THIS MEETING CONTAINS SOME PAGE(S) THAT ARE ILLEGIBLE/POOR QUALITY

City of Las Vegas

Agenda Item No. 113

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-5886 - PUBLIC HEARING - APPLICANT/OWNER: ERICH F. FELTON AND SARAH JAMES FELTON - Request for a Variance TO ALLOW A SIX-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED FOR AN EXISTING ATTACHED STORAGE SHED on 0.18 acres at 5320 Backwoodsman Avenue (APN 125-25-810-024), R-1 (Single Family Residential) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	**Planning Commission Mtg.**	1
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 2/10/2005 Planning Commission meeting Item 48

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: Photographs presented but not submitted for the record.

MAYOR GOODMAN declared the Public Hearing open.

RICK FELTON, 5320 Backwoodsman Avenue, presented photographs of the storage shed built on the back of the house. The intent was to create something aesthetically pleasing for the neighborhood and the landscaping was designed to imitate a French street.

COUNCILMAN MACK commended the fine structure and pride in craftsmanship; however, no permits were pulled. MAYOR GOODMAN and MR. FELTON discussed that when it was brought to his attention that he needed a permit, he contacted the City and self-reported the situation.

No one appeared in opposition.

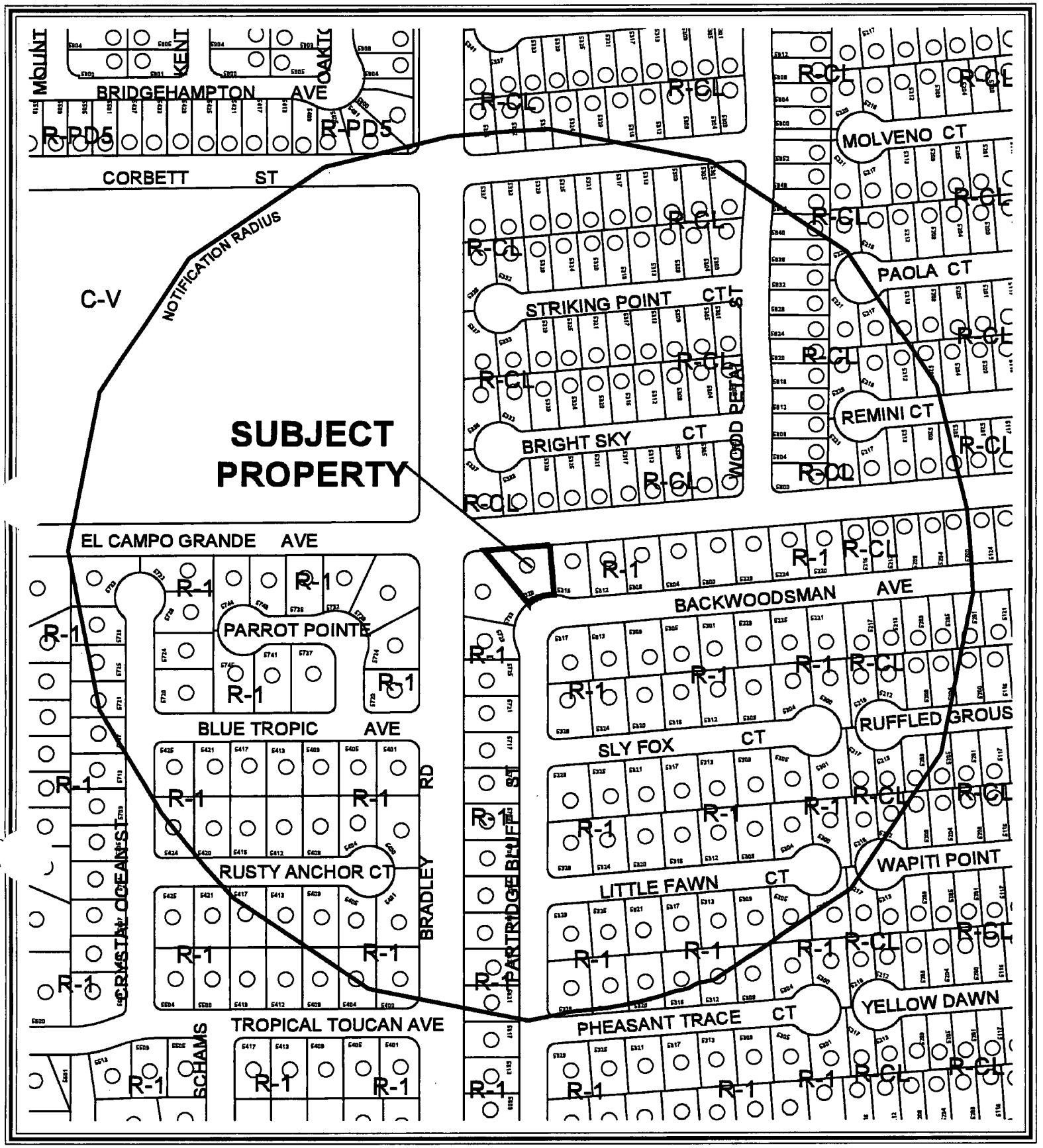
MAYOR GOODMAN declared the Public Hearing closed.
(2:33 - 2:36)
3-3648/4-1

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0078-94).

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



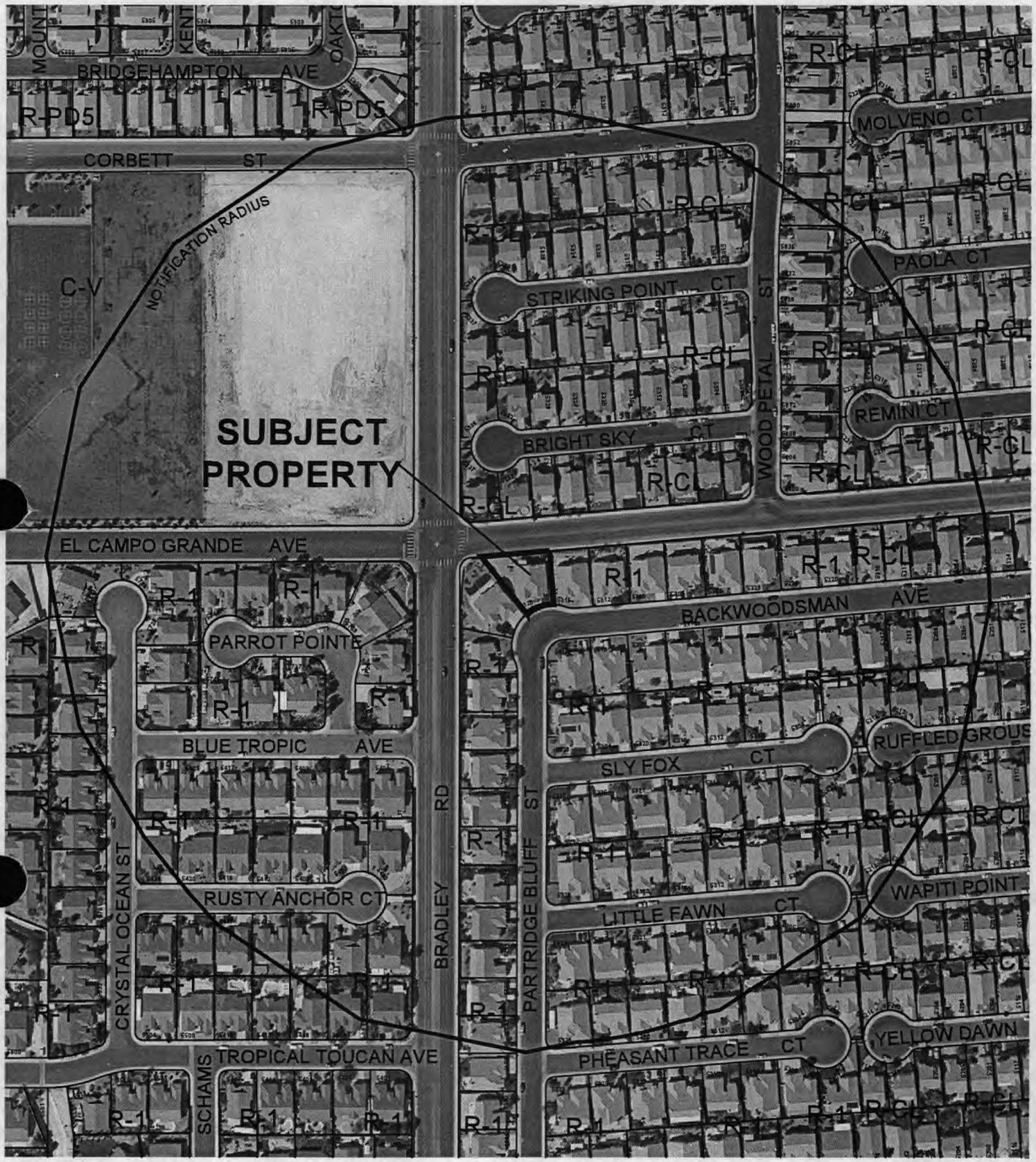
0 200 400 Feet

CASE: **VAR-5886**

RADIUS: 750 FT

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

N



CASE: **VAR-5886**

RADIUS: 750 FT

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

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5886 – APPLICANT/OWNER: ERICH F. FELTON AND SARAH JAMES FELTON

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0078-94).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a seven-foot rear yard setback where 15 feet is the minimum required for an existing and attached storage shed on 0.18 acres at 5320 Backwoodsman Avenue.

B) Applicant's Justification

The applicant has justified the request by stating that an attached storage shed would leave enough room for a swimming pool and landscaping. An attached shed would also add shade to the house during the late afternoon during the summer months, and shelter the patio from high winds. Also, the attached shed would appear to be a part of the house itself.

BACKGROUND INFORMATION

A) Previous Actions

10/05/94	The City Council approved a request for Rezoning (Z-0078-94) of this property as part of a larger request from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
01/20/05	The Code Enforcement Division reports no actions related to the subject property.
02/10/05	The Planning Commission voted 4-3 to recommend APPROVAL (PC Agenda Item #48/srs).

B) Pre-Application Meeting

11/30/04	Submission requirements for a Variance Request were discussed at the meeting.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.18

B) Existing Land Use

Subject Property:	Single-Family Dwelling
North:	Single-Family Dwelling
South:	Single-Family Dwelling
East:	Single-Family Dwelling
West:	Single-Family Dwelling

C) Planned Land Use

Subject Property:	ML (Medium-Low Density Residential)
North:	ML (Medium-Low Density Residential)
South:	ML (Medium-Low Density Residential)
East:	ML (Medium-Low Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-1 (Single Family Residential)
North:	R-1 (Single Family Residential)
South:	R-1 (Single Family Residential)
East:	R-1 (Single Family Residential)
West:	R-1 (Single Family Residential)

E) General Plan Compliance

The site is designated as ML (Medium-Low Density Residential) on the Centennial Hills Sector Map of the General Plan. The ML (Medium-Low Density Residential) land use category allows a maximum of eight dwelling units per gross acre. The proposed Variance is not directly affected by any General Plan policies.

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

This site is not affected by any Special Districts/Zones.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	6,500 Square Feet	8,055 Square Feet	Y
Min. Lot Width	30 Feet	50 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	9 Feet	Y
• Rear	15 Feet	7 Feet	N
Max. Lot Coverage	50 %	38 %	Y
Max. Building Height	2 Stories / 35 Feet	1 Story	Y

The proposal needs variance from the rear yard setback requirement. The subject deviation is 47%.

B) General Analysis and Discussion

The subject storage shed was built without the benefit of a Variance and Building Permit. The applicant has requested this Variance without the prompting of Code Enforcement action.

This storage shed encroaches eight feet into the required 15-foot rear yard setback of this R-1 zoned property. Other properties along the north side of Backwoodsman Avenue abide by the same required 15-foot rear yard setback, ensuring neighbors of an unencumbered view to the east and west. The requested exception to the required rear yard setback would place an undue physical hardship on neighboring properties.

However, the applicant would be working within Title 19.08 development standards if the storage shed were to be attached to the northern portion of the west face of the dwelling. Placed in such position, ample room is provided for the required five-foot side yard setback, a storage shed, and even a modest sized swimming pool. Further, the late-afternoon sun-shading properties of a west-facing shed would yield an even more beneficial effect.

FINDINGS

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

There is no evidence that the property has an unusual shape, slope, or dimensions that would preclude compliance with Title 19 requirements. Pursuant to State and City statutes and codes, this Variance request cannot be granted.

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

-summary of State of Nevada Revised Statutes Chapter 278

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 219 by City Clerk

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5886 APN: 125-25-810-024

Name of Property Owner: ERICH F. FELTON AND SARAH JAMES-FELTON

Name of Applicant: ERICH FELTON

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: ERICH F. FELTON & Sarah James-Felton

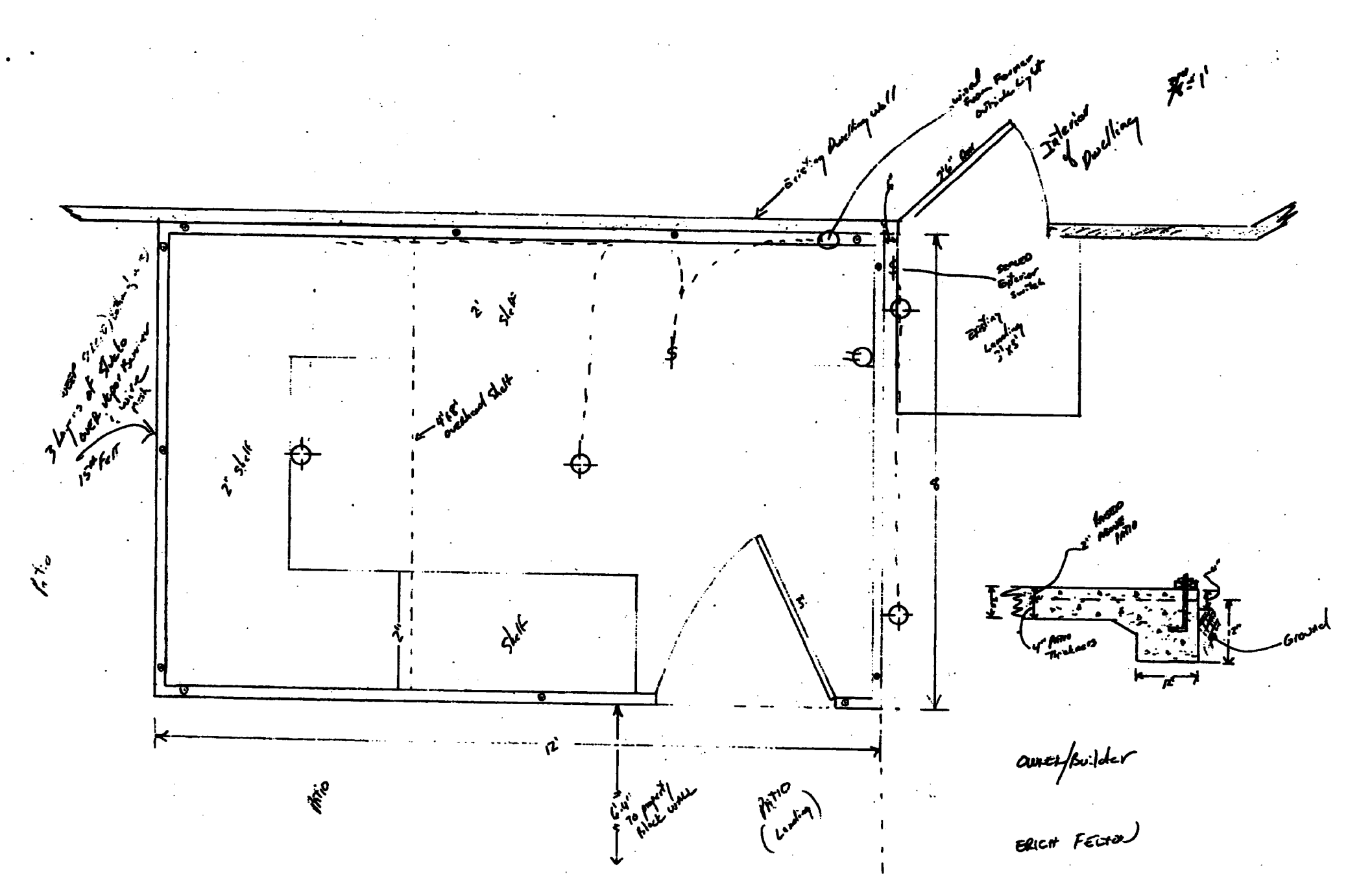
Subscribed and sworn before me

This 27th day of December, 2004

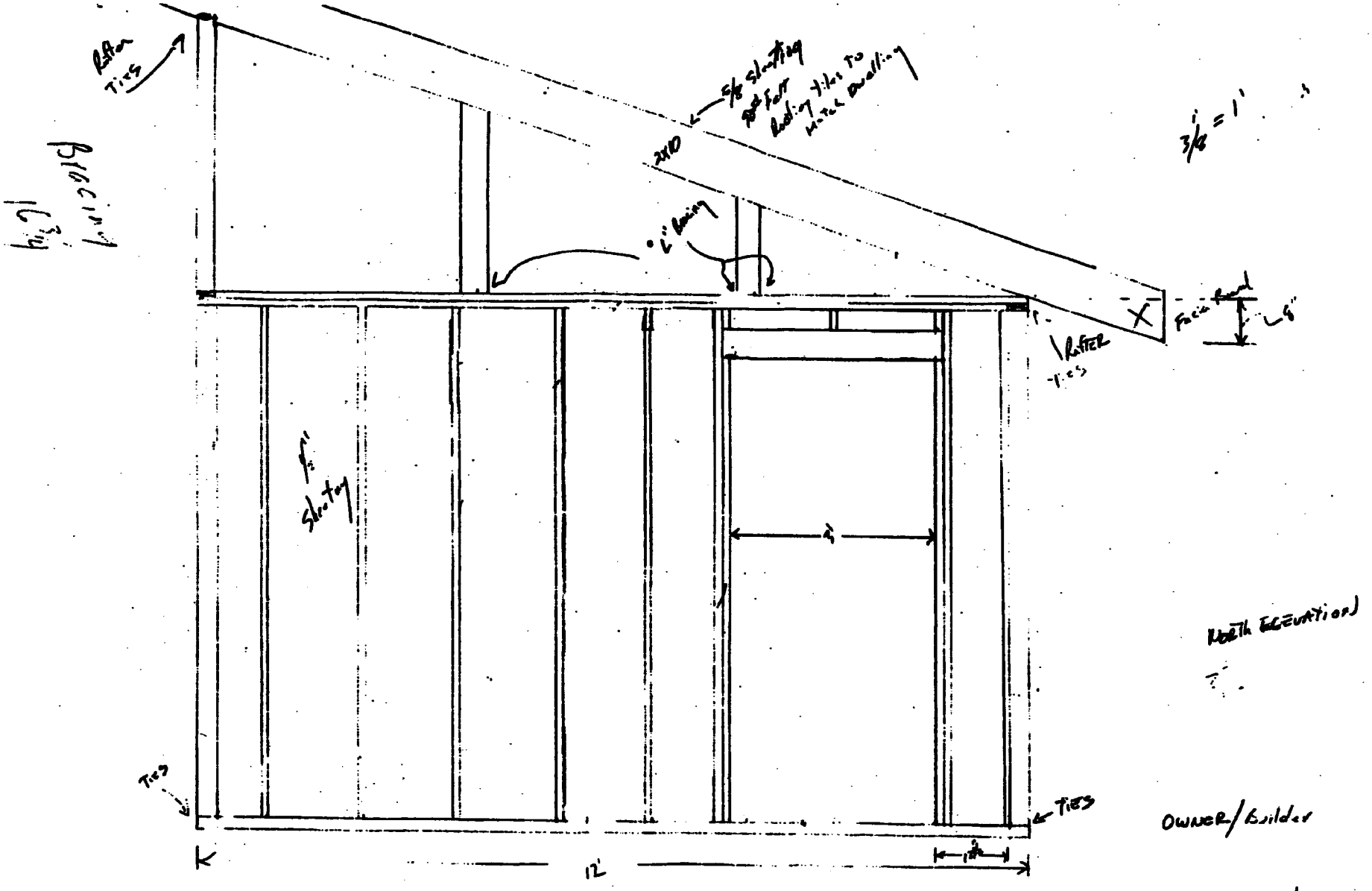
_____

Notary Public in and for said County and State

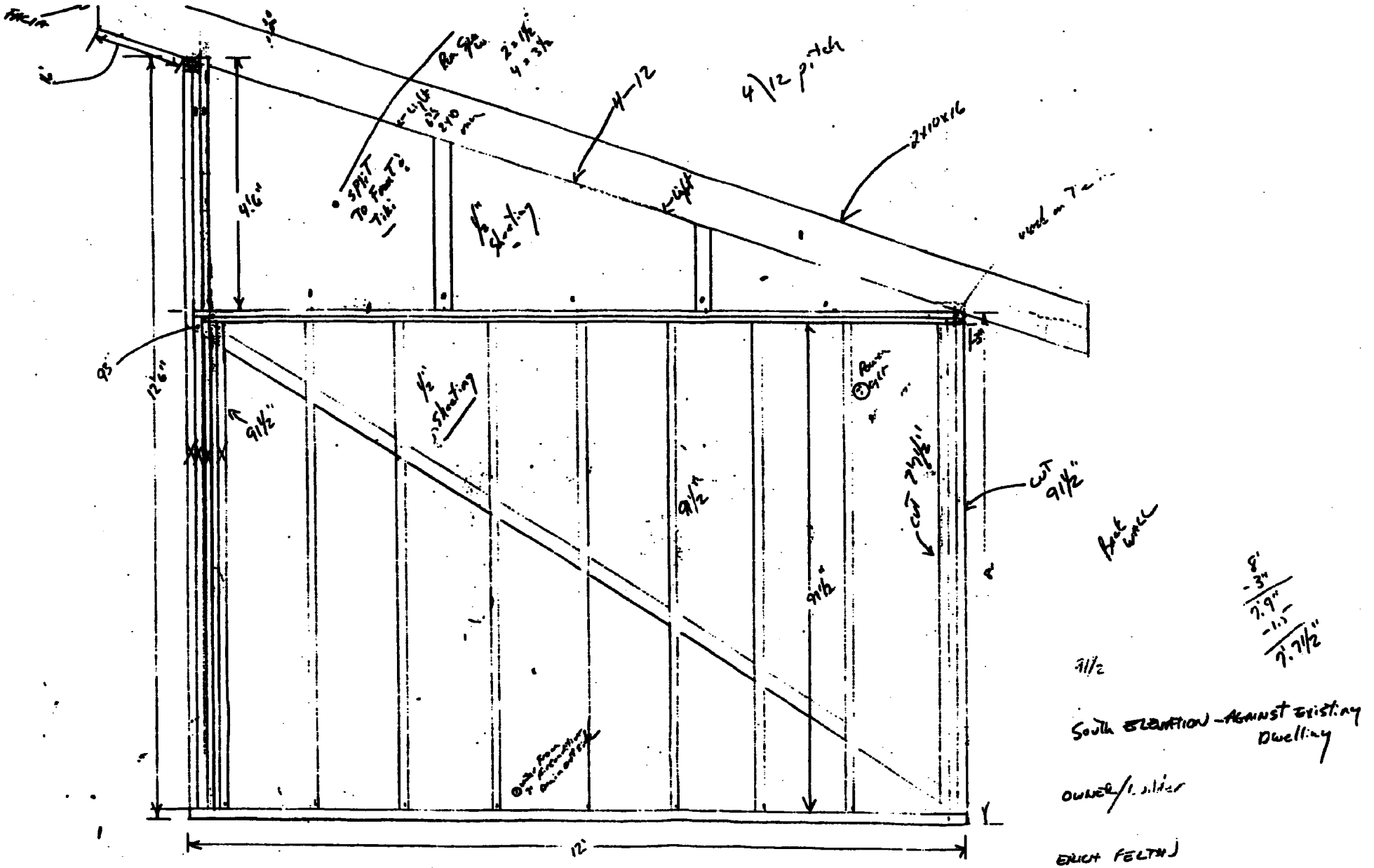
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JOHNNY VAUGHT
Appt No. 93-3669-1
My Appt. Expires Aug. 21, 2005



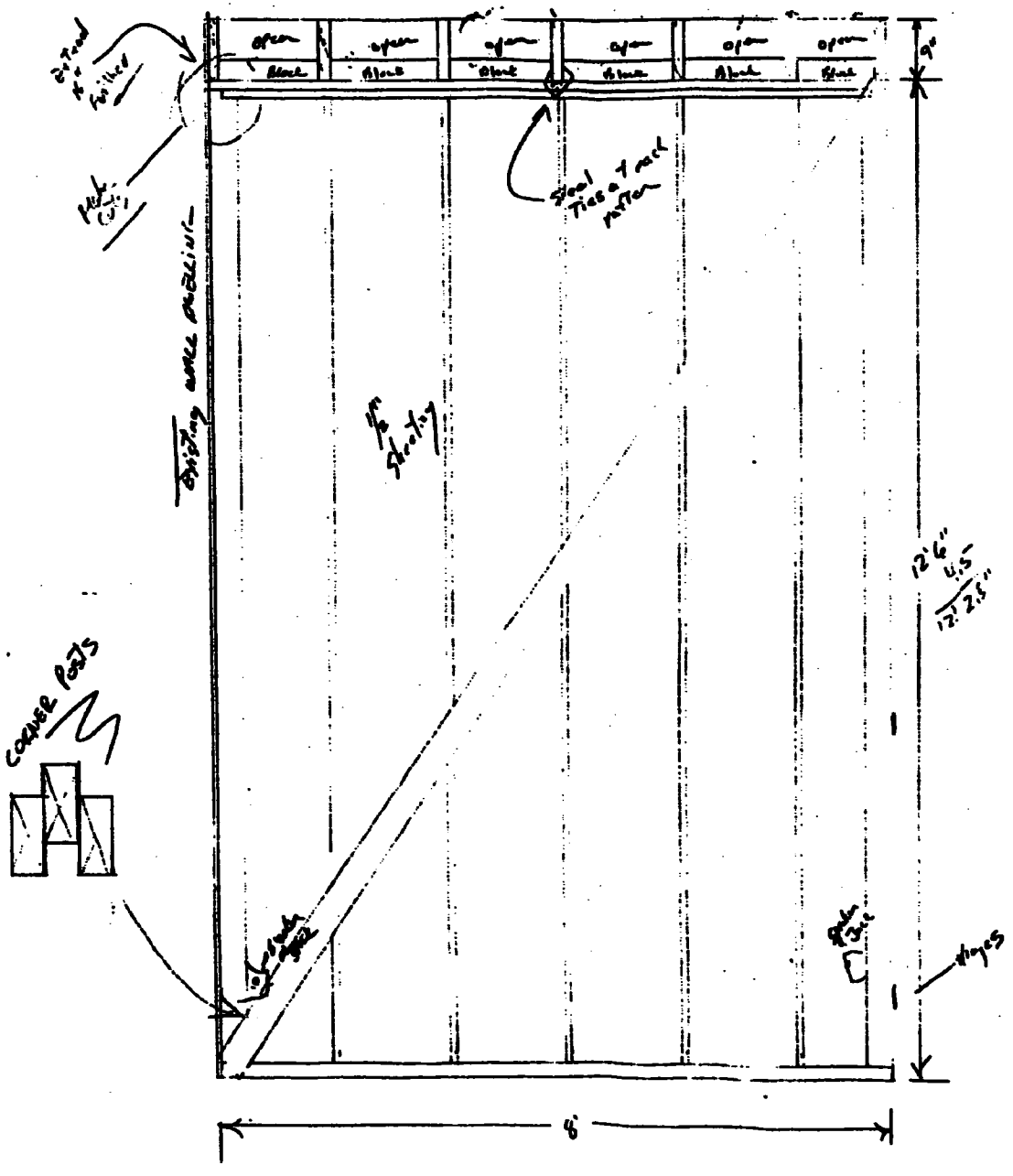
VAR-5886
02-10-05 PC

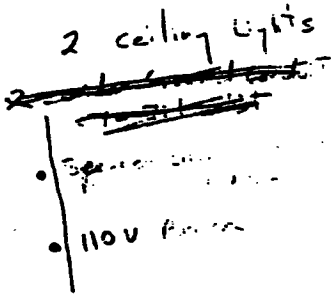


VAR-5886
02-10-05 PC



VAR-5886
02-10-05 PC





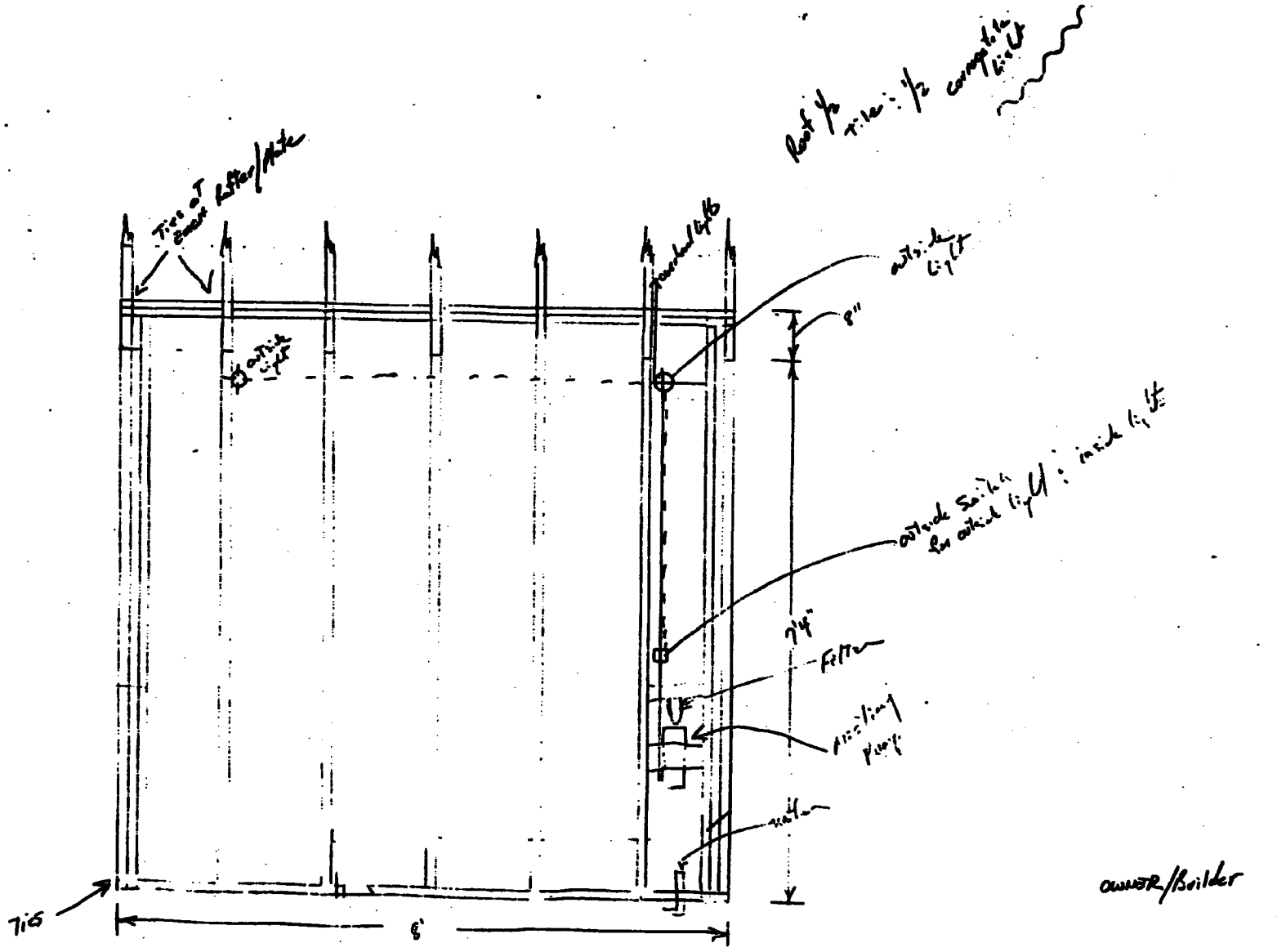
EAST ELEVATION

OWNER/Builder

CLICK FELTON

VAR-5886

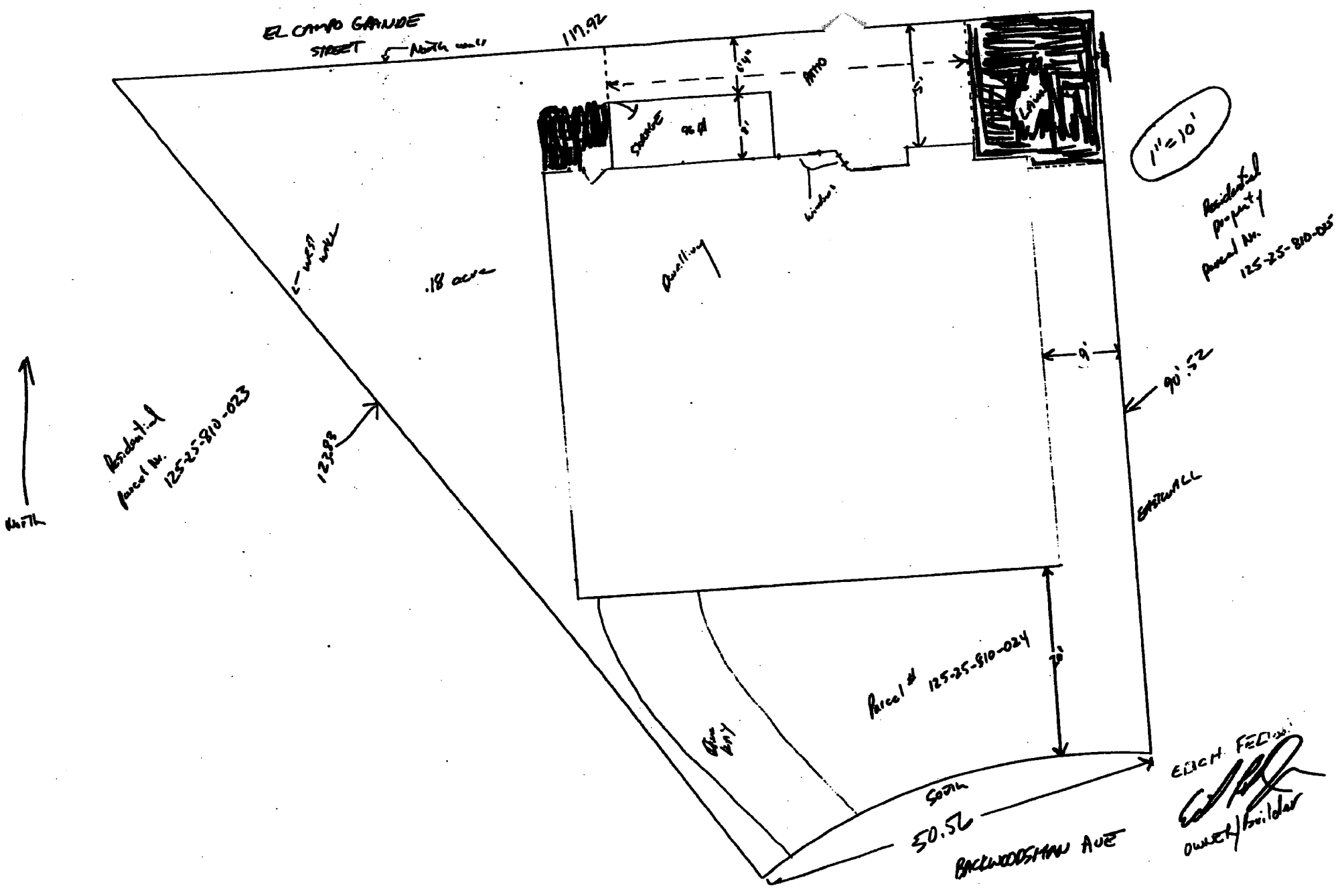
02-10-05 PC



OWNER/Builder

ERICH F. FELTON

VAR-5886
02-10-05 PC



VAR-5886
02-10-05 PC



VAR-5886 - APPLICANT/OWNER: ERICH F. FELTON AND SARAH JAMES FELTON
5320 BACKWOODSMAN AVENUE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



VAR-5886 - APPLICANT/OWNER: ERICH F. FELTON AND SARAH JAMES FELTON
5320 BACKWOODSMAN AVENUE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

Justification letter.

Request approval for a storage shed located on the north side of the dwelling located at 5320 Backwoodsman Ave.

For several years we have been looking at purchasing a "Tuff Shed" or similar structure in order to clear out our garage of stored items. We decided against a pre-built shed because we have seen them in our neighborhood and they look ~~out~~ of place and not homogenous to the area. And, buying a pre-built shed, we would have to place it in an area on the property that is the only place that can accommodate a pool. Placing the shed ~~closer~~ to the house would obscure views from one or two windows (there are 22 windows in the house). There is only one place that was logical to place the storage shed – on the back ~~wall~~ of the dwelling, between the bathroom's exterior door and the kitchen nook's window. In this location it would not interfer with any view and would appear to be part of the house itself. The shed will look identical to the rest of the house in roof line, stucco and roof tile. The height of the east wall (12') was to give the 4 – 12 pitch that the house has and would allow extra storage over 8' on that wall. The height was figured also to shade the patio area in the late afternoon during the hotter summer months. The east wall also has a "old European" facade to make the patio area appear to be in an old European setting. The proximity to the back wall (north) allows for a gate between the shed and the wall for added security to the back of the house.

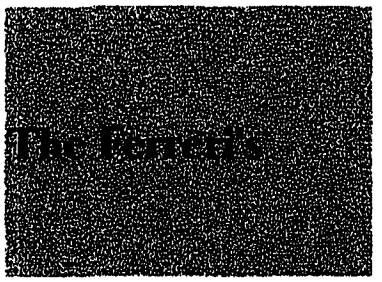
Having the shed at this location provides the aforementioned plus allows the area for a future pool and landscaping. An added bonus in having this shed in its current location is sheltering the patio area from the high winds that are prevalent in our area. This allows the use of the patio in comfort even during windy days and evenings.

Thank you for consideration,

Erich F Felton

VAR-5886

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 31, 2005

Planning and Development Dept.
Current Planning Division
Development Services Center
731 South Fourth St.
Las Vegas, NV 89101

Re: VAR-5886

To Whom It May Concern:

We are owners of the property located at
5729 Partridge Bluff St.,, Las Vegs, NV 89130 and are
in receipt of either objection or approval of the above VAR-5886
located at 5320 Backwoodsman Ave.,
(APN125-25-810-024). We give our approval of the plan
requested.

If there is any further information requested, please feel free to contact us.

Respectfully,

Nick & Mary Ferreri
5729 Partridge Bluff St.
Las Vegas, NV 89130
(702)645-7255

READ INTO
THE RECORD

VAR-5886
A

City of Las Vegas

Agenda Item No. 114

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

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

SUBJECT:
VARIANCE

VAR-5888 - PUBLIC HEARING - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP - Request for a Variance TO ALLOW A 10-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SENIOR HOUSING DEVELOPMENT on 1.29 acres on the north side of Bonanza Road approximately 1,300 feet west of Lamb Boulevard (APN 140-30-802-007), R-E (Residence Estates) Zone under Resolution of Intent to R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	**Planning Commission Mtg.**	1
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

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

MOTION:
REESE - APPROVED subject to conditions - UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open for Item 114 [VAR-5888], Item 115 [VAR-5889] and Item 116 [SDR-5891].

BOB FEIBLEMAN, Nevada H.A.N.D. (Housing and Neighborhood Development), 295 East Warm Springs, was present.

MAYOR GOODMAN commended MR. FEIBLEMAN on a pretty project.

TOM McGOWAN, Las Vegas resident, confirmed that the Council would vote on each related item independently. He recognized H.A.N.D. as an eminent and prestigious developer doing great public service. He urged approval.

MARGO WHEELER, Director of Planning and Development, explained that the staff recommendation for denial was because the findings necessary for the variances could not be met. COUNCILMAN REESE thanked MAYOR GOODMAN, the Council and Nevada H.A.N.D. for the efforts that resulted in this project in Ward 3 and a similar project in Ward 5. It provides seniors with a beautiful place to live and an opportunity to participate with one another. This will face Bonanza Road, east of Desert

MINUTES - Continued:

Pines Golf Course. He expressed no concern with the waivers or variance requests. MAYOR GOODMAN concurred with COUNCILMAN REESE and expressed pride in this beautiful, affordable project.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 114 [VAR-5888], Item 115 [VAR-5889] and Item 116 [SDR-5891].
(2:36 - 2:42)
4-110

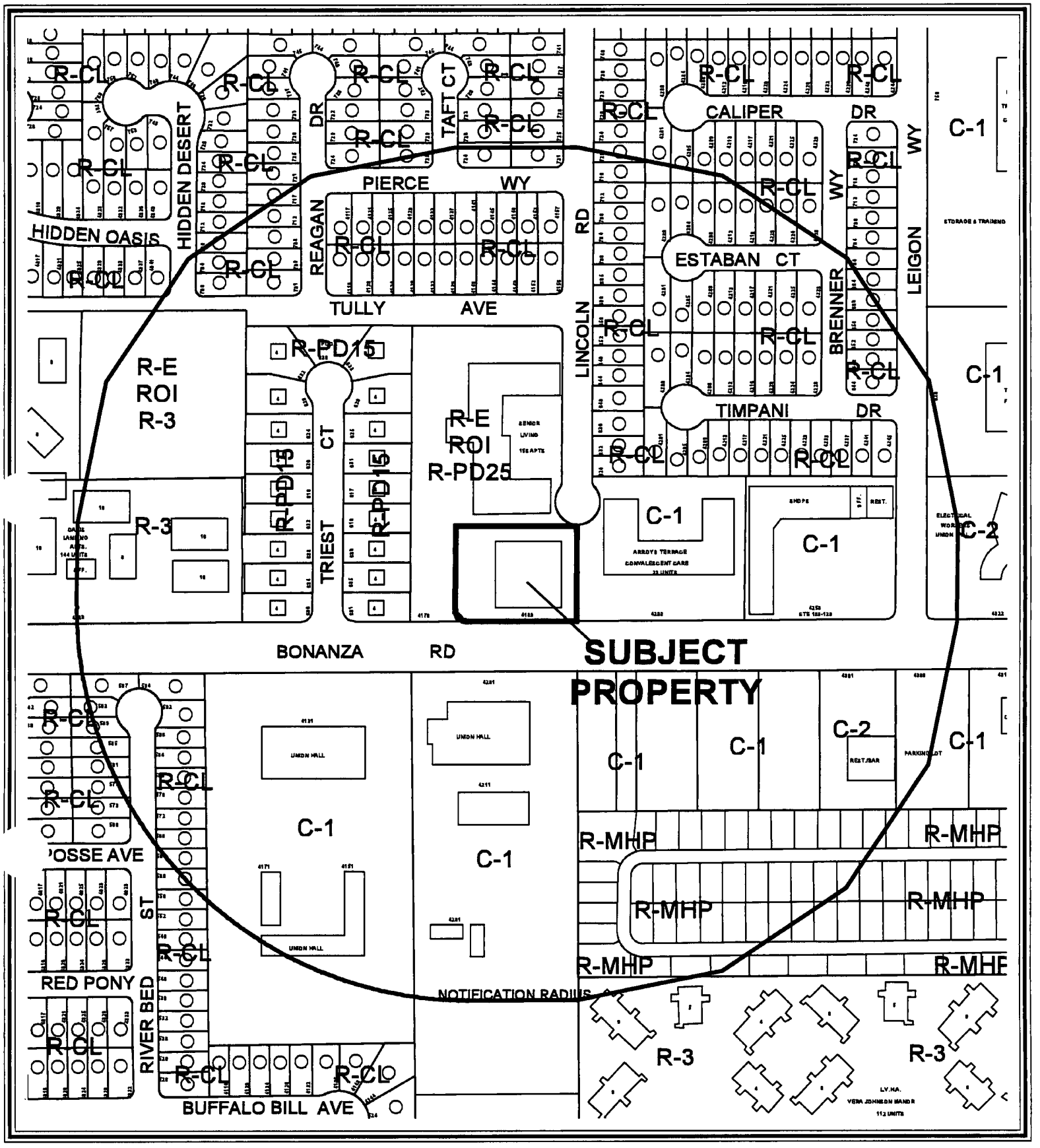
CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5891 and Variance VAR-5889.

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

3. Acquire all necessary permits from the Department of Building and Safety.



0 300 600 Feet

CASE: **VAR-5888**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-5 (APARTMENT)



0 300 600 Feet

CASE: **VAR-5888**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-5 (APARTMENT)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5888 - APPLICANT/ OWNER: BONANZA PINES III LIMITED PARTNERSHIP

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5891 and Variance VAR-5889.

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

3. Acquire all necessary permits from the Department of Building and Safety.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a proposed 10-foot rear setback where 20 feet is the minimum allowed for a proposed senior housing development on 1.29 acres on the northside of Bonanza Road approximately 1,300 feet west of Lamb Boulevard.

B) Applicant's Justification

According to the applicant, this variance request is necessary to provide on site parking and an entry drive with sufficient throat depth so as to not impede the flow of traffic on Bonanza Road.

BACKGROUND INFORMATION

A) Previous Actions

02/20/02 The City Council approved a Rezoning (Z-0089-01) to R-PD25 (Residential Planned Development – 25 units per acre) and a Site Development Plan Review [Z-0089-01(1)] of a 96-unit senior apartment project on the adjacent parcel to the north. The Planning Commission and staff recommended approval.

02/20/02 The City Council approved a request for a Variance (V-0089-01) to allow a proposed senior apartment complex 76 feet from a single family residential property line where the Residential Adjacency Standards require a minimum setback of 129 feet on property located adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road. The Planning Commission recommended approval, staff recommended denial.

02/20/02 The City Council approved a request for a Variance (V-0090-01) to allow 101 parking spaces where the proposed use (a senior apartment complex) requires a minimum of 116 spaces on 3.78 Acres adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road. The Planning Commission recommended approval, staff recommended denial.

11/05/03 The City Council approved a request to amend a portion of the Southeast Sector Plan of the General Plan (GPA-2953) from SC (Service Commercial) to H (High Density Residential). The Planning Commission and staff recommended approval.

11/05/03 The City Council approved a request for a Rezoning (ZON-2954) from R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) to R-5 (Apartment). The Planning Commission and staff recommended approval.

11/05/03 The City Council approved a request for a Variance (VAR-2956) to allow 16 parking spaces where 75 spaces are required for a proposed 62-unit Senior Apartment Development. The Planning Commission recommended approval, staff recommended denial.

11/05/03 The City Council approved a request for a Site Development Plan Review (SDR-2955) for a 62-unit senior apartment development. The Planning Commission recommended approval, staff recommended denial.

02/10/05 The Planning Commission recommended approval of related items (VAR-5888 and SDR-5891).

02/10/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #45/kcw).

B) Pre-Application Meeting

12/17/04 The elements of a complete Variance application were discussed at pre-application submittal conference with the applicant.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.29

B) Existing Land Use

Subject Property:	Undeveloped
North:	Senior Housing
South:	Union Hall
East:	Convalescent facility
West:	Multi-family

C) Planned Land Use

Subject Property:	H (High Density Residential)
North:	M (Medium Density Residential)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) Under Resolution of Intent to R-5 (Apartment)
North:	R-E (Residence Estates) Under Resolution of Intent to R-PD25 (Residential Planned Development – 25 units per acre)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	R-E (Residence Estates) Under Resolution of Intent to R-PD25 (Residential Planned Development – 25 units per acre)

E) General Plan Compliance

This site is located in the Southeast Sector Plan area of the General Plan and designated with a land use of H (High Density Residential). The H (High Density Residential) land use category of the Southeast Sector Plan allows low to high density residential development. This district is intended to allow the development of high density multi-family in high intensity areas suitable for such residential development. The R-5 (Apartment) zoning district is consistent with the policies of the High Density Residential land use category of the General Plan. This Variance request is not directly related to any specific General Plan policies.

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

There are no special area plans, overlay districts, trail corridors, or special notifications that relate to the subject request.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	7,000 Square Feet	56,192.4 Square Feet	Y
Min. Lot Width	N/A	N/A	N/A
Min. Setbacks			
• Front	10 Feet	10 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	5 Feet	5 Feet	Y
• Rear	20 Feet	10 Feet	N
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	5 Stories or 55 Feet	55 Feet	N

The proposal needs the subject variance from the requirement for rear setback of Title 19. The subject deviation is 50% or 10 feet.

B) General Analysis and Discussion

The subject development has the building positioned at the back of the site up to the proposed setback line with surface parking between the building and the street. The distance from the back of the building to the rear property line is 10 feet, 10 feet short of the required setback of 20 feet for the R-5 (Apartment) zoning of the site and the subject of this variance request. The building is positioned at the correct setbacks for the sides of the building and the front setback from the right-of-way of Bonanza Avenue. Between the front setback and the building is a parking lot with a single row of 90-degree parking spaces along the front property line and 24-foot drive aisle between the parking spaces and the building.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented. The applicant has created a self-imposed hardship by proposing a building to large for the site. An alternative design such as a smaller building that would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 226 by City Clerk

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5888 APN: 140-30-802-007

Name of Property Owner: Bonanza Pines III Limited Partnership

Name of Applicant: Bonanza Pines III Limited Partnership

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

_____ Yes ✓ No

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner: Michael Mullin

Print Name: Bonanza Pines III Limited Partnership, a Nevada limited partnership

By: HAND Enterprises Inc., as General Partner

By: Michael Mullin, President

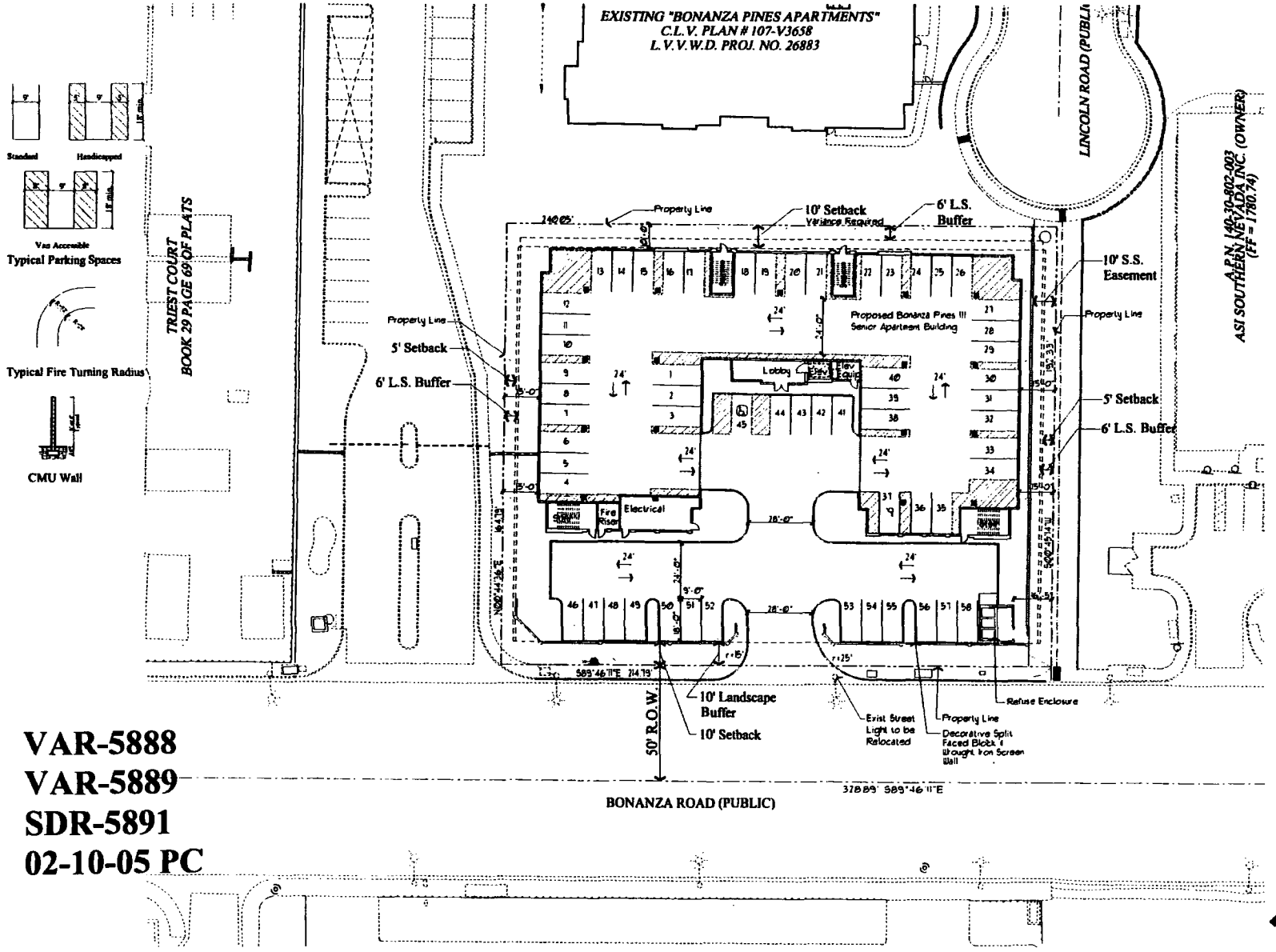
Subscribed and sworn before me

This 20th day of December, 2004

Jaclyn S. Haas

Notary Public in and for said County and State

JACLYN S. HAAS
Notary Public State of Nevada
No. 03-84818-1
My appt. exp. Oct. 17, 2007



VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

Site Information

ZONING - City of Las Vegas
R-5 Multi-Family District (Senior Housing)
APN 140-30-802-001

AREA (Approximate to be Verified)
Gross Area: +/- 111612 sf +/- 1.29 acres

BUILDINGS

Buildings		Units
Type I	1 - Bedroom	40
	2 - Bedrooms	22
TOTALS		62

DENSITY: 48 Units / acre

PARKING REQUIREMENTS

Parking Required.		
1 - Bedrooms	40 · 0.75 =	30
2 - Bedrooms	22 · 0.75 =	16.5
TOTAL		44
Parking Provided		
Parking Garage Spaces		40
Open Spaces		18
TOTAL		58
Parking Ratio		0.935 / unit
H.C. Parking Required		2
H.C. Parking Provided		2

SETBACKS

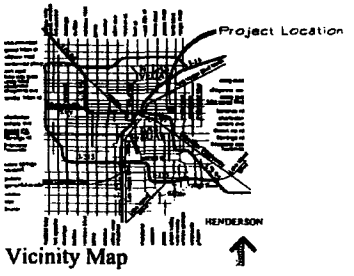
Front	10 ft
Side	5 ft
Rear	20 ft 10 ft Provided Req. Variance

LANDSCAPE BUFFER

Front	10 ft
Side	6 ft
Rear	6 ft

HEIGHT

Maximum Allowed:	55 ft
Provided:	55 ft



Vicinity Map

Note:
This plan has been prepared without benefit of a complete survey.
It is Conceptual in Nature and No Guarantee of its accuracy is implied.

North

Scale: 1" = 20'
0 20 40

Bonaza Pines III Senior Apartments

for: Nevada HAND
702-739-3345

Perlman ARCHITECTS
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.832.3222 fax

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual Site - Scheme A

Date: December 27, 2004
Project Number: 103209.2

© COPYRIGHT 2004, PERLMAN ARCHITECTS, INC.



VAR-5888 - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP
NORTH SIDE OF BONANZA ROAD APPROXIMATELY 1,300 FEET WEST OF LAMB BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



VAR-5888 - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP
NORTH SIDE OF BONANZA ROAD APPROXIMATELY 1,300 FEET WEST OF LAMB BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

Perlman
ARCHITECTS

Las Vegas • Newport Beach • Scottsdale

December 28, 2004

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

RE: Bonanza Pines III- Justification Letter – Rear Setback Variance
APN: 140-30-802-007

To Whom It May Concern:

We respectfully request a variance for the rear setback from 20 feet to 10 feet, a 50% reduction. This variance is necessary to provide on site parking and an entry drive with sufficient throat depth so as to not impede the flow of traffic on Bonanza Road.

Because of the small site and the fact that existing driveways are immediately adjacent to this property on the adjoining properties to both the East and West, the only practical location for the entry drive is in the center of the site. Because of this location and the required throat depth of the driveway, the structure must be located near the rear of the property.

Sincerely,

Rick Salyer
Director of Residential Studio
Perlman Architects, Inc.

VAR-5888

2230 Corporate Circle, Suite 200 Henderson, Nevada 89074-6387
702.990.9900 702.932.3222 Fax

City of Las Vegas

Agenda Item No. 115

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE RELATED TO VAR-5888

VAR-5889 - PUBLIC HEARING - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP - Request for a Variance TO ALLOW A 154-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 165 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SENIOR HOUSING DEVELOPMENT on 1.29 acres on the north side of Bonanza Road approximately 1,300 feet west of Lamb Boulevard (APN 140-30-802-007), R-E (Residence Estates) Zone under Resolution of Intent to R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	**Planning Commission Mtg.**	1
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 114 [VAR-5888] for all related discussion.
(2:36 - 2:42)
4-110

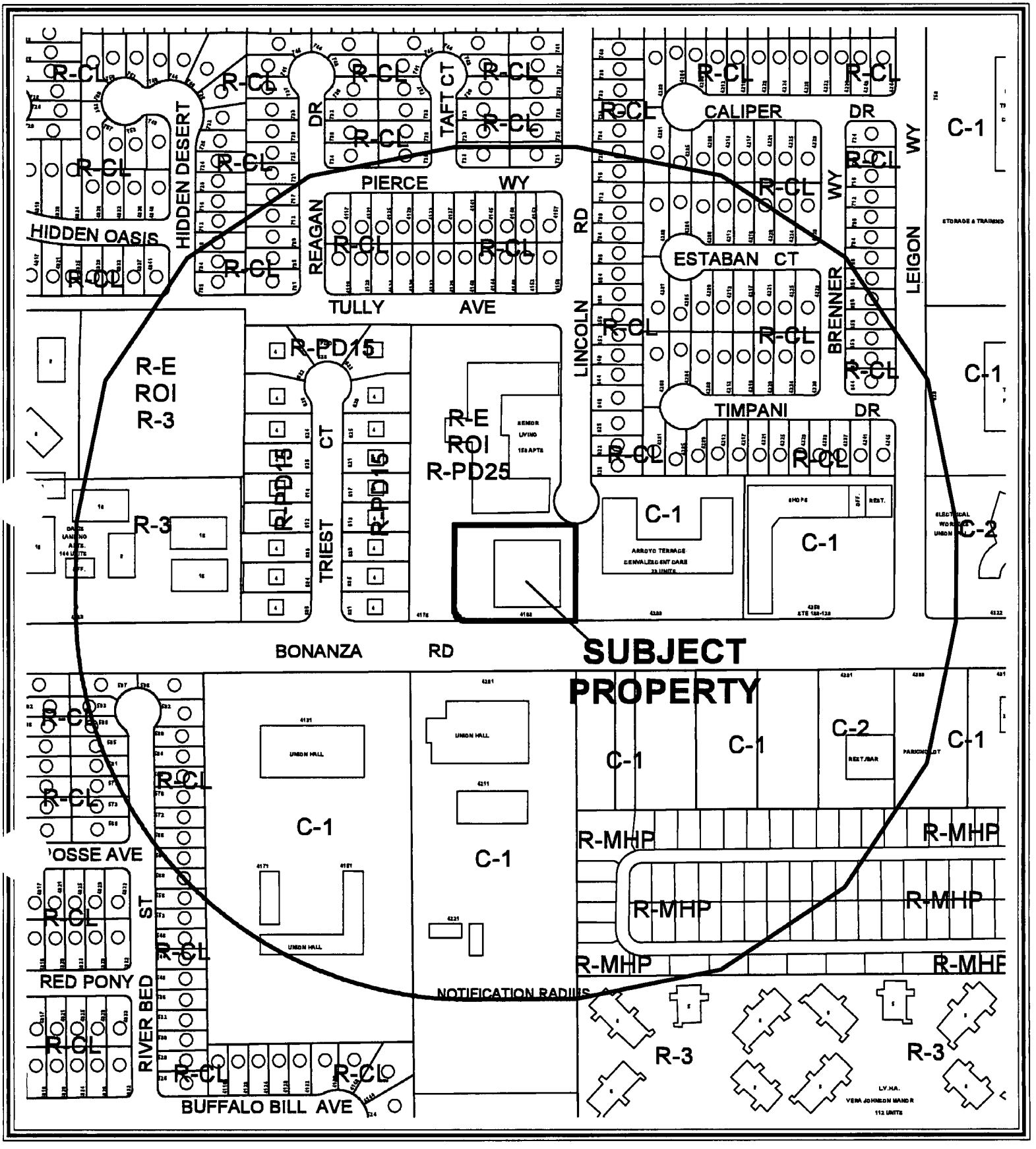
CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5891 and Variance VAR-5888.

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

3. Acquire all necessary permits from the Department of Building and Safety.



0 300 600 Feet

CASE: **VAR-5889**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-5 (APARTMENT)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5889 - APPLICANT/ OWNER: BONANZA PINES III LIMITED PARTNERSHIP

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5891 and Variance VAR-5888.

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

3. Acquire all necessary permits from the Department of Building and Safety.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Request for a Variance, to allow a 154-foot setback where Residential Adjacency Standards require a minimum of 165-feet from the residential development to the north of the site, on 1.29 acres on the northside of Bonanza Road approximately 1,300 feet west of Lamb Boulevard.

B) Applicant's Justification

The applicant believes the request is justified by the fact that the exterior walls and windows nearest to the residential properties meet the 3:1 setback and intent of the code. The encroachment of the parapet into the 3:1 slope line occurs well inboard of the exterior walls.

BACKGROUND INFORMATION

A) Previous Actions

02/20/02 The City Council approved a Rezoning (Z-0089-01) to R-PD25 (Residential Planned Development – 25 units per acre) and a Site Development Plan Review [Z-0089-01(1)] of a 96-unit senior apartment project on the adjacent parcel to the north. The Planning Commission and staff recommended approval.

02/20/02 The City Council approved a request for a Variance (V-0089-01) to allow a proposed senior apartment complex 76 feet from a single family residential property line where the Residential Adjacency Standards require a minimum setback of 129 feet on property located adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road. The Planning Commission recommended approval, staff recommended denial.

02/20/02 The City Council approved a request for a Variance (V-0090-01) to allow 101 parking spaces where the proposed use (a senior apartment complex) requires a minimum of 116 spaces on 3.78 Acres adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road. The Planning Commission recommended approval, staff recommended denial.

11/05/03 The City Council approved a request to amend a portion of the Southeast Sector Plan of the General Plan (GPA-2953) from SC (Service Commercial) to H (High Density Residential). The Planning Commission and staff recommended approval.

11/05/03 The City Council approved a request for a Rezoning (ZON-2954) from R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) to R-5 (Apartment). The Planning Commission and staff recommended approval.

11/05/03 The City Council approved a request for a Variance (VAR-2956) to allow 16 parking spaces where 75 spaces are required for a proposed 62-unit Senior Apartment Development. The Planning Commission recommended approval, staff recommended denial.

11/05/03 The City Council approved a request for a Site Development Plan Review (SDR-2955) for a 62-unit senior apartment development. The Planning Commission recommended approval, staff recommended denial.

02/10/05 The Planning Commission recommended approval of related items (VAR-5888 and SDR-5891).

02/10/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #46/kcw).

B) Pre-Application Meeting

12/17/04 The elements of a complete Variance application were discussed at pre-application submittal conference with the applicant.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.29

B) Existing Land Use

Subject Property:	Undeveloped
North:	Senior Housing
South:	Union Hall
East:	Convalescent facility
West:	Multi-family

C) Planned Land Use

Subject Property:	H (High Density Residential)
North:	M (Medium Density Residential)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) Under Resolution of Intent to R-5 (Apartment)
North:	R-E (Residence Estates) Under Resolution of Intent to R-PD25 (Residential Planned Development – 25 units per acre)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	R-E (Residence Estates) Under Resolution of Intent to R-PD25 (Residential Planned Development – 25 units per acre)

E) General Plan Compliance

This site is located in the Southeast Sector Plan area of the General Plan and designated with a land use of H (High Density Residential). The H (High Density Residential) land use category of the Southeast Sector Plan allows low to high density residential development. This district is intended to allow the development of high density multi-family in high intensity areas suitable for such residential development. The R-5 (Apartment) zoning district is consistent with the policies of the High Density Residential land use category of the General Plan. This Variance request is not directly related to any specific General Plan policies.

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

There are no special area plans, overlay districts, trail corridors, or special notifications that relate to the subject request.

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

a) Proximity slope. The tallest portion of the proposed senior housing is 154 feet from the nearest residential property line. As the applicant is proposing a building 55 feet in height, the setback is required to be 165 feet from the property line. The project fails to meet proximity slope requirement. This Variance request is intended to address this deficiency. The subject deviation is 6.7% or 11 feet.

b) Building setback. The proposed senior housing is 10 feet from the nearest property line, where 20 feet are required, therefore the proposed development fails the building setback requirement. An associated application, VAR-5888, was filed to address the deficiency. The subject deviation is 50% or 10 feet.

B) General Analysis and Discussion

The subject development has the building positioned at the back of the site with surface parking at the front between the building and the street. The building is five stories with an overall height of 55 feet. The rear elevation, the height of which is the subject of this variance request, has a variety of vertical surfaces. Some of the surfaces have heights less than that might be allowed. Because of this characteristic the portion of the building that exceeds height based on the 3:1 slope can be shortened and the attractiveness of the building would not be adversely affected.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented. The applicant has created a self-imposed hardship by designing the subject building in manner that results in the building exceeding the height standards. Alternative design of the building that changes the portion of the parapet that exceeds the height standards would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 140 by City Clerk

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5889 APN: 140-30-802-007

Name of Property Owner: Bonanza Pines III Limited Partnership

Name of Applicant: Bonanza Pines III Limited Partnership

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

_____Yes __✓__No

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner: [signature]

Print Name: Bonanza Pines III Limited Partnership, a Nevada limited partnership

By: HAND Enterprises Inc., as General Partner

By: Michael Mullin, President

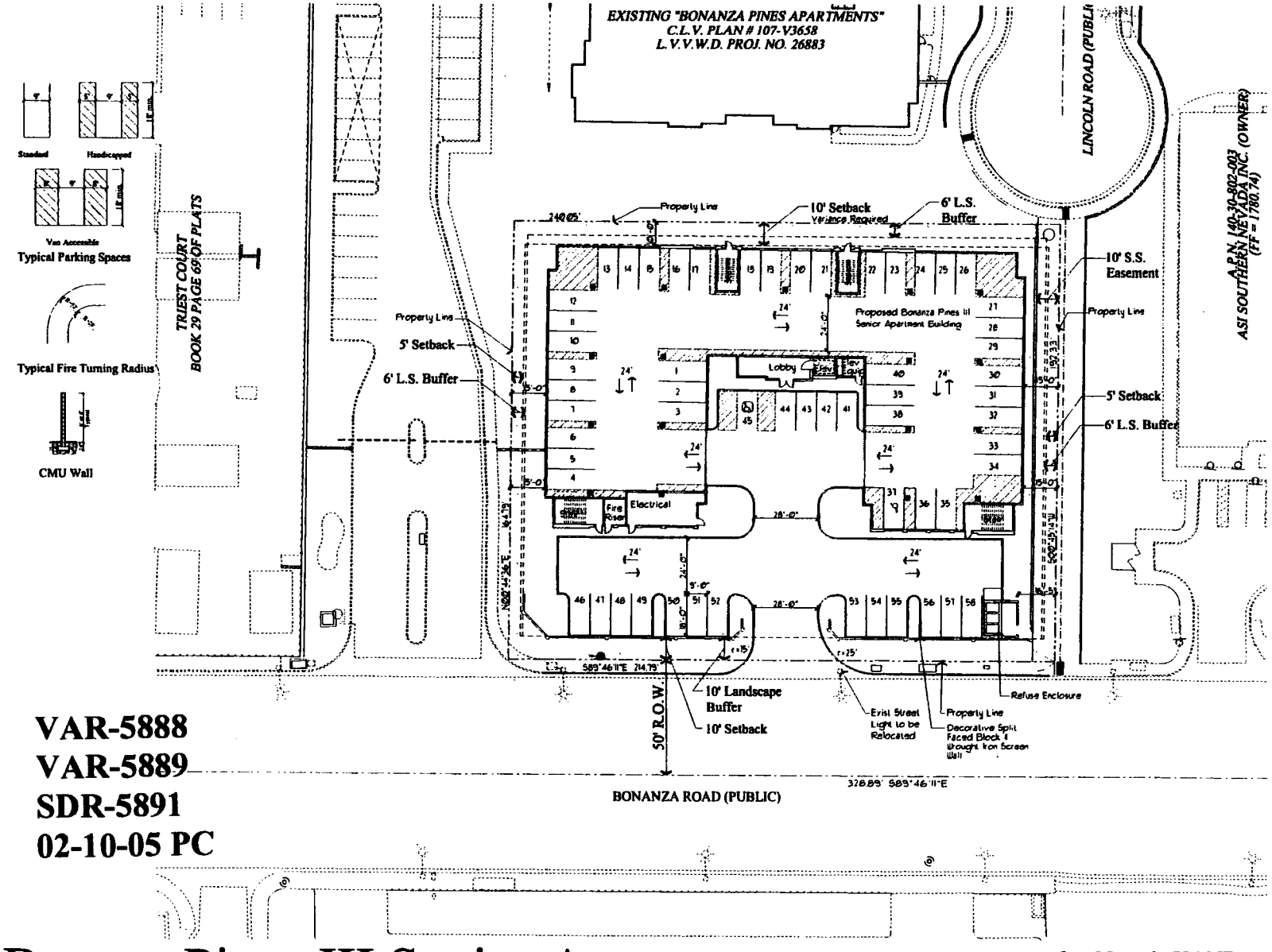
Subscribed and sworn before me

This 20th day of December, 2004

[signature]

Notary Public in and for said County and State

JACLYN S. HAAS
Notary Public State of Nevada
No. 03-84818-1
My appt. exp. Oct. 17, 2007



Site Information

ZONING - City of Las Vegas
R-5 Multi-Family District (Senior Housing)
APN 140-30-802-001

AREA (Approximate to be Verified)
Gross Area: +/- 111612 sf +/- 1.29 acres

BUILDINGS

Buildings		Units
Type I	1 - Bedroom	40
	2 - Bedrooms	22
TOTALS		62

DENSITY: 48 Units / acre

PARKING REQUIREMENTS

Parking Required		
1 - Bedrooms	40 · 0.75 =	30
2 - Bedrooms	22 · 0.75 =	16.5
TOTAL		44
Parking Provided		
Parking Garage Spaces		40
Open Spaces		18
TOTAL		58
Parking Ratio		0.935 / unit
HC Parking Required		2
HC Parking Provided		2

SETBACKS

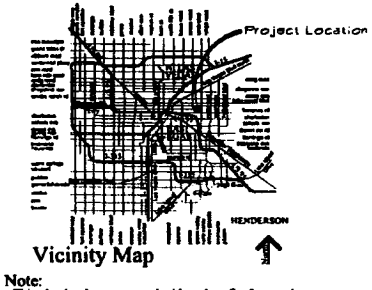
Front	10 ft
Side	5 ft
Rear	20 ft
	10 ft Provided Req. Variance

LANDSCAPE BUFFER

Front	10 ft
Side	6 ft
Rear	6 ft

HEIGHT

Maximum Allowed:	55 ft
Provided:	55 ft



Vicinity Map

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

Note:
This plan has been prepared without benefit of a complete survey.
It is Conceptual in Nature and No Guarantee of its accuracy is implied.

North

Scale: 1" = 20'

Bonaza Pines III Senior Apartments

for: Nevada HAND
702-739-3345

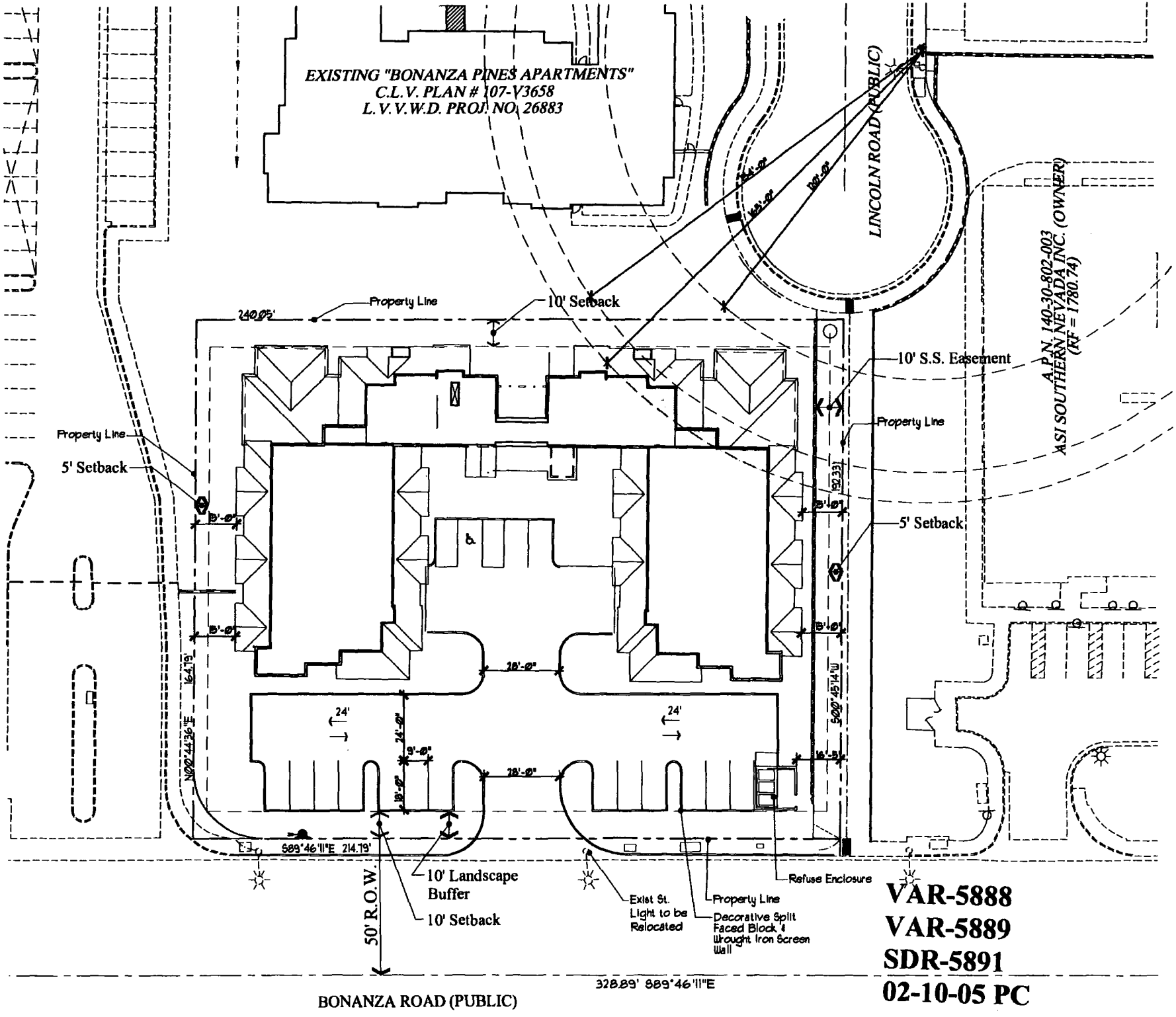
Perlman ARCHITECTS
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

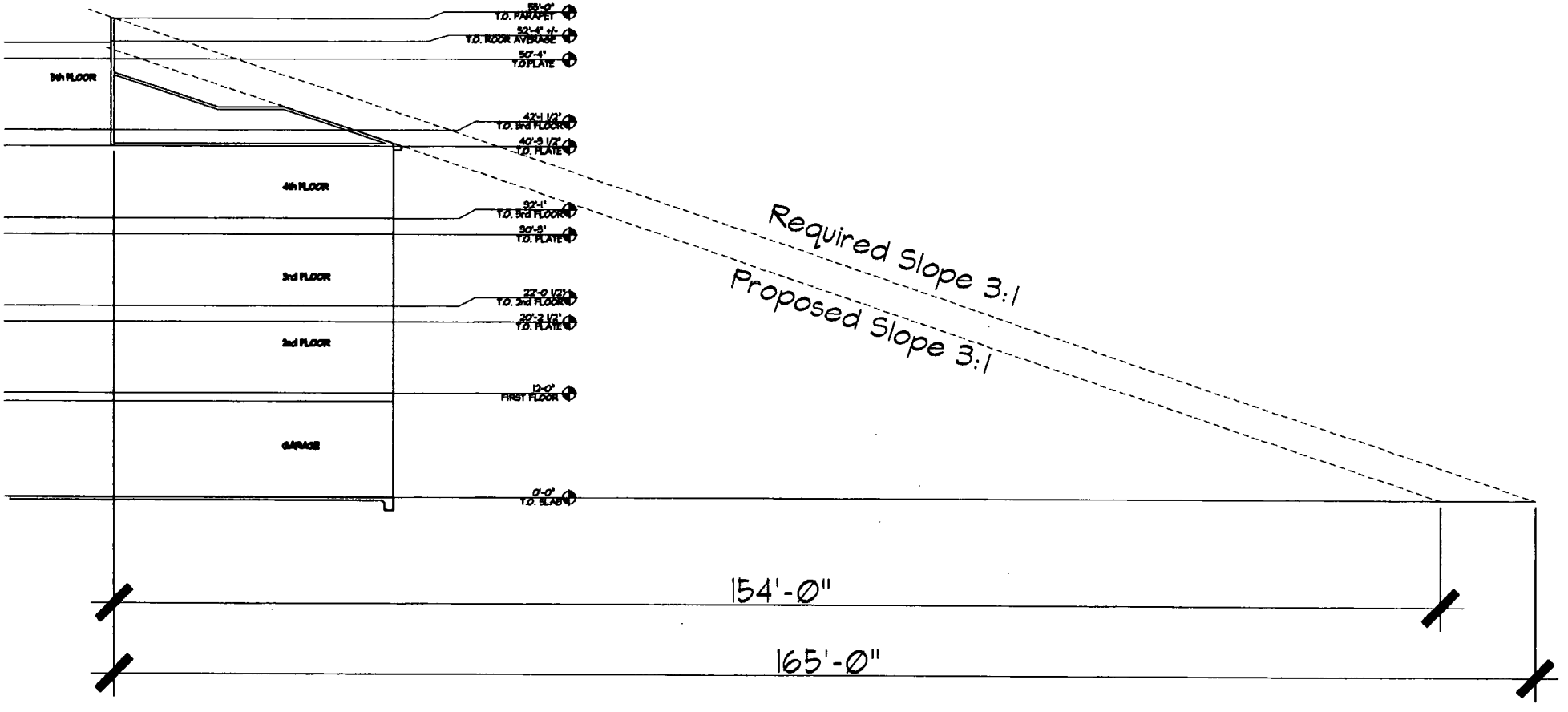
Bonanza near Sandhill, Las Vegas, Nevada

Conceptual Site - Scheme A

Date: December 27, 2004
Project Number: 103209.2

© COPYRIGHT 2004, PERLMAN ARCHITECTS, INC.


EXISTING "BONANZA PINES APARTMENTS"
C.L.V. PLAN # 107-V3658
L.V.V.W.D. PROJ. NO. 26883
LINCOLN ROAD (PUBLIC)
A.P.N. 140-30-802-003
ASI SOUTHERN NEVADA INC. (OWNER)
(RF = 1780.74)
Property Line
10' Setback
240.02'
10' S.S. Easement
Property Line
5' Setback
Property Line
5' Setback
50.33'
164.79'
N00°44'36"E
S00°45'14"W
24'
24'
28'-0"
28'-0"
S89°46'11"E 214.79'
50' R.O.W.
10' Landscape Buffer
10' Setback
Exist St. Light to be Relocated
Property Line
Decorative Split Faced Block & Wrought Iron Screen Wall
Refuse Enclosure
328.89' S89°46'11"E
BONANZA ROAD (PUBLIC)
VAR-5888
VAR-5889
SDR-5891
02-10-05 PC



3:1 Residential Adjacency Slope

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC



VAR-5889 - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP
NORTH SIDE OF BONANZA ROAD APPROXIMATELY 1,300 FEET WEST OF LAMB BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



VAR-5889 - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP
NORTH SIDE OF BONANZA ROAD APPROXIMATELY 1,300 FEET WEST OF LAMB BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

Perlman
ARCHITECTS

Las Vegas • Newport Beach • Scottsdale

December 28, 2004

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

RE: Bonanza Pines III- Justification Letter – 3:1 Residential Adjacency Setback
APN: 140-30-802-007

To Whom It May Concern:

We respectfully request a variance for the 3:1 residential adjacency setback. Our request is a reduction to 154 feet where 165 feet is required, a reduction of 11 feet or less than 7%.

The project was designed to minimize the impact it has on the adjacent residential properties. To do so the North East corner of the building was intentionally reduced in height by one story. This served to make the corner of the building most immediately adjacent to the residential properties compliant with the code requirements. However, the parapet of the roof of the 5th story still extends slightly above the 3:1 slope line, Thereby requiring this request for variance.

We believe this request is justified by the fact that the exterior walls and windows nearest the residential properties meet the 3:1 setback and the intent of the code. The encroachment of the parapet into the 3:1 slope line occurs well inboard of the exterior walls. There are no windows in the wall of the parapets which encroach. The encroachment of the parapets into the 3:1 slope is minimal (approximately 3 foot 9 inches) and only occurs for a portion of the parapet corners (as indicated on the attached diagrams). The reduction of the corner of the building from 5 stories to 4 stories, also, has drastically diminished the potential encroachment at the corner of the building.

Additionally, a hardship exists preventing the location of the building further to the South. The required throat depth of the entry drive to prevent the back-up of traffic on Bonanza Road necessitates the location of the structure toward the rear of the property.

With these facts, we hope that you will approve this request for variance.

Sincerely,

Rick Salyer
Director of Residential Studio
Perlman Architects, Inc.

VAR-5889

2230 Corporate Circle, Suite 200 Henderson, Nevada 89074-6387
702.990.9900 702.932.3222 Fax

City of Las Vegas

Agenda Item No. 116

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5888 AND VAR-5889

SDR-5891 - PUBLIC HEARING - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A 62-UNIT, FIVE-STORY SENIOR HOUSING DEVELOPMENT on 1.29 acres on the north side of Bonanza Road approximately 1,300 feet west of Lamb Boulevard (APN 140-30-802-007), R-E (Residence Estates) Zone under Resolution of Intent to R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	**Planning Commission Mtg.**	1
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 114 [VAR-5888] for all related discussion.
(2:36 - 2:42)
4-110

CONDITIONS:

Planning and Development

1. Variance VAR-5888 and VAR-5889 approved by the City Council.

2. A revised landscaping plan shall be submitted to the Planning and Development Department prior to the issue of building permits showing a parking lot screen that includes a three-foot high landscaped berm along the front property line that would obscure the parking lot from the street. Plan shall show five five-gallon and five one-gallon shrubs for each 24-inch box tree around the perimeter of the site.

3. A revised site plan shall be submitted to the Planning and Development Department prior to the issue of building permits showing an additional handicap parking space.

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

CONDITIONS - Continued:

5. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/28/04, except as amended by conditions herein.

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

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

8. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the 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.

9. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and from residential development.

11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

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

CONDITIONS - Continued:

14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

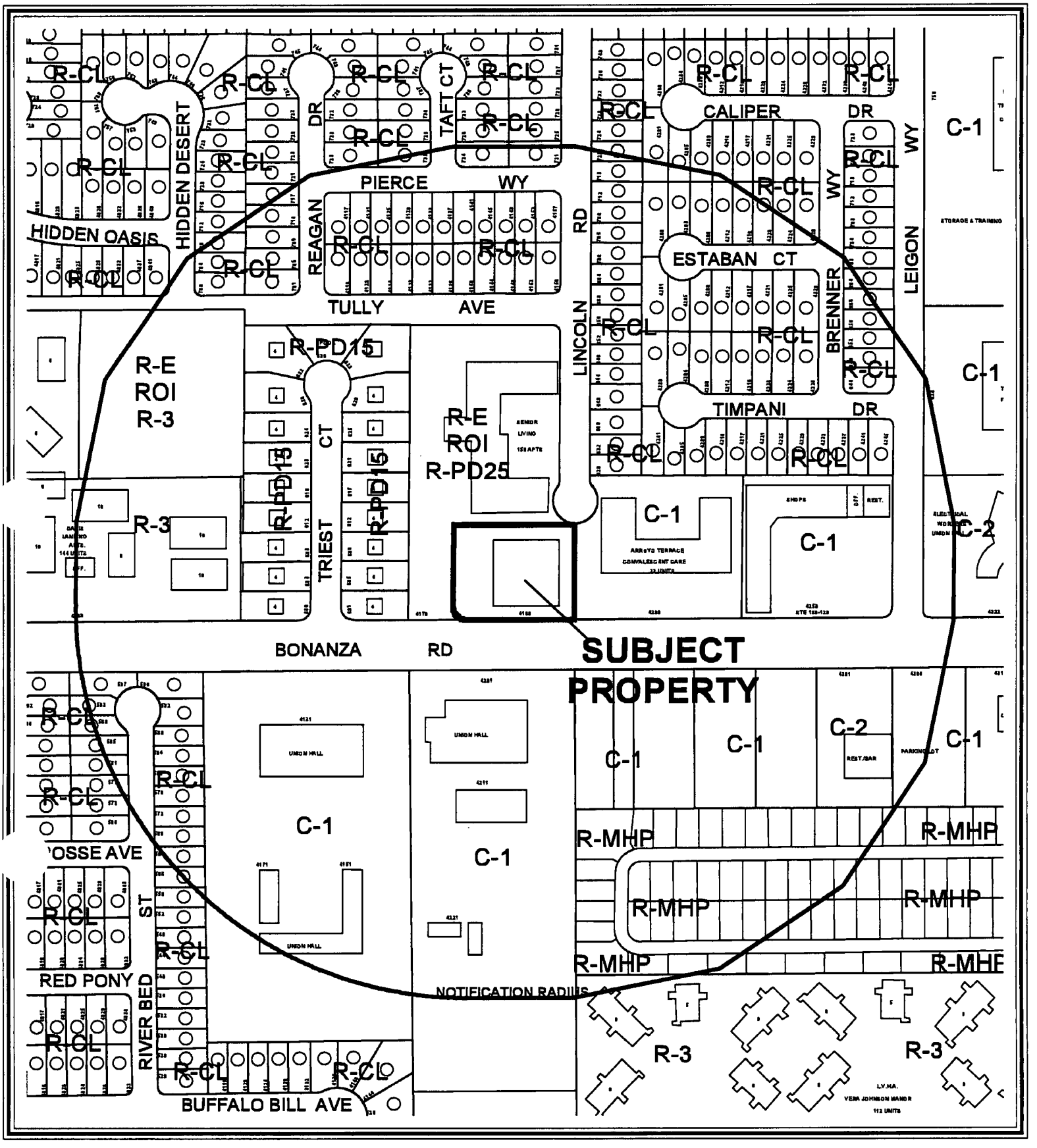
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

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

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

18. Site development to comply with all applicable conditions of approval for ZON-2954 and all other applicable site-related actions.



CASE: **SDR-5891**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-5 (APARTMENT)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5891 - APPLICANT/ OWNER: BONANZA PINES III LIMITED PARTNERSHIP

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. Variance VAR-5888 and VAR-5889 approved by the City Council.

2. A revised landscaping plan shall be submitted to the Planning and Development Department prior to the issue of building permits showing a parking lot screen that includes a three-foot high landscaped berm along the front property line that would obscure the parking lot from the street. Plan shall show five five-gallon and five one-gallon shrubs for each 24-inch box tree around the perimeter of the site.

3. A revised site plan shall be submitted to the Planning and Development Department prior to the issue of building permits showing an additional handicap parking space.

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

5. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/28/04, except as amended by conditions herein.

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

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

8. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the 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.

9. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and from residential development.

11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

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

14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

Public Works

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

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

18. Site development to comply with all applicable conditions of approval for ZON-2954 and all other applicable site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 94,570 square-foot, five-story, 62-unit senior apartment development on 1.29 acres adjacent to the north side of Bonanza Road, approximately 1,300 feet west of Lamb Boulevard.

B) Applicant's Justification

The applicant states that the proposed design demonstrates their continued efforts to do what is right for the community by listening to its needs. They believe that the project will provide another new, high quality, and affordable senior housing development.

BACKGROUND INFORMATION

A) Previous Actions

02/20/02 The City Council approved a Rezoning (Z-0089-01) to R-PD25 (Residential Planned Development – 25 units per acre) and a Site Development Plan Review [Z-0089-01(1)] of a 96-unit senior apartment project on the adjacent parcel to the north. The Planning Commission and staff recommended approval.

02/20/02 The City Council approved a request for a Variance (V-0089-01) to allow a proposed senior apartment complex 76 feet from a single family residential property line where the Residential Adjacency Standards require a minimum setback of 129 feet on property located adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road. The Planning Commission recommended approval, staff recommended denial.

02/20/02 The City Council approved a request for a Variance (V-0090-01) to allow 101 parking spaces where the proposed use (a senior apartment complex) requires a minimum of 116 spaces on 3.78 Acres adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road. The Planning Commission recommended approval, staff recommended denial.

11/05/03 The City Council approved a request to amend a portion of the Southeast Sector of the General Plan (GPA-2953) from SC (Service Commercial) to H (High Density Residential). The Planning Commission and staff recommended approval.

11/05/03 The City Council approved a request for a Rezoning (ZON-2954) from R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) to R-5 (Apartment). The Planning Commission and staff recommended approval.

11/05/03 The City Council approved a request for a Variance (VAR-2956) to allow 16 parking spaces where 75 spaces are required for a proposed 62-unit Senior Apartment Development. The Planning Commission recommended approval, staff recommended denial.

11/05/03 The City Council approved a request for a Site Development Plan Review (SDR-2955) for a 62-unit senior apartment development. The Planning Commission recommended approval, staff recommended denial.

02/10/05 The Planning Commission recommended approval of related items (VAR-5888 and VAR-5889).

02/10/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #47/kcw).

B) Pre-Application Meeting

12/17/04 The elements of a complete Site Development Plan Review application were discussed at pre-application submittal conference with the applicant.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.29

B) Existing Land Use

Subject Property:	Undeveloped
North:	Senior Housing
South:	Union Hall
East:	Convalescent facility
West:	Multi-family

C) Planned Land Use

Subject Property:	H (High Density Residential)
North:	M (Medium Density Residential)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates) Under Resolution of Intent to R-5 (Apartment)

North:	R-E (Residence Estates) Under Resolution of Intent to R-PD25 (Residential Planned Development – 25 units per acre)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	R-E (Residence Estates) Under Resolution of Intent to R-PD25 (Residential Planned Development – 25 units per acre)

E) General Plan Compliance

This site is located in the Southeast Sector Plan area of the General Plan and designated with a land use of H (High Density Residential). The H (High Density Residential) land use category of the Southeast Sector Plan allows low to high density residential development. This district is intended to allow the development of high density multi-family in high intensity areas suitable for such residential development. The R-5 (Apartment) zoning district is consistent with the policies of the High Density Residential land use category of the General Plan.

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

There are no special area plans, overlay districts, trail corridors, or special notifications that relate to the subject request.

PROJECT DESCRIPTION

Access to the proposed senior housing development will be from the north side of Bonanza Road. The building is situated at the back of the site and oriented to Bonanza Road. It features two parallel wings extending out perpendicular from the entrance wing, forming a "U" shape with interior space that could be used as a courtyard. A total of 58 parking spaces are provided, 40 of which are in the garage that is the first floor of the building and 18 spaces in the lot between the building and the street. Two handicap spaces are shown where three spaces are required. A trash enclosure is located at the southeastern corner of the site.

Landscaping is provided within a minimum 10-foot wide planter along the south property line along the street. The landscaping along the street is between the front property line and a decorative split faced block and wrought iron screen wall. This planter contains 24-inch box deciduous trees in clusters spaced roughly 45 feet on center with shrubs clustered between the trees. The side buffer area has a minimum width of six feet on the west and east, with of 24-inch box evergreen trees 30 feet apart.

The elevation for the building depicts a Mediterranean-style construction featuring a hipped and gabled roof with tower elements, arched patio openings, and varied wall lines. Building materials include tile for the roof and roof elements and stucco on walls.

The proposed senior housing development will contain 40 one-bedroom and 22 two-bedroom units.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	7,000 Square Feet	56,192.4 Square Feet	Y
Min. Lot Width	N/A	N/A	N/A
Min. Setbacks			
• Front	10 Feet	10 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	5 Feet	5 Feet	Y
• Rear	20 Feet	10 Feet	N
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	5 Stories or 55 Feet	55 Feet	N

The proposal needs the variance VAR-5888 from the requirement for rear setback of Title 19. The subject deviation is 50% or 10 feet.

A2) Residential Adjacency Standards

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

a) Proximity slope. The tallest portion of the proposed senior housing is 154 feet from the nearest residential property line. As the applicant is proposing a building 55 feet in height, the setback is required to be 165 feet from the property line. The project fails to meet proximity slope requirement. The subject deviation is 6.7% or 11 feet. The Variance application VAR-5889 has been filed by the applicant to address the issue.

b) Building setback. The proposed senior housing is 10 feet from the nearest property line, where 20 feet are required, therefore the proposed development fails the building setback requirement. The subject deviation is 50% or 10 feet. The variance application VAR-5888 was filed to address the issue.

A3) Parking and Traffic Standards

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

Uses	Units	Required Parking Ratio	Required Parking Regular	Required Parking Handicap	Provided Parking Regular	Provided Parking Handicap
One Bedroom Units	40 Units	0.75 Space / Unit: 40 X 0.75	30 Spaces			
Two Bedroom Units	22 Units	0.75 Space / Unit: 22 X 0.75	17 Spaces			
Totals	62 Units		45	2	58	2

The proposal exceeds the requirements of Title 19 for parking in terms of providing a more than sufficent number of parking spaces. But, one more handicap space needs to be shown as the 58 spaces proposed requires three handicap parking spaces. A condition has been added to address the discrepancy.

A4) Landscape Standards

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

Standards	Required Ratio	Required Trees	Provided
Parking Area	1 Trees/ 6 Spaces: 13 spaces/ 6 = 2.2	3 Trees	2
Buffer: • Min. Trees	1 Trees/ 30 Linear Feet: 810 LF/ 30 = 27 trees	27 Trees	28
• Min. Zone Width- Front	10 Feet		10 Feet
• Min. Zone Width- Sides and Rear	6 Feet		6 Feet
• Wall height	Not Shown		Not Shown

The proposal meets the requirements of Title 19 for landscaping in terms of trees and planters. The site plan does not show a required landscaped screen for the parking lot. A condition has been added to address the issue.

A5) Sign Standards

Insufficient information was provided that would facilitate the review of onsite signage pursuant the Sign Standards of Title 19. Signage will be evaluated through separate reviews.

B) General Analysis and Discussion

- Zoning

  The R-5 (Apartment) zoning district is intended to allow for the development of high density multi-family units within the downtown urban core and in other high intensity areas suitable for high density residential development. The proposed senior apartment development at the subject location is consistent with the intensity of the area around the site and is in conformance with the R-5 (Apartment) zoning and the H (High Density Residential) land use designation.

- Site Plan

  The subject development has the building positioned at the back of the site with surface parking at the front between the building and the street. The building is five stories with an overall height of 55 feet. The rear elevation, the height of which is the subject of the variance request VAR-5889, has a variety of vertical surfaces. Some of the surfaces have heights less than that might be allowed. Because of this characteristic the portion of the building that exceeds height based on the 3:1 slope can be shortened and the attractiveness of the building would not be adversely affected.

  The distance from the back of the building to the rear property line is 10 feet, 10 feet short of the required setback of 20 feet for the R-5 (Apartment) zoning of the site and the subject of the variance VAR-5888. The building is positioned at the correct setbacks for the sides of the building and the front setback from the right-of-way of Bonanza Avenue. Between the front setback and the building is a parking lot with a single row of 90-degree parking spaces along the front property line and 24-foot drive aisle between the parking spaces and the building.

- Waivers

  No waivers are part of this application.

- Landscape Plan

  The proposal meets the requirements of Title 19 for landscaping in terms of trees and planters. The site plan does not show a required landscaped screen for the parking lot and sufficient number of shrubs in relation to the number of 24-inch box trees.

- Elevation

  The elevations show the typical features of Mediterranean architecture: low pitched roofs with hips and gables, arches, arcades, gridded windows, stuccoed walls, and tile roofs. The submitted elevations are appropriate for this development and are compatible with the adjacent housing development.

- Floor Plan

The floor plans show a typical layout of a mixture of one and two bedroom apartments.

FINDINGS

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

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

   The proposed senior housing development is compatible with adjacent development, with the exception of the height of the building. A companion Variance application (VAR-5889) was filed to address the issue.

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

   With the approval of the companion Variance applications, the proposed senior housing development is consistent with the General Plan, Title 19, and the Landscape, Wall and Buffer Standards.

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

   The proposed site access and circulation will not negatively impact adjacent roadways or neighborhood traffic. All traffic will access the site via a private drive on the adjacent parcel from Bonanza Road, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways.

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

   The proposed building is an aesthetically appropriate structure for housing the elderly population of the area. The landscape materials as proposed will be appropriate for this project with the implementation of the recommended conditions.

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

   The building elevations and design characteristics of the proposed building are well-suited for senior housing and would be harmonious with the design of the adjacent senior housing development, other residential development, and nearby commercial structures.

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

   The proposed senior apartment building will be subject to the provisions of the Uniform Building Code; therefore, the use will not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 224 by Planning Department

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5891 APN: 140-30-802-007

Name of Property Owner: Bonanza Pines III Limited Partnership

Name of Applicant: Bonanza Pines III Limited Partnership

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

_____ Yes ✓ No

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner: Michael Mullin

Print Name: Bonanza Pines III Limited Partnership, a Nevada limited partnership

By: HAND Enterprises Inc., as General Partner

By: Michael Mullin, President

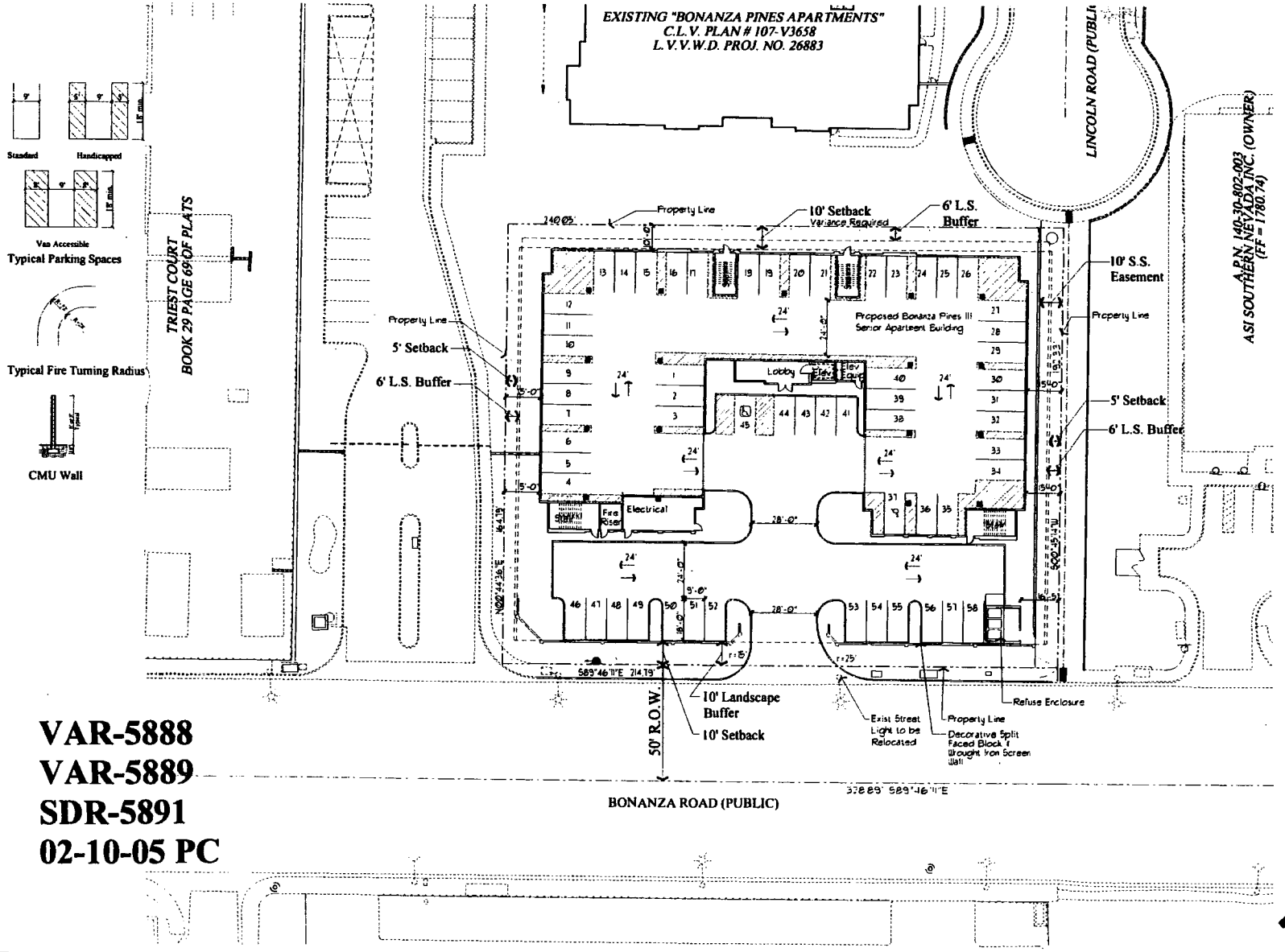
Subscribed and sworn before me

This 20th day of December, 2004

Jaclyn S. Haas

Notary Public in and for said County and State

JACLYN S. HAAS
Notary Public State of Nevada
No. 03-84818-1
My appt. exp. Oct. 17, 2007



VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

Site Information

ZONING - City of Las Vegas
R-5 Multi-Family District (Senior Housing)
APN 140-30-802-001

AREA (Approximate to be Verified)
Gross Area: +/- 117,612 sf +/- 1.29 acres

BUILDINGS

Buildings		Units
Type I	1 - Bedroom	40
	2 - Bedrooms	22
TOTALS		62

DENSITY: 48 Units / acre

PARKING REQUIREMENTS

Parking Required:		
1 - Bedrooms	40 @ 0.75 =	30
2 - Bedrooms	22 @ 0.75 =	16.5
TOTAL		46.5
Parking Provided		
Parking Garage Spaces		40
Open Spaces		18
TOTAL		58
Parking Ratio		0.935 / unit
H.C. Parking Required		2
H.C. Parking Provided		2

SETBACKS

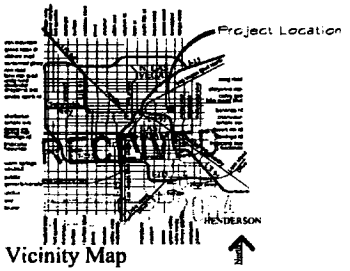
Front	10 ft
Side	5 ft
Rear	20 ft
	10 ft Provided Req. Variance

LANDSCAPE BUFFER

Front	10 ft
Side	6 ft
Rear	6 ft

HEIGHT

Maximum Allowed:	55 ft
Provided:	55 ft



Vicinity Map

Note:
This plan has been prepared without benefit of a complete survey.
It is Conceptual in Nature and No Guarantee of its accuracy is implied.

North

Scale: 1" = 20'
0 20 40

Bonaza Pines III Senior Apartments

for: Nevada HAND
702-739-3345

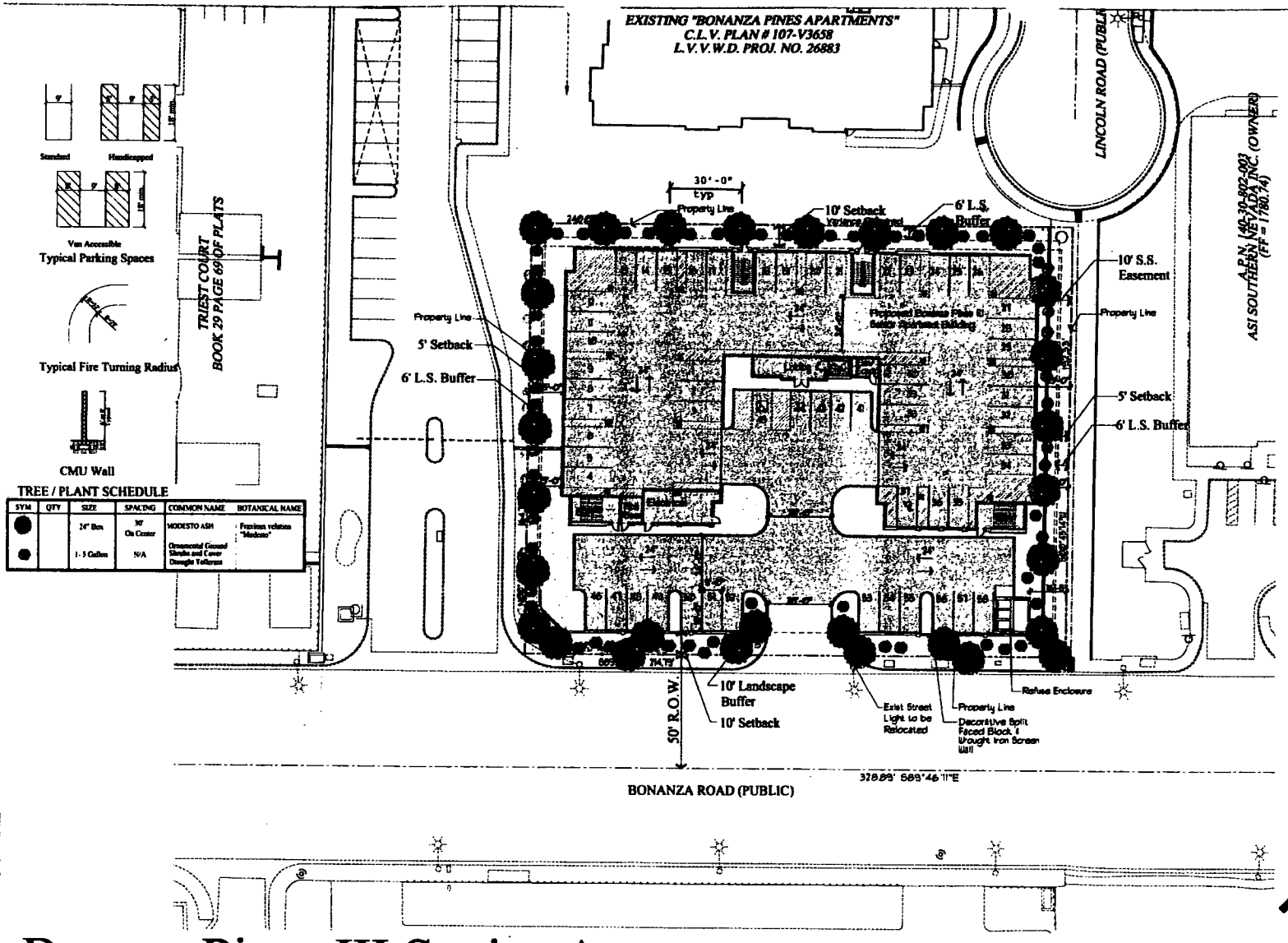
Bonanza near Sandhill, Las Vegas, Nevada

Conceptual Site - Scheme A

Date: December 27, 2004
Project Number: 103209.2

Perlman ARCHITECTS
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

© COPYRIGHT 2004, PERLMAN ARCHITECTS INC.



TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
●		24" Box	30' On Center	MODESTO ASH	Fraxinus velutina "Modesto"
●		1 - 5 Gallon	N/A	Ornamental Ground Shrubs and Cover Drought Tolerant	

Site Information

ZONING - City of Las Vegas
R-5 Multi-Family District (Senior Housing)
APN 140-30-802-007

AREA (Approximate, to be Verified)
Gross Area: +/- 117,612 sf +/- 1.29 acres

BUILDINGS

Buildings		Units
Type I	1 - Bedroom	40
	2 - Bedrooms	22
TOTALS		62

DENSITY: 48 Units / acre

PARKING REQUIREMENTS

Parking Required:		
1 - Bedrooms	40 @ 0.75 =	30
2 - Bedrooms	22 @ 0.75 =	16.5
TOTAL		44
Parking Provided		
Parking Garage Spaces		40
Open Spaces		18
TOTAL		58
Parking Ratio		0.935 / unit
H.C. Parking Required		2
H.C. Parking Provided		2

SETBACKS

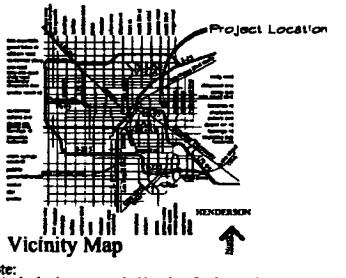
Front	10 ft
Side	5 ft
Rear	20 ft
	10 ft Provided Req. Variance

LANDSCAPE BUFFER

Front	10 ft
Side	6 ft
Rear	6 ft

HEIGHT

Maximum Allowed:	55 ft
Provided:	55 ft



Vicinity Map

Note:
This plan has been prepared without benefit of a complete survey.
It is Conceptual in Nature and No Guarantee of its accuracy is implied.

North

Scale: 1" = 20'

Bonaza Pines III Senior Apartments

for: Nevada HAND
702-739-3345

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual Site - Scheme A

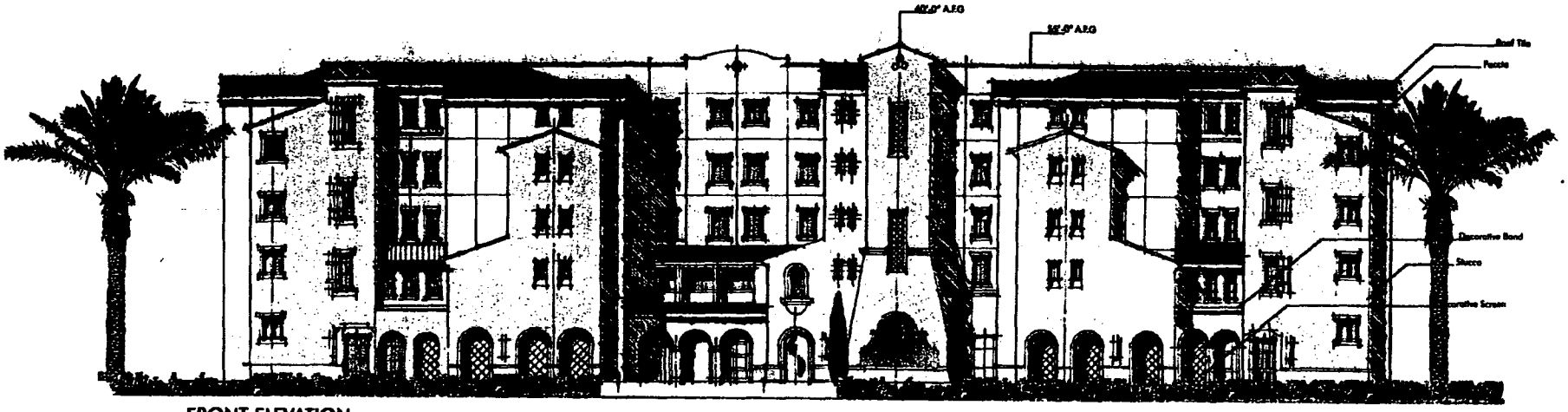
Date: December 21, 2004
Project Number: 103209.2

Perlman
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

© COPYRIGHT 2004 PERLMAN ARCHITECTS, INC

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

RECEIVED
DEC 2 1 2004



FRONT ELEVATION



REAR ELEVATION

Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

Conceptual Elevations- Scheme A

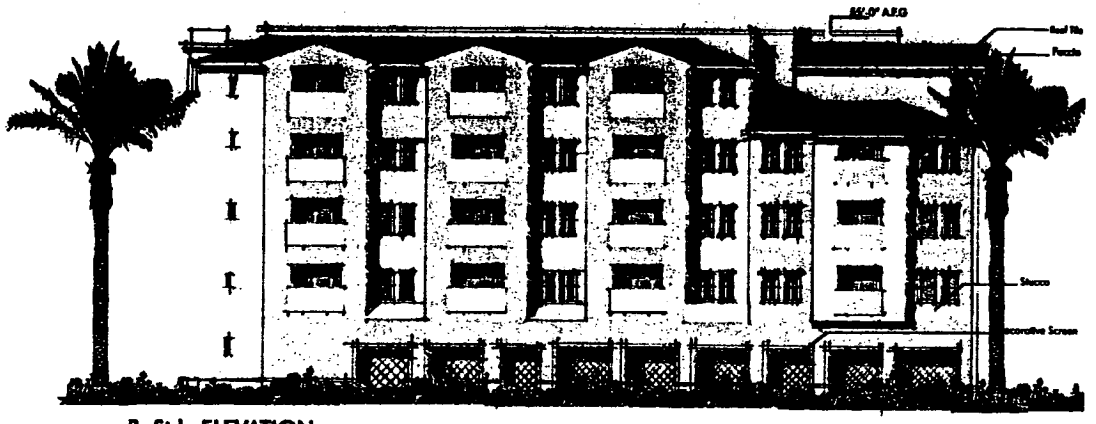
Date: December 27, 2004
Project Number: 103209.2

for: Nevada HAND
702-739-3345

Perlman Architects
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

© COPYRIGHT 2004, PERLMAN ARCHITECTS, INC.

RECEIVED
DEC 29 2004



R. Side ELEVATION



L. Side ELEVATION

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

Bonaza Pines III Senior Apartments

for: Nevada HAND
702-739-3345

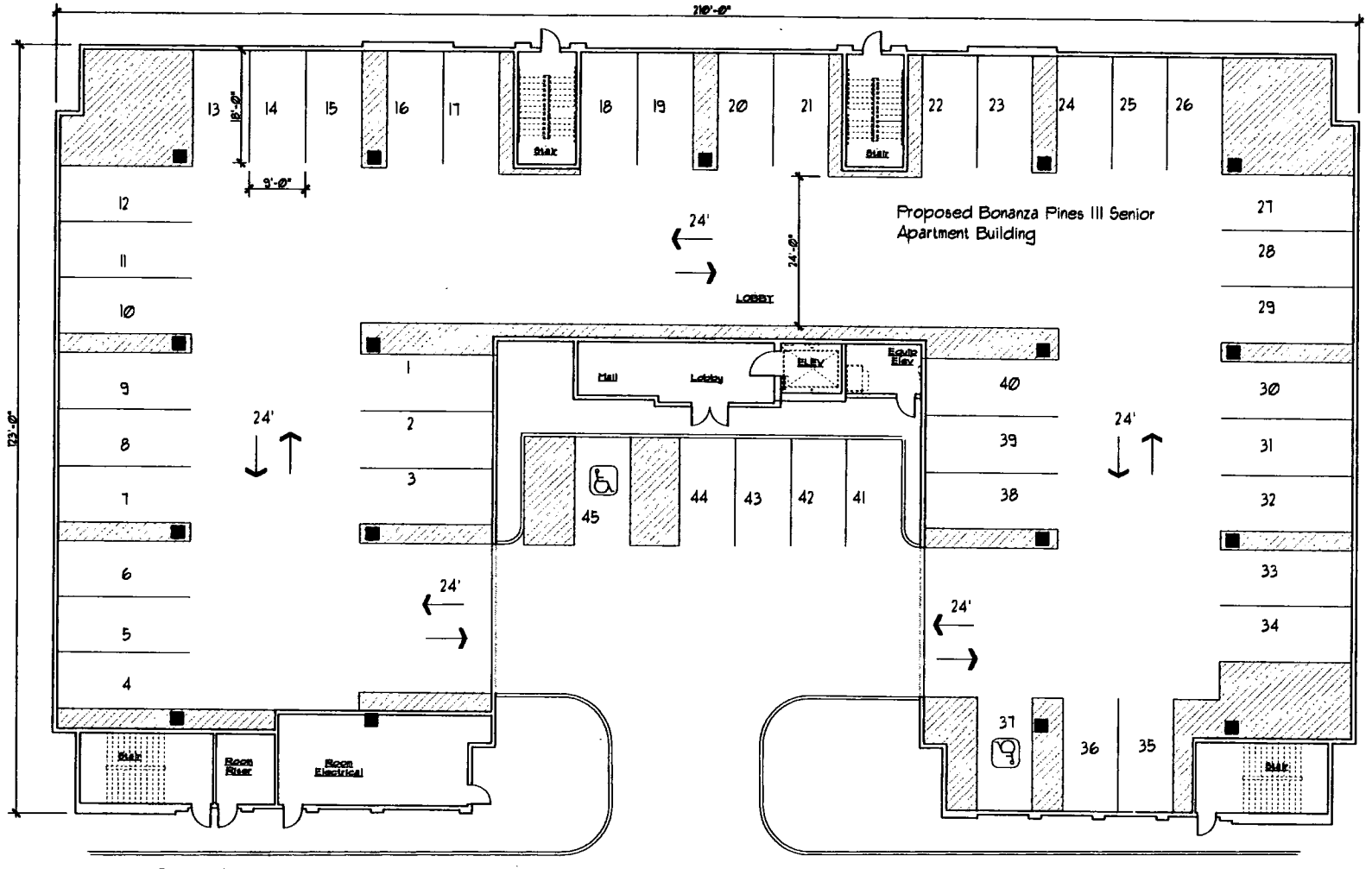
Bonanza near Sandhill, Las Vegas, Nevada

Conceptual Elevations- Scheme A

Date: December 27, 2004
Project Number: 103209.2

Perlman Architects
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

© COPYRIGHT PERLMAN ARCHITECTS, INC.



Garage Level	20,884 S.F.
2nd Floor	19,694 S.F.
3rd Floor	18,869 S.F.
4th Floor	18,869 S.F.
5th Floor	16,254 S.F.
Total	94,570 S.F.

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

RECEIVED

Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual Garage plan

for: Nevada HAND
702-739-3345

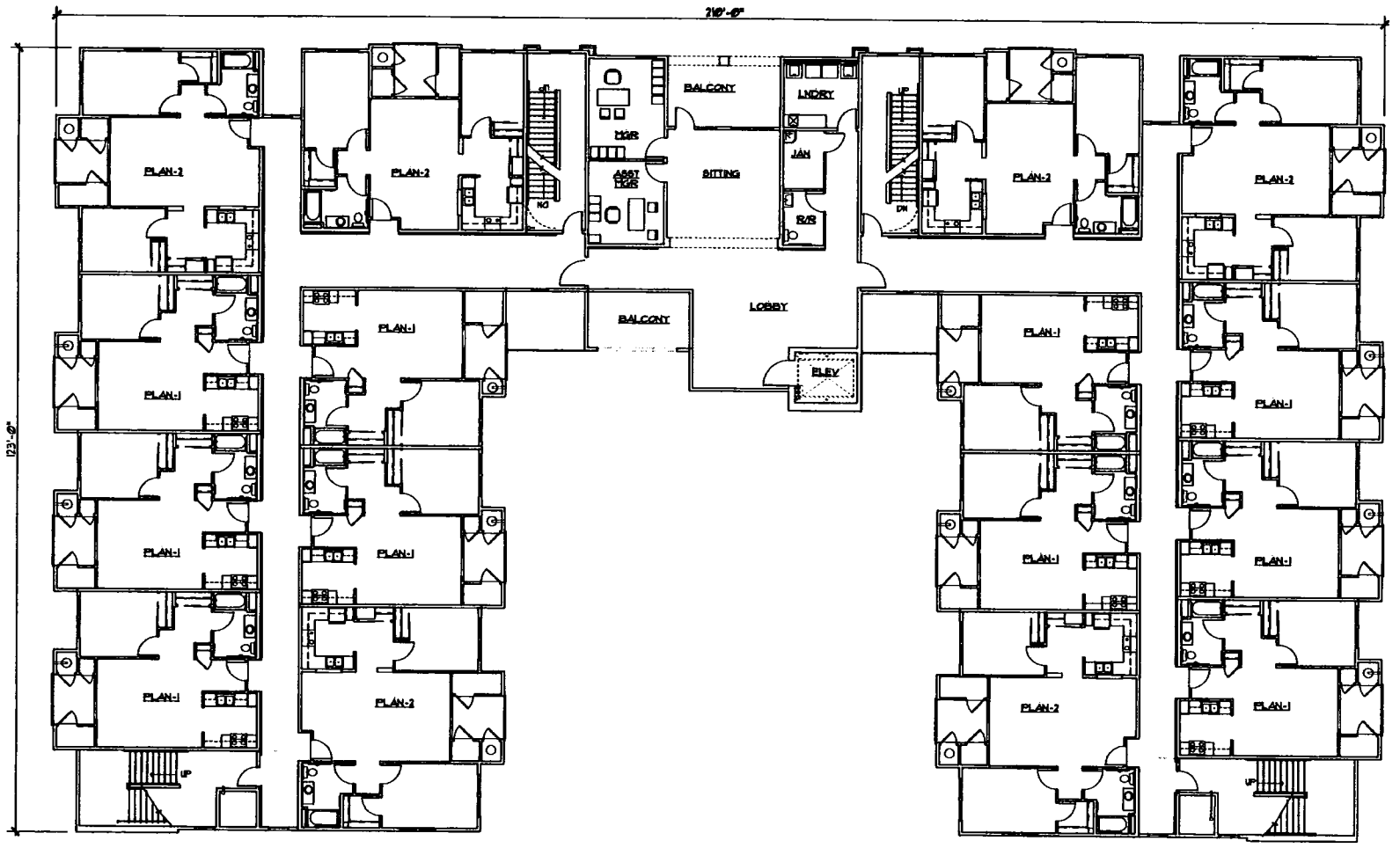
North

Scale: 1/8" = 1'-0"

Date: December 21, 2004
Project Number: 103209.2

Perlman ARCHITECTS
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

© COPYRIGHT 2004, PERLMAN ARCHITECTS, INC.



19,694 S.F.

ECEIVED

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual 2nd Floor Plan

for: Nevada HAND
702-739-3345

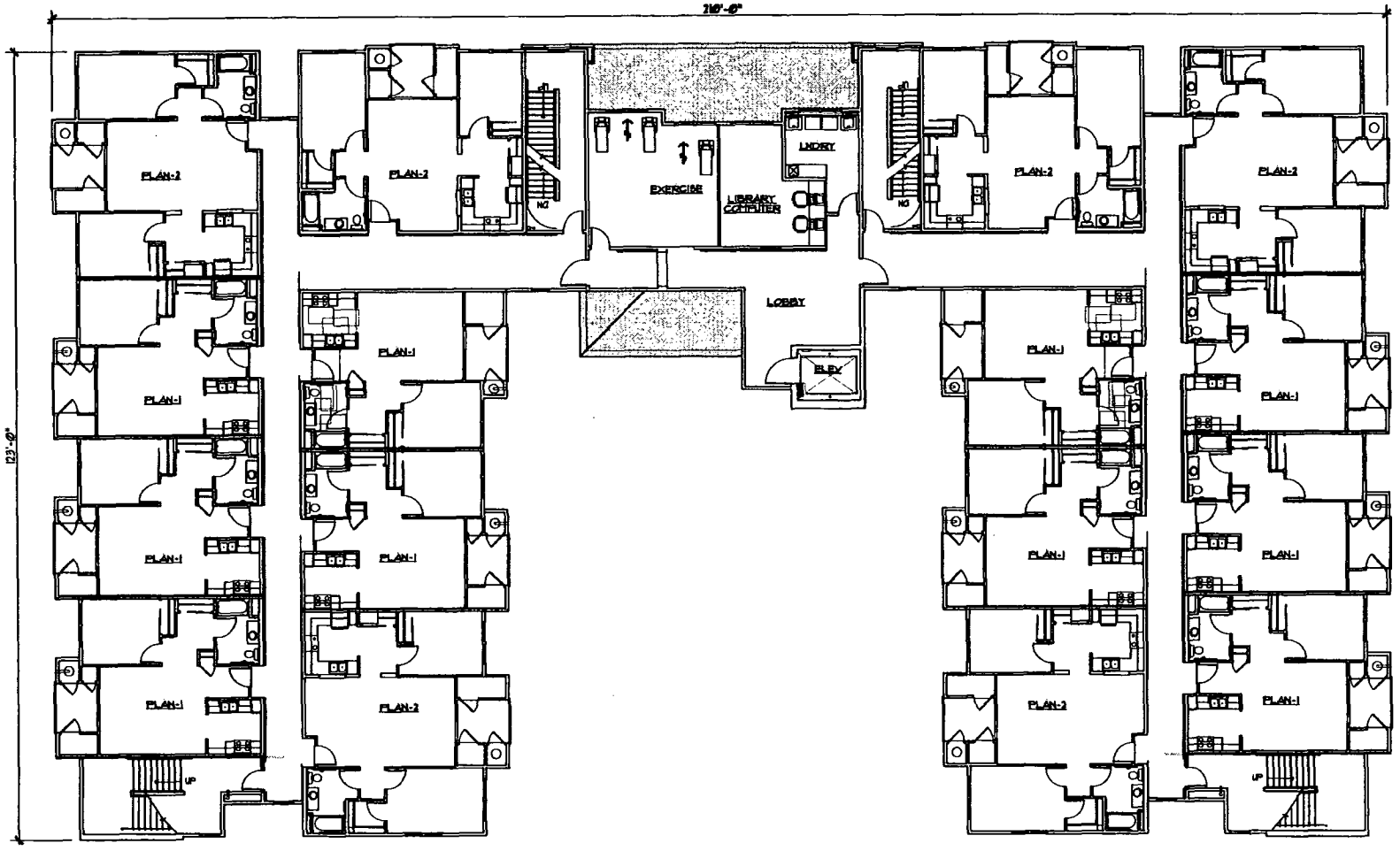
North

Scale: 1/8" = 1'-0"

Date: December 21, 2004
Project Number: 103209.2

Perlman ARCHITECTS
PERLMAN ARCHITECTS, INC
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

© COPYRIGHT 2004, PERLMAN ARCHITECTS, INC



18,869 S.F.

RECEIVED

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual 3rd Floor Plan

for: Nevada HAND
702-739-3345

North

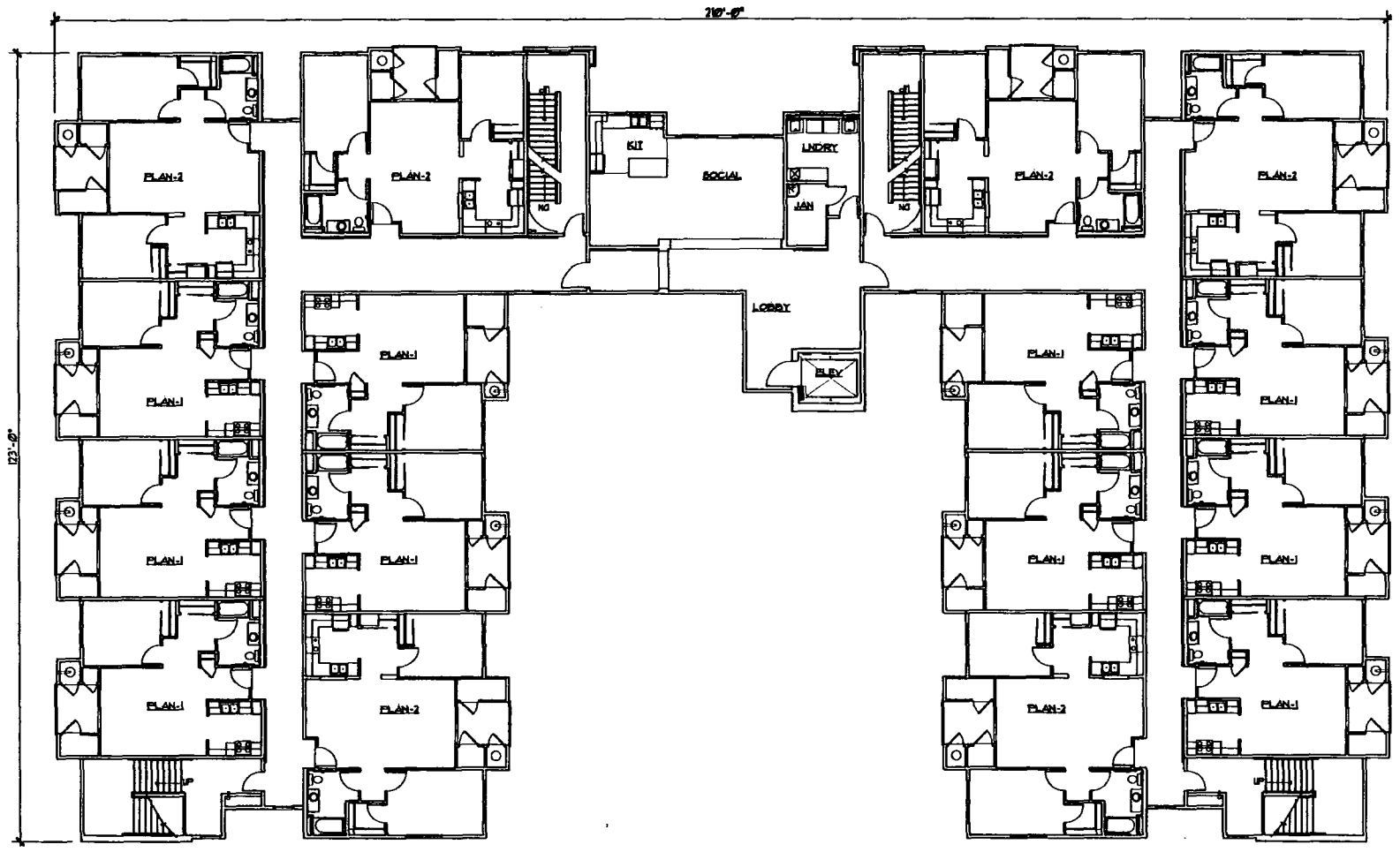
Scale: 1/8" = 1'-0"

0 8 16

Date: December 21, 2004
Project Number: 103209.2

Perlman ARCHITECTS
PERLMAN ARCHITECTS, INC
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

© COPYRIGHT 2004, PERLMAN ARCHITECTS, INC



18,869 S.F.

RECEIVED

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

for: Nevada HAND
702-739-3345

Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual 4th Floor Plan

North

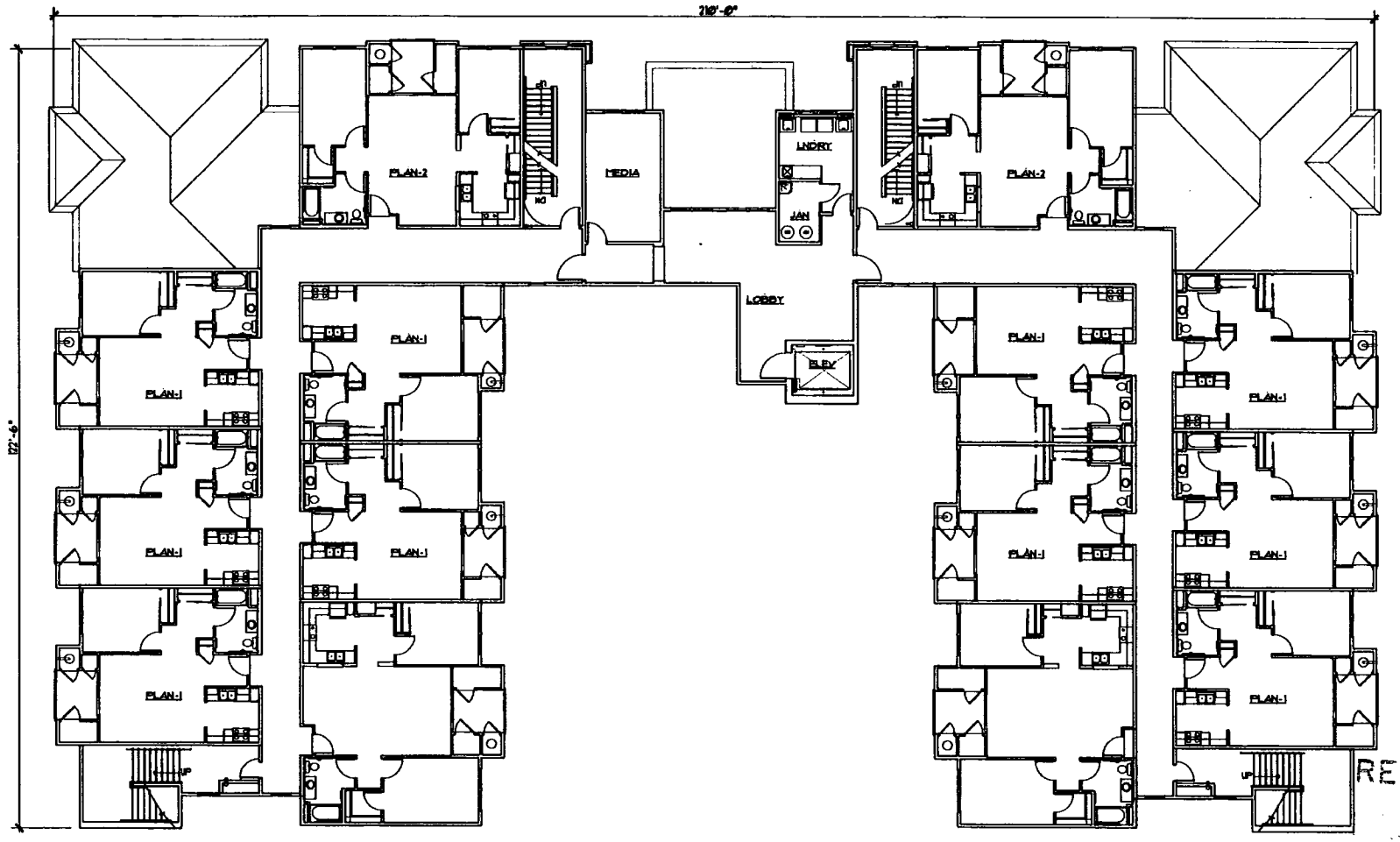
Scale: 1/8" = 1'-0"

0 8 16

Date: December 21, 2004
Project Number: 103209.2

Perlman ARCHITECTS
PERLMAN ARCHITECTS, INC
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

© COPYRIGHT 2004, PERLMAN ARCHITECTS, INC



16,254 S.F.

RECEIVED

VAR-5888
VAR-5889
SDR-5891
02-10-05 PC

Bonaza Pines III Senior Apartments

Bonanza near Sandhill, Las Vegas, Nevada

Conceptual 5th Floor plan

for: Nevada HAND
702-739-3345

North

Scale: 1/8" = 1'-0"

Date: December 21, 2004
Project Number: 103209.2

Perlman ARCHITECTS
PERLMAN ARCHITECTS INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

© COPYRIGHT 2004, PERLMAN ARCHITECTS, INC.



SDR-5891 - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP
NORTH SIDE OF BONANZA ROAD APPROXIMATELY 1,300 FEET WEST OF LAMB BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SDR-5891 - APPLICANT/OWNER: BONANZA PINES III LIMITED PARTNERSHIP
NORTH SIDE OF BONANZA ROAD APPROXIMATELY 1,300 FEET WEST OF LAMB BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

"Nevada's Helping Hands"

HAND CONSTRUCTION COMPANY
295 E. Warm Springs Road, Suite 101
Las Vegas, NV 89119
Telephone: (702) 739-3345; Fax: (702) 739-3005

December 22, 2004

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

RE: Bonanza Pines III- Justification Letter
APN: 140-30-802-007

To Whom It May Concern:

We are seeking to obtain Site Development Plan Review approval for our site. This application requires two variances: 1) Reduce rear setback from 20 feet to 10 feet, and 2) Residential adjacency reduction.

In order to fully utilize our property, and create a development that offers the most amenities for the residents we are proposing to change certain design aspects of our previously approved development. This project previously received approvals as SDR-2955, GPA-2953, ZON-2954, and Var-2956.

We had expected to share parking with phase one. Now that phase one is fully occupied we have determined that this new phase would be better served to have it's own parking. Phase one appears to utilize almost all the provided parking. Therefore phase II should provide it's own parking and not rely on the Cross Parking Agreement.

To accomplish this we propose to raise the building one level and add parking under it. Therefore we'd have a five-story building, level one on-grade parking and levels two through five apartments.

We will require a height increase variance due to the Residential Adjacency calculation.

Planning staff prefers that the onsite parking be located away from the street. We believe that the site plan with parking along the street is better for this development. We are proposing a view wall along Bonanza that doubles as a flood barrier required by Public Works. This wall is planned as two feet of

SDR-5891

masonry with four feet of metal fencing on top. Masonry pilasters will be located approximately thirty feet on center. Behind the wall will be an intense landscape buffer of ten feet. The combination of wall and landscape between the street and parked cars will provide an adequate visual barrier. This parking location also helps to minimize car-stacking issues, and maximize turn radii into stalls. Both of which add to the ease for seniors to navigate onsite.

To provide the on site parking, adequate landscaping and a good architectural look, the plan requires a reduced rear setback from twenty to ten feet. Pushing the building back greatly enhances the ability to create a dramatic entry, architectural facade, vehicular maneuverability, and increased parking. This re-design will provide more than the minimum required parking.

This re-design demonstrates our continued efforts to do what is right for the community by listening to its needs. We have determined that the property needs additional parking so we are re-designing to meet this need, all the while providing another new high quality affordable senior housing development.

These apartments are restricted to low-income seniors with rents targeted to households with incomes between 30% to 50% of the Area Median Income, which means rents will be approximately $233 to $540 per month.
We appreciate your support and request your approval.

If I can be of further assistance please contact me at 739-3344 ext. 229.
Thank you for your consideration.

Sincerely yours,

Robert D. Feibleman
Executive Vice President
HAND Construction Company

SPR-5891

City of Las Vegas

Agenda Item No. 117

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4693 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: THOMAS J. OBATA - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6431 West Charleston Boulevard (APN 163-02-114-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	2	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Submitted at meeting - Photo rendering of proposed sign

MOTION:

TARKANIAN - APPROVED subject to conditions and added conditions as read into the record as follows:

- The sign structure and pole shall match that of the shopping center, in conformance with elevations submitted 3/16/2005.

- UNANIMOUS with WOLFSON not voting, GOODMAN abstaining because JAY BROWN is a partner in a parcel of land and MACK abstaining because his company, Mack Consulting, has approached Orion Outdoor on behalf of his clients

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY JAY BROWN, 520 South Fourth Street, and LINDA LITMAN, leasing agent for Orion Outdoor Media, appeared on behalf of the applicant. The application seeks no waivers of any kind and the applicant has agreed to a condition requiring the sign structure and pole cover match the exterior color of the shopping center. He submitted a photographic rendering of the sign, although the color of the structure may change to match the exterior of the shopping center. MARGO WHEELER, Director of Planning and Development, read the added condition regarding the sign structure into the record.

COUNCILWOMAN TARKANIAN expressed her appreciation for the nice sign and confirmed that the applicant will make the sign as aesthetic as possible.

MINUTES - Continued:

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(2:42 - 2:45)
4-275

CONDITIONS:

Planning and Development

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

2 The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premises sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premises advertising (billboard) sign be removed.

3. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premises Sign use and other applicable sign requirements.

4. The off-premises advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premises advertising (billboard) sign.

5. The off-premises advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.

6. Only one advertising sign is permitted per sign face.

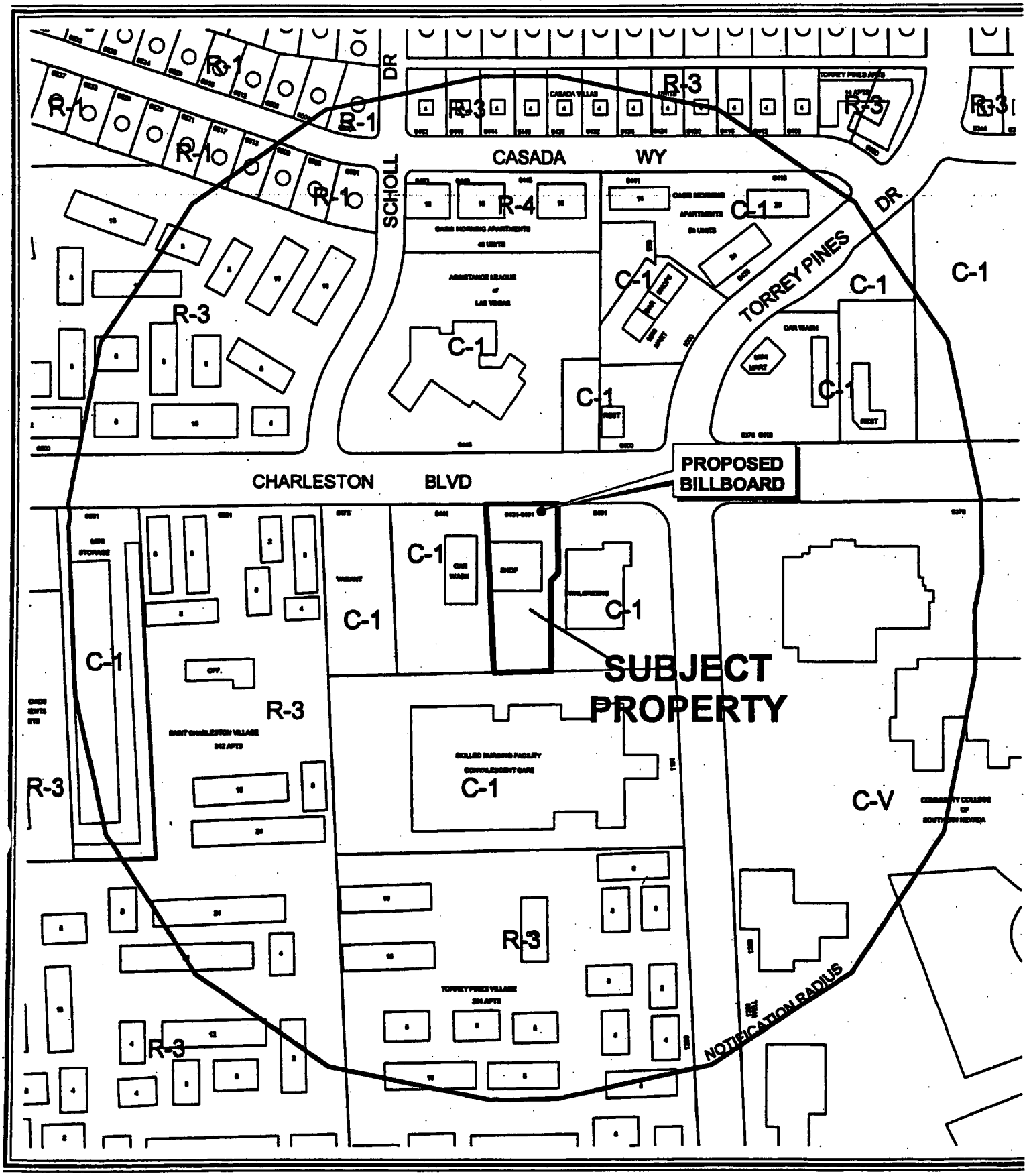
7. The entire face-area of both sides of the off-premises advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

8. If the off-premises advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premises advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

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

Public Works

10. The off?premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

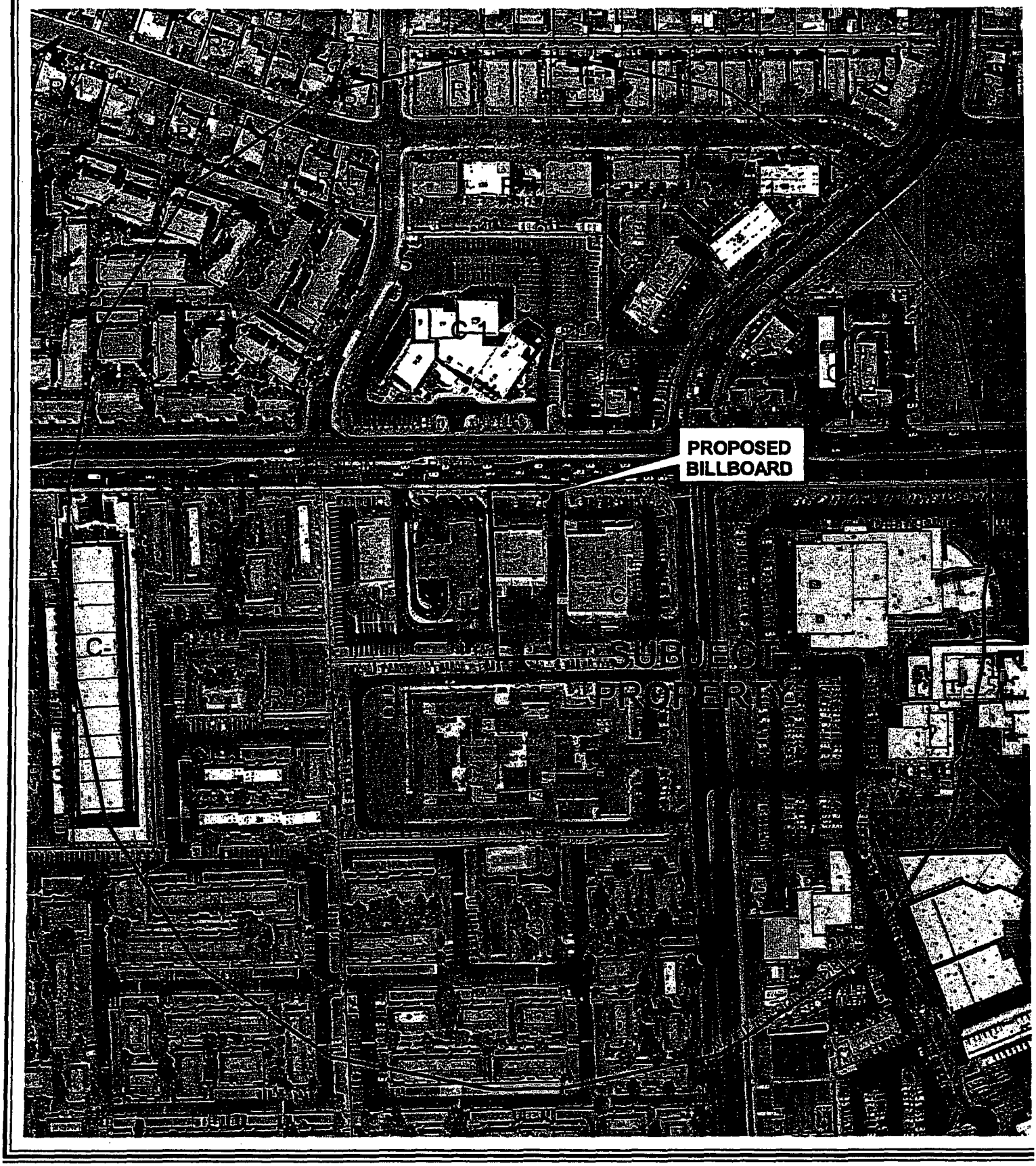


0 200 400 Feet

CASE: SUP-4693

RADIUS: 750 FT

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



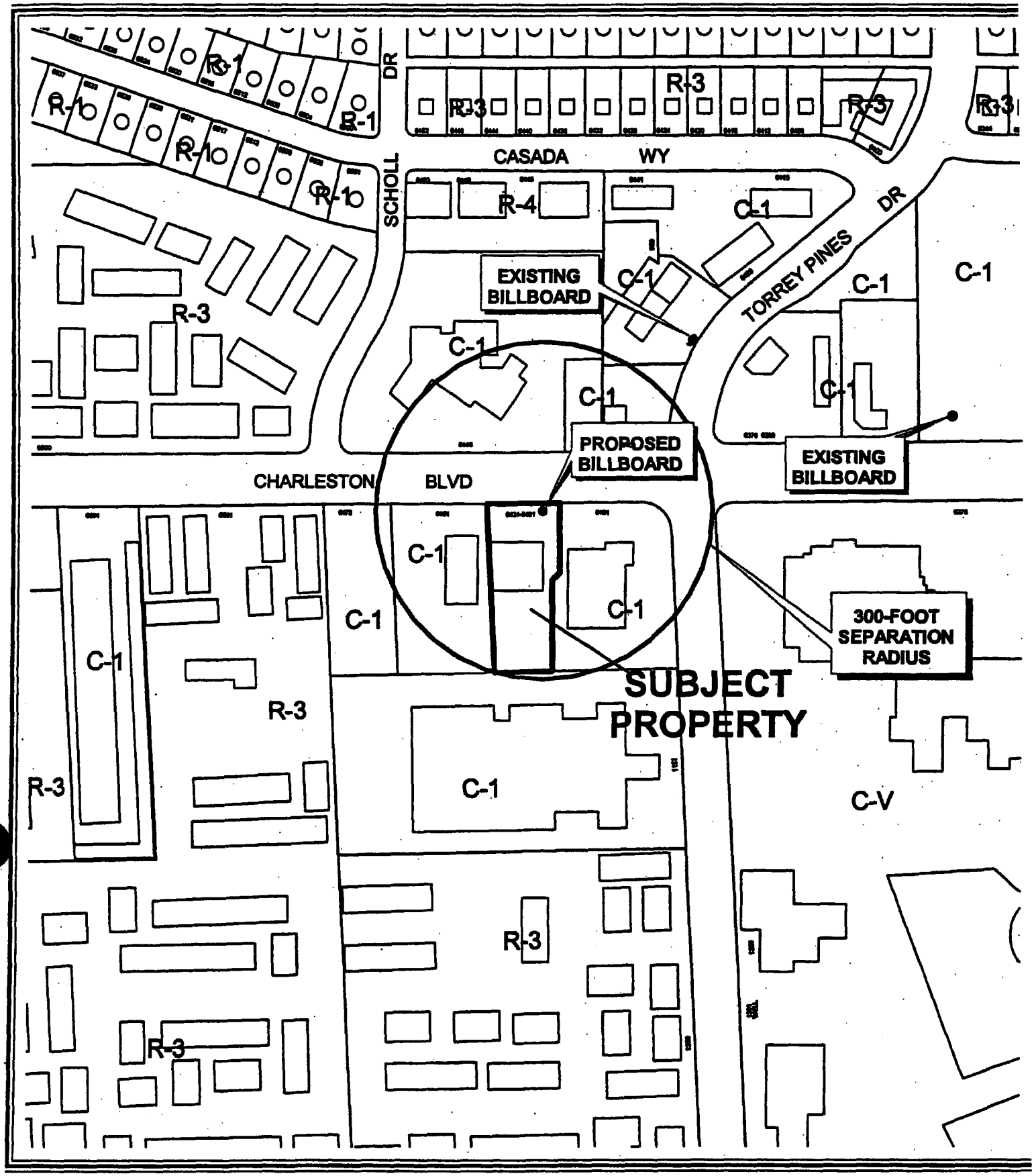
0 200 400 Feet

CASE: **SUP-4693**

RADIUS: 750 FT

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

N

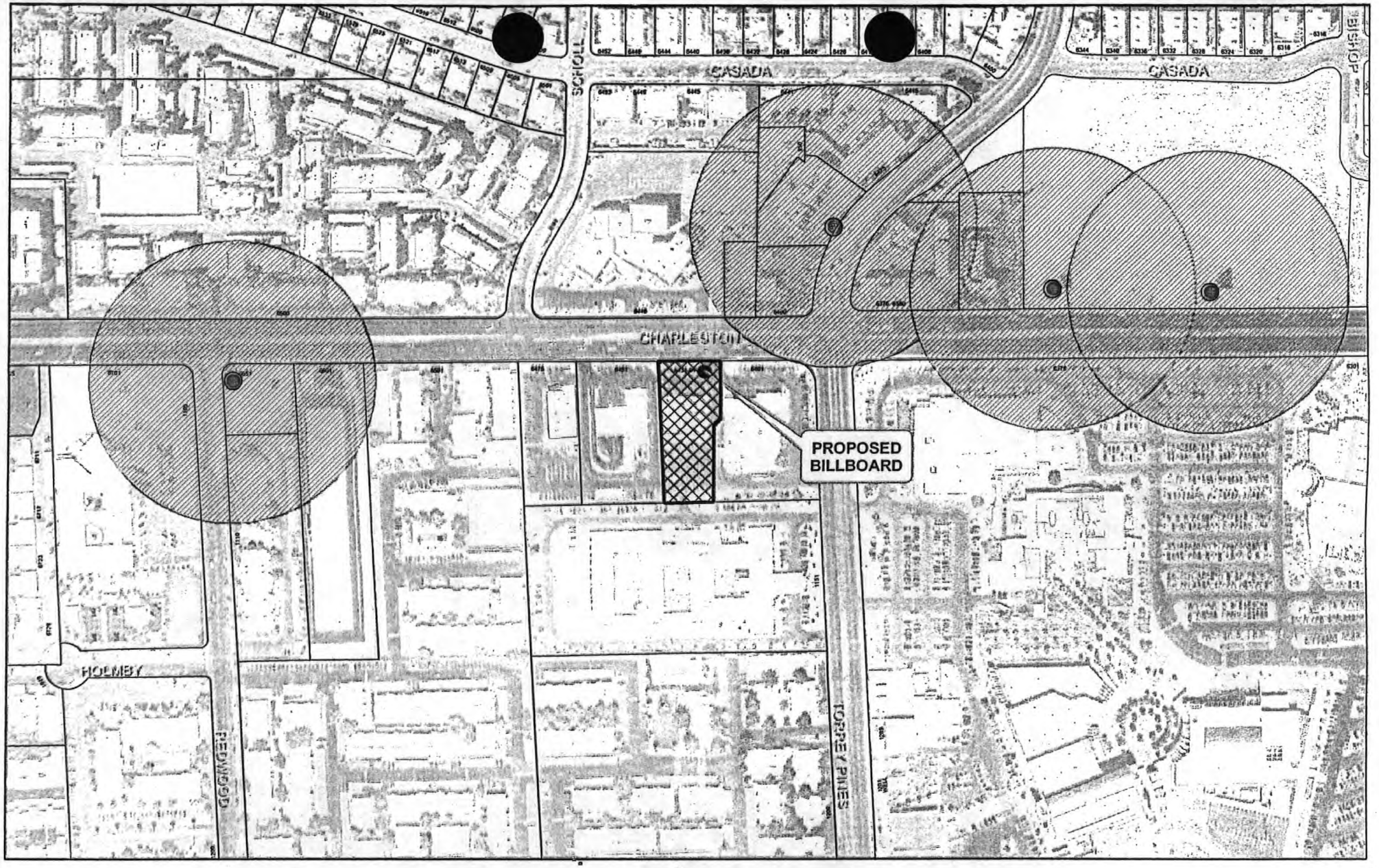


CASE: SUP-4693

SEPARATION RADIUS: 300 FT

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

N



SUP-4693

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-4693 – APPLICANT: ORION OUTDOOR MEDIA – OWNER: THOMAS J. OBATA

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 2, 2005 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

** CONDITIONS **

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

Planning and Development

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

2 The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premises sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premises advertising (billboard) sign be removed.

3. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premises Sign use and other applicable sign requirements.

4. The off-premises advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premises advertising (billboard) sign.

5. The off-premises advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.

6. Only one advertising sign is permitted per sign face.

7. The entire face-area of both sides of the off-premises advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

8. If the off-premises advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premises advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

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

Public Works

10. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premise (Billboard) Sign at 6431 West Charleston Boulevard.

B) Applicant's Justification

The applicant's justification for the subject Off-Premise (Billboard) Sign, as stated in a letter attached to the application, is because it is within the "Off-Premises Advertising Overlay district." The letter continues, stating, "There are no other existing billboards or residential uses within 300 feet of the proposed sign."

BACKGROUND INFORMATION

A) Previous Actions

11/01/95	The City Council approved an application for Rezoning (Z-0068-95) the site to C-1 (Limited Commercial). The Planning Commission and staff recommended approval of the application on 10/12/95.
08/12/04	The Planning Commission voted 5-0 to recommend DENIAL (PC Agenda Item #10/DDS)
09/15/04	This item was held in abeyance to the 12/15/04 City Council meeting at the applicant's request.
12/15/04	This item was held in abeyance to the 01/19/05 City Council meeting at the applicant's request.
01/19/05	This item was held in abeyance to the 02/02/05 City Council meeting at the applicant's request.
02/02/05	This item was held in abeyance to the 03/02/05 City Council meeting at the applicant's request.

B) Pre-Application Meeting

06/09/04	Discussion included a review of the criteria necessary for a Special Use Permit.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.79

B) Existing Land Use

Subject Property:	Service commercial
North:	Non-profit organization (Assistance League of Las Vegas)
South:	Group quarters (nursing home)
East:	Retail (Walgreen's drug store)
West:	Service commercial (carwash)

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southwest Sector Land Use Plan Map of the General Plan. The existing C-1 (Limited Commercial) zoning designation is in conformance with the General Plan. Approval of this off-premise sign is not contrary to the goals of the Plan.

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

The area is not located in a special district or zone.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Minimum distance separation from another Off-Premise Advertisement (Billboard) in any direction.	300 Feet	Yes
Minimum distance separation from "R" zoned property and any other off-premise sign.	300 Feet	Yes

This proposed Off-Premise Advertising (Billboard) Sign is located in excess of 300 feet from any other Off-Premise Advertising (Billboard) Sign or residentially zoned property. Therefore, it is in compliance with the Zoning Code standards.

B) General Analysis and Discussion

- Zoning

An Off-Premise Advertising (Billboard) Sign is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. As mentioned in the applicant's letter, the proposed sign is located outside of the Off-Premises Sign Exclusionary Zone. This Zone, within which no Off-Premise Advertising (Billboard) Sign is permitted, includes all of the Centennial Hills Sector and most of the Southwest Sector, except a 660-foot corridor along U.S. Highway 95. The subject site is located outside of this Zone.

- Use

Title 19 establishes the criteria for the approval of Off-Premise Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premise Advertising (Billboard) Sign to 40 feet. The Code also requires Off-Premise Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premise signs. The proposed sign meets these code distance separation requirements.

- Condition

If this application is approved, a condition has been added requiring the use be reviewed by the City Council in two years.

FINDINGS

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

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

   This proposed use would be located in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district. This area is characteristic of commercial development, which would be compatible with this proposed land use, provided the sign is designed to include finish materials to complement the existing on-site buildings. If the application is approved, a condition of approval is included to address the design.

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

   The subject site is located in a commercial area, which is one of the prerequisites to establishing its suitability.

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

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

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

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

PLANNING COMMISSION ACTION

The Planning Commission deemed this sign to be inappropriate due to visual clutter, proximity to residential and not in keeping with redevelopment efforts in the area.

NOTICES MAILED 40 by City Clerk

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4693 APN: 103-02-114-003

Name of Property Owner: Tom Obata

Name of Applicant: Onan outdoor media (Glenda Lippman)

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

_____ Yes __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: Tom Obata

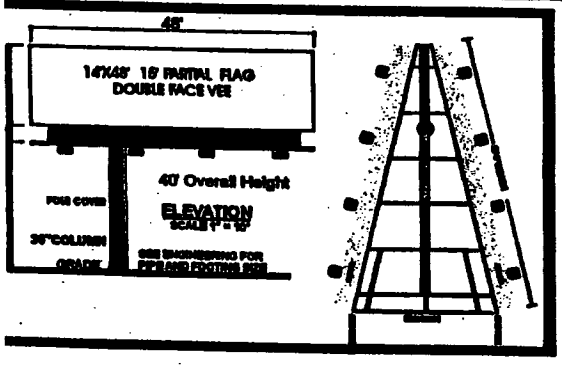
Print Name: Tom Obata

Subscribed and sworn before me

This 19th day of May, 2004

Notary Public in and for said County and State

LUCINDA REINECCIUS
COMM. # 1359728
NOTARY PUBLIC-CALIFORNIA
SANTA CLARA COUNTY
COMM. EXP. JULY 2, 2006

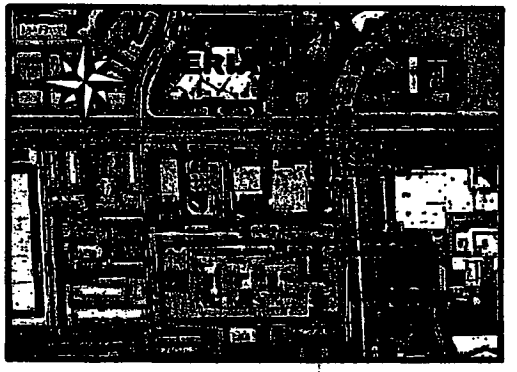


N

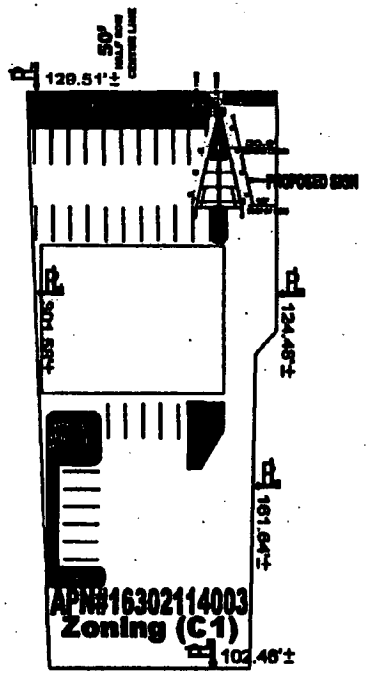
W E

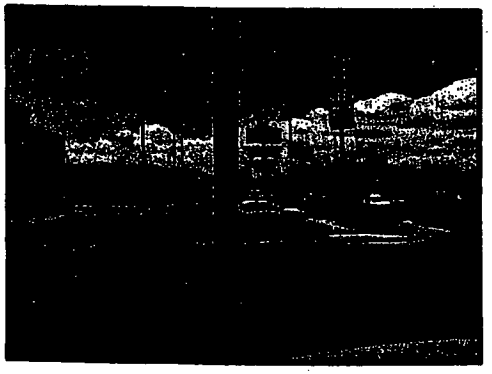
S

TOP VIEW
SCALE 1" = 30'
DETAIL



CHARLESTON





SUP-4693
08-12-04 PC

GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. Not within 300 foot radius of residential use.
3 No parking spaces will be taken for this location.

ORION
OUTDOOR MEDIA
GLENDA LIPPMAN
595-4896

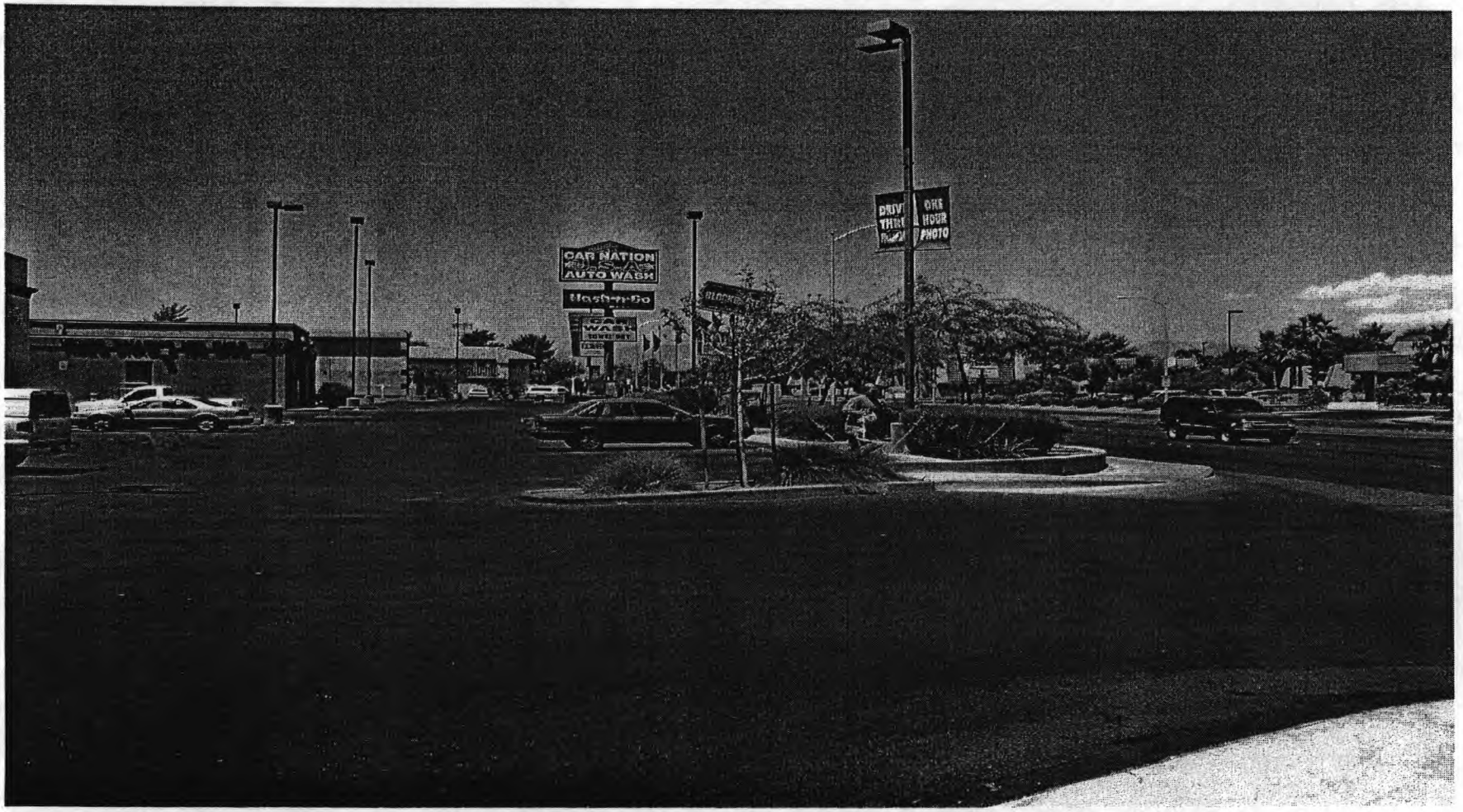
JUVLD

OBATA THOMAS J

SCALE: NOTED | APPROVED BY: | DRAWN BY: TOM POWERS
DATE: 4-23-04 | SHEET

LOCATION:
6431 W CHARLESTON BLVD

APN#16302114003 | DRAWING NUMBER: 305



SUP-4693 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: THOMAS J. OBATA
6431 WEST CHARLESTON BOULEVARD
AUGUST 12, 2004 PLANNING COMMISSION

07/20/04



SUP-4693 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: THOMAS J. OBATA
6431 WEST CHARLESTON BOULEVARD
AUGUST 12, 2004 PLANNING COMMISSION

07/20/04

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

820 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

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

August 17, 2004

VIA FACSIMILE TO: 382-4803

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

Re: SUP – 4693 Orion Outdoor Media on behalf of
Tom Obata

Dear Ms. Ronemus:

Please be advised that I represent Orion Outdoor Media on behalf of Tom Obata. The City Planning Commission denied the above referenced application on August 12, 2004.

The purpose of this letter is to notify you that my client wishes to appeal the denial of the above referenced application.

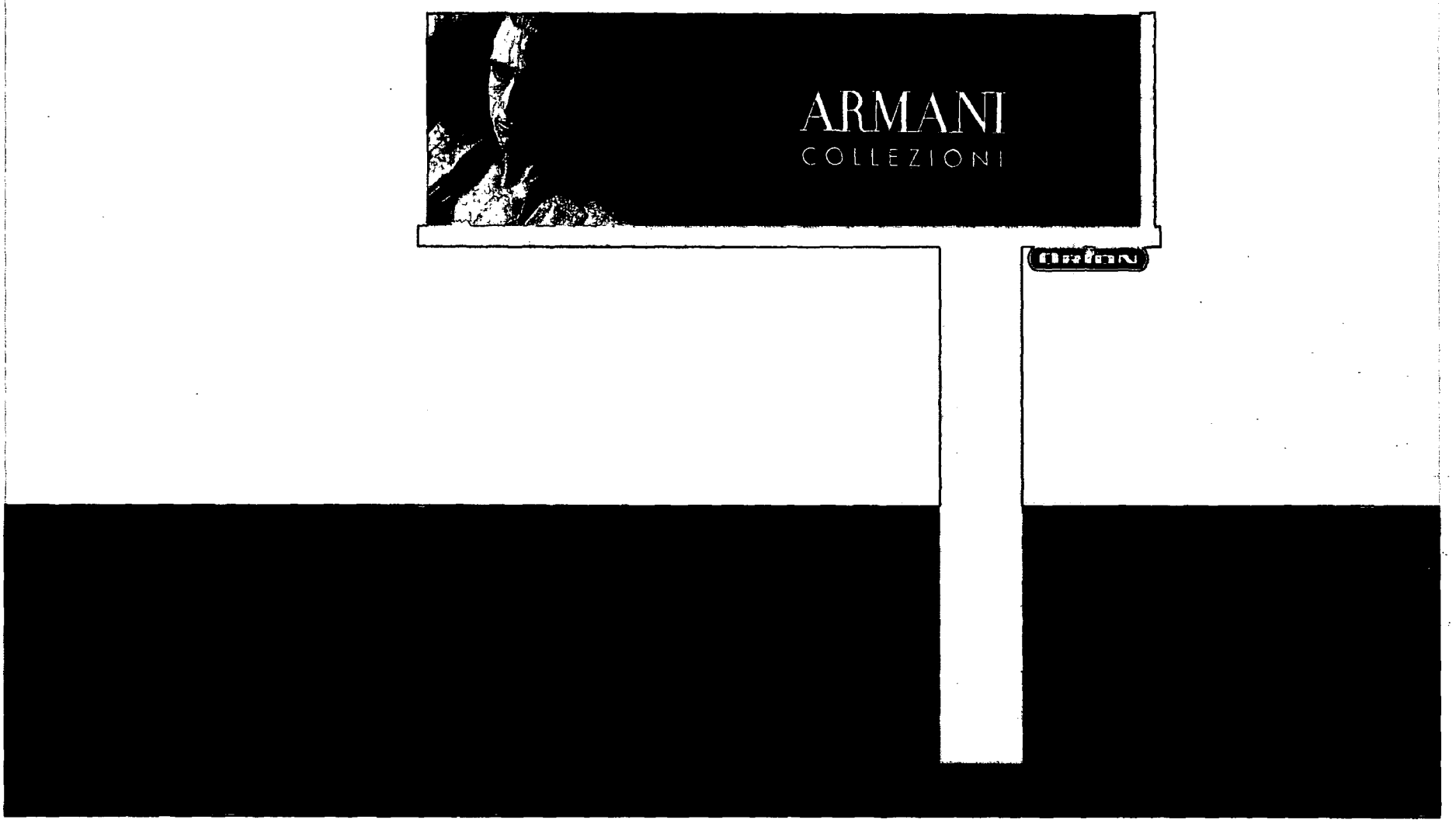
Very truly yours,

Jay H. Brown

JHB:cc

Cc: Beau Palley
Glenda Lippman

RECEIVED
CITY CLERK
2004 AUG 17 P 1:02



ORION
OUTDOOR MEDIA

Submitted at City Council
Date 3/16/05 Item #117

City of Las Vegas

Agenda Item No. 118

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-5771 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: MIGUEL NUNEZ - OWNER: AGRELLA PROPERTIES, LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE SALES) at 6700 West Charleston Boulevard, Suite F (APN 138-34-820-014), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	20	**Planning Commission Mtg.**	0
City Council Meeting	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 and added conditions as read into the record as follows:

- Hours of operation shall be limited to 8:00 a.m. to 9:00 p.m.

- UNANIMOUS with MACK not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MIGUEL NUNEZ, 6700 West Charleston Boulevard, was present.

BONNIE McDANIEL, 44-year resident of Las Vegas and 40 years in this immediate neighborhood, described the neighborhood meeting held last week. Although there is no opposition to the convenience store, the neighborhood is very opposed to a liquor store. She cited all the other liquor sales in the vicinity and proximity of the Sundance Apartments, which is serviced daily by the Metropolitan Police Department. In addition, the neighborhood would oppose single container sales and has requested that the hours of operation be limited to 8:00 a.m. to 9:00 p.m. JANE YADA, Casada resident, concurred with the comments of MS. McDANIEL.

COUNCILMAN REESE confirmed with MR. NUNEZ that the hours restriction would apply to store operation and not just liquor sales.

COUNCILWOMAN TARKANIAN commended the neighbors and applicant for working together and commented that she found the store to be very clean during a site visit.

MINUTES - Continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(2:45 - 2:52)
4-380

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-sale) 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.

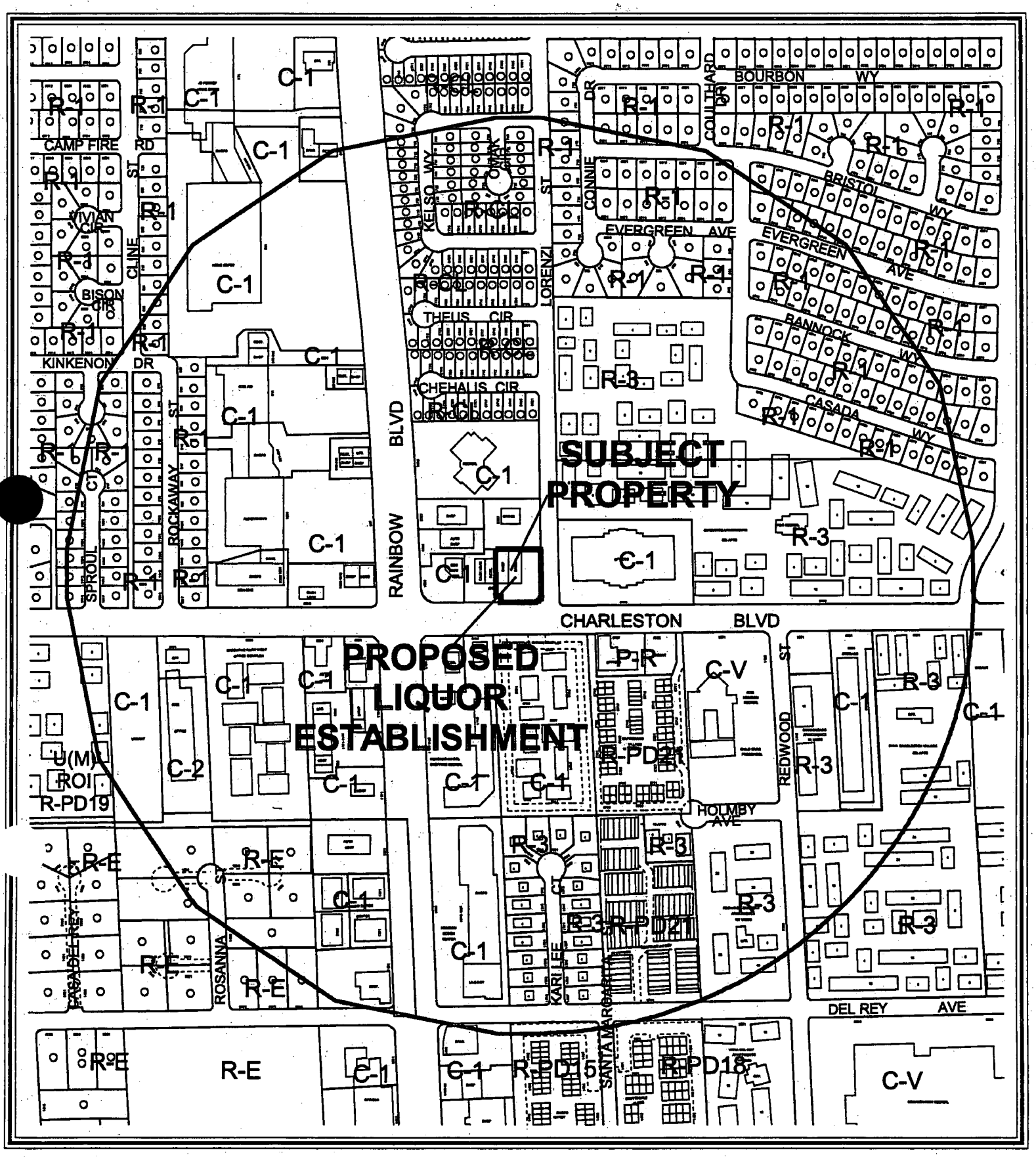
3. All City Code requirements and design standards of all City departments must be satisfied.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

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

6. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

7. The sale of alcoholic beverages shall be limited to beer and wine only.



0 400 800 Feet

CASE: **SUP-5771**

RADIUS: 1500 FT

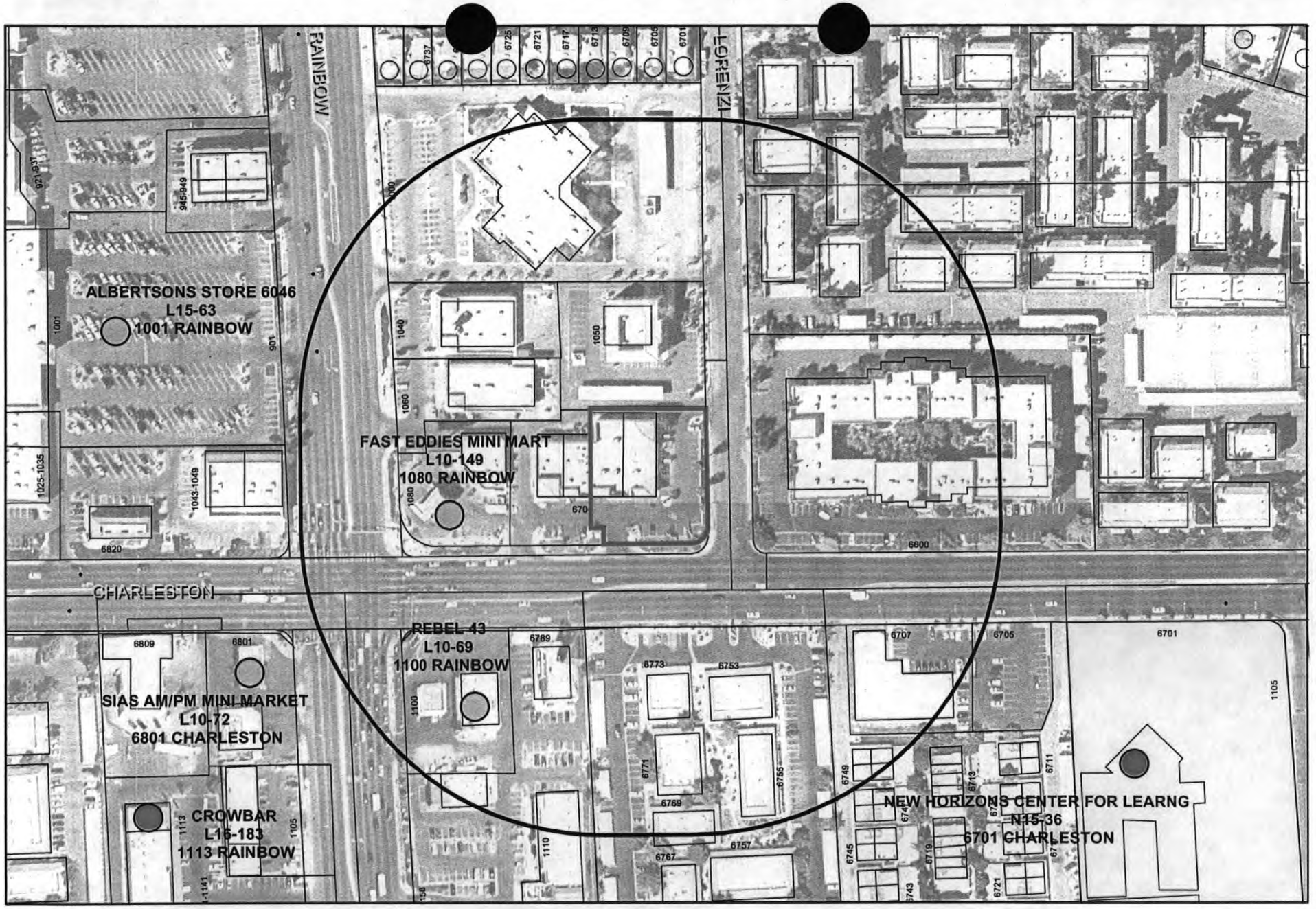
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-5771**

RADIUS: 1500 FT

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



SUP-5771
Package Liquor Sales

Business Licenses

- Child Care/ Children Facility
- Supper Club/ Restaurant Service Bar
- Tavern
- Package Liquor Sales

- RELIGIOUS
- PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-5771 - APPLICANT: MIGUEL NUNEZ - OWNER: AGRELLA PROPERTIES, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 2, 2005 CITY COUNCIL MEETING AT COUNCILWOMAN TARKANIAN'S REQUEST.

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-sale) 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. All City Code requirements and design standards of all City departments must be satisfied.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

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

6. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

7. The sale of alcoholic beverages shall be limited to beer and wine only.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a proposed liquor establishment (off-premise sales) within an existing convenience store at 6700 West Charleston Boulevard, Suite F.

B) Applicant's Justification

The applicant justifies the application by stating that the location meets the required 400 –foot minimum distance separation requirement.

BACKGROUND INFORMATION

A) Previous Actions

11/15/78 The Board of City Commissioners approved a Rezoning (Z-0080-78) application for the reclassification of property from R-E (Residence Estates) to R-1 (Single Family Residential) and C-1 (Limited Commercial). The subject parcel was part of this larger request. The Planning Commission recommended denial.

08/19/92 The City Council approved a Special Use Permit (U-0166-92) application to allow the sale of beer and wine in conjunction with a proposed convenience store and to allow the sale of gasoline on property located on the northeast corner of Rainbow Boulevard and Charleston Boulevard in Zoning District C-1 (Limited Commercial). The Board of Zoning adjustment recommended approval.

01/12/65 The Planning Commission approved a Site Development Plan Review [Z-0080-78(10)] application for proposed commercial shops on property located on the northwest corner of Charleston Boulevard and Lorenzi Street. Staff recommended approval.

02/24/97 The City Council approved a Special Use Permit (U-0152-96) application for a class III used bookstore on property located at 6700 West Charleston Boulevard. The Board of Zoning Adjustment recommended approval.

01/27/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #75/pl).

B) Pre-Application Meeting

11/24/04 A pre-application conference was held, resulting in the following comments:

1. Meets the base conditions for a Liquor Establishment (Off-Premise Sales).

2. The use is to be in conjuncture with an established convenience store.
3. The 2,130 s.f. of floor area is in compliance with business licensing.
4. May be conditioned so as to limit the sales of single containers.
5. Check for an updated site plan.
6. Depict the location for alcohol sales on the floor plan.
7. Reference Site Development Plan Review [Z-0080-78(10)].

The applicant has since supplied an updated site plan and has indicated the location for alcohol sales on the floor plan.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.69

B) Existing Land Use

Subject Property:	Commercial Strip Center
North:	Non-Profit Family & Child Treatment Center
South:	Office Park & Retail Buildings
East:	Offices
West:	Convenience Store w/ Gasoline Sales

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	M (Medium 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 designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. This land use category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and that do not include more intense general commercial characteristics. It also includes offices either singly or grouped as office centers with professional and business services. The C-1 (Limited Commercial) zoning district conforms to the SC (Service Commercial) General Plan designation. The proposed off-premise sale of alcohol in conjuncture with an existing convenience store is in conformance with the uses permitted within a C-1 (Limited Commercial) zoning district.

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

No special districts, zones, or studies are related to this Special Use Permit request.

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
Convenience Store	2,130 SF.	1 Space / 250 GFA	8	1	65	3

The subject area is not increasing the square footage in which the use is to occupy, nor is the intensity of the use increasing, therefore parking standards are subject to the conditions of approval of the original Site Development Plan Review [Z-0080-78(10)]. A pet shop occupied the subject suite before the convenience store assumed the subject location. Title 19.10 holds both uses to the same parking requirements. In addition the approval and construction of the subject site precedes the effective date of Title 19, therefore the subject site can be considered a parking impaired development.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (On-Sale)	400 Feet of any church, synagogue, school, child care facility licensed for more than twelve children, or City park	Yes

The proposed use will be located within an existing convenience store, which has been in operation since 11/16/04. The proposed use is located at a greater distance than 400 feet from any protected use. Therefore, it meets the minimum distance separation requirement.

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

Standards	Code Requirement	Provided
Trash Enclosure	Yes	Yes

A trash enclosure is located at the northwestern portion of the subject site and was previously approved as part of the original Site Development Plan Review [Z-080-78(10)].

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned C-1 (Limited Commercial). A Liquor Establishment (Off-sale) use is permitted in C-1 with the approval of a Special Use Permit.

- Use

Title 19.04.050 establishes the criteria for the approval of alcohol-related uses within the city. The Code requires this Liquor Establishment (Off-sale) 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. In this case, there are no protected uses within the required minimum 400-foot distance separation radius. The proposed sale of beer, wine will be an accessory use to an existing convenience store (La Palma Market). The convenience store has been issued business license on 11/16/04 and completed their Tenant Improvement of suite F on 10/22/04.

- Conditions

The following conditions are stipulated for the Liquor Establishment (On-sale/Off-sale/On-Off sale) use within a C-1 (Limited Commercial) zoning district. The conditions with asterisks are cannot be waived:

***1.** Except as otherwise provided in this Chapter, no liquor establishment (on-sale/off-sale/on-off-sale) use (hereinafter "liquor establishment") shall be located within four hundred feet of any church, synagogue, school, childcare facility licensed for more than twelve children, or City park.

***2.** Except as otherwise provided in Subsection (3) below, the distances referred to in Subsection 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Subsection 1.

***3.** In the case of a liquor establishment proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the liquor establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed liquor establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the liquor establishment will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a liquor establishment which also requires a waiver of the distance limitation in Subsection 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

5. The minimum distance requirements in Subsection (1) do not apply to:

a. An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or

b. A proposed retail establishment having more than 50,000 square feet or retail floor space.

***6.** All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

7. The minimum distance requirements set forth in Subsection (1), which are otherwise non-waivable under the provisions of this subdivision, may be waived:

a. In accordance with the provisions of Subsection 19.040.050(A)(4) for any liquor establishment, which is proposed to be located on a parcel within the Downtown Casino Overlay District;

b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any liquor establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan; or

c. In connection with a proposed retail establishment having between 20,000 square feet and 50,000 square feet of retail floor space, if no more than 10% of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or

d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet.

The application appears to meet all the applicable conditions of Title 19.04.050.

FINDINGS

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

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 Liquor Establishment (Off-sale) use will be an accessory use to an existing convenience store. It is located in a predominantly commercial area along a Primary Arterial. For these reasons, the use is compatible with existing land uses and appropriate for the area.

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

   The subject site is physically suitable for the type and intensity of land use proposed. The addition of a Liquor Establishment (Off-sale) use does not affect the parking requirement for the convenience store.

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 location is accessible from Charleston Avenue, a 100-foot Primary Arterials as indicated on the Master Plan of Streets and Highways, and Lorenzi Street, a 60-foot public right-of-way. The highway facilities are of adequate size and capacity to accommodate the proposed Liquor Establishment (Off-Sale)/convenience store.

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

The public health, safety, and welfare and the objectives of the General Plan would not be compromised as a result of the approval of a Special Use Permit, because the proposed Liquor Establishment (Off-sale) would be subject to inspections for a Certificate of Occupancy and that of Business Services.

PLANNING COMMISSION ACTION

The Planning Commission added Conditions #6 and 7 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 640 by City Clerk

APPROVALS 0

PROTESTS 20

sign not by me

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5771** APN: 138-34-820-014
138-34-820-013

Name of Property Owner: Al Agrella, Agrella Properties, LLC

Name of Applicant: X Miguel Nunez

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Alfred A. Agrella

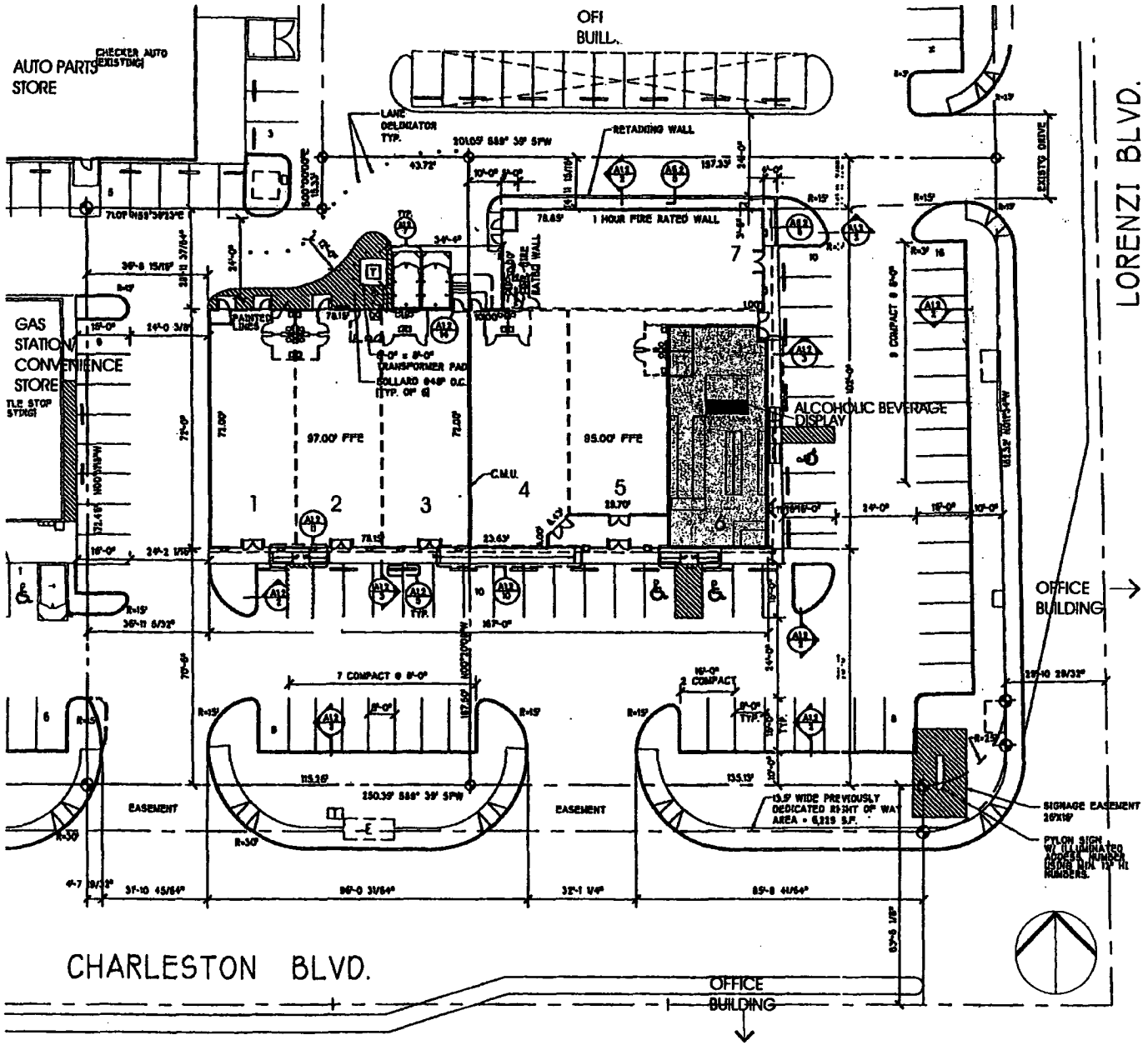
Subscribed and sworn before me

This 19th day of November, 2004

[signature]

Notary Public in and for said County and State

C. LENCI
COMM. # 1469800
NOTARY PUBLIC-CALIFORNIA
CONTRA COSTA COUNTY
COMM. EXP. FEB. 10, 2008



PROJECT INFO:

MR. MIGUEL NUNEZ
LA PALMA MARKET
6700 W. CHARLESTON BOULEVARD UNIT P (B)
LAS VEGAS, NEVADA

CODE ANALYSIS

SITE AREA:	50,436.56 S.F.	
TOTAL BUILDING AREA:	14,279 S.F.	
OCCUPANCY GROUP CLASSIFICATION	M AND A-2	IBC CHAPTER 3
CONSTRUCTION TYPE:	V-B	IBC CHAPTER 6
FULL AUTOMATIC SPRINKLERING OF BUILDING:	YES	IBC 504 AND CHAPTER 9
TOTAL PARKING STALLS PROVIDED:	68 STALLS	

TENANT SPACE	TENANT TYPE	S.F.	S.F. EA. AREA	PARKING RATIO	PARKING STALLS REQUIRED
1	RETAIL	1840		1/250	7.36
2	RETAIL	1840		1/250	7.36
3	CHINESE RESTAURANT-PUBLIC	1840	688 S.F.	1/50	13.76
	CHINESE RESTAURANT-NON PUBLIC		1,152 S.F.	1/200	5.76
4 & 5	BANK	4,154		1/200	20.77
6	LA PALMA MARKET	2,130		1/250	8.52
7	VACANT SPACE	2,376		1/250	9.5
	TOTAL	14,179			73.03

SUP-5771
01/27/05 PC

RECEIVED
DEC 13 2004



SUP-5771 - APPLICANT: MIGUEL NUNEZ - OWNER: AGRELLA PROPERTIES, LLC
6700 WEST CHARLESTON BOULEVARD, SUITE F
JANUARY 27, 2005 PLANNING COMMISSION

1/6/05



SUP-5771 - APPLICANT: MIGUEL NUNEZ - OWNER: AGRELLA PROPERTIES, LLC
6700 WEST CHARLESTON BOULEVARD, SUITE F
JANUARY 27, 2005 PLANNING COMMISSION

1/6/05

City of las Vegas
Planning Departoment
730 S. Fout St.

We would like to request special use permit for the off premise sale of beer and wine at existing convenient store, La Palma Market.

The property meets the 400' distance separation requirement.

We will not be selling single alcoholic beverages, but rather in packs of six, twelve and/or twenty four.

Miguel Nunez

President of La Palma Market

City of Las Vegas

Agenda Item No. 119

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4930 - PUBLIC HEARING - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA PAVILION NORTH U.S., INC. - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED AND FOR WAIVERS OF THE 1,000-FOOT DISTANCE SEPARATION REQUIREMENT BETWEEN SIMILAR USES, THE 200-FOOT DISTANCE SEPARATION REQUIREMENT FROM RESIDENTIAL USES AND THE 1,500 SQUARE-FOOT MINIMUM FLOOR AREA REQUIREMENT at 4750 West Sahara Avenue, Suite V29 (APN 162-06-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

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

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends 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.

ATTORNEY BILL CURRAN, Curran and Parry, 300 South Fourth Street, appeared with CHUCK WOODSTOCK from the Corporate Offices for Your Credit, Inc. The applicant has done business in Las Vegas for 10 years. They were unhappy with their location, attempted to upgrade by leasing space in this shopping center, moved in and only then found the new ordinance caused them to be non-conforming. The City issued a business license for the new location and they believed they were operating properly. They have worked with the only neighbor who had a concern with the situation. Those neighbors who are independent operators have submitted letters of support. The corporate neighbors do not have the authority to submit letters of support, but have expressed no opposition.

COUNCILWOMAN TARKANIAN noted that the business just got caught by a change in the code and experienced a significant financial loss.

No one appeared in opposition.

MINUTES - Continued:

MAYOR GOODMAN declared the Public Hearing closed.
(2:52 - 2:56)
4-602

CONDITIONS:

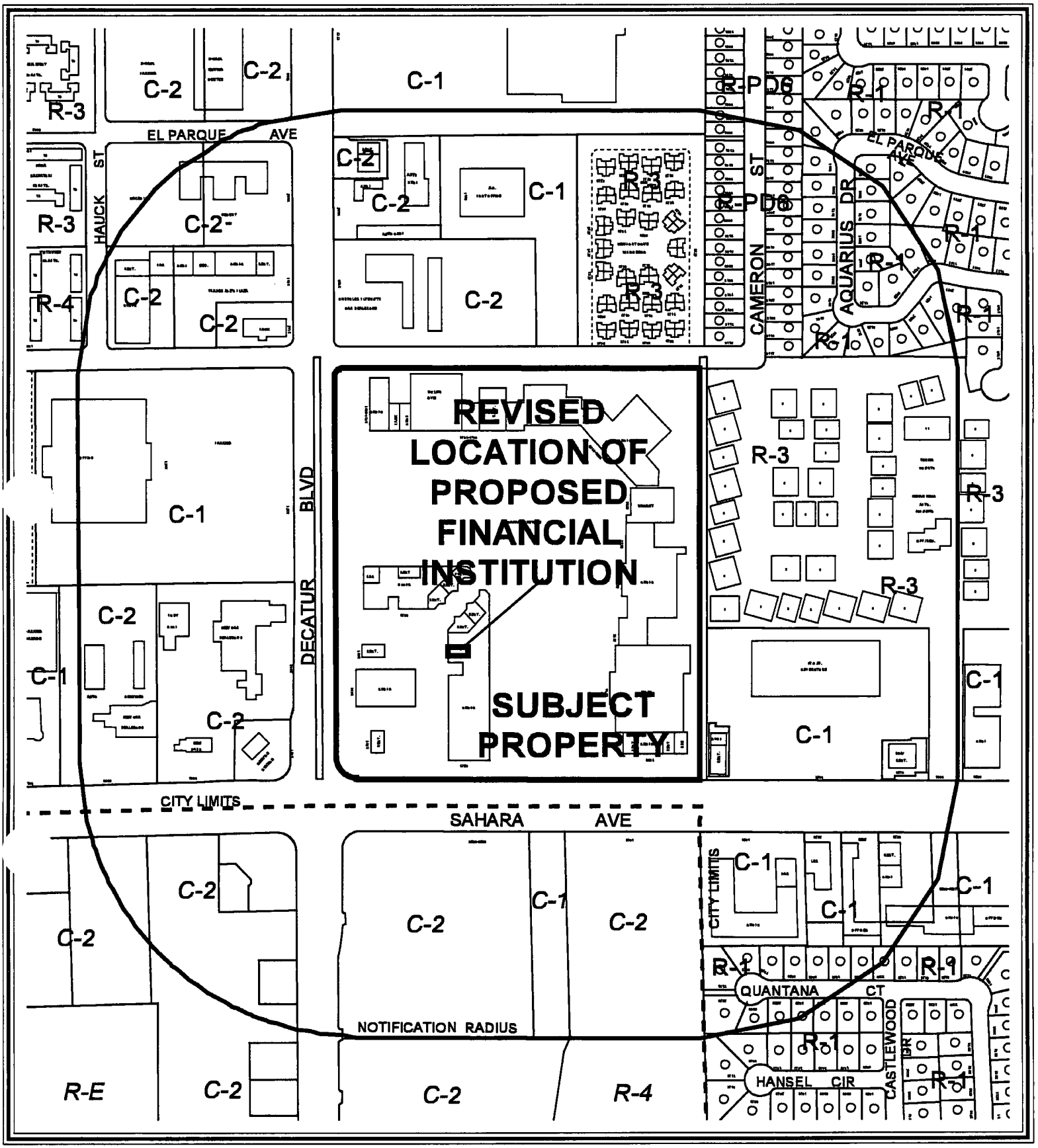
Planning and Development

1. Approval of this Special Use Permit shall constitute approval of waivers of the minimum 1,500 square foot size requirement, thereby allowing the use to occur in a 1,293 square-foot tenant space and of the required 1,000-foot distance separation between similar uses and the 200-foot distance separation requirement from residential uses.

2. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified use.

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

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

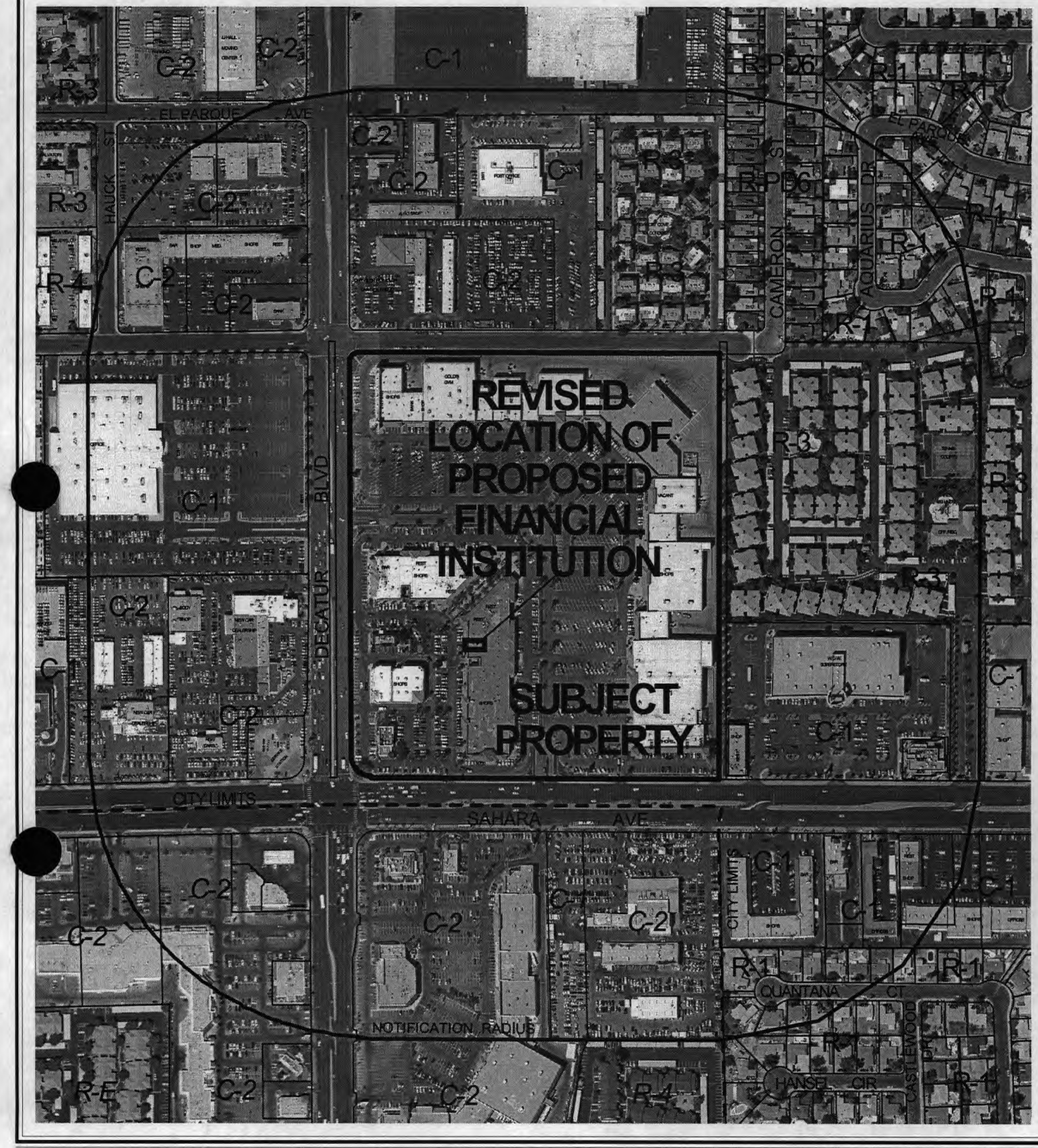


0 300 600 Feet

CASE: **SUP-4930**

RADIUS: 750 FT

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



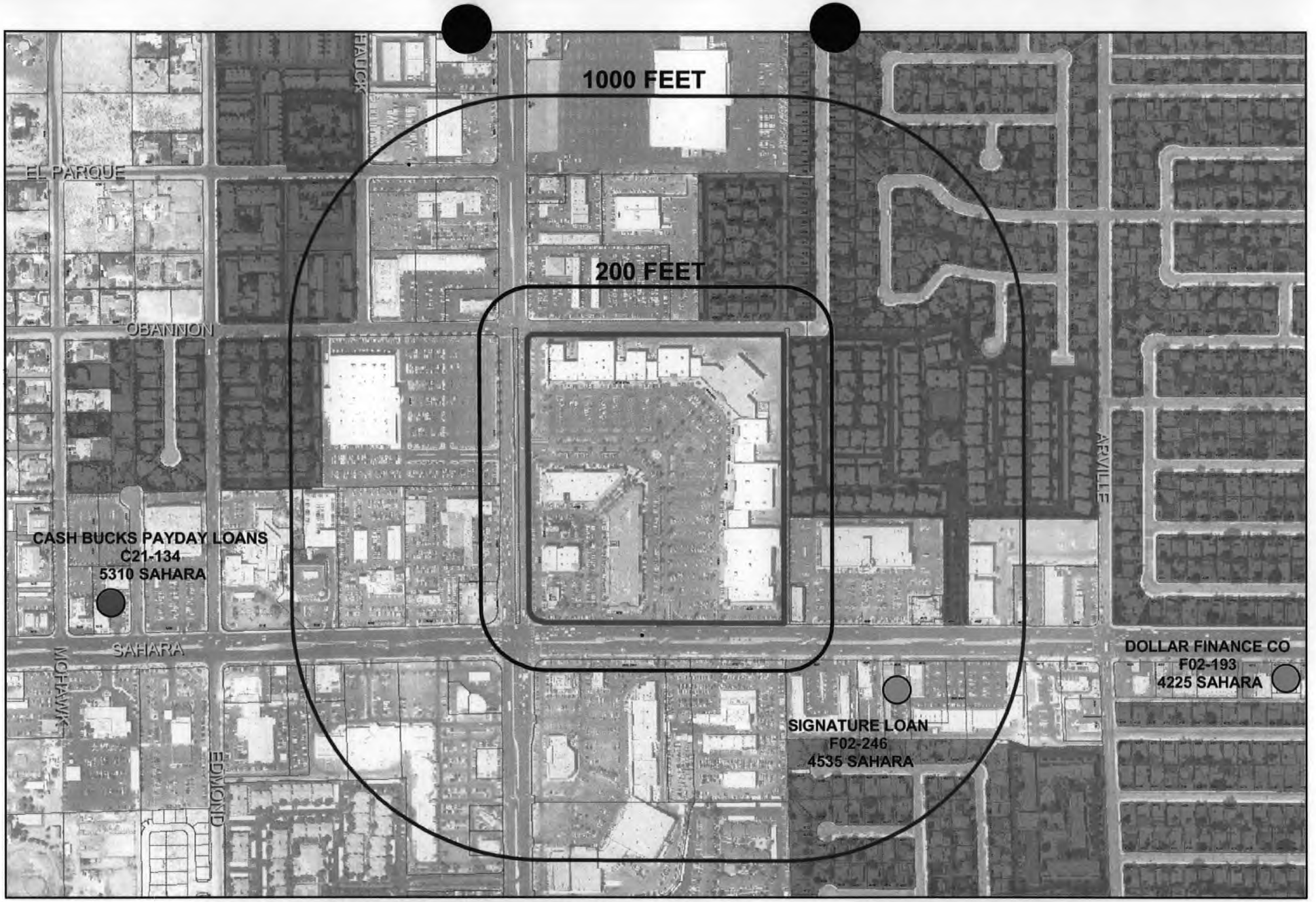
0 300 600 Feet

CASE: **SUP-4930**

RADIUS: 750 FT

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

N



SUP-4930

Financial Business Locations

- Finance Company
- Automobile Title Loan
- Auto Pawn
- Financial Institution, Specified *(Check Cashing Service)*
- Financial Institution, Specified *(Check Cashing Service with Gross)*

Subject Property

Residential Property

Buffer

N

0 340 680 1,360 Feet

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4930 - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA PAVILION NORTH U.S., INC.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of this Special Use Permit shall constitute approval of waivers of the minimum 1,500 square foot size requirement, thereby allowing the use to occur in a 1,293 square-foot tenant space and of the required 1,000-foot distance separation between similar uses and the 200-foot distance separation requirement from residential uses.

2. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified use.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a Financial Institution, Specified and Waivers of the required 1,000-foot distance separation between similar uses and the 200-foot distance separation requirement from residential uses at 4750 W. Sahara Avenue, Suite V29. This application is being renoticed to correct the address and suite number, and to add an additional waiver request.

B) Applicant's Justification

The applicant states that local management of the 4347 West Charleston Las Vegas Finance location recently determined that it was appropriate to relocate in order to better serve the needs of its patrons. Because the Sahara Pavilion Center is located on such a large parcel, the distance from the proposed financial institution to residential uses is much greater than 200 feet, and could not possibly have a negative impact on those residents. According to the applicant, this location is also over 2,000 feet from the nearest similar use and the Waiver requests are justified.

BACKGROUND INFORMATION

A) Previous Actions

08/05/87	The City Council approved a Rezoning (Z-0057-87) to C-1 (Limited Commercial) on 38.5 acres, including this property, as part of a larger request. The Planning Commission and staff recommended approval.
05/12/88	The Planning Commission approved a Plot Plan Review [Z-0057-87(1)] for a proposed shopping center on this site.
10/01/03	The City Council denied a request for a Special Use Permit (SUP-2655) for a proposed Financial Institution, Specified (Cashback Payday Loans) at this location (2121 South Decatur Boulevard, Suite 2). The Planning Commission and staff recommended approval.
04/21/04	The City Council adopted an ordinance (proposed as Bill No. 2003-78) establishing locational restrictions and additional development standards for the uses "Auto Pawn," "Auto Title Loan," and "Specified Financial Institution."
10/21/04	The Planning Commission voted to hold this item in abeyance to allow the applicant time to prepare the request.
11/18/04	The Planning Commission voted to hold this item in abeyance to publish notice of public hearing for location of the proposed use in Suite #29 instead of Suite #2.

12/16/04 The Planning Commission voted 4-1 to recommend APPROVAL (PC Agenda Item #26/bts/ss).

12/22/04 The applicant submitted revised plans depicting a relocation of the proposed Financial Institution, Specified to another tenant space within the same shopping center.

01/19/05 The City Council voted to strike this item from the agenda. The action of City Council will allow the application, which was previously recommended for approval by the Planning Commission, to be rescinded and reheard to correct errors in the addressing of the request and to ensure all relevant waivers are included in the request.

02/10/05 The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #7/bts/ss).

B) Pre-Application Meeting

06/22/04 A pre-application meeting was held and the submittal requirements and application timetable for a Special Use Permit application were discussed. A number of waivers from distance separation requirements for Financial Institutions, Specified would be required in connection with this application. In addition, it was noted that this project would be deemed a "Project of Regional Significance."

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 29.40 (overall commercial subdivision)

B) Existing Land Use

Subject Property:	Financial Institution, Specified
North:	Commercial Shopping Center
South:	Commercial Shopping Center
East:	Commercial Shopping Center
West:	Commercial Shopping Center

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	Unincorporated Clark County
East:	C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated on the Southwest Sector Plan map of the General Plan as 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. The site is zoned C-1 (Limited Commercial), a conforming zoning district to the SC land use designation. The proposed use is allowed within the C-1 zoning district with the issuance of a Special Use Permit, which is the subject of this application.

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

Clark County Notification – The notification radius for this request includes properties under Clark County jurisdiction. The owners of these properties were notified of a public hearing for this item.

Project of Regional Significance – The parcel location of the proposed financial institution is within 500 feet of the City's boundary with Clark County, and therefore this Special Use Permit request is deemed to be a Project of Regional Significance. In accordance with City Ordinance No. 5477, an environmental impact assessment questionnaire was submitted with other materials for this application, and a summary of the comments received from various agencies is detailed below.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reason:

- Any Special Use Permit within 500 feet of the City's border with Clark County or North Las Vegas.

The Special Use Permit concerns property that is located within 75 feet of the City of Las Vegas boundary with Clark County. An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

1) The City of Las Vegas Department of Public Works (Sanitary Sewers Division) indicated that the proposed development would have minimal impact on the existing sewer system.

2) The City of Las Vegas Department of Public Works (Flood Control Division) will not require a drainage study for this project.

3) The Las Vegas Metropolitan Police Department did not find a significant law enforcement impact on the surrounding area.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	1,2930 SF.	1/200 GFA	8	1	1,340	Not Shown

Parking facilities within the existing shopping center meet the requirements of the Zoning Code and are adequate to accommodate the proposed specified financial institution use. No new parking spaces are required or proposed as a result of this project.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Financial Institution, Specified	1,000 feet from any other Specified Financial Institution, Auto Title Loan or Auto Pawn use	Two other similar uses within the 1,000 foot distance separation radius
	200 feet from any parcel used or zoned for residential use	The parcel line abuts the multi-family residential use to the east and is 60 feet from single and multi-family residential uses to the north

The proposed Financial Institution, Specified use does not meet the minimum distance separation requirements. An inspection conducted in October 2004 verified that three existing residential developments are within 200 feet of the subject parcel and two Financial Institutions, Specified or similar uses are located within 1,000 feet of the subject parcel, one of which is in the jurisdiction of Clark County.

A3) Financial Institution, Specified Building Size

Standards	Code Requirement	Provided
Financial Institution, Specified	The building or portion thereof that is dedicated to the use shall have a minimum size of 1,500 square feet.	1,293 square feet

At 1,293 square feet, the proposed Financial Institution, Specified does not meet the minimum 1,500 square foot space size requirement. Approval of this Special Use Permit would constitute approval of a waiver of the minimum 1,500 square-foot size requirement.

B) General Analysis and Discussion

- Zoning

The Financial Institution, Specified use is permitted in a C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit, subject to meeting certain requirements listed below.

- Use

The proposed Financial Institution, Specified offers consumer cash loans to its customers. The business will be located within a 1,293 square-foot tenant space within an existing, approved building; therefore, no exterior work will be performed other than replacement of wall signage, ensuring compatibility with the shopping center and surrounding development. There are two Financial Institution, Specified uses within 1,000 feet of the subject parcel and three residential developments within 200 feet of the subject parcel. Denial is recommended for this particular use and the waivers for the following reasons:

1) The distance separation standards were adopted in April of 2004. Requests for waivers to these standards are premature, as not enough time has elapsed to evaluate their effects on neighborhoods.

2) A major reason for these standards were preventing over-saturation, but to ensure that the building elevations are harmonious and compatible with the surrounding area. Allowing a third such use within a 1,000-foot radius of this site clearly constitutes over-saturation.

- Conditions

Title 19.04.050 lists the following conditions for a Financial Institution, Specified use, adopted by the City Council on 04/21/04:

1. The use shall comply with all applicable requirements of Las Vegas Municipal Code Title 6. (Non-waivable)

2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area. (Non-waivable)

3. No temporary signs (as described in Las Vegas Municipal Code 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

4. Window signs shall not:
   a. Cover more than twenty percent (20%) of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall have

7. Sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

8. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to lines of fee interest parcels and not leasehold parcels.

The proposed check-cashing center fails to comply with Paragraph Number 7 of the ordinance. The subject site is adjacent to condominium and apartment developments and lies within the 1,000-foot minimum distance separation from two similar uses.

FINDINGS

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

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

   Although this use falls within the parameters of the SC (Service Commercial) category, its specific location makes it incompatible with surrounding land uses. The parcels to the north and east are designated M (Medium Density Residential). The residential parcel east of the subject site shares a common property line. The Zoning Code requires a 200-foot buffer between Specified Financial Institutions and residential uses. Additionally, the use is proposed to be located within 1,000 feet of two similar uses, therefore creating a higher probability of saturation in the area. The proposed land use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan. This is exemplified through the number of waivers requested by the applicant in order to gain approval.

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

   The subject shopping center site can easily accommodate the proposed Financial Institution use, as there is adequate parking available and easy access to the storefront.

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

   Access to the site is from Decatur Boulevard, classified as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. Alternative access is available on Sahara Avenue, a 150-foot Primary Arterial. These roadways are adequate in capacity to accommodate the demand of the proposed development.

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

   The public health, safety, and welfare and the objectives of the General Plan would not be compromised as a result of the approval of a Special Use Permit, because the proposed Financial Institution, Specified would be subject to inspections for a Certificate of Occupancy.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

NOTICES MAILED 197 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4930 APN: 162-06-402-001

Name of Property Owner: Pap Pacific Retail Properties

Name of Applicant: Your Credit Inc. dba Las Vegas Finance

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 of applicant's general or limited partners, or an officer of their corporation or limited liability company?

____ Yes __x__ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Stuart A. Tanz, President and Chief Executive Officer; Jeffrey S. Stauffer, Executive Vice President Chief Operating Officer

Subscribed and sworn before me

This 26th day of July 2004

Michael W. Murray

Notary Public in and for said County and State

State of California/County of San Diego

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4930 APN: _____

Name of Property Owner: Sahara Pavillion North U.S., Inc.

Name of Applicant: Your Creit Inc. dba Las Vegas Finance

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

_____Yes _____X_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____ _____

Print Name: Stuart A. Tanz, President and Chief Executive Officer; Jeffrey S. Stauffer, Executive Vice President Chief Operating Officer

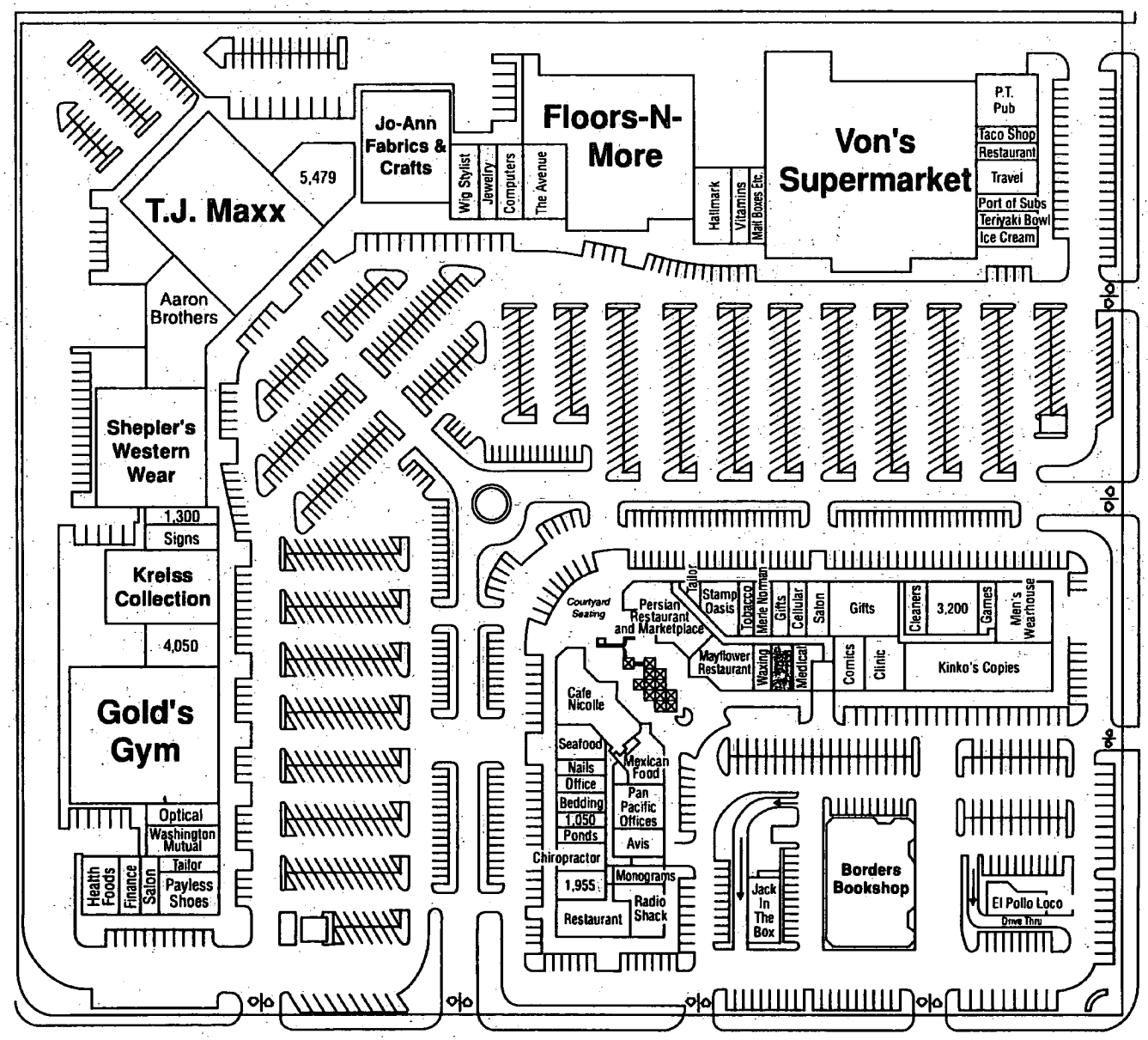
Subscribed and sworn before me

This 29th day of July, 2004

Michael W. Murray State of Calif / County of San Diego

Notary Public in and for said County and State

SAHARA PAVILION NORTH



RECEIVED
DEC 22 2004

SUP-4930



SUP-4930 - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA PAVILION NORTH U.S., INC.
4750 WEST SAHARA AVENUE, SUITE V29
FEBRUARY 10, 2005 PLANNING COMMISSION

10/12/04



SUP-4930 - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA PAVILION NORTH U.S., INC.
2121 SOUTH DECATUR BOULEVARD, SUITE #29
DECEMBER 16, 2004 PLANNING COMMISSION

10/12/04

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

July 27, 2004

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

RE: **Your Credit Incorporated, d/b/a Las Vegas Finance**
2121 South Decatur, Las Vegas, Suite 2
APN: 162-06-402-001

Dear Madam/Sir:

Las Vegas Finance seeks to obtain a Special Use Permit to operate a Financial Institute, (Specified) at the above location, and a waiver of the Special Use Permit conditions requiring a 1,000 foot separation between similar uses, and 200 foot separation from residential uses.

Las Vegas Finance currently operates a consumer loan business, and has been providing valuable services to the Las Vegas community at 19 locations throughout the Las Vegas Valley, with a number of those offices within the boundaries of the City of Las Vegas. Recently local management of the 4347 West Charleston Las Vegas Finance location determined that it was appropriate to relocate in order to better serve the needs of its patrons. After researching available locations, Las Vegas Finance discovered the 2121 South Decatur location in the Sahara Pavilion North Shopping Center, a major regional shopping center with approximately 65-70 independent tenants.

Recent changes to the Las Vegas Municipal Code now require the following for a Special Use Permit to operate a Financial Institution, Specified, within the C-1 zoning classification:

> "No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels, and not leasehold parcels."

SUP-4930

The conglomeration of the large number of individual pads and businesses operating within the Sahara Pavilion North Shopping Center into one large parcel (24.9 acres) renders the actual distance setbacks, which must be measure from the parcel line, many times greater than that intended by the code. The result is that the small 1640 square foot location is subject to the buffer zone beginning at the edge of a 24.9 acre parcel, which at many points, the boundary line is farther from the actual location than the setback requirement.

The proposed location, measured from its individual location within the much larger shopping center, is many times the 200 foot separation for residential uses, and over 2000 feet from the nearest similar use located at 4535 West Sahara. The location is so far from the nearest residential use that it cannot possibly have any negative impact on nearby residential properties, and more than satisfies the distance requirement contemplated by the code amendment. These circumstances, it is submitted, justify approval of the special use permit and the requested waiver of conditions.

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:\Las Vegas Finance\Letters\Justification Letter.wpd

City of Las Vegas

Agenda Item No. 120

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

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

SUBJECT:
SPECIAL USE PERMIT

SUP-5868 - PUBLIC HEARING - APPLICANT: VIENGSAMAI MONSAY - OWNER: ZELZAH SHRINE TEMPLE - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB AND A WAIVER OF THE 400-FOOT MINIMUM SEPARATION DISTANCE REQUIREMENT FROM AN EXISTING PARK at 2327 South Eastern Avenue (APN 162-01-401-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). (NOTE: Item to be heard in conjunction with Morning Session Item 54) The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	**Planning Commission Mtg.**	0
City Council Meeting	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
5. Submitted after final agenda - Protest letter by John and Frances Davis

MOTION:
REESE - APPROVED subject to conditions - UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open for Item 120 [SUP-5868] and Item 54 [2327 South Eastern Avenue].

COUNCILMAN REESE initially trailed the item to be heard when JIM DiFIORE could be present for the companion business license item. When the item was subsequently recalled, MR. DiFIORE advised the Council that the applicant qualified for the temporary approval and, in response to the concerns regarding past problems with this location, staff would recommend giving the applicant an opportunity to operate. COUNCILMAN REESE confirmed through the applicants' nephew, acting as an interpreter, that the applicants understood that the City has the ability to investigate at any time and there would be a six-month review. DEPUTY CITY ATTORNEY BRYAN SCOTT clarified for the motion that the six-month review on the license will be from the date of this meeting.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 120 [SUP-5868] and Item 54 [2327 South Eastern Avenue].
(2:56 - 2:57/4:21 - 4:26)
4-737/5-21

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.

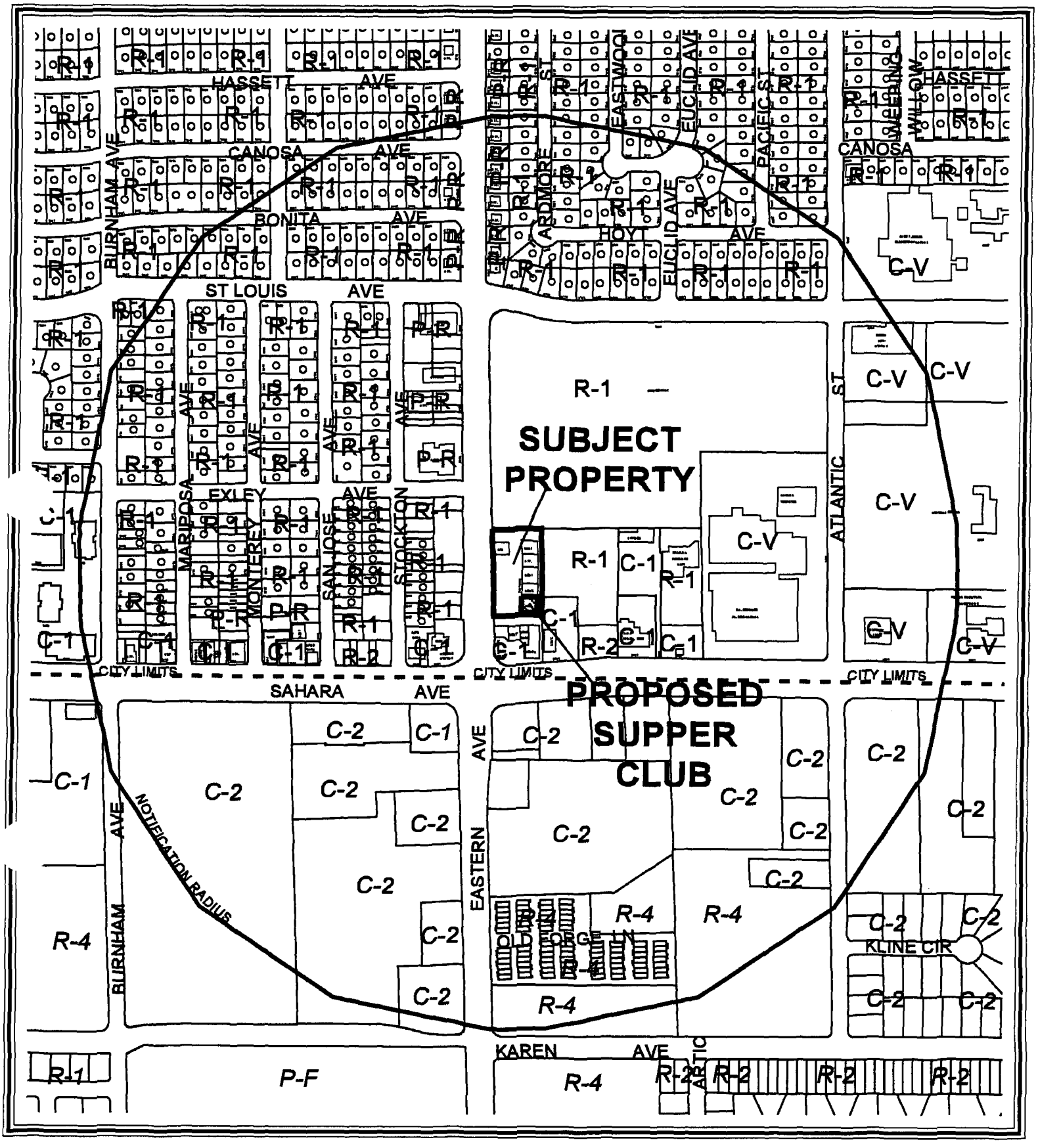
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

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

6. A new trash enclosure meeting all Title 19.08.045.G.4 requirements shall be added to the site, prior to the issuance of a liquor license.



0 500 1000 Feet

CASE: **SUP-5868**

RADIUS: 1500 FT

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



0 500 1000 Feet

CASE: **SUP-5868**

RADIUS: 1500 FT

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

N



SUP-5868

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

- Tavern
- Supper Club/ Restaurant Service Bar
- Child Care/ Children Facility

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5868 – APPLICANT: VIENGSAMAI MONSAY -- OWNER: ZELZAH SHRINE TEMPLE

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.

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

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

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

6. A new trash enclosure meeting all Title 19.08.045.G.4 requirements shall be added to the site, prior to the issuance of a liquor license.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Supper Club and Waiver of the minimum separation distance requirement from a public park at 2327 South Eastern Avenue.

B) Applicant's Justification

The applicant has justified the request by stating: "This restaurant will provide mostly food to our customers. Along with alcoholic beverages, this restaurant is a benefits to our Laos-Thai community, and will also be used for fund raising for the Laos-Thai Temple, and will also serve as a tie to the Las Vegas community."

BACKGROUND INFORMATION

A) Previous Actions

04/13/72 The City Council approved a request for a Rezoning from R-1 (Single Family Residential) to C-1 (Limited Commercial) for the proposed use of retail stores and offices. The Planning Commission and staff both recommended approval.

07/12/84 The Planning Commission approved a Site Development Plan Review [Z-0030-72(1)] for two Off-premise Advertising (Billboard) Signs on the subject site.

11/06/02 The City Council approved a request for a Special Use Permit for a Waiver of the minimum 400-foot separation requirement from a city park for a Restaurant Service Bar in conjunction with an existing restaurant in the same retail strip as the subject request. The Planning Commission and staff both recommended approval.

01/20/05 Code Enforcement records show three resolved cases involving graffiti, weeds, and a vagrant encampment on this parcel. The applicant's business license (R09-Restaurants seating 45 persons or more) was initiated in June 2004 and is current. The applicant's building permit (Restaurant Tenant Improvement) was granted in August 2004 and has no associated issues.

02/10/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #51/srs).

B) Pre-Application Meeting

12/15/04 Submission requirements for a Special Use Permit Request were discussed at the meeting.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.27

B) Existing Land Use

Subject Property:	Shops, Restaurant, Office, Tavern
North:	Jaycee Park
South:	Mini-Mart, Restaurant, Shops
East:	Single Family Dwelling
West:	Single Family Dwelling

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	PROS (Parks, Recreation, Open Space)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Service Commercial)
North:	R-1 (Single Family Residential)
South:	C-1 (Service Commercial)
East:	C-1 (Service Commercial) and R-1 (Single Family Residential)
West:	R-1 (Single Family Residential)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southeast Sector Map of the General Plan. The SC (Service Commercial) land use category allows retail, restaurants, drinking establishments, offices and other light commercial uses. The proposed use is not directly affected by any General Plan policies.

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

This site is not located in any special area plans or overlay districts.

INTERAGENCY ISSUES

Project of Regional Significance
Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" because it is a Special Use Permit within 500 feet of the corporate boundaries of Clark County.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received:

1) Flood Control does not require a drainage study for this project.
2) Wastewater collection system says this project will have minimal impacts.
3) Las Vegas Valley Water District has determined that the subject project will not have a significant impact on the capacity of the District's water supply system.

Las Vegas Metropolitan Police Department — Distance to Property: 3.54 Miles
Downtown Area Command
621 North 9th Street
Las Vegas, NV 89101

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Laundry	2,200 s.f.	1 space/250 s.f. of g.f.a.	9 spaces			
Tax Offices	2,200 s.f.	1 space/250 s.f. of g.f.a.	7 spaces			
General Retail Stores	3,300 s.f.	1 space/175 s.f. of g.f.a.	19 spaces			
Beauty Parlor	1,100 s.f.	3 spaces/station	9 spaces			
Restaurant w/ Service Bar; Tavern	5,200	1 space/50 s.f. public seating/waiting area, + 1 space /200 s.f. of remaining g.f.a.	73 spaces			
Supper Club	3,596 s.f. (2,158 public seating; 1,438 s.f. remaining g.f.a.)	1 space/50 s.f. of public seating area + 1 space/200 s.f. of remaining g.f.a.	50 spaces			
Totals	17,596 s.f.		167 spaces	6 spaces	79 spaces	3 spaces
			173 spaces		82 spaces	

The retail strip and out pad (Eastern Village Shopping Center) that contains the subject requested use was built in 1972 and conformed to the City Zoning requirements in place at the time.

Pursuant to the parking requirements of Title 19.10, this shopping center is 91 spaces short of what would be required of the same center if it were built today. Only 47% of the required spaces are currently provided.

It should be noted however, that the subject request for a Supper Club use is not required to add any more parking spaces than if this business were to remain as a restaurant without an alcohol-related component.

Pursuant to Title 19.10.010(C), "Parking-Impaired Development":

> "A land use or building which is existing on the effective date of this Title and which complied with the applicable parking standards at the time the use or building was established, but which does not comply with the requirements of this subchapter, shall not be considered a nonconforming use or non-conforming building; but rather, it shall be considered a "parking- impaired development." This use will not add any new parking to the site

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Synagogue, Church	400 Feet separation	Y
School	400 Feet separation	Y
Child Care Facility	400 Feet separation	Y
City Park	400 Feet separation	N

A city park abuts the subject property along its north property line. The request waiver will eliminate the requirement for the 400-foot separation to a City Park if approved as part of this Special Use Permit.

Pursuant to Title 19.08.045.G.4, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Trash Enclosure	Away from street and enclosed by walls (see below)	Not Indicated

The applicant has indicated a trash enclosure or refuse collection area on the submitted site plan, but not on the elevations submitted with the companion Site Development Plan Review SDR-5685. Condition of Approval number 6 for a trash enclosure which meets the City's current Code requirements has been added above.

B) General Analysis and Discussion

- Zoning

The proposed Supper Club is a permitted use with the approval of a Special Use Permit within the C-1 (Limited Commercial) zoning district. Section 19A.04.050 of the City of Las Vegas Zoning Code establishes the criteria for the approval of alcohol-related uses.

- Use

Pursuant to Title 19.04.050, Supper Clubs must to be a minimum of 400 feet from any church, synagogue, school, childcare facility, or city park.

A city park abuts the subject property along its north property line. On 11/06/02 the City Council approved a Special Use Permit for a restaurant service bar in conjunction with an existing restaurant in the same retail strip as the subject request. The Permit was approved with a Waiver of the minimum 400-foot separation requirement from a city park.

There is also an existing Tavern use at another business on this parcel. This business is a more intense alcohol-related use than the proposed Supper Club. With these Tavern and liquor-use precedents, and with no record of code enforcement problems, the proposed Supper Club can be operated in a manner that is harmonious and compatible with the development in the area.

- Conditions

The dumpster area behind the subject restaurant and shopping center is overflowing with trash and debris. This area has become a nuisance to the park and to the surrounding properties. This dumpster enclosure needs to be brought into compliance with the City Code. Condition of Approval number 6 has been added calling for a new trash enclosure that will meet all of Title 19.08.045.G.4 requirements be installed prior to the issuance of a liquor license.

FINDINGS

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

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

   A Supper Club is allowed within the C-1 (Limited Commercial) zone on this site. The proposed Supper Club is surrounded by commercial uses within the existing shopping center, including a Tavern. The proposed Supper Club use is compatible with the existing uses and the future land uses as projected in the General Plan.

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

   The subject site will be physically suitable for the type and intensity of land use for the proposed Supper Club.

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

   The abutting street network, including Eastern Avenue and Sahara Avenue, will be adequate for the traffic generated by this proposed Supper Club.

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

The proposed Supper Club will be subject to regular inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 468 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5868 APN: 162-01-401-003

Name of Property Owner: _____

Name of Applicant: Viengsamai Monsay

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Steve Allen

Subscribed and sworn before me

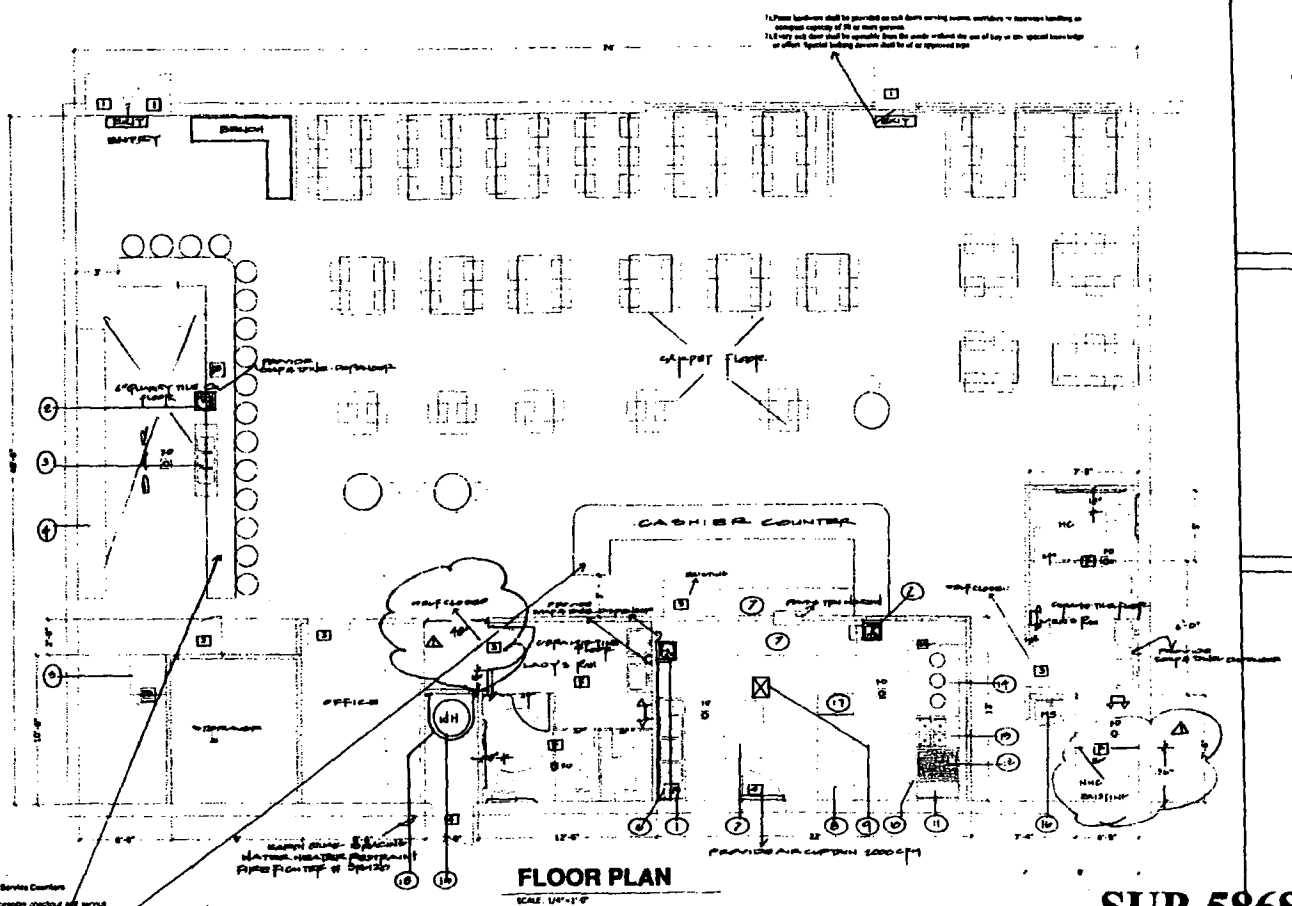
This 22 day of December 2004

_____
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ANGELA VALDEZ
No: 03-84010-1
My Appointment Expires Aug. 18, 2007

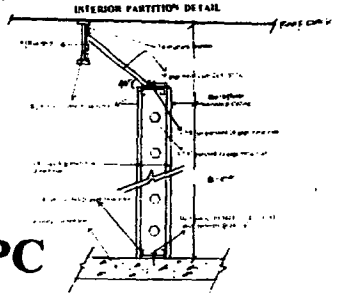
RECEIVED

DEC 23 2004



SUP-5868

02-10-05 PC



EQUIPMENT SCHEDULE

NO	EQUIPMENT NAME	Model #	ELECTRIC VOLT	ELECTRIC AMP	PLUMBING WASTE GPD	PLUMBING WATER HOT	PLUMBING WATER COLD	BTU	NOF	REMARK

KC KIM CONSTRUCTION
BUILDING, ELECTRICAL & MECHANICAL CONTRACTOR

PROJECT
LANG-XANG LAO THAI CHINESE CAFE
2327 SOUTH EASTERN AVENUE
LAS VEGAS, NEVADA

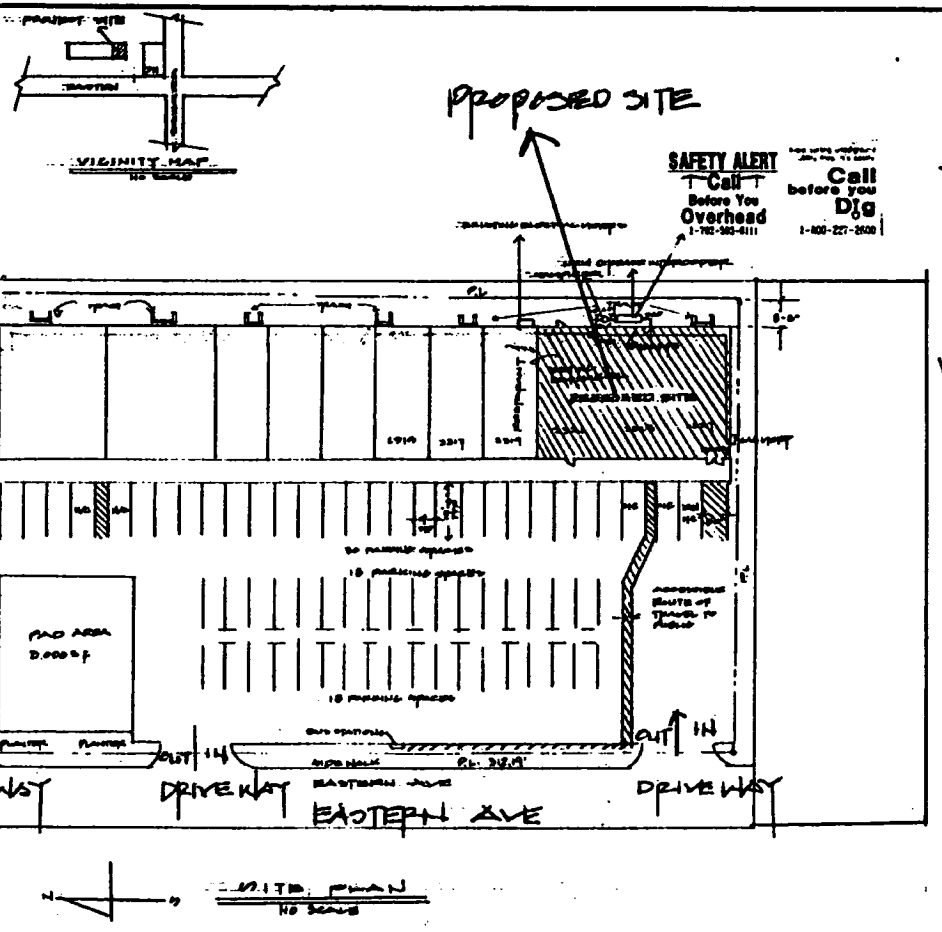
SHEET TITLE
FLOOR PLAN

DATE 7-19-04
SCALE AS SHOWN
DRAWN M. KIM
JOB NO

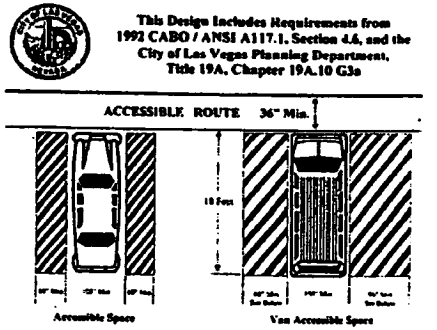
SHEET
A - 2
OF SHEETS

These drawings are instruments of service and are the property of Kim Construction expressly reserves its common law copyright and other property rights to

RECEIVED
DEC 2 3 2004

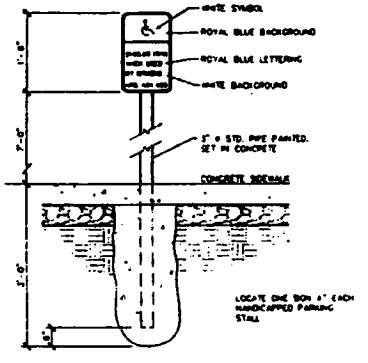


This Design Includes Requirements from 1992 CABO / ANSI A117.1, Section 4.6, and the City of Las Vegas Planning Department, Title 19A, Chapter 19A.10 G3a



Surface Slope: Section 4.6.1	Accessible parking spaces shall be located on a surface with a slope not exceeding 1:48 (2%) in all directions
Dimensions of parking spaces: Section 4.6.2 Additional access aisles: Las Vegas Zoning Code Title 19A	Accessible spaces: Shall be 108" wide plus two adjacent 60" wide access aisles with a cross height of 96" maximum. One of the adjacent access aisles may be 60" wide max. Van accessible spaces: Shall be 108" wide plus two adjacent 96" wide access aisles with a cross height of 96" maximum. One of the adjacent access aisles may be 60" wide max. All Accessible Spaces: Two accessible parking spaces may share a common access aisle. Curb ramps are not allowed in access aisles
Signs: Section 4.6.7 (N.R.S. 484.408 requires signs for all handicapped parking)	Accessible parking spaces shall be identified by a sign showing the international symbol of accessibility. Signs shall not be obscured by a vehicle parked in the space, and van accessible signs shall be marked "Van Accessible."

WHEEL STOPS AT HANDICAP PARKING SPACES SHALL NOT BE PLACED SUCH THAT VEHICLE OVERHANG WILL IMPEDE HANDICAP PEDESTRIAN TRAFFIC WITHIN THE HANDICAP ACCESS AISLES



HANDICAPPED PARKING SPACE SIGN

SUP-5868
02-10-05 PC

LAO THAI RESTAURANT
2377 South Eastern Ave
Las Vegas, Nevada

KIM CONSTRUCTION & ASSOCIATES
3330 Highland Drive, Las Vegas, Nevada 89109

7/14/04



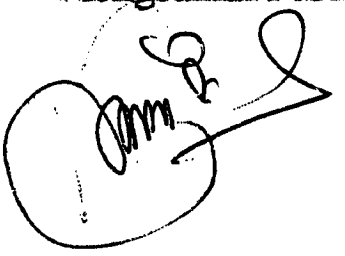
SUP-5868 - APPLICANT: VIENGSAMAI MONSAY - OWNER: ZELZAH SHRINE TEMPLE
2327 SOUTH EASTERN AVENUE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

I, Viengsamai Monsay is opening a Lao-Thai Restaurant at 2327 S. Eastern BLV. Las Vegas N.V 89104 Lanxang Café and asking the commissioner permission to obtain a Supper-Club license, this restaurant will provide mostly food to our customer, along with alcohol beverage, this restaurant is a benefits to our Laos-Thai community, in the fact that it will also be held for fund raising for the Laos-Thai temple, it is also a tie to the community of Las Vegas, I would be very greatful if I would be considered for the opportunity to serve my community and the Las Vegas community.

Thank You,

Viengsamai Monsay



SUP-5868

RECEIVED
CITY CLERK

2005 MAR 11 A 10:27

March 7, 2005

City Clerk
1st Floor, City Hall
400 Stewart Ave.
Las Vegas, NV 89101

To: City Clerk **Re: SUP-5868**

Please list the Davis Family Trust as **objecting** to the above special use permit. Not only are there many young people using Jaycee Park in the evening hours, but a middle school is also close to the property in question.

Thanks for listing us in the **objection category.**

Respectfully,

The Davis Family Trust:
John E. Davis Frances L. Davis
John E. & Frances L. Davis
2301 San Jose Ave.
Las Vegas, NV 89104
(702) 641-2094

Protest

Submitted after final agenda
Date 3/11/05 Item #120

City of Las Vegas

Agenda Item No. 121

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-5895 - PUBLIC HEARING - APPLICANT: LAGUNA RESTAURANTS, LLC - OWNER: SEA BREEZE VILLAGE, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR at 1750 N. Buffalo Drive (APN 138-22-418-008), C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	**Planning Commission Mtg.**	0
City Council Meeting	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
5. Protest letter from Harold and Alice Smitherman
6. Submitted after final agenda - Protest letter by P. Stephen Prestegard

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN BROWN stated that there were no areas of concern and this would involve an existing Coco's Restaurant and Bakery serving beer and wine with meals in order to be competitive with other area restaurants. Currently patrons leave because of the unavailability of beer and wine.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(2:57 - 2:59)
4-781

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.

2. Conformance to all applicable requirements of Site Development Plan Review Z-0097-90(5)] and

CONDITIONS - Continued:

Floor Plans date stamped January 25, 2005.

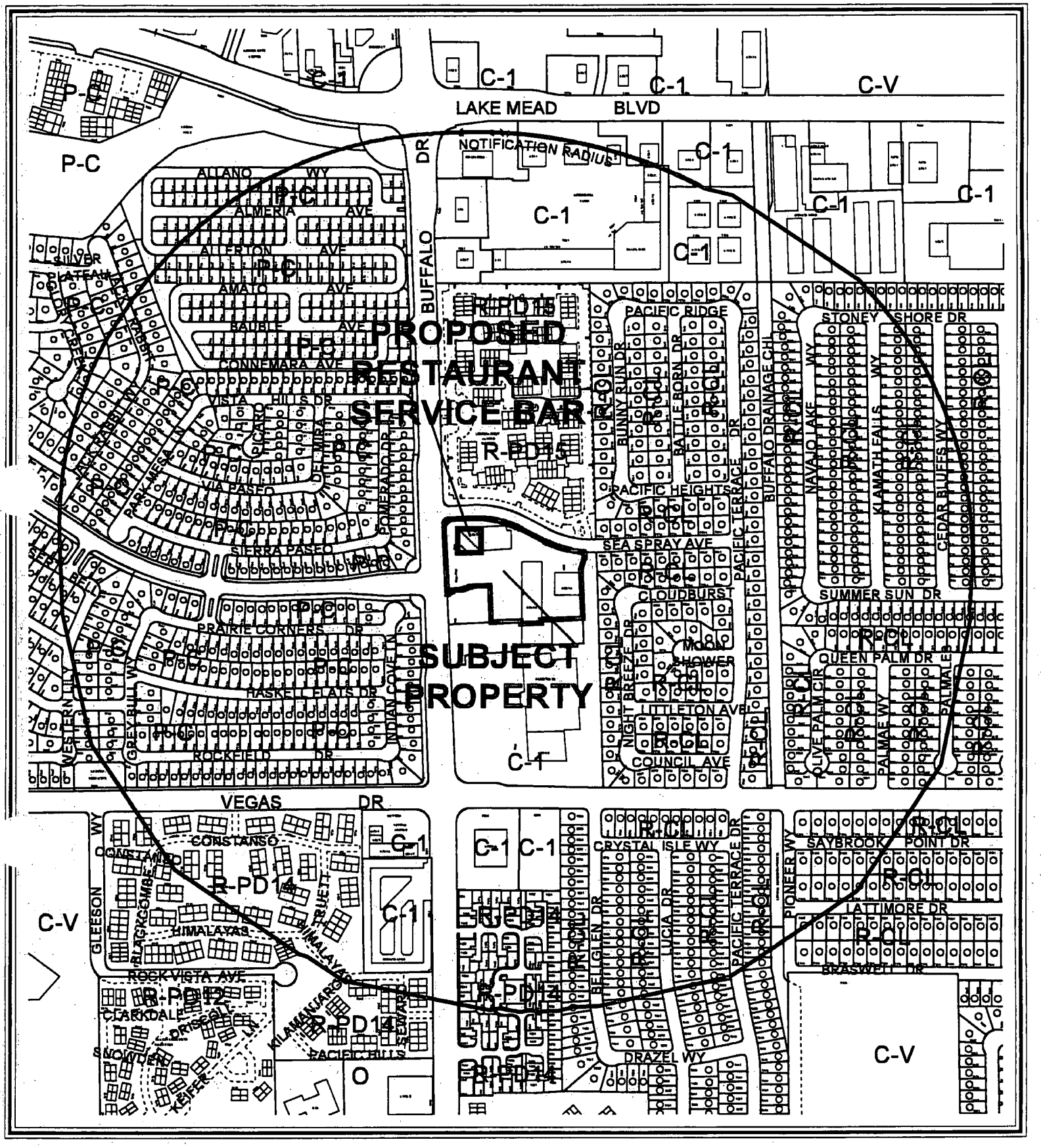
2. This Special Use Permit shall expire one years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The on-site sale of alcoholic beverages shall be limited to the sale of beer and wine only.

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



CASE: **SUP-5895**

RADIUS: 1500 FT

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



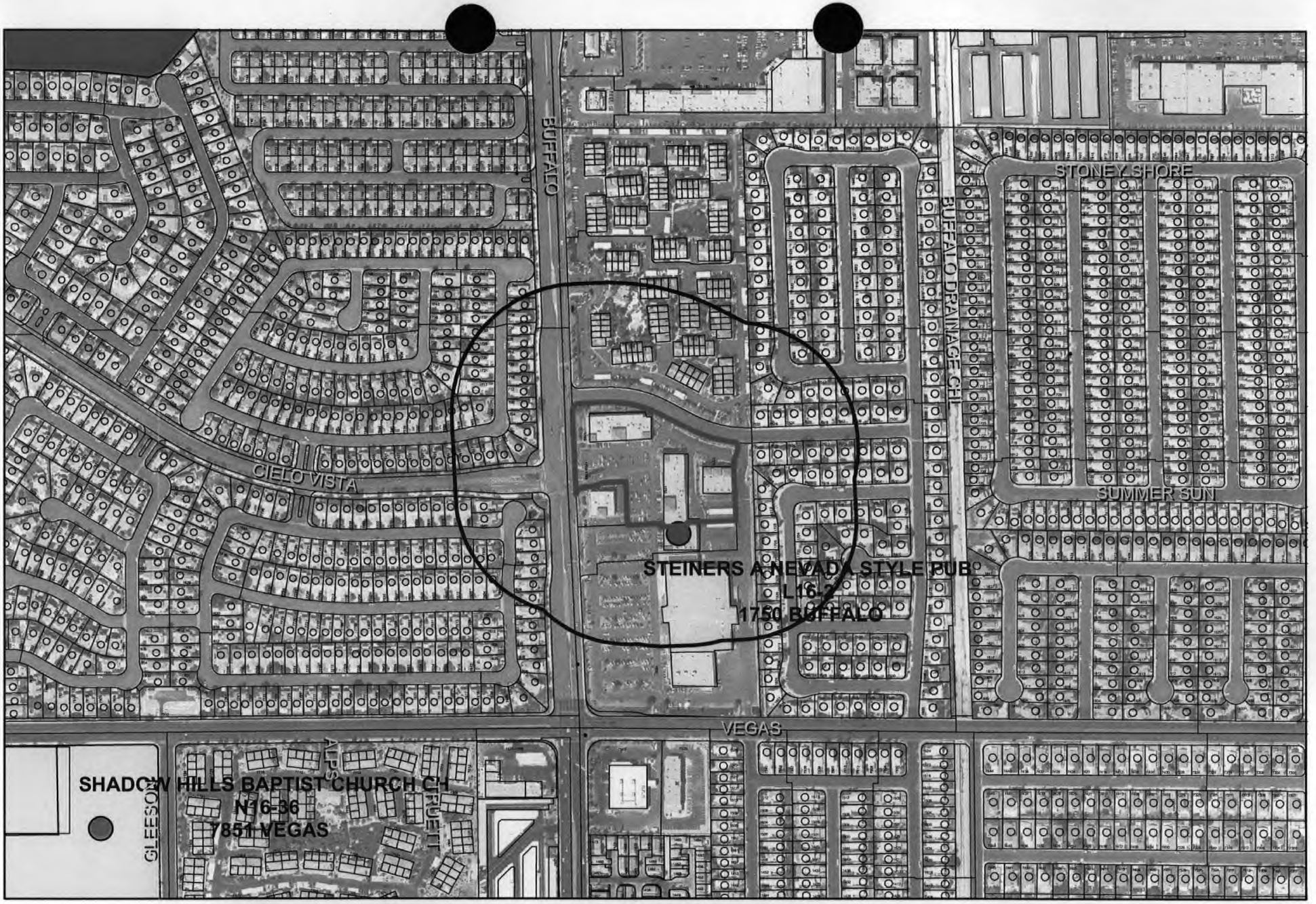
0 500 1000 Feet

CASE: **SUP-5895**

RADIUS: 1500 FT

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

N



SUP-5895

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

- Tavern
- Supper Club/ Restaurant Service Bar
- Child Care/ Children Facility

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5895 – APPLICANT: LAGUNA RESTAURANTS, LLC – OWNER: SEA BREEZE VILLAGE, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.

2. Conformance to all applicable requirements of Site Development Plan Review Z-0097-90(5)] and Floor Plans date stamped January 25, 2005.

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

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The on-site sale of alcoholic beverages shall be limited to the sale of beer and wine only.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit to allow a proposed Restaurant Service Bar on property located at 1750 N. Buffalo Drive. The Restaurant Service Bar will be in conjunction with a 5,850 square-foot Coco's Restaurant, which already exists on this site. This special use permit will result in an internal remodeling of the building, as no expansion will take place.

B) Applicant's Justification

The applicant has justified the request by stating: "Coco's Restaurant and Bakery believes the opportunity to provide beer and wine to patrons will significantly enhance Coco's business and reputation, make it competitive with other restaurants in the area and reduce the number of patrons that choose to leave because of the unavailability of beer and wine with their meals."

BACKGROUND INFORMATION

A) Previous Actions

06/16/93 The City Council approved a Rezoning (Z-0097-90) from N-U (Non-Urban) to C-1 (Limited Commercial) on this site as part of a larger request. The Planning Commission recommended approval.

03/09/98 The City Council approved a Site Development Plan Review [Z-0097-90(5)] for a 142,352 square-foot retail center on the subject site as part of a larger request. The City Council approved a Special Use Permit (U-0138-97) to allow packaged liquor sales in conjunction with a proposed drug store. The Planning Commission recommended approval of these applications.

03/23/98 The City Council approved a Special Use Permit (U-0012-98) for a Liquor Establishment (Off-premise Consumption - Package Liquor) in conjunction with a proposed grocery store. The Planning Commission recommended approval.

12/18/02 The City Council approved a Special Use Permit (U-0041-02) for a Tavern within the commercial retail center on this site. The Planning Commission recommended approval of this request on November 21, 2003. Planning and Development staff recommended approval of this request.

01/22/03 The City Council approved a Variance (V-0054-02) to allow 652 Parking Spaces where 729 Parking Spaces are required for the commercial retail center. The Planning Commission recommended approval of this request on December 19, 2002. Planning Commission and staff recommended denial of this request.

01/21/04 The City Council approved a Required One-Year Review of an approved Variance (V-0054-02) to allow 652 parking spaces where 729 spaces are required on this property. Planning Commission and staff recommended approval of this request.

02/10/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #53).

B) Pre-Application Meeting

11/09/04 Submission requirements for a Special Use Permit Request were discussed at the meeting.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.81

B) Existing Land Use

Subject Property:	Restaurant and Shops
North:	Condominium Development
South:	Tavern, Shops, Gas Station
East:	Single Family Homes
West:	Single Family Homes

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-PD 15 (Residential Planned Development-15 Units /Acre)
South:	C-1 (Limited Commercial)
East:	R-CL (Single-Family-Compact Lot Residential)
West:	P-C (Planned Community)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The SC (Service Commercial) land use category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons. The proposed Special Use Permit is not directly related to any General Plan policies.

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

There are no Special Districts/Zones which affect the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Restaurant w/ Service Bar	5,850 SF.	1 space/50 s.f. public area, + 1 space /200 s.f. of remaining g.f.a.	48	2	652	13

The proposal exceeds the parking requirement Title 19.10. There is an adequate number of parking spaces associated directly with the existing restaurant, and the Buffalo/Sea Spray Shopping Center, of which the subject restaurant is a part, provides shared parking for it's tenants. It should be noted that a Restaurant Service Bar is not required to add any more parking spaces than if this business were to remain as a restaurant without an alcohol-related component.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Synagogue, Church	400 Feet separation	Yes
School	400 Feet separation	Yes
Child Care Facility	400 Feet separation	Yes
City Park	400 Feet separation	Yes

The proposal meets the separation requirements for protected uses of the code.

Pursuant to Title 19.08.045.G.4, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Trash Enclosure	Away from street and enclosed by walls (see below)	Yes

The proposal meets the Trash Enclosure requirements of the code.

B) General Analysis and Discussion

- Zoning

The subject property is zoned C-1 (Limited Commercial), which allows a Restaurant Service Bar with approval of a Special Use Permit.

- Use

  Pursuant to Title 19.04.050, Restaurant Service Bars must to be a minimum of 400 feet from any church, synagogue, school, childcare facility, or city park. These requirements are met.

  Also, there is an existing Tavern use at another business in this shopping center and is a more intense alcohol-related use than the proposed Restaurant Service Bar. Also, a grocery store and a drug store in the subject shopping center are approved for package liquor sales. With these Tavern and liquor-use precedents, and with no record of code enforcement problems, the proposed
  Restaurant Service Bar can be operated in a manner that is harmonious and compatible with the development in the area.

- Conditions

  This restaurant service bar shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code. Condition of Approval number 6 reflects this requirement.

FINDINGS

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

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

   An approved Tavern use is located 305 feet southeast of this proposal, and has operated without incident. As the subject Restaurant Service Bar is a less intensive alcohol-related use, the proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses or those projected by the General Plan.

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

   The subject site is physically suitable for a Restaurant Service Bar.

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

Vehicular access to the site will utilize Buffalo Drive, a Primary Arterial (100-foot) on the Master Plan of Streets and Highways. This Right-of-Way will be adequate for traffic generated by the proposed Restaurant Service Bar.

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

The proposed use will be subject to periodic inspections by the health department, therefore, this use should not compromise the health safety, or welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 1,391 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5895 APN: 138-22-418-008

Name of Property Owner: Sea Breeze Village, LLC

Name of Applicant: Laguna Restaurants, LLC (Vince Eupierre - Manager)

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Richard B Gordon

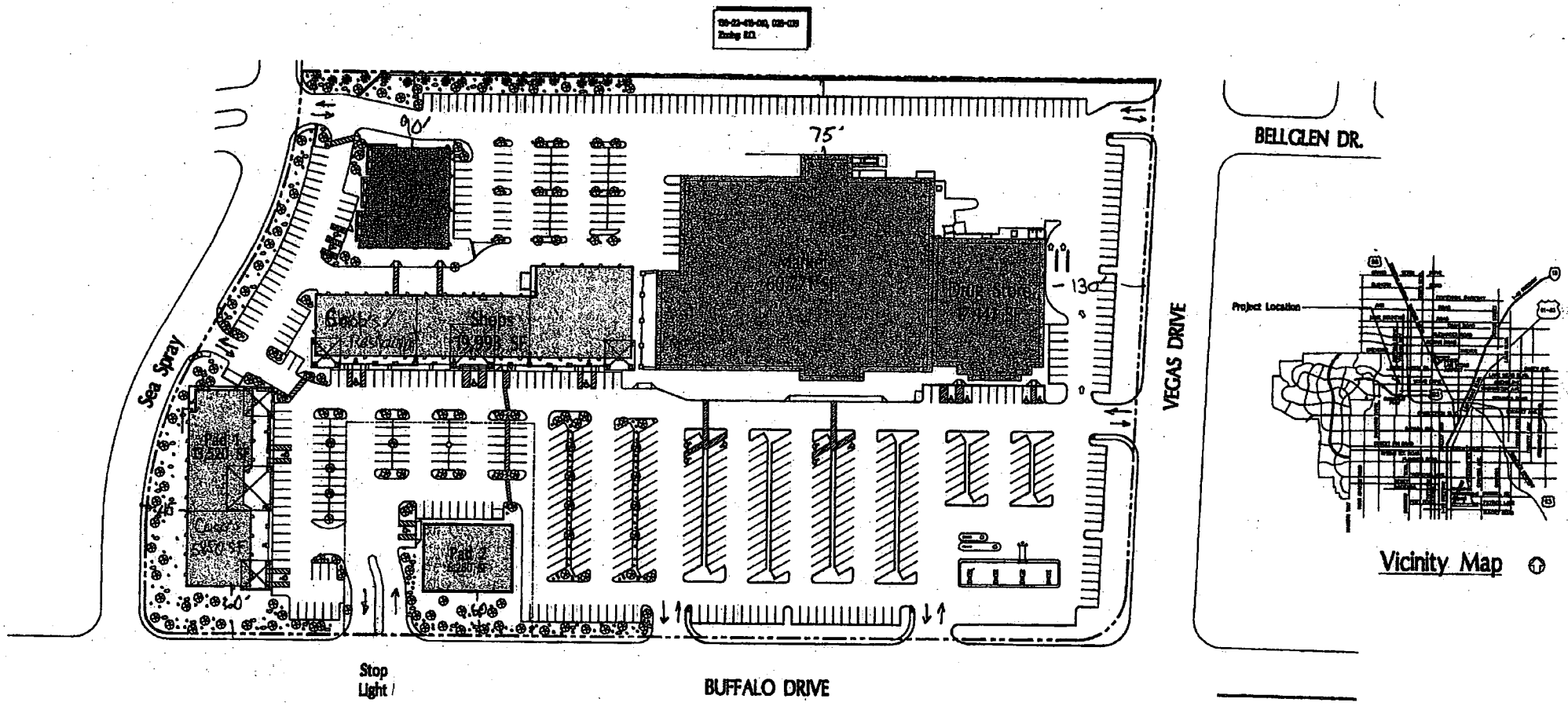
Print Name: RICHARD GORDON
EXECUTIVE VICE PRESIDENT

Subscribed and sworn before me

This 29 day of Nov., 2004

Laura Groseth
Notary Public in and for said County and State

LAURA GROSETH
Notary Public State of Nevada
No. 98-3646-1
My appt. exp July 1, 2006



PROJECT INFORMATION	
Jurisdiction	City of Las Vegas
Site Area	225,455 SF (5.44 Acres – Max Ex Vertical)
Total Building Area	73,257 SF
Parking Provided	355 (4.8/1000)
Bldg. Amenities Area	22,975
Parking Lot Dimensions	Stalls: 9' wide by 19' deep (17' w/ permitted overhang) Drive Aisles: 25' minimum

LANDSCAPING LEGEND		
	Qty.	Symbol Legend
	37 Ea.	Shade Maple
	34 Ea.	Aleppo Pine
	29 Ea.	Modesto Ash
	25 Ea.	Chinese Pistache
	1 Ea.	Date Palm

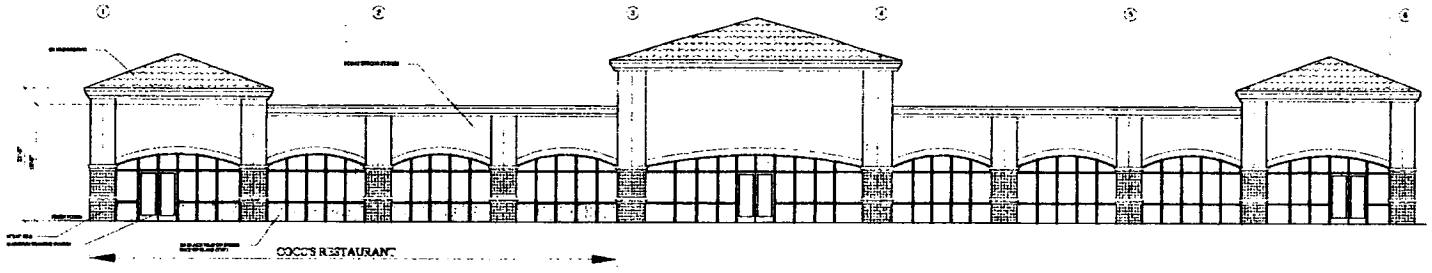
Note: grass to be zoysia in decomposed granite or other approved material

PRELIMINARY SITE/LANDSCAPE PLAN

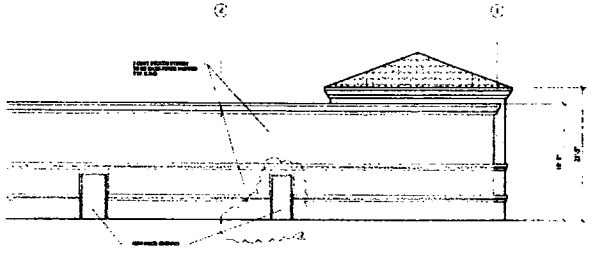
Great American Capital • Buffalo/Sea Spray Shopping Center

SUP-5895
02-10-05 PC

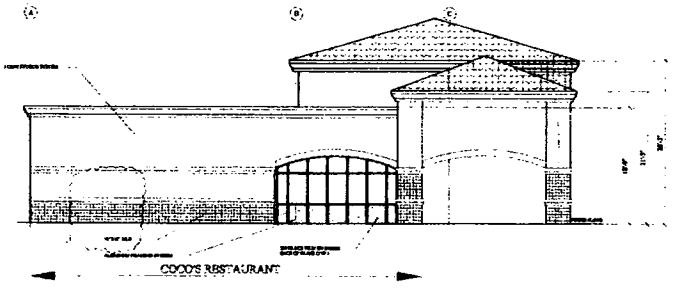
JAN 26 2005



A EXISTING EXTERIOR ELEVATION - SOUTH
SCALE: 1/4" = 1'-0"



B EXISTING EXTERIOR ELEVATION - NORTH
SCALE: 1/4" = 1'-0"



C EXISTING EXTERIOR ELEVATION - WEST
SCALE: 1/4" = 1'-0"

FIRE DEPT. NOTES:

1. PROVIDE AND INSTALL FIRE EXTINGUISHERS WITH A MIN. CAPACITY OF 2A-10BC RATING AT LOCATIONS DETERMINED BY FIRE INSPECTOR.
2. PROVIDE CONSPICUOUSLY GAS SHUT-OFF VALVE.
3. EXIT DOORS SHALL SWING IN THE DIRECTION OF EXIT TRAVEL WHEN SERVING ANY HAZARDOUS AREA OR WHEN SERVING AN OCCUPANT LOAD OF 50 OR MORE. TITLE 24, 1004.2
4. EXIT DOORS SHALL BE OPENABLE FROM INSIDE WITH OUT USE OF KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT. TITLE 24, 1004.3
5. WIDTH AND HEIGHT OF REQUIRED EXIT DOORWAYS TO COMPLY WITH TITLE 24, 1004.6
6. PROVIDE APPROVED PANIC HARDWARE ON REQUIRED EXIT DOOR. TITLE 24 SECTION 1016.4 & 1004.4
7. PROVIDE AN APPROVED FIXED FIRE EXTINGUISHER SYSTEM FOR THE KITCHEN HOOD, DUCT AND COOKING SURFACES. INDICATE U.L. APPROVAL, SYSTEM NUMBER, AND SUBMIT U.L. APPROVED SCHEMATIC DRAWING TO AREA INSPECTION UNIT. FIRE CODE SECTION 1006.2
8. INTERIOR FINISH SHALL BE PROVIDED IN ACCORDANCE WITH TITLE 24 SECTION 804, AS FOLLOWS: CLASS I - VERTICAL ENCLOSURES: CLASS II - ROOMS.
9. ALL DRAPES, HANGINGS, CURTAINS, DROPS AND ALL OTHER DECORATIVE MATERIAL TO COMPLY WITH FIRE CODE SECTION 1103.3.3
10. COMPLY WITH POSTING OF ROOM CAPITY. (FAS CODE 2501.16) TITLE 24, SECTION 1002.3
11. THE MAXIMUM OCCUPANT LOAD FOR AN ASSEMBLY USE SHALL NOT EXCEED THE OCCUPANT LOAD AS DETERMINED IN ACCORDANCE WITH TITLE 24 SECTION 1002.2
12. PROVIDE AN OPPROVED FIRE SPRINKLER SYSTEM. SUBMIT PLANS FOR APPROVAL PRIOR INSTALLATION. FIRE CODE 103.2.1.1
13. THE FIRE SPRINKLER SYSTEM SHALL BE CALCULATED PER PAMPHLET #13, #13D, #231 OR #231C, WHICHEVER IS APPLICABLE.
14. THE FIRE SPRINKLER SYSTEM SHALL BE SUPERVISED AS REQUIRED IN THE BUILDING CODE, 904.3 ;
15. ON-SITE PROTECTION FACILITIES (I.E., HYDRANTS SPRINKLER SYSTEM, ECT.) SHALL BE SUBMITTED FOR APPROVAL PRIOR TO OCCUPANCY
16. THE INSPECTION, HYDROSTATIC TEST AND FLUSHING OF THE HYDRANT AND / OR SPRINKLER SYSTEM SHALL BE WITNESSED BY PROPER FIRE DEPARTMENT REPRESENTATIVE AND NO UNDERGROUND PIPING SHALL BE COVERED WITH EARTH OR HIDDEN FROM VIEW UNTIL THE FIRE DEPARTMENT REPRESENTATIVE HAS BEEN NOTIFIED AND GIVEN NO LESS THAN 48 HOURS IN WHICH TO INSPECT SUCH INSTALLATIONS.
17. EXITS SHALL BE ILLUMINATED AT ANY TIME THE BUILDING IS OCCUPIED, WITH LIGHT HAVING AN INTENSITY OF NOT LESS THAN ONE FOOT-CANDLE AT FLOOR LEVEL. TITLE 24, 1012.1
18. PROVIDE EXIT SIGNS PER TITLE 24, 1013
19. PROVIDE APPROVED EXITING ILLUMINATED EXIT SIGNS WHICH ARE POWERED FROM SEPARATE SOURCES TITLE 24, 1012.2
20. FIRE EXTINGUISHER REQUIREMENTS SHALL BE DETERMINED BY FIELD INSPECTOR. FIRE CODE 1002
21. BUILDING ADDRESS NUMBERS TO BE PROVIDED ON THE FRONT OF ALL BUILDINGS AND SHALL BE VISIBLE AND LEGIBLE FROM STREET FRONTING THE PROPERTY SAID NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. FIRE CODE 901.4.4
22. COMMERCIAL DUMPSTER OR CONTAINERS WITH AN INDIVIDUAL CAPACITY OF 1.5 CUBIC YARDS OR GREATER SHALL NOT BE STORED OR PLACED WITHIN FIVE FEET OF COMBUSTIBLE WALLS, OPENING OR COMBUSTIBLE ROOF EAVE LINES UNLESS AREAS CONTAINING DUMPSTERS ARE PROTECTED BY AN APPROVED SPRINKLER SYSTEM. FIRE CODE 1103.2.2
23. IN BUILDING EQUIPPED WITH AN AUTOMATIC SPRINKLER SYSTEM THROUGHOUT, THE TRAVEL DISTANCE SHALL NOT EXCEED 250 FEET
24. EXIT SIGNS SHALL BE IN BLOCK LETTERS, A MINIMUM OF 6" HIGH WITH A STROKE OF NOT LESS THAN 3/4" AND COMPLY WITH THE REQUIREMENTS OF UBC, SECTION 1013.
25. AN AIR ACCEPTANCE TEST OF THE FIRE EXTINGUISHING HOOD SYSTEM SHALL BE CONDUCTED IN THE PRESENCE OF THE FIRE DEPARTMENT BEFOR THE START OF COOKING OPERATIONS. CONTACT (XXX) XXX-XXXX TO SCHEDULE A FIRE INSPECTOR
26. FLAME SPREAD CLASSIFICATION ON INTERIOR FINISHES SHALL CONFORM TO REQUIREMENTS OF TABLE 6A AND 8B OF THE C.B.C.
27. PENETRATIONS THROUGH FIRE RATED PARTITIONS OR CHASES SHALL BE FILLED WITH FIRE SAFING MATERIALS TO MAINTAIN FIRE RATING INTEGRITY.
28. MAINTAIN 3'-0" MINIMUM CLEAR WIDTH AISLE SPACE FOR AREAS SERVING 9 OR LESS OCCUPANT LOAD.
29. MAINTAIN 3'-6" MINIMUM CLEAR WIDTH AISLE SPACE FOR AREAS SERVING 10 OR MORE OCCUPANT LOAD.
30. EMERGENCY LIGHTING SHALL BE PROVIDED WITH A VALUE OF ONE FOOT CANDLE AT FLOOR LEVEL.
31. THE CONTRACTOR WILL PROVIDE SUFFICIENT NUMBER OF 2A10BC RATED FIRE EXTINGUISHER IN ORDER THAT ALL POSITIONS OF THE BUILDING ARE WITHIN 75 FEET TRAVEL DISTANCE OF SAID EXTINGUISHER AND SO THAT AT LEAST ONE 2A10BC RATED FIRE EXTINGUISHER IS PROVIDED FOR EACH 3,000 SQ. FT. OF FLOOR SPACE OR PORTION THEREOF.
32. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 40B FOR KITCHEN COOKING AREAS IN ACCORDANCE WITH NFPA 10 "STANDARD FOR PORTABLE FIRE EXTINGUISHERS" (ONLY SODIUM OR POTASSIUM BICARBONATE DRY CHEMICAL TYPE ARE ACCEPTABLE). LOCATE EXTINGUISHER PER LOCAL FIRE DEPTMENT/AUTHORITY DERECTION.
33. AN OCCUPANT CONTENT SIGN SHALL BE POSTED IN EACH ASSEMBLY ROOM HAVING AN OCCUPANT CONTENT OF 50 OR MORE.
34. MAINTAIN MIN. 44" AISLES TO EXIT OR PUBLIC WAY.
35. PROVIDE (2) SEPERATE POWER SUPPLIES FOR EXIT SIGNS CONFORMING TO CODE REQUIREMENTS. PROVIDE EMERGENCY EXIT LIGHTING PROVIDING A VALUE OF ONE FOOT CANDLE AT FLOOR LEVEL.
36. ADDITIONAL EXIT SIGNS WILL PROVIDED AS/IF DIRECTED BY THE CITY INSPECTOR.
37. INTERIOR WALL AND CEILING FINISHES FOR ASSEMBLY AREAS SHALL NOT EXCEED AN END POINT FLAME SPREAD RATING OF 25.
38. ANY DECORATIONS USED SHALL BE NONCOMBUSTABLE OR FLAME PROOFED IN AN APPROVED MANNER.
39. INSULATION SHALL BE INSTALLED TO MEET FLAME SPREAD AND SMOKE DENSITY REQUIREMENTS
40. FIRE PROTECTION SYSTEM: GENERAL: THE FIRE SPRINKLERS ARE REQUIRED. THE FIRE PROTECTION SYSTEM CONTRACTOR IS REQUIRED TO SUBMIT PLANS AND CALCULATIONS FOR REVIEW AND PERMIT. SPRINKLER SYSTEM AND KITCHEN HOOD SYSTEM MAY REQUIRE SEPERATE SUBMITTALS AND PERMITS.
41. FIRE DETECTION SYSTEM: GENERAL: THIS FIRE DETECTION SYSTEM CONTRACTOR IS REQUIRED TO SUBMIT PLANS AND CALCULATIONS FOR REVIEW AND PERMIT.

FIRE ALARM SYSTEM

PROVIDE A FIRE ALARM AND DETECTION SYSTEM CONNECTED TO THE FIRE SPRINKLER SYSTEM.

THE FIRE ALARM SYSTEM AND DETECTION SHALL BE INSTALLED IN COMPLIANCE WITH N.F.P.A. STANDARD 72.

THE FIRE ALARM SYSTEM IS REQUIRED TO BE AUDIBLE THROUGH OUT THE BUILDING. ADDITIONAL ALARM DEVICES MAY BE REQUIRED UPON TESTING OF THE SYSTEM.

THIS FIRE ALARM SYSTEM IS REQUIRED TO BE MONITORED BY AN APPROVED CENTRAL STATION

LOCATE FIRE ALARM CONTROL PANEL IN ELECTRICAL ROOM UNLESS NOTED OTHERWISE.

THE REQUIRED DUCT SMOKE ALARM DETECTORS SHALL BE TIED INTO THE BUILDING MONITORING SYSTEM.

SUP-5895

02-10-05 PC

RECEIVED
DEC 2 8 PM

ELLIS CONTRUCTION
LICENSE # 21070
JOHN ELLIS

ELLIS COMPANY
2330 PASEO DEL PRADO
SUITE # C 307
PH: (702) 873-1300 FAX: (702) 873-4333

PROJECT
COCO'S
BAKERY & RESTEURANT
SEA SPRAY & BUFFALO
LAS VEGAS, NEVADA

EXTERIOR ELEVATIONS

SHEET
A6.1
1 OF 2



SUP-5895 - APPLICANT: LAGUNA RESTAURANTS, LLC. - OWNER: SEA BREEZE VILLAGE, LLC.
1750 N. BUFFALO DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



SUP-5895 - APPLICANT: LAGUNA RESTAURANTS, LLC. - OWNER: SEA BREEZE VILLAGE, LLC.
1750 N. BUFFALO DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

HALE LANE

ATTORNEYS AT LAW

2300 West Sahara Avenue | Eighth Floor | Box 8 | Las Vegas, Nevada 89102
Telephone (702) 222-2500 | Facsimile (702) 365-6940
Website:http://www.halelane.com

November 30, 2004

Edward Everett Hale
(1929-1993)
Steve Lane
J. Stephen Peek
Karen D. Dennison
R. Craig Howard
Stephen V. Novacek
Richard L. Elmore
Richard Bennett
Alex J. Flangas
Kristin B. McMillan
James L. Kelly
Kelly Testolin
N. Patrick Flanagan
Matthew E. Woodhead
Michelle D. Mullins
Roger W. Jeppson
Lance C. Earl
Jeremy J. Nork
David A. Garcia
Fred D. Gibson, III
Elissa F. Cadish
Pauline Ng Lee
Timothy A. Lukas
Frederick J. Schmidt
James Newman
David G. LeGrand
Julia S. Gold
Torry R. Somers
Patrick J. Reilly
Scott D. Fleming
Darci M. Poloni
Jerry M. Snyder
Brent C. Eckersley
Frederick R. Battcher
Patricia C. Halstead
Matthew B. Hippler
Brad M. Johnston
Bryce K. Kunimoto
Douglas C. Flowers
Justin C. Jones
Alexis G. Michaud
Natalie M. Edwards
Samuel G. Bateman*
Angela M. LeDuc

Of Counsel

Andrew Pearl
Roy Farrow

*Licensed in Utah only

Via Hand Delivery

Clark County Development
Services Department
500 South Grand Central Parkway
P.O. Box 551810
Las Vegas, Nevada 89155-1810

Re: Application for Special Use Permit – Laguna Restaurants, LLC
d/b/a Coco's Restaurant & Bakery #6047

To Whom It May Concern:

Laguna Restaurants, LLC, d/b/a Coco's Restaurant & Bakery #6047 is located Sea Breeze Village, 1750 N. Buffalo Drive, Las Vegas, Nevada 89128. Sea Breeze Village is a retail shopping area located on Buffalo Drive between Vegas Drive and Sea Spray. This location requires a special use permit due to the possibility that the location is within 200 feet of residential use. Coco's is a full service restaurant with seating for fifty or more persons and would like to apply for a retail beer and wine license.

Coco's Restaurant & Bakery is open from 6:30 a.m. to 10:00 p.m. and believes the opportunity to provide beer and wine to patrons will significantly enhance Coco's business and reputation, make it competitive with other restaurants in the area and reduce the number of patrons that choose to leave because of the unavailabity of beer or wine with their meals.

We appreciate your consideration of this request. Please do not hesitate to contact me directly at 222-2560, if you require further information.

Sincerely,

Steve Lane, Esq.

SL/mw

SUP-5895

NOTICE OF PUBLIC HEARING

RECEIVED
CITY CLERK
2005 MAR -8 A 10 59

SPECIAL USE PERMIT

SMITHERMAN HAROLD B & ALICE A
7700 ALMERIA AVE
LAS VEGAS NV 89128 2741

MEETING	CITY COUNCIL
DATE	MARCH 16, 2005
TIME	1 00 P M
LOCATION	CITY COUNCIL CHAMBERS 400 STEWART AVENUE LAS VEGAS, NEVADA

SUP-5895

APPLICANT LAGUNA RESTAURANTS, LLC OWNER SEA BREEZE VILLAGE, LLC REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED RESTAURANT SERVICE BAR AT 1750 N BUFFALO DRIVE (APN 138 22 418 008), C 1 (LIMITED COMMERCIAL) ZONE, WARD 4 (BROWN)

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 22, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M D M

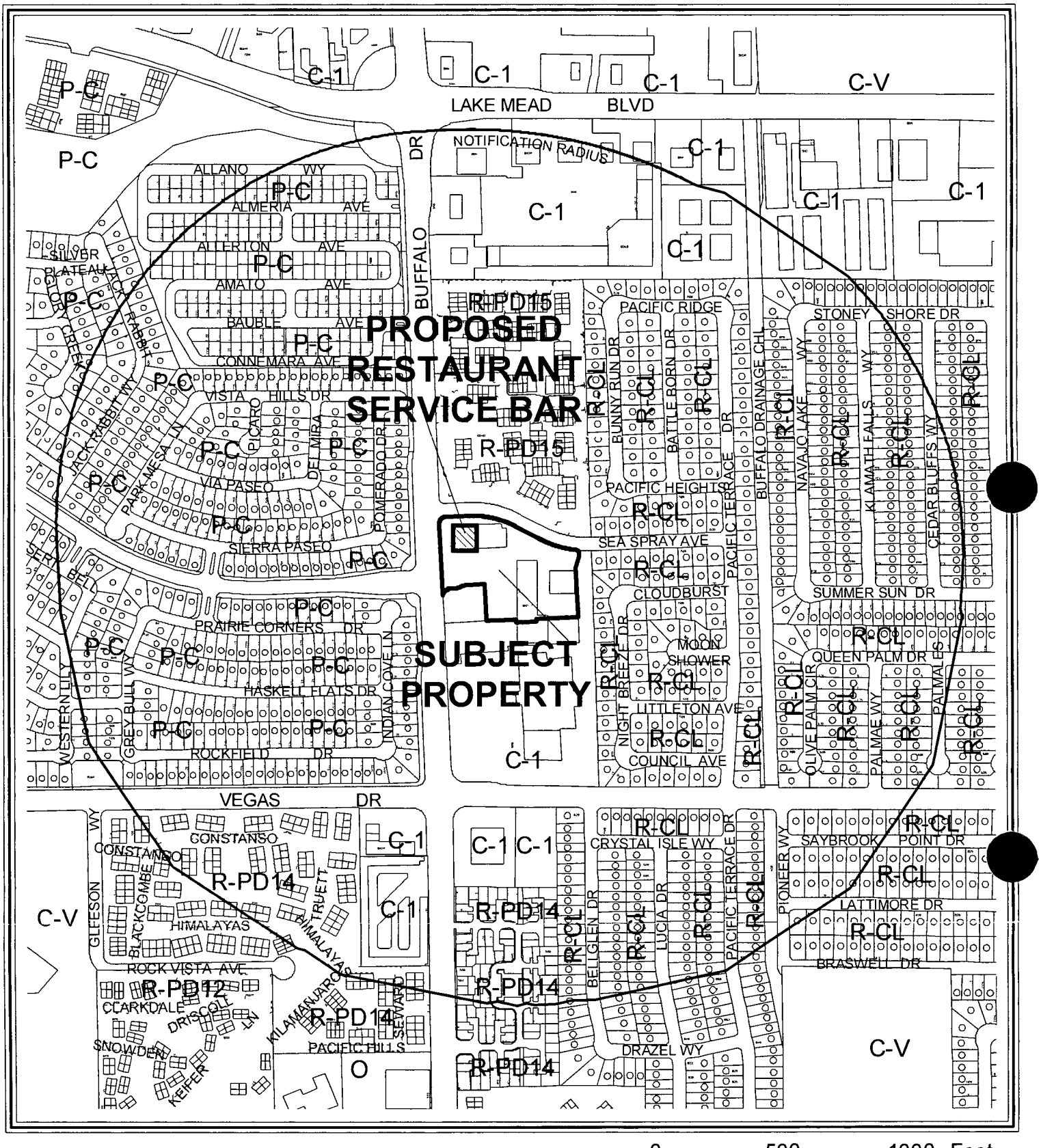
Any and all interested persons may appear and be heard at said meeting or may prior thereto file written objections thereto or approvals thereof with the City Clerk 1st Floor City Hall 400 Stewart Avenue Las Vegas Nevada 89101 For further information please call (702) 229 6301 (TDD 386 9108) http //www lasvegasnevada gov

Thanks for giving a choice, I am against it!

Protest

BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE



CASE **SUP-5895**

RADIUS 1500 FT

ZONING OF SUBJECT PROPERTY C-1 (LIMITED COMMERCIAL)

RECEIVED
CITY CLERK

2005 MAR 14 A 10:17

March 8th, 2005

City of Las Vegas Clerk
1st Floor, City Hall
400 Stewart Ave.
Las Vegas, NV 89101

RE: SUP-5895

to whom it may concern;

As an owner of adjacent property to the above referenced application for a special use permit for a proposed restaurant service bar at 1750 N. Buffalo, I strongly object to the addition of another bar in the location. My property is located at Pacific Legends West at 1830 N. Buffalo and there are already many liquor service establishments to the South and the North of this residential site which cause a considerable amount of late night noise and traffic. In addition, residents are sometimes subjected to unruly behavior while walking in the area from patrons who are leaving the bars and have had to much to drink. The addition of another bar will just add to the problem.

I urge you review the high number of existing liquor establishments in the immediate vicinity and to reject this and future liquor licenses and bar service permits.

Sincerely,

Protest

Stephen Prestegard

P. Stephen Prestegard
N3100 W. Silver Lake Dr.
Waupaca, WI 54981

Submitted after final agenda
Date 3/14/05 Item #128

City of Las Vegas

Agenda Item No. 122

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING

ZON-5809 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE) on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL. (NOTE: Request is now for R-PD8)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	64	**Planning Commission Mtg.**	1
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted at meeting - Color coded assessor's map, 2 protest letters and 2 protest petitions with 47 and 89 signatures and cover letter from Jeanette Ratliff for Item 123 [VAR-5810] and Item 124 [SDR-5807] filed under Item 123 [VAR-5810]
6. Backup referenced from the 2/24/2005 Planning Commission meeting Item 18

MOTION:

MACK - ABEYANCE to 4/6/2005, not to be heard before 4:00 p.m. - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 122 [ZON-5809], Item 123 [VAR-5810] and Item 124 [SDR-5807].

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, summarized the previous City Council meeting where the General Plan Amendment was unanimously approved. There were concessions and modifications to the various applications and efforts to mitigate concerns regarding the project. This project does not abut any existing residential property, but has been a problem, given the adjacent Walgreen. The reduced density of 8.45 units is compatible, provides a buffer from the area commercial uses and is consistent with the General Plan.

SHERRIE HUGHES, 5853 Rebecca Road, urged that the other applications for the property to the west be heard together with these applications. MAYOR GOODMAN and DEPUTY CITY ATTORNEY BRYAN SCOTT explained that that would not be possible and comments could not be incorporated by

MINUTES - Continued:

reference for the sake of a clear record.

JENNIFER RHODES, 5695 North Rainbow Boulevard, is opposed to the project, but if approved, would ask that the concessions offered be incorporated into conditions. These would include a ten-foot wall along the property line where the trash is located on her property. She would appreciate if the wall on Rainbow Boulevard could be pushed back with space in front of it, to avoid blocking her school sign. The 86 parents of her school signed a petition against this development. She urged that larger lots be placed against her property and a homeowners association be established to protect the quality of life in the area.

RAYMOND HOWE, 6901 West Glenn Landing, complained about the impact on aesthetics of the neighborhood by pending projects. Without access to Rainbow Boulevard, all homes will front Balsam Road. The density is inconsistent with the existing four units per acre and will be exacerbated by two-story homes. The lack of open space will become critical because there will be no place for children to play.

JIM EPLEY, 5686 North Rainbow Boulevard, protested the increased density when compared to the existing County designation. MARGO WHEELER, Director of Planning and Development, clarified the density as gross acreage versus net acreage. MR. EPLEY expressed appreciation for the access being moved off of Rainbow Boulevard and requested that the wall height be increased if the project is approved.

JEANETTE RATLIFF, 6904 Glen Landing Avenue, with KEITH PEARSON, 5710 North Rainbow Boulevard, CECILIA LOB, 6781 Haven Hollow Avenue, and ANITA KATTERHEINRICH, 5630 Gilbert Lane, spoke in opposition because of the high density. MS. RATLIFF noted that when the item was heard at the Planning Commission meeting, three of the commissioners left the dais while the item was being discussed and only returned to vote. She suggested there be a wall on Balsam rather than any more homes to help minimize the traffic and submitted copies of two petitions in opposition.

HOWARD HUGHES, 5853 Rebecca Road, appeared to protest that the project does not fit with the community. He noted the impact the petition should have on the Council's decision. MR. HUGHES emphasized that the petition with 300 signatures should weigh equally to their appearance. MAYOR GOODMAN confirmed the petition had been submitted on behalf of those in opposition. If approved, he requested increased open space.

MICHAEL MCALPIN, 5611 Gilbert Lane, protested the proposed density of the project and noted that other developments have taken into consideration the neighborhood's current density. The development 600 feet to the east consists of four houses per acres and has re-routed the roads to avoid crowding nearby neighborhoods. Another development will have two houses per acre to maintain consistency.

TOM McGOWAN, Las Vegas resident, opined that the residents might be victims of opportunistic exploitation. He expressed that people should be more important than developments and recommended denial of the project.

RON JENSEN, 5631 Glibert Lane, voiced concern that it seems the Council has made their conclusion

MINUTES - Continued:

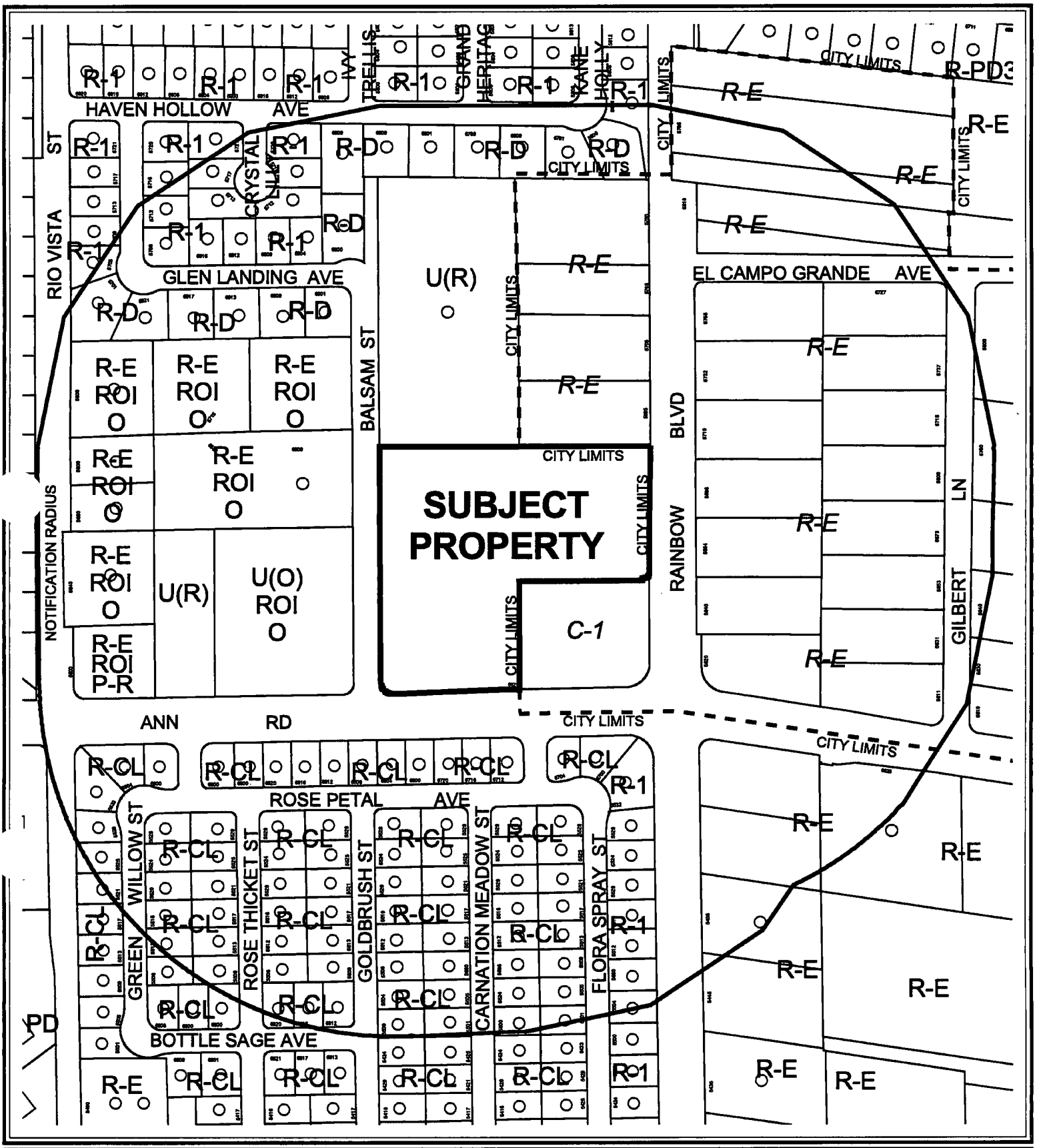
based on the developer instead of the people. He stated that everything has been run through and although they have had the opportunity to speak there has not been anyone in support of the project.

GEORGE GARCIA, 1711 Whitney Mesa Suite 110, appeared on behalf of the neighbors. He verified discussions with the neighbors who would like six homes to the acre as single-family homes. He explained the need for diversity of housing to the neighbors and suggested a buffer between the larger lots and the small lots. There is land transition in this area that is already approved and he commented on the size of the lots involved. The progression of land use currently recognizes the commercial and the nature of the streets, as well as that the buffer along the perimeter would best suit the area. This would allow the larger lots on the edge with the smaller lots toward the interior.

SHERRI HUGHES, 5853 Rebecca Road, stated that interest in the property goes back to 1991. There have been zoning notices sent and she has been actively involved in most projects surrounding her home. Regular attendance of the County Commission meetings as well as the Planning Commission and City Council meetings numerous times has resulted in her understanding of development needs. There has been past experience with individual developers where there have been compromises to preserve the rural nature of the area. As a Real Estate agent with a focus on land sales, she is aware of the economics of a land transaction and components of a successful deal. The property is difficult especially as an infill piece, but compatibility should not be compromised. It is unfortunate that the neighborhood will be subject to another General Plan Amendment to create a buffer from use that should have never been approved in the first place. She thanked COUNCILMAN MACK for his professional courtesy by allotting time to discuss the project but requested the item be held in abeyance to work with the developer.

COUNCILMAN MACK stated he would like to hold a meeting with the neighbors and the developer to discuss concerns and challenges for neighbors. If changes could arise from the meeting to satisfy the existing neighborhood affected, he would rather hold the item in abeyance for two weeks. ATTORNEY GRONAUER confirmed the costs of the homes would range from the high $270,000's to the low $330,000's. COUNCILMAN MACK remarked that the Walgreen's at that intersection was approved by the County Commission years ago when COUNCILMAN BROWN was representing the area. The Council never suspected commercial property would be built on a septic tank. Richmond American has agreed to bring City sewer services to this location, which would be a very good accommodation for the neighbors. He requested an abeyance to 4/6/2005 with a time certain not to be heard before 4 p.m. MAYOR GOODMAN was impressed with MR. GARCIA'S approach and suggested his comments be taken into account.

MAYOR GOODMAN declared the Public Hearing closed for Item 122 [ZON-5809], Item 123 [VAR-5810] and Item 124 [SDR-5807].
(2:59 - 3:28)
4-839



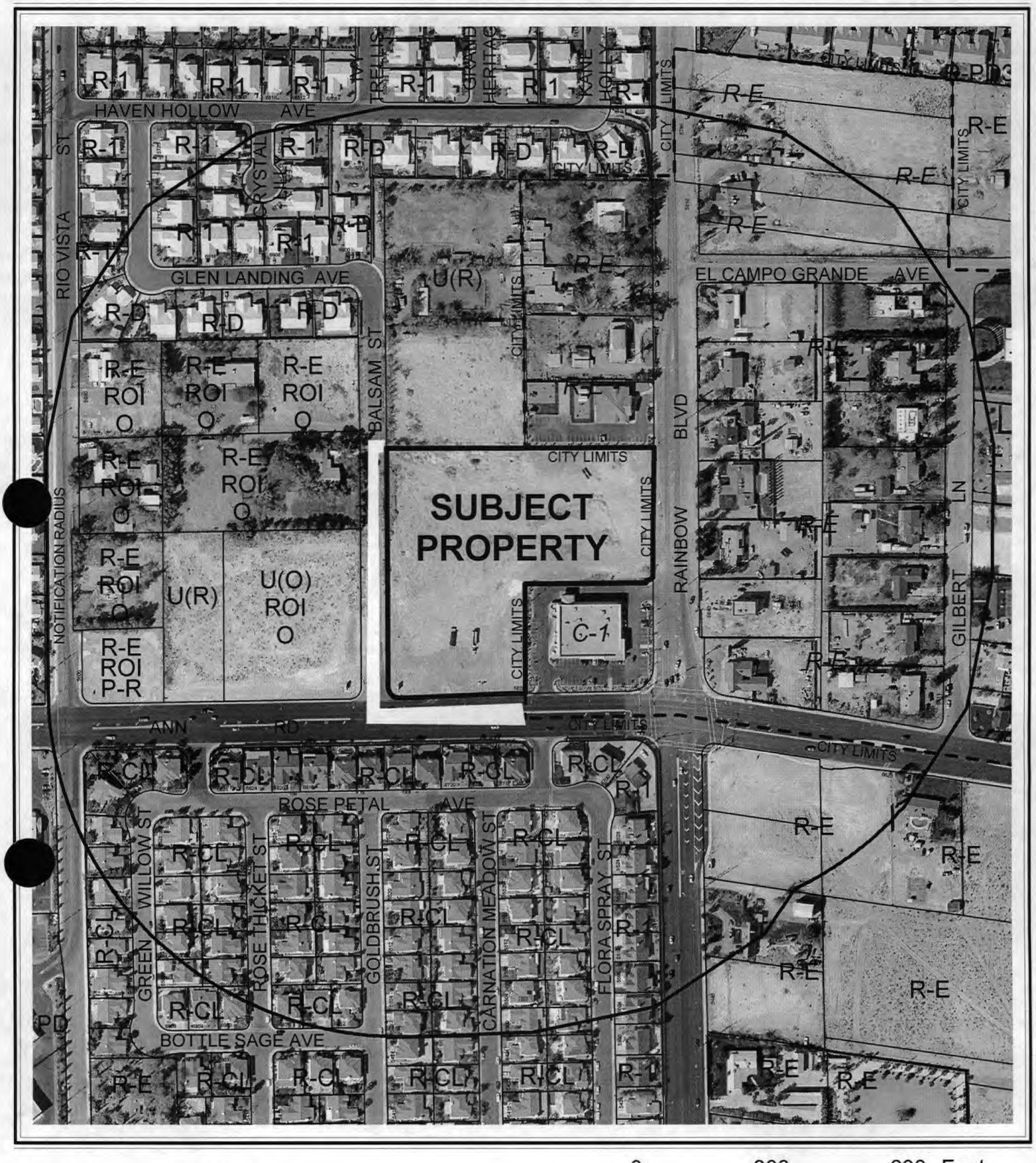
0 300 600 Feet

CASE: **ZON-5809**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)



CASE: **ZON-5809**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5809 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC

** CONDITIONS **

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

Planning and Development

1. A General Plan Amendment (GPA-5804) to a ML (Medium-Low Density Residential) land use designation approved by the City Council.

2. This request shall be limited to the R-PD8 (Residential Planned Development – 8 units per acre) zoning district.

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

4. A Variance (VAR-5810) and Site Development Plan Review application (SDR-5807) 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

5. Construct half-street improvements, including appropriate overpaving and transition paving where applicable, on Rainbow Boulevard and Balsam Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

6. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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 from U (Undeveloped) [R (Rural Density Residential) General Plan designation], under Resolution of Intent to C-1 (Limited Commercial) to R-PD8 (Residential Planned Development - 8 units per acre) on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard. A related General Plan Amendment (GPA-5804), Variance (VAR-5810) and Site Development Plan Review (SDR-5807) will be considered concurrently with this request.

B) Applicant's Justification

As the population in the Vegas area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas, and even some industrial properties. There is a need to develop affordable housing on what has the potential to be an in-fill parcel and is not compatible for commercial given the surrounding community. The product on this parcel will provide a good transition buffer from the existing residential communities and the existing commercial development in the area.

BACKGROUND INFORMATION

A) Related Actions

02/16/05 The City Council will consider a petition to annex (ANX-5586) the subject site into the City of Las Vegas. The effective date of this annexation will be 02/25/05. Staff and the Planning Commission recommended approval on 12/16/04.

01/27/05 The Planning Commission voted to approve a modified General Plan Amendment (GPA-5804) from R (Rural Density Residential) to ML (Medium-Low Density Residential) on the subject site, instead of the original request for MLA (Medium-Low Attached Residential). Staff had recommended denial of the original request.

01/27/05 The Planning Commission voted to hold this item and related cases in abeyance to its 02/24/05 meeting, to allow the applicant to redesign the site and related applications to meet the land use density maximums of the ML (Medium-Low Density Residential) land use designation, and to review this design with staff.

These related cases are a Variance (VAR-5810) for a reduction of required open space and Site Development Plan Review (SDR-5807) for a 66 lot residential development. Staff recommended denial of the original requests.

02/24/05 The Planning Commission recommended approval of these companion items concurrently with this request. The applicant has revised the project to conform to the ML (Medium-Low Density Residential) land use designation.

02/24/05 The Planning Commission voted 4-1-1 to recommend APPROVAL (PC Agenda Item #18/gl).

B) Pre-Application Meeting

12/01/04 Issues discussed included the need for open space calculations, landscaping along Rainbow Boulevard and Ann Road, and the acknowledgement that a signal impact fee would be levied.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Rezoning application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 6.86

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Residential
South:	Drug Store/ Single Family Residential
East:	Single Family Residential
West:	Single Family Residential/ Undeveloped

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential) ML (Medium-Low Density Residential)
East:	RE (Rural Estates – Clark County)
West:	O (Office)

D) Existing Zoning

Subject Property:	R-E (Rural Estates Residential–Clark County) under Resolution of Intent to C-1 (Local Business District – Clark County)
North:	U (Undeveloped) [R (Rural Residential) General Plan Designation] & R-E (Rural Estates Residential -Clark County)
South:	R-CL (Single-Family Compact -Lot) R-E (Rural Estates Residential – Clark County) under Resolution of Intent to C-1 (Local Business District – Clark County)
East:	R-E (Rural Estates Residential – Clark County)
West:	U (Undeveloped) [O (Office) General Plan Designation] Under Resolution of Intent to O (Office) R-E (Residence Estates) Under Resolution of Intent to O (Office)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with an R (Rural Density Residential) land use designation. The Planning Commission has recommended approval of an amended General Plan Amendment request (GPA-5804) to ML (Medium-Low Density Residential), which allows up to eight units per acre. Pursuant to this recommendation, the applicant has now amended this zoning request to R-PD8 (Residential Planned Development - 8 units per acre), which will be in compliance with the proposed General Plan designation.

The R-CL (Single-Family Compact -Lot) properties south of the subject site are zoned R-CL (Single-Family Compact -Lot) with the General Plan of ML (Medium-Low Density Residential).

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

Trails – A Multi-use Transportation Trail is required adjacent to the north side of Ann Road.

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

ANALYSIS

A) Zoning Code Compliance

Pursuant to Title 19.08, Development Standards within an R-PD (Residential-Planned Development) district are established by the approved site plan.

Standards	Provided
Min. Lot Size	2,520 Feet
Min. Lot Width	35 Feet
Min. Setbacks	
• Front	10 Feet
• Front (Garage)	18 Feet
• Side	3.5 Feet
• Corner	3.5 Feet
• Rear	10 Feet
Max. Building Height	23 Feet

B) General Analysis and Discussion

The subject site is currently located within Clark County and zoned R-E (Rural Estates Residential –Clark County), under Resolution of Intent to C-1 (Local Business District – Clark County). Upon the effective date of the pending Annexation (ANX-5586), the subject parcel will be designated as U (Undeveloped) [R (Rural Density Residential) General Plan designation] under Resolution of Intent to C-1 (Limited Commercial) district. This rezoning request proposes the R-PD8 (Residential Planned Development – 8 units per acre) district, which is intended to permit imaginative and innovative residential communities with appropriate amenities to establish a clear sense of community. The proposed residential development has a density of 8.45 units per acre., and is an acceptable use within the R-PD8 (Residential Planned Development – 8 units per acre) zoning district.

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."**

   With the approval of the revised General Plan Amendment (GPA-5804) to a ML (Medium-Low Residential) land use designation, the proposed rezoning to the R-PD8 (Residential Planned Development – 8 units per Acre) zoning district will conform to the General Plan. The recommendation for denial by staff springs solely from the deficiency of open space, which is self-imposed and cannot be supported. It should be noted that the revised plan has increased the amount of open space provided, although a deficiency remains.

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 density and lot sizes allowed by the R-PD8 (Residential Planned Development – 8 units per acre) zoning district are generally compatible with the adjacent residential development to the south and west. There are about 20 lots of residential development located to the northwest of the site with somewhat lower density than that proposed on the site; however, due to the proposed road pattern in this and in the adjacent development, there should be little impact on the area to the north caused by this project.

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

   The site is in a location on the transition from larger rural lots to smaller urban lots. The companion site plan needs to be sensitive to the potential impact on the adjacent large-lot areas; however, the density of development as proposed can be a positive community asset in this area.

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 receives access via a drive from Balsam Street, a 60-foot wide local street. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

PLANNING COMMISSION ACTION

There were 6 speakers protesting this matter at the Planning Commission hearing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 163 by Planning Department

APPROVALS 1

PROTESTS 64

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5809 APN: 125-27-803-008

Name of Property Owner: REGAL VILLAGE LLC % V KAMDAR

Name of Applicant: RICHMOND AMERICAN HOMES

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: V. Kamdar

Print Name: V. KAMDAR

Subscribed and sworn before me April Cox

This 2 day of November, 2004

April Cox

Notary Public in and for said County and State

State of Utah

County of Utah

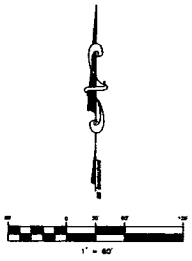
NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
March 18, 2007
APRIL COX
1376 North State
Orem, Utah 84059

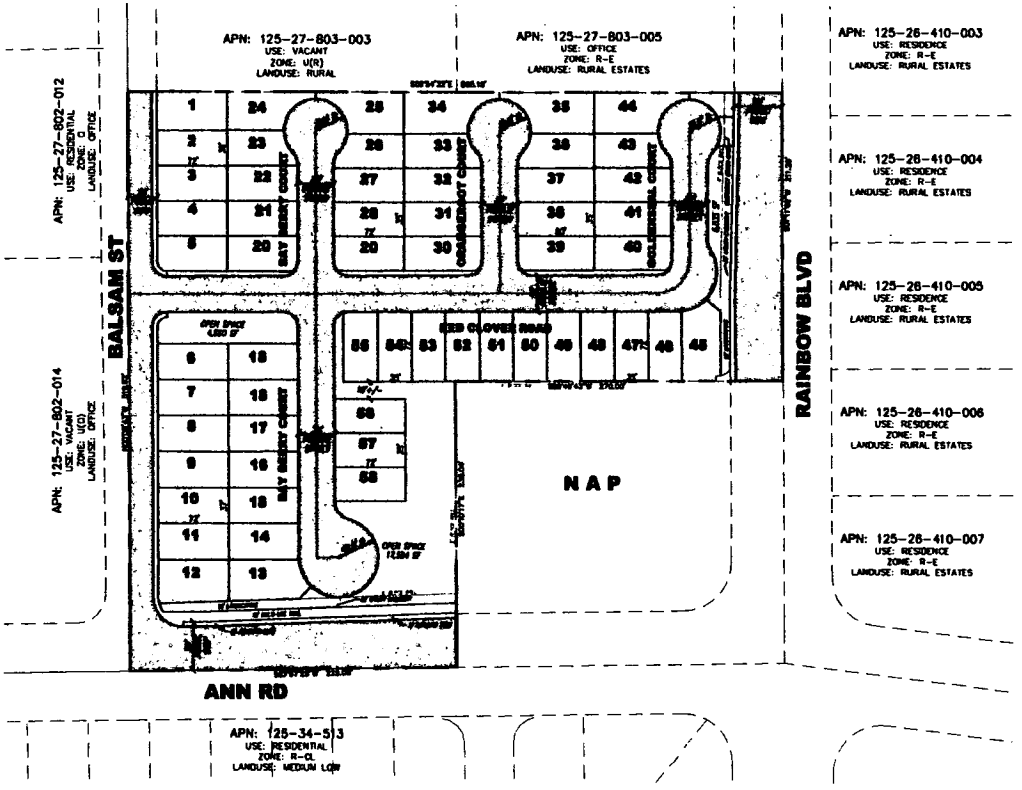
Revised 2/12/02

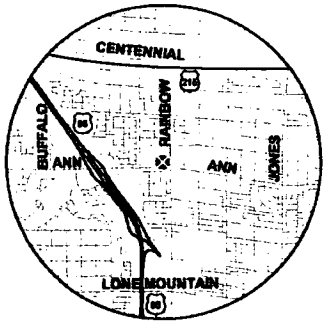
f:\dsp\Application Packet\Statement of Financial Interest.doc

ANN / RAINBOW

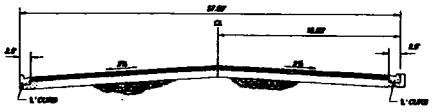
A SINGLE FAMILY RESIDENTIAL DEVELOPMENT
BY RICHMOND AMERICAN HOMES



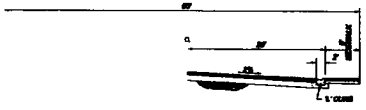




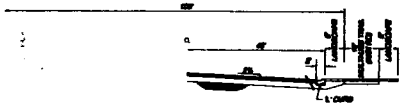
VICINITY MAP
NOT TO SCALE



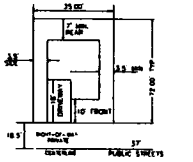
37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE



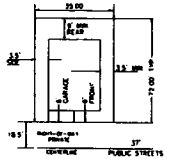
60' PUBLIC STREET HALF-SECTION (BALSAM ST.)
NOT TO SCALE



100' PUBLIC STREET HALF-SECTION (ANN RD. / RAINBOW BLVD.)
NOT TO SCALE



LOT DETAIL (TYPICAL)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT +/-)



LOT DETAIL (CUL-DE-SAC)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT +/-)

DEVELOPER
RICHMOND AMERICAN HOMES
2230 WEST PEAK AVE
SUITE 212
LAS VEGAS, NEVADA 89128
(702) 240-5600

OWNERS
REGAL VILLAGE LLC
16 S. STATE ST
LYNDON, UT 84042

ENGINEER
THOMASON CONSULTING ENGINEERS
3191 E. WARM SPRINGS RD
SUITE 200
LAS VEGAS, NEVADA 89120
(702) 932-8125

ASSESSORS PARCEL NUMBER:
125-27-803-008

OVERALL TABULATIONS

EXISTING ZONING	C-1
PROPOSED ZONING	R-PDB
EXISTING LAND USE	RURAL
PROPOSED LAND USE	MEDIUM-LOW
# OF UNITS	58
GROSS ACREAGE	8.86 ACRES +/-
DENSITY	6.4 D.U/A
OPEN SPACE REQUIRED	85 AC (41,382 SF)
OPEN SPACE PROVIDED - 32% REDUCTION IN OS	64 AC (28,189 SF)

RECEIVED
MAR 0 4 2005

ZON-5809
VAR-5810
~~SDR-5807~~

REVISED
03/16/05 CC

REVISED
3-4-05

DEVELOPER:
RICHMOND AMERICAN HOMES
2230 W. PEAK DRIVE, #212
LAS VEGAS, NEVADA
(702) 240-5600

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7535 Hickam Avenue Las Vegas, NV 89129 Office: 702.396.7701 Fax: 702.396.7702

SHEET TITLE: TENTATIVE MAP

ANN / RAINBOW
CITY OF LAS VEGAS, NEVADA

DATE	FEBRUARY 23, 2005
DRAWN BY	B.SAYLOR
DESIGNED BY	R. SHANE
CHECKED BY	R. SHANE
SCALE	1" = 60'
PROJECT NO	RA-0085
ENGINEERING SEAL	

SHEET: TM-1 OF 2
DRAWING NO.

LAS VEGAS r S CONSULTING, INC. NEVADA
STRATEGIC PLANNING SOLUTIONS

March 7, 2005 ***"REVISED" #2***

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

Attention: Gary Leobold, Planning Supervisor

Reference: **Ann-Rainbow SDR, GPA, Rezoning and Variance**
APN #125-27-803-008

On behalf of Richmond American Homes we respectfully request your consideration of the attached General Plan Amendment, Rezoning, Site Development Plan Review and Variance applications.

Location: The proposed 6.86 acre± site is located directly behind the existing Walgreens on the northwest corner of Ann Road and Rainbow Boulevard.

Request: At this time, Richmond American Homes is requesting the consideration of a General Plan Amendment, Site Development Plan Review and Rezoning to ***R-PD8*** with an open space Variance for a ***58*** unit single family detached residential development on 6.86 acres± (125-27-803-008) with a proposed density of ***8.45 ±*** dwelling units per acre (DUA). Additionally, we are currently in the process of an annexation (ANX-5586-04) for the above referenced property into the City of Las Vegas from Clark County that is scheduled to be heard by the Planning Commission on December 16, 2004.

Background/Justification: The parcel in question is currently under resolution of intent within Clark County to C-1. This parcel with the current surrounding land uses and proposed adjacent projects will become an in-fill parcel for residential as this area is not compatible for commercial with the surrounding existing land uses. The property is currently vacant and zoned C-1 with a land use designation of Rural Density Residential (Clark County) of up to 3.59 du/ac. The adjacent properties are zoned and the current land uses are; north, the western most property is zoned Undeveloped (U) and master planned Rural (R)(CLV) and the eastern property is zoned R-E and master planned Rural Density Residential (RDR)(CC), south is an existing higher density residential project that is currently zoned R-CL and master planned ML, to the west is zoned Office (O) and master planned Office (O) in both Clark County and the City, to the east is existing single family residential that is zoned R-E and master planned Rural Estates. In the past 5 + years, there has been a significant change in population in the Las Vegas Valley. As the population in the Las Vegas-area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas and even some Industrial properties. We especially believe that there is a need to develop affordable housing on what has the potential to be an *in-fill* parcel and is not compatible for commercial with the surrounding community. Developing this site as such allows less burdens on getting infrastructure to these properties but due to the nature of the *in-fill* property, we find it necessary to request minor deviations to the cities code requirements in order to develop the property making it a positive for the developer, the City of Las Vegas and the surrounding community.

ZON-5809
VAR-5810
SDR-5807

RECEIVED
MAR - 7 2005

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

LAS VEGAS r S CONSULTING, INC. NEVADA
STRATEGIC PLANNING SOLUTIONS

Ann-Rainbow
SDR,GPA,Rezoning and Variance
APNs 125-27-803-008

Development Standards: All interior streets will be 37' privately maintained rights of way. It is also necessary that with these applications, we request a *Deviation of Standard* for a reduced cul-de-sac radius. The reduced radii is due to the relatively small parcel size and by using the larger standard bulb (typically provided on a public street) where provided this may necessitate a variance request for setbacks as the intrusion of a standard cul-de-sac bulb on the smaller lot sizes reduces the lot depth in that area. ***The requested deviation of standard was approved on 2/22/05 by CLV Public Works for reduced cul-de-sac radii (32.5' for 3 cul-de-sac's) and one modified knuckle as shown on the submitted Tentative Map (TMP-6214).*** The product intended for this proposed site will be single family detached residences, and range in size from 1,327 s.f. to 1,803 s.f.

The following minimum setbacks are being requested:	Front – 18'(Garage), Front – 10'(Living), Rear – 10', Side/Corner side – 3.5'
Cul-de-sac's – due to Deviation of Standards request	
The following minimum setbacks are being requested:	Front – 6'(Garage), Front – 6'(Living), Rear – 9', Side/Corner side – 3.5'
Open Space requirements are as follows:	OS Required: .95 acres± (41,382 s.f.±) OS Provided: ***.64 acres± (28,189 s.f.±)***

At this time we are requesting a variance of the required open space. Our re-designed plan provides for 68% of the required open space, and our request is for a ***32%*** reduction in open space requirements, which is greater than the original requested 53% reduction of open space. The open space amenities within the proposed residential subdivision have changed during the planning process from the original concept due in part from neighborhood concerns and a re-design of the proposed subdivision. It is still our concern with the recent developments within the Las Vegas Valley and our current water situation that we become proactive, and it is with our best intentions to continue to provide open space amenities for our residents but also be concerned with the future of Southern Nevada and review the quality of open space we are providing for our residents.

We believe that this product on this parcel will provide a good transition buffer from the existing residential community and the existing commercial development planned for this area and will be an enhancement to the community. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Skuse
President

Cc: Richmond American Homes, Manny Pattni

RECEIVED
MAR - 7 2005

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

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

PETITION TO OPPOSSE GPA-5804 / VAR 5810 / ZON 5809 / SDR 5807

We, the undersigned, while believing that progress of the community is important, we also believe in the importance of keeping our community density at or near the same level that it currently is. We believe that with the proposed zoning amendment, which would allow up to 12 homes per acre is in sharp contrast to our current zoning. The plans that were shown at the neighborhood meeting held by the developer Richmond American propose to place 66 units onto a 5.73 acre parcel of Rural Estates zoned land, which is 11.5 units per acre. The surrounding properties on the East, West and North side are all currently zoned for no more than 2 units per acre and are mostly zoned horse property. We feel with the proposed zoning of 12 units per acre we would be forced into dealing with urban zoning far too dense than we are comfortable living with. Another major concern that the residents have is that the entrance to this subdivision is located on Rainbow Blvd. Rainbow Blvd in this area is only one lane in either direction, and the daily traffic increase of at least 100-135 cars two to three times per day would cause much undeserved congestion on this stretch of roadway. Many of us on Rainbow Blvd. have children that play in our front yards and we have no reinforced walls or curbing in front of our properties, and with the increased traffic there is a big concern that any one of these vehicles could eventually wind up in our yards causing serious injury or death to one of our children. The last concern about the Rainbow Blvd. entrance is the flow of waters when it rains. With the roadways as they are when we receive heavy rains there is generally quite a bit of flooding on the East and West side of Rainbow Blvd. When the west side is developed as planned with the one entrance where the water would flow there would be only one path for the flow and that is to the East side of Rainbow Blvd. causing more severe flooding problems than we currently are prepared for. We therefore write to petition the city of Las Vegas to fail this GPA-5804 and keep this property zoned Rural Estates.

Homeowner Name	Signature	Address	Telephone
Jennifer Snodes		5695 N Rainbow	656-3737
Jimmy D. Epley		5886 No. Rainbow	639-6109
Sandra Meyer	Sandra Meyer	7638 Plunging Falls	645-4313
Andrea Spiro	Andrea Spiro	7853 Quail Breath Ln	228-6654
Jennifer Hines	Jennifer Hines	3205 Canary Creek Ave	645-4336
Debra Lauro	Debra Lauro	7863 Morning Gallop Ct	515-1430

VHR 5810
ZON 5809
SDR 5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Megan M Ortiz-Caporale	Megan M Ortiz-Caporale	8585 Bella Loma Ct 89149	658-7861
Mark + Kenah Rodney	Kenah Rodney	6808 Snake River Ave	296-7875 296-7803
Eric Gaston	Eric Gaston	5965 Ruffian Rd	395-6656
Stacey S. Fish	Stacey S. Fish	7429 Enchanted Hills	242-1283
Christine Mancar	Christine Mancar	6430 Whispering Sand Drive	658-7008
Giovanni Guarino	Giovanni Guarino	7863 Moving Cliffs Ct	515-1430
Holly Wray	Holly Wray	3707 Quiet Creek	656-3728
Edwin	Edwin Yee	6780 Bashlie Ave	839-7967
Christine Pratt	Christine Pratt	8017 Tallwind Ave	255-5748
Leonard Lawson	Leonard Lawson	7650 Via Ellenita	325-2189
Christina Leon	Christina Leon	5360 Bayou Ct	655-5369
Betty Julius	Betty Julius	5361 Bayou Ct	656-7605
Marie Glenn		6430 Whispering Sands	649-2000
Ann Boyer	Ann Boyer	6811 Missouri Manor St	658-1500
[illegible]	[illegible]	6124 Rosemere Cove St	658-7500

5810
ZON 5809
SDR 5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Nadine Searles	Nadine Searles	6812 Beach Rose Ave	(702) 396-5437
RAYMOND PEDROZA	Raymond Pedroza	1529 VICENZA CT. LV NV 89117	702-290-0572
Kimberly Rager	Kimberly Rager	8700 Castelli 89129	396-0463
Jennifer Twenty five	Jennifer Twenty five	4069 Autumndale 89121	658-6114
EDWARD C. JETER	Edward C. Jeter	7225 TEALWOOD ST.	657-9292
Angelica Linn	Angelica Linn	5419 Nested Moon 89131	(702) 869-8374
Julie Zinovitch	Julie Zinovitch	5812 DeLaBarre	2454671
Linda Otten	Linda Otten	5812 DeLaBarre	6472692
JAYSON SMIETANA	Jayson Smietana	7829 Pinnacle Ave	656-5291
WALTER DOBOS	Walter Dobos	5640 GILBERT LANE	656-1363
Janet Causey	Janet Causey	5785 Juliano	658-8855
Christine Bristol	Christine Bristol	7616 Donald Nelson Ave	396-8980
Karrah Rodney	Karrah Rodney	6808 Snake River	656-7803
Amy Jeter	Amy Jeter	7225 Tealwood St	657-9292
	Chris Thatcher	4016 Adamsdale Ave	396-2245

14

VAR5810
ZON5809
SDR5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Larry Searles		6812 Beach Nest Ave	3965434
Kathleen Richardson	K Riel	7430 Jockey Ave	539-8831
Talya Page	Talya Page	5129 Denarde Ct	254-1892
Beth Smietana		7829 Pinnochio	2030970
Laura Fontana		2706 Gardenia Flower	396-3377
Dan Froelich		4940 N. Lumberman Rd	645-5287
Chad C. Moore		6792 Beach Nest Ave	647-5834
Patty A. Straley	Patty A Straley	6788 Beach Nest Ave	396-9841
TARA CARROLL		6788 Beach Nest Ave	395-4496
William Cantrell	William Cantrell	5924 Kane Holly	395-6083
Henry A Stuckert		5920 Kane Holly	656-1365
Teresa moore		5912 Kane Holly St	395-8953
QUINTON JOHNSON		5902 KANE HOLLY ST	6564306
		5900 Kane Holly	870 3974
Don Larrick		5824 Kane Holly Ct.	656-9250

15

VAR 5810
ZON5809
SDR5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Claudia Lemmon	C Lemmon	5816 Kane Holly	363-1323
Robert D. Lemmon	Robert D Lemmon	5816 Kane Holly	363-1323
C.E. Gill	C.E. Gill	5813 Kane Holly	655-5342
W.H. Ragsdale	William H. Ragsdale	5825 Kane Holly	360-8974
D. Orlando	D Orlando	5921 Kane Holly St	313-8844
Maria Kusher	Maria Kusher	5710 N. Rainbow	655-3712
Stacey Allwin	Stacey Allwin	5710 N. Rainbow	655-3712
Keith Pearson	Keith Pearson	5710 N Rainbow	655-3712
Scott Angle		5664 N Rainbow	645-8990
Ryan Bataller	Ryan Bataller	5686 N. Rainbow blvd	639-6109
Christian Lightbourne	Christian Lightbourne	6438 Crimson Tide Ave	395-8558
Jennifer Eden	Jeden	5686 N. Rainbow	639-6109

4

Jan 13, 2005

Mr. Gary Leobold, Planning Supervisor
Planning & Development Dept.
Current Planning Division
731 S. Fourth St.
Las Vegas, NV 89101

Dear Sir,

Please note that I vehemently object to the proposed development (attached).

I purchased a condominium (Cliff Shadows) across from the proposed project about a year ago.
I paid an additional $5,000 for a unit facing the mountains with a view.

At the time of purchase the proposed project was on Low-Density Land and my decision to purchase was based on such.

This proposed project will undeniably block that view, increase congestion and disturb the animal inhabitants, such as the big horn sheep, who are regularly seen grazing near the bottom of the mountains.

I respectfully urge you to disapprove the proposal.

Yours truly.

Joseph Garramone
3455 Cactus Shadow St. #203
Las Vegas, NV 89129

VAR-5186

January 18, 2005

Gary Leobold, Planning Supervisor
Planning & Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

Dear Gary Leobold, Planning Supervisor,

SUBJECT: ~~VAR~~ ZON-5809, VAR-5810, SDR-5807, GPA-5804, GPA-5820

Concerning ~~Var~~ ZON-5809, Var-5810, SDR-5807, I am objecting to any change in the current designation of property to R-PD10, which will change the open space requirement to one half the original requirement. The area is already congested, traffic is heavy and open space is at a premium.

Concerning GPA-5804, GPA-5820, I am objecting to any change of The Centennial Hills Sector Plan to MLA. A zero lot requirement means that the builder can build Town homes, Condo's, Duplex's etc; which would add more congestion to the area as well as decreasing the value of the homes in the surrounding area.

The preservation of open space and development of property consistent with the general welfare and quality of life for the residents in the area must be considered before the needs of the developers. For the above stated reasons, I am objecting to any changes of the current zoning.

Sincerely,

Walter Nieczkowski

5509 GOLDBRUSH STREET
LAS VEGAS, NEVADA 89130

January 18, 2005

Gary Leobold, Planning Supervisor
Planning & Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

Dear Gary Leobold, Planning Supervisor,

SUBJECT: ~~VAR~~ ZON-5809, VAR-5810, SDR-5807, GPA-5804, GPA-5820

Concerning ~~Var~~ ZON-5809, Var-5810, SDR-5807, I am objecting to any change in the current designation of property to R-PD10, which will change the open space requirement to one half the original requirement. The area is already congested, traffic is heavy and open space is at a premium.

Concerning GPA-5804, GPA-5820, I am objecting to any change of The Centennial Hills Sector Plan to MLA. A zero lot requirement means that the builder can build Town homes, Condo's, Duplex's etc; which would add more congestion to the area as well as decreasing the value of the homes in the surrounding area.

The preservation of open space and development of property consistent with the general welfare and quality of life for the residents in the area must be considered before the needs of the developers. For the above stated reasons, I am objecting to any changes of the current zoning.

Sincerely,

Walter Nieczkowski

5509 GOLDBRUSH STREET
LAS VEGAS, NEVADA 89130

11/16/05

Dear Sirs:

We approve of all of the enclosed plans.

Joon Konya
Cynthia Olsen
6824 Rosa Peterbee
Julian 89130

VAR-5810
SPR-5807
GPA 5804
GPA-5820
ZON-5809

City of Las Vegas

Agenda Item No. 123

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE RELATED TO ZON-5809

VAR-5810 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Variance TO ALLOW 0.51 ACRES OF OPEN SPACE WHERE 1.09 ACRES IS THE MINIMUM AMOUNT REQUIRED IN CONJUNCTION WITH A PROPOSED 66 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) [PROPOSED: R-PD10 (Residential Planned Development - 10 units per acre) Zone], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL. (NOTE: Application is for 58 units)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	64	**Planning Commission Mtg.**	1
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

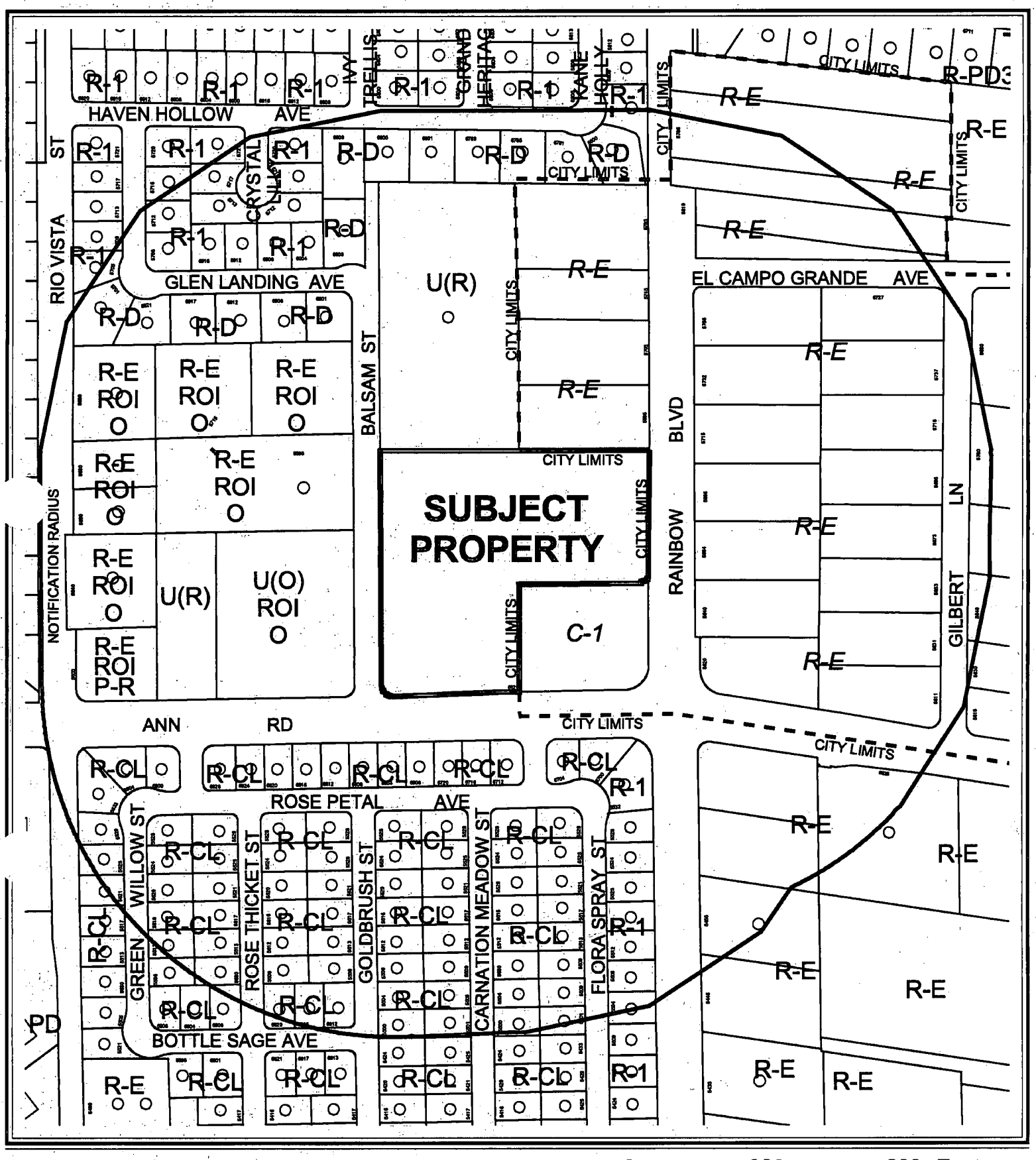
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted at meeting - Color coded assessor's map, 2 protest letters and 2 protest petitions with 47 and 89 signatures and cover letter from Jeanette Ratliff for Item 123 [VAR-5810] and Item 124 [SDR-5807] filed under Item 123 [VAR-5810]
6. Submitted after final agenda - Protest letter by resident at 1000 Rainbow Boulevard
7. Backup referenced from the 2/24/2005 Planning Commission meeting Item 19

MOTION:

MACK - ABEYANCE to 4/6/2005, not to be heard before 4:00 p.m. - UNANIMOUS

MINUTES:

NOTE: See Item 122 [ZON-5809] for all related discussion.
(2:59 - 3:28)
4-839



0 300 600 Feet

CASE: **VAR-5810**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5810 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5809) and Development Plan Review (SDR-5807).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This was initially request for a Variance to allow 0.51 acres of open space where 1.08 acres of open space is required adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard. A revised site plan now adjusts this request for 0.74 acre of open space where 0.95 acre is required. A related General Plan Amendment (GPA-5804), Rezoning (ZON-5809) and Site Development Plan Review (SDR-5807) will be considered concurrently with this request.

B) Applicant's Justification

As the population in the Vegas area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas, and even some industrial properties. There is a need to develop affordable housing on what has the potential to be an in-fill parcel and is not compatible for commercial given the surrounding community. The product on this parcel will provide a good transition buffer from the existing residential communities and the existing commercial development in the area.

BACKGROUND INFORMATION

A) Related Actions

02/16/05 The City Council will consider a petition to annex (ANX-5586) the subject site into the City of Las Vegas. The effective date of this annexation will be 02/25/05. Staff and the Planning Commission recommended approval on 12/16/04.

01/27/05 The Planning Commission voted to approve a modified General Plan Amendment (GPA-5804) from R (Rural Density Residential) to ML (Medium-Low Density Residential) on the subject site, instead of the original request for MLA (Medium-Low Attached Residential). Staff had recommended denial of the original request.

01/27/05 The Planning Commission voted to hold this item and related cases in abeyance to its 02/24/05 meeting, to allow the applicant to redesign the site and related applications to meet the land use density maximums of the ML (Medium-Low Density Residential) land use designation, and to review this design with staff. These related cases are a Rezoning (ZON-5809) from U (Undeveloped) [R (Rural Density Residential) General Plan designation] to R-PD10 (Residential Planned Development - 10 units per acre) and a Site Development Plan Review (SDR-5807) for a 66-lot residential development. Staff had recommended denial of these original requests.

02/24/05 The Planning Commission recommended approval of these companion items concurrently with this request. The applicant has revised the project to conform to the ML (Medium-Low Density Residential) land use designation.

02/24/05 The Planning Commission voted 4-1-1 to recommend APPROVAL (PC Agenda Item #19/gl).

B) Pre-Application Meeting

12/01/04 Issues discussed included the need for open space calculations, landscaping along Rainbow Boulevard and Ann Road, and the acknowledgement that a signal impact fee would be levied.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 6.86

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Residential
South:	Drug Store/ Single Family Residential
East:	Single Family Residential
West:	Single Family Residential / Undeveloped

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential) ML (Medium-Low Density Residential)
East:	RE (Rural Estates – Clark County)
West:	O (Office)

D) Existing Zoning

Subject Property:	R-E (Rural Estates Residential –Clark County) under Resolution of Intent to C-1 (Local Business District) – Clark County)
North:	U (Undeveloped) [R (Rural Density Residential) General Plan Designation] R-E (Rural Estates Residential –Clark County)

South:	R-CL (Single-Family Compact -Lot) R-E (Rural Estates Residential –Clark County) under Resolution of Intent to C-1 (Local Business District – Clark County)
East:	R-E (Rural Estates Residential – Clark County)
West:	U (Undeveloped) [O (Office) General Plan Designation] under Resolution of Intent to O (Office) R-E (Residence Estates Residential) under Resolution of Intent to O (Office)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with an R (Rural Density Residential) land use designation. The Planning Commission has recommended approval of an amended General Plan Amendment request (GPA-5804) to ML (Medium-Low Density Residential), which allows up to eight units per acre. Pursuant to this recommendation, the applicant has now amended the companion zoning request (ZON-5809) to R-PD8 (Residential Planned Development - 8 units per acre), which will be in compliance with the proposed General Plan designation. This Variance request is not directly affected by any specific General Plan policies.

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

Trails – A Multi-use Transportation Trail is required adjacent to the north side of Ann Road.

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

ANALYSIS

A) Zoning Code

A1) Open Space Standards

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
6.86 acres	8.45	1.65	13.9 %	0.95 Acre (41,536 SF)	10.8%	0.74 Acre (32,414 SF)

The proposal does not meet open space requirements and this Variance has been requested to provide relief of this requirement. The applicant has reduced the scope of the Variance from a 47% deficiency in the original submission to a 22% deficiency in the current site plan. This deficiency is the sole basis for the recommendation of denial of the companion site plan and rezoning requests by staff.

B) General Analysis and Discussion

The request is for a Variance to allow 0.74 acre of open space for a 58-lot residential development where only 0.95 acre of open space is required. This equates to a reduction of 22% of the required open space, and no evidence of a unique or extraordinary circumstance has been presented. The applicant is proposing a 58-lot single-family residential development and could easily design the site with two or three fewer lots in order to comply with this aspect of the Zoning Code. The decision to not do so is financially related and self-imposed.

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."

There is no evidence of a unique or extraordinary circumstance involved that meets Code standards for granting a Variance; accordingly, it is recommended that this request be denied.

PLANNING COMMISSION ACTION

The revised plans now show 0.74 acres where 0.95 acres is required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 166 by City Clerk

APPROVALS 1

PROTESTS 64

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5810 APN: 125-27-803-008

Name of Property Owner: REGAL VILLAGE LLC % V KAMDAR

Name of Applicant: RICHMOND AMERICAN HOMES

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: V K Kamdar

Print Name: V. KAMDAR

Subscribed and sworn before me April Cox

This 2 day of November, 2004

Notary Public in and for said County and State
State of Utah
County of Utah

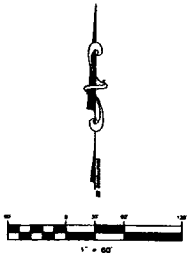
NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
March 18, 2007
APRIL COX
1376 North State
Orem, Utah 84059

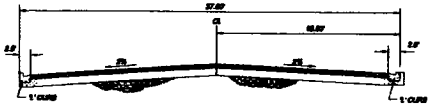
Revised 2/12/02

M:\depot\Application Packet\Statement of Financial Interest.doc

ANN / RAINBOW

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT
BY RICHMOND AMERICAN HOMES





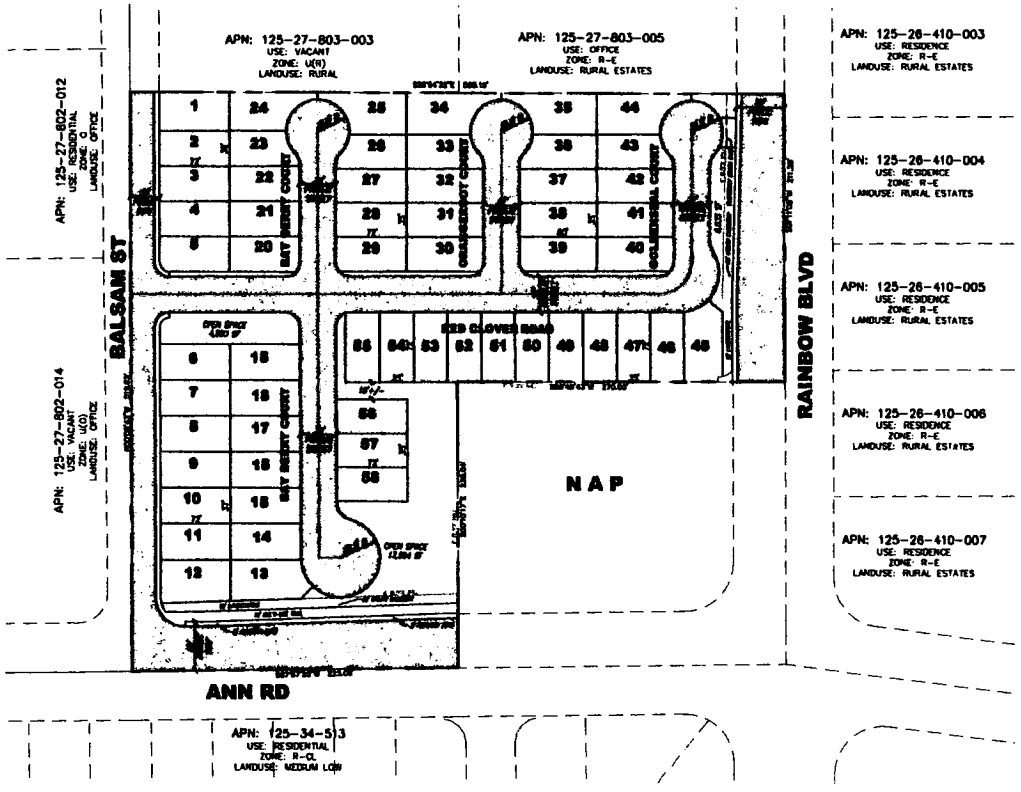
37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE

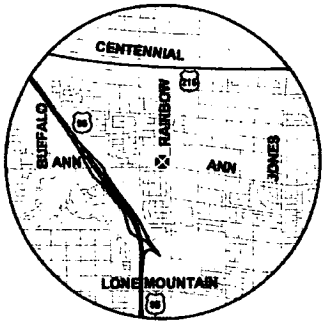


60' PUBLIC STREET HALF-SECTION (BALSAM ST.)
NOT TO SCALE



100' PUBLIC STREET HALF-SECTION (ANN RD. / RAINBOW BLVD.)
NOT TO SCALE





VICINITY MAP
NOT TO SCALE

DEVELOPER
RICHMOND AMERICAN HOMES
2250 WEST PEAK AVE
SUITE 217
LAS VEGAS, NEVADA 89128
(702) 240-5600

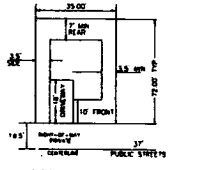
OWNERS
REGAL VILLAGE LLC
10 S STATE ST
LINDON, UT 84042

ENGINEER
THOMASON CONSULTING ENGINEERS
3161 E WARM SPRINGS RD
SUITE 200
LAS VEGAS, NEVADA 89120
(702) 932-6125

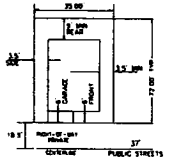
ASSESSORS PARCEL NUMBER:
125-27-803-008

OVERALL TABULATIONS

EXISTING ZONING	C-1
PROPOSED ZONING	R-PUD
EXISTING LAND USE	RURAL
PROPOSED LAND USE	MEDIUM-LOW
# OF UNITS	58
GROSS ACREAGE	6.86 ACRES +/-
DENSITY	8.4 D.U.A
OPEN SPACE REQUIRED	15 AC (41,382 SF)
OPEN SPACE PROVIDED - 32% REDUCTION IN OS	64 AC (128,189 SF)



LOT DETAIL (TYPICAL)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT +/-)



LOT DETAIL (CUL-DE-SAC)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT +/-)

RECEIVED
MAR 0 4 2005

ZON-5809
~~VAR-5810~~
~~SDR-5807~~

REVISED
03/16/05 CC

REVISED
3-4-05

DEVELOPER:
RICHMOND AMERICAN HOMES
2250 W. PEAK DRIVE, #217
LAS VEGAS, NEVADA
(702) 240-5600

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7455 Hickam Avenue Las Vegas, NV 89129 Office: 702.304.7701 Fax: 702.304.7702

SHEET: TENTATIVE MAP
TITLE: ANN / RAINBOW
CITY OF LAS VEGAS, NEVADA

DATE: FEBRUARY 23, 2005
DRAWN BY: B SAYLOR
DESIGNED BY: R SHUE
CHECKED BY: R SHUE
SCALE: 1" = 80'
PROJECT NO: RA-0088
ENGINEERING SEAL

SHEET: TM-1 OF 2
DRAWING NO:

LAS VEGAS r S CONSULTING, INC. NEVADA
STRATEGIC PLANNING SOLUTIONS

March 7, 2005 ***"REVISED" #2***

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

Attention: Gary Leobold, Planning Supervisor

Reference: **Ann-Rainbow SDR, GPA, Rezoning and Variance**
APN #125-27-803-008

On behalf of Richmond American Homes we respectfully request your consideration of the attached General Plan Amendment, Rezoning, Site Development Plan Review and Variance applications.

Location: The proposed 6.86 acre± site is located directly behind the existing Walgreens on the northwest corner of Ann Road and Rainbow Boulevard.

Request: At this time, Richmond American Homes is requesting the consideration of a General Plan Amendment, Site Development Plan Review and Rezoning to ***R-PD8*** with an open space Variance for a ***58*** unit single family detached residential development on 6.86 acres± (125-27-803-008) with a proposed density of ***8.45 ±*** dwelling units per acre (DUA). Additionally, we are currently in the process of an annexation (ANX-5586-04) for the above referenced property into the City of Las Vegas from Clark County that is scheduled to be heard by the Planning Commission on December 16, 2004.

Background/Justification: The parcel in question is currently under resolution of intent within Clark County to C-1. This parcel with the current surrounding land uses and proposed adjacent projects will become an in-fill parcel for residential as this area is not compatible for commercial with the surrounding existing land uses. The property is currently vacant and zoned C-1 with a land use designation of Rural Density Residential (Clark County) of up to 3.59 du/ac. The adjacent properties are zoned and the current land uses are; north, the western most property is zoned Undeveloped (U) and master planned Rural (R)(CLV) and the eastern property is zoned R-E and master planned Rural Density Residential (RDR)(CC), south is an existing higher density residential project that is currently zoned R-CL and master planned ML, to the west is zoned Office (O) and master planned Office (O) in both Clark County and the City, to the east is existing single family residential that is zoned R-E and master planned Rural Estates. In the past 5 + years, there has been a significant change in population in the Las Vegas Valley. As the population in the Las Vegas-area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas and even some Industrial properties. We especially believe that there is a need to develop affordable housing on what has the potential to be an *in-fill* parcel and is not compatible for commercial with the surrounding community. Developing this site as such allows less burdens on getting infrastructure to these properties but due to the nature of the *in-fill* property, we find it necessary to request minor deviations to the cities code requirements in order to develop the property making it a positive for the developer, the City of Las Vegas and the surrounding community.

ZON-5809
VAR-5810
SDR-5807

RECEIVED
MAR - 7 2005

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

LAS VEGAS
r s CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
NEVADA

Ann-Rainbow
SDR,GPA,Rezoning and Variance
APNs 125-27-803-008

Development Standards: All interior streets will be 37' privately maintained rights of way. It is also necessary that with these applications, we request a *Deviation of Standard* for a reduced cul-de-sac radius. The reduced radii is due to the relatively small parcel size and by using the larger standard bulb (typically provided on a public street) where provided this may necessitate a variance request for setbacks as the intrusion of a standard cul-de-sac bulb on the smaller lot sizes reduces the lot depth in that area. ***The requested deviation of standard was approved on 2/22/05 by CLV Public Works for reduced cul-de-sac radii (32.5' for 3 cul-de-sac's) and one modified knuckle as shown on the submitted Tentative Map (TMP-6214).*** The product intended for this proposed site will be single family detached residences, and range in size from 1,327 s.f. to 1,803 s.f.

The following minimum setbacks are being requested:	Front – 18'(Garage), Front – 10'(Living), Rear – 10', Side/Corner side – 3.5'
Cul-de-sac's – due to Deviation of Standards request The following minimum setbacks are being requested:	Front – 6'(Garage), Front – 6'(Living), Rear – 9', Side/Corner side – 3.5'
Open Space requirements are as follows:	OS Required: .95 acres± (41,382 s.f.±) OS Provided: ***.64 acres± (28,189 s.f.±)***

At this time we are requesting a variance of the required open space. Our re-designed plan provides for 68% of the required open space, and our request is for a ***32%*** reduction in open space requirements, which is greater than the original requested 53% reduction of open space. The open space amenities within the proposed residential subdivision have changed during the planning process from the original concept due in part from neighborhood concerns and a re-design of the proposed subdivision. It is still our concern with the recent developments within the Las Vegas Valley and our current water situation that we become proactive, and it is with our best intentions to continue to provide open space amenities for our residents but also be concerned with the future of Southern Nevada and review the quality of open space we are providing for our residents.

We believe that this product on this parcel will provide a good transition buffer from the existing residential community and the existing commercial development planned for this area and will be an enhancement to the community. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Skuse
President

Cc: Richmond American Homes, Manny Pattni

RECEIVED
MAR - 7 2005

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

DOES LAS VEGAS HAVE TO LOOK LIKE NEW YORK CITY? MORE CRIME, etc..

CROWDED SCHOOLS—HOSPITALS ROADS—TRAFFIC YES BIGGER PAY FOR THE PLANNING COUNCIL TRAFFIC JAMS CRIME Water Shorts

NOTICE OF PUBLIC HEARING

VARIANCE

A NONY MOS
1000 RAINBOW BLVD.
LAS VEGAS, NV

[redacted]
LAS VEGAS NV 89130-1693

MEETING: CITY COUNCIL
DATE: MARCH 16, 2005
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SO THIS IS WHAT IT'S CALLED CLOSE YOUR EYES TO THE PROBLEMS

VAR-5810

A LOT OF FANCY LANGUAGE FOR GIVING SOME WORMS PERMISSION TO DESECRATE GOD'S EARTH...

DO WE REALLY NEED MORE OF THESE

APPLICANT: RICHMOND AMERICAN HOMES; OWNER: REGAL VILLAGE, LLC - REQUEST FOR A VARIANCE TO ALLOW 0.51 ACRES OF OPEN SPACE WHERE 1.09 ACRES IS THE MINIMUM AMOUNT REQUIRED IN CONJUNCTION WITH A PROPOSED 66-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT ON 6.86 ACRES ADJACENT TO THE NORTH SIDE OF ANN ROAD, APPROXIMATELY 290 FEET WEST OF RAINBOW BOULEVARD (APN 125-27-803-008), U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO N-S (NEIGHBORHOOD SERVICE) [PROPOSED: R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE) ZONE], WARD 6 (MACK). *(NOTE: Application is for 58 units)*

THAT WORD AGAIN

THE ALL IMPORTANT WORD TO PUT "PROTESTORS" IN THEIR PLACE...

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or [redacted] 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

CITY OF LAS VEGAS NEVADA

SEE LOCATION MAP ON REVERSE SIDE

Protest

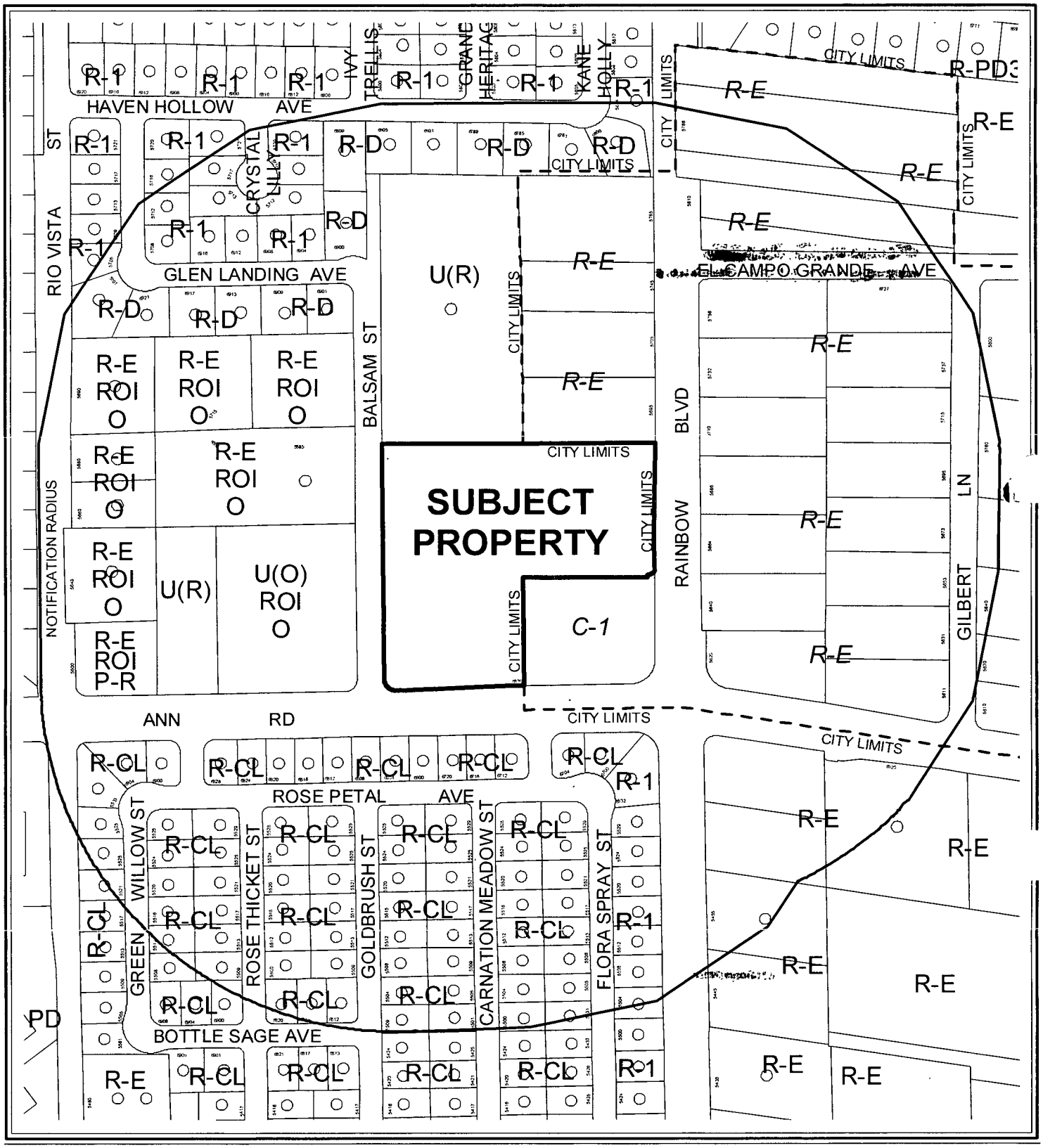
Of course the "developers" will win out. They have their pals on their side.. The weaklings that were elected by the people to show responsibility that public.

BARBARA JO RONEMUS
CITY CLERK

RECEIVED
CITY CLERK
2005 MAR 14 A 10:1

...ilter final agenda

Date 3/14/05 Item #123



0 300 600 Feet

CASE: **VAR-5810**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

N

=4,200-5,000 sq ft

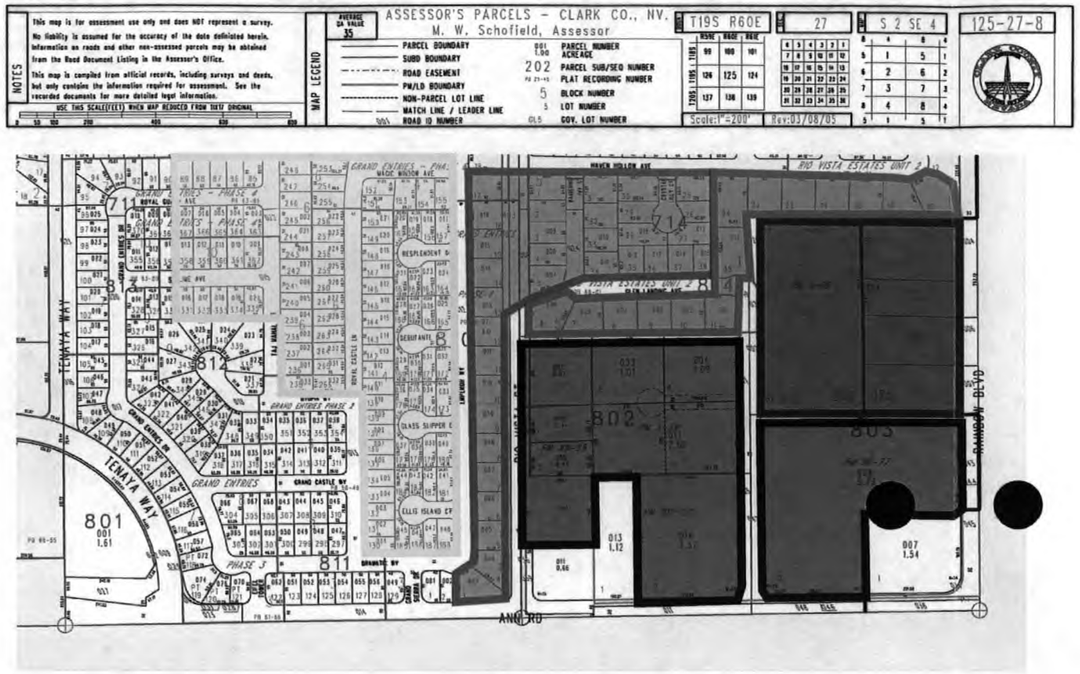
=6,200-6,700 sq ft

=7,000-8,500 sq ft

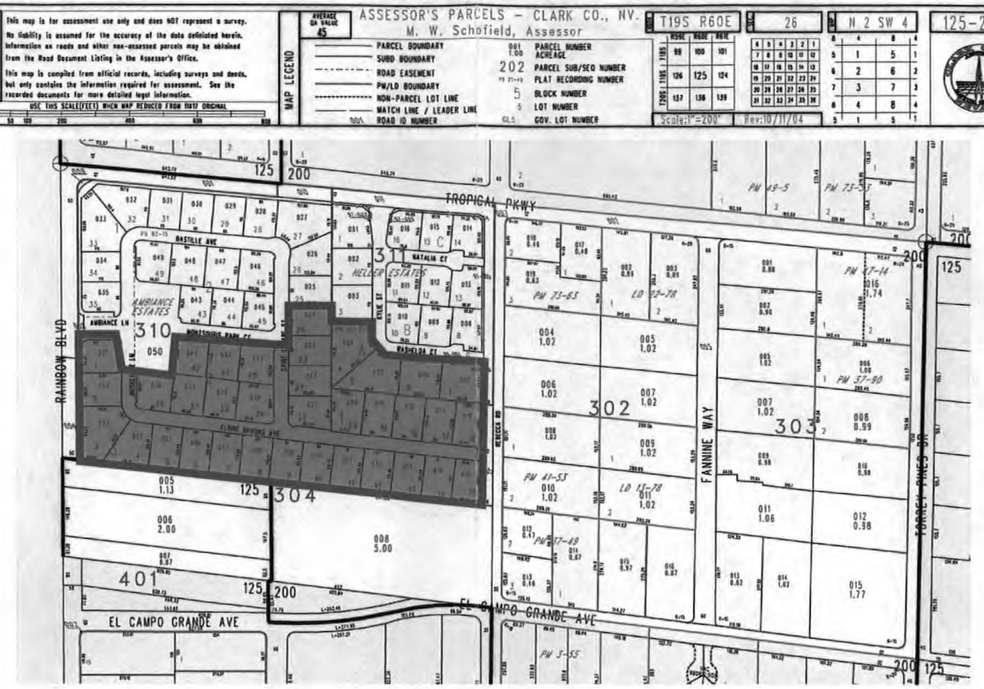
=11,000-12,500 sq ft

=30,000+ sq ft

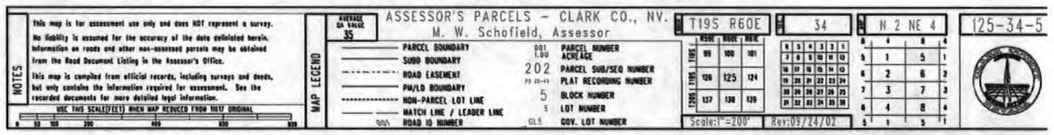
=Subject Sites

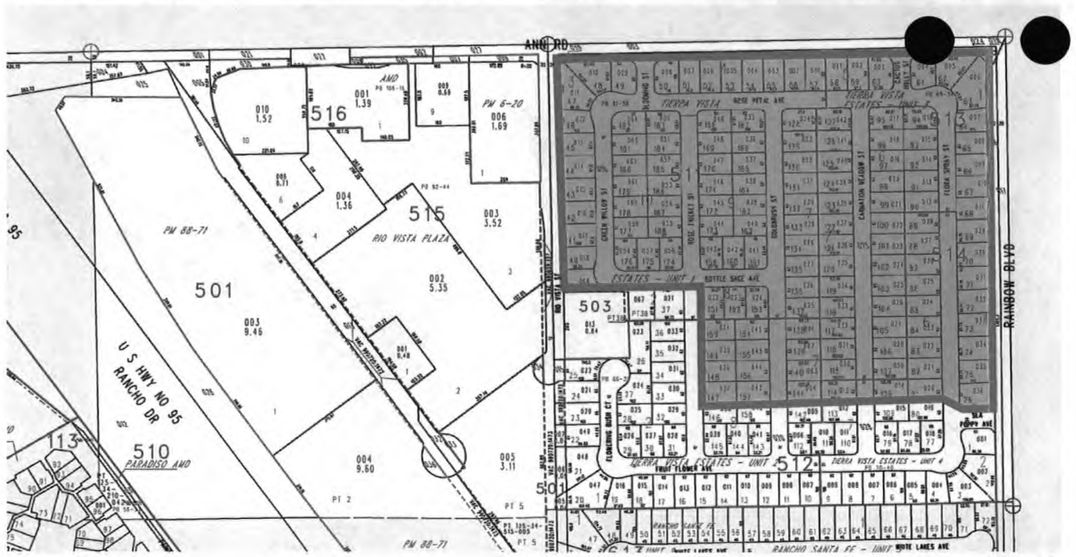


TAX DIST 125

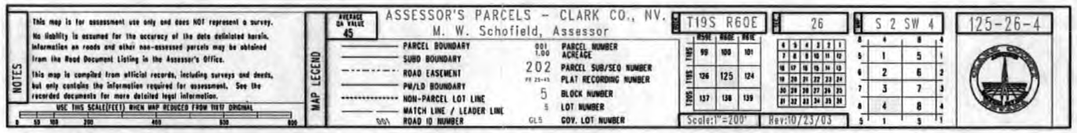


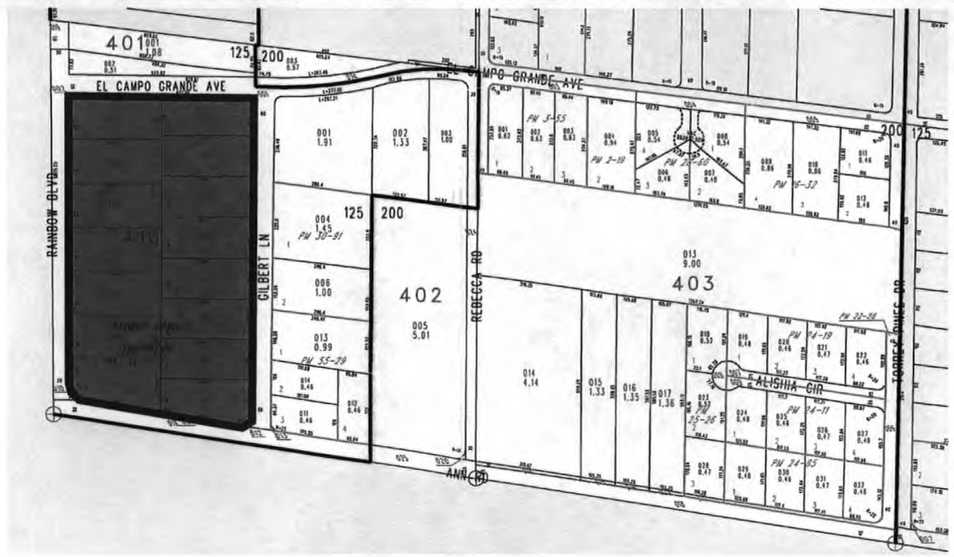
TAX DIST 125,200





TAX DIST 200





TAX DIST 125,200

Submitted at City Council
Date 3/16/05 Item #122 123 124

Submitted at City Council
Date 3/16/05 Item 122, 123 & 124

March 14, 2005

Reference: Notice of Public Hearing, VAR 5810/SDR 5807 and
ZON 5880/SDR5881

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

Attached are forty (40) signatures protesting the above listed proposed actions based on:

1. High Density homes (10 per acre) being built adjacent to medium density homes (4-6 per acre). Request compatibility to "existing homes.

2. Subdivision needs to be enclosed with no home facing Balsam St. Compatibility with surround subdivisions.

3. No two story houses built on back-side of existing single story homes.

The Planning Commission Meeting met on Feb 10, 2005 and approved the action despite Staff recommendation of denial. During the allotted time for public participation three members of the Planning Commission took a break and returned only to vote.

Jeanette Ratliff
6904 Glen Landing Ave
Las Vegas, NV 89130
(702) 656-4156
(702) 375-2366

PETITION FOR RECONSIDERATION OF PROPOSED LAND DEVELOPMENT ON 10.76 ACRES ADJACENT EAST OF RIO VISTA STREET AND ANN ROAD (GPA 5820, ZON 5880, SDR 5881) AND 6.86 ACRES ADJACENT TO THE NORTH SIDE OF ANN ROAD, APPROXIMATELY 290 FEET WEST OF RAINBOW BLVD (ZON 5809, GPA 5804, VAR 5810)

(KEY ISSUES: OPPOSITION TO HIGH DENSITY HOUSES, NO TWO STORY HOUSES ON NORTH AND ~~EAST~~ OF PROPERTIES AND NO ACCESS ONTO BALSAM STREET).

PRINTED NAME	SIGNATURE	ADDRESS	PHONE/NOTES
Albert L. Stratton	Albert L. Stratton	6921 Greenery Ct.	839-9739
Esther Pratt	Esther Pratt	6926 Greenery Ct	566-7180
Herbert C. Wolfs		5918 Ivy Trails	467-2304
Cecilia K. Laub	Cecilia K. Laub	6791 Haven Hollow	870-6742
Jean Stratton	Jean Stratton	6921 Greenery Ct	839-9739
Jason Hendricks	Jason Hendricks	6911 Greenery Ct	871-6930
Robbin Buscher	Robbin Buscher	6781 Haven Hollow	870-6742
Ron Jonson	Ron Jonson	5631 Gilbert Ct	838-3733
Maria Kusher	Maria Kusher	5710 N. Rainbow	655 3712
Keith Pearson	Keith Pearson	5710 N Rainbow	655-3712
Jim Epley	Jim Epley	5686 No. Rainbow	639.6109

PETITION FOR RECONSIDERATION OF PROPOSED LAND DEVELOPMENT ON 10.76 ACRES ADJACENT TO NORTHWEST CORNER OF ANN ROAD AND BALSAM STREET

(KEY ISSUES, OPPOSITION TO HIGH DENSITY HOUSES, NO TWO-STORY HOUSES BUILT ON BACK-SIDE OF SINGLE STORY HOMES, SUBDIVISION NEEDS TO BE ENCLOSED WITH NO HOMES FACING BALSAM ST.)

PRINTED NAME	SIGNATURE	ADDRESS	PHONE/NOTES
Jeanette Ratliff	Jeanette Ratliff	6904 Glen Landing Ave	656-4156
Gary Ratliff	Gary Ratliff	6904 Glen Landing Ave	656-4156
Eileen Howe	Eileen Howe	6901 Glen Landing	655-4959
Raymond Howe	Raymond Howe	6901 Glen Landing	655-4959
Ollie Gallegos		6912 Glen Landing Ave	655 7495
Jack J. Rimbach	Jack J. Rimbach	5917 Kane Holly	395-7014
Andrew D Coop	Andrew D Coop	6900 Glenlanding Ave	656-5267
Anita M. Gallegos	Anita M. Gallegos	6900 Glen Landing Ave	656-5269
Ann Craig	Ann Craig	5716 Wandering Trl	396-7861
Lucille Marstellar	Lucille Marstellar	5717 Crystal Hill	
Marie Dennis	Marie Dennis	4808 Haven Hollow	

PETITION FOR RECONSIDERATION OF PROPOSED LAND DEVELOPMENT ON 10.76 ACRES ADJACENT TO NORTHWEST CORNER OF ANN ROAD AND BALSAM STREET

(KEY ISSUES, OPPOSITION TO HIGH DENSITY HOUSES, NO TWO-STORY HOUSES BUILT ON BACK-SIDE OF SINGLE STORY HOMES, SUBDIVISION NEEDS TO BE ENCLOSED WITH NO HOMES FACING BALSAM ST.)

PRINTED NAME	SIGNATURE	ADDRESS	PHONE/NOTES
Krishna Shrivastava, AICP	Krishna Shrivastava	6908 Glen Landing Ave	702-396-4132
Madhu Shrivastava	Madhu Shrivastava	6908 Glen Landing Ave	702-396-4132
ANGELA FARRIS	Angela M Farris	5721 WANDERING IVY ST	702-396-4482
ROBERT FARRIS	Robert Farris	5721 Wandering Ivy St	702 396-4482
DONALD W. PRATT	Donald Pratt	5705 Wandering Ivy St	702-658-4852
Leah JANE PRATT	Leah Jane Pratt	5705 Wandering Ivy St	702-658-4852
DONAID SUTTON	Donald Sutton	5701 Wandering Ivy	702-645-6549
LARAE SUTTON	LaRae Sutton	5701 Wandering Ivy	702-645-6549
Pamela Holmes	Pamela Holmes	6909 Glen Landing	702-310-6909
ROBERT L. HOLMES		6909 Glen Landing	702-310-6909
Kendra Brown	Kendra D Brown	6909 Glen Landing	702-839-2896

PETITION FOR RECONSIDERATION OF PROPOSED LAND DEVELOPMENT ON 10.76 ACRES ADJACENT TO NORTHWEST CORNER OF ANN ROAD AND BALSAM STREET

(KEY ISSUES, OPPOSITION TO HIGH DENSITY HOUSES, NO TWO-STORY HOUSES BUILT ON BACK-SIDE OF SINGLE STORY HOMES, SUBDIVISION NEEDS TO BE ENCLOSED WITH NO HOMES FACING BALSAM ST.)

PRINTED NAME	SIGNATURE	ADDRESS	PHONE/NOTES
Ron Johnson	Ron Johnson	5631 Gilbert Ln	838-3733
~~Leah Jane Trail~~	~~Leah Jane Trail~~	~~5705~~	
STEVE CRAIG	Steve Craig	5716 W. IVY	396-4561
Ann CRAIG	Ann Craig	5716 WANDERING IVY	396 4561

PETITION FOR RECONSIDERATION OF PROPOSED LAND DEVELOPMENT ON 10.76 ACRES ADJACENT TO NORTHWEST CORNER OF ANN ROAD (GPA 5820, ZON 5880, SDR 5881) AND 6.86 ACRES ADJACENT TO THE NORTH SIDE OF ANN ROAD, APPOXIMATELY 290 FEET WEST OF RAINBOW BLVD (ZON 5809, GPA 5804, VAR 5810)

(KEY ISSUES, OPPOSITION TO HIGH DENSITY HOUSES, NO TWO-STORY HOUSES BUILT ON BACK-SIDE OF SINGLE STORY HOMES, SUBDIVISION NEEDS TO BE ENCLOSED WITH NO HOMES FACING BALSAM ST.)

PRINTED NAME	SIGNATURE	ADDRESS	PHONE/NOTES
Pat BRADFORD		6809 Haven Hollow	396-4420
Joan C. Zuhoski		6785 Haven Hollow	656-5718
William Cantrell		5924 Kane Holly	395-6083
STEPHEN ORLANDO		5921 KANE HOLLY ST	313-8844

PETITION FOR RECONSIDERATION OF PROPOSED LAND DEVELOPMENT ON 10.76 ACRES ADJACENT EAST OF RIO VISTA STREET AND ANN ROAD (GPA 5820, ZON 5880, SDR 5881) AND 6.86 ACRES ADJACENT TO THE NORTH SIDE OF ANN ROAD, APPROXIMATELY 290 FEET WEST OF RAINBOW BLVD (ZON 5809, GPA 5804, VAR 5810)

(KEY ISSUES: OPPOSITION TO HIGH DENSITY HOUSES, NO TWO STORY HOUSES ON NORTH AND EAST OF PROPERTIES AND NO ACCESS ONTO BALSAM STREET).

PRINTED NAME	SIGNATURE	ADDRESS	PHONE/NOTES
BRYAN LAUB	Elmer Laub	6781 HAVEN HOLLOW	870-6742
IRMA KEBISEK	Irma Kebisek	5708 WANDERING WAY	658-7307
Madhu Shrivastava	M Shrivastava	6908 Glen Landing	396-4132
PAUL KEBISEK	Paul Kebisek	5708 WANDERING WAY	658-7307
KRISHNA K. SHRIVASTAVA	Krish. Shyd	6908 GLEN LANDING AVE	396-4132
MONTEEN HEADLEY	Monteen Headley	6781 Haven Hollow Ave	870-6742
PERI HAUSE	Peri Hause	6781 Haven Hollow Way	870-6742

Submitted at City Council
Date 3/16/05 Item 122, 123 & 124

Submitted at City Council
Date 3/16/05 Item 122, 123, 124

PETITION IN OPPOSITION TO
GPA 5804, ZON 5890, SDR 5811, VAR 5852

We, the undersigned, being homeowners and neighbors to the property the subject of the above land use applications, hereby oppose the applications and request that the Las Vegas Planning Commission and Las Vegas City Council deny said applications as the proposed changes are not compatible with the surrounding uses and neighborhood.

Thank you.

By: [signature]
Print Name: Frank DeLuca
Address: 6817 Bollegage 89130

By: [signature]
Print Name: Dena DeLuca
Address: 6817 Bollegage 89130

By: [signature]
Print Name: DONALD F. SUTTON
Address: 5701 WANDERING IVY ST

By: [signature]
Print Name: Leah Jane Pratt
Address: 5705 Wandering Ivy

By: [signature]
Print Name: Donald W. Pratt
Address: 5705 Wandering Ivy ST

By:
Print Name: MAC RAY
Address: 5709 WANDERING

By: [signature]
Print Name: JOHN E. RAY
Address: 5709 Wandering Ivy

By: [signature]
Print Name:
Address:

By: [signature]
Print Name: DARLENE J. BOLKO
Address: 5717 WANDERING IVY ST.

By: [signature]
Print Name: STEVE CRAIG
Address: 5716 WANDERING IVY ST

By: [signature]
Print Name: Ann CRAIG
Address: 5716 Wandering Ivy

By: [signature]
Print Name: ANN MARTINEZ
Address: 6908 Haven Hollow

By: [signature]
Print Name: Andrew J. Sheridan
Address: 6912 Haven Hollow

By: [signature]
Print Name: Janice Sheridan
Address: 6912 Haven Hollow

PETITION IN OPPOSITION TO
GPA 5804, ZON 5890, SDR 5811, VAR 5852

We, the undersigned, being homeowners and neighbors to the property the subject of the above land use applications, hereby oppose the applications and request that the Las Vegas Planning Commission and Las Vegas City Council deny said applications as the proposed changes are not compatible with the surrounding uses and neighborhood. Thank you.

By: Raymond Alhona
Print Name: RAYMOND ALHONA
Address: 6720 HAVEN HOLLOW

By: Angela M Farris
Print Name: ANGELA M FARRIS
Address: 5721 WANDERING JUY ST

By: Don Marstella
Print Name: DON MARSTELLA
Address: 5717 Crystal Lilly

By: Lucille Marstella
Print Name: LUCILLE MARSTELLA
Address: 5717 Crystal Lilly

By: Linda Prebul
Print Name: LINDA PREBUL
Address: 5720 CRYSTAL LILLY

By: Cecilia Bradford
Print Name: Cecilia Bradford
Address: 6809 Haven Hollow

By: Nancy L Norris
Print Name: Nancy L Norris
Address: 6785 Haven Hollow Ave

By: Christina L Ferro
Print Name: CHRISTINA L FERRO
Address: 6785 Haven Hollow Ave.

By: Bryan Laub
Print Name: BRYAN LAUB
Address: 6781 Haven Hollow

By: Cecelia K Laub
Print Name: CICELIA K. LAUB
Address: 6781 Haven Hollow

By: Raymond L Pendergrass
Print Name: Raymond L PenderGRASS
Address: 6781 Haven Hollow

By:
Print Name: GARY SANDERS
Address: 5764 Vandalia St

By:
Print Name: Marvin D. Dennis
Address: 6806 Haven Hollow Av

By: Frederick T Caton
Print Name: FREDERICK T CATON
Address: 6812 HAVEN HOLLOW AVE 89130

PETITION IN OPPOSITION TO
GPA 5804, ZON 5890, SDR 5811, VAR 5852

We, the undersigned, being homeowners and neighbors to the property the subject of the above land use applications, hereby oppose the applications and request that the Las Vegas Planning Commission and Las Vegas City Council deny said applications as the proposed changes are not compatible with the surrounding uses and neighborhood.

Thank you.

By: Michael N Aenell
Print Name: Michael N Aenell
Address: 6900 Haven Hollow Ave.

By: Patricia M. Aenell
Print Name: Patricia M. Aenell
Address: 6900 Haven Hollow Ave

By: John Rodriguez
Print Name: John Rodriguez
Address: 5841 Rebecca Rd

By: Jean Buckley
Print Name: Jean Buckley
Address: 5853 Rebecca

By: L R. M
Print Name: LANCE R. MAGIN
Address: 6141 Desert Haven Rd.

By: Elizabeth Rodriguez
Print Name: Elizabeth Rodriguez
Address: 5841 Rebecca Rd

By: Howard Hughes
Print Name: HOWARD HUGHES
Address: 5853 Rebecca Rd

By: Thomas Buckley
Print Name: Thomas Buckley
Address:

By:
Print Name:
Address:

By:
Print Name:
Address:

By:
Print Name:
Address:

By:
Print Name:
Address:

By:
Print Name:
Address:

By:
Print Name:
Address:

By:
Print Name:
Address:

By:
Print Name:
Address:

PETITION IN OPPOSITION TO
GPA 5804, ZON 5890, SDR 5811, VAR 5852

We, the undersigned, being homeowners and neighbors to the property the subject of the above land use applications, hereby oppose the applications and request that the Las Vegas Planning Commission and Las Vegas City Council deny said applications as the proposed changes are not compatible with the surrounding uses and neighborhood.
Thank you.

By: Helene Prosser	By:
Print Name: HELENE PROSSER	Print Name:
Address: 6913 GLEN LANDING AVE	Address:
By:	By:
Print Name:	Print Name:
Address:	Address:
By:	By:
Print Name:	Print Name:
Address:	Address:
By:	By:
Print Name:	Print Name:
Address:	Address:
By:	By:
Print Name:	Print Name:
Address:	Address:
By:	By:
Print Name:	Print Name:
Address:	Address:
By:	By:
Print Name:	Print Name:
Address:	Address:
By:	By:
Print Name:	Print Name:
Address:	Address:

PETITION TO OPPOSSE GPA-5804 / VAR 5810 / ZON 5809 / SDR 5807

We, the undersigned, while believing that progress of the community is important, we also believe in the importance of keeping our community density at or near the same level that it currently is. We believe that with the proposed zoning amendment, which would allow up to 12 homes per acre is in sharp contrast to our current zoning. The plans that were shown at the neighborhood meeting held by the developer Richmond American propose to place 66 units onto a 5.73 acre parcel of Rural Estates zoned land, which is 11.5 units per acre. The surrounding properties on the East, West and North side are all currently zoned for no more than 2 units per acre and are mostly zoned horse property. We feel with the proposed zoning of 12 units per acre we would be forced into dealing with urban zoning far too dense than we are comfortable living with. Another major concern that the residents have is that the entrance to this subdivision is located on Rainbow Blvd. Rainbow Blvd in this area is only one lane in either direction, and the daily traffic increase of at least 100-135 cars two to three times per day would cause much undeserved congestion on this stretch of roadway. Many of us on Rainbow Blvd. have children that play in our front yards and we have no reinforced walls or curbing in front of our properties, and with the increased traffic there is a big concern that any one of these vehicles could eventually wind up in our yards causing serious injury or death to one of our children. The last concern about the Rainbow Blvd. entrance is the flow of waters when it rains. With the roadways as they are when we receive heavy rains there is generally quite a bit of flooding on the East and West side of Rainbow Blvd. When the west side is developed as planned with the one entrance where the water would flow there would be only one path for the flow and that is to the East side of Rainbow Blvd. causing more severe flooding problems than we currently are prepared for. We therefore write to petition the city of Las Vegas to fail this GPA-5804 and keep this property zoned Rural Estates.

Homeowner Name	Signature	Address	Telephone
Jennifer Soares		5695 N. Rainbow	656-3737
Jimmy D. Epley		5686 No. Rainbow	639-6109
Sandra Meyer	Sandra Meyer	7438 Plunging Falls	645-4313
Andrea Spiro	Andrea Spiro	7453 Quail Breath Ln	228-6654
Jennifer Flores	Jennifer Flores	3505 Canary Creek Ave	645-4736
Debra Lamm	Debra Lamm	7863 Morning Call Dr	515-1430

VHR 5810
ZON 5809
SDR 5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Megan M Ortiz-Caporale		8585 Bellaloma Ct 89149	658-7361
Mark + Kenneth Rooney		6808 Snake River Ave	296-7875 296-7803
		5965 Ruffian Rd	395-6656
Stacey S. Fish		7429 Enchanted Hills	242-1283
Christine Mercer		6430 Whispering Sand Drive	656-7008
Giovanni Garcia		7803-Morning Calliope CT	515-1430
Wally Way		3767 Quiet Creek	656-3728
Edwin		6780 Bashlike Ave	839 7967
Christie Pratt		8017 Tailwind Ave	255-5748
Leonard Lozano		7050 Sea Orchard	325-2189
Christina Leon		5360 Bayou Ct	655-5369
Betty Jackson		5361 Bayou Ct	656-7605
Mary Green		6430 Whispering Sand	649-2000
Helen Boyer		6121 Minnesota Dunes St	658-1500
Leonard Boyer		6121 Minnesota Dunes St	658-1500

5810
ZON 5809
SDR 5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Nadine Searles	Nadine Searles	6812 Beach Rose Dr Las Vegas NV 89117	(702) 396-5437
Raymond Pecoraro	Raymond Pecoraro	1529 Vicenza Ct. 89139	702-290-0572
Kimberly Rager	Kimberly Rager	8760 Castletti	361-0463
Jennifer Wentzel	Jennifer Wentzel	4169 Autumn Lake 89121	873-6114
EDWARD C. JETER	Edward Jeter	7225 TEAKWOOD ST.	657-9292
Angelica Linn	Angelica Linn	5419 Nested Moon 89131	(702) 869-8374
Julie Zinovich	Julie Zinovich	5812 DeCabarre	2454671
Linda Otter	Linda Otter	5812 DeCabarre	6472692
Jayson Smetana	Jayson Smetana	7829 Pinnacle Ave	656-5291
Walter Dodds	Walter Dodds	5640 Gilbert Lane	656-1363
Janet Causey	Janet Causey	5785 Juliano	658-8855
Christine Bristol	Christine Bristol	7616 Donald Nelson Ave	396-8980
Karrah Rodney	Karrah Rodney	6808 Snake River	656-7803
Amy Jeter	Amy Jeter	7225 Teakwood St	657-9292
	Chris Tuckfield	4616 Adventure Ave	396-2245

VAR5810
ZON5809
SOR5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Larry Searls		6812 Beach Nest Ave	3965434
Kathleen Richardson		7430 Jockey Ave	839-8831
Talya Page		5129 Danada Ct	254-1892
Beth Smietana		7829 Pinnochio	2030970
Laura Fontana		2706 Gardenia Flower	396-3377
Dan Fredrich		4940 N. Cameron Rd	645-5287
Chad C. Moore		6792 Beach Nest Ave	647-5834
Patty A. Sharley		6788 Beach Nest Ave	396-9841
TARA CARROLL		6780 Beach Nest Ave	395-4496
William Cantrell		5924 Kane Holly	395-6083
Henry A Stuckert		5620 Kane Holly	656-1355
Teresa moore		5912 Kane Holly St	395-8953
QUINTON JOHNSON		5902 KANE HOLLY ST	6564306
		5900 Kane Holly	670 3974
Don Larrick		5824 Kane Holly Ct.	656-9250

15

VAR 5810
ZON5809
SDR5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Claudia Lemmon	C Lemmon	5816 Kane Holly	363-1323
Robert D. Lemmon	Robert D Lemmon	5816 Kane Holly	363-1323
C.E. Gill	C.E. Gill	5813 Kane Holly	655-5342
W.H. Ragsdale	William H. Ragsdale	5825 Kane Holly	360-8474
D. Orlando	D Orlando	5921 Kane Holly St	313-8844
Maria Kasher	Maria Kasher	5710 N. Rainbow	6553712
Stacey A Ruiz	Stacey A Ruiz	5710 N. Rainbow	655-3712
[illegible]	Keith Pearson	5710 N Rainbow	655-3712
Scott Angle	[illegible]	5664 N Rainbow	645-8990
Ryan Bertalbros	Ryan Bertalbros	5686 N. Rainbow Blvd	639-6109
Christian Lightbourne	Christian Lightbourne	6438 Crimson Tide Ave	395-8558
Jennifer Eden	Jeden	5686 N. Rainbow	639-6109

8

Jan 13; 2005

Mr. Gary Leobold, Planning Supervisor
Planning & Development Dept.
Current Planning Division
731 S. Fourth St.
Las Vegas, NV 89101

Dear Sir,

Please note that I vehemently object to the proposed development (attached).

I purchased a condominium (Cliff Shadows) across from the proposed project about a year ago.
I paid an additional $5,000 for a unit facing the mountains with a view.

At the time of purchase the proposed project was on Low-Density Land and my decision to purchase was based on such.

This proposed project will undeniably block that view, increase congestion and disturb the animal inhabitants, such as big horn sheep, who are regularly seen grazing near the bottom of the mountains.

I respectfully urge you to disapprove the proposal.

Yours truly,

Joseph Garramone
3455 Cactus Shadow St. #203
Las Vegas, NV 89129

VAR-5136

January 18, 2005

Gary Leobold, Planning Supervisor
Planning & Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

Dear Gary Leobold, Planning Supervisor,

SUBJECT: ~~VAR~~ ZON-5809, VAR-5810, SDR-5807, GPA-5804, GPA-5820

Concerning ~~Var~~ ZON-5809, Var-5810, SDR-5807, I am objecting to any change in the current designation of property to R-PD10, which will change the open space requirement to one half the original requirement. The area is already congested, traffic is heavy and open space is at a premium.

Concerning GPA-5804, GPA-5820, I am objecting to any change of The Centennial Hills Sector Plan to MLA. A zero lot requirement means that the builder can build Town homes, Condo's, Duplex's etc; which would add more congestion to the area as well as decreasing the value of the homes in the surrounding area.

The preservation of open space and development of property consistent with the general welfare and quality of life for the residents in the area must be considered before the needs of the developers. For the above stated reasons, I am objecting to any changes of the current zoning.

Sincerely,

Walter Nieczkowski

5509 GOLDBRUSH STREET
LAS VEGAS, NEVADA 89130

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

PETITION TO OPPOSSE GPA-5804 / VAR 5810 / ZON 5809 / SDR 5807

We, the undersigned, while believing that progress of the community is important, we also believe in the importance of keeping our community density at or near the same level that it currently is. We believe that with the proposed zoning amendment, which would allow up to 12 homes per acre is in sharp contrast to our current zoning. The plans that were shown at the neighborhood meeting held by the developer Richmond American propose to place 66 units onto a 5.73 acre parcel of Rural Estates zoned land, which is 11.5 units per acre. The surrounding properties on the East, West and North side are all currently zoned for no more than 2 units per acre and are mostly zoned horse property. We feel with the proposed zoning of 12 units per acre we would be forced into dealing with urban zoning far too dense than we are comfortable living with. Another major concern that the residents have is that the entrance to this subdivision is located on Rainbow Blvd. Rainbow Blvd in this area is only one lane in either direction, and the daily traffic increase of at least 100-135 cars two to three times per day would cause much undeserved congestion on this stretch of roadway. Many of us on Rainbow Blvd. have children that play in our front yards and we have no reinforced walls or curbing in front of our properties, and with the increased traffic there is a big concern that any one of these vehicles could eventually wind up in our yards causing serious injury or death to one of our children. The last concern about the Rainbow Blvd. entrance is the flow of waters when it rains. With the roadways as they are when we receive heavy rains there is generally quite a bit of flooding on the East and West side of Rainbow Blvd. When the west side is developed as planned with the one entrance where the water would flow there would be only one path for the flow and that is to the East side of Rainbow Blvd. causing more severe flooding problems than we currently are prepared for. We therefore write to petition the city of Las Vegas to fail this GPA-5804 and keep this property zoned Rural Estates.

Homeowner Name	Signature	Address	Telephone
Jennifer Snodes		5695 N. Rainbow	656-3737
Jimmy D. Epley		5686 No. Rainbow	639-6109
Sandra Meyer	Sandra Meyer	7638 Plunging Falls	645-4313
Andrea Spiro	Andrea Spiro	7853 Quail Breath Ln	228-6654
Jennifer Flores	Jennifer Flores	3205 Canary Creek Ave	645-4736
Debra Adams	Debra Adams	7863 Morning Call Dr	515-1430

VHR 5810
ZON 5809
SDR 5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Megan M Ortiz-Caporale		8585 Bella Loma Ct 89149	658-7361
Mark + Kenneth Rooney		6808 Snake River Ave	296-7875 296-7803
		5965 Ruffian Rd	395-6656
Stacey S. Fish		7429 Enchanted Hills	242-1283
Christine Mancar		6430 Whispering Sands Drive	658-7008
Giovanni Gravino		7863 Morning Calling Ct	515-1430
Holly Way		3757 Quiet Creek	656-3728
Edwin		6780 Bashlike Ave	839 7967
Christine Rotth		8017 Tailwind Ave	255-5748
Leonora Lorusso		7050 Sea Breeze	325-2189
Christina Lee		5360 Bayou Ct	655-5369
Betty Julius		5361 Bayou Ct	656-7605
Mary Ann		6430 Whispering Sands	649-2000
Ann Boyer		6111 Nesoni Street	658-1500
Donald Boyer		6124 Rosemere Ave St	658-1500

5810
ZON 5809
SDR 5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Nadine Searles	Nadine Searles	6812 Beach Rd Ave	(702) 396-5437
Raymond Peccora	Raymond Peccora	1529 VICENZA CT. LV NV 89117	702-290-0572
Kimberly Rager	Kimberly Rager	8700 Castellani 89129	396-0963
Jennifer Wentworth	Jennifer Wentworth	4169 Autumndale 89121	645-6114
EDWARD C. JETER	Edward C. Jeter	7225 TEALWOOD ST.	657-9292
Angelica Linn	Angelica Linn	5419 Nested Moon 89131	(702) 869-8374
Julie Zinovitch	Julie Zinovitch	5812 DeLaBarre	2454671
Linda Otter	Linda Otter	5812 DeLaBarre	6472692
Jayson Smietana	Jayson Smietana	7829 Pinnacle Ave	656-5291
Walter Dodds	Walter Dodds	5640 Gilbert Lane	656-1363
Janet Causey	Janet Causey	5785 Juliano	658-8855
Christine Bristol	Christine Bristol	7616 Donald Nelson Ave	396-8980
Karrah Rodney	Karrah Rodney	6808 Snake River	656-7803
Amy Jeter	Amy Jeter	7225 Tealwood St	657-9292
	Chris Twitchell	4124 Autumndale Ave	396-2245

14

VAR5810
ZON5809
SOR5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Larry Searles		6812 Beach West Ave	3965434
Kathleen Richardson	K Riel	7430 Jackrabbit Ave	638-8831
Talya Page	Talya Page	8129 Danada Ct	254-1892
Beth Smietana		7829 Pinnochio	2030970
Laura Fontana		2706 Gardenia Flower	396-3377
Dan Frodich		4940 N. Cumberland	645-5287
Chad C. Moore		6752 Beach West Ave	647-5834
Patty A. Sharley	Patty A. Sharley	6788 Beach West Ave	396-9841
TARA CARROLL		6780 Beach West Ave	395-4496
William Cantrell	William Cantrell	5924 Kane Holly	395-6083
Henry A Stuckert		5920 Kane Holly	656-1365
Teresa moore		5912 Kane Holly St	395-8953
QUINTON JOHNSON		5902 KANE HOLLY ST	6564306
		5900 Kane Holly	870 3974
Dan Larrick		5824 Kane Holly Ct.	656-9250

15

VAR 5810
ZON5809
SDR5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Claudia Lemmon	C Lemmon	5816 Kane Holly	363-1323
Robert D. Lemmon	Robert D Lemmon	5816 Kane Holly	363-1323
C.E. Gill	C E Gill	5813 Kane Holly	655-5342
W.H. Ragle	William H. Ragle	5825 Kane Holly	360-8974
D. Orlando	D Orlando	5921 Kane Holly St	313-8844
Maria Kusher	Maria Kusher	5710 N. Rainbow	6553712
Stacey Alwin	Stacey Alwin	5710 N. Rainbow	655-3712
Keith Pearson	Keith Pearson	5710 N Rainbow	655-3712
Scott Angle		5669 N Rainbow	645-8990
Ryan Betalbres	Ryan Betalbres	5686 N. Rainbow blvd	639-6109
Christian Lighthourne	Christian Lighthourne	6438 Crimson Tide Ave	395-8558
Jennifer Eden	Jeden	5686 N. Rainbow	639-6109

8

January 18, 2005

Gary Leobold, Planning Supervisor
Planning & Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

Dear Gary Leobold, Planning Supervisor,

SUBJECT: ~~VAR~~ ZON-5809, VAR-5810, SDR-5807, GPA-5804, GPA-5820

Concerning ~~Var~~ ZON-5809, Var-5810, SDR-5807, I am objecting to any change in the current designation of property to R-PD10, which will change the open space requirement to one half the original requirement. The area is already congested, traffic is heavy and open space is at a premium.

Concerning GPA-5804, GPA-5820, I am objecting to any change of The Centennial Hills Sector Plan to MLA. A zero lot requirement means that the builder can build Town homes, Condo's, Duplex's etc; which would add more congestion to the area as well as decreasing the value of the homes in the surrounding area.

The preservation of open space and development of property consistent with the general welfare and quality of life for the residents in the area must be considered before the needs of the developers. For the above stated reasons, I am objecting to any changes of the current zoning.

Sincerely,

Walter Nieczkowski

5509 GOLDBRUSH STREET
LAS VEGAS, NEVADA 89130

11/16/05

Dear Sirs:

We approve of all of the enclosed plans.

Joon Konya
Cynthia Olsen
6824 Rosa Peterbore
Jul, Nv 89130

VAR-5810
SDR-5807
GPA 5804
GPA-5820
ZON-5809

City of Las Vegas

Agenda Item No. 124

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5809 AND VAR-5810

SDR-5807 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Site Development Plan Review FOR A PROPOSED 66 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) [PROPOSED: R-PD10 (Residential Planned Development - 10 units per acre) Zone], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL. (NOTE: Application is for 58 units)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	64	**Planning Commission Mtg.**	1
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

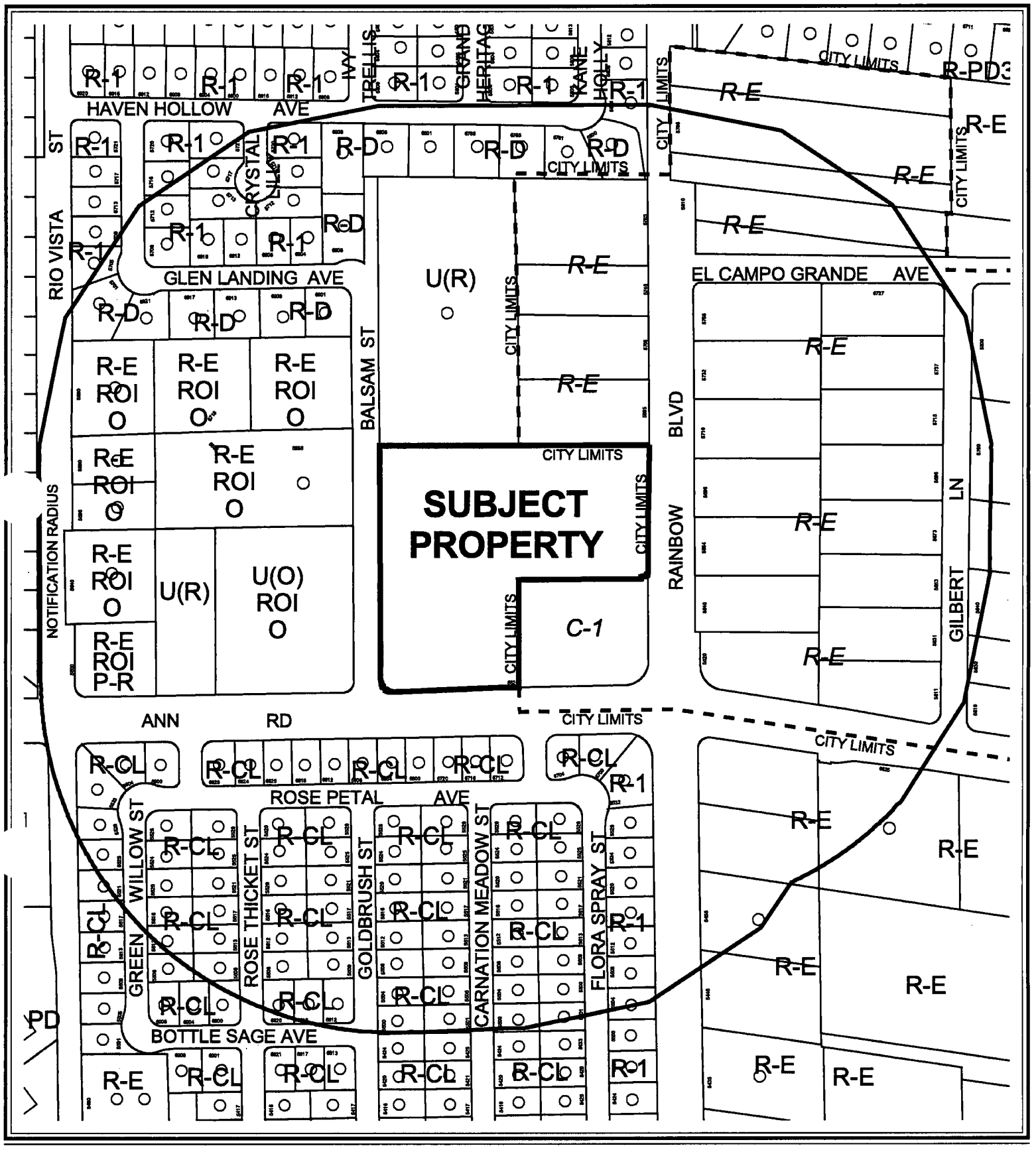
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted at meeting - Color coded assessor's map, 2 protest letters and 2 protest petitions with 47 and 89 signatures and cover letter from Jeanette Ratliff for Item 123 [VAR-5810] and Item 124 [SDR-5807] filed under Item 123 [VAR-5810]
6. Backup referenced from the 2/24/2005 Planning Commission meeting Item 20

MOTION:

MACK - ABEYANCE to 4/6/2005, not to be heard before 4:00 p.m. - UNANIMOUS

MINUTES:

NOTE: See Item 122 [ZON-5809] for all related discussion.
(2:59 - 3:28)
4-839



0 300 600 Feet

CASE: **SDR-5807**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5807 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC

** CONDITIONS **

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

Planning and Development

1. City Council approval of a General Plan Amendment (GPA-5804) to a ML (Medium-Low Residential) designation, Rezoning (ZON-5809) to a R-PD8 (Residential Planned Development - 8 units per acre) Zoning District, and a Variance (VAR-5810) for a reduction of required open space.

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

3. All development shall be in conformance with the site plan date stamped 02/16/05 and building elevations as originally submitted, except as amended by conditions herein, and shall be limited to a maximum of 58 lots. Additionally, all required on-site parking must be designed to meet the requirements of Title 19.10.010.E.8 for unimpeded parking.

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

5. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community , or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

6. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3.5 feet on the side, 3.5 feet on the corner side, and 10 feet in the rear.

7. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to reflect a 6 foot wall along Rainbow and Ann roads.

8. Any 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.

9. 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 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along Rainbow Boulevard and Ann Road.

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

11. Air conditioning units shall not be mounted on rooftops.

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

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. 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.

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

Public Works

16. 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.

17. 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.

18. Site development to comply with all applicable conditions of approval for ZON-5809 and all other site-related actions.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 66-lot single-family residential development on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard. A related General Plan Amendment (GPA-5804), Rezoning (ZON-5809), and Variance (VAR-5810) will be considered concurrently with this request.

B) Applicant's Justification

As the population in the Vegas area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas, and even some industrial properties. There is a need to develop affordable housing on what has the potential to be an in-fill parcel and is not compatible for commercial given the surrounding community. The product on this parcel will provide a good transition buffer from the existing residential communities and the existing commercial development in the area.

BACKGROUND INFORMATION

A) Related Actions

02/16/05 The City Council will consider a petition to annex (ANX-5586) the subject site into the City of Las Vegas. The effective date of this annexation will be 02/25/05. Staff and the Planning Commission recommended approval on 12/16/04.

01/27/05 The Planning Commission voted to approve a modified General Plan Amendment (GPA-5804) from R (Rural Density Residential) to ML (Medium-Low Density Residential) on the subject site, instead of the original request for MLA (Medium-Low Attached Residential). Staff had recommended denial of the original request.

01/27/05 The Planning Commission voted to hold this item and related cases in abeyance to its 02/24/05 meeting, to allow the applicant to redesign the site and related applications to meet the land use density maximums of the ML (Medium-Low Density Residential) land use designation, and to review this design with staff. These related cases are a Rezoning (ZON-5809) from U (Undeveloped) [R (Rural Density Residential) General Plan designation] to R-PD10 (Residential Planned Development - 10 units per acre) and a Variance (VAR-5810) for a reduction of required open space. Staff had recommended denial of these original requests.

02/24/05 The Planning Commission recommended approval of these companion items concurrently with this request. The applicant has revised the project to conform to the ML (Medium-Low Density Residential) land use designation.

02/24/05 The Planning Commission voted 4-1-1 to recommend APPROVAL (PC Agenda Item #20/gl).

B) Pre-Application Meeting

12/01/04 Issues discussed included the need for open space calculations, landscaping along Rainbow Boulevard and Ann Road, and the acknowledgement that a signal impact fee would be levied.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 6.86

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Residential
South:	Drug Store / Single Family Residential
East:	Single Family Residential
West:	Single Family Residential/ Undeveloped

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential) & ML (Medium-Low Density Residential)
East:	RE (Rural Estates Residential – Clark County)
West:	O (Office)

D) Existing Zoning

Subject Property:	R-E (Rural Estates Residential – Clark County) under Resolution of Intent to C-1 (Local Business District) – Clark County)
North:	U (Undeveloped) [R (Rural Density Residential) General Plan designation] R-E (Rural Estates Residential – Clark County)

South:	R-CL (Single-Family Compact - Lot) R-E (Rural Estates Residential – Clark County) under Resolution of Intent to C-1 (Local Business District – Clark County)
East:	R-E (Rural Estates Residential – Clark County)
West:	U (Undeveloped) [O (Office) General Plan designation] under Resolution of Intent to O (Office) R-E (Residence Estates) under Resolution of Intent to O (Office)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with an R (Rural Density Residential) land use designation. The Planning Commission has recommended approval of an amended General Plan Amendment request (GPA-5804) to ML (Medium-Low Density Residential), which allows up to eight units per acre. Pursuant to this recommendation, the applicant has now amended the zoning request for this site to R-PD8 (Residential Planned Development - 8 units per acre), which will be in compliance with the proposed General Plan designation.

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

Trails – A Multi-use Transportation Trail is required adjacent to the north side of Ann Road.

PROJECT DESCRIPTION

The original request was for a proposed 66-lot single-family residential development on 6.86 acres. The amended request is for 58 lots on the site. Access was to be provided via a drive from Rainbow Boulevard; now, the access will come from Balsam Street to the west of the site. The project will utilize 37-foot private drives will provide internal circulation for the site. The overall density is down from 9.62 units per acre to 8.45 units per acre. There are ten-foot planters located along Ann Road and Rainbow Boulevard, and 32,414 square feet of open space is proposed, up from 22,151 square feet of community open space on the original plan. The building elevations depict two-story single-family dwellings with stucco exteriors and tile roofs.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, Development Standards within an R-PD (Residential-Planned Development) district are established by the approved site plan.

Standards	Provided
Min. Lot Size	2,520 Feet
Min. Lot Width	35 Feet
Min. Setbacks	
• Front	10 Feet
• Front (Garage)	18 Feet
• Side	3.5 Feet
• Corner	3.5 Feet
• Rear	10 Feet
Max. Building Height	23 Feet

A2) 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	18 Trees	10 Trees
• Min. Zone Width	6 Feet		10 Feet
• Wall height	6 Feet		Not Depicted

The landscape plan does not depict the required decorative wall or the required number of street trees. Title 19 requires a six-foot wall along Ann Road and Rainbow Boulevard, and a 24-inch box tree for every 30 feet of planter. Two Conditions of Approval has been included to ensure compliance with these requirements.

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
6.86 acres	8.45	1.65	13.9 %	0.95 Acre (41,536 SF)	10.8%	0.74 Acre (32,414 SF)

The proposal does not meet open space requirements and a Variance (VAR-5810) has been requested to provide relief of this requirement. The applicant has reduced the scope of the Variance from a 47% deficiency in the original submission to a 22% deficiency in the current site plan. This deficiency is the sole basis for the recommendation of denial of this application by staff.

B) General Analysis and Discussion

- Zoning

The subject site is currently located within Clark County and zoned R-E (Rural Estates – Clark County), under Resolution of Intent to C-1 (Local Business District – Clark County). Upon the effective date of the pending Annexation (ANX-5586), the subject parcel will be designated as U (Undeveloped) [R (Rural Density Residential) General Plan designation] under Resolution of Intent to C-1 (Limited Commercial). A related rezoning (ZON-5809) request for the site proposes the R-PD8 (Residential Planned Development – 8 Units per acre) district, which is intended to permit imaginative and innovative residential communities with appropriate amenities to establish a clear sense of community. The proposed residential development has a density of 8.45 u.p.a., and is an acceptable use within the R-PD8 (Residential Planned Development – 8 Units per acre) zoning district.

- Site Plan

The revised request is for a proposed 58-lot single-family residential development on 6.86 acres. Access is provided via a drive from Balsam Street, and 37-foot private drives will provide internal circulation for the site. The overall density is 8.45 units per acre. The proposed development is compatible with surrounding residential development to the south and as proposed to the west. There is also existing R-1 (Single Family Residential) and R-D (Single Family Residential-Restricted) Development to the northwest of the site. The revised site plan still does not meet the intent of the R-PD (Residential Planned Development) zoning district through the lack of common facilities, open space, and amenities, although the revised plan contains substantially more open space than the previous plan.

- Waivers

No waivers are being requested as a part of this application; however, a companion request for a Variance (VAR-5810) of the open space provisions of the Code has been requested. The request cannot be supported as the deficiency is self-imposed and therefore does not meet the test for the granting of variances under state law.

- Landscape Plan

The landscape plan depicts ten-foot buffers along Ann Road and Rainbow Boulevard planted with 24-inch box Chitalpas, 15-inch box Live Oaks and Honey Mesquites, 25-foot Mexican Fan Palms, and various one and five gallon shrubs. The plan does not depict the required 24-inch box trees spaced 30 feet on center along Ann Road and Rainbow Boulevard. A condition of approval has been included to ensure compliance with this requirement. In addition, Title 19 requires 0.95 acres of open space for this development where only 0.74 acres of open space is provided. This equates to a reduction of 22% of the required open space, and a Variance (VAR-5810) has been requested to provide relief from this requirement. The Department of Public Works has identified a right-of-way taper on Rainbow Boulevard along the east side of the site that may have an impact on the Variance request.

- Elevation

The building elevations depict 24-foot two-story detached residences with stucco exteriors and tiled roofs in six different color schemes.

- Floor Plan

The floor plans are typical of two-story single-family homes.

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 site plan proposes densities and lots sizes that are generally compatible with the adjacent residential development to the south and west. There are about 20 lots of residential development located to the northwest of the site with somewhat lower density than that proposed on the site; however, due to the proposed road pattern in this and in the adjacent development, there should be little impact on the area to the north caused by this project.

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 landscape plan does not depict the required decorative wall or the required number of street trees. Two Conditions of Approval have been included to ensure compliance with these requirements. The revised site plan depicts 0.74 acres of open space where 0.95 acres is required, and a Variance (VAR-5810) has been requested to provide relief from this requirement. The recommendation for denial of the site plan by staff springs solely from this deficiency of open space, which is self-imposed and cannot be supported. It should be noted that the revised plan has increased the amount of open space provided, although a deficiency remains. With compliance with the added Conditions of Approval and the approval of the proposed Variance, the development will be 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, should the request be approved.

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

   The site receives access via a drive from Balsam Street, a 60-foot wide local street. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

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

   With conformance with the included Conditions of Approval, the building and landscape materials will be appropriate for the area and 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 materials utilized on the exterior of the buildings are appropriate for type of product offered, however, the scale of the project is not compatible with the rural nature of the residential development in the vicinity.

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

   The structure will be inspected by the Building and Safety Department, and therefore will not compromise the public health, safety and welfare.

PLANNING COMMISSION ACTION

The Planning Commission listened to concerns about low-income housing and inappropriate dense land use. The Planning Commission felt that the design was "unimaginative."

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 163 by Planning Department

APPROVALS 1

PROTESTS 64

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5807 APN: 125-27-803-008

Name of Property Owner: REGAL VILLAGE LLC % V KAMDAR

Name of Applicant: RICHMOND AMERICAN HOMES

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: V K Kamdar

Print Name: V. KAMDAR

Subscribed and sworn before me April Cox

This 2 day of November, 2004

April Cox

Notary Public in and for said County and State

State of Utah

County of Utah

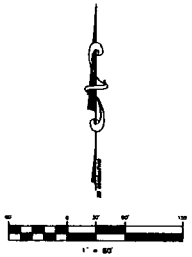
NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
March 18, 2007
APRIL COX
1376 North State
Orem, Utah 84059

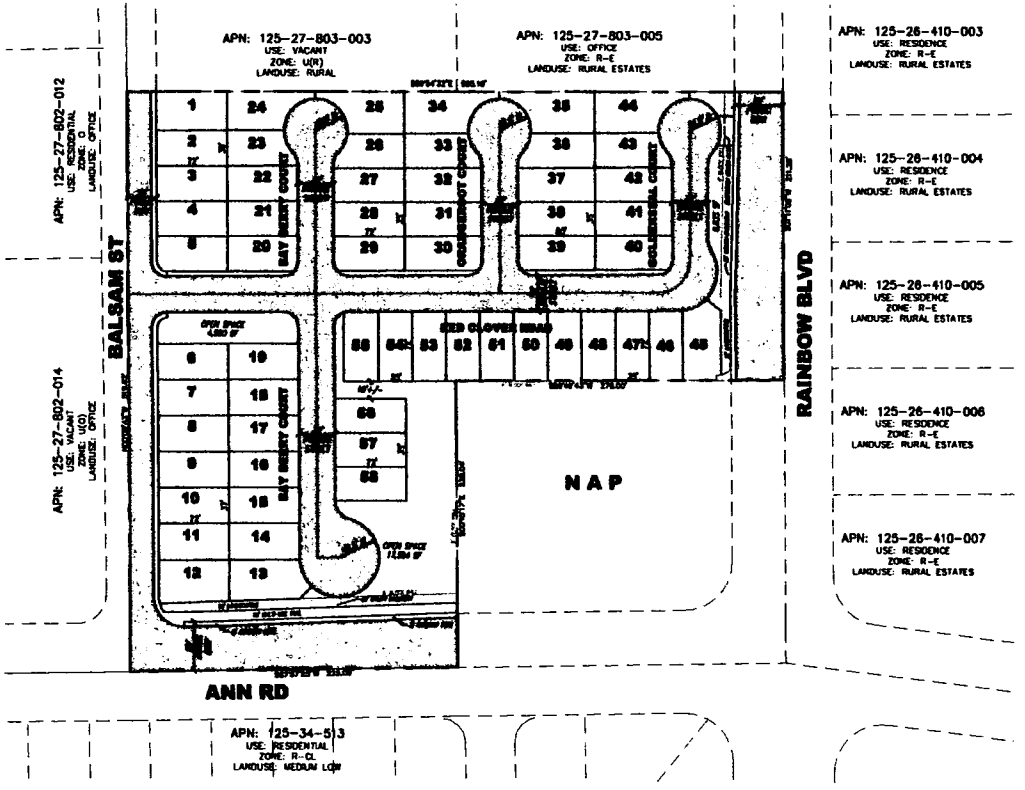
Revised 2/12/02

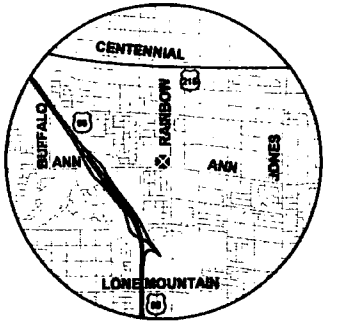
f:\dupot\Application Packet\Statement of Financial Interest.doc

ANN / RAINBOW

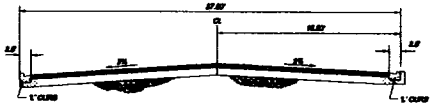
A SINGLE FAMILY RESIDENTIAL DEVELOPMENT
BY RICHMOND AMERICAN HOMES



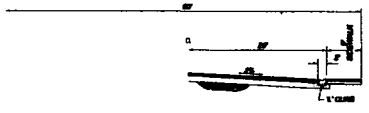




VICINITY MAP
NOT TO SCALE



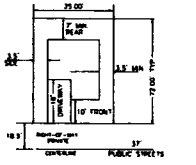
37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE



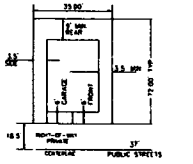
60' PUBLIC STREET HALF-SECTION (BALSAM ST.)
NOT TO SCALE



160' PUBLIC STREET HALF-SECTION (ANN RD. / RAINBOW BLVD.)
NOT TO SCALE



LOT DETAIL (TYPICAL)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT +/-)



LOT DETAIL (CUL-DE-SAC)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT +/-)

DEVELOPER
RICHMOND AMERICAN HOMES
2250 WEST PEAK AVE
SUITE 212
LAS VEGAS, NEVADA 89128
(702) 240-5600

OWNERS
REGAL VILLAGE LLC
10 S. STATE ST
LINDON, UT 84042

ENGINEER
THOMASON CONSULTING ENGINEERS
3161 E WARM SPRINGS RD
SUITE 200
LAS VEGAS, NEVADA 89120
(702) 932-6125

ASSESSORS PARCEL NUMBER:
125-27-803-008

OVERALL TABULATIONS

EXISTING ZONING	C-1
PROPOSED ZONING	R-PD8
EXISTING LAND USE	RURAL
PROPOSED LAND USE	MEDIUM-LOW
# OF UNITS	58
GROSS ACREAGE	6.86 ACRES +/-
DENSITY	8.4 DU/A
OPEN SPACE REQUIRED	.25 AC (A1,362 SF)
OPEN SPACE PROVIDED - 32% REDUCTION IN OS	.64 AC (28,189 SF)

RECEIVED
MAR 0 4 2005

ZON-5809 REVISED
VAR-5810 03/16/05 CC
~~SDR-5807~~

REVISED 3-4-05

DEVELOPER
RICHMOND AMERICAN HOMES
2250 W. PEAK DRIVE, #212
LAS VEGAS, NEVADA
(702) 240-5600

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7525 Hillpark Avenue Las Vegas, NV 89128 Office: (702) 304-7701 Fax: (702) 304-7702

SHEET TITLE
TENTATIVE MAP

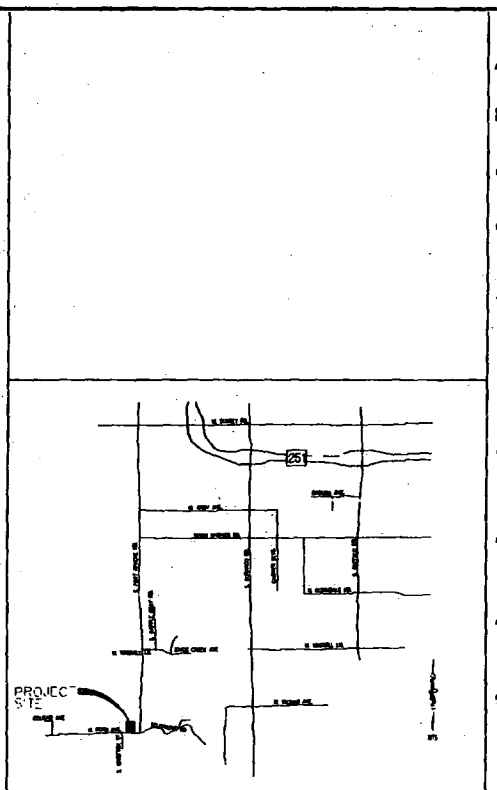
ANN / RAINBOW
CITY OF LAS VEGAS, NEVADA

DATE	FEBRUARY 23, 2005
DRAWN BY	BSWOP
DESIGNED BY	R. SHUE
CHECKED BY	R. SHUE
SCALE	1" = 60'
PROJECT NO	RA-0088
ENGINEERING SEAL	
SHEET	TM-1
OF	2
DRAWING NO	

SDR-5807
01/27/05 PC

ABBREVIATIONS

@	AND	RUBR	RUBBING				
∠	ANGLE	FLOOR	FLOOR/DOOR			CT	QUARRY TILE
@	AT	RCC	RACE OF CONCRETE				
℄	CENTERLINE	RCF	RACE OF FINISH			R	RISER
⌀	DIAMETER OR ROUND	RCM	RACE OF MILLWORK			RB	RADIUS
⌀	POUND OR NUMBER	RCS	RACE OF STUDS			RAD	RADIUS
Ø	EXISTING	RWD	RAILWOOD			RD	ROOF DRAIN
		RWMD	REMARKS			REF	REFERENCE
AB	ANCHOR BOLT	FR	PULL REE			REFR	REFRIGERATOR
ABV	ABOVE	FT	FOOT OR FEET			REINS	REINFORCE
ACOUS	ACOUSTICAL	FTG	ROOFING			REINF	REINFORCE REINFORCED
AD	AREA DRAIN	FURR	FURRING			REQD	REQUIRED
ADJ	ADJUSTABLE	FUR	FURLING			RESIL	RESILIENT
AFF	ABOVE FINISH FLOOR					RDL	RADIUS
AGGR	AGGREGATE	GA	GAUGE			RGH	ROUGH
AL	ALUMINUM	GALV	GALVANIZED			RD	ROUGH OPENING
ALUM	ALUMINUM	GB	GRAB BAR			RWD	REDWOOD
∠	ANGLE	GL	GLASS			RWL	RAIN WATER LEADER
APPROX	APPROXIMATE	GND	GROUND				
ARCH	ARCHITECT	GR	GRADE			S	SOUTH
ARCHIT	ARCHITECTURAL	GYP	GYPSUM			SC	SOLID CORE
ASPH	ASPHALT	GWB	GYPSUM BOARD			SCD	SEAT COVER DISPENSER
		GYPBD	GYPSUM BOARD			SCHED	SCHEDULE
B	BOARD	H	HOSE BIBB			SD	SOAP DISPENSER
BB	BALANCE BEAM	HC	HOLLOW CORE			SECT	SECTION
BLDG	BUILDING	HDWD	HARDWOOD			SF	SQUARE FEET
BLK	BLOCK	HDWE	HARDWARE			SHT	SHEET
BLKG	BLOCKING	HM	HOLLOW METAL			SHTG	SHEATHING
BOLT	BOLT	HORIZ	HORIZONTAL			SHLF	SHELF
BM	BEAM	HR	HOUR			SHLV	SHELVING
BOTT	BOTTOM	HTR	HEATER			SI	SILICONE
		HVAC	HEATING VENTILATING AIR CONDITIONING			SIM	SIMILAR
CB	CABINET	HWD	HARDWOOD			SMD	SANITARY NAPKIN DISPENSER
CAB	CASH/ WASH	HORIZ	HORIZONTAL			SND	SANITARY NAPKIN RECEPTACLE
CEM	CEMENT	ID	INSIDE DIAMETER			SPACE	SPACE
CG	CORNER GUARD	INSUL	INSULATION			SPECIFICATIONS	SPECIFICATIONS
CHF	CHALK FICH	INT	INTERIOR			SQUARE	SQUARE
CG	CORNER GUARD					SS	STAINLESS STEEL
CLG	CEILING	JAN	JANITOR			STATION	STATION
CLKG	CAULKING	JT	JOINT			STD	STANDARD
CLO	CLOSET					STEEL	STEEL
CLR	CLEAR					STOR	STORAGE
CMU	CONCRETE MASONRY UNIT	LAB	LABORATORY			STRUCT	STRUCTURAL
CO	CASED OPENING	LAM	LAMINATE			STRUCTURE	STRUCTURE
COL	COLUMN	LAV	LAVATORY			SYMM	SYMMETRICAL
CONC	CONCRETE	LKR	LOCKER			SYSTEMS	SYSTEMS
CONN	CONNECTION	LT	LIGHT				
CONSTR	CONSTRUCTION					SOLID WOOD	SOLID WOOD
CONT	CONTINUOUS	MAS	MASONRY			SYMMETRICAL	SYMMETRICAL
COR	CORNER OF FINISH	MC	MEDICINE CABINET				
CORR	CORRIDOR	MB	MACHINE BOLT			TOWEL BAR	TOWEL BAR
CTR	COUNTERSUNK	MACH	MACHINE			TOF	TOP OF CURB
CTR	COUNTER	MEMBRANE	MEMBRANE			TEL	TELEPHONE
CW	COUNTER	MET	METAL			TERRAZZO	TERRAZZO
		MFR	MANUFACTURER			THD	THREAD AND SPOOL
D	DOUBLE	MFR	MANUFACTURER			THK	THICK
DH	DISPATCHER	MIR	MIRACLE			TOC	TOP OF CURB
DF	DRINKING FOUNTAIN	MIR	MIRRAR			TOP	TOP OF PARAPET
DET	DETAIL	MIR	MIRROR			TOP	TOP OF PLATE LINE
DIA	DIAMETER	MISC	MISCELLANEOUS			TOS	TOP OF SHEATHING
DIM	DIMENSION	MO	MASONRY OPENING			TPD	TOILET PAPER DISPENSER
DN	DOWN	MTD	MOUNTED			TREAD	TREAD
DO	DOOR OPENING	MULL	MULLION			TW	TELEVISION
DS	DOWNSPOUT					TOW	TOP OF WALL
DW	DISHWASHER	NOM	NOMINAL			TYP	TYPICAL
DWG	DRAWING	NIC	NOT IN CONTRACT				
DWR	DRAWER	NTS	NOT TO SCALE			UNFIN	UNFINISHED
						UNLESS	UNLESS OTHERWISE NOTED
E	EAST	OC	CENTER			UNFIN	UNFINISHED
EA	EACH	OPNG	OPENING			UR	URINAL
EF	EXHAUST FAN	OPP	OPPOSITE				
EJ	EXPANSION JOINT	OVHD	OVERHEAD			VERT	VERTICAL
		OD	OUTSIDE DIAMETER			VEST	VESTIBULE
EL	ELEVATION	OFF	OFFICE				
ELEC	ELECTRICAL	OMC	OVERHEAD CABINET			W	WEST
ELEV	ELEVATOR	OPNG	OPENING			WC	WATER CLOSET
EMER	EMERGENCY	OPNG	OPENING			WD	WOOD
ENCL	ENCLOSE					WH	WATER HEATER
EQ	EQUAL	PCF	PRECAST			WP	WATERPROOF
EQUIP	EQUIPMENT	PL	PLATE			WSCT	WAINSCOT
EWC	ELECTRIC WATER COOLER	PLAM	PLASTIC LAMINATE			WDW	WINDOW
EXIST	EXISTING	PLYWD	PLYWOOD				
EXP	EXPANSION	PNL	PANEL				
EXPO	EXPOSED	PNTD	PAINTED				
EXT	EXTERIOR	PLMB	PLUMBING				
		PLYWD	PLYWOOD				
F	FIRE	PROP	PROPERTY LINE				
FA	FIRE ALARM	PVT	PAIR				
FB	FLAT BAR	PT	POINT				
FDN	FOUNDATION	PREFAB	PREFABRICATED				
FE	FIRE EXTINGUISHER	PTD	PAPER TOWEL DISPENSER				
FEC	FIRE EXTINGUISHER CABINET	PTDR	COMBINATION PAPER TOWEL DISPENSER & RECEPTACLE				
FF	FINISH FLOOR		PARTITION				
FG	FINISH GRADE	PTN	PAPER TOWEL RECEPTACLE				
FHC	FIRE HOSE CABINET						
FIN	FINISH						
FL	FLOOR						



PROJECT TEAM

CLIENTS CONSULTANTS

ARCHITECT
KTOY GROUP, INC.
9988 MISSION HILLS COURT
RANCHO CUCAMONGA, CA 91730
PHONE: (909) 980-9779
FAX: (909) 980-9133
CONTACT: KEVIN TOY

STRUCTURAL ENGINEER
RDS LLC
6385 RALEIGH DR, STE 2
LAS VEGAS, NV 89103
PHONE: (702) 222-1000
FAX: (702) 222-1001
CONTACT: JOHN KELLY

MECHANICAL
WOODS AND ASSOCIATES
6385 S.C. LEOS STREET, SUITE 2
LAS VEGAS, NV 89121
PHONE: (702) 736-5274
FAX: (702) 736-5283
CONTACT: RICHARD WOODS

CIVIL
TARON ENGINEERING
8965 EDMONTON CREEK, STE 110
LAS VEGAS, NV 89123
PHONE: (702) 254-1283
FAX: (702) 254-1282
CONTACT: RICHARD PETERSON

CODE TABULATION

CODE: 2003 IBC / 2003 UPC, 2003 UMC / 2005 NEC
2002 MODEL ENERGY CODE SOUTHERN NEVADA CODE AMENDMENTS

TYPE OF CONSTR: VB
OCCUPANCY GROUP: R3
GARAGE: U
JURISDICTION: CLARK COUNTY

THIS PROJECT SHALL COMPLY WITH ALL OTHER REGULATIONS AND ORDINANCES ADOPTED BY THE LOCAL GOVERNING AGENCIES

AREA SUMMARY

PLAN 1527		
	FIRST FLOOR	839 SF
	SECOND FLOOR	518 SF
	TOTAL	1357 SF
	GARAGE	372 SF
	FRONT PORCH	66 SF
PLAN 1556		
	FIRST FLOOR	972 SF
	SECOND FLOOR	583 SF
	TOTAL	1555 SF
	GARAGE	392 SF
	"A" PORCH	45 SF
	"B" PORCH	66 SF
PLAN 1652		
	FIRST FLOOR	974 SF
	SECOND FLOOR	1182 SF
	TOTAL	1657 SF
	GARAGE	397 SF
	"A" & "B" PORCH	75 SF
PLAN 1823		
	FIRST FLOOR	839 SF
	SECOND FLOOR	1284 SF
	TOTAL	2023 SF
	GARAGE	372 SF
	FRONT PORCH	7 SF
	MEDIA NICHE	6 SF

SHEET INDEX

T-1 TITLE SHEET
GN-1 GENERAL NOTES
GN-2 GENERAL NOTES

PLAN 1527
A1 "A" & "B" FLOOR PLANS AND OPTIONS
A2 UTILITY PLANS
A3 BUILDING SECTIONS/ INTERIOR ELEVATIONS
A4 "A" EXTERIOR ELEVATIONS/ ROOF PLANS
A5 "B" EXTERIOR ELEVATIONS/ ROOF PLANS

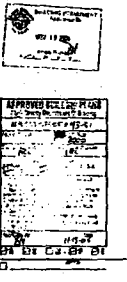
PLAN 1556
A21 "A" & "B" FLOOR PLANS AND OPTIONS
A22 UTILITY PLANS
A23 BUILDING SECTIONS/ INTERIOR ELEVATIONS
A24 "A" EXTERIOR ELEVATIONS/ ROOF PLANS
A25 "B" EXTERIOR ELEVATIONS/ ROOF PLANS

PLAN 1657
A31 "A" & "B" FLOOR PLANS AND OPTIONS
A32 UTILITY PLANS
A33 BUILDING SECTIONS/ INTERIOR ELEVATIONS
A34 "A" EXTERIOR ELEVATIONS/ ROOF PLANS
A35 "B" EXTERIOR ELEVATIONS/ ROOF PLANS

PLAN 1823
A41 "A" & "B" FLOOR PLANS AND OPTIONS
A42 UTILITY PLANS
A43 BUILDING SECTIONS/ INTERIOR ELEVATIONS
A44 "A" EXTERIOR ELEVATIONS/ ROOF PLANS
A45 "B" EXTERIOR ELEVATIONS/ ROOF PLANS

DETAILS
D-1 ARCHITECTURAL DETAILS
D-2 ARCHITECTURAL DETAILS

25 TOTAL SHEETS



SONATA



No.	Date	Issue / Description
A	09/06/04	BLDG DEPT. SUBMITTAL PLAN CHECK COMM

Consultants

Project:
SONATA

RICHMOND AMERICAN
7220 W. FRIAR DRIVE, #122
LAS VEGAS, NV 89128

2004-465

KTOYGROUP, INC.
architecture planning
9988 MISSION HILLS COURT
RANCHO CUCAMONGA, CA 91730
(909) 980-9779 PHONE
(909) 980-9133 FAX
Irvine, California

License Stamp

OCT 15 2004

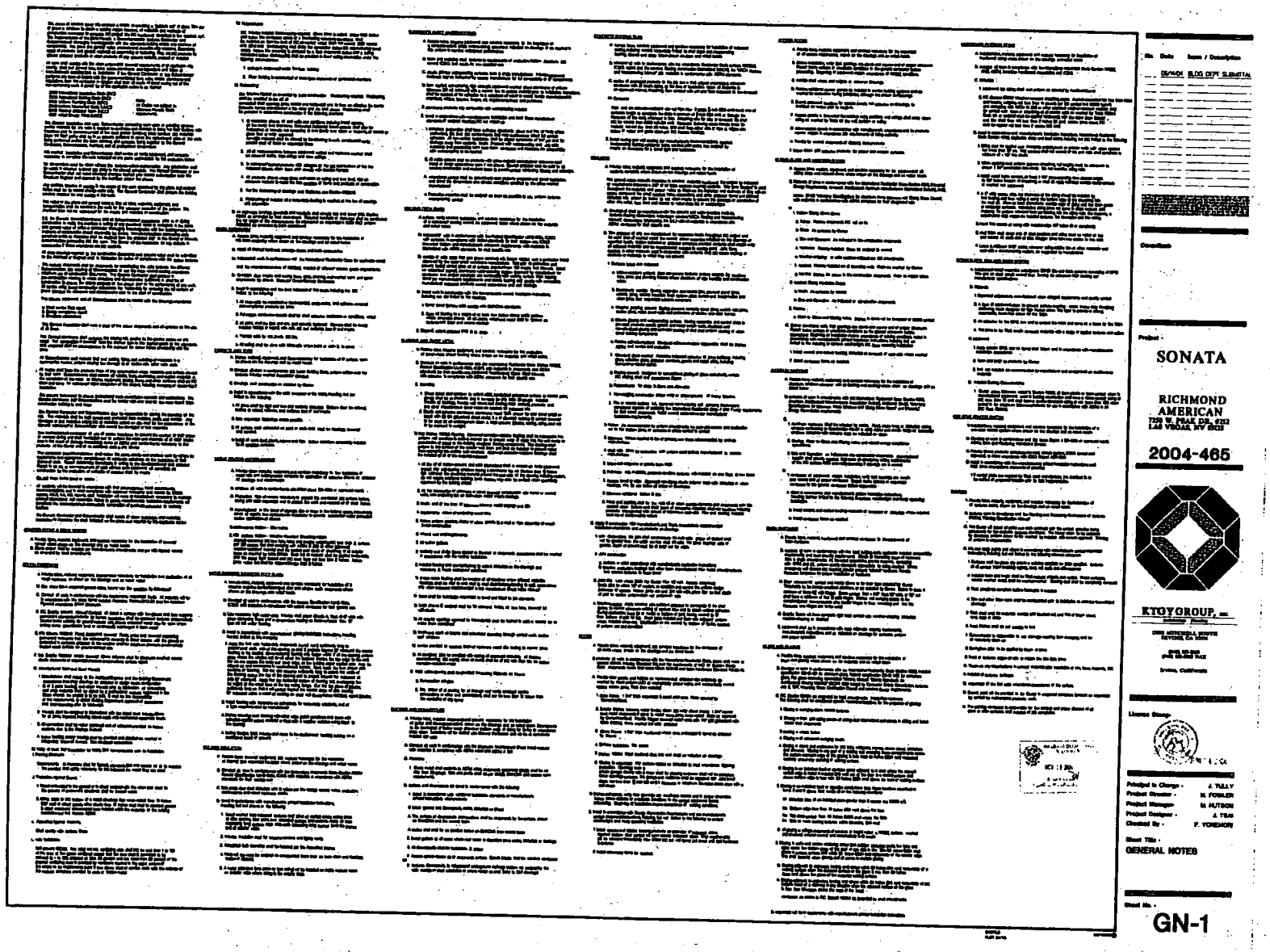
Principal In Charge: J. TULLY
Project Director: M. POWLER
Project Manager: M. HUFFMON
Project Designer: J. TRAN
Checked By: F. YONEMORI

Sheet Title:
TITLE SHEET

Sheet No:
T-1

RECEIVED
DEC 14 REC'D

SDR-5807
01/27/05 PC



SONATA

RICHMOND AMERICAN
7220 W. PEAK DR. #202
LAS VEGAS, NV 8928

2004-465

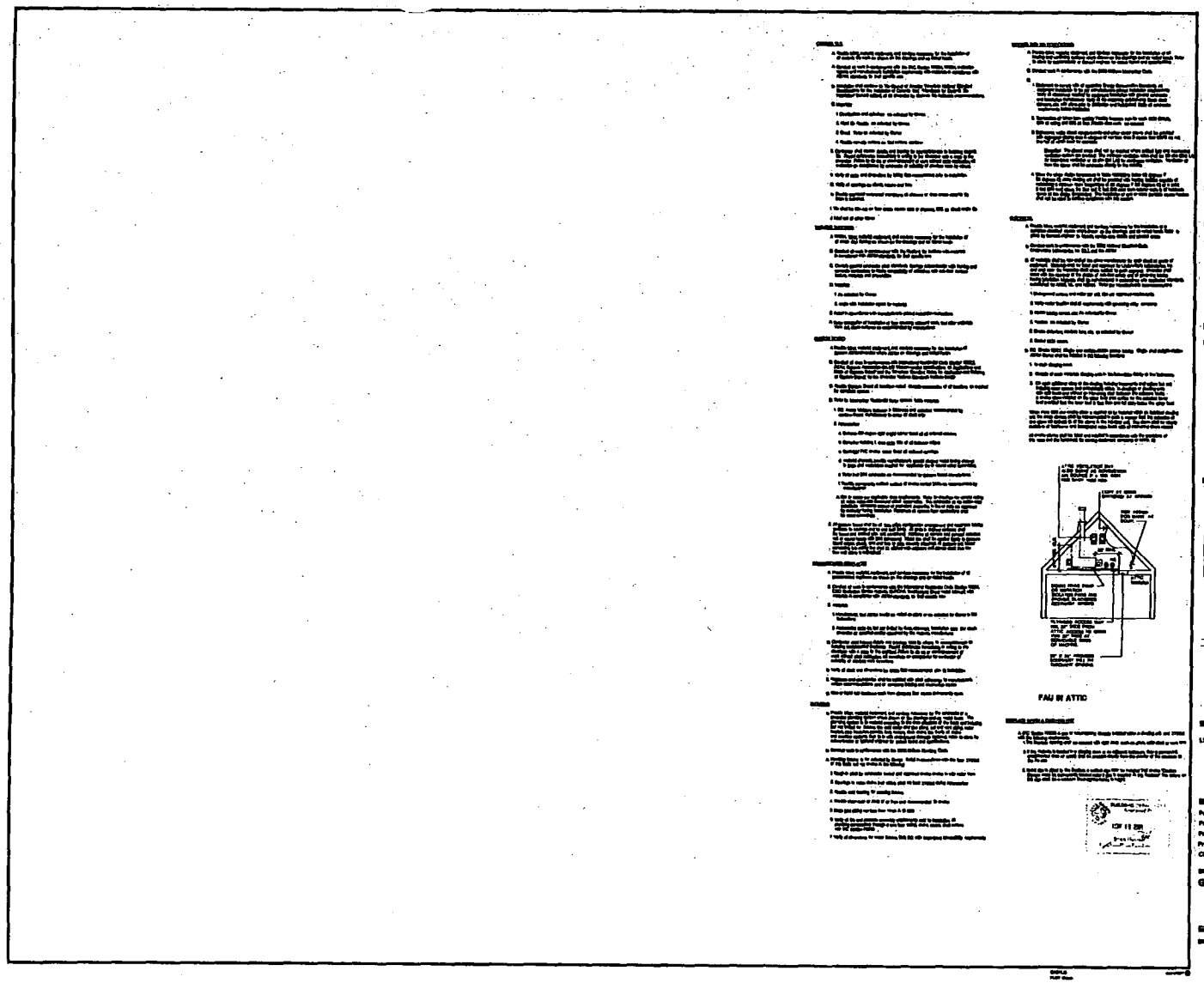
KTGY GROUP, INC.

GENERAL NOTES

GN-1

RECEIVED
DEC 14 RECD

RECEIVED
DEC 14 REC'D



FAU IN ATTIC

Project :

SONATA

RICHMOND AMERICAN
7240 W. PEAK DR., #223
LAS VEGAS, NV 89128

2004-465

KTGYGROUP, inc.

Irvine, California

Licensed Design Professional

Principal In Charge :	A. TULLY
Project Director :	M. FOWLER
Project Manager :	M. HUTSON
Project Designer :	J. TSAI
Checked By :	P. YORENSON

Sheet Title :

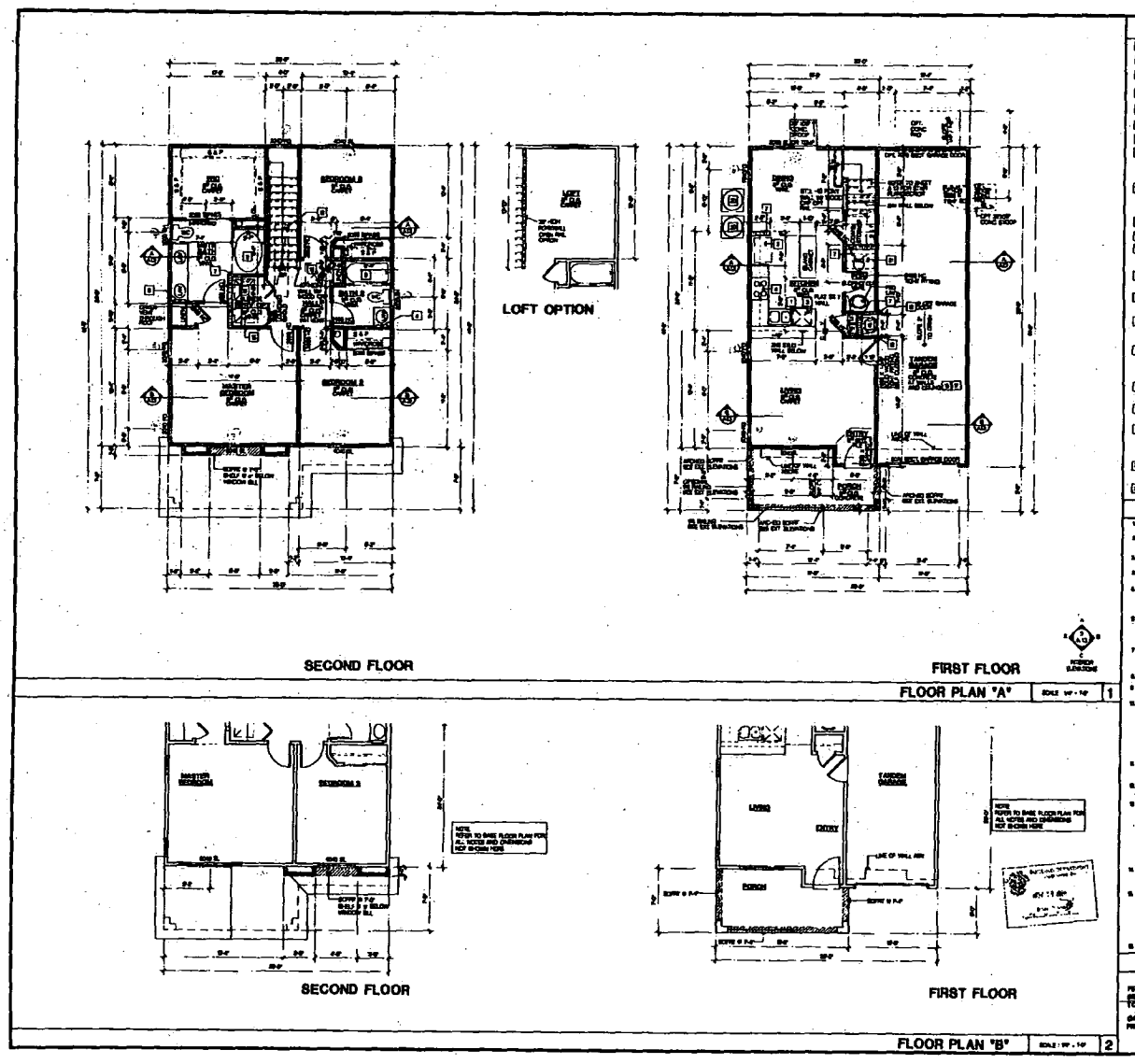
GENERAL NOTES

Sheet No. :

GN-2

SDR-5807
01/27/05 PC

RECEIVED
DEC 14 RECD



KEYNOTES

NOTES

SQUARE FOOTAGE

FIRST FLOOR	838 S.F.
SECOND FLOOR	459 S.F.
TOTAL	1297 S.F.
GARAGE	572 S.F.
FRONT PORCH	66 S.F.

SONATA

RICHMOND AMERICAN
2220 W. PEAK DR., #101
LAS VEGAS, NV 89128

2004-465

KTGYGROUP, INC.

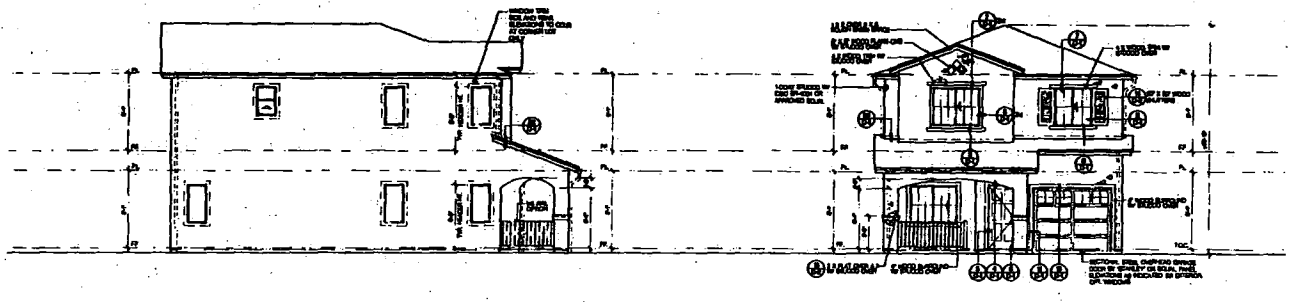
Principal In Charge: J. TULLY
Project Director: M. FOWLER
Project Manager: M. HUTSON
Project Designer: J. TRAN
Checked By: F. YOKEMON

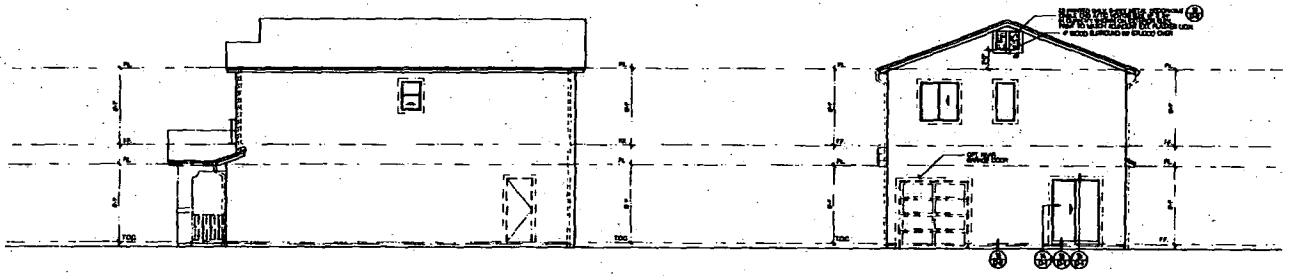
Sheet Title:
PLAN 1327
FLOOR PLAN "A" & "B"
FLOOR PLAN OPTIONS

Sheet No.: A-1.1

SDR-5807
01/27/05 PC

RECEIVED
DEC 14 RECD





EXTERIOR ELEVATIONS 1

NOTES

ATTIC VENTILATION

ROOF PLAN 2

SONATA

RICHMOND AMERICAN
220 W. PEAK DR., #220
LAS VEGAS, NV 89123

2004-465

ETGYGROUP, INC.

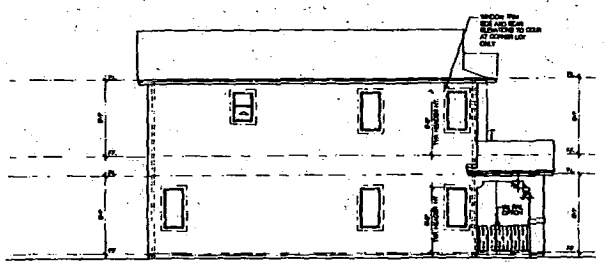
Principal In Charge - J. TULLY
Project Director - M. FOWLER
Project Manager - M. NUTSON
Project Designer - J. TSAI
Checked By - F. YONEMORI

Sheet Title:
PLAN 1327
'A' EXTERIOR ELEVATIONS / ROOF PLAN

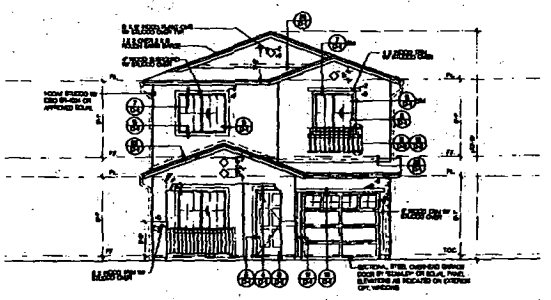
Sheet No.:
A1.4

SDR-5807
01/27/05 PC

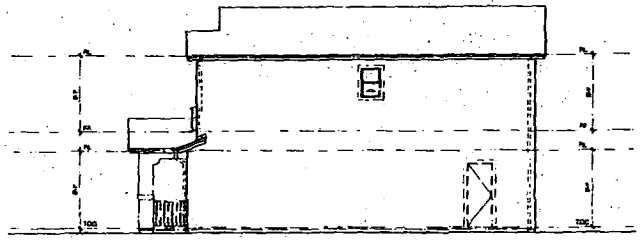
DEC 14 RECD
RECEIVED



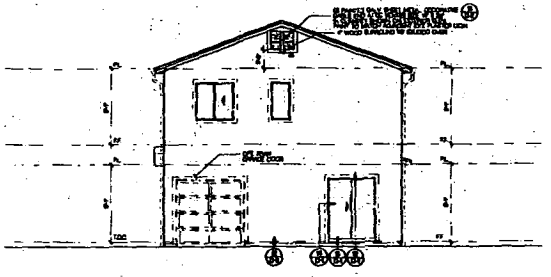
LEFT



FRONT



RIGHT

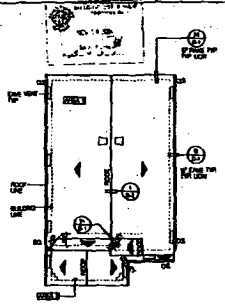


REAR

EXTERIOR ELEVATIONS 1

NOTES

ATTIC VENTILATION



ROOF PLAN 2

SONATA

RICHMOND AMERICAN
7250 W. FLAMINGO, #210
LAS VEGAS, NV 89129

2004-466

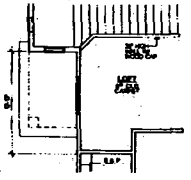
KTGYGROUP, inc.

PLAN 1327
'B' EXTERIOR ELEVATIONS / ROOF PLAN

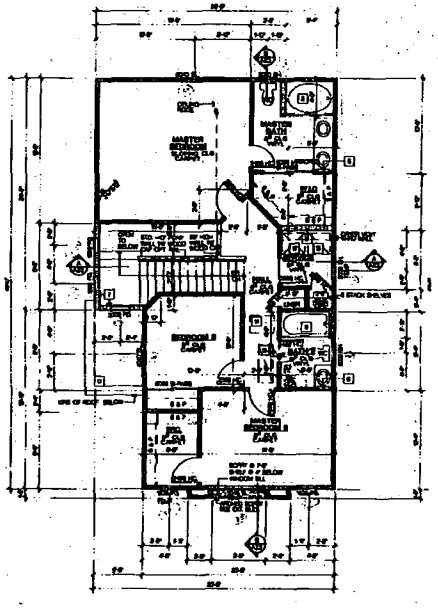
A1.5

SDR-5807
01/27/05 PC

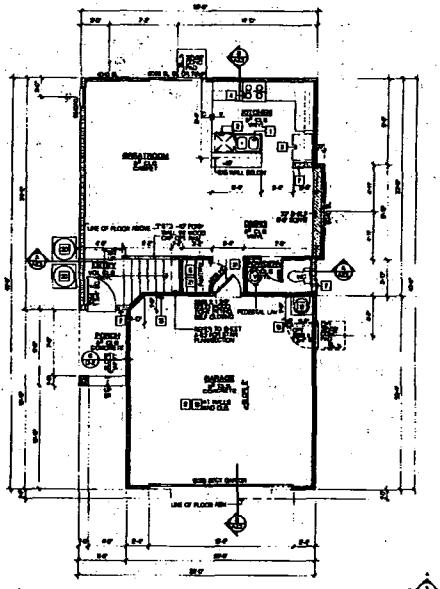
DEC 14 RECD
RECEIVED



LOFT OPTION



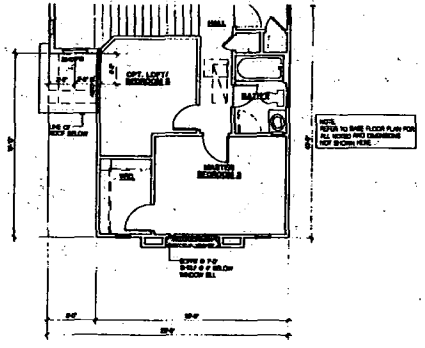
SECOND FLOOR

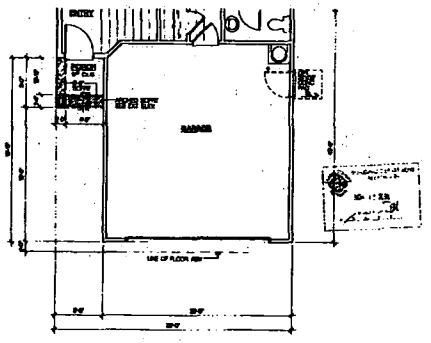


FIRST FLOOR

LOFT OPTION | SCALE: 1/4" = 1'-0" | 3

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





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

KEYNOTES

1. DOUBLE SINK WITH DISPOSAL DISPOSAL
2. 60 GALLON LOW VOLT 1.6 GPF HIGH EFFICIENCY TOILET
3. 30" WIDE RANGE SHELF OVER RANGE WITH HOOD LIGHT AND FAN MORE OPTIONAL MICROWAVE ABOVE
4. PAINTED WOOD MANTEL ON PLANS
5. RECESSED MEDICINE CABINET
6. 4.5 GPM SHELL
7. 40 GALLON GAS FIRED WATER HEATER
8. NOT USED
9. NOT USED
10. SINGLE FAUCET ON 24" WIDE FLUORESCENT OR EQUIVALENT LIGHT FIXTURE WITH 2 - 13 WATT COMPACT FLUORESCENT BULBS
11. 36" X 60" FIBERGLASS SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
12. NOT USED
13. 36" X 60" FIBERGLASS SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
14. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
15. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
16. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
17. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
18. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
19. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
20. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
21. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
22. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
23. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
24. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
25. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
26. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
27. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
28. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
29. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
30. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
31. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
32. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
33. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
34. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
35. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
36. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR
37. 30" X 60" FIBERGLASS TUB/SHOWER ENCLOSURE WITH SLIDING GLASS DOOR

NOTES

1. REFER TO SHEET A-2.2 FOR ALL NOTES AND DIAGRAMS NOT SHOWN HERE
2. ALL PLUMBING FIXTURES AND FITTINGS SHALL BE LOW FLOW AS PER 2001 CALIFORNIA GREEN BUILDING STANDARDS CODE SECTION 4.303.1
3. REFER TO SECTION 4.106.4 OF THE 2001 CALIFORNIA GREEN BUILDING STANDARDS CODE FOR GENERAL CHARGING REQUIREMENTS
4. ALL ENCLOSED AREAS OF UNCONDITIONED SPACES SHALL BE FULLY INSULATED
5. CEILING AND WALL ASSEMBLIES ADJACENT TO PLANTER AREAS SHALL BE INSULATED WITH R-19 BATTS OR EQUIVALENT
6. ROOFING SHALL BE CLASS "A" MATERIAL
7. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
8. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
9. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
10. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
11. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
12. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
13. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
14. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
15. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
16. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
17. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
18. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
19. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
20. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
21. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
22. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
23. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
24. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
25. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
26. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
27. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
28. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
29. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
30. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
31. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
32. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
33. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
34. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
35. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
36. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED
37. ALL EXTERIOR DOORS AND WINDOWS SHALL BE WEATHERSTRIPPED

SQUARE FOOTAGE

FIRST FLOOR	876 S.F.
SECOND FLOOR	880 S.F.
TOTAL	1756 S.F.
GARAGE	560 S.F.
"A" PORCH	40 S.F.
"B" PORCH	56 S.F.

No.	Date	Issue / Description
	09/14/04	BLDG DEPT. SUBMITTAL

Consultants

Project:
SONATA

RICHMOND AMERICAN
7220 W. TROPICANA, #220
LAS VEGAS, NV 89129

2004-465

KTGYGROUP, INC.
Architecture Planning
3760 KATELLA AVENUE
ORANGE, CA 92867
714.744.1201
FAX 744.1207
Irvine, California

License Stamp

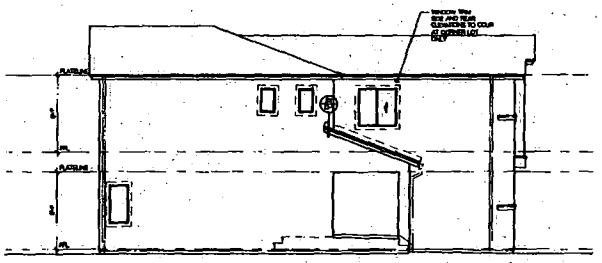
Principal In Charge:	J. FULLY
Project Director:	M. FOWLER
Project Manager:	M. HUTSON
Project Designer:	J. TSAI
Checked By:	F. YONEMORI

Sheet Title:
PLAN 1556
FLOOR PLAN "A" & "B"
FLOOR PLAN OPTIONS

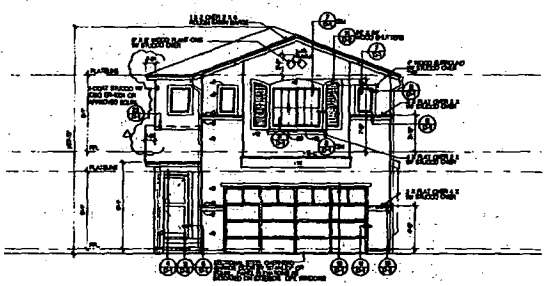
Sheet No.: A-2.1

SDR-5807
01/27/05 PC

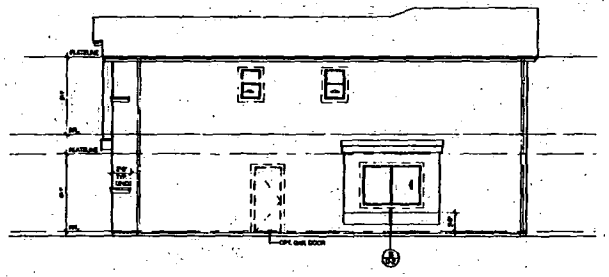
RECEIVED
DEC 14 RECD



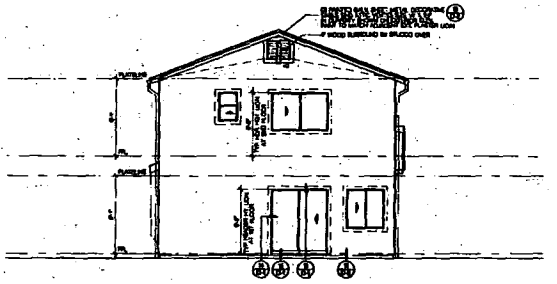
LEFT



FRONT



RIGHT

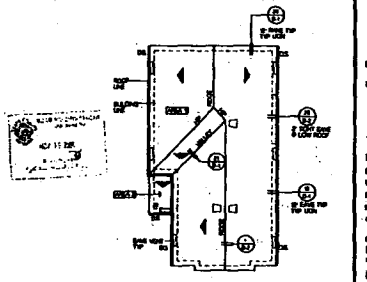


REAR

EXTERIOR ELEVATIONS | SCALE: 1/8" = 1'-0" | 1

NOTES

ATTIC VENTILATION



ROOF PLAN | SCALE: 1/8" = 1'-0" | 2

No.	Date	Issue / Description
	05/14/04	BLDG DEPT SUBMITTAL
A	8/19/04	PLAN CHECK CORR

Consultants

Project:
SONATA

RICHMOND AMERICAN
7220 W. JEAN DR., #210
LAS VEGAS, NV 89128

2004-465

KTGY GROUP, Inc.
Architecture | Planning
ORANGE MUNICIPAL CENTER
300 SOUTH GLASSELL STREET
ORANGE, CA 92866
(714) 547-0100
FAX (714) 547-0180
Irvine, California

Licensed Design Professional

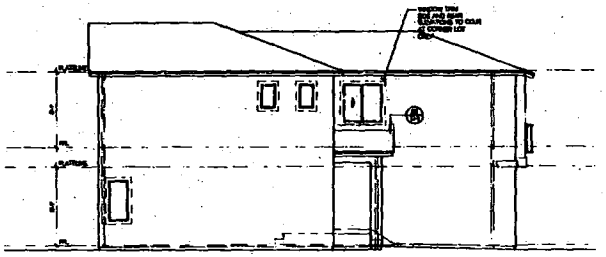
Principal In Charge:	J. FULLY
Project Director:	M. FOWLER
Project Manager:	M. HUTSON
Project Designer:	J. TRAN
Checked By:	P. YOSEMORI

Sheet Title:
PLAN 1568
'A' EXTERIOR ELEVATIONS / ROOF PLAN

Sheet No.:
A2.4

SDR-5807
01/27/05 PC

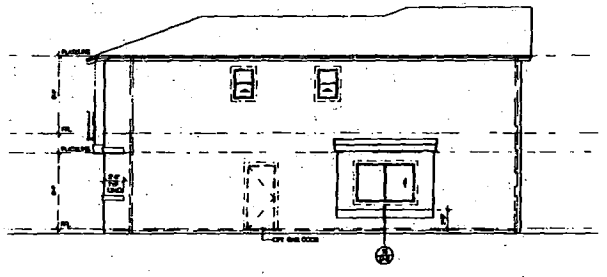
RECEIVED
DEC 14 RECD



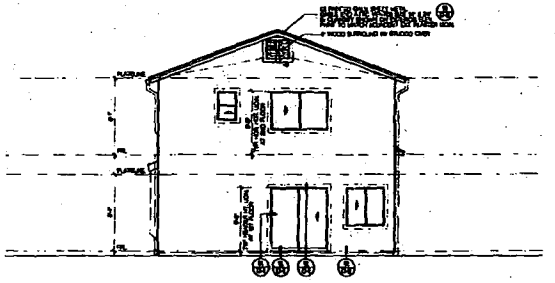
LEFT



FRONT



RIGHT

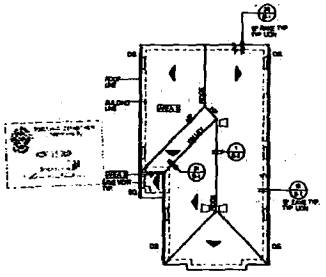


REAR

EXTERIOR ELEVATIONS | SCALE: 1/4" = 1'-0" | 1

NOTES

ATTIC VENTILATION



ROOF PLAN | SCALE: 1/8" = 1'-0" | 2

SONATA

RICHMOND AMERICAN

2004-465

KTGYOROUP, INC.

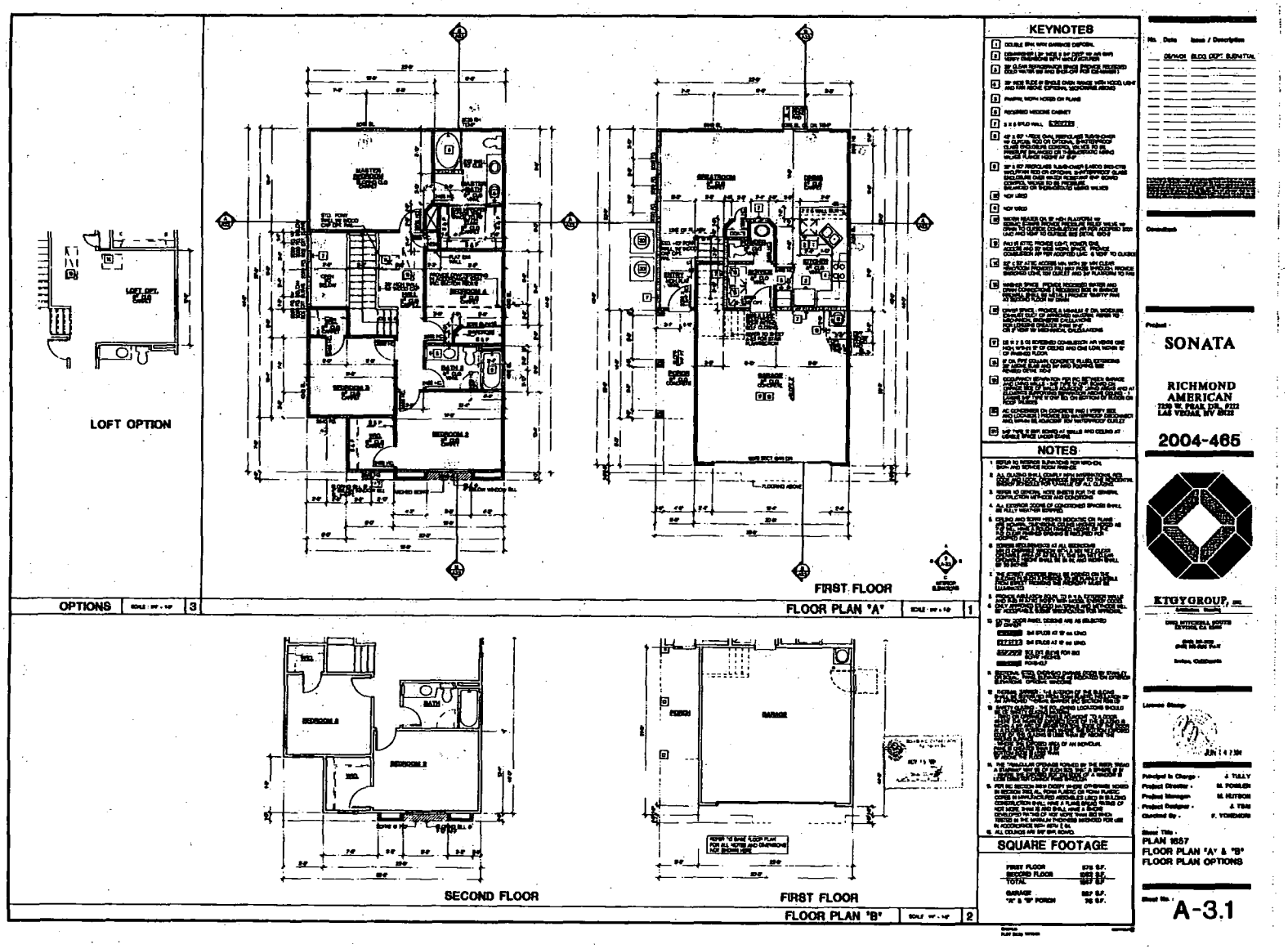
Principal in Charge: J. TULLY
Project Director: M. POWLER
Project Manager: M. HUYSON
Project Designer: J. TRAN
Checked By: P. YOSHIZAKI

PLAN 1556
'B' EXTERIOR ELEVATIONS / ROOF PLAN

A2.5

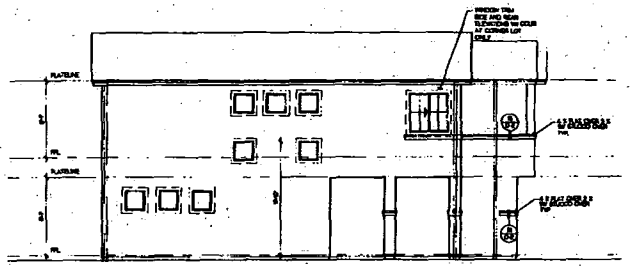
SDR-5807
01/27/05 PC

DEC 14 RECD
RECEIVED

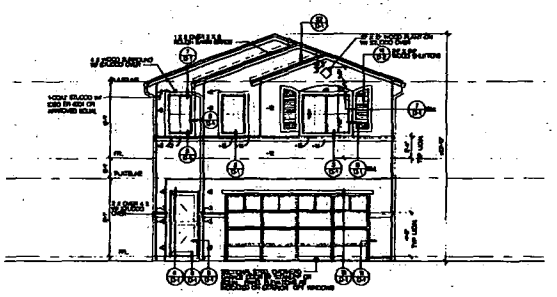


SDR-5807
01/27/05 PC

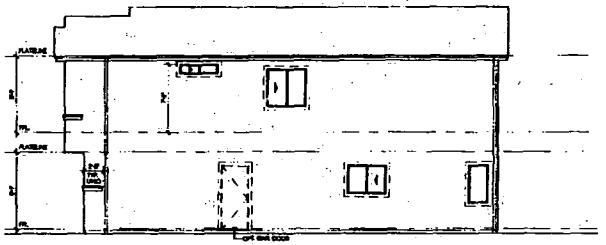
DEC 14 RECD
RECEIVED



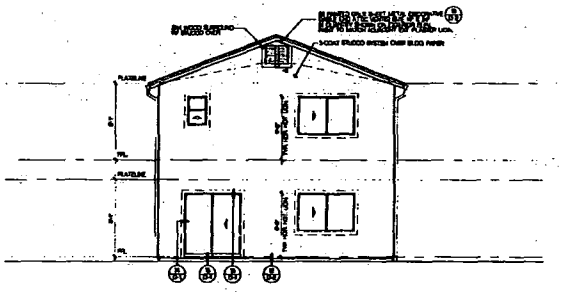
LEFT



FRONT



RIGHT

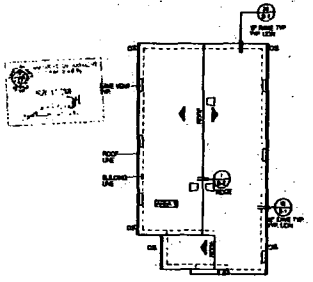


REAR

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

NOTES

ATTIC VENTILATION



ROOF PLAN SCALE: 1/8" = 1'-0" 2

SONATA

RICHMOND AMERICAN
7300 W. RYAN, STE. 200
LAS VEGAS, NV 89113

2004-465

KTGYGROUP, INC.

PLAN 1557
'A' EXTERIOR ELEVATIONS / ROOF PLAN

A3.4

SDR-5807
01/27/05 PC

RECEIVED
DEC 14 RECD

EXTERIOR ELEVATIONS 1

NOTES

ATTIC VENTILATION

ROOF PLAN 2

SONATA

RICHMOND AMERICAN

2004-465

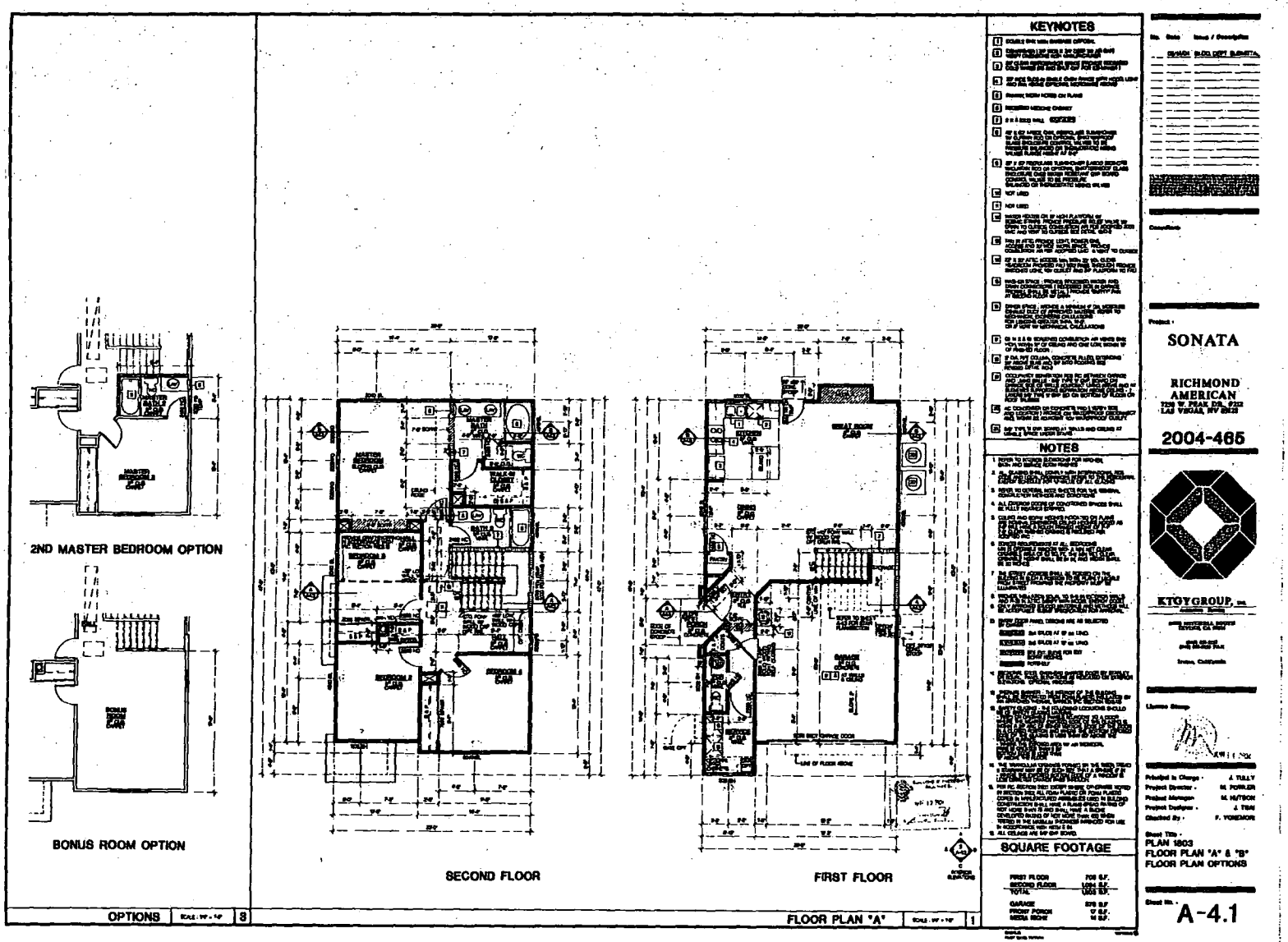
KTGYGROUP, inc.

PLAN 1987
"D" EXTERIOR ELEVATIONS / ROOF PLAN

A3.5

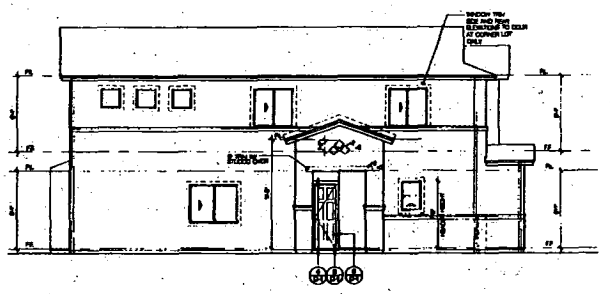
SDR-5807
01/27/05 PC

RECEIVED
DEC 14 RECD

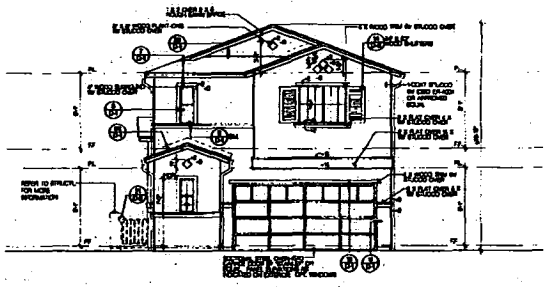


SDR-5807
01/27/05 PC

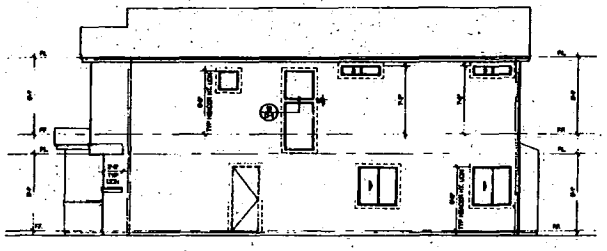
DEC 14 RECD
RECEIVED



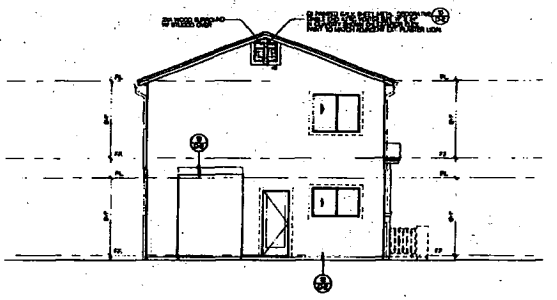
LEFT



FRONT



RIGHT

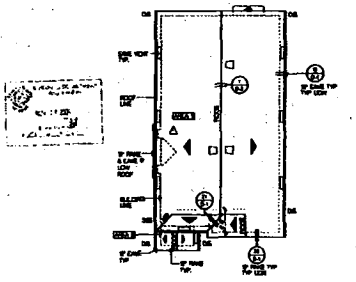


REAR

EXTERIOR ELEVATIONS | SCALE: 1/8" = 1'-0" | 1

NOTES

ATTIC VENTILATION



ROOF PLAN | SCALE: 1/8" = 1'-0" | 2

SONATA

RICHMOND AMERICAN
7525 W. PEAK DR., #222
LAS VEGAS, NV 89128

2004-465

KTGYGROUP, inc.

Irvine, California

JUN 1 1 2004

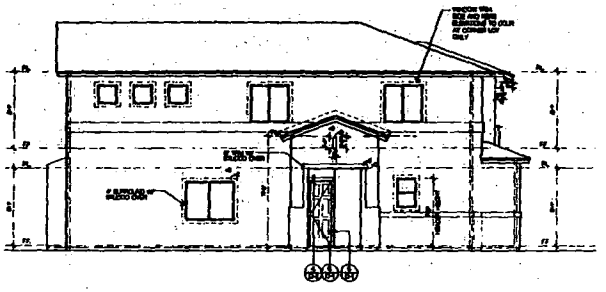
Principal In Charge: J. TULLY
Project Director: M. POWLES
Project Manager: M. HUTSON
Project Designer: J. TRAI
Checked By: P. YONEMORI

Sheet Title:
PLAN 1803
'A' EXTERIOR
ELEVATIONS /
ROOF PLAN

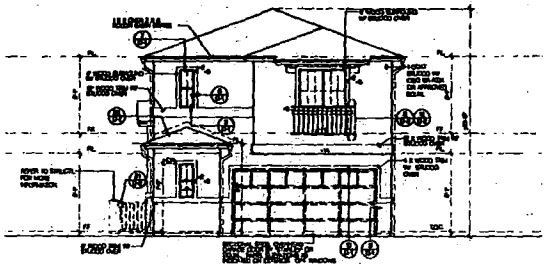
Sheet No.:
A-4.4

SDR-5807
01/27/05 PC

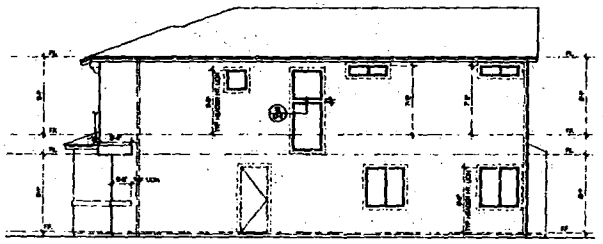
RECEIVED
DEC 14 RECD



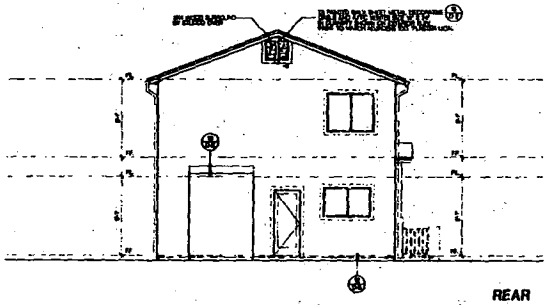
LEFT



FRONT



RIGHT

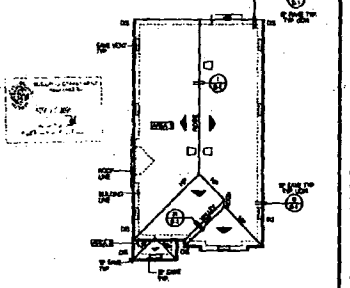


REAR

EXTERIOR ELEVATIONS | SCALE: 1/8" = 1'-0" | 1

NOTES

ATTIC VENTILATION



ROOF PLAN | SCALE: 1/8" = 1'-0" | 2

SONATA

RICHMOND AMERICAN
7720 W. SAHARA AVE., #110
LAS VEGAS, NV 89128

2004-465

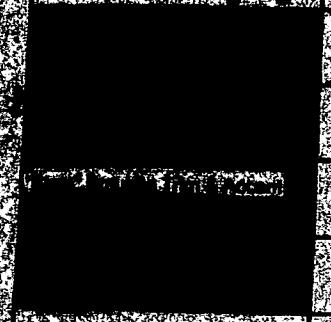
KTGYGROUP, INC.

PLAN 1503
'B' EXTERIOR
ELEVATIONS /
ROOF PLAN

A-4.5

SDR-5807
01/27/05 PC

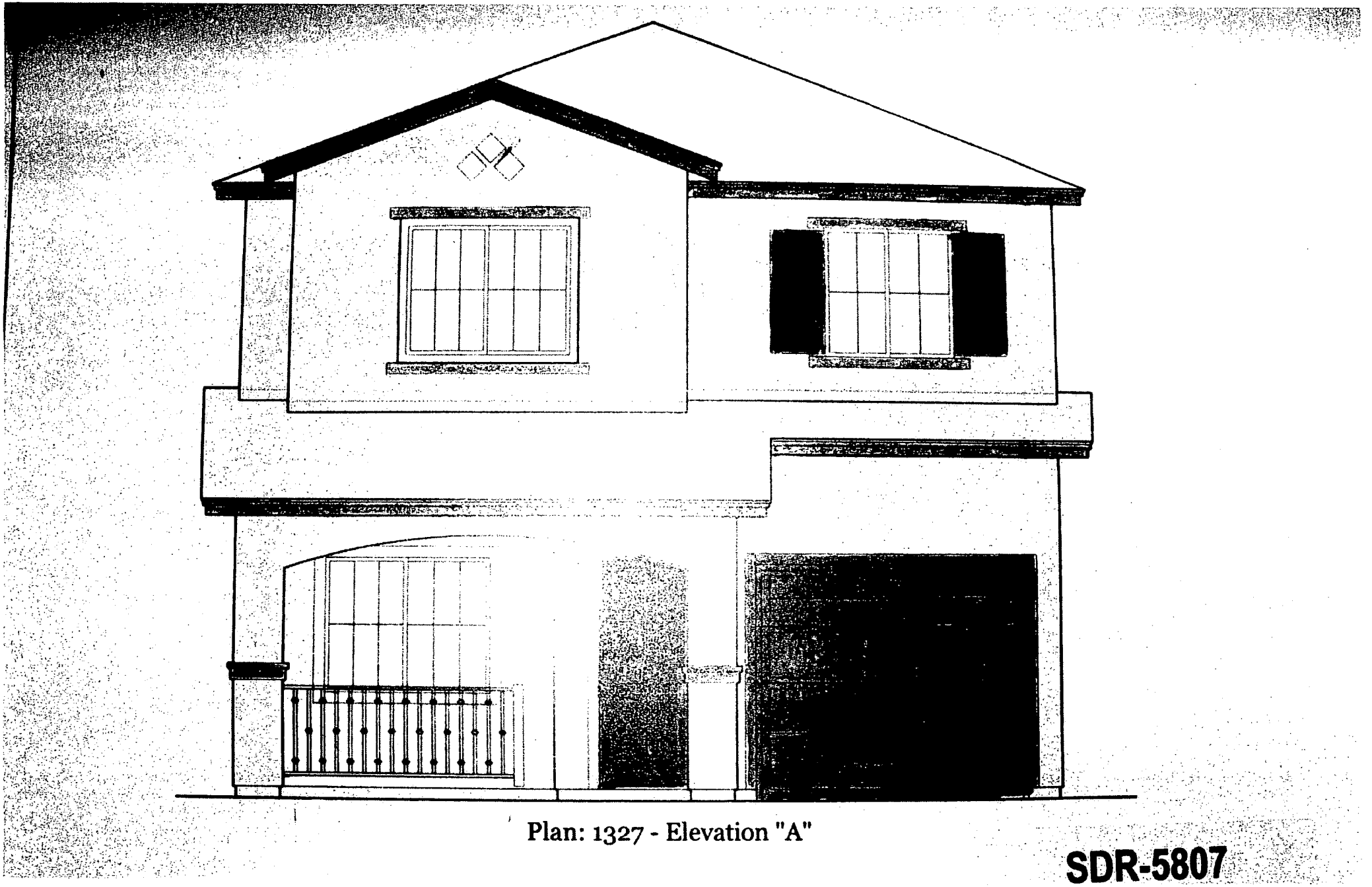
Cherry Lane



	Scheme #1	Scheme #2	Scheme #3	Scheme #4	Scheme #5	Scheme #6
Field Tile	182 Arizona White	307 Navajo White	CZ 15-8855 Basic Beige	CZ 15-8674 Windrift Beige	CZ 15-7792 Antique White	CZ 15-8565 European White
Medium Blend & Trim	8723M Desert Tumbleweed	8223M Sienna Sand	8232W Lulled Beige	CZ 15-11498 Bedouin Beige	CZ 15-9198 Toasty Grey	8703M Rockridge
	8724M Meadowlark	8224M Balsam Bark	8234M Daplin	8714M Wildcat	8674M Muddy River	8734M Bark Mulch
	8826D Jacaranda Brown	524 Riverbed	8775D Metal Shavings	8765D Beaver Creek	8665D Grist Mill	8315D Ravenswood
	8726N Mocha Brown	8725A Coach House	8756N Cordwood	8306M Alcazar Brown	CZ15-10143 Century Brown	CZ 15-11288 Midnite Hour
	AC140N Mission Brown	8696N Twisted Branch	8536N Blackmar	8796N Black Metal	8856N Greek Olive	8746N Timber Trail
Mortar Roof Tile (A & B Sizes.) Ridge Tile	Calif. Mission Blend 1ESCS 6464	Sandstorm 1ESCS 0026	Autumn Blend 1ESCS 6160	Casa Grande Blend 1ESCS 6169	Rio Grande Blend 1ESCS 6142	Redwood Blend 1ESCS 7221

All pebble to be Frazee only

SDR-5807
01/27/05 PC



Plan: 1327 - Elevation "A"

SDR-5807
01/27/05 PC

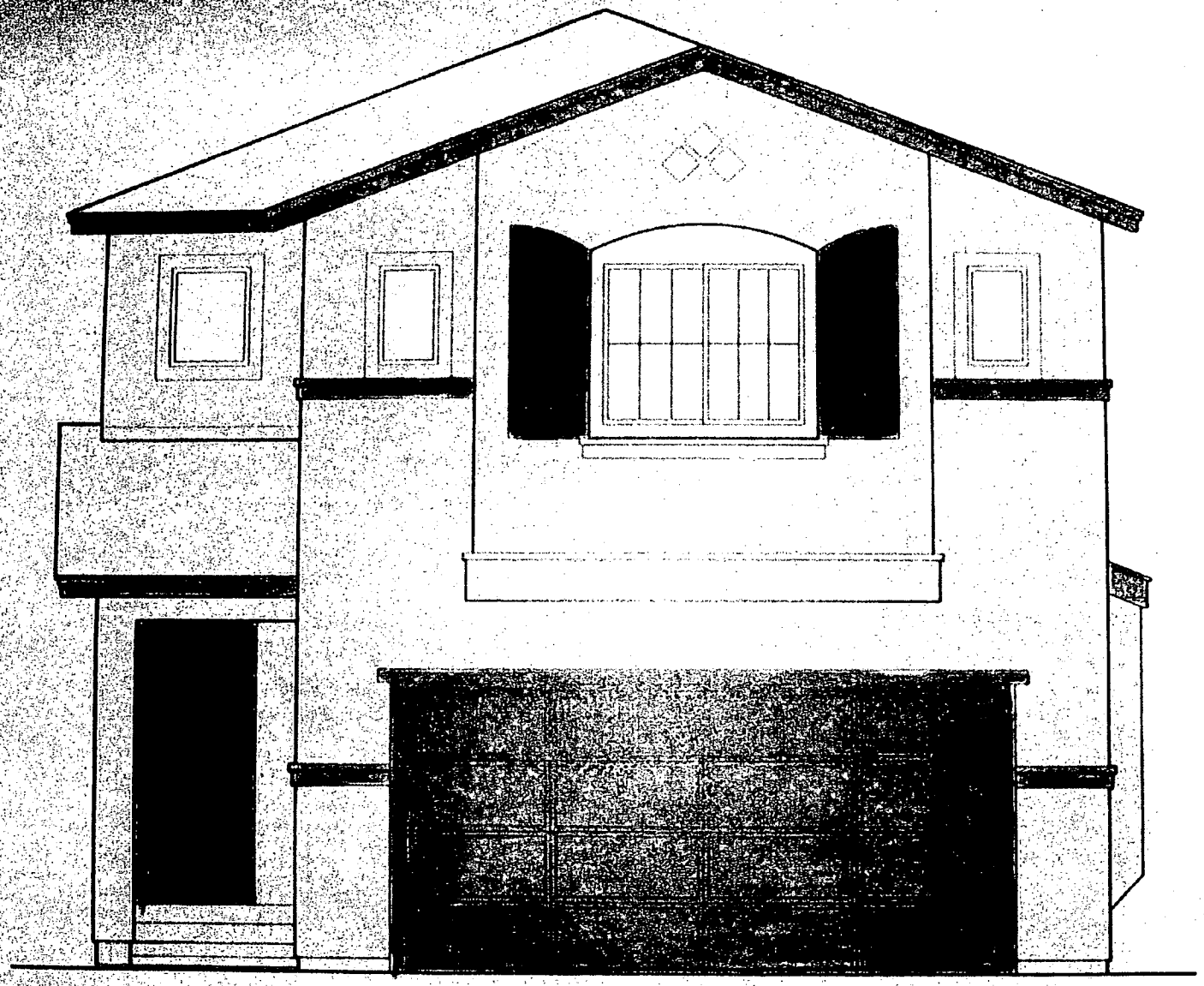
The Cherry Lane Collection



Plan: 1327 - Elevation "B"

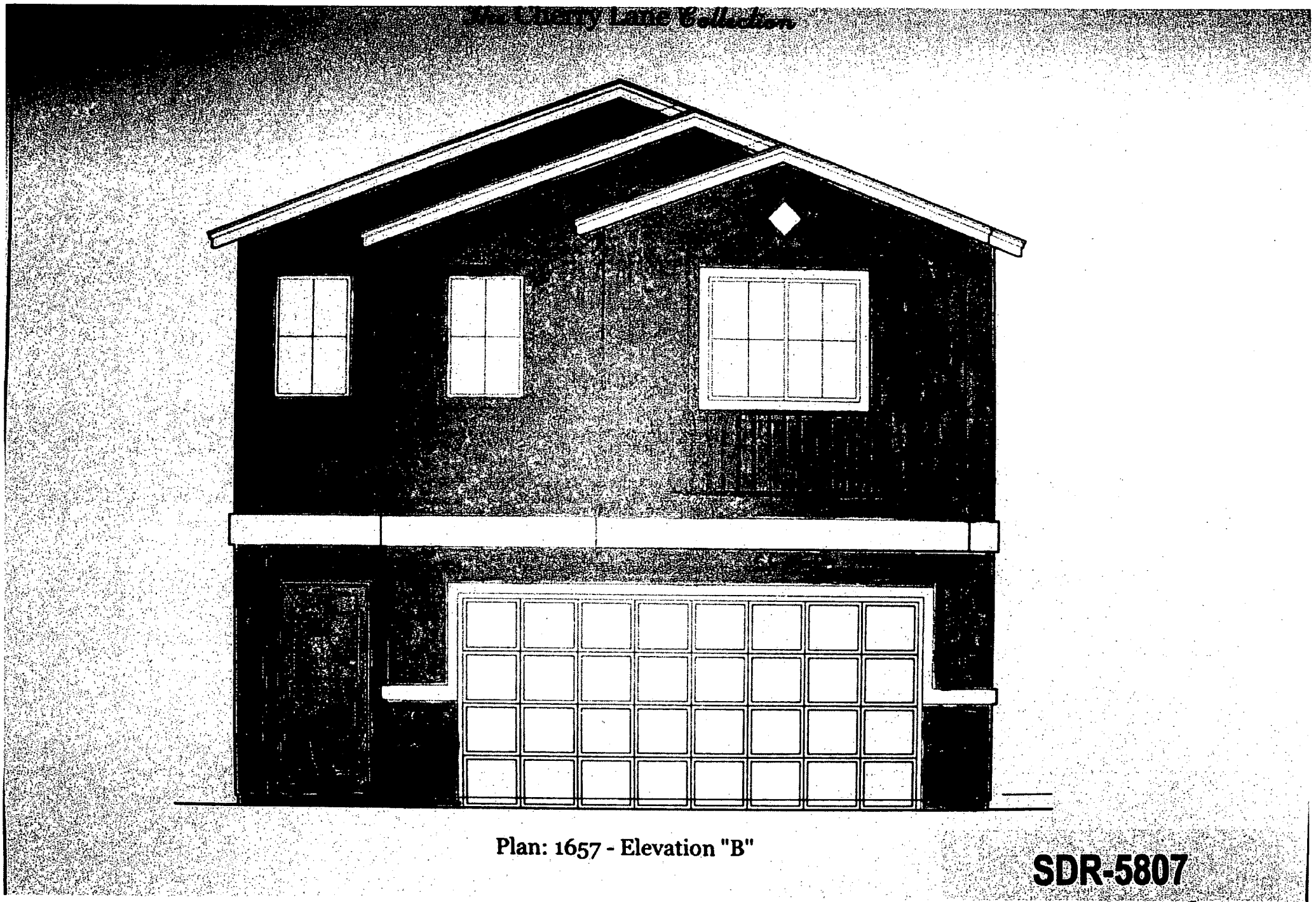
SDR-5807
01/27/05 PC

The Cherry Lane Collection



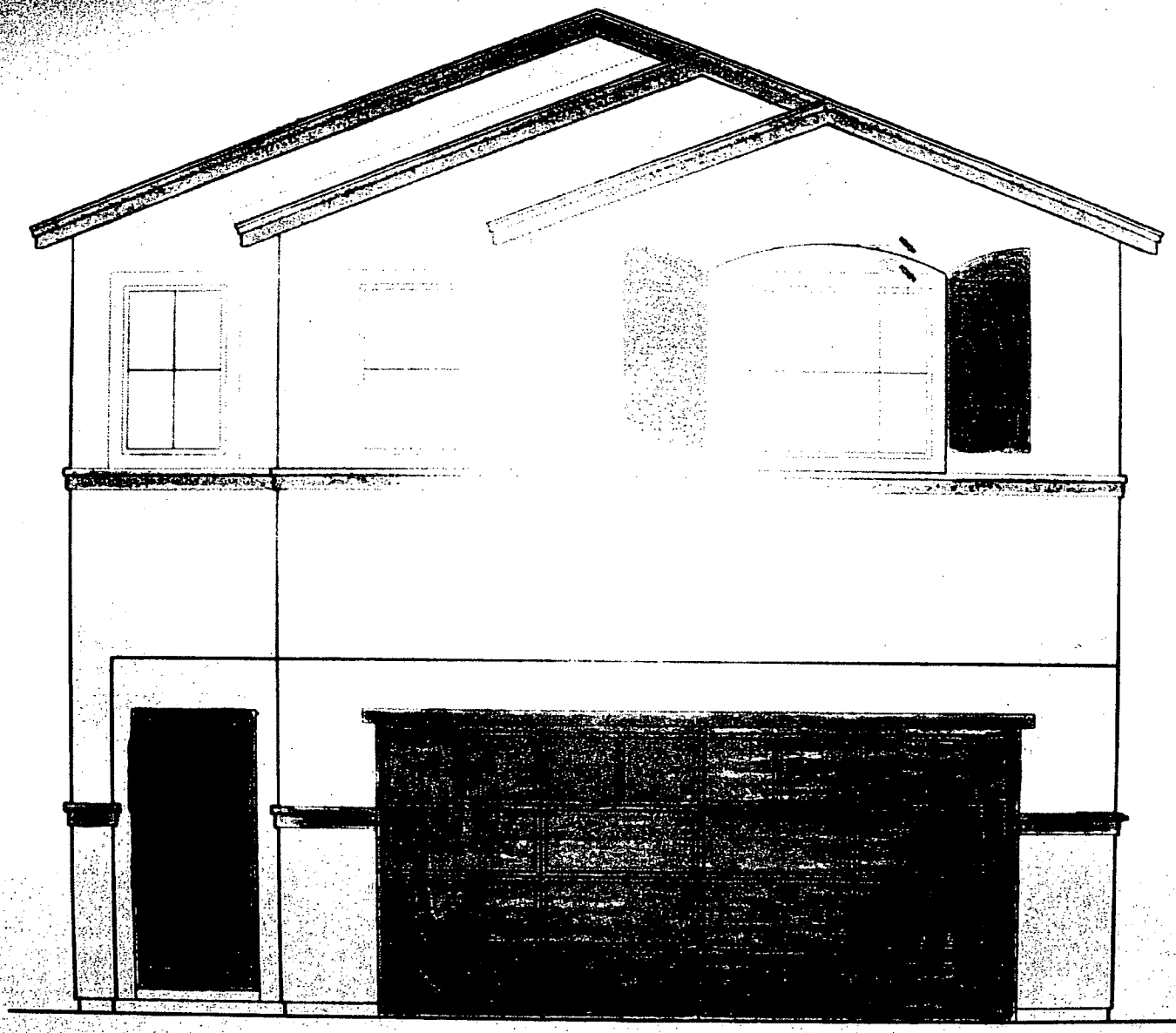
Plan: 1556 - Elevation "A"

SDR-5807
01/27/05 PC



Plan: 1657 - Elevation "B"

SDR-5807
01/27/05 PC

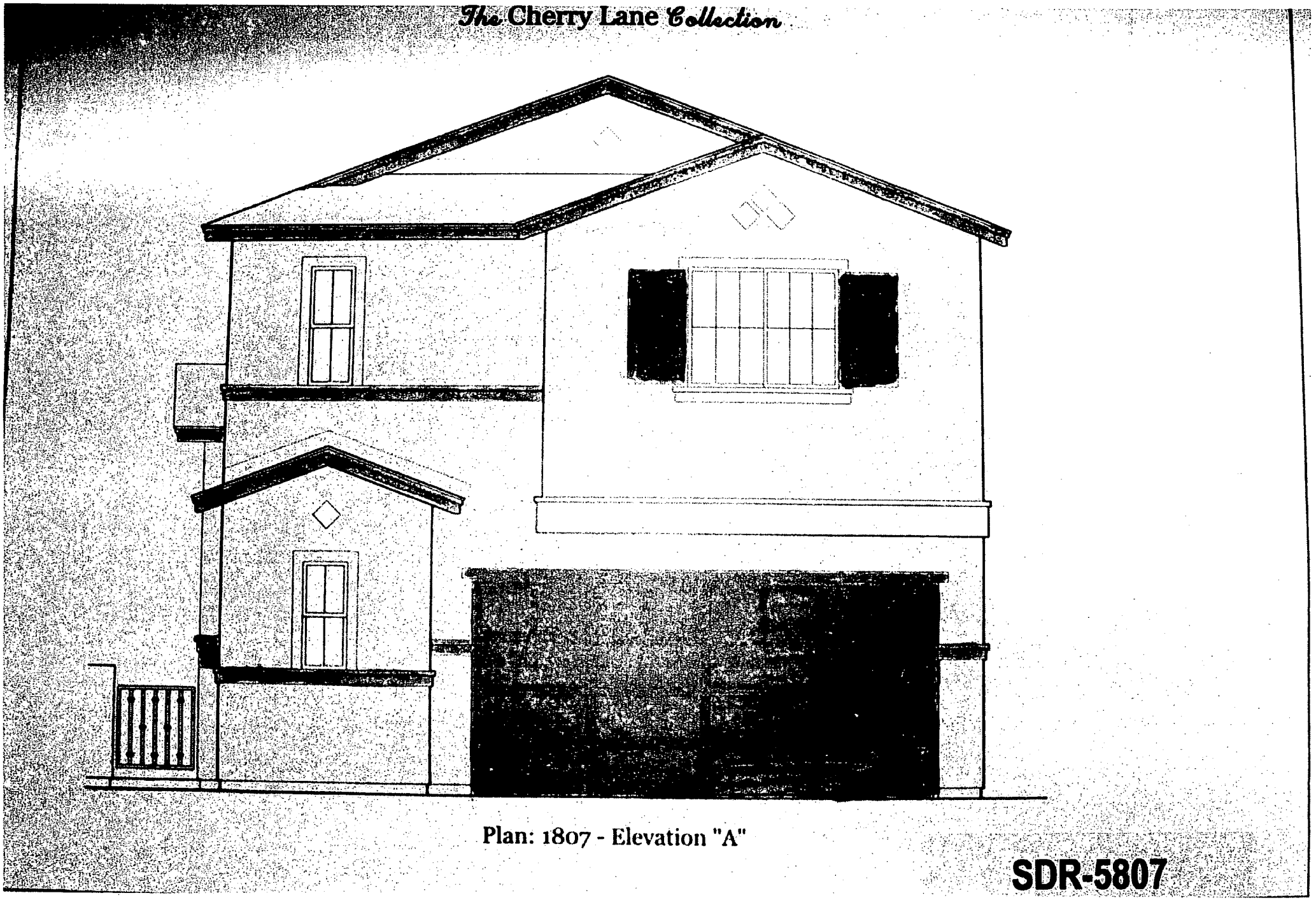


Plan: 1657 - Elevation "A"

SDR-5807

01/27/05 PC

The Cherry Lane Collection



Plan: 1807 - Elevation "A"

SDR-5807

01/27/05 PC

The Cherry Lane Collection



Plan: 1807 - Elevation "B"

SDR-5807
01/27/05 PC



ZON-5809, VAR-5810 & SDR-5807 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC
NORTH SIDE OF ANN ROAD, APPROXIMATELY 290 FEET WEST OF RAINBOW BOULEVARD
FEBRUARY 24, 2005 PLANNING COMMISSION

1/6/05



ZON-5809, VAR-5810 & SDR-5807 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC
NORTH SIDE OF ANN ROAD, APPROXIMATELY 290 FEET WEST OF RAINBOW BOULEVARD
FEBRUARY 24, 2005 PLANNING COMMISSION

1/6/05

LAS VEGAS
r S CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
NEVADA

March 7, 2005 ***"REVISED" #2***

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

Attention: Gary Leobold, Planning Supervisor

Reference: **Ann-Rainbow SDR, GPA, Rezoning and Variance**
APN #125-27-803-008

On behalf of Richmond American Homes we respectfully request your consideration of the attached General Plan Amendment, Rezoning, Site Development Plan Review and Variance applications.

Location: The proposed 6.86 acre± site is located directly behind the existing Walgreens on the northwest corner of Ann Road and Rainbow Boulevard.

Request: At this time, Richmond American Homes is requesting the consideration of a General Plan Amendment, Site Development Plan Review and Rezoning to ***R-PD8*** with an open space Variance for a ***58*** unit single family detached residential development on 6.86 acres± (125-27-803-008) with a proposed density of ***8.45 ±*** dwelling units per acre (DUA). Additionally, we are currently in the process of an annexation (ANX-5586-04) for the above referenced property into the City of Las Vegas from Clark County that is scheduled to be heard by the Planning Commission on December 16, 2004.

Background/Justification: The parcel in question is currently under resolution of intent within Clark County to C-1. This parcel with the current surrounding land uses and proposed adjacent projects will become an in-fill parcel for residential as this area is not compatible for commercial with the surrounding existing land uses. The property is currently vacant and zoned C-1 with a land use designation of Rural Density Residential (Clark County) of up to 3.59 du/ac. The adjacent properties are zoned and the current land uses are; north, the western most property is zoned Undeveloped (U) and master planned Rural (R)(CLV) and the eastern property is zoned R-E and master planned Rural Density Residential (RDR)(CC), south is an existing higher density residential project that is currently zoned R-CL and master planned ML, to the west is zoned Office (O) and master planned Office (O) in both Clark County and the City, to the east is existing single family residential that is zoned R-E and master planned Rural Estates. In the past 5 + years, there has been a significant change in population in the Las Vegas Valley. As the population in the Las Vegas-area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas and even some Industrial properties. We especially believe that there is a need to develop affordable housing on what has the potential to be an *in-fill* parcel and is not compatible for commercial with the surrounding community. Developing this site as such allows less burdens on getting infrastructure to these properties but due to the nature of the *in-fill* property, we find it necessary to request minor deviations to the cities code requirements in order to develop the property making it a positive for the developer, the City of Las Vegas and the surrounding community.

ZON-5809
VAR-5810
SDR-5807

RECEIVED
MAR - 7 2005

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

LAS VEGAS
r s
CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
NEVADA

Ann-Rainbow
SDR,GPA,Rezoning and Variance
APNs 125-27-803-008

Development Standards: All interior streets will be 37' privately maintained rights of way. It is also necessary that with these applications, we request a *Deviation of Standard* for a reduced cul-de-sac radius. The reduced radii is due to the relatively small parcel size and by using the larger standard bulb (typically provided on a public street) where provided this may necessitate a variance request for setbacks as the intrusion of a standard cul-de-sac bulb on the smaller lot sizes reduces the lot depth in that area. ***The requested deviation of standard was approved on 2/22/05 by CLV Public Works for reduced cul-de-sac radii (32.5' for 3 cul-de-sac's) and one modified knuckle as shown on the submitted Tentative Map (TMP-6214).*** The product intended for this proposed site will be single family detached residences, and range in size from 1,327 s.f. to 1,803 s.f.

The following minimum setbacks are being requested:	Front – 18'(Garage), Front – 10'(Living), Rear – 10', Side/Corner side – 3.5'
Cul-de-sac's – due to Deviation of Standards request The following minimum setbacks are being requested:	Front – 6'(Garage), Front – 6'(Living), Rear – 9', Side/Corner side – 3.5'
Open Space requirements are as follows:	OS Required: .95 acres± (41,382 s.f.±) OS Provided: ***.64 acres± (28,189 s.f.±)***

At this time we are requesting a variance of the required open space. Our re-designed plan provides for 68% of the required open space, and our request is for a ***32%*** reduction in open space requirements, which is greater than the original requested 53% reduction of open space. The open space amenities within the proposed residential subdivision have changed during the planning process from the original concept due in part from neighborhood concerns and a re-design of the proposed subdivision. It is still our concern with the recent developments within the Las Vegas Valley and our current water situation that we become proactive, and it is with our best intentions to continue to provide open space amenities for our residents but also be concerned with the future of Southern Nevada and review the quality of open space we are providing for our residents.

We believe that this product on this parcel will provide a good transition buffer from the existing residential community and the existing commercial development planned for this area and will be an enhancement to the community. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Skuse
President

Cc: Richmond American Homes, Manny Pattni

RECEIVED
MAR - 7 2005

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

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

PETITION TO OPPOSSE GPA-5804 / VAR 5810 / ZON 5809 / SDR 5807

We, the undersigned, while believing that progress of the community is important, we also believe in the importance of keeping our community density at or near the same level that it currently is. We believe that with the proposed zoning amendment, which would allow up to 12 homes per acre is in sharp contrast to our current zoning. The plans that were shown at the neighborhood meeting held by the developer Richmond American propose to place 66 units onto a 5.73 acre parcel of Rural Estates zoned land, which is 11.5 units per acre. The surrounding properties on the East, West and North side are all currently zoned for no more than 2 units per acre and are mostly zoned horse property. We feel with the proposed zoning of 12 units per acre we would be forced into dealing with urban zoning far too dense than we are comfortable living with. Another major concern that the residents have is that the entrance to this subdivision is located on Rainbow Blvd. Rainbow Blvd in this area is only one lane in either direction, and the daily traffic increase of at least 100-135 cars two to three times per day would cause much undeserved congestion on this stretch of roadway. Many of us on Rainbow Blvd. have children that play in our front yards and we have no reinforced walls or curbing in front of our properties, and with the increased traffic there is a big concern that any one of these vehicles could eventually wind up in our yards causing serious injury or death to one of our children. The last concern about the Rainbow Blvd. entrance is the flow of waters when it rains. With the roadways as they are when we receive heavy rains there is generally quite a bit of flooding on the East and West side of Rainbow Blvd. When the west side is developed as planned with the one entrance where the water would flow there would be only one path for the flow and that is to the East side of Rainbow Blvd. causing more severe flooding problems than we currently are prepared for. We therefore write to petition the city of Las Vegas to fail this GPA-5804 and keep this property zoned Rural Estates.

Homeowner Name	Signature	Address	Telephone
Jennifer Snodes		5695 N. Rainbow	656-3737
Jimmy D. Epley		5686 No. Rainbow	639-6109
Sandra Meyer	Sandra Meyer	7638 Plunging Falls	645-4313
Andrea Spiro	Andrea Spiro	7853 Quail Breath	228-6654
Jennifer Hoes	Jennifer Hoes	3305 Canary Creek Ave	645-4736
Debra Adams	Debra Adams	7863 Morning Call Ct	515-1430

VHR 5810
ZON 5809
SDR 5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Megan M Ortiz-Caporale		8585 Bella Loma Ct 89149	658-7361
Mark + Kenneth Rooney		6808 Snake River Ave	296-7875 296-7803
		5965 Ruffian Rd	395-6656
Stacey S. Fish		7429 Enchanted Hills	242-1283
Christine Mancar		6430 Whispering Sand Drive	658-7008
Giovanni Guarino		7863-Moving Gallop CT	515-1430
Wally Way		3787 Discovery Creek	656-3728
Edwin		6780 Bastille Ave	839 7967
Christine Pratt		8017 Tailwind Ave	255-5748
Leonard Lo Russo		7650 Las Alcantara	325-2189
Christina Leon		5360 Bayou Ct	655-5369
Betty Jules		5361 Bayou Ct	656-7605
Mary Green		6430 Whispering Sand	649-3000
Aaron Boyer		6121 Nicholson Manor St	658-1520
		6124 Robert Rose St	658-7520

5810
ZON 5809
SDR 5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Nadine Searles	Nadine Searles	6512 Beach North Ve	(702) 396-5437
Raymond Peralta	Raymond Peralta	1529 VICENZA CT. LV 89117	702-290-0572
Kimberly Rager	Kimberly Rager	8710 Castletti 89129	396-0463
Jennifer Twenty five	Jennifer Twenty five	4169 Autumndale 89121	633-6114
EDWARD C. JETER	Edward Jeter	7225 TEAKWOOD ST.	657-9292
Angelica Linn	Angelica Linn	5419 Nested Moon 89131	(702) 869-8374
Julie Zinovitch	Julie Zinovitch	5812 Delabarre	2454671
Linda Otter	Linda Otter	5812 Delabarre	6472692
Jayson Smetana	Jayson Smetana	7829 Pinnacle Ave	656-5291
WALTER DOBBS	Walter Dobbs	5640 GILBERT LANE	656-1363
Janet Causey	Janet Causey	5785 Juliano	658-8655
Christine Bristol	Christine Bristol	7616 Donald Nelson Ave	396-8980
Karrah Rodney	Karrah Rodney	6508 Snake River	656-7803
Amy Jeter	Amy Jeter	7225 Teakwood St	657-9292
	Chris Thatcher	4016 Adventure Ave	396-2245

14

VAR5810
ZON5809
SDR5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Larry Searls		6812 Beach West Ave	3965434
Kathleen Richardson	K Riel	7420 Jockey Ave	638-8831
Talya Page	Talya Page	8129 Damanda Ct	254-1892
Beth Smietana		7829 Pinnochio	2030970
Laura Fontana		2706 Gardenia Flower	396-3377
Dan Fredrich		4940 N. Cameron Rd	645-5287
Chad C. Moore		6792 Beach West Ave	647-5834
Patty A. Straley	Patty A. Straley	6788 Beach West Ave	396-9841
TARA CARROLL		6780 Beach West Ave	395-4496
William Cantrell	William Cantrell	5924 Kane Holly	395-6083
Henry A Tuckett		5620 Kane Holly	656-1355
Tiesha moore		5912 kane Holly St	395-8953
QUINTON JOHNSON		5902 KANE HOLLY ST	6564306
		5900 Kane Holly	870 3974
Don Larrick		5824 Kane Holly Ct.	656-9250

15

VAR 5810
ZON5809
SDR5807

PETITION TO OPPOSSE GPA-5804

Homeowner Name	Signature	Address	Telephone
Claudia Lemmon	Lemmon	5816 Kane Holly	363-1323
Robert D. Lemmon	Robert D Lemmon	5816 Kane Holly	363-1323
C.E. Gill	C.E. Gill	5813 Kane Holly	655-5342
W.H. Ragsdale	William H. Ragsdale	5825 Kane Holly	360-8974
D. Orlando	D Orlando	5921 Kane Holly St	313-8844
Maria Kusher	Maria Kusher	5710 N. Rainbow	6553712
Stacey Allwin	Stacey Allwin	5710 N. Rainbow	655-3712
Keith Pearson	Keith Pearson	5710 N Rainbow	655-3712
Scott Angle		5664 N Rainbow	645-8990
Ryan Betalbres	Ryan Betalbres	5686 N. Rainbow blvd	639-6109
Christian Lightbourne	Christian Lightbourne	6438 Crimson Tide Ave	395-8558
Jennifer Eyden	Jeyden	5686 N. Rainbow	639-6109

4

January 18, 2005

Gary Leobold, Planning Supervisor
Planning & Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

Dear Gary Leobold, Planning Supervisor,

SUBJECT: ~~VAR~~ ZON-5809, VAR-5810, SDR-5807, GPA-5804, GPA-5820

Concerning ~~Var~~ ZON-5809, Var-5810, SDR-5807, I am objecting to any change in the current designation of property to R-PD10, which will change the open space requirement to one half the original requirement. The area is already congested, traffic is heavy and open space is at a premium.

Concerning GPA-5804, GPA-5820, I am objecting to any change of The Centennial Hills Sector Plan to MLA. A zero lot requirement means that the builder can build Town homes, Condo's, Duplex's etc; which would add more congestion to the area as well as decreasing the value of the homes in the surrounding area.

The preservation of open space and development of property consistent with the general welfare and quality of life for the residents in the area must be considered before the needs of the developers. For the above stated reasons, I am objecting to any changes of the current zoning.

Sincerely,

Walter Nieczkowski

5509 GOLDBRUSH STREET
LAS VEGAS, NEVADA 89130

11/16/05

Dear Sirs:

We approve of all of the enclosed plans.

Joan Konya
Cynthia Olson
6824 Rose Petal Ave
Jupiter 33458

VAR-5810
SPR-5807
GPA 5804
GPA-5820
ZON-5809

City of Las Vegas

Agenda Item No. 125

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING

ZON-5849 - PUBLIC HEARING - APPLICANT/OWNER: BRADLEY VILLAS, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE-FAMILY RESIDENTIAL) on 4.77 acres adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard (APN 125-24-701-005), Ward 6 (Mack). The Planning Commission (6-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	81	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (6-1 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. Backup referenced from the 2/10/2005 Planning Commission meeting Item 40

MOTION:

MACK - ABEYANCE to 4/20/2005 of Item 125 [ZON-5849] and Item 126 [WVR-5850] - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 125 [ZON-5849] and Item 126 [WVR-5850].

COUNCILMAN MACK requested an abeyance to 4/20/2005 to allow fairness for the applicant who was not present, but allowed anyone present to speak so they would not have to attend the next hearing.

DAVID BREWER, 5316 Rome Boulevard, stated he is pleased that the developer is planning five to six homes per acre. Because the area is horse property, he requested an eight-foot fence along the south edge of the property.

CAROL HEALEY, 6501 Mimosa Valley Street, President of Meister Park Homeowner's Association, appeared on behalf of 280 homeowners and advised the Council that a petition was submitted at the Planning Commission meeting. She wanted clarification on the conditions that were established, which included 16 lots rather than 18 and that they are limited to single-family homes. This is important because Meister Park North surrounds a majority of the area with large homes and lots where the people truly relish their privacy.

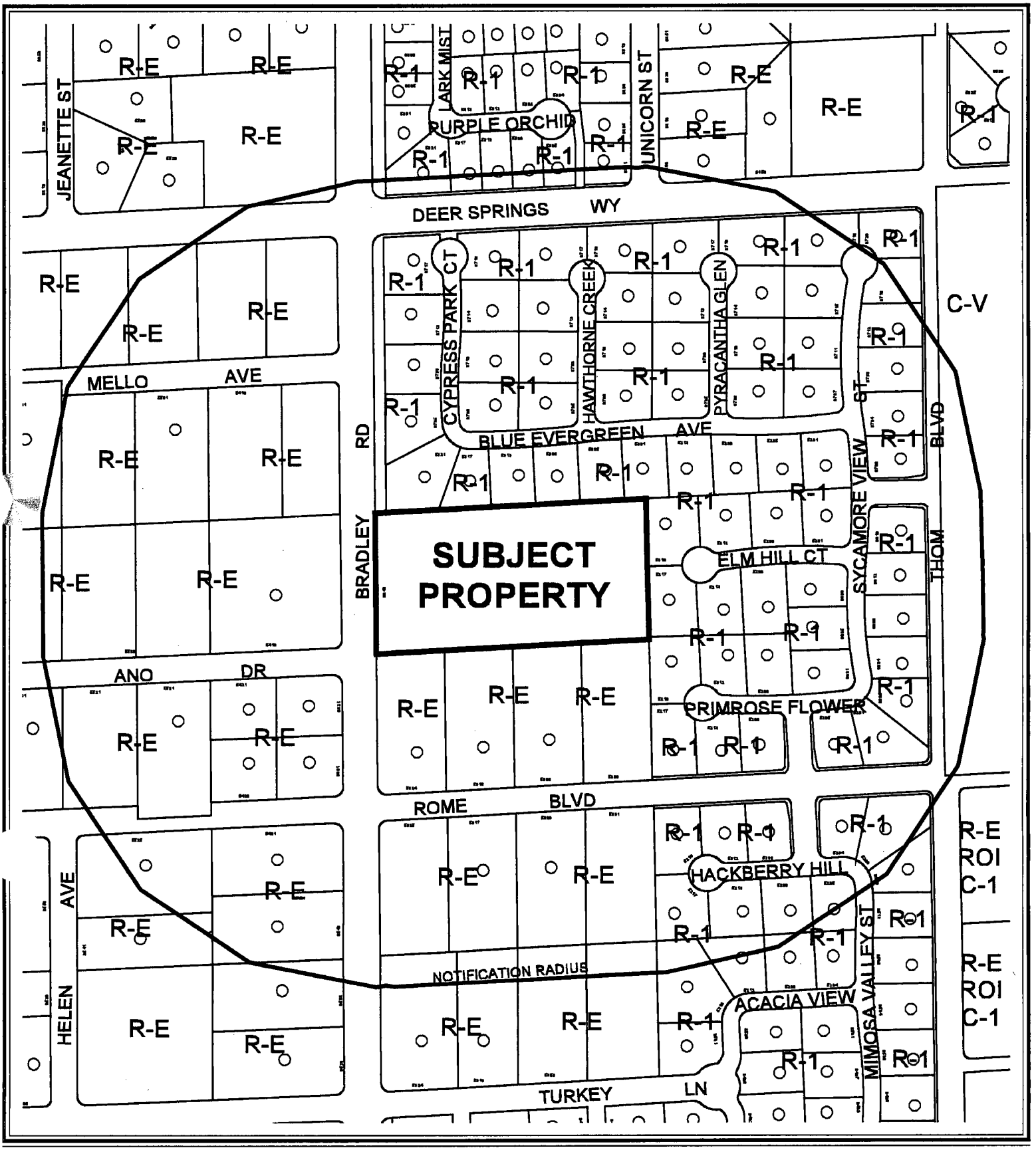
MORRIS BEAL, 5216 Elm Hill Court, lives on the east side of Meister Park, which backs up the

MINUTES - Continued:

development. He stated that his home and the home of KIP KRZMARZICK, 5217 Elm Hill Court, are the only homes that will abut the development to the side rather than from behind. He questioned if the setback of five feet from the property line to the side of house could be increased and if a meeting could be established to inform the residents of the development. MR. KRZMARZICK concurred with all the comments.

COUNCILMAN MACK announced that he is requesting an eight-foot block wall be erected on the southern boundary and that the project be limited to 16 single story lots. COUNCILMAN MACK included the addition of a condition to state that the homes adjacent to the east property line shall be angled and have a minimum average setback of 15 feet. MARGO WHEELER, Director of Planning and Development, confirmed Condition 3 validates the 16-lot requirement.

MAYOR GOODMAN declared the Public Hearing closed for Item 125 [ZON-5849] and Item 126 [WVR-5850].
(4:26 - 4:37)
4-1663



CASE: **ZON-5849**

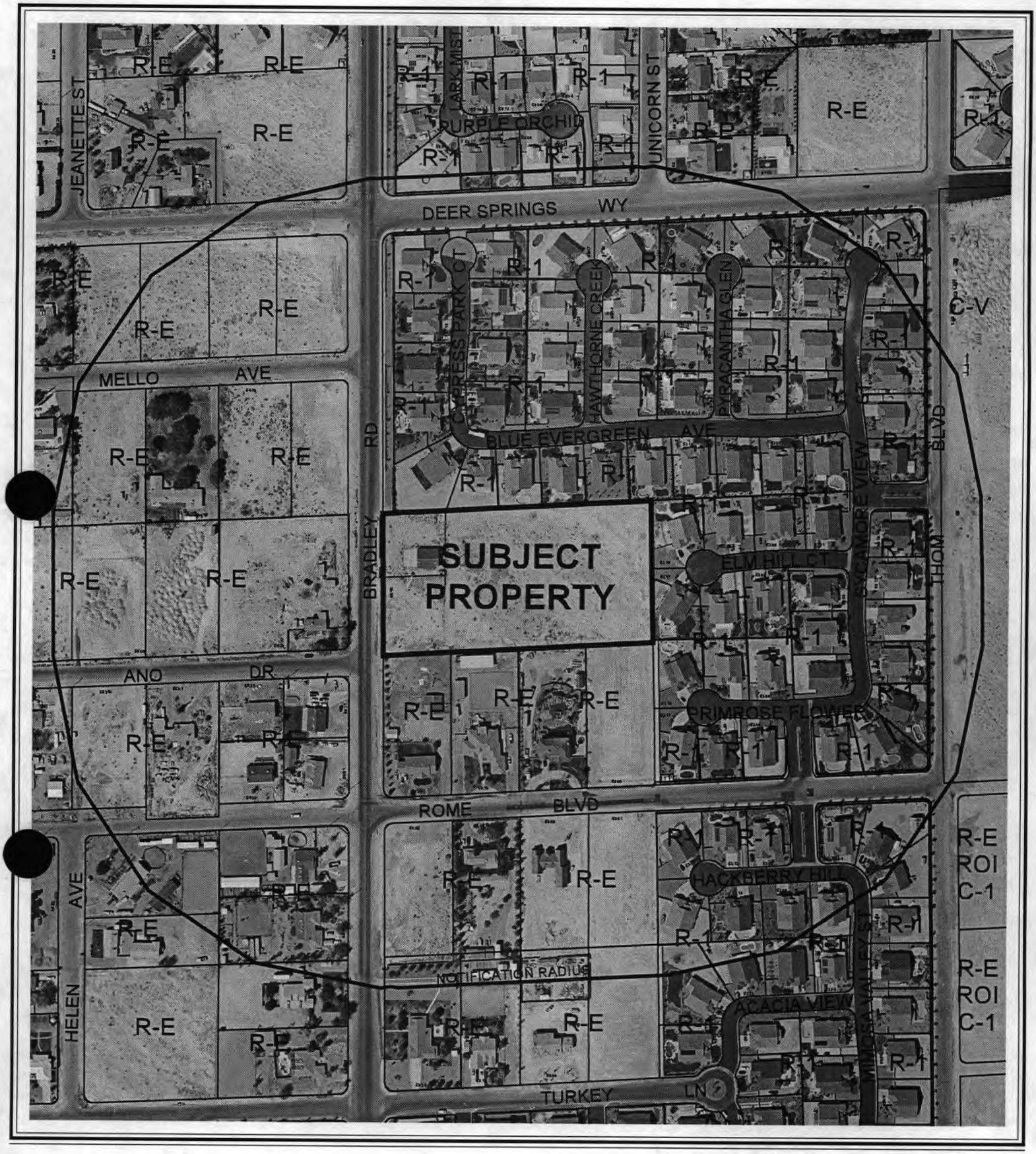
0 300 600 Feet

RADIUS: 750 FT

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

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

N



CASE: **ZON-5849**

RADIUS: 750 FT

0 300 600 Feet

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

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5849 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC

** CONDITIONS **

The Planning Commission (6-1 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 application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

3. The site plan shall be limited to a maximum of 16 lots. All product on this site shall be single story.

4. Approval of and conformance to the Conditions of Approval of WVR-5850.

Public Works

4. Construct half-street improvements on Bradley Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

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

6. The approval of all Public Works related improvements shown on the submitted plan is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that a non-standard cul-de-sac length is proposed on the site plan.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residential) on 4.77 acres adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard.

B) Applicant's Justification

The applicant states that the proposed project is compatible with the existing development.

BACKGROUND INFORMATION

A) Previous Actions

02/10/05 The Planning Commission recommended approval of a companion Waiver (WVR-5850) of Title 18.12.160 to allow approximately 175 feet between intersections where 220 feet is the minimum distance separation required.

02/10/05 The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #40/bts).

B) Pre-Application Meeting

01/27/05 The following items were discussed at the pre-application meeting:

- A Title 18.12.160 waiver is required.
- Average lot size is less than existing homes to the north and east.
- R-1 zoning may have compatibility issues with neighboring R-E zoning.
- Public Works comments include traffic signal impact fee, drainage study, trails, and cross sections.

C) Neighborhood Meetings

No neighborhood meeting was required nor conducted with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.77 acres

B) Existing Land Use

Subject Property:	Single Family Dwelling
North:	Single Family Development
South:	Single Family Dwelling/Undeveloped
East:	Single Family Development
West:	Single Family Dwelling

C) Planned Land Use

Subject Property:	ML (Medium-Low Residential)
North:	ML (Medium-Low Residential)
South:	ML (Medium-Low Residential)
East:	ML (Medium-Low Residential)
West:	L (Low Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-1 (Single Family Residential)
South:	R-E (Residence Estates)
East:	R-1 (Single Family Residential)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject property is designated ML (Medium-Low Residential) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Map of the General Plan. This category permits single-family dwellings and related uses up to a maximum density of 8.0 units per gross acre. The proposed rezoning to R-1 (Single Family Residential) would permit a maximum density of 5.5 units per gross acre, in conformance with the General Plan.

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

TRAIL
A 30-foot Multi-Use Equestrian Trail is required on the east side of Bradley Road, which is indicated on Exhibit 3 of the Recreation Trails Element in the Las Vegas 2020 Master Plan.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 S.F.	7,755 S.F.	Y
Min. Lot Width	65 Feet	65.06 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	5 Feet	15 Feet	Y
Max. Lot Coverage	50 %	*	*
Max. Building Height	2 Stories / 35 Feet	1 Story / 28 Feet	Y

* The applicant meets the development standards for R-1 (Single Family Residential) development standards. Although the applicant has not provided a footprint for the proposed homes, 50% lot coverage is the maximum allowed in an R-1 (Single Family Residential) zone.

B) General Analysis and Discussion

The proposed development includes 18-lots on 4.77 aces. The resulting density is 3.77 units per acre. The site is accessed from Bradley Road, a Secondary Collector (80-foot) street as indicated in the Master Plan of Streets and Highways. The internal lots are accessed from a 37-foot public street.

FINDINGS

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

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

   The subject property is designated ML (Medium Low Residential) on the Centennial Hills Land Use Plan of the General Plan. This category permits single-family dwellings and related uses up to a maximum density of 8.0 units per gross acre. The proposed rezoning to R-1 (Single Family Residential) would permit a maximum density of 5.5 units per gross acre and therefore is in conformance with the General Plan.

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

   The proposed single-family development on this site is similar in density to other residential development in this area. The proposed R-1 (Single Family Residential) zoning will be compatible with surrounding land uses and zoning districts

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

The proposed R-1 (Single Family Residential) zoning on the subject site is an appropriate transition from the R-E (Residence Estates) zoning to the south and west of the site. The site is also bordered by R-1 (Single Family Residential) zoning to the north and east of the proposed site.

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

   Access to the property is adequate and provided by Bradley Road, a Primary Collector (80-foot) street.

PLANNING COMMISSION ACTION

The Planning Commission added Condition #3 as shown. There were 5 speakers protesting the application at the Planning Commission hearing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 123 by Planning Department

APPROVALS 0

PROTESTS 81

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5849 APN: 125-24-701-005

Name of Property Owner: BRADLEY VILLAS LLC

Name of Applicant: BRADLEY VILLAS LLC

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

_____Yes ____X____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Lior Gamliel

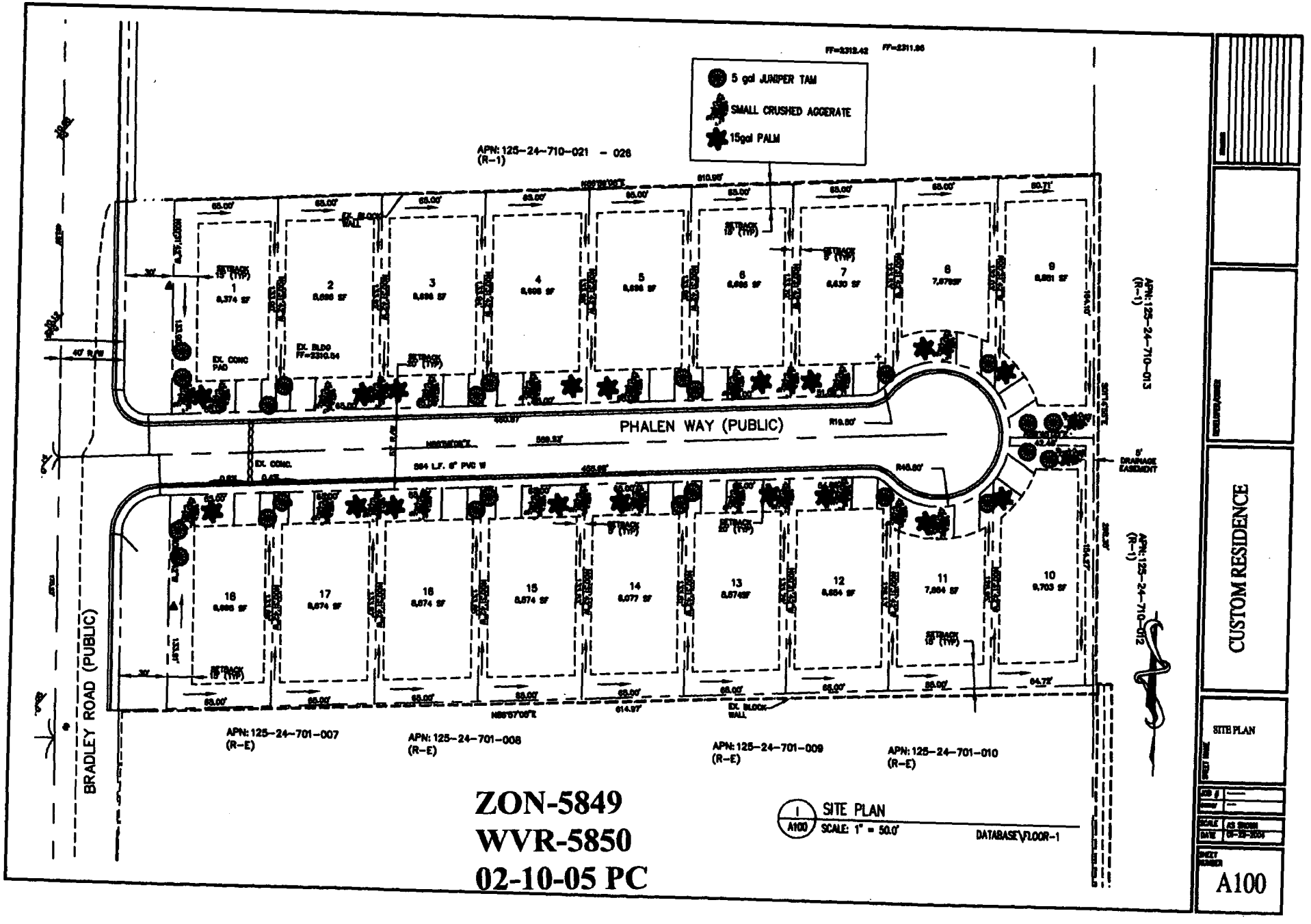
Print Name: Lior Gamliel

Subscribed and sworn before me

This 21 day of Nov., 2004

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JAY A. SCHENA
No: 99-51352-1
My Appointment Expires Jan. 25, 2007



ZON-5849
WVR-5850
02-10-05 PC

CUSTOM RESIDENCE

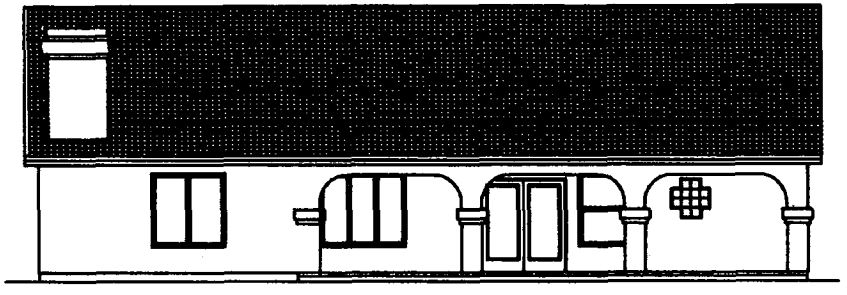
SITE PLAN

SCALE: AS SHOWN
DATE: 01-25-2005

SHEET NUMBER
A100



FRONT ELEVATION



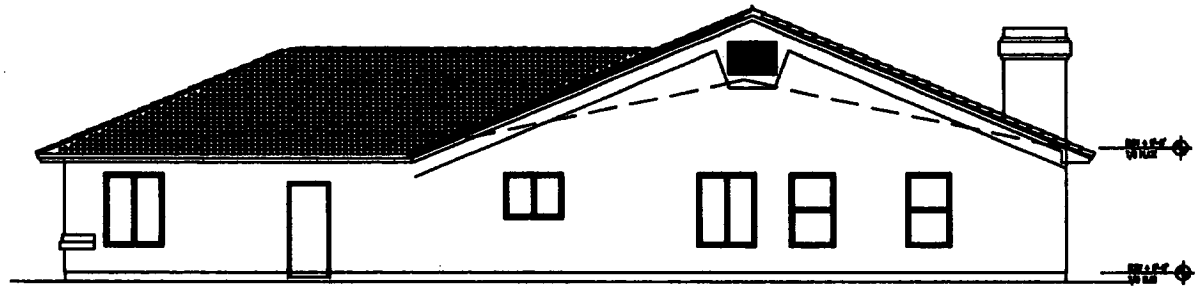
REAR ELEVATION

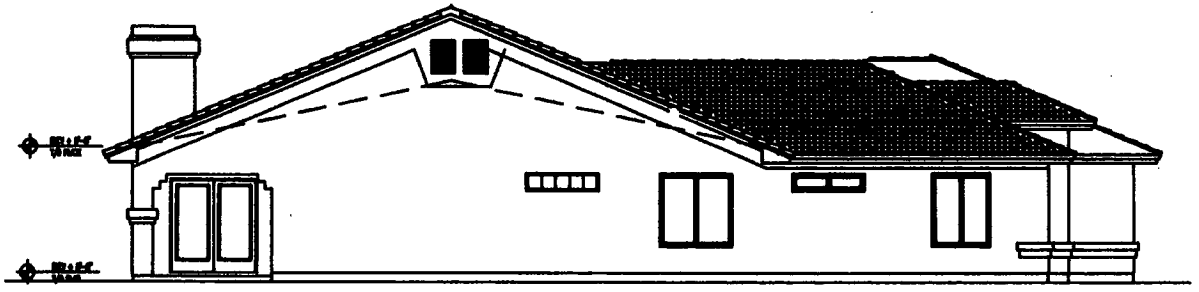
ZON-5849
WVR-5850
02-10-05 PC

CUSTOM RESIDENCE

ELEVATIONS

A300



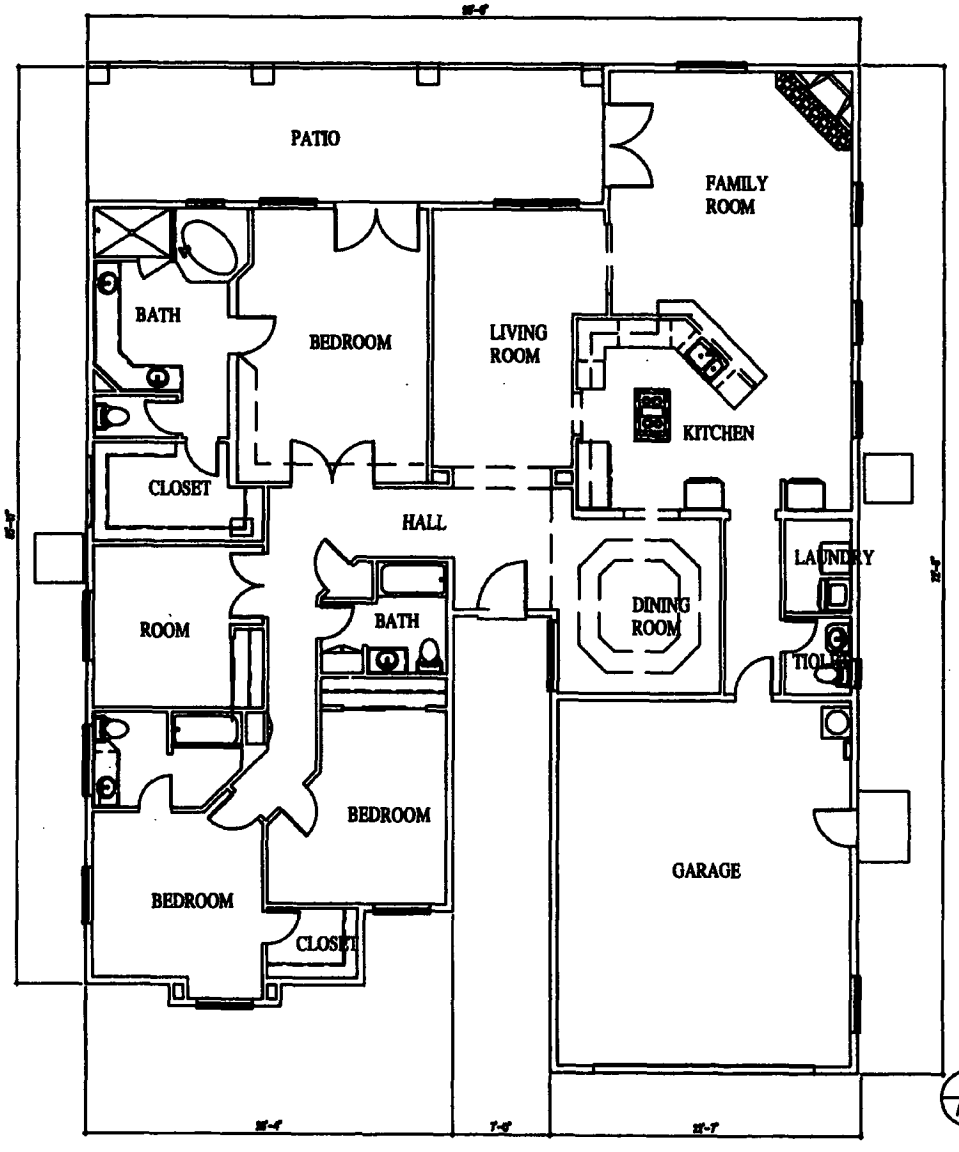


ZON-5849
WVR-5850
02-10-05 PC

CUSTOM RESIDENCE

ELEVATIONS

A310



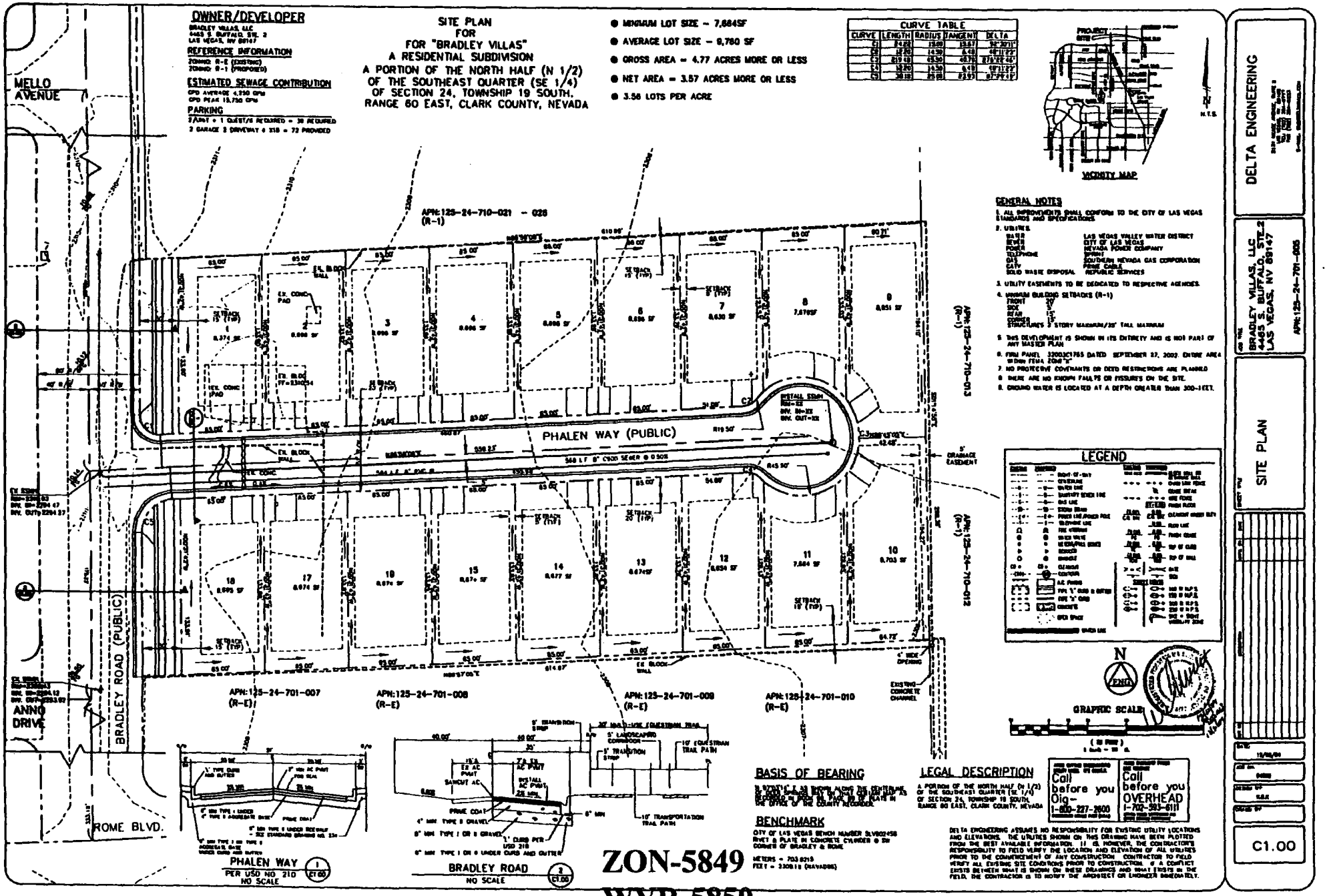
ZON-5849
WVR-5850
02-10-05 PC

1 / A100 FLOOR PLAN 2,651 SQ.FT.
SCALE: 1/4" = 1'-0" DATABASE\FLOOR-1

CUSTOM RESIDENCE

FLOOR PLAN

A200



ZON-5849

WVR-5850

02-10-05 PC



ZON-5849 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC
EAST SIDE OF BRADLEY ROAD, BETWEEN DEER SPRINGS WAY AND ROME BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



ZON-5849 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC
EAST SIDE OF BRADLEY ROAD, BETWEEN DEER SPRINGS WAY AND ROME BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

DELTA ENGINEERING
Civil Engineering & Land Surveying Consultants

3131 Meade Avenue, Suite D
Las Vegas, Nevada 89102
Office: (702) 364-9777
Fax: (702) 364-9333
E-mail: EngrDelta@aol.com

December 10, 2004

City of Las Vegas Planning Department
Las Vegas, Nevada

Subject: APN 125-24-701-005 Justification for Rezoning

Gentlemen:

Per the requirements of the City of Las Vegas Department of Planning & Development, Title 19, the following justification letter is provided for Rezoning of A.P.N. 125-24-701-005 4.77+/- Acres from the existing Residential Estates District (RE) to R-1 Residential Single-Family District. The proposed planned project includes 18-single family residences.

The project is located on the east side of Bradley Road north of Rome Boulevard. R-1 Residential Single-Family District Residential Estates District is a 6,500-sf minimum lot residential zoning. The existing zoning to the north and east of the site is R-1 and south of the site is RE. The proposed project is compatible with the existing development. The project matches the surrounding development and the infrastructure is more than adequate for the proposed project.

If there are questions or you wish to discuss this further, please contact us.

Sincerely,

William S. Crockett, P. E.

ZON-5849

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

Attn: Gary Leobold:

Oppose Proposed Re-Zoning

Bradley Villas, LLC has filed a zoning change request to change 4.77 acres on Bradley Road from Residential Estates (R-E) which requires a minimum lot size of 20,000 sq ft to Single Family Residential (R-1) which allows minimum lot sizes as low as approximately 6,000 sq ft.

They have also filed an associated request to waive the requirement for 220 feet of separation between intersections (a potential safety hazard).

This land is south and west of the interior corner of Meister Park North Phase 1 and backs up to lots on Blue Evergreen and Elm Hill.

Based on conversations with employees of the Planning Commission, the company plans to build 18 one story single family dwellings on this 4.77 acres. HOWEVER, the Planning Commission staff also state that the particular plan can be modified after approval of the zoning change with no further planning commission or city council action.

The small lot size and the potential that either very small floor plan houses will be built or that the plans will be modified to build two-story houses potentially threatens the property values of the surrounding land, namely Meister Park North. In particular if the plans are modified to incorporate two-story houses, privacy of a substantial number of owners of properties in Meister Park North will be threatened.

Further the proposed waiver of separation between intersections may pose a safety hazard on Bradley Road.

At a minimum, your signature on the opposing petition is requested and, if possible, your presence at the Planning Commission meeting would be most helpful.

Our earlier efforts opposing the proposed Mini-Warehouses was successful largely because of the number of people who went to the meeting in opposition.

Requests: ZON-5849 and WVR-5850	
Planning Commission Staff Contact:	Ben Sticka 229-4697
Fax Protests To:	Attn: Gary Leobold 385-7268
Meeting Time:	Thursday, February 10 - - - 6:00 PM
Meeting Place:	City Council Chambers 400 Stewart Avenue Las Vegas, NV

These meetings are sometimes lengthy and there is no assurance that these requests will be heard early.

2/8/05

Rev Jesse A & Dorothy L Tate
5213 Blue Evergreen Ave
Las Vegas, NV 89130
Do You Know Jesus?

READ INTO THE RECORD

ZON-5849
WVR-5850
P

FAX

From: Carol Healey
6501 Mimosa Valley St.
Las Vegas, NV 89131
Home 702 658-7046
FAX 702 658-7046

Date: February 7, 2005

To: Gary Leobold
Planning Commission
FAX 702 385-7268

Re: ZON-5849 &WVR-5850

Number of pages (including this page) _1_

Comments: As President of the "Meister Park North Homeowners Association" I represent approximately 280 homeowners. The majority of our homeowners are opposed to the following items that are on the Planning Commission agenda for February 10, 2005: WVR-5850 and ZON-5849

ZON-5849 - We are opposed to rezoning from Residence Estates (R-E) to Single-Family Residential (R-1) because our community is comprised of large, single story homes that are built on large lots. The rezoning could allow lower priced, smaller two story homes to be built that could invade the privacy and lower the value of a substantial number of homes in our community.

WVR-5850 - We are also opposed to the request for a waiver to reduce the minimum distance between intersections from 220 feet to 175 feet. This could pose a significant safety hazard on Bradley Road.

On behalf of the Meister Park North Homeowners Association, please do not approve these two items.

ZON-5849
WVR-5850
P

READ INTO
THE RECORD

City of Las Vegas

Agenda Item No. 126

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

WAIVER RELATED TO ZON-5849

WVR-5850 - PUBLIC HEARING - APPLICANT/OWNER: BRADLEY VILLAS, LLC - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 175 FEET BETWEEN INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED for property adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard (APN 125-24-701-005), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential) Zone], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	79	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

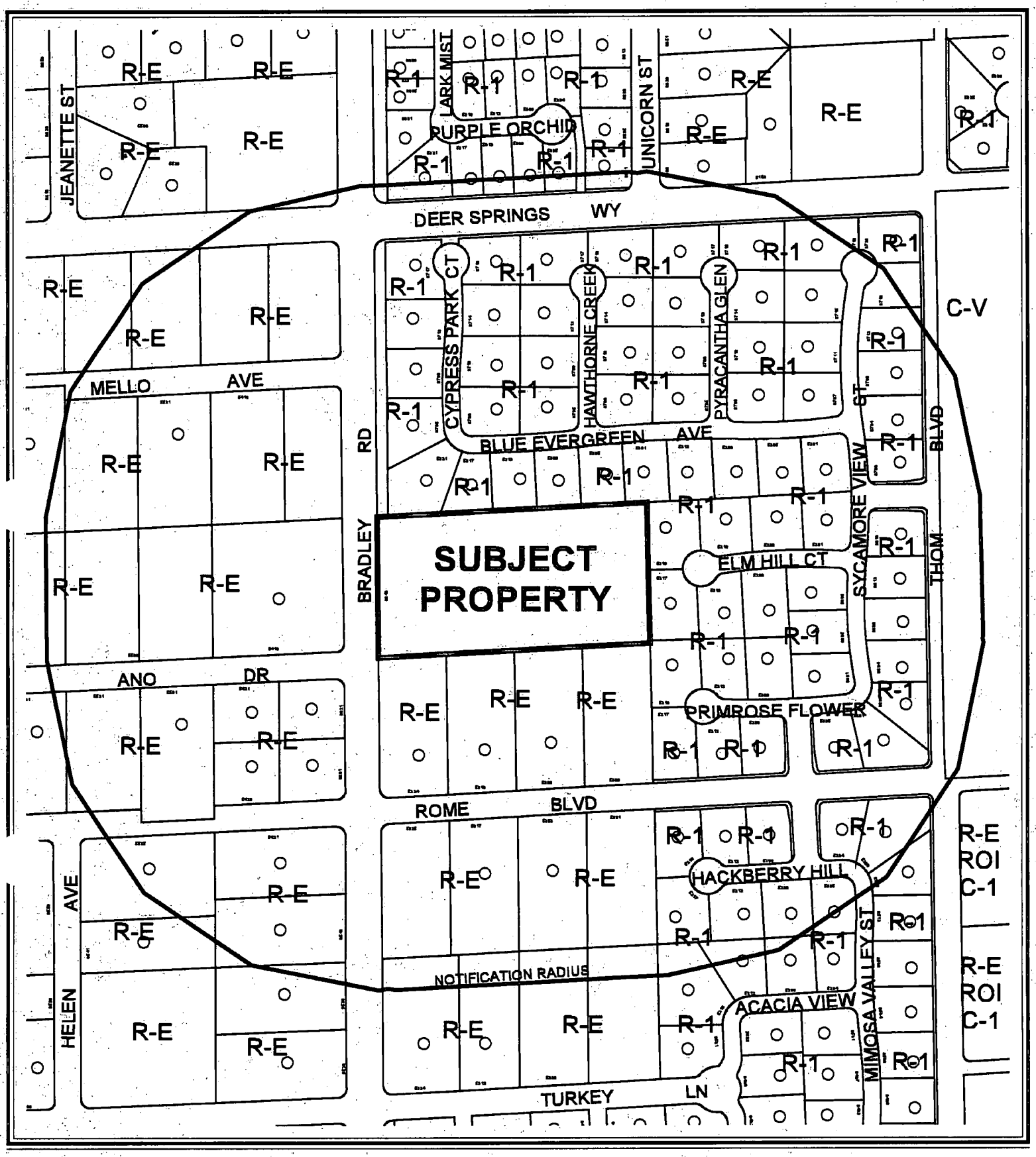
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 2/10/2005 Planning Commission meeting Item 41

MOTION:

MACK - ABEYANCE to 4/20/2005 of Item 125 [ZON-5849] and Item 126 [WVR-5850] - UNANIMOUS

MINUTES:

NOTE: See Item 125 [ZON-5849] for all related discussion.
(4:26 - 4:37)
4-1663



0 300 600 Feet

CASE: **WVR-5850**

RADIUS: 750 FT

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

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-5850 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC

** 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-5849).

2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Waiver of Title 18.12.160 to allow a 175-foot separation between intersections, where a minimum of 220 feet is required for property adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard.

B) Applicant's Justification

The applicant states that the proposed roadway for a cul-de-sac with 18 single-family residences will not adversely affect the traffic or traffic patterns.

BACKGROUND INFORMATION

A) Previous Actions

02/10/05 The Planning Commission recommended approval of a companion Rezone (ZON-5849) from R-E (Residence Estates) to R-1 (Single Family Residential).

02/10/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #41/bts).

B) Pre-Application Meeting

01/27/05 The following items were discussed at the pre-application meeting:

- A Title 18.12.160 waiver is required.
- Average lot size is less than existing homes to the north and east.
- R-1 zoning may have compatibility issues with neighboring R-E zoning.
- Public Works comments include traffic signal impact fee, drainage study, trails, and cross sections.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.77

B) Existing Land Use

Subject Property:	Single Family Dwelling
North:	Single Family Dwelling
South:	Single Family Dwelling/Undeveloped
East:	Single Family Development
West:	Single Family Dwelling

C) Planned Land Use

Subject Property:	ML (Medium-Low Residential)
North:	ML (Medium-Low Residential)
South:	ML (Medium-Low Residential)
East:	ML (Medium-Low Residential)
West:	L (Low Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-1 (Single Family Residential)
South:	R-E (Residence Estates)
East:	R-1 (Single Family Residential)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject property is designated ML (Medium Low Residential) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Map of the General Plan. This category permits single family dwellings and related uses up to a maximum density of 8.0 units per gross acre. The proposed rezoning to R-1 (Single Family Residential) would permit a maximum density of 5.5 units per gross acre, in conformance with the General Plan.

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

Trails
A 30-foot Multi-Use Equestrian Trail is required on the east side of Bradley Road, which is indicated on Exhibit 3 of the Recreation Trails Element in the Las Vegas 2020 Master Plan.

PROJECT DESCRIPTION

The subject 4.77-acre site is located adjacent to Bradley, designated by the Master Plan of Streets and Highways as a Secondary Collector (80-foot) street as indicated in the Master Plan of Streets. The submitted site plan indicates the subdivision will consist of 18-lots, ranging in size from 7,755 square feet to 19,386 square feet. The proposed residential roadway and Ano Drive are the subject of this request.

B) General Analysis and Discussion

This request seeks to waive the requirements of the Subdivision Code with regard to the minimum distance required between the intersections of streets providing internal access to subdivisions with other streets of 60 feet or more in width. This requirement, found in Title 18.12.160, prescribes this minimum distance as 220 feet.

Specifically, Title 18.12.160 states:

"Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet."

The proposed design will allow adequate stacking and turning movements between the proposed intersection of the entry street, the internal street within the development, and the nearby intersection to the south. Approximately 44 feet separate the two intersections of Bradley Road and Ano Drive. The Department of Public Works has no objection to the request. Approval will be conditioned upon approval of the Rezoning (ZON-5849), which accompanies this application.

FINDINGS

The proposed design does not appear to present turn conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 123 by Planning Department

APPROVALS 0

PROTESTS 79

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-585 APN: 125-24-701-005

Name of Property Owner: BRADLEY VILLAS LLC

Name of Applicant: BRADLEY VILLAS LLC

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

_____ Yes ___X___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Lior Gamliel

Print Name: Lior Gamliel

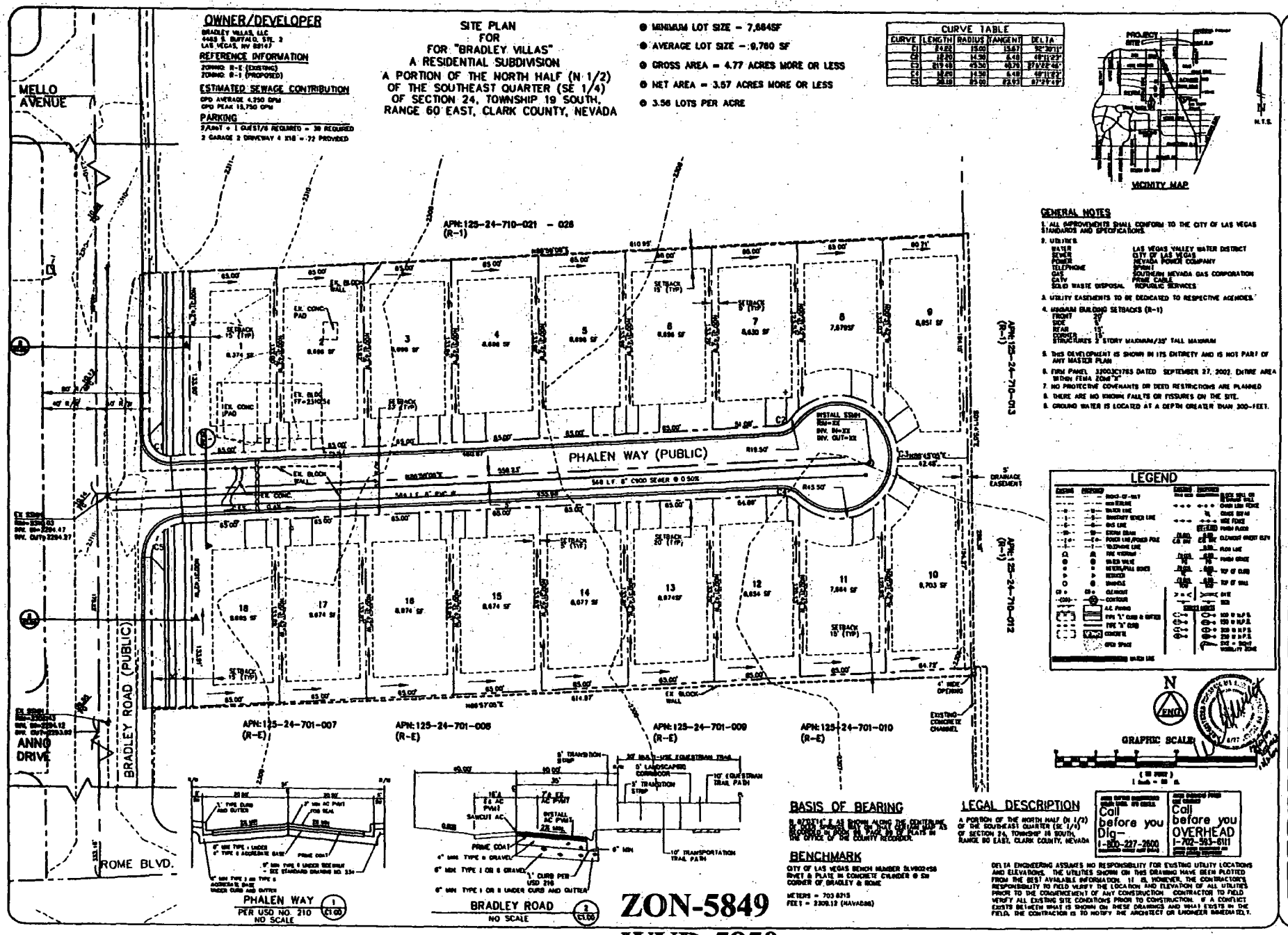
Subscribed and sworn before me

This 11 day of NOV. 2004

Jay A. Schena

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JAY A. SCHENA
No: 99-51352-1
My Appointment Expires Jan. 25, 2007


OWNER/DEVELOPER
BRADLEY VILLAS, LLC
4465 S. BUFFALO, STE. 2
LAS VEGAS, NV 89147
REFERENCE INFORMATION
ZONING: R-E (EXISTING)
ZONING: R-1 (PROPOSED)
ESTIMATED SEWAGE CONTRIBUTION
GPD AVERAGE 4,250 GPM
GPD PEAK 10,750 GPM
PARKING
2/UNIT + 1 GUEST/4 REQUIRED = 30 REQUIRED
2 GARAGE 2 DRIVEWAY 4 X18 = 72 PROVIDED
SITE PLAN
FOR
FOR "BRADLEY VILLAS"
A RESIDENTIAL SUBDIVISION
A PORTION OF THE NORTH HALF (N 1/2)
OF THE SOUTHEAST QUARTER (SE 1/4)
OF SECTION 24, TOWNSHIP 19 SOUTH,
RANGE 60 EAST, CLARK COUNTY, NEVADA
MINIMUM LOT SIZE = 7,684SF
AVERAGE LOT SIZE = 9,760 SF
GROSS AREA = 4.77 ACRES MORE OR LESS
NET AREA = 3.57 ACRES MORE OR LESS
3.56 LOTS PER ACRE
CURVE TABLE
CURVE LENGTH RADIUS TANGENT DELTA
C1 24.62 15.00 15.67 94°00'11"
C2 42.40 14.50 6.48 167°31'27"
C3 219.48 49.50 40.70 254°02'46"
C4 42.40 14.50 6.48 167°31'27"
C5 39.18 25.00 23.93 89°47'49"
VICINITY MAP
N.T.S.
MELLO AVENUE
ANNO DRIVE
BRADLEY ROAD (PUBLIC)
ROME BLVD.
PHALEN WAY (PUBLIC)
APN:125-24-710-021 - 026
(R-1)
APN:125-24-710-013
(R-1)
APN:125-24-710-012
(R-1)
APN:125-24-701-007
(R-E)
APN:125-24-701-008
(R-E)
APN:125-24-701-009
(R-E)
APN:125-24-701-010
(R-E)
560 L.F. 8" CPDD SEWER @ 0.50%
EX. BLOCK WALL
EX. CONC. PAD
EX. CONC. PAD
EX. BLOCK WALL
EX. CONC.
EX. BLOCK WALL
EX. BLOCK WALL
EX. BLOCK WALL



ZON-5849 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC
EAST SIDE OF BRADLEY ROAD, BETWEEN DEER SPRINGS WAY AND ROME BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



ZON-5849 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC
EAST SIDE OF BRADLEY ROAD, BETWEEN DEER SPRINGS WAY AND ROME BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

DELTA ENGINEERING
Civil Engineering & Land Surveying Consultants

3131 Meade Avenue, Suite D
Las Vegas, Nevada 89102
Office: (702) 364-9777
Fax: (702) 364-9333
E-mail: EngrDelta@aol.com

December 10, 2004

City of Las Vegas Planning Department
Las Vegas, Nevada

Subject: APN 125-24-701-005 Justification for Waiver

Gentlemen:

Per the requirements of the City of Las Vegas Department of Planning & Development, Title 18, the following justification letter is provided for a proposed Waiver of the requirements of Subsection 18.12.160. This requires that the minimum distance between roadway intersections be 220-feet.

The project is proposing a public roadway on Bradley Road, a 80-foot right-of-way, the distance between the Bradley Road Ano Drive intersection and the Bradley Road proposed road intersection is 175.23-feet, which is 44.77-feet less than the minimum per 18.12.160. The site has been designed to maximize this distance. 30-foot trail equestrian system has been provided along Bradley Road and the site roadway is centered on the remainder of the property.

The proposed roadway, a cul-de-sac with 18 single-family residences, location will not adversely affect the traffic or traffic patterns. The site is an infill project with existing residential projects on the north, east, southwest, and Bradley Road on the west, which limits the site design on all four sides. Centering the roadway allows the lots to be somewhat uniform, which aids in project construction and long-term maintenance of the proposed infrastructure.

If there are questions or you wish to discuss this further, please contact us.

Sincerely,

William S. Crockett, P. E.

WVR-5850

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

Attn: Gary Leobold:

Oppose Proposed Re-Zoning

Bradley Villas, LLC has filed a zoning change request to change 4.77 acres on Bradley Road from Residential Estates (R-E) which requires a minimum lot size of 20,000 sq ft to Single Family Residential (R-1) which allows minimum lot sizes as low as approximately 6,000 sq ft.

They have also filed an associated request to waive the requirement for 220 feet of separation between intersections (a potential safety hazard).

This land is south and west of the interior corner of Meister Park North Phase 1 and backs up to lots on Blue Evergreen and Elm Hill.

Based on conversations with employees of the Planning Commission, the company plans to build 18 one story single family dwellings on this 4.77 acres. HOWEVER, the Planning Commission staff also state that the particular plan can be modified after approval of the zoning change with no further planning commission or city council action.

The small lot size and the potential that either very small floor plan houses will be built or that the plans will be modified to build two-story houses potentially threatens the property values of the surrounding land, namely Meister Park North. In particular if the plans are modified to incorporate two-story houses, privacy of a substantial number of owners of properties in Meister Park North will be threatened.

Further the proposed waiver of separation between intersections may pose a safety hazard on Bradley Road.

At a minimum, your signature on the opposing petition is requested and, if possible, your presence at the Planning Commission meeting would be most helpful.

Our earlier efforts opposing the proposed Mini-Warehouses was successful largely because of the number of people who went to the meeting in opposition.

Requests: ZON-5849 and WVR-5850	
Planning Commission Staff Contact:	Ben Sticka 229-4697
Fax Protests To:	Attn: Gary Leobold 385-7268
Meeting Time:	Thursday, February 10 - - - 6:00 PM
Meeting Place:	City Council Chambers 400 Stewart Avenue Las Vegas, NV

These meetings are sometimes lengthy and there is no assurance that these requests will be heard early.

2/8/05

Rev Jesse A & Dorothy L Tate
5213 Blue Evergreen Ave
Las Vegas, NV 89131
Do You Know Jesus?

READ INTO THE RECORD

ZON-5849
WVR-5850
P

FAX

From: Carol Healey
6501 Mimosa Valley St.
Las Vegas, NV 89131
Home 702 658-7046
FAX 702 658-7046

Date: February 7, 2005

To: Gary Leobold
Planning Commission
FAX 702 385-7268

Re: ZON-5849 &WVR-5850

Number of pages (including this page) _1_

Comments: As President of the "Meister Park North Homeowners Association" I represent approximately 280 homeowners. The majority of our homeowners are opposed to the following items that are on the Planning Commission agenda for February 10, 2005: WVR-5850 and ZON-5849

ZON-5849 - We are opposed to rezoning from Residence Estates (R-E) to Single-Family Residential (R-1) because our community is comprised of large, single story homes that are built on large lots. The rezoning could allow lower priced, smaller two story homes to be built that could invade the privacy and lower the value of a substantial number of homes in our community.

WVR-5850 - We are also opposed to the request for a waiver to reduce the minimum distance between intersections from 220 feet to 175 feet. This could pose a significant safety hazard on Bradley Road.

On behalf of the Meister Park North Homeowners Association, please do not approve these two items.

ZON-5849
WVR-5850
P

READ INTO
THE RECORD

City of Las Vegas

Agenda Item No. 127

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-5597 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request to amend a portion of the Southeast Sector Map of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL

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

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

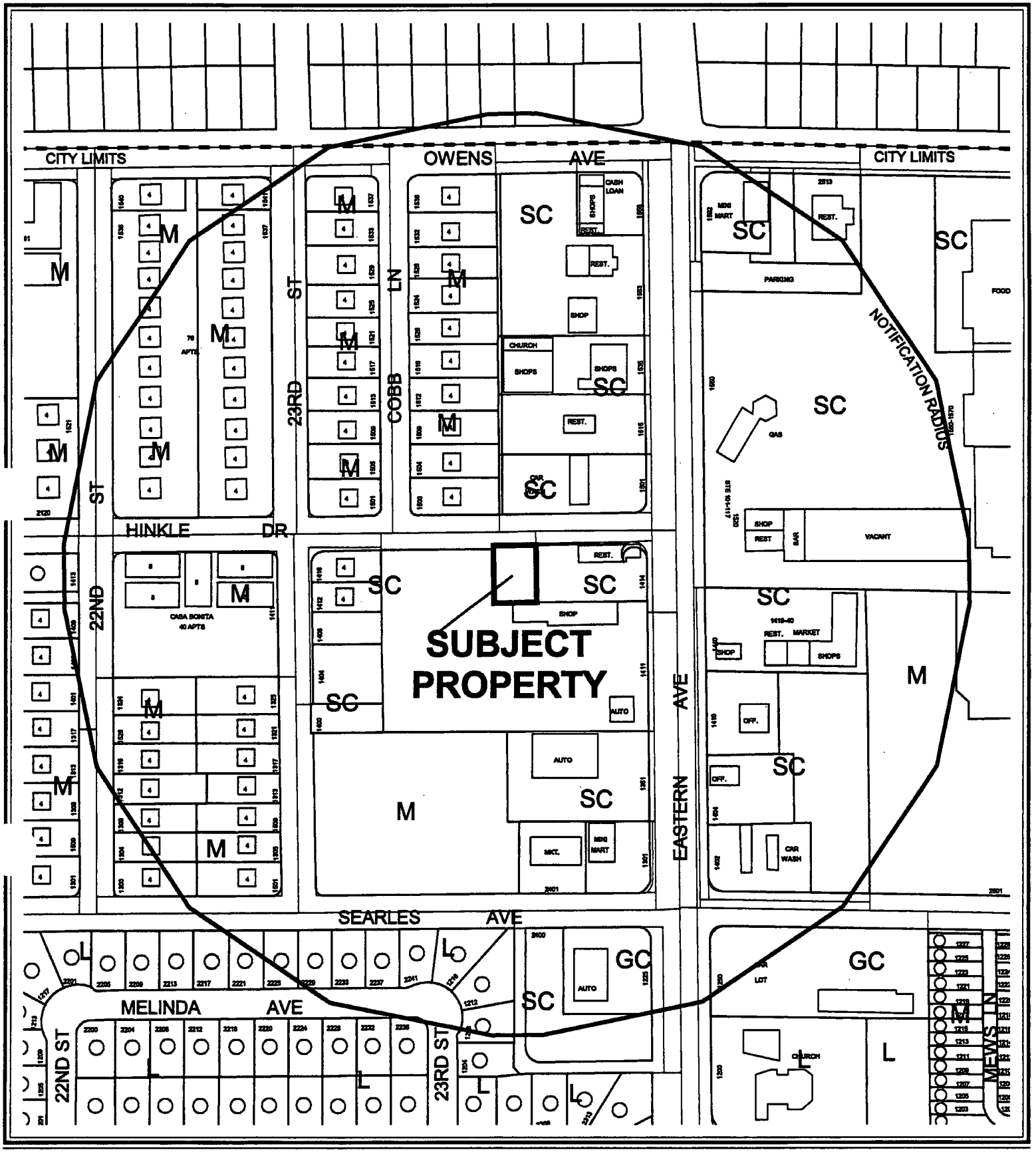
1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

REESE - Motion to STRIKE Item 85 [5801 West Craig Road], Item 86 [5861 West Craig Road], Item 87 [5881 West Craig Road] and Item 88 [230 North 8th Street]; HOLD IN ABEYANCE Item 95 [ROC-6073] and Item 96 [ROC-6074] to 4/6/2005 and Item 98 [ROC-6081] to 4/20/2005; accept the WITHDRAWAL WITH PREJUDICE of Item 97 [ROC-6076] and TABLE Item 127 [GPA-5597], Item 128 [ZON-5598], Item 129 [SUP-5600] and Item 130 [SDR-5599] - UNANIMOUS with BROWN excused

MINUTES:

There was no related discussion.
(1:04 - 1:09)
3-1



CASE: **GPA-5597**

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

GC (GENERAL COMMERCIAL)



0 200 400 Feet

CASE: **GPA-5597**

RADIUS: 750 FT

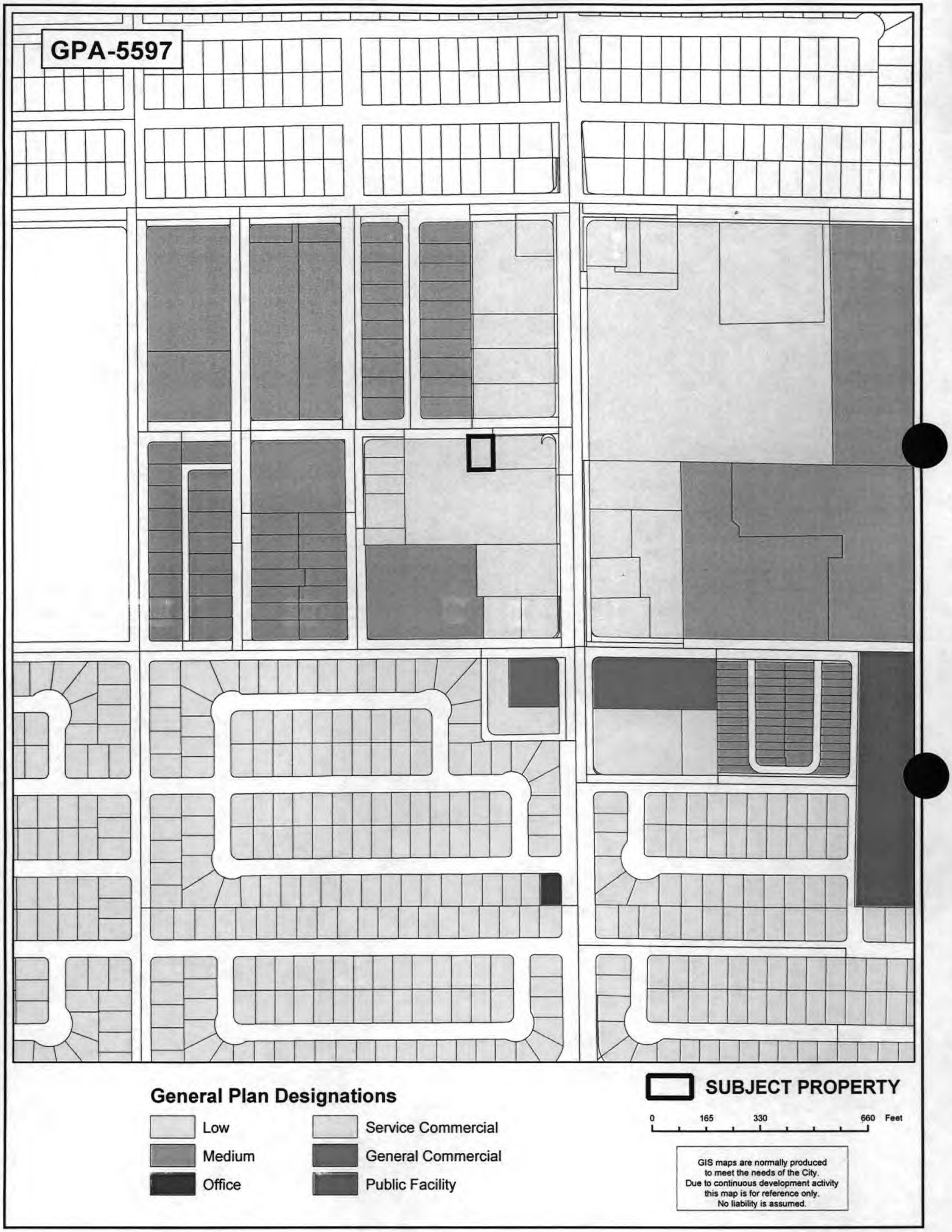
GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

GC (GENERAL COMMERCIAL)

N


GPA-5597
General Plan Designations
Low
Medium
Office
Service Commercial
General Commercial
Public Facility
SUBJECT PROPERTY
0
165
330
660 Feet
GIS maps are normally produced to meet the needs of the City. Due to continuous development activity this map is for reference only. No liability is assumed.

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - GPA-5597 - APPLICANT/OWNER: CARLOS ALBERTO CODARINI

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 2, 2005 CITY COUNCIL MEETING AT COUNCILMAN WEEKLY'S REQUEST.

** 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 at 2400 Hinkle Drive from SC (Service Commercial) to GC (General Commercial). A related rezoning to C-2 (General Commercial) (ZON-5598), a Site Development Plan Review for a proposed commercial building (SDR-5599), and a Special Use Permit for used auto sales (SUP-5600) 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 SC (Service Commercial) land uses.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan. The subject parcel was designated for SC (Service Commercial) land uses on the southeast sector map.
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.
01/27/05	The Planning Commission recommended denial of related items (ZON-5598, SUP-5600 and SDR-5599).
01/27/05	The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #21).

DETAILS OF APPLICATION REQUEST

Site Area: 0.17 Acres

EXISTING LAND USE

Subject Property	Vacant
North	Car wash
South	Auto repair shop
East	Restaurant
West	Vacant

PLANNED LAND USE

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

EXISTING ZONING

Subject Property	C-1 (Limited Commercial)
North	C-1 (Limited Commercial)
South	C-2 (General Commercial)
East	C-1 (Limited Commercial)
West	C-2 (General Commercial)

DEFINITIONS

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.

ANALYSIS

The subject parcel is currently undeveloped. Hinkle Drive provides access to the north. Adjacent land uses include commercial developments to the north, south and east, and apartments to the north and west.

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 nearby 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 M (Medium Density Residential) designations to the north 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 R-3 (Medium Density Residential) zoning districts to the north and west.

In regard to "3": Public facilities and infrastructure presently exist to support commercial development. Access would be to Hinkle Drive. The property is just less than one mile from a fire station at Bonanza Road and Mojave Road and is within one mile of a police station at Washington Avenue and Mojave Road.

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 Southeast 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 29, 2004 a neighborhood meeting sponsored by the applicant was held at the East Las Vegas Community Center located at 250 North Eastern Avenue. No residents attended the meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 88 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-5597 APN: 139-26-508-002

Name of Property Owner: CARLOS A CODARINI

Name of Applicant: SAME

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: CARLOS A CODARINI

Subscribed and sworn before me

This 16 day of August, 20 04

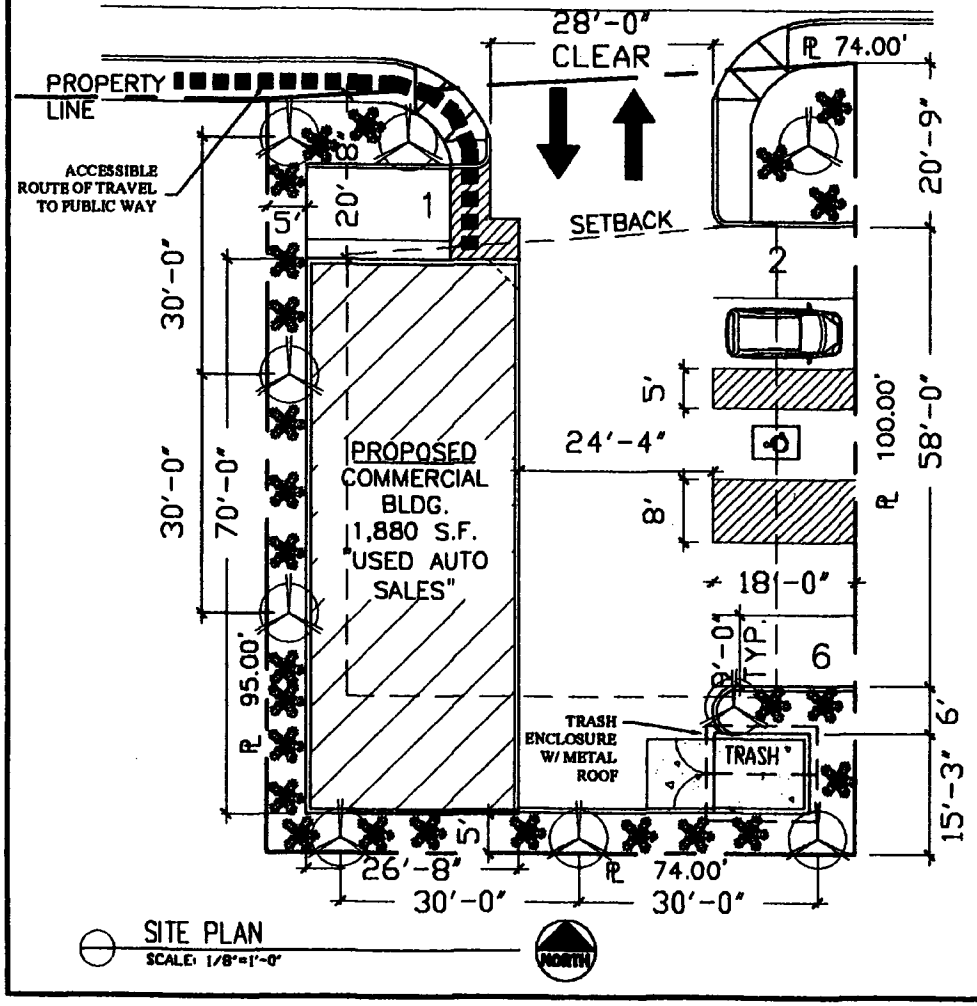
Maritza Camacho

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARITZA CAMACHO
No: 00-60444-1
My Appointment Expires Dec. 20, 2007

CC COMMERCIAL BUILDING / USED AUTO SALES

HINKLE



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

NORTH

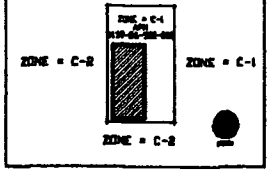
LANDSCAPE INDEX

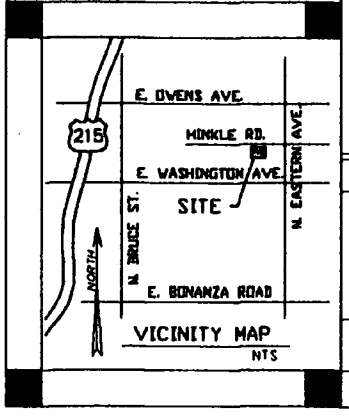
TREE
PINUS - 'CHIR PINE' EVERGREEN
24" BOX - 1 PINUS @ 30' O.C.
FOR SIDE AND REAR

SHRUBS
PINUS - 'CHIR PINE' EVERGREEN
5 GALLON @ SHRUBS FOR EVERY 1 PINUS

GROUND COVER
BERMUDA GRASS

ZONING MAP
NEIGHBORING LAND USE





Edvera Construction and Development
GENERAL CONTRACTOR
LICENCE # 52630
16 W. PACIFIC , SUITE #2, HENDERSON, NEVADA
PH:(702) 348-7815 - FAX:(702) 450-0962

OWNER:
CARLOS CODARIN

ELECTRICIAN:

PLUMBER:

MECHANICAL:

BUILDING CODE ANALYSIS

JURISDICTION	CITY OF LAS VEGAS
SITE AREA =	0.17 ACRES
CODE:	2003 IBC, UMC, UPC, 2002 NEC, 98 ANSI 117.1
APN #	139-26-308-002
PROJECT TYPE	USED AUTO SALES
OCCUPANCY CLASS:	"B"
TYPE OF CONSTRUCTION:	V-B
BUILDING AREA:	1,880 S.F.
SPRINKLER SYSTEM:	NO
OCCUPANT LOAD	7 OCCUPANTS

PARKING ANALYSIS

PARKING REQUIRED FOR USED AUTO SALES

USED AUTO SALES = ONE SPACE PER 500 S.F.

1,880/500 = 4 SPACES

TOTAL SPACES REQUIRED= 4 SPACES

TOTAL SPACES PROVIDED = 6 SPACES

SETBACKS

FRONT SETBACK: 20'
SIDES SETBACK: 10'
REAR SETBACK: 20'

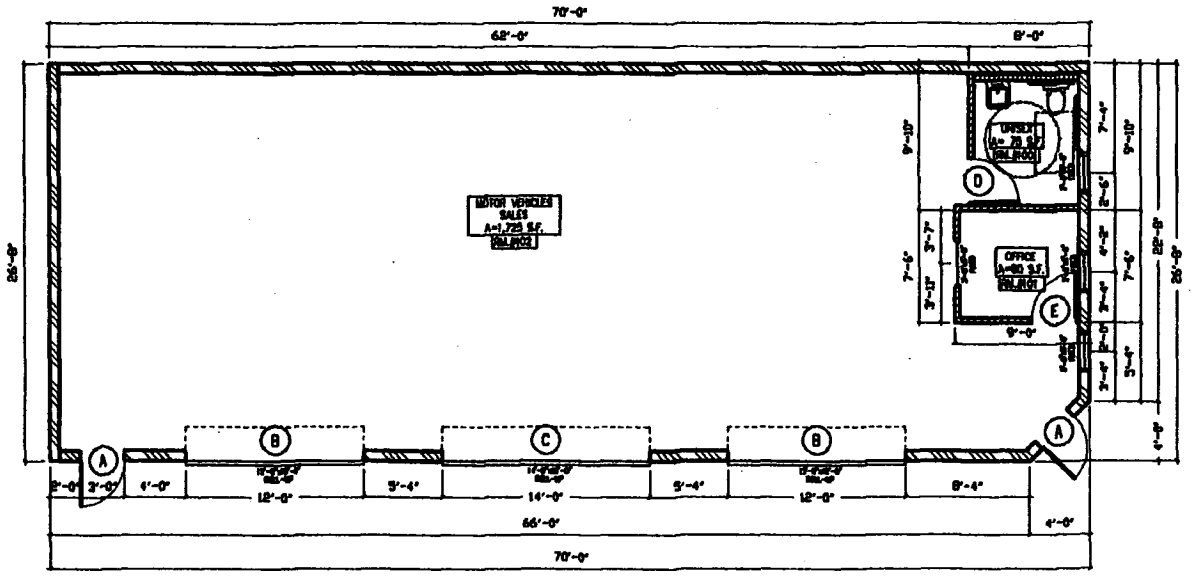
SHEET INDEX

SP-1	SITE PLAN AND LANDSCAPE PLAN
A-1	FLOOR PLAN
A-2	ELEVATIONS

CONTRACTOR: EDVERA CONSTRUCTION & DEVELOPMENT
REVISIONS
PROJECT: CODARIN USED AUTO SALES, 3400 HINKLE DR., LAS VEGAS, NV. 89110
DRAWING TITLE: SITE AND LANDSCAPE PLAN
DRAWN BY: P.B.
CHECKED BY:
DATE: 5.20.04
CLIENT: CARLOS CODARIN
JOB NO:
SHEET: SP-1 of sheets

GPA-5597
01/27/05 PC

RECEIVED
DEC 17 2004



FLOOR PLAN

NORTH

OCCUPANT LOAD CALCULATION PER TABLE 1003.2.2.2					
USE OCCUPANCY FOR MOTOR VEHICLE SALES	AREA S.F.	OCCUPANT LOAD FAC.	MAX. OCPNT'S	EXIT REQ.	EXIT PROVIDED
MOTOR VEHICLE SALES					
SHT AREA	1,725	200	6		
OFFICE	80	100	1		
RESTROOM	70	N/A	-		
TOTAL	1,880		7	1	1
POST SIGN "OCCUPANT LOAD" --- 7 MAX. OCCUPANTS NEAR MAIN ENTRY					
EXITS WIDTH (I.B.C. TABLE 1005.1) = 3.5 x 7 =14" REQ. - 24" PROVD. THEREFORE 1 EXIT REQUIRED					

CONTRACTOR

REVISIONS

PROJECT
COOPER USED AUTO SALES
3400 VEGAS DR.
LAS VEGAS, NV. 89110

DRAWING TITLE
FLOOR PLAN

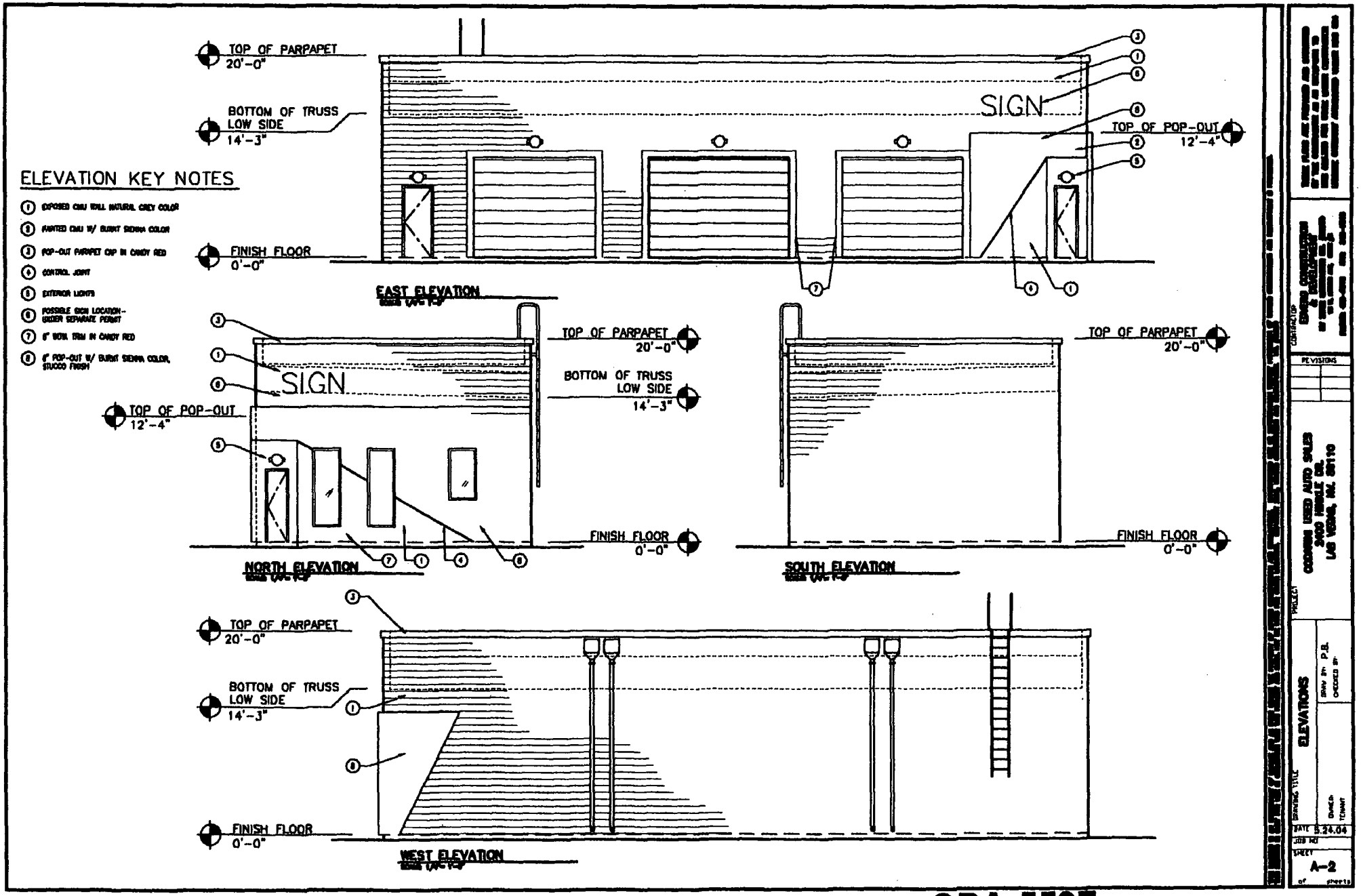
DRAWN BY: P.S.
CHECKED BY:

OWNER
TENANT

DATE: 5.24.04
JOB NO:
SHEET
A-1
of sheets

GPA-5597
01/27/05 PC

RECEIVED
DEC 17 2004



GPA-5597
01/27/05 PC

RECEIVED
DEC 17 2004



GPA-5597 - APPLICANT/OWNER: CARLOS ALBERTO CODARINI
2400 HINKLE DRIVE
JANUARY 27, 2005 PLANNING COMMISSION

1/11/05

16/DEC/2004

JUSTIFICATION LETTER:
APN# 139-26-508-002
GPA# 5597

For the property on 2400 Hinckel Dr. (Owens & Eastern):

(1) I would like to change the zoning from SC to GC; I consider the GC to be more appropriate for this type of business.
(2) I am requesting a rezoning from limit C1 to limit C2 because motor vehicle sale would be more appropriate in a C2 zoning district.
(3) The property is much too small for this building, for this reason I need the following WAIVERS:
    a. Side setback – 5' where 10' required min.
    b. Rear setback – 5' where 20' required min.
    c. Foundation landscape – 0' where 6' required.
    d. Perimeter landscape – 5' where 8' required (side/rear). IN FRONT 8' where 15' is REQ.
(4) This project meets and supports all existing code and regulations as required by the City of Las Vegas.

Thanks You,
Carlos Codarini

City of Las Vegas

Agenda Item No. 128

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING RELATED TO GPA-5597

ZON-5598 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL

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

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

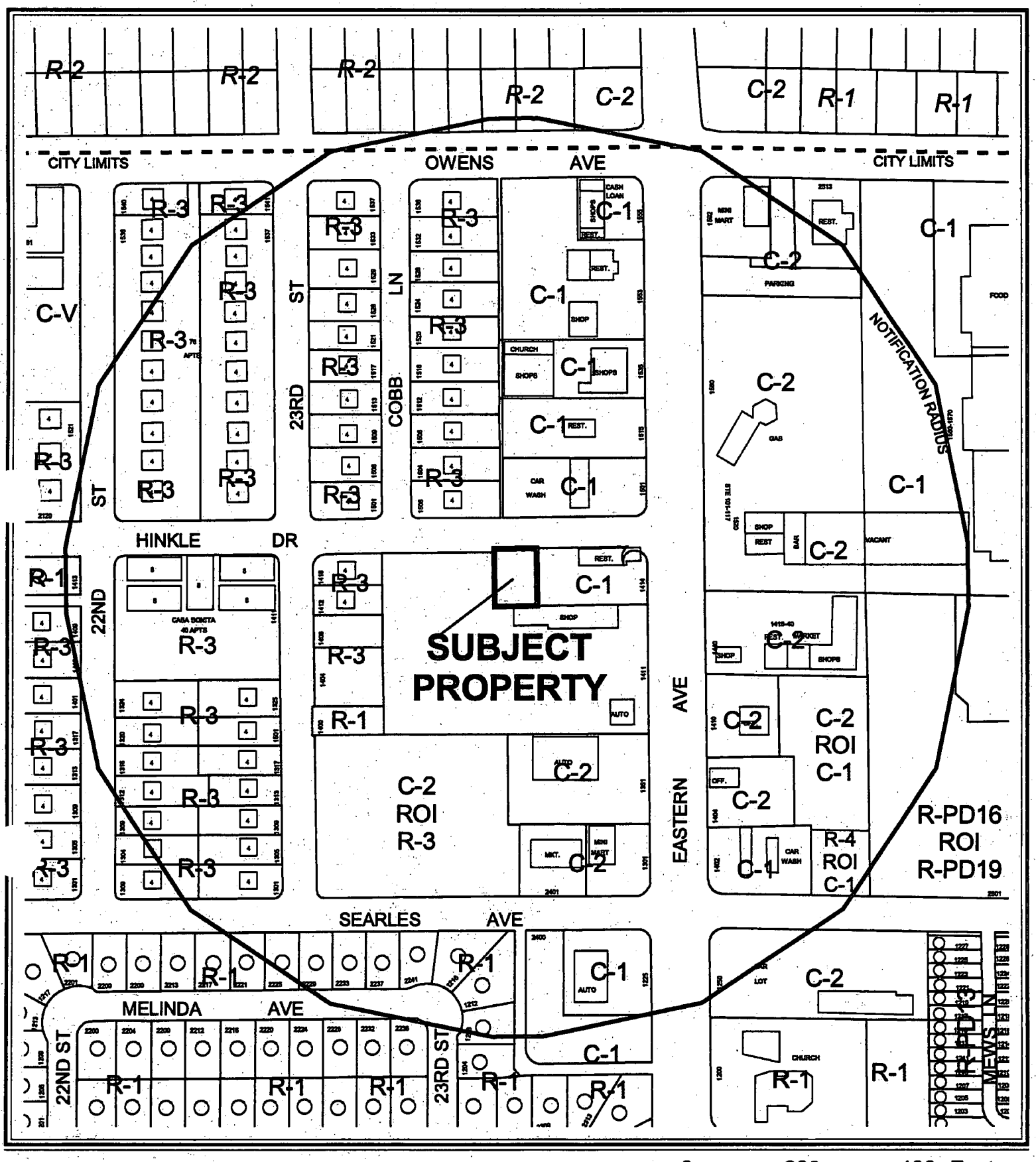
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

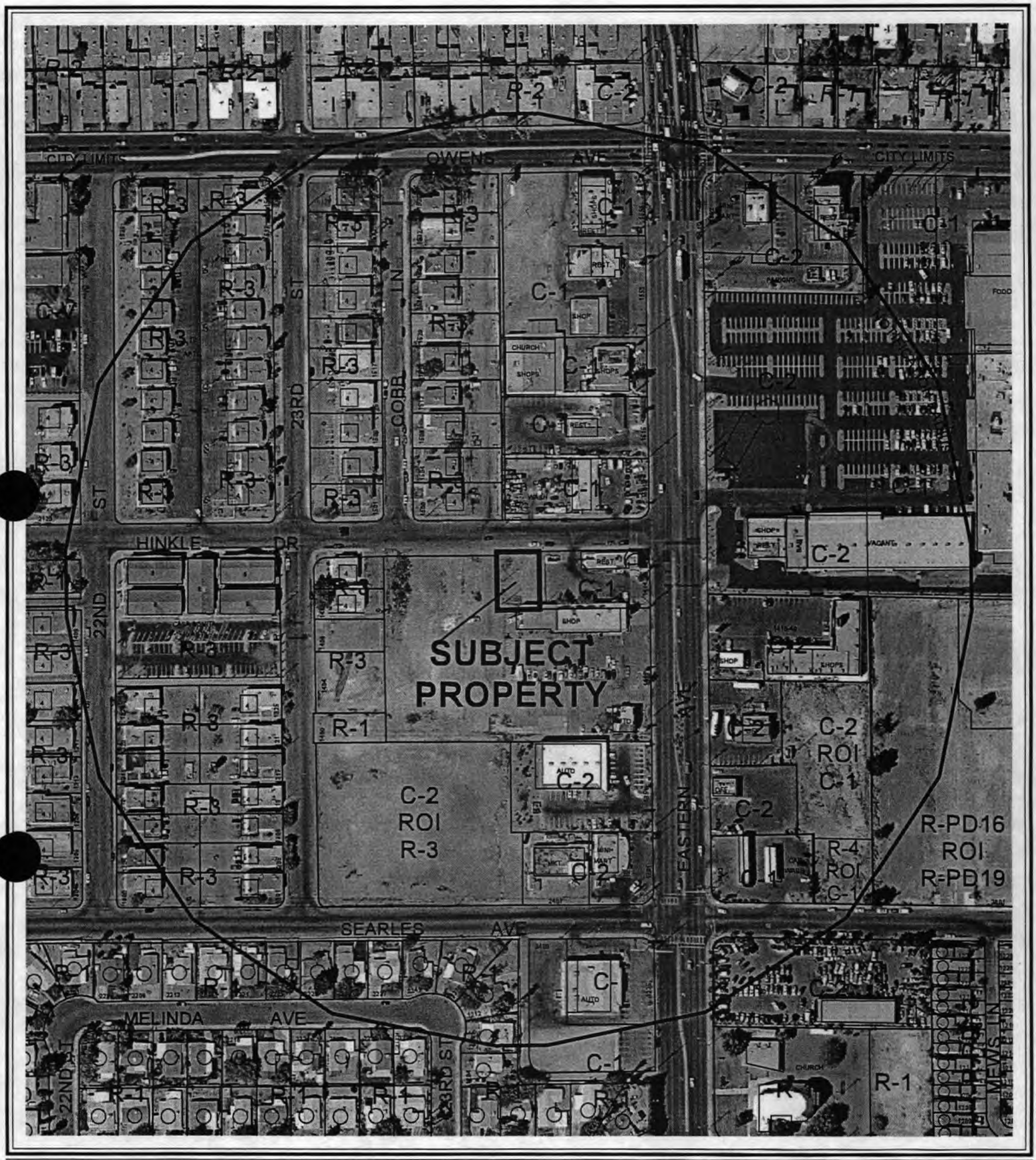
MOTION:

REESE - Motion to STRIKE Item 85 [5801 West Craig Road], Item 86 [5861 West Craig Road], Item 87 [5881 West Craig Road] and Item 88 [230 North 8th Street]; HOLD IN ABEYANCE Item 95 [ROC-6073] and Item 96 [ROC-6074] to 4/6/2005 and Item 98 [ROC-6081] to 4/20/2005; accept the WITHDRAWAL WITH PREJUDICE of Item 97 [ROC-6076] and TABLE Item 127 [GPA-5597], Item 128 [ZON-5598], Item 129 [SUP-5600] and Item 130 [SDR-5599] - UNANIMOUS with BROWN excused

MINUTES:

There was no related discussion.
(1:04 - 1:09)
3-1


R-2
R-2
R-2
R-2
C-2
C-2
R-1
R-1
CITY LIMITS
OWENS AVE
CITY LIMITS
C-V
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
ST
23RD ST
COBB LN
C-1
C-1
C-1
C-1
C-1
C-1
C-1
C-1
C-1
C-2
C-2
C-2



0 200 400 Feet

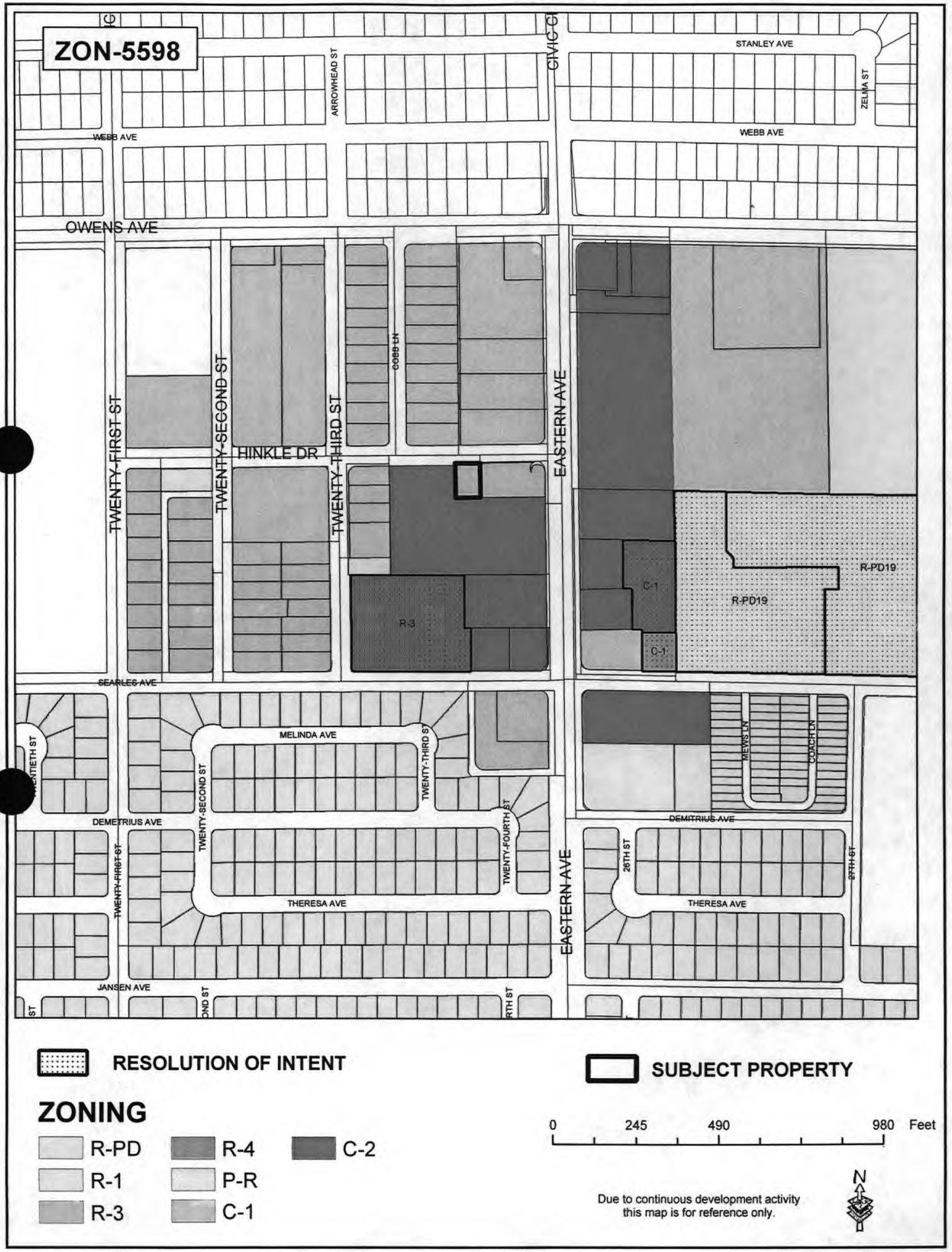
CASE: **ZON-5598**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N


ZON-5598
STANLEY AVE
ZELMA ST
ARROWHEAD ST
CIVIC CI
WEBB AVE
WEBB AVE
OWENS AVE
TWENTY-FIRST ST
TWENTY-SECOND ST
TWENTY-THIRD ST
COBB LN
EASTERN AVE
HINKLE DR
R-3
C-1
C-1
R-PD19
R-PD19
SEARLES AVE
MELINDA AVE
TWENTY-SECOND ST
TWENTY-THIRD ST
TWENTY-FOURTH ST
DEMETRIUS AVE
DEMITRIUS AVE
MEWS LN
COACH LN
26TH ST
27TH ST
THERESA AVE
THERESA AVE
EASTERN AVE
JANSEN AVE
RESOLUTION OF INTENT
SUBJECT PROPERTY
ZONING
R-PD
R-1
R-3
R-4
P-R
C-1
C-2
0
245
490
980
Feet
Due to continuous development activity
this map is for reference only.
N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - ZON-5598 - APPLICANT/OWNER: CARLOS ALBERTO CODARINI

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 2, 2005 CITY COUNCIL MEETING AT COUNCILMAN WEEKLY'S REQUEST.

** CONDITIONS **

The Planning Commission (5-2 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-55597) 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-5599) 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

4. Dedicate an additional five feet of right-of-way for a total half-street width of 30 feet on Hinkle Drive prior to the issuance of any permits; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.

5. Construct all incomplete half-street improvements on Hinkle Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

6. Extend public sewer in Hinkle Drive to the western edge of this site at 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. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning from C-1 (Limited Commercial) to C-2 (General Commercial) on 0.17 acres located at 2400 Hinkle Drive. Approval of this Rezoning request will allow the applicant to develop a used auto dealership on the subject site.

Related requests to change the General Plan land use designation (GPA-5597) from SC (Service Commercial) to GC (General Commercial), a Site Development Plan Review for the auto dealership (SDR-5699) and a Special Use Permit (SUP-5600) for used auto sales 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

There is no previous zoning history for this site.

01/27/05 The Planning Commission recommended denial of related items (GPA-5597, SUP-5600 and SDR-5599).

01/27/05 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #22/ar).

B) Neighborhood Meetings

12/29/04 A neighborhood meeting sponsored by the applicant was held at the East Las Vegas Community Center located at 250 North Eastern Avenue. No residents attended this meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17 acres

EXISTING LAND USE

Subject Property	Vacant
North	Car wash
South	Auto repair shop
East	Restaurant
West	Vacant

PLANNED LAND USE

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

EXISTING ZONING

Subject Property	C-1 (Limited Commercial)
North	C-1 (Limited Commercial)
South	C-2 (General Commercial)
East	C-1 (Limited Commercial)
West	C-2 (General Commercial)

B) General Plan Compliance

The Southeast Sector Map of the General Plan designates the site as 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-5597) application seeks to change the land use designation 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 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 subject site is currently designated SC [Service Commercial] on the Southeast Sector Map of the Las Vegas General Plan. The applicant has requested an amendment to the Southeast Sector Map to GC (General Commercial) for the subject site. While the requested Rezoning to C-2 (General Commercial) will be consistent with the requested General Plan designation for the site, the requested General Plan amendment will be inappropriate for the site and denial is recommended. 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."**

   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. These uses will not be compatible with the adjacent residential land uses and zoning districts to the north and west.

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

   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, 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 Hinkle Drive, a 60-foot wide local street that is not adequate to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 88 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-5598** APN: 139-26-508-002

Name of Property Owner: CARLOS A CODARINI

Name of Applicant: SAME

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: CARLOS A CODARINI

Subscribed and sworn before me

This 16 day of August, 20 04

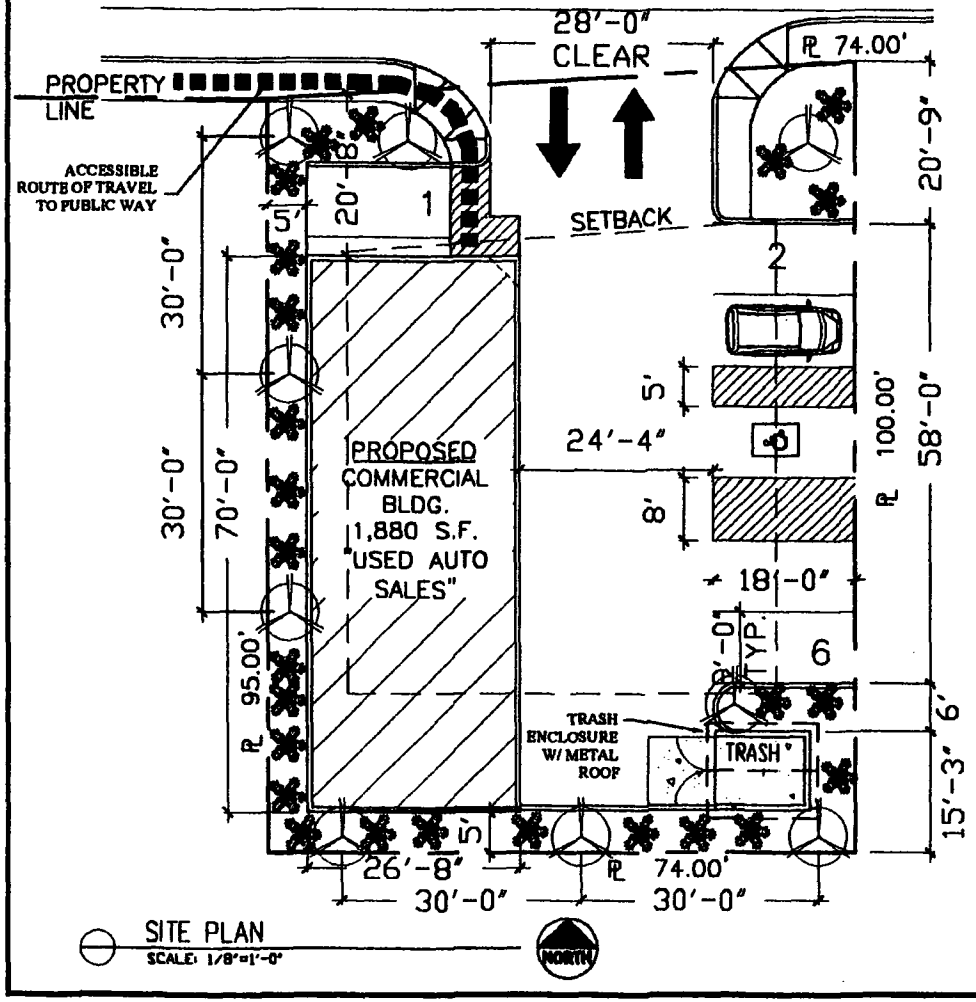
Maritza Camacho

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARITZA CAMACHO
No: 00-60444-1
My Appointment Expires Dec. 20, 2007

CC COMMERCIAL BUILDING / USED AUTO SALES

HINKLE



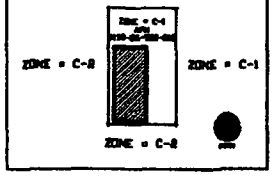
LANDSCAPE INDEX

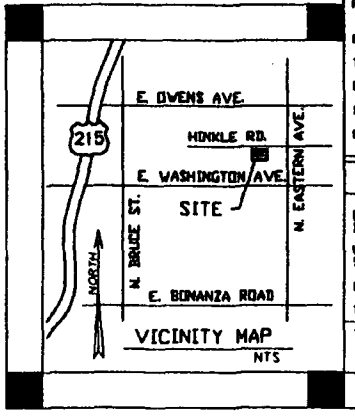
TREE
PINUS - 'CHIR PINE' EVERGREEN
24" BOX - 1 PINUS @ 30' O.C.
FOR SIDE AND REAR

SHRUBS
PINUS - 'CHIR PINE' EVERGREEN
5 GALLON (4 SHRUBS FOR EVERY 1 PINUS)

GROUND COVER
BERMUDA GRASS

ZONING MAP
NEIGHBORING LAND USE





Edberg Construction and Development
GENERAL CONTRACTOR
LICENCE # 52830
16 W. PACIFIC , SUITE #2, HENDERSON, NEVADA
PH:(702) 348-7815 - FAX:(702) 450-0962

OWNER:
CARLOS CODARIN

ELECTRICIAN:

PLUMBER:

MECHANICAL:

BUILDING CODE ANALYSIS

JURISDICTION:	CITY OF LAS VEGAS
SITE AREA =	0.17 ACRES
CODE:	2003 IBC, UMC, UPC, 2002 NEC, '98 ANSI A117.1
APN #:	139-26-508-002
PROJECT TYPE:	USED AUTO SALES
OCCUPANCY CLASS:	"B"
TYPE OF CONSTRUCTION:	V-B
BUILDING AREA:	1,880 S.F.
SPRINKLER SYSTEM:	NO
OCCUPANT LOAD:	7 OCCUPANTS

PARKING ANALYSIS

PARKING REQUIRED FOR USED AUTO SALES:

USED AUTO SALES = ONE SPACE PER 500 S.F.

1,880/500 = 4 SPACES

TOTAL SPACES REQUIRED= 4 SPACES

TOTAL SPACES PROVIDED = 6 SPACES

SETBACKS

FRONT SETBACK: 20'
SIDES SETBACK: 10'
REAR SETBACK: 20'

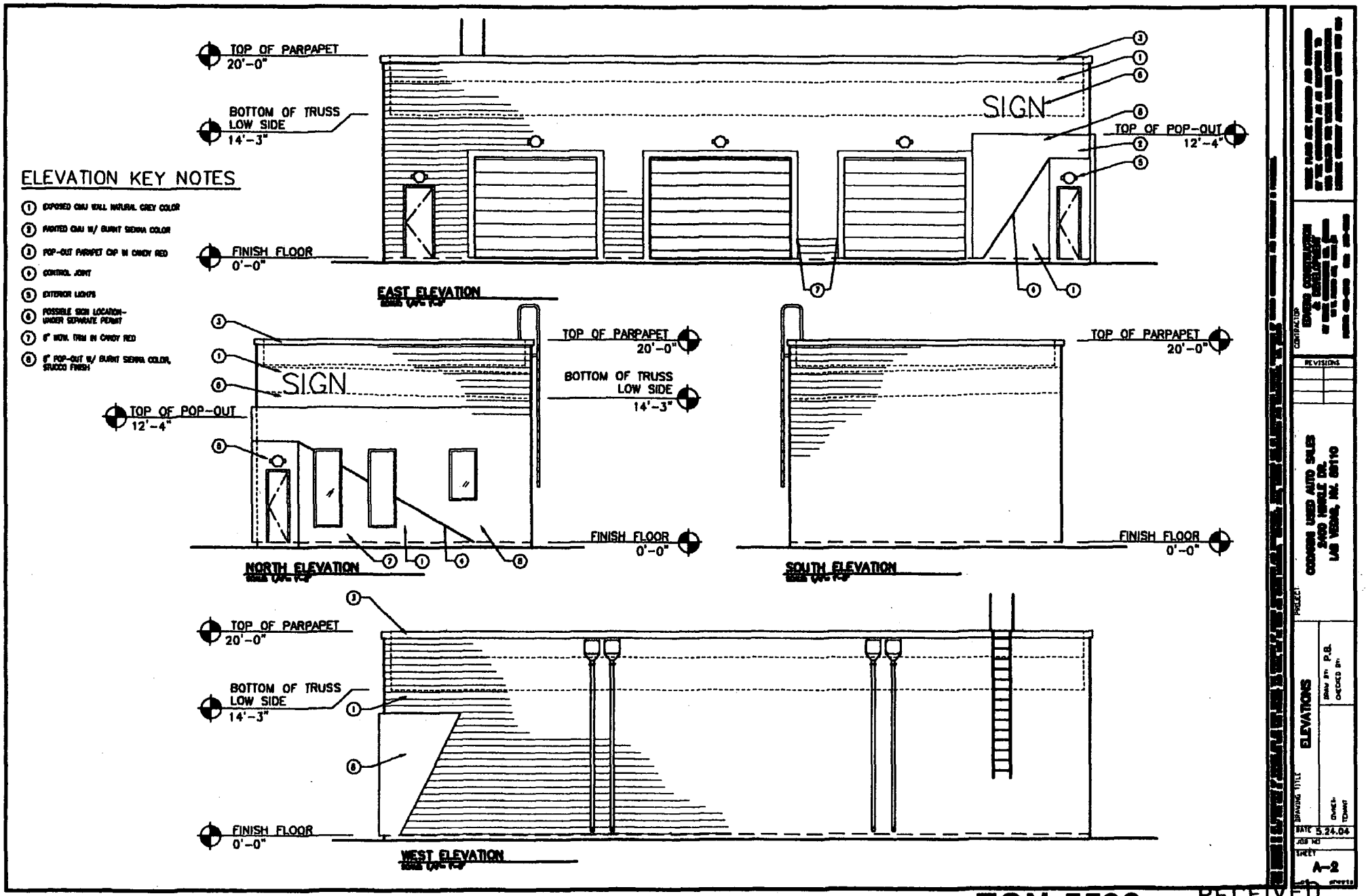
SHEET INDEX

SP-1	SITE PLAN AND LANDSCAPE PLAN
A-1	FLOOR PLAN
A-2	ELEVATIONS

CONTRACTOR: Edberg Construction & Development
REVISIONS
PROJECT: COMMERCIAL USED AUTO SALES, 2400 HINKLE DR., LAS VEGAS, NV. 89110
DRAWING TITLE: SITE AND LANDSCAPE PLAN
DRAWN BY: P.B.
CHECKED BY:
DATE: 8.20.04
JOB NO.
SHEET: SP-1 of sheets

ZON-5598
01/27/05 PC

RECEIVED
DEC 17 2004



ELEVATION KEY NOTES

1. EXPOSED CMU WALL NATURAL GREY COLOR
2. PAINTED CMU W/ BURNT SIENNA COLOR
3. POP-OUT PARAPET CAP IN CANDY RED
4. CONTROL JOINT
5. EXTERIOR LIGHTS
6. POSSIBLE SIGN LOCATION- UNDER SEPARATE PERMIT
7. 8" MDW. TRIM IN CANDY RED
8. 8" POP-OUT W/ BURNT SIENNA COLOR, STUCCO FINISH

CONTRACTOR

REVISIONS

PROJECT
COOPER USED AUTO SALES
3400 HOLLY DR.
LAS VEGAS, NV. 89110

DRAWING TITLE
ELEVATIONS

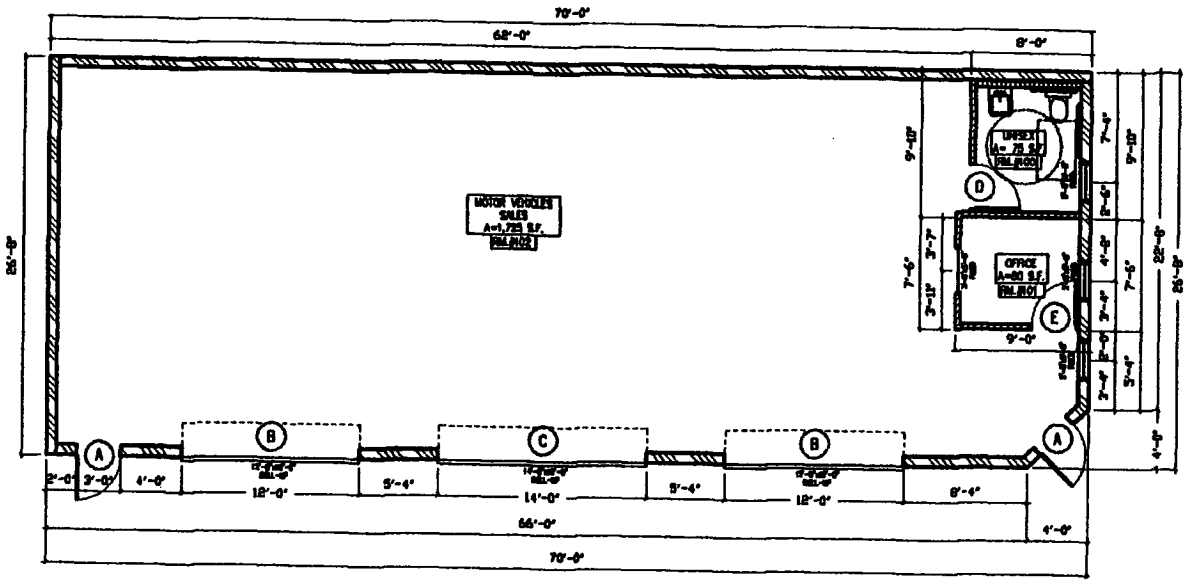
DRAWN BY: P.S.
CHECKED BY:

OWNER
TENANT

DATE 5.24.04
JOB NO
SHEET
A-2

ZON-5598
01/27/05 PC

RECEIVED
DEC 17 2004



FLOOR PLAN

NORTH

OCCUPANT LOAD CALCULATION PER TABLE 1003.2.2.2					
USE OCCUPANCY FOR MOTOR VEHICLE SALES	AREA S.F.	OCCUPANT LOAD FAC.	MAX. OCPNT'S	EXIT REQ.	EXIT PROVIDED
MOTOR VEHICLE SALES	1,725	300	6		
BAY AREA					
OFFICE	80	100	1		
RESTROOM	75	N/A	-		
TOTAL	1,880		7	1	1
POST SIGN "OCCUPANT LOAD" --- 7 MAX. OCCUPANTS NEAR MAIN ENTRY					
CORRIDOR WIDTH (I.B.C. TABLE 1005.0.3.1) = 36 in. X 7 =1.4" REQ. - 24" PROVIDED THEREFORE 1 EXIT REQUIRED					

CONTRACTOR:
SIGNS CORPORATION OF AMERICA
[redacted]

REVISIONS

PROJECT:
COSMOS USED AUTO SALES
3400 NEVILLE DR.
LAS VEGAS, NV. 89110

DRAWING TITLE:
FLOOR PLAN

DRAWN BY: P.B.
CHECKED BY:

DATE: 5.24.04
JOB NO:
SHEET: A-1
OF SHEETS

ZON-5598
01/27/05 PC

RECEIVED
DEC 17 2004



ZON-5598 - APPLICANT/OWNER: CARLOS ALBERTO CODARINI
2400 HINKLE DRIVE
JANUARY 27, 2005 PLANNING COMMISSION

1/11/05

16/DEC/2004

JUSTIFICATION LETTER:
APN# 139-26-508-002
GPA# 5597

For the property on 2400 Hinckel Dr. (Owens & Eastern):

(1) I would like to change the zoning from SC to GC; I consider the GC to be more appropriate for this type of business.
(2) I am requesting a rezoning from limit C1 to limit C2 because motor vehicle sale would be more appropriate in a C2 zoning district.
(3) The property is much too small for this building, for this reason I need the following WAIVERS:
    a. Side setback – 5' where 10' required min.
    b. Rear setback – 5' where 20' required min.
    c. Foundation landscape – 0' where 6' required.
    d. Perimeter landscape – 5' where 8' required (side/rear). IN FRONT 3' where 15' is REQ.
(4) This project meets and supports all existing code and regulations as required by the City of Las Vegas.

Thanks You,
Carlos Codarini

City of Las Vegas

Agenda Item No. 129

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT RELATED TO GPA-5597 AND ZON-5598

SUP-5600 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE at 2400 Hinkle Drive (APN 139-26-508-002), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL

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

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

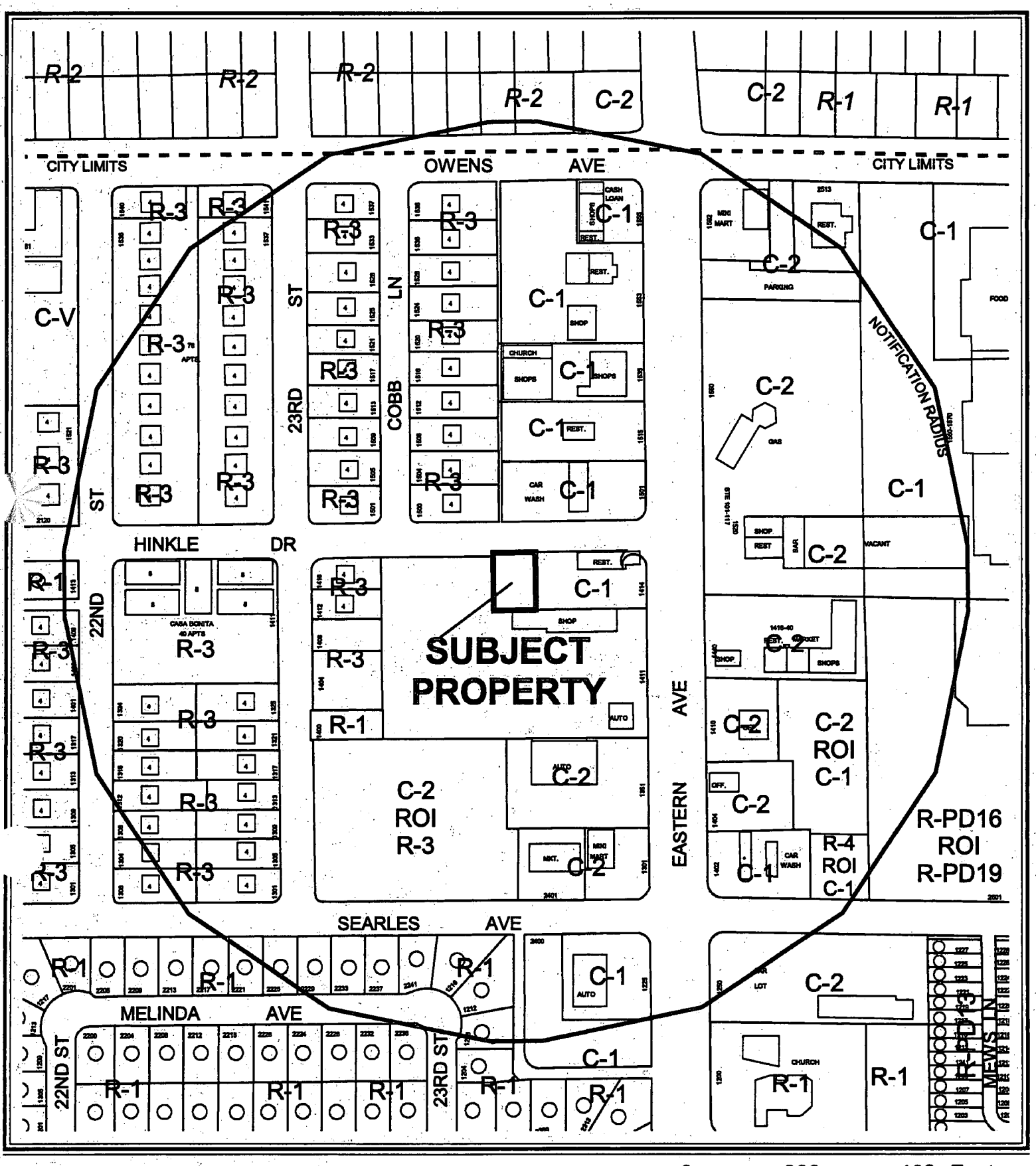
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

REESE - Motion to STRIKE Item 85 [5801 West Craig Road], Item 86 [5861 West Craig Road], Item 87 [5881 West Craig Road] and Item 88 [230 North 8th Street]; HOLD IN ABEYANCE Item 95 [ROC-6073] and Item 96 [ROC-6074] to 4/6/2005 and Item 98 [ROC-6081] to 4/20/2005; accept the WITHDRAWAL WITH PREJUDICE of Item 97 [ROC-6076] and TABLE Item 127 [GPA-5597], Item 128 [ZON-5598], Item 129 [SUP-5600] and Item 130 [SDR-5599] - UNANIMOUS with BROWN excused

MINUTES:

There was no related discussion.
(1:04 - 1:09)
3-1


R-2
R-2
R-2
R-2
C-2
C-2
R-1
R-1
CITY LIMITS
OWENS AVE
CITY LIMITS
C-V
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
R-3
ST
23RD ST
COBB LN
C-1
C-1
C-1
C-1
C-1
C-1
C-1
C-1
C-2
C-2
C-2

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-5600 - APPLICANT/OWNER: CARLOS ALBERTO CODARINI

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 2, 2005 CITY COUNCIL MEETING AT COUNCILMAN WEEKLY'S REQUEST.

** 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) on 0.17 acres at 2400 Hinkle Drive. Approval of this request will allow the applicant to operate a used car lot on the subject site.

Related requests to change the General Plan land use designation (GPA-5597) of the property from SC (Service Commercial) to GC (General Commercial), to change the zoning to C-2 (General Commercial) (ZON-5598), and a Site Development Plan Review for the auto dealership (SDR-5599) 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

There is no previous zoning history for this site.

01/27/05 The Planning Commission recommended denial of related items (GPA-5597, ZON-5598 and SDR-5599).

01/27/05 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #23/ar).

B) Neighborhood Meetings

12/29/04 A neighborhood meeting sponsored by the applicant was held at the East Las Vegas Community Center located at 250 North Eastern Avenue. No residents attended this meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17 acres

EXISTING LAND USE
Subject Property Vacant

North	Car wash
South	Auto repair shop
East	Restaurant
West	Vacant

PLANNED LAND USE

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

EXISTING ZONING

Subject Property	C-1 (Limited Commercial)
North	C-1 (Limited Commercial)
South	C-2 (General Commercial)
East	C-1 (Limited Commercial)
West	C-2 (General Commercial)

B) General Plan Compliance

The Southeast Sector Map of the General Plan designates the site as 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. The proposed companion C-2 (General Commercial) Zoning District request is in conformance with the proposed GC (General Commercial) land use designation on the site, and allows the proposed use with the approval of a Special Use Permit.

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	0.17 ac	Y
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	5 Feet	N
• Rear	20 Feet	5 Feet	N
Max. Lot Coverage	50 %	25%	Y
Max. Building Height	NA	One story, 20 feet	Y
Trash Enclosure	1	1	Y

The subject site does not meet the minimum side and rear setback requirements, and a waiver has been requested as a part of the companion Site Development Plan Review (SDR-5599).

A2) Residential Adjacency Standards

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

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	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Motor Vehicle Sales	1,880 SF.	1/500GFA	4	1	5	1

The proposed auto dealership complies with the parking standards.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1Tree/ 6 Spaces	1 Trees	1 Trees
Buffer:	1 Trees 20 Linear Feet	18 Trees	8 Trees
Min. Zone Width	8 feet		5 feet

A condition of approval of the related Site Development Plan Review (SDR-5599) will require additional landscaping to be added to meet these Code requirements.

B) General Analysis and Discussion

- Zoning

The property 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.

- 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.

  Due to the proximity of residential development to the subject site, used auto sales 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.

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 used car sales lot will be too intense of a commercial use to be located in close proximity to residential land uses.

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, locating a used automobile dealership operation on this site will be incompatible with nearby residential land uses, and therefore denial of this request as part of the larger dealership 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 Hinkle Drive, a 60-foot wide local street that is not 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 11

NOTICES MAILED 89 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5600** APN: 139-26-508-002

Name of Property Owner: CARLOS A CODARINI

Name of Applicant: SAME

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

_____Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X _____

Print Name: CARLOS A. CODARINI

Subscribed and sworn before me

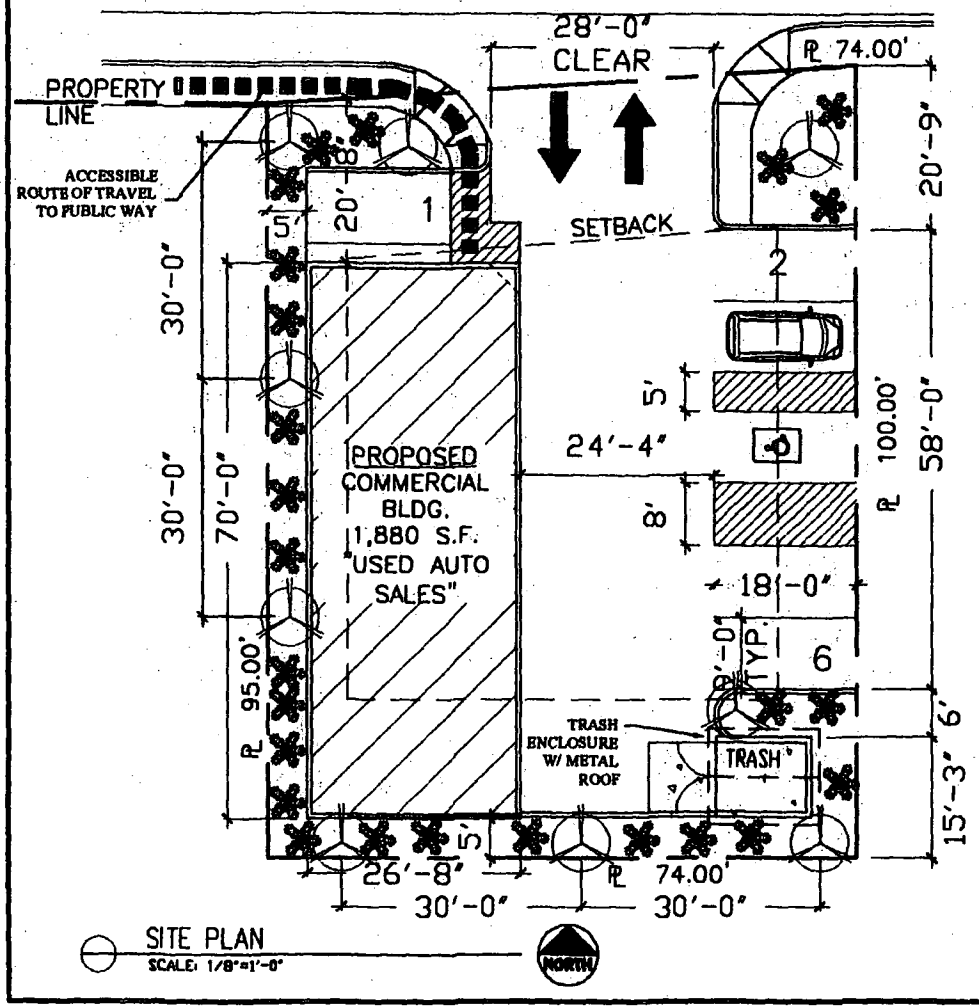
This 16 day of August, 20 04

Maritza Camacho

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARITZA CAMACHO
No: 00-60444-1
My Appointment Expires Dec. 20, 2007

CC COMMERCIAL BUILDING / USED AUTO SALES



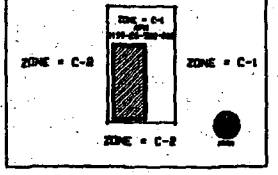
LANDSCAPE INDEX

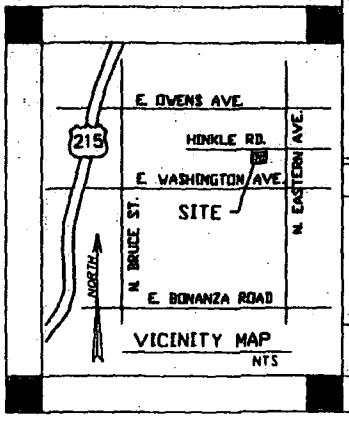
TREE
PINUS - "CHIR PINE" EVERGREEN
24" BOX - 1 PINUS 8 30' O.C.
FOR SIDE AND REAR

SHRUBS
PINUS - "CHIR PINE" EVERGREEN
5 GALLON (4 SHRUBS FOR EVERY 1 PINUS)

GROUND COVER
BERMUDA GRASS

ZONING MAP
NEIGHBORING LAND USE





Edvera Construction and Development
GENERAL CONTRACTOR
LICENCE # 52630
16 W. PACIFIC , SUITE #2, HENDERSON, NEVADA
PH:(702) 348-7815 - FAX:(702) 450-0982

OWNER:
CARLOS CODARIN

ELECTRICIAN:

PLUMBER:

MECHANICAL:

BUILDING CODE ANALYSIS

JURISDICTION	CITY OF LAS VEGAS
SITE AREA =	0.17 ACRES
CODE:	2003 IBC, UMC, UPC, 2002 NEC, 98 ANSI 117.1
APN #:	139-26-308-002
PROJECT TYPE	USED AUTO SALES
OCCUPANCY CLASS:	"B"
TYPE OF CONSTRUCTION	V-B
BUILDING AREA:	1,880 S.F.
SPRINKLER SYSTEM:	NO
OCCUPANT LOAD	7 OCCUPANTS

PARKING ANALYSIS

PARKING REQUIRED FOR USED AUTO SALES:

USED AUTO SALES = ONE SPACE PER 500 S.F.

1,880/500 = 4 SPACES

TOTAL SPACES REQUIRED= 4 SPACES

TOTAL SPACES PROVIDED = 6 SPACES

SETBACKS

FRONT SETBACK: 20'
SIDES SETBACK: 10'
REAR SETBACK: 20'

SHEET INDEX

SP-1	SITE PLAN AND LANDSCAPE PLAN
A-1	FLOOR PLAN
A-2	ELEVATIONS

REVISIONS

PROJECT: CODARIN USED AUTO SALES
3400 HINKLE DR.
LAS VEGAS, NV. 89110

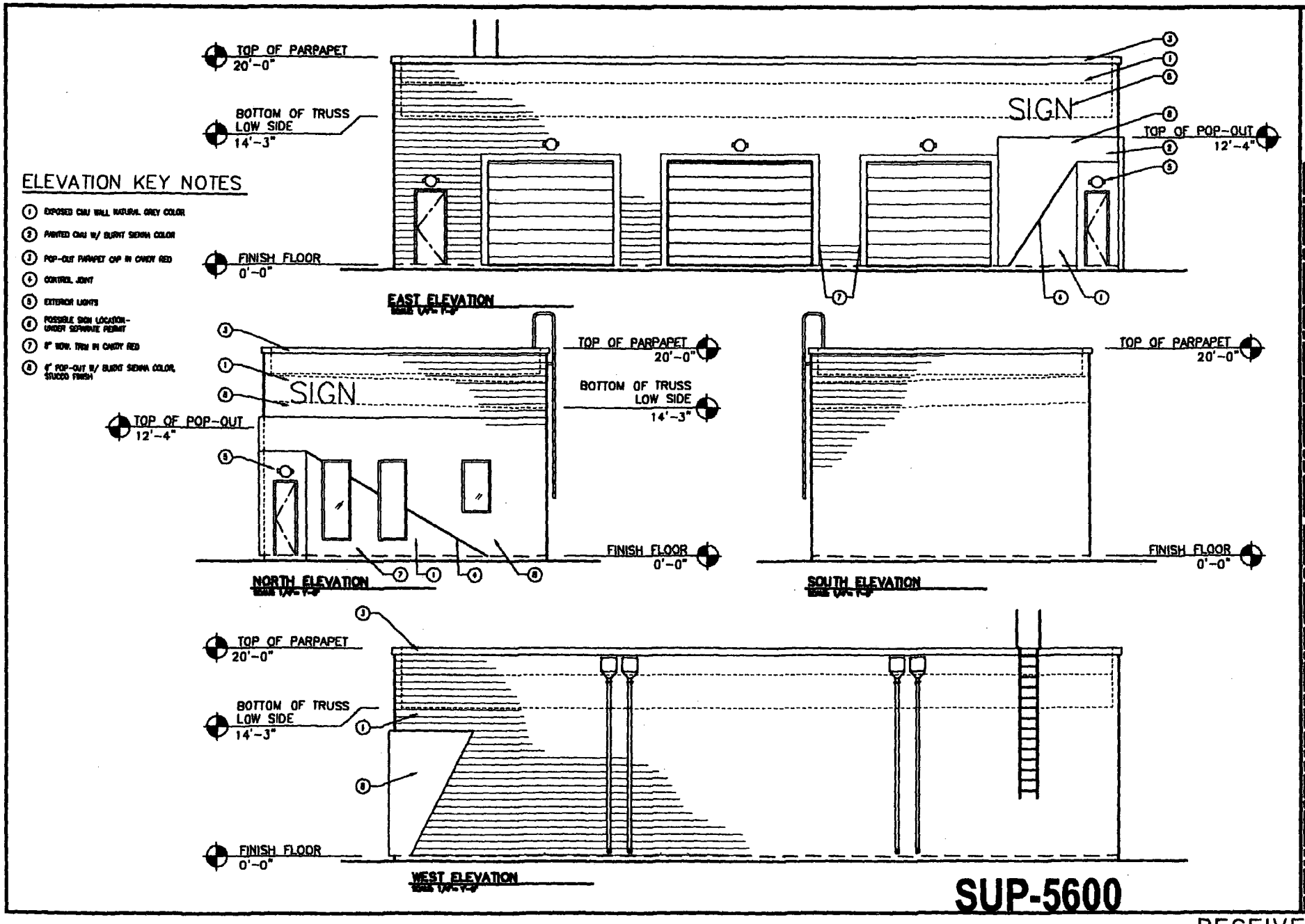
DRAWING TITLE: SITE AND LANDSCAPE PLAN

DRAWN BY: P.B.
CHECKED BY:
OWNER: CARLOS CODARIN

DATE: 5.20.04
JOB NO:
SHEET: SP-1
of sheets

SUP-5600
01/27/05 PC

RECEIVED
DEC 17 2004



ELEVATION KEY NOTES

1. EXPOSED CMU WALL NATURAL GREY COLOR
2. PAINTED CMU W/ BURNT SIENNA COLOR
3. POP-OUT PARAPET CAP IN CANDY RED
4. CONTROL JOINT
5. EXTERIOR LIGHTS
6. POSSIBLE SIGN LOCATION - UNDER SEPARATE PERMIT
7. 8" NOM. TRIM IN CANDY RED
8. 4" POP-OUT W/ BURNT SIENNA COLOR, STUCCO FINISH

CONTRACTOR:

REVISIONS

PROJECT:
COMMON USED AUTO SALES
2400 MINNIE DR.
LAS VEGAS, NV. 89110

DRAWING TITLE:
ELEVATIONS

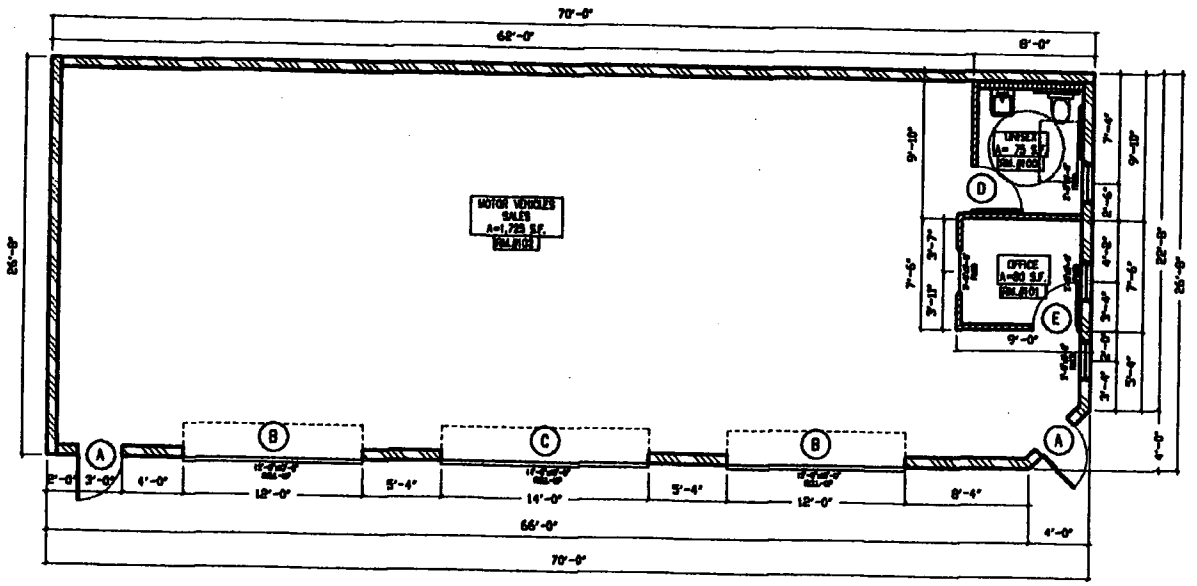
DRAWN BY: P.B.
CHECKED BY:

DATE 5.24.04
JOB NO.
SHEET
A-2
of sheets

SUP-5600

01/27/05 PC

RECEIVED
DEC 1 7 2004



FLOOR PLAN

NORTH

OCCUPANT LOAD CALCULATION PER TABLE 1003.2.2.2					
USE OCCUPANCY FOR MOTOR VEHICLE SALES	AREA S.F.	OCCUPANT LOAD FAC.	MAX. OCPNT'S	EXIST REQ.	EXIST PROVIDED
MOTOR VEHICLE SALES BAY AREA	1,705	200	6		
OFFICE	90	100	1		
RESTROOM	70	N/A	-		
TOTAL	1,865		7	1	1
POST SIGN "OCCUPANT LOAD --- 7 MAX. OCCUPANTS" NEAR MAIN ENTRY					
EGRESS WIDTH (I.B.C. TABLE 1005.1.1) = 66 x .2 = 13.4" REQ. = 36" PROVD. THEREFORE 1 EXIT REQUIRED					

CONTRACTOR
SIVERS CONSTRUCTION & DEVELOPMENT

REVISIONS

PROJECT
COOMBS USED AUTO SALES
3400 VEGAS DR.
LAS VEGAS, NV. 89110

DRAWING TITLE
FLOOR PLAN

DRAWN BY: P.B.
CHECKED BY:

DATE: 5.24.04
JOB NO:
SHEET
A-1
OF SHEETS

SUP-5600
01/27/05 PC

RECEIVED
DEC 17 2004



SUP-5600 - APPLICANT/OWNER: CARLOS ALBERTO CODARINI
2400 HINKLE DRIVE
JANUARY 27, 2005 PLANNING COMMISSION

1/11/05

16/DEC/2004

JUSTIFICATION LETTER:
APN# 139-26-508-002
GPA# 5597

For the property on 2400 Hinckel Dr. (Owens & Eastern):

(1) I would like to change the zoning from SC to GC; I consider the GC to be more appropriate for this type of business.
(2) I am requesting a rezoning from limit C1 to limit C2 because motor vehicle sale would be more appropriate in a C2 zoning district.
(3) The property is much too small for this building, for this reason I need the following WAIVERS:
    a. Side setback – 5' where 10' required min.
    b. Rear setback – 5' where 20' required min.
    c. Foundation landscape – 0' where 6' required.
    d. Perimeter landscape – 5' where 8' required (side/rear). IN FRONT 8' where 15' is REQ.
(4) This project meets and supports all existing code and regulations as required by the City of Las Vegas.

Thanks You,
Carlos Codarini

City of Las Vegas

Agenda Item No. 130

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5597, ZON-5598, AND SUP-5600

SDR-5599 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request for a Site Development Plan Review FOR A PROPOSED 1,880 SQUARE-FOOT COMMERCIAL BUILDING AND WAIVERS TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED; A FIVE-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED; AND OF PERIMETER AND FOUNDATION LANDSCAPING REQUIREMENTS on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL

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

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

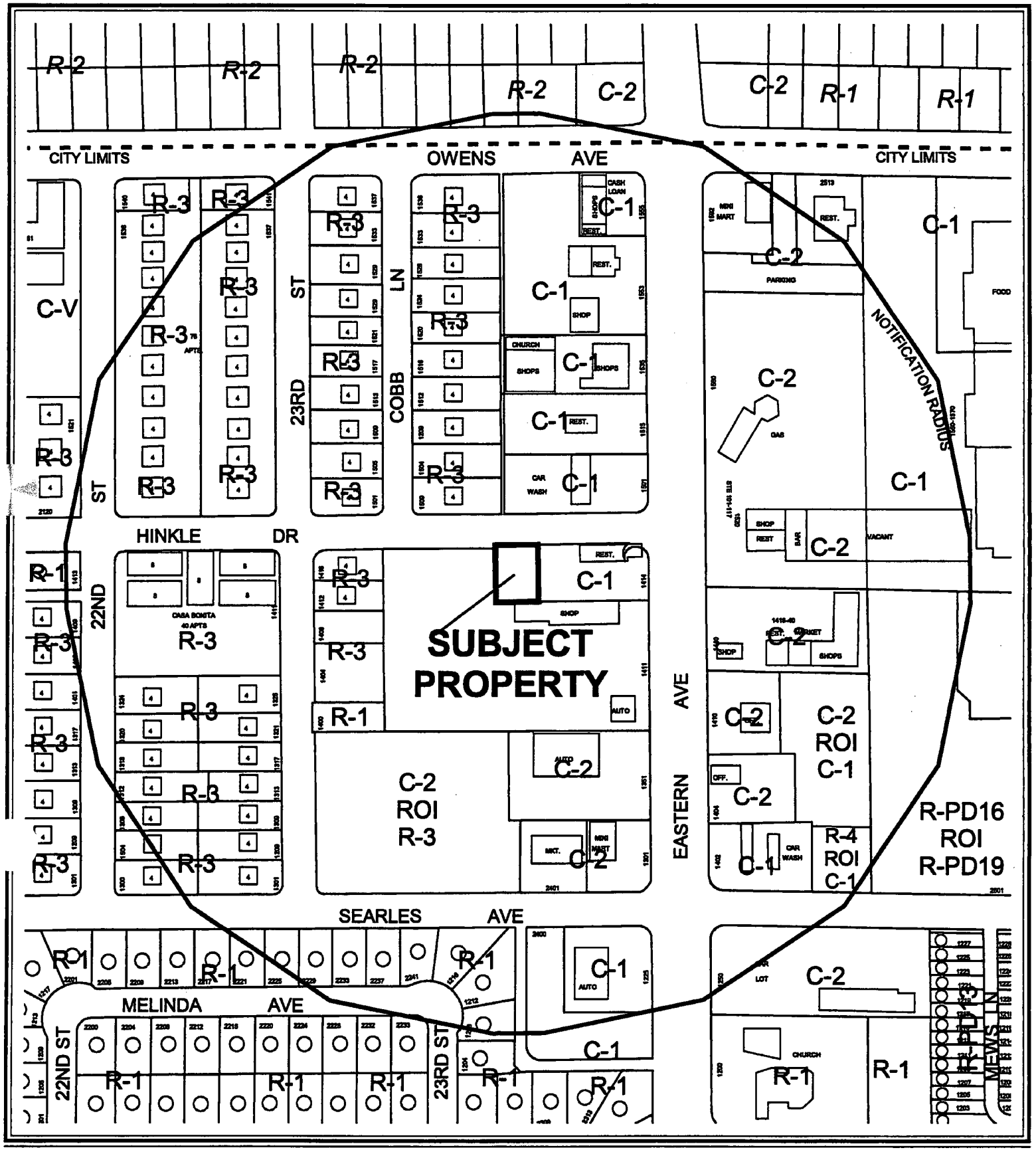
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

REESE - Motion to STRIKE Item 85 [5801 West Craig Road], Item 86 [5861 West Craig Road], Item 87 [5881 West Craig Road] and Item 88 [230 North 8th Street]; HOLD IN ABEYANCE Item 95 [ROC-6073] and Item 96 [ROC-6074] to 4/6/2005 and Item 98 [ROC-6081] to 4/20/2005; accept the WITHDRAWAL WITH PREJUDICE of Item 97 [ROC-6076] and TABLE Item 127 [GPA-5597], Item 128 [ZON-5598], Item 129 [SUP-5600] and Item 130 [SDR-5599] - UNANIMOUS with BROWN excused

MINUTES:

There was no related discussion.
(1:04 - 1:09)
3-1



0 200 400 Feet

CASE: **SDR-5599**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

130

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SDR-5599 - APPLICANT/OWNER: CARLOS ALBERTO CODARINI

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 2, 2005 CITY COUNCIL MEETING AT COUNCILMAN WEEKLY'S REQUEST.

** CONDITIONS **

The Planning Commission (5-2 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

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

2. All development shall be in conformance with the submitted site plan and building elevations, except as amended by conditions herein.

3. The site plan shall be revised so that the structure complies with setback requirements. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit.

4. The approval of the requested waivers for the reduction of perimeter landscaping and side and rear yard setbacks is hereby granted.

5. The landscape plan shall be revised to provide minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within eight foot wide planters along all property lines. The use of turf shall be limited to 12.5% of all landscape areas on the site.

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

7. The elevation drawings shall be revised to provide a building exterior which meets the intent of Chapter 19.08.045 of the Zoning Code as determined by staff. The elevation drawings shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit.

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

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

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

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

Public Works

13. 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.

14. Site development to comply with all applicable conditions of approval for ZON-5598 and all other applicable site related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 1,880 square-foot auto dealership and waivers to allow a five-foot side yard setback where 10 feet is the minimum required; a five-foot rear yard setback where 20 feet is the minimum required; and of perimeter and foundation landscaping requirements on 0.17 acres located at 2400 Hinkle Drive.

Related requests to change the General Plan land use designation (GPA-5597) of the property from SC (Service Commercial) to GC (General Commercial), a rezoning to C-2 (General Commercial) (ZON-5598), and a Special Use Permit (SUP-5600) for used auto sales 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

There is no previous zoning history for this site.

01/27/05 The Planning Commission recommended denial of related items (GPA-5597, ZON-5598 and SUP-5600).

01/27/05 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #24/ar).

B) Neighborhood Meetings

12/29/04 A neighborhood meeting sponsored by the applicant was held at the East Las Vegas Community Center located at 250 North Eastern Avenue. No residents attended this meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17 acres

EXISTING LAND USE

Subject Property	Vacant
North	Car wash
South	Auto repair shop
East	Restaurant
West	Vacant

PLANNED LAND USE

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

EXISTING ZONING

Subject Property	C-1 (Limited Commercial)
North	C-1 (Limited Commercial)
South	C-2 (General Commercial)
East	C-1 (Limited Commercial)
West	C-2 (General Commercial)

B) General Plan Compliance

The Southeast Sector Map of the General Plan designates the site as 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. The proposed C-2 (General Commercial) Zoning District and the proposed site plan conforms to the proposed GC (General Commercial) land use designation subject to approval of the requested waivers and design changes identified by condition.

PROJECT DESCRIPTION

The site plan indicates the auto dealership building is proposed for the west portion of the site, with the remainder of the parcel proposed to be paved for parking. A 28-foot wide driveway provides access to Hinkle Drive. An eight foot wide landscape planter is provided along the north property line, with five foot wide planters with 24 inch box trees spaced at 30 feet on center are provided along the south and west property lines. No landscaping is provided along the east property line. A six-foot wide landscape island with two 24-inch box trees is shown in the parking area. The elevations indicate the building exterior will consist of gray concrete blocks.

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	0.17 ac	Y
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	N
• Side	10 Feet	5 Feet	N
• Rear	20 Feet	5 Feet	N
Max. Lot Coverage	50 %	25%	Y
Max. Building Height	NA	One story, 20 feet	Y
Trash Enclosure	1	1	Y

The subject site does not meet the minimum side and rear setback requirements, and a waiver has been requested to provide relief from this 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	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Motor Vehicle Sales	1,880 SF.	1/500GFA	4	1	5	1

The proposed auto dealership complies with all applicable Title 19 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	1Tree/ 6 Spaces	1 Trees	1 Trees
Buffer:	1 Trees 20 Linear Feet	18 Trees	8 Trees
Min. Zone Width	8 feet		5 feet

A condition of approval of this Site Development Plan Review will require additional landscaping to be added to meet these Code requirements.

B) General Analysis and Discussion

- Zoning

The property is the subject of a related rezoning to C-2 (General Commercial) and a Special Use Permit for Motor Vehicle Sales (Used).

- Site Plan

The applicant is seeking a waiver of the side and rear setback requirements. Because this indicates that the site is being overbuilt, staff has included a condition, which requires that the structure be redesigned in such a way as to comply with setback requirements.

- Waivers

The applicant is seeking waivers for the reduction of perimeter landscaping and required minimum setbacks. The landscape waiver request is to allow a five-foot landscape buffer where eight feet is required, and for eight perimeter trees where 18 are required. The applicant is also seeking a waiver for a five-foot side yard setback where 10 feet is the minimum required, and a five-foot rear yard setback where 20 feet is the minimum required. Since this indicates that the site is being overbuilt, staff has included a condition, which requires that the structure be redesigned in such a way as to comply with landscape requirements.

- Elevation

Chapter 19.08.045 of the Zoning Code requires that building design shall incorporate patterns and materials that provide visual interest. Staff finds that the gray concrete block exterior proposed by the applicant does not comply with this requirement and has included a condition, which addresses this issue.

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 used car lot will be too intense for the site, in relation to the residential uses to the north and west.

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 structure could be redesigned in such a manner as to comply with the perimeter buffer requirements of Title 19.12 of the Zoning Code, which requires an eight-foot wide planter along all property lines of this site. Additionally, the applicant has also requested a waiver of the side and rear setback requirements. Denial of this request is recommended, as it demonstrates the potential over-building of the site by not being able to conform to setback requirements.

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

   The subject site has access to Hinkle Drive, a 60-foot wide local street which is not adequate to meet the requirements of the proposed zoning district.

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

   The concrete block is not an appropriate material for the building exterior. Excluding the deficiencies discussed above in the landscape standards, the landscape materials proposed are appropriate for the area.

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

   Chapter 19.08.045 of the Zoning Code requires that building design shall incorporate patterns and materials that provide visual interest. The gray concrete block exterior proposed by the applicant does not comply with this requirement and a condition of approval has been added to addresses this issue.

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

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

PLANNING COMMISSION ACTION

The Planning Commission denied the proposal believing it to be incompatible with the neighborhood. If the City Council approves this project Condition #3 shall be removed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 88 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5599 APN: 139-26-508-002

Name of Property Owner: CARLOS A CODARINI

Name of Applicant: SAME

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X _____

Print Name: CARLOS A CODARINI

Subscribed and sworn before me

This 14 day of Sept., 2004

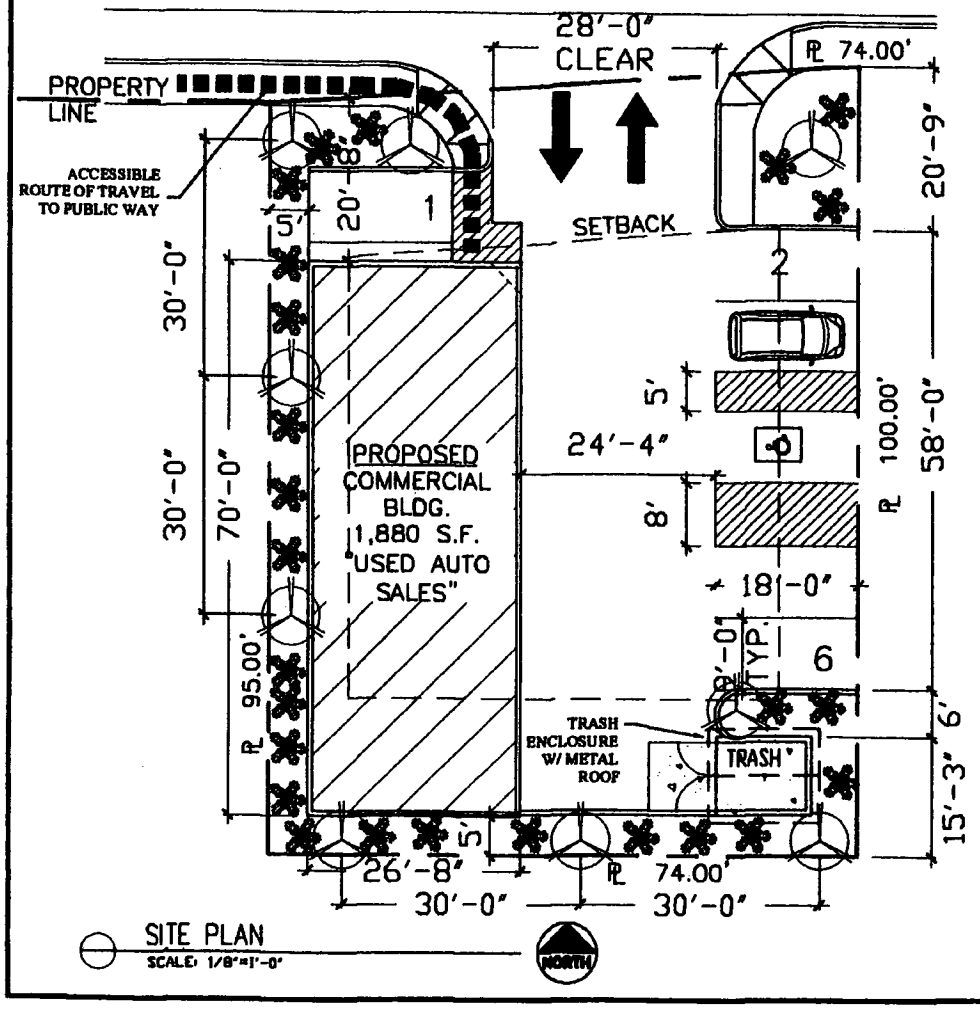
_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARITZA CAMACHO
No: 00-60444-1
My Appointment Expires Dec. 20, 2007

CC COMMERCIAL BUILDING / USED AUTO SALES

HINKLE



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

NORTH

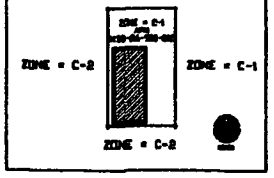
LANDSCAPE INDEX

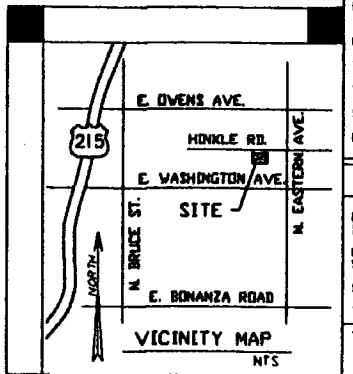
TREE
PINUS - "CHOR PINE" EVERGREEN
24" BOX - 1 PINUS @ 30' O.C.
FOR SIDE AND REAR

SHRUBS
PINUS - "CHOR PINE" EVERGREEN
5 GALLON (4 SHRUBS FOR EVERY 1 PINUS)

GROUND COVER
BERMUDA GRASS

ZONING MAP
NEIGHBORING LAND USE





Edverg Construction and Development
GENERAL CONTRACTOR
LICENCE # 52630
16 W. PACIFIC , SUITE #2, HENDERSON, NEVADA
PH:(702) 348-7815 - FAX:(702) 450-0962

OWNER:
CARLOS CODARIN

ELECTRICIAN:

PLUMBER:

MECHANICAL:

BUILDING CODE ANALYSIS

JURISDICTION	CITY OF LAS VEGAS
SITE AREA =	0.17 ACRES
CODE	2003 IBC, UMC, UPC, 2002 NEC, 98 ANSI 117.1
APN #	139-26-508-002
PROJECT TYPE	USED AUTO SALES
OCCUPANCY CLASS	"B"
TYPE OF CONSTRUCTION	V-B
BUILDING AREA	1,880 S.F.
SPRINKLER SYSTEM	NO
OCCUPANT LOAD	7 OCCUPANTS

PARKING ANALYSIS

PARKING REQUIRED FOR USED AUTO SALES

USED AUTO SALES = ONE SPACE PER 500 S.F.

1,880/500 = 4 SPACES

TOTAL SPACES REQUIRED= 4 SPACES

TOTAL SPACES PROVIDED = 6 SPACES

SETBACKS

FRONT SETBACK= 20'
SIDES SETBACK 10'
REAR SETBACK= 20'

SHEET INDEX

SP-1	SITE PLAN AND LANDSCAPE PLAN
A-1	FLOOR PLAN
A-2	ELEVATIONS

CONTRACTOR: EDVERG CONSTRUCTION & DEVELOPMENT

REVISIONS

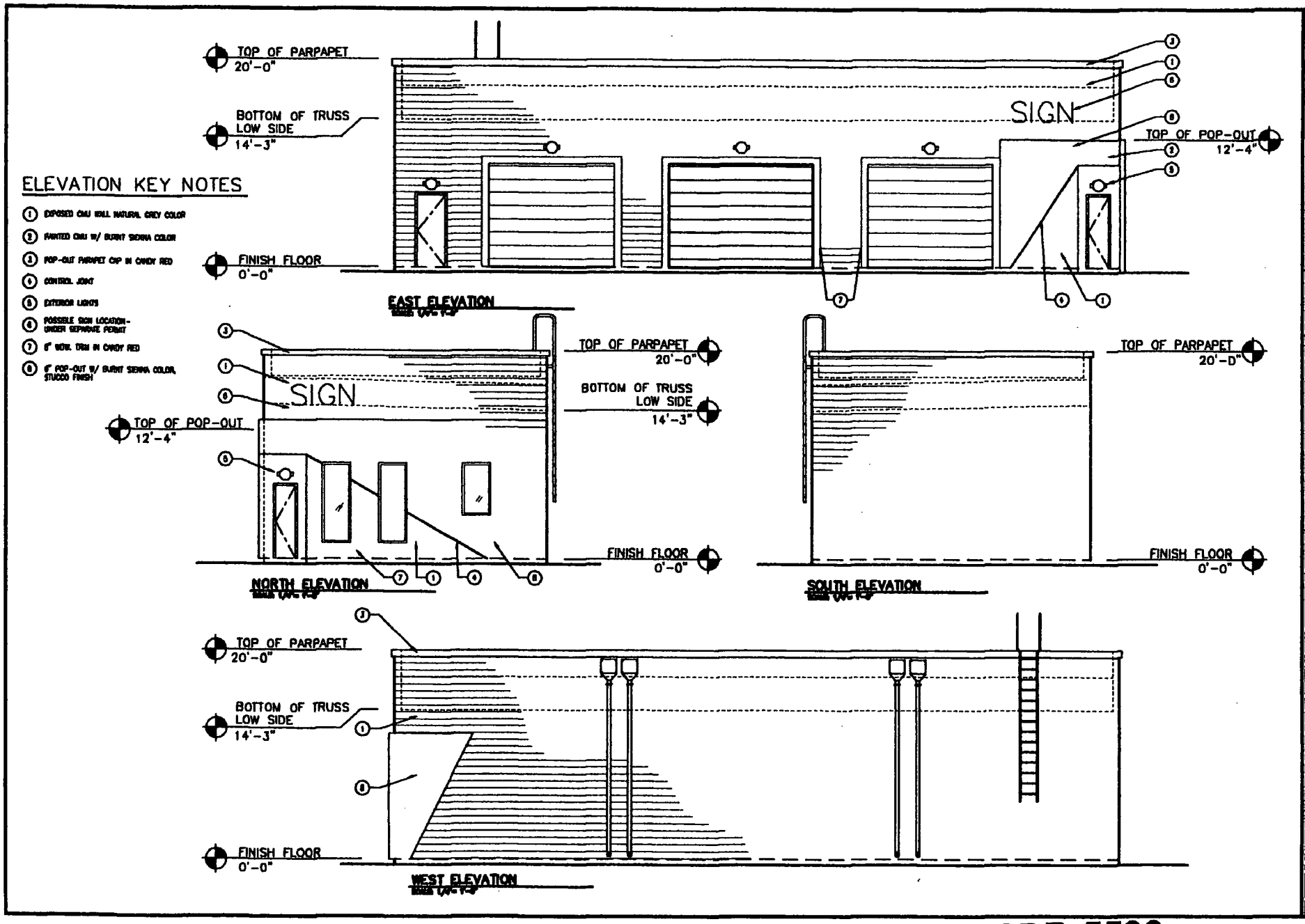
PROJECT: CODARIN USED AUTO SALES 2400 HINKLE DR. LAS VEGAS, NV. 89110

DRAWING TITLE: SITE AND LANDSCAPE PLAN

DRAWN BY: P.B.
CHECKED BY:
OWNER: CARLOS CODARIN
DATE: 5.20.04
JOB NO.
SHEET: SP-1 of sheets

SDR-5599
01/27/05 PC

RECEIVED
DEC 17 2004



ELEVATION KEY NOTES

1. EXPOSED CMU WALL NATURAL GREY COLOR
2. PAINTED CMU W/ BURNT SIENNA COLOR
3. POP-OUT PARAPET CAP IN CANDY RED
4. CONTROL JOINT
5. EXTERIOR LIGHTS
6. POSSIBLE SIGN LOCATION - UNDER SEPARATE PERMIT
7. 8" WIDE TRIM IN CANDY RED
8. 6" POP-OUT W/ BURNT SIENNA COLOR, STUCCO FINISH

CONTRACTOR

REVISIONS

PROJECT
CODWIN USED AUTO SALES
2400 HOOVER RD.
LAS VEGAS, NV. 89115

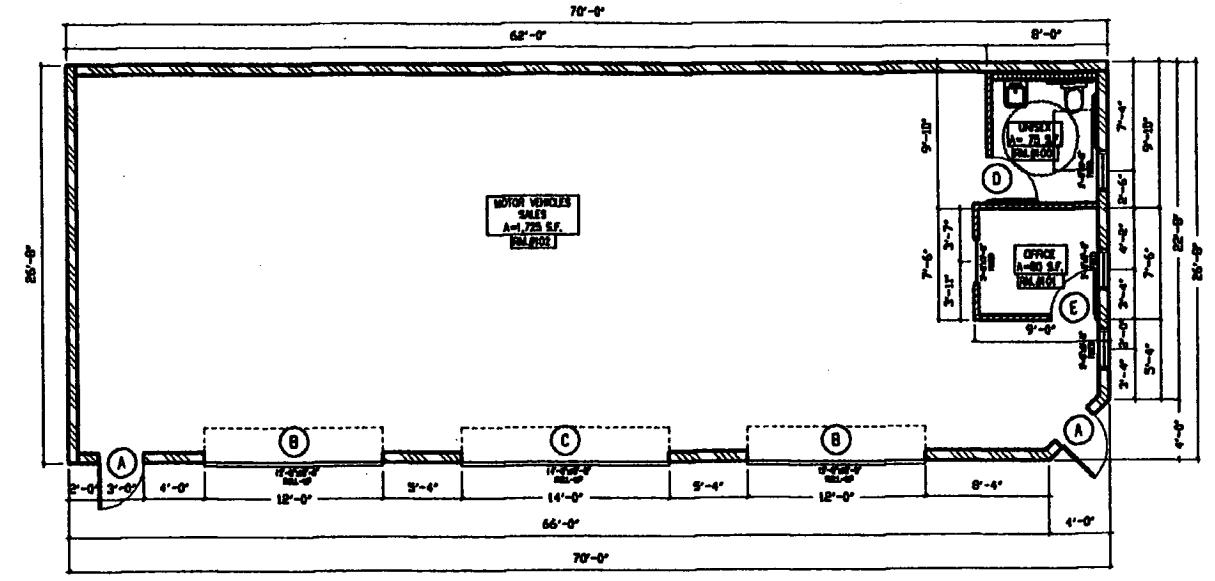
DRAWING TITLE
ELEVATIONS

DRAWN BY: P.B.
CHECKED BY:

DATE: 5.24.04
JOB NO:
SHEET
A-2
of sheets

SDR-5599
01/27/05 PC

RECEIVED
DEC 17 2004



FLOOR PLAN

NORTH

OCCUPANT LOAD CALCULATION PER TABLE 1003.2.2.2					
USE OCCUPANCY FOR MOTOR VEHICLE SALES:	AREA S.F.	OCCUPANT LOAD FAC.	NUM. OCPNT'S	EXIT REQ.	EXIT PROVIDED
MOTOR VEHICLE SALES DAY AREA	1,725	300	6		
OFFICE	80	100	1		
RESTROOM	70	N/A	-		
TOTAL	1,880		7	1	1
POST SIGN "OCCUPANT LOAD --- 7 MAX. OCCUPANTS NEAR MAIN ENTRY					
EGRESS WIDTH (I.B.C. TABLE 1005.1) = 50 x 7 = 1.4" REQ. - 24" PROVD. THEREFORE 1 EXIT REQUIRED					

CONTRACTOR
EMERY CONSTRUCTION & DEVELOPMENT
[redacted]

REVISIONS

PROJECT
COOKIES USED AUTO SALES
3400 VEGAS DR.
LAS VEGAS, NV. 89110

DRAWING TITLE
FLOOR PLAN

DRAWN BY: P.B.
CHECKED BY:

DATE: 5.24.04
JOB NO.
SHEET
A-1
OF sheets

SDR-5599
01/27/05 PC

RECEIVED
DEC 17 2004



SDR-5599 - APPLICANT/OWNER: CARLOS ALBERTO CODARINI
2400 HINKLE DRIVE
JANUARY 27, 2005 PLANNING COMMISSION

1/11/05

16/DEC/2004

JUSTIFICATION LETTER:
APN# 139-26-508-002
GPA# 5597

For the property on 2400 Hinckel Dr. (Owens & Eastern):

(1) I would like to change the zoning from SC to GC; I consider the GC to be more appropriate for this type of business.
(2) I am requesting a rezoning from limit C1 to limit C2 because motor vehicle sale would be more appropriate in a C2 zoning district.
(3) The property is much too small for this building, for this reason I need the following WAIVERS:
    a. Side setback – 5' where 10' required min.
    b. Rear setback – 5' where 20' required min.
    c. Foundation landscape – 0' where 6' required.
    d. Perimeter landscape – 5' where 8' required (side/rear). IN FRONT 8' where 15' is REQ.
(4) This project meets and supports all existing code and regulations as required by the City of Las Vegas.

Thanks You,
Carlos Codarini