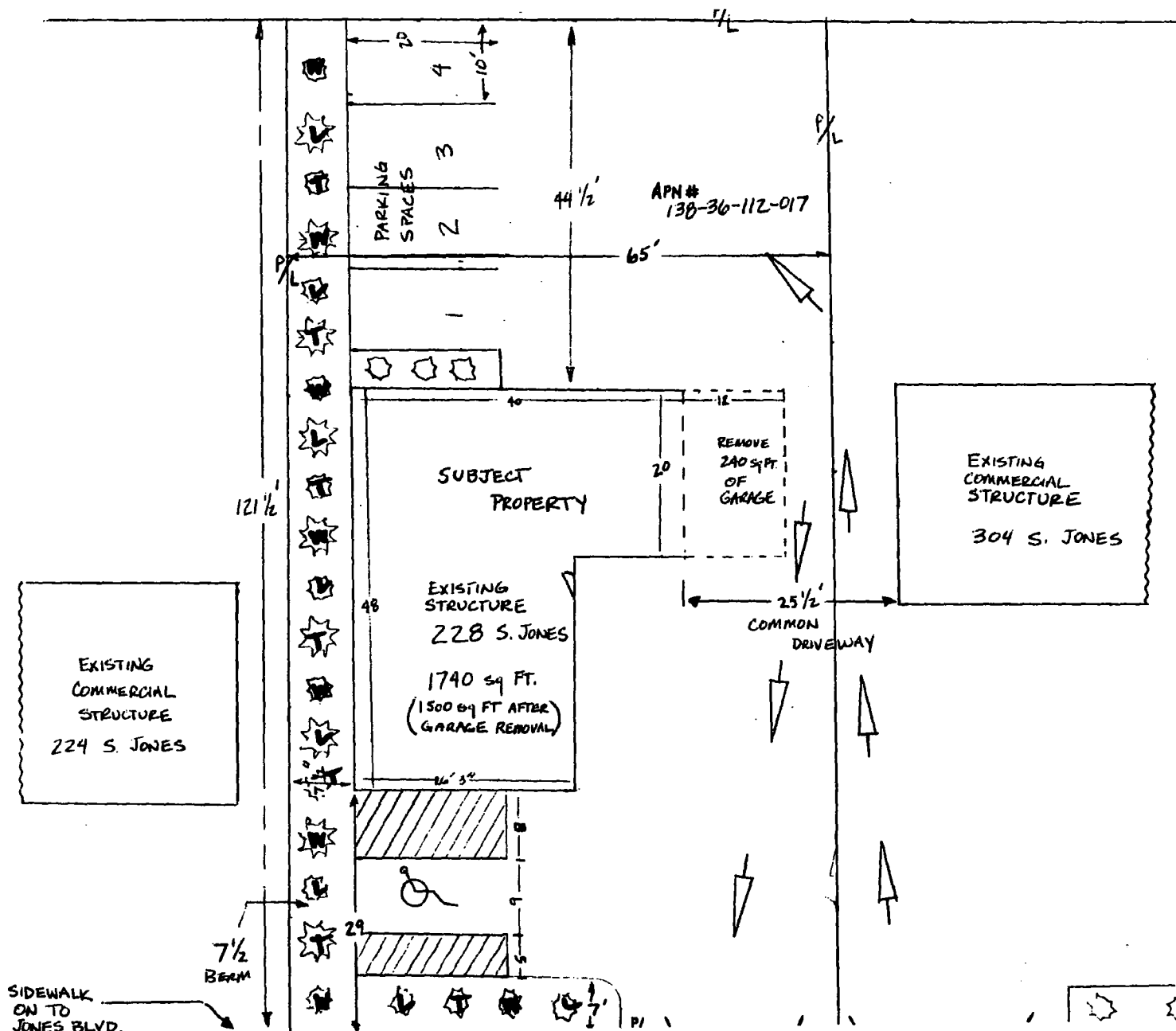
Print Name: GEORGE GILL

Subscribed and sworn before me

This 27th day of September 2004

Notary Public in and for said County and State





ZON-5485

SDR-5486

1-13-05 PC

RECEIVED

DEC 22 2004



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

12/23/04

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

WILDE & ASSOCIATES
ATTORNEYS AT LAW

A Professional Corporation

NEVADA

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

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

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

AMENDED JUSTIFICATION LETTER

November 2, 2004

Attn: Ben @ Fax # 365-7268
City of Las Vegas
Development Services Center

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

To Whom It May Concern:

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

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

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

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

Truly yours,
Greg Wilde (jap.)
Gregory L. Wilde, Esq.
(Detached Bot Not Read)

20N-5485

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5485

SDR-5486 - PUBLIC HEARING - APPLICANT: GREGORY L. WILDE - OWNER: GEORGE GILL - Request for a Site Development Plan Review FOR A 1500 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS OF THE LANDSCAPE STANDARDS on 0.17 acres at 228 South Jones Boulevard (APN 138-36-112-016), Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS with GOODMAN and MACK not voting

MINUTES:

NOTE: See Item 120 [ZON-5485] for all related discussion.

(4:40 - 4:42)

6-1592

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. The applicant shall relocate the landscaping shown on the site plan between the subject building and parking space one. The landscaping shall be relocated along the east property adjacent to the fourth parking space. The landscape buffer shall be installed along the entire length of the eastern property line.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. All development shall be in conformance with the site plan and building elevations, date stamped December 22, 2004 except as amended by conditions herein.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

the time application is made for a building permit to reflect the relocation of the landscaping along the east property adjacent to the fourth parking space as noted in a separate condition.

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

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

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

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

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

11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

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

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

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

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

Public Works

16. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the issuance of any permits.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

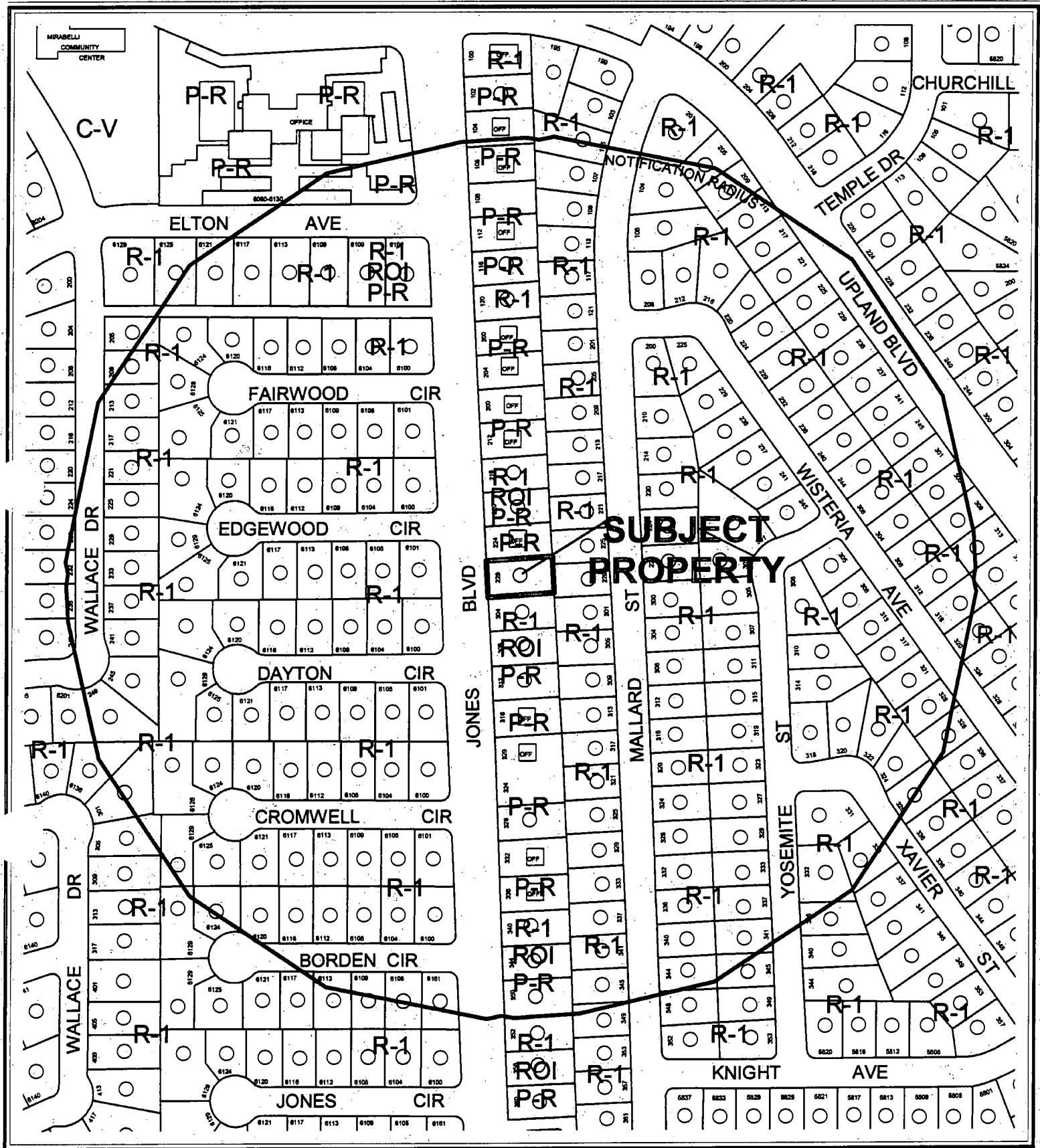
CONDITIONS - Continued:

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

18. Hard Surface and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

19. Obtain an Occupancy Permit for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.

20. Site development to comply with all applicable conditions of approval for Zoning Reclassification (ZON-5485) and all other subsequent site-related actions.



CASE: SDR-5486

RADIUS: 750 FT

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

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
15. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

Public Works

16. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the issuance of any permits.
17. If on-street parking is not already prohibited adjacent to this site, submit a written request to the Traffic and Parking Commission to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of building or offsite permits or the issuance of a business license, whichever may occur first. Comply with recommendations of the Traffic and Parking Commission.
18. Hard Surface and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. Obtain an Occupancy Permit for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.

20. Site development to comply with all applicable conditions of approval for Zoning Reclassification (ZON-5485) and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

01/13/05 The Planning Commission recommended approval of a related item (ZON-5485).

01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #44/bts).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.17

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

PROJECT DESCRIPTION

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

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

The proposed office meets or exceeds all development standards.

A2) Residential Adjacency Standards

Residential adjacency standards do not apply to the subject site.

A3) Parking and Traffic Standards

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

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

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

A4) Landscape and Open Space Standards

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Site Plan

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

- Waivers

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

- Landscape Plan

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

- Elevation

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

- Floor Plan

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 243 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR. 5486 APN: 138 36 112 016

Name of Property Owner: GEORGE GILL

Name of Applicant: GREGORY WILDE, ESQ.

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

Yes ☐ No ☒

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

City Official: _____

Partner(s): _____

APN: _____

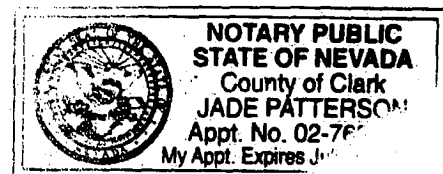
Signature of Property Owner/Authorized Agent:

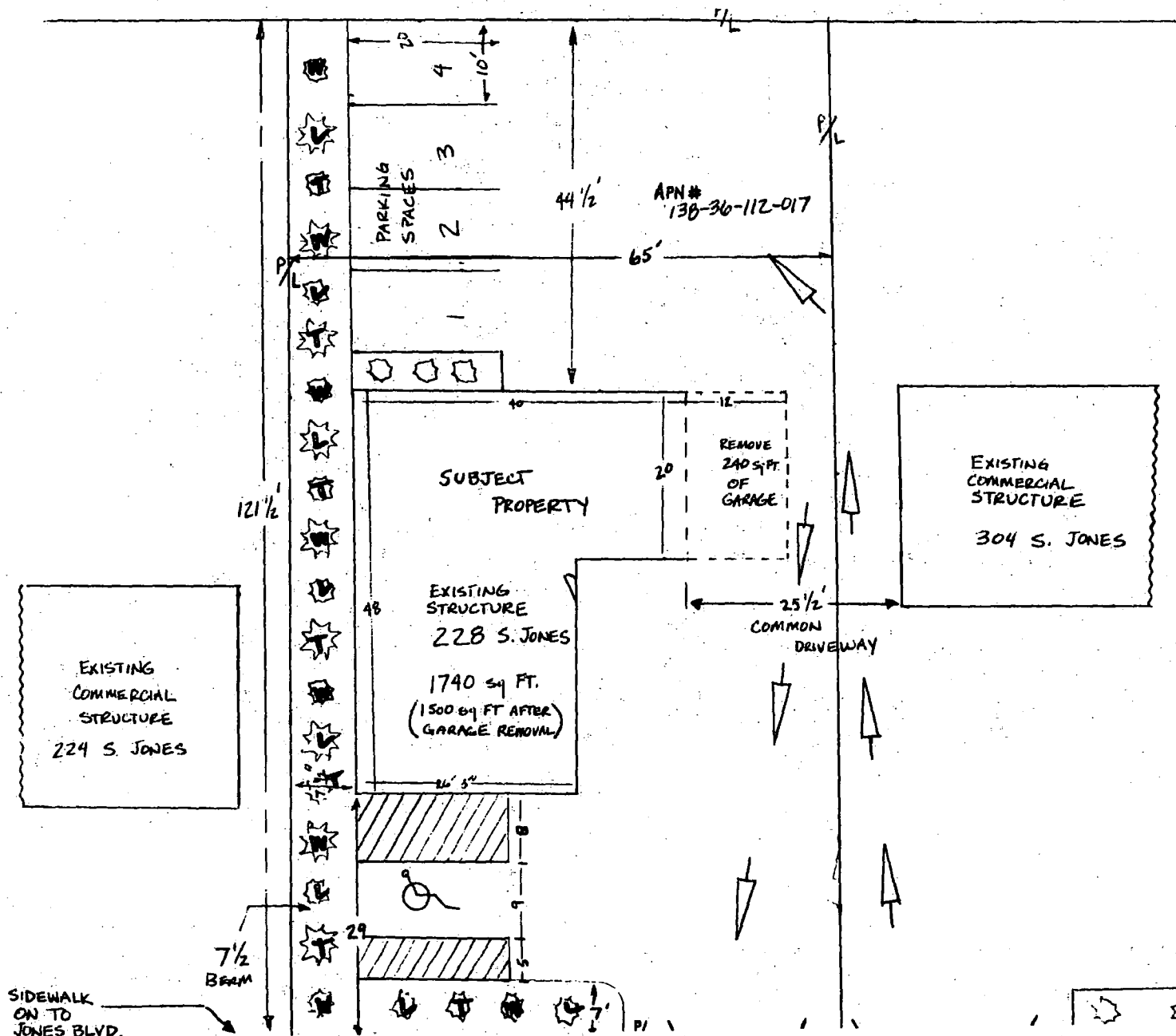
Print Name:

Subscribed and sworn before me

This 27th day of September 2004

Lake Patterson
Notary Public in and for said County and State





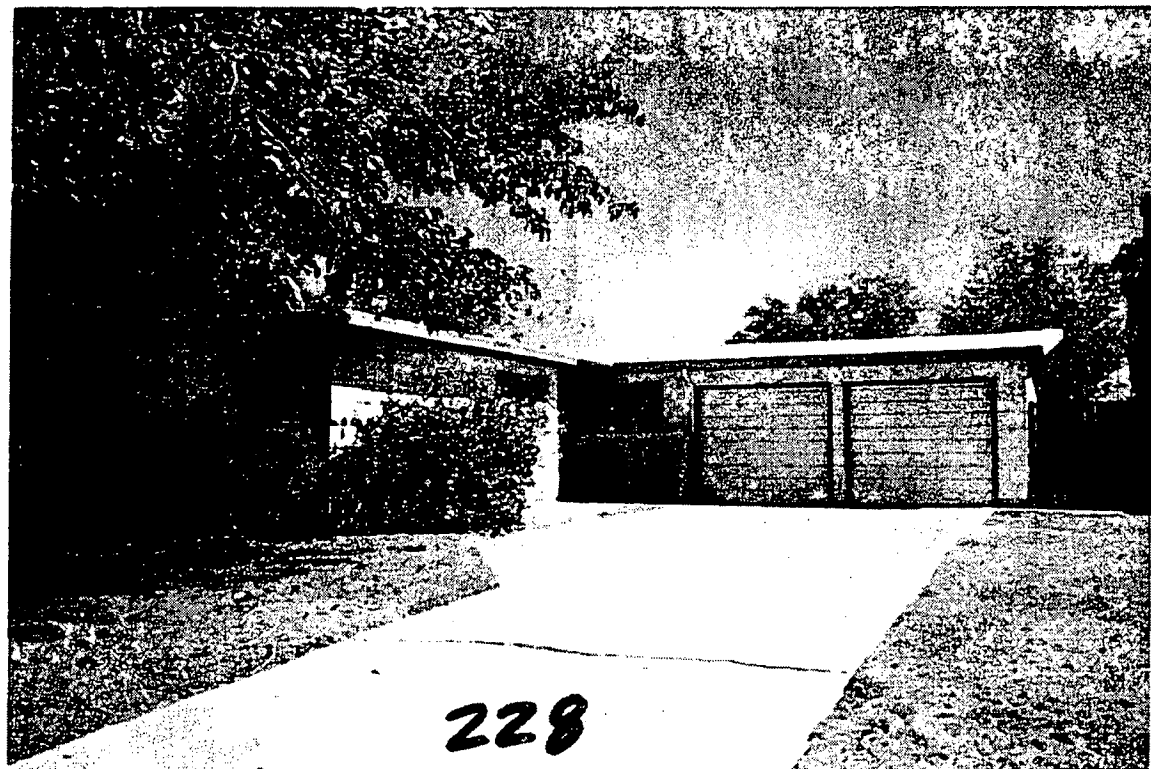
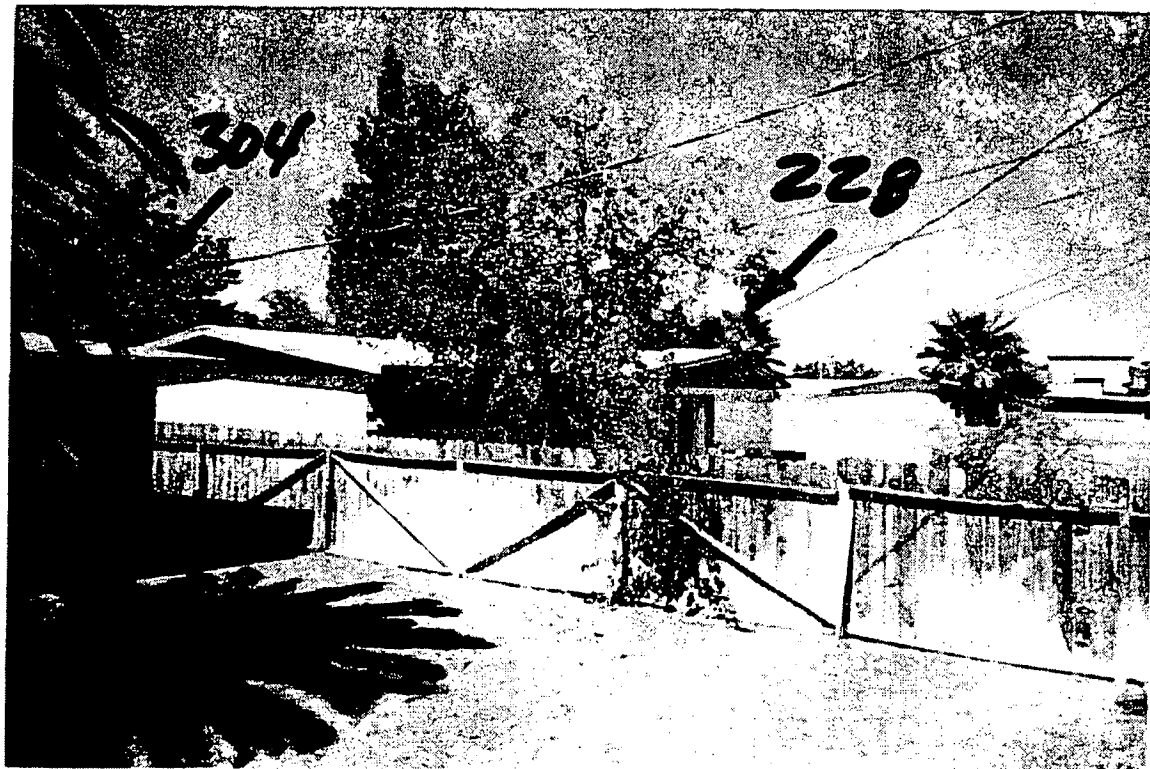
ZON-5485

SDR-5486

1-13-05 PC

RECEIVED

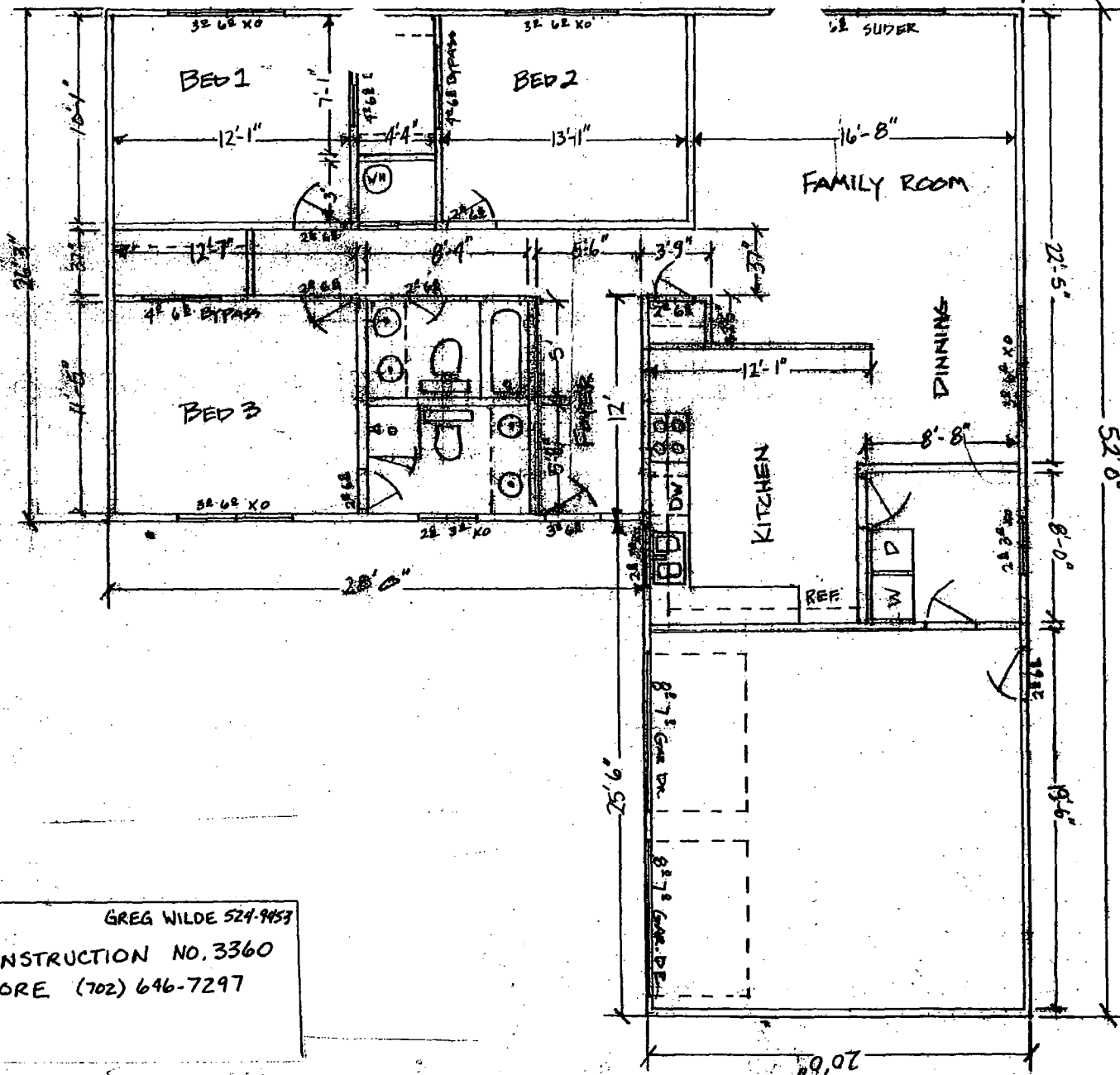
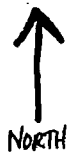
DEC 2 8 2004



ZON-5485

SDR-5486

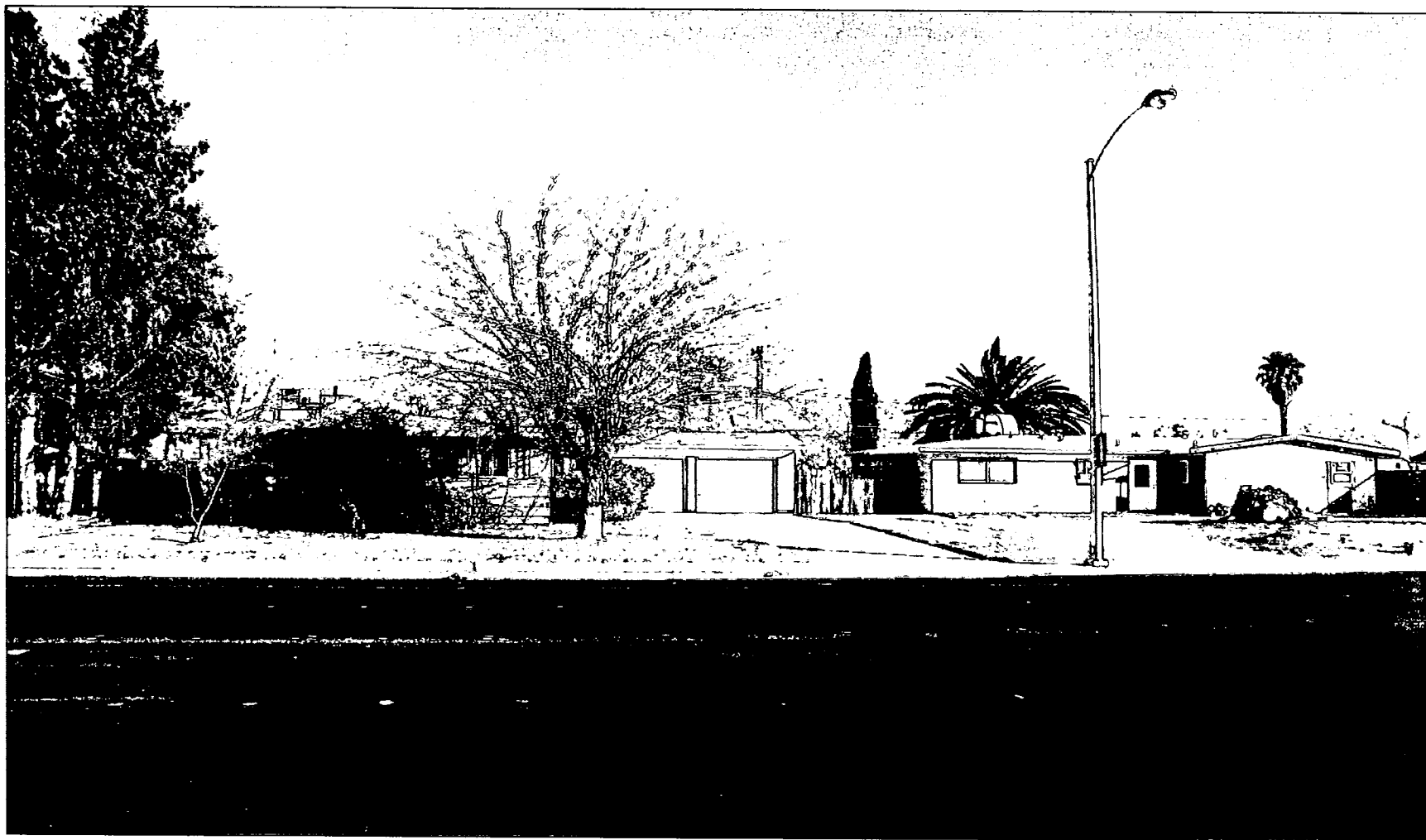
1-13-05 PC



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

228 E. ...
 EXISTING FLOOR
 PLAN 52'-0"
 10/10/04 Pg. 1

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



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

12/23/04

FROM :

FAX NO. :

Mar. 15 2003 10:03PM P2

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

WILDE & ASSOCIATES
ATTORNEYS AT LAW

A Professional Corporation

NEVADA

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

UTAH

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

**Admitted to Utah Bar
***Licensed in Nevada and Utah
*Licensed in Nevada and Arizona

JUSTIFICATION LETTER

October 18, 2004

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

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

To Whom It May Concern:

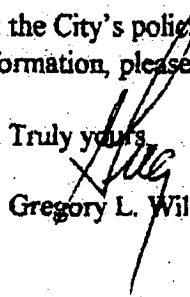
This firm represents the recent purchaser of the above property. The following is a justification letter asking that you approve the Site Development Plan and Rezoning Request of my client. The property is currently a residence but will be converted into a professional office. The zoning is currently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

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

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

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

Truly yours,


Gregory L. Wilde, Esq.

SDR-5486

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****REZONING**

ZON-5702 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: ISOLA SALVO LLC, ET AL - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] [MLA-TC (MEDIUM-LOW ATTACHED - TOWN CENTER) SPECIAL LAND USE DESIGNATION] TO: T-C (TOWN CENTER) on 4.12 acres adjacent to the southwest corner of Chieftain Street and Bath Drive (APN 125-19-701-009 and 010), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 122 [ZON-5702], Item 123 [VAC-5707], Item 124 [VAR-5705], Item 125 [SUP-5870] and Item 126 [SDR-5704].

ED TANEY, Taney Engineering, 4445 South Jones Boulevard, appeared on behalf of the owner and concurred with staff recommendations and conditions.

STEVEN "CAPTAIN TRUTH" DEMPSEY indicated that some people are outraged about how the modifications and new plans are rushed through. The public has a right to know how these recommendations are changed. MAYOR GOODMAN responded that the public has a right to speak before the City Council and ask questions.

COUNCILMAN MACK stated staff is committed to following the Code and giving direction to the City Council based on the Code. The City Council has the ability to make changes to the recommendations based on what the Planning Commission or staff recommend. Additionally, the City does a good job with providing proper notification. There have been no oppositions to the proposed changes for this particular project.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 122 [ZON-5702], Item 123 [VAC-5707], Item 124 [VAR-5705], Item 125 [SUP-5870] and Item 126 [SDR-5704].

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

MINUTES - Continued:

(4:42 - 4:48)

5-3260

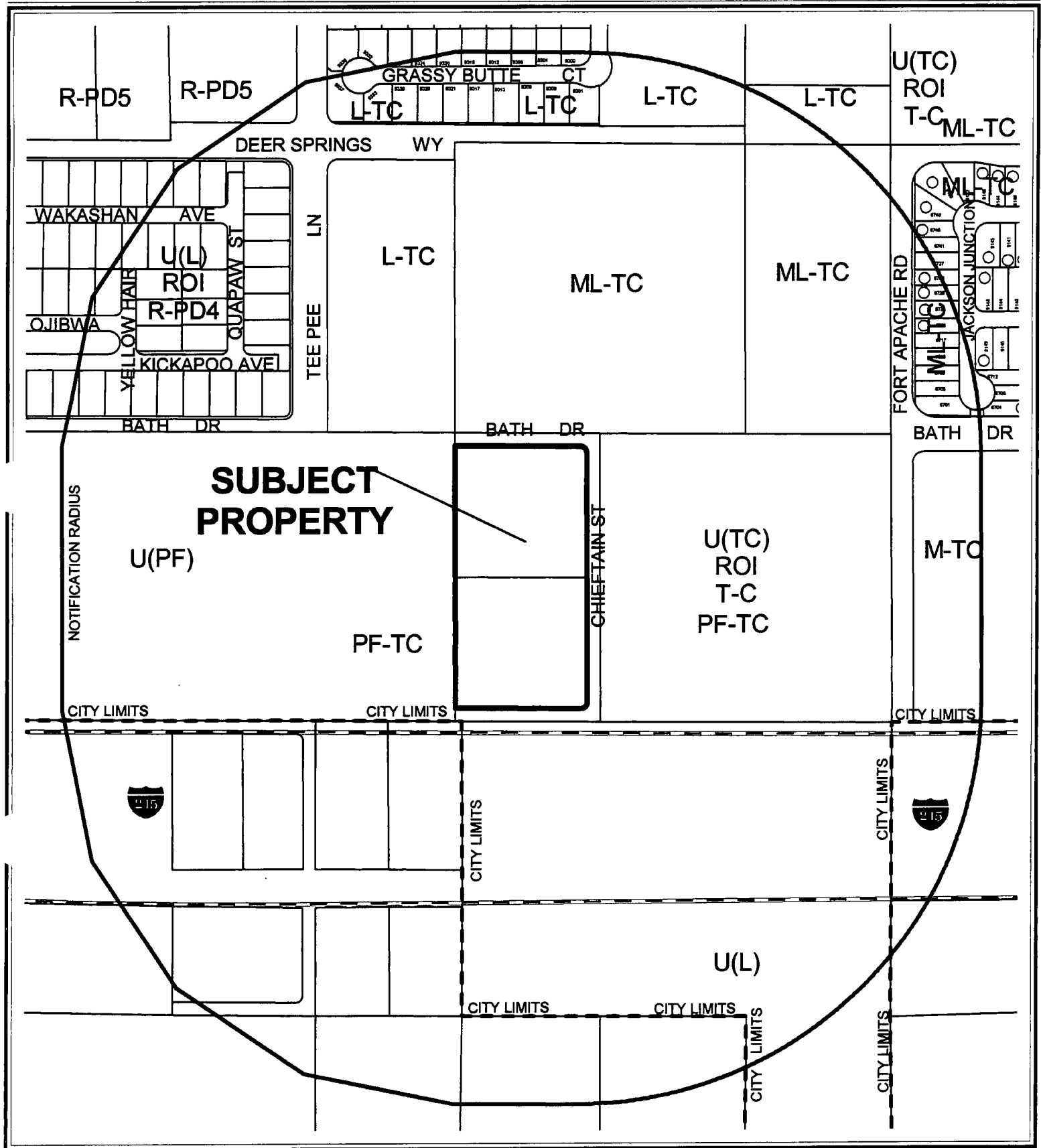
CONDITIONS:

Planning and Development

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

Public Works

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



CASE: ZON-5702

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY:

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

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

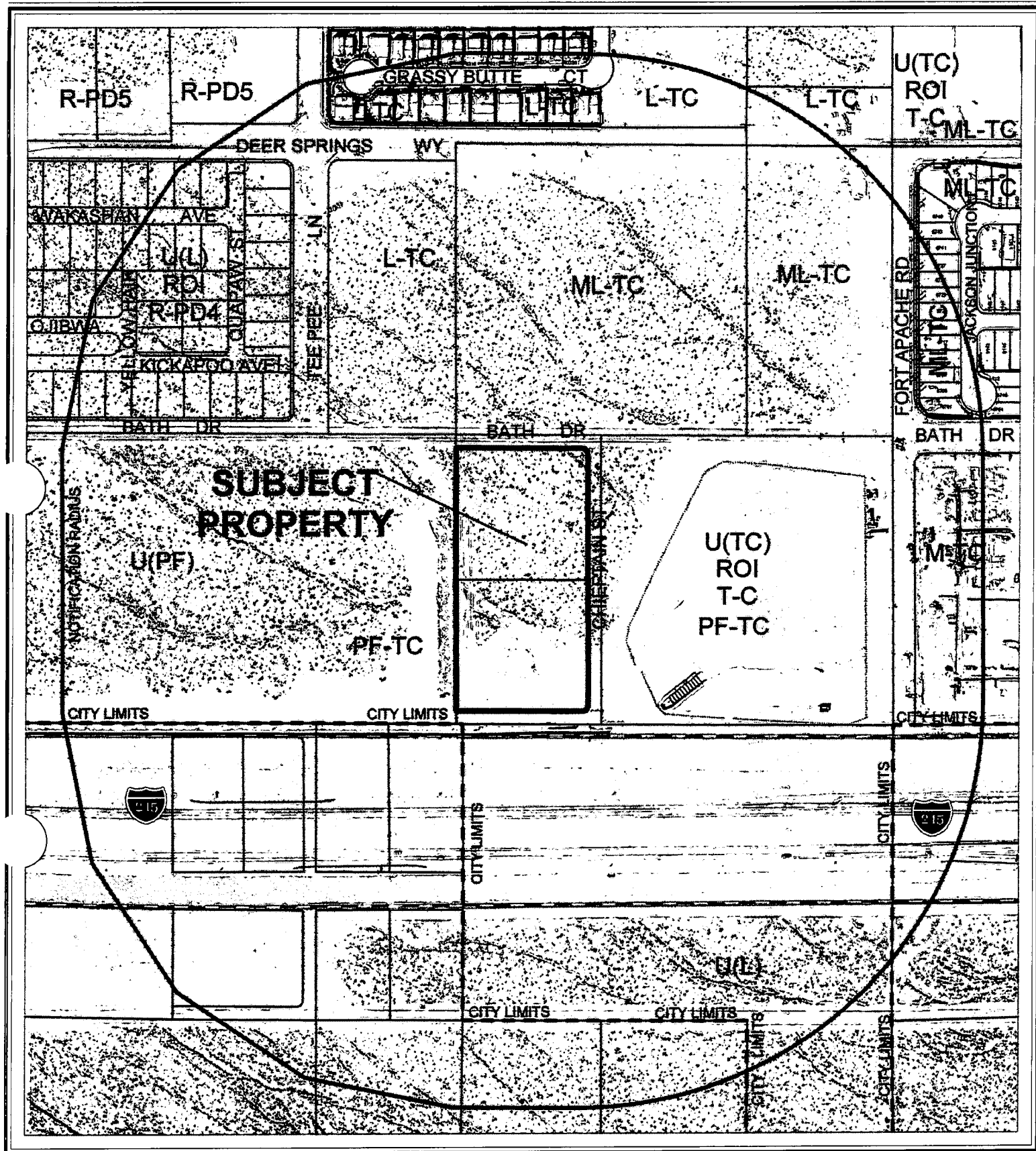
PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

0 200 400 Feet

122





CASE: ZON-5702

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY:

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

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

Public Works

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

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a petition to Annex [(A-3-99(A))] property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on March 25, 1999.
- 04/21/04 The City Council approved an annexation (ANX-3714) on property located on the west side of Chieftain Street, 330 feet north of Rome Boulevard containing approximately 2.06 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on February 26, 2004.
- 01/13/05 The Planning Commission recommended approval of related items (VAC-5707, VAR-5705, SUP-5870 and SDR-5704).
- 01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #45/bts).

B) Pre-Application Meeting

- 10/11/04 The following items were discussed during the pre-application conference:
- Development is located in Town Center
 - Bath Drive is a residential collector (80-foot row, 60 foot street)
 - A traffic study is not needed, but a drainage study and traffic signal impact fee are required.
 - A multi-use trail shall be located along the south side of the development.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.12 acres

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

F) General Analysis and Discussion

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

NOTICES MAILED 44 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Isola Salvo LLC etal

Name of Applicant: Taney Engineering

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

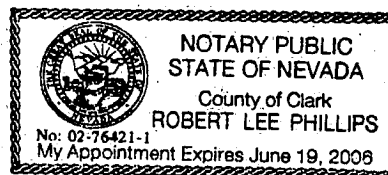
Signature of Property Owner/Authorized Agent: _____

Print Name: Scott J. Gaudreau Managing Member

Subscribed and sworn before me

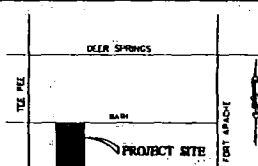
This 18 day of NOVEMBER, 2004

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



1" = 30'

PARDEE HOMES NEVADA
APH: 125-10-701-006
ZONED UNDEVELOPED T-C



CC 215

[illegible]

SOUTH 89°31'27" EAST, BEING THE NORTH LINE OF THE
NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 15, TOWNSHIP 18 SOUTH, RANGE 60 EAST, NOW AS
SHOWN IN FILE 114, PAGE 57 OF SURVEYS

PROPERTY BOUNDARY
PROPERTY LINE
STREET CENTERLINE
RIGHT-OF-WAY, ETC.
LOT NUMBER

- * NEVADA POWER COMPANY
6728 W. SARAH AVE. 367-5555
- * SPRINT TELEPHONE COMPANY
330 S. VALLEY VIEW BLVD. 251-7400
- * SOUTHWEST GAS CORP.
4300 W. TROPICANA AVE. 363-2111
- * SILVER STATE DISPOSAL SERVICE INC.
770 E. SARAH AVE. 235-5151
- * LAS VEGAS VALLEY WATER DISTRICT (WATER)
1001 VALLEY VIEW BLVD. 870-2011
- * CITY OF LAS VEGAS UTILITIES DEPARTMENT (SEWER)
GAS STREET. 229-6301

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

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

DAVID OBER
8367 W. FLAMINGO RD
LAS VEGAS, NEVADA 89147
TEL: 768 8182
FAX: 363 8141

ISOLA SALVO, LLC ETAL
8020 W. SAMARA, ST 215
LAS VEGAS, NEVADA 89111
(702)788-8152

DAVID OBER
9837 SAMARA #301
LAS VEGAS, NV 89117

BATH & CHIEFTAIN

SITE PLAN REVIEW
DAVID ORFER

TARGET ENGINEERING
4415 S. JONES BLVD., SUITE 201
LAS VEGAS, NV 89103

UNION JAYS SEAL

SCALE: 1" = 30'

JOB NO: OMR-04-000

DE SIGNED BY: _____

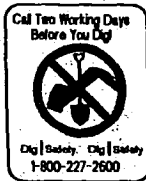
DRAWN BY: 2

SHEET NAME:

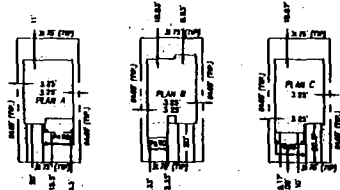
SPR

1 OF 1

ALL LANDSCAPE BUFFERS
ARE TO BE COMMON LOTS



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

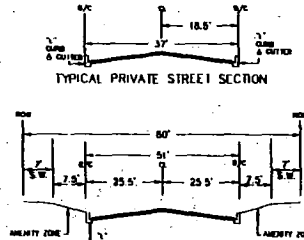


TYPICAL LOTS

PROPERTY LINE CURVE TABLE

[illegible]

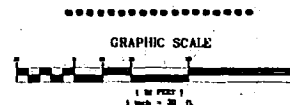
TYPICAL PRIVATE STREET SECTION



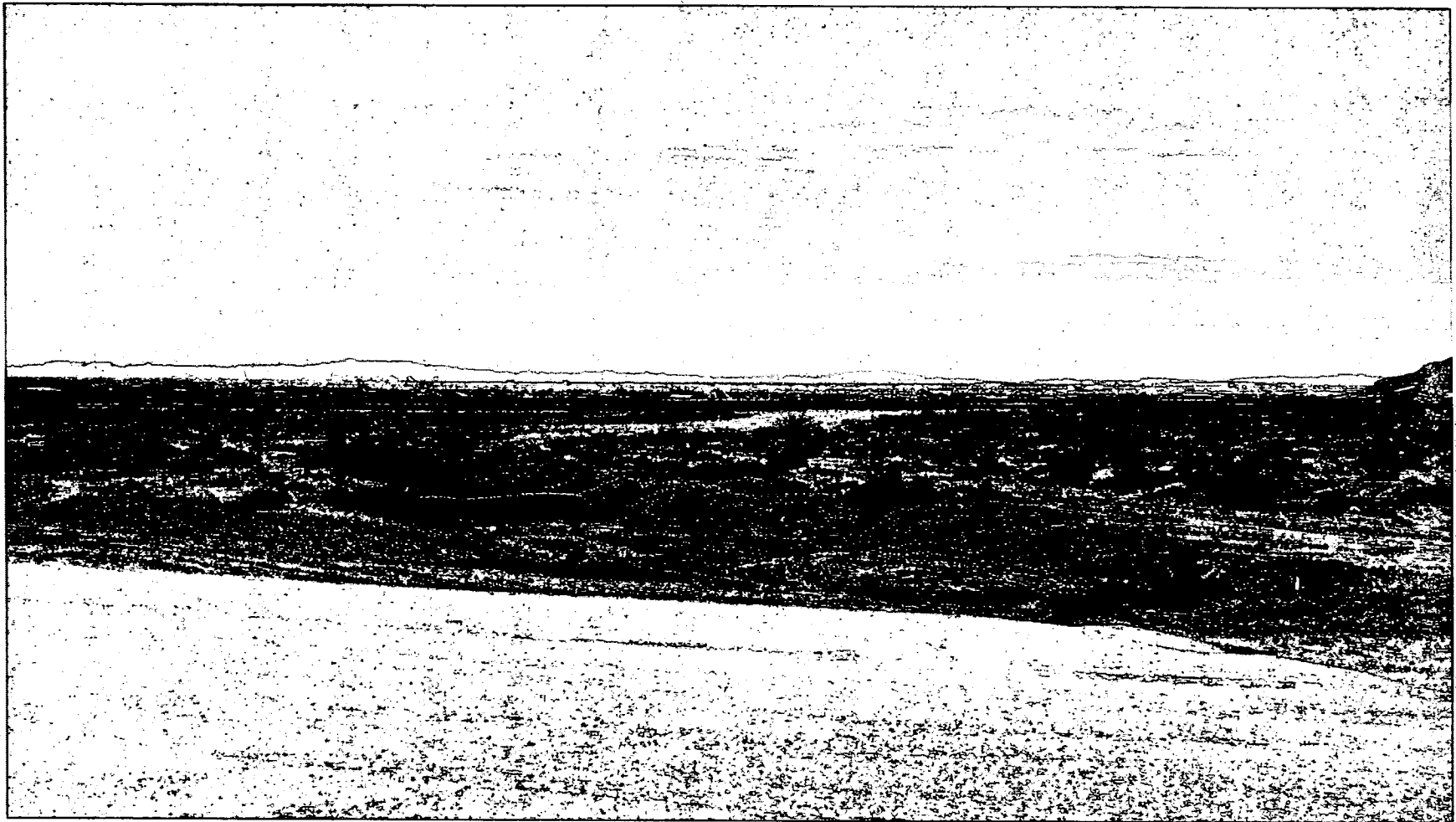
BATH DRIVE 80' PUBLIC STREET

RECEIVED

NOV 30 2005



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



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

12/23/04

November 30, 2004

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

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

To Whom It May Concern:

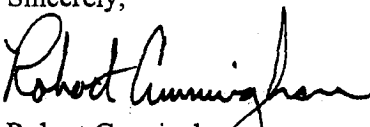
On behalf of our client, Taney Engineering is applying for a Zone Change to Town Center Zoning District, a Site Development Plan Review, a Vacation of Right-of-way for Rome and Chieftain, and a Variance for a reduction in open space on a 5.06 gross acre site located on the southwest corner of Bath Drive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

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

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

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

Sincerely,



Robert Cunningham
Taney Engineering

ZON-5702

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VACATION RELATED TO ZON-5702

VAC-5707 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: ISOLA SALVO LLC, ET AL - Petition to Vacate the west half of Chieftain Street between Rome Boulevard and Bath Drive, and the north side of Rome Boulevard west of Chieftain Street, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Back up referenced from the 1/13/2005 Planning Commission meeting Item 46

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 122 [ZON-5702] for all related discussion.

(4:42 - 4:48)

5-3260

CONDITIONS:

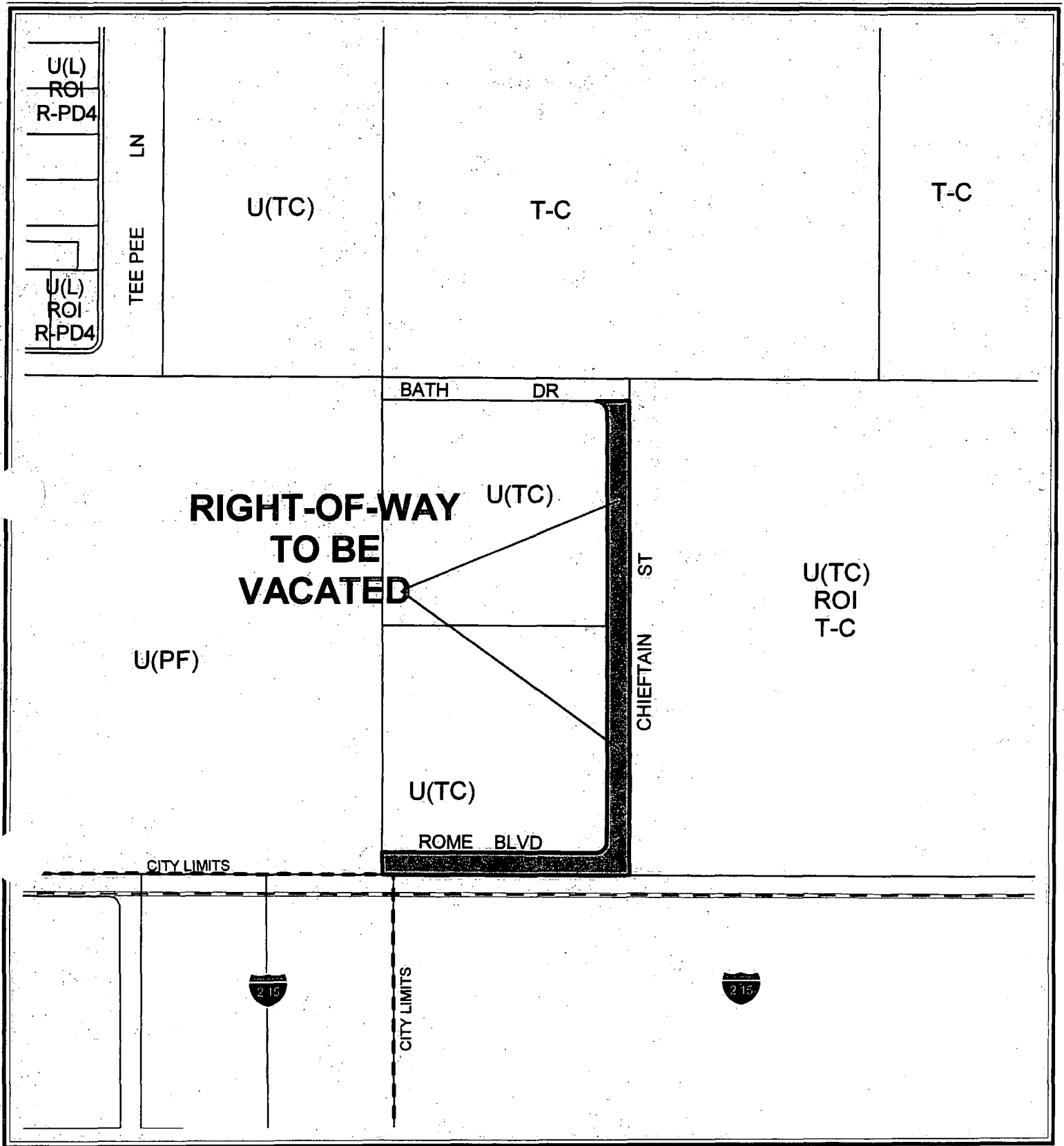
1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Zoning Reclassification ZON-5702 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

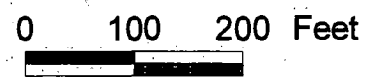
CONDITIONS - Continued:

5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



CASE: VAC-5707



123



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a petition to Annex [(A-3-99(A))] property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on March 25, 1999.
- 04/21/04 The City Council approved an annexation (ANX-3714) on property located on the west side of Chieftain Street, 330 feet north of Rome Boulevard containing approximately 2.06 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on February 26, 2004.
- 01/13/05 The Planning Commission recommended approval of related items (ZON-5702, VAR-5705, SUP-5870 and SDR-5704).
- 01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #46/bts).

DETAILS OF APPLICATION REQUEST

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

ANALYSIS

A) Planning discussion

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

B) Public Works discussion

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

0

NOTICES MAILED 6 by City Clerk

APPROVALS

0

PROTESTS

0

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: VAC-5707 APN: 125-19-701-009, 010Name of Property Owner: Isola Salvo LLC etalName of Applicant: Taney Engineering

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

☐ Yes☒ No

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

City Official: _____

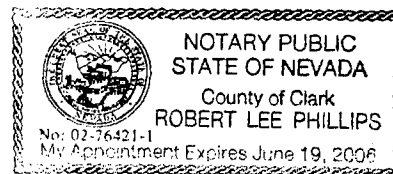
Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Scott J. Daughan Managing Member

Subscribed and sworn before me

This 18 day of NOVEMBER, 2004R. J. Phillips
Notary Public in and for said County and State



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

12/23/04

December 23, 2004

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

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

To Whom It May Concern:

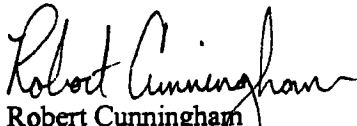
On behalf of our client, Taney Engineering is applying for a Special Use Permit to allow a gated community with private streets on a 5.06 gross acre site located on the southwest corner of Bath Drive and Chieftain Street.

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

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

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

Sincerely,


Robert Cunningham
Taney Engineering

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

AN AFFIRMATIVE ACTION
EQUAL OPPORTUNITY EMPLOYER



CLARK COUNTY SCHOOL DISTRICT

Demographics, Zoning & Realty Department

FACILITIES DIVISION

"Yes, we can"

BOARD OF SCHOOL TRUSTEES

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

December 14, 2004

Via fax 474-7463

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

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

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

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

Sincerely,

Carol L. Bailey
Carol L. Bailey

Coordinator II
Demographics, Zoning and Realty

C. Matthew J. LeCroix
File

4 PAGES TOTAL

P
VAC-5707

November 30, 2004

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

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

To Whom It May Concern:

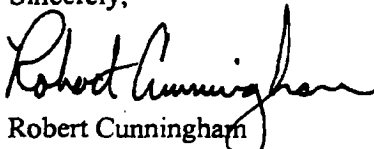
On behalf of our client, Taney Engineering is applying for a Zone Change to Town Center Zoning District, a Site Development Plan Review, a Vacation of Right-of-way for Rome and Chieftain, and a Variance for a reduction in open space on a 5.06 gross acre site located on the southwest corner of Bath Drive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

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

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

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

Sincerely,


Robert Cunningham
Taney Engineering

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE RELATED TO ZON-5702 AND VAC-5707

VAR-5705 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: ISOLA SALVO LLC, ET AL - Request for a Variance TO ALLOW 25,923 SQUARE FEET OF OPEN SPACE WHERE 43,133 SQUARE FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SINGLE-FAMILY DEVELOPMENT on 4.12 acres adjacent to the southwest corner of Chieftain Street and Bath Drive (APN 125-19-701-009 and 010), U (Undeveloped) [TC (Town Center) General Plan Designation] [MLA-TC (Medium-Low Attached - Town Center) Special Land Use Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 122 [ZON-5702] for all related discussion.

(4:42 - 4:48)

5-3260

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5702), Site Development Plan Review (SDR-5704) and a Vacation (VAC-5707).

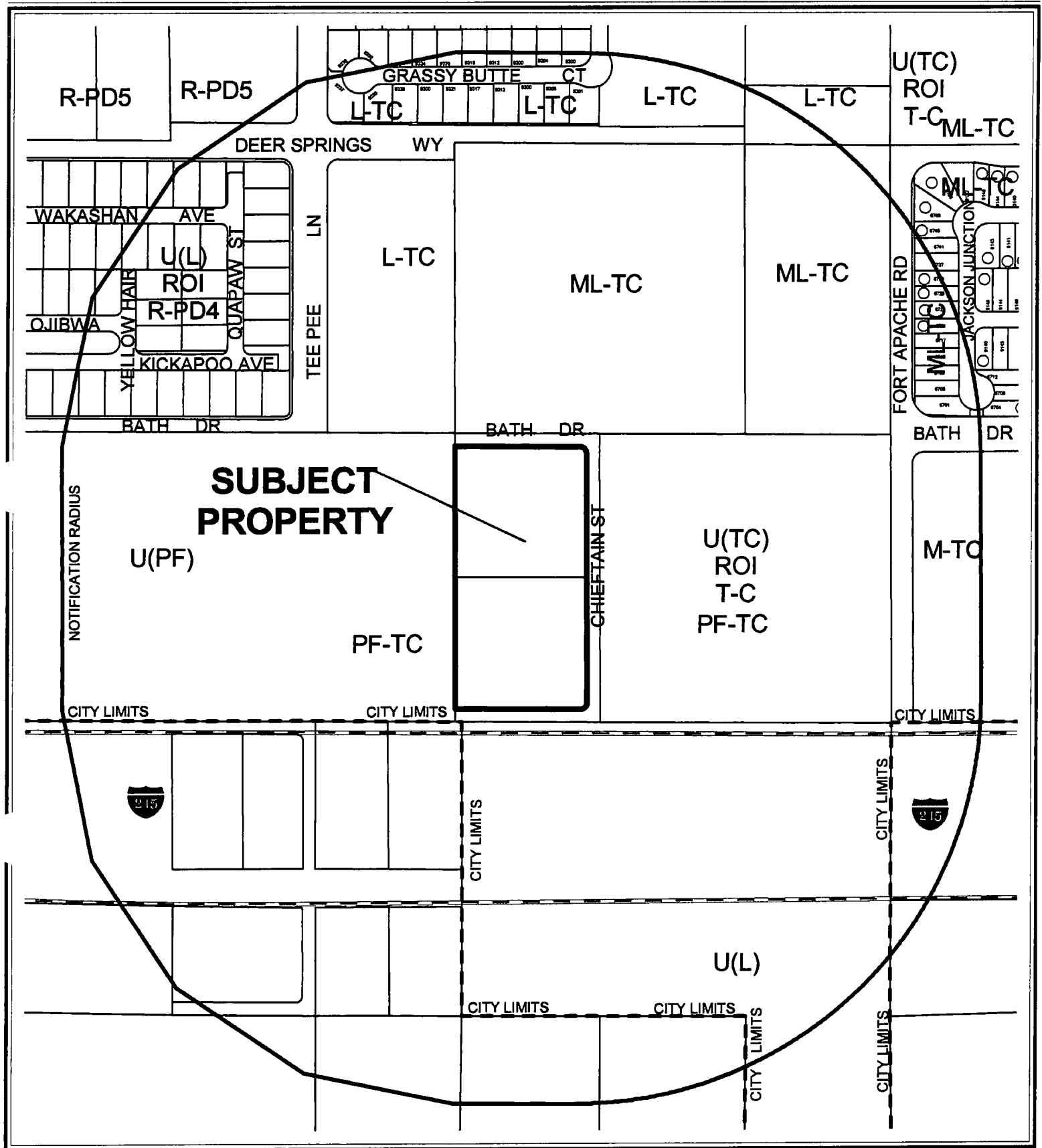
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$68,840 or [17,210 x \$4.00] to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

Title 19 of the Las Vegas Municipal Code.



CASE: VAR-5705

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY:

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

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a petition to Annex [(A-3-99(A)] property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on March 25, 1999.
- 04/21/04 The City Council approved an annexation (ANX-3714) on property located on the west side of Chieftain Street, 330 feet north of Rome Boulevard containing approximately 2.06 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on February 26, 2004.
- 01/13/05 The Planning Commission recommended approval of related items (ZON-5702, VAC-5707, SUP-5870 and SDR-5704).
- 01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #47/bts).

B) Pre-Application Meeting

- 10/11/04 The following items were discussed during the pre-application conference:
- Development is located in Town Center
 - Bath Drive is a residential collector (80' row, 60' street)
 - A traffic study is not needed, but a drainage study and traffic signal impact fee are required.
 - A multi-use trail shall be located along the south side of the development.

C) Neighborhood Meetings

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

A) Site Area

Gross Acres: 5.06
Net Acres: 4.12

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

A) Zoning Code Compliance

A1) Landscape and Open Space Standards

- Title 19 Open Space Requirements

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

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

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

B) General Analysis and Discussion

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

NOTICES MAILED 45 by City Clerk

APPROVALS 0

PROTESTS 0

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

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

☐ Yes☒ No

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

City Official: _____

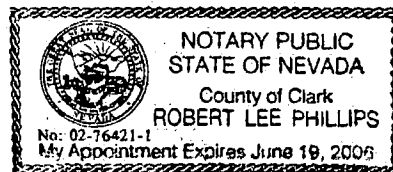
Partne:(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Scott J. Gadghar Managing Member

Subscribed and sworn before me

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

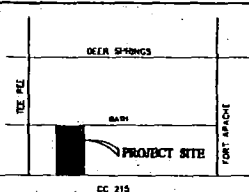
SITE PLAN REVIEW FOR APN's 125-19-701-009 & 010

1" = 30'

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

PARADE HOMES NEVADA
APN: 125-19-701-008
ZONED UNDEVELOPED T-C

KEY MAP



SITE DATA

GRAND SITE AREA: 8.08 ACRES
NET SITE AREA: 7.11 ACRES (EXCLUDING PLAN OF ROAD AND BATH)
APN: 125-19-701-009 & 010
CURRENT ZONING: UNDEVELOPED T-C
NEIGHBORS:
NORTH: 125-19-701-008 (PARADE HOMES NEVADA)
EAST: 125-19-701-011 (THIS PROJECT)
SOUTH: 125-19-701-010 (THIS PROJECT)
WEST: 125-19-701-008 (PARADE HOMES NEVADA)
LOT COUNT: 60 LOTS (60 OF 60)
GROSS SQUARE FEET: 2,133,333
NET SQUARE FEET: 2,133,333
PERCENT OPEN SPACE: 100% (100% OF GROSS SQUARE FEET) (MINIMUM REQUIRED)

BASIS OF BEARING

SOUTH 89°12'37" EAST BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 SOUTH, RANGE 60 EAST, MON AS SHOWN IN FILE 114, PAGE 57 OF SURVEYS

LEGEND

PROPERTY BOUNDARY
PROPERTY LINE
STREET CENTERLINE
RIGHT-OF-WAY, DC
LOT NUMBER

UTILITIES

- NEVADA POWER COMPANY
6220 W. SAVANNAH AVE. #12-15555
- SPRINT TELEPHONE COMPANY
330 S. VALLLEY VIEW BLVD. 255-2500
- SOUTHWEST GAS COMPANY
4300 W. TROPICANA AVE. 252-3111
- SANITARY DISTRICT OF LAS VEGAS
770 E. SAVANNAH AVE. 252-3111
- LAS VEGAS VALLEY WATER DISTRICT (SHADON)
1000 VALLEY VIEW BLVD. 252-2011
- CITY OF LAS VEGAS UTILITIES DEPARTMENT (SEWER)
CASA STREET, 222-3300

LEGAL DESCRIPTION

A PORTION OF THE EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 18, TOWNSHIP 19 SOUTH, RANGE 60 EAST, MON, CLARK COUNTY, NEVADA.

ENGINEER

TAMEY ENGINEER COMPANY
4415 S. JONES BOULEVARD
DATE: 11/13/05
LAS VEGAS, NV 89103

DEVELOPER

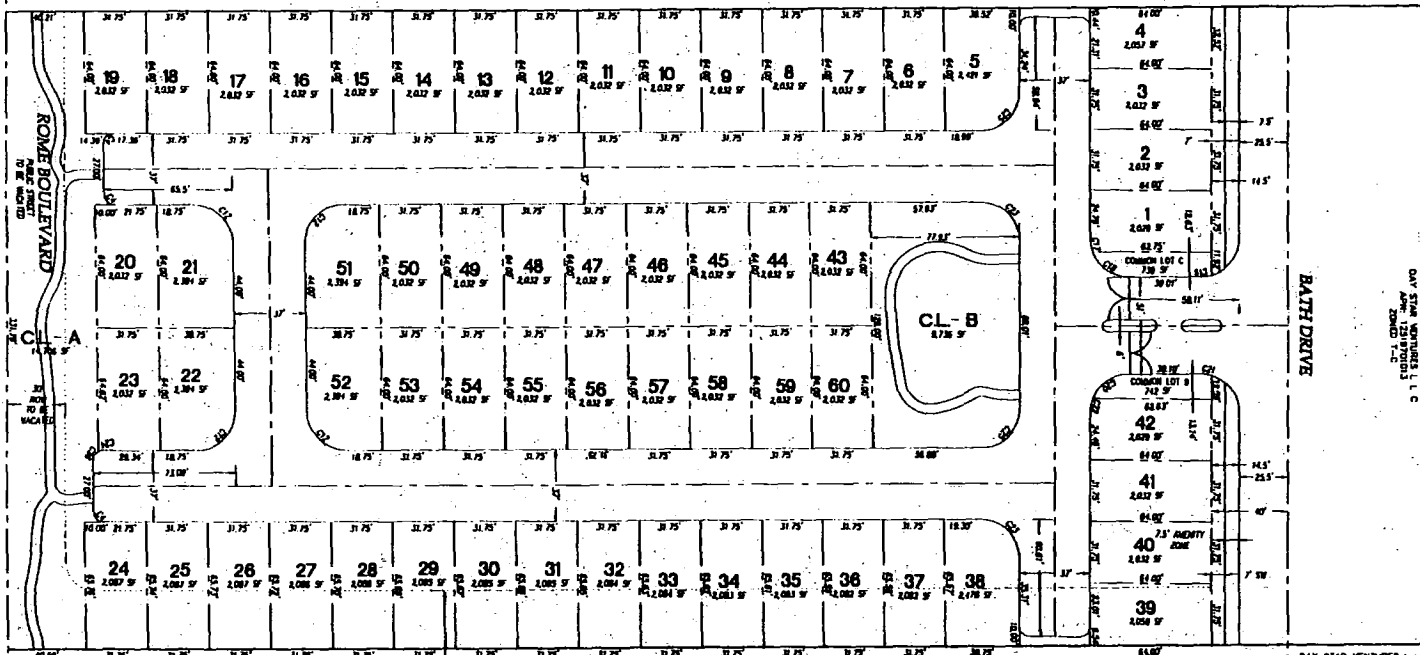
DAVID OBER
8367 W. FLAMINGO RD
LAS VEGAS, NEVADA 89147
TEL: 702-891-0123
FAX: 302-8141

OWNERS

ISOLA SALVO, LLC ETAL
8020 W. SAVANNAH, SUITE 115
LAS VEGAS, NEVADA 89117
(702)786-8182

DAVID OBER
1111 S. JONES BLVD. SUITE 115
LAS VEGAS, NV 89103
702-891-0123
TAMEY ENGINEERING
4415 S. JONES BLVD. SUITE 115
LAS VEGAS, NV 89103
702-891-0123
SITE PLAN REVIEW
DAVID OBER

UNION 1875 S.W.
DATE: 10/10/04
SCALE: 1" = 30'
JOB NO: 082-04-001
DESIGNED BY: RC
DRAWN BY: SD
CHECKED BY: SD
DATE: 11/13/05
PROJECT NAME: SPR
SHEET: 1 OF 1

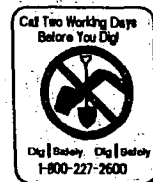


CHIEFTAIN STREET
PUBLIC STREET
TO BE WIDEN

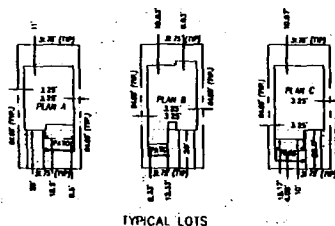
USA
APN: 125-19-701-014
ZONED T-C PER 2-0088-01

DAY STAR VENTURES L.L.C.
APN: 125-19-701-013
ZONED T-C

ALL LANDSCAPE BUFFERS
ARE TO BE COMMON LOTS

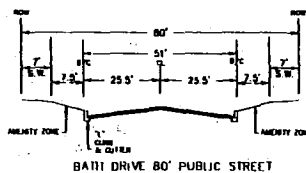
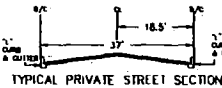


NOTE: INTERNAL PRIVATE
STREETS ARE PUBLIC
UTILITY EASEMENTS
COMMON LOTS ARE TO BE
MAINTAINED BY THE HOA



PROPERTY LINE CURVE TABLE

Lot	Station	Curve Data	Station	Curve Data
1	1+00.00	100.00'	1+100.00	100.00'
2	2+00.00	100.00'	2+100.00	100.00'
3	3+00.00	100.00'	3+100.00	100.00'
4	4+00.00	100.00'	4+100.00	100.00'
5	5+00.00	100.00'	5+100.00	100.00'
6	6+00.00	100.00'	6+100.00	100.00'
7	7+00.00	100.00'	7+100.00	100.00'
8	8+00.00	100.00'	8+100.00	100.00'
9	9+00.00	100.00'	9+100.00	100.00'
10	10+00.00	100.00'	10+100.00	100.00'
11	11+00.00	100.00'	11+100.00	100.00'
12	12+00.00	100.00'	12+100.00	100.00'
13	13+00.00	100.00'	13+100.00	100.00'
14	14+00.00	100.00'	14+100.00	100.00'
15	15+00.00	100.00'	15+100.00	100.00'
16	16+00.00	100.00'	16+100.00	100.00'
17	17+00.00	100.00'	17+100.00	100.00'
18	18+00.00	100.00'	18+100.00	100.00'
19	19+00.00	100.00'	19+100.00	100.00'
20	20+00.00	100.00'	20+100.00	100.00'
21	21+00.00	100.00'	21+100.00	100.00'
22	22+00.00	100.00'	22+100.00	100.00'
23	23+00.00	100.00'	23+100.00	100.00'
24	24+00.00	100.00'	24+100.00	100.00'
25	25+00.00	100.00'	25+100.00	100.00'
26	26+00.00	100.00'	26+100.00	100.00'
27	27+00.00	100.00'	27+100.00	100.00'
28	28+00.00	100.00'	28+100.00	100.00'
29	29+00.00	100.00'	29+100.00	100.00'
30	30+00.00	100.00'	30+100.00	100.00'
31	31+00.00	100.00'	31+100.00	100.00'
32	32+00.00	100.00'	32+100.00	100.00'
33	33+00.00	100.00'	33+100.00	100.00'
34	34+00.00	100.00'	34+100.00	100.00'
35	35+00.00	100.00'	35+100.00	100.00'
36	36+00.00	100.00'	36+100.00	100.00'
37	37+00.00	100.00'	37+100.00	100.00'
38	38+00.00	100.00'	38+100.00	100.00'
39	39+00.00	100.00'	39+100.00	100.00'
40	40+00.00	100.00'	40+100.00	100.00'
41	41+00.00	100.00'	41+100.00	100.00'
42	42+00.00	100.00'	42+100.00	100.00'
43	43+00.00	100.00'	43+100.00	100.00'
44	44+00.00	100.00'	44+100.00	100.00'
45	45+00.00	100.00'	45+100.00	100.00'
46	46+00.00	100.00'	46+100.00	100.00'
47	47+00.00	100.00'	47+100.00	100.00'
48	48+00.00	100.00'	48+100.00	100.00'
49	49+00.00	100.00'	49+100.00	100.00'
50	50+00.00	100.00'	50+100.00	100.00'
51	51+00.00	100.00'	51+100.00	100.00'
52	52+00.00	100.00'	52+100.00	100.00'
53	53+00.00	100.00'	53+100.00	100.00'
54	54+00.00	100.00'	54+100.00	100.00'
55	55+00.00	100.00'	55+100.00	100.00'
56	56+00.00	100.00'	56+100.00	100.00'
57	57+00.00	100.00'	57+100.00	100.00'
58	58+00.00	100.00'	58+100.00	100.00'
59	59+00.00	100.00'	59+100.00	100.00'
60	60+00.00	100.00'	60+100.00	100.00'



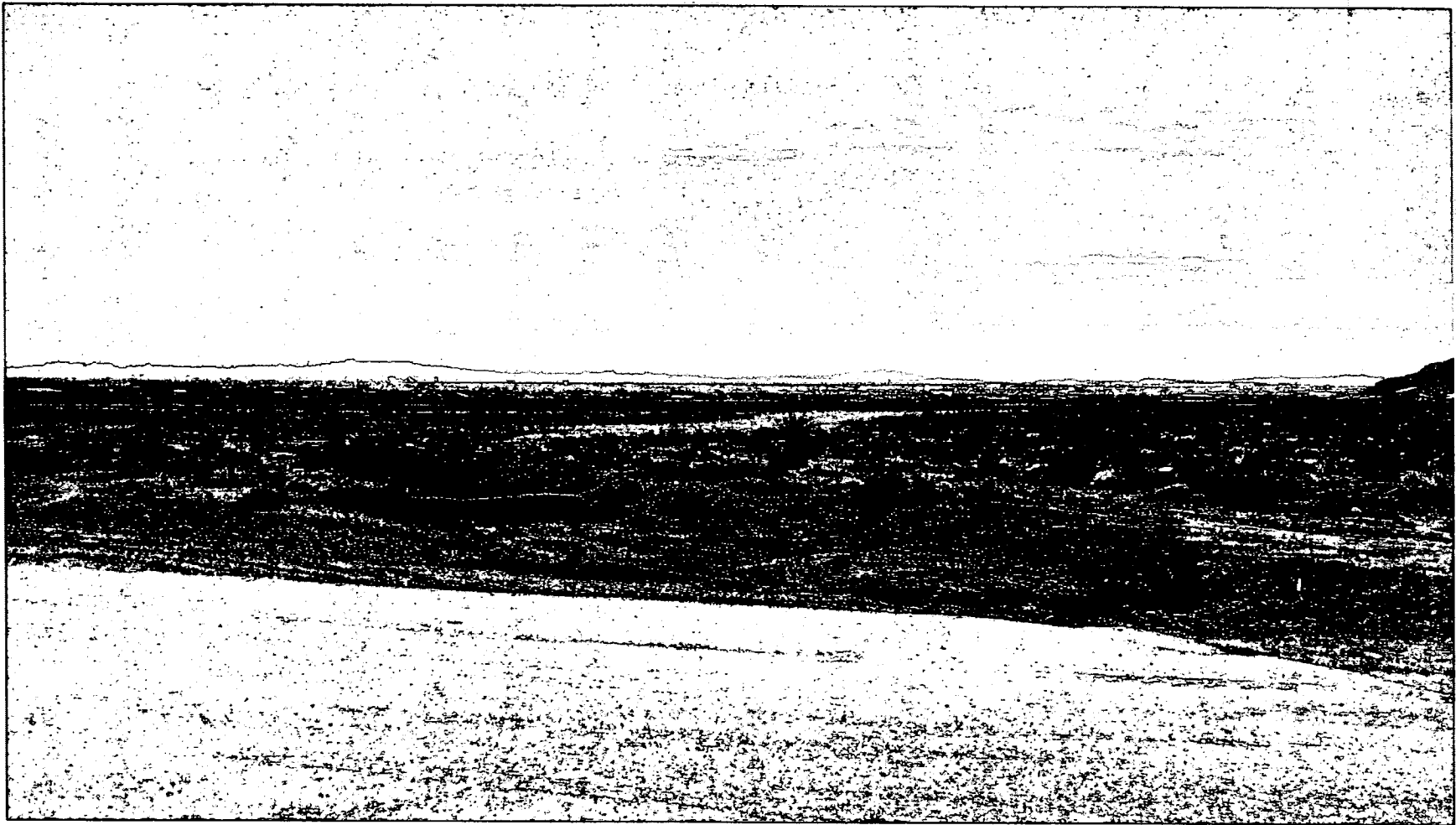
RECEIVED

NOV 30 2005

GRAPHIC SCALE



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



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

12/23/04

November 30, 2004

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

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

To Whom It May Concern:

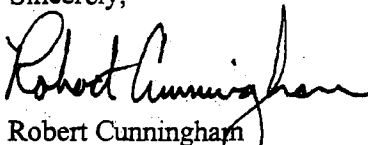
On behalf of our client, Taney Engineering is applying for a Zone Change to Town Center Zoning District, a Site Development Plan Review, a Vacation of Right-of-way for Rome and Chieftain, and a Variance for a reduction in open space on a 5.06 gross acre site located on the southwest corner of Bath Drive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

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

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

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

Sincerely,


Robert Cunningham
Taney Engineering

VAR-5705

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-5702, VAC-5707 AND VAR-5705

SUP-5870 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: GENE SQUITIERI - Request for a Special Use Permit FOR A PROPOSED GATED SUBDIVISION WITH PRIVATE STREETS WITHIN TOWN CENTER adjacent to the southwest corner of Bath Drive and Chieftain Street (APN 125-19-701-009 and 10), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 122 [ZON-5702] for all related discussion.

(4:42 - 4:48)

5-3260

CONDITIONS:

Planning and Development

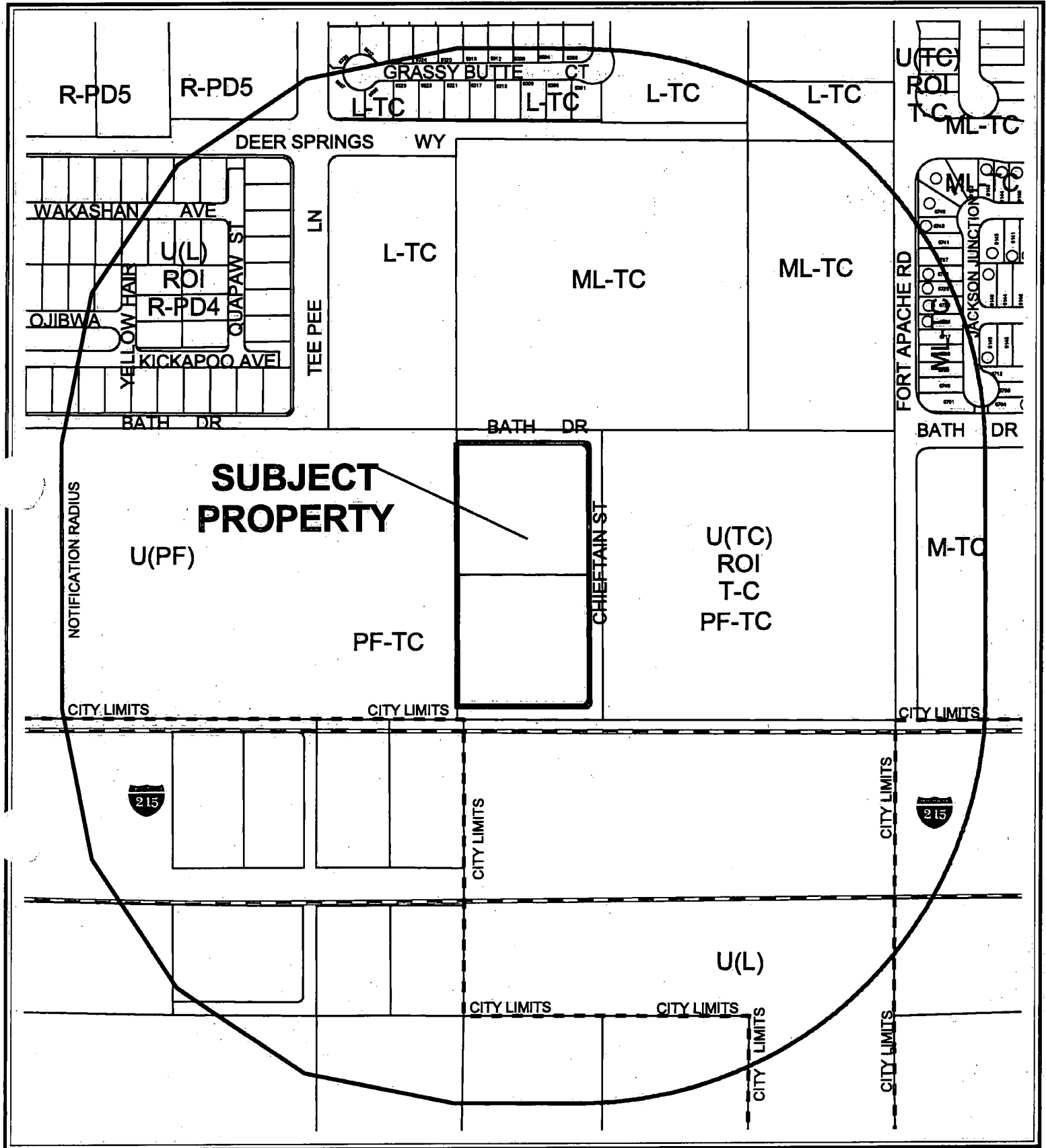
1. Conformance to all Minimum Requirements under Title 19.04.050 for Private Streets (Residential).
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5702) and Site Development Plan Review (SDR-5704).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. A waiver of gated communities not taking access directly off an arterial roadway shall have minimum of two active gated entrances shall be granted.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

Public Works

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



CASE: SUP-5870

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]
 [MLA-TC (MEDIUM-LOW ATTACHED - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Private Streets (Residential).
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5702) and Site Development Plan Review (SDR-5704).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. A waiver of gated communities not taking access directly off an arterial roadway shall have minimum of two active gated entrances shall be granted.

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a petition to Annex [(A-3-99(A))] property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on March 25, 1999.
- 04/21/04 The City Council approved an annexation (ANX-3714) on property located on the west side of Chieftain Street, 330 feet north of Rome Boulevard containing approximately 2.06 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on February 26, 2004.
- 01/13/05 The Planning Commission recommended approval of related items (ZON-5702, VAC-5707, VAR-5705 and SDR-5704).
- 01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #48/bts).

B) Pre-Application Meeting

- 10/11/04 The following items were discussed during the pre-application conference:
- Development is located in Town Center
 - Bath Drive is a residential collector (80' row, 60' street)
 - A traffic study is not needed, but a drainage study and traffic signal impact fee are required.
 - A multi-use trail shall be located along the south side of the development.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 4.12 acres
Net Acres:

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

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

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

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reasons:

- 1) Any Special Use Permit within 500' of Clark County

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

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

ANALYSIS

A) General Analysis and Discussion

- Zoning

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

- Use

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

- Conditions

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

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 46 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: _____

Name of Applicant: Taney Engineering

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

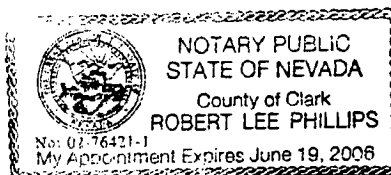
Signature of Property Owner/Authorized Agent: _____

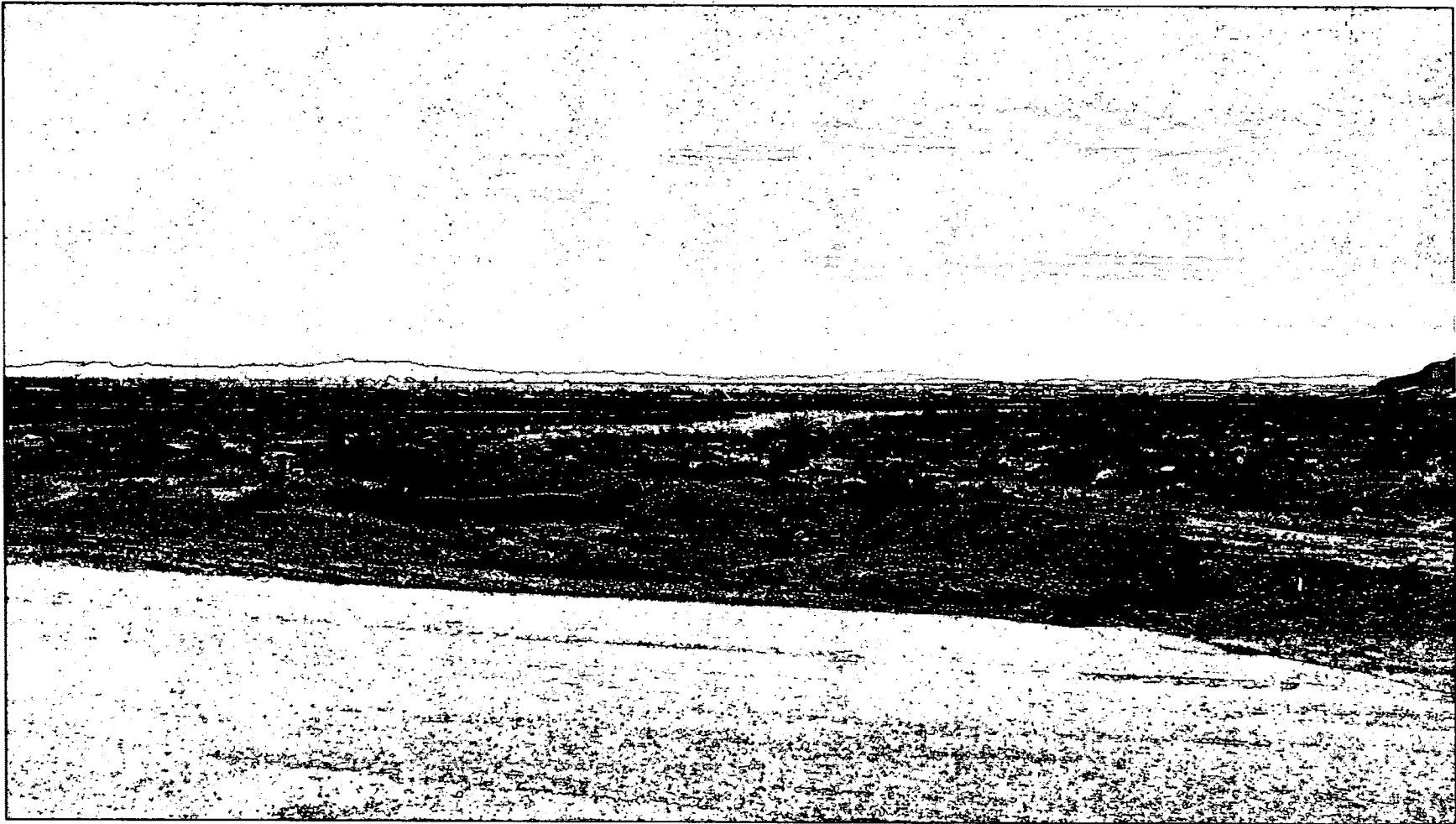
Print Name: GENE SQUITTEN

Subscribed and sworn before me

This 22 day of DECEMBER, 2004

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





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

12/23/04

December 23, 2004

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

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

To Whom It May Concern:

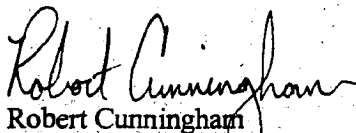
On behalf of our client, Taney Engineering is applying for a Special Use Permit to allow a gated community with private streets on a 5.06 gross acre site located on the southwest corner of Bath Drive and Chieftain Street.

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

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

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

Sincerely,


Robert Cunningham
Taney Engineering

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5702, VAC-5707, VAR-5705 and SUP-5870

SDR-5704 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: ISOLA SALVO LLC, ET AL - Request for a Site Development Plan Review FOR A 60-LOT SINGLE-FAMILY DEVELOPMENT on 4.12 acres adjacent to the southwest corner of Chieftain Street and Bath Drive (APN 125-19-701-009 and 010), U (Undeveloped) [TC (Town Center) General Plan Designation] [MLA-TC (Medium-Low Attached - Town Center) Special Land Use Designation] [PROPOSED: T-C (Town Center) Zone], Ward 6, (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 122 [ZON-5702] for all related discussion.
(4:42 - 4:48)
5-3260

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-5702) from U (Undeveloped) [TC (Town Center)] to a T-C (Town Center) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. All development shall be in conformance with the site plan and building elevations, date stamped November 30, 2004 except as amended by conditions herein.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

5. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, three feet on the side, 10 feet on the corner side, and 8.8 feet in the rear.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the 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.
11. Air conditioning units shall not be mounted on rooftops residential development.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. Landscape, sidewalk, and amenity zones must adhere to Town Center Standards.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

Public Works

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

16. Petition of Vacation, VAC-5707, shall record prior to the recordation of a Final Map for this site or the issuance of any permits for this site, whichever may occur first.

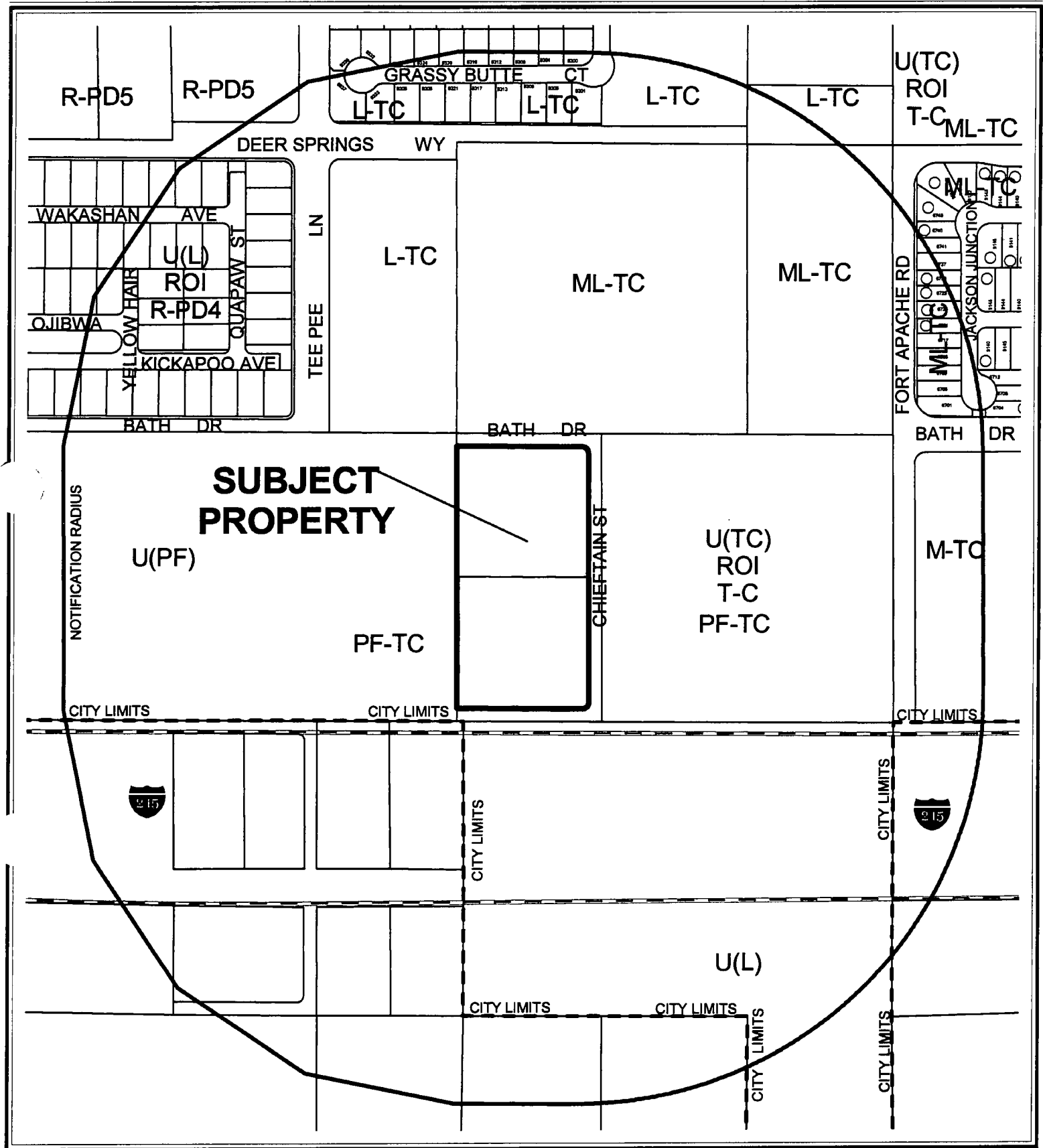
17. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5702 and all other applicable site-related actions.

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



CASE: SDR-5704

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY:

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

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

0 200 400 Feet



126



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

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

10. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the 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.
11. Air conditioning units shall not be mounted on rooftops residential development.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. Landscape, sidewalk, and amenity zones must adhere to Town Center Standards.

Public Works

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

19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5702 and all other applicable site-related actions.
21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard cul-de-sacs are being proposed on the site plan.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a petition to Annex [(A-3-99(A))] property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on March 25, 1999.
- 04/21/04 The City Council approved an annexation (ANX-3714) on property located on the west side of Chieftain Street, 330 feet north of Rome Boulevard containing approximately 2.06 acres. The effective date of the annexation was April 30, 2004. The Planning Commission and staff recommended approval on February 26, 2004.
- 01/13/05 The Planning Commission recommended approval of related items (ZON-5702, VAC-5707, VAR-5705 and SUP-5870).
- 01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #49/bts).

B) Pre-Application Meeting

- 10/11/04 The following items were discussed during the pre-application conference:
- Development is located in Town Center
 - Bath Drive is a residential collector (80' row, 60' street)
 - A traffic study is not needed, but a drainage study and traffic signal impact fee are required.
 - A multi-use trail shall be located along the south side of the development.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.06 acres
Net Acres: 4.12 acres

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

PROJECT DESCRIPTION

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

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

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

A2) Parking and Traffic Standards

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

Uses	Required
	Ratio
Single Family Dwellings	Two spaces per dwelling

The subject site complies with parking and traffic standards.

A4) Landscape and Open Space Standards

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

- **Title 19 Open Space Requirements**

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

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

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

B) General Analysis and Discussion

- **Zoning**

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

- **Site Plan**

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

- **Waivers**

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

- Landscape Plan

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

- Elevation

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

- Floor Plan

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

NOTICES MAILED 44 by Planning Department

APPROVALS 0

PROTESTS 0

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

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

☐ Yes☒ No

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

City Official: _____

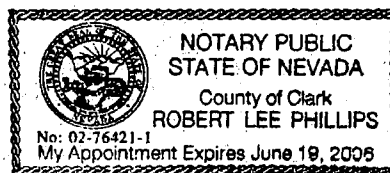
Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

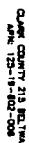
Print Name: Scott J. BaughmanManaging Member

Subscribed and sworn before me

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

1" = 30'

PARDEE HOMES NEVADA
APN: 125-19-701-008
ZONED UNDEVELOPED T-C



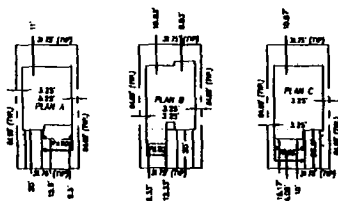
CHIEFTAIN STREET
PUBLIC STREET
TO BE VACATED

USA
APR 125-18-701-014
ZONED I-C PER 7-0002-01

ALL LANDSCAPE BUFFERS
ARE TO BE COMMON LOTS

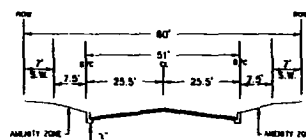
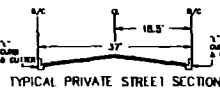


NOTE: INTERNAL PRIVATE
STREETS ARE PUBLIC
UTILITY EASEMENTS.
COMMON LOTS ARE TO BE
MAINTAINED BY THE HOA.



TYPICAL LOTS

Curve Data				
Sta.	Offset	Point	Length	Offset
10+00	0.00	10+00	7.49	1.00
10+05	0.00	10+05	7.49	1.00
10+10	0.00	10+10	7.49	1.00
10+15	0.00	10+15	7.49	1.00
10+20	0.00	10+20	7.49	1.00
10+25	0.00	10+25	7.49	1.00
10+30	0.00	10+30	7.49	1.00
10+35	0.00	10+35	7.49	1.00
10+40	0.00	10+40	7.49	1.00
10+45	0.00	10+45	7.49	1.00
10+50	0.00	10+50	7.49	1.00
10+55	0.00	10+55	7.49	1.00
10+60	0.00	10+60	7.49	1.00
10+65	0.00	10+65	7.49	1.00
10+70	0.00	10+70	7.49	1.00
10+75	0.00	10+75	7.49	1.00
10+80	0.00	10+80	7.49	1.00
10+85	0.00	10+85	7.49	1.00
10+90	0.00	10+90	7.49	1.00
10+95	0.00	10+95	7.49	1.00
11+00	0.00	11+00	7.49	1.00

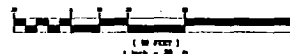


BATH DRIVE 80' PUBLIC STREET

RECEIVED

NOV 30 2009

GRAPHIC SCALE



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

A map showing the Project Site. The site is located between Deer Springs and Ram, and between the Tye Pelt and Fort Apache roads. The site is marked with a black rectangle and labeled 'PROJECT SITE' with an arrow pointing to it.

CC 215

GROSS SITE AREA 0.50 ACRES
 NET SITE AREA 0.51 ACRES (EXCLUDING 6/4 OF HOME AND DRIVE)
 ADJACENT 125-75-701-001 & 010
 PROPOSED ZONING U(2C)
 PROPOSED ZONING 12
 RETRACTS 30'
 SHADERS 10'
 FRONT 10' W/ MIN GAPANCE (LONG AREA 1/4" TO PARO ELEMENT)
 SIDE 10'
 REAR 10'
 SIDE CORNER 10'
 NEAR 10' MIN. (8' IF AVERAGE)
 LOT COUNT 86 LOTS (2,026 SF MINIMUM)
 GROSS DENSITY 11.86 UNITS PER ACRE
 NETS OPEN SPACE 43,533 SF
 MINIMUM (1/4" OF REQUIRED OPEN SPACE) MINIMUM REQUIRED

SOUTH 89°31'27" EAST, BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 60 EAST, NOW AS SHOWN IN FILE 114, PAGE 87 OF SURVEYS

PROPERTY BOUNDARY
PROPERTY LINE
STREET CENTERLINE
RIGHT-OF-WAY, OC
LOT NUMBER

- * MAYAGA POWER COMPANY
8226 W. SAMARA AVE. 362-5000
- * SPINNET TELEPHONE COMPANY
330 S. VALLEY VIEW BLVD. 244-7400
- * SOUTHWEST GAS CORP.
4900 W. TROVATI AVE. 364-7111
- * SUTHER STATE DISPOSAL SERVICE INC.
770 E. SAMARA AVE. 733-9751
- * LAS VEGAS VALLEY WATER DISTRICT (WATER)
1001 VALLEY VIEW BLVD. 870-2001
- * CITY OF LAS VEGAS UTILITIES DEPARTMENT (SEWER)
CAS STREET 729-8301

A PORTION OF THE EAST HALF (C 1/2) OF THE
SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST
QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER
(SE 1/4) OF SECTION 18, TOWNSHIP 10 SOUTH,
RANGE 80 EAST, N.D.M., CLARK COUNTY, NEVADA.

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

8367 W. FLAMINGO RD
LAS VEGAS, NEVADA 89147
TEL: 798-8182
FAX: 363-8141

ISOLA SALVO, LLC ETAL
8070 W SAHARA, ST 715
LAS VEGAS, NEVADA 89117
(702)768-8185

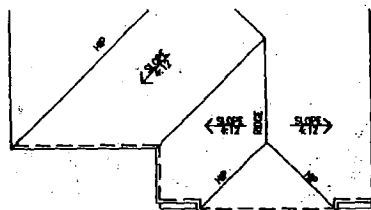
DAVID OBER
2887 SAMARA ST
LAS VEGAS, NV 89117
302-722-5795 / AL 702-360-5988

BATH & CHIEFTAIN®

TANEY ENGINEERING
4443 S. JONES BLVD. SUITE #1
LAS VEGAS, NV 89103
702/253-2000 FAX/TELE 702/253-1570

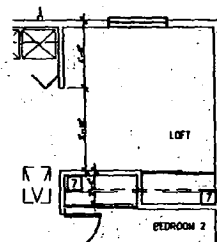
SITE PLAN REVIEW
DAVID OBER

DATE: 01/10/84
SCALE: 1"=30'
JOB NO: OBR-04
DESIGNED BY:
DRAWN BY:
SHEET NAME:
SPR
SHEET
1 OF 1



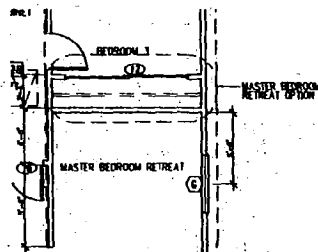
ROOF PLAN 'A-2'

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



LOFT OPTION

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

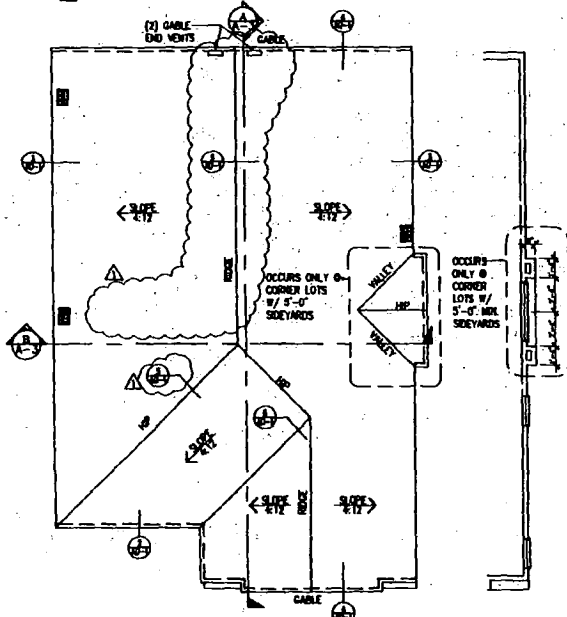


MASTER BEDROOM RETREAT OPTION

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

ATTIC VENTILATION CALCULATIONS

ATTIC AREA: 911
 CALCULATION: $\frac{911}{300} = 3.036$ SL: 0.146 SL HIGH 0.146 SL LOW
 HIGH VENTILATION (2) 12" x 16" CABLE END VENTS @ 115.2 SL EACH
 LOW VENTILATION (1) 12" x 16" CABLE END VENTS @ 84 SL EACH
 12" CABLE END VENT

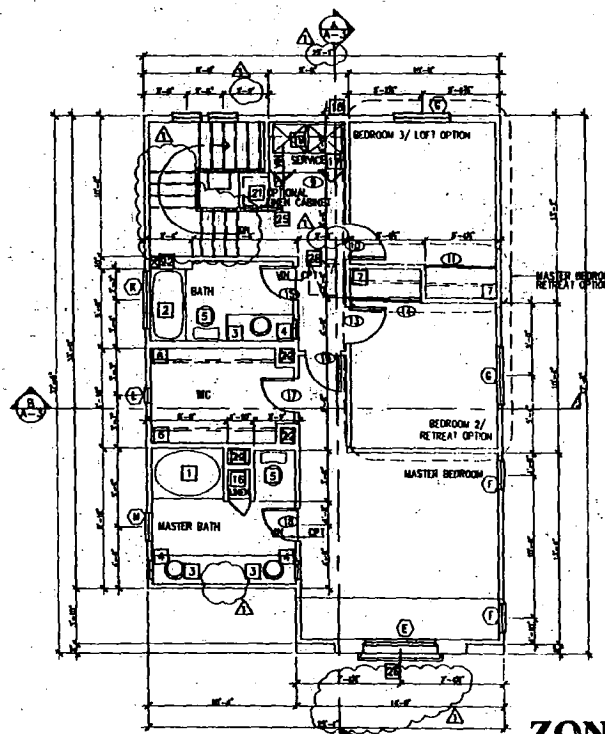


ROOF PLAN

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

SECOND FLOOR PLAN
 CORNER LOT ONLY

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



SECOND FLOOR PLAN

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

KEYNOTES

1. 1/2" PEXE FIBERGLASS OVER TURB/ SHOWER SURROUND W/ SAFETY GLAZED ENCLOSURE
2. 1/2" PEXE FIBERGLASS TURB/ SHOWER SURROUND W/ SAFETY GLAZED ENCLOSURE
3. 3/4" LINED MARBLE COUNTER TOP W/ INTEGRAL LAVATORY
4. MEDICINE CABINET
5. WATER CLOSET
6. DOUBLE SHELF & POLE
7. SHELF & POLE
8. WATER HEATER ON 18" TALL PLATFORM
9. BASE CABINET
10. UPPER CABINET
11. 42" REFRIGERATOR SPACE
12. DISHWASHER
13. KITCHEN SINK W/ DISPOSAL
14. RANGE

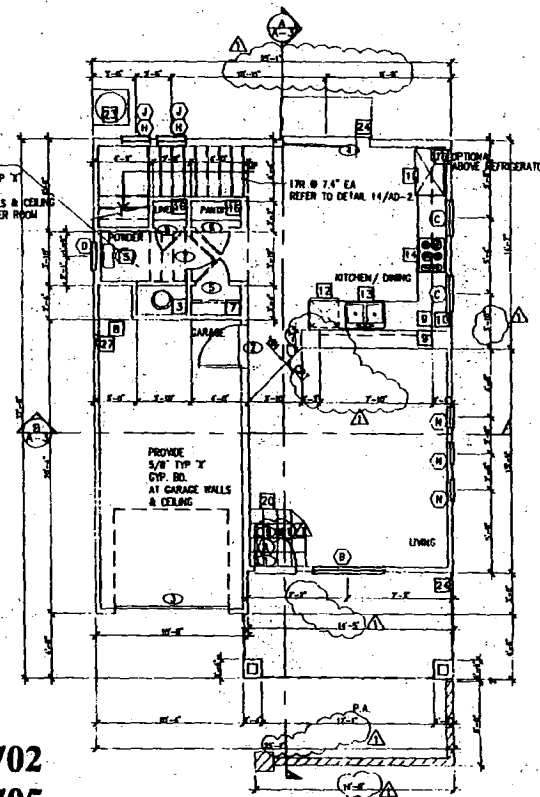
15. LAM COUNTER TOP
16. (9) SHELVES (PAINTED)
17. DRYER SPACE
18. DRYER VENT
19. WASHER SPACE, PROVIDE OVERFLOW PAN & DRAIN LINE
20. CERAMIC TILE ENTRY
21. DRYWALL POTSHOLE @ 42" AFF
22. DUCT CHASE
23. A/C COMPRESSOR PAD
24. CONCRETE STOOP
25. CONTINUOUS WOOD HANDRAIL MOUNT 36" ABOVE STAIR NOSE
26. DECORATIVE W. RAILING
27. 14" x 4" SCREENED VENT IN & LO
28. 24" x 30" ATTIC ACCESS

WALL LEGEND

- 2-6 WALL @ 16" O.C. W/ 1/2" CYP. BO
- 3-6 WALL @ 16" O.C. W/ 1/2" CYP. BO
- 3-6 WALL @ 16" O.C. W/ 1/2" CYP. BO
- 3-6 WALL @ 16" O.C. W/ 1/2" CYP. BO

NOTES

1. INTERIOR WALL FINISH SHALL BE GRAPE PELL
2. PROVIDE 5/8" CYP. BO. @ CEILING OR 1/2" CEILING BOARD
3. WITH ATTICS & CRAWL SPACES WHERE ENTRY IS MADE ONLY FOR SERVICE OF UTILITIES, FOAM PLASTICS SHALL BE PROTECTED AGAINST IGNITION BY 1-1/2" THICK MINERAL FIBER INSULATION, 1/4" THICK WOOD STRUCTURAL PANELS, 3/8" CYP. BO. OR CORROSIVE RESISTANT STEEL HAVING A BASE METAL THICKNESS OF 0.016" (IRC SECTION R318.2.3)
4. ONE-COAT STUCCO SYSTEM: DIAMOND WALL ER-4004 OR MAGNA WALL ER-4778



FIRST FLOOR PLAN

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

RECEIVED
 NOV 30 2005

FIRST FLOOR PLAN / SECOND
 FLOOR PLAN / ROOF PLAN

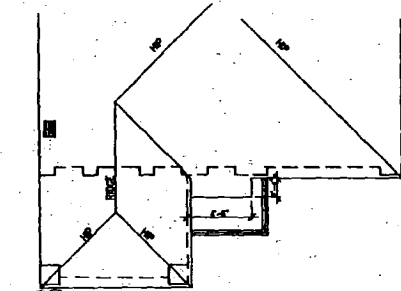
DATE PLOTTED: 8/10/05
 A-1

MARC LEMOINE
 ARCHITECTURE, LLC

8028 N. SAVANNA AVE. SUITE 210
 LAS VEGAS, NV 89117
 (702) 646-0123
 FAX (702) 646-0083

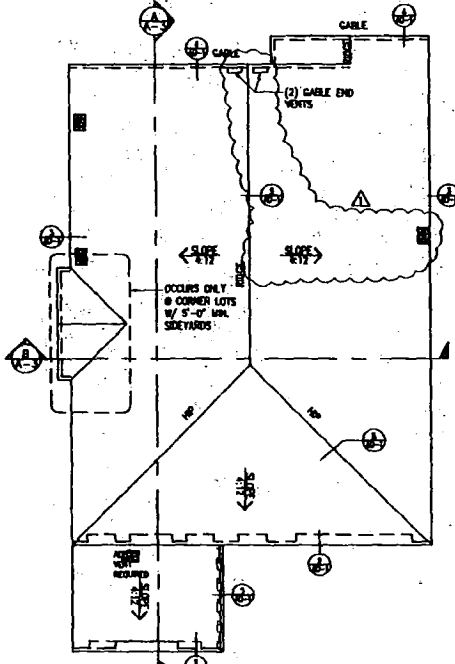
ATTIC VENTILATION CALCULATIONS

ATTIC AREA: 953
 CALCULATION: $\frac{953}{300} \times 164 = 457.44$ S.I. 428.75 S.I. HIGH 428.75 S.I. IN LOW
 HIGH VENTILATION (1) 12" x 14" GABLE END VENTS @ 115.2 S.I. EACH
 LOW VENTILATION (2) 12" x 14" GABLE END VENTS @ 84 S.I. EACH REQUIRED
 LOW ROOF: 84 SQ. FT. REQUIRES (1) 12" x 14" GABLE END VENT
 (2) 12" x 14" GABLE END VENT



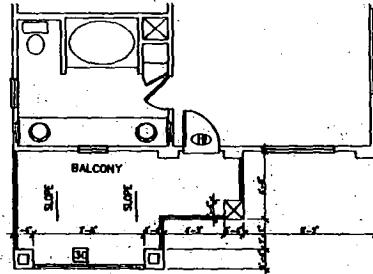
ROOF PLAN 'B-2'

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



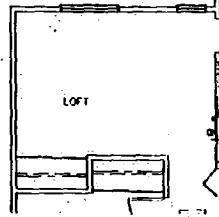
ROOF PLAN

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



OPTIONAL BALCONY @ ELEVATION 'B-2'

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



LOFT OPTION

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

KEYNOTES

1. 1-Piece Fiberglass Tub / Shower Surround w/ Safety Glazed Enclosure
2. 1-Piece Fiberglass Tub / Shower Surround w/ Safety Glazed Enclosure
3. Cultured Marble Counter Top w/ Integral Lavatory
4. Medicine Cabinet
5. Water Closet
6. Double Shelf & Pole
7. Shelf & Pole
8. Water Heater
9. Base Cabinet
10. Upper Cabinet
11. 42" Refrigerator Space
12. Dishwasher
13. Kitchen Sink w/ Disposal
14. Range

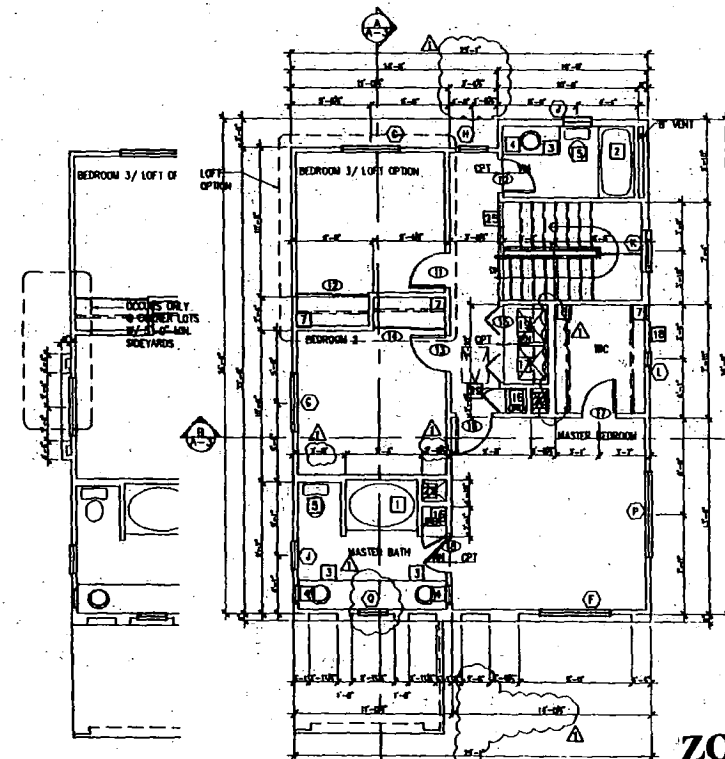
15. P. Lam Counter Top
16. (5) Shelves (Painted)
17. Dryer Space
18. Dryer Vent
19. Washer Space, Provide Overflow Pan & Drain Line
20. Ceramic Tile Entry
21. Drywall Potshelf @ 42" AFF
22. Duct Chase
23. A/C Compressor Pad
24. Concrete Stoop
25. Continuous Wood Handrail Mount 36" Above Stair Nose
26. Decorative W1 Railing
27. Drywall Potshelf @ 24" AFF
28. 60" Tall Pontwall
29. 22" x 30" Attic Access
30. Chandelier

WALL LEGEND

WALL @ 1/2" O.C. @ 1/2" GYP. BD.
 PROVIDE 1/2" BATT INSUL. @ EXT. WALLS
 2.6 WALL @ 1/2" O.C. w/ 1/2" GYP. BD.
 2" CMU GARDEN WALL w/ 1/2" x 1/2" PLASTER
 PER COUNTY STANDARDS

NOTES

1. INTERIOR WALL FINISH SHALL BE GRADE POOL
2. PROVIDE 5/8" GYP. BD. @ CEILING OR 1/2" CEILING BOARD
3. WITHIN ATTICS & CRAWL SPACES WHERE ENTRY IS MADE ONLY FOR SERVICE OF UTILITIES, FOAM PLASTICS SHALL BE PROTECTED AGAINST IGNITION BY 1-1/2" THICK MINERAL FIBER INSULATION, 1/4" THICK WOOD STRUCTURAL PANELS, 3/8" PARTICLEBOARD, 1/4" HARD BOARD, 3/8" GYP. BD. OR CORROSION RESISTANT STEEL HAVING A MIN. METAL THICKNESS OF 0.016" (IRC SECTION R318.2.3)
4. ONE-COAT STUCCO SYSTEM: DIAMOND WALL ER-6004 OR MAGNA WALL ER-4776

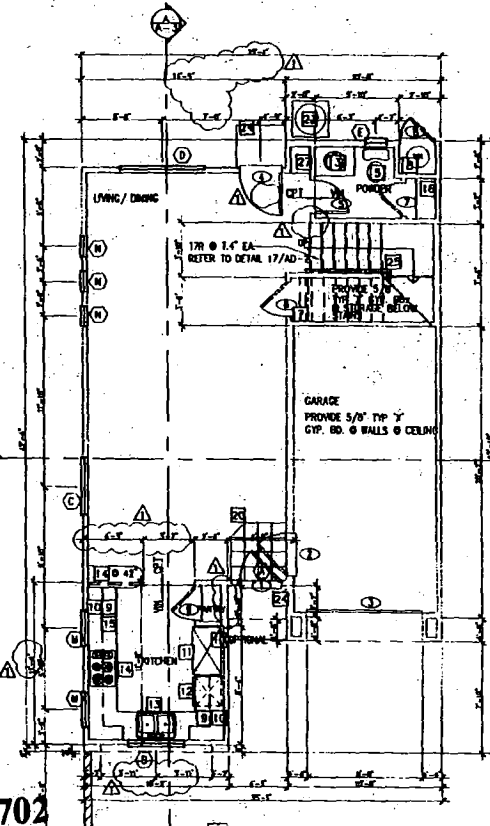


SECOND FLOOR PLAN
 CORNER LOT ONLY

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

SECOND FLOOR PLAN

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



FIRST FLOOR PLAN

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

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

MARC LEMONE
 ARCHITECTURE, LLC

9001 W. SARADA AVE. SUITE 210
 LAS VEGAS, NV 89117
 (702) 848-0123
 FAX (702) 848-0063

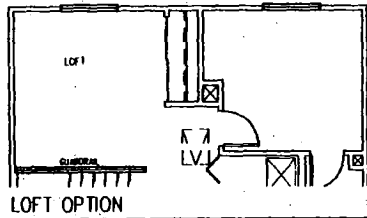
RECEIVED

NOV 30 2005

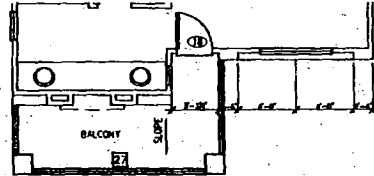
FIRST FLOOR PLAN / SECOND
 FLOOR PLAN / ROOF PLAN

DATE PLOTTED: 9 AUG 04

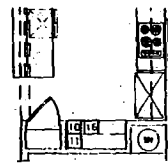
A-1



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



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



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

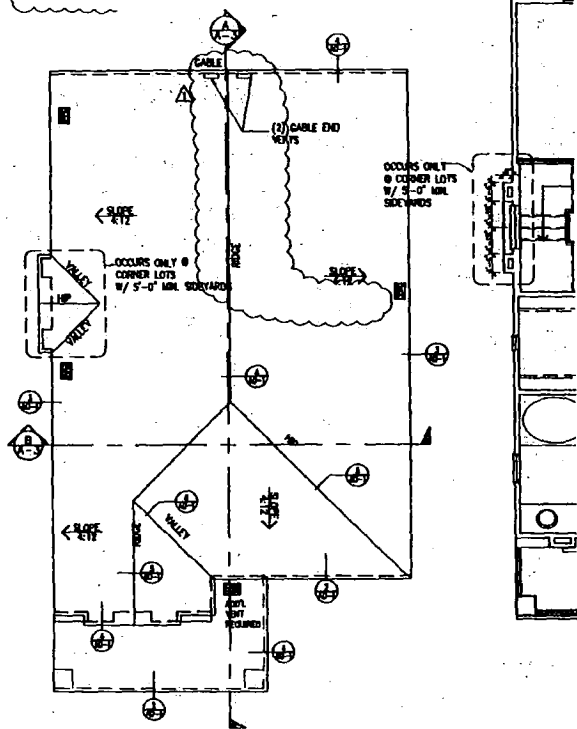
ATTIC VENTILATION CALCULATIONS

ATTC AREA: 830
CALCULATION: $\frac{830}{100} = 8.3$ - 448.405L = 223.2 SL HIGH @ 23.2 SQ. IN LOW

△ (1) 11" x 14" CABLE END VENTS @ 115.2 SL EA.
LOW VENTILATION @ (1) 11" x 14" CABLE END VENTS @ 115.2 SL EA. REQUIRED
LOW ROOF: 83 SQ. FT. REQUIRES (1) 11" x 14" CABLE END VENT

PARTIAL ROOF PLAN 'C-2'

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

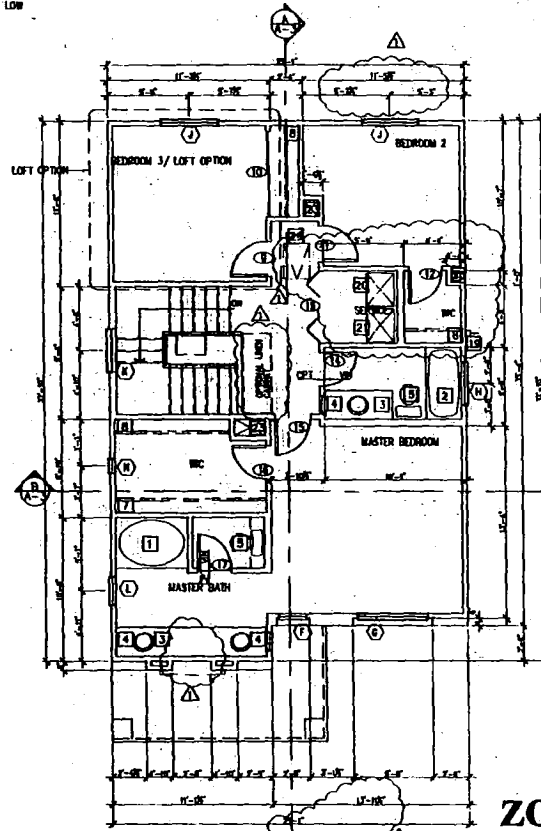


SCALE: 1/4" = 1'-0"

SECOND FLOOR PLAN

CORNER LOT ONLY

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



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

KEYNOTES

1. 1-PIECE FIBERGLASS OVAL TUB/ SHOWER SURROUND W/ SAFETY GLAZED ENCLOSURE
2. 1-PIECE FIBERGLASS TUB/ SHOWER SURROUND W/ SAFETY GLAZED ENCLOSURE
3. COLORED MARBLE COUNTER TOP W/ INTEGRAL LAVATORY
4. MEDICINE CABINET
5. WATER CLOSET
6. PEDESTAL LAVATORY
7. DOUBLE SHELF & POLE
8. SHELF & POLE
9. WATER HEATER ON 16" TALL PLATFORM
10. BASE CABINET
11. UPPER CABINET
12. 42" REFRIGERATOR SPACE
13. DISHWASHER
14. KITCHEN SINK W/ DISPOSAL

WALL LEGEND

- 2x4 WALL @ 16" O.C. W/ 1/2" GYP. BD.
- 2x4 WALL @ 16" O.C. W/ 1/2" GYP. BD.
- 4" WOOD CLUSTER WALL W/ 1/2" GYP. BD.
- PER COUNTY STANDARDS

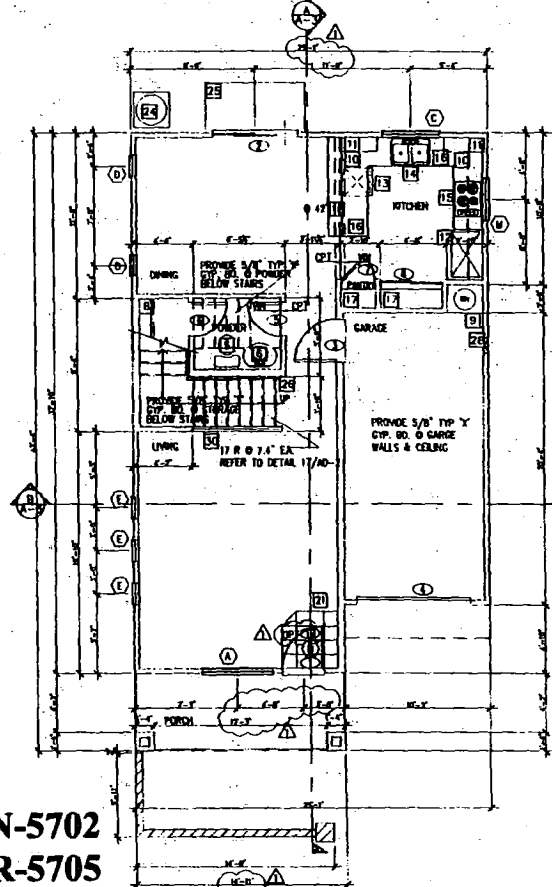
NOTES

1. INTERIOR WALL FINISH SHALL BE 5/8" GYP. BD. @ CEILING.
2. PROVIDE 5/8" GYP. BD. @ CEILING OR 1/2" GYP. BD. @ CEILING BOARD.
3. WITH ATTICS & CRAWL SPACES WHERE ENTRY IS MADE ONLY FOR SERVICE OF UTILITIES FROM PLASTICS SHALL BE PROTECTED AGAINST IGNITION BY 1-1/2" THICK MINERAL FIBER INSULATION, 1/4" THICK WOOD STRUCTURAL PANELS, 3/8" PARTICLEBOARD, 1/4" HARD BOARD, 3/8" GYP. BD. OR CORROSION RESISTANT STEEL HAVING A BASE METAL THICKNESS OF 0.016" (SEE SECTION R318.2.3).
4. ONE-COAT STUCCO SYSTEM: EXTERIOR WALL EX-4054 OR MASONRY WALL EX-4778.

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

FIRST FLOOR PLAN

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



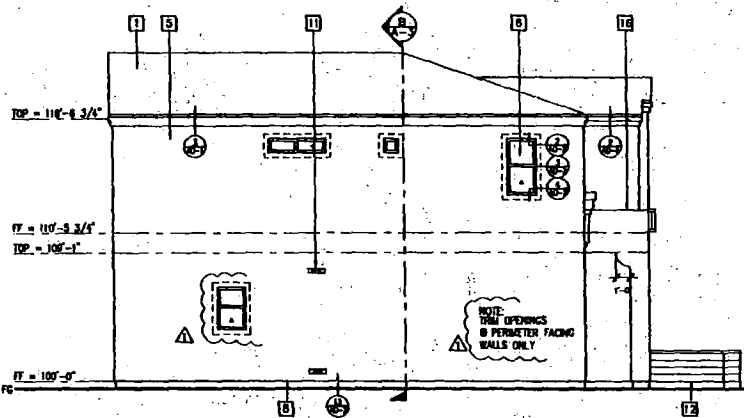
MARC LEMOINE
ARCHITECTURE, LLC

808 W. SHAWA AVE. SUITE 710
LAS VEGAS, NV. 89117
(702) 646-0123
FAX (702) 646-0083

RECEIVED
NOV 30 2005

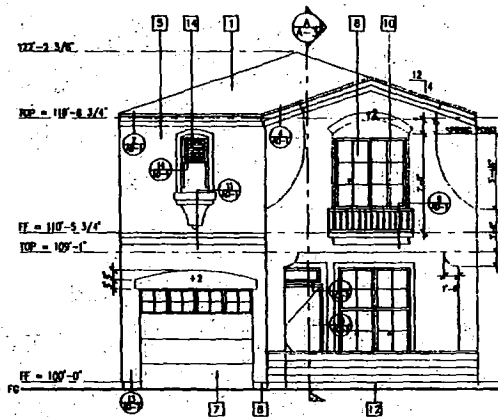
FIRST FLOOR PLAN/ SECOND
FLOOR PLAN/ ROOF PLAN
A-1

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



SIDE ELEVATION 'A-1'

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



FRONT ELEVATION 'A-1'

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



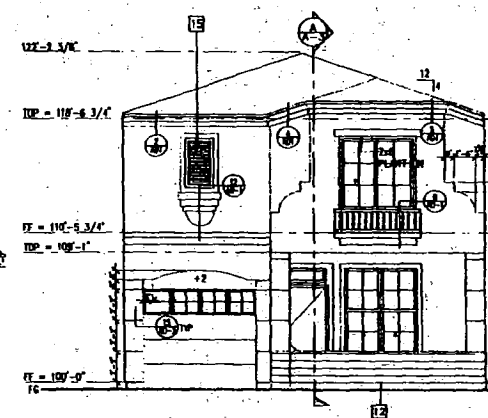
1	1	CONC. FOUNDATION.
2	2	GLUORAL. W/ NAILS
3	3	16" X 4" SCREENED VENT
4	4	2" CMU GARBAGE WALL, PER CO STANDARDS
5	5	1/2" CMU BATT INSUL
6	6	1/2" CMU BATT INSUL
7	7	1/2" CMU BATT INSUL
8	8	1/2" CMU BATT INSUL
9	9	1/2" CMU BATT INSUL
10	10	1/2" CMU BATT INSUL
11	11	1/2" CMU BATT INSUL
12	12	1/2" CMU BATT INSUL
13	13	1/2" CMU BATT INSUL
14	14	1/2" CMU BATT INSUL
15	15	1/2" CMU BATT INSUL
16	16	1/2" CMU BATT INSUL
17	17	1/2" CMU BATT INSUL
18	18	1/2" CMU BATT INSUL
19	19	1/2" CMU BATT INSUL
20	20	1/2" CMU BATT INSUL
21	21	1/2" CMU BATT INSUL
22	22	1/2" CMU BATT INSUL
23	23	1/2" CMU BATT INSUL
24	24	1/2" CMU BATT INSUL
25	25	1/2" CMU BATT INSUL
26	26	1/2" CMU BATT INSUL
27	27	1/2" CMU BATT INSUL
28	28	1/2" CMU BATT INSUL
29	29	1/2" CMU BATT INSUL
30	30	1/2" CMU BATT INSUL
31	31	1/2" CMU BATT INSUL
32	32	1/2" CMU BATT INSUL
33	33	1/2" CMU BATT INSUL
34	34	1/2" CMU BATT INSUL
35	35	1/2" CMU BATT INSUL
36	36	1/2" CMU BATT INSUL
37	37	1/2" CMU BATT INSUL
38	38	1/2" CMU BATT INSUL
39	39	1/2" CMU BATT INSUL
40	40	1/2" CMU BATT INSUL
41	41	1/2" CMU BATT INSUL
42	42	1/2" CMU BATT INSUL
43	43	1/2" CMU BATT INSUL
44	44	1/2" CMU BATT INSUL
45	45	1/2" CMU BATT INSUL
46	46	1/2" CMU BATT INSUL
47	47	1/2" CMU BATT INSUL
48	48	1/2" CMU BATT INSUL
49	49	1/2" CMU BATT INSUL
50	50	1/2" CMU BATT INSUL
51	51	1/2" CMU BATT INSUL
52	52	1/2" CMU BATT INSUL
53	53	1/2" CMU BATT INSUL
54	54	1/2" CMU BATT INSUL
55	55	1/2" CMU BATT INSUL
56	56	1/2" CMU BATT INSUL
57	57	1/2" CMU BATT INSUL
58	58	1/2" CMU BATT INSUL
59	59	1/2" CMU BATT INSUL
60	60	1/2" CMU BATT INSUL
61	61	1/2" CMU BATT INSUL
62	62	1/2" CMU BATT INSUL
63	63	1/2" CMU BATT INSUL
64	64	1/2" CMU BATT INSUL
65	65	1/2" CMU BATT INSUL
66	66	1/2" CMU BATT INSUL
67	67	1/2" CMU BATT INSUL
68	68	1/2" CMU BATT INSUL
69	69	1/2" CMU BATT INSUL
70	70	1/2" CMU BATT INSUL
71	71	1/2" CMU BATT INSUL
72	72	1/2" CMU BATT INSUL
73	73	1/2" CMU BATT INSUL
74	74	1/2" CMU BATT INSUL
75	75	1/2" CMU BATT INSUL
76	76	1/2" CMU BATT INSUL
77	77	1/2" CMU BATT INSUL
78	78	1/2" CMU BATT INSUL
79	79	1/2" CMU BATT INSUL
80	80	1/2" CMU BATT INSUL
81	81	1/2" CMU BATT INSUL
82	82	1/2" CMU BATT INSUL
83	83	1/2" CMU BATT INSUL
84	84	1/2" CMU BATT INSUL
85	85	1/2" CMU BATT INSUL
86	86	1/2" CMU BATT INSUL
87	87	1/2" CMU BATT INSUL
88	88	1/2" CMU BATT INSUL
89	89	1/2" CMU BATT INSUL
90	90	1/2" CMU BATT INSUL
91	91	1/2" CMU BATT INSUL
92	92	1/2" CMU BATT INSUL
93	93	1/2" CMU BATT INSUL
94	94	1/2" CMU BATT INSUL
95	95	1/2" CMU BATT INSUL
96	96	1/2" CMU BATT INSUL
97	97	1/2" CMU BATT INSUL
98	98	1/2" CMU BATT INSUL
99	99	1/2" CMU BATT INSUL
100	100	1/2" CMU BATT INSUL

28 APR 04
COUNTY/FIELD REVS
1 AUG 04



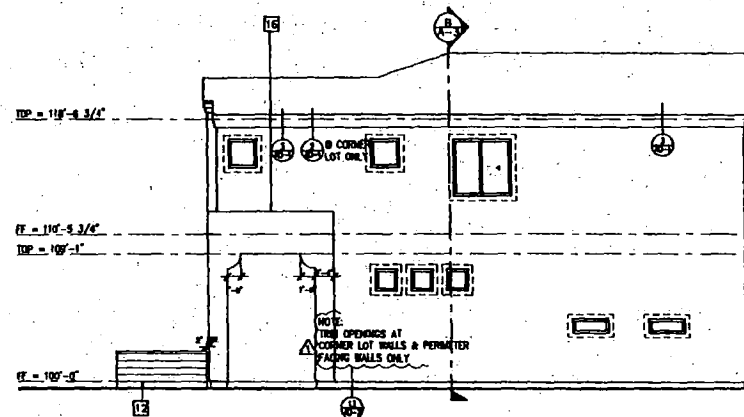
MARC LEMOINE
ARCHITECTURE, LLC

8000 W. SANDRA AVE. SUITE 210
LAS VEGAS, NV. 89117
(702) 848-0123
FAX (702) 848-0083



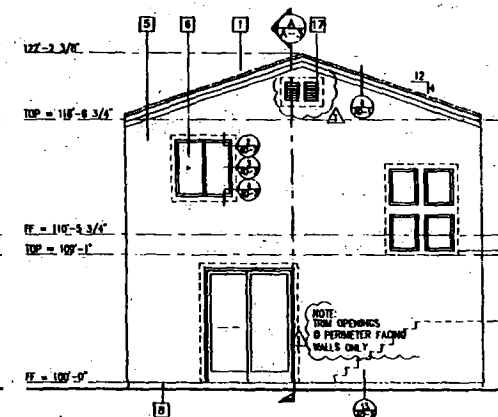
FRONT ELEVATION 'A-2'

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



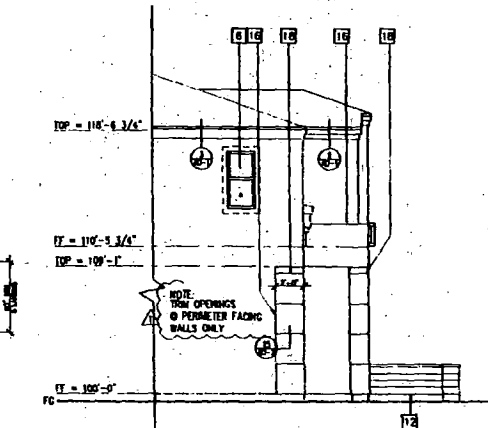
SIDE ELEVATION 'A-1'

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



REAR ELEVATION

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



PARTIAL SIDE ELEVATION 'A-2'

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

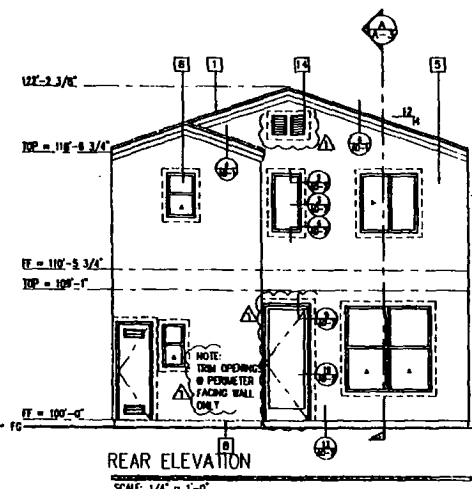
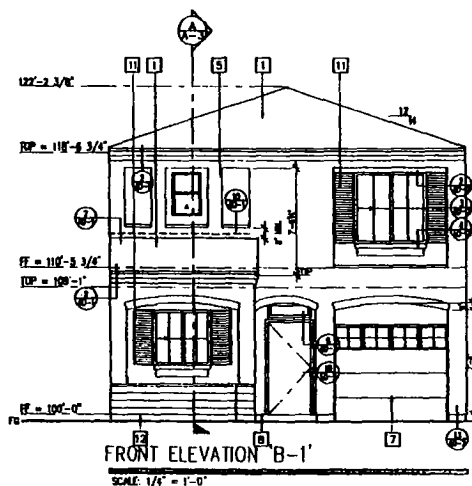
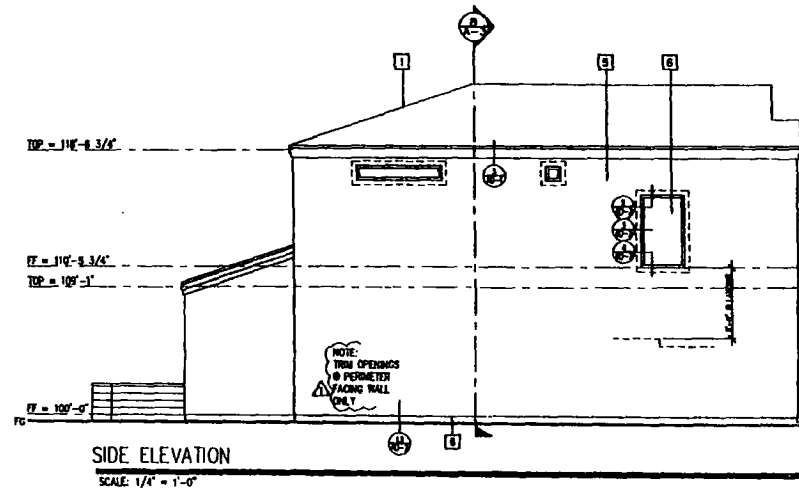
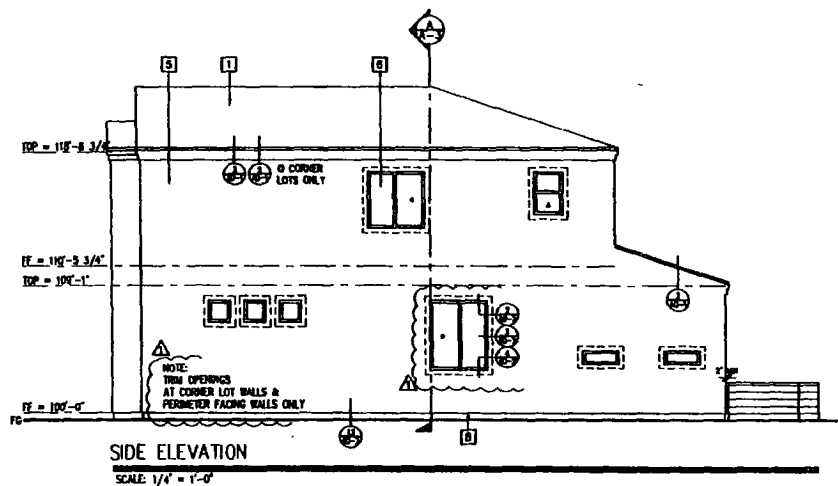
RECEIVED

NOV 30 2005

EXTERIOR ELEVATIONS

DATE PLOTTED: 9 MAR 84

A-2



KEYNOTES

1) CONC. ROOF TILE / ROOFING FELT	8) MEET SCOTCH
2) 0" ROOF SHEATHING	9) REFER TO DETAIL 13/AO-2
3) 4" 30 BATT INSULATION	10) CONC. FOUNDATION
4) PRE-INSULATED ROOF TRUSSES	11) GUARDRAIL / HANDRAIL
5) 3/4" 1/4" FLOOR SHEATHING SCREWS	12) POLY VINYL COLORED SHUTTER
6) GLEED / PRE-INSULATED F-POSTS	13) CMU GARDEN WALL, PER CO STANDARDS
7) 1-COAT EXT. PLASTER SYSTEM	14) 2" BATT INSULATION @
8) WINDOW / DOOR	15) WALL FRAMING
9) SECTIONAL ROLL-UP GARAGE DOOR	16) 1/2" CL. LOUVERED ATTIC
	17) VENTS W/ INSET SCREEN

26 APR 04
COUNTY / FIELD REVS
1 AUG 04



MARC LEMOINE
ARCHITECTURE, LLC

800 N. SAVANNA AVE. SUITE 210
LAS VEGAS, NV. 89117
(702) 646-0123
FAX (702) 646-0083

PLAN 'B'

RECEIVED
NOV 30 2004

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

EXTERIOR ELEVATIONS

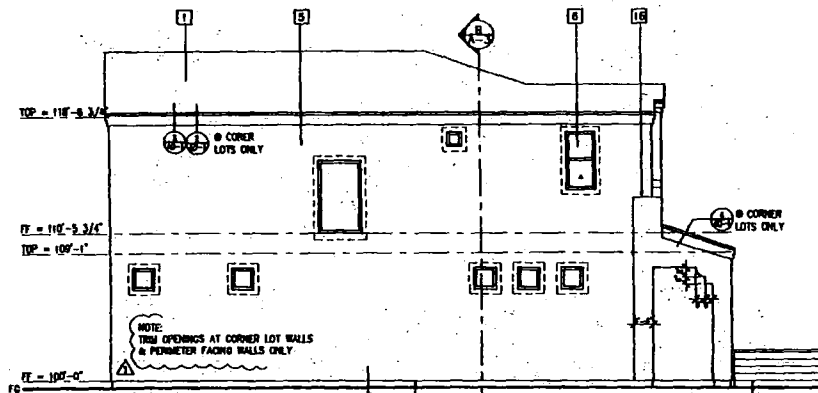
DATE PLOTTED: 9 AUG 04

A-2

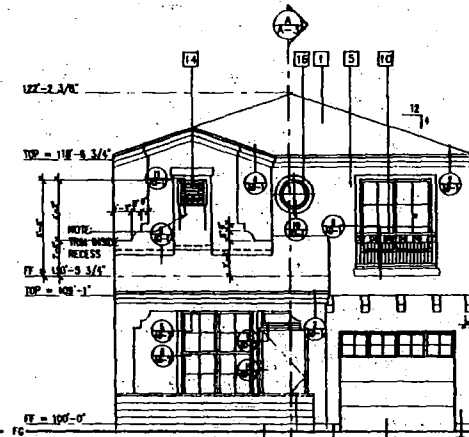
**ZON-5702
VAR-5705
SDR-5704
01-13-05 PC**

KEYNOTES

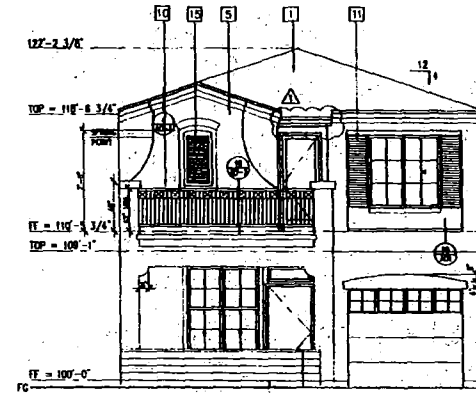
1) 5/8" ROOF TILE O/ ROOFING FELTS	11) POLY VINYL COLORED SHUTTER
2) R-30 BATT INSULATION	12) 2x4 GARDEN WALL PER CO STANDARDS
3) PRE-MFG ROOF TRUSSES	13) R-11 BATT INSULATION
4) 1/2" T&G FLOOR SHEATHING SCREWED	14) BANANA SHUTTER
5) CLUED O/ PRE-MFG I-JOISTS	15) ARCH TOP FULL SHUTTER
6) 1-COAT EXT. PLASTER SYSTEM	16) 2x4 WALL FRAMING
7) WINDOW/ DOOR	17) 1/2" GRILL
8) SECTIONAL ROLL-UP GARAGE DOOR	18) CONTROL JOINT FOR PAINT BREAK
9) WEIR SCREED	19) LOCKED ATIC VENTS
10) 2x4 WALL FRAMING	20) INSERT SCREEN
11) GUARDRAIL / HANDRAIL	



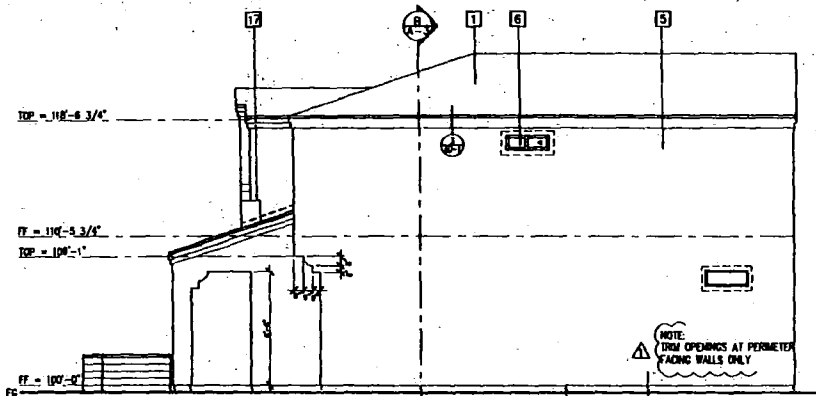
SIDE ELEVATION 'C-1'
SCALE: 1/4" = 1'-0"



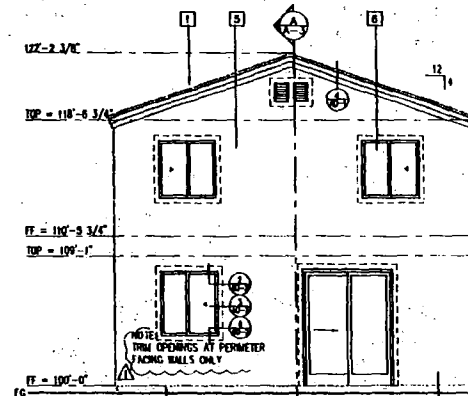
FRONT ELEVATION 'C-1'
SCALE: 1/4" = 1'-0"



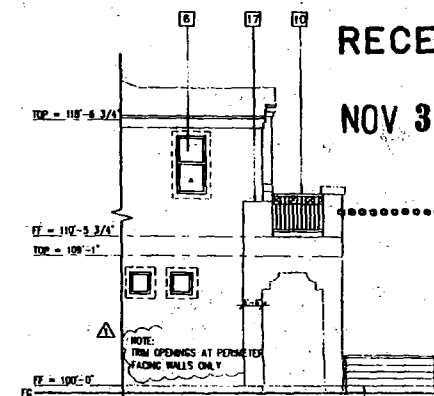
FRONT ELEVATION 'C-2'
SCALE: 1/4" = 1'-0"



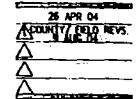
SIDE ELEVATION 'C-1'
SCALE: 1/4" = 1'-0"



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



PARTIAL SIDE ELEVATION 'C-2'
SCALE: 1/4" = 1'-0"



**MARC LEMOINE
ARCHITECTURE, LLC**

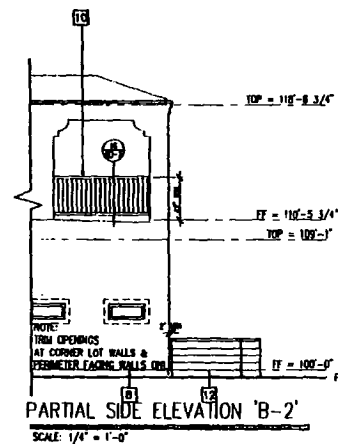
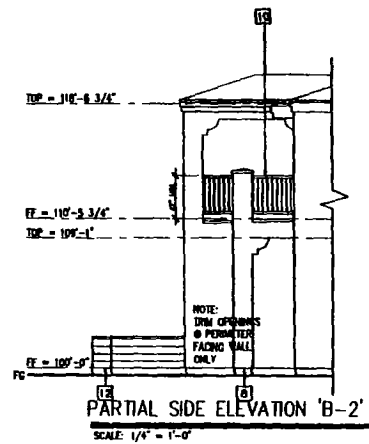
300 N. SHAWAN AVE. SUITE 210
LAS VEGAS, NV. 89117
(702) 846-0123
FAX (702) 846-0083

RECEIVED
NOV 30 2007

EXTERIOR ELEVATIONS

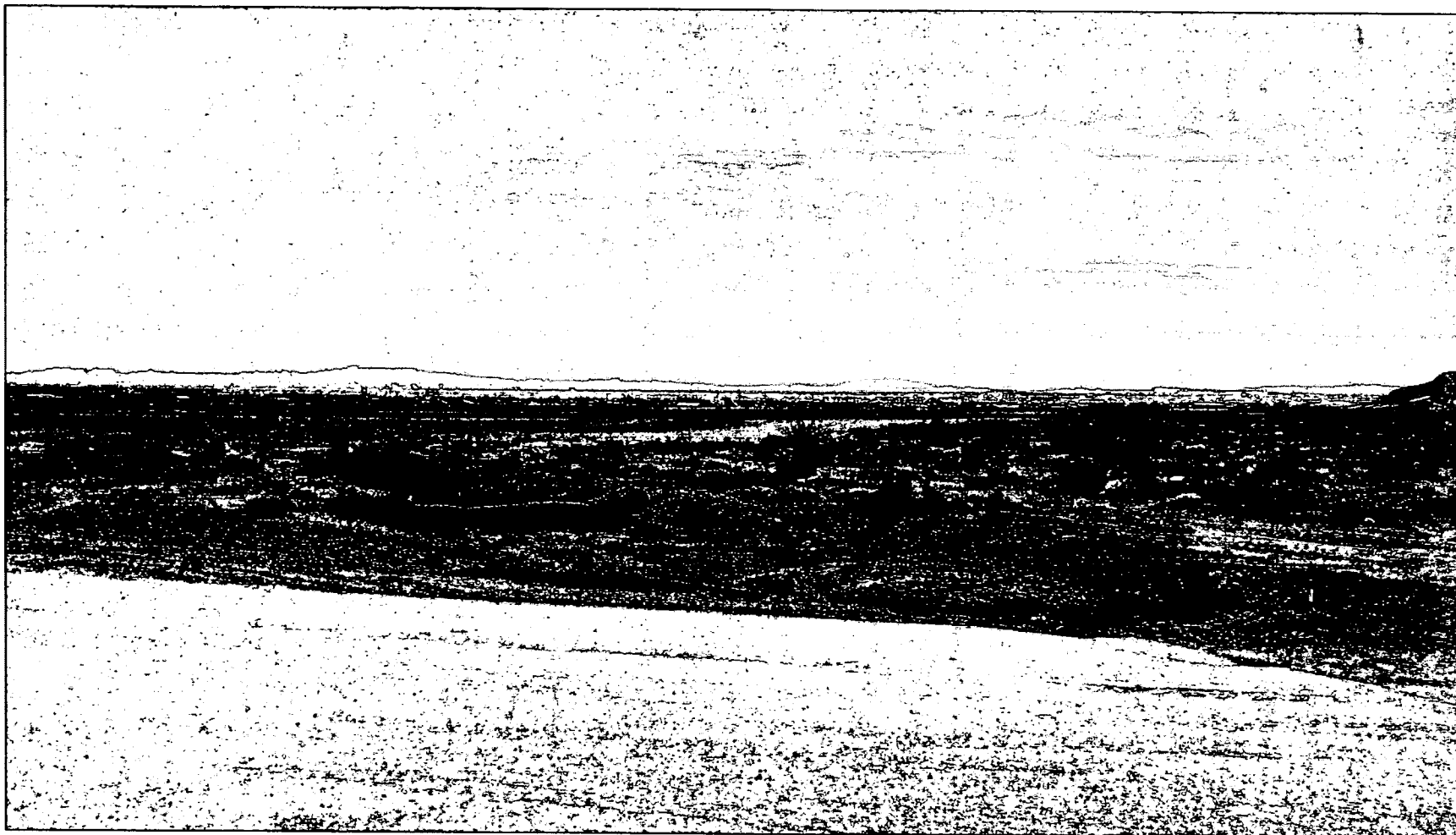
01-13-05
DATE PLOTTED: 9 JUL 04

A-2



RECEIVED
NOV 30 2004

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



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

12/23/04

November 30, 2004

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

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

To Whom It May Concern:

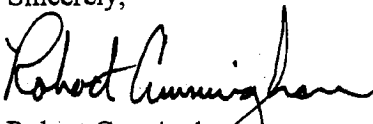
On behalf of our client, Taney Engineering is applying for a Zone Change to Town Center Zoning District, a Site Development Plan Review, a Vacation of Right-of-way for Rome and Chieftain, and a Variance for a reduction in open space on a 5.06 gross acre site located on the southwest corner of Bath Drive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

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

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

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

Sincerely,



Robert Cunningham
Taney Engineering

SDR-5704

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING

ZON-5726 - PUBLIC HEARING - APPLICANT/OWNER: GABRIEL MANRIQUEZ - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.17 acres at 717 South 8th Street (APN 139-34-810-040), Ward 5 (Weekly). The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with MACK and TARKANIAN not voting

NOTE: After the vote of Item 129 [SDR-5727], COUNCILMAN WOLFSON disclosed he owns property around the corner from the subject property. His understanding is that if his property alone were going to be affected to the exclusions of other surrounding properties, then it could be a conflict, but he does not believe that to be the case. Whatever potential increase in value of his property, it would apply the same to other properties in the same area. Therefore, he felt comfortable voting.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 127 [ZON-5726], Item 128 [VAR-5730] and Item 129 [SDR-5727].

RICK VAN DIEPEN, 3411 Rochelle Court, Architect, appeared on behalf of the owner, GABRIEL MANRIQUEZ. MR. VAN DIEPEN indicated that most of the homes in this particular area are being converted into small offices. The proposed project is being converted into a small Real Estate office. He concurred with all staff's recommendations.

Regarding Item 129 [SDR-5727], COUNCILMAN WEEKLY asked MR. VAN DIEPEN to explain the landscape waiver. MR. VAN DIEPEN responded that in order to accommodate the parking in the rear facing the existing alley, they propose to add more desert landscaping to augment the existing mature landscaping. In order to allow for the parking, there was not enough perimeter edge to accommodate the landscaping directly adjacent to the parking lot. The 48-foot width of the lot makes it impossible to add

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

MINUTES - Continued:

the required landscape. In light of MR. VAN DIEPEN'S reply, MARGO WHEELER, Director, Planning and Development Department, recommended that Condition 5 of Item 129 [SDR-5727] be deleted. MR. VAN DIEPEN agreed.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 127 [ZON-5726], Item 128 [VAR-5730] and Item 129 [SDR-5727].

(4:48 - 4:52)

6-1911

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

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

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

4. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #50/ff).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

B) Existing Land Use

Subject Property: Single-Family Residential Use

North: Office Use

South: Multifamily Residential Use

East: Office Use

West: Office Use

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Redevelopment Plan Area

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

Las Vegas High School Historic Neighborhood

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

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	6,844 SF	N/A
Min. Lot Width	48 Feet	60 Feet	N

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

B) General Analysis and Discussion

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

FINDINGS

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

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

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

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

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

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

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

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

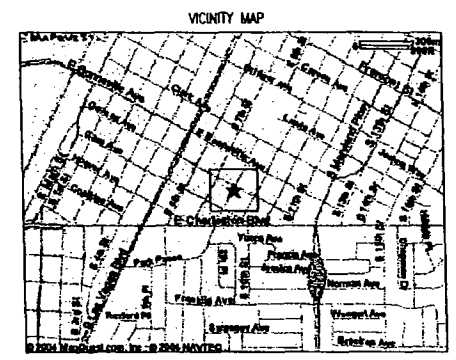
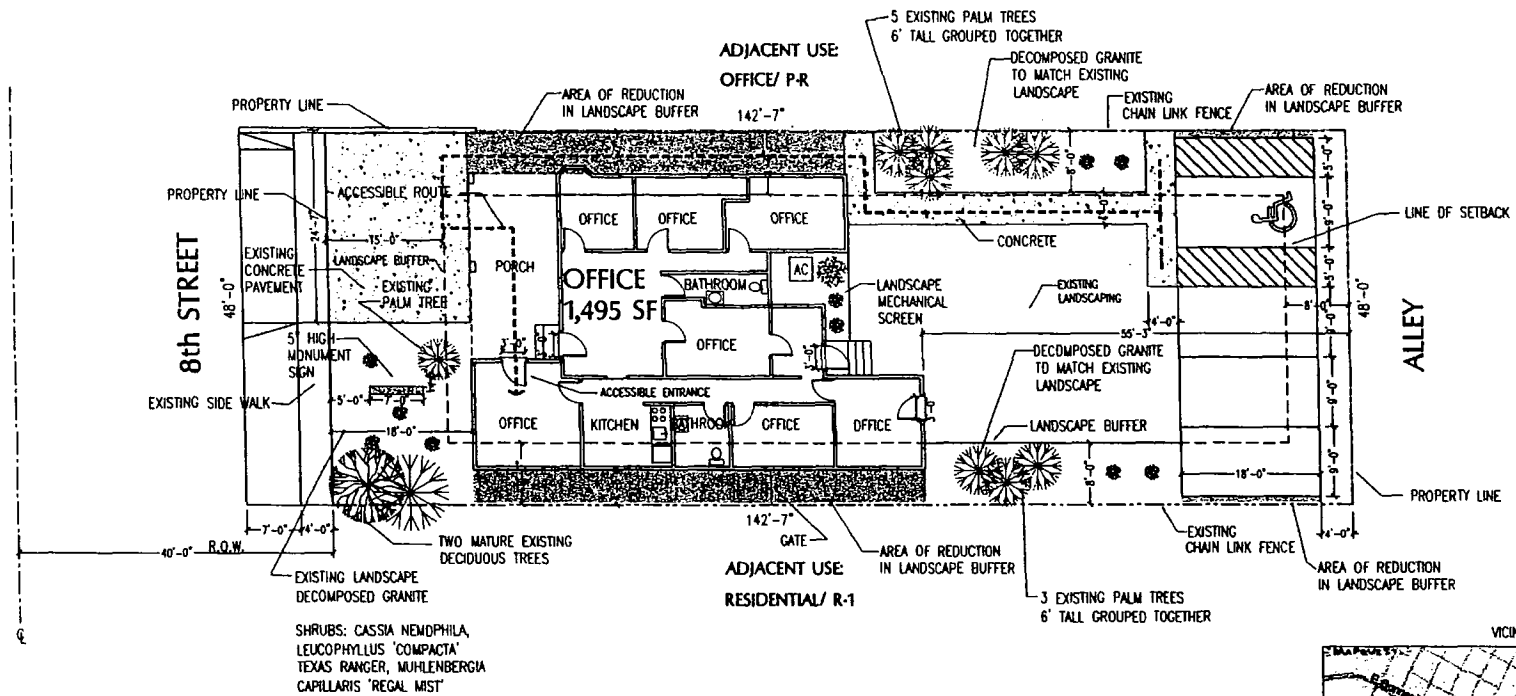
The abutting street and alley will provide adequate access to the property.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 143 by Planning Department

APPROVALS 0

PROTESTS 0



November 30, 2004

Westgate Capital LLC

Lot 8 and 9, Block 14

SITE: 6,844 SF

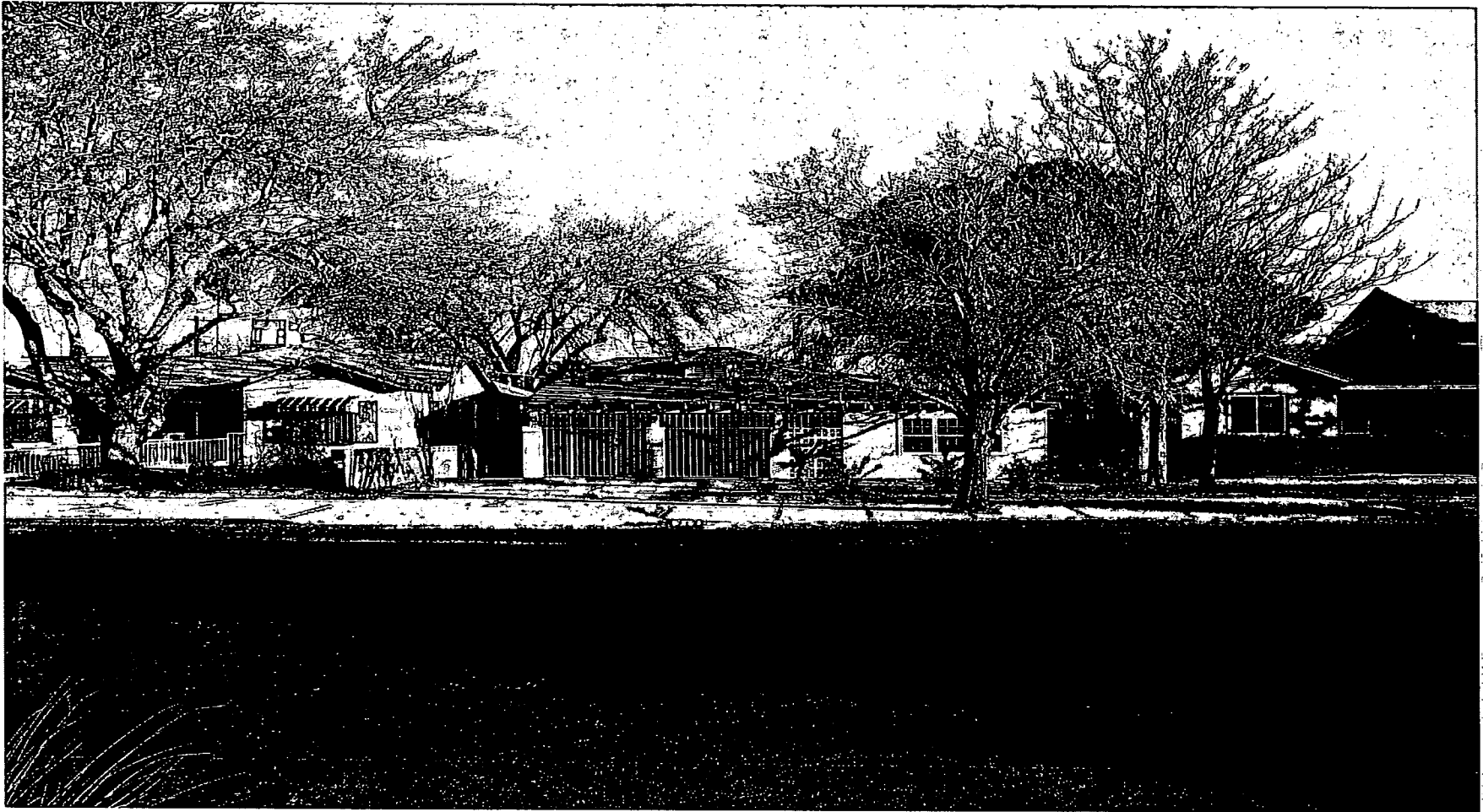
1/8"=1'-0"

Gabriel Manriquez
717 South 8th Street
LAS VEGAS, NEVADA

PGAL



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



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

12/23/04

November 30, 2004

PGAL

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

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

To Whom It May Concern:

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

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

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

Sincerely,

Rick Van Diepen
PGAL

Cc: Gabriel Manriquez, Westgate Capital LLC

PGAL, LLC

Alexandria | Atlanta | Boca Raton | Dallas | Fort Lauderdale | Houston | Las Vegas | Los Angeles | Phoenix

ZON-5726

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE RELATED TO ZON-5726

VAR-5730 - PUBLIC HEARING - APPLICANT/OWNER: GABRIEL MANRIQUEZ - Request for a Variance TO ALLOW A 48-FOOT LOT WIDTH WHERE 60 FEET IS THE MINIMUM REQUIRED LOT WIDTH FOR A PROPOSED PROFESSIONAL OFFICE DEVELOPMENT on 0.17 acres at 717 South 8th Street (APN 139-34-810-040), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with MACK not voting

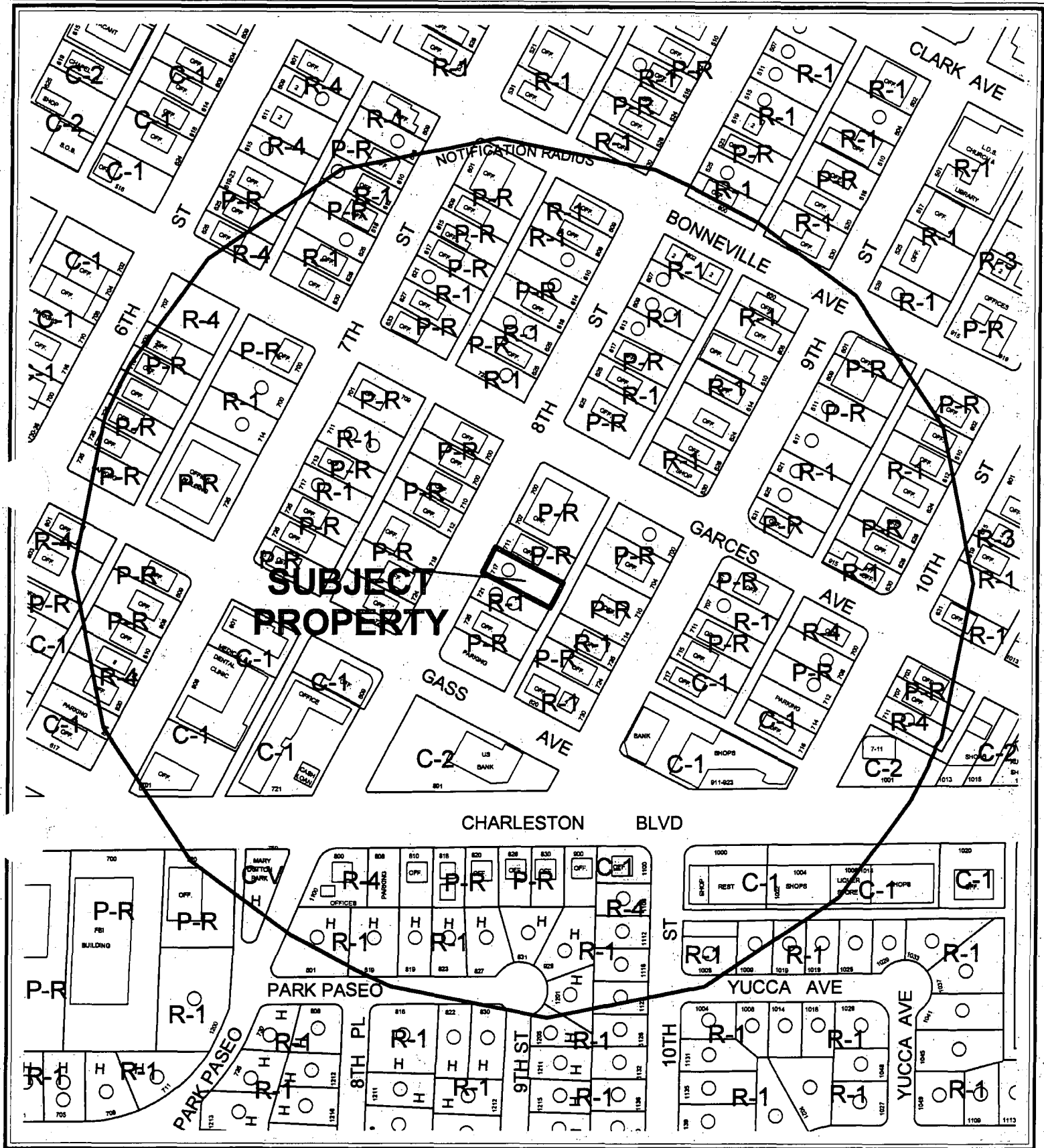
MINUTES:

NOTE: See Item 127 [ZON-5726] for all related discussion.
(4:48 - 4:52)
6-1911

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5726) and Site Development Plan Review (SDR-5727).
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: VAR-5730

RADIUS: 750 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5726) and Site Development Plan Review (SDR-5727).
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #51/ff).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Redevelopment Plan Area

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

Las Vegas High School Historic Neighborhood

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

A) Zoning Code Compliance

A1) Development Standards

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

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

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

B) General Analysis and Discussion

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

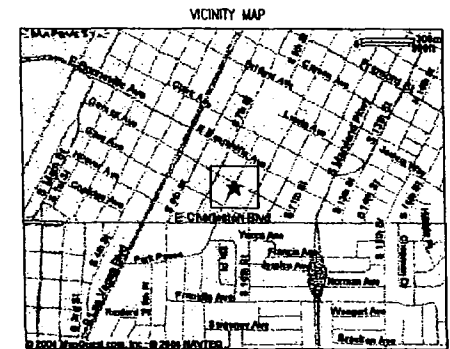
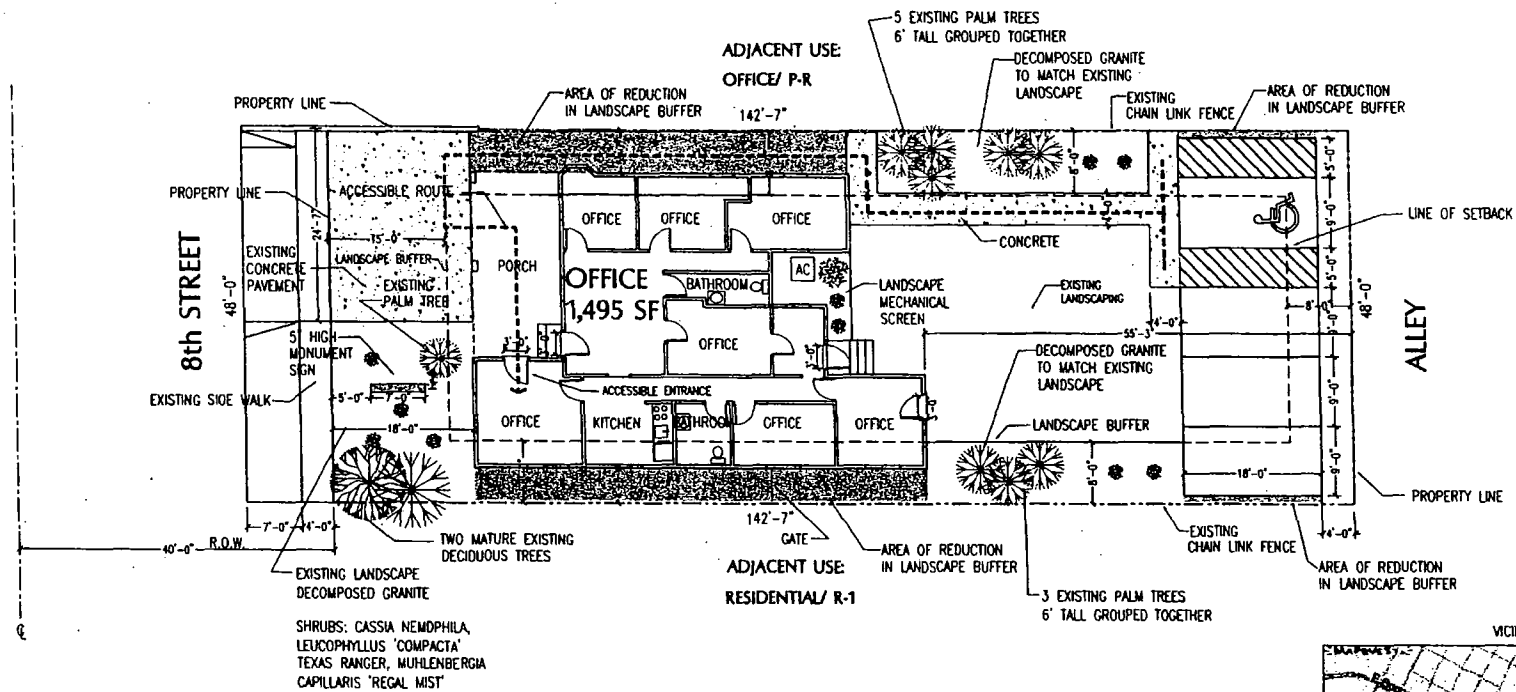
The P-R (Professional Office and Parking) zoning district is the appropriate and logical choice to regulate office conversion development. Given that there is no potential to obtain land on either side of this property, as both parcels are developed and would become nonconforming, it is concluded that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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 144 by City Clerk

APPROVALS 0

PROTESTS 0



November 30, 2004

Westgate Capital LLC

Lot 8 and 9, Block 14

SITE: 6,844 SF

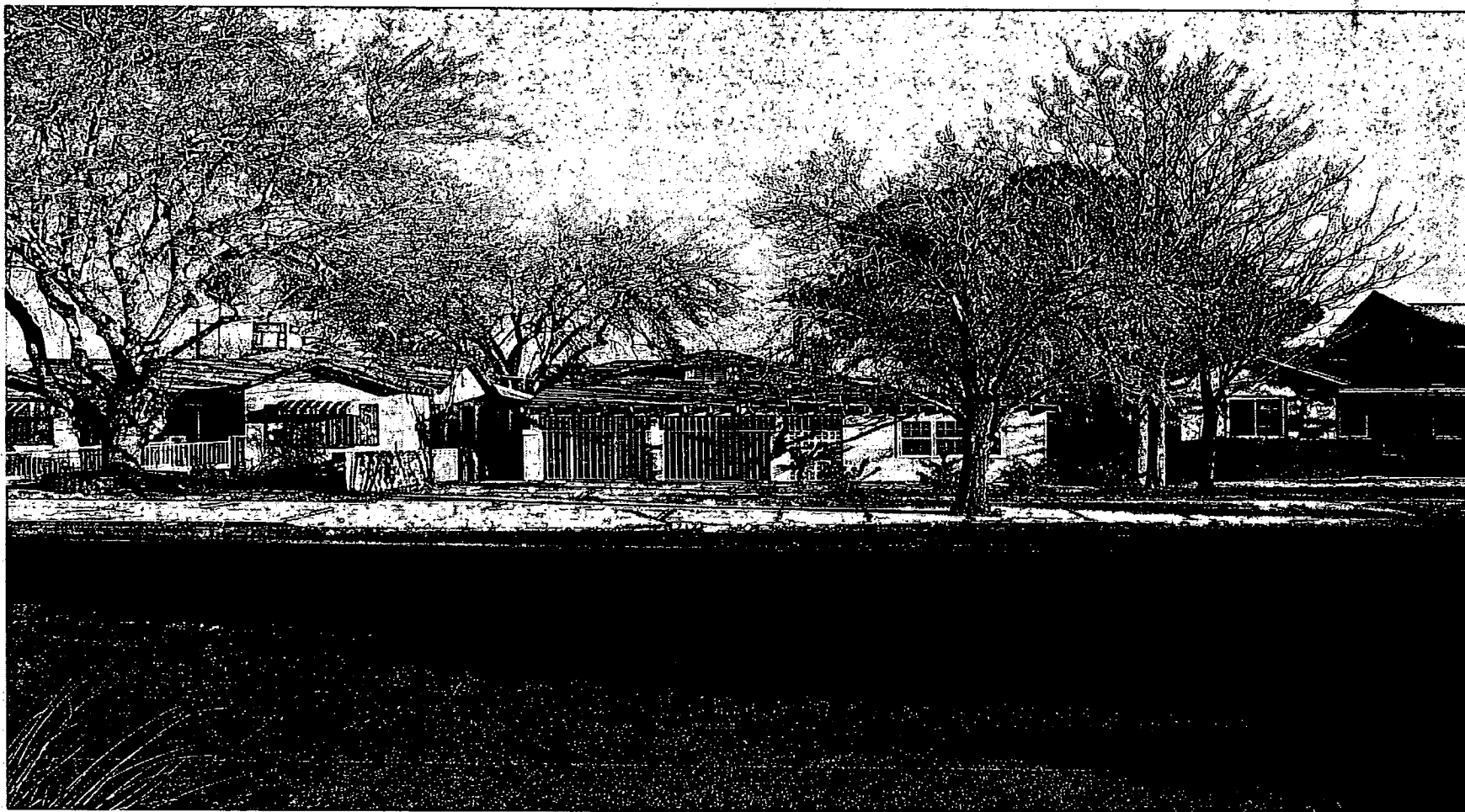
1/4" = 1'-0"

Gabriel Manriquez
717 South 8th Street
LAS VEGAS, NEVADA

PGAL



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



VAR-5730 - APPLICANT/OWNER: GABRIEL MANRIQUEZ
717 SOUTH 8TH STREET
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

November 30, 2004

PGAL

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

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

To Whom It May Concern:

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

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

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

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

Sincerely,

Rick Van Diepen
PGAL

Cc: Gabriel Manriquez, Westgate Capital LLC

VAR-5730

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5726 AND VAR-5730

SDR-5727 - PUBLIC HEARING - APPLICANT/OWNER: GABRIEL MANRIQUEZ - Request for a Site Development Plan Review FOR A 1,495 SQUARE-FOOT OFFICE BUILDING AND WAIVERS OF LANDSCAPE AND BUFFER REQUIREMENTS on 0.17 acres at 717 South 8th Street (APN 139-34-810-040), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions and deleting Condition 5 - UNANIMOUS

MINUTES:

**NOTE: See Item 127 [ZON-5726] for all related discussion.
(4:48 - 4:52)
6-1911**

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-5726) to a P-R (Professional Office and Parking) Zoning District and a Variance (VAR-5730) approved by the City Council.
2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped 11/30/04, except as amended by conditions herein.
4. The Waiver from the requirement for eight-foot deep perimeter landscape buffers is hereby approved, provided an equivalent number of trees is provided elsewhere on the site. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect this requirement.

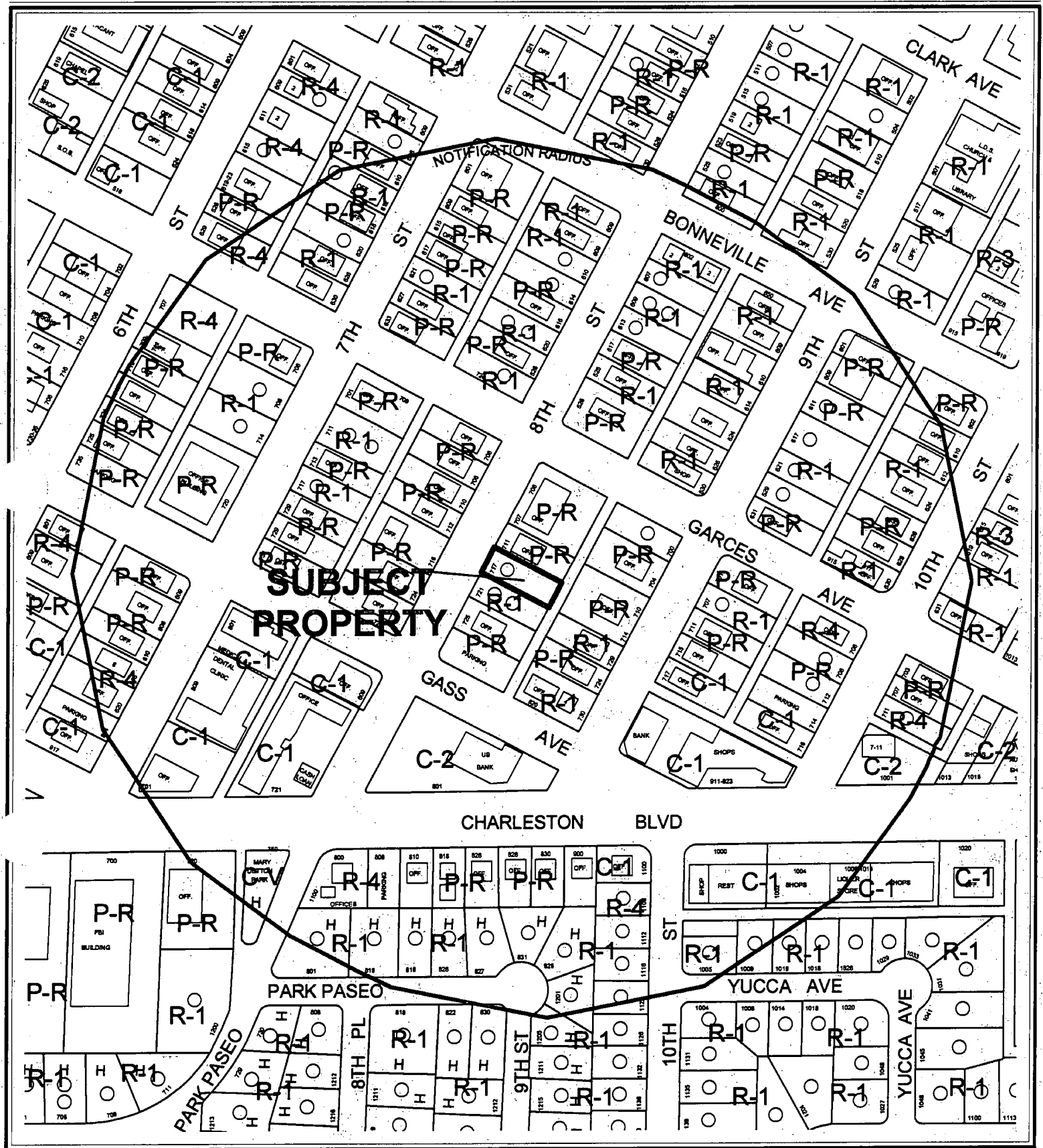
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CONDITIONS - Continued:

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum of one tree for every six parking spaces in accordance with the requirements of Title 19.08.045.
6. Turf shall be limited to a maximum of 12.5% of the total landscape area.
7. The landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. The existing chain-link fencing shall be removed. A six-foot high property line wall shall be provided along the south property line, and shall be a decorative block wall, with at least 20 percent contrasting materials or a wrought-iron fence. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and properties. A trash enclosure, if provided, shall be walled and roofed in accordance with the requirements of Title 19.08.045.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Landscape and maintain all unimproved rights-of-way adjacent to this site.
12. Submit an Encroachment Agreement for all landscaping and private improvements, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site.
13. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5726 and all other subsequent site-related actions.



CASE: SDR-5727

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)

0 200 400 Feet



129



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5727 - APPLICANT/OWNER: GABRIEL MANRIQUEZ

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-5726) to a P-R (Professional Office and Parking) Zoning District and a Variance (VAR-5730) approved by the City Council.
2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped 11/30/04, except as amended by conditions herein.
4. The Waiver from the requirement for eight-foot deep perimeter landscape buffers is hereby approved, provided an equivalent number of trees is provided elsewhere on the site. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect this requirement.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum of one tree for every six parking spaces in accordance with the requirements of Title 19.08.045.
6. Turf shall be limited to a maximum of 12.5% of the total landscape area.
7. The landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. The existing chain-link fencing shall be removed. A six-foot high property line wall shall be provided along the south property line, and shall be a decorative block wall, with at least 20 percent contrasting materials or a wrought-iron fence. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and properties. A trash enclosure, if provided, shall be walled and roofed in accordance with the requirements of Title 19.08.045.

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

Public Works

11. Landscape and maintain all unimproved rights-of-way adjacent to this site.
12. Submit an Encroachment Agreement for all landscaping and private improvements, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site.
13. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5726 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for the conversion of an existing 1,495 square-foot residential structure to a professional office and Waivers of the perimeter landscape and buffer requirements on 0.17 acres at 717 South 8th Street. An associated Rezoning (ZON-5726) and Variance (VAR-5730) will be heard concurrently with this request.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

01/13/05 The Planning Commission recommended approval of a related Rezoning (ZON-5726) and Variance (VAR-5730). Staff recommends approval of the requests.

01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #52/ff).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Redevelopment Plan Area

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

Las Vegas High School Historic Neighborhood

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

PROJECT DESCRIPTION

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

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

The subject property does not conform to the minimum lot width requirement; a Variance (VAR-5730) has been filed to address this issue relative to Rezoning the property to the P-R (Professional Office and Parking) designation. The existing structure does not conform with the front and side setback requirements; no additions are proposed that will increase the nonconforming aspect of the structure.

A2) Residential Adjacency Standards

In accordance with Title 19.08, properties within the Las Vegas Redevelopment Plan Area are exempt from the application of Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	1,495 SF	1/300 GFA	4	1	5	1

A total of five parking spaces are required based on the square footage of the structure; six parking spaces will be provided on site. The two parking spaces located at the front of the property required vehicles to back into the public right-of-way; Title 19.10.010(J) permits a maximum of two such spaces. The handicap parking space shown on the site plan does not conform to the City's requirements; an eight-foot access aisle will be required on one side of the space in addition to a five-foot aisle on the other side of the space.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	1 Tree	0 Trees
Buffer:			
• Min. Trees (north)	1 Tree/30 Linear Feet	5 Trees	0 Trees
• Min. Trees (south)	1 Tree/20 Linear Feet	8 Trees	2 Trees
• Min. Zone Width	8 Feet		0-8 Feet
• Wall height	6 Feet		(Not indicated)

One tree is required in the parking lot area; no trees are provided immediately adjacent to the parking spaces. Title 19.12 does not allow the existing palm trees to be counted towards satisfying the perimeter buffer requirement. No buffers are provided immediately adjacent to the parking area; the applicant has requested a Waiver from this requirement. In addition, the applicant has requested an exemption from the requirement to provide a six-foot tall screen wall along the south property line, which is required between commercial and residential uses, as the abutting property will most likely be rezoned in the future.

A5) Sign Standards

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

Monument Signs:

Standards	Allowed	Provided
Maximum Number	1/Street frontage 1 total	1 total
Maximum Area	48 SF/sign	35 SF
Maximum Height	12 Feet	5 Feet
Minimum Setback	5 Feet	5 Feet
Illumination	Direct/Internal	Not indicated

The proposed monument sign will conform to the height, area and setback requirements listed in Title 19.14. No information has been provided relative to the illumination of the sign.

B) General Analysis and Discussion

- Zoning

A Rezone (ZON-5727) application has been filed concurrently with the Site Development Plan Review application; the proposed P-R (Professional Office and Parking) designation allows the proposed office use. The existing structure does not meet the required front and side yard setbacks, but no additions are proposed that will increase the nonconforming aspect of the structure. The existing structure conforms with height and lot coverage requirements.

- Site Plan

The site plan depicts the construction of four parking spaces at the rear of the site, which will be accessed from the public alley. Two parking spaces are already located at the front of the site on 8th Street. No expansion or exterior modifications are proposed for the structure. Additional vegetation will be added to screen the mechanical equipment at the rear of the structure and in the perimeter landscape areas.

- Waivers

The applicant has requested a Waiver from the requirement for an eight-foot deep landscape buffer between the parking areas and the side property line; the site plan indicates that only a one-foot separation will be provided between the parking areas and side property lines. Due to the constraints of the site and the provision of a generous landscape area between the rear parking area and the existing structure, staff recommends approval of this request.

- Landscape Plan

Existing mature shade trees are located in the front yard setback area; three groups of palm trees will be added to the rear yard area along the side property lines. Shrubs will also be added to the perimeter buffer areas. At least one shade tree is required immediately adjacent to the rear parking area, as stipulated by Title 19.08.045. Title 19.12 would require a six-foot high fence between the proposed office use and the existing multifamily residential use to the south; the applicant has requested to eliminate this requirement. The existing chain-link fencing does not conform to the requirements of Title 19.08.045, and should be replaced by a wall of conforming construction.

- Elevation

No changes are proposed to the exterior of the structure; no modifications need to be made provide an accessible route into the building, as an accessible route is already available.

- Floor Plan

No significant modifications are proposed to the existing layout of the structure; the existing bedrooms will be utilized for offices, and the bathrooms will be modified as required by Code.

FINDINGS

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

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

The proposed conversion will be compatible with the adjacent existing offices and development in the area.

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

The proposed office development will be consistent with the General Plan, and is generally consistent with the requirements of Title 19. While the buffer configuration does not conform to minimum requirements, additional landscape areas are available on site.

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

Access to the site is available from Eight Street, and also from the public alley behind the property. The proposed conversion will not negatively impact adjacent roadways or traffic patterns.

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

No changes are proposed to the exterior of the structure; it will retain its existing residential character. The landscape materials are generally appropriate for the area and for the City.

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

The existing elevations of the building are generally compatible with development in the area and are not unsightly.

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

The conversion of the structure will be subject to inspections, and therefore will not compromise public health, safety, or welfare.

PLANNING COMMISSION ACTION

Condition #8 was amended as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 143 by Planning Department

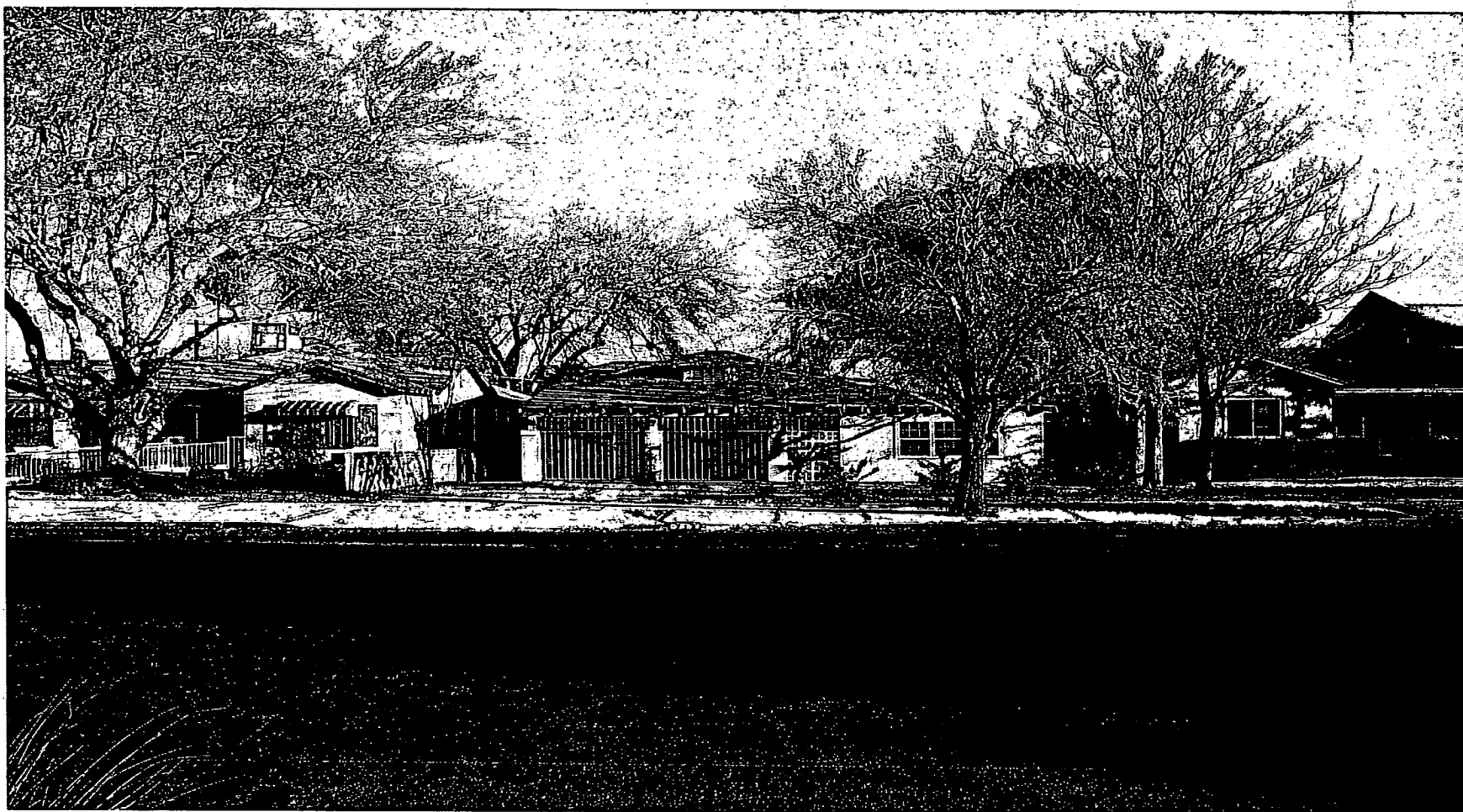
APPROVALS 0

PROTESTS 0





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



SDR-5727 - APPLICANT/OWNER: GABRIEL MANRIQUEZ
717 SOUTH 8TH STREET
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

November 30, 2004

PGAL

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

**Re: Justification Letter
Site Development Plan Review for Improvements to a Commercial Lot**

Mr. Flynn:

This letter shall serve as justification for the proposed site improvements to a residential property located at 717 South 8th Street Las Vegas Nevada. The proposal is a request to rezone from R-1 to P-R for a professional office. Certain existing conditions on the subject site limit its ability to conform to some Planning and Development Standards.

The owner is requesting a total of three waivers for the site development plan:

- Reduction in landscape buffer for the perimeter of lot.
- Reduction in parking lot landscape buffer.
- Request to not build a required CMU screen wall bordering the south lot zoned residential.

A waiver for reduction in the landscaping buffer for the perimeter of the lot is requested because the footprint of the existing building does not leave enough space for an eight foot landscape buffer at the south and north side of the building.

A waiver for the parking lot landscape buffer is requested because the lot is not large enough to have both the required amount of parking spaces, and the required amount of landscape buffers. We request that the parking landscape buffers be reduced to 5 feet on the north and south sides of the lot.

A 6 feet tall screen wall is required between a R-1 zoned lot and a P-R zoned lot. A waiver to not build this wall is requested because the owner on the south adjacent residential lot does not want a wall built, and other similar commercial properties do not currently have this required wall separation.

Sincerely,

Rick Van Diepen
PGAL

SDR-5727

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-5082 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.58 acres and TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 4.4 acres south of Bonanza Road and east of Pecos Road (APN 140-31-121-003), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

REESE - ABEYANCE to 3/2/2005 - UNANIMOUS with BROWN abstaining because he is a partner with GLEN RAYNES in the 1990 land deal

NOTE: COUNCILMAN BROWN verified with GLEN RAYNES he is financially involved with this project, as well as with the 1990 Lamb Change Group. Therefore, he would be disclosing and abstaining.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 130 [GPA-5082], Item 131 [VAC-5101], Item 132 [VAR-5099], Item 133 [ZON-5092], Item 134 [VAR-5300], Item 135 [WVR-5299], Item 136 [SDR-5098], Item 137 [SUP-5096] and Item 138 [SDR-5093].

BONNIE CISNEROS, 4550 West Oakey Boulevard, appeared on behalf of the applicant and concurred with staff recommendations.

COUNCILMAN REESE expressed concern about Item 135 [WVR-5299] and asked MS. CISNEROS if any changes had been made to the street. MS. CISNEROS replied that staff had asked that it be made a private street. BART ANDERSON, Public Works Department, explained they would never recommend approval of a stub street on a public street or on private streets, but a private street is not subject to the same rules that public streets are. Therefore, as a condition of approval, staff recommended that it be a private street because the private street code allows a street not to end in a circular cul-de-sac if there is a crash gate. This would allow them not to have that situation but still have the stub street. If the Council is going to allow a waiver, he recommended they allow the lesser standard to apply.

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

MINUTES - Continued:

MS. CISNEROS discussed with COUNCILMAN REESE that the applicant does not have a tenant for the supper club. COUNCILMAN REESE'S real concern was with Item 135 [WVR-5299], and he asked the applicant to bring back a better plan. He felt there is not enough room for a garbage truck to make a turn.

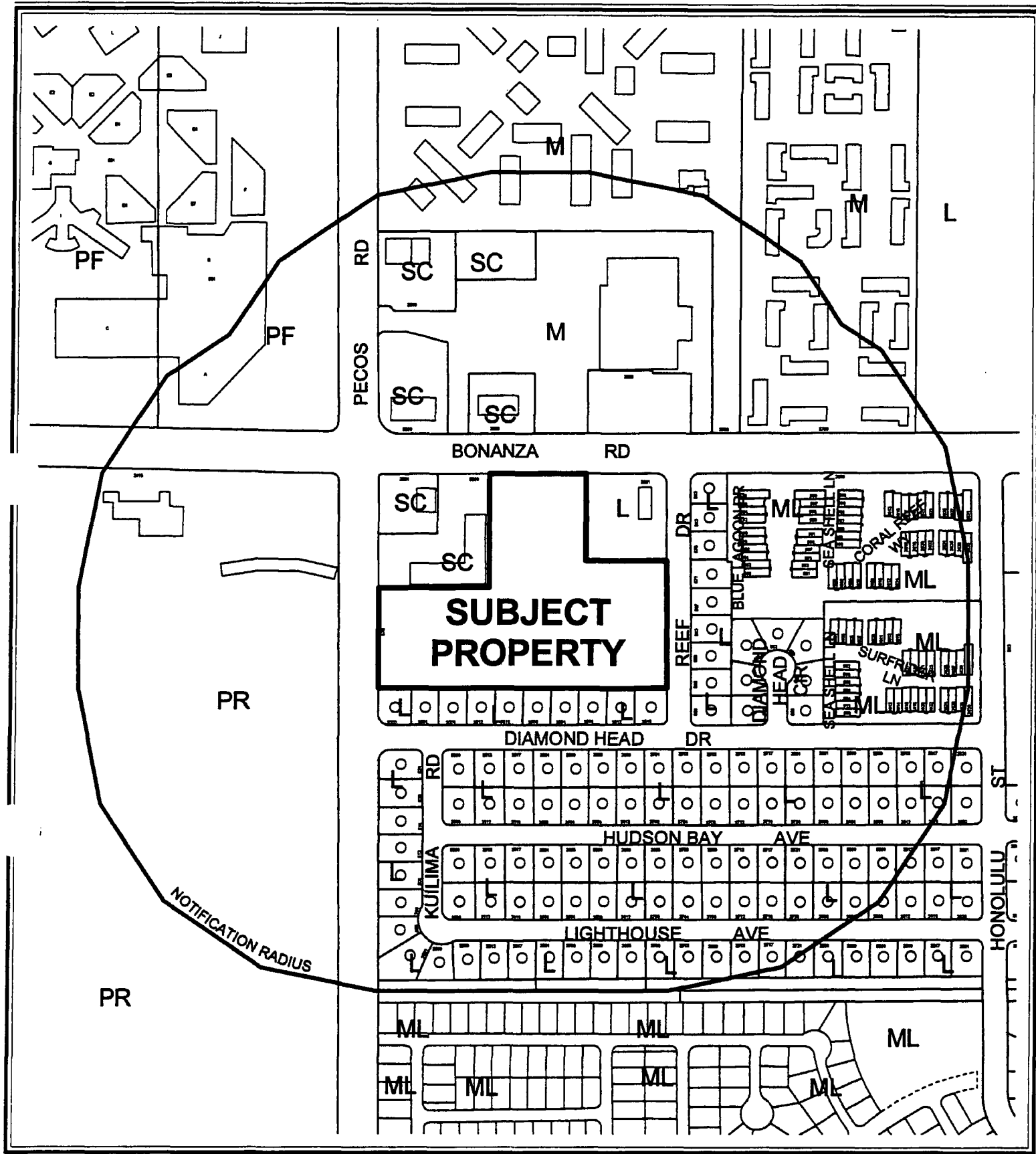
COUNCILMAN BROWN verified with GLEN RAYNES, 1930 Village Center Circle, he is financially involved with this project, as well as with the 1990 Lamb Change Group.

COUNCILMAN REESE reiterated he is pleased with the project's design, but is concerned with the waiver. He discussed with EDWARD CISNEROS he would rather hold all the items in abeyance until the waiver issue is resolved. He prefers to see an exit on the north side of the street. He suggested removing one house to accommodate a right-hand turn onto Reef Drive where a garbage truck can safely turn. DEPUTY CITY ATTORNEY BRYAN SCOTT recommended the applicant submit the new plans to Planning staff for their review before the next City Council meeting.

MAYOR GOODMAN declared the Public Hearing closed on Item 130 [GPA-5082], Item 131 [VAC-5101], Item 132 [VAR-5099], Item 133 [ZON-5092], Item 134 [VAR-5300], Item 135 [WVR-5299], Item 136 [SDR-5098], Item 137 [SUP-5096] and Item 138 [SDR-5093].

(4:52 - 5:05)

6-2072



CASE: GPA-5082

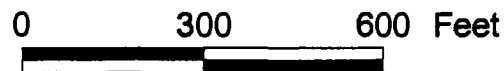
RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL) AND SC (SERVICE COMMERCIAL)



130





CASE: GPA-5082

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL) AND SC (SERVICE COMMERCIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - GPA-5082 - APPLICANT: NESHAMINY
CONSULTING, INC. – OWNER: THE KENNEY FAMILY DECLARATION OF TRUST**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 3, 2004 CITY COUNCIL
MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to amend a portion of the Southeast Sector Plan of the General Plan from L (Low Density Residential) to SC (Service Commercial) on 1.58 acres and to MLA (Medium-Low Attached Density Residential) on 4.4 acres south of Bonanza Road and east of Pecos Road.

The applicant's justification letter states the Amendment to the General Plan is appropriate for both planned projects (supper club and single family residential). The site is already zoned C-1, so the SC designation is consistent with that zoning. The M will provide a buffer between the office and commercial uses on the north and the medium-low density residential to the south.

BACKGROUND DATA:

08/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Low Density Residential land uses with a maximum density of 3-6 dwelling units per acre.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
08/18/99	The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
09/06/99	The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.
10/07/04	The Planning Commission recommended approval of a related item (VAC-5101).
10/07/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #25/llm).

DETAILS OF APPLICATION REQUEST

Site Area: 1.58 Acres (Service Commercial proposed)
4.4 Acres (Medium Density Residential proposed)

Total Site Area: 5.98 Acres

EXISTING LAND USE

Subject Property Undeveloped
North Commercial
South Single Family Residential
East Single Family Residential; Restaurant
West Desert Pines Golf Club

PLANNED LAND USE

Subject Property L (Low Density Residential)
North M (Medium Density Residential); SC (Service Commercial)
South L (Low Density Residential)
East L (Low Density Residential)
West PR (Parks/Recreation); SC (Service Commercial)

EXISTING ZONING

Subject Property C-1 (Limited Commercial)
North C-1 (Limited Commercial)
South R-1 (Single Family Residential)
East R-1 (Single Family Residential); C-1 (Limited Commercial)
West C-V (Civic)

	YES	NO
INTERLOCAL AGREEMENT JOINT LAND USE PLANNING AREA		X
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

L (Low Density Residential)

(3.6 to 5.5 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

M (Medium Residential)

(12.1 to 25 dwelling units/gross acre.) The Medium Residential category permits a maximum of 25 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

SC (Service Commercial)

The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

INTERAGENCY ISSUES

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

The Southern Nevada Regional Policy Plan, approved February 22, 2001, set out a requirement for local entities to establish a means of identifying Projects of Regional Significance (PRS), and of addressing the impacts of these projects. The city of Las Vegas, through Ordinance No. 5477, has established such a process. Pursuant to this Ordinance, staff has determined that this proposed General Plan Amendment and its companion items would not meet the definition of a Project of Regional Significance as defined in the ordinance.

ANALYSIS

The proposed Supper club will be located on an undeveloped parcel situated on the south side of Bonanza Road, approximately 300 feet east of Pecos Road. The supper club site is accessed via a drive from Bonanza Road. The east and west property lines of the project limits for the Supper club are adjacent to commercial uses such as a convenience store and a fast-food drive-through restaurant. Landscaping is provided along the perimeter of the project site with internal parking lot landscaping. 101 parking spaces are required and provided. The elevations depict a one-story stucco exterior building with ornamental columns facing the Bonanza Road frontage.

To the south of the Supper club site is the proposed 41-lot single-family residential development. Variances have been requested to allow an R-PD development on a site that is less than five acres in size and to allow for no open space where 0.68 acres is required. A Waiver is also requested of Title 18 standards to allow a public street to terminate without a circular cul-de-sac where one is required for streets terminating other than at an intersection with another public street. To the south and east of the project limits is Low Density Residential single family development and to the west is the Desert Pines Golf Club.

This request is for a General Plan Amendment from L (Low Density Residential) to SC (Service Commercial) on 1.58 acres and to MLA (Medium-Low Attached Density Residential) on 4.4 acres south of Bonanza Road and east of Pecos Road. The amendment consists of one parcel that will be split and utilized for two separate and distinct uses, a supper club and a residential development.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies which include approved neighborhood plans.

In regard to "1": The proposed SC (Service Commercial) General Plan designation for the supper club portion of the site allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services. The MLA (Medium-Low Attached Density Residential) Plan designation for the 41-lot single family residential development portion of the site permits a maximum of 12 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height. The proposed SC (Service Commercial) and MLA (Medium-Low Attached Density Residential) designations serve as a transition from the SC (Service Commercial) designations located along the Bonanza Road frontage to the L (Low Density Residential) land uses to the south and east and therefore is an acceptable proposal.

In regard to "2": The proposed zoning of R-PD9 (Residential Planned Development – 9 units per acres) would permit the proposed 41-lot residential development. This zoning designation will serve as a transition zone between the C-1 (Limited Commercial) to the north and the R-1 (Single Family Residential) to the south and east.

In regard to "3": There are adequate transportation, recreation, utility, and other facilities to accommodate the proposed office project. The Northeast Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at the 831 North Mojave Road. (located south of Washington Avenue). Fire Station #8, located near Bonanza Road and Mojave Road is the closest city facility to the site.

In regard to "4": There are no other adopted plans or policies that apply to this application.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

09/20/04 A neighborhood meeting sponsored by the applicant was held. Seven persons attended and were unanimously in support of the project, and had no comment on the General Plan Amendment. They were adamant, however, that no apartments be built on this site. The consultant and owners assured the neighbors that they have no interest in building apartments.

NOTICES MAILED: 218 by Planning Department

APPROVALS: 0

PROTESTS: 3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-5082 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Jr Trustee of The Kenny Family Declaration of Trust Dated Feb. 10, 1992

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: John E. Kenny Jr Trustee

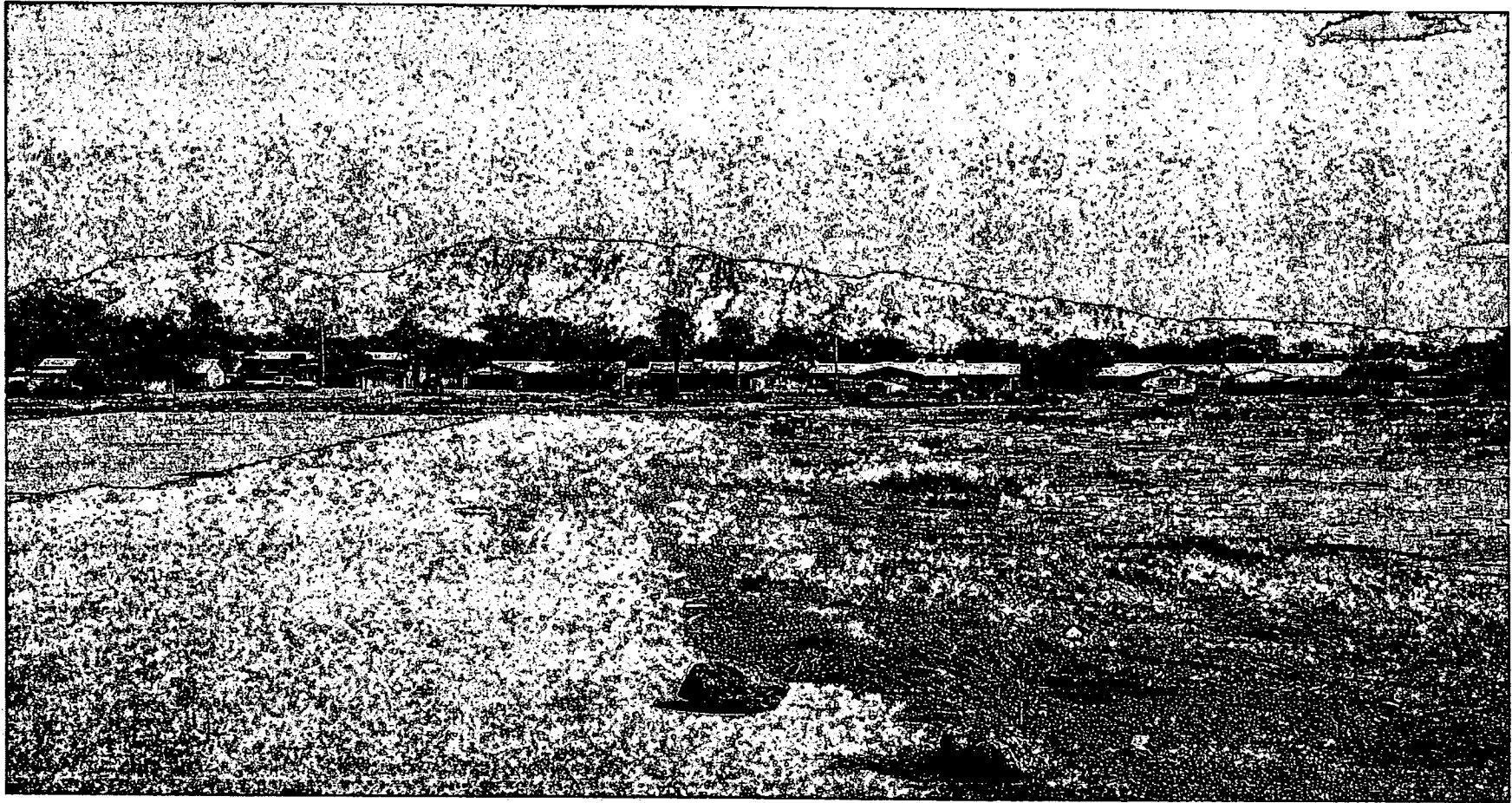
Print Name: JOHN E. KENNY JR TRUSTEE OF THE KENNY FAMILY DECLARATION OF TRUST

Subscribed and sworn before me

This 9 day of Aug., 2004

G. A. Maroofi 8/9/04
Notary Public in and for said County and State





GPA-5082 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: NESHAMINY
CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VACATION RELATED TO GPA-5082

VAC-5101 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC - Petition to Vacate a portion of a 10-foot wide public drainage easement and ingress/egress easements generally located south of Bonanza Road, east of Pecos Road, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - ABEYANCE to 3/2/2005 - UNANIMOUS with BROWN abstaining because he is a partner with GLEN RAYNES in the 1990 land deal

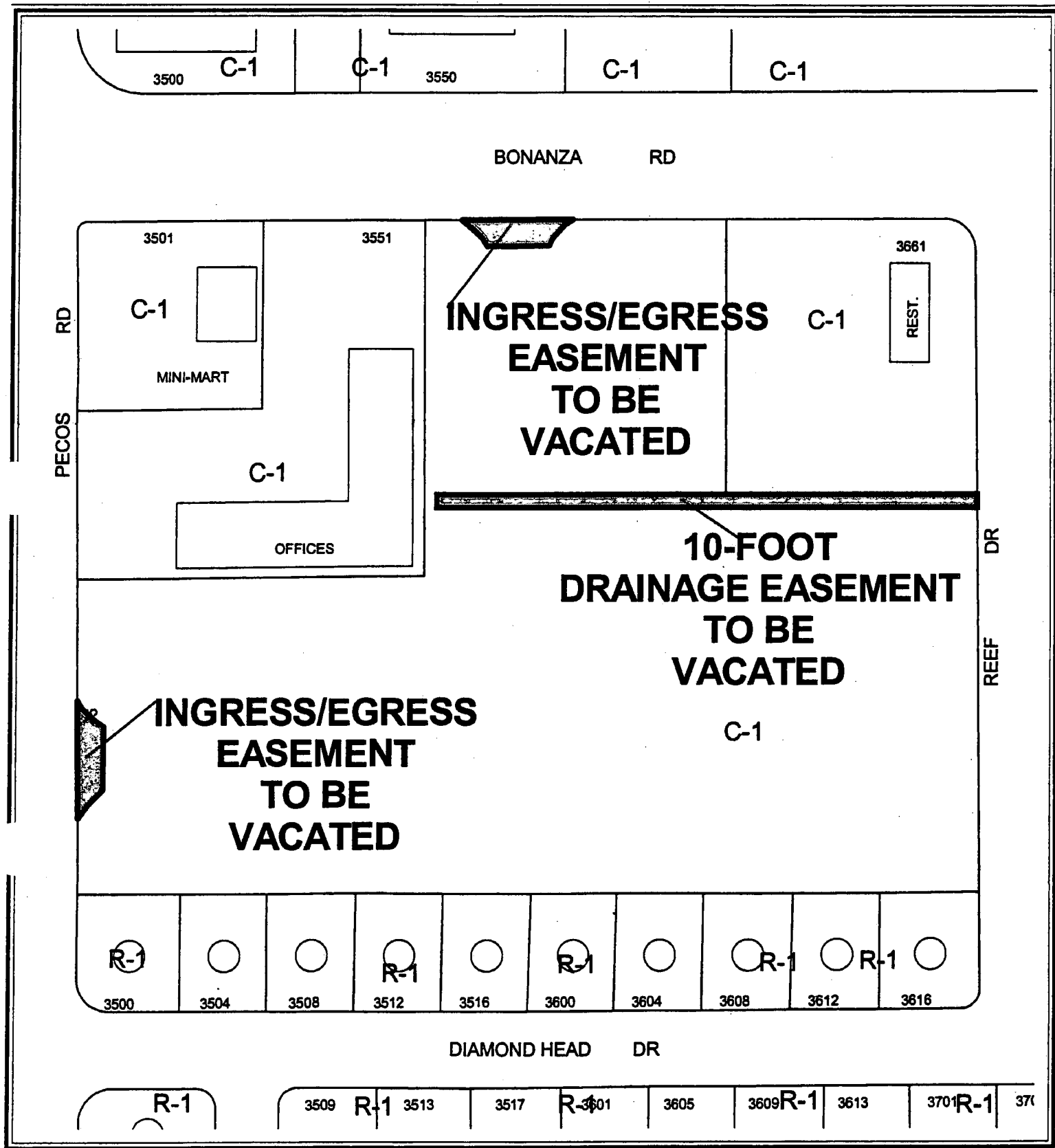
NOTE: COUNCILMAN BROWN verified with GLEN RAYNES that he is financially involved with this project, as well as with the 1990 Lamb Change Group. Therefore, he would be disclosing and abstaining.

MINUTES:

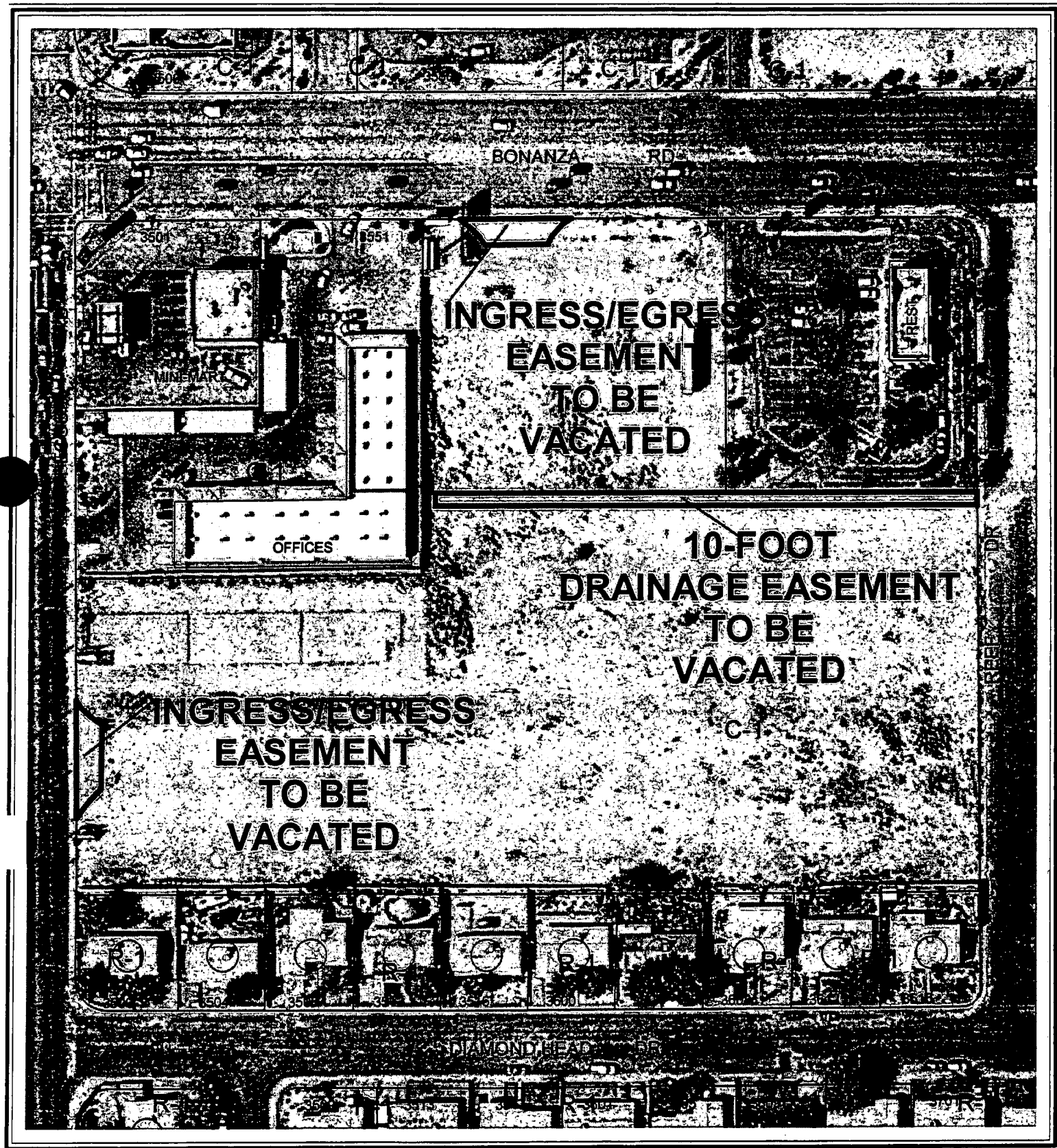
NOTE: See Item 130 [GPA-5082] for all related discussion.

(4:52 - 5:05)

6-2072



CASE: VAC-5101



0 80 160 Feet

CASE: VAC-5101



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - VAC-5101 - APPLICANT: NESHAMINY CONSULTING, INC. – OWNER: THE KENNEY FAMILY DECLARATION OF TRUST

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 3, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Zoning Reclassification ZON-5092 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. Retain the existing City of Las Vegas Public Sewer Easement across the site.
3. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate a portion of a 10-foot wide public drainage easement and ingress/egress easements generally located south of Bonanza Road, east of Pecos Road.

B) Applicant's Justification

Vacation of the easements is necessary to allow development of commercial and single-family residential uses on this site, subject to approval of a companion General Plan Amendment (GPA-5082) and other subsequent applications. The existing easements are no longer necessary.

BACKGROUND INFORMATION

A) Previous Actions

There is no relevant previous case history associated with this site.

- 10/07/04 The Planning Commission recommended approval of a companion application for a General Plan Amendment (GPA-5082) to amend a portion of the Southeast Sector Plan of the General Plan from L (Low Density Residential) to SC (Service Commercial) on 1.58 acres and to M (Medium Density Residential) on 4.4 acres south of Bonanza Road and east of Pecos Road, concurrently with this request.
- 10/07/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #26/gl).

DETAILS OF APPLICATION REQUEST

The subject Vacation request proposes to vacate a portion of a 10-foot wide public drainage easement and ingress/egress easements generally located south of Bonanza Road, east of Pecos Road, being a portion of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 31, Township 20 South, Range 62 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate these easements because they are no longer needed in their current configuration. This will allow the development of commercial and single-family

residential uses on this site, subject to approval of a companion General Plan Amendment (GPA-5082) and other subsequent applications. This request is appropriate, as the subject easements are not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

This Vacation application proposes to vacate only a City of Las Vegas drainage easement and ingress/egress easements. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this Vacation request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved; any utility company interests will not be affected.

NOTICES MAILED 2 by City Clerk

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-5101 APN: 140-31-121-003
Name of Property Owner: John E. Kenny Jr Trustee of The Kenny
Family Declaration of Trust Dated Feb. 10, 1992
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: John E. Kenny Jr TRUSTEE

Print Name: JOHN E KENNEY JR TRUSTEE OF THE
KENNEY FAMILY DECLARATION OF TRUST

Subscribed and sworn before me

This 9 day of AUG., 2004

G. A. Maroofi 8/9/04
Notary Public in and for said County and State





VAC-5101 - VACATION RELATED TO GPA-5082 - PUBLIC HEARING - APPLICANT: NESHAMINY
CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD, EAST OF PECOS ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-5099 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 4.40 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - ABEYANCE to 3/2/2005 - UNANIMOUS with BROWN abstaining because he is a partner with GLEN RAYNES in the 1990 land deal

NOTE: COUNCILMAN BROWN verified with GLEN RAYNES that he is financially involved with this project, as well as with the 1990 Lamb Change Group. Therefore, he would be disclosing and abstaining.

MINUTES:

NOTE: See Item 130 [GPA-5082] for all related discussion.

**(4:52 - 5:05)
6-2072**

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5099 - APPLICANT/OWNER: BON BON, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Variance shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Approval of and conformance to the conditions of approval for related applications ZON-5092, VAR-5300 and SDR-5098.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance of Title 19.06.040 (A) to allow an R-PD (Residential Planned Development) zoning on property that is less than five acres in area, on a 4.40-acre site on the east side of Pecos Road, approximately 300 feet south of Bonanza Road.

B) Applicant's Justification

The applicant's justification for this request is to allow design flexibility for the proposed development which represents a transition between the R-1 single family residences to the south and the exiting commercial and proposed supper club to the north.

BACKGROUND INFORMATION

A) Previous Actions

- 10/07/04 The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property (VAC-5101). Staff had recommended approval.
- 11/03/04 The City Council voted to hold the related General Plan Amendment (GPA-5082 and Vacation (VAC-5101) in abeyance per the applicant's request. They are scheduled to be heard at the February 16, 2005 City Council meeting.
- 01/13/05 The Planning Commission recommended approval of related applications SUP-5096 and SDR-5093 as part of this agenda; and recommended denial of these related applications ZON-5092, VAR-5300, WVR-5299 and SDR-5098.
- 01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #24/gl).

B) Pre-Application Meeting

- 08/03/04 Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

C) Neighborhood Meetings

09/20/04 The required neighborhood meeting for the companion General Plan Amendment was held by the applicant. Seven persons attended who were all in favor of the project, as long as no apartments are constructed. The applicant stated they were not interested in building any multi-family units.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.40

B) Existing Land Use

Subject Property: Undeveloped
North: Commercial
South: Single Family Residential
East: Single Family Residential
West: Desert Pines Golf Club

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: M (Medium Density Residential)
South: L (Low Density Residential)
East: L (Low Density Residential)
West: PR (Parks and Recreation)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: R-1 (Single Family Residential)
East: C-V (Civic)
West:

E) General Analysis and Discussion

The applicant is seeking relief from Title 19.06.040, which requires all Residential Planned Developments to have a minimum of five acres. The purpose of this standard is to ensure that adequate land is available to provide for flexibility and innovation in the design of the project.

The applicant had originally requested a rezoning to R-CL (Single-Family Compact-Lot), however, staff determined that application did not meet Code standards and could not be accepted, per Title 19.18.040 (C). Since applicant has requested a rezoning to R-PD9, approval of this request is predicated on approval of this Variance application.

The variance is appropriate for the following reasons:

1. The project advances Policy 2.1.2 of the Las Vegas 2020 Master Plan that encourages development of vacant or underutilized lots in a manner that is compatible with surrounding areas

2. The site is an undeveloped, unusually narrow infill property that is not conducive for development that would be regulated according to the parameters of standard residential zoning districts.

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.”

In this case, approval of the requested Variance would allow a residential planned development on an odd-shaped parcel that is less than five acres in size, that is an appropriate transition between larger single family lots to the south and a developed commercial area to the north of the property. Such approval is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 219 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5099 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Jr Trustee of The Kenny
Family Declaration of Trust Dated Feb. 10, 1992

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: _____

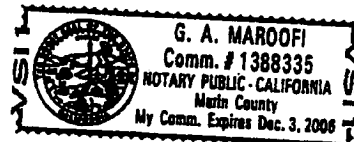
Signature of Property Owner/Authorized Agent: John E. Kenny Jr

Print Name: JOHN E KENNEY JR TRUSTEE OF THE
KENNEY FAMILY DECLARATION OF TRUST

Subscribed and sworn before me

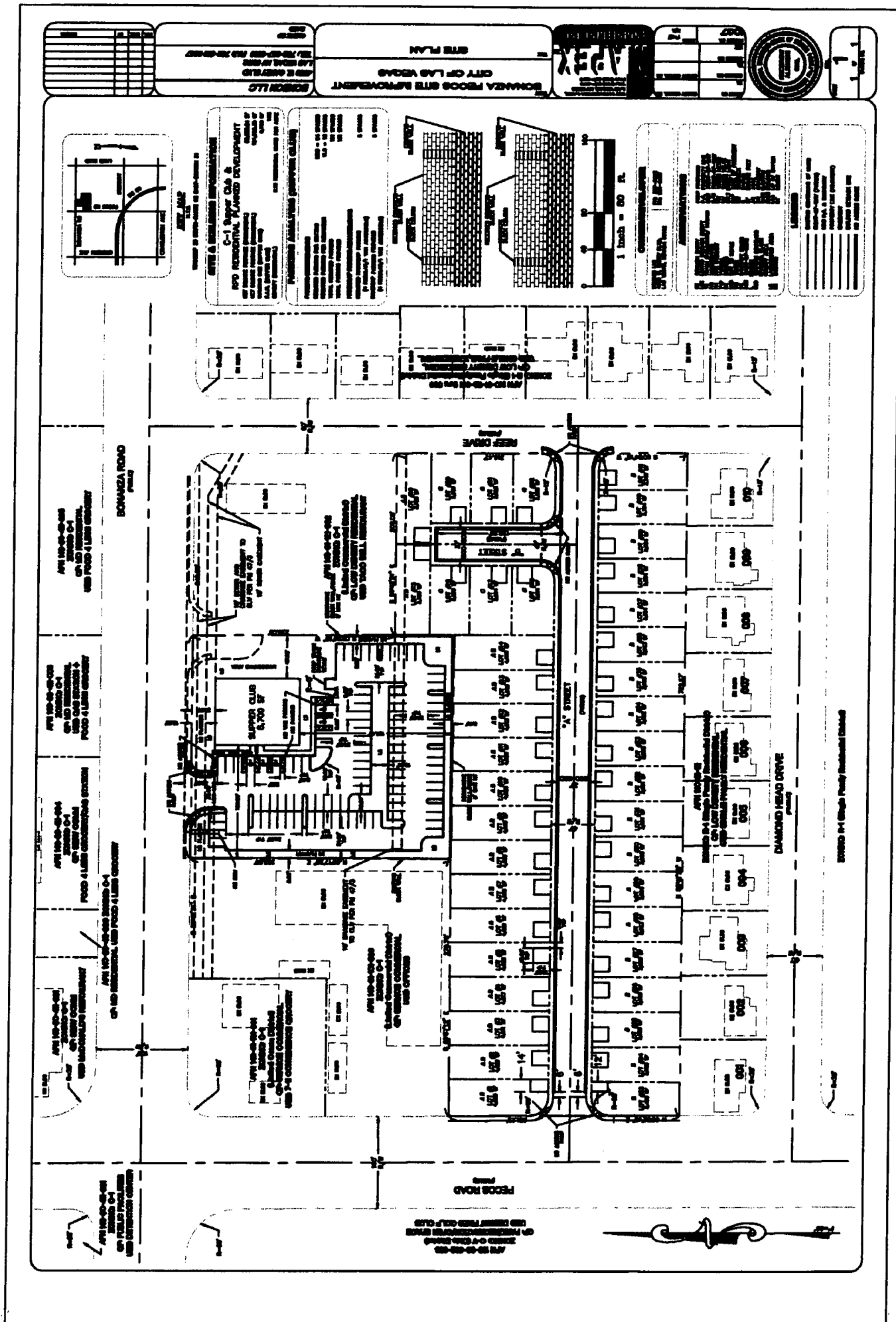
This 9 day of Aug., 2004

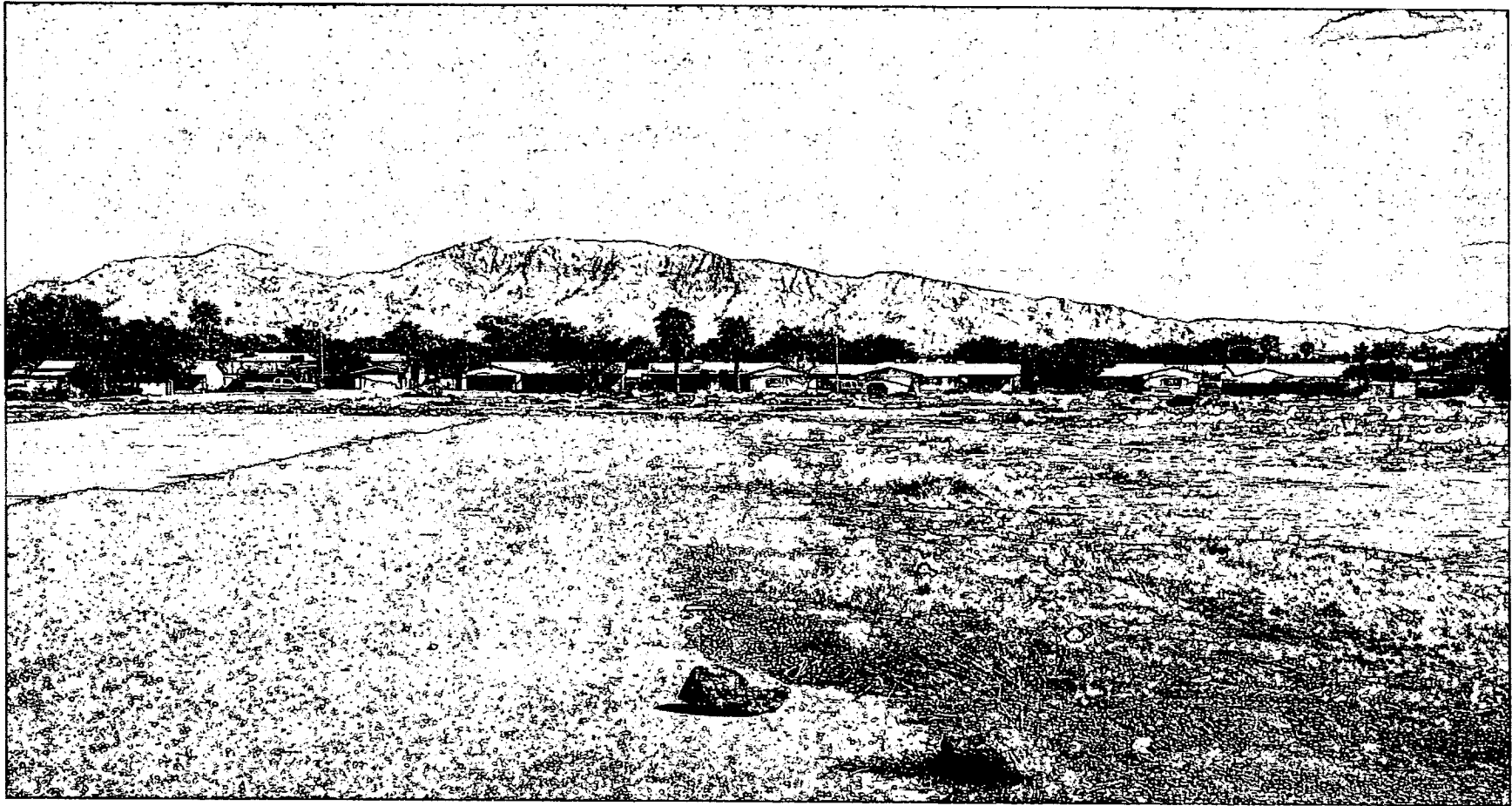
G. A. Maroofi 8/9/04
Notary Public in and for said County and State



OCT 20 2004

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
1-13-05 PC





VAR-5099 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04



3320 North Buffalo Drive
Suite 106
Las Vegas, NV 89129
Tel: 702-396-3426
Fax: 702-396-3758

VAR-5099
ZON-5092
SDR-5098
SUP-5096
SDR-5093

August 24, 2004

Planning and Development
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Attn: Robert Genzer

Re: Bonanza and Pecos General Plan Amendment Application, APN #140-31-121-003

Dear Mr. Genzer:

The Bonanza and Pecos site is located at the east and south of the corner of Bonanza Road and Pecos Road in the City of Las Vegas. (APN #140-31-121-003) This parcel is opposite the Food 4 Less with gas station and a McDonald's on the north side of Bonanza Road and Desert Pines Golf Club on the west side of Pecos Road. The new family courts and detention center buildings are northwest of the intersection.

Two pads at the southeast corner of Bonanza Road and Pecos Road and the southwest corner of Bonanza Road and Reef Drive have been developed as a 7/11 convenience store and a Taco Bell restaurant respectively. An "L"-shaped parcel developed as offices abuts the convenience store parcel on its east and south sides. Medium-Low density residential accessed via the north side of Diamond Head Drive abuts the subject parcel on its south side and faces the subject parcel across Reef Drive to the east.

The residential near the site was developed in 1980. It is an R-1 density, single family, conventional subdivision. There are no subdivision walls or common areas. The streets are public. While some homes display signs of deferred maintenance, many are in excellent condition with fresh exterior paint and lush landscaping. This appears to be a neighborhood that is benefiting from the substantial investment in public facilities nearby.

The 5.98-acre subject parcel is zoned C-1 and planned for Low Density Residential. Proposed development is a supper club between the two commercial pads on the north segment of the subject parcel and single family residential on the remainder. We are proceeding concurrently with the General Plan Amendment to Medium Density Residential (M) and Service Commercial (SC), Rezoning of the residential area to Residential-Compact Lot (R-CL), Site Plan Reviews, Special Use Permit for the supper club on the commercial parcel, a Variance of the maximum parcel size for the residential, and the Vacation of the drainage easement and ingress/egress easements necessary to development of the parcel. The Site Plan Review for the commercial includes a waiver request for foundation landscaping of the supper club building. No other waivers are contemplated.

Amendment to the General Plan is appropriate for both planned projects. The site is already zoned C-1, so the SC designation is consistent with that zoning. The M will provide a buffer between the office and commercial uses on the north and the medium-low density residential on the south.

The R-CL zoning will allow development of a transitional density of single family residential, consistent with that of its neighbors. The Variance of project parcel size for the R-CL is necessary because of the irregular shape of the whole parcel and the lack of depth in the residential parcel. That portion of the lot facing Bonanza Road between the developed parcels is proposed for commercial uses. The south lot line of the commercial portion is proposed to be as far south as that of the most southerly line of these abutting parcels, so is as large as possible without segmenting the remnant. The remnant is 4.40 acres net of prior dedications for Pecos Road and Reef Drive. Including these dedications, the remnant is 4.91 acres. While development of a third parcel facing Pecos Road as commercial or office would create a remaining parcel small enough to meet the R-CL maximum lot size requirement, this strategy would create commercial abutting the existing homes to the south and force all traffic from the R-CL residential onto Reef Drive, a collector street serving neighboring homes to the east – a situation likely to be less acceptable to the neighboring residents than the one proposed. Lastly for the residential, we are asking for relief from Title 18, Chapter 18.12, Section 310 "Vehicular Access Prohibition to Primary or Secondary Thoroughfares" for Lots 1 and 24 facing Pecos Road, because "...no alternative exists due to the ... depth of the land to be divided." (Title 18.12.310)

Development of the residential parcel under Planned Development (PD) was seriously considered as part of the preliminary planning process for this project. A size variance would have been necessary as the remnant is smaller than the five acre minimum required in PD. Almost two thirds of the parcel is just over 250 feet deep. This is more than adequate for two banks of lots and a street, but will not allow for additional facilities in the middle of the community. Thus, common area could only be located at the east side of the project, off of Reef Drive. Such a location would encourage access by non-residents and, because the east lots face Reef Drive, facilities would be poorly supervised by adjacent residents. As now planned, there will be no common facilities, therefore no homeowners association will be necessary. Public streets and a lack of property line walls will allow improved visual monitoring from outside the community and, therefore, improved security for residents as this neighborhood continues its improvement over time. In sum, this strategy in the PD zone would require a waiver request in addition to the variance making it less suitable for the planned project.

The supper club is proposed for the commercial site, because there are few restaurants in the vicinity that are not fast food restaurants and there is new demand associated with the new government facilities northwest of the site. The clubhouse at Desert Pines Golf Club is the type of restaurant contemplated for the site. Other nearby restaurants include the Taco Bell to the east and Pappa John's Pizza and McDonald's north of the site. Located on the north side of the parcel between the entrances onto Bonanza Road, the site is served by a major arterial roadway and separated from the residential by more than 100 feet. The supper club parcel is separated by more than 400 feet from the parcels that include Child Haven, Mountain View Christian Schools, and Oran Gragson Elementary School. There are no houses of worship in the vicinity.

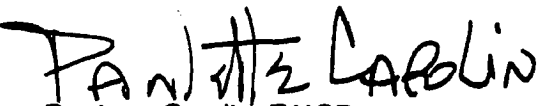
Site Plan Reviews are offered for both the commercial and residential projects so their evaluations can be based on clear ideas of what is proposed for each project. A waiver of the requirement for irrigated landscaping at the foundation of the supper club is requested for several reasons: 1) water soaking the foundation of the building can lead to the development of mold in the flooring and can undermine the soils around the foundation, 2) attractive landscaping using desert plant materials and non-living ground covers can be accomplished, and 3) landscaping within the front setback and the parking lot is planned to exceed requirements.

There is an undeveloped drainage easement across both commercial and residential projects. The easement was dedicated to the City of Las Vegas. A drainage plan will be required prior to development. The drainage plan will address conveyance of run off through the site, so the easement will no longer be necessary.

Also, there are two ingress/egress easements that were dedicated to the City of Las Vegas as part of the Pecos/Bonanza Plaza commercial subdivision: one onto Pecos Road from the residential project and one onto Bonanza Road from the commercial project. A third easement displayed on this plat has already been vacated. These easements are misaligned with respect to the proposed circulation systems.

If you have any questions concerning this application, do not hesitate to call me at (702) 396-3426.

Sincerely,


Paulette Carolin, FAICP
Planning Director

Enclosures

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING RELATED TO VAR-5099

ZON-5092 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE) on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN 140-31-121-003), Ward 3 (Reese). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - ABEYANCE to 3/2/2005 - UNANIMOUS with BROWN abstaining because he is a partner with GLEN RAYNES in the 1990 land deal

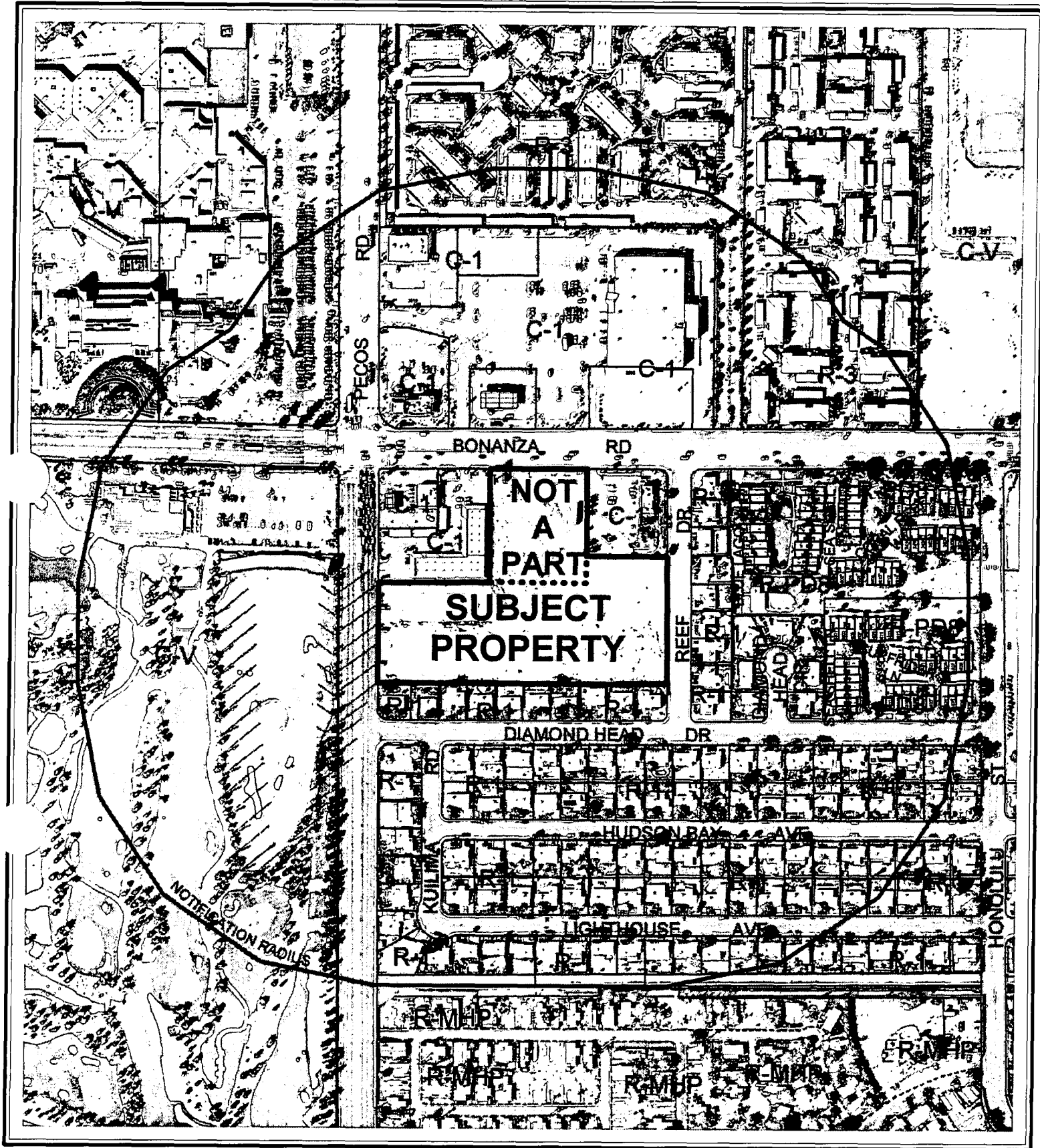
NOTE: COUNCILMAN BROWN verified with GLEN RAYNES that he is financially involved with this project, as well as with the 1990 Lamb Change Group. Therefore, he would be disclosing and abstaining.

MINUTES:

NOTE: See Item 130 [GPA-5082] for all related discussion.

(4:52 - 5:05)

6-2072



CASE: ZON-5092

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-CL (SINGLE-FAMILY COMPACT-LOT)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-5092 – APPLICANT/OWNER: BON BON, LLC

**** CONDITIONS ****

The Planning Commission recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. Approval of a General Plan Amendment to MLA (Medium-Low Attached) by the City Council (GPA-5082).
2. A Resolution of Intent with a two-year time limit.
3. A Variance to permit an R-PD parcel of less than five acres (VAR-5099) and zero square feet of required open space (VAR-5300) and Site Development Plan Review for a 41-lot single-family development (SDR-5098) by the City Council.

Public Works

4. Coordinate with the City Surveyor to determine whether a Parcel Map or Merger and Resubdivision Map to establish the property boundaries as proposed is necessary; if such map is required it shall record prior to the issuance of any permits for this site.
5. 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.
6. Coordinate with the Clark County School District to determine the impact this zoning density has on the District's schools, and to identify possible methods to mitigate the impacts.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Rezoning to R-PD9 (Residential Planned Development- 9 units per acre) on a 4.40-acre parcel located on the east side of Pecos Road, approximately 300 feet south of Bonanza Road.

B) Applicant's Justification

The applicant's justification for this density is that it is a transition between the single-family residences to the south currently zoned as R-1 (Single-Family Residential) and the existing commercial and proposed supper club to the north.

BACKGROUND INFORMATION

A) Previous Actions

- 10/07/04 The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval.
- 11/03/04 The City Council voted to hold the related General Plan Amendment (GPA-5082 and Vacation (VAC-5101) in abeyance per the applicant's request. They are scheduled to be heard at the February 16, 2005 City Council meeting.
- 01/13/05 The Planning Commission recommended approval of related applications VAR-5099, SUP-5096 and SDR-5093 as part of this agenda; and recommended denial of these related applications VAR-5300, WVR-5299 and SDR-5098.
- 01/13/05 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #25/gl).

B) Pre-Application Meeting

- 08/03/04 Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

C) Neighborhood Meetings

09/20/04 The required neighborhood meeting for the companion General Plan Amendment was held by the applicant. Seven persons attended who were all in favor of the project, as long as no apartments are constructed. The applicant stated they were not interested in building any multi-family units.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.40

B) Existing Land Use

Subject Property: Undeveloped
North: Commercial
South: Single Family Residential
East: Single Family Residential
West: Desert Pines Golf Club

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: M (Medium Density Residential)
South: L (Low Density Residential)
East: L (Low Density Residential)
West: PR (Parks and Recreation)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: R-1 (Single Family Residential)
East: R-1 (Single Family Residential)
West: C-V (Civic)

E) General Plan Compliance

The site is designated L (Low Density Residential) on the Southeast Sector Map of the General Plan. A General Plan Amendment has been filed to change the land use to MLA (Medium-Low Attached) on this site. The proposed R-PD rezoning would conform to this amended land use designation.

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

While not considered a Special Area Plan or Overlay District, the site is within the Neighborhood Revitalization Area identified in the Las Vegas 2020 Master Plan. The plan contains policies encouraging redevelopment and development of vacant lots that is sensitive to the needs of the community.

B) General Analysis and Discussion

This proposal would permit the development of a 41-lot single-family residential subdivision at a density of 9.31 units per acre. The property is bounded by established and anticipated commercial uses to the north, single family residential on minimum 6,500 square-foot lots to the east and south and the Desert Pines Golf Club to the west.

The rezoning is appropriate for the following reasons:

1. It would place a residential project on an undeveloped infill parcel in a manner that is harmonious and compatible with the surrounding area.
2. It provides a reasonable transition from lower density residential to the east and south and commercial uses to the north.
3. The property is currently designated L (Low Density Residential) on the Southeast Sector Map of the General Plan, yet is zoned C-1 (Limited Commercial). The rezoning and related General Plan Amendment not only resolves this land use conflict, but also provides a reasonable density that will help bring stability to this long established neighborhood.

It should be noted that a revised site plan was submitted with reduced setbacks from those originally requested. Also, the applicant has agreed to develop all interior streets as private streets and to create a homeowner's association to maintain them. As a result, staff now recommends approval of both the Rezoning and the Site Development Plan Review (SDR-5098).

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 proposal does not conform to the current land use designation of the General Plan. It does, however, conform to the MLA (Medium-Low Attached Density Residential) recommended for approval by the Planning Commission. The development of this parcel advances General Plan policies to encourage infill development at densities that are harmonious and compatible with the neighborhood.

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."

There is single-family development directly to the east and south of this property. It is at an appropriate density in close proximity to established commercial uses.

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

The rezoning is appropriate as it represents development of an infill site that is in keeping with the established and anticipated development of this area of the City.

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

The site is near the intersection of Bonanza Road and Pecos Road; both are adequate to accommodate the needs of this project.

PLANNING COMMISSION ACTION

As an approved site plan is necessary for RPD zoning, and the site plan was not deemed adequate, the zoning cannot be recommended for approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 582 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5092 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Jr Trustee of The Kenny Family Declaration of Trust Dated Feb. 10, 1992

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: _____

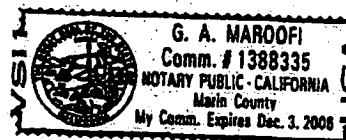
Signature of Property Owner/Authorized Agent: John E. Kenny Jr TRUSTEE

Print Name: JOHN E. KENNEY JR TRUSTEE OF THE KENNEY FAMILY DECLARATION OF TRUST

Subscribed and sworn before me

This 9 day of Aug., 2004

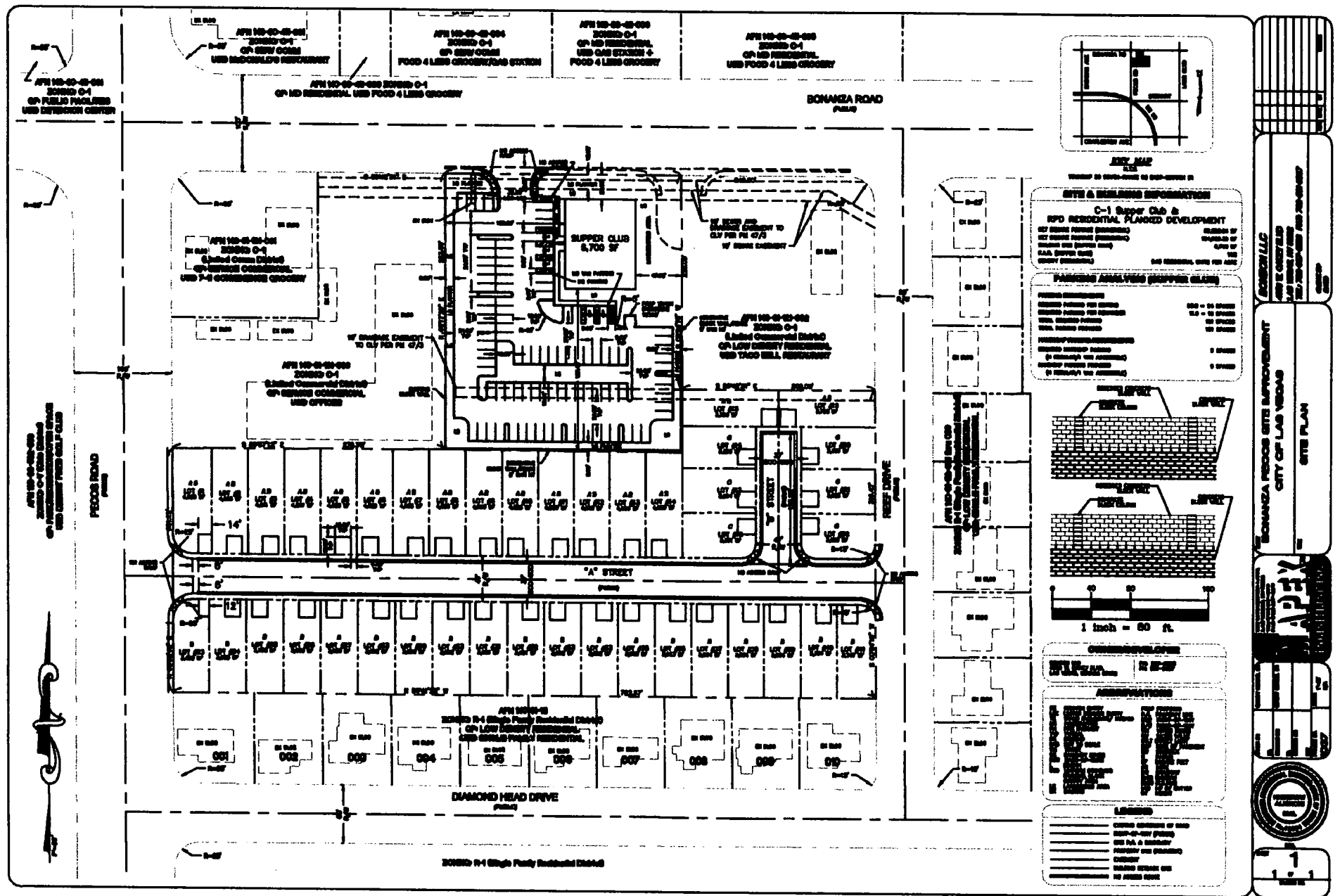
[Signature] 8/9/04
Notary Public in and for said County and State

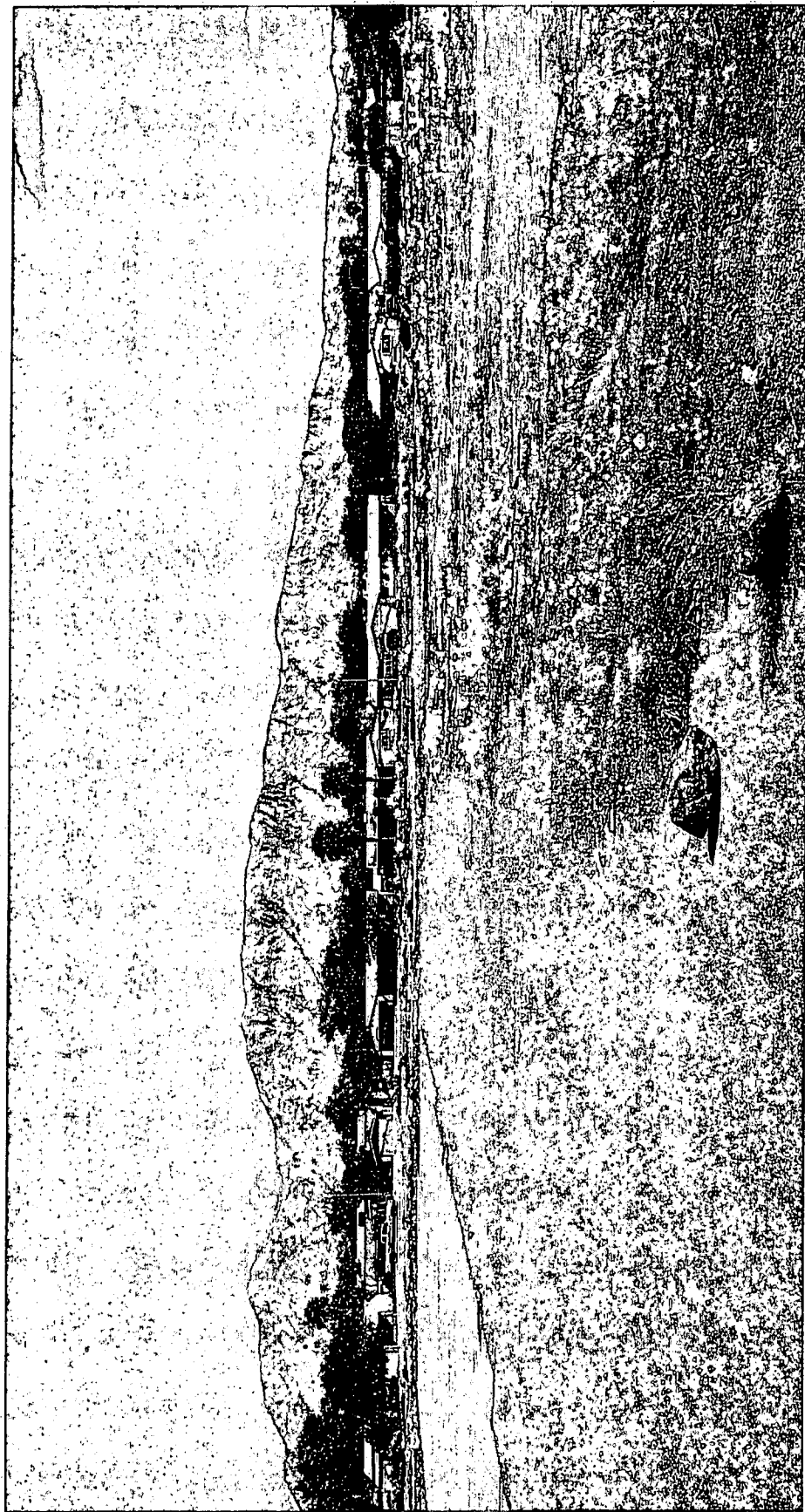


RECEIVED

OCT 20 2004

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
1-13-05 PC





ZON-5092 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04



3320 North Buffalo Drive
Suite 106
Las Vegas, NV 89129
Tel: 702-396-3426
Fax: 702-396-3758

VAR-5099
ZON-5092
SDR-5098
SUP-5096
SDE-5093

August 24, 2004

Planning and Development
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Attn: Robert Genzer

Re: Bonanza and Pecos General Plan Amendment Application, APN #140-31-121-003

Dear Mr. Genzer:

The Bonanza and Pecos site is located at the east and south of the corner of Bonanza Road and Pecos Road in the City of Las Vegas. (APN #140-31-121-003) This parcel is opposite the Food 4 Less with gas station and a McDonald's on the north side of Bonanza Road and Desert Pines Golf Club on the west side of Pecos Road. The new family courts and detention center buildings are northwest of the intersection.

Two pads at the southeast corner of Bonanza Road and Pecos Road and the southwest corner of Bonanza Road and Reef Drive have been developed as a 7/11 convenience store and a Taco Bell restaurant respectively. An "L"-shaped parcel developed as offices abuts the convenience store parcel on its east and south sides. Medium-Low density residential accessed via the north side of Diamond Head Drive abuts the subject parcel on its south side and faces the subject parcel across Reef Drive to the east.

The residential near the site was developed in 1980. It is an R-1 density, single family, conventional subdivision. There are no subdivision walls or common areas. The streets are public. While some homes display signs of deferred maintenance, many are in excellent condition with fresh exterior paint and lush landscaping. This appears to be a neighborhood that is benefiting from the substantial investment in public facilities nearby.

The 5.98-acre subject parcel is zoned C-1 and planned for Low Density Residential. Proposed development is a supper club between the two commercial pads on the north segment of the subject parcel and single family residential on the remainder. We are proceeding concurrently with the General Plan Amendment to Medium Density Residential (M) and Service Commercial (SC), Rezoning of the residential area to Residential-Compact Lot (R-CL), Site Plan Reviews, Special Use Permit for the supper club on the commercial parcel, a Variance of the maximum parcel size for the residential, and the Vacation of the drainage easement and ingress/egress easements necessary to development of the parcel. The Site Plan Review for the commercial includes a waiver request for foundation landscaping of the supper club building. No other waivers are contemplated.

Amendment to the General Plan is appropriate for both planned projects. The site is already zoned C-1, so the SC designation is consistent with that zoning. The M will provide a buffer between the office and commercial uses on the north and the medium-low density residential on the south.

The R-CL zoning will allow development of a transitional density of single family residential, consistent with that of its neighbors. The Variance of project parcel size for the R-CL is necessary because of the irregular shape of the whole parcel and the lack of depth in the residential parcel. That portion of the lot facing Bonanza Road between the developed parcels is proposed for commercial uses. The south lot line of the commercial portion is proposed to be as far south as that of the most southerly line of these abutting parcels, so is as large as possible without segmenting the remnant. The remnant is 4.40 acres net of prior dedications for Pecos Road and Reef Drive. Including these dedications, the remnant is 4.91 acres. While development of a third parcel facing Pecos Road as commercial or office would create a remaining parcel small enough to meet the R-CL maximum lot size requirement, this strategy would create commercial abutting the existing homes to the south and force all traffic from the R-CL residential onto Reef Drive, a collector street serving neighboring homes to the east – a situation likely to be less acceptable to the neighboring residents than the one proposed. Lastly for the residential, we are asking for relief from Title 18, Chapter 18.12, Section 310 "Vehicular Access Prohibition to Primary or Secondary Thoroughfares" for Lots 1 and 24 facing Pecos Road, because "...no alternative exists due to the ... depth of the land to be divided." (Title 18.12.310)

Development of the residential parcel under Planned Development (PD) was seriously considered as part of the preliminary planning process for this project. A size variance would have been necessary as the remnant is smaller than the five acre minimum required in PD. Almost two thirds of the parcel is just over 250 feet deep. This is more than adequate for two banks of lots and a street, but will not allow for additional facilities in the middle of the community. Thus, common area could only be located at the east side of the project, off of Reef Drive. Such a location would encourage access by non-residents and, because the east lots face Reef Drive, facilities would be poorly supervised by adjacent residents. As now planned, there will be no common facilities, therefore no homeowners association will be necessary. Public streets and a lack of property line walls will allow improved visual monitoring from outside the community and, therefore, improved security for residents as this neighborhood continues its improvement over time. In sum, this strategy in the PD zone would require a waiver request in addition to the variance making it less suitable for the planned project.

The supper club is proposed for the commercial site, because there are few restaurants in the vicinity that are not fast food restaurants and there is new demand associated with the new government facilities northwest of the site. The clubhouse at Desert Pines Golf Club is the type of restaurant contemplated for the site. Other nearby restaurants include the Taco Bell to the east and Pappa John's Pizza and McDonald's north of the site. Located on the north side of the parcel between the entrances onto Bonanza Road, the site is served by a major arterial roadway and separated from the residential by more than 100 feet. The supper club parcel is separated by more than 400 feet from the parcels that include Child Haven, Mountain View Christian Schools, and Oran Gragson Elementary School. There are no houses of worship in the vicinity.

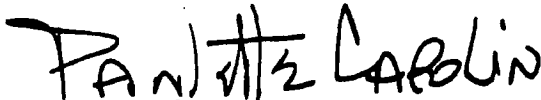
Site Plan Reviews are offered for both the commercial and residential projects so their evaluations can be based on clear ideas of what is proposed for each project. A waiver of the requirement for irrigated landscaping at the foundation of the supper club is requested for several reasons: 1) water soaking the foundation of the building can lead to the development of mold in the flooring and can undermine the soils around the foundation, 2) attractive landscaping using desert plant materials and non-living ground covers can be accomplished, and 3) landscaping within the front setback and the parking lot is planned to exceed requirements.

There is an undeveloped drainage easement across both commercial and residential projects. The easement was dedicated to the City of Las Vegas. A drainage plan will be required prior to development. The drainage plan will address conveyance of run off through the site, so the easement will no longer be necessary.

Also, there are two ingress/egress easements that were dedicated to the City of Las Vegas as part of the Pecos/Bonanza Plaza commercial subdivision: one onto Pecos Road from the residential project and one onto Bonanza Road from the commercial project. A third easement displayed on this plat has already been vacated. These easements are misaligned with respect to the proposed circulation systems.

If you have any questions concerning this application, do not hesitate to call me at (702) 396-3426.

Sincerely,


Paulette Carolin, FAICP
Planning Director

Enclosures

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE RELATED TO VAR-5099 AND ZON-5092

VAR-5300 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Variance TO ALLOW ZERO ACRES OF OPEN SPACE WHERE 0.68 ACRES IS THE MINIMUM REQUIRED in conjunction with a proposed 41-lot single-family residential development on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN a portion of 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - ABEYANCE to 3/2/2005 - UNANIMOUS with BROWN abstaining because ihe is a partner with GLEN RAYNES in the 1990 land deal

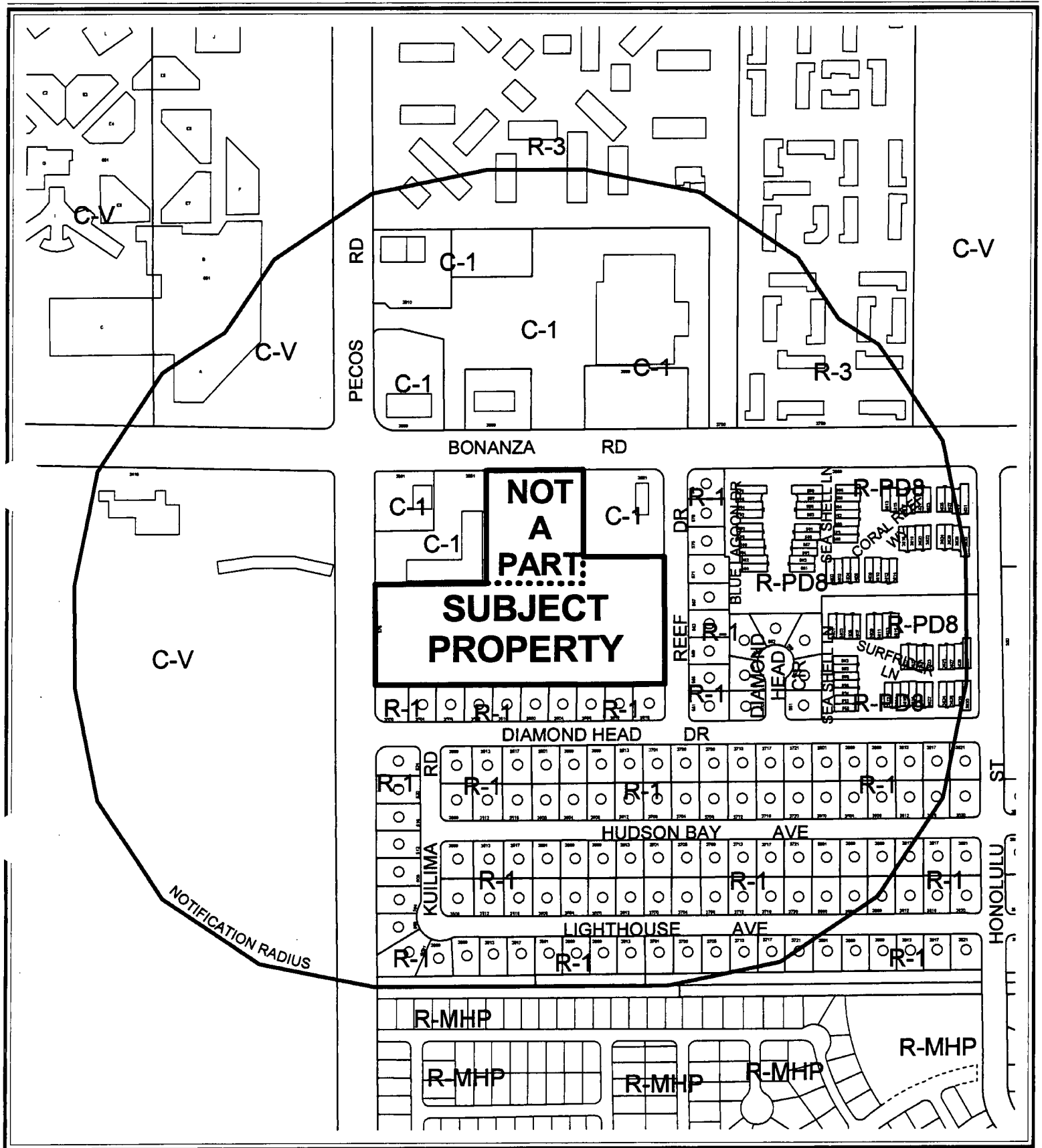
NOTE: COUNCILMAN BROWN verified with GLEN RAYNES that he is financially involved with this project, as well as with the 1990 Lamb Change Group. Therefore, he would be disclosing and abstaining.

MINUTES:

NOTE: See Item 130 [GPA-5082] for all related discussion.

(4:52 - 5:05)

6-2072



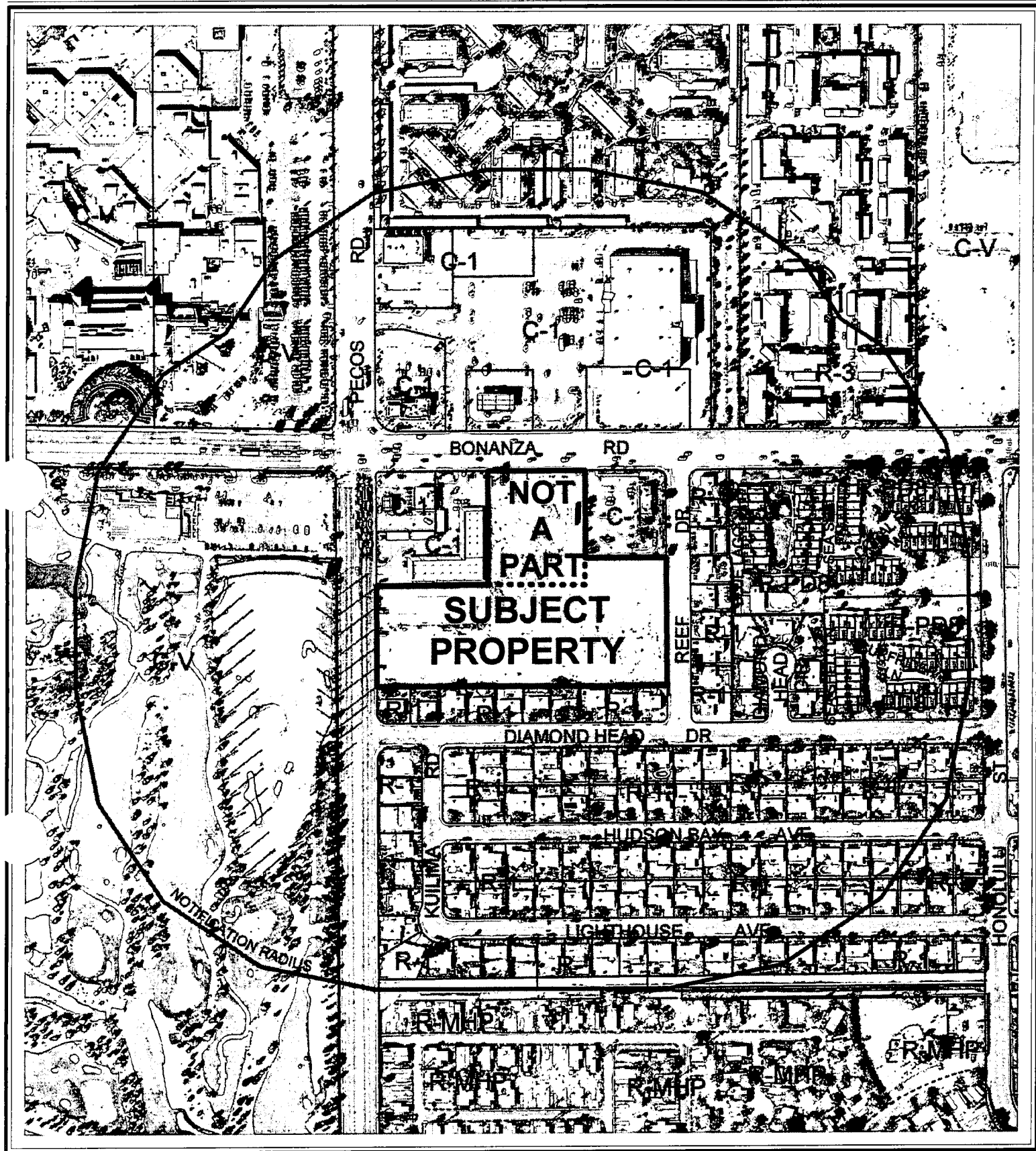
CASE: VAR-5300

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-CL (SINGLE-FAMILY COMPACT-LOT)





CASE: VAR-5300

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-CL (SINGLE-FAMILY COMPACT-LOT)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5300 - APPLICANT/OWNER: BON BON, LLC

**** CONDITIONS ****

The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. A waiver of the required landscaping area along Pecos Road and Reef Drive is hereby granted.
3. Approval of and conformance to the conditions of approval imposed on VAR-5099, ZON-5092 and SDR-5098.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow zero acres of open space where approximately 0.68 acres are required, and to allow a waiver of perimeter landscaping requirements, on a 4.40-acre site on the east side of Pecos Road, approximately 300 feet south of Bonanza Road.

B) Applicant's Justification

The applicant's justification for this request is that the provision of landscaping and open space is not necessary for a site in this area, as it will provide a burden to homeowners and contribute to a lack of privacy in the development.

BACKGROUND INFORMATION

A) Previous Actions

- 10/07/04 The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval.
- 11/03/04 The City Council voted to hold the related General Plan Amendment (GPA-5082 and Vacation (VAC-5101) in abeyance per the applicant's request. They are scheduled to be heard at the February 16, 2005 City Council meeting.
- 01/13/05 The Planning Commission recommended approval of related applications VAR-5099, SUP-5096 and SDR-5093 as part of this agenda; and recommended denial of these related applications ZON-5092, WVR-5299 and SDR-5098.
- 01/13/05 The Planning Commission voted 4-3 to recommend DENIAL (PC Agenda Item #26/dc).

B) Pre-Application Meeting

- 08/03/04 Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

C) Neighborhood Meetings

09/20/04 The required neighborhood meeting for the companion General Plan Amendment was held by the applicant. Seven persons attended who were all in favor of the project, as long as no apartments are constructed. The applicant stated they were not interested in building any multi-family units.

DETAILS OF APPLICATION REQUEST

Site Area

Gross Acres: 4.40

B) Existing Land Use

Subject Property: Undeveloped
North: Commercial
South: Single-Family Residential
East: Single-Family Residential
West: Desert Pines Golf Club

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: M (Medium Density Residential)
South: L (Low Density Residential)
East: L (Low Density Residential)
West: PR (Parks and Recreation)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: R-1 (Single Family Residential)
East: R-1 (Single Family Residential)
West: C-V (Civic)

E) General Plan Compliance

The site is designated L (Low Density Residential) on the Southeast Sector Map of the General Plan. A General Plan Amendment has been filed to change the land use to MLA (Medium-Low Attached) on this site. There are no General Plan policies that are directly relevant to the proposed Variance.

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

While not considered a Special Area Plan or Overlay District, the site is within the Neighborhood Revitalization Area identified in the Las Vegas 2020 Master Plan. The plan contains policies encouraging redevelopment and development of vacant lots that is sensitive to the needs of the community.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
4.40 acres	9.32	1.65	15	0.68 Acres	0%	None

The subject of this application is the provision of no open space for this 41 lot single-family subdivision at a density of 9.32 units per acre; additionally, the applicant has requested that no external perimeter landscaping be provided adjacent to the proposed lots that will flank Pecos Road and Reef Drive, as required pursuant to Title 19.12.

B) General Analysis and Discussion

This 4.40 acre-site is part of a larger 5.98-acre parcel; the remainder of the site is proposed for a Supper Club through companion applications. This residential portion of the overall project will be developed as a 41-lot subdivision. The single-family homes to the east and south are developed as R-1 lots, which do not require any common open space or external perimeter landscaping. Requirements for open space and perimeter landscaping in for this project would be out of character for the established development pattern for this area of the City. Also, the remnant piece has an unusual configuration, as it has an extremely narrow frontage along Pecos Road for its depth. Therefore, the request meets the standard of Title 19.18.070 (L).

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."

In this instance, the application meets Code standards for the following reasons:

1. The site is narrow and shallow; relief from the open space and perimeter landscaping standards is warranted to develop a single-family residential subdivision that is harmonious and compatible with the area.
2. It does not permit a use that is not allowed in the R-PD zoning district, or vary a minimum distance separation standard or relieve a hardship, which is personal or self-created.

As a result, it is recommended that the Variance be granted.

PLANNING COMMISSION ACTION

The Planning Commission concurred with staff's recommendation against the Variance of open space.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 219 by City Clerk

APPROVALS 0

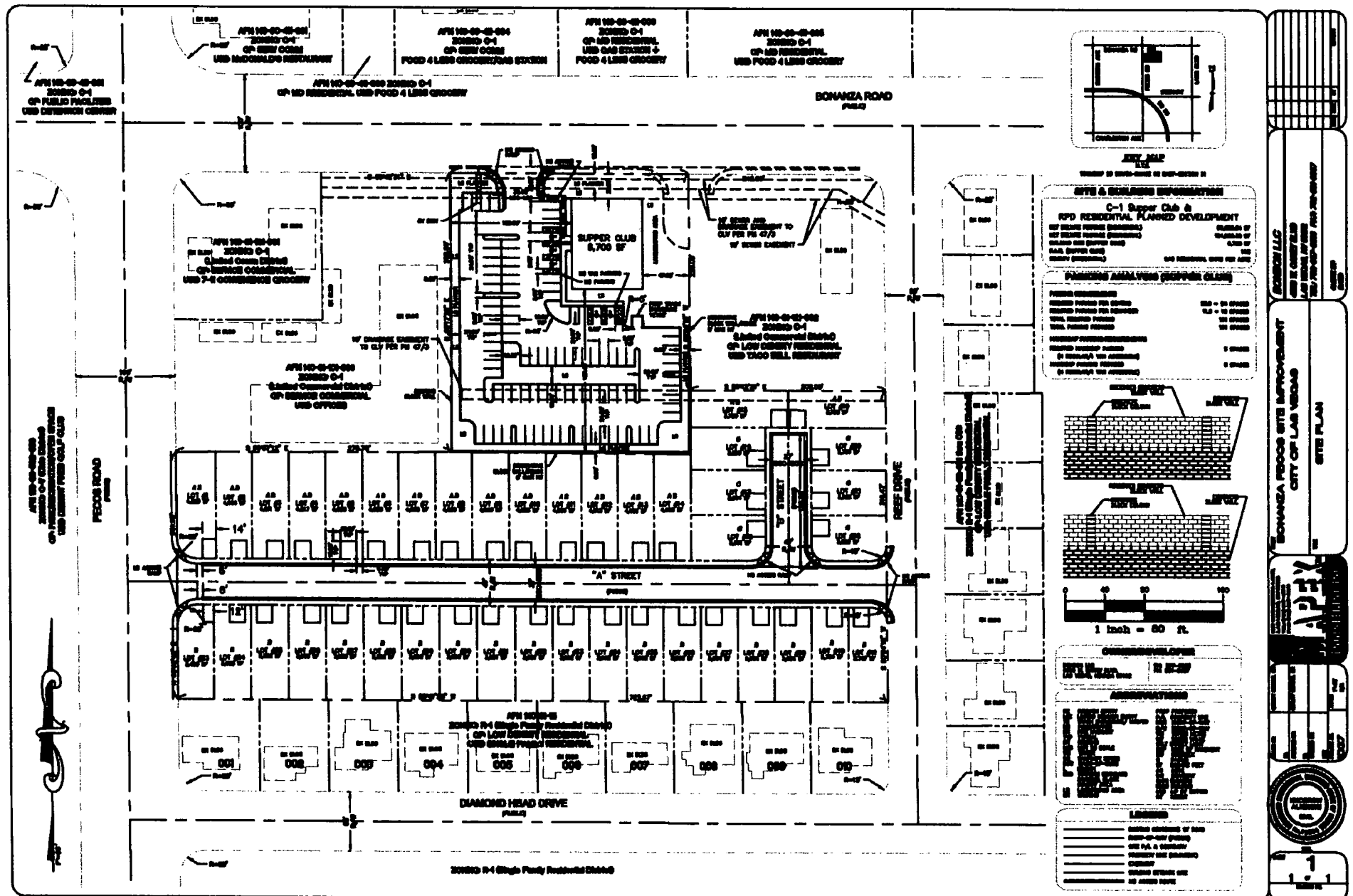
PROTESTS 0

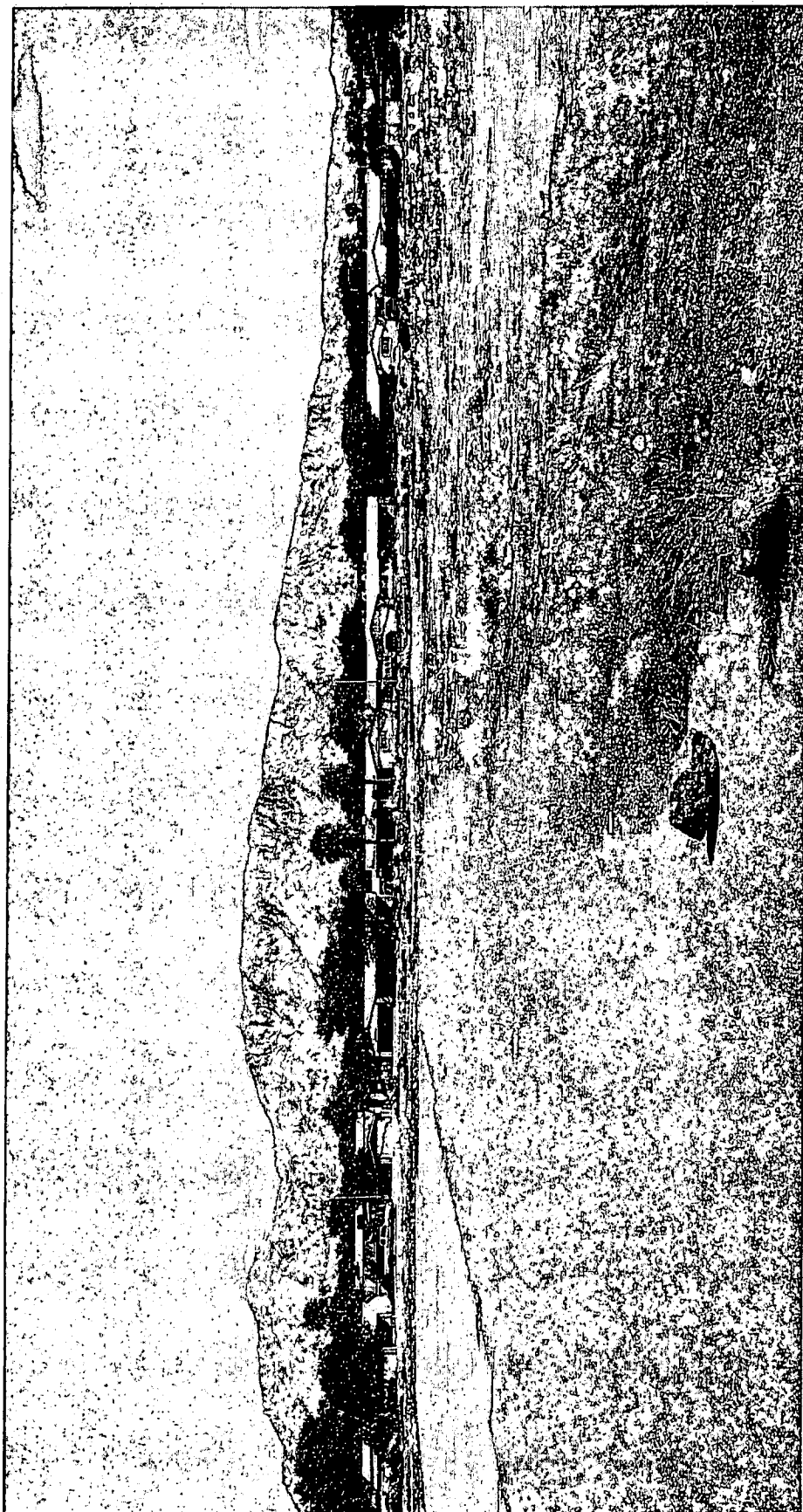


RECEIVED

OCT 20 2004

ZON-5092 VAR-5
 VAR-5099
 SUP-5096
 SDR-5093
 SDR-5098
 1-13-05 PC





VAR-5300 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04

VAL-5300
WVR-5299

BONBON LLC
Bonnie Cisneros - Manager
4550 W. Oakey - Suite 111
Las Vegas, NV 89102

September 20, 2004

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

Subject: Bonanza Pecos Site - General Plan Amendment Application - APN #140-31-121-003

Gentlemen:

The Bonanza Pecos Site is 5.98 acres located on the Southeast corner of Bonanza Road & Pecos Road fronting 2 major arterial being Bonanza Road to the North & Pecos Road to the West with Reef Drive on its East boundary. Currently zoned C-1 with low density general plan.

Across Bonanza Road to the north is a McDonald's, Food for Less with Gas Station, Island Club Apartments, & Desert Pine Apartments. The northwest corner is Family Court Services. Across Pecos Road to the West is Desert Pines Golf Club. Across Reef Drive to the east is one row of single family homes abutting Park Bonanza East Town Homes next east. Abutting the Site to the South are 3 residential streets abutting Bonanza Village Mobile Home Park next South.

We are proposing the North Portion of the Bonanza Pecos Site (fronting Bonanza Road to the north & evenly aligning to the South with it's neighbors on the East boundary being Taco Bell & on the West boundary being an L shaped parcel developed as offices abutting a 7-11 convenience store parcel) remain C-1 with a General Plan Amendment to Service Commercial which is consistent with it's C-1 zoning.

A supper club is proposed for the North Portion of the Bonanza Pecos Site, there are no sit down family restaurants for miles. It neighbors fast foods Taco Bell, McDonalds & Pappa John's Pizza. A Site Plan Review is offered. A waiver of the requirement for foundation landscaping of the supper club is requested due to the potential damage of maintaining (watering) foundation landscaping.

We are proposing the South Portion of the Bonanza Pecos Site being 4.4 acres net & 4.9 acres gross be re-zoned to RPD - 9 with a General Plan Amendment to MLA residential for single family residential lots which we feel is a perfect transitional zoning between the commercial to the north & residential to the South. Again, residential to the South consists of 3 R1 streets and then Bonanza Village Mobile Home Park. Again, on our East boundary is Reef Drive with one row of R1 homes facing us and then Park Bonanza East Town Homes. To the West is Desert Pines Gold Course across Pecos Road.

The South Portion of the Bonanza Pecos Site is a remnant parcel with a majority depth of only 251 feet which provides for a center street with a bank of single family residences on each side comfortably. We are asking for a variance for the RPD zoning on the South Portion being 4.4 acres net & 4.9 acres gross where 5 acres is the minimum required.

We are also asking for a variance to eliminate common area. Our immediate residential neighbors to the South and along the east side of Reef Drive have no common areas & no subdivision walls with public streets.

The residential Town Home development to the east abutting the homes along Reef Drive across the street to our east does not have subdivision walls, and does have a common area that causes great problems to the residences. We have had the opportunity to meet with the President of the HOA of the Town Homes and have been advised residents from the apartments across Bonanza Road to the North (Island Club

Planning & Development
Bonanza Pecos Site
page 2

Apartments 408 units & Desert Pines Apartments 204 units) are a constant nuisance to the Town Home Common Areas protected by fencing & ignored by the Apartment residents. The trespassers create a great liability for the Town Home Owners as well as a constant burden and ssupreme privacy invasion.

As now planned, there are no common facilities, therefore no homeowners association and no additional burden and privacy issues for the future homeowners. A very large City Park, Mike Morgan Family City Park, is within walking distance (approximately 2 blocks) from our proposed residences.

We are also requesting a waiver to title 18.12.130 to allow for a public dead end street being (approximately 125' long) that does not end in a cul de sac. When reviewed by the fire chief this road was found acceptable.

Lastly there is an undeveloped, unused drainage easement across the Bonanza Pecos site dedicated to the City of Las Vegas to vacate as a drainage plan will be required prior to any development which will address conveyance of run off through the site; and two ingress/ egress easements to vacate that were dedicated to the City of Las Vegas as part of the Pecos/Bonanza commercial subdivision. These two easements are misalign with respect to the proposed circulation systems and have never been put into use.

Our plan is to keep the North Portion consistent with its surrounds & provide the South Portion as a transitional buffer keeping with its surrounds. We feel/hope our new homes will boost values & pride in ownership back into the neighborhood as many homes are showing signs of deferred maintenance.

We appreciate your consideration.

Thank you.

Sincerely,



Bonnie Cisneros, Manager
BONBON LLC
Owner & Applicant
367-6588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

WAIVER RELATED TO VAR-5099, ZON-5092 AND VAR-5300

WVR-5299 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Waiver of Title 18.12.130 TO ALLOW A PUBLIC STREET TO TERMINATE WITHOUT A CIRCULAR CUL-DE-SAC OR EMERGENCY ACCESS GATE WHERE ONE IS REQUIRED FOR STREETS TERMINATING OTHER THAN AT AN INTERSECTION WITH ANOTHER PUBLIC STREET in conjunction with a proposed 41-lot single-family residential development on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN a portion of 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Letter from Bon Bon, LLC requesting withdrawal without prejudice

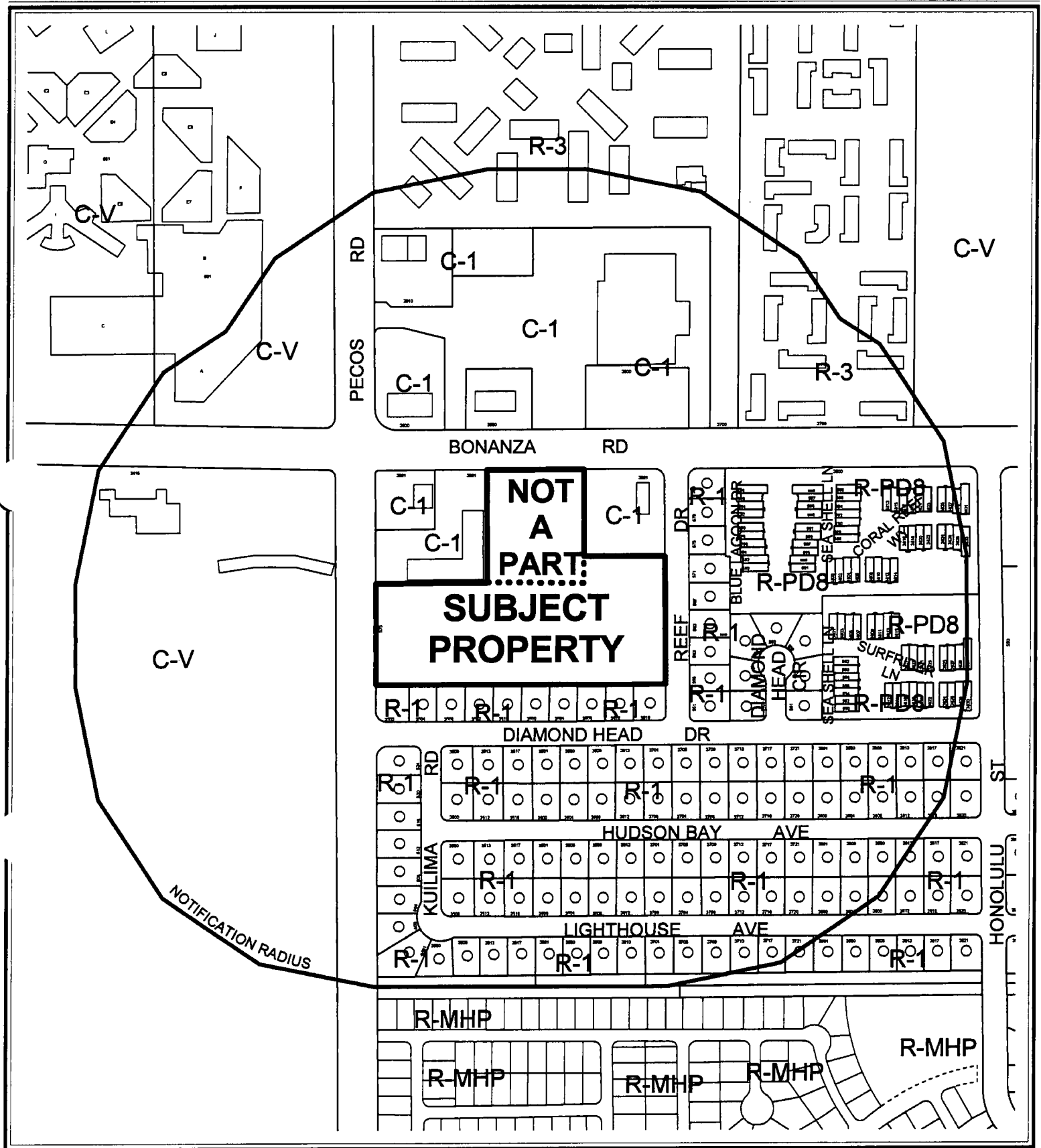
MOTION:

REESE - ABEYANCE to 3/2/2005 - UNANIMOUS with BROWN abstaining because he is a partner with GLEN RAYNES in the 1990 land deal

NOTE: COUNCILMAN BROWN verified with GLEN RAYNES that he is financially involved with this project, as well as with the 1990 Lamb Change Group. Therefore, he would be disclosing and abstaining.

MINUTES:

NOTE: See Item 130 [GPA-5082] for all related discussion.
(4:52 - 5:05)
6-2072



CASE: WVR-5299

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-CL (SINGLE-FAMILY COMPACT-LOT)

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: WVR-5299 - APPLICANT/OWNER: BON BON, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. The site development plan shall be revised to either terminate this street in a cul-de-sac or designate it as a private street as required by Title 18.
2. Create a Homeowners' Association to maintain the private street, if this option is chosen by the applicant.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request to allow a Waiver of Title 18.12.130, to allow a public street to terminate without a circular cul-de-sac or emergency access gate where one is required for streets terminating other than at an intersection with another public street, on a 4.40-acre site on the east side of Pecos Road, approximately 300 feet south of Bonanza Road. This Waiver applies to the street labeled "B" Street on the site development plan.

B) Applicant's Justification

The applicant's justification for this density is that it is a transition between the R-1 single-family residences to the south and the exiting commercial and proposed supper club to the north. The specific reason provided for this Waiver is that the street in question is only 125 feet in length and the Department of Fire Services had no objections to it.

BACKGROUND INFORMATION

A) Previous Actions

- 10/07/04 The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval.
- 11/03/04 The City Council voted to hold the related General Plan Amendment (GPA-5082 and Vacation (VAC-5101) in abeyance per the applicant's request. They are scheduled to be heard at the February 16, 2005 City Council meeting.
- 01/13/05 The Planning Commission recommended approval of related applications VAR-5099, SUP-5096 and SDR-5093 as part of this agenda; and recommended denial of these related applications ZON-5092, VAR-5300 and SDR-5098.
- 01/13/05 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #27/dc).

B) Pre-Application Meeting

- 08/03/04 Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

C) Neighborhood Meetings

09/20/04 The required neighborhood meeting for the companion General Plan Amendment was held by the applicant. Seven persons attended who were all in favor of the project, as long as no apartments are constructed. The applicant stated they were not interested in building any multi-family units.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.40

B) Existing Land Use

Subject Property: Undeveloped
North: Commercial
South: Single Family Residential
East: Single Family Residential
West: Desert Pines Golf Club

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: M (Medium Density Residential)
South: L (Low Density Residential)
East: L (Low Density Residential)
West: PR (Parks and Recreation)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: R-1 (Single Family Residential)
East: R-1 (Single Family Residential)
West: C-V (Civic)

E) General Plan Compliance

The site is designated L (Low Density Residential) on the Southeast Sector Map of the General Plan. A General Plan Amendment has been filed to change the land use to MLA (Medium-Low Attached) on this site. There are no General Plan policies that are directly related to this waiver request.

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

While not considered a Special Area Plan or Overlay District, the site is within the Neighborhood Revitalization Area identified in the Las Vegas 2020 Master Plan. The plan contains policies encouraging redevelopment and development of vacant lots that is sensitive to the needs of the community.

PROJECT DESCRIPTION

The project consists of a 41-lot single-family subdivision. Two public streets are proposed, one providing internal access for a majority of the lots, which runs in an east-west direction between Pecos Road and Reef Drive. The other, which is the subject of this Title 18 Waiver request, is a 125-foot long street, which provides access to eight of the proposed lots. In most R-PD developments, clusters of four to eight lots are usually served by private drives and are maintained by a homeowners' association. One of the reasons the applicant is making this request is to not have to create a homeowners' association, since no other common elements are provided in the development.

General Analysis and Discussion

The Department of Public Works has indicated that it cannot support this request for a Waiver of Title 18.12.130 to allow a public street to terminate without a circular cul-de-sac or emergency access gate where one is required for streets terminating other than at an intersection with another public street. Although the Department of Fire Services may support this waiver with appropriate sprinklers, Public Works cannot support this request due to the inability of large vehicles such as delivery trucks to turn around upon reaching the street terminus and the inability of proper street cleaning. In addition vehicles would tend to utilize private driveways to turn around in order to exit the "dead end" street. Title 18 would permit the proposed termination if the street were to be designated as "private", therefore, it is Public Works' opinion that should this configuration remain, that the streets become private and therefore privately maintained. As a result, it is recommended that this Waiver be denied.

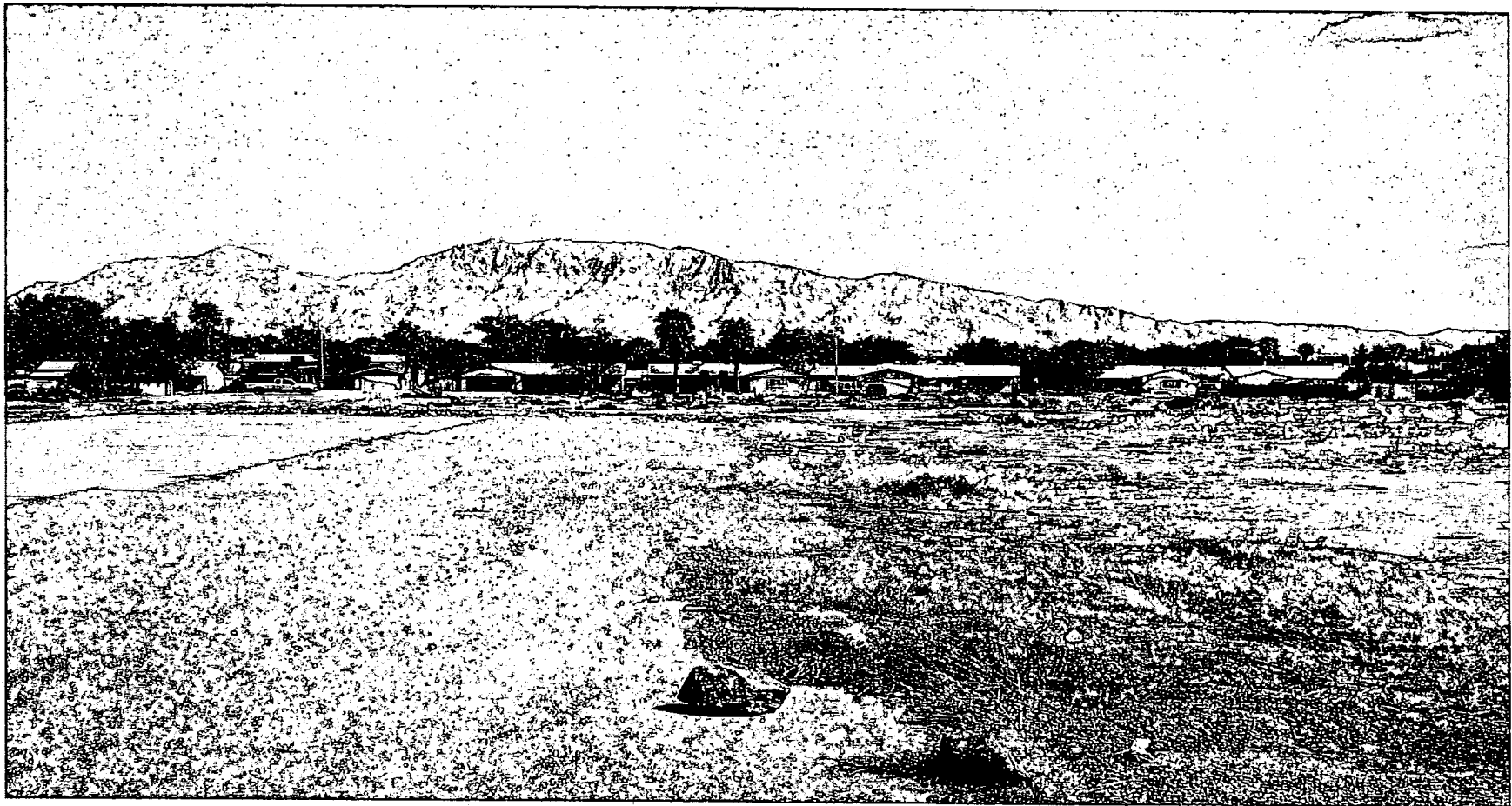
NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 582 by Planning Department

APPROVALS 0

PROTESTS 0





WVR-5299 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04

VAL-530
WVR-529

BONBON LLC
Bonnie Cisneros - Manager
4550 W. Oakey - Suite 111
Las Vegas, NV 89102

September 20, 2004

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

Subject: Bonanza Pecos Site - General Plan Amendment Application - APN #140-31-121-003

Gentlemen:

The Bonanza Pecos Site is 5.98 acres located on the Southeast corner of Bonanza Road & Pecos Road fronting 2 major arterial being Bonanza Road to the North & Pecos Road to the West with Reef Drive on its East boundary. Currently zoned C-1 with low density general plan.

Across Bonanza Road to the north is a McDonald's, Food for Less with Gas Station, Island Club Apartments, & Desert Pine Apartments. The northwest corner is Family Court Services. Across Pecos Road to the West is Desert Pines Golf Club. Across Reef Drive to the east is one row of single family homes abutting Park Bonanza East Town Homes next east. Abutting the Site to the South are 3 residential streets abutting Bonanza Village Mobile Home Park next South.

We are proposing the North Portion of the Bonanza Pecos Site (fronting Bonanza Road to the north & evenly aligning to the South with it's neighbors on the East boundary being Taco Bell & on the West boundary being an L shaped parcel developed as offices abutting a 7-11 convenience store parcel) remain C-1 with a General Plan Amendment to Service Commercial which is consistent with it's C-1 zoning.

A supper club is proposed for the North Portion of the Bonanza Pecos Site, there are no sit down family restaurants for miles. It neighbors fast foods Taco Bell, McDonalds & Pappa John's Pizza. A Site Plan Review is offered. A waiver of the requirement for foundation landscaping of the supper club is requested due to the potential damage of maintaining (watering) foundation landscaping.

We are proposing the South Portion of the Bonanza Pecos Site being 4.4 acres net & 4.9 acres gross be re-zoned to RPD - 9 with a General Plan Amendment to MLA residential for single family residential lots which we feel is a perfect transitional zoning between the commercial to the north & residential to the South. Again, residential to the South consists of 3 R1 streets and then Bonanza Village Mobile Home Park. Again, on our East boundary is Reef Drive with one row of R1 homes facing us and then Park Bonanza East Town Homes. To the West is Desert Pines Gold Course across Pecos Road.

The South Portion of the Bonanza Pecos Site is a remnant parcel with a majority depth of only 251 feet which provides for a center street with a bank of single family residences on each side comfortably. We are asking for a variance for the RPD zoning on the South Portion being 4.4 acres net & 4.9 acres gross where 5 acres is the minimum required.

We are also asking for a variance to eliminate common area. Our immediate residential neighbors to the South and along the east side of Reef Drive have no common areas & no subdivision walls with public streets.

The residential Town Home development to the east abutting the homes along Reef Drive across the street to our east does not have subdivision walls, and does have a common area that causes great problems to the residences. We have had the opportunity to meet with the President of the HOA of the Town Homes and have been advised residents from the apartments across Bonanza Road to the North (Island Club

Planning & Development
Bonanza Pecos Site
page 2

Apartments 408 units & Desert Pines Apartments 204 units) are a constant nuisance to the Town Home Common Areas protected by fencing & ignored by the Apartment residents. The trespassers create a great liability for the Town Home Owners as well as a constant burden and ssupreme privacy invasion.

As now planned, there are no common facilities, therefore no homeowners association and no additional burden and privacy issues for the future homeowners. A very large City Park, Mike Morgan Family City Park, is within walking distance (approximately 2 blocks) from our proposed residences.

We are also requesting a waiver to title 18.12.130 to allow for a public dead end street being (approximately 125' long) that does not end in a cul de sac. When reviewed by the fire chief this road was found acceptable.

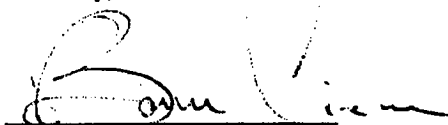
Lastly there is an undeveloped, unused drainage easement across the Bonanza Pecos site dedicated to the City of Las Vegas to vacate as a drainage plan will be required prior to any development which will address conveyance of run off through the site; and two ingress/ egress easements to vacate that were dedicated to the City of Las Vegas as part of the Pecos/Bonanza commercial subdivision. These two easements are misalign with respect to the proposed circulation systems and have never been put into use.

Our plan is to keep the North Portion consistent with its surrounds & provide the South Portion as a transitional buffer keeping with its surrounds. We feel/hope our new homes will boost values & pride in ownership back into the neighborhood as many homes are showing signs of deferred maintenance.

We appreciate your consideration.

Thank you.

Sincerely,



Bonnie Cisneros, Manager
BONBON LLC
Owner & Applicant
367-6588

BONBON LLC
4550 W. OAKLEY - SUITE 111
LAS VEGAS, NV 89102
702 367-6588

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Gary Leobold Planning & Development	Bonnie Cisneros Managing Member
COMPANY:	DATE:
City of Las Vegas	01/20/05
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
385-7268	1
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER:
575 N. Pecos Road	

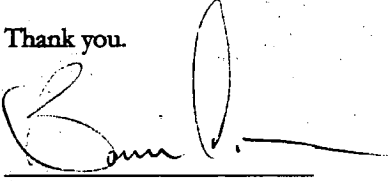
☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Gary,

With respect to our Waiver 5299 applicatin for the above referenced property, per staff recommendation we are in agreement to make this street private and to form a Homeowner's Association to maintain this private street, by the 41 Owners. Therefore, kindly withdraw said request for Waiver 5299 without prejudice.

Thank you.


Bonnie Cisneros
Managing Member
BONBON LLC
702 367-6588

WVR-5299

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5099, ZON-5092, VAR-5300 AND WVR-5299

SDR-5098 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Site Development Plan Review FOR A PROPOSED 41-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

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

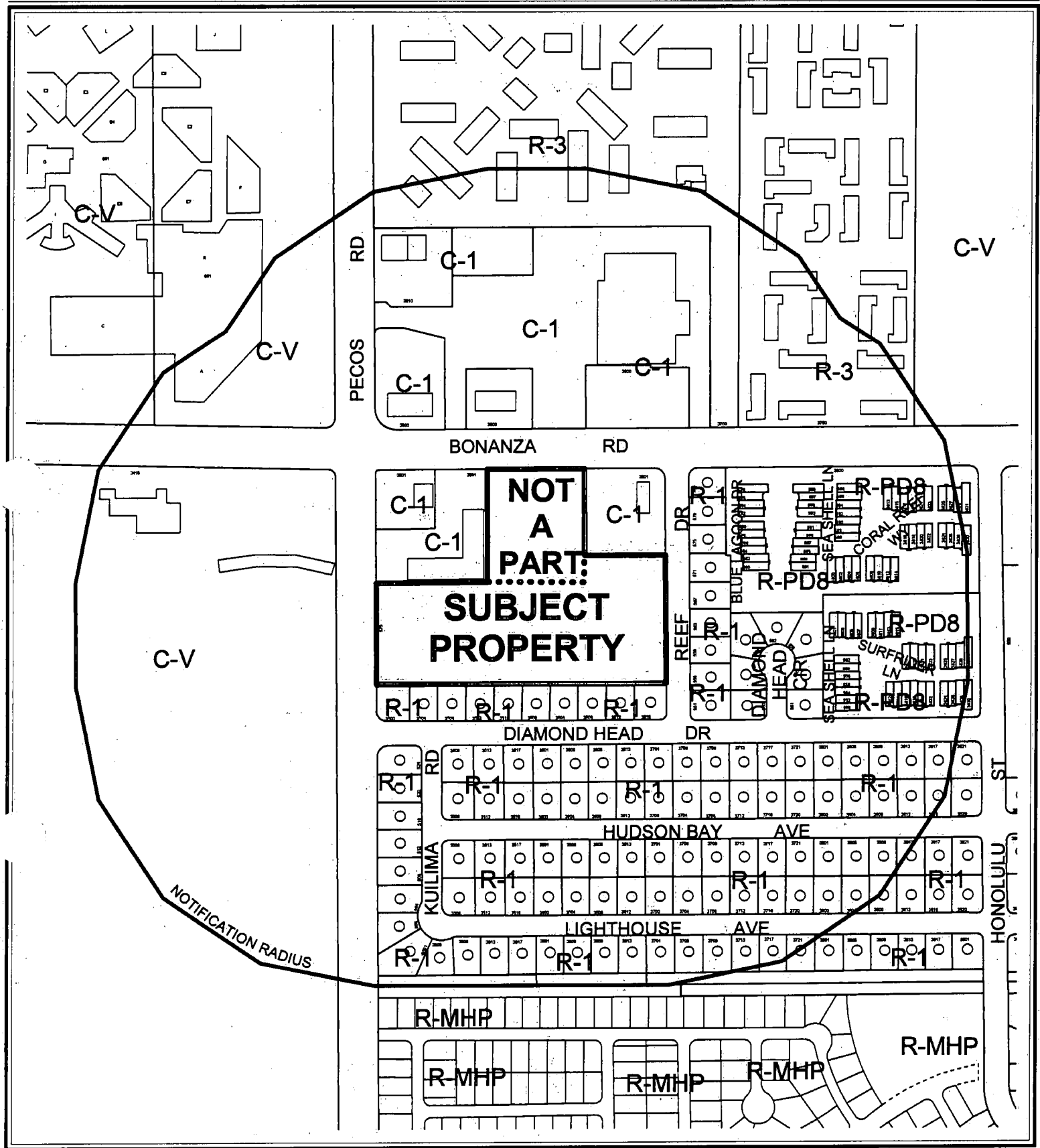
MOTION:

REESE - ABEYANCE to 3/2/2005 - UNANIMOUS with BROWN abstaining because he is a partner with GLEN RAYNES in the 1990 land deal

NOTE: COUNCILMAN BROWN verified with GLEN RAYNES that he is financially involved with this project, as well as with the 1990 Lamb Change Group. Therefore, he would be disclosing and abstaining.

MINUTES:

NOTE: See Item 130 [GPA-5082] for all related discussion.
(4:52 - 5:05)
6-2072



CASE: SDR-5098

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-CL (SINGLE-FAMILY COMPACT-LOT)

0 300 600 Feet

136



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5098 – APPLICANT/OWNER: BON BON, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL of the initial request. Staff now recommends APPROVAL based on a revised plan and conditions for private streets. If Approved, subject to:

Planning and Development

1. Approval of a General Plan Amendment to MLA (Medium-Low Attached) (GPA-5082); Variances to the required minimum lot size of five acres and to the required open space standard (VAR-5099) and (VAR-5300) and a Site Development Plan Review for 41 single-family residences (SDR-5098) by the City Council.
2. This site development plan review shall expire in two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council
3. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
4. All development shall be in conformance with the site plan date stamped 10/20/04 and building elevations date stamped 01/12/05, except as amended by conditions herein.
5. The setbacks for this development shall be a minimum of 18 feet to the front of the house, three feet on the side, three feet on the corner side and 12 feet in the rear.
6. A waiver is granted to not provide landscaping along Pecos Road.
7. Air conditioning units shall not be mounted on rooftops.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any new property line wall shall be a decorative block wall, with at least 20 % contrasting materials. Wall heights shall be measure from the side of the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. All City Code requirements and standards shall be met.

Public Works

11. 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.
12. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5092 and all other applicable site-related actions.
13. A Master Streetlight Plan must be submitted and approved prior to the submittal of any construction drawings for this site.
14. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
15. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review of a 41-lot single-family residential subdivision on a 4.40-acre site on the east side of Pecos Road, approximately 300 feet south of Bonanza Road.

B) Applicant's Justification

The applicant has justified this request by stating that the project represents a transition between the R-1 single-family residences to the south and the existing commercial and proposed supper club to the north.

BACKGROUND INFORMATION

A) Previous Actions

- 10/07/04 The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval.
- 11/03/04 The City Council voted to hold the related General Plan Amendment (GPA-5082 and Vacation (VAC-5101) in abeyance per the applicant's request. They are scheduled to be heard at the February 16, 2005 City Council meeting.
- 01/13/05 The Planning Commission recommended approval of related applications VAR-5099, SUP-5096 and SDR-5093 as part of this agenda; and recommended denial of these related applications ZON-5092, VAR-5300 and WVR-5299.
- 01/13/05 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #28/dc).

B) Pre-Application Meeting

- 08/03/04 Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

C) Neighborhood Meetings

09/20/04 The required neighborhood meeting for the companion General Plan Amendment was held by the applicant. Seven persons attended who were all in favor of the project, as long as no apartments are constructed. The applicant stated they were not interested in building any multi-family units.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.40

B) Existing Land Use

Subject Property: Undeveloped
North: Commercial and Undeveloped
South: Single Family Residential
East: Single Family Residential
West: Desert Pines Golf Club

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: M (Medium Density Residential)
South: L (Low Density Residential)
East: L (Low Density Residential)
West: PR (Parks and Recreation)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: R-1 (Single Family Residential)
East: R-1 (Single Family Residential)
West: C-V (Civic)

E) General Plan Compliance

The site is designated L (Low Density Residential) on the Southeast Sector Map of the General Plan. A General Plan Amendment has been filed to change the land use to MLA (Medium-Low Attached) on this site. The proposed site plan would conform to this amended land use designation.

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

While not considered a Special Area Plan or Overlay District, the site is within the Neighborhood Revitalization Area identified in the Las Vegas 2020 Master Plan. The plan contains policies encouraging redevelopment and development of vacant lots that is sensitive to the needs of the community.

PROJECT DESCRIPTION

On the initial submission, direct access to the project was shown via a 47-foot wide public street (with "L" curb) that connects Pecos Road to Reef Drive. Thirty-three of the lots had access to this street, while the other eight lots fronted along a 125-foot long street that did not terminate in a cul-de-sac as required by Title 18. All driveways are at least six feet from the intersection of the proposed street to Pecos Road.

In a revised plan, the applicant requested reduced setbacks (front, side and rear) from those initially requested. Subsequent to the Planning Commission action on this project, the applicant has agreed (letter dated 01/17/05) to make all streets within the project private streets, and to form a homeowners association to maintain these streets. As a result, the companion Waiver of Title 18 is now unnecessary and is being withdrawn by the applicant.

Most of the lots are slightly larger, with similar dimensions than what would be expected in an R-CL (Single Family - Compact Lot) subdivision. No open space or landscaping is proposed. These deficiencies are addressed through a companion Variance request (VAR-5300).

There are 10 lots zoned as R-1 (Single Family Residential) that directly abut the southern edge of the subject site. The site plan as proposed would place 19 lots along the south property line, which will mean that there are approximately two lots on the subject site adjacent to any one lot on the existing site to the south.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD zoned project are set out on the site plan. In the case of the subject proposal, these are as follows:

Standards	Proposed
Standard. Lot Size	3,578 average SF / lot
Standard. Lot Width	38 Feet (average)
Min. Setbacks	
• Front	18 Feet*
• Side	3 Feet*
• Corner	3 Feet*
• Rear	12 Feet*
Max. Lot Coverage	80% (approx)
Max. Building Height	2 Stories / 27 Feet

* based on revised site plan dated 10/20/04

These standards are appropriate for this type and scale of development, although there is no open space provided on the site.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that apply to the subject proposal.

A3) Parking and Traffic Standards

The Code requires two parking spaces per single-family dwelling. All house are provided with two-car garages.

The Department of Public Works had initially recommended denial of the companion waiver to allow one of the internal public streets to terminate without a cul-de-sac; however this request is being withdrawn.

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	5 Trees	None
• Min. Zone Width	6 Feet		None

The applicant has not provided perimeter landscaping. This is not in conformance to Code standards. A companion application (VAR-5300) has been filed to address this deficiency.

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
4.40 acres	9.32	1.65	15.3	0.68 Acres	None	None

The project is 100% deficient in open space based on the requirements of the Code. The applicant has filed a concurrent Variance from the open space standards of Title 19 (VAR-5300).

B) General Analysis and Discussion

• **Zoning**

The proposed R-PD9 (Residential Planned Development - 9 Units per Acre) zoning district will be a conforming rezoning if a General Plan Amendment to MLA (Medium Low Attached) is approved by the City Council. (GPA-5082). The allowable density of 9.49 units per acre

encompasses the proposed site density of 9.31 u.p.a. for the companion site plan request, and will provide for a reasonable transition from the existing R-1 (Single Family Residential) zoned property to the south and the commercial area to the north of the site.

- Site Plan

The initial deficiency regarding the site development plan (the 125-foot wide interior public street that does not terminate in a cul-de sac) has been rectified by the owner agreeing to make all interior streets private streets.

- Waivers

The applicant has requested that perimeter landscaping be waived and has requested a Variance of the requirement to provide an open space component for the project. The basis for these requests is that the developer does not wish to have to create a homeowners' association or landscape maintenance association to be responsible for ongoing maintenance, and that the developer feels that any common space will offer an potentially undesirable congregation point for non-residents. The companion Waiver to certain Title 18 standards is now no longer necessary and is being withdrawn.

- Elevation

The elevations are standard for this type of development.

FINDINGS

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

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

The proposed single-family development is compatible with the adjacent single-family homes to the east and south and the commercial areas to the north. It represents a reasonable transition between these two land uses.

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 proposal advances Revitalization Plan policies, which encourage the development of infill parcels in manner that maintains neighborhood stability. The initial recommendation for denial was based on substandard design elements, primarily the lack of conformance to Title 18. As this has been addressed by the applicant, approval is being recommended.

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

The site is adequately served with direct access to Pecos Road, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The site plan has been revised to show that all driveways will maintain a minimum distance six feet from the intersection with Pecos Road.

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

No perimeter landscaping or internal open space is proposed with this development, which could greatly benefit from the inclusion of these features in the project design.

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 proposal is harmonious and compatible with the surrounding area.

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

No particular measures need to be taken other than inspections conducted by the Department of Building and Safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 582 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5078 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Jr Trustee of The Kenny
Family Declaration of Trust Dated Feb. 10, 1992

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: John E. Kenny Jr TRUSTEE

Print Name: JOHN E. KENNEY JR TRUSTEE OF THE
KENNEY FAMILY DECLARATION OF TRUST

Subscribed and sworn before me

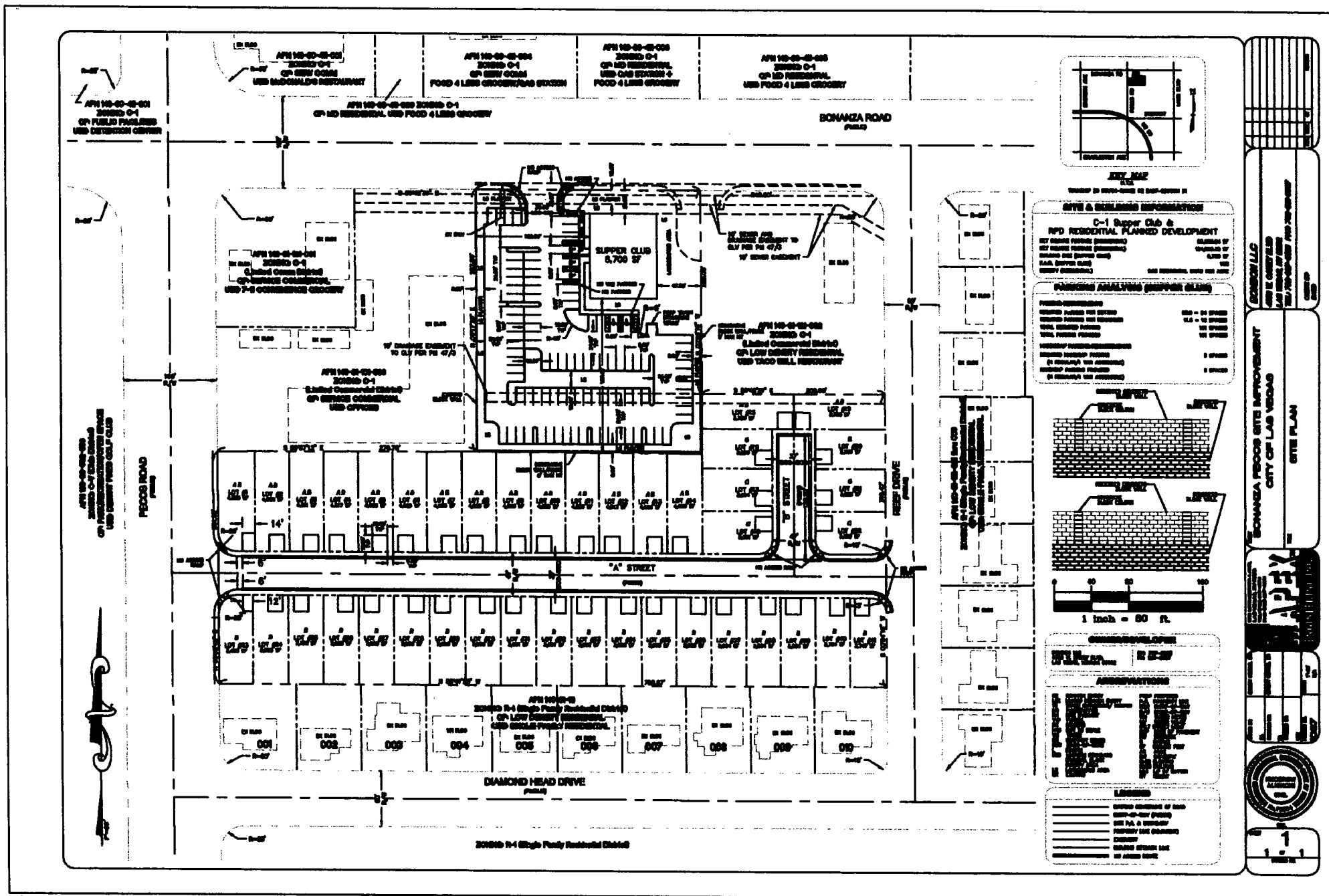
This 9 day of Aug, 2004

[Signature] 8/9/04
Notary Public in and for said County and State



OCT 20 2004

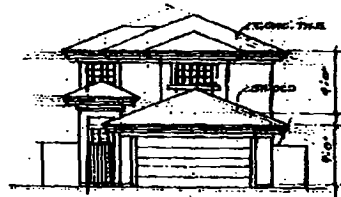
ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
1-13-05 PC



Jan. 12 2005 03:50PM P2

FAX NO. : 7025318637

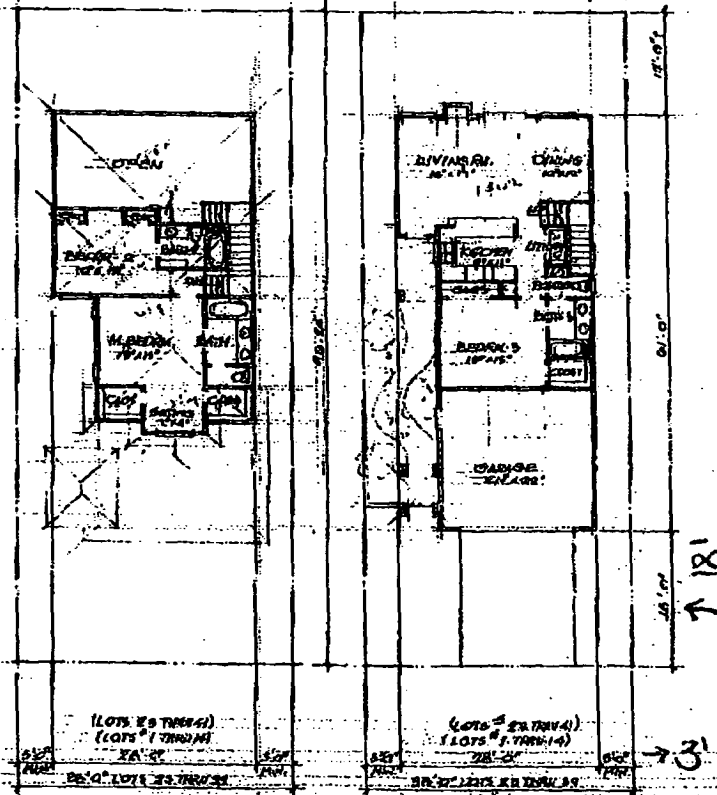
FROM : fax 702 5318637



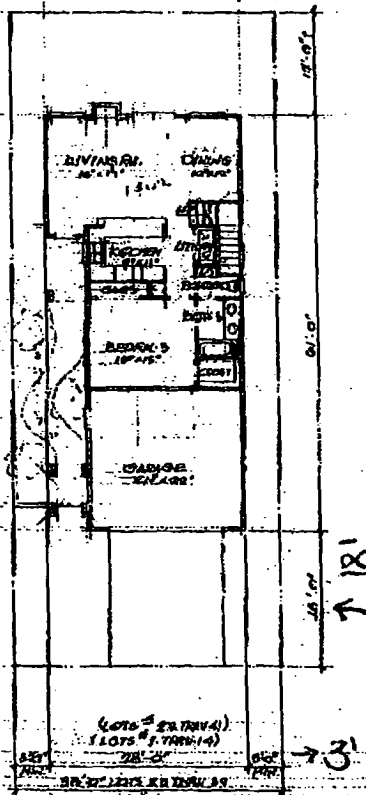
PLAN-B-FRONT ELEVATION
SCALE: 1/8"=1'-0"



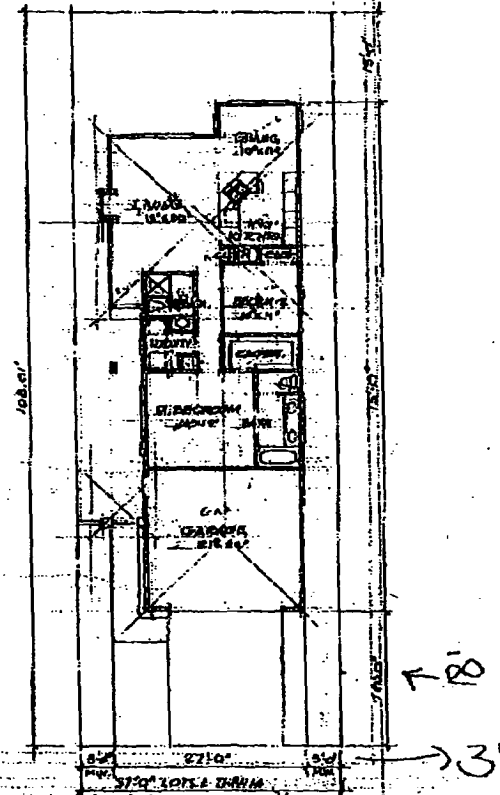
PLAN-A-FRONT ELEVATION
SCALE: 1/8"=1'-0"



PLAN-B-2ND FLOOR PLAN
SCALE: 1/8"=1'-0"



PLAN-B-1ST FLOOR PLAN
SCALE: 1/8"=1'-0"
HOUSE: 1700 S.F.
GARAGE: 400 S.F.
TOTAL: 1800 S.F.

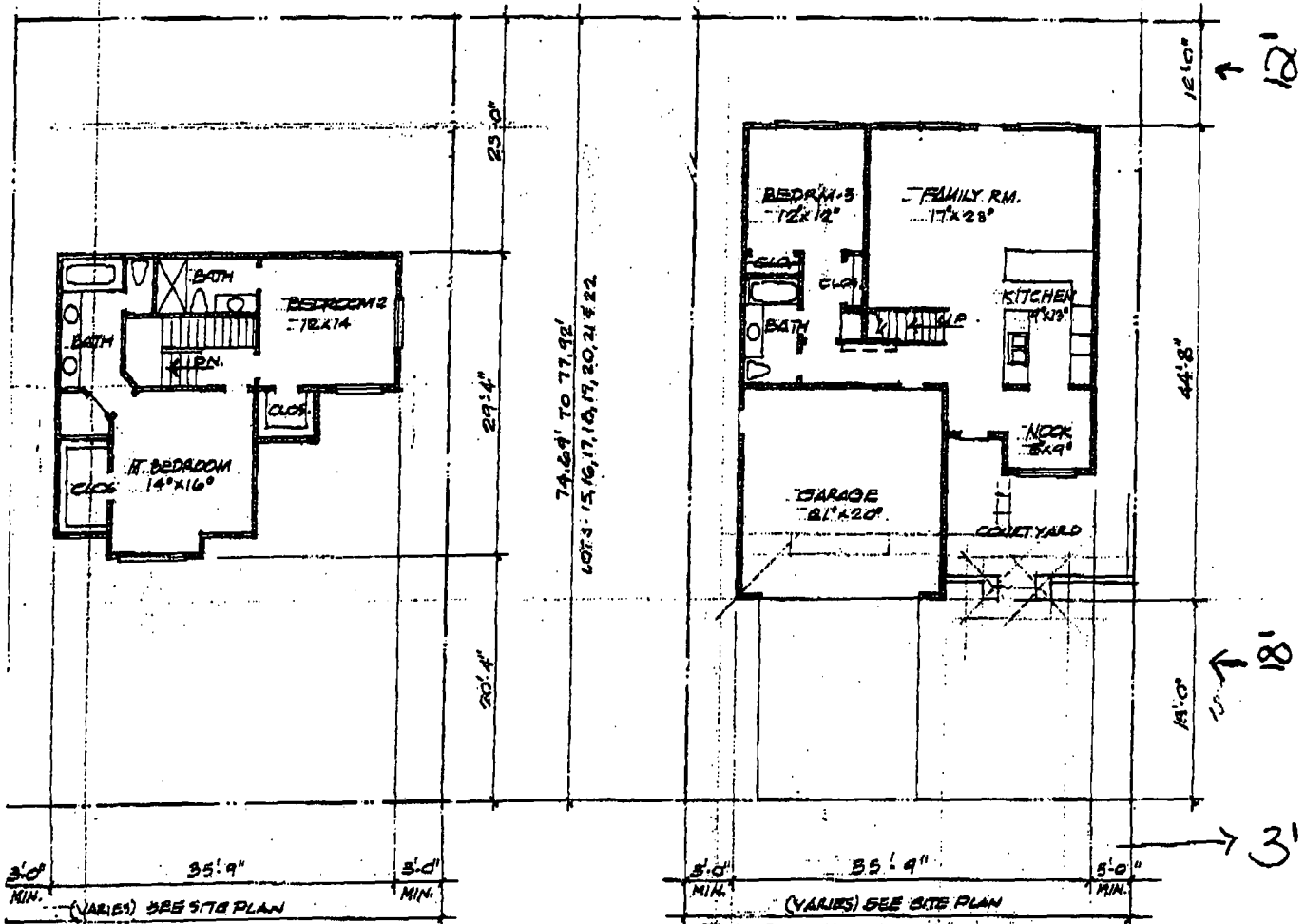


PLAN-A-FLOOR PLAN
SCALE: 1/8"=1'-0"
HOUSE: 1771 S.F.
GARAGE: 476 S.F.
TOTAL: 1750 S.F.

SDR-5098 RECEIVED
01-13-05 PC
JAN 12 2005

STEVE FISGIN, ARCHITECT
3005 SPRING MT. RD., #2
LAS VEGAS, NV 89129-3774

BONANZA PECOS
RESIDENTIAL DEVELOPMENT



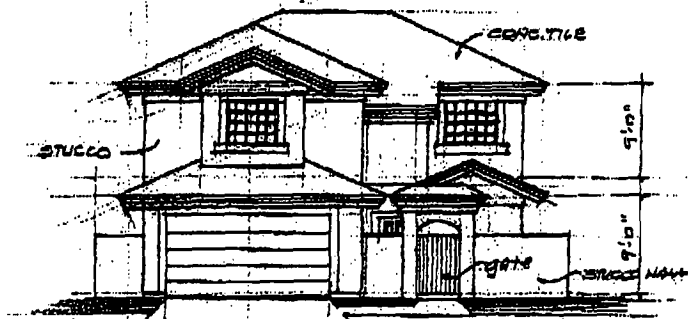
PLAN - C - 2ND FLOOR PLAN

SCALE: 1/8" = 1'-0"

PLAN - C - 1ST FLOOR PLAN

SCALE: 1/8" = 1'-0"

HOUSE (1965 SF. FLOOR) (179 SF. 2 ND FL.)	1775 SF.
GARAGE	420
TOTAL	2195 SF.



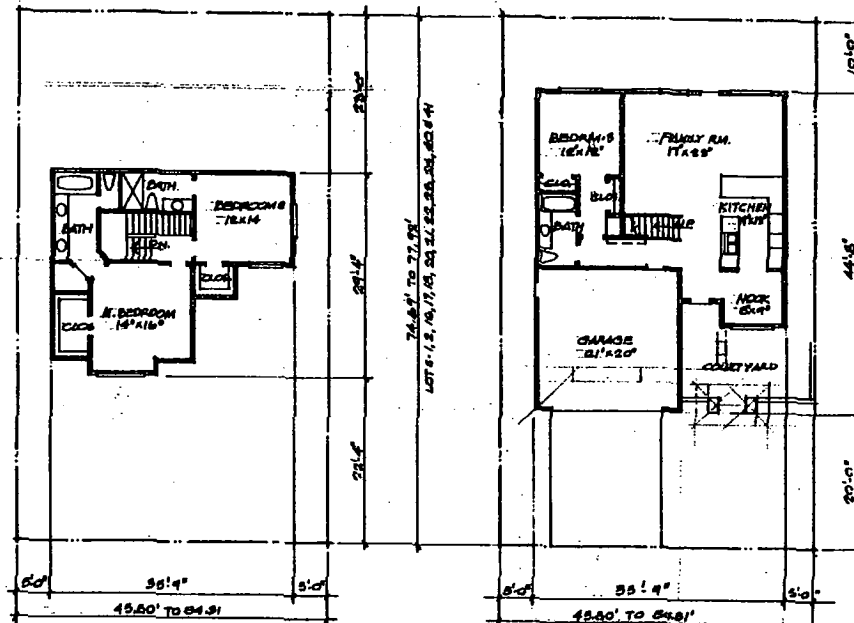
PLAN - C - FRONT ELEVATION

SCALE: 1/8" = 1'-0"

SDR-5098 RECEIVED
01-13-05 PC

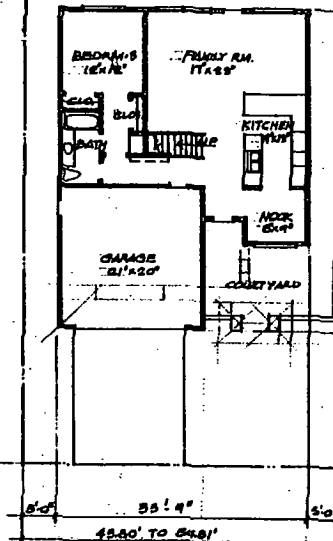
JAN 12 2005

**ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
10-07-04 PC**



PLAN - C - 2ND FLOOR PLAN

SCALE: 1/8"=1'-0"



PLAN - C - 1ST FLOOR PLAN

SCALE 1/8"=1'-0"

HOUSE (496 SF FARE) (179 SF. 2ND FL) 1776.00
 CHARGES 420
 TOTAL 2196.00



PLAN-C-FRONT ELEVATION

SECRET 4854100

STEVE FISKIN, ARCHITECT
3905 SPRING MT. RD., #32
LAS VEGAS, NV 89102 ph. 277-6483

BONANZA PECOS RESIDENTIAL DEVELOPMENT

RECEIVED
AUG 9 4 2004



SDR-5098 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04



3320 North Buffalo Drive
Suite 106
Las Vegas, NV 89129
Tel: 702-396-3426
Fax: 702-396-3758

VAR-5099
ZON-5092
SDR-5098
SUP-5096
JDE-5093

August 24, 2004

Planning and Development
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Attn: Robert Genzer

Re: Bonanza and Pecos General Plan Amendment Application, APN #140-31-121-003

Dear Mr. Genzer:

The Bonanza and Pecos site is located at the east and south of the corner of Bonanza Road and Pecos Road in the City of Las Vegas. (APN #140-31-121-003) This parcel is opposite the Food 4 Less with gas station and a McDonald's on the north side of Bonanza Road and Desert Pines Golf Club on the west side of Pecos Road. The new family courts and detention center buildings are northwest of the intersection.

Two pads at the southeast corner of Bonanza Road and Pecos Road and the southwest corner of Bonanza Road and Reef Drive have been developed as a 7/11 convenience store and a Taco Bell restaurant respectively. An "L"-shaped parcel developed as offices abuts the convenience store parcel on its east and south sides. Medium-Low density residential accessed via the north side of Diamond Head Drive abuts the subject parcel on its south side and faces the subject parcel across Reef Drive to the east.

The residential near the site was developed in 1980. It is an R-1 density, single family, conventional subdivision. There are no subdivision walls or common areas. The streets are public. While some homes display signs of deferred maintenance, many are in excellent condition with fresh exterior paint and lush landscaping. This appears to be a neighborhood that is benefiting from the substantial investment in public facilities nearby.

The 5.98-acre subject parcel is zoned C-1 and planned for Low Density Residential. Proposed development is a supper club between the two commercial pads on the north segment of the subject parcel and single family residential on the remainder. We are proceeding concurrently with the General Plan Amendment to Medium Density Residential (M) and Service Commercial (SC), Rezoning of the residential area to Residential-Compact Lot (R-CL), Site Plan Reviews, Special Use Permit for the supper club on the commercial parcel, a Variance of the maximum parcel size for the residential, and the Vacation of the drainage easement and ingress/egress easements necessary to development of the parcel. The Site Plan Review for the commercial includes a waiver request for foundation landscaping of the supper club building. No other waivers are contemplated.

Amendment to the General Plan is appropriate for both planned projects. The site is already zoned C-1, so the SC designation is consistent with that zoning. The M will provide a buffer between the office and commercial uses on the north and the medium-low density residential on the south.

The R-CL zoning will allow development of a transitional density of single family residential, consistent with that of its neighbors. The Variance of project parcel size for the R-CL is necessary because of the irregular shape of the whole parcel and the lack of depth in the residential parcel. That portion of the lot facing Bonanza Road between the developed parcels is proposed for commercial uses. The south lot line of the commercial portion is proposed to be as far south as that of the most southerly line of these abutting parcels, so is as large as possible without segmenting the remnant. The remnant is 4.40 acres net of prior dedications for Pecos Road and Reef Drive. Including these dedications, the remnant is 4.91 acres. While development of a third parcel facing Pecos Road as commercial or office would create a remaining parcel small enough to meet the R-CL maximum lot size requirement, this strategy would create commercial abutting the existing homes to the south and force all traffic from the R-CL residential onto Reef Drive, a collector street serving neighboring homes to the east – a situation likely to be less acceptable to the neighboring residents than the one proposed. Lastly for the residential, we are asking for relief from Title 18, Chapter 18.12, Section 310 "Vehicular Access Prohibition to Primary or Secondary Thoroughfares" for Lots 1 and 24 facing Pecos Road, because "...no alternative exists due to the ... depth of the land to be divided." (Title 18.12.310)

Development of the residential parcel under Planned Development (PD) was seriously considered as part of the preliminary planning process for this project. A size variance would have been necessary as the remnant is smaller than the five acre minimum required in PD. Almost two thirds of the parcel is just over 250 feet deep. This is more than adequate for two banks of lots and a street, but will not allow for additional facilities in the middle of the community. Thus, common area could only be located at the east side of the project, off of Reef Drive. Such a location would encourage access by non-residents and, because the east lots face Reef Drive, facilities would be poorly supervised by adjacent residents. As now planned, there will be no common facilities, therefore no homeowners association will be necessary. Public streets and a lack of property line walls will allow improved visual monitoring from outside the community and, therefore, improved security for residents as this neighborhood continues its improvement over time. In sum, this strategy in the PD zone would require a waiver request in addition to the variance making it less suitable for the planned project.

The supper club is proposed for the commercial site, because there are few restaurants in the vicinity that are not fast food restaurants and there is new demand associated with the new government facilities northwest of the site. The clubhouse at Desert Pines Golf Club is the type of restaurant contemplated for the site. Other nearby restaurants include the Taco Bell to the east and Pappa John's Pizza and McDonald's north of the site. Located on the north side of the parcel between the entrances onto Bonanza Road, the site is served by a major arterial roadway and separated from the residential by more than 100 feet. The supper club parcel is separated by more than 400 feet from the parcels that include Child Haven, Mountain View Christian Schools, and Oran Gragson Elementary School. There are no houses of worship in the vicinity.

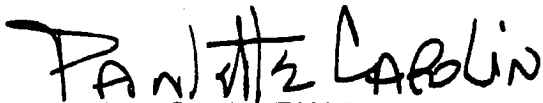
Site Plan Reviews are offered for both the commercial and residential projects so their evaluations can be based on clear ideas of what is proposed for each project. A waiver of the requirement for irrigated landscaping at the foundation of the supper club is requested for several reasons: 1) water soaking the foundation of the building can lead to the development of mold in the flooring and can undermine the soils around the foundation, 2) attractive landscaping using desert plant materials and non-living ground covers can be accomplished, and 3) landscaping within the front setback and the parking lot is planned to exceed requirements.

There is an undeveloped drainage easement across both commercial and residential projects. The easement was dedicated to the City of Las Vegas. A drainage plan will be required prior to development. The drainage plan will address conveyance of run off through the site, so the easement will no longer be necessary.

Also, there are two ingress/egress easements that were dedicated to the City of Las Vegas as part of the Pecos/Bonanza Plaza commercial subdivision: one onto Pecos Road from the residential project and one onto Bonanza Road from the commercial project. A third easement displayed on this plat has already been vacated. These easements are misaligned with respect to the proposed circulation systems.

If you have any questions concerning this application, do not hesitate to call me at (702) 396-3426.

Sincerely,


Paulette Carolin, FAICP
Planning Director

Enclosures

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-5099, ZON-5092, VAR-5300, WVR-5299 AND SDR-5098

SUP-5096 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the south of Bonanza Road approximately 290 feet east of Pecos Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Letter from Bonanza Village Mobile Home Park - R. White, Occupant Space 148

MOTION:

REESE - ABEYANCE to 3/2/2005 - UNANIMOUS with BROWN abstaining because he is a partner with GLEN RAYNES in the 1990 land deal

NOTE: COUNCILMAN BROWN verified with GLEN RAYNES that he is financially involved with this project, as well as with the 1990 Lamb Change Group. Therefore, he would be disclosing and abstaining.

MINUTES:

NOTE: See Item 130 [GPA-5082] for all related discussion.

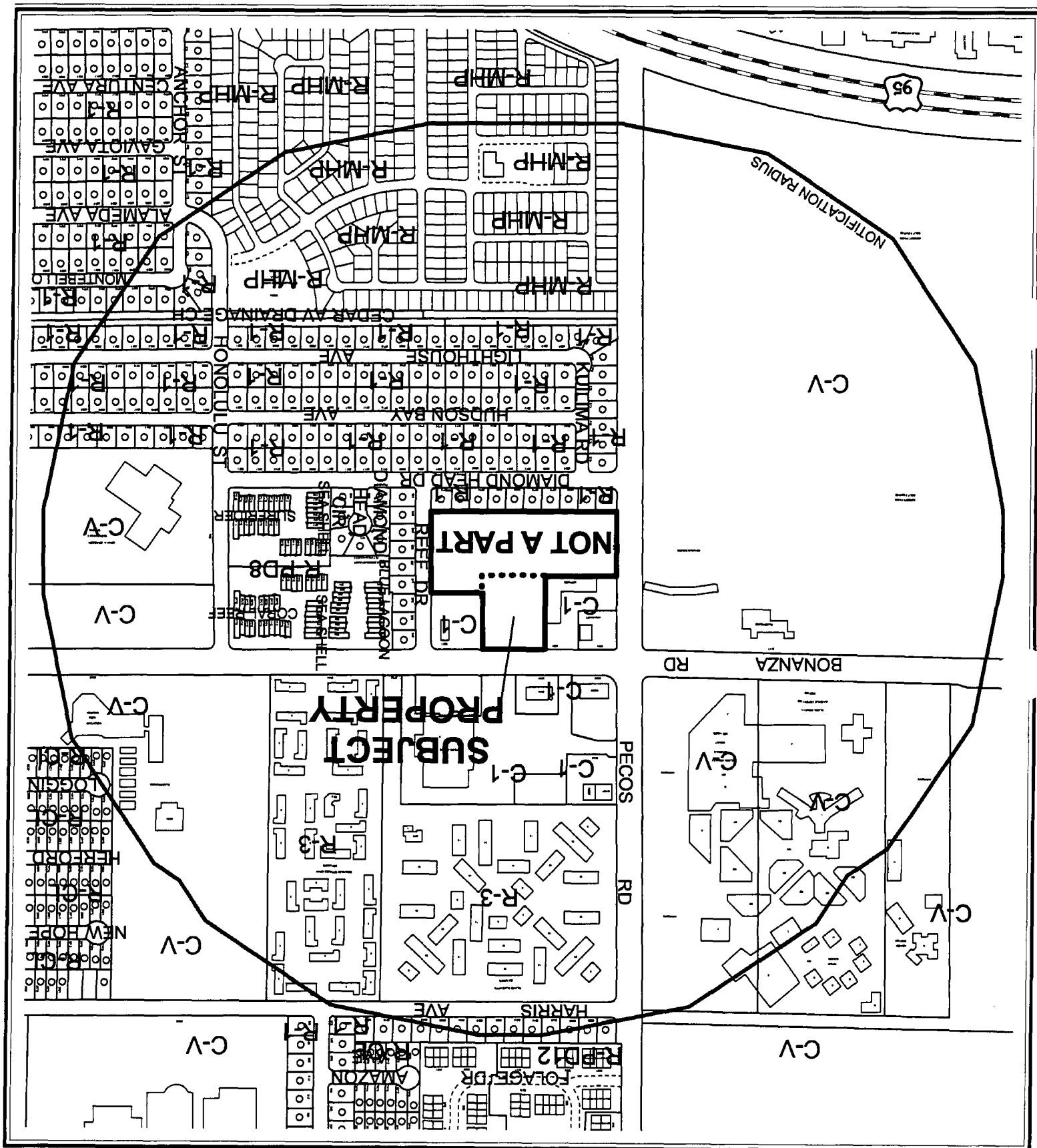
(4:52 - 5:05)

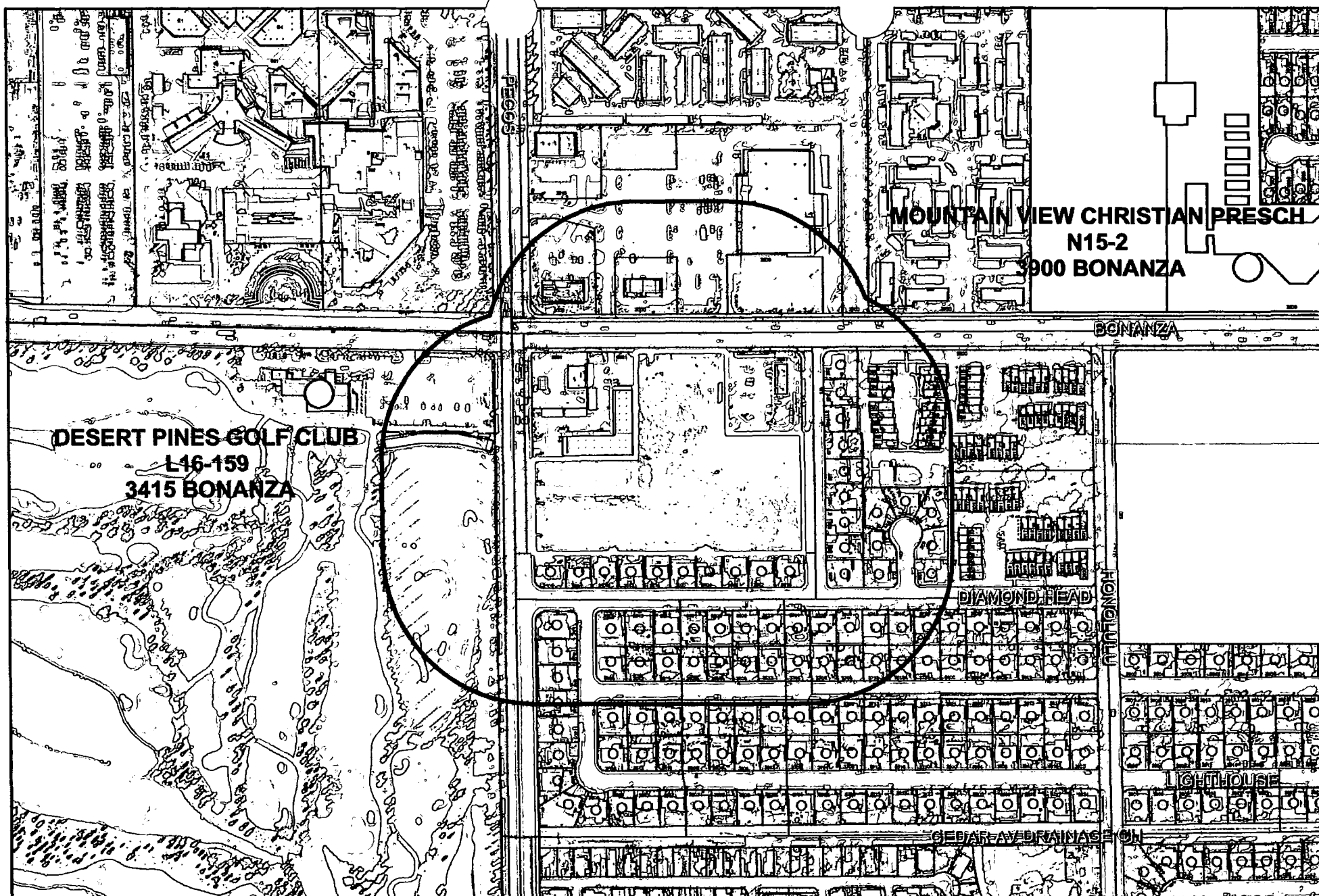
6-2072



RADIUS: 1500 FT

CASE: SUP-5096





SUP-5096

Protected Landuses

Parks	Taverns
Schools	Religious

Business Licenses

Tavern	Child Care/ Children Facility
Supper Club/ Restaurant Service Bar	

Subject Property

400 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5096 – APPLICANT/OWNER: BON BON, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Title 19 requirements for a Supper Club.
2. Approval of and conformance to all conditions of approval for Site Development Plan Review SDR-5093.
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.
4. Conformance to all applicable City Code standards.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Supper Club on a 1.58-acre parcel located on the south side of Bonanza Road, east of Pecos Road.

B) Applicant's Justification

The applicant states a Supper Club is allowed in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. As most of the other restaurants in the vicinity are fast food, this type of restaurant is needed in the area and there are no protected uses within 400 feet from this parcel.

BACKGROUND INFORMATION

A) Previous Actions

- 10/07/04 The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval.
- 11/03/04 The City Council voted to hold the related General Plan Amendment (GPA-5082 and Vacation (VAC-5101) in abeyance per the applicant's request. They are scheduled to be heard at the February 16, 2005 City Council meeting.
- 01/13/05 The Planning Commission recommended approval of related applications VAR-5099 and SDR-5093 as part of this agenda; and recommended denial of these related applications ZON-5092, VAR-5300, WVR-5299 and SDR-5098.
- 01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #29/dc).

B) Pre-Application Meeting

- 08/03/04 Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

C) Neighborhood Meetings

09/20/04 The required neighborhood meeting for the companion General Plan Amendment was held by the applicant. Seven persons attended who were all in favor of the project, as long as no apartments are constructed. The applicant stated they were not interested in building any multi-family units.

DETAILS OF APPLICATION REQUEST

A) Site Area: 1.58

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

This site is currently designated L (Low Density Residential) on the Southeast Sector Map of the General Plan. A General Plan Amendment has been requested to change this designation to SC (Service Commercial). The subject parcel is zoned C-1 (Limited Commercial). The proposed use is permitted in the C-1 zoning district with the approval of a Special Use Permit.

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

While not considered a Special Area Plan or Overlay District, the site is within the Neighborhood Revitalization Area identified in the Las Vegas 2020 Master Plan. The plan contains policies encouraging re-development and attracting development on vacant lots that are designed to be sensitive to the needs of the community.

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
Supper Club	6,700 Square Feet	1 space/50 GFA seating; 1 space/200 GFA, other areas	101 spaces	5 spaces	101 spaces	5 spaces

The request meets the parking standards of the Code.

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.04, the following distance separation standards apply to the subject proposal:

Standards	Code Requirement	Provided
Supper Club	400 Feet from any Church, School, Daycare or City Park	There are no protected uses within the minimum distance separation requirement.

The proposed Supper Club meets the separation distance standards of Title 19.

Standards	Code Requirement	Provided
Trash Enclosure	50 Feet from residential uses and must be enclosed.	Meets Code standards.

The proposed Supper Club meets these standards of the Code.

B) General Analysis and Discussion

- Zoning

The request is permitted with the approval of a Special Use Permit in the C-1 (Limited Commercial) zoning district. It is bordered by existing C-1 (Limited Commercial) uses to the east, west and north.

- Use

Title 19 defines a Supper Club as a restaurant and bar operation with alcoholic beverage sales in which the bar area is separated from the restaurant area by a buffer sufficient to prevent access by minors. Alcohol can only be served within the seating area in conjunction with food, and the restaurant operation shall be the principal portion of the business. The seating accommodates at least one hundred twenty-five persons, and full-course meals are available during all hours the bar area is open to the public. A cook and food server, other than a bartender, shall be available at all times the bar area is open to the public. This request meets the requirements of this definition and can be conducted in a manner that is harmonious and compatible with the 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 Supper Club is located on the south side of Bonanza Road, between a fast food restaurant to the east and a convenience store to the west. As a result, it appears that the proposed use can be conducted in a manner that is harmonious and compatible with the surrounding area.

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

The site is physically suited for the site, as the Supper Club can be accommodated in accordance with all standards of the Code.

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."**

Both Bonanza Road and Pecos Road are adequate in size to accommodate the request.

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

Approval of the request should not compromise the overall health, safety and general welfare of residents of this area of the City. It advances General Plan policies that encourage the development of infill parcels in a manner consistent with the surrounding area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 666 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SP-5096 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Jr Trustee of The Kenny
Family Declaration of Trust Dated Feb. 10, 1992

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: John E. Kenny Jr TRUSTEE

Print Name: John E. Kenny Jr TRUSTEE OF THE
KENNY FAMILY DECLARATION OF TRUST

Subscribed and sworn before me

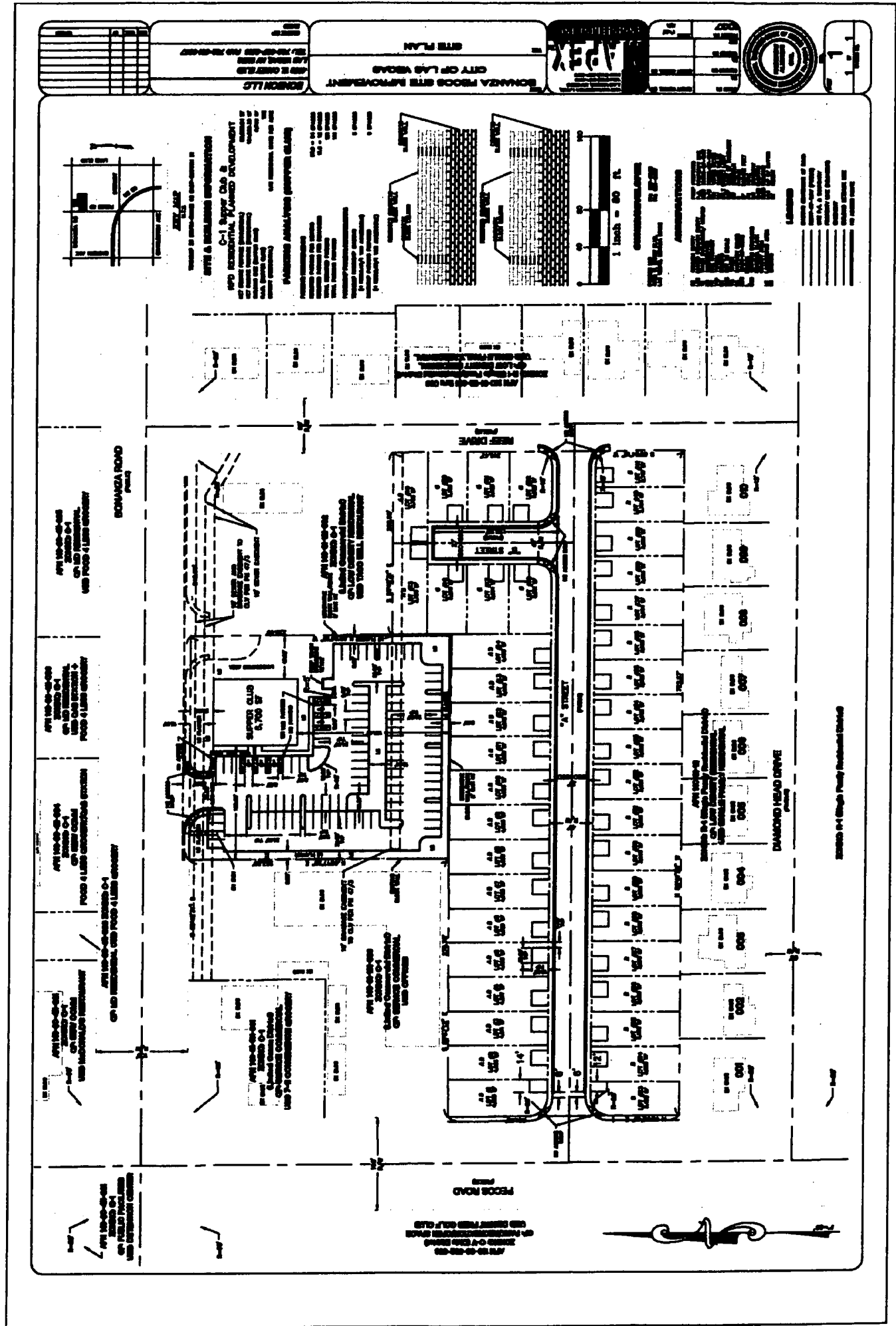
This 9 day of Aug., 2004

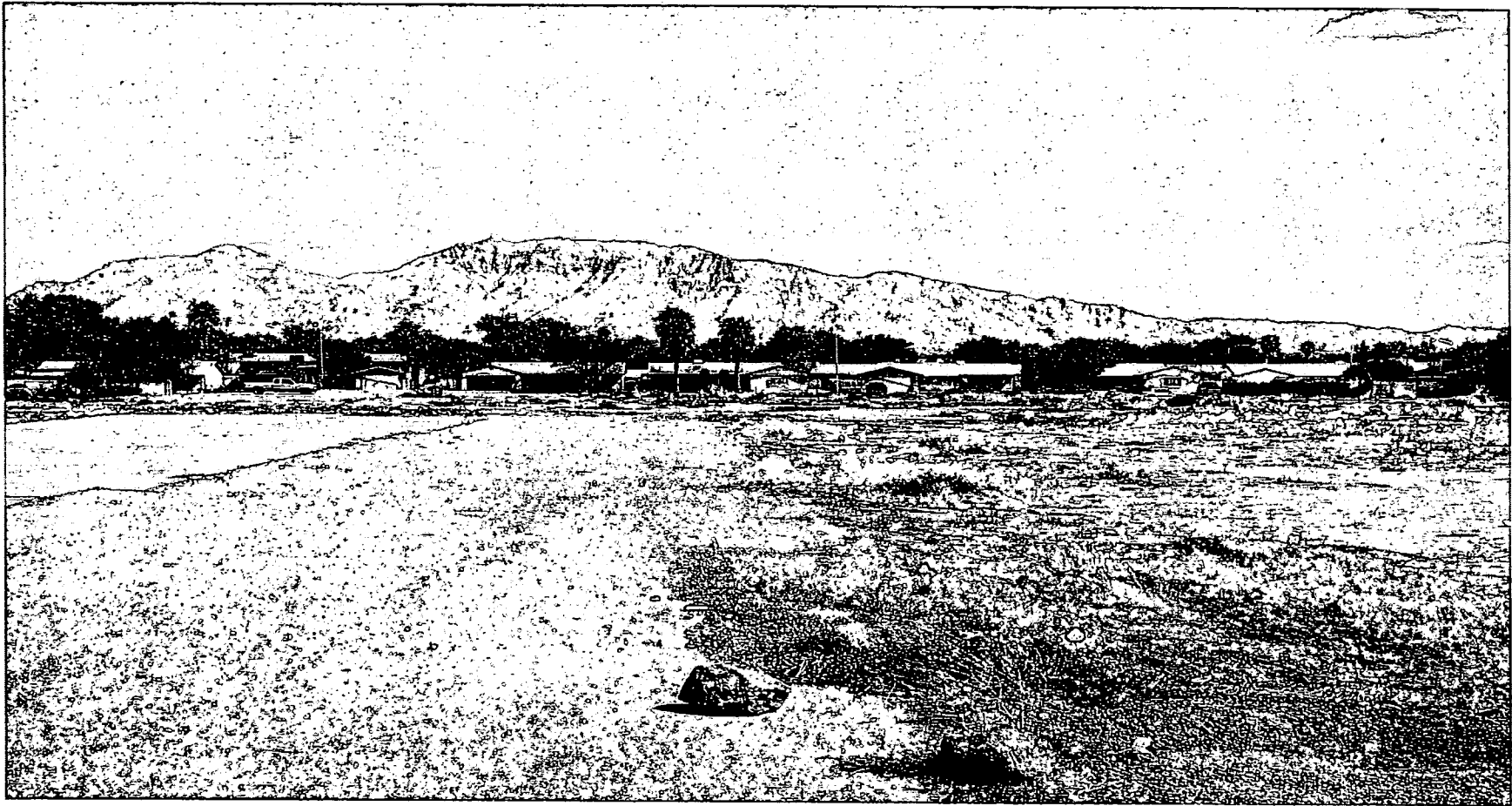
G. A. Maroofi 8/9/04
Notary Public in and for said County and State



OCT 20 2004

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
1-13-05 PC





SUP-5096 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04



3320 North Buffalo Drive
Suite 106
Las Vegas, NV 89129
Tel: 702-396-3426
Fax: 702-396-3758

VAR-5099
ZON-5092
SDR-5098
SUP-5096
SDE-5093

August 24, 2004

Planning and Development
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Attn: Robert Genzer

Re: Bonanza and Pecos General Plan Amendment Application, APN #140-31-121-003

Dear Mr. Genzer:

The Bonanza and Pecos site is located at the east and south of the corner of Bonanza Road and Pecos Road in the City of Las Vegas. (APN #140-31-121-003) This parcel is opposite the Food 4 Less with gas station and a McDonald's on the north side of Bonanza Road and Desert Pines Golf Club on the west side of Pecos Road. The new family courts and detention center buildings are northwest of the intersection.

Two pads at the southeast corner of Bonanza Road and Pecos Road and the southwest corner of Bonanza Road and Reef Drive have been developed as a 7/11 convenience store and a Taco Bell restaurant respectively. An "L"-shaped parcel developed as offices abuts the convenience store parcel on its east and south sides. Medium-Low density residential accessed via the north side of Diamond Head Drive abuts the subject parcel on its south side and faces the subject parcel across Reef Drive to the east.

The residential near the site was developed in 1980. It is an R-1 density, single family, conventional subdivision. There are no subdivision walls or common areas. The streets are public. While some homes display signs of deferred maintenance, many are in excellent condition with fresh exterior paint and lush landscaping. This appears to be a neighborhood that is benefiting from the substantial investment in public facilities nearby.

The 5.98-acre subject parcel is zoned C-1 and planned for Low Density Residential. Proposed development is a supper club between the two commercial pads on the north segment of the subject parcel and single family residential on the remainder. We are proceeding concurrently with the General Plan Amendment to Medium Density Residential (M) and Service Commercial (SC), Rezoning of the residential area to Residential-Compact Lot (R-CL), Site Plan Reviews, Special Use Permit for the supper club on the commercial parcel, a Variance of the maximum parcel size for the residential, and the Vacation of the drainage easement and ingress/egress easements necessary to development of the parcel. The Site Plan Review for the commercial includes a waiver request for foundation landscaping of the supper club building. No other waivers are contemplated.

Amendment to the General Plan is appropriate for both planned projects. The site is already zoned C-1, so the SC designation is consistent with that zoning. The M will provide a buffer between the office and commercial uses on the north and the medium-low density residential on the south.

The R-CL zoning will allow development of a transitional density of single family residential, consistent with that of its neighbors. The Variance of project parcel size for the R-CL is necessary because of the irregular shape of the whole parcel and the lack of depth in the residential parcel. That portion of the lot facing Bonanza Road between the developed parcels is proposed for commercial uses. The south lot line of the commercial portion is proposed to be as far south as that of the most southerly line of these abutting parcels, so is as large as possible without segmenting the remnant. The remnant is 4.40 acres net of prior dedications for Pecos Road and Reef Drive. Including these dedications, the remnant is 4.91 acres. While development of a third parcel facing Pecos Road as commercial or office would create a remaining parcel small enough to meet the R-CL maximum lot size requirement, this strategy would create commercial abutting the existing homes to the south and force all traffic from the R-CL residential onto Reef Drive, a collector street serving neighboring homes to the east – a situation likely to be less acceptable to the neighboring residents than the one proposed. Lastly for the residential, we are asking for relief from Title 18, Chapter 18.12, Section 310 "Vehicular Access Prohibition to Primary or Secondary Thoroughfares" for Lots 1 and 24 facing Pecos Road, because "...no alternative exists due to the ... depth of the land to be divided." (Title 18.12.310)

Development of the residential parcel under Planned Development (PD) was seriously considered as part of the preliminary planning process for this project. A size variance would have been necessary as the remnant is smaller than the five acre minimum required in PD. Almost two thirds of the parcel is just over 250 feet deep. This is more than adequate for two banks of lots and a street, but will not allow for additional facilities in the middle of the community. Thus, common area could only be located at the east side of the project, off of Reef Drive. Such a location would encourage access by non-residents and, because the east lots face Reef Drive, facilities would be poorly supervised by adjacent residents. As now planned, there will be no common facilities, therefore no homeowners association will be necessary. Public streets and a lack of property line walls will allow improved visual monitoring from outside the community and, therefore, improved security for residents as this neighborhood continues its improvement over time. In sum, this strategy in the PD zone would require a waiver request in addition to the variance making it less suitable for the planned project.

The supper club is proposed for the commercial site, because there are few restaurants in the vicinity that are not fast food restaurants and there is new demand associated with the new government facilities northwest of the site. The clubhouse at Desert Pines Golf Club is the type of restaurant contemplated for the site. Other nearby restaurants include the Taco Bell to the east and Pappa John's Pizza and McDonald's north of the site. Located on the north side of the parcel between the entrances onto Bonanza Road, the site is served by a major arterial roadway and separated from the residential by more than 100 feet. The supper club parcel is separated by more than 400 feet from the parcels that include Child Haven, Mountain View Christian Schools, and Oran Gragson Elementary School. There are no houses of worship in the vicinity.

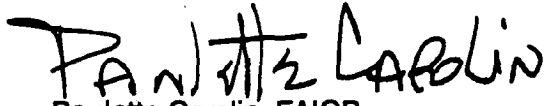
Site Plan Reviews are offered for both the commercial and residential projects so their evaluations can be based on clear ideas of what is proposed for each project. A waiver of the requirement for irrigated landscaping at the foundation of the supper club is requested for several reasons: 1) water soaking the foundation of the building can lead to the development of mold in the flooring and can undermine the soils around the foundation, 2) attractive landscaping using desert plant materials and non-living ground covers can be accomplished, and 3) landscaping within the front setback and the parking lot is planned to exceed requirements.

There is an undeveloped drainage easement across both commercial and residential projects. The easement was dedicated to the City of Las Vegas. A drainage plan will be required prior to development. The drainage plan will address conveyance of run off through the site, so the easement will no longer be necessary.

Also, there are two ingress/egress easements that were dedicated to the City of Las Vegas as part of the Pecos/Bonanza Plaza commercial subdivision: one onto Pecos Road from the residential project and one onto Bonanza Road from the commercial project. A third easement displayed on this plat has already been vacated. These easements are misaligned with respect to the proposed circulation systems.

If you have any questions concerning this application, do not hesitate to call me at (702) 396-3426.

Sincerely,


Paulette Carolin, FAICP
Planning Director

Enclosures

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

2005 FEB 23 A 10:28

SUP-5096 Occupant
Bonanza Village Mobile Home Park
3700 Stewart Avenue, Space 148
Las Vegas, Nevada 89110

MEETING: CITY COUNCIL
DATE: FEBRUARY 16, 2005
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-5096

APPLICANT/OWNER: BON BON, LLC - REQUEST FOR A SPECIAL USE PERMIT FOR A SUPPER CLUB ADJACENT TO THE SOUTH OF BONANZA ROAD APPROXIMATELY 290 FEET EAST OF PECOS ROAD (APN 140-31-121-003), C-1 (LIMITED COMMERCIAL) ZONE, WARD 3 (REESE).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHWEST QUARTER (NW¼) OF THE NORTHWEST QUARTER (NW¼) OF SECTION 31, TOWNSHIP 20 SOUTH, RANGE 62 EAST, M.D.M.

Space 148,
I have two thoughts about this. 1st does Las Vegas need another supper club? I don't think so, but it might be nice to have one close to home. But lately we hear so much about shootings and fights
Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>



SEE LOCATION MAP ON REVERSE SIDE

and even murders on the grounds of these establishments. This is a quiet MHP and I'd like for it to stay this way. So you can see my two thoughts. I'm ~~undecided~~ undecided. I want both.. Is it possible?
BARBARA JO RONEMUS
CITY CLERK

Occupant, Space 148
R. White

Submitted after final agenda

Date *2/23/05* Item *#137*



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5099, ZON-5092, VAR-5300, WVR-5299, SDR-5098 AND SUP-5096

SDR-5093 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Site Development Plan Review FOR A SUPPERCLUB on 1.58 acres south of Bonanza Road approximately 290 feet east of Pecos Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - ABEYANCE to 3/2/2005 - UNANIMOUS with BROWN abstaining because he is a partner with GLEN RAYNES in the 1990 land deal

NOTE: COUNCILMAN BROWN verified with GLEN RAYNES that he is financially involved with this project, as well as with the 1990 Lamb Change Group. Therefore, he would be disclosing and abstaining.

MINUTES:

NOTE: See Item 130 [GPA-5082] for all related discussion.

(4:52 - 5:05)

6-2072

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5093 – APPLICANT/OWNER: BON BON, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of conformance to all conditions of approval for Special Use Permit SUP-5096.
2. This site development plan shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance to the site development plan date stamped 10/20/04 and the building elevations date stamped 01/12/05.
4. The applicant shall submit a revised landscaping plan depicting the correct number of trees in the landscaped planter area along Bonanza Road prior to the issuance of any permits for this site.
5. All mechanical equipment, air conditioners and trash enclosures shall be fully screened from the view of any abutting streets. The trash enclosure shall be enclosed in accordance with Title 19.08.045.
6. Parking lot lighting shall be not more than 30 feet in height and utilize “shoe-box” fixtures and downward-directed lighting. Wall pack lighting shall utilize “shoe-box” fixtures and downward-directed lighting on the proposed building.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

Public Works

8. Coordinate with the City Surveyor to determine whether a Parcel Map or Merger and Resubdivision Map to establish the property boundaries as proposed is necessary; if such map is required it shall record prior to the issuance of any permits for this site.
9. 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.
10. The proposed driveway accessing Bonanza Road shall be designed, located and constructed in accordance with Standard Drawing #222A.

11. 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.
12. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
13. 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.
14. Site development to comply with all applicable conditions of approval for Rezoning Z-80-77 and the Pecos/Bonanza Plaza Commercial subdivision and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review of a 6,700 square-foot Supper Club on a 1.58-acre parcel located on the south side of Bonanza Road, east of Pecos Road.

B) Applicant's Justification

The applicant states a Supper Club is allowed in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. As most of the other restaurants in the vicinity are fast food, this type of restaurant is needed in the area and there are no protected uses within 400 feet from this parcel.

BACKGROUND INFORMATION

A) Previous Actions

- 10/07/04 The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval.
- 11/03/04 The City Council voted to hold the related General Plan Amendment (GPA-5082 and Vacation (VAC-5101) in abeyance per the applicant's request. They are scheduled to be heard at the February 16, 2005 City Council meeting.
- 01/13/05 The Planning Commission recommended approval of related applications VAR-5099 and SUP-5096 as part of this agenda; and recommended denial of these related applications ZON-5092, VAR-5300, WVR-5299 and SDR-5098.
- 01/13/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #30/dc).

B) Pre-Application Meeting

- 08/03/04 Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

DETAILS OF APPLICATION REQUEST

- A) Site Area:*** 1.58

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

This site is currently designated L (Low Density Residential) on the Southeast Sector Map of the General Plan. A General Plan Amendment has been requested to change this designation to SC (Service Commercial). The subject parcel is zoned C-1 (Limited Commercial).

PROJECT DESCRIPTION

The applicant is proposing to construct a 6,700 square-foot Supper Club on the site. Access is directly to Bonanza Road. A decorative eight-foot high block wall is proposed along the south and east sides of the site, which will connect to the existing block wall along the west property line. A landscaped planter is proposed along the street frontage as well as the south, east and west sides of the building. Landscaped finger islands are proposed in the parking lot. Handicapped spaces are proposed along the west and south sides of 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 Size	NA	1.58 Acres	Y
Min. Lot Width	100 Feet	200 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	47 Feet	Y
• Rear	20 Feet	167 Feet	Y
Max. Building Height	None	1 Story/24'6"	Y
Trash Enclosure	Must be enclosed	Yes	Y
Loading Zone	1	1	Y
Mech. Equipment	Screened	Screened	Y

The proposal is in conformance to all Code standards. The only item not clearly indicated on the site development plan is the 20-foot front setback line, which must meet Code standards.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The height of the supper club is 24.5 feet, which requires a minimum distance of 73.5 feet to the single-family residential development. The site development plan shows a distance of 167 feet; therefore the Code standard is met.
- b) Building setback. The proposed Supper Club also meets the building setback component of the Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Supper Club	6,700 SF.	1space/50 GFA of seating; 1/200 GFA of other areas	101 spaces	5 spaces	101 spaces	5 spaces

The proposed Supper Club meets the parking standards of the Code.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	18 Trees	Yes
Buffer:			7- Does not meet
• Min. Trees	1 Tree/20 Linear Feet	10 Trees	
• Min. Zone Width	15 Feet Along Bonanza, 8 Feet interior		Yes
• Wall height	8 Feet		8 Feet-Yes

The number of trees in the 15-foot wide landscape planter along Bonanza Road appears to be deficient by three trees. There is adequate room to meet Code standards. A condition of approval will address this issue. All other landscaping and wall standards are met.

B) General Analysis and Discussion

- Zoning

The proposed use is allowed in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Site Plan

The site development plan meets all Code standards and is an effective design a Supper Club on this property.

- Waivers

No waivers have been requested.

- Landscape Plan

The landscaped plan needs to be updated to indicate that the correct number of trees are planted in the 15-foot wide landscaped planter along Bonanza Road.

- Elevation

The elevations are appropriate for this use and area of the City.

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 proposal is harmonious and compatible with the development pattern of the surrounding area. There are established commercial uses to the north, east and west sides

of this property. The single-family homes to the south will be developed by the applicant and are shown as part of the overall site development plan for the commercial and residential portions of this development.

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 use advances General Plan policies that encourage infill development of intensity and scale that is compatible with the surrounding area. The applicant will need to submit a revised landscaping plan showing the correct number of trees in all planter areas.

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

Access to the site is directly to Bonanza Road, which will not have a negative impact on neighborhood traffic.

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

The building and landscaping materials are in keeping with other development in this area of the City. Both should provide an attractive development for the area.

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

The building elevations and overall design of the project should contribute to a pleasing environment. This parcel has been vacant for a long period of time; development should contribute toward a more orderly development pattern in the area.

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

Inspections of the restaurant will take place to ensure maintenance of the overall health, safety and welfare of the community.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 582 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5093 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Jr Trustee of The Kenny Family Declaration of Trust Dated Feb. 10, 1992

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: _____

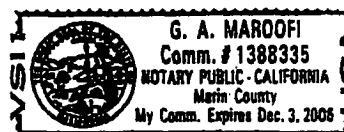
Signature of Property Owner/Authorized Agent: John E. Kenny Jr TRUSTEE

Print Name: JOHN E. KENNEY JR TRUSTEE OF THE KENNEY FAMILY DECLARATION OF TRUST

Subscribed and sworn before me

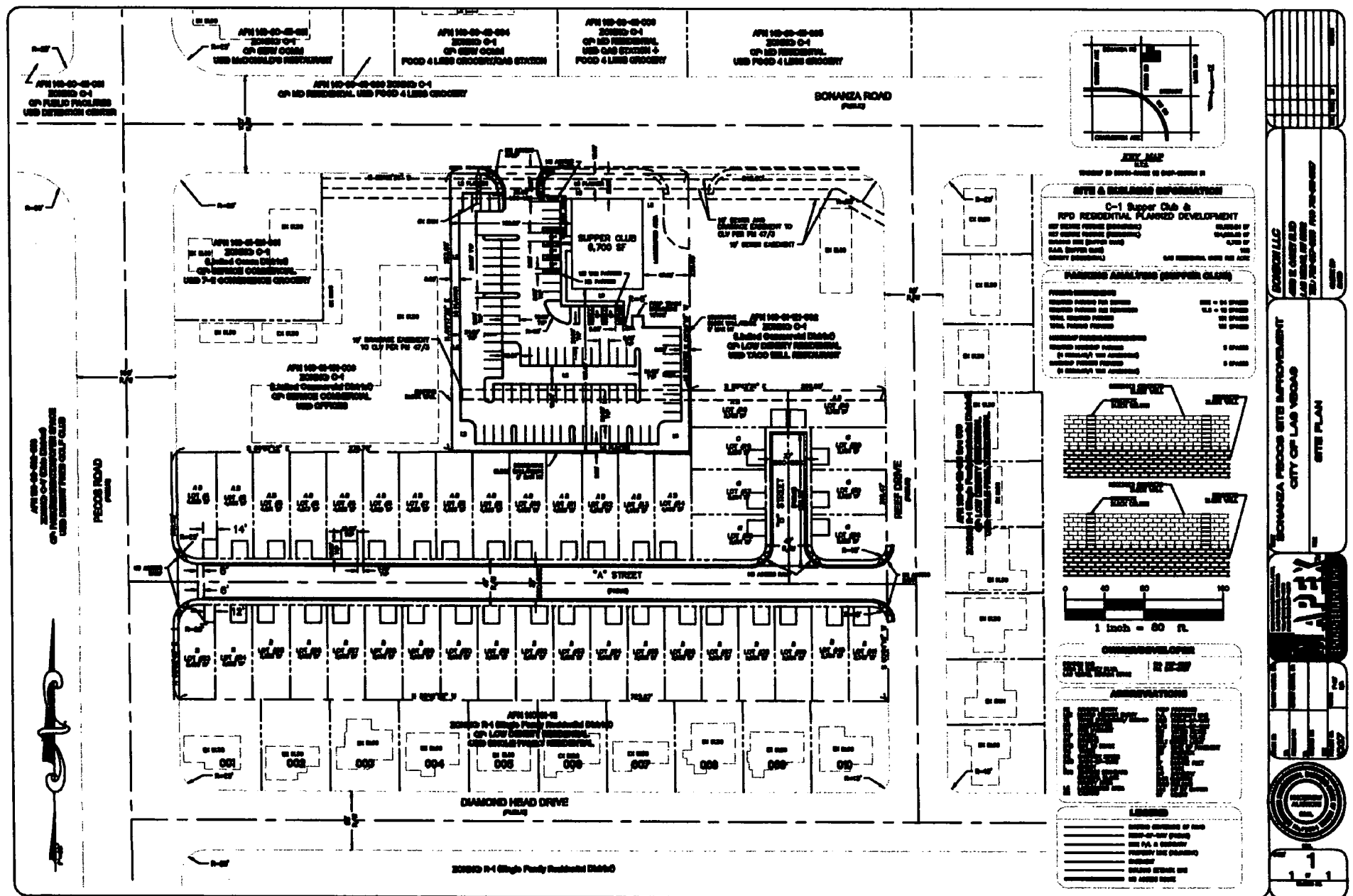
This 9 day of Aug, 2004

G. A. MAROOFI 8/9/04
Notary Public in and for said County and State



OCT 20 2004

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
1-13-05 PC





SDR-5093 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04



3320 North Buffalo Drive
Suite 106
Las Vegas, NV 89129
Tel: 702-396-3426
Fax: 702-396-3758

VAR-5099
ZON-5092
SDR-5098
SUP-5096
SDE-5093

August 24, 2004

Planning and Development
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Attn: Robert Genzer

Re: Bonanza and Pecos General Plan Amendment Application, APN #140-31-121-003

Dear Mr. Genzer:

The Bonanza and Pecos site is located at the east and south of the corner of Bonanza Road and Pecos Road in the City of Las Vegas. (APN #140-31-121-003) This parcel is opposite the Food 4 Less with gas station and a McDonald's on the north side of Bonanza Road and Desert Pines Golf Club on the west side of Pecos Road. The new family courts and detention center buildings are northwest of the intersection.

Two pads at the southeast corner of Bonanza Road and Pecos Road and the southwest corner of Bonanza Road and Reef Drive have been developed as a 7/11 convenience store and a Taco Bell restaurant respectively. An "L"-shaped parcel developed as offices abuts the convenience store parcel on its east and south sides. Medium-Low density residential accessed via the north side of Diamond Head Drive abuts the subject parcel on its south side and faces the subject parcel across Reef Drive to the east.

The residential near the site was developed in 1980. It is an R-1 density, single family, conventional subdivision. There are no subdivision walls or common areas. The streets are public. While some homes display signs of deferred maintenance, many are in excellent condition with fresh exterior paint and lush landscaping. This appears to be a neighborhood that is benefiting from the substantial investment in public facilities nearby.

The 5.98-acre subject parcel is zoned C-1 and planned for Low Density Residential. Proposed development is a supper club between the two commercial pads on the north segment of the subject parcel and single family residential on the remainder. We are proceeding concurrently with the General Plan Amendment to Medium Density Residential (M) and Service Commercial (SC), Rezoning of the residential area to Residential-Compact Lot (R-CL), Site Plan Reviews, Special Use Permit for the supper club on the commercial parcel, a Variance of the maximum parcel size for the residential, and the Vacation of the drainage easement and ingress/egress easements necessary to development of the parcel. The Site Plan Review for the commercial includes a waiver request for foundation landscaping of the supper club building. No other waivers are contemplated.

Amendment to the General Plan is appropriate for both planned projects. The site is already zoned C-1, so the SC designation is consistent with that zoning. The M will provide a buffer between the office and commercial uses on the north and the medium-low density residential on the south.

The R-CL zoning will allow development of a transitional density of single family residential, consistent with that of its neighbors. The Variance of project parcel size for the R-CL is necessary because of the irregular shape of the whole parcel and the lack of depth in the residential parcel. That portion of the lot facing Bonanza Road between the developed parcels is proposed for commercial uses. The south lot line of the commercial portion is proposed to be as far south as that of the most southerly line of these abutting parcels, so is as large as possible without segmenting the remnant. The remnant is 4.40 acres net of prior dedications for Pecos Road and Reef Drive. Including these dedications, the remnant is 4.91 acres. While development of a third parcel facing Pecos Road as commercial or office would create a remaining parcel small enough to meet the R-CL maximum lot size requirement, this strategy would create commercial abutting the existing homes to the south and force all traffic from the R-CL residential onto Reef Drive, a collector street serving neighboring homes to the east – a situation likely to be less acceptable to the neighboring residents than the one proposed. Lastly for the residential, we are asking for relief from Title 18, Chapter 18.12, Section 310 "Vehicular Access Prohibition to Primary or Secondary Thoroughfares" for Lots 1 and 24 facing Pecos Road, because "...no alternative exists due to the ... depth of the land to be divided." (Title 18.12.310)

Development of the residential parcel under Planned Development (PD) was seriously considered as part of the preliminary planning process for this project. A size variance would have been necessary as the remnant is smaller than the five acre minimum required in PD. Almost two thirds of the parcel is just over 250 feet deep. This is more than adequate for two banks of lots and a street, but will not allow for additional facilities in the middle of the community. Thus, common area could only be located at the east side of the project, off of Reef Drive. Such a location would encourage access by non-residents and, because the east lots face Reef Drive, facilities would be poorly supervised by adjacent residents. As now planned, there will be no common facilities, therefore no homeowners association will be necessary. Public streets and a lack of property line walls will allow improved visual monitoring from outside the community and, therefore, improved security for residents as this neighborhood continues its improvement over time. In sum, this strategy in the PD zone would require a waiver request in addition to the variance making it less suitable for the planned project.

The supper club is proposed for the commercial site, because there are few restaurants in the vicinity that are not fast food restaurants and there is new demand associated with the new government facilities northwest of the site. The clubhouse at Desert Pines Golf Club is the type of restaurant contemplated for the site. Other nearby restaurants include the Taco Bell to the east and Pappa John's Pizza and McDonald's north of the site. Located on the north side of the parcel between the entrances onto Bonanza Road, the site is served by a major arterial roadway and separated from the residential by more than 100 feet. The supper club parcel is separated by more than 400 feet from the parcels that include Child Haven, Mountain View Christian Schools, and Oran Gragson Elementary School. There are no houses of worship in the vicinity.

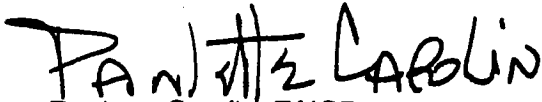
Site Plan Reviews are offered for both the commercial and residential projects so their evaluations can be based on clear ideas of what is proposed for each project. A waiver of the requirement for irrigated landscaping at the foundation of the supper club is requested for several reasons: 1) water soaking the foundation of the building can lead to the development of mold in the flooring and can undermine the soils around the foundation, 2) attractive landscaping using desert plant materials and non-living ground covers can be accomplished, and 3) landscaping within the front setback and the parking lot is planned to exceed requirements.

There is an undeveloped drainage easement across both commercial and residential projects. The easement was dedicated to the City of Las Vegas. A drainage plan will be required prior to development. The drainage plan will address conveyance of run off through the site, so the easement will no longer be necessary.

Also, there are two ingress/egress easements that were dedicated to the City of Las Vegas as part of the Pecos/Bonanza Plaza commercial subdivision: one onto Pecos Road from the residential project and one onto Bonanza Road from the commercial project. A third easement displayed on this plat has already been vacated. These easements are misaligned with respect to the proposed circulation systems.

If you have any questions concerning this application, do not hesitate to call me at (702) 396-3426.

Sincerely,


Paulette Carolin, FAICP
Planning Director

Enclosures

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****GENERAL PLAN AMENDMENT**

GPA-5714 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG PARTNERS, LLC - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 3.50 acres adjacent to the northwest corner of Sahara Avenue and Pioneer Way (APN a portion of 163-03-402-017), Ward 1 (Tarkanian). The Planning Commission (5-2 vote) and staff recommend DENIAL

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

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Request for withdrawal without prejudice by Kenneth Ong, John Lee and Curry & Parry for Item 139 [GPA-5714], Item 140 [ZON-5716], Item 141 [SUP-5719] and Item 142 [SDR-5717] filed under Item 139 [GPA-5714]
6. Back up referenced from the 1/13/2005 Planning Commission meeting Item 38

MOTION:

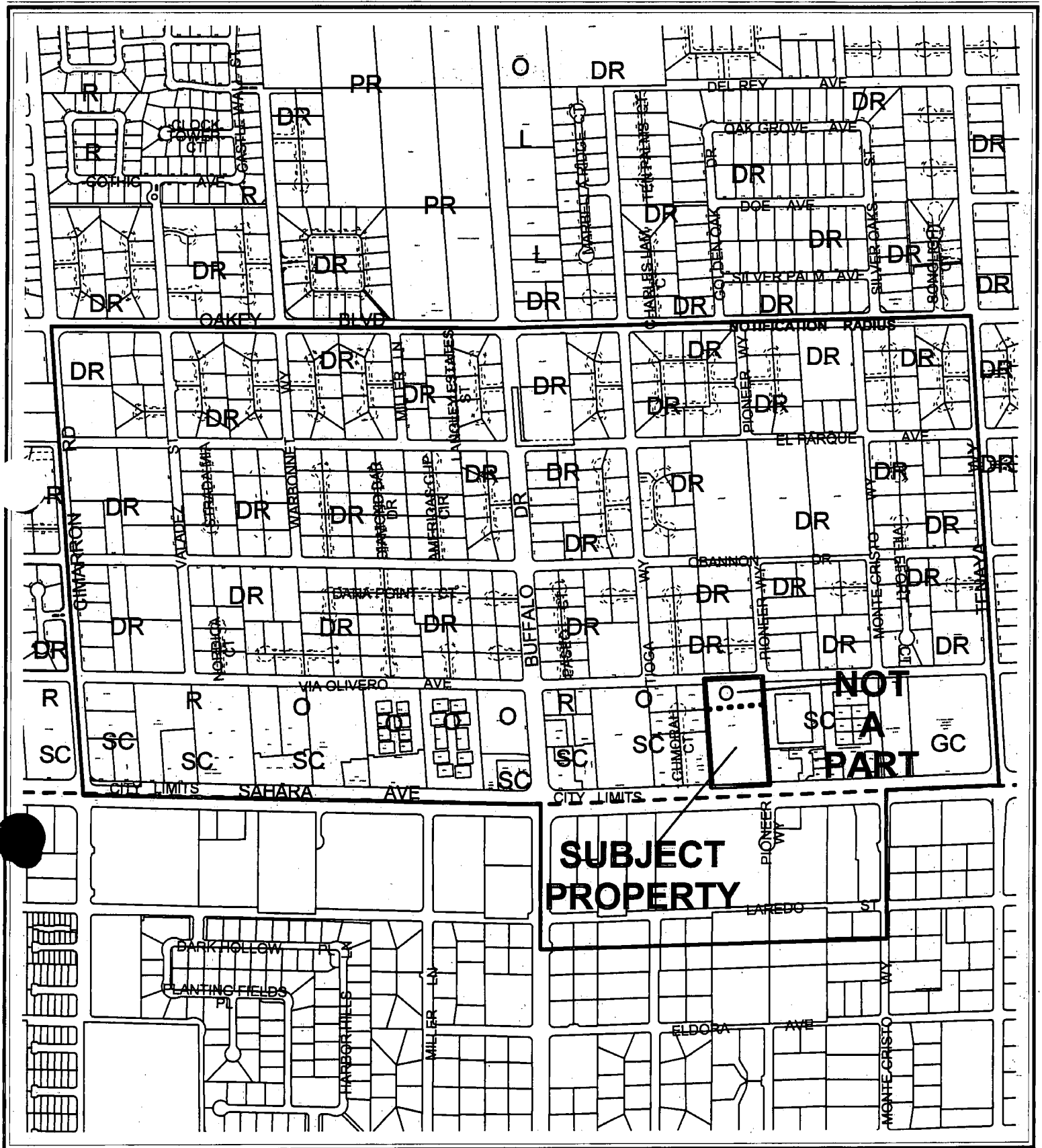
REESE - Motion to HOLD IN ABEYANCE Item 66 [Temporary Beer/Wine/Cooler On-sale License - Samuel M. Martinez], Item 99 [RQR-5787], Item 103 [SUP-5564], Item 104 [SDR-5562], Item 105 [SUP-5627] to 3/2/2005 and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 139 [GPA-5714], Item 140 [ZON-5716], Item 141 [SUP-5719] and Item 142 [SDR-5717] - UNANIMOUS

MINUTES:

There was no discussion.

(2:26 - 2:33)

5-1



CASE: **GPA-5714**

RADIUS: SPECIAL

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE) AND SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

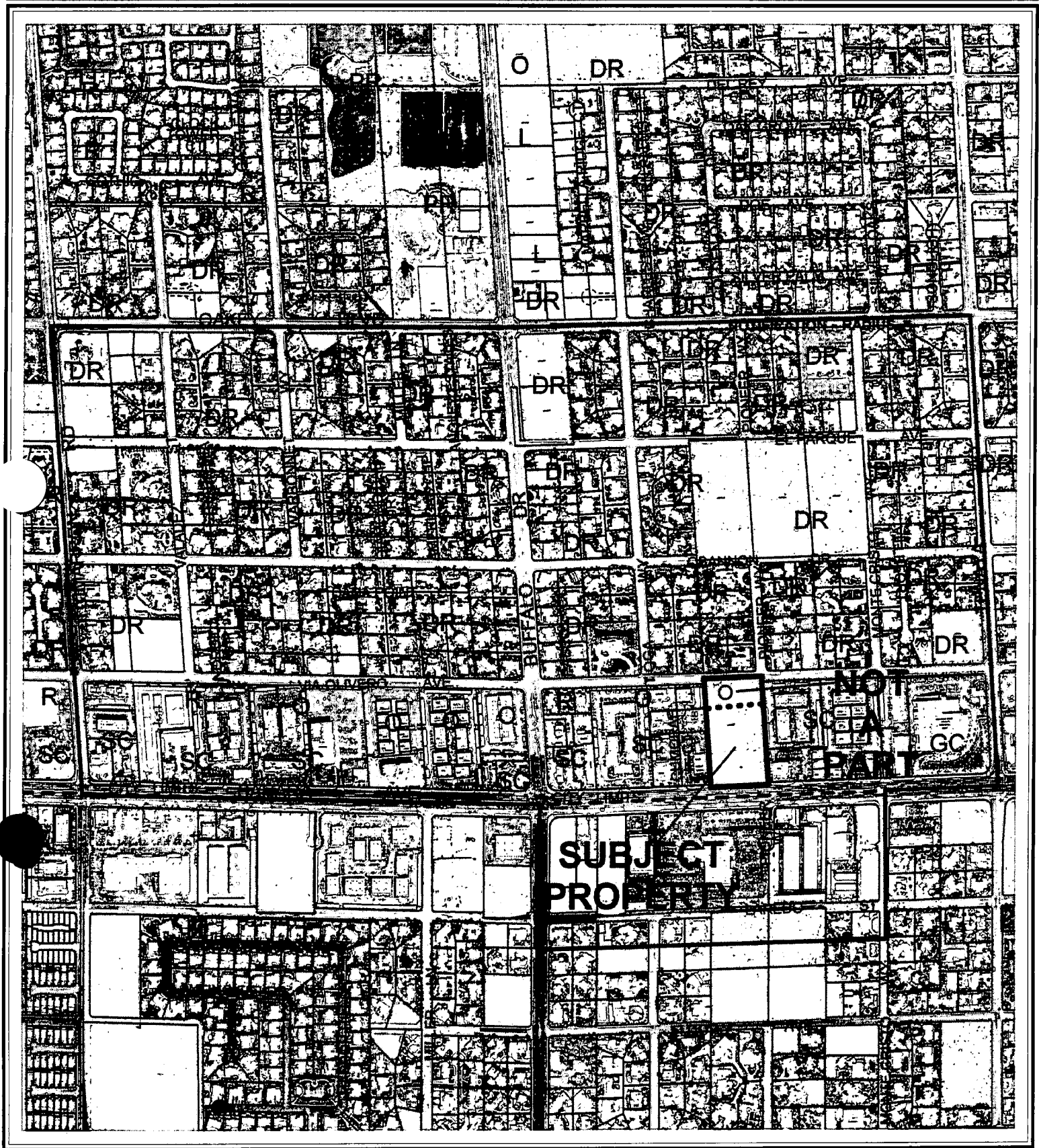
GC (GENERAL COMMERCIAL)

0 500 1000 Feet



139





CASE: **GPA-5714**

RADIUS: SPECIAL

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE) AND SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

GC (GENERAL COMMERCIAL)

0 500 1000 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-5714 - APPLICANT: FLETCHER JONES MANAGEMENT
CO. - OWNER: JOHN LEE**

**** CONDITIONS ****

The Planning Commission (5-2 vote) and staff recommend DENIAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located adjacent to the northwest corner of Sahara Avenue and Pioneer Way from SC (Service Commercial) to GC (General Commercial). A related rezoning to C-2 (General Commercial) and P-R (Professional Offices and Parking), a Site Development Plan Review for an auto dealership, a Special Use Permit for used auto sales, and a Special Use Permit for auto dealer inventory storage will also be considered on this agenda.

BACKGROUND DATA:

- 08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Density Residential land uses with a maximum density of three dwelling units per acre.
- 03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan. The subject parcel was designated for R (Rural Density Residential) land uses on the southwest sector map.
- 06/21/95 The City Council approved a General Plan Amendment from R (Rural Density Residential) to SC (Service Commercial) [GPA-25-95] for the south portion of the subject site
- 08/18/99 The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
- 05/05/04 The City Council approved a General Plan Amendment to O (Office) [GPA-3985] for the north portion of subject site.
- 01/13/05 The Planning Commission recommended denial of related items (ZON-5716, SUP-5719 and SDR-5717).
- 01/13/05 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #38/ar).

DETAILS OF APPLICATION REQUEST

Site Area: 3.50 Acres

EXISTING LAND USE

Subject Property Undeveloped
North Across Via Olivero Avenue - Single Family Residential

South Undeveloped
East Offices
West Offices

PLANNED LAND USE

Subject Property R (Rural Density Residential)
North Across Via Olivero Avenue – DR (Desert Rural)
South SC (Service Commercial)
East SC (Service Commercial)
West O (Office)

EXISTING ZONING

Subject Property U (Undeveloped)
North Across Via Olivero Avenue – R-E (Residence Estates)
South U (Undeveloped)
East P-R (Professional Office and Parking)
West P-R (Professional Office and Parking)

	YES	NO
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

R (Rural Density Residential) (2.5 to 3.59 dwelling units/gross acre). The Rural Density Residential category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a life-style much like that of the Desert Rural, but with a smaller allowable lot size.

O (Office) The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

SC (Service Commercial) The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

GC (General Commercial) General Commercial allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses include limited outdoor storage or display of products, noise, lighting or other characteristics not generally considered

compatible with adjoining residential areas with significant transition. Examples of General Commercial uses include: new and used car sales; recreational vehicles and boat sales; mortuaries; and other vehicle-oriented uses such as hotels, motels, apartment hotels, and similar uses. This category includes the Village and Town Center concept areas.

INTERAGENCY ISSUES

None

ANALYSIS

The subject parcel is currently undeveloped. Access is provided by Sahara Avenue to the south. Adjacent land uses include office/commercial developments to the west and east, and single-family homes to the north.

Policy 2.1.2 of the Master Plan 2020 states, "That development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use and design to surrounding development." This policy does not support development as proposed by this request. A General Commercial district, which permits an auto dealership, is not compatible with adjacent development. The fact that there are already commercial uses in the area does not justify allowing additional increases in intensity of development. The increased traffic and general activity will only add to the impacts already existing.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to "1": General commercial allows retail, service, wholesale, office and other general business uses of a more intense commercial character. These uses commonly include outdoor storage or display of products or parts, noise, lighting, or other characteristics not generally considered compatible with adjoining residential properties without significant transition. Examples include new and used car sales, recreation vehicles and boat sales, car body and engine repair shops, mortuaries, and other uses such as hotels and motels. Such uses are not compatible with the Service Commercial and Office designations to the east and west of the subject site.

In regard to “2”: The zoning designations that would be permitted with this amendment are not compatible with the adjacent C-1 (Limited Commercial) and P-R (Professional Offices and Parking) zoning districts.

In regard to “3”: Public facilities and infrastructure presently exist to support commercial development. Access would be directly to Sahara Avenue. The property is just over two miles from a fire station at Charleston Boulevard and Durango Drive and within one mile of a police station at Charleston Boulevard and Rainbow Boulevard.

In regard to “4”: Objectives and policies are addressed in the *City of Las Vegas Master Plan 2020*. There are no plans or policies that specifically address this area of the Southwest Sector.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on December 14, a neighborhood meeting sponsored by the applicant was held at the West Sahara Library at 7604 West Sahara Avenue. Ten people attended and had the following comments:

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

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

PLANNING COMMISSION ACTION

There were three speakers protesting this application at Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED: 6

NOTICES MAILED 436 by Planning Department

APPROVALS 0

PROTESTS 6



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-5714 APN: 1103 034 0207 017

Name of Property Owner: John Lee

Name of Applicant: Fletcher Jones Management Company

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

Yes

V No

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

City Official: _____

Partner(s): _____

APN: _____

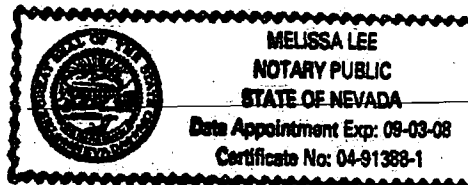
Signature of Property Owner/Authorized Agent: John D. Lee

Print Name: JOHN D. Lee

Subscribed and sworn before me

This 4th day of November, 20 04

Notary Public in and for said County and State







GPA-5714 - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG
PARTNERS, L.L.C.
NORTHWEST CORNER OF SAHARA AVENUE AND PIONEER WAY
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

CURRAN & PARRY
ATTORNEYS AT LAW

300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN
STANLEY W. PARRY

JOSHUA H. REISMAN
GLENN M. MACHADO

TELEPHONE
(702) 471-7000

FACSIMILE
(702) 471-7070

E-MAIL
curran_parry@msn.com

November 30, 2004

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

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

Dear Madam/Sir:

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

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

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

GPA-5714

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

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

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

Sincerely,

CURRAN & PARRY

A handwritten signature in black ink, appearing to read 'Bill Curran', written over a horizontal line.

Bill Curran

WPC/mp

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

GPA-5714

RECEIVED
CITY CLERK
2005 FEB 15 P 5:34

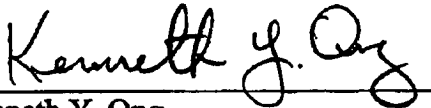
February 15, 2005

Las Vegas City Clerk
VIA FACSIMILE 382-4803

RE: WITHDRAW OF APPLICATIONS
GPA-5714
ZON-5716
SDR -5717
SUP -5719
FLETCHER JONES / ONG PARTNERS, LLC / JOHN LEE

The undersigned property owners request the abovementioned application/petitions be withdrawn without prejudice.

Sincerely,



Kenneth Y. Ong
Ong Partners, LLC
Manager

John Lee

cc: Shelley DiNicola – Planning @385-7268

Submitted after final agenda

Date 2/15/05 Item #139-
#142

February 15, 2005

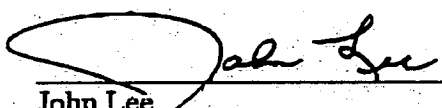
Las Vegas City Clerk
VIA FACSIMILE 382-4803

RE: WITHDRAW OF APPLICATIONS
GPA-5714
ZON-5716
SDR -5717
SUP -5719
FLETCHER JONES / ONG PARTNERS, LLC / JOHN LEE

The undersigned property owners request the abovementioned application/petitions be withdrawn without prejudice.

Sincerely,

Kenneth Y. Ong
Ong Partners, LLC
Manager


John Lee

cc: Shelley DiNicola – Planning @385-7268

RECEIVED
CITY CLERK
2005 FEB 15 P 5:34

Submitted after final agenda

Date 2/15/05 Item #139-
#142

CURRAN & PARRY
ATTORNEYS AT LAW

300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN
STANLEY W. PARRY

JOSHUA H. REISMAN
GLENN M. MACHADO

TELEPHONE
(702) 471-7000

FACSIMILE
(702) 471-7070

E-MAIL
curran_parry@msn.com

February 15, 2005

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

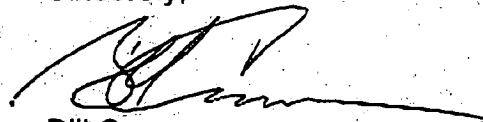
**Re: February 16, 2005 City Council Agenda
REQUEST TO WITHDRAW ITEMS #139-142 -
GPA 5714, ZON 5716, SDR 5717 and SUP 5719**

Dear Ms. Wheeler:

I am writing on behalf of the applicant to request that the applications referenced above be withdrawn without prejudice from tomorrow's scheduled City Council meeting.

I appreciate your assistance in this matter.

Sincerely,



Bill Curran

cc: Alberto P. Jauregui
Bob Miller
Tom Downer
Howard Miller
Annette Wiley

WPC:mp

F:\Fletcher Jones\W Sahara-Mercedes Solicitors\Request to Withdraw-CC.wpd

Submitted after final agenda

Date 2/15/05 Item #139-
#142

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

January 10, 2005

Anthony and Anna Williams
7451 O'Bannon Dr.
Las Vegas, NV 89117
(702) 363-9745

Las Vegas Planning Commission and the
Planning Development Dept, Current Planning
731 South 4th Street
Las Vegas, NV 89101

RE: SDR-5717; ZON-5716; GPA 5714; SUP 5719

Dear Las Vegas Planning Commissioners and Staff:

We respectfully request denial of the above referenced requests for the following reasons:

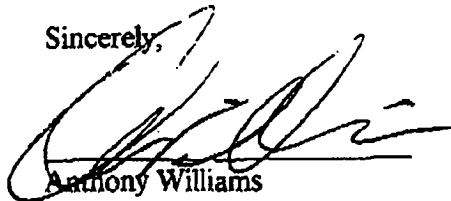
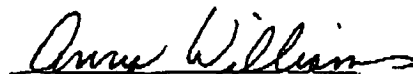
1. The applicant, Fletcher Jones, has demonstrated a complete disregard for conforming to the conditions set forth by the city onto their present dealership on Sahara and Tenaya. The neighborhood has spent countless hours complaining to the dealership and pleading with them to adhere to the conditions set forth by the city. However, the dealership's representatives have said one thing, but done another. This is a classic example of, "actions speak louder than words." They were unloading and loading cars on Tenaya and test driving on the residential streets causing dangerous situations for the drivers trying to exit and enter on Tenaya and for the pedestrians and children riding their bicycles. They were parking three blocks into the neighborhood creating huge lines of employee vehicles parking in front of people's homes. Janet Moncrief has insisted they conform to the conditions placed on them by the city, and they did so for a short while. Unfortunately, at the present time, they are again not providing adequate space for employee parking. The employees' cars are lined up on Tenaya in a 2-hr parking space and along Via Olivera around the perimeter of the church parking lot. Their present dealership is mammoth and they outgrew it before it was a month old. It should have never been allowed there in the first place, but rather gone out near the freeway where they would have adequate room to grow instead of encroaching on a residential neighborhood with total disregard for the neighborhood and the city's conditions. They have already proven that they will place their employees out into our neighborhood where they park and gather to break and smoke cigarettes. The original designated employee parking spaces within their facility now houses cars for sale. Do you really believe that if they say this new facility is for overflow employee parking that it will stay that way when they decide that they can make more of a profit by filling those employee parking spaces with cars for sale? The past behavior of this dealership has already answered this question in a totally unabashed, loud and clear manner.

2. This stretch of Sahara Ave. could better serve the surrounding neighborhood's needs by providing more diverse development. Don't you think there are enough dealerships already? We

need a more diverse commercial section of retail shops, restaurants, and office space to enhance our neighborhood's livability.

Please deny this request for another car dealership on Sahara and Pioneer as it will inevitably be a further source of consternation and drastically diminish our quality of life in this neighborhood.

Sincerely,


Anthony Williams
Anna Williams

cc: Janet Moncrief Ward 1
Mayor Oscar Goodman
Las Vegas City Council Members
Anne Caddick

Kahle & Associates

TAMELA L. KAHLE

January 11, 2005

VIA FACSIMILE

Carol Combs
Planning and Development
731 S. 4th Street
Las Vegas, Nevada 89101

Re: Case No.: GPA-5714
Hearing Date: January 13, 2005
Hearing Time: 6:00 p.m.

Dear Ms. Combs:

Golden View Development, LLC, the owner of property located at 7660 W. Sahara Ave., Las Vegas, Nevada has received notice of a proposed zoning change for property adjacent to its property. The property at Golden View Development is used for law offices. Golden View Development is opposed to a car dealership that has a service section on the north portion of the parcel.

We object to the proposed use of the property as a car dealership. The basis for the objection is that vehicle maintenance will occur within close proximity of the office building. The noise level of impact wrenches and motors will adversely impact the current use of our building. Therefore, before the zoning is changed we are requesting an architectural review and a buffer along the perimeter of the property.

Very truly yours,

KAHLE & ASSOCIATES



Tamela L. Kahle

TLK:kk

GPA-5714
ZUP-5716
SUP-5719
SDR-5717

January 10, 2005

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

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

Dear Sirs,

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

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

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

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

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

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

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

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Anne Caddick".

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

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

REZONING RELATED TO GPA-5714

ZON-5716 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG PARTNERS, L.L.C. - Request for a Rezoning FROM: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) AND FROM: U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO O (OFFICE) TO: P-R (PROFESSIONAL OFFICES AND PARKING) on 4.86 acres adjacent to the northwest corner of Sahara Avenue and Pioneer Way (APN 163-03-402-017), Ward 1 (Tarkanian). The Planning Commission (5-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	6
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Request for withdrawal without prejudice by Kenneth Ong, John Lee and Curry & Parry for Item 139 [GPA-5714], Item 140 [ZON-5716], Item 141 [SUP-5719] and Item 142 [SDR-5717] filed under Item 139 [GPA-5714]
6. Back up referenced from the 1/13/2005 Planning Commission meeting Item 39

MOTION:

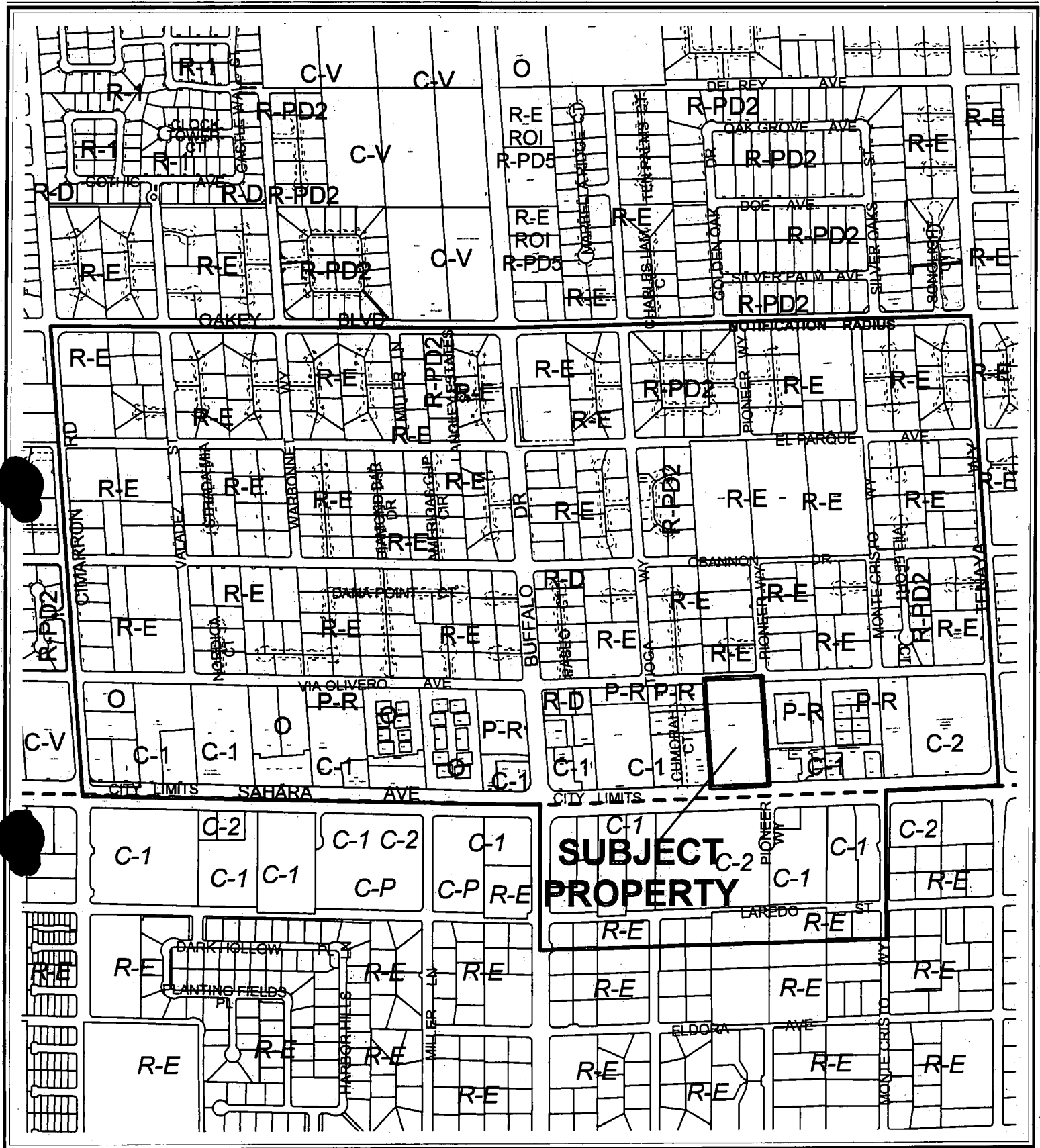
REESE - Motion to HOLD IN ABEYANCE Item 66 [Temporary Beer/Wine/Cooler On-sale License - Samuel M. Martinez], Item 99 [RQR-5787], Item 103 [SUP-5564], Item 104 [SDR-5562], Item 105 [SUP-5627] to 3/2/2005 and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 139 [GPA-5714], Item 140 [ZON-5716], Item 141 [SUP-5719] and Item 142 [SDR-5717] - UNANIMOUS

MINUTES:

There was no discussion.

(2:26 - 2:33)

5-1



CASE: **ZON-5716**

RADIUS: SPECIAL

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

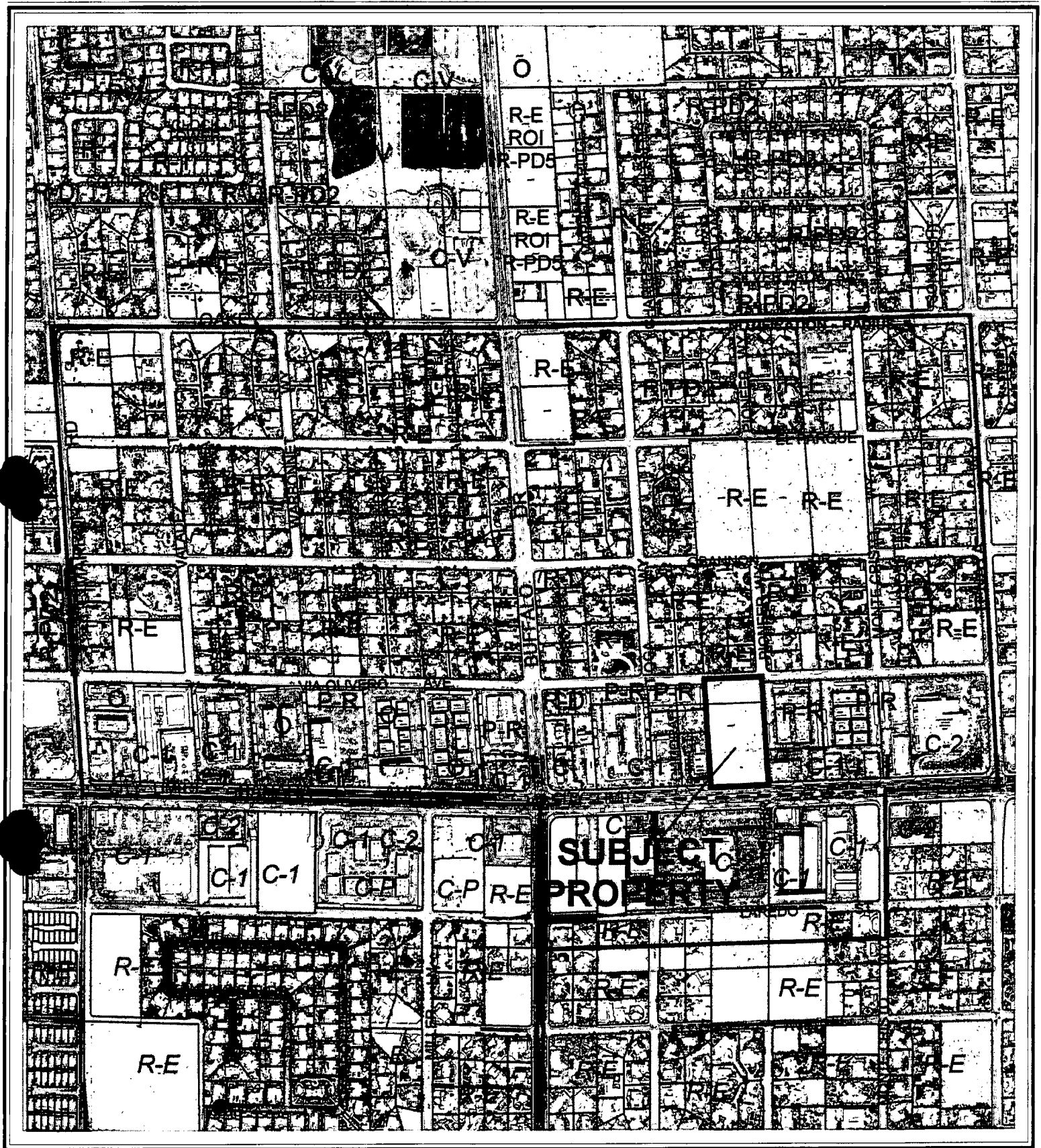
C-2 (GENERAL COMMERCIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)

0 500 1000 Feet



140





CASE: **ZON-5716**

RADIUS: SPECIAL

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-5716 - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE

**** CONDITIONS ****

The Planning Commission (5-2 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-5714) to a GC (General Commercial) land use designation on a portion of the site approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application (SDR-5717) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
4. The south side of Via Olivero Avenue shall be developed with landscaping and berming and without a sidewalk, using a design consistent with that on other developed parcels on the south side of Via Olivero Avenue.

Public Works

5. Dedicate 30 feet of right-of-way adjacent to this site for Via Olivero Avenue and dedicate an additional 14.5 feet of right-of-way for a total half-street width of 75 feet on Sahara Avenue adjacent to this site prior to the issuance of any permits.
6. Construct all incomplete half-street improvements on Via Olivero Avenue and Sahara Avenue adjacent to this site concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
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. 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.
8. 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, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this 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. 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.

9. 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 application is a request for a Rezoning from U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution Of Intent to C-1 (Limited Commercial) to C-2 (General Commercial) and from U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution Of Intent to O (Office) to P-R (Professional Offices and Parking) on 4.86 acres adjacent to the northwest corner of Sahara Avenue and Pioneer Way. Approval of this Rezoning request will allow the applicant to develop a proposed 2,020 square-foot auto dealership on the subject site.

Related requests to change the General Plan land use designation (GPA-5714) of the southern portion of the property from SC (Service Commercial) to GC (General Commercial), a Site Development Plan Review for the auto dealership (SDR-5717) and a Special Use Permit (SUP-5719) for used auto sales and for auto dealership storage will also be reviewed concurrently.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request (A-0009-85) to annex approximately 1,509 acres of land, including the subject site.
- 04/11/96 The Planning Commission accepted a request to withdraw without prejudice a request (GPA-0059-95) to amend the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to Service Commercial. Staff had recommended approval.
- 05/05/04 The City Council approved the following: a Request to Amend a portion of the Southwest Sector Plan of the General Plan (GPA-3985) from R (Rural Density Residential) to O (Office) for the northern portion of the subject site. The Planning Commission (7-0 vote) and staff recommended approval; a Request for a Rezoning (ZON-3987) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to O (Office) and from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial). The Planning Commission (7-0 vote) and staff recommended approval; and a request for a Site Development Plan Review (SDR-3988) and a Waiver of foundation landscaping standards for a proposed 42,400 square-foot office building and 12,800 square-foot retail building on the subject site. The Planning Commission (7-0 vote) and staff recommended approval.

01/13/05 The Planning Commission recommended denial of related items (GPA-5714, SUP-5719 and SDR-5717).

01/13/05 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #39/ar).

B) Neighborhood Meetings

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

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

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.89
Net Acres: 4.54

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

The south portion of the site is designated SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services. A related General Plan Amendment (GPA-5714) application seeks to change the land use designation of the south portion of the site to GC (General Commercial) General Commercial allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses include limited outdoor storage or display of products, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas with significant transition. Examples of General Commercial uses include: new and used car sales; recreational vehicles and boat sales; mortuaries; and other vehicle-oriented uses such as hotels, motels, apartment hotels, and similar uses. The proposed C-2 (General Commercial) Zoning District is in conformance with the proposed GC (General Commercial) land use designation on this portion of the site.

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 south portion of the subject site is currently designated SC [Service Commercial] on the Southwest Sector Map of the Las Vegas General Plan. The applicant has requested an amendment to the Southwest Sector Map to GC (General Commercial) for this part of the subject site. While the requested Rezoning to C-2 (General Commercial) will be

consistent with the requested General Plan designation for that part of site, staff has found the requested General Plan amendment to be inappropriate for the site and has recommended denial. For the same reasons of incompatibility between existing residential uses and potential commercial uses of the site, because of the spot zoning nature of the request, and the potential to induce commercial encroachment into an existing residential neighborhood, staff finds the requested Rezoning inappropriate and recommends denial.

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.”**

Staff finds that the type of uses potentially allowable under the C-2 (General Commercial) zone will be more intense in nature than allowed uses with the existing zoning. Staff therefore finds these uses will not be compatible with the adjacent single-family residential land uses and zoning districts to the north and east.

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

Staff finds that the proposed Rezoning and the proposed automobile dealership will not meet any identified need for such uses in the surrounding neighborhood. The proposed project is a regional rather than a local commodity, and can be located elsewhere in the City. Therefore, staff finds the requested Rezoning will not be responsive to existing community needs.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED: 6

NOTICES MAILED 436 by Planning Department

APPROVALS 0

PROTESTS 6



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON 5716 APN: 1163 034 02071

Name of Property Owner: John Lee

Name of Applicant: Fletcher Jones Management Company

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

 Yes

 ✓ No

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

City Official: _____

Partner(s): _____

APN: _____

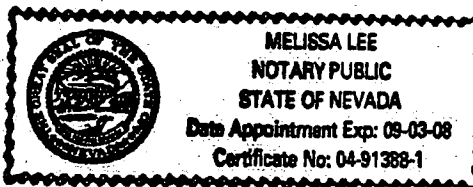
Signature of Property Owner/Authorized Agent: John D. Lee

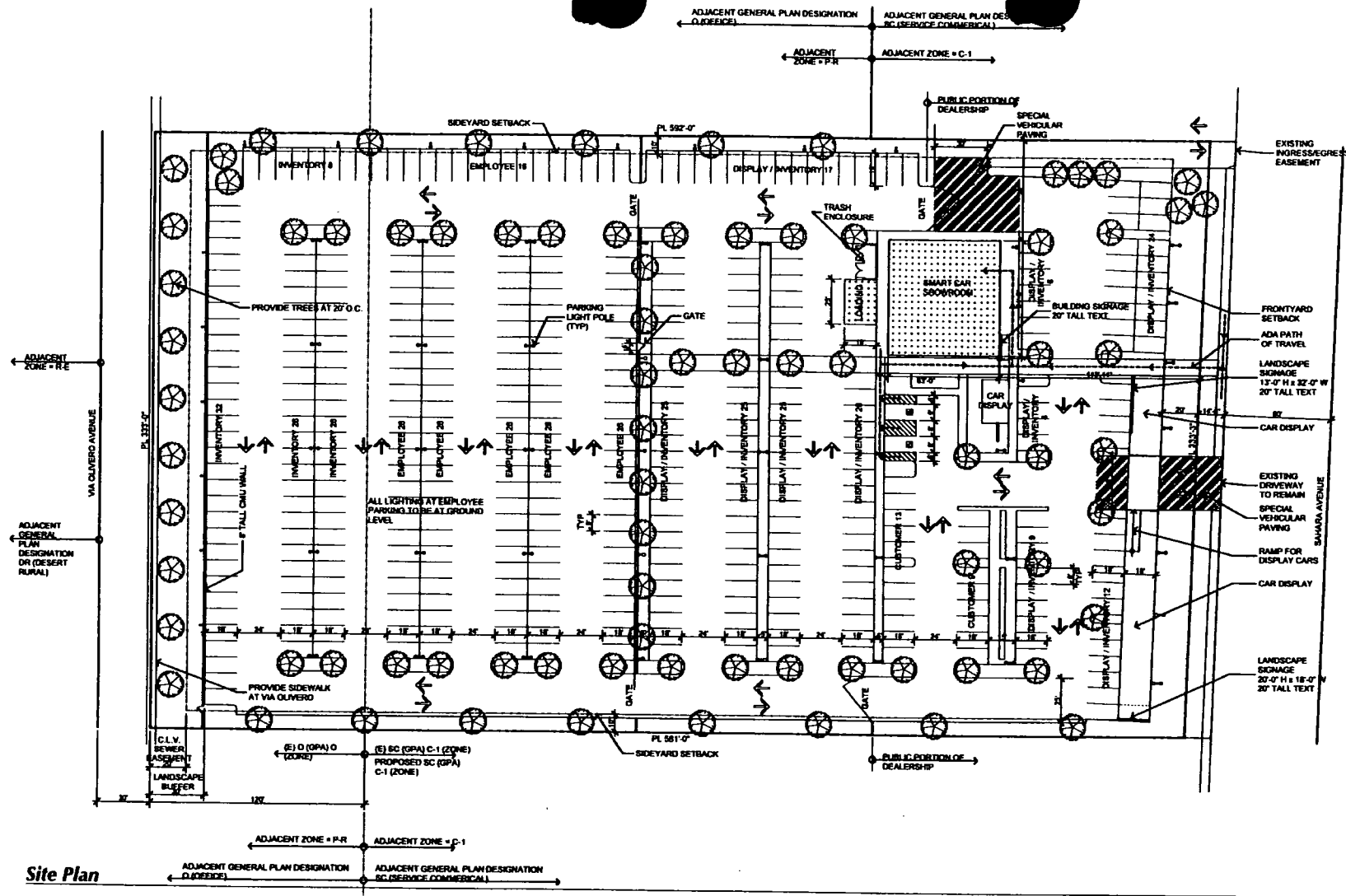
Print Name: JOHN D. Lee

Subscribed and sworn before me

This 4th day of November, 2004

Notary Public in and for said County and State





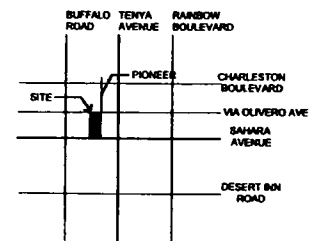
Site Plan

02

PROJECT INFORMATION

Jurisdiction: City of Las Vegas
 Code Used: Title 19 (Las Vegas Zoning Code)
 Lot Size: 211,905 s.f. (4.86 acres)
 Assessor's Parcel Number: 163-03-402-017
 Allowable Lot Coverage: 50% (105,952 s.f.)
 Actual Lot Coverage: 1.8% (4,000 s.f.)
 Set Backs:
 Front (Sahara): 20'
 Rear (Via Olivero): 10'
 Side: 10'
 Building Height: 35'
 Building Size: 4,000 s.f.

Parking Required:
 Motor Vehicle Sales (1:500): 8.00 spaces req'd
 Handicapped Parking Required: 1:25 spaces
 Parking Provided:
 Customer: 22 spaces (2 ADA spaces)
 Inventory / Display: 259 spaces
 Employee: 146 spaces
 Total Parking Provided: 429 spaces
 Parking Space Count:
 Regular: 427 spaces
 Compact: 0 spaces
 Handicap: 2 spaces
 Total: 429 spaces



Vicinity Map

Fletcher Jones Smart Car
 West Sahara
 Las Vegas, Nevada

Sheet Notes

Sheet Legend

No.	Date	Description

Site Plan



1"=30'-0"

Plotted on 1/1/04

A-01

Drawn By: Design Check: Tech Check:

ZON-5716
 SUP-5719
 SDR-5717
 01-13-05 PC
 REVISED 01/11/05

RECEIVED
 JAN 11 2005

01



ZON-5716 - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG
PARTNERS, L.L.C.
NORTHWEST CORNER OF SAHARA AVENUE AND PIONEER WAY
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

CURRAN & PARRY
ATTORNEYS AT LAW

300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN
STANLEY W. PARRY

JOSHUA H. REISMAN
GLENN M. MACHADO

TELEPHONE
(702) 471-7000

FACSIMILE
(702) 471-7070

E-MAIL
curran_parry@msn.com

November 30, 2004

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

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

Dear Madam/Sir:

Fletcher Jones Management Corporation seeks to obtain a Rezoning of the front portion of the subject property to C-2 in conjunction with its application for a General Plan Amendment, Special Use Permit for used car sales, and Site Design Review, which will allow the establishment of a new car dealership at the above location. These other applications are being filed simultaneously.

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

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

ZON-571b

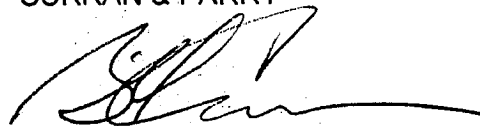
located so that it acts a buffer to the neighboring residents. The back portion of the property will remained zoned as Office to reassure the neighbors that the design and usage will provide such a buffer. Gates and landscaping buffers will be utilized to not only provide an adequate buffer from the commercial development, but also to create a more desirable view from Sahara, and convenient and safe parking for the employees.

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

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

Sincerely,

CURRAN & PARRY



Bill Curran

WPC/mp

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

ZON 5716

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

January 10, 2005

Anthony and Anna Williams
7451 O'Bannon Dr.
Las Vegas, NV 89117
(702) 363-9745

Las Vegas Planning Commission and the
Planning Development Dept. Current Planning
731 South 4th Street
Las Vegas, NV 89101

RE: SDR-5717; ZON-5716; GPA 5714; SUP 5719

Dear Las Vegas Planning Commissioners and Staff:

We respectfully request denial of the above referenced requests for the following reasons:

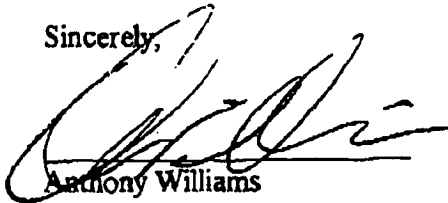
1. The applicant, Fletcher Jones, has demonstrated a complete disregard for conforming to the conditions set forth by the city onto their present dealership on Sahara and Tenaya. The neighborhood has spent countless hours complaining to the dealership and pleading with them to adhere to the conditions set forth by the city. However, the dealership's representatives have said one thing, but done another. This a classic example of, "actions speak louder than words." They were unloading and loading cars on Tenaya and test driving on the residential streets causing dangerous situations for the drivers trying to exit and enter on Tenaya and for the pedestrians and children riding their bicycles. They were parking three blocks into the neighborhood creating huge lines of employee vehicles parking in front of people's homes. Janet Moncrief has insisted they conform to the conditions placed on them by the city, and they did so for a short while. Unfortunately, at the present time, they are again not providing adequate space for employee parking. The employees' cars are lined up on Tenaya in a 2-hr parking space and along Via Olivera around the perimeter of the church parking lot. Their present dealership is mammoth and they outgrew it before it was a month old. It should have never been allowed there in the first place, but rather gone out near the freeway where they would have adequate room to grow instead of encroaching on a residential neighborhood with total disregard for the neighborhood and the city's conditions. They have already proven that they will place their employees out into our neighborhood where they park and gather to break and smoke cigarettes. The original designated employee parking spaces within their facility now houses cars for sale. Do you really believe that if they say this new facility is for overflow employee parking that it will stay that way when they decide that they can make more of a profit by filling those employee parking spaces with cars for sale? The past behavior of this dealership has already answered this question in a totally unabashed, loud and clear manner.

2. This stretch of Sahara Ave. could better serve the surrounding neighborhood's needs by providing more diverse development. Don't you think there are enough dealerships already? We

need a more diverse commercial section of retail shops, restaurants, and office space to enhance our neighborhood's livability.

Please deny this request for another car dealership on Sahara and Pioneer as it will inevitably be a further source of consternation and drastically diminish our quality of life in this neighborhood.

Sincerely,



Anthony Williams



Anna Williams

cc: Janet Moncrief Ward 1
Mayor Oscar Goodman
Las Vegas City Council Members
Anne Caddick

Kahle & Associates

TAMELA L. KAHLE

January 11, 2005

VIA FACSIMILE

Carol Combs
Planning and Development
731 S. 4th Street
Las Vegas, Nevada 89101

Re: Case No.: GPA-5714
Hearing Date: January 13, 2005
Hearing Time: 6:00 p.m.

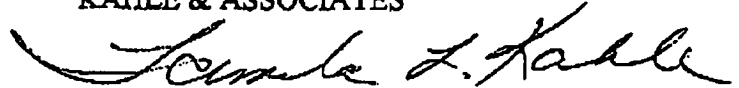
Dear Ms. Combs:

Golden View Development, LLC, the owner of property located at 7660 W. Sahara Ave., Las Vegas, Nevada has received notice of a proposed zoning change for property adjacent to its property. The property at Golden View Development is used for law offices. Golden View Development is opposed to a car dealership that has a service section on the north portion of the parcel.

We object to the proposed use of the property as a car dealership. The basis for the objection is that vehicle maintenance will occur within close proximity of the office building. The noise level of impact wrenches and motors will adversely impact the current use of our building. Therefore, before the zoning is changed we are requesting an architectural review and a buffer along the perimeter of the property.

Very truly yours,

KAHLE & ASSOCIATES



Tamela L. Kahle

TLK:kk

GPA-5714

ZON-5716

SUP-5719

SDR-5717

January 10, 2005

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

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

Dear Sirs,

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

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

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

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

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

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

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

Thank you for your time and consideration.

Sincerely,



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

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO GPA-5714 AND ZON-5716

SUP-5719 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT COMPANY - OWNER: JOHN LEE AND ONG PARTNERS, LLC - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) AND FOR A PROPOSED AUTO DEALER INVENTORY STORAGE USE adjacent to the northwest corner of Sahara Avenue and Pioneer Way (APN 163-03-402-017), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office) and U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Request for withdrawal without prejudice by Kenneth Ong, John Lee and Curry & Parry for Item 139 [GPA-5714], Item 140 [ZON-5716], Item 141 [SUP-5719] and Item 142 [SDR-5717] filed under Item 139 [GPA-5714]
6. Back up referenced from the 1/13/2005 Planning Commission meeting Item 40

MOTION:

REESE - Motion to HOLD IN ABEYANCE Item 66 [Temporary Beer/Wine/Cooler On-sale License - Samuel M. Martinez], Item 99 [RQR-5787], Item 103 [SUP-5564], Item 104 [SDR-5562], Item 105 [SUP-5627] to 3/2/2005 and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 139 [GPA-5714], Item 140 [ZON-5716], Item 141 [SUP-5719] and Item 142 [SDR-5717] - UNANIMOUS

MINUTES:

There was no discussion.

(2:26 - 2:33)

5-1

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

The Planning Commission (5-2 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Motor Vehicle Sales (Used) use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining items or devices shall be displayed upon the subject property or on any vehicle displayed for sale in the parking lot of the subject property.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

- 03/19/86 The City Council approved a request (A-0009-85) to annex approximately 1,509 acres of land, including the subject site.
- 04/11/96 The Planning Commission accepted a request to withdraw without prejudice a request (GPA-0059-95) to amend the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to Service Commercial. Staff had recommended approval.
- 05/05/04 The City Council approved the following: a Request to Amend a portion of the Southwest Sector Plan of the General Plan (GPA-3985) from R (Rural Density Residential) to O (Office) for the northern portion of the subject site. The Planning Commission (7-0 vote) and staff recommended approval; a Request for a Rezoning (ZON-3987) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to O (Office) and from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial). The Planning Commission (7-0 vote) and staff recommended approval; and a request for a Site Development Plan Review (SDR-3988) and a Waiver of foundation landscaping standards for a proposed 42,400 square-foot office building and 12,800 square-foot retail building on the subject site. The Planning Commission (7-0 vote) and staff recommended approval.
- 01/13/05 The Planning Commission recommended denial of related items (GPA-5714, ZON-5716 and SDR-5717).

01/13/05 The Planning Commission voted 5-2 to recommend APPROVAL (PC Agenda Item #40/ar).

B) Neighborhood Meetings

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

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

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.89
Net Acres: 4.54

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

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

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

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

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

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

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

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

The proposed auto dealership complies with the parking standards..

A4) Landscape and Open Space Standards

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

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

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

B) General Analysis and Discussion

- Zoning

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

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

- Use

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

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

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

- Conditions

Pursuant to Title 19.04.040, the following conditions are placed on the Motor Vehicle Sales (Used) use. If any of these conditions are unable to be fulfilled, a Special Use Permit is required.

1. The minimum site area shall be twenty five thousand square feet.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. Openings in service bays shall not face public rights-of way and shall be designed to minimize the visual intrusion into adjoining properties.
6. Accessory automobile rental is permitted.

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

NOTICES MAILED 579 by City Clerk

APPROVALS 0

PROTESTS 6



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5719 APN: 1163 034 02071

Name of Property Owner: John Lee

Name of Applicant: Fletcher Jones Management Company

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

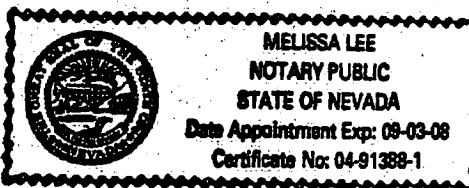
Signature of Property Owner/Authorized Agent: John D. Lee

Print Name: JOHN D. Lee

Subscribed and sworn before me

This 4th day of November, 2004

Notary Public in and for said County and State



Lee S. Bauer, FALA
State of Nevada License #1002

Fletcher Jones Smart Car
West Sahara
Las Vegas, Nevada

Sheet Notes

Sheet Legend

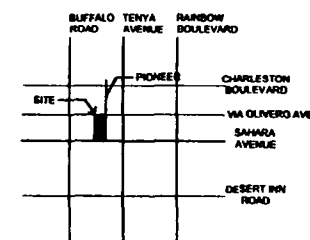
02

Site Plan

PROJECT INFORMATION

Jurisdiction: City of Las Vegas
Code Used: Title 19 (Las Vegas Zoning Code)
Lot Size: 211,905 s.f. (4.86 acres)
Assessor's Parcel Number: 163-01-402-017
Allowable Lot Coverage: 50% (105,952 s.f.)
Actual Lot Coverage: 1.9% (4,000 s.f.)
Set Backs:
Front (Sahara): 20'
Rear (Via Olivero): 20'
Side: 10'
Building Height: 35'
Building Size: 4,000 s.f.

Parking Required:
Motor Vehicle Sales (1:500): 8.00 spaces req'd
Handicapped Parking Required: 1.25 spaces
Parking Provided:
Customer: 22 spaces (2 ADA spaces)
Inventory / Display: 239 spaces
Employee: 146 spaces
Total Parking Provided: 428 spaces
Parking Space Count:
Regular: 427 spaces
Compact: 0 spaces
Handicap: 2 spaces
Total: 429 spaces



RECEIVED
JAN 11 2005

Vicinity Map

01

Site Plan

1"=30'-0"

Plotted on 1/10/04

A-01

Drawn By: Design Check: Tech Check:

ZON-5716
SUP-5719
SDR-5717
01-13-05 PC
REVISED 01/11/05



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

12/23/04

CURRAN & PARRY
ATTORNEYS AT LAW

300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN
STANLEY W. PARRY

JOSHUA H. REISMAN
GLENN M. MACHADO

TELEPHONE
(702) 471-7000

FACSIMILE
(702) 471-7070

E-MAIL
curranparry@curranparry.com

November 30, 2004

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

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

Dear Madam/Sir:

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

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

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

80P-5719

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

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

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

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

Sincerely,

CURRAN & PARRY



Bill Curran

WPC/mp

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

SUP-5719

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

January 10, 2005

Anthony and Anna Williams
7451 O'Bannon Dr.
Las Vegas, NV 89117
(702) 363-9745

Las Vegas Planning Commission and the
Planning Development Dept, Current Planning
731 South 4th Street
Las Vegas, NV 89101

RE: SDR-5717; ZON-5716; GPA 5714; SUP 5719

Dear Las Vegas Planning Commissioners and Staff:

We respectfully request denial of the above referenced requests for the following reasons:

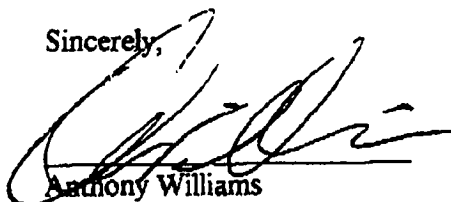
1. The applicant, Fletcher Jones, has demonstrated a complete disregard for conforming to the conditions set forth by the city onto their present dealership on Sahara and Tenaya. The neighborhood has spent countless hours complaining to the dealership and pleading with them to adhere to the conditions set forth by the city. However, the dealership's representatives have said one thing, but done another. This a classic example of, "actions speak louder than words." They were unloading and loading cars on Tenaya and test driving on the residential streets causing dangerous situations for the drivers trying to exit and enter on Tenaya and for the pedestrians and children riding their bicycles. They were parking three blocks into the neighborhood creating huge lines of employee vehicles parking in front of people's homes. Janet Moncrief has insisted they conform to the conditions placed on them by the city, and they did so for a short while. Unfortunately, at the present time, they are again not providing adequate space for employee parking. The employees' cars are lined up on Tenaya in a 2-hr parking space and along Via Olivera around the perimeter of the church parking lot. Their present dealership is mammoth and they outgrew it before it was a month old. It should have never been allowed there in the first place, but rather gone out near the freeway where they would have adequate room to grow instead of encroaching on a residential neighborhood with total disregard for the neighborhood and the city's conditions. They have already proven that they will place their employees out into our neighborhood where they park and gather to break and smoke cigarettes. The original designated employee parking spaces within their facility now houses cars for sale. Do you really believe that if they say this new facility is for overflow employee parking that it will stay that way when they decide that they can make more of a profit by filling those employee parking spaces with cars for sale? The past behavior of this dealership has already answered this question in a totally unabashed, loud and clear manner.

2. This stretch of Sahara Ave. could better serve the surrounding neighborhood's needs by providing more diverse development. Don't you think there are enough dealerships already? We

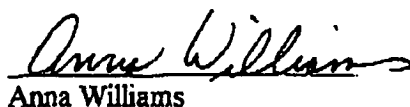
need a more diverse commercial section of retail shops, restaurants, and office space to enhance our neighborhood's livability.

Please deny this request for another car dealership on Sahara and Pioneer as it will inevitably be a further source of consternation and drastically diminish our quality of life in this neighborhood.

Sincerely,



Anthony Williams



Anna Williams

cc: Janet Moncrief Ward 1
Mayor Oscar Goodman
Las Vegas City Council Members
Anne Caddick

Kahle &
Associates

TAMELA L. KAHLE

January 11, 2005

VIA FACSIMILE

Carol Combs
Planning and Development
731 S. 4th Street
Las Vegas, Nevada 89101

Re: Case No.: GPA-5714
Hearing Date: January 13, 2005
Hearing Time: 6:00 p.m.

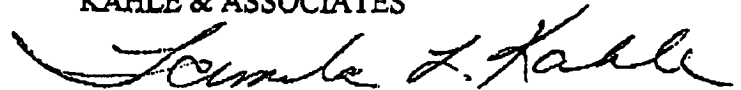
Dear Ms. Combs:

Golden View Development, LLC, the owner of property located at 7660 W. Sahara Ave., Las Vegas, Nevada has received notice of a proposed zoning change for property adjacent to its property. The property at Golden View Development is used for law offices. Golden View Development is opposed to a car dealership that has a service section on the north portion of the parcel.

We object to the proposed use of the property as a car dealership. The basis for the objection is that vehicle maintenance will occur within close proximity of the office building. The noise level of impact wrenches and motors will adversely impact the current use of our building. Therefore, before the zoning is changed we are requesting an architectural review and a buffer along the perimeter of the property.

Very truly yours,

KAHLE & ASSOCIATES



Tamela L. Kahle

TLK:kk

GPA-5714

ZON-5716

SUP-5719

SDR-5717

January 10, 2005

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

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

Dear Sirs,

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

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

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

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

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

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

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

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Anne Caddick".

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

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5714, ZON-5716 AND SUP-5719

SDR-5717 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG PARTNERS, LLC - Request for a Site Development Plan Review FOR A PROPOSED 2,020 SQUARE-FOOT AUTO DEALERSHIP on 4.86 acres adjacent to the northwest corner of Sahara Avenue and Pioneer Way (APN 163-03-402-017), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office) and U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone and P-R (Professional Office and Parking), Ward 1 (Tarkanian). The Planning Commission (5-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

6

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Request for withdrawal without prejudice by Kenneth Ong, John Lee and Curry & Parry for Item 139 [GPA-5714], Item 140 [ZON-5716], Item 141 [SUP-5719] and Item 142 [SDR-5717] filed under Item 139 [GPA-5714]
6. Back up referenced from the 1/13/2005 Planning Commission meeting Item 41

MOTION:

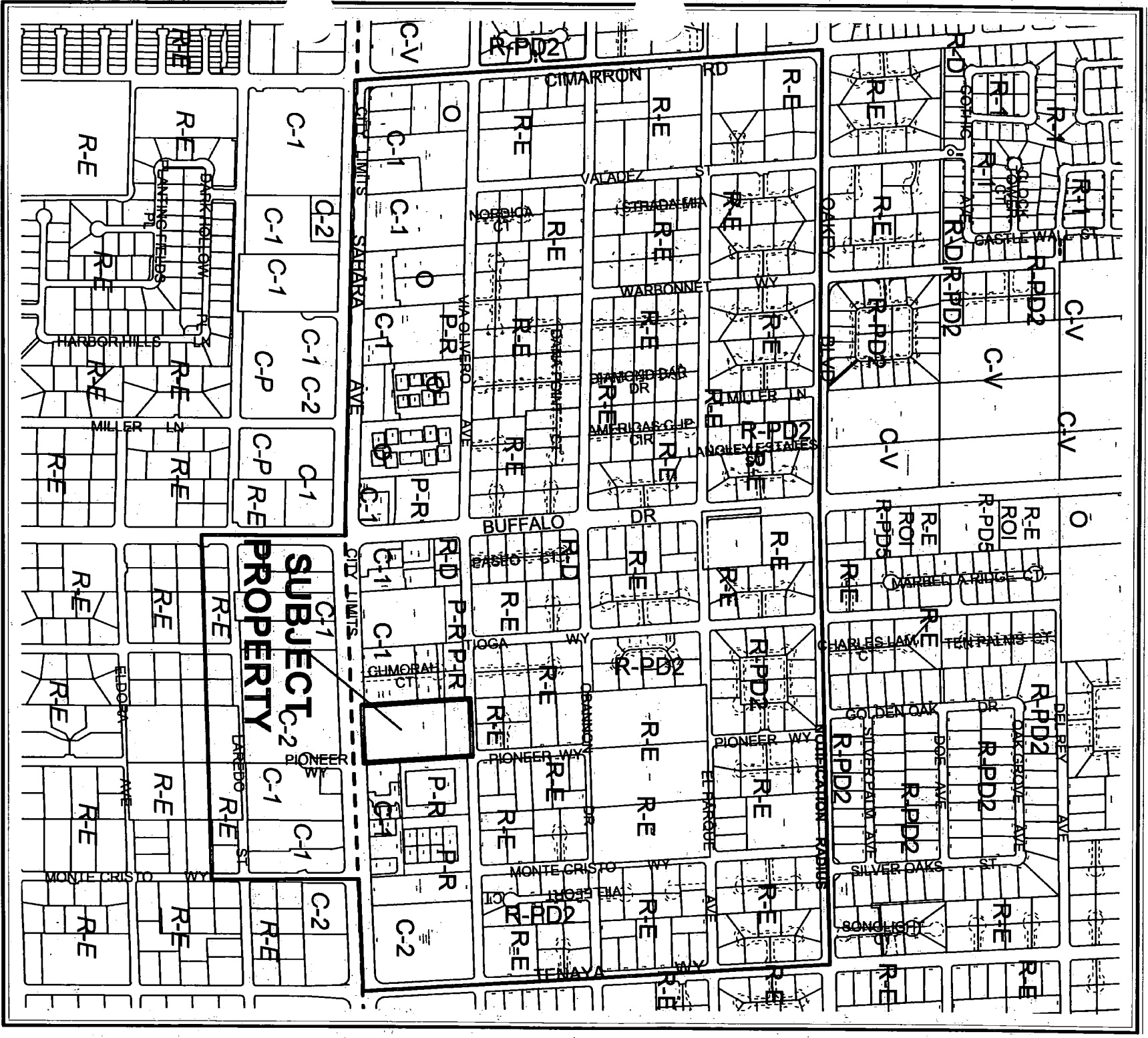
REESE - Motion to HOLD IN ABEYANCE Item 66 [Temporary Beer/Wine/Cooler On-sale License - Samuel M. Martinez], Item 99 [RQR-5787], Item 103 [SUP-5564], Item 104 [SDR-5562], Item 105 [SUP-5627] to 3/2/2005 and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 139 [GPA-5714], Item 140 [ZON-5716], Item 141 [SUP-5719] and Item 142 [SDR-5717] - UNANIMOUS

MINUTES:

There was no discussion.

(2:26 - 2:33)

5-1



CASE: **SDR-5717**

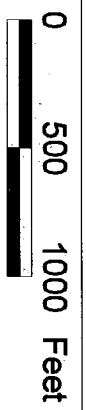
RADIUS: **SPECIAL**

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO 0 (OFFICE) AND U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

The Planning Commission (5-2 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. A Rezoning (ZON-5716) to C-2 (General Commercial) and P-R (Professional Offices and Parking) Zoning Districts approved by the City Council.
2. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site.
3. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24 inch box trees 20 feet on center and a minimum of four five gallon shrubs for each tree within provided planters to the rear of the site and provide minimum 24 inch box trees 30 feet on center and a minimum of four five gallon shrubs for each tree within provided planters to the front and sides of the site.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an extension of time is granted.
5. All development shall be in conformance with the site plan and building elevations dated 01/11/05, except as amended by conditions herein.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox fixtures and downward directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting.

10. A Master Sign Plan shall be submitted for approval by the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be developed so as to eliminate impacts to residential areas to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards must be satisfied.

Public Works

15. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
16. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
17. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
18. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and Via Olivero Avenue adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Sahara Avenue and Via Olivero Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
20. Obtain an Occupancy Permit for all improvements in the Nevada Department of Transportation (NDOT) public right-of-way.
21. Site development to comply with all applicable conditions of approval for ZON-5716 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request (A-0009-85) to annex approximately 1,509 acres of land, including the subject site.
- 04/11/96 The Planning Commission accepted a request to withdraw without prejudice a request (GPA-0059-95) to amend the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to Service Commercial. Staff had recommended approval.
- 05/05/04 The City Council approved the following: a Request to Amend a portion of the Southwest Sector Plan of the General Plan (GPA-3985) from R (Rural Density Residential) to O (Office) for the northern portion of the subject site. The Planning Commission (7-0 vote) and staff recommended approval; a Request for a Rezoning (ZON-3987) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to O (Office) and from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial). The Planning Commission (7-0 vote) and staff recommended approval; and a request for a Site Development Plan Review (SDR-3988) and a Waiver of foundation landscaping standards for a proposed 42,400 square-foot office building and 12,800 square-foot retail building on the subject site. The Planning Commission (7-0 vote) and staff recommended approval.

01/13/05 The Planning Commission recommended denial of related items (GPA-5714, ZON-5716 and SUP-5719).

01/13/05 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #41/ar).

C) *Neighborhood Meetings*

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

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

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 4.89
Net Acres: 4.54

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

PROJECT DESCRIPTION

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

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

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

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

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

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

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

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

The proposed auto dealership complies with the parking standards.

A4) Landscape and Open Space Standards

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

Some Planning Commission members believed that no parking on Via Olivero and a coordinated approach with other dealers may make the proposal acceptable.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

NOTICES MAILED 436 by Planning Department

APPROVALS 0

PROTESTS 6



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5717 APN: 163 034 02071

Name of Property Owner: John Lee

Name of Applicant: Fletcher Jones Management Company

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

 Yes

 V No

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

City Official: _____

Partner(s): _____

APN: _____

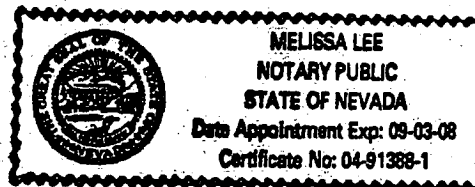
Signature of Property Owner/Authorized Agent: John D. Lee

Print Name: JOHN D. Lee

Subscribed and sworn before me

This 4th day of November, 20 04

Notary Public in and for said County and State



Sheet Notes

Sheet Legend



02

The map shows a grid of streets. Buffalo Road is on the left, Tenia Avenue is in the center, and Rainbow Boulevard is on the right. Running horizontally from top to bottom are Pioneer, Charleston Boulevard, Via Olivero Ave, Sahara Avenue, and Desert Inn Road. A shaded rectangular area labeled 'SITE' is located between Buffalo Road and Tenia Avenue, south of Pioneer.

RECEIVED
JAN 11 2005

Vicinity Map

01

A-01

Drawn By: _____ Design Check: _____ Test Check: _____

**ZON-5716
SUP-5719
SDR-5717
01-13-05 PC
REVISED 01/11/05**

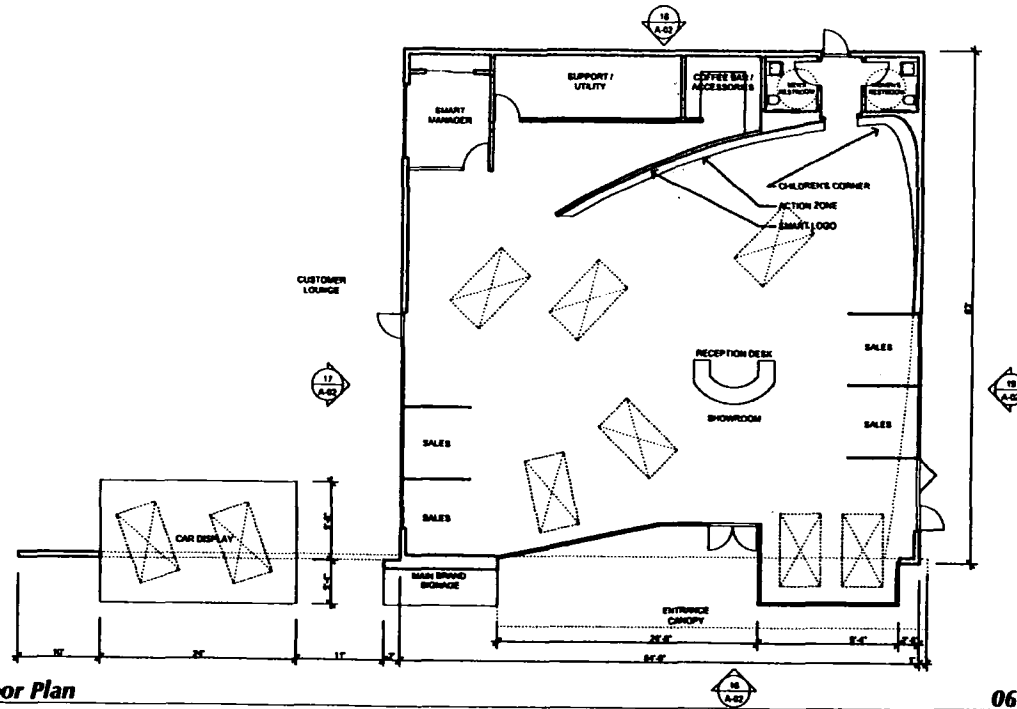
FINISH SCHEDULE

EXTERIOR FINISHES

BLACK METAL PANELS
MEDIUM GREY METAL PANELS
INTERLOCKING MULLIONS
CLEAR LOW-E GLASS
INTERIALLY ILLUMINATED SMART LOGO SIGNAGE
GRAY BRICK PAVING

INTERIOR FINISHES

1/2" SQ. WHITE PORCELAIN TILE FLOORING
BLACK CARPETING AT OFFICES
WHITE GYPSUM BOARD WALLS
WHITE METAL CEILING
WHITE CASEWORK

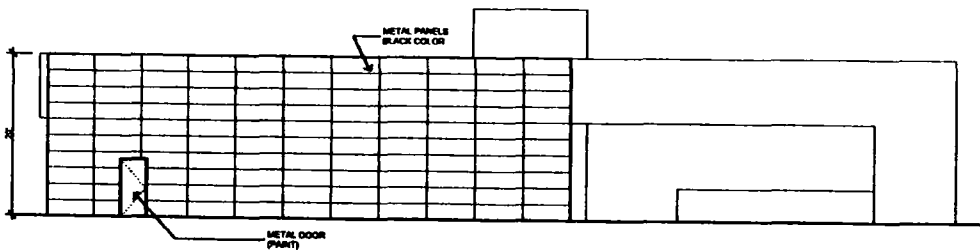


Finish Schedule

07

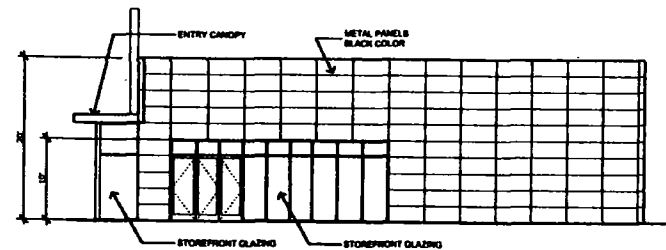
Floor Plan

06



North Elevation

18



East Elevation

19

RECEIVED

JAN 11 2005

Sheet Legend

Issue No. Date Description

Floor Plan and Elevations

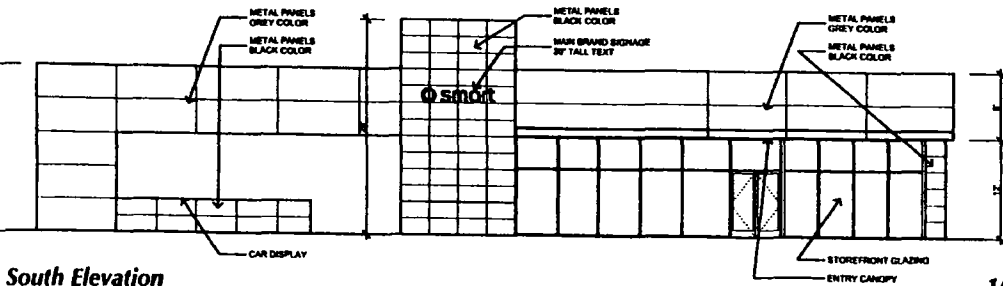


1/8" = 1'-0"

Plotted on 1/10/01

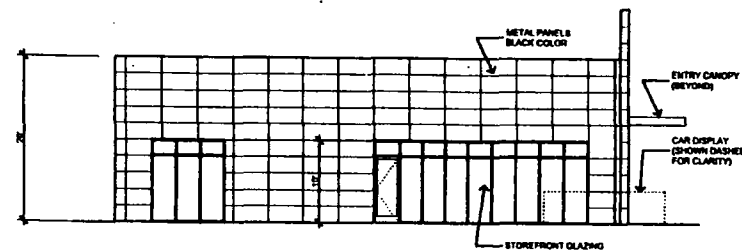
A-02

Drawn By: Design Check: Tech Check:



South Elevation

16



West Elevation

17



Key: 1. Smart, FAMA
State of Nevada License: 17007

Fletcher Jones Smart Car
West Sahara
Las Vegas, Nevada

Sheet Notes

Sheet Legend

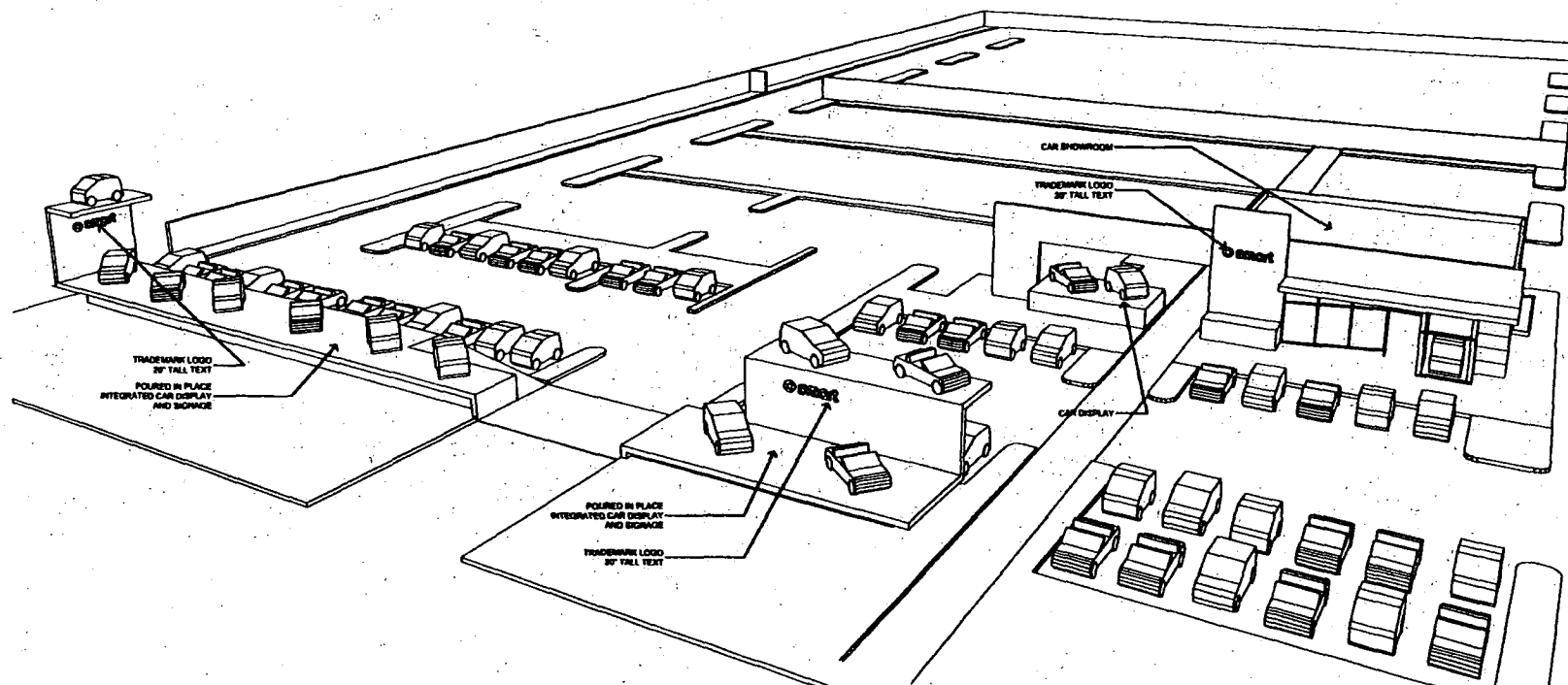
Form
Rev. Date Description

Perspective Renderings

Printed on 1/10/07

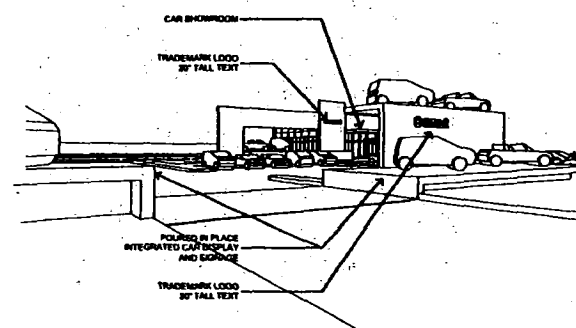
A-03

Drawn by Design Check Tech Check



Bird's Eye Perspective

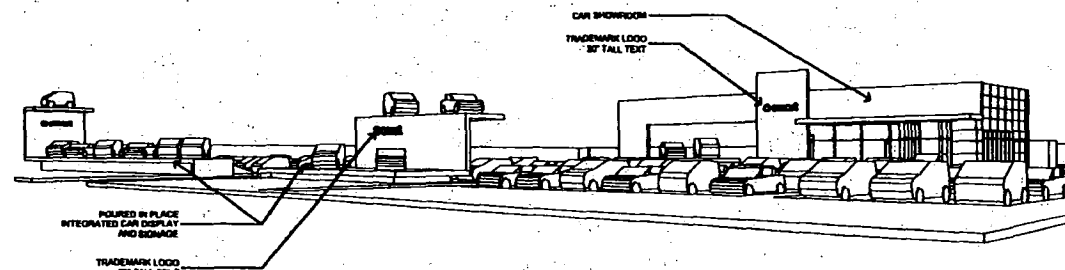
17



Eye Level Perspective 1

17

Eye Level Perspective 2



RECEIVED

JAN 1 1 2005

ZON-5716

SUP-5719

SDR-5717

01-13-05 PC

REVISED 01/11/05

17



SDR-5717 - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG
PARTNERS, L.L.C.
NORTHWEST CORNER OF SAHARA AVENUE AND PIONEER WAY
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

CURRAN & PARRY
ATTORNEYS AT LAW

300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN
STANLEY W. PARRY

JOSHUA H. REISMAN
GLENN M. MACHADO

TELEPHONE
(702) 471-7000

FACSIMILE
(702) 471-7070

E-MAIL
curran_parry@msn.com

November 30, 2004

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

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

Dear Madam/Sir:

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

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

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

SPR-5717

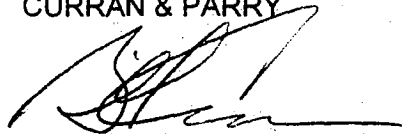
remained zoned as Office to reassure the neighbors that the design and usage will provide such a buffer. Gates and landscaping buffers will be utilized to not only provide an adequate buffer from the commercial development, but also to create a more desirable view from Sahara, and convenient and safe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

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

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

Sincerely,

CURRAN & PARRY

A handwritten signature in black ink, appearing to read 'Bill Curran', written over the printed name.

Bill Curran

WPC/mp

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

SDR-5717

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

January 10, 2005

Anthony and Anna Williams
7451 O'Bannon Dr.
Las Vegas, NV 89117
(702) 363-9745

Las Vegas Planning Commission and the
Planning Development Dept, Current Planning
731 South 4th Street
Las Vegas, NV 89101

RE: SDR-5717; ZON-5716; GPA 5714; SUP 5719

Dear Las Vegas Planning Commissioners and Staff:

We respectfully request denial of the above referenced requests for the following reasons:

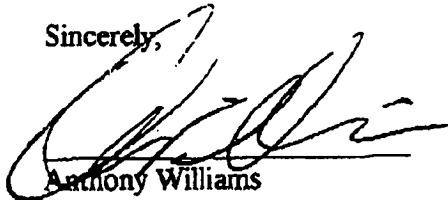
1. The applicant, Fletcher Jones, has demonstrated a complete disregard for conforming to the conditions set forth by the city onto their present dealership on Sahara and Tenaya. The neighborhood has spent countless hours complaining to the dealership and pleading with them to adhere to the conditions set forth by the city. However, the dealership's representatives have said one thing, but done another. This a classic example of, "actions speak louder than words." They were unloading and loading cars on Tenaya and test driving on the residential streets causing dangerous situations for the drivers trying to exit and enter on Tenaya and for the pedestrians and children riding their bicycles. They were parking three blocks into the neighborhood creating huge lines of employee vehicles parking in front of people's homes. Janet Moncrief has insisted they conform to the conditions placed on them by the city, and they did so for a short while. Unfortunately, at the present time, they are again not providing adequate space for employee parking. The employees' cars are lined up on Tenaya in a 2-hr parking space and along Via Olivera around the perimeter of the church parking lot. Their present dealership is mammoth and they outgrew it before it was a month old. It should have never been allowed there in the first place, but rather gone out near the freeway where they would have adequate room to grow instead of encroaching on a residential neighborhood with total disregard for the neighborhood and the city's conditions. They have already proven that they will place their employees out into our neighborhood where they park and gather to break and smoke cigarettes. The original designated employee parking spaces within their facility now houses cars for sale. Do you really believe that if they say this new facility is for overflow employee parking that it will stay that way when they decide that they can make more of a profit by filling those employee parking spaces with cars for sale? The past behavior of this dealership has already answered this question in a totally unabashed, loud and clear manner.

2. This stretch of Sahara Ave. could better serve the surrounding neighborhood's needs by providing more diverse development. Don't you think there are enough dealerships already? We

need a more diverse commercial section of retail shops, restaurants, and office space to enhance our neighborhood's livability.

Please deny this request for another car dealership on Sahara and Pioneer as it will inevitably be a further source of consternation and drastically diminish our quality of life in this neighborhood.

Sincerely,


Anthony Williams
Anna Williams

cc: Janet Moncrief Ward 1
Mayor Oscar Goodman
Las Vegas City Council Members
Anne Caddick

Kahle & Associates

TAMELA L. KAHLE

January 11, 2005

VIA FACSIMILE

Carol Combs
Planning and Development
731 S. 4th Street
Las Vegas, Nevada 89101

Re: Case No.: GPA-5714
Hearing Date: January 13, 2005
Hearing Time: 6:00 p.m.

Dear Ms. Combs:

Golden View Development, LLC, the owner of property located at 7660 W. Sahara Ave., Las Vegas, Nevada has received notice of a proposed zoning change for property adjacent to its property. The property at Golden View Development is used for law offices. Golden View Development is opposed to a car dealership that has a service section on the north portion of the parcel.

We object to the proposed use of the property as a car dealership. The basis for the objection is that vehicle maintenance will occur within close proximity of the office building. The noise level of impact wrenches and motors will adversely impact the current use of our building. Therefore, before the zoning is changed we are requesting an architectural review and a buffer along the perimeter of the property.

Very truly yours,

KAHLE & ASSOCIATES



Tamela L. Kahle

TLK:kk

GPA-5714

ZON-5716

SUP-5719

SDR-5717

January 10, 2005

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

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

Dear Sirs,

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

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

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

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

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

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

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

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Anne Caddick".

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

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

MINUTES:

DB - 960 G. Street; DB - 1408 Hiawatha Road; NL - 5968 N. Rainbow Boulevard; NL - 230 N. 8th Street (Units 230, 232, 243, 236, 238, and 240); RQR-5680, RQR-5682, RQR-5734, RQR-5741, RQR-5745, RQR-5767, RQR-5732, SUP-5600, SUP-5686, SUP-5690, SUP-5739, SUP-5759, SUP-5761, SUP-5771, SUP-5799, SUP-5802, SUP-5853, SUP-5904, VAR-5795, VAR-5808, VAR-5812, VAR-5852, VAC-5030, VAC-5721, VAC-5791 and SNC-5832 - 3/2/2005 Agenda

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: FEBRUARY 16, 2005

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

DOROTHY BARNES brought to the City Council's attention the continuing problems she is experiencing in Las Vegas.

(5:05 - 5:08)

6-2683

STEVEN "CAPTAIN TRUTH" DEMPSEY stated the residents of Ward 1 did a good job with the recall. He again brought forth the Crazy Horse II beatings and bloodshed and how the City Council is allowing this to happen. This particular establishment had 337 police calls, when another business a mile away had zero calls.

(5:08 - 5:13)

6-2848

ADJOURNED AT 5:13 P.M.