City of Las Vegas

Agenda Item No.: 16

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
SUP-6099 - SPECIAL USE PERMIT RELATED TO ZON-6100 AND VAC-6101- PUBLIC HEARING - APPLICANT: LAACO, LTD./STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Request for a Special Use Permit FOR A PROPOSED MINI STORAGE FACILITY adjacent to the northeast corner of Centennial Parkway and Kevin Way (APN 125-20-402-007), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone [SC-TC (Service Commercial – Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:
See Item 14 for related discussion on Item 14 [ZON-6100], Item 15 [VAC-6101], Item 16 [SUP-6099], Item 17 [VAR-6230] and Item 18 [SDR-6097].

(6:48 – 7:13)
1-1670

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 16 – SUP-6099

CONDITIONS:

Planning and Development

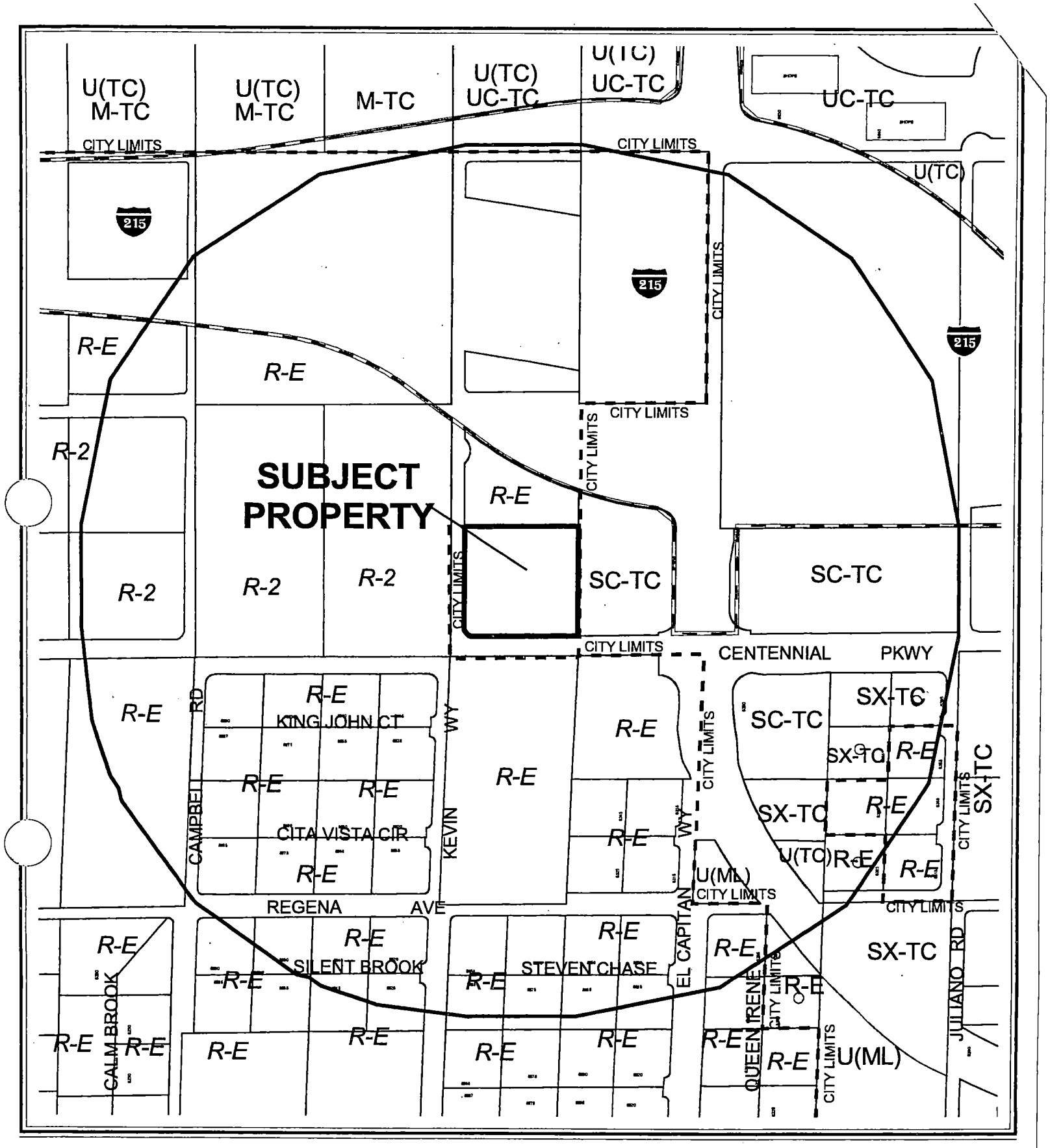
1. Conformance to all Minimum Requirements under the Town Center Development Standards for a Mini-Storage Facility use.

2. Pursuant to Title 19.20, individual storage units may not be larger than 500 square feet in size.

3. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-6100) and Site Development Plan Review (SDR-6097).

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

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



0 300 600 Feet

CASE: **SUP-6099**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6099 - APPLICANT: LAACO, LTD. STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards for a Mini-Storage Facility use.

2. Pursuant to Title 19.20, individual storage units may not be larger than 500 square feet in size.

3. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-6100) and Site Development Plan Review (SDR-6097).

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

5. 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 proposed Mini-Storage Facility adjacent to the northeast corner of Centennial Parkway and Kevin Way.

B) Applicant's Justification

According to the applicant's justification letter, a Special Use Permit is required for a Mini Storage use in the SC-TC (Service Commercial – Town Center) district. The proposed development will meet all base requirements for approval of the Special Use Permit.

BACKGROUND INFORMATION

A) Related Actions

03/16/05 The City Council approved the Annexation (ANX-5674) of approximately 1.99 acres into the city of Las Vegas. The effective date is 03/25/05. The Planning Commission and staff recommended approval.

03/24/05 The Planning Commission will consider companion applications for a Rezoning (ZON-6100) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) [SC-TC (Service Commercial – Town Center) Special Land Use Designation], a Variance (VAR-6230) to allow less than 20 percent open space, a Vacation (VAC-6101) of U.S. Government Patent Easements and a Site Development Plan Review (SDR-6097) for a proposed 91,387 square foot mini-storage facility and Waivers of the Commercial Development Standards and perimeter landscaping standards on the subject site.

04/14/05 The Planning Commission will hear a Petition to Annex (ANX-6173) property located adjacent to the east side of Kevin Way, approximately 340 feet north of Centennial Hills Parkway, containing approximately 1.31 acres. This property is directly north of the subject site and is included in the Town Center Master Development Plan.

B) Pre-Application Meeting

01/20/05 Centennial Parkway must be constructed to Town Center Primary Arterial Standards. Kevin Way will be constructed to non-Town Center standards. Waivers of setback and lot coverage standards according to Title 19 C-1 (Limited

Commercial) Commercial Development Standards will be required, since these standards are not included in the Town Center Development Standards Manual. Otherwise, Town Center Development Standards apply. A Mini Storage Facility is a permitted use in the SC-TC (Service Commercial – Town Center) district with the approval of a Special Use Permit.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.94

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped (Single-Family Residential to the southwest)
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	SC-TC (Service Commercial – Town Center)
North:	SC-TC (Service Commercial – Town Center)
South:	PF (Public Facilities – Clark County)
East:	SC-TC (Service Commercial – Town Center)
West:	ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) [TC (Town Center) General Plan Designation]
North:	R-E (Rural Estates Residential – Clark County Designation)
South:	R-E (Rural Estates Residential – Clark County Designation)
East:	T-C (Town Center)
West:	R-2 (Medium Density Residential – Clark County Designation)

E) General Plan Compliance

The subject property is designated TC (Town Center) on the Centennial Hills Interlocal Land Use Plan. The companion Rezoning to T-C (Town Center) is compatible with this designation. A Mini Storage Facility is a permitted use within the SC-TC (Service Commercial – Town Center) Special Land Use District.

SS

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

The subject site is included in the Town Center Master Plan Area and has a land use of SC-TC (Service Commercial – Town Center). This district allows low to medium intensity retail, office or other commercial uses intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. Office centers offering professional and business services are limited to two stories in height. Other uses have no height ceiling, but are subject to compatibility with surrounding uses. Affected property owners in unincorporated Clark County within the notification area were notified of the project.

INTERAGENCY ISSUES

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

- Any Special Use Permit within 500 feet of unincorporated Clark County or the City of North Las Vegas

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 Flood Control Section of the City of Las Vegas Department of Public Works had no comment on the project, although a drainage study is required for the site.
2) The Sanitary Sewer Section of the City of Las Vegas Department of Public Works indicated that the proposed mini-storage development will have minimal impacts to the wastewater collection system. The applicant is to extend public sewer in Kevin Way to the northern edge of the subject site to a location and depth acceptable to the City Engineer.
3) The Metropolitan Police Department found no significant law enforcement issues with this development.
4) The Las Vegas Valley Water District found that the proposal will not have a significant impact on the capacity of the District's water supply system.
5) The Regional Transportation Commission of Southern Nevada had no comment on the impacts of the project.

SS

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	**Required**			**Provided**	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Mini-Storage Facility (Mini-Warehouse in 19.10)	N/A	1 space per 50 storage units, with an additional 5 spaces minimum on the exterior side of the security fence	18 (700 units)	1	18 (5 spaces outside security gate)	1

The proposed development meets Title 19 parking standards, providing a total of 19 parking spaces.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in Title 19 or the Town Center Development Standards that apply to the proposed Mini-Storage use. There are no similar approved uses within the 1,000 foot notification distance.

A3) Development Standards

The proposal meets the requirements of the Town Center Development Standards with respect to Special Use Permit conditions, and is subject to approval of the waivers requested as part of companion Site Development Plan Review (SDR-6097).

B) General Analysis and Discussion

- Zoning

  The subject property is proposed to be rezoned to T-C (Town Center) with an SC-TC (Service Commercial – Town Center) special land use designation, which is supported by staff. The Mini-Storage use is permitted in this district with approval of a Special Use Permit.

- Use

  This application requests approval of a Mini-Storage use, pursuant to the Town Center Development Standards Manual. Pending approval of the companion Rezoning (ZON-3758), such a use will be allowable with the approval of a Special Use Permit. The specific conditions that apply to this use are those found in Title 19.04.050, as listed below. The definition of a "Mini-Warehouse" use in Title 19, which corresponds to a "Mini-Storage" use in Town Center, limits individual storage compartments to a maximum of 500 square feet. Some of the units in the proposed development are 600 square feet. A condition of approval requires that the size of the units comply with the Code definition. This condition cannot be altered or removed without an accompanying text amendment changing the definition of "Mini-Warehouse" in Title 19.20.

  There are no minimum separation distance provisions with respect to this use in the Town Center Development Standards Manual. The only other Mini-Storage Facility approved in the Town Center area is located in the Montecito East retail center on the northwest corner of Tenaya Way and Azure Drive. No permits have as of yet been obtained for the construction of this facility. There would therefore be a demand in the area for such a service.

- Conditions

  The Town Center Development Standards Manual (Section B.4) lists the following conditions applicable to this site and the Mini-Storage use:

  - No more than one manager or security residence shall be permitted.
  - No business shall be conducted from or within a mini-storage facility.
  - Retail sales of stored items on the premises are prohibited.
  - The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.
  - The operation of spray painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.
  - The production, fabrication or assembly of products shall be prohibited.
  - All storage shall be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets by exterior walls.
  - Within the Town Center all exterior walls of the mini-storage facilities shall be constructed with a facade so as to appear as an office or retail facility.

The applicant has indicated that all of the above conditions will be met. No recreational vehicles will be stored on the property.

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 development will be consistent with the existing and future surrounding uses, in accordance with the General Plan and the Town Center Land Use Plan, subject to the requested waivers and with site plan changes as outlined in the conditions of approval of the companion Site Development Plan Review (SDR-6097).

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

   The proposed Mini-Storage Facility is a low-intensity use and should be compatible with nearby commercial and residential uses. However, the size of the buildings proposed for the site have created the need for a variance of the Town Center 20 percent open space standard and waivers of setbacks, perimeter landscaping and lot coverage requirements of Title 19. Approval of those waivers would mean an intensification of the use on the site.

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

   Centennial Parkway, a 100-foot wide Town Center Primary Arterial and Kevin Way, an unclassified 60-foot right-of-way, will serve the property. These roadways, once constructed to code standards, will be adequate to meet the needs of the proposed Mini-Storage use.

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

   The subject site will be subject to city business license requirements and periodic city inspections for code compliance, and will therefore not compromise the public health, safety and welfare.

SS

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 57 [Mailed with ZON-6100, VAR-6230 and SDR-6097]

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-6099** APN: 125-20-402-007

Name of Property Owner: Project K, LLC

Name of Applicant: LAACC Ltd

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 XXXX 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: Mehdi Cwliaie

Subscribed and sworn before me

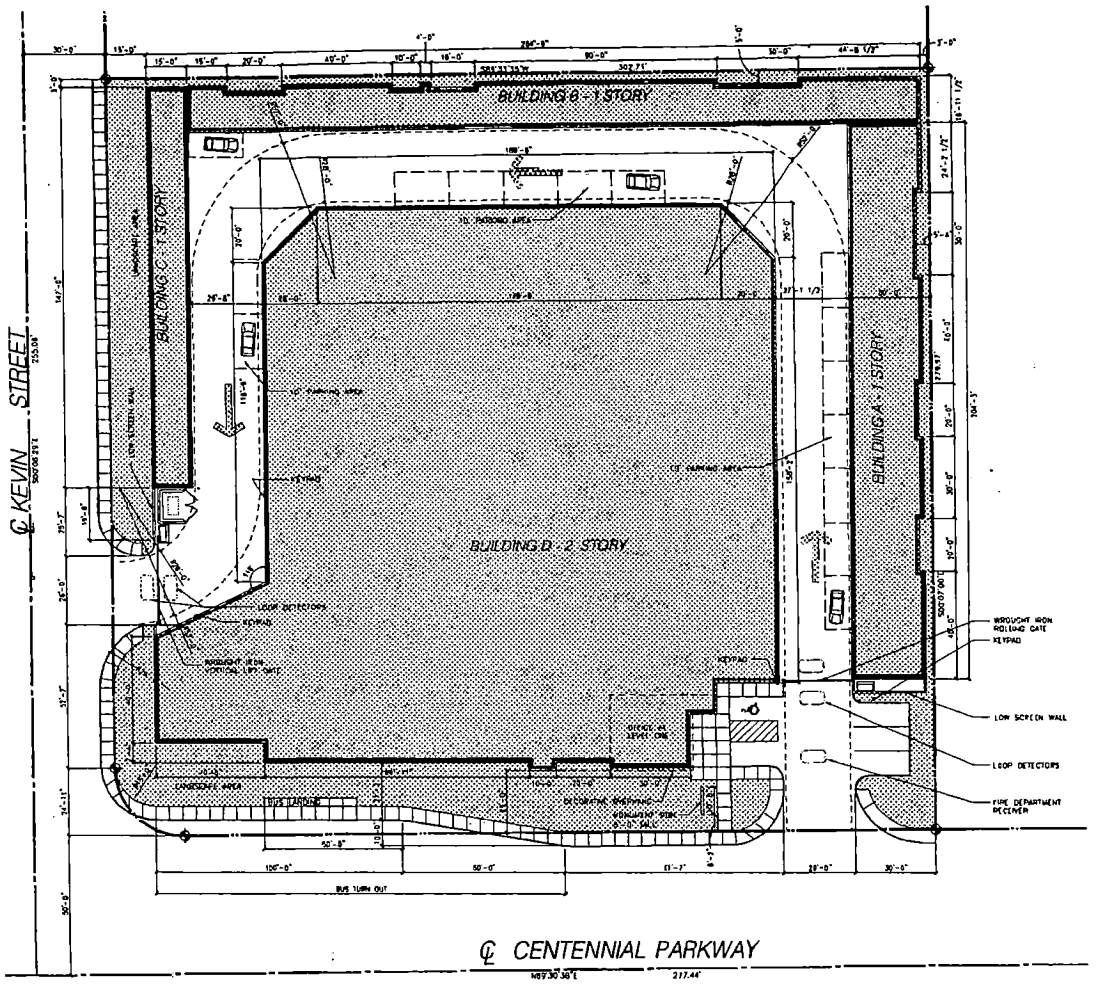
This 7th day of Feb, 2005

Beatrice Wallace

Notary Public in and for said County and State

BEATRICE WALLACE
NOTARY PUBLIC
STATE OF NEVADA
APPT. No 99-58597-1
MY APPT. EXPIRES JUNE 9, 2007

STORAGE WEST TOWNCENTER



STORAGE WEST SELF STORAGE

It's Best in the West!

SITE DATA

SITE INFORMATION

ASSESSOR'S PARCEL NUMBER	139-29-402-007
ZONING - EXISTING	M-2
ZONING - PROPOSED	SC-TC

SITE TABULATION

GROSS AREA (S.F.)	91,866 S.F.
GROSS AREA (ACRES)	1.349 ACRES
LANDSCAPE AREA (S.F.)	10,443 S.F.
LANDSCAPE COVERAGE	11.36%
BUILDING FOOTPRINT AREA	51,937 S.F.
BUILDING COVERAGE	61.41%

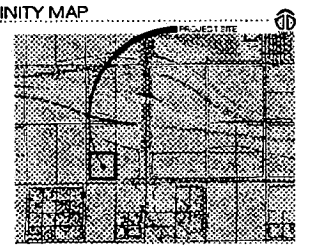
BUILDINGS

	FOOTPRINT AREA	TOTAL AREA
BUILDING A	13,437 S.F.	13,437 S.F.
BUILDING B	13,437 S.F.	13,437 S.F.
BUILDING C	25,063 S.F.	25,063 S.F.
BUILDING D		
TOTAL SQUARE FOOTAGE	51,937 S.F.	51,937 S.F.

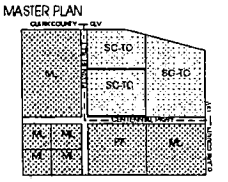
PARKING TABULATION

OFFICE PARKING REQUIRED	1
ACCESSIBLE PARKING REQUIRED	1
PARKING PROVIDED	6
ACCESSIBLE PARKING	1 VAN ACCESSIBLE
PARKING REQUIRED STORAGE AREA	1/20 UNITS
	260 UNITS/20 = 13
PARKING PROVIDED STORAGE AREA	13
TOTAL PARKING REQUIRED	14
TOTAL PARKING PROVIDED	19

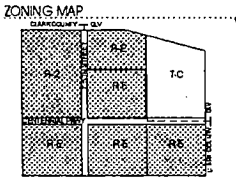
VICINITY MAP



MASTER PLAN



ZONING MAP



FEB 8 2005

SWISHER & HALL AIA, LIMITED
ARCHITECTURE AND PLANNING
LAS VEGAS, NEVADA

SITE PLAN

SUP-6099
03/24/05 PC

SPECIAL USE PERMIT

Justification Letter

A Special Use Permit is required for a mini-storage project in Service Commercial, Town Center. The Town Center Development Standards Manual, Section B(4)(B)(31), page 36, lists eleven conditions to be met by a mini-storage facility.

The applicant has designed the project in a manner that meets all of these conditions.

The applicant, therefore, requests approval of this application.

City of Las Vegas

Agenda Item No.: 17

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:

VAR-6230 - VARIANCE RELATED TO ZON-6100, VAC-6101, AND SUP-6099 - APPLICANT: LAACO, LTD/STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Request for a Variance TO ALLOW 13 PERCENT OF THE GROSS PROPERTY AREA PROPOSED TO BE ADDED TO THE T-C (TOWN CENTER) ZONE TO BE OPEN SPACE WHERE A MINIMUM OF 20 PERCENT IS REQUIRED on 1.99 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way (APN 125-20-402-007), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

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

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

See Item 14 for related discussion on Item 14 [ZON-6100], Item 15 [VAC-6101], Item 16 [SUP-6099], Item 17 [VAR-6230] and Item 18 [SDR-6097].

(6:48 – 7:13)
1-1670

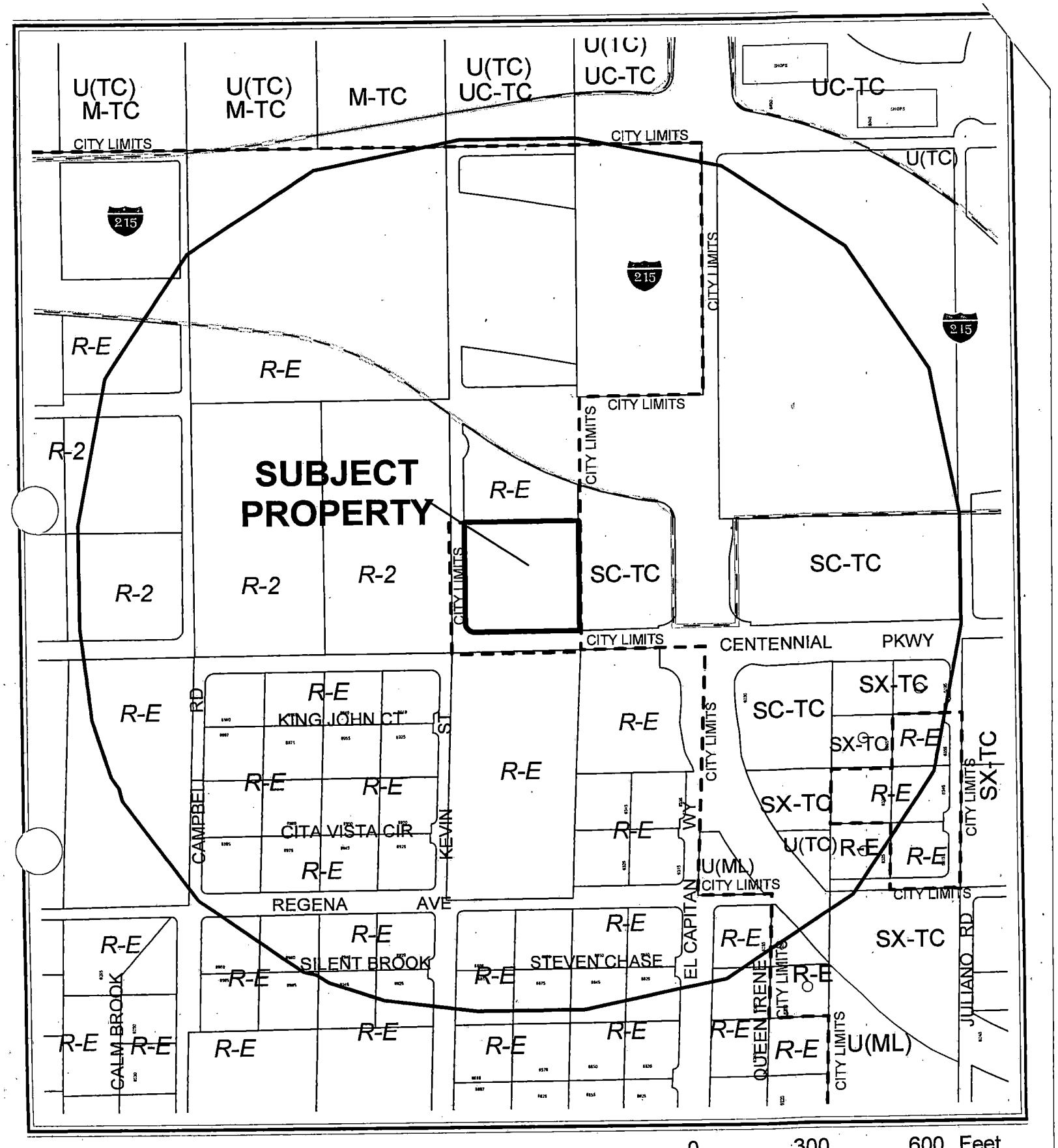
PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 17 – VAR-6230

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-6100), Special Use Permit (SUP-6099) and Site Development Plan Review (SDR-6097), if approved.

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



CASE: **VAR-6230**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER SPECIAL LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6230 - APPLICANT: LAACO, LTD/STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-6100), Special Use Permit (SUP-6099) and Site Development Plan Review (SDR-6097), if approved.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 13 percent of the gross property area proposed to be added to the T-C (Town Center) zone to be open space where a minimum of 20 percent is required on 1.99 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way.

B) Applicant's Justification

According to the applicant's justification letter, a mini-storage facility is by nature a secure facility with restricted access to customers only; therefore, it is not possible to provide public access to the interior of the facility as well as common community facilities such as bikeway and pedestrian trails. A attempt has been made to comply with the 20 percent standard; however, the impossibility of public access and the small size of the subject parcel has prevented compliance to the code standard.

BACKGROUND INFORMATION

A) Related Actions

03/16/05 The City Council approved the Annexation (ANX-5674) of approximately 1.99 acres into the city of Las Vegas. The effective date is 03/25/05. The Planning Commission and staff recommended approval.

03/24/05 The Planning Commission will consider companion applications for a Rezoning (ZON-6100) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) [SC-TC (Service Commercial – Town Center) Special Land Use Designation], a Vacation (VAC-6101) of U.S. Government Patent Easements, a Special Use Permit (SUP-6099) for a proposed Mini-Storage Facility, and a Site Development Plan Review (SDR-6097) for a proposed mini-storage facility and waivers of setbacks, perimeter landscaping and lot coverage requirements on the subject site.

04/14/05 The Planning Commission will hear a Petition to Annex (ANX-6173) property located adjacent to the east side of Kevin Way, approximately 340 feet north of Centennial Hills Parkway, containing approximately 1.31 acres. This property is directly north of the subject site and is included in the Town Center Master Development Plan.

SS

B) Pre-Application Meeting

03/03/05 Application submittal requirements were discussed. Per the Town Center Development Standards Manual, the open space standard in Title 19.06.110.E applies to the SC-TC district. The applicant was informed that staff would likely not support this request, as the site is overbuilt and is already requiring multiple waivers of commercial development standards.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	1.99
Net Acres:	1.94

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped (Single-Family Residential to the southwest)
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	SC-TC (Service Commercial – Town Center)
North:	SC-TC (Service Commercial – Town Center)
South:	PF (Public Facilities – Clark County)
East:	SC-TC (Service Commercial – Town Center)
West:	ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) [TC (Town Center) General Plan Designation]
North:	R-E (Rural Estates Residential – Clark County Designation)
South:	R-E (Rural Estates Residential – Clark County Designation)
East:	T-C (Town Center)
West:	R-2 (Medium Density Residential – Clark County Designation)

E) General Plan Compliance

The subject property is designated TC (Town Center) on the Centennial Hills Interlocal Land Use Plan. The companion Rezoning to T-C (Town Center) is compatible with this designation. The proposed Variance will have no effect on General Plan Policies.

SS

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

The subject site is included in the Town Center Master Plan Area and has a land use designation of SC-TC (Service Commercial – Town Center). This district allows low to medium intensity retail, office or other commercial uses intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics.

The proposal was deemed to be a "Project of Regional Significance" under City Ordinance No. 5477. Comments received regarding potential impacts to regional resources are detailed under the Special Use Permit staff report.

ANALYSIS

A) Zoning Code Compliance

A1) Landscape and Open Space Standards

Title 19.06.110.E requires the following:

> "A minimum of twenty percent of the gross property area proposed to be added to or developed within the T-C (Town Center) District shall consist of any combination of open space, recreation facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities and landscaped areas in public rights-of-way. Any private recreation facility, which serves more than one individual lot, may be counted as a part of the minimum requirement. Specific open space and landscaped area requirements are as set forth in the Town Center Development Standards Manual."

Based on a gross site area of 1.99 acres, the minimum amount of required open space for this project is 0.398 acres or 17,337 square feet. Exact calculations have not been provided, but the applicant indicates that approximately 13 percent (or roughly 0.26 acres) of the gross site area can be termed open space, accounting for a 35 percent deviation from the standard.

B) General Analysis and Discussion

Open space area is provided in the form of landscape buffers along the perimeter of the site and parking lot landscaping outside of the security gate. The required 15-foot buffer width is provided along Centennial Parkway and Kevin Way, but only three of the required eight foot buffer width is provided along the side and rear of the property, in order to accommodate storage buildings with high walls for security. While it is true that providing public amenities within a commercial site that restricts access to the public does not make sense, it is not impossible to provide the required 20 percent of open space through code-requisite landscape buffers and parking lot landscaping. The current design of the storage buildings requires waivers of building setbacks, lot coverage and perimeter landscaping requirements that reduce the amount of area available for landscaping. Because the applicant plans to overbuild the site, these code standards cannot be met. A larger site is necessary to accommodate the project as currently designed.

FINDINGS

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

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

Additionally, Title 19.18.070.L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by overbuilding the site, creating a deficiency in the amount of land available for providing open space. Reducing the size of the two-story building and conformance to the Commercial Development Standards would allow conformance to 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.

SS

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 57 [Mailed with ZON-6100, SUP-6099 and SDR-6097]

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-6230 APN: 125-20-402-007

Name of Property Owner: Project K, LLC

Name of Applicant: LAACO Ltd

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: Mehdi Owliaie

Subscribed and sworn before me

This 3rd day of March, 2005

_____
Notary Public in and for said County and State

ANN PIERCE
Notary Public State of Nevada
No. 93-4798-1
My appt. exp. Oct. 17, 2007

Revised 2/12/02

154723_1

10891.9

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW
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LAS VEGAS OFFICE

ROBERT J. GRONAUER
rgronauer@kkbr.com

March 3, 2005

VIA HAND DELIVERY

City of Las Vegas
PLANNING & DEVELOPMENT DEPT.
731 S. 4th Street
North Las Vegas, NV 89109

Re: LAACO, Ltd. – Beltway/Durango
Variance

To Whom it May Concern:

Our office represents the applicant, LAACO, Ltd. We are seeking a variance of Title 19, paragraph 19.06.110(E), Page 45 – Open Space and Landscape Area Requirements. This section specifies "a minimum of 20% of the gross property area of projects in the T-C District consist of a combination of open space, recreation facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities and landscaped areas in public rights-of-way."

The site plan reflects the nature of a mini-storage facility; that is, it is a business located behind walls and gates, with access limited to storage customers with secret gate access codes. It is not possible to provide public access to the interior of the facility including recreation facilities, pedestrian and bikeway facilities or other common community facilities. This is further compounded by the small size of the parcel of land.

In an attempt to meet the intent of this standard, the applicant has provided landscaping equal to 13% of the gross property area. In addition, the applicant would welcome the opportunity to work with staff in designing the landscape plan that would exceed the standard.

A mini-storage project at this location is an excellent use for this parcel. It serves as an appropriate buffer between the residential developments in the area and more intense commercial development allowed to the north and east.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Robert J. Gronauer

RJG/mlt

LAW FIRMS WORLDWIDE MERITAS

City of Las Vegas

Agenda Item No.: 18

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:

SDR-6097 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6100, SUP-6099, VAR-6230 AND VAC-6101 - PUBLIC HEARING - APPLICANT: LAACO, LTD./STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Request for a Site Development Plan Review FOR A PROPOSED MINI STORAGE FACILITY AND WAIVERS FOR A THREE FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED, A THREE FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED, AND TO ALLOW 61 PERCENT LOT COVERAGE WHERE 50 PERCENT IS THE MAXIMUM ALLOWED on 1.94 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way (APN 125-20-402-007), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone [SC-TC (Service Commercial – Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

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

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions and amending the following condition:

5. Waivers of setbacks to provide eight to 10 foot building setbacks on the north and east side property lines and of perimeter landscaping to include 24 inch box trees 15 feet on center on the north and east property lines are hereby approved.

– UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 18 – SDR-6097

MINUTES:

See Item 14 for related discussion on Item 14 [ZON-6100], Item 15 [VAC-6101], Item 16 [SUP-6099], Item 17 [VAR-6230] and Item 18 [SDR-6097].

(6:48 – 7:13)

1-1670

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-6100) to a T-C (Town Center) Zoning District approved by the City Council.

2. Approval of a Variance (VAR-6230) to allow open space on less than 20 percent of the gross site area.

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

4. All development shall be in conformance with the site plan and building elevations date stamped 03/16/05, except as amended by conditions herein.

5. Waivers of setbacks and perimeter landscaping are hereby approved.

6. Trash enclosures shall be roofed in accordance with the Commercial Development Standards.

7. Pursuant to the Town Center Development Standards Section D.1.G, all on-site signage shall be approved by the Centennial Hills Town Center Architectural Review Committee (CHARC) by separate application.

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

9. 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 Centennial Parkway as a 100-foot Town Center Primary Arterial with a two foot six inch amenity zone and a five-foot sidewalk. Within the Amenity Zone (except where adjacent to the proposed bus turnout), trees shall be spaced 35 feet on center in an alternating pattern consisting of one shade tree and two palm trees with decomposed granite and a minimum of

CONDITIONS – Continued:

one third, five-gallon plant material as groundcover. Four additional 24 inch box shade trees shall be planted in the landscape buffers along Centennial Parkway and Kevin Way. A total of five 24 inch box trees shall be shown in the parking area. The plan shall indicate a minimum of four (4) five-gallon shrubs for each 24 inch box tree within provided planters along the perimeters and a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24 inch box tree provided within parking lot planters.

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

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

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

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to the time application is made for a building permit on 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

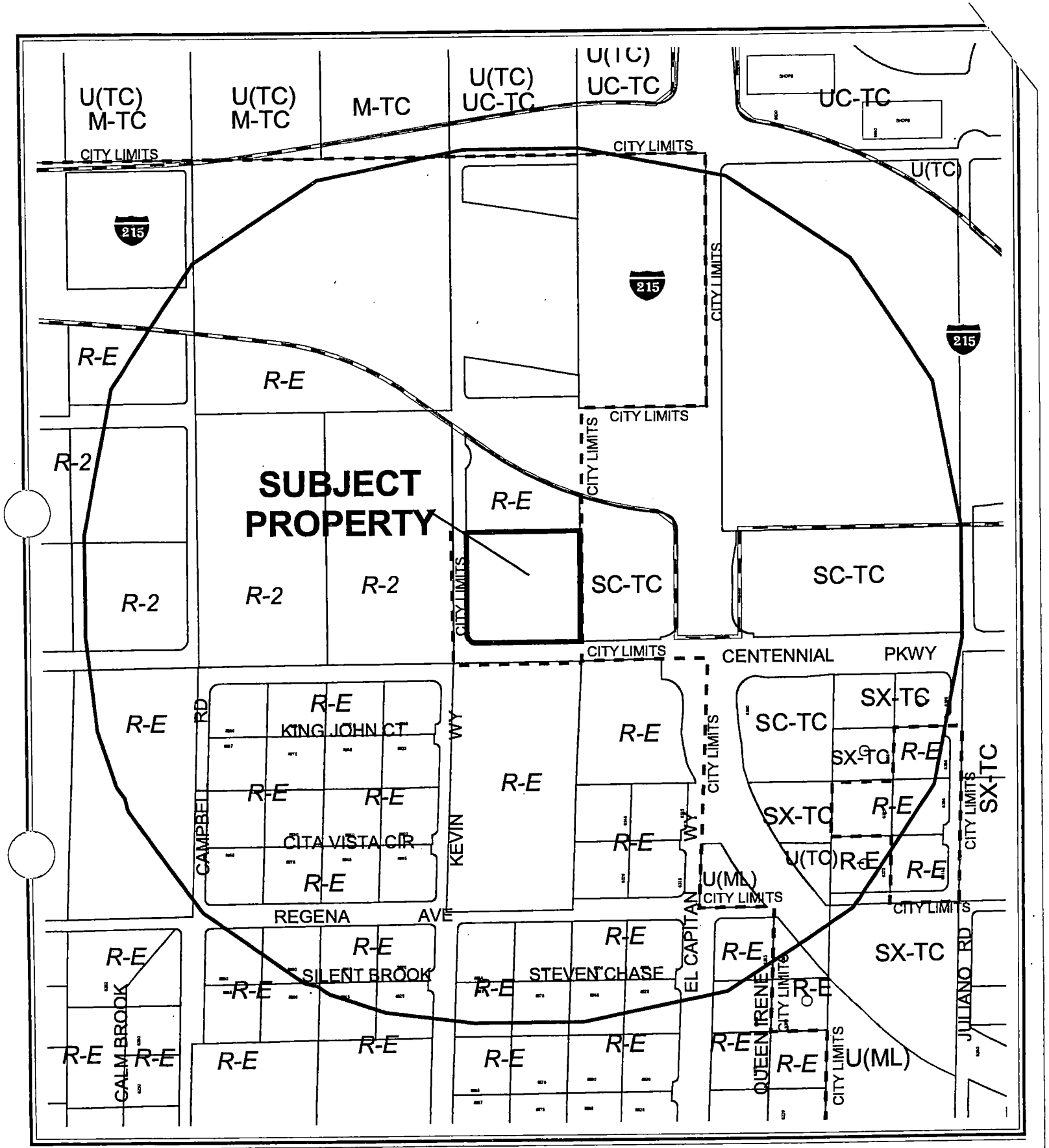
16. Landscape and maintain all unimproved rights-of-way, if any, on Centennial Parkway and Kevin Way adjacent to this site.

17. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.

CONDITIONS – Continued:

18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

19. Site development to comply with all applicable conditions of approval for ZON-6100 and all other subsequent site-related actions.



CASE: **SDR-6097**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6097 - APPLICANT: LAACO, LTD. STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC

** CONDITIONS **

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

Planning and Development

1. A Rezoning (ZON-6100) to a T-C (Town Center) Zoning District approved by the City Council.

2. Approval of a Variance (VAR-6230) to allow open space on less than 20 percent of the gross site area.

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

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5. Waivers of setbacks and perimeter landscaping are hereby approved.

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

9. 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 Centennial Parkway as a 100-foot Town Center Primary Arterial with a two foot six inch amenity zone and a five-foot sidewalk. Within the Amenity Zone (except where adjacent to the proposed bus turnout), trees shall be spaced 35 feet on center in an alternating pattern consisting of one shade tree and two palm trees with decomposed granite and a minimum of one third, five-gallon plant material as groundcover. Four additional 24 inch

box shade trees shall be planted in the landscape buffers along Centennial Parkway and Kevin Way. A total of five 24 inch box trees shall be shown in the parking area. The plan shall indicate a minimum of four (4) five-gallon shrubs for each 24 inch box tree within provided planters along the perimeters and a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24 inch box tree provided within parking lot planters.

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

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to the time application is made for a building permit on 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. Landscape and maintain all unimproved rights-of-way, if any, on Centennial Parkway and Kevin Way adjacent to this site.

17. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.

18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

19. Site development to comply with all applicable conditions of approval for ZON-6100 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a Site Development Plan Review for a proposed 91,387 square foot mini-storage facility and Waivers of the Commercial Development Standards to allow a three foot side yard setback where 10 feet is the minimum required, a three foot rear yard setback where 20 feet is the minimum required, for a reduction in the amount of required perimeter landscaping and to allow 61 percent lot coverage where 50 percent is the maximum allowed on 1.94 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way.

B) Applicant's Justification

According to the applicant's justification letter, the project will provide enclosed-only storage space with an office. No truck rental or outdoor RV storage service will be offered. Waivers of minimum setback requirements are requested so that the storage buildings may act as deterrents to trespassers. The lot coverage Waiver is justified in that it is a preferable alternative to construction of a three-story building that would create a more massive buffer between more intense commercial development and residential development.

BACKGROUND INFORMATION

A) Previous Actions

03/16/05	The City Council approved the Annexation (ANX-5674) of approximately 1.99 acres into the city of Las Vegas. The effective date is 03/25/05. The Planning Commission and staff recommended approval.
03/24/05	The Planning Commission will consider companion applications for a Rezoning (ZON-6100) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) [SC-TC (Service Commercial – Town Center) Special Land Use Designation], a Special Use Permit (SUP-6099) for a proposed Mini-Storage Facility, a Variance (VAR-6230) to allow less than 20 percent open space, and a Vacation (VAC-6101) of U.S. Government Patent Easements on the subject site.
04/14/05	The Planning Commission will hear a Petition to Annex (ANX-6173) property located adjacent to the east side of Kevin Way, approximately 340 feet north of Centennial Hills Parkway, containing approximately 1.31 acres. This property is directly north of the subject site and is included in the Town Center Master Development Plan.

SS

B) Pre-Application Meeting

01/20/05 Centennial Parkway must be constructed to Town Center Primary Arterial Standards. Kevin Way will be constructed to non-Town Center standards. Waivers of setback and lot coverage standards according to Title 19 C-1 (Limited Commercial) Commercial Development Standards will be required, since these standards are not included in the Town Center Development Standards Manual. Otherwise, Town Center Development Standards apply. A Mini-Storage Facility is a permitted use in the SC-TC (Service Commercial – Town Center) district with the approval of a Special Use Permit.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.94

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped (Single-Family Residential to the southwest)
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	SC-TC (Service Commercial – Town Center)
North:	SC-TC (Service Commercial – Town Center)
South:	PF (Public Facilities – Clark County)
East:	SC-TC (Service Commercial – Town Center)
West:	ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) [TC (Town Center) General Plan Designation]
North:	R-E (Rural Estates Residential – Clark County Designation)
South:	R-E (Rural Estates Residential – Clark County Designation)
East:	T-C (Town Center)
West:	R-2 (Medium Density Residential – Clark County Designation)

E) General Plan Compliance

The subject property is designated TC (Town Center) on the Centennial Hills Interlocal Land Use Plan. The companion Rezoning to T-C (Town Center) is compatible with this designation, including all the uses permitted within the SC-TC (Service Commercial – Town Center) Special Land Use District.

SS

INTERAGENCY ISSUES

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities in conjunction with the Special Use Permit application related to this request. A summary of the comments received is included in the staff report for the Special Use Permit.

PROJECT DESCRIPTION

The applicant is proposing a mini-storage facility consisting of 91,387 square feet within four buildings. Three of the buildings are single-story (14 feet in height) and are located along the west, north and east landscape buffers. A 79,381 square foot two-story building abuts the landscape buffer along Centennial Parkway and contains a small office area. A total of 700 storage units will be contained within these buildings, with sizes ranging from 25 to 600 square feet. Access to the property is from Centennial Parkway, classified as a Town Center Primary Arterial. Five parking spaces are located near the entrance outside of a keypad-controlled wrought iron rolling gate. A 27 foot wide one-way drive circles around the perimeter of the two-story structure, exiting the property onto Kevin Way. This one-way drive contains 14 parallel parking spaces. Reduced setbacks and landscape buffers on the rear and east sides of the property accommodate the placement of two of the single-story storage buildings. The building exteriors are constructed of plaster and textured metal panels and have flat roofs with parapet screening elements.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.110, the Development Standards within a T-C (Town Center) District shall conform to the Town Center Development Standards Manual. However, as the standards proposed for this site are not specifically addressed within the Manual, the Development Standards for the C-1 (Limited Commercial) zoning district have been applied to this project, as the uses in this district most closely resemble those in the SC-TC (Service Commercial – Town Center) district. The following Development Standards therefore apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	1.94 acres	N/A
Min. Lot Width	100 Feet	302 Feet	Y
Min. Setbacks			
• Front	20 Feet	23 Feet	Y
• Side	10 Feet	3 Feet	N
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	3 Feet	N
Max. Lot Coverage	50 %	61 %	N
Max. Building Height	None	29 Feet	Y
Trash Enclosure	Walled, gated, roofed	Walled, gated	N
Loading Zone	Not required	None	Y
Mech. Equipment	Screened	Parapet/wall screened	Y

The project as proposed does not meet minimum side or rear yard setbacks or the maximum lot coverage standard. The trash enclosure is screened by landscaping and one of the buildings, but does not contain a roof. Because these are Commercial Development Standards, they can be waived through a Site Development Plan Review.

A2) Residential Adjacency Standards

Pursuant to the Town Center Development Standards Section B.1.C and Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

a) Proximity slope. Along the southwest corner of the site, the proposed two-story building is 21 feet in height, requiring a 63-foot setback from single-family residential properties to the southwest and planned residential property to the west. The site plan shows the building to be set back approximately 140 feet from the nearest single-family residential property line and 75 feet from the nearest planned residential property line, thereby meeting the proximity slope requirement.

b) Building setback. The proposed corner side and front yard setbacks are at least 15 feet, matching those of the existing single-family residences southwest of the subject site.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Mini-Storage Facility (Mini-Warehouse in 19.10)	N/A	1 space per 50 storage units, with an additional 5 spaces minimum on the exterior side of the security fence	18 (700 units)	1	18 (5 spaces outside security gate)	1

The proposed development meets Title 19 parking standards, providing a total of 19 parking spaces. The parking spaces inside the security gates are oriented parallel to the storage buildings; this is acceptable pending conformance to fire codes.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	**Required** Trees	**Provided**
Parking Area	1 – 24" Box Tree/6 Spaces + half of trees at end of parking rows	5 Trees	3 Trees
• Amenity Zone Min. Trees (Centennial Parkway)	1 - 36" Box Shade Tree + 2 Palm Trees/35 Feet	3 Shade Trees + 6 Palm Trees	Not shown
Buffer:			
• Min. Trees (Kevin Way and Centennial Parkway)	1 – 24" Box Shade Tree/20 Feet	16 Trees	22 Trees*
• Min. Trees (north and east property lines)	1 – 24" Box Shade Tree/30 Feet	19 Trees	16 Trees
• Amenity Zone Width (Centennial Parkway)	2 Feet 6 Inches		Not shown
• Min. Zone Width (ROW)	15 Feet		15 Feet
• Min. Zone Width (side and rear)	8 Feet		3 Feet
• Max. Wall height	Not required		None

*Trees provided within the perimeter buffer consist of eight (8) 36 inch Rio Grande Ash and 20 foot brown trunk height Mexican Fan Palms. Only the eight shade trees may be counted toward the minimum tree requirement.

SS

Per the Town Center Development Standards Manual Section D.2.B.8, a 15-foot wide landscape buffer must be provided between the right-of-way and the proposed use in the SC-TC (Service Commercial – Town Center) district. A 15-foot planter is shown along both Centennial Parkway and Kevin Way; however, the amenity zone within the Centennial Parkway right-of-way is not correctly shown. The perimeter and parking areas are deficient in the number of trees provided. Two additional trees are required in the parking area. These can be located within the end row planters near the office. Additional trees are required within the buffer areas at the north and east property lines; however, because the width of the buffer has been reduced to three feet, it would not be possible to add trees to the proposed planter given the current design of the storage buildings. A waiver must be granted to allow this landscape design. Town Center Development Standards require maximum tree spacing of 35 feet in the amenity zone along Centennial Parkway, classified as a Town Center Arterial. The trees will only be required along the approach to the bus turnout. An "if approved" condition will address these deficiencies and will require depiction of the Centennial Parkway street design. The exterior walls of the three smaller storage buildings serve as screening walls.

Pursuant to Title 19.06.110, the following Open Space Standards apply to the subject proposal:

Total Acreage		**Required**			**Provided**	
			Percent	Area	Percent	Area
1.99 acres (gross)			20 %	17,337 SF or 0.398 acres	13 %	Approxi-mately 0.26 acres

The site is short of providing the minimum 20% of open space required per project gross area in Town Center. The deviation from the standard is 35%. A Variance (VAR-6230) application to reduce the requirement will be heard concurrently with this Site Development Plan Review.

A5) Sign Standards

Pursuant to the Town Center Development Standards, signs in the SC-TC (Service Commercial – Town Center) district shall be subject to review and approval by the Centennial Hills Town Center Architectural Review Committee (CHARC) by a separate application.

B) General Analysis and Discussion

- Zoning

The subject property is proposed to be rezoned to T-C (Town Center) with an SC-TC (Service Commercial – Town Center) special land use designation, which is supported by staff. The Mini-Storage use is permitted in this district with approval of a Special Use Permit, which is the subject of companion application SUP-6099.

- Site Plan

  The project is in the Town Center area and therefore should indicate the Town Center Primary Arterial street design along Centennial Parkway.

- Waivers

  Title 19.06.110.G allows the Director of Planning and Development to apply by analogy the general definitions, principles and procedures set forth in Title 19 for any land use regulation not specifically addressed in the Town Center Development Standards. In accordance with the above, Waivers are sought of minimum setback and maximum lot coverage requirements for the C-1 (Limited Commercial) zoning district according to Title 19 Commercial Development Standards, as this zoning district is analogous to the SC-TC (Service Commercial – Town Center) district.

  The applicant proposes to reduce the side yard setback from 10 feet to 3 feet and the rear yard setback from 20 feet to 3 feet to accommodate the outlying storage buildings. Although the properties to the north and east are planned for commercial uses and the exterior building walls and landscaping are adequate to buffer the mini-storage development from these future commercial sites, it is recommended that the waiver requests be denied because staff does not support the accompanying open space variance. The reduced setbacks are not necessarily a result of excessive lot coverage.

  A waiver of perimeter landscape standards is requested for the eight foot minimum buffer width along the north and east property lines and for the number and spacing of trees in these buffers. It is also recommended that this waiver be denied because of the open space variance request. Although staff does not support the setback and landscape waivers, they must be approved if the accompanying open space variance is approved.

  The applicant also requests a waiver of the 50 percent maximum lot coverage standard, proposing 61 percent. The justification given for this request is that the two-story building, which has a footprint of 39,990 square feet, is preferable to a taller three-story building. Staff agrees that a taller building would raise compatibility issues in the area, especially with nearby existing and planned residential development. However, the current plan shows a site design that necessitates the other waiver requests. Had the two-story building been smaller, there would have been alternatives to the setback and landscape waiver requests that meet Title 19 and Landscape, Wall and Buffer Standards. Therefore, denial of this waiver request is recommended.

- Landscape Plan

  Landscaping is provided around the entire perimeter as well as the parking area outside of the secured area of the mini-storage facility. Together, this landscaping only accounts for approximately 13 percent of the 20 percent of the site required to be dedicated to open space. A Variance (VAR-6230) to allow this reduction in open space will be heard concurrently with this application.

Groupings of two or three 24-inch Mondel Pines are located at building façade insets along the north and east property lines. These are not enough to meet perimeter tree number and spacing requirements, but provide some screening of the storage buildings. Rio Grande Ash of 36-inch size spaced a maximum of 35 feet on center alternating with pairs of Mexican Fan Palms is the standard along the Centennial Parkway Amenity Zone, which is not shown. An "if approved" condition requires conformance to Town Center streetscape standards. The parking area requires five 24-inch box trees, with trees to be planted at end of each parking row. A condition of approval will require compliance with the Town Center parking lot landscape standards.

- Elevation

Town Center Development Standards require the exterior design of mini-storage buildings to resemble office or retail buildings. To this end, the facade of the large two-story building facing Centennial Parkway employs offsets, utilizes contrasting materials and has a varied roofline with a parapet screening element. The primary exterior material is textured metal paneling with a contrasting split-face block base. The pop-outs feature large windows with earth-toned plaster facades. The other elevations of the main building, which are mostly screened from public view, do not employ the same architectural features as the front. Elevations for the inward-facing facades of the smaller storage buildings indicate metal roll-up doors separated by decorative split-face concrete block.

- Floor Plan

A total of 700 storage units are planned for the facility, with sizes ranging from 25 square feet to 600 square feet. It is unclear from the floor plans how many units are contained within each building, as a "typical" plan is shown for buildings of various sizes. The office area does not include a caretaker's quarters.

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;"**

A Mini-Storage use on the subject site is compatible with adjacent planned commercial developments to the north and east; however, the site is overbuilt with four buildings that require waivers to setbacks, perimeter landscaping and lot coverage standards and a Variance of the Town Center 20 percent open space standard. This has also created a situation where all interior parking spaces must be placed parallel to the storage buildings.

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

   The proposed mini-storage facility is consistent with General Plan policies. A Variance of the Town Center 20 percent open space standard and Waivers of setbacks, perimeter landscaping and lot coverage standards will be required for consistency with Title 19 and the Landscape, Wall and Buffer standards. Conditions of approval address compliance with Commercial Development Standards and Town Center Development Standards.

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

   The proposed development will have direct access to Centennial Parkway, a 100-foot wide Town Center Primary Arterial and Kevin Way, an unclassified 60-foot right-of-way. The proposed site access will not negatively impact adjacent roadways.

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

   Palm trees are inappropriate for perimeter landscape buffers in this portion of Town Center. Other landscape materials proposed are acceptable. Building materials, which include split-face CMU and plaster, are acceptable for this area of 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 building elevations proposed create a desirable appearance for a mini-storage facility, and appear to meet the standards contained in the Town Center Development Standards Manual, which emphasize facades similar to office or retail structures.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 57 [Mailed with ZON-6100, VAR-6230 and SUP-6099]

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6097 APN: 125-20-402-007

Name of Property Owner: Project K, LLC

Name of Applicant: LAACC Ltd

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 XXXX 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: Mehdi Owliaie

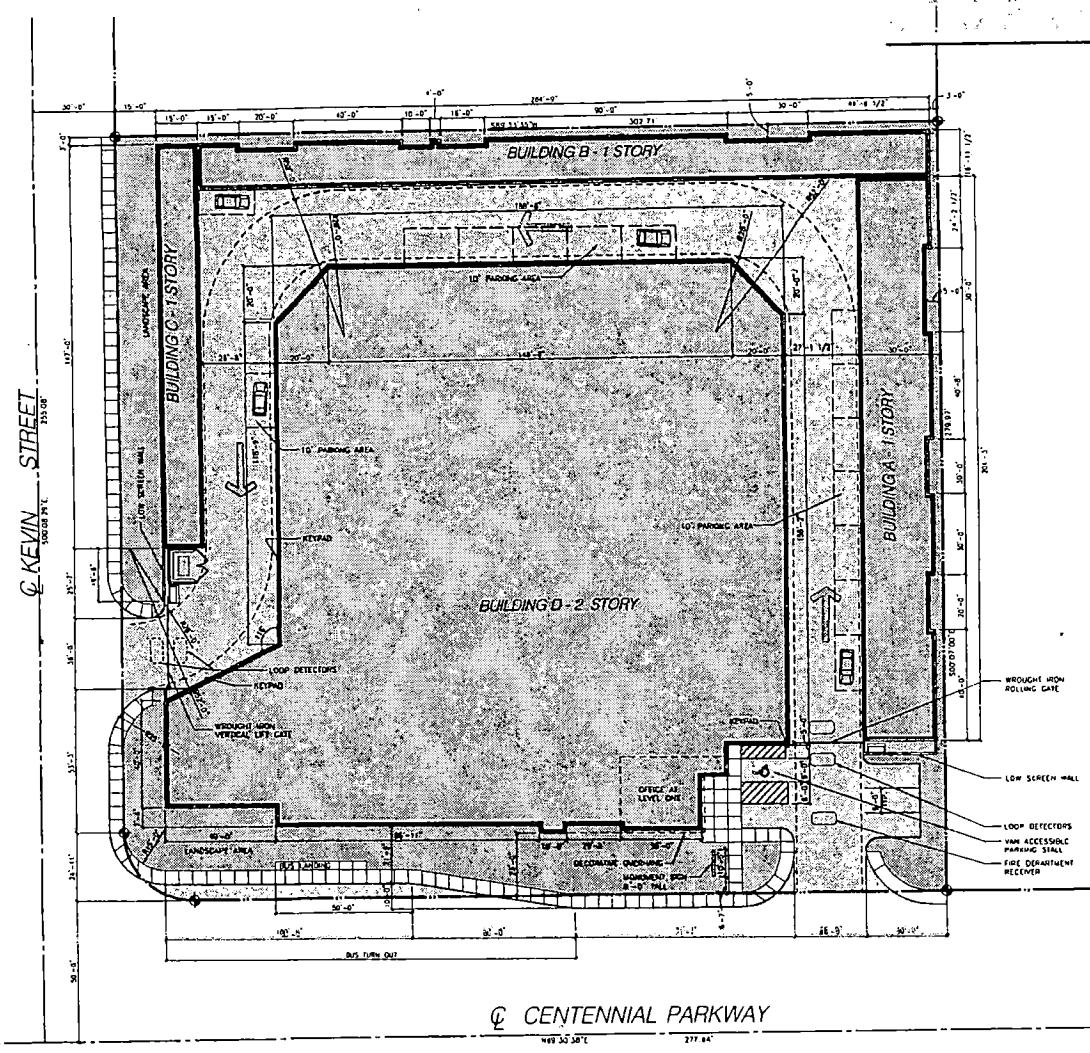
Subscribed and sworn before me

This 7th day of Feb, 2005

_____

Notary Public in and for said County and State

BEATRICE WALLACE
NOTARY PUBLIC
STATE OF NEVADA
APPT. No 99-58597-1
MY APPT. EXPIRES JUNE 9, 2007



STORAGE WEST SELF STORAGE

It's Best in the West!

SITE DATA

SITE INFORMATION

ASSESSOR'S PARCEL NUMBER

ZONING - EXISTING

ZONING - PROPOSED

SITE TABULATION

SITE AREA (S.F.)

SITE AREA (ACRES)

LANDSCAPE AREA (S.F.)

LANDSCAPE COVERAGE

BUILDING FOOTPRINT AREA

BUILDING COVERAGE

BUILDING(S)

	FOOTPRINT AREA	TOTAL AREA
BUILDING A		
BUILDING B		
BUILDING C		
BUILDING D		
TOTAL SQUARE FOOTAGE		

PARKING TABULATION

OFFICE PARKING REQUIRED

ACCESSIBLE PARKING REQUIRED

PARKING PROVIDED

ACCESSIBLE PARKING

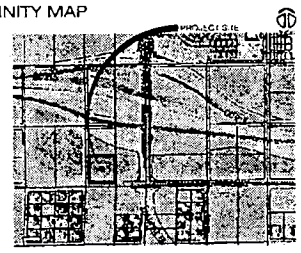
MEDIUM/BIG STORAGE AREA

PARKING PROVIDED STORAGE AREA

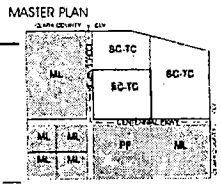
TOTAL PARKING REQUIRED

TOTAL PARKING PROVIDED

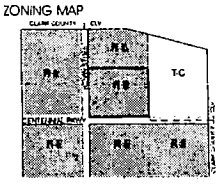
VICINITY MAP



MASTER PLAN



ZONING MAP



REVISED 3.16.05

SWISHER & HALL AIA, LIMITED
ARCHITECTURE AND PLANNING
7273 PEAK DRIVE, SUITE 250
LAS VEGAS, NEVADA 89128
TEL 702 363 2222 FAX 702 363 6080
www.swisherhall.com

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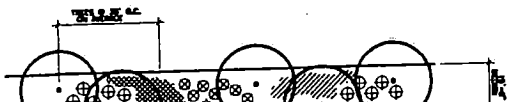
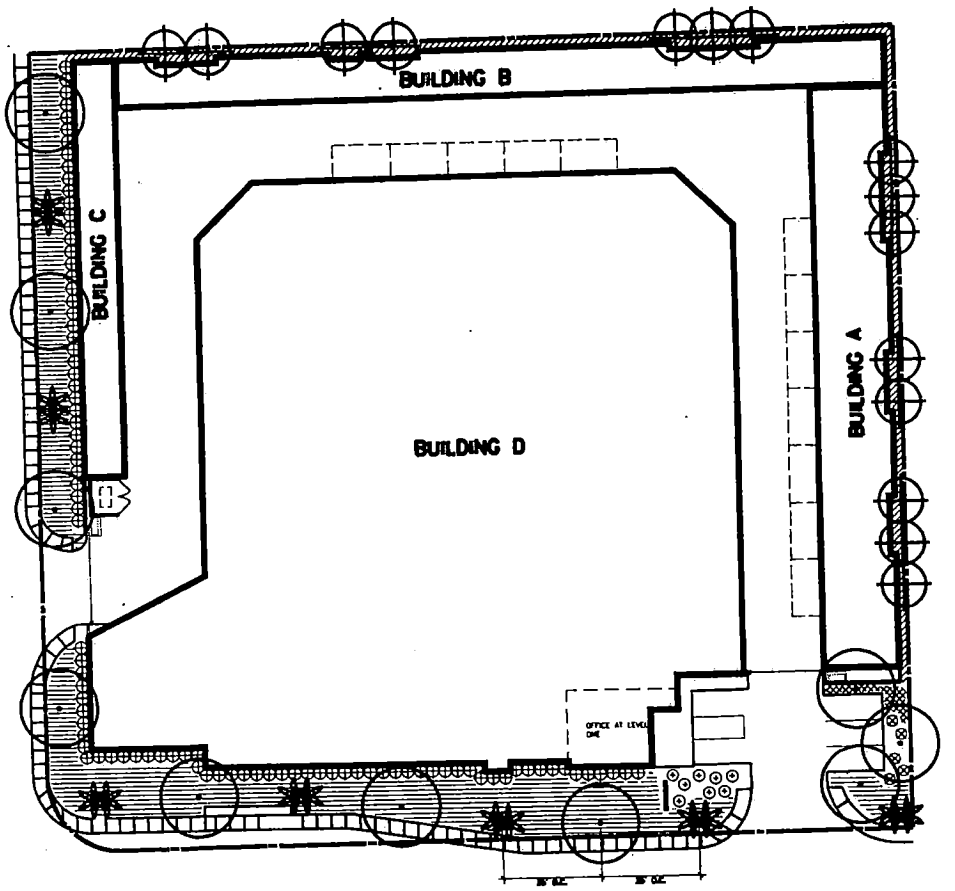


TYPICAL MEDIAN PLANTING



PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY	REMARKS
⊕	PINUS ELDARICA	MONDEL PINE	24" BOX	15	STANDARD TRUNK
·	FRAXINUS VELUTINA "RIO GRANDE"	RIO GRANDE ASH	24" BOX	10	STANDARD TRUNK
✱	SOPHORA SECUNDA MIS	RIO GRANDE ASH	24" BOX	14	STANDARD TRUNK
⊗	BACCHARIS SPICATA	ATRIPLEX 4WG	5 GALLON		
⊕	FEIJOA SELLOWIANA	PINEAPPLE GUAVA	5 GALLON		
○	HEMEROCALLIS SP.	DAYLILY	5 GALLON		
⊙	MYLEGRIA CONGESTUM	MYLEGRIA	5 GALLON		
▨	ACACIA REDOLENS "DESERT CARPET"	DESERT CARPET ACACIA	1 GALLON		36" O.C.
▨	LANTANA "NEW GOLD"	NEW GOLD LANTANA	1 GALLON		24" O.C.
▨	PENNISETUM SPICATUM CRUZ	SPICATA CRUZ PENNISETUM	1 GALLON		36" O.C.

MOUNTAIN GOLD DECOMPOSED GRANITE, 1/2" SCREENED @ 3" DEPTH IN ALL PLANTER AREAS

NOTES:

DISCREPANCIES BETWEEN THE DRAWINGS AND SITE SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT FOR CLARIFICATION BEFORE STARTING WORK.

CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO STARTING WORK.

LANDSCAPE ARCHITECT OR HIS REPRESENTATIVE RESERVE THE RIGHT TO REFUSE ANY PLANT MATERIAL/ROCK MATERIAL DEEMED UNACCEPTABLE.

LANDSCAPE CONTRACTOR TO PROVIDE AGRONOMY TESTING FOR THIS SITE AND COMPLY WITH THE TESTING LAB'S RECOMMENDATIONS FOR BACKFILL MIX ADDITIVES. SUBMIT REPORT TO LANDSCAPE ARCHITECT.

BACKFILL MIX FOR ALL PLANTINGS (EXCEPT FOR PALMS) SHALL CONSIST OF THE FOLLOWING ELEMENTS BY PERCENTAGE OF VOLUME:

50% NATIVE SOIL
40% DRAIN MULCH
10% SOIL SULPHER
1# GYPSUM

DRAIN MULCH AVAILABLE THROUGH THE FOLLOWING SOURCE:

WESTERN GROWERS
LAS VEGAS, NEVADA
(702) 639-4378

DIMENSIONS INDICATED ARE FOR CONVENIENCE ONLY, CONTRACTOR TO VERIFY ALL DIMENSIONS.

ROCK MULCH AREAS TO BE WEEDED BEFORE AND AFTER INSTALLATION WITH PRE-EMERGENT HERBICIDE.

ALL PLANTING AREAS SHALL RECEIVE ROCK MULCH. ROCK MULCH SHALL BE MOUNTAIN GOLD DECOMPOSED GRANITE, 3/4" SCREENED AT A DEPTH OF 3". SUBMIT SAMPLES TO LANDSCAPE ARCHITECT. (SEPARATE WATERWISE MATERIALS BY APPROVED COLOR.)

BWA
LANDSCAPE ARCHITECTS

Date 3/13/05

Storage West ● Town Center
Located ● Centennial Pkwy & Kevin St, Las Vegas, NV
Prepared for: Swisher & Hall Architects

Landscape Plan

Drawn By LG
Checked By DW
Scale 1"=20'-0"
Job No. 05-005

REVISED
3.16.05

L-1

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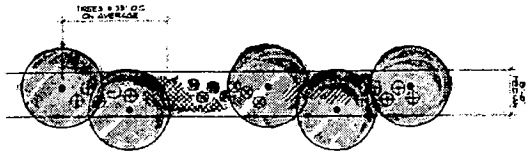
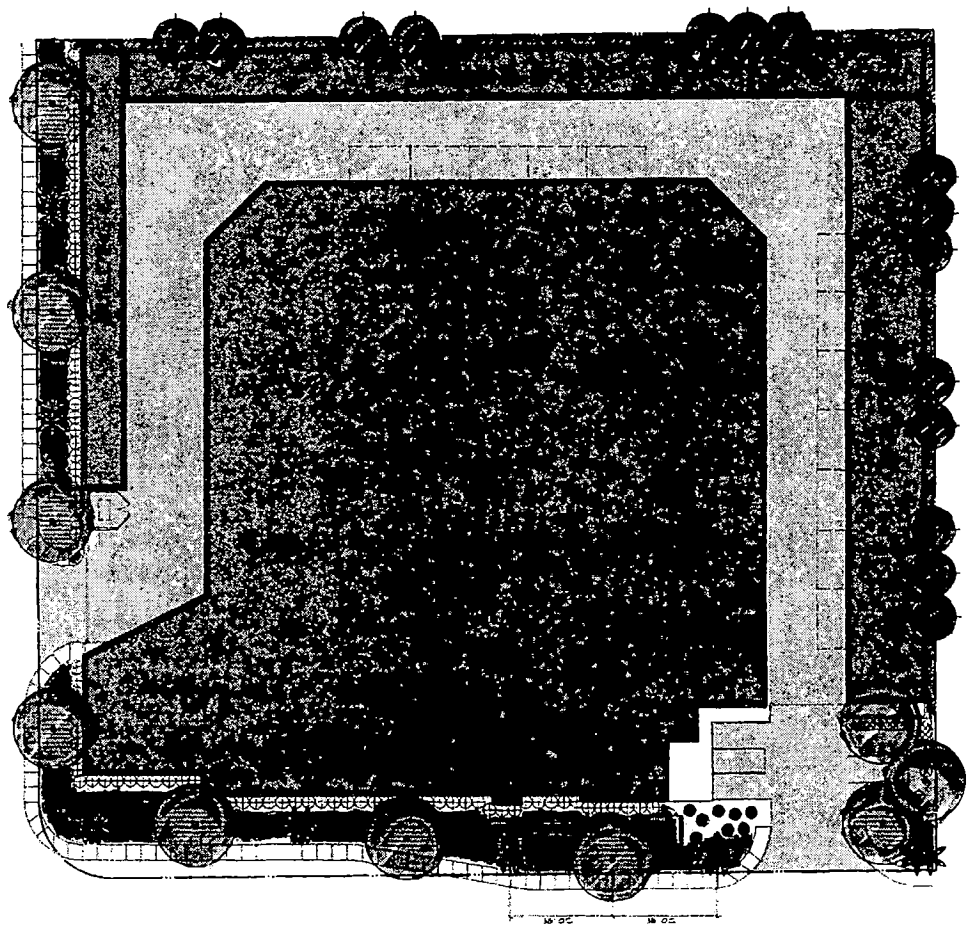


TYPICAL MEDIAN PLANTING



CENTENNIAL PKWY

PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY	REMARKS
	PINUS ELDARICA	MONDEL PINE	24" BOX	13	STANDARD TRUNK
	FRAXINUS VELUTINA 'RIO GRANDE'	RIO GRANDE ASH	36" BOX	6	STANDARD TRUNK
	JASMINSTONIA ROBUSTA H.B.	RIO GRANDE ASH	20 STD.	14	BANNED TRUNK
	DIETES VEGETA	AFRICAN IRIS	5 GALLON		
	FEIJOA SELLOWIANA	PINEAPPLE GUAVA	5 GALLON		
	HEMEROCALLIS SP.	DAYLILY	5 GALLON		
	XYLOSMA CONGESTUM	XYLOSMA	5 GALLON		
	ACACIA REG. 'DESERT CARPET'	DESERT CARPET ACACIA	1 GALLON	36" OC	
	LANTANA 'NEW GOLD'	NEW GOLD LANTANA	1 GALLON	24" OC	
	ERIACANTHA SANTA CRUZ	SANTA CRUZ ERIACANTHA	1 GALLON	36" OC	
	MOJAVE GOLD DECOMPOSED GRANITE 1/8" SCREENED @ 3" DEPTH IN ALL PLANTER AREAS				

NOTES:

DISCREPANCIES BETWEEN THE DRAWINGS AND SITE SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT FOR CLARIFICATION BEFORE STARTING WORK.

CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO STARTING WORK.

LANDSCAPE ARCHITECT OR HIS REPRESENTATIVE RESERVE THE RIGHT TO REFUSE ANY PLANT MATERIAL/ROCK MATERIAL DEEMED UNACCEPTABLE.

LANDSCAPE CONTRACTOR TO PROVIDE AGRONOMY TESTING FOR THE SITE AND COMPLY WITH THE TESTING LABS RECOMMENDATIONS FOR BACKFILL MIX ADDITIVES. SUBMIT REPORT TO LANDSCAPE ARCHITECT.

BACKFILL MIX FOR ALL PLANTINGS (EXCEPT FOR PALMS) SHALL CONSIST OF THE FOLLOWING ELEMENTS BY PERCENTAGE OF VOLUME:

50%	LASHED SOIL
45%	GRO MULCH
1%	SOIL SULPHER
4%	GYPSUM

GRO MULCH AVAILABLE THROUGH THE FOLLOWING SOURCE:

WESTERN ORGANICS
LAS VEGAS, NEVADA
(702) 633-0370

QUANTITIES INDICATED ARE FOR CONVENIENCE ONLY. CONTRACTOR TO VERIFY ALL QUANTITIES.

ROCK MULCH AREAS TO BE TREATED BEFORE AND AFTER INSTALLATION WITH PRE-EMERGENT HERBICIDE.

ALL PLANTING AREAS SHALL RECEIVE ROCK MULCH. ROCK MULCH SHALL BE MOJAVE GOLD DECOMPOSED GRANITE, 3/8" SCREENED AT A DEPTH OF 3" SUBMIT SAMPLES TO LANDSCAPE ARCHITECT (SOURCE: KALAMAZOO MATERIALS OR APPROVED EQUAL)

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03/24/05 PC

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MAR 16 2005

BWA
LANDSCAPE ARCHITECTURE
[illegible]
[illegible]

Seal

Date 3/8/05
Revisions
1.
2.
3.
4.

Project Title
Storage West @ Town Center
Located • Centennial Pkwy & Kevin St, Las Vegas, NV
Prepared for: Swisher & Hall Architects

Sheet Title
Landscape Plan

Drawn By: LS
Checked By: DD
Scale: 1"=20'-0"
Job # 05-004

Sheet #
L-1

STORAGE WEST

STORAGE WEST
SELF STORAGE
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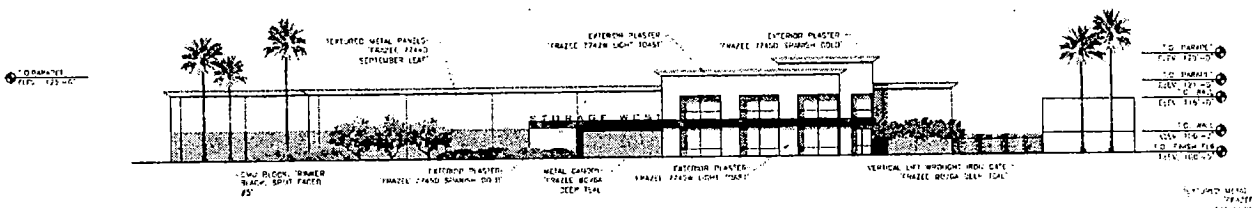
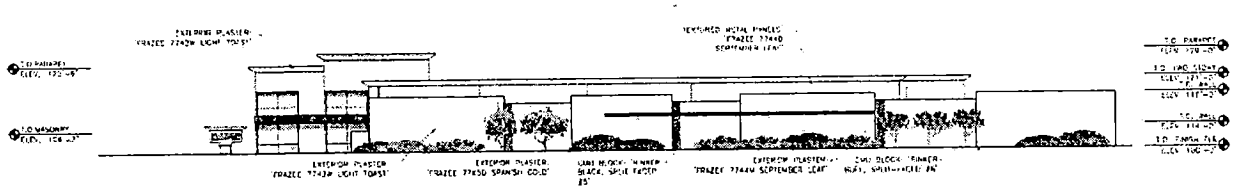
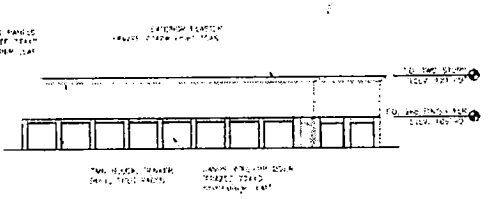


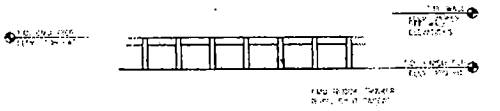
SOUTH ELEVATION - CENTENNIAL PARKWAY



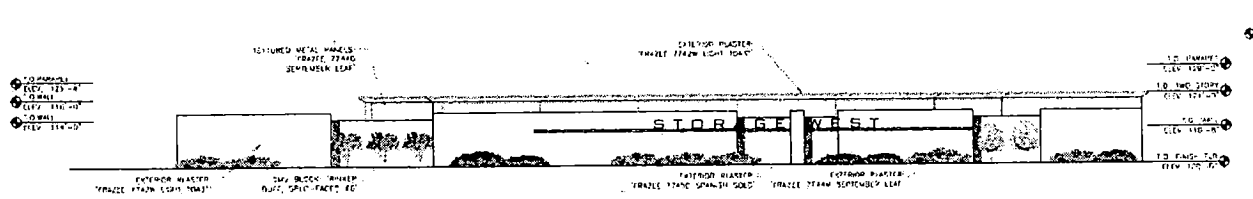
EAST ELEVATION



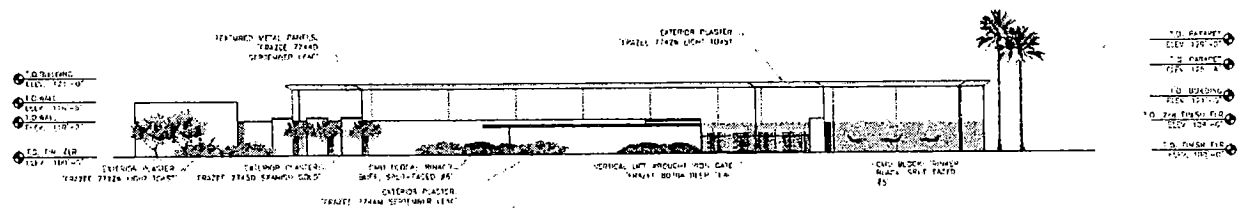
TYPICAL TWO STORY BLDG.



TYPICAL ONE STORY BLDG.



NORTH ELEVATION



WEST ELEVATION KEVIN STREET

ZONING SUBMITTAL
ELEVATIONS

NOTE: LANDSCAPING SHOWN IS APPROXIMATE -
SEE LANDSCAPE PLAN FOR ACTUAL LANDSCAPING

SDR-6097
03/24/05 PC

SWISHER & HALL A.I.A., LIMITED
ARCHITECTURE AND PLANNING
2370 PEAK DRIVE, SUITE 250
LAS VEGAS, NEVADA 89128
TEL 702 363 7772 FAX 702 363 7080
www.swisherhall.com

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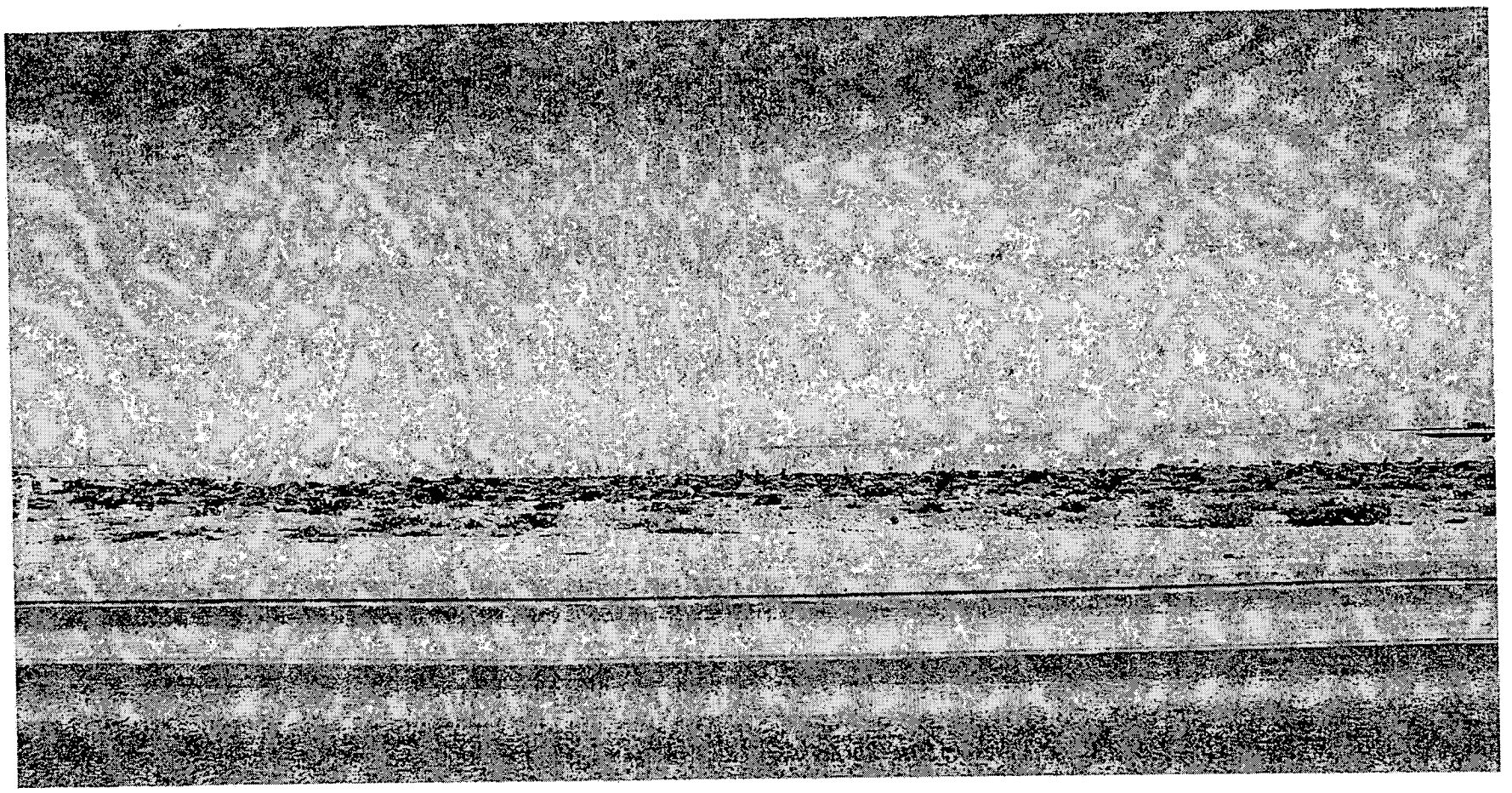
ZON-6100, VAR-6230, SUP-6099, SDR-6097, AND VAC-6101 - APPLICANT: LAACO, LTD./STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC
NORTHEAST CORNER OF CENTENNIAL PARKWAY AND KEVIN STREET
MARCH 24, 2005 PLANNING COMMISSION

2/28/05



ZON-6100, VAR-6230, SUP-6099, SDR-6097, AND VAC-6101 - APPLICANT: LAACO, LTD./STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC
NORTHEAST CORNER OF CENTENNIAL PARKWAY AND KEVIN STREET
MARCH 24, 2005 PLANNING COMMISSION

2/28/05

SITE DESIGN REVIEW

Justification Letter

The mini-storage facility consists of approximately 91,400 square feet in one two story building and single story buildings on the perimeter of the west, north and east property lines.

The project will provide only enclosed storage space with an office. There will be no truck rentals, or outdoor RV storage space. Service Commercial is governed by Development Standards established for C-1 zoning.

The applicant is requesting waivers from the Las Zoning Code, Title 19, as follows:

Chapter 19.08 - Table 3, Commercial District Design Standards, Page 42.

1(a)	Minimum side yard setback	10 feet
	Applicant request - side yard	3 to 5 feet
1(b)	Minimum rear yard setback	20 feet
	Applicant request - rear yard	3 to 5 feet
2	Maximum Lot Coverage	50%
	Applicant request	61%

The applicant is requesting the side and rear yard setback waivers as part of the overall security of the project. Perimeter line buildings act as a deterrent to unauthorized persons accessing the facility. The property adjacent to the north property line is master planned TC-SC. The property to the east has been approved for a retail center.

The applicant requests a waiver of 11% in the maximum lot coverage. This waiver allows the applicant to design a project with two stories at a maximum height of 29 feet. The property located on the southwest corner of Centennial Parkway and Kevin consists of single family residences. Currently under construction on the property on the northwest corner of Centennial Parkway and Kevin is a high density residential development. Both of these properties lie outside Town Center.

Failure to allow the waiver would require the two story building to become a three story building at a height of approximately 37 feet. The applicant believes the current design would create a less massive buffer between more intense commercial development and the residential developments.

Title 19, paragraph 19.06.110(E), Page 45 - Open Space and Landscape Area Requirements. This section specifies "a minimum of 20% of the gross property area of projects in the T-C District consist of a combination of open space, recreation facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities and landscaped areas in public rights-of-way."

The site plan reflects the nature of a mini-storage facility; that is it is a business located behind walls and gates, with access limited to storage customers with secret gate access codes. It is not possible to provide public access to the interior of the facility including recreation facilities, pedestrian and bikeway facilities or other common community facilities. This is further compounded by the small size of the parcel of land.

In an attempt to meet the intent of this standard, the applicant has provided landscaping equal to 13% of the gross property area. In addition, the applicant would welcome the opportunity to work with staff in designing the landscape plan that would exceed the standard.

A mini-storage project at this location is an excellent use for this parcel. It serves as an appropriate buffer between the residential developments in the area and more intense commercial development allowed to the north and east.

City of Las Vegas

Agenda Item No.: 19

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
ZON-6116 - REZONING - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), Ward 6 (Mack).

C.C.: 04/20/05

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with TRUESDELL excused

To be held in abeyance to the 4/14/2005 Planning Commission meeting

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open on Item 19 [ZON-6116], Item 20 [WVR-6229], Item 21 [VAR-6118] and Item 22 [SDR-6117].

PETER LOWENSTEIN, Planning & Development, gave a brief overview of the applications. He stated that the applicant is requesting a 56 percent reduction in open space and a waiver for the required 220-foot separation distance between intersections. The waiver was noticed as a 104-foot separation; however, the applicant needs only a 129-foot separation. As there is no legal basis to grant a variance for reducing the required open space by more than 50 percent, staff recommended denial on the variance request and all accompanying applications.

MINUTES – Continued:

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, Las Vegas, NV, appeared on behalf of the applicant and property owner. The subject location is an out parcel adjacent to Iron Mountain Ranch. With the development in the subject area, the proposed development becomes an infill piece of property. The subject property is already Master Planned for Medium Low Density, which allows up to eight units per acre. The zone change request with the proposed development is for 68 homes with R-PD 7.

ATTORNEY GRONAUER explained some of the impacts on the design of the subject property relative to the location on Grand Teton Drive and Decatur Boulevard. Grand Teton Drive and Decatur Boulevard are both 120-foot wide streets. There is a power easement in the area that has an impact on the proposed development. The applicant is required to give an additional dedication of a minimum 10 feet for a right turn lane. The applicant is also required to provide a bus turnout on Grand Teton Drive, which would be approximately 70 feet for a 120-foot right-of-way. The egress/ingress is located on Decatur Boulevard, which only allows for right in and right out due to the median on Decatur Boulevard. The proposed development could not function with only one right in/right out on Decatur Boulevard, so another egress/ingress point will be on Grand Teton Drive. Staff agreed that this is a legal justification and/or hardship relative to the location of the intersection.

In addition, the applicant is providing a 37-foot trail buffer along Decatur Boulevard, which gives the residents a buffer to their backyards. Along Grand Teton Drive, the typical lot size is 37 x 90; however, the subject development has extended lots up to 104 feet, which adds an additional 10 feet in their rear yards. With respect to the open space, it has been placed in the rear yards as private open space. Although the number of lots allowed under Medium Low Density is 84, the applicant is proposing only 63, so there is not an attempt to take advantage of the density allowed with this type of development.

RICHARD LINSMEIER, 5017 Elkin Creek Avenue, Las Vegas, NV and STEVE ROSS, 5950 W. Rosada Way, Las Vegas, NV, both opposed the subject development. They felt that the property is an in fill property, and the immediate surrounding land is zoned R-PD5. If the developer would redesign the proposed development to R-PD5, it would alleviate the open space requirements. The subject development lacks interior open space and does not reflect other zonings in the area, such as the Iron Mountain Ranch development.

ATTORNEY GRONAUER responded that the Master Plan for the Iron Mountain Ranch development was under different circumstances. In that particular area, those properties were master planned Low Density, which is approximately 5.49 dwelling units to the acre. With the subject development, there is not a request for a General Plan Amendment. The request is a zone change to conform to the Master Plan itself. The zoning under the Code allows for some transition zoning with the subject site.

MINUTES – Continued:

Although COMMISSIONER McSWAIN appreciated ATTORNEY GRONAUER'S presentation, she commented that along with the Master Plan, there are other issues to consider with development such as compatibility. She pointed out an important fact with R-PD5 zoning, as it allows for creative development in exchange for some amenities such as open space. She recognized the fact that developers are sometimes challenged with some of their sites, yet it was her opinion that the proposed development lacked creativity and open space and needed to be redesigned.

COMMISSIONER STEINMAN agreed with COMMISSIONER McSWAIN'S comments. Although he understood the subject site was challenged, he felt that the eight 30-foot lots in the middle of the proposed development were preposterous. He suggested having a park in the center of the proposed development with access to the park from Lots 50 and 61.

ATTORNEY GRONAUER also suggested removing two lots from the center of the proposed development. Instead of open space, the remaining lots would be wider and longer, similar to the other lots. COMMISSIONER STEINMAN reiterated that this would defeat the purpose of having open space, which is to provide a recreational facility within the confines of the planned development.

COMMISSIONER EVANS agreed with both of the Commissioners' comments. He added that as the City continues to grow, particularly in the northwest, the mantra is "with property values, we need the greater density". The trade-off for density is innovative, creative, pedestrian oriented designs, as was not the case with the proposed development. He was concerned that as these proposed developments come forward, they are lacking the "trade offs" in lieu of open space and have the appearance of rat mazes. Las Vegas has tremendous growth opportunities, and any upcoming development should not be shortchanged, as the bar needs to be raised.

COMMISSIONER GOYNES agreed with all the previous Commissioners' comments. He pointed out that the R-PD developments by Rapid River Court, Stumbling Colt Court and Indigo Gorge Avenue all have some open space and emphasized that the proposed development needed open space. ATTORNEY GRONAUER confirmed for the Commissioner that the easement and the trail were designed per Code and were inclusive of the open space. COMMISSIONER GOYNES then stated the proposed development could be a R-PD5 if the applicant eliminated some of the lots.

ATTORNEY GRONAUER respectfully opposed the Commission's suggestion to make the proposed development as a R-PD5. He stated that the developer is allowed up to eight dwelling units to the acre and only doing five units to the acre would not be acceptable given the

MINUTES – Continued:

aforementioned impacts on the subject site. He suggested moving forward with the zoning and waiver requests.

Although he disagreed with some of ATTORNEY GRONAUER'S presentation, CHAIRMAN NIGRO complimented him on his representation for the applicant. He could support the zoning request, as it is in compliance with the Master Plan. He expressed concern with the Site Plan, as developments at the proposed density can be done with substantial compliance of a R-PD development. He would like to see more effort put into the design of the proposed development.

ATTORNEY GRONAUER then suggested holding the Site Plan in abeyance to allow time to redesign the proposed development. However, he felt that the zoning and waiver requests were justifiable and requested moving forward with those applications. CHAIRMAN NIGRO commented that all the applications could be held in abeyance, which could give the applicant flexibility with the driveways once the subject site is redesigned.

For clarification, COMMISSIONER McSWAIN expressed that her concern was with the design of the proposed development and not so much the density, as it was the Commission's overall opinion. She explained for ATTORNEY GRONAUER that she believed it has not been the Commission's policy in the past to approve only some of the applications and have only some of the applications coming back before the Commission. She did not see any reason why all of the applications could not be held in abeyance so the applicant could redesign the subject development and bring it back before the Commission again.

ATTORNEY GRONAUER responded that an associate in their office just recently worked on another project on Ann Road and Balsam Street where a portion of the applications went forward and the Site Plan was held for review, which is why he suggested doing so in this case. COMMISSIONER McSWAIN did not think that process was the norm and would support the Commission in their decision.

MARGO WHEELER, Planning and Development, affirmed that it is the Site Plan that dictates what the standards are for that zoning. The Site Plan is required with the R-PD in order to move forward because this is where the development standards come from.

CHAIRMAN NIGRO questioned that in the past the Commission has zoned property into Town Center without a Site Plan or some properties have been zoned in Town Center and the Site Plan has been held or denied because it was conforming at that time. MS. WHEELER clarified it is specific to R-PD only.

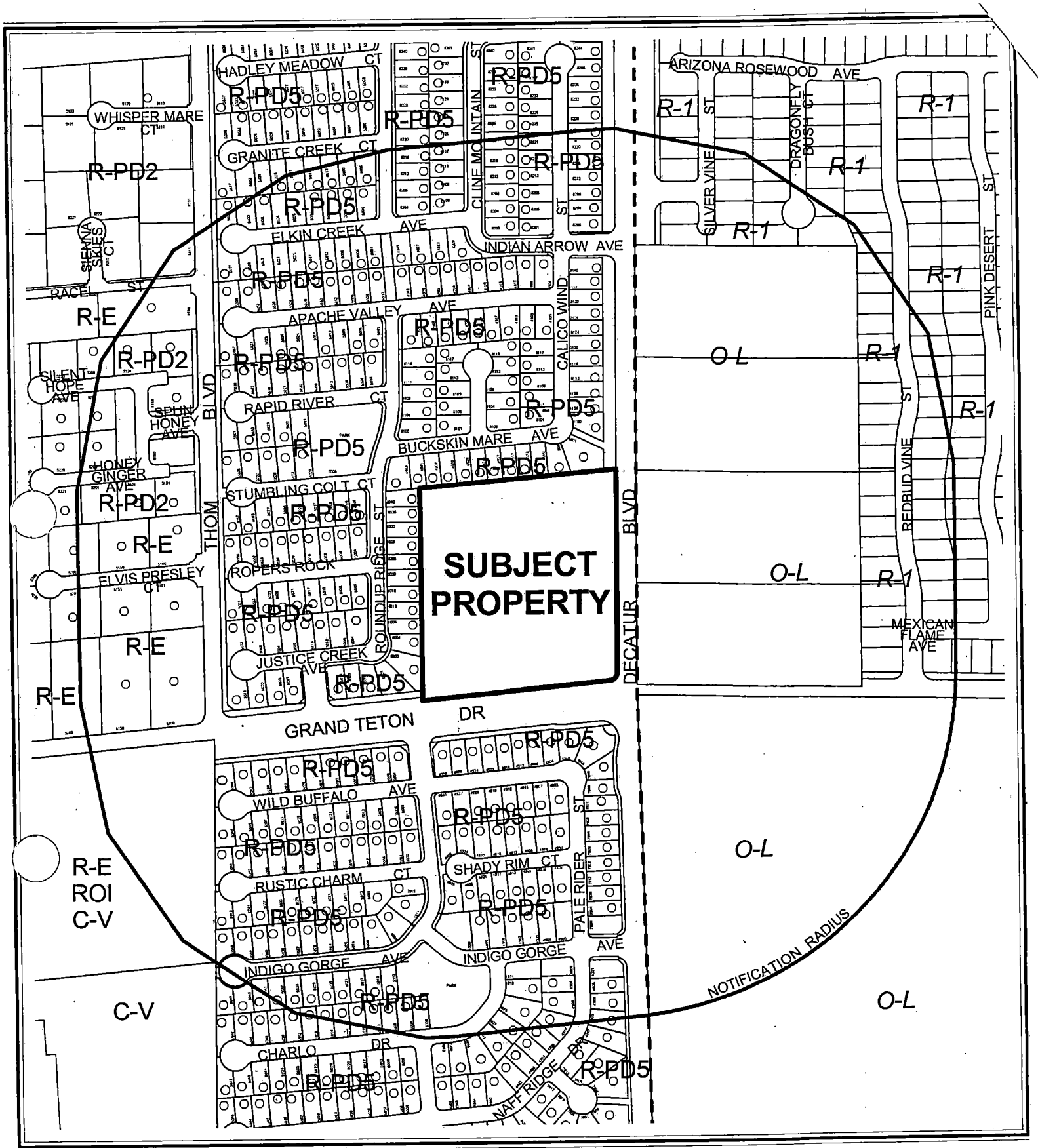
MINUTES – Continued:

MR. LEOBOLD clarified that the project on Ann Road and Balsam Street that ATTORNEY GRONAUER referred to was for a General Plan Amendment, where that application went forward because there was not a design aspect. The zoning was held with the Site Plan.

ATTORNEY GRONAUER was concerned with time constraints and preferred only a two-week abeyance. DEPUTY CITY ATTORNEY BRYAN SCOTT advised ATTORNEY GRONAUER that it would be the Commission's option to decide whether or not to hold the items in abeyance. CHAIRMAN NIGRO wanted a commitment from the applicant as to when the revised Site Plan would be submitted to ensure that staff and the Commission would have sufficient time to review the revised Site Plan prior to the meeting date. ATTORNEY GRONAUER then advised the Commission that the revised Site Plan may not meet the open space requirements but would like for the Commission to move forward once the applications are brought before the Commission again. CHAIRMAN NIGRO stated that the applicant could still apply for a waiver or variance with the redesigned Site Plan. ATTORNEY GRONAUER concurred that he would obtain the names of the residents in attendance so they could receive a copy of the revised Site Plan and have an opportunity to make comments at the meeting.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 19 [ZON-6116], Item 20 [WVR-6229], Item 21 [VAR-6118] and Item 22 [SDR-6117].

(7:13 – 7:51)

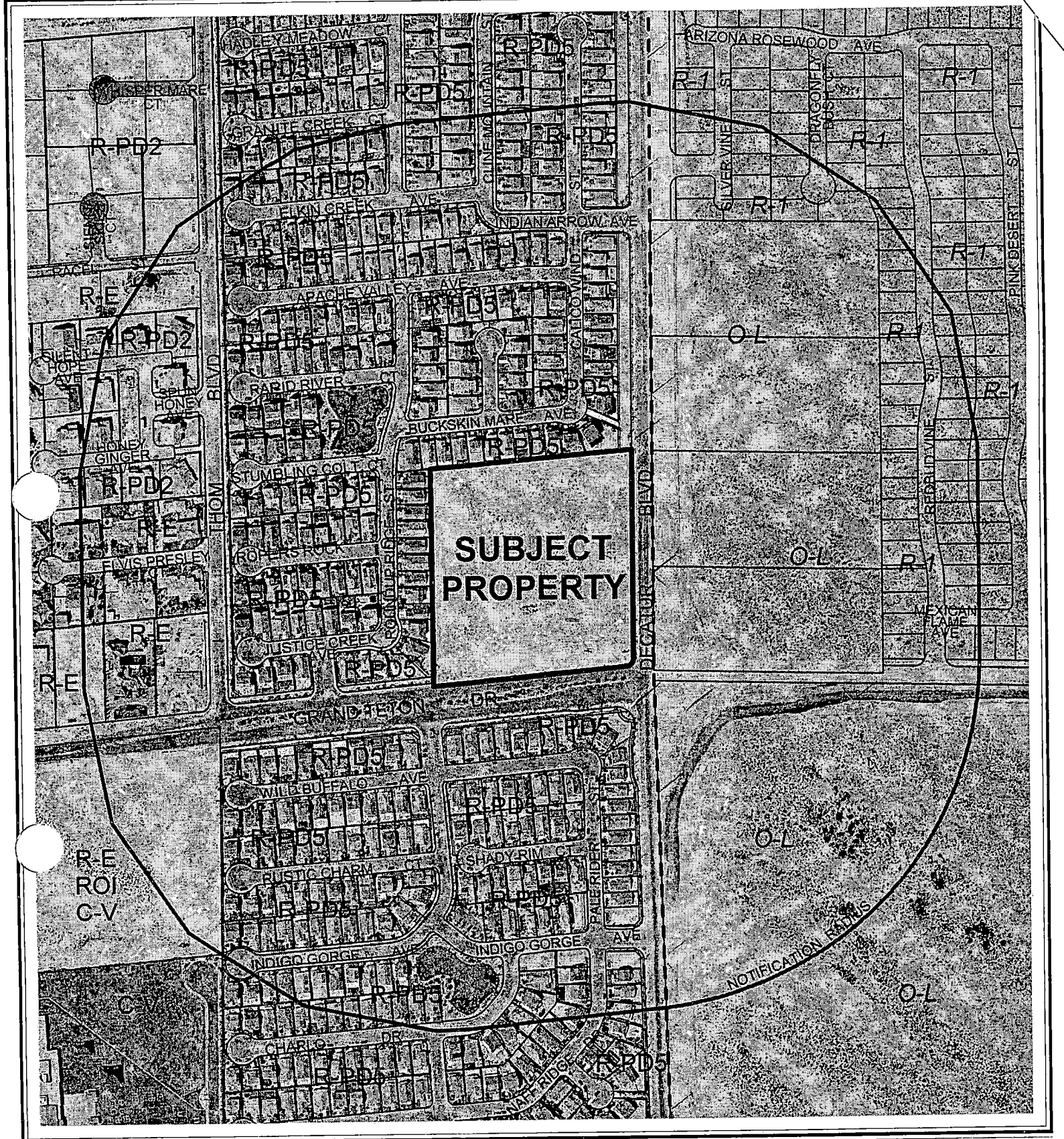


CASE: **ZON-6116**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)



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CASE: **ZON-6116**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6116 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y, LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

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

2. A Variance (VAR-6118), a Waiver (WVR-6229), and a Site Development Plan Review (SDR-6117) approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 60 feet on Grand Teton Drive adjacent to this site and dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Grand Teton Drive and Decatur Boulevard. Additional dedications in accordance with Standard Drawing #201.1 and #234.1 or #234.3 for a bus stop turn out shall also be provided unless specifically not required in the approved Traffic Impact Analysis.

4. Construct all incomplete half-street improvements on Grand Teton Drive and half street improvements on Decatur Boulevard, including the full width of the median island and appropriate overpaving, adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. 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. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site.

6. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.

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 R-E (Residence Estates) to R-PD7 (Residential Planned Development - 7 units per acre) on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard.

B) Applicant's Justification

A letter was submitted with the application to explain that the subject request is being made for a proposed 68-lot single-family residential development. It further states that the addition of single-family homes at this location will increase traffic slightly, but any traffic concerns will be addressed either by submittal of a traffic study or through a traffic mitigation agreement.

BACKGROUND INFORMATION

A) Related Actions

05/20/92 The City Council approved a request to Rezone (Z-0135-90) the subject property to an R-E (Residence Estates) Zone. The Planning Commission recommended approval.

03/24/05 The Planning Commission is scheduled to review accompanying applications for a Variance (VAR-6116) to reduce the required amount of open space, for a Waiver (WVR-6229) of Title 18 requirements in the separation of off-setting intersections, and for a Site Development Plan Review for a proposed single-family residential development on the subject property.

B) Pre-Application Meeting

01/26/05 The staff met with the prospective applicant on a proposed single-family residential development on the subject property. The staff discussed the various applications needed to develop the property as proposed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Rezoning request, and one was not held.

DDS

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	9.91
Net Acres:	8.31

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-PD5 (Residential Planned Development – 5 units per acre)
South:	R-PD5 (Residential Planned Development – 5 units per acre)
East:	North Las Vegas
West:	R-PD5 (Residential Planned Development – 5 units per acre)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified in the ML (Medium-Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 68 single-family lots on 9.91 acres generates a density of development of 6.9 dwelling units per acre, which is within the allowable density of the ML (Medium-Low Density Residential) land use classification.

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

There are no special plans or overlays that affect the subject site.

DDS

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The development standards are presented with the Site Development Plan Review (SDR-6117) that accompanies this application.

B) General Analysis and Discussion

This application is for a Rezoning from R-E (Residence Estates) to R-PD7 (Residential Planned Development - 7 units per acre) on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard. A total of 68 lots are proposed for an overall density of 6.9 dwelling units per acre. The subject property is located in the Centennial Hills Sector of the General Plan and is classified in the ML (Medium-Low Density Residential) land use category that permits up to eight dwelling units per acre. Since the R-PD7 zoning district permits up to 7.49 dwelling units per acre, the proposed density is well within the maximum density allowed in the ML (Medium-Low Density Residential) land use classification.

In conjunction with this application, are applications for a Site Development Plan Review (SDR-6117), a Waiver of a Title 18 standard (WVR-6229), and a Variance to reduce by more than half the required amount of open space for the development. Because there appears to be no legal basis for a reduction in the amount of open space, it is recommended that that application be denied. For that reason, it is recommended that this application and all accompanying applications be denied.

FINDINGS

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 presently classified the ML (Medium Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 68 single-family lots on 9.91 acres generates a density of development of 6.9 dwelling units per acre and conforms to 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."**

Property adjacent to the subject property to the north, west and south are developed for single-family dwellings in a R-PD5 (Residential Planned Development – 5 Units per Acre) zoning district. The density of R-PD5 is compatible with a R-PD7 zoning district.

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

The subject property is an infill site that is surrounded on three sides by single-family development at slightly less density. The property fronts on two Parkway Arterial streets that, according to the Master Plan of Streets and Highways, are designed for a right-of-way width of 120 feet. Because of the expected volume of traffic on these streets, the subject property was designated for a higher density of single-family residential development than adjacent properties. The subject request for R-PD7 is appropriate for this higher density land use classification.

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."**

As mentioned above, the property fronts on two Parkway Arterial streets that, according to the Master Plan of Streets and Highways, are designed for a right-of-way width of 120 feet. Access is proposed to Grand Teton Drive, which is adequate to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

NOTICES MAILED 379 [Mailed with VAR-6118, WVR-6229 and SDR-6117]

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6116 APN: 125-12-802-020

Name of Property Owner: Lee Arnold 10

Name of Applicant: Power Realty

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: Raymond W. Arnold

Print Name: Raymond W. Arnold A LEE

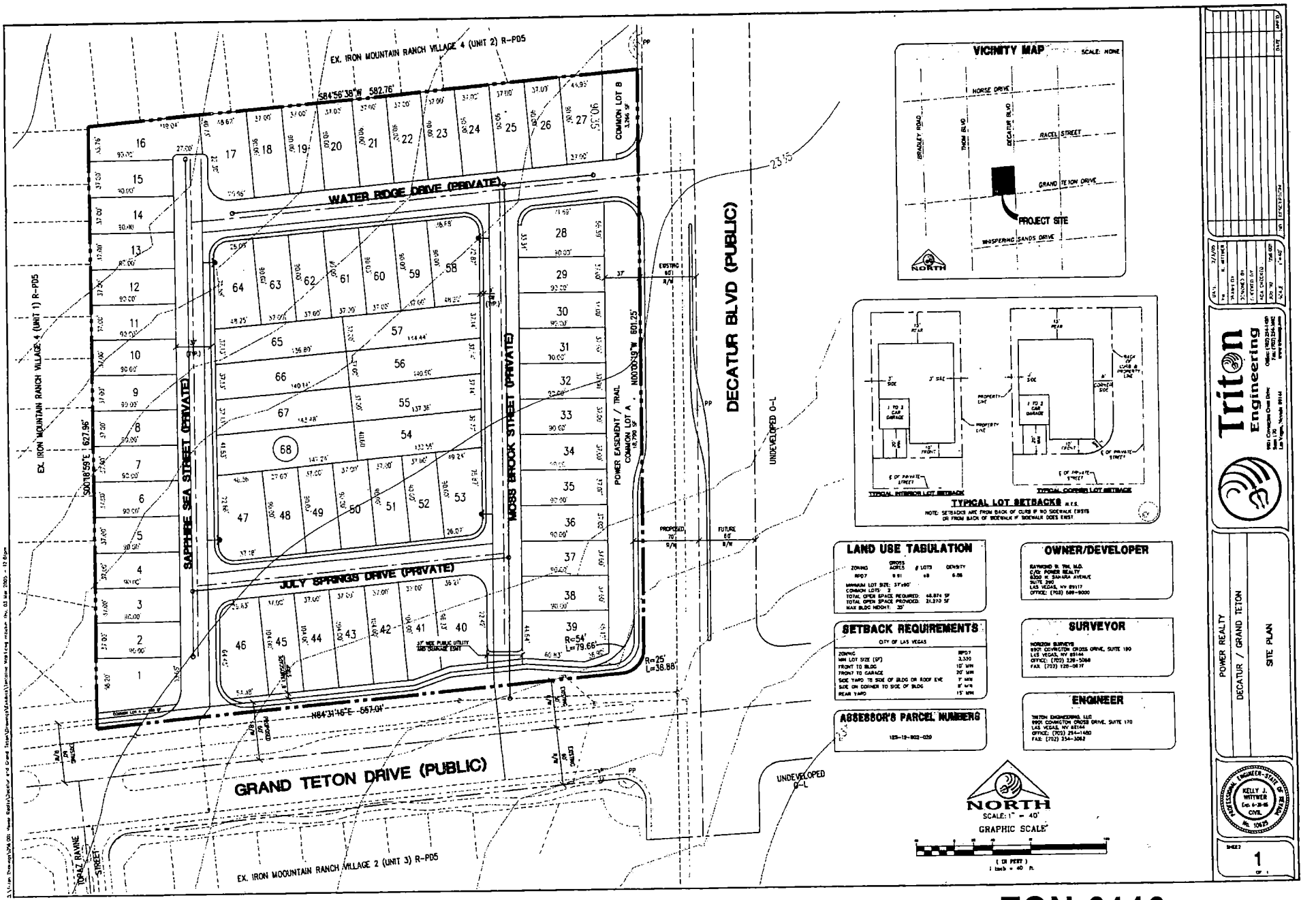
Subscribed and sworn before me

This 12 day of Jan, 2005

Dawn Giordano

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DAWN GIORDANO
No: 00-66244-1
My Appointment Expires Jan. 1, 2009



LAND USE TABULATION

ZONING	GROSS ACRES	# LOTS	DENSITY
RPD7	9.91	68	6.86

MINIMUM LOT SIZE: 57'x90'
COMMON LOTS: 2
TOTAL OPEN SPACE REQUIRED: 46,874 SF
TOTAL OPEN SPACE PROVIDED: 51,370 SF
MAX BLDG HEIGHT: 35'

SETBACK REQUIREMENTS

CITY OF LAS VEGAS

ZONING	RPD7
MIN LOT SIZE (SF)	3,330
FRONT TO BLDG	10' MIN
FRONT TO GARAGE	20' MIN
SIDE YARD TO SIDE OF BLDG OR ROOF EVE	3' MIN
SIDE ON CORNER TO SIDE OF BLDG	8' MIN
REAR YARD	15' MIN

ASSESSOR'S PARCEL NUMBERS

125-19-802-029

OWNER/DEVELOPER

RAYMOND B. TIM, M.D.
C/O: POWER REALTY
8329 W. SAHARA AVENUE
SUITE 200
LAS VEGAS, NV 89117
OFFICE: (702) 589-9000

SURVEYOR

HORIZON SURVEYS
9307 COVINGTON CROSS DRIVE, SUITE 190
LAS VEGAS, NV 89144
OFFICE: (702) 228-5068
FAX: (702) 228-0617

ENGINEER

TRITON ENGINEERING, LLC
9307 COVINGTON CROSS DRIVE, SUITE 170
LAS VEGAS, NV 89144
OFFICE: (702) 254-1480
FAX: (702) 254-3062

NORTH
SCALE: 1" = 40'
GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

Triton Engineering
9307 Covington Cross Drive, Suite 170
Las Vegas, Nevada 89144
Office: (702) 254-1480
Fax: (702) 254-3062

POWER REALTY
DECATUR / GRAND TETON

SITE PLAN

KELLY J. WITMER — Exp. 6-30-06 — CIVIL — No. 10675

SHEET 1 OF 1

ZON-6116
03/24/05 PC

Triton
Engineering

February 8, 2005

City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89102

Reference: **Re-zoning for a property located on the NWC of Decatur Blvd. and Grand Teton Dr.**
APN # 125-12-802-020

To Whom It May Concern:

On behalf of our client, Power Realty, we respectfully submit this letter of justification for a Re-zoning request for a proposed 68 lot single family project called Decatur and Grand Teton.

The applicant is requesting that this parcel be re-zoned from R-E to RPD-7 for a proposed 68 lot single-family residential development. Re-zoning to the RPD-7 district will provide for the development of these 68 lot single-family residential lots. We believe that the addition of single family homes at this location will increase traffic slightly, but any traffic concerns will be addressed either by submittal of a traffic study or through a traffic mitigation agreement.

Please place the attached request on the Planning Commission agenda. If your have any questions or require additional information, please contact me at 254-1480 (office) or 845-8099 (cell).

Sincerely,

Stacey Medina

Stacey Medina
Project Coordinator

9901 Covington Cross Drive, Suite 170 • Las Vegas, Nevada 89144
Office: (702) 254-1480 • Fax: (702) 254-3062 • www.tritoneng.com

City of Las Vegas

Agenda Item No.: 20

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
WVR-6229 - WAIVER RELATED TO ZON-6116 AND VAR-6118 - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP - Request for a Waiver of Title 18.12.160 TO ALLOW 104 FEET BETWEEN INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED FOR A SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), R-E (Residence Estates) Zone [PROPOSED: R-PD7 (Residential Planned Development - 7 units per acre) Zone], Ward 6 (Mack).

C.C.: 04/20/05

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with TRUESDELL excused

To be held in abeyance to the 4/14/2005 Planning Commission meeting

MINUTES:
See Item 19 [ZON-6116] for related discussion on Item 19 [ZON-6116], Item 20 [WVR-6229], Item 21 [VAR-6118] and Item 22 [SDR-6117].

(7:13 – 7:51)

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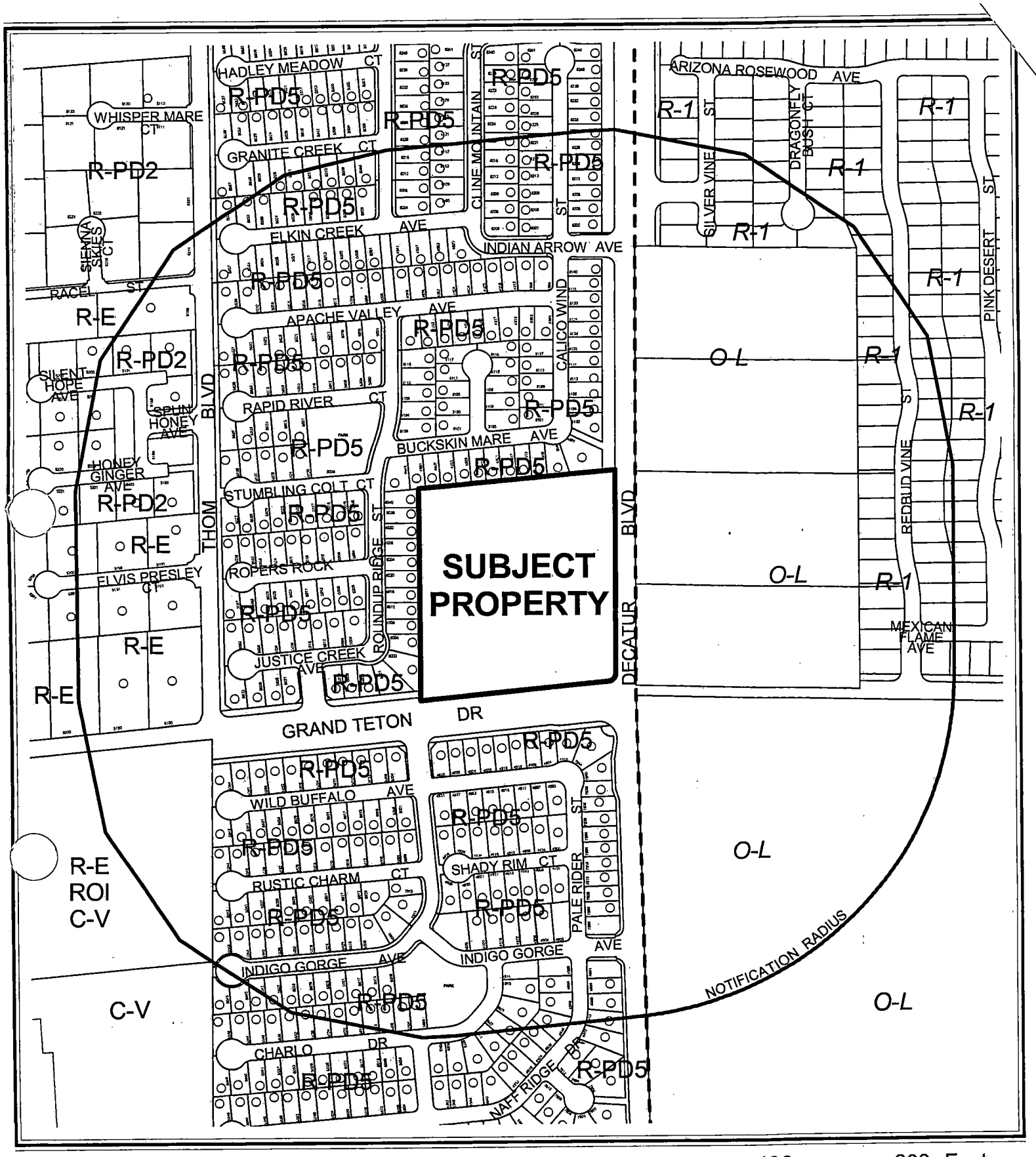


CASE: **WVR-6229**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-6229 APN: 125-12-802-020

Name of Property Owner: Lee Arnold 10

Name of Applicant: Power Realty

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: Raymond W. Yin / Arnolda Lee

Print Name: Raymond W. Yin / ARNOLDA LEE

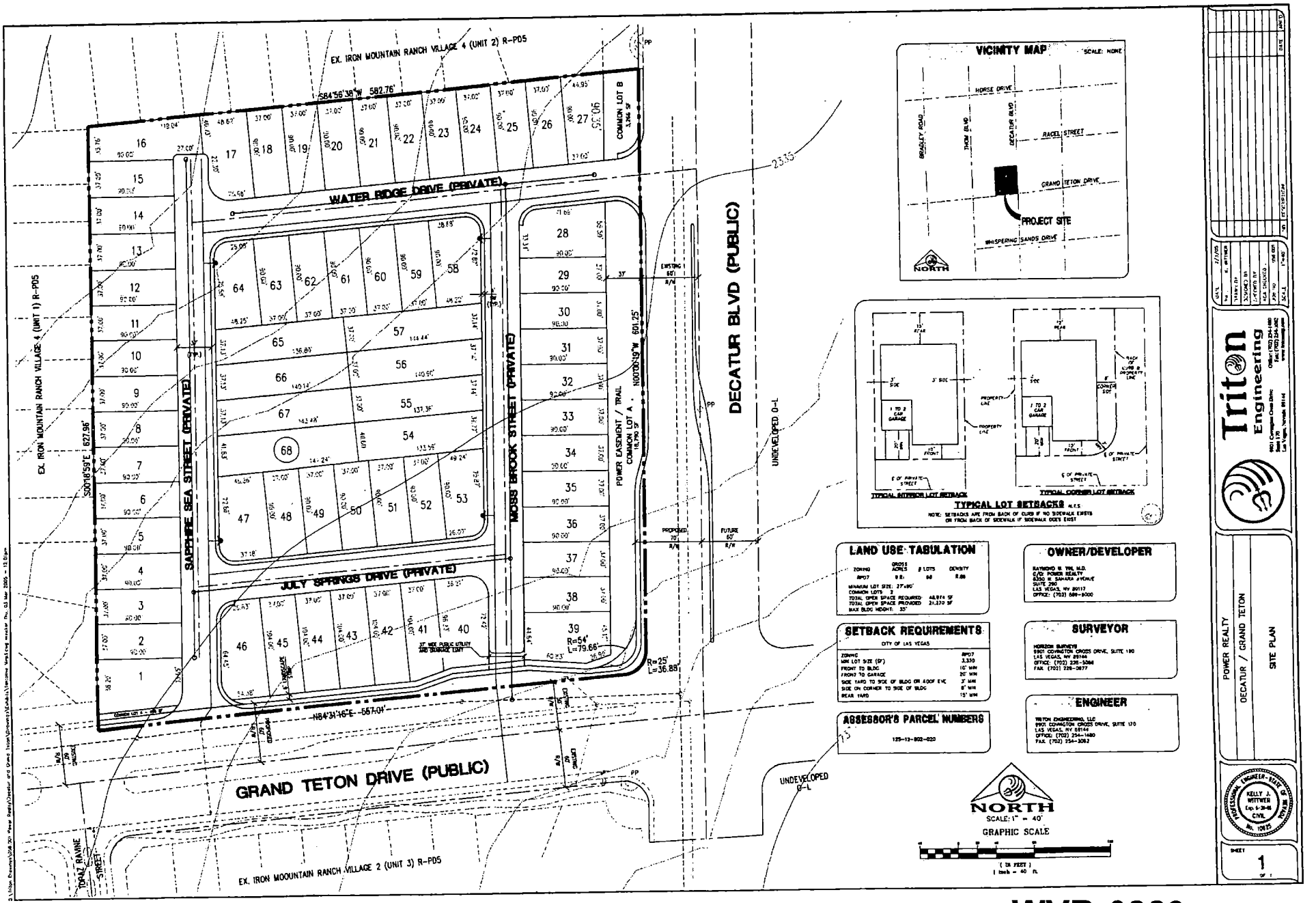
Subscribed and sworn before me

This 12 day of Jan, 2005

Dawn Giordano

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DAWN GIORDANO
No: 00-66244-1
My Appointment Expires Jan. 1, 2009



WVR-6229

03/24/05 PC

Triton
Engineering

March 3, 2005

City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89102

Reference: **Waiver for a property located on the NWC of Decatur Blvd. and Grand Teton Dr.**
APN # 125-12-802-020

To Whom It May Concern:

On behalf of our client, Power Realty, we respectfully submit this letter of justification for a Waiver for reduction of Title 18 Intersection Separation for a proposed 68 lot single family project called Decatur and Grand Teton.

The applicant is requesting a waiver to supply 129' feet of separation between Topaz Ravine Street and Sapphire Sea Street where 220' feet of separation is required within this RPD-7 development. This Single Family Residential Development will consist of 68 lots on 9.91 acres. The planned density will be 6.86 units per acre.

Please place the attached request on the Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,

Kris Givant
Project Coordinator

9901 Covington Cross Drive, Suite 170 • Las Vegas, Nevada 89144
Office: (702) 254-1480 • Fax: (702) 254-3062 • www.tritoneng.com

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-6229 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

1. Applications for Rezoning (ZON-6116), a Variance (VAR-6118), and a Site Development Plan Review (SDR-6117) shall be approved by the City Council prior to issuance of any permits, any site grading, or any other development activity for the site.

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.

3. The Waiver of Title 18 Standards shall be granted to allow a 130 foot separation distance between intersecting streets.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a Request for a Waiver of Title 18.12.160 to allow approximately 130 feet between intersections where 220 feet is the minimum distance separation required for a single family residential development on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard.

B) Applicant's Justification

A letter was submitted with the application stating that a Waiver is requested in the 220 foot separation requirement between intersecting streets to allow a single-family residential development on the subject property. No other justification for the Waiver is indicated in the letter.

BACKGROUND INFORMATION

A) Related Actions

05/20/92 The City Council approved a request to Rezone (Z-0135-90) the subject property to an R-E (Residence Estates) Zone. The Planning Commission recommended approval.

03/24/05 The Planning Commission is scheduled to review accompanying applications for Rezoning (ZON-6116), a Variance (VAR-6116) to reduce the required amount of open space, and for a Site Development Plan Review for a proposed single-family residential development on the subject property.

B) Pre-Application Meeting

03/03/05 The staff met with the prospective applicant on a Waiver in Title 18 standards in the separation of street intersections. The staff discussed the application process and what is required for a Waiver.

C) Neighborhood Meetings

No neighborhood meeting was required or held.

DDS

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	9.91
Net Acres:	8.31

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-PD5 (Residential Planned Development – 5 units per acre)
South:	R-PD5 (Residential Planned Development – 5 units per acre)
East:	North Las Vegas
West:	R-PD5 (Residential Planned Development – 5 units per acre)

PROJECT DESCRIPTION

A 68 lot single-family residential subdivision is proposed on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard. The property fronts on two Parkway Arterial streets that, according to the Master Plan of Streets and Highways, are designed for a right-of-way width of 120 feet. Access to the development is proposed from both arterial streets.

ANALYSIS

A) Subdivision Code Compliance

The applicant seeks to waive the requirement of Title 18.12.160 Subdivision Ordinance, which prescribes the minimum distance between intersections of streets providing internal access to subdivisions with other streets of 60 feet or more in width. This requirement states:

DDS

> "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 development was to initially have its principal access to Decatur Boulevard. However, a center median along Decatur Boulevard permits only right in and right out traffic movements. Consequently, the applicant is proposing to construct a second street access to the subdivision from Grand Teton Drive. It's alignment, however, is proposed to be 129 feet from an offsetting street intersection at Topaz Ravine Street and Grand Teton Drive. Grand Teton Drive also has a center median, but residents of the subdivision will have two options by which to gain access to the subdivision.

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. In conjunction with this application, are applications for Rezoning (ZON-6116), a Site Development Plan Review (SDR-6117), and a Variance to reduce by more than half the required amount of open space for the development. Because there appears to be no legal basis for a reduction in the amount of open space, it is recommended that that application be denied. For that reason, it is recommended that this application and all accompanying applications be denied.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

NOTICES MAILED 379 [Mailed with ZON-6116, VAR-6118 and SDR-6117]

APPROVALS 0

PROTESTS 0

DDS

City of Las Vegas

Agenda Item No.: 21

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
VAR-6118 - VARIANCE RELATED TO ZON-6116 AND WVR-6229 - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP - Request for a Variance TO ALLOW 22,056 SQUARE FEET OF OPEN SPACE WHERE 48,866 SQUARE FEET IS THE MINIMUM REQUIRED on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), R-E (Residence Estates) Zone [PROPOSED: R-PD7 (Residential Planned Development - 7 units per acre)], Ward 6 (Mack).

C.C.: 04/20/05

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

RECOMMENDATION:
Staff recommends DENIAL.

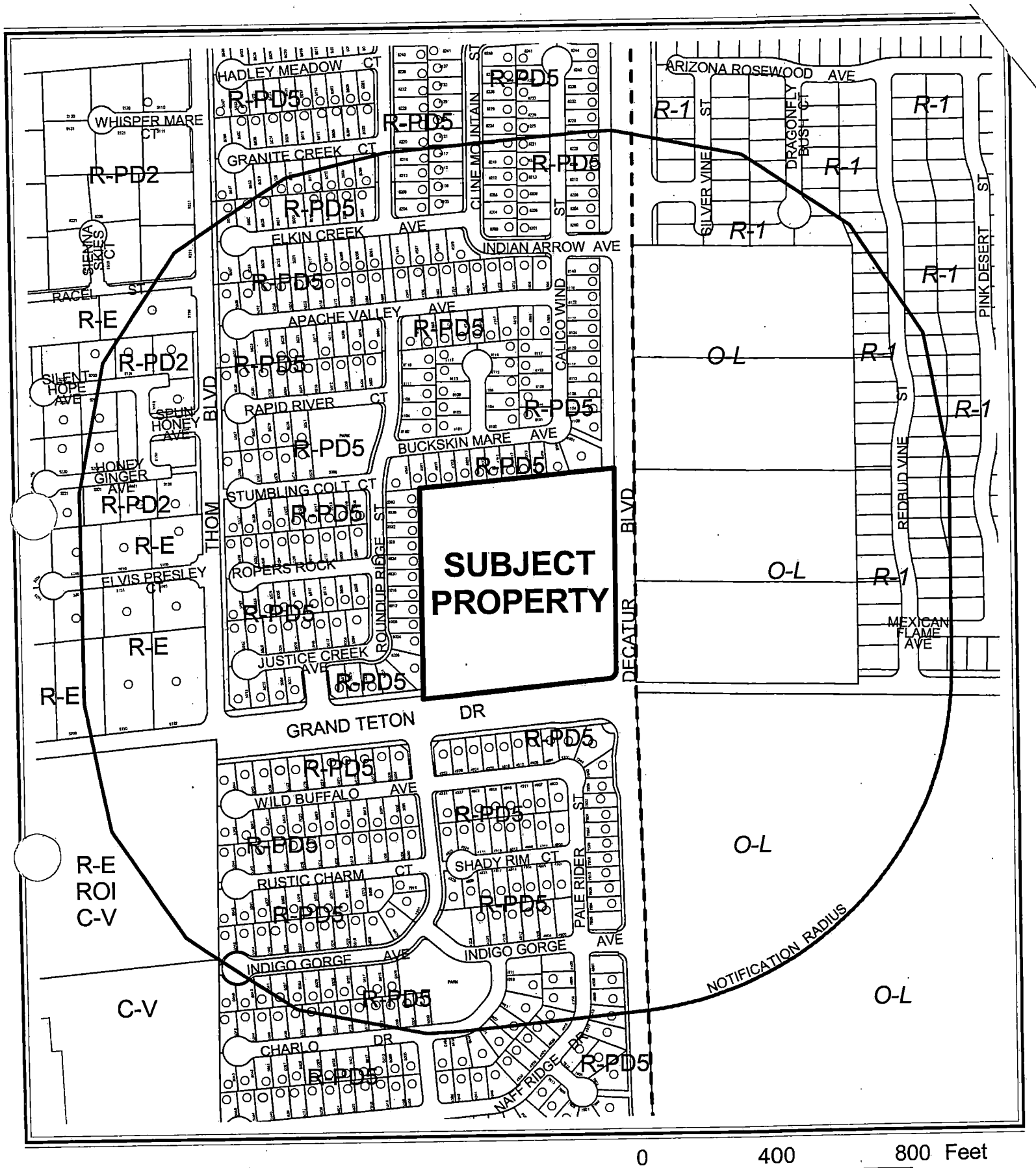
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with TRUESDELL excused

To be held in abeyance to the 4/14/2005 Planning Commission meeting

MINUTES:
See Item 19 [ZON-6116] for related discussion on Item 19 [ZON-6116], Item 20 [WVR-6229], Item 21 [VAR-6118] and Item 22 [SDR-6117].

(7:13 – 7:51)



CASE: **VAR-6118**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6118 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y, LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for applications for Rezoning (ZON-6116), a Waiver (WVR-6229), and a Site Development Plan Review (SDR-6117) of the subject property.

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

3. The developer shall contribute to the city of Las Vegas Parks CIP Fund in the amount of 27,604 square feet (amount waived) x $4.00 or $110,416 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise, the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 21,270 square feet of open space where 48,874 square feet is the minimum required on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard.

B) Applicant's Justification

A letter was submitted with the application presenting details of the development; however, no justification is presented as to the purpose for the variance.

BACKGROUND INFORMATION

A) Related Actions

04/23/92 The City Council approved the reinstatements and extension of time for a Rezoning (Z-0135-90) to R-E (Residence Estates) on the subject property. The Planning Commission recommended approval.

03/24/05 The Planning Commission is scheduled to review accompanying applications for Rezoning (ZON-6116) to R-PD7 (Residential Planned Development - 7 units per acre), for a Waiver (WVR-6229) of Title 18 requirements in the separation of off-setting intersections, and for a Site Development Plan Review for a proposed single-family residential development on the subject property.

B) Pre-Application Meeting

01/26/05 The staff met with the prospective applicant on a proposed single-family residential development on the subject property. The staff discussed the various applications needed to develop the property as proposed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance, and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 9.91
Net Acres: 8.31

DDS

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-PD5 (Residential Planned Development – 5 units per acre)
South:	R-PD5 (Residential Planned Development – 5 units per acre)
East:	North Las Vegas
West:	R-PD5 (Residential Planned Development – 5 units per acre)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified the ML (Medium-Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 68 single-family lots on 9.91 acres generates a density of development of 6.9 dwelling units per acre, which is within the allowable density of the ML (Medium-Low Density Residential) land use classification.

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

There are no special plans or overlays that affect the subject site.

DDS

ANALYSIS

A) Zoning Code Compliance

A1) Open Space Standards

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density (du/a)	Required			Provided	
		Ratio	Percent	Area	Percent	Area
9.91 acres	6.9	1.65	11.32	48,874 sq. ft.	4.93	21,270 sq. ft.

Title 19.06 requires an amount of open space be provided for a development in a Residential Planned Development zoning district at a percentage of the gross area of the subject property equal to 1.65 times the density of development. Accordingly, 48,874 square feet of open space is required, but only 21,270 square feet is proposed. The proposed development does not meet the open space requirement, which is the purpose for the subject Variance.

B) General Analysis and Discussion

This variance is to reduce the required amount of open space for the proposed 68 lot development from 48,874 square feet to 21,270 square feet, a 56 percent reduction in the required amount of open space. At a typical lot size of 3,330 square feet being provided for this development, an additional nine lots need to be removed to provide the required amount of open space. In the center of the development are eight lots each of approximately 5,300 square feet in size. If these eight lots were reduced to the typical lot size and the remaining space devoted to common open space provided in the center of the development, the development would nearly comply with the open space requirement. Clearly, there are many ways of providing the required amount of open space.

FINDINGS

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

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

In addition, Title 19.18.070L states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional

> situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

The criteria in Title 19 for granting a variance are promulgated from common law in the State of Nevada. More specifically, a "practical difficulty" or "hardship" as stated above has special meaning under Nevada law. The courts have interpreted a "hardship" as a "regulation to property that greatly decreases or practically destroys its value for any permitted use, so as to deprive the owner of the land of all beneficial use or that land is virtually useless as it is presently zoned." [*Enterprise Citizens v. Clark County Commissioners* (1996).]

While the applicant can enjoy greater profit with a reduction in the amount of open space, it does not result in a hardship to the applicant, as profit motives and financial incentives are not a basis for granting a Variance. It is recommended, therefore, that this application be denied. This recommendation of denial is based on the following findings, only one finding of which is necessary to deny the Variance.

- **No evidence is provided that a hardship exists to warrant a variance in the required amount of open space.** The onus for presenting such evidence is placed on the applicant, the person allegedly aggrieved by the requirement. No such evidence has been presented with the application. The application, therefore, fails to meet this criterion, which is necessary for granting a Variance.

- **The hardship is self-imposed.** Clearly the hardship is of the applicant's own making, as the reduction in the amount of open space is a conscience decision by the applicant to develop the property in the manner proposed. The application, therefore, fails to meet this criterion, which is necessary for granting a Variance.

- **Use of the property is not denied.** The property has no exceptional narrowness, shallowness, shape, exceptional topographic conditions or other extraordinary and exceptional situation or conditions attributed to the property. The question is one of whether the property could be developed in compliance with the required amount of open space. Since the property could be developed under a different scenario that does not require a reduction in the amount of open space, the application fails to meet this criterion, which is necessary for granting a Variance. .

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

DDS

NOTICES MAILED 379 [Mailed with ZON-6116, WVR-6229 and SDR-6117]

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-6118 APN: 125-12-802-020

Name of Property Owner: Lee Arnold 10

Name of Applicant: Power Realty

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: Raymond W. Yin / Arnold A. Lee

Print Name: RAYMOND W. YIN / ARNOLD A. LEE

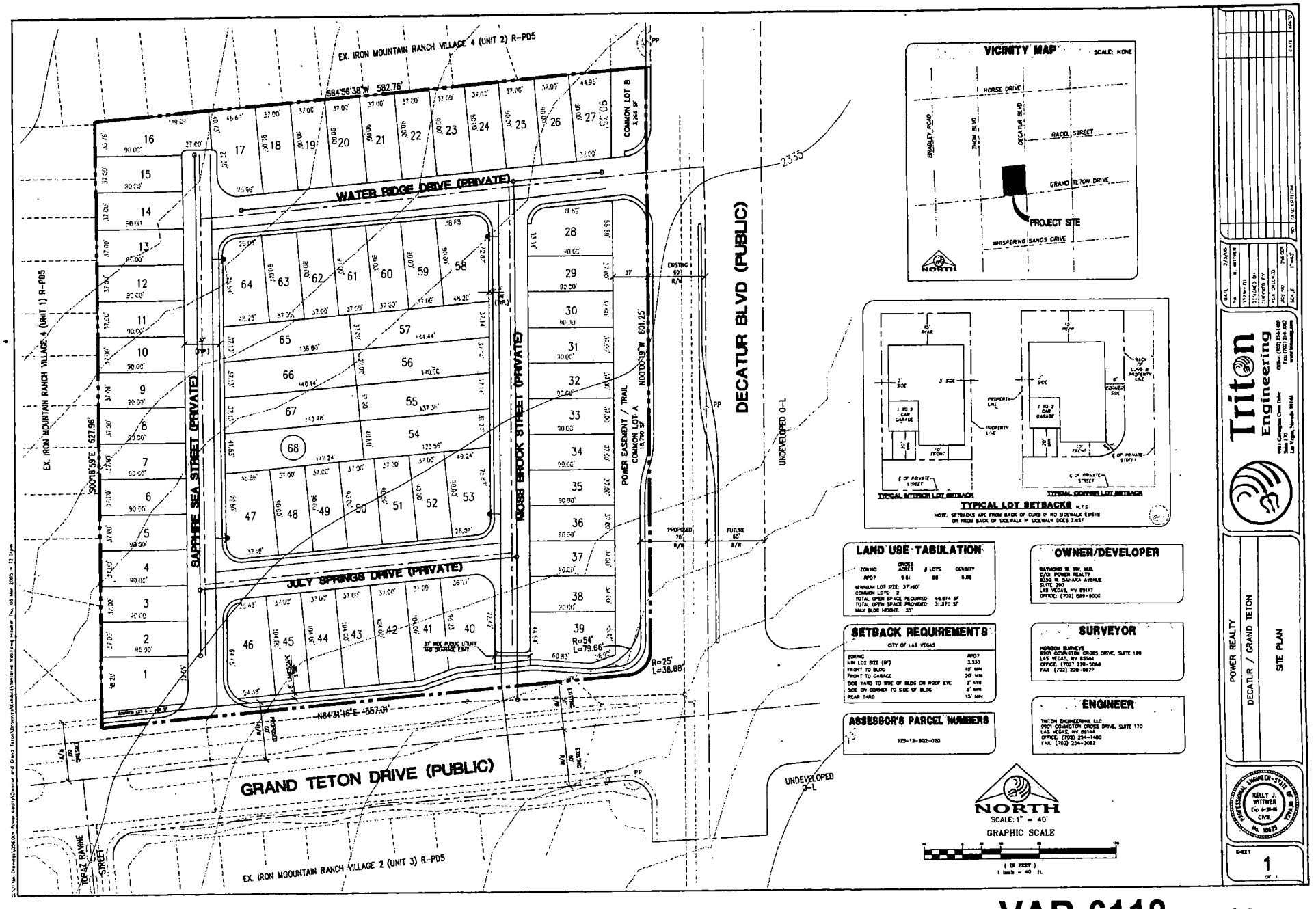
Subscribed and sworn before me

This 12 day of Jan, 2005

Dawn Giordano

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DAWN GIORDANO
No: 00-66244-1
My Appointment Expires Jan. 1, 2009



VAR-6118

03/24/05 PC

Triton
Engineering

February 8, 2005

City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89102

Reference: **Variance for a property located on the NWC of Decatur Blvd. and Grand Teton Dr.**
APN # 125-12-802-020

To Whom It May Concern:

On behalf of our client, Power Realty, we respectfully submit this letter of justification for a Variance for reduction of open space for a proposed 68 lot single family project called Decatur and Grand Teton.

The applicant is requesting to be allowed to provide 22,056 square feet of open space where 48,874 square feet is required within this RPD-7 development. This Single Family Residential Development will consist of 68 lots on 9.91 acres. The planned density will be 6.86 units per acre.

Please place the attached request on the Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 845-8099 (cell).

Sincerely,

Stacey Medina

Stacey Medina
Project Coordinator

9901 Covington Cross Drive, Suite 170 • Las Vegas, Nevada 89144
Office: (702) 254-1480 • Fax: (702) 254-3062 • www.tritoneng.com

City of Las Vegas

Agenda Item No.: 22

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
SDR-6117 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6116 AND VAR-6118 - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A PROPOSED 68 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), R-E (Residence Estates) Zone [PROPOSED: R-PD7 (Residential Planned Development - 7 units per acre) Zone], Ward 6 (Mack).

C.C.: 04/20/05

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

RECOMMENDATION:
Staff recommends DENIAL.

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

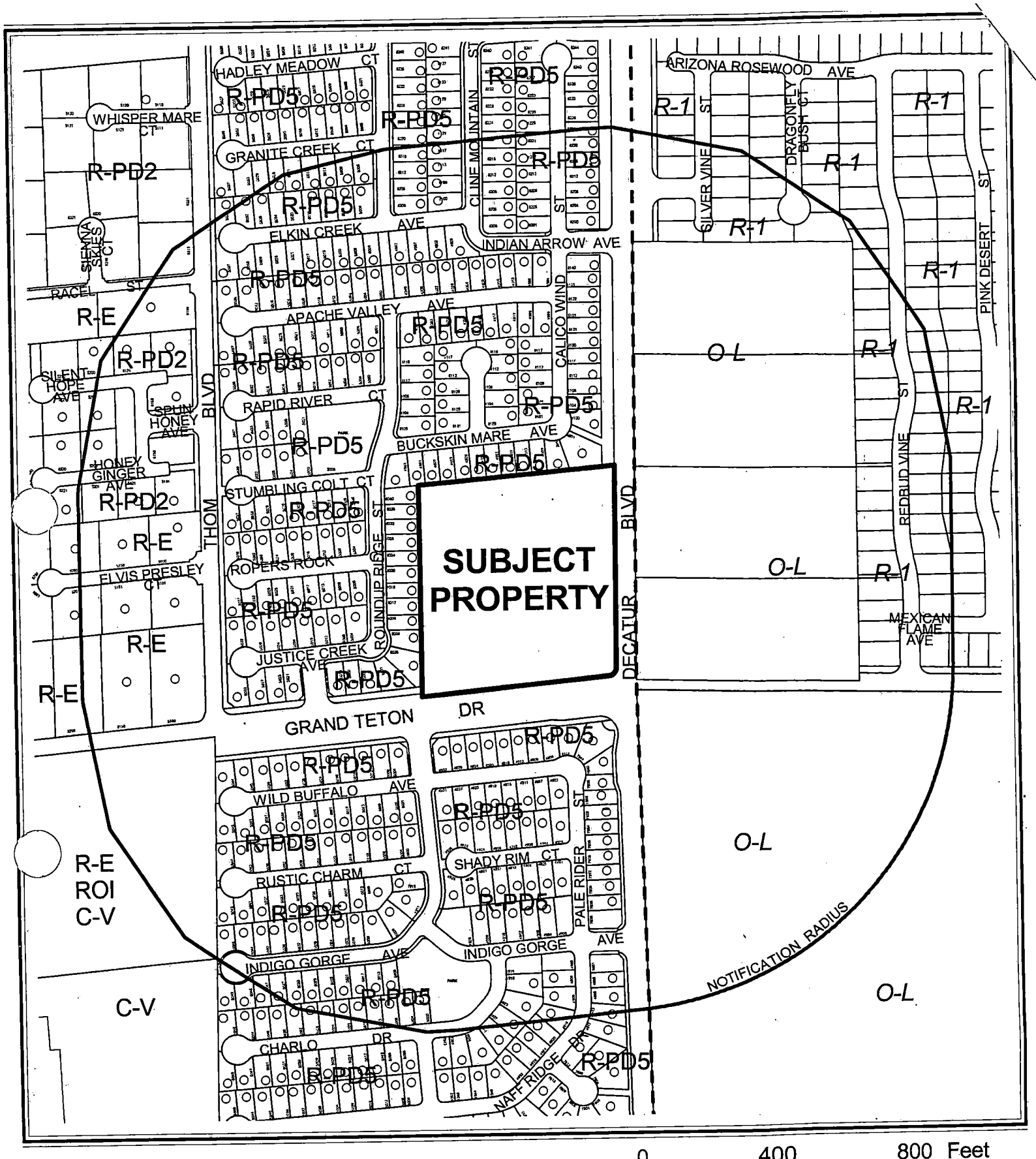
MOTION:
McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with TRUESDELL excused

To be held in abeyance to the 4/14/2005 Planning Commission meeting

MINUTES:
See Item 19 [ZON-6116] for related discussion on Item 19 [ZON-6116], Item 20 [WVR-6229], Item 21 [VAR-6118] and Item 22 [SDR-6117].

(7:13 – 7:51)

1-2775



CASE: **SDR-6117**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6117 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y, LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

1. Applications for Rezoning (ZON-6116), a Variance (VAR-6118), a Waiver (WVR-6229), and a Site Development Plan Review (SDR-6117) shall be approved by the City Council prior to issuance of any permits, any site grading, or any other development activity for the site.

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

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

4. The standards for this development shall be established as follows:

Standards	Provided
Min. Lot Size	3,300 square feet
Min. Setbacks	
• Front to building	10 feet
• Front to garage	20 feet
• Side	3 feet
• Corner	8 feet
• Rear	15 feet
Min. Between buildings	6 feet
Max. Building Height	35 feet

5. The site plan shall be revised to reflect the conditions of approval for this report and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map.

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

7. The landscape plan shall be revised to reflect a minimum of four five-gallon shrubs for each tree within planters and approved by staff of the Planning and Development Department prior to the time application is made for a building permit.

8. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner.

9. Air conditioning units shall not be mounted on rooftops.

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

11. Perimeter walls shall be decorative block walls, with at least 20 percent contrasting materials, and they shall not exceed a height of nine feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade. If a wall height of greater than nine feet is needed, the wall shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of nine feet.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and function prior to construction of any combustible structures.

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

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

Public Works

15. 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.

16. 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.

17. 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.

18. Site development to comply with all applicable conditions of approval for ZON-6116 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 68-lot single-family residential development on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard.

B) Applicant's Justification

A letter was submitted with the application to explain that the subject request is being made for a proposed 68-lot single-family residential development. The letter requests approval of 37 foot wide private streets with a sidewalk on one side.

BACKGROUND INFORMATION

A) Related Actions

05/20/92 The City Council approved a request to Rezone (Z-0135-90) the subject property to an R-E (Residence Estates) Zone. The Planning Commission recommended approval.

03/24/05 The Planning Commission is scheduled to review accompanying applications for Rezoning (ZON-6116) the subject property to R-PD7 (Residential Planned Development - 7 units per acre), a Variance (VAR-6116) to reduce the required amount of open space, and for a Waiver (WVR-6229) of Title 18 requirements in the separation of offsetting intersections.

B) Pre-Application Meeting

01/26/05 The staff met with the prospective applicant on a proposed single-family residential development on the subject property. The staff discussed the various applications needed to develop the property as proposed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Rezoning request, and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	9.91
Net Acres:	8.31

DDS

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-PD5 (Residential Planned Development – 5 units per acre)
South:	R-PD5 (Residential Planned Development – 5 units per acre)
East:	North Las Vegas
West:	R-PD5 (Residential Planned Development – 5 units per acre)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified in the ML (Medium-Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 68 single-family lots on 9.91 acres generates a density of development of 6.9 dwelling units per acre, which is within the allowable density of the ML (Medium-Low Density Residential) land use classification.

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

There are no special plans or overlays that affect the subject site.

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 68 lot single-family residential development on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard.

DDS

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for the subject development are established with the Site Development Plan Review. Following are the Development Standards proposed:

Standards	Provided
Min. Lot Size	3,300 square feet
Min. Setbacks	
• Front to building	10 feet
• Front to garage	20 feet
• Side	3 feet
• Corner	8 feet
• Rear	15 feet
Min. Between buildings	6 feet
Max. Building Height	35 feet

These Development Standards are indicative of other similar developments. These Standards are established as a condition of approval.

A2) Landscape and Open Space Standards

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

Standards	Required			Provided
	Ratio	Linear feet	Trees	
Buffer:				
• Min. Trees	1 tree/30 linear feet	1,097	37 trees	38 trees
• Min. Zone Width	6 feet			6 feet
• Wall height				9 feet

The required number of trees is proposed for the development. Four five-gallon shrubs are to be provided for each tree; however only nine total shrubs are indicated. The landscape plan should be revised to reflect the correct number and location of shrubs. This deficiency is noted as a condition of approval in this report.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density (du/a)	Required			Provided	
		Ratio	Percent	Area	Percent	Area
9.91 acres	6.9	1.65	11.32	48,874 sq. ft.	4.93	21,270 sq. ft.

Title 19.06 requires an amount of open space be provided for a development in a Residential Planned Development zoning district at a percentage of the gross area of the subject property equal to 1.65 times the density of development. Accordingly, 48,874 square feet of open space is required, but only 21,270 square feet is proposed. The proposed development does not meet the open space requirement. An application for a Variance (VAR-6118) has been submitted to reduce the required amount open space. It is recommended that that application be denied.

B) General Analysis and Discussion

- Zoning

The present zoning of the site is R-E (Residence Estates). An application has been submitted to Rezone (ZON-6116) the subject property to R-PD7 (Residential Planned Development - 7 units per acre). The proposed development is consistent with the R-PD7 (Residential Planned Development - 7 units per acre)zoning district. The development is consistent with Title 19 regulations, except for the amount of open space proposed for the development. A total of 48,874 square feet of open space is required; however, 21,270 square feet is proposed. An application for a Variance (VAR-6118) has been submitted to reduce the required amount of open space. There appears to be no hardship that would justify granting a Variance in this case, and it is recommended that the Variance be denied.

- Site Plan

The site plan illustrates 68 single-family lots on a 9.91 acre tract located adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard. The development would have access to both streets. The two access points connect to private streets proposed for the development. A 37-foot wide power easement is located along Decatur Boulevard. This easement is the only open space proposed for the development. The lots are to be a minimum of 3,330 square feet in size.

- Waivers

No waivers are requested.

- Landscape Plan

A conceptual landscape plan has been submitted that shows compliance with the City Landscape, Wall, and Buffer Guidelines for perimeter landscaping. The required number of trees along the perimeter of the development has been provided. Plans with

cross-sections have been submitted showing the location of proposed walls along Grand Teton Drive and Decatur Boulevard with cross-sections; however, there is no indication of the materials being used for the walls or their design. The wall is to be a decorative wall in compliance with Title 19 requirements, and a condition of approval addressing this requirement is included with this report. A retaining wall is proposed along Grand Teton Drive, and the total height of the "garden" wall and retaining wall is not expected to exceed a height of nine feet. Existing walls of concrete masonry units are located along the north and west sides of the property.

- Elevation

  Elevations have been submitted for four two story home models proposed for the development. As single-family dwellings, the elevations are harmonious and compatible with development in the area.

- Floor Plan

  As mentioned above, four home models are proposed. The floor plans indicate that the homes will range in size from 1,327 square feet to 1,803 square feet with each having either three or four bedrooms and 2 ½ baths. The homes are small in size but efficient in design characteristics.

FINDINGS

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

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

   Property adjacent to the subject property to the north, west and south are developed for single-family dwellings in a R-PD5 (Residential Planned Development – 5 units per acre) Zone. Single-family development is proposed for the subject property at a slightly higher density in an R-PD7 (Residential Planned Development – 7 units per acre) zoning district. The R-PD5 (Residential Planned Development – 5 units per acre) zoning district permits a maximum of 5.49 dwelling units per acre; the density of the subject development is at 6.9 dwelling units per acre. The development would be compatible with adjacent development.

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

The subject property is presently classified the ML (Medium-Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 68 single-family lots on 9.91 acres generates a density of development of 6.9 dwelling units per acre and conforms to the General Plan. The proposed development is consistent with other City plans, policies and standards with the exception of the required amount of open space. A Variance (VAR-5567) has been submitted in conjunction with this application to reduce the required amount of open space. Because it is recommended that that application be denied, it is recommended that this application and all other accompanying applications be denied.

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

The property fronts on two Parkway Arterial streets that, according to the Master Plan of Streets and Highways, are designed for a right-of-way width of 120 feet. Access is proposed from Grand Teton Drive and Decatur Boulevard, which are adequate to meet the requirements of the proposed zoning district. The relatively low traffic volume accessing the site should not impact the neighborhood traffic.

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

Building materials are addressed below. Landscape materials are to consist of Arizona Ash, Mondel Pine, and Live Oak trees along the streetscape. Shrubs are to consist of Barberry and Silery Cassia. The landscape materials are appropriate for the proposed development.

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

Four home models are proposed. All are two stories in height and range is size from 1,327 square feet to 1,803 square feet. The homes are small in size but efficient in design characteristics. Each home is to consist of a beige, tan or light brown stucco surface. Accent colors for the fascia and trim vary from off-white to dark brown. The homes would be harmonious and compatible with development in the area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

NOTICES MAILED 379 [Mailed with ZON-6116, WVR-6229 and VAR-6118]

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6117 APN: 125-12-802-020

Name of Property Owner: Lee Arnold 10

Name of Applicant: Power Realty

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: Raymond Yin / Arnold Lee

Print Name: Raymond W. Yin / ARNOLDA. LEE

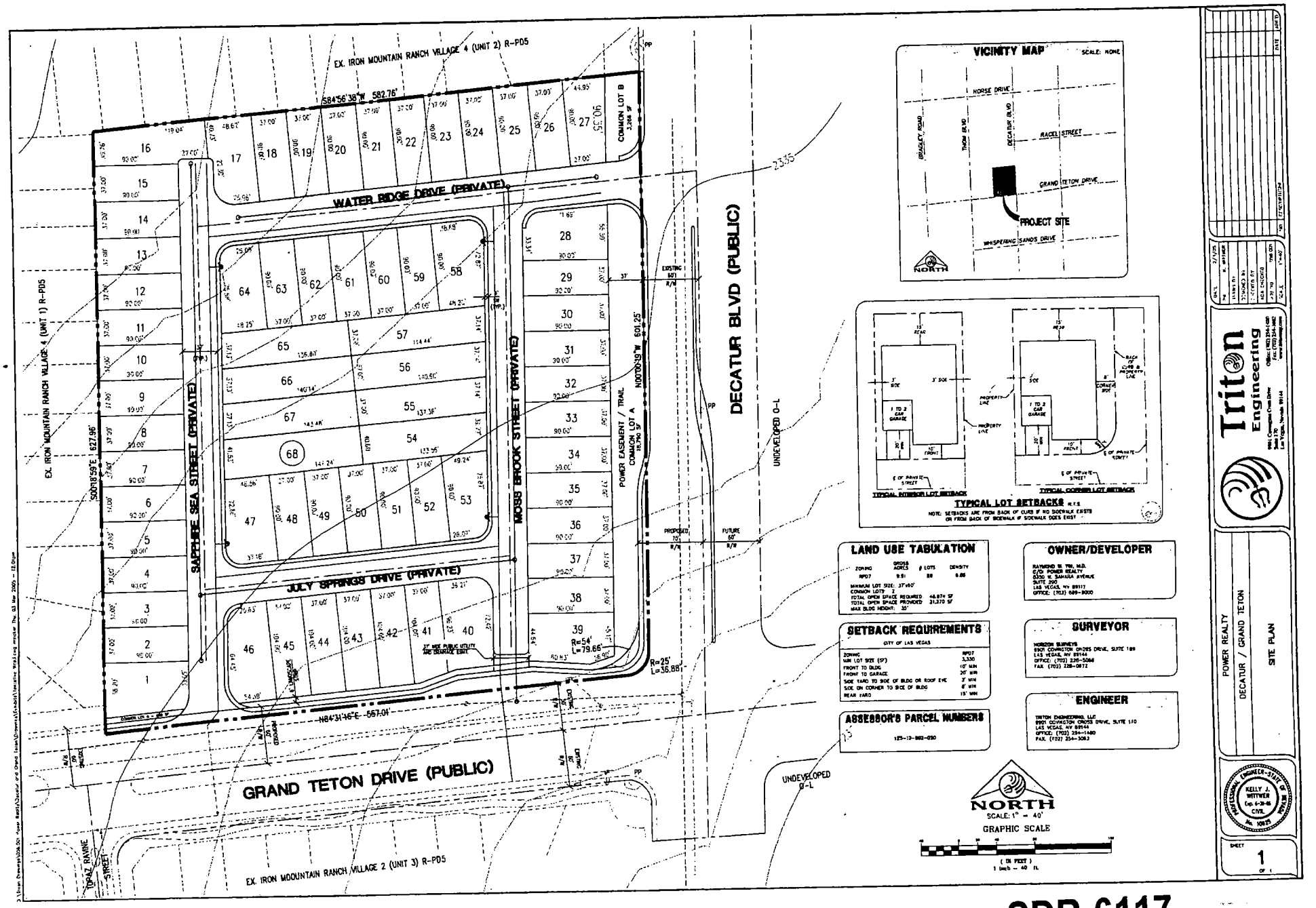
Subscribed and sworn before me

This 12 day of Jan, 2005

Dawn Giordano

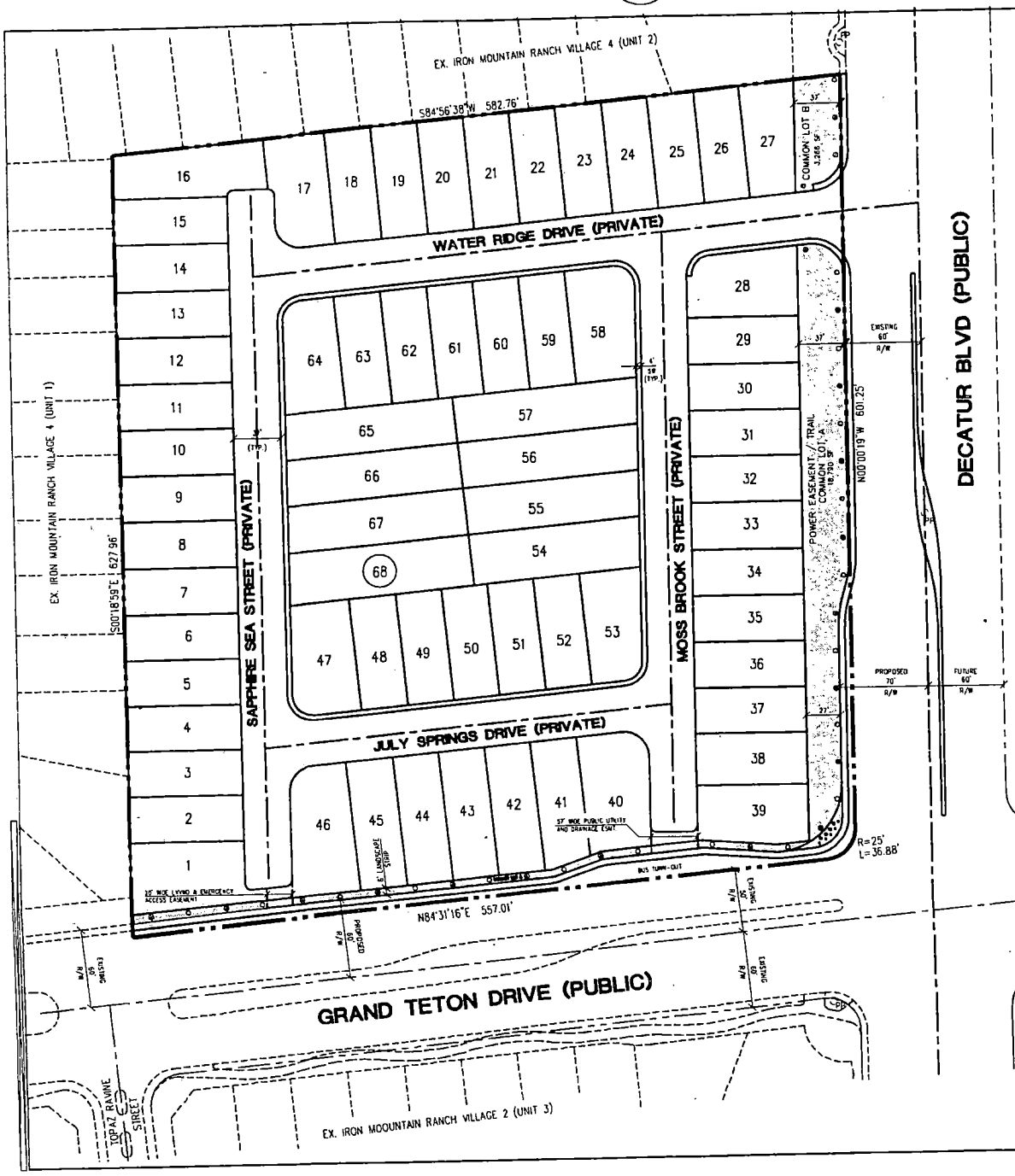
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DAWN GIORDANO
No: 00-66244-1
My Appointment Expires Jan. 1, 2009

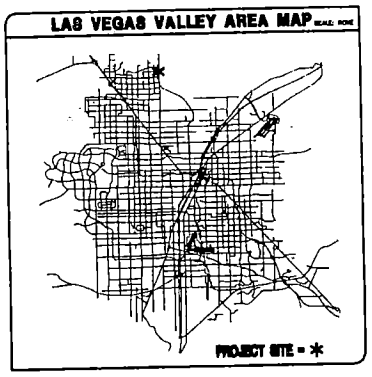


SDR-6117

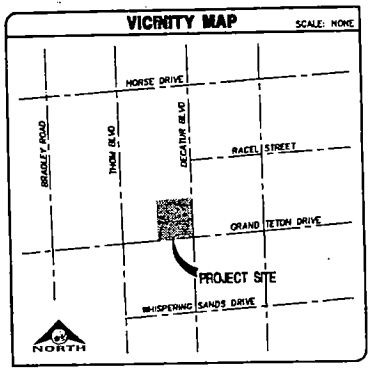
03/24/05 PC



LAS VEGAS VALLEY AREA MAP SCALE: NONE



VICINITY MAP SCALE: NONE



LEGEND

- PROPERTY BOUNDARY
- PUBLIC/PRIVATE STREET CENTERLINE
- LOT LINE
- 16 — LOT NUMBER
- 18,790 SF — COMMON LOT SQUARE FOOTAGE

NORTH

GRAPHIC SCALE

LANDSCAPE SCHEDULE

SYMBOL	QTY.	SPECIES	COMMON NAME	SIZE	SPACING
	9	FRAXINUS V. AARYWOOD	ARIZONA ASH	24" BOX	VARIES
	19	PINUS ELDARICA	MONDEL PINE	24" BOX	VARIES
	18	QUERCUS V. HERITAGE	LIVE OAK	24" BOX	VARIES
	8	BERBERIS THUNBERGII	BARBERRY	5-GAL	RANDOM 3' TO 8'
	4	CASSIA PHYLODENH	SILERY CASSIA	5-GAL	RANDOM 3' TO 8'

DATE 1/25/05
PM M. WITTNER
Drawn BY
DESIGNED BY
CHECKED BY
ADA CHECKED
JOB NO. 034.003
SCALE 1"=40'

NO. DESCRIPTION DATE APPR.

Triton Engineering

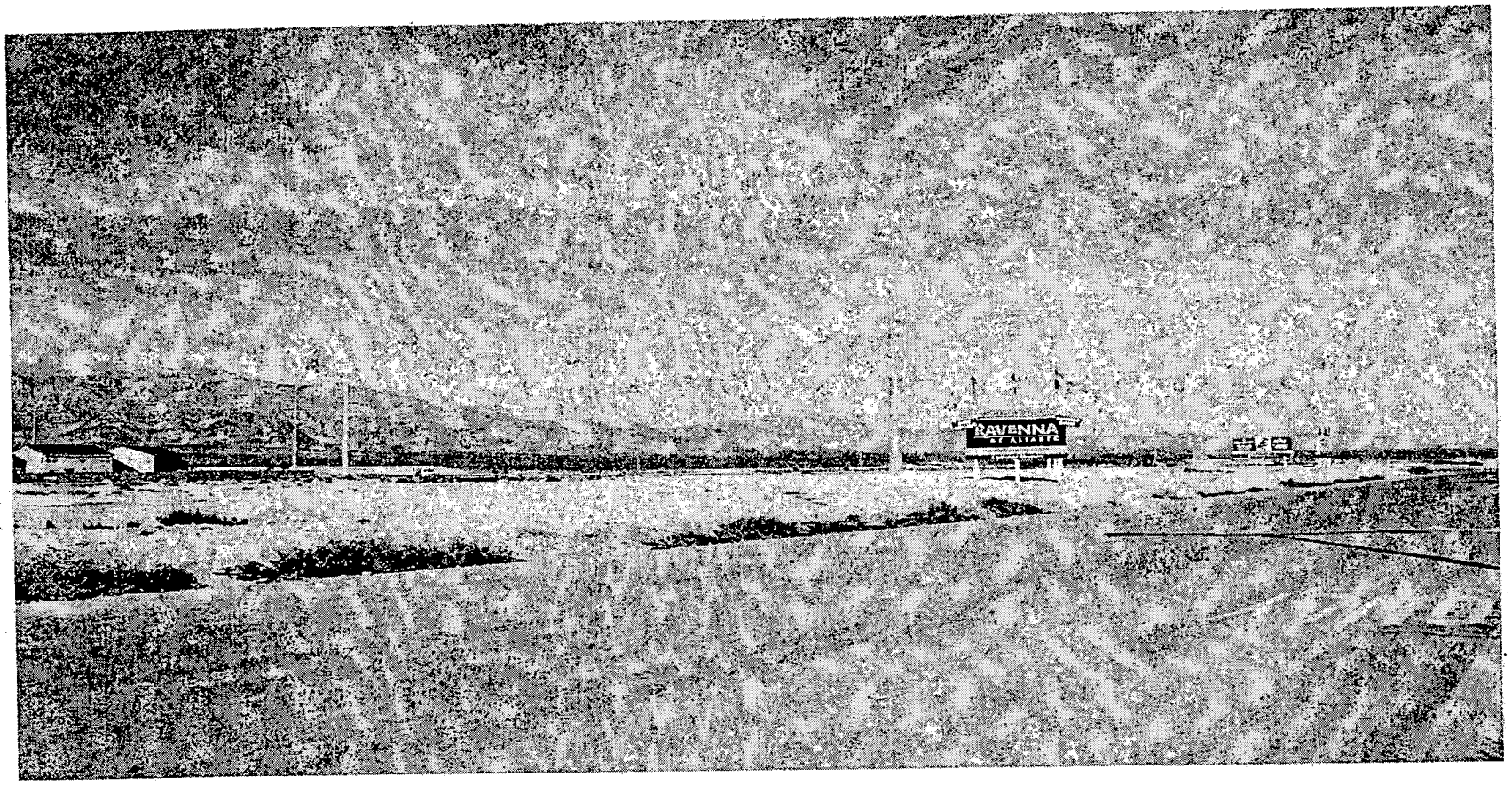
POWER REALTY
DECATUR / GRAND TETON
LANDSCAPE PLAN

SHEET 1 OF 1

SDR-6117
03/24/05 PC

ZON-6116, WVR-6229, VAR-6118 AND SDR-6117 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD, R W Y LIMITED PARTNERSHIP
NORTHWEST CORNER OF GRAND TETON DRIVE AND DECATUR BOULEVARD
MARCH 24, 2005 PLANNING COMMISSION

3/3/05



ZON-6116, WVR-6229, VAR-6118 AND SDR-6117 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD, R W Y LIMITED PARTNERSHIP
NORTHWEST CORNER OF GRAND TETON DRIVE AND DECATUR BOULEVARD
MARCH 24, 2005 PLANNING COMMISSION

3/3/05

Triton
Engineering

February 8, 2005

City of Las Vegas
Development Services Center
731 S. 4th Street
Las Vegas, Nevada 89102

Re: Site Development Plan Review for a property located on the NWC of Decatur Blvd. and Grand Teton Dr.
APN: 125-12-802-020

To Whom It May Concern:

On behalf of our client, Power Realty, we respectfully submit this letter of justification for a Site Development Plan Review for a proposed 68 lot single family project called Decatur and Grand Teton.

The applicant is requesting to develop 68 lots on 9.91 acres. The planned density will be 6.86 units per acre. The applicant seeks approval of a Site Development Plan Review for 68 lots with a minimum lot size of 3,330 sq. ft. The proposed front yard setbacks are 20 ft. to the Garage/10 ft. living area and 15 ft. rear yard; 8 ft. corner side yard; and 3 ft. interior side yard. The applicant is requesting 37 ft. private streets with 4 ft. sidewalk on one side.

Please place the attached request on the Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 845-8099 (cell).

Sincerely,

Stacey Medina

Stacey Medina
Project Coordinator

9901 Covington Cross Drive, Suite 170 • Las Vegas, Nevada 89144
Office: (702) 254-1480 • Fax: (702) 254-3062 • www.tritoneng.com

City of Las Vegas

Agenda Item No.: 23

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
ZON-6103 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: TOWNE VISTAS, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) [M-TC (Medium Density Residential - Town Center) Special Land Use Designation] on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road (APNs 125-20-301-012 through 014), Ward 6 (Mack).

C.C.: 04/20/05

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development, gave a brief overview of the application. The rezoning is in conformance with the General Plan because the subject parcels are currently designated as Town Center.

MINUTES – Continued:

ATTORNEY TABITHA KEETCH, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and stated that there were some access issues pertaining to the site design review and associated applications. Those issues were being resolved with the assistance of the Public Works Department. The applicant requested those associated applications be held in abeyance; however, ATTORNEY KEETCH indicated the applicant wanted to move forward with the rezoning due to some contractual obligations. She assured the Commission that she would be back with a great project.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(7:51 – 7:53)

CONDITIONS:

Planning and Development

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

2. A Site Development Plan Review (SDR-6105) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Bath Drive and those portions of Bath Drive and Campbell Road necessary to complete the intersection in a manner acceptable to the City Engineer. Final dedication requirements shall be determined at the time of approval of the Tentative Map.

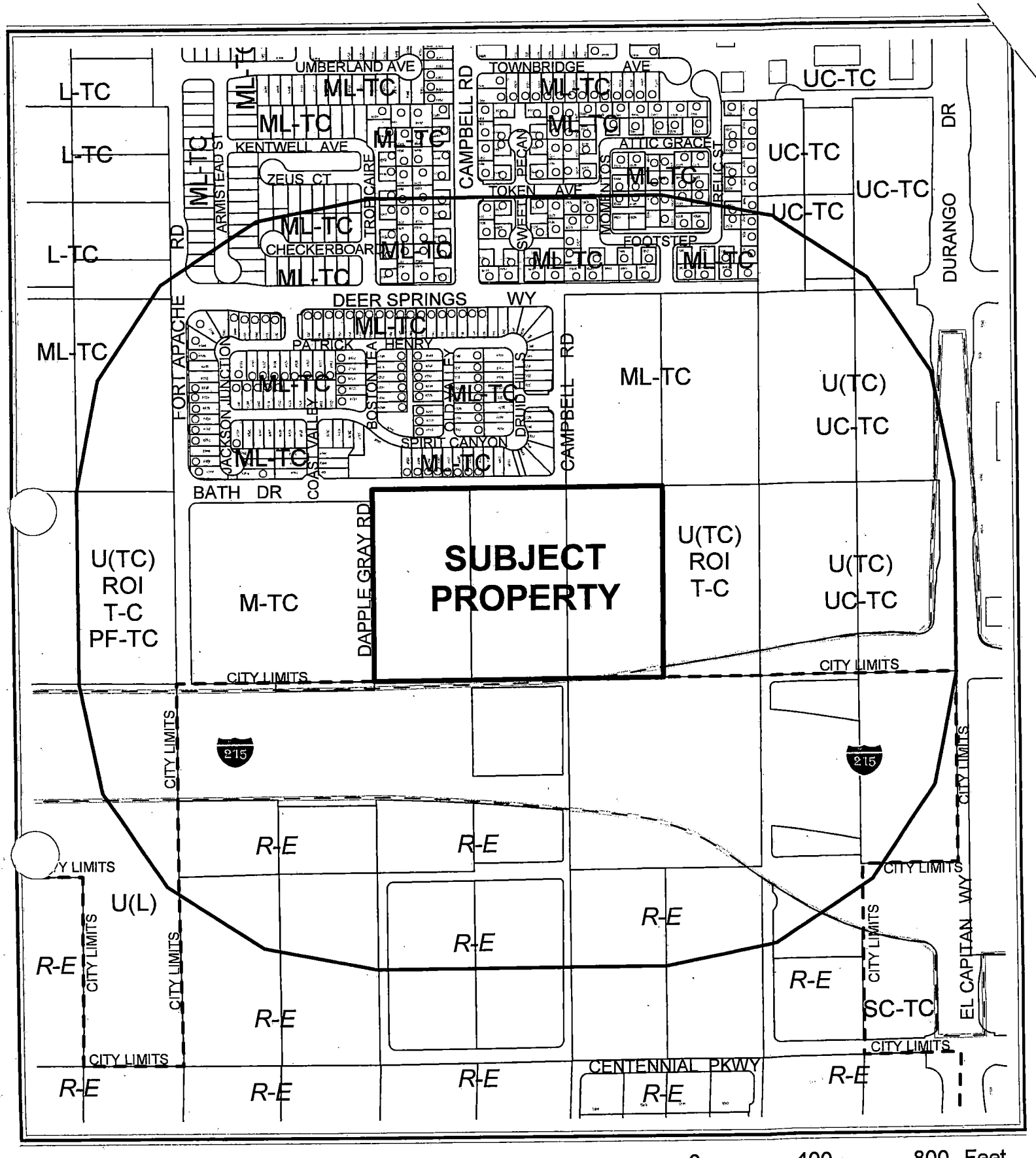
4. Construct half-street improvements on Bath Drive and those portions necessary for the Bath Drive and Campbell Road intersection adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

5. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine sewer service for this site prior to the submittal of any construction drawings for this site.

CONDITIONS – Continued:

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

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

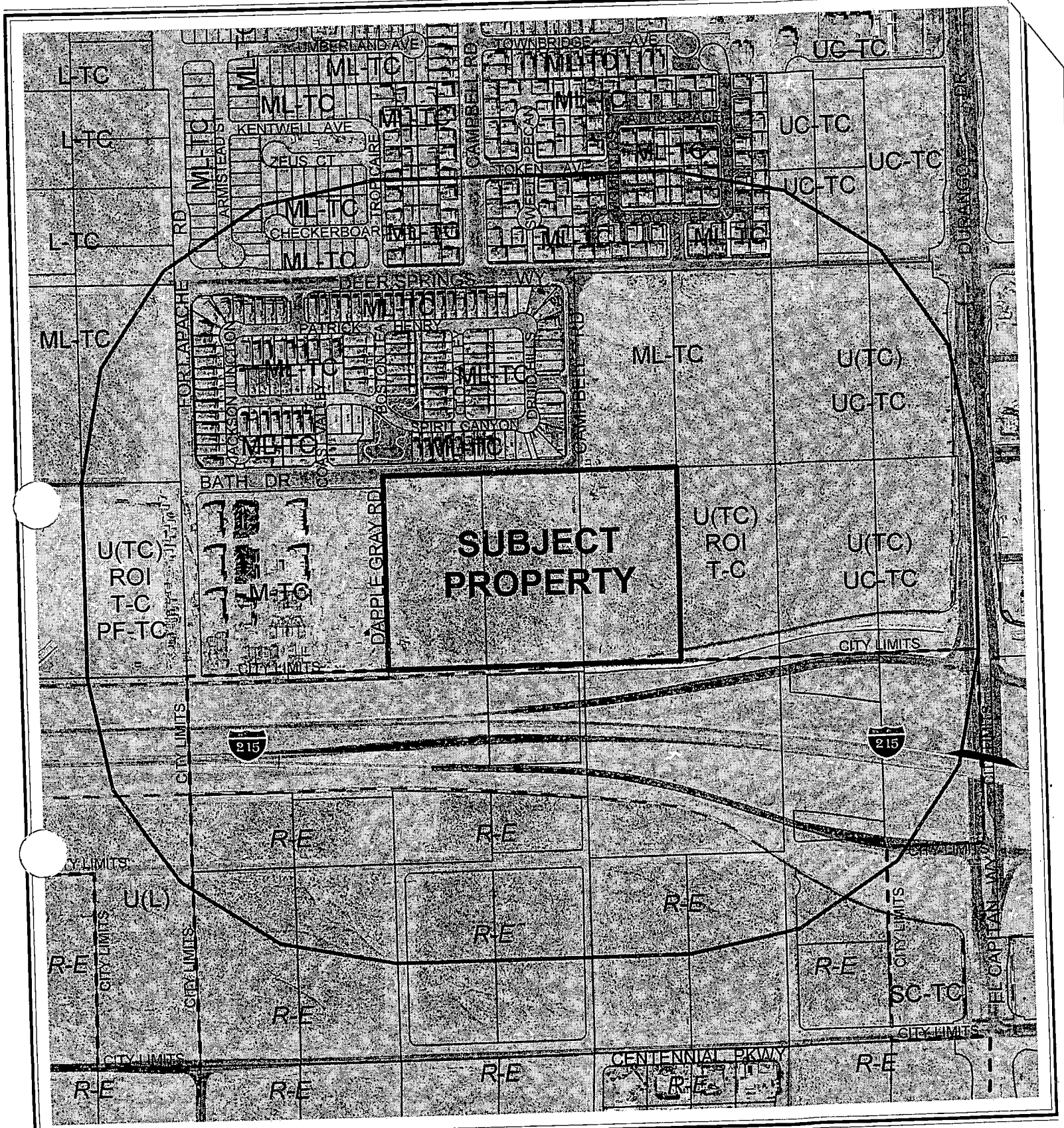


CASE: **ZON-6103**
RADIUS: 1000 FT

0 400 800 Feet

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER SPECIAL LAND USE DESIGNATION]



0 400 800 Feet

CASE: **ZON-6103**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6103 - APPLICANT/OWNER: TOWNE VISTAS, LLC

** CONDITIONS **

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

Planning and Development

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

2. A Site Development Plan Review (SDR-6105) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Bath Drive and those portions of Bath Drive and Campbell Road necessary to complete the intersection in a manner acceptable to the City Engineer. Final dedication requirements shall be determined at the time of approval of the Tentative Map.

4. Construct half-street improvements on Bath Drive and those portions necessary for the Bath Drive and Campbell Road intersection 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.

5. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine sewer service for this site prior to the submittal of any construction drawings for this site.

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

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) [TC (Town Center) General Plan Designation] to T-C (Town Center) of 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road. This application will be considered in conjunction with a Site Development Plan Review (SDR-6105) for a 372 unit residential condominium development composed of six four story buildings on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road, as well as a Variance (VAR-6228) to allow 38 foot setback where residential adjacency standards require a 180 foot setback in conjunction with a proposed 372 unit residential condominium development composed of six four story buildings on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road.

B) Applicant's Justification

The applicant's representative states that the plan complies entirely with the General Plan and the Town Center design and Development standards. Furthermore, each building is of a contemporary design and will be accessible via the entry gates on the north side of the property off of Bath Drive. Finally, the proposed development will host a number of amenities that will service the entire community.

The submitted justification letter gives no validation for the proposed zone change.

BACKGROUND INFORMATION

A) Related Actions

03/24/05 The Planning Commission will consider a related Variance (VAR-6228) application to allow 38-foot setback where residential adjacency standards require a 180 foot setback in conjuncture with a proposed 372 unit residential condominium development composed of six four story buildings on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road. Staff is recommending denial.

03/24/05 The Planning Commission will consider a related Site Development Plan Review (SDR-6105) application for a proposed 372 unit residential condominium development composed of six four story buildings on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road. Staff is recommending approval.

PL

B) Pre-Application Meeting

01/26/05 A pre-application conference was held resulting in the following comments:

1. The vacation of right-of-way is not necessary, but a portion will need to be reserved through the patent easement vacation on the three subject parcels.
2. The development will be composed of 372 condominium units.
3. The buildings will be four stories tall.
4. There will be six buildings.
5. The parking garage will be subterranean.
6. Driveways need to meet the standard drawing #222A.
7. Concern over the knuckle at bath and Campbell.
8. Question: Is an SUP for private streets with a gate required.
9. Answer: NO
10. Perimeter buffering: 10 feet on Bath; 15 feet on east; and six feet on the south and west.
11. Show the adjacent zoning and land uses.
12. Adhere to the Town Center Development Standards.
13. Retaining: six-foot block wall, then a five-foot landscape offset, then an additional six-foot wall is allowed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 15.00

B) Existing Land Use

Subject Property:	Undeveloped [Proposed 372 Unit Condominium Development]
North:	Single Family Residential Subdivision Undeveloped [Approved 94 Lot Single Family Residential Subdivision (SDR-4992)]
South:	Future Beltway Alignment
East:	Undeveloped [Approved 94 Lot Single Family Residential Subdivision (SDR-4992)]
West:	Under construction [Proposed 188 Unit Condominium Development (SDR-5517)]

PL

C) Planned Land Use

Subject Property:	M-TC (Medium Density Residential – Town Center)
North:	ML-TC (Medium-Low Density Residential – Town Center)
South:	Right-of-Way
East:	M-TC (Medium Density Residential – Town Center)
West:	M-TC (Medium Density Residential – Town Center)

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
North:	T-C (Town Center)
South:	Right-of-way
East:	U (Undeveloped) Zone [TC (Town Center) General Plan Designation] Under Resolution of Intent to T-C (Town Center)
West:	T-C (Town Center)

E) General Plan Compliance

The site is designated as TC (Town Center) on the Centennial Hills Sector Map of the General Plan. The site is designated M-TC (Medium Density Residential - Town Center) within the Centennial Hills Town Land Use Map within the Town Center Development Standards Manual. The M-TC (Medium Density Residential - Town Center) land use category allows "...a maximum of 25 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height. The proposed condominium development, having a density of 24.8 dwelling units per gross acre, is in conformance with the intent and density requirements set forth by the General Plan and the Town Center Development Standards. The proposed rezoning of the subject property from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) is in conformance with the General Plan.

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

Beltway Trail

The subject site has a designate multi-use transportation trail located along the southern boundary of the property in accordance with the Joint Parks and Trails Plan for the City of Las Vegas and Clark County. The trail will consist of approximately 12 feet of asphalt paving and will be within the Beltway right-of-way. The City will construct this trail in areas where the beltway is within our jurisdictional boundary. The trail is anticipated to require very little

maintenance, if any at all. Adjacent developers will not be required to dedicate property for the trail and will not have to maintain the trail. Pedestrian outlets to the trail will be required of the adjacent developers.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The proposed development of the subject property will be discussed in Site Development Plan Review [SDR-6105].

No predetermined development standards, such as minimum lot size, etc., exist for the TC (Town Center) zoning district.

B) General Analysis and Discussion

The proposed T-C (Town Center) zoning is in conformance with the General Plan, which designates the subject site as TC (Town Center). The Town Center Design Standards Manual designates the site as M-TC (Medium Residential - Town Center). The intent of this district is to enable development with imaginative site and building design and maximize the use of the property. Projects within the M-TC (Medium Residential - Town Center) district shall place an emphasis on maximizing usable common open space. The proposed development of the subject site meets the intent of the M-TC special land use designation.

FINDINGS

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

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

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

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

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

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

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

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

   The site is accessed via Bath Drive, which is a Town Center (80 foot) Collector Street, as designated by Map Four A of the Town Center Development Standards Manual. Bath Drive will provide adequate access to the subject site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 202 [Mailed with VAR-6228 and SDR-6105]

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-6103** APN: 125-20-301-012, 013, 014

Name of Property Owner: Towne Vistas, LLC

Name of Applicant: Towne Vistas, 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 _____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

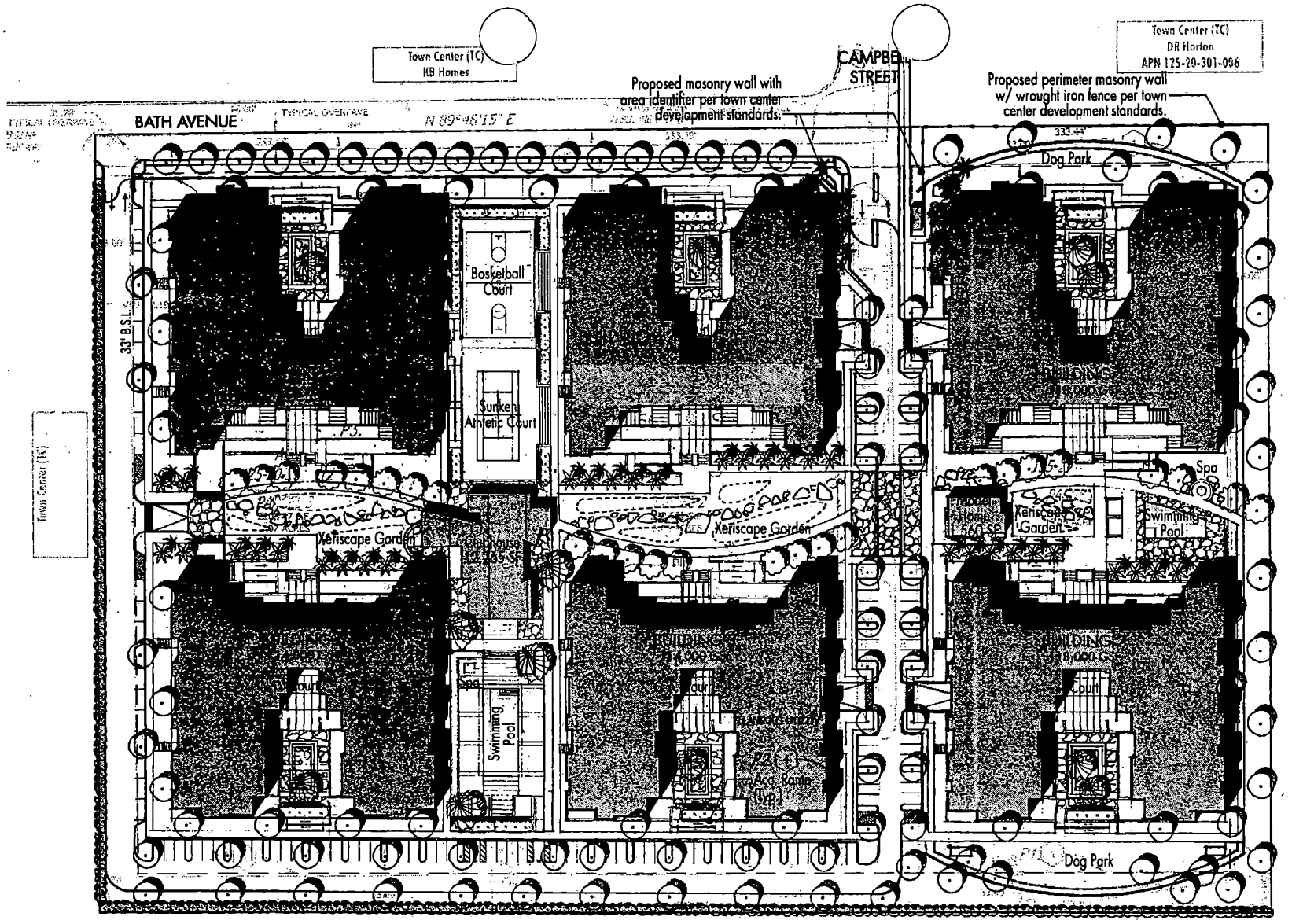
Print Name: Stephen B. Aizenberg, President
Towne Vistas, LLC a Nevada limited liability company
By: S.B.A. Development, Inc. a Nevada corporation dba Royal Construction Company a Nevada corporation, Managing Member

Subscribed and sworn before me

This 2 nd day of February, 20 05

_____
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 05-97611-1
My Appt. Expires Aug 4, 2007



studioneleven
at Perkowitz+Ruth Architects

TOWNE VISTAS

SPINNAKER HOMES
04830-11
DATE 02-08-05

SITE PLAN 2

N
0 20 40 80
scale : 1" = 80'-0"

ZON-6103
03/24/05 PC

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW
WWW.KKBR.COM

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89109-0907
Tel: 702.792.7000
Fax: 702.796.7181

5250 S. Virginia Street
Suite 220
Reno, NV 89502-6000
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

February 8, 2005

CITY OF LAS VEGAS PLANNING AND DEVELOPMENT
731 South Fourth Street
Las Vegas, Nevada 89101

Re: APN #125-20-301-012, 013, 014
Request for Zone Change and Site Development Review

To Whom It May Concern:

Please be advised this office represents the applicant in the above referenced matter. The proposed site consists of approximately 15 acres and is located north of the 215 Beltway and east of Fort Apache Road. The applicant is proposing a zone change from [U(TC)] to [M(TC)] and a site development review for a 372 unit condominium complex.

The site plan depicts six, four-story condo buildings with a one-story below grade parking garage below each building. Each building is contemporary in design. The entry is gated and is shown on the north side of the property off of Bath Avenue. The applicant intends to file an application to vacate Campbell Road which currently bisects the proposed development. The vacation of Campbell will allow for the contiguous development of the project. Amenities include xeriscape gardens between each building, athletic courts with terraced spectator seating, a 12,000 square foot clubhouse and two swimming pools.

The proposed project is consistent with the General Plan and complies entirely with the Town Center design and development standards. We appreciate you kind consideration and please contact this office should you have any questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha F. Keetch

TFK/lsm

LAW FIRMS WORLDWIDE MERITAS

City of Las Vegas

Agenda Item No.: 24

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
VAR-6228 - VARIANCE RELATED TO ZON-6103 - PUBLIC HEARING - APPLICANT/OWNER: TOWNE VISTAS, LLC - Request for a Variance TO ALLOW 38 FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 180 FOOT SETBACK IN CONJUNCTURE WITH A PROPOSED 372 UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT COMPOSED OF SIX FOUR STORY BUILDINGS on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road (APNs 125-20-301-012 through 014), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [M-TC (Medium Density Residential - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

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

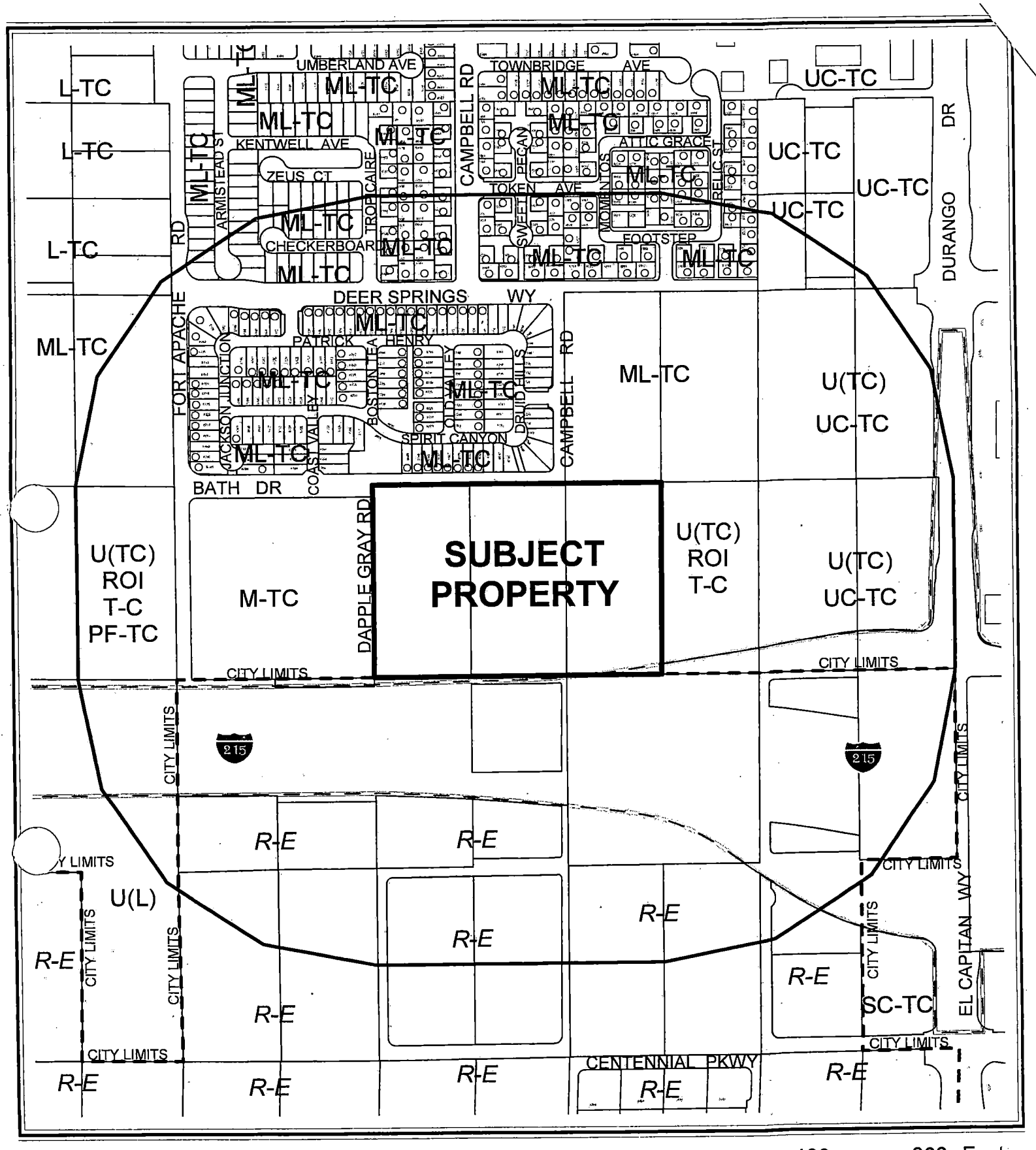
RECOMMENDATION:
Staff recommends this item be HELD IN ABEYANCE to the April 14, 2005 Planning Commission meeting.

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

MOTION:
GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:
There was no discussion.

(6:02 – 6:09)



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CASE: **VAR-6228**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6228 - APPLICANT/OWNER: TOWNE VISTAS, LLC

ON MARCH 15, 2005 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE ARPIL 14, 2005 PLANNING COMMISSION MEETING.

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW
www.kkbr.com

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89109-0907
Tel: 702.792.7000
Fax: 702.796.7181

5250 S. Virginia Street
Suite 220
Reno, NV 89502-6000
Tel: 775.852.3000
Fax: 775.852.3082

LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

March 15, 2005

VIA FACSIMILE – 385-7268

Mr. Peter Lowenstein
City of Las Vegas
Planning and Development Department
400 E. Stewart, 1st Floor
Las Vegas, Nevada 89101

Re: ZON-6103 - Town Vistas Condominiums
Request to Hold SDR-6105 and VAR-6228

Dear Mr. Lowenstein:

Please be advised that our office represents the applicant in the above-referenced matters which are currently scheduled to be heard before the City of Las Vegas Planning Commission on March 24, 2005. As we plan to go forward on the zoning matter, we would request that ZON-6103 be heard at its presently scheduled time. However, we respectfully request that both SDR-6105 and VAR-6228 be held until the April 14 Planning Commission meeting so as to permit necessary revisions to the site plan with regard to ingress and egress as well as revision of the landscaping plan. Should you approve this request, it is our understanding that SDR-6105 and VAR-6228 would therefore be heard at the Las Vegas City Council meeting on May 18, 2005.

Thank you for your kind consideration of this request. Please contact me if you have questions.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha F. Keetch/lsm

Tabitha F. Keetch

TFK/lsm

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-6228 APN: 125-20-301-012, 013, 014

Name of Property Owner: TOWNE VISTAS, LLC

Name of Applicant: TOWNE VISTAS, 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 _____ 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: Stephen B. Aizenberg

Print Name: Stephen B. AIZENBERG

Subscribed and sworn before me

This 4th day of March, 2005

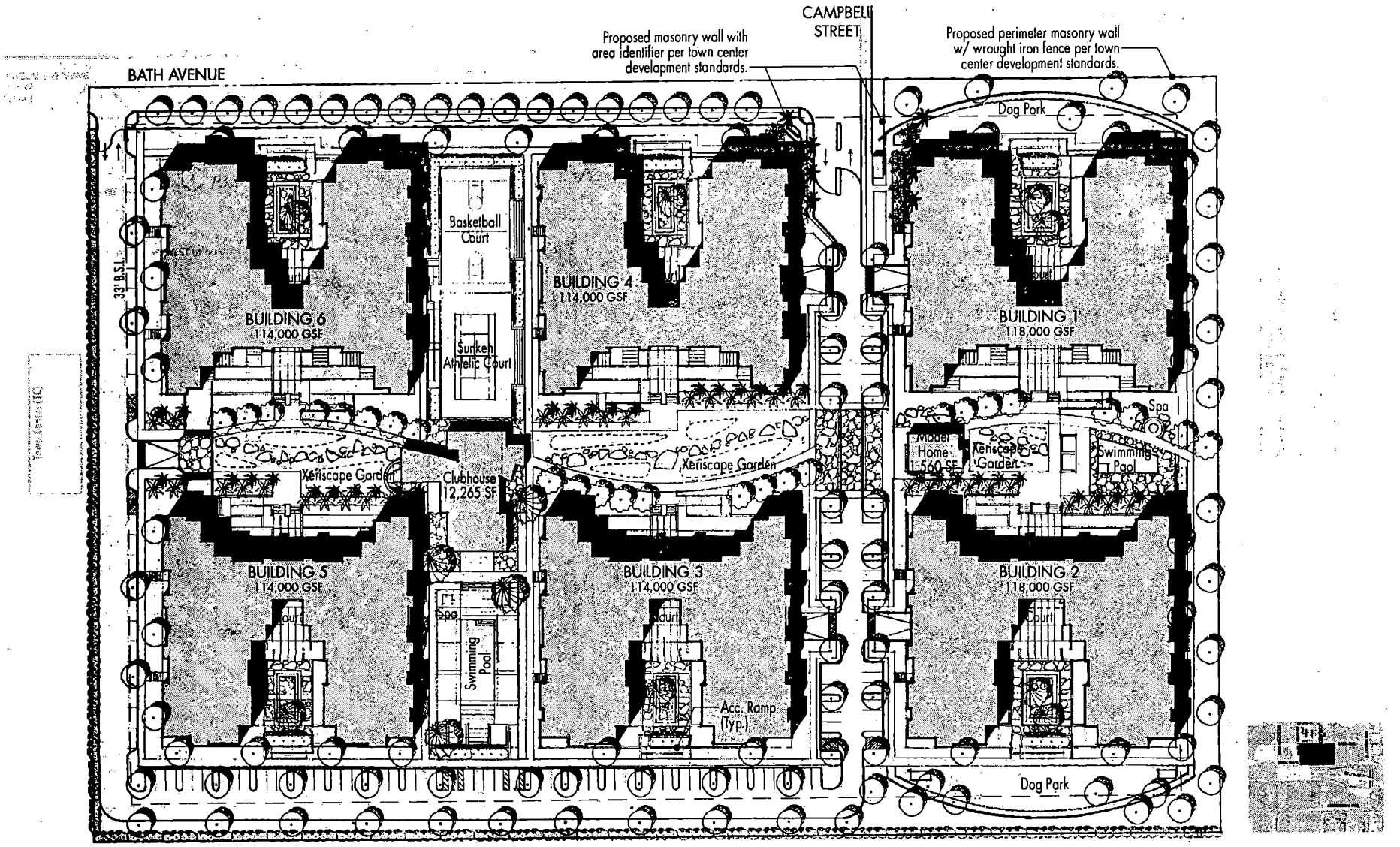
J. Rosanna Eitniear

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
My Appointment Expires Aug. 4, 2007

Revised 12-03-04

f:\depot\Application Packet\Statement of Financial Interest.doc



TOWNE VISTAS

SHINTAKER HOMES

DATE 02-08-05

SITE PLAN 2

scale : 1" = 80'-0"

studioneleven
at Perkowitz+Ruth Architects

VAR-6228
03/24/05 PC

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW
WWW.KKBR.COM

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Seventh Floor
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Fax: 775.852.3982

LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

March 3, 2005

CITY OF LAS VEGAS PLANNING AND DEVELOPMENT
731 South Fourth Street
Las Vegas, Nevada 89101

Re: ***APN #125-20-301-012, 013, 014***
REVISED JUSTIFICATION LETTER

To Whom It May Concern:

Please be advised this office represents the applicant in the above referenced matter. The proposed site consists of approximately 15 acres and is located north of the 215 Beltway and east of Fort Apache Road. The applicant is proposing a zone change from [U(TC)] to [M(TC)] and a site development review for a 372 unit condominium complex. In addition, the applicant is requesting a variance from Title 19 residential adjacency standards.

The site plan depicts six, four-story condo buildings with a one-story below grade parking garage below each building. Each building is contemporary in design. The entry is gated and is shown on the north side of the property off of Bath Avenue. The applicant intends to file an application to vacate Campbell Road which currently bisects the proposed development. The vacation of Campbell will allow for the contiguous development of the project. Amenities include xeriscape gardens between each building, athletic courts with terraced spectator seating, a 12,000 square foot clubhouse and two swimming pools.

The proposed project is consistent with the General Plan and complies entirely with the Town Center design and development standards. We appreciate you kind consideration and please contact this office should you have any questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha F. Keetch

TFK/lsm

LAW FIRMS WORLDWIDE MERITAS

Carman Burney

From: Carole Combs
Sent: Thursday, March 17, 2005 9:19 AM
To: Gary Leobold; Peter Lowenstein; Doug
Cc: Carman Burney
Subject: RE: VAR-6228, Please Oppose

-----Original Message-----
From: Julie & Bob Fitzgerald [mailto:bobnjuli@pacbell.net]
Sent: Wednesday, March 16, 2005 8:25 PM
To: gleobold@lasvegasnevada.gov
Subject: VAR-6228, Please Oppose

Dear Sir,

Thanks for the public notice of the request by Towne Vistas for a varience to reduce the setback to adjacent residences from 180 ft. to 38 ft.

We purchased our home after reading about Town Center and it'swell planned mix of housing and commercial use. The house is planned for our retirement, and is currently rented to a family stationed at Nellis AFB.

A setback of 180 feet is a reasonable standard to prevent a four story building from crowding out it's neighbors. Town Center is a very nice neighborhood, lets keep it that way.

Please oppose this request for varience. VAR-6228

Bob & Julie Fitzgerald
owners of:
8961 Token Ave.
Las Vegas, NV 89129

current address
407 Princeton Dr.
Costa Mesa, Ca 92626
bobnjuli@pacbell.net

City of Las Vegas

Agenda Item No.: 25

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
SDR-6105 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6103 AND VAR-6228 - PUBLIC HEARING - APPLICANT/OWNER: TOWNE VISTAS, LLC - Request for a Site Development Plan Review FOR A 372 UNIT RESIDENTIAL CONDOMINUM DEVELOPMENT COMPOSED OF SIX FOUR STORY BUILDINGS on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road (APNs 125-20-301-012 through 014), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [M-TC (Medium Density Residential - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

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

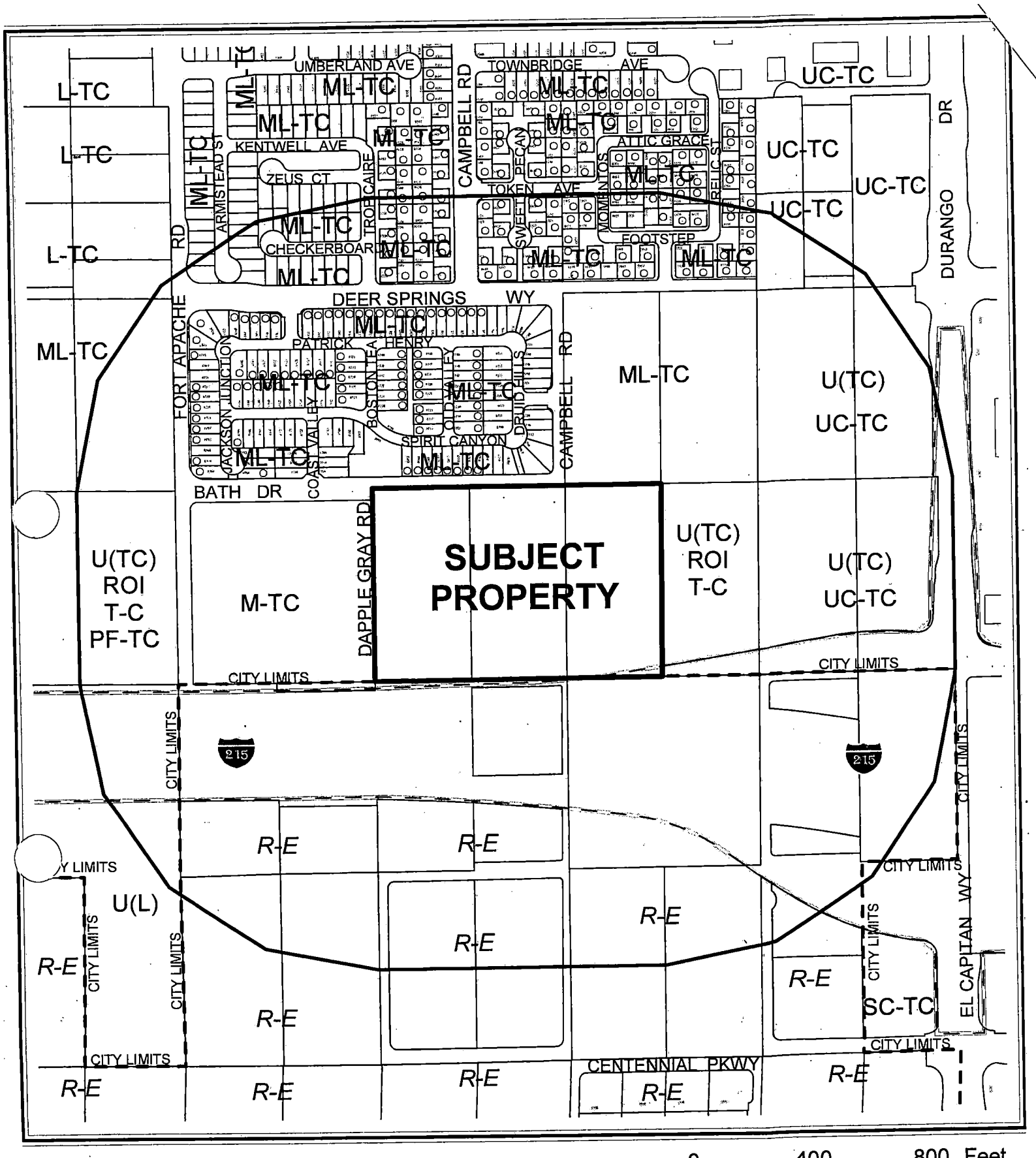
RECOMMENDATION:
Staff recommends this item be HELD IN ABEYANCE to the April 14, 2005 Planning Commission meeting.

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

MOTION:
GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:
There was no discussion.

(6:02 – 6:09)



0 400 800 Feet

CASE: **SDR-6105**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6105 - APPLICANT/OWNER: TOWNE VISTAS, LLC

ON MARCH 15, 2005 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE ARPIL 14, 2005 PLANNING COMMISSION MEETING.

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW
www.kkbr.com

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LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

March 15, 2005

VIA FACSIMILE – 385-7268

Mr. Peter Lowenstein
City of Las Vegas
Planning and Development Department
400 E. Stewart, 1st Floor
Las Vegas, Nevada 89101

Re: ZON-6103 - Town Vistas Condominiums
Request to Hold SDR-6105 and VAR-6228

Dear Mr. Lowenstein:

Please be advised that our office represents the applicant in the above-referenced matters which are currently scheduled to be heard before the City of Las Vegas Planning Commission on March 24, 2005. As we plan to go forward on the zoning matter, we would request that ZON-6103 be heard at its presently scheduled time. However, we respectfully request that both SDR-6105 and VAR-6228 be held until the April 14 Planning Commission meeting so as to permit necessary revisions to the site plan with regard to ingress and egress as well as revision of the landscaping plan. Should you approve this request, it is our understanding that SDR-6105 and VAR-6228 would therefore be heard at the Las Vegas City Council meeting on May 18, 2005.

Thank you for your kind consideration of this request. Please contact me if you have questions.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha F. Keetch

TFK/lsm

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6105 APN: 125-20-301-012,013,014

Name of Property Owner: Towne Vistas, LLC

Name of Applicant: Towne Vistas, 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 _____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Stephen B. Aizenberg, President

Towne Vistas, LLC a Nevada limited liability compa
By: S.B.A. Development, Inc.,
dba Royal Construction Company a Nevada corporatic
Managing Member

Subscribed and sworn before me

This 2nd day of February, 20 05

J. Rosanna Estrada

Notary Public in and for said County and State

STATE: NEVADA

COUNTY: CLARK

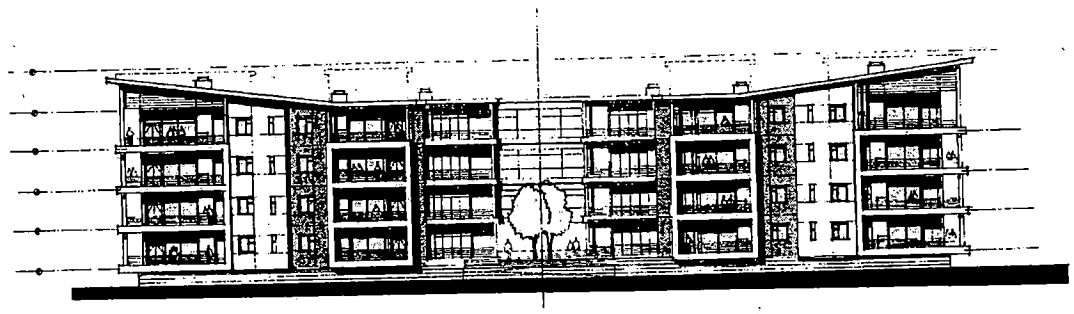
NOTARY PUBLIC
STATE OF NEVADA

Revised 12-03-04

TOWNE VISTAS

APN 125-20-301-012 / APN 125-20-301-013 / APN 125-20-301-014

SPINNAKER HOMES
BY ROYAL CONSTRUCTION COMPANY



PROGRAM SUMMARY

DESCRIPTION

Six (6) 4-Story Mid-Rise Residential Buildings (Type V-A) with Automatic Sprinkler System
Over an Enclosed Parking Garage (Type I)
1-Story Clubhouse and 1-Story Model Home (Type V-A)

SITE SUMMARY

Site Area 653,400 SF — 15.0 Acres
25 D.U. / Acre — **375** Max. Units Allowed
372 Units Provided

Building Areas		**Total GSF**	**Grnd Flr Areas**
Residential Buildings	161,000	966,000	114,000
Parking Podium	47,000		
Building	114,000		
Club House		12,265	8905
Model/Maintenance House		1,560	1560
Totals		**979,825**	**1.06 F.A.R.**

Open Space	
Required	78,408 (12% of total site area)*
Provided	653,400 sf

* Per Town Center Development Standards, page 125

BUILDING SUMMARIES

PROGRAM TOTALS

RESIDENTIAL Unit Types (3 flrs)	**NSF/Unit**	**per Floor**	**per Building**	**Total**	
1 BR / 1 BA (Unit A1)	960		2	12	3%
2 BR / 2BA (Unit B1)	1,550	4	12	72	
2 BR / 2BA (Unit B2)	1,560	2	6	36	
2 BR / 2BA (Unit B3)	1,400	2	6	36	
2 BR / 2BA (Unit B4)	1,310	2	4	24	
		6	28	168	45%
3 BR / 2.5BA (Unit C1)	2,100	2	6	36	
3 BR / 2BA (Unit C2)	2,100	2	6	36	
3 BR / 2.5BA (Unit C3)	2,200	2	6	36	
		6	18	108	29%
RESIDENTIAL 4th Floor Units					
2 BR / 2BA Villas (Unit B1) *	1,550		4	24	
2 BR / 2BA Villas (Unit B2) *	1,560		2	12	
2 BR / 2BA Villas (Unit B3) *	1,400		2	12	
2 BR / 2BA Villas (Unit B4) *	1,310		2	12	
3 BR / 2.5BA Villas (Unit C3) *	2,200		2	12	
4 BR / 3.5BA Penthse Lofts(Unit D1) *	4,100		2	12	
			14	84	23%
RESIDENTIAL TOTALS			**62**	**372**	100%

* Mezzanine Loft area not included in Building Area Calcs per IBC Sec. 505.1

CLUBHOUSE (2 levels) Refer to page 11 for Program Summary

MODEL/MAINTENACNE HOUSE (2 levels) Refer to page 14 for Program Summary

SHEET INDEX

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SITE	
Site Plan	2
Landscape Plan	3
Site Parking Plan	4
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Ground + Typical Floor Plans	6
4th Floor	7
Elevations	8
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Elevations	13
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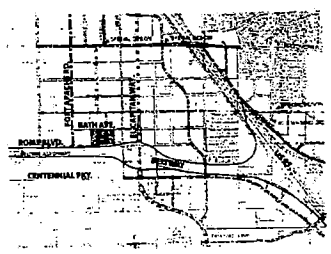
Unit Type B3	18
Unit Type B4	19
Unit Type C1	20
Unit Type C2	21
Unit Type C3	22
Unit Type D1	23
MATERIALS BOARD	24

VICINITY MAP



PROJECT TEAM

OWNER

SPINNAKER HOMES
Royal Construction Company
4511 W. Cheynne Avenue, Suite 105
North Las Vegas, NV 89032

ARCHITECT

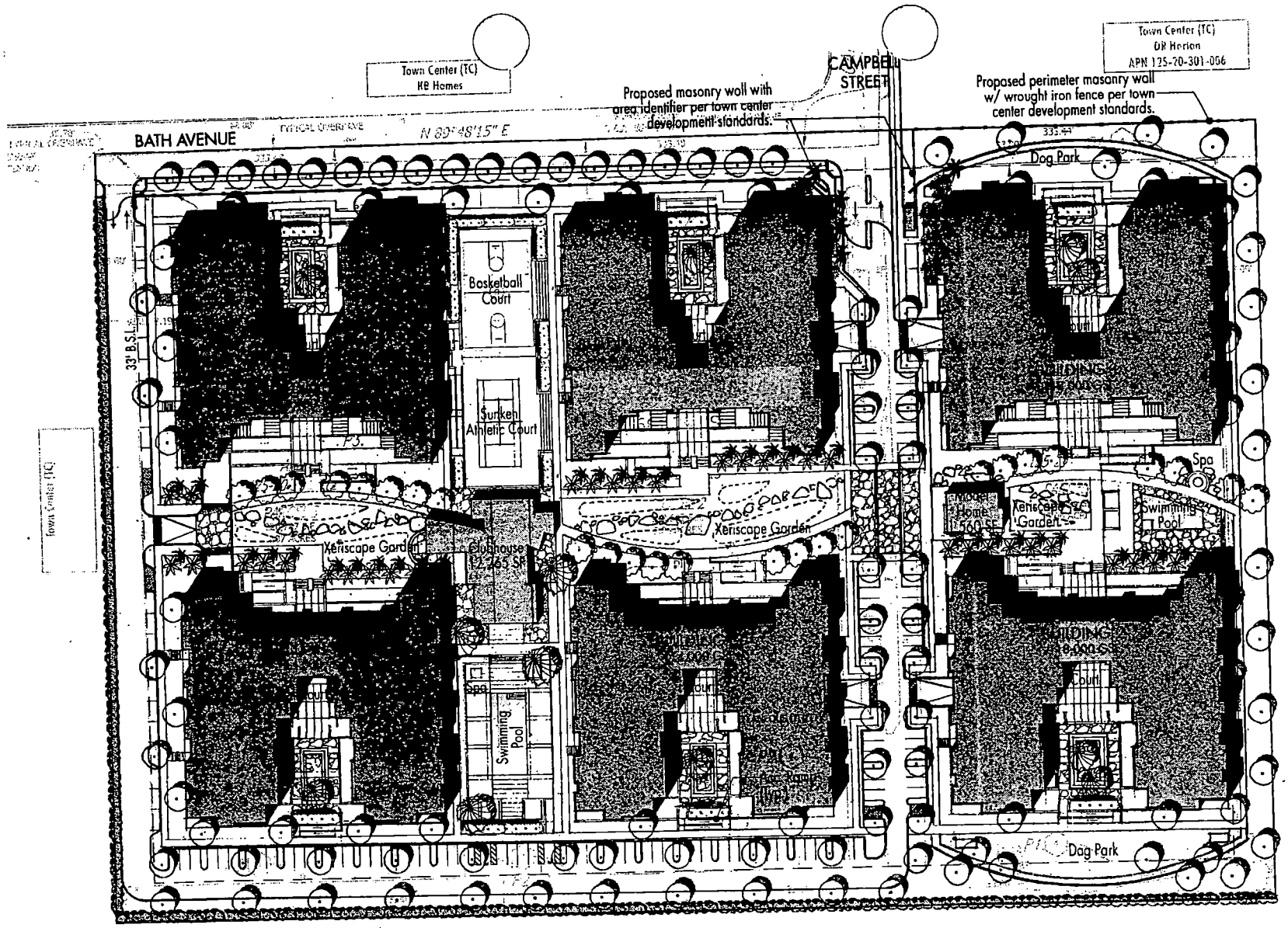
STUDIO ONE ELEVEN
Perkowitz + Ruth Architects
111 W. Ocean Avenue
Long Beach, CA 90802

studioneleven
at Perkowitz+Ruth Architects

02-08-05 rev 2

SDR-6105
03/24/05 PC

RECEIVED
FEB 0 8 2005



TOWNE VISTAS

SPINNAKER HOMES

04830-11

DATE 02-08-05

SITE PLAN 2

N

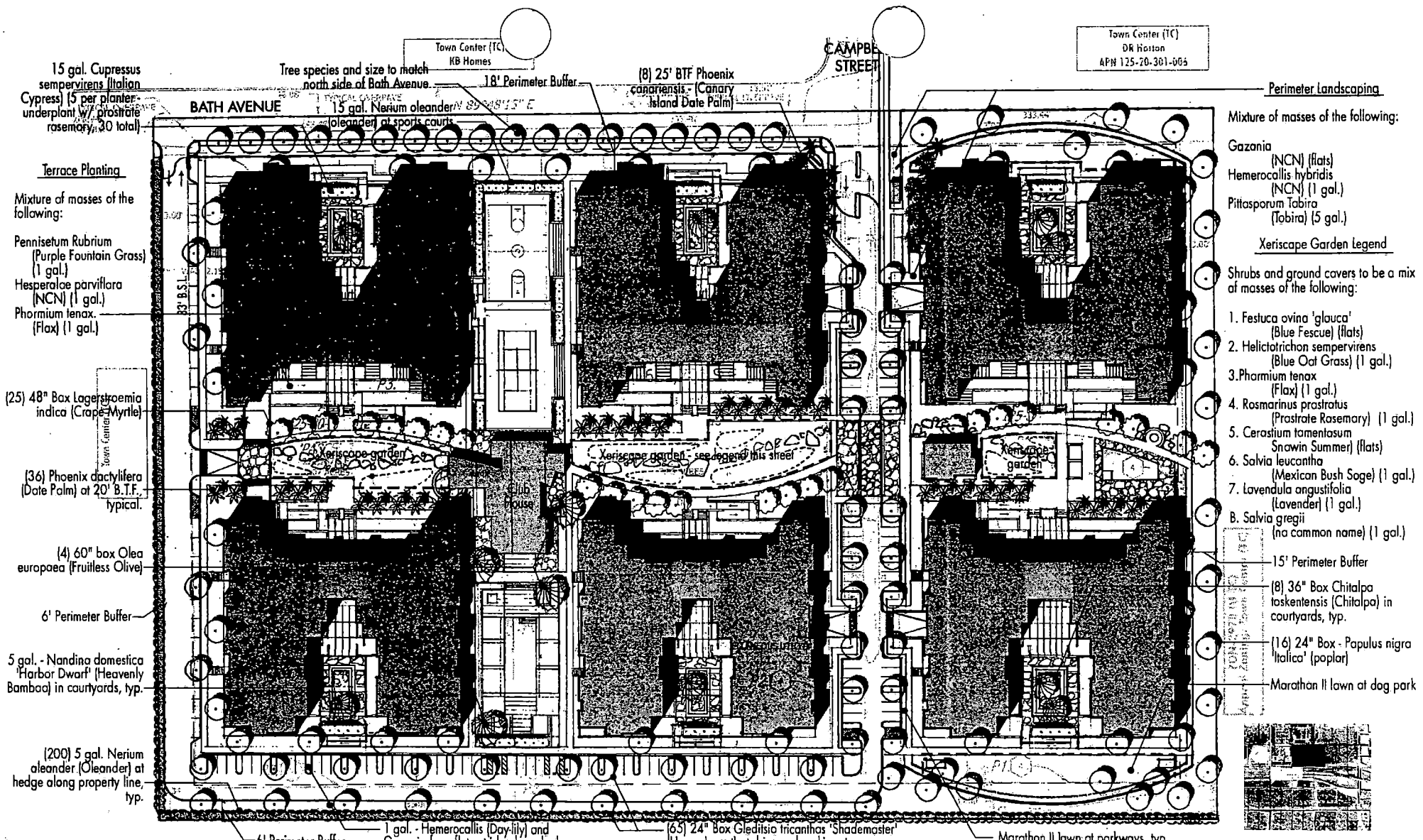
0 20 40 80

scale : 1" = 80'-0"

studioneleven
at Perkowitz+Ruth Architects

SDR-6105
03/24/05 PC

RECEIVED
FEB 0 8 2005



studioneleven
at Perkowitz+Ruth Architects

TOWNE VISTAS

SPINNAKER HOMES
04830-11
DATE 02-08-05

SITE LANDSCAPE PLAN 3

N
0 20 40 80
scale : 1" = 80'-0"

RECEIVED

SDR-6105
03/24/05 PC

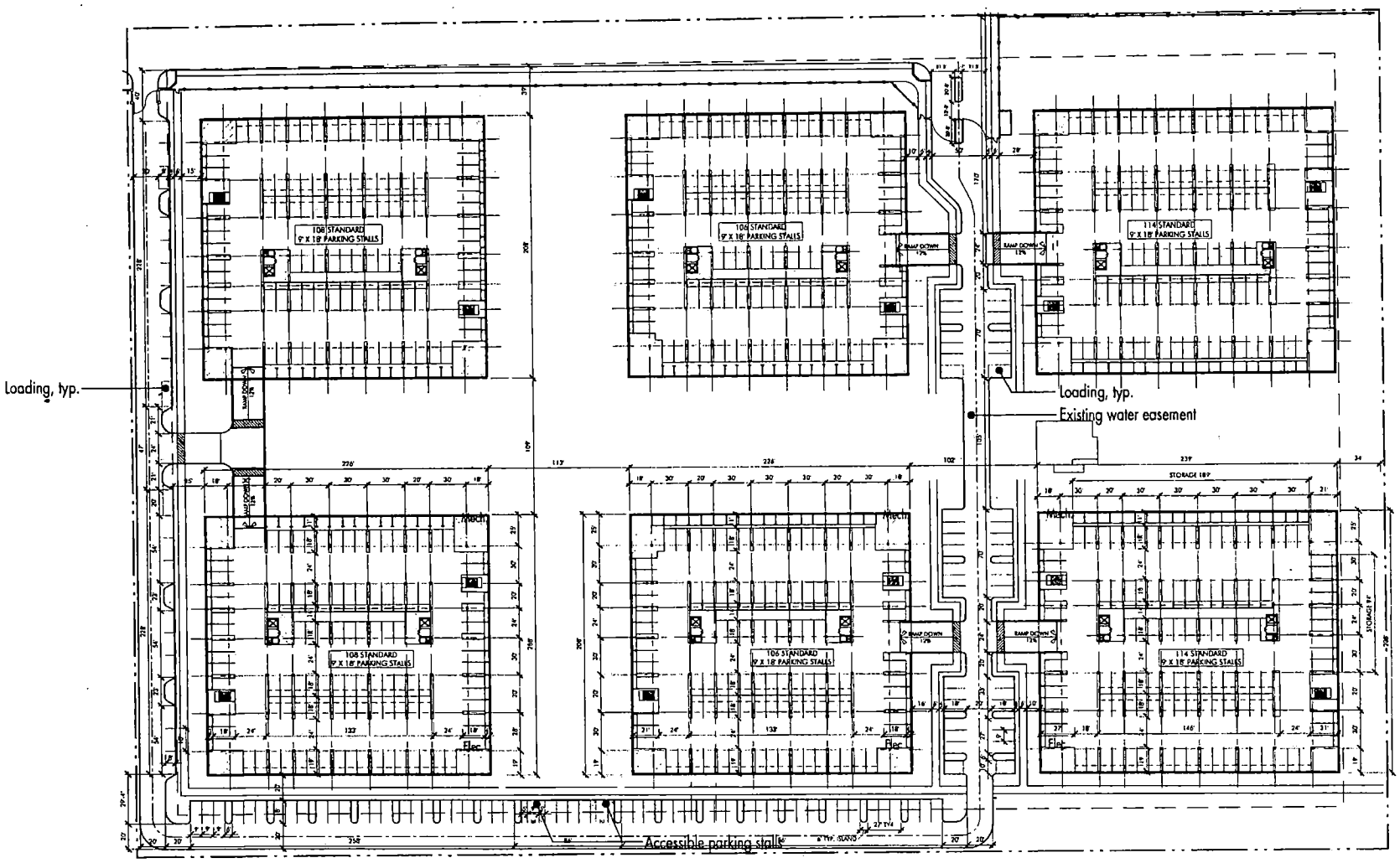


Table 1004.1.2

	SF/OCCP
OCCUPANT LOAD - Parking Podium	
SPACE	
Parking	200
Mechanical	300
Electrical	300
Storage Areas	300
TOTAL OCCUPANT LOAD	

	SF	
	44,450	223
	700	3
	500	2
	500	2
		228

PARKING SUMMARY

Parking Required		PS/Units	Total Units	
Visitor (Surface Parking)	(1/6 Units)	1.11	317	53 stalls
188 Residential (Below-Ground)		1.25	12	15 stalls
288 Residential (Below-Ground)		1.75	168	294 stalls
388 Residential (Below-Ground)		2.00	132	264 stalls
Total				**626 parking stalls**
Parking Provided				
Visitor (Surface Parking)				100 stalls
Building A (Below-Ground)				656 stalls
Total				**764 parking stalls**

studioneleven
at Perkowitz+Ruth Architects

TOWNE VISTAS

SPINNAKER HOMES
04830-11
DATE 02-08-05

SITE PARKING PLAN 4

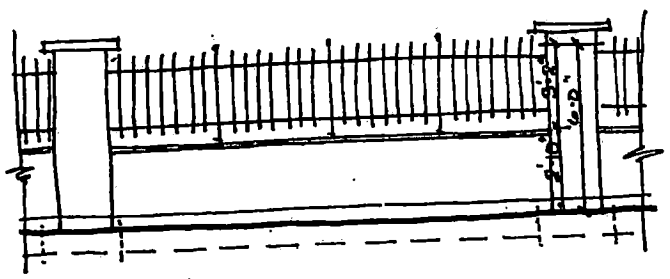
N
0 20 40 80
scale : 1" = 80'-0"

SDR-6105
03/24/05 PC

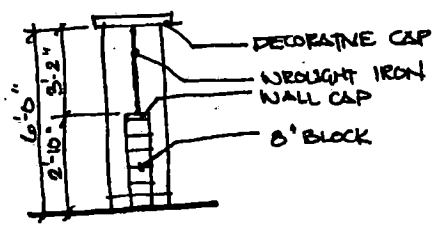
RECEIVED
FEB

Perimeter Wall Detail*

*Per Town Center Standards

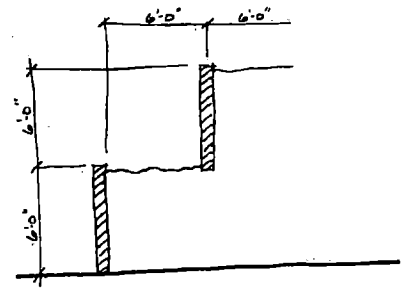


Wall With Wrought Iron Scale=N.T.S.



Wall Detail Scale=N.T.S.

Retaining Wall Detail*



Scale=N.T.S.

CODE ANALYSIS (Preliminary)

Applicable Codes

2003 International Building Code (IBC) *with City of Las Vegas Amendments*
2003 Southern Nevada Pool Code
City of Las Vegas Zoning Code
Town Center Development Standards

			Ref Section
Occupancy Types			
Residential Building:	Group R-2: Residential		310.1
	Group U: Utility	(Enclosed Parking Garage)	312.1
Clubhouse Building	Group A-3		406.4
	Group A-1	(Media Theater)	
Model House	Group B		
Building Limitations		Bldg Ht	
Residential Mid-Rise Buildings			Table 503
Type V-A, R-2 Occupancy			504.2 / 903.3.1.2
Auto Sprinkler (NFPA 13R) Height Increase		4 stories/60ft	505.1
Mezzanines: 1/3 Area limitation			
Type I, U		4 stories	
Fire Separations			Table 302.3.2
Mixed Occupancy Separation	R-2 and U:	Not required	
	A-1 and A-3:	2 Hour	

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TOWN CENTER STANDARD DETAILS & PRELIMINARY CODE ANALYSIS 5

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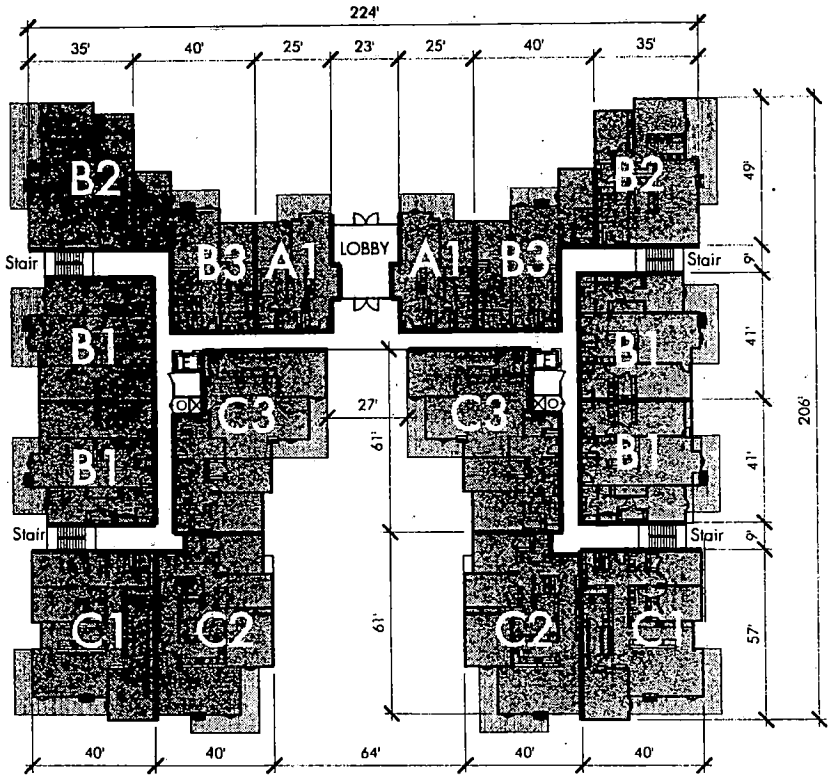
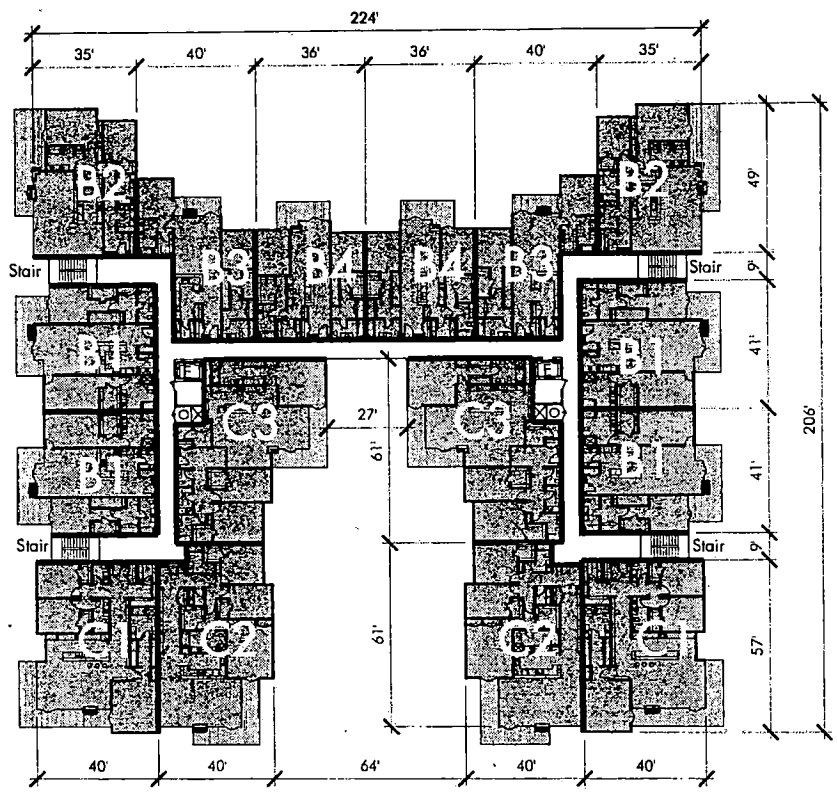


GROUND FLOOR PLAN

OCCUPANT LOAD - Ground Floor — Table 1004.1.2

UNIT TYPE	SF	OCCP/UNIT	NO UNITS	TOTAL
Unit Plan A1	960	5	2	10
Unit Plan B1	1,550	8	4	31
Unit Plan B2	1,560	8	2	16
Unit Plan B3	1,400	7	2	14
Unit Plan C1	2,100	11	2	21
Unit Plan C2	2,100	11	2	21
Unit Plan C3	2,200	11	2	22
TOTAL OCCUPANT LOAD			16	134



2ND & 3RD FLOOR PLAN

OCCUPANT LOAD - 2nd & 3rd Floor — Table 1004.1.2

UNIT TYPE	SF	OCCP/UNIT	NO UNITS	TOTAL
Unit Plan B1	1,550	8	4	31
Unit Plan B2	1,560	8	2	16
Unit Plan B3	1,400	7	2	14
Unit Plan B4	1,310	7	2	13
Unit Plan C1	2,100	11	2	21
Unit Plan C2	2,100	11	2	21
Unit Plan C3	2,200	11	2	22
TOTAL OCCUPANT LOAD			16	138

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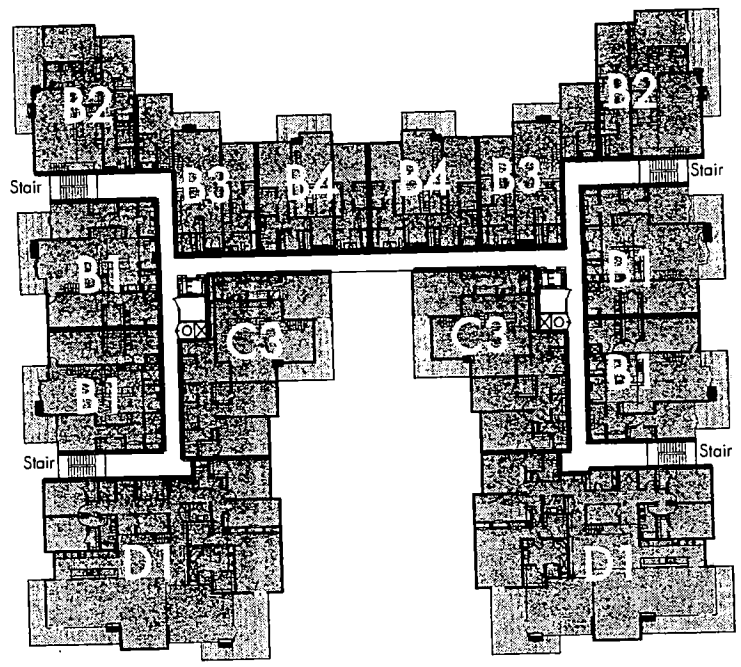

4TH FLOOR PLAN
(ALL UNITS INCLUDE VILLA OPTIONS EXCEPT D1 UNITS)

OCCUPANT LOAD - 4th Floor — Table 1004.1.2

UNIT TYPE	SF	OCCP/UNIT	NO UNITS	TOTAL
Unit Plan B1- Villa Option *	1,550	8	4	31
Unit Plan B2- Villa Option *	1,560	8	2	16
Unit Plan B3- Villa Option *	1,400	7	2	14
Unit Plan B4- Villa Option *	1,310	7	2	13
Unit Plan C3- Villa Option *	2,200	11	2	22
Unit Plan D1	4,100	21	2	41
TOTAL OCCUPANT LOAD			14	137

* Mezzanine Loft not included in total Square Footage per IBC Sec. 505.1.

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FLOOR PLAN 7

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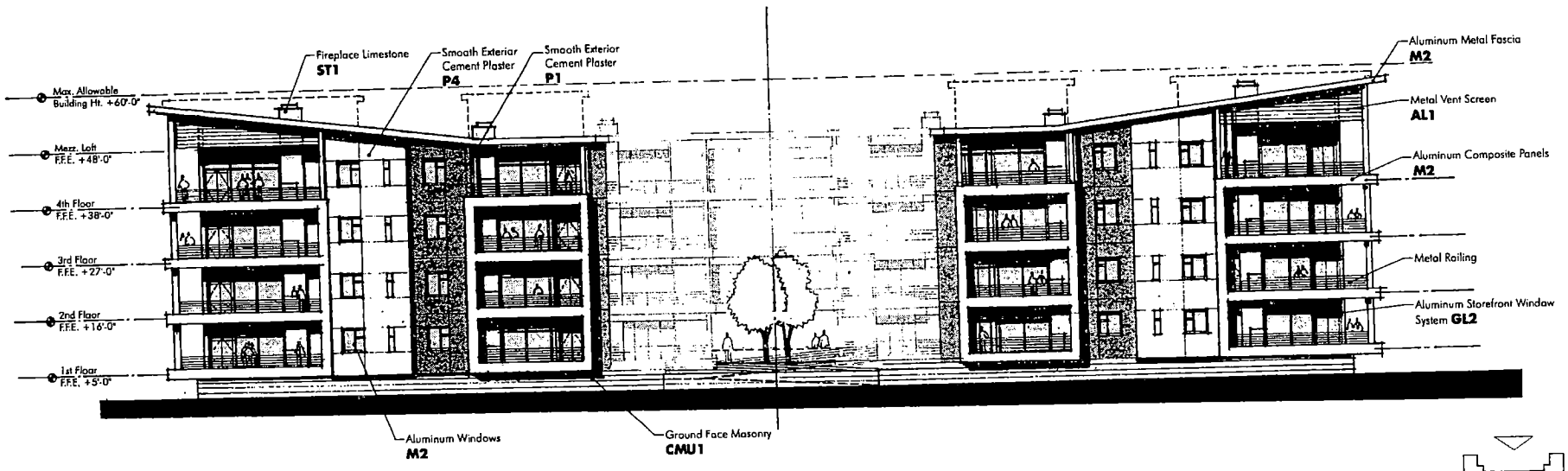

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04830-11

DATE 02-00-05

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ELEVATION 8

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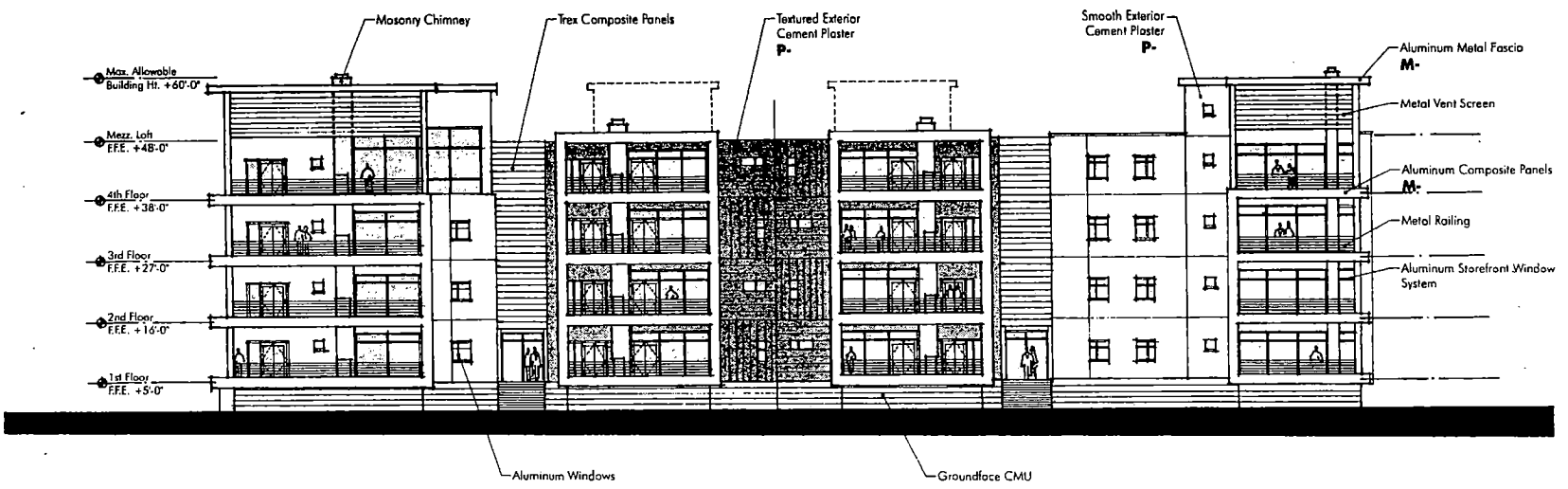

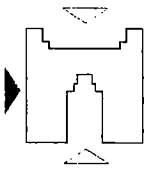

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04830-11
DATE D2-08-05

ELEVATION 9

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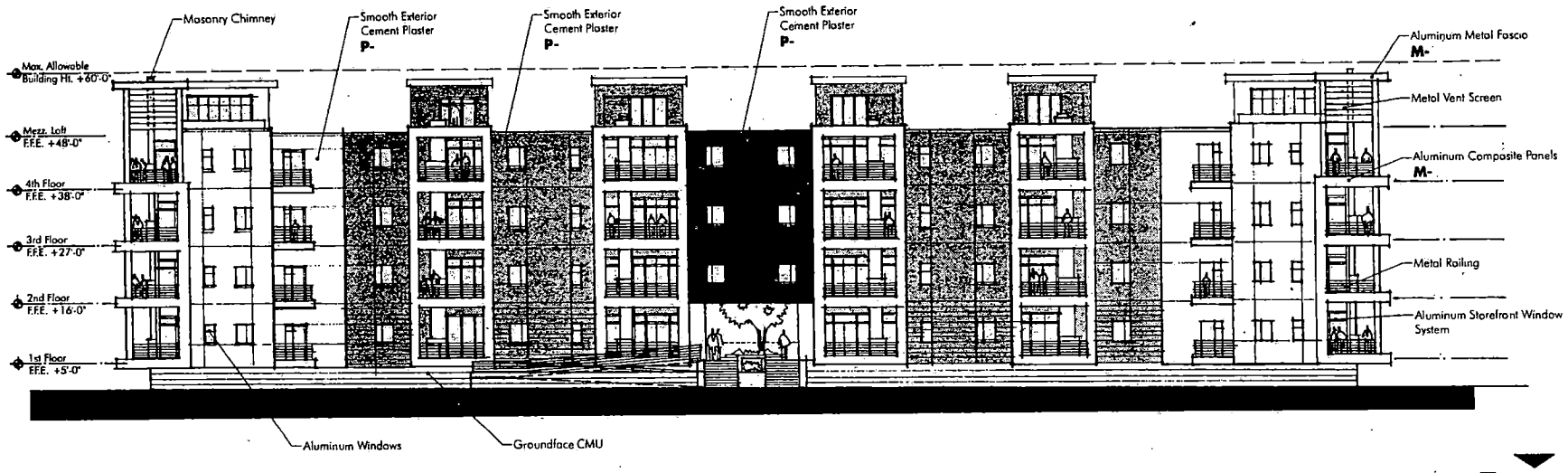

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SPINNAKER HOMES

04830-11

DATE 02-08-05

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ELEVATION 10

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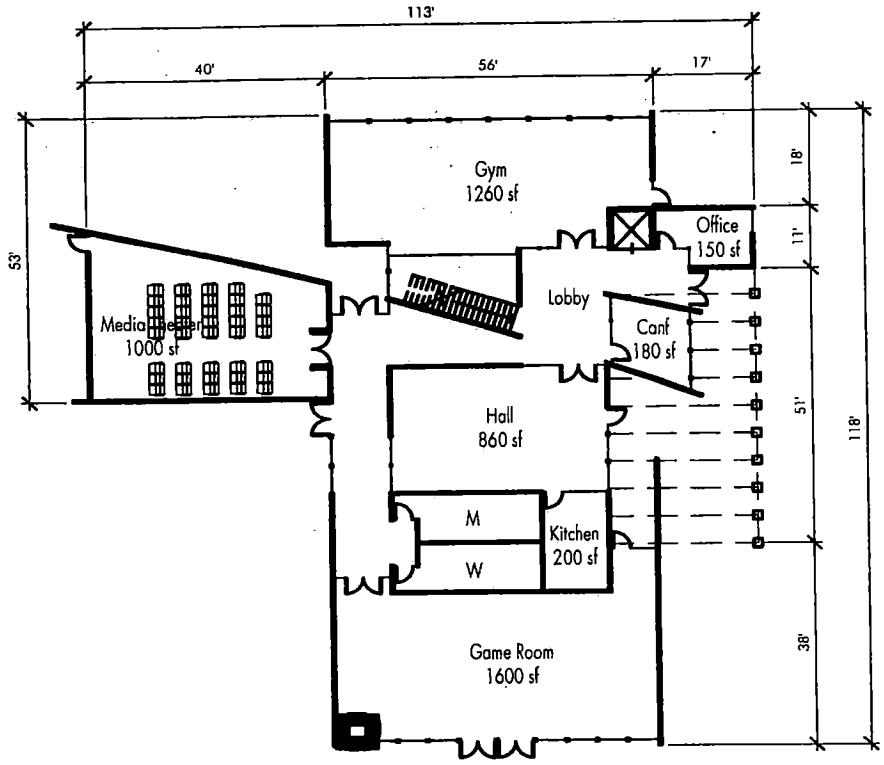
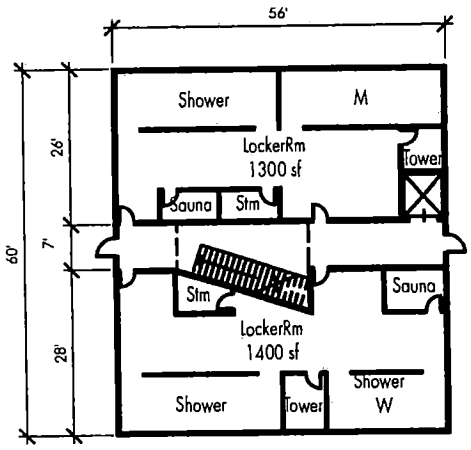


GROUND FLOOR PLAN



SUB-LEVEL FLOOR PLAN

OCCUPANT LOAD - Club House — Table 1004.1.2

SPACE	SF	SF/OCCP	TOTAL
Gym	1,260	50	25
Media Theater	1,000	-	40
Hall	860	7	123
Office	150	100	2
Conference	180	100	2
Kitchen	200	200	1
Game Room	1,600	15	107
Locker Room - Men's	1,300	50	26
Locker Room - Women's	1,400	50	28
TOTAL OCCUPANT LOAD			353

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DATE 02-08-05

CLUBHOUSE FLOOR PLANS 11

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scale : 1" = 20'-0"

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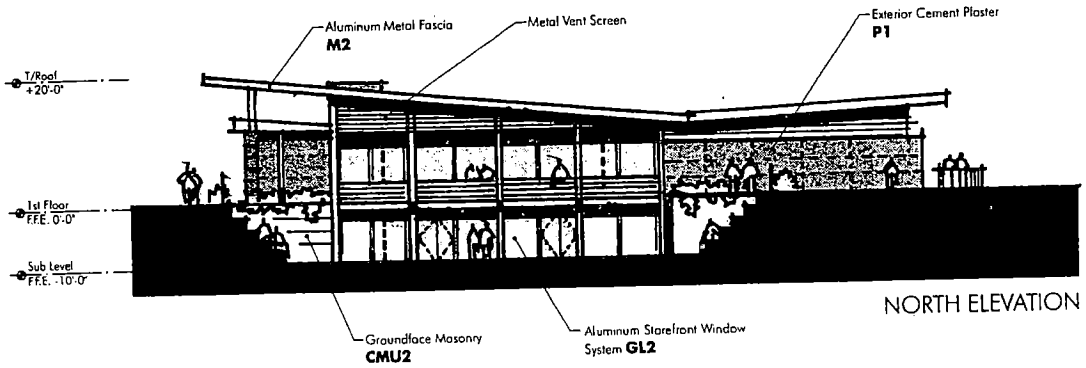
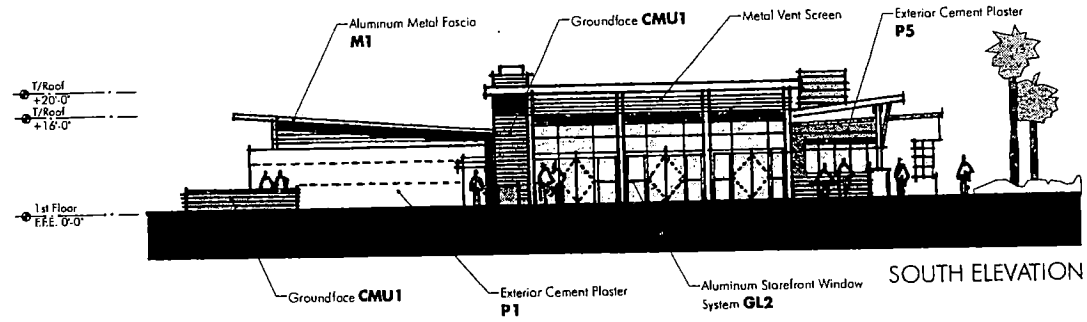


NORTH ELEVATION



SOUTH ELEVATION

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DATE 02-08-05

CLUBHOUSE ELEVATIONS 12

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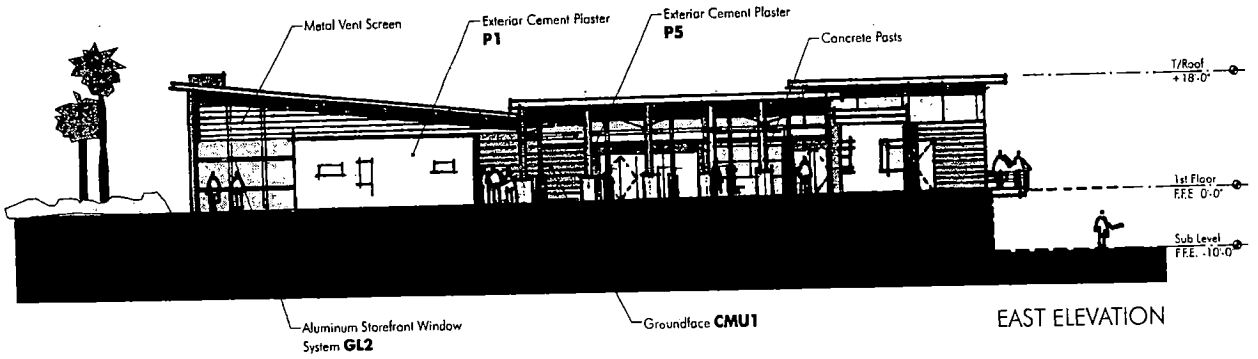

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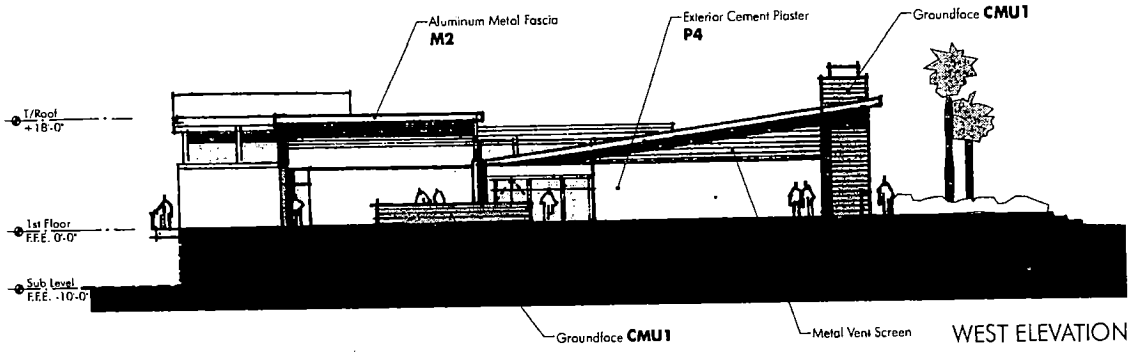

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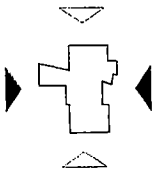

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DATE 02-08-05

CLUBHOUSE ELEVATIONS 13

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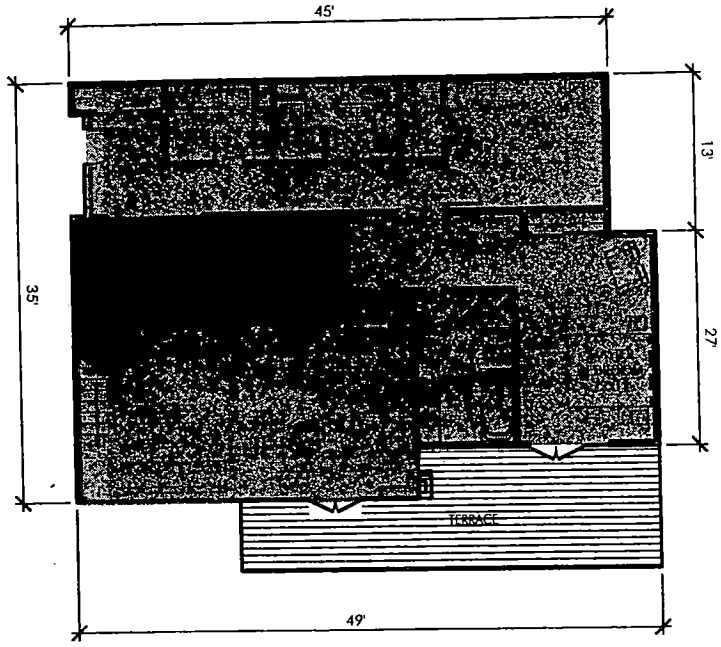
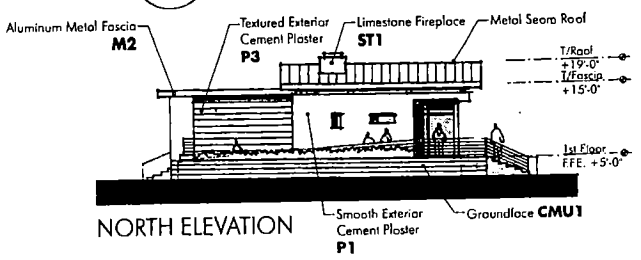


FLOOR PLAN
(BASED ON UNIT PLAN B-2)

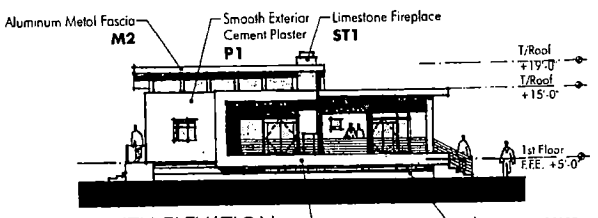
0 2.5 5 10
scale: 1" = 10'-0"

OCCUPANT LOAD - Model House — Table 1004.1.2

SPACE	SF	SF/OCCP	TOTAL
Office (Great Room)	590	100	6
Office (Mstr Bedrm)	204	100	2
Office (Bedrm)	145	100	1
Storage (Closets)	114	300	1
TOTAL OCCUPANT LOAD			10

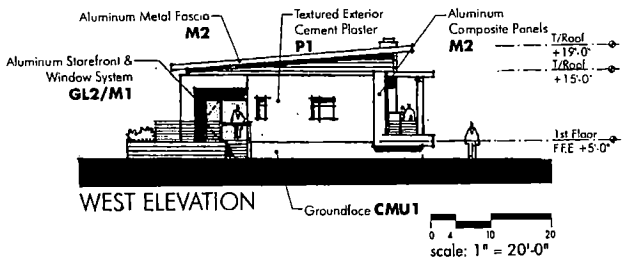


NORTH ELEVATION



SOUTH ELEVATION

EAST ELEVATION



WEST ELEVATION

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DATE 02-08-05

MODEL HOUSE 14

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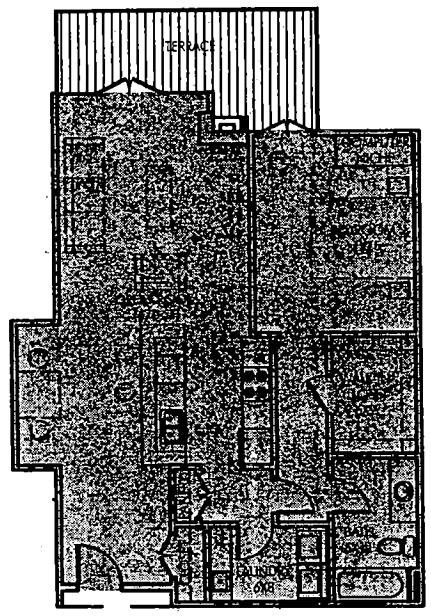
scale : as noted



TYPICAL UNIT PLAN A1
1BD/1BA (960 SF)

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UNIT PLAN A1 15

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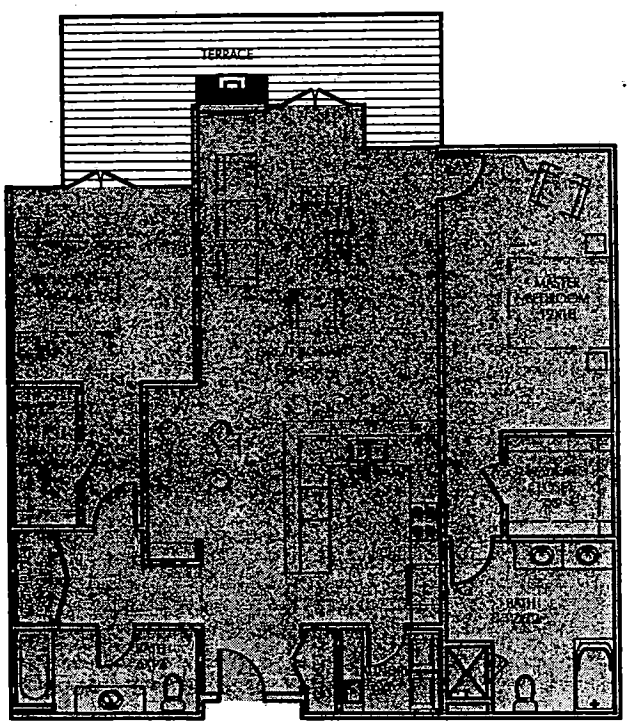
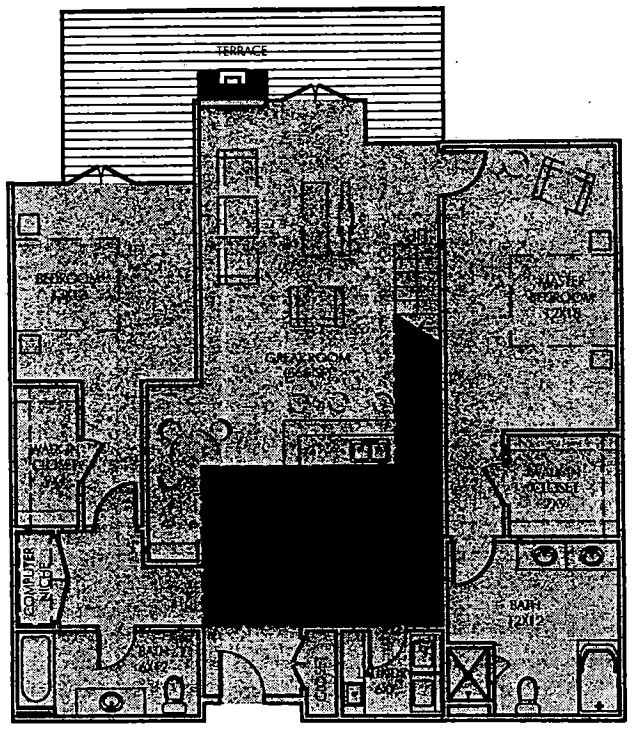


TYPICAL UNIT PLAN B1
2BD/2BA (1,550 SF)



UNIT PLAN B1 - VILLA OPTION
2BD/2BA WITH MEZZANINE LOFT (1,720 SF)

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DATE 02-08-05

UNIT PLAN B1 16

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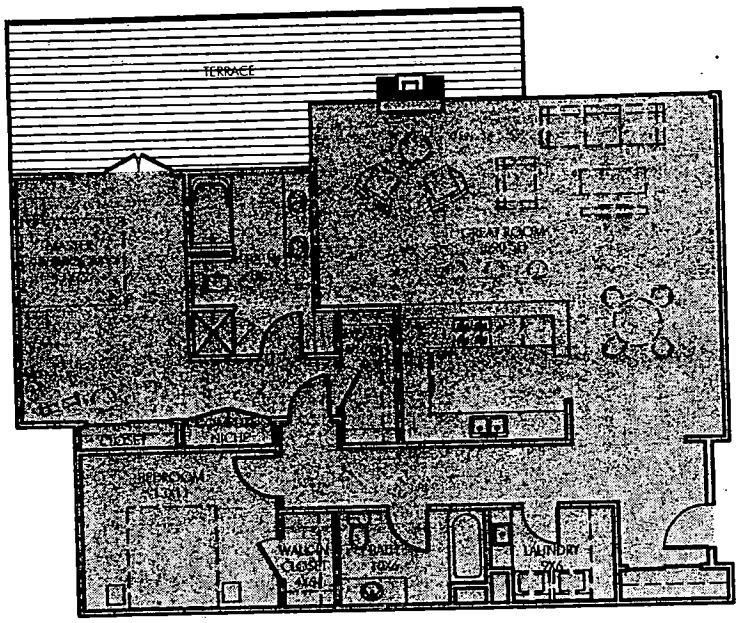
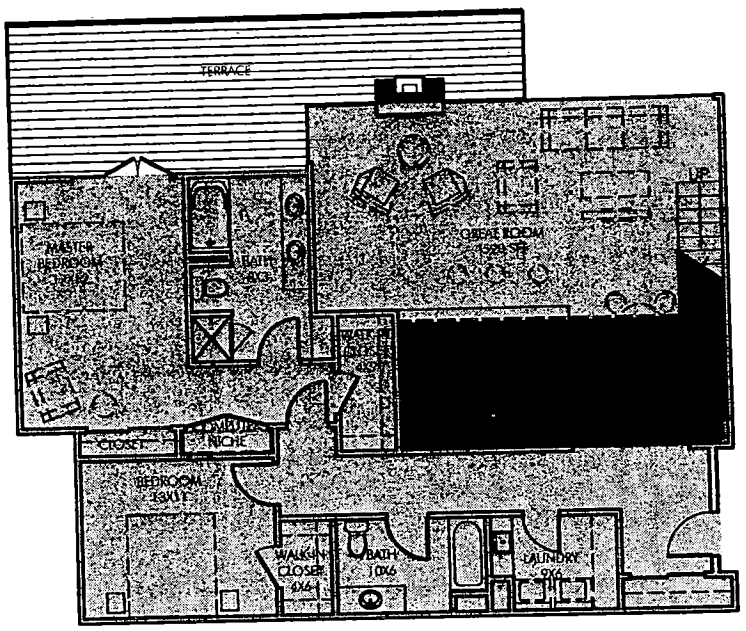
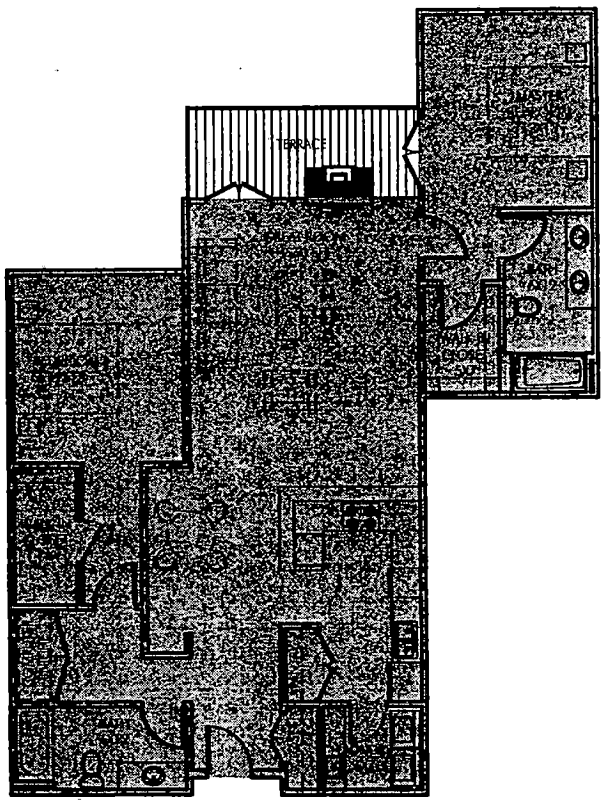


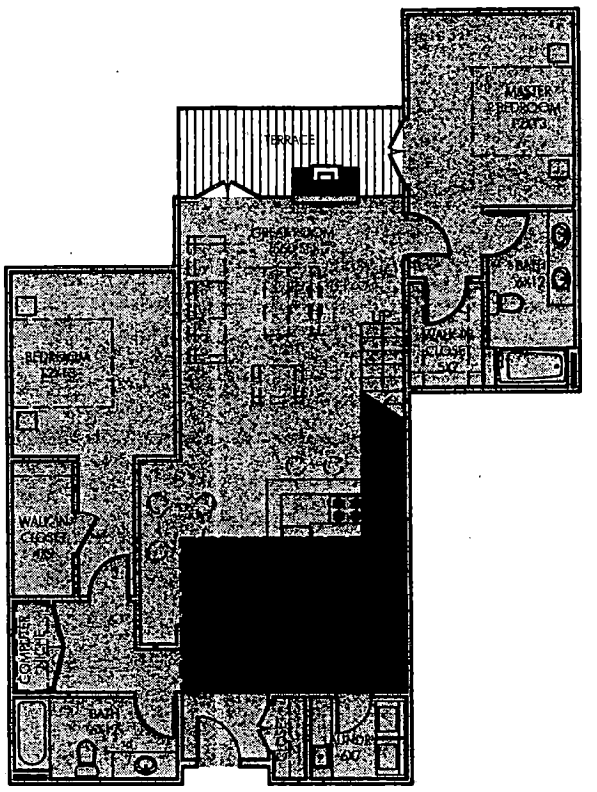
TYPICAL UNIT PLAN B2
2BD/2BA (1,560 SF)



UNIT PLAN B2 - VILLA OPTION
2BD/2BA WITH MEZZANINE LOFT (1,737 SF)



TYPICAL UNIT PLAN B3
2BD/2BA (1,400 SF)



UNIT PLAN B3 - VILLA OPTION
2BD/2BA WITH MEZZANINE LOFT (1,568 SF)

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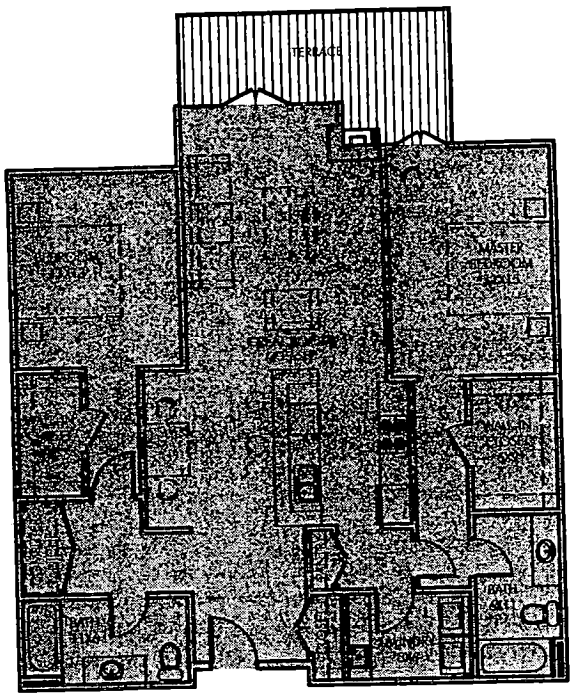
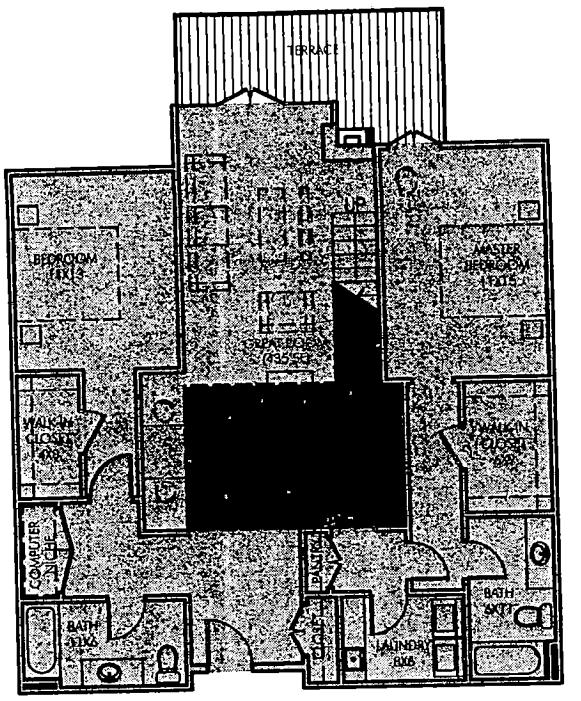
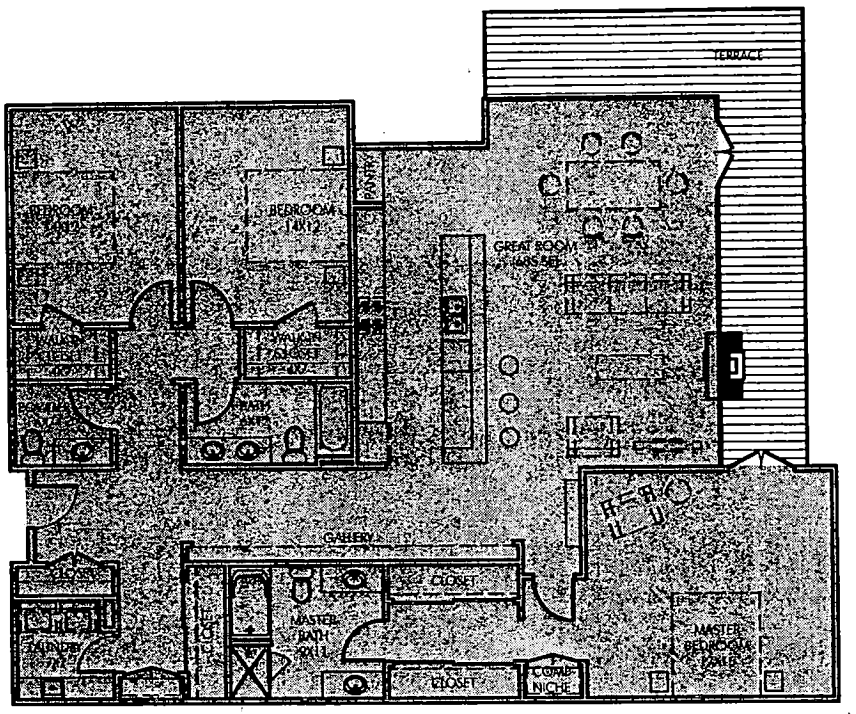


TYPICAL UNIT PLAN B4
2BD/2BA (1,310 SF)



UNIT PLAN B4 - VILLA OPTION
2BD/2BA WITH MEZZANINE LOFT (1,440 SF)



TYPICAL UNIT PLAN C1
2BD/2.5BA (2,100 SF)

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UNIT PLAN C1

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

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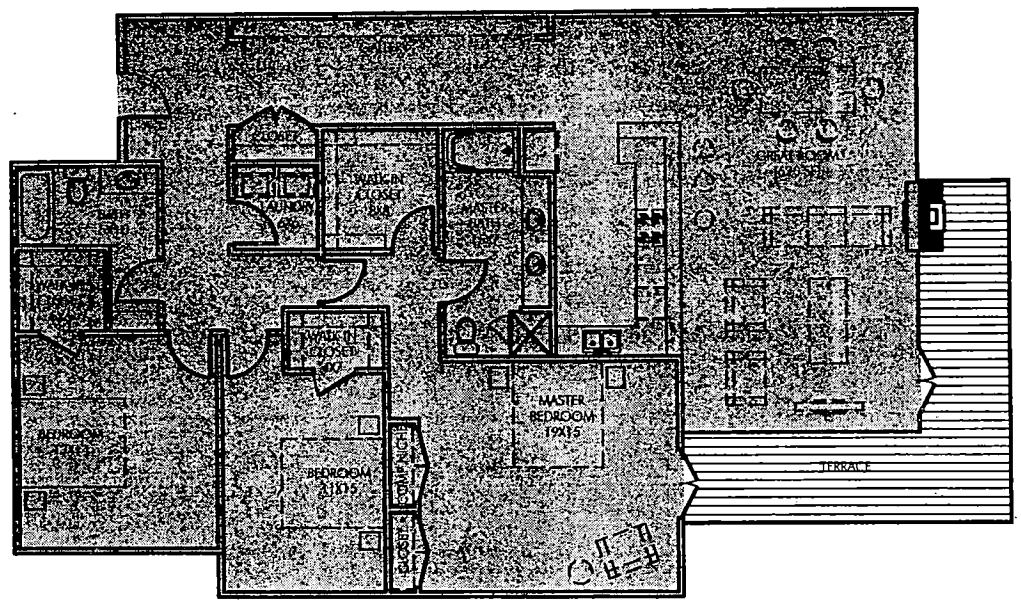

TYPICAL UNIT PLAN C2
2BD/2BA (2,100 SF)

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UNIT PLAN C2 21

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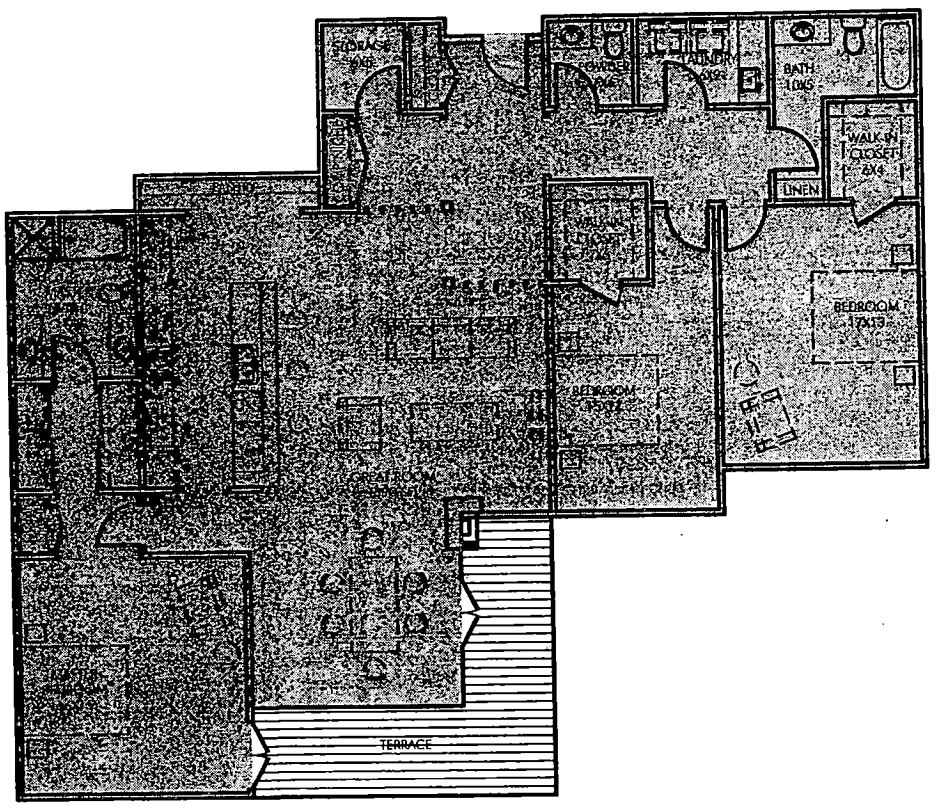
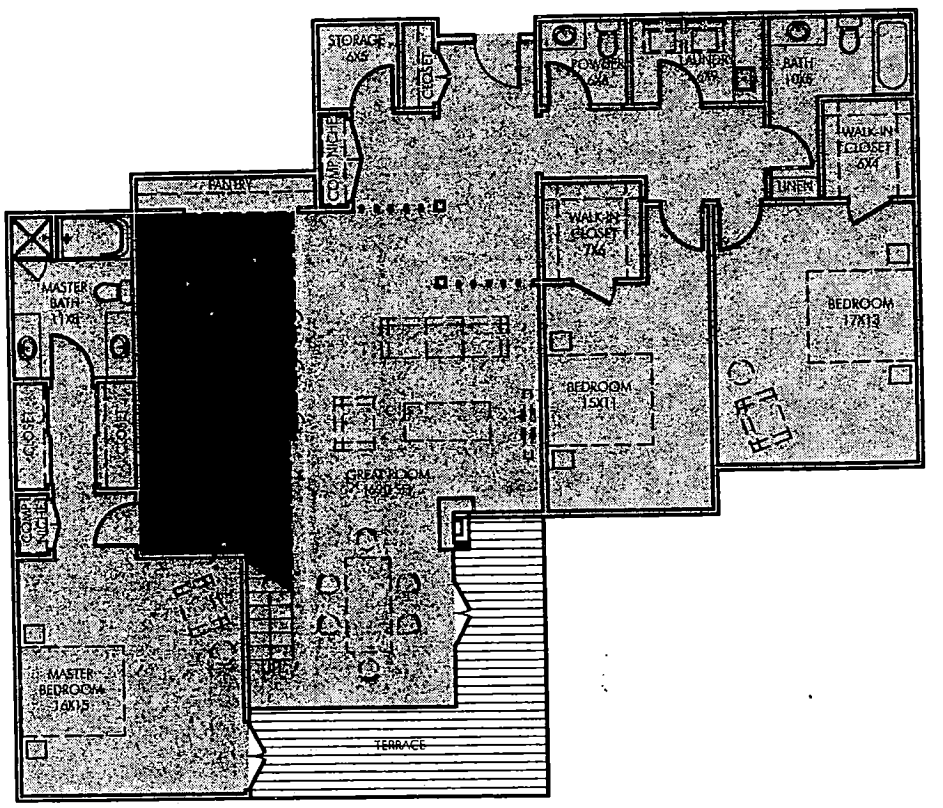


TYPICAL UNIT PLAN C3
2BD/2.5BA (2,200 SF)



UNIT PLAN C3 - VILLA OPTION
2BD/2.5BA WITH MEZZANINE LOFT (2,405 SF)

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DATE 02-08-05

UNIT PLAN C3 22

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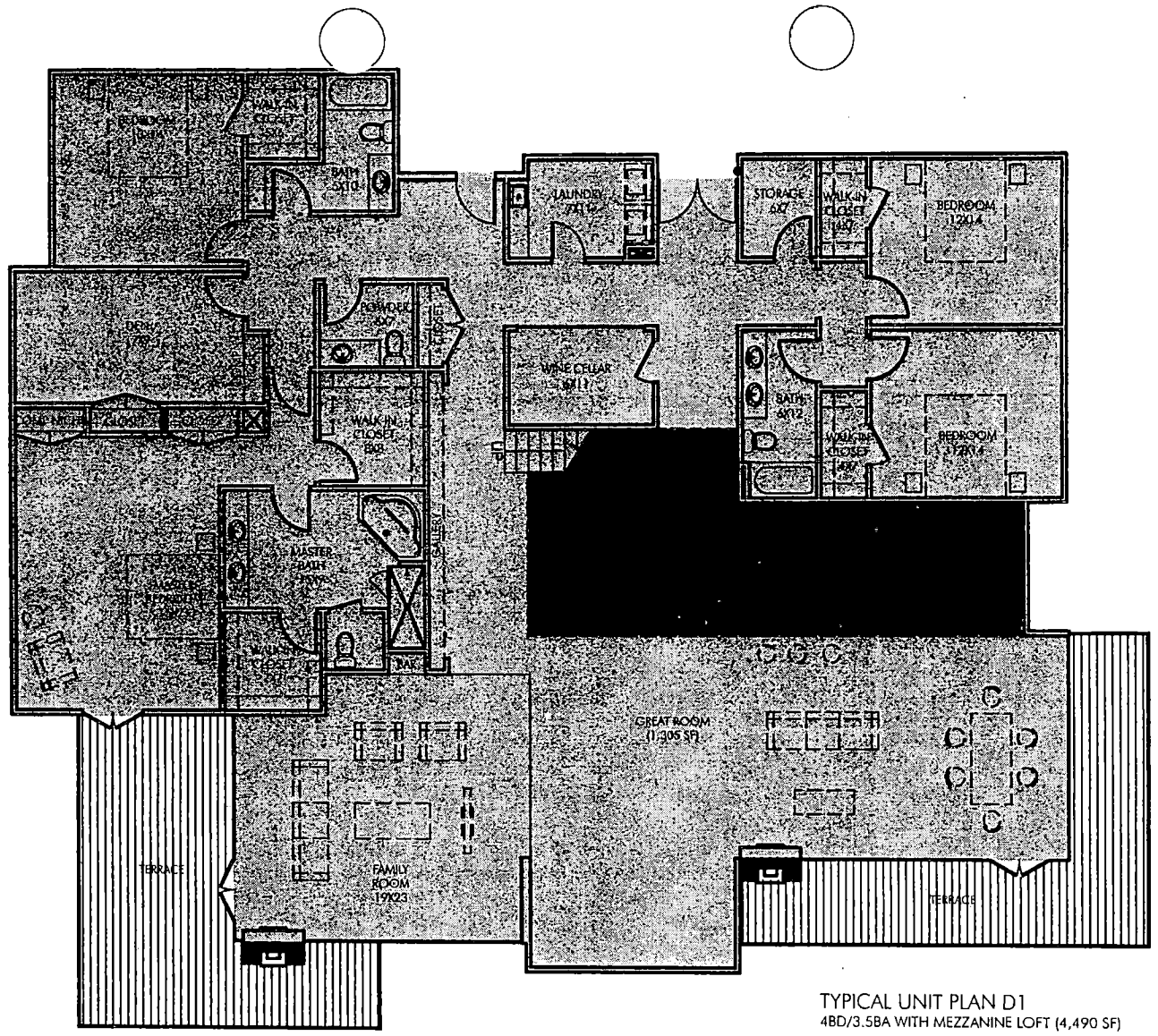

TYPICAL UNIT PLAN D1
4BD/3.5BA WITH MEZZANINE LOFT (4,490 SF)

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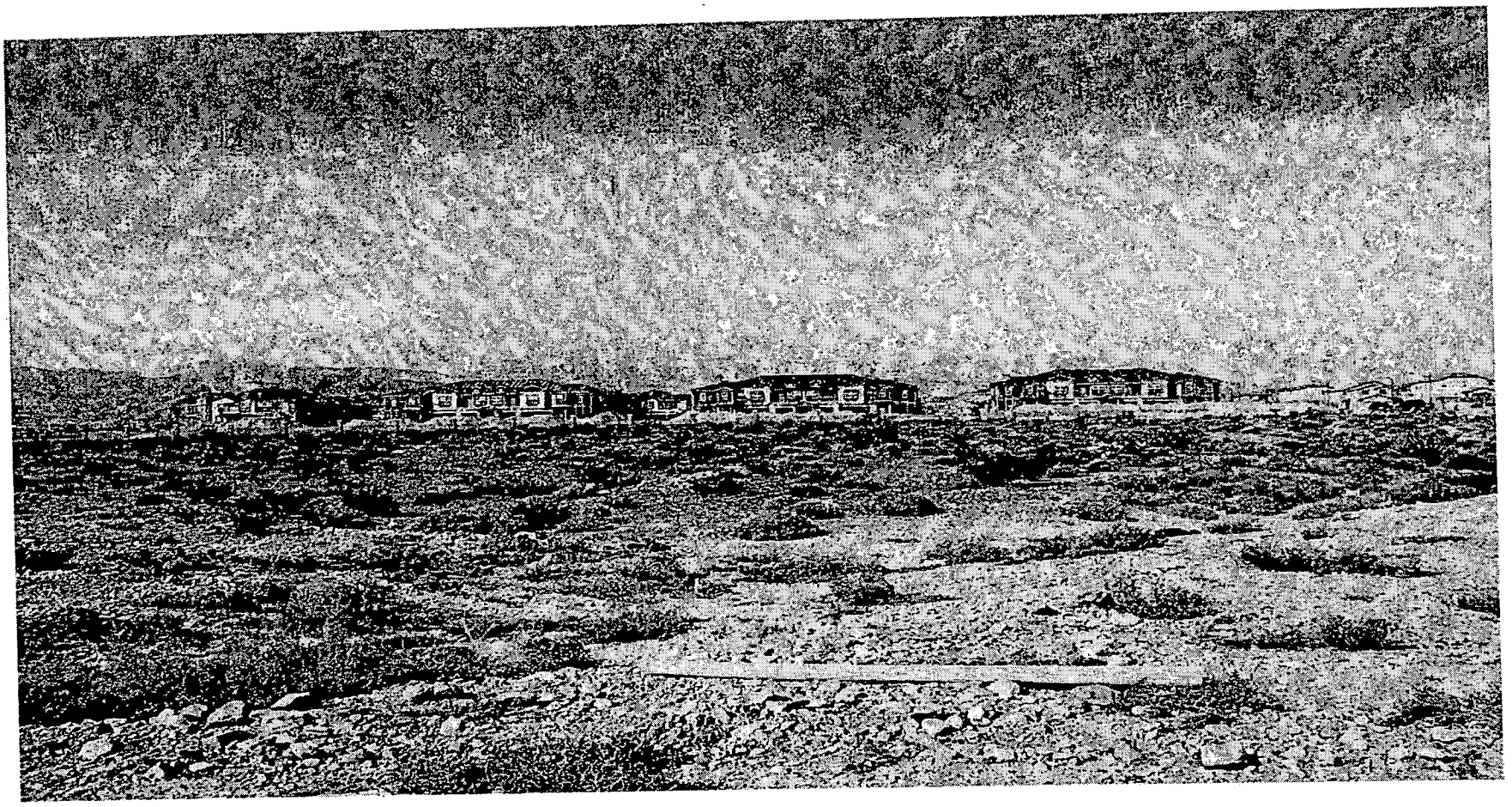
DATE 02-08-05

UNIT PLAN D1 23

N
scale : 1/8" = 1'-0"

ZON-6103, VAR-6228 AND SDR-6105 - APPLICANT/OWNER: TOWNE VISTAS, LLC
SOUTHEAST CORNER OF BATH DRIVE AND DAPPLE GRAY ROAD
MARCH 24, 2005 PLANNING COMMISSION

2/28/05



ZON-6103, VAR-6228 AND SDR-6105 - APPLICANT/OWNER: TOWNE VISTAS, LLC
SOUTHEAST CORNER OF BATH DRIVE AND DAPPLE GRAY ROAD
MARCH 24, 2005 PLANNING COMMISSION

2/28/05

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ATTORNEYS AT LAW
WWW.KKBR.COM

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5250 S. Virginia Street
Suite 220
Reno, NV 89502-6000
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

February 8, 2005

CITY OF LAS VEGAS PLANNING AND DEVELOPMENT
731 South Fourth Street
Las Vegas, Nevada 89101

Re: APN #125-20-301-012, 013, 014
Request for Zone Change and Site Development Review

To Whom It May Concern:

Please be advised this office represents the applicant in the above referenced matter. The proposed site consists of approximately 15 acres and is located north of the 215 Beltway and east of Fort Apache Road. The applicant is proposing a zone change from [U(TC)] to [M(TC)] and a site development review for a 372 unit condominium complex.

The site plan depicts six, four-story condo buildings with a one-story below grade parking garage below each building. Each building is contemporary in design. The entry is gated and is shown on the north side of the property off of Bath Avenue. The applicant intends to file an application to vacate Campbell Road which currently bisects the proposed development. The vacation of Campbell will allow for the contiguous development of the project. Amenities include xeriscape gardens between each building, athletic courts with terraced spectator seating, a 12,000 square foot clubhouse and two swimming pools.

The proposed project is consistent with the General Plan and complies entirely with the Town Center design and development standards. We appreciate you kind consideration and please contact this office should you have any questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha F. Keetch

TFK/lsm

LAW FIRMS WORLDWIDE MERITAS

City of Las Vegas

Agenda Item No.: 26

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
VAR-6084 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CHRIS O'ROURKE - Request for a Variance TO ALLOW A FRONT YARD SETBACK OF 35 FEET WHERE 50 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SINGLE FAMILY DWELLING, AND TO ALLOW A PROPOSED SIX FOOT BLOCK WALL IN THE FRONT YARD WHERE FOUR FEET (TOP TWO FEET 50 PERCENT OPEN) IS THE MAXIMUM ALLOWED on 1.02 acres adjacent to the north side of Centennial Parkway, approximately 155 feet east of Leon Avenue (APN 125-24-404-006), R-E (Residence Estates) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT voting NO and TRUESDELL excused

This is Final Action

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development Department, gave a brief overview of the application. The applicant is proposing a six-foot solid block wall along the eastern property line and a two-foot solid, four-foot wrought iron fence along the front property line. A proposed custom home would set within the required 50-foot setback so there was a request for a 35-foot

MINUTES – Continued:

setback waiver. MR. LOWENSTEIN noted that the adjacent parcel to the east has applied for an eight-lot residential subdivision and the rear property line of that development will abut the applicant's side yard property line. Staff found no legal basis for the hardship.

CHRIS O'ROURKE, 7201 Jack Russell Street, appeared and explained that the property owner to the west has constructed a six-foot solid block wall surrounding their backyard. That neighbor's residence faces Turkey Lane and his property faces the opposite direction; therefore, his front yard sits next to his neighbor's backyard. Allowing the east property line wall to be built in the same fashion would make his property more symmetrical. Also, the proposed east property line will abut the backyards of future residential development. The developer of that site has agreed to split the cost of the wall with the applicant if approved. The applicant justified the request to approve construction of four feet of wrought iron on the front fence instead of two feet by referencing security issues and stating it would help to contain pets.

COMMISSIONER McSWAIN confirmed the request for the setback is on the south property line, the front of the proposed home. She believed that having walls extending to the front of the property on both sides afforded the applicant some latitude in regards to the setback. She could support it.

GINA VENGLASS, Public Works Department, clarified for COMMISSIONER EVANS that a notation in the staff report stating construction of the front wall would result in driver and pedestrian safety issues due to visual obstruction was made prior to learning the front wall was proposed with wrought iron. Originally, when staff reviewed the request, they were under the impression a solid wall was being requested at the front. The notation no longer applied. COMMISISONER EVANS concurred with COMMISSIONER McSWAIN'S comments after hearing staff's explanation of the note. MR. O'ROURKE added that his driveway would not be located near either of the side walls and he would have an automatic gate.

COMMISSIONER STEINMAN questioned why the applicant was situating the home closer to the freeway. MR. O'ROURKE indicated he had plans for the backyard such as a pool and recreation area for his family. The Commissioner felt because the site was so close to the freeway, he would be willing to support the request.

COMMISSIONER DAVENPORT asked why the applicant needed to cut 15 feet of the required setback when the lot was 282 feet deep. MR. O'ROURKE indicated that he originally made his plans while considering a ½-acre parcel, which had a 35-foot setback. That property did not work out for him and he later purchased the subject lot. He assumed the subject site would

MINUTES – Continued:
have a 35-foot setback as well but was informed by staff that a one-acre parcel had a 50-foot setback requirement. COMMISSIONER DAVENPORT stated he could support the wall but not the setback.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.
(7:53 – 8:01)
2-796

CONDITIONS:
Planning and Development

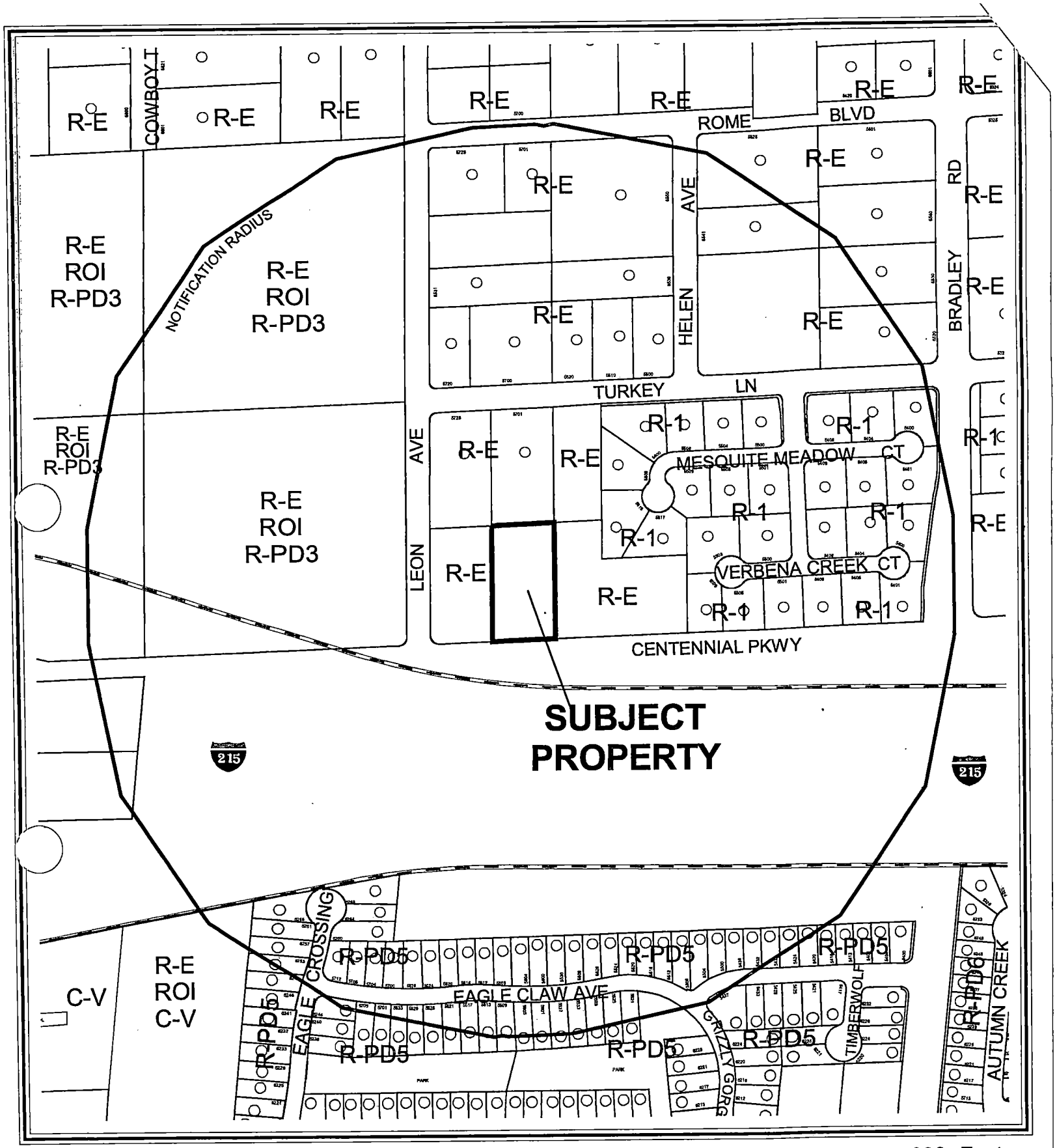
1. This Variance shall expire two years from the date of approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

3. This Variance shall pertain only to the principle dwellings front yard setback as well as to the proposed six-foot wall along the entire eastern and southern property line.

Public Works

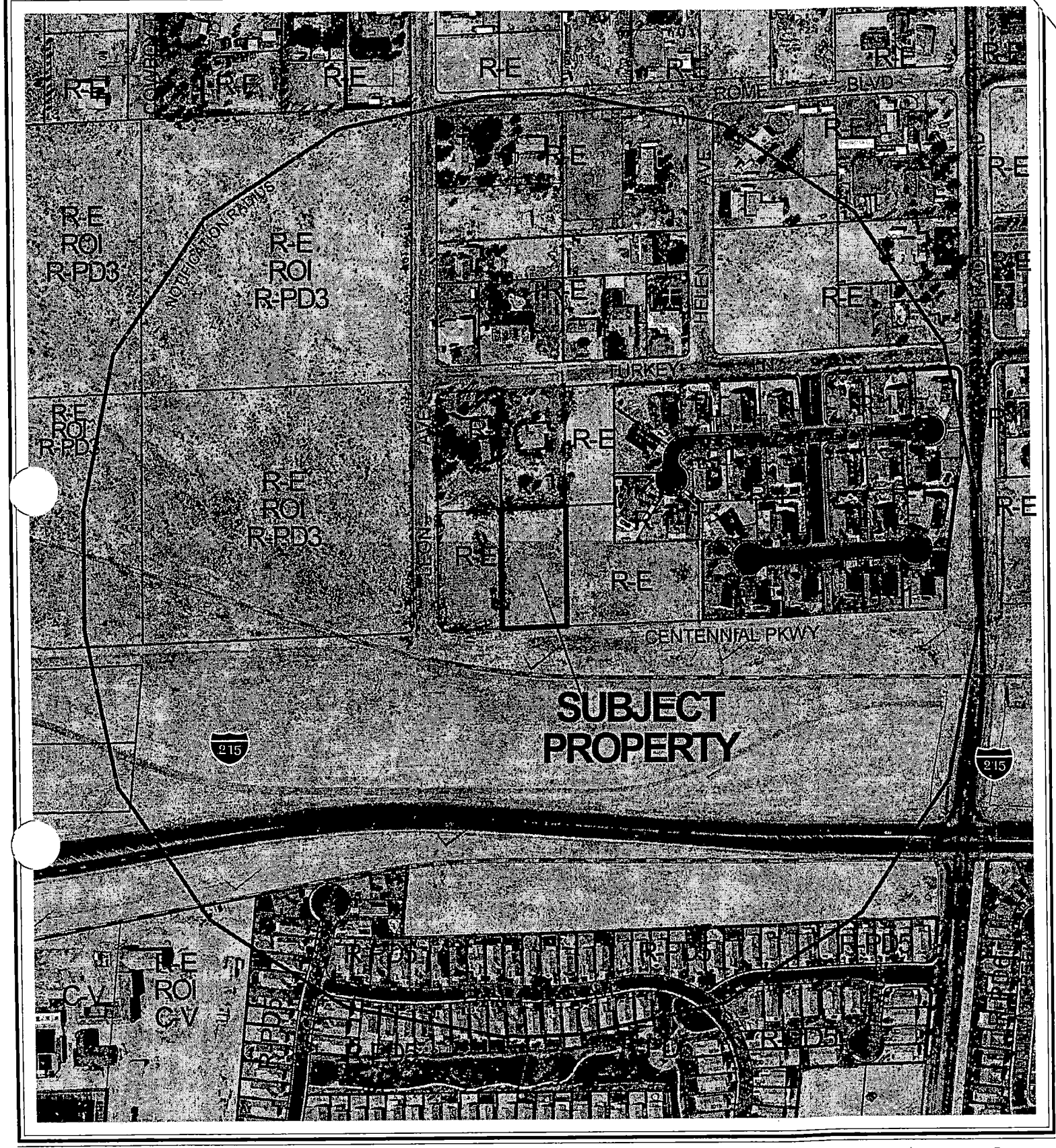
4. If the existing entry gate is electrically opened and closed, the gate may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is manually opened and closed, the gate shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.



CASE: **VAR-6084**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **VAR-6084**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6084 - APPLICANT/OWNER: CHRIS O'ROURKE

** CONDITIONS **

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

Planning and Development

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

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

3. This Variance shall pertain only to the principle dwellings front yard setback as well as to the proposed six-foot wall along the entire eastern and southern property line.

Public Works

4. If the existing entry gate is electrically opened and closed, the gate may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is manually opened and closed, the gate shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a front yard setback of 35 feet where 50 feet is the minimum required for a proposed single family dwelling, and to allow a proposed six foot block wall in the front yard where four feet (top two feet 50 percent open) is the maximum allowed on 1.02 acres adjacent to the north side of Centennial Parkway, approximately 155 feet east of Leon Avenue.

B) Applicant's Justification

The applicant justifies building a six foot block wall all the way to the front property line along the eastern property alignment and a two-foot high block wall with four feet of wrought iron along the front property line by stating that the western portion of the subject site has an existing six-foot block wall extending to the front property line. In addition the applicant hopes to reduce noise created by the I-215 traffic, as well as they believe that in the near future that the adjacent property to the east will be developed as single-family residences that will back to subject lot. Furthermore, the applicant believes the block/wrought iron walls to alleviate any potential security issues and to be able to leave his three dogs outside while he is at work.

The applicant justifies the proposed reduction in the front yard setback by stating that by doing so will allow for more room for future "taxable structures."

BACKGROUND INFORMATION

A) Related Actions

There is no case history related to the subject site.

B) Pre-Application Meeting

12/28/04 A pre–application conference was held and resulted in the following comments:

1. The applicant is requesting a 35-foot front setback where 50 feet is required.
2. The applicant is requesting a six-foot block wall height along the side property line within the front yard setback.
3. The applicant is requesting a two-foot block wall with four feet of wrought iron atop it along the front property line.
4. Submittal requirements for a Variance where reviewed.

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

Gross Acres: 1.02

B) Existing Land Use

Subject Property:	Undeveloped [Proposed Custom Single-Family Residence]
North:	Single-Family Residence
South:	Right-of-Way
East:	Undeveloped [No Proposed Development at this time]
West:	Undeveloped [Extended Backyard for 5725 Turkey Lane]

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	L (Low Density Residential)
South:	ROW (Right-of-Way)
East:	L (Low Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	Right-of-Way has no zoning
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject site is designated L (Low Density Residential) within the Centennial Hills Sector Land Use Map of the General Plan. The subject site is zoned R-E (Residence Estates), which is in conformance with the L (Low Density Residential) 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

The site is not subject to any special area plans, overlay districts, or trail requirements.

PL

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	20,000 s.f.	44,431 s.f.	Yes
Min. Lot Width	100 Feet	153.48 Feet	Yes
Min. Setbacks			
• Front	50 Feet	35 Feet	No
• Side	10 Feet	10 Feet	Yes
• Corner	15 Feet	N/A	Yes
• Rear	35 Feet	180 Feet	Yes
Max. Lot Coverage	N/A	14%	Yes
Max. Building Height	2 Stories / 35 Feet	32 Feet	Yes

The proposed custom single-family dwelling conforms to all of the development standards set forth by the R-E (Residence Estates) zoning district, except for the front yard setback. The applicant is proposing a front yard setback of 35 feet where 50 feet is required. The applicant fails to meet the conditions stated in Title 19.08, which would allow for a 35 foot front yard setback within an R-E (Residence Estates) zoning. They are as follows:

> "Lots which front onto a public street shall maintain a minimum front yard setback of fifty feet. The minimum front setback for an attached, open porte cochere is thirty feet. Lots which front onto a private street or a private access easement shall maintain a minimum setback of thirty feet from the edge of the private street access easement; provided, however, where such lots are located on a cul-de-sac or a street knuckle, the minimum front yard setback shall be twenty feet from the edge of the private street or access easement."

A2) Perimeter Walls

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

Standards	Required	Provided
• Wall height	4 Feet (2 Feet Solid, 2 Feet 50% Open)	6 Feet Solid

The applicant is proposing a six foot high perimeter wall to run the entire length of the eastern property line. In addition the applicant is proposing a two-foot high block wall with four feet of wrought iron atop it along the entire front property line. The proposed wall would exceed the required wall height by two feet and will contain open space as to meet the required 50% open standard. Currently a solid six-foot plus CMU block wall exists along the western property line. There are no current permits issued regarding the existing wall.

B) General Analysis and Discussion

This is a request to allow a 35 foot front yard setback where 50 feet is required. Title 19 states only lots which front on a private street, private access easement, a cul-de-sac or a street knuckle can maintain a 35 foot front yard setback. The subject site meets none of these conditions, therefore is not in compliance with the Zoning Code. Additionally this variance is to allow a proposed front wall at a height of six feet where four feet is the maximum height allowed. Title 19 further requires that the top two feet of a four-foot high wall be less than 50% solid. In this case, the applicant proposes to construct one of the walls at a height of six feet with the top two feet less than 50% solid along the eastern property line. The proposed wall along the front property line will meet the required 50% open requirement, but will exceed the allowable overall height. The walls are not in compliance with the Zoning Code.

The proposed walls are within a required sight visibility restriction zone that allows for safe vehicular movements through the driveway. The presence of the walls is potentially dangerous to pedestrians on the sidewalk or to drivers of vehicles in the street from cars backing out into the street from the property.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by building the front wall at a height taller than is allowed and building a single-family residence within the required front yard setback.

PL

Considering the size of the lot, locating the future home away from the street, with trees and landscaping between the home and street, would accomplish the same goal of decreasing the impact of traffic noise from I-215. As well as, allow for ample room between the principal dwelling and any future structure.

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 8

NOTICES MAILED 106

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-6084** APN: 125 24 404 006

Name of Property Owner: CHRIS O'ROURKE

Name of Applicant: CHRIS O'ROURKE

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: Chris O'Rourke

Print Name: CHRIS O'ROURKE

Subscribed and sworn before me

This 15 day of DEC, 2004

Daniel P. Spencer

Notary Public in and for said County and State

DANIEL P. SPENCER
Notary Public, State of Nevada
Appointment No. 04876271
My Appt. Expires Mar. 4, 2008

E:\site.dwg, 2/5/2005 1:41:31 PM, BDimowski

EXISTING HOME
USE: R.E.
LOT 215

EXISTING HOME
USE: R.E.
LOT 216

VACANT
USE: R.E.
LOT 217

153.48' N 87° 47' 18" E

283.74' N 0° 00' 41" W

282.14' N 0° 00' 10" W

USE: R.E.
LOT 214

VACANT
USE: R.E.
LOT 212

LOT 213

35'-0"

INGRESS
EGRESS

154.22' S 87° 53' 42" W

DRIVEWAY GATE

MAN GATE

CENTENNIAL DR.

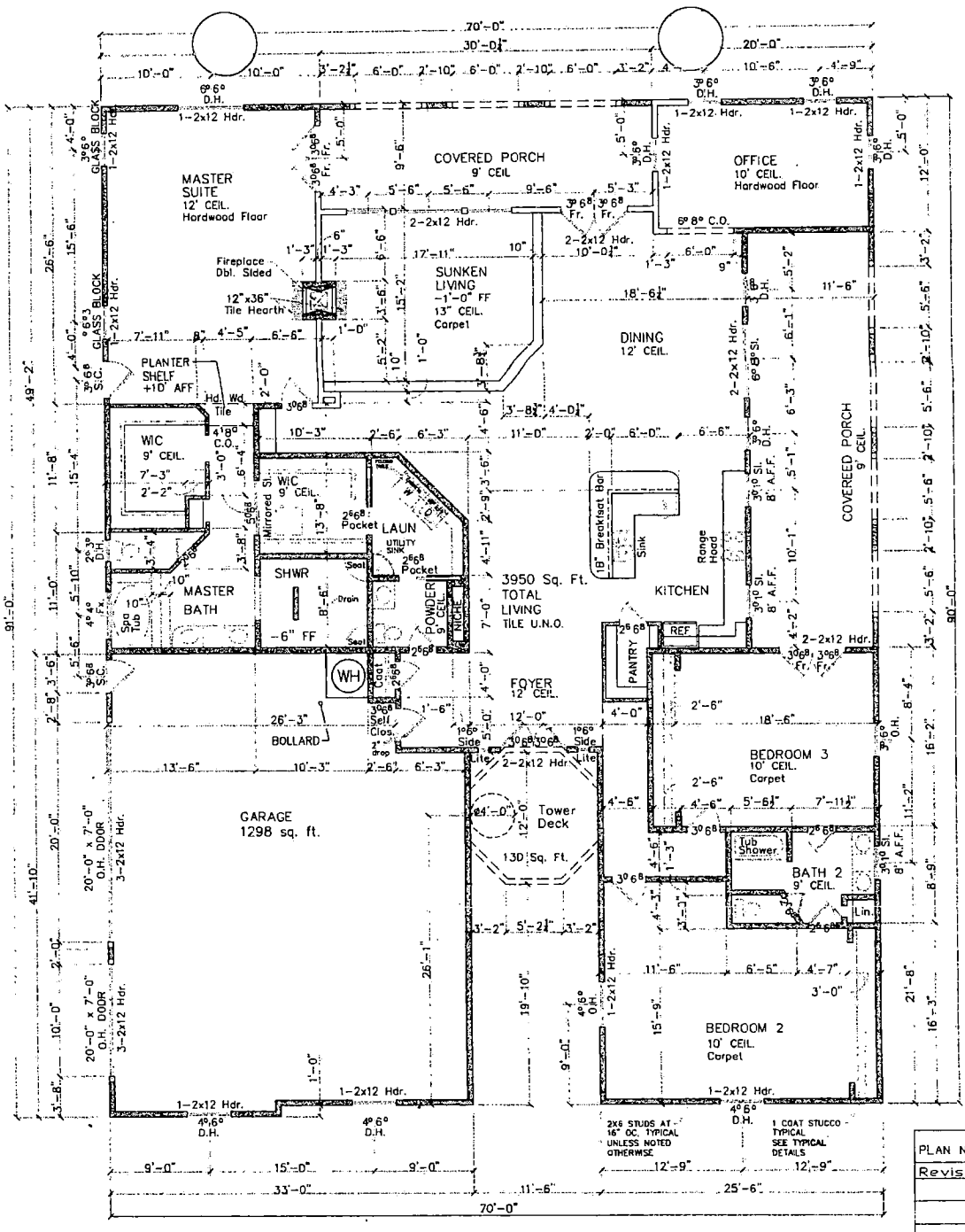
REVISED
3.9.05

SITE PLAN
SCALE: 1"=20'

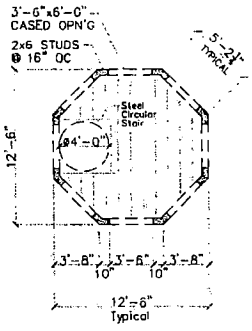
VAR-6084
03/24/05 PC

RECEIVED
MAR 9 2005

SOUTH 1/2 OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.



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

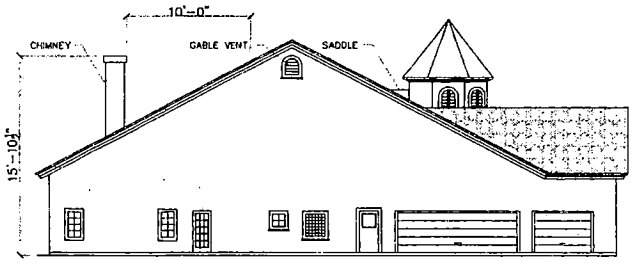


TOWER PLAN
SCALE: 1/4"=1'-0"

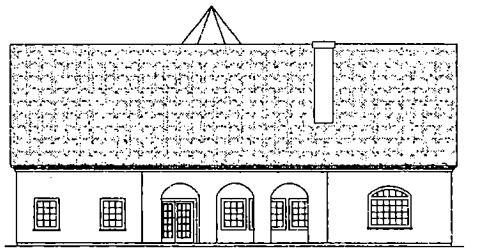
RECEIVED
FEB 07 2005

PLAN NO.	0 Rourke Residence Floor Plan		
Revised	0 'Rourke Residence APN# 125-24-404-006 Las Vegas, Nevada		
Date: 02-08-05	Drawn By: CRO	Scale: AS NOTED	Sheet 3 of 10

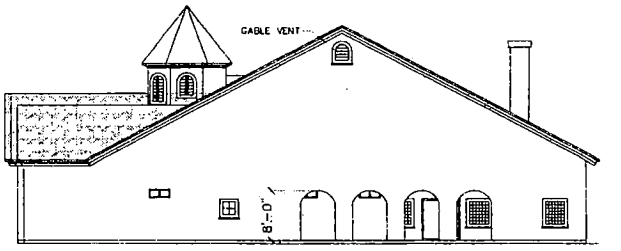
VAR-6084
03/24/05 PC



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



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



EAST ELEVATION
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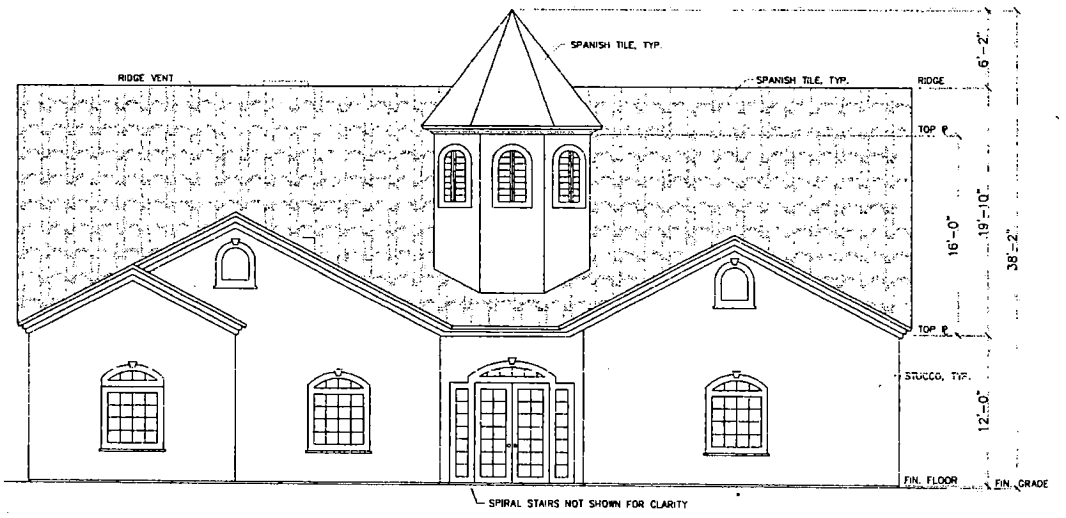


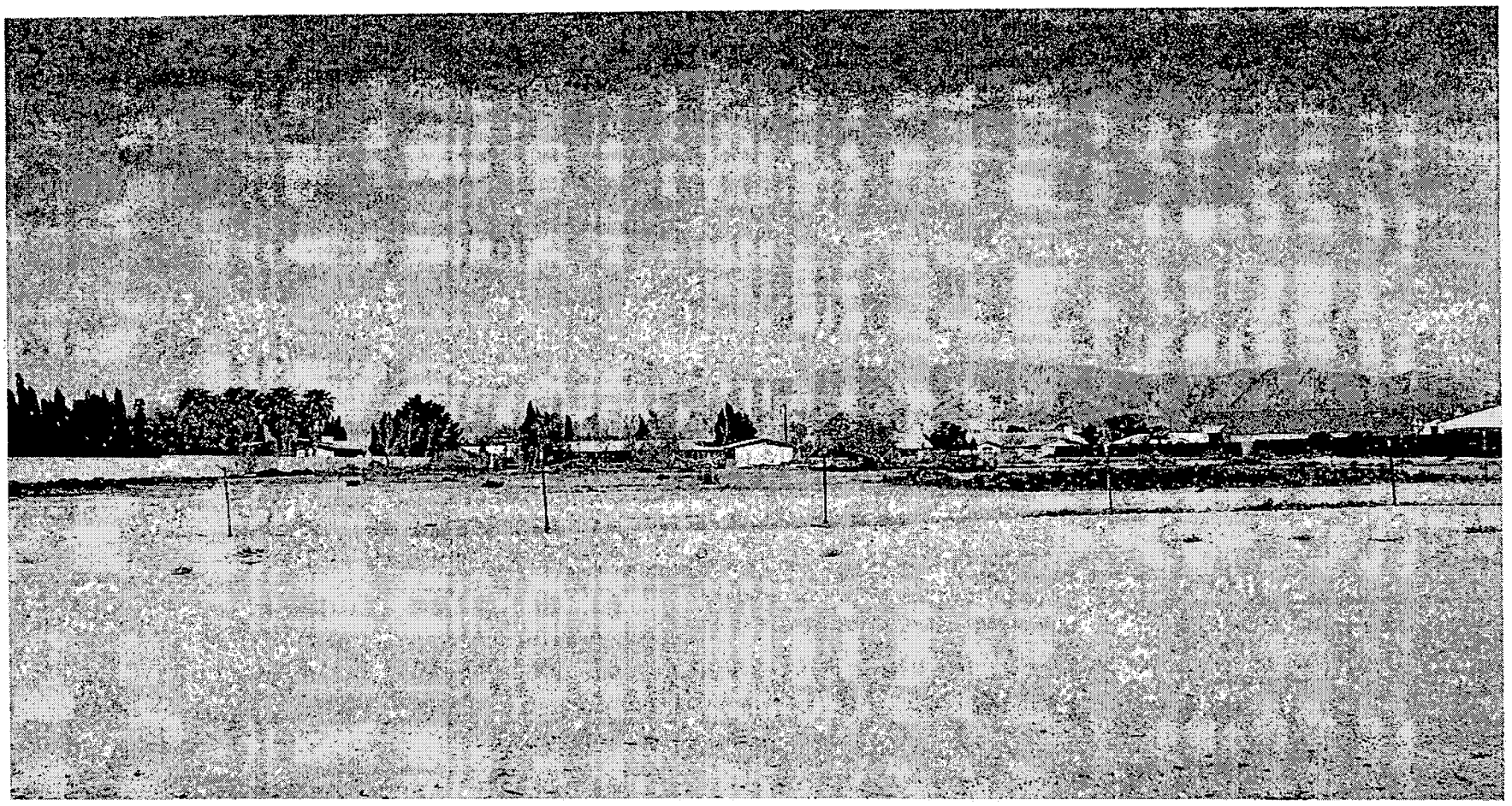
NORTH ELEVATION
SCALE: 1/4"=1'-0"

RECEIVED

FEB 07 2005

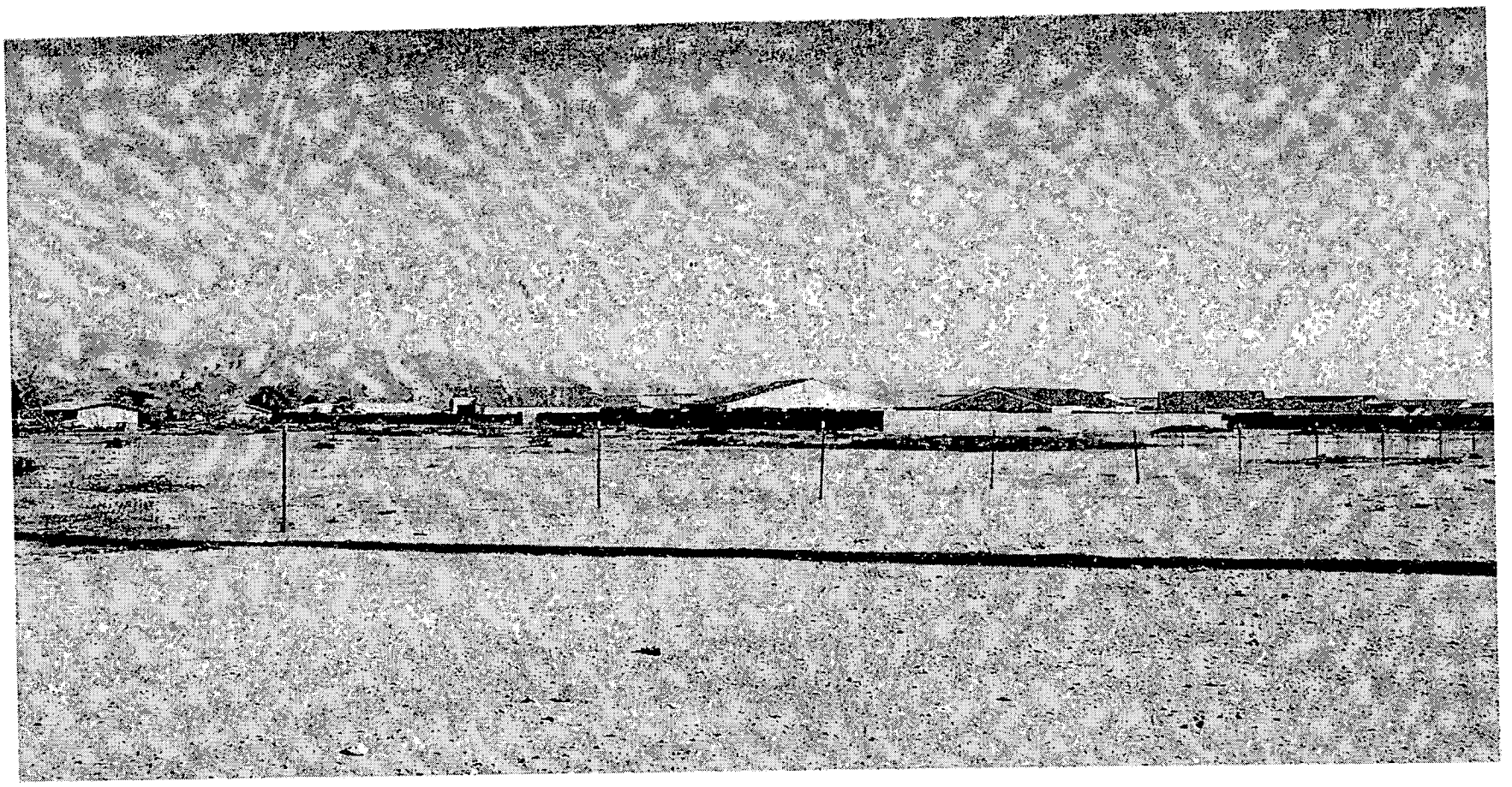
PLAN NO.	0 Rourke Residence Exterior Elevations
Revised	0 'Rourke Residence APN# 125-24-404-006 Las Vegas, Nevada
Date: 02-08-05	Drawn By: CRO
Scale: AS NOTED	Sheet 5 of 10

VAR-6084
03/24/05 PC



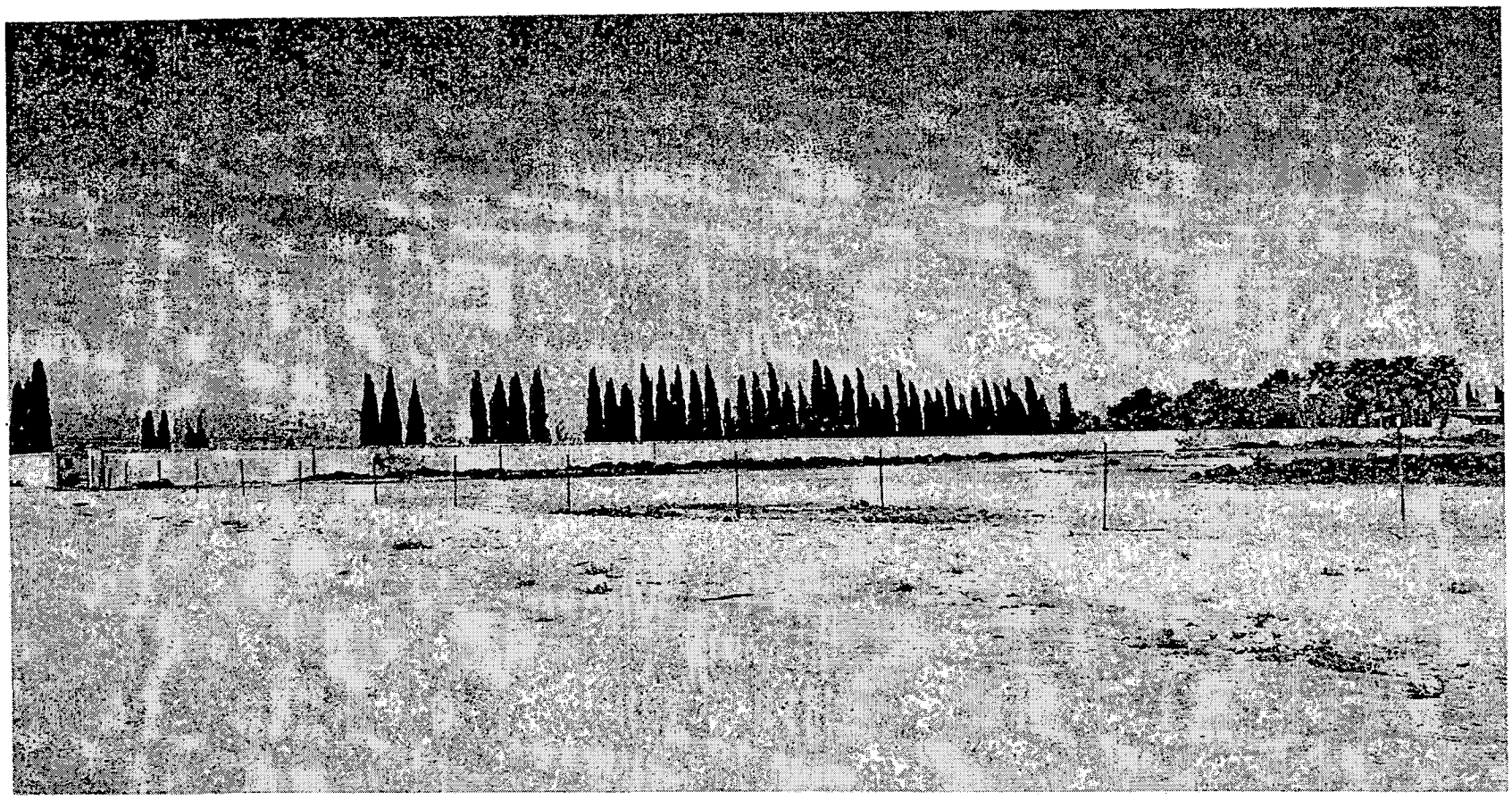
VAR-6084 - APPLICANT/OWNER: CHRIS O'ROURKE
NORTH SIDE OF CENTENNIAL PARKWAY, APPROXIMATELY 155 FEET EAST OF LEON AVENUE
MARCH 24, 2005 PLANNING COMMISSION

2/28/05



VAR-6084 - APPLICANT/OWNER: CHRIS O'ROURKE
NORTH SIDE OF CENTENNIAL PARKWAY, APPROXIMATELY 155 FEET EAST OF LEON AVENUE
MARCH 24, 2005 PLANNING COMMISSION

2/28/05



VAR-6084 - APPLICANT/OWNER: CHRIS O'ROURKE
NORTH SIDE OF CENTENNIAL PARKWAY, APPROXIMATELY 155 FEET EAST OF LEON AVENUE
MARCH 24, 2005 PLANNING COMMISSION

2/28/05

CHRIS O'ROURKE

March 10, 2005

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

Re: Amendment to Variance **VAR-6084**

To Whom It May Concern:

I have recently filed to receive a variance to build a fence around the front my property known as APN 125-24-404-006, located in Las Vegas, Nevada. I feel this variance is necessary due to security reasons and the fact that I have 3 dogs that I need to keep outside during the day while I am at work. I would like to have a solid 2' of concrete block with 6 columns going up and 4' of iron work fence in between.

Thank you for your time and consideration.

Sincerely,

Chris O'Rourke

RECEIVED
MAR 07 2005

REVISED
3.7.05

City of Las Vegas

Agenda Item No.: 27

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
VAR-6098 - VARIANCE - PUBLIC HEARING - APPLICANT: CLYDE CARTER - OWNER: MEI CHU K. CARTER - Request for Variances TO ALLOW A SIDE YARD SETBACK OF FOUR FEET WHERE 10 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED NEW GARAGE ATTACHED TO A DWELLING AND TO ALLOW A REAR YARD SETBACK OF 30 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED FOR THE PROPOSED ATTACHMENT OF AN EXISTING GARAGE TO A DWELLING on 0.42 acres at 1220 Shadow Lane (APN 162-04-103-002), R-E (Residence Estates) Zone, Ward 1 (Tarkanian).

C.C.: 04/20/05

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Support from Adjacent Property Owners with Four Signatures submitted by Clyde Carter

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

NOTE: MARGO WHEELER, Director, Planning and Development Department, disclosed that because she owned property within the notification area of the application, she did not participate in the recommendation by staff and would not be participating in the discussion.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 27 – VAR-6098

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, indicated the applicant proposed to make the existing detached garage part of the house and then construct a new detached garage to the rear. A detached garage, by Code, requires a three-foot setback from the rear property line. Once the garage is attached to the house, it becomes part of the principle structure and the setback requirement increases to 35 feet. The site as designed would allow for 30 ½ feet. Also, the construction of the new detached garage requires approval of a side yard setback of four point eight feet where 10 feet is required. Staff could not find a legal basis to grant the variance.

CLYDE CARTER, 1220 Shadow Lane, appeared and concurred with all conditions. He submitted a letter of support signed by his adjacent neighbors to the front and sides of his property.

COMMISSIONER STEINMAN questioned the property indicated on the map as being the correct site. He confirmed with MR. CARTER it was not. CHAIRMAN NIGRO confirmed with DEPUTY CITY ATTORNEY BRYAN SCOTT that the item could still be heard and voted upon because the address was listed correctly.

No one appeared in opposition.

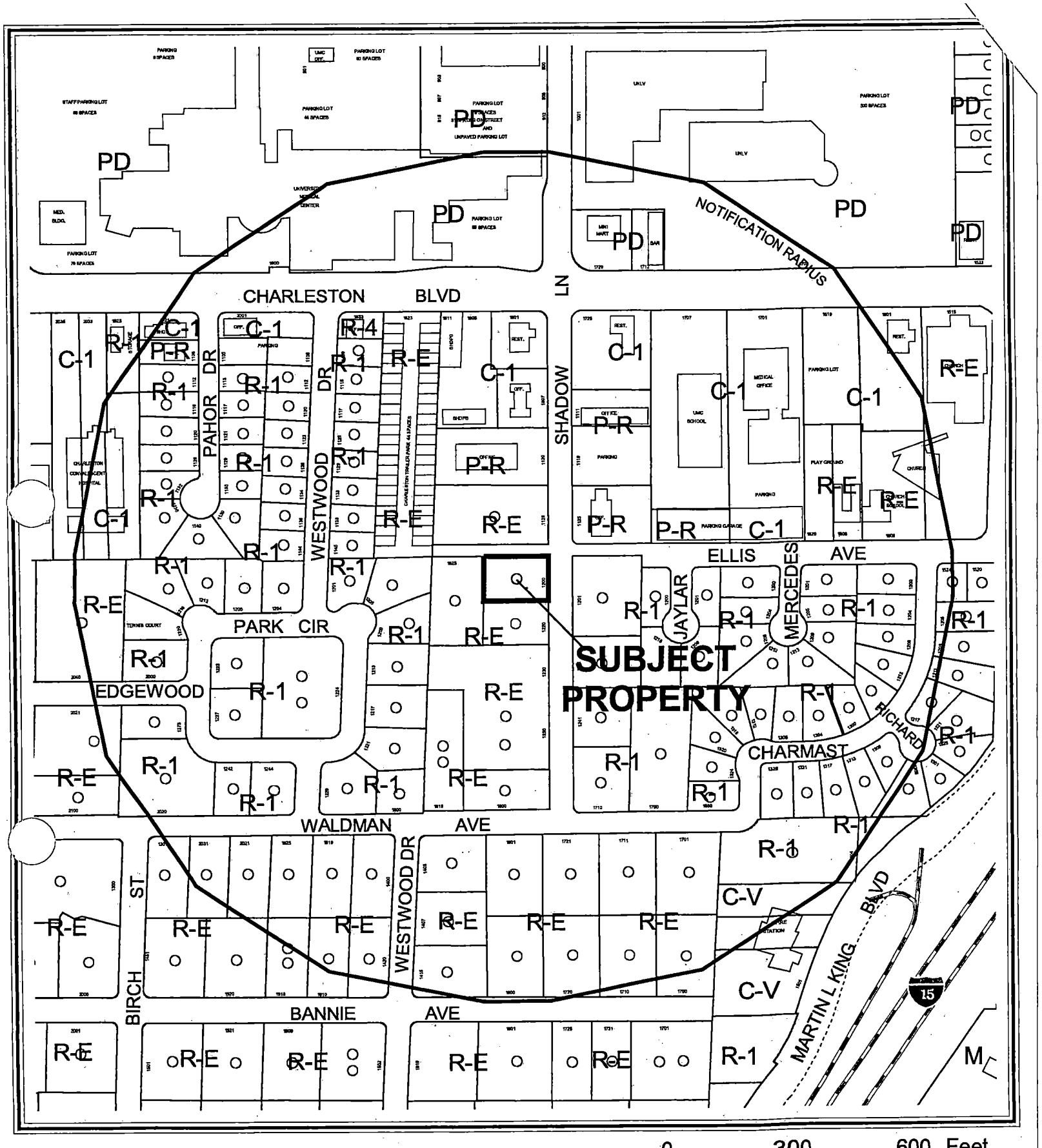
CHAIRMAN NIGRO declared the Public Hearing closed.
(8:01 – 8:07)
2-1093

CONDITIONS:
Planning and Development

1. These Variances shall expire two years from the date of final approval, unless they are exercised or an Extension of Time is granted by the City Council.

2. These Variances shall be applicable only to the new addition and existing garage as set forth on plans date stamped 02/08/05.

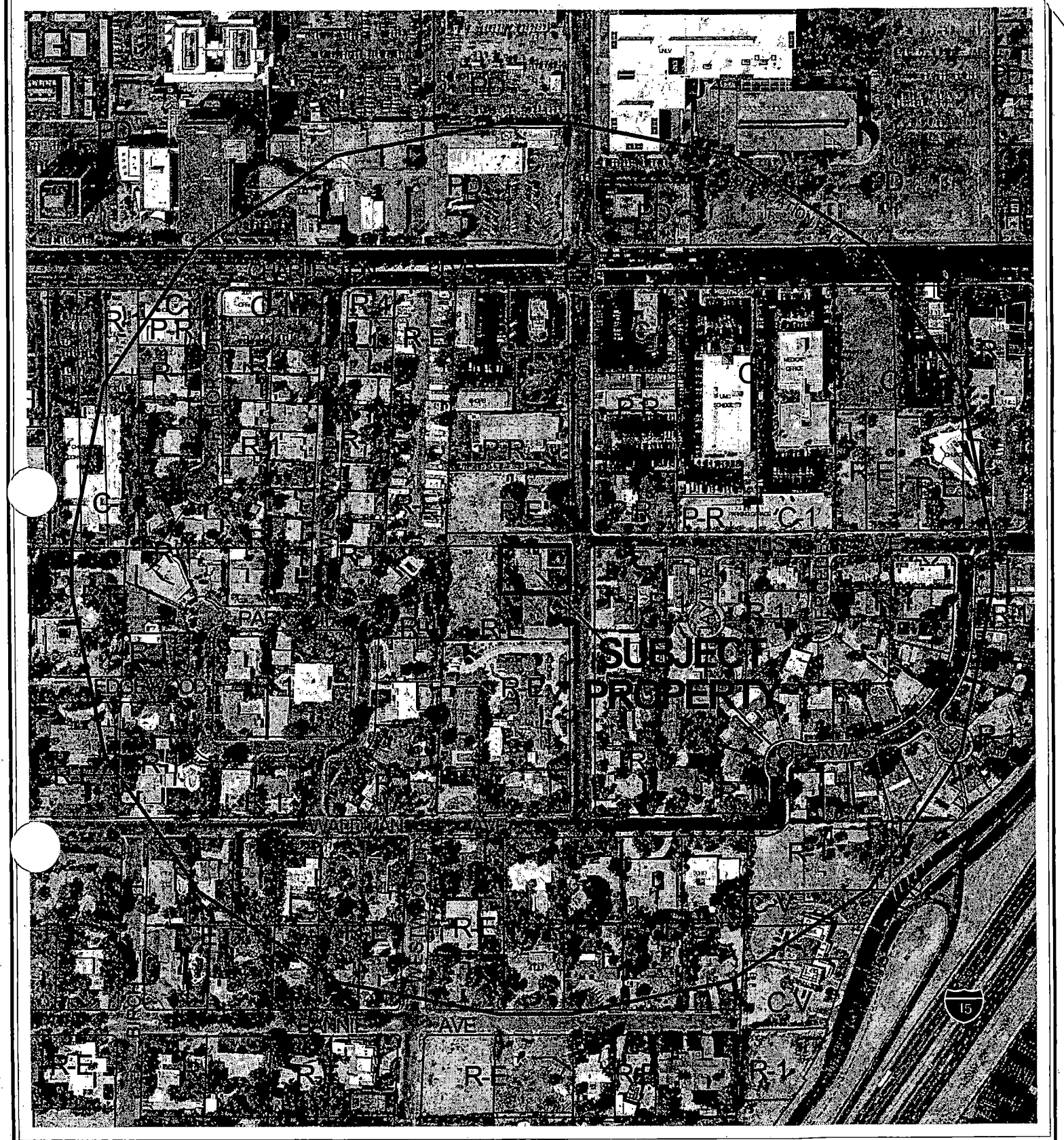
3. No kitchen shall be developed in conjunction with the proposed new construction or remodeling.



CASE: **VAR-6098**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **VAR-6098**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6098 - APPLICANT: CLYDE CARTER - OWNER: MEI CHU K. CARTER

** CONDITIONS **

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

Planning and Development

1. These Variances shall expire two years from the date of final approval, unless they are exercised or an Extension of Time is granted by the City Council.

2. These Variances shall be applicable only to the new addition and existing garage as set forth on plans date stamped 02/08/05.

3. No kitchen shall be developed in conjunction with the proposed new construction or remodeling.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Variances to allow a side yard setback of four feet where 10 feet is the minimum required for a proposed new garage attached to a dwelling and to allow a rear yard setback of 30 feet where 35 feet is the minimum required for the proposed attachment of an existing garage to a dwelling on 0.42 acres at 1220 Shadow Lane.

B) Applicant's Justification

The applicant has submitted a letter with the subject application, expressing the justification for the Variances as follows:

- The current two car garage on our property is old and obsolete, and does not provide safe and secure parking for any of our two vehicles and repairing the existing two car garage would be more expensive than building a complete new three stall garage.
- It was determined that converting the two car garage into an office/computer room made more sense for us.
- The nature of our business requires that we work late hours on a regular basis, and this therefore means that we need the security and safety to park our vehicles in a space with easy and remote control access.
- What we are seeking in this application is consistent with other homeowners' improvements in our community, and our efforts will enhance property in the community.

BACKGROUND INFORMATION

A) Related Actions

06/19/02 The City Council approved a General Plan Amendment [(GPA-0047-01) Rancho Charleston Land Use Study and Strategic Plan] of the Southeast Sector map of the General Plan to reclassify the subject property as part of a larger area to a DR (Desert Rural Density Residential) land use classification. The staff recommended approval and the Planning Commission recommended denial.

B) Pre-Application Meeting

12/20/05 The staff met with the prospective applicant on a proposal to convert an existing two-car garage into an extra bedroom with a bath and a possible studio. It was mentioned that no kitchen could be located in the space converted from the garage. It was noted that Variances in the side yard and rear yard setbacks would be required and that the overhangs could not encroach to within two feet of the side lot line.

DDS

C) Neighborhood Meetings

No neighborhood meeting is required for a Variance request, and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.41

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	DR (Desert Rural Density Residential)
North:	DR (Desert Rural Density Residential)
South:	DR (Desert Rural Density Residential)
East:	DR (Desert Rural Density Residential)
West:	DR (Desert Rural Density Residential)

D) Existing Zoning

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

E) General Plan Compliance

The site is located in the Southeast Sector of the General Plan. The land use designation for the subject property is DR (Desert Rural Density Residential), which permits up to two dwelling units per acre, and is zoned R-E (Residence Estates). The requested Variance is not 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 plans, study areas or overlays that affect the subject site.

DDS

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	20,000 feet	18,037	N
Min. Lot Width	100 feet	112 feet	Y
Min. Setbacks • Front • Side • Corner • Rear	 50 feet 10 feet 15 feet 35 feet	 50 feet 10 feet & 4.8 feet NA 30.5	 Y Y/N NA N
Max. Lot Coverage	NA	27%	NA
Max. Building Height	2 stories / 35 feet	1 story	Y

The subject property does not meet the minimum lot size requirement of the R-E (Residence Estates) Zone. The lot is defined as a nonconforming lot, since the lot size became noncompliant by reason of the adoption of the change in the zoning requirements for the lot. No action is required to resolve this condition.

The applicant is interested in establishing one side yard setback at 4.8 feet and a rear yard at 30.5 feet, which would not comply with the side yard and rear yard setback provisions of the R-E (Residence Estates) Zone. The subject request is for Variances in these requirements and is addressed below.

B) General Analysis and Discussion

The applicant seeks two Variances, one in the side yard setback for a new garage to be attached to the house and the second for a rear yard setback to attach an existing garage to the house. The existing garage is a detached accessory structure, which is required to have only a three-foot setback from a rear property line. However, the applicant wishes to attach the existing garage to the house and convert the garage to habitable space. Whenever an accessory structure is attached to a house, it is considered to be part of the house and subject to the same setback requirements for a principal building. Consequently, if attached, the garage would be required to have a 35 foot rear yard setback in the R-E (Residence Estates) Zone.

Because the new garage proposed by the applicant is to be attached to the house, it is required to have a 10-foot side yard setback. The proposed three-car garage would have a 4.8 foot side yard setback, prompting the applicant to request a Variance in this setback as well.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

The criteria in Title 19 for granting a variance are promulgated from common law in the State of Nevada. More specifically, a "practical difficulty" or "hardship" as stated above has special meaning under Nevada law. The courts have interpreted a hardship to mean that a "regulation to property greatly decreases or practically destroys its value for any permitted use, so as to deprive the owner of the land of all beneficial use or that land is virtually useless as it is presently zoned." [*Enterprise Citizens v. Clark County Commissioners* (1996).]

The applicant purchased the subject property with the full knowledge of the limitations the property had when it was purchased. Although it would be nice to add additional living space, it is not a hindrance uncommon to practically every homeowner who desires to have additional space. Where the requirements of the zoning district appear to be unreasonable, the remedy is not the granting of a special privilege to a single owner but to amend Title 19 to provide uniform requirements applicable to everyone under the law. By this analogy, it is recommended that the application be denied.

This recommendation of denial is based on the following findings, only one finding of which is necessary to require the denial of a Variance:

- **The hardship is self-imposed.** Clearly the hardship is of the applicant's own making, as the applicant could construct a two car garage and meet the side yard setback requirement. Also, the existing garage could be left as an accessory structure unattached to the home and meet the rear yard setback requirement.

DDS

- **Use of the property is not denied.** The property has no exceptional narrowness, shallowness, shape, exceptional topographic conditions or other extraordinary and exceptional situation or conditions attributed to the property. The use of the property is not denied, as the property is presently being used as a single-family dwelling.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 186

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-6098 APN: 162-04-103-003

Name of Property Owner: MEICHU CARTER

Name of Applicant: CLYDE CARTER

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: Meichu CARTER

Print Name: MEICHU CARTER

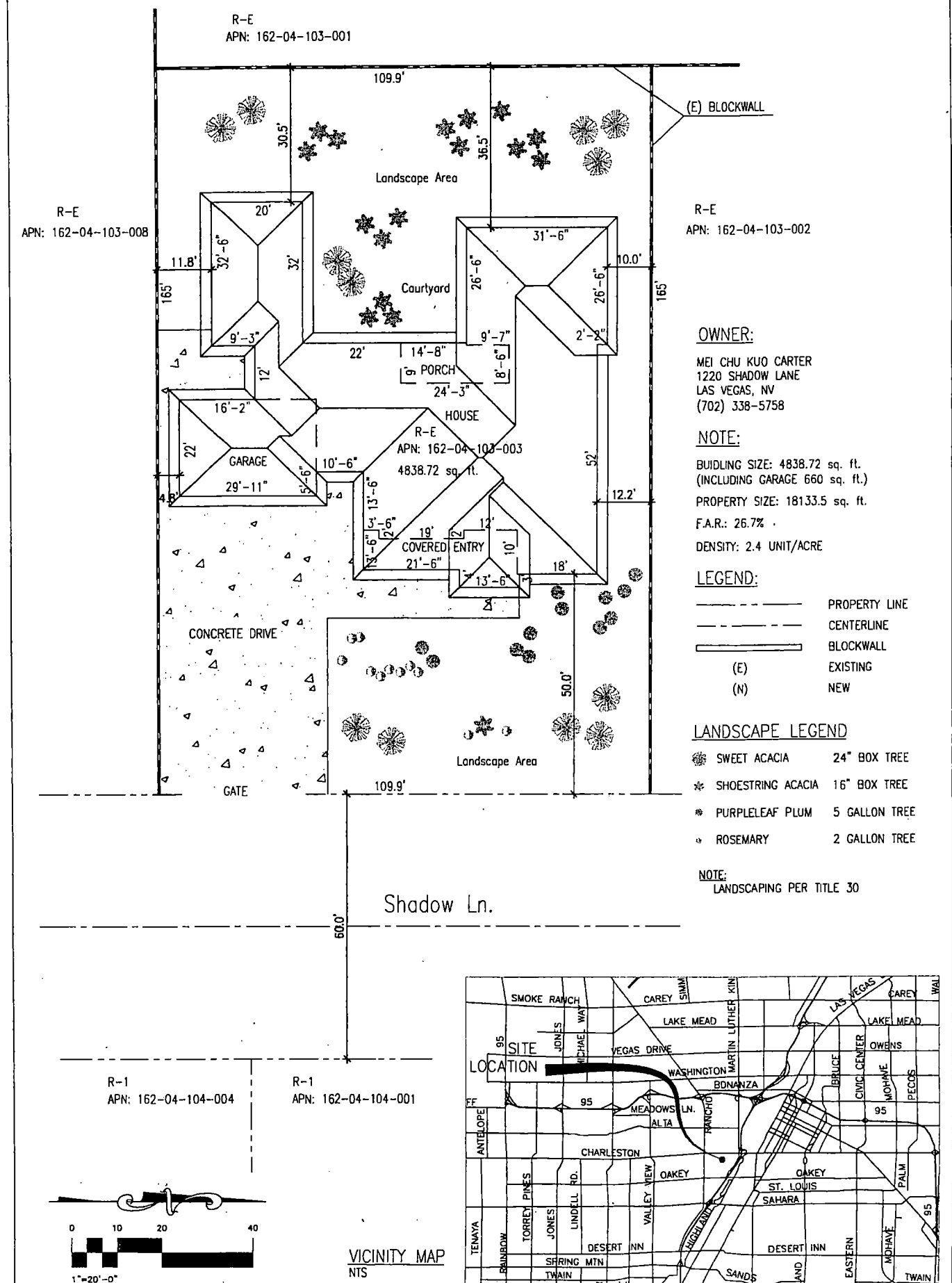
Subscribed and sworn before me

This 13TH day of JANUARY, 2005

Kathleen A Potter

Notary Public in and for said County and State

KATHLEEN A. POTTER
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 08-14-2008
Certificate No: 00-64458-1



OWNER:

MEI CHU KUO CARTER
1220 SHADOW LANE
LAS VEGAS, NV
(702) 338-5758

NOTE:

BUIDLING SIZE: 4838.72 sq. ft.
(INCLUDING GARAGE 660 sq. ft.)

PROPERTY SIZE: 18133.5 sq. ft.

F.A.R.: 26.7% .

DENSITY: 2.4 UNIT/ACRE

LEGEND:

——— - - ———	PROPERTY LINE
— - ——— - —	CENTERLINE
▭	BLOCKWALL
(E)	EXISTING
(N)	NEW

LANDSCAPE LEGEND

SWEET ACACIA	24" BOX TREE
SHOESTRING ACACIA	16" BOX TREE
PURPLELEAF PLUM	5 GALLON TREE
ROSEMARY	2 GALLON TREE

NOTE:
LANDSCAPING PER TITLE 30

VICINITY MAP
NTS

MEI CHU KUO CARTER 1220 SHADOW LANE LAS VEGAS, NEVADA	DRAWN: LS SCALE: 1"=20'-0" DATE: 01-10-2005	SITE PLAN 1220 SHADOW LANE LAS VEGAS, NEVADA APN: 162-04-103-003	**VAR-6098** **03/24/05 PC**

REVISIONS:	BY	DATE

APN: 162-04-103-001

109.9'

APN: 162-04-103-008

APN: 162-04-103-002

Cabana

Computer Room

Bedroom

Bath

Laundry

Courtyard

Master Suite

Walk-in Closet

Master Bath

Shower

Dining

Porch

Bath

Kitchen

Family Room

Bedroom 2

3-Car Garage

Closet

Living Room

Foyer

Bedroom 3

Coved Entry

Main Entrance

Cabo

109.9'

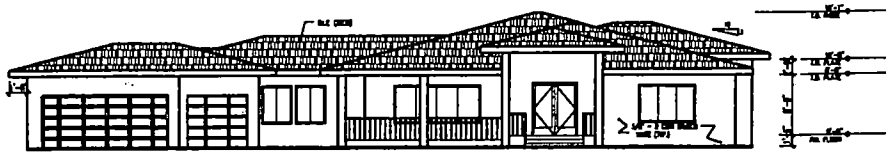
Shadow Ln.

NORTH

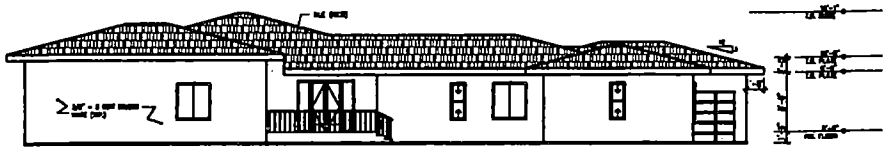
APN: 162-04-104-004

APN: 162-04-104-001

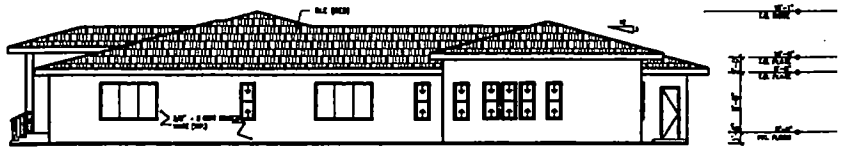
DATE: 01-10-2005 DRAWN: LS SCALE: 1/8"=1'	MEI CHU KUO CARTER 1220 SHADOW LANE LAS VEGAS, NEVADA	FLOOR PLAN 1220 SHADOW LANE LAS VEGAS, NEVADA APN: 162-04-103-003	**VAR-6098** **03/24/05 PC**	REVISIONS: BY DATE



Front Elevation



Back Elevation



Right Elevation

Left Elevation

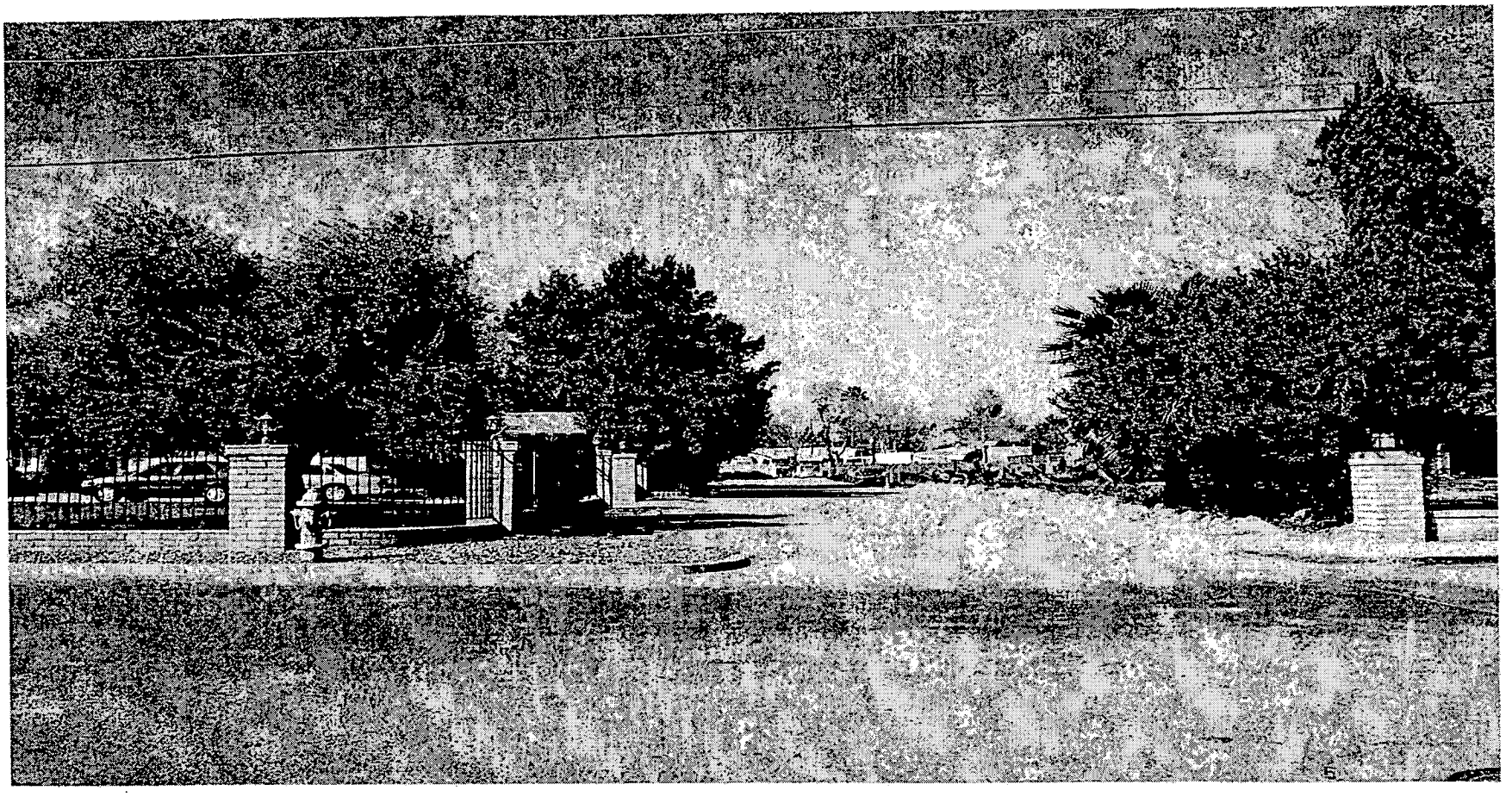
MEI CHU KUO CARTER
1220 SHADOW LANE
LAS VEGAS, NEVADA

DATE: 01-10-2005
DRAWN: LS
SCALE: 1/8"=1'

BUILDING ELEVATIONS
1220 SHADOW LANE
LAS VEGAS, NEVADA
APN: 162-04-103-003

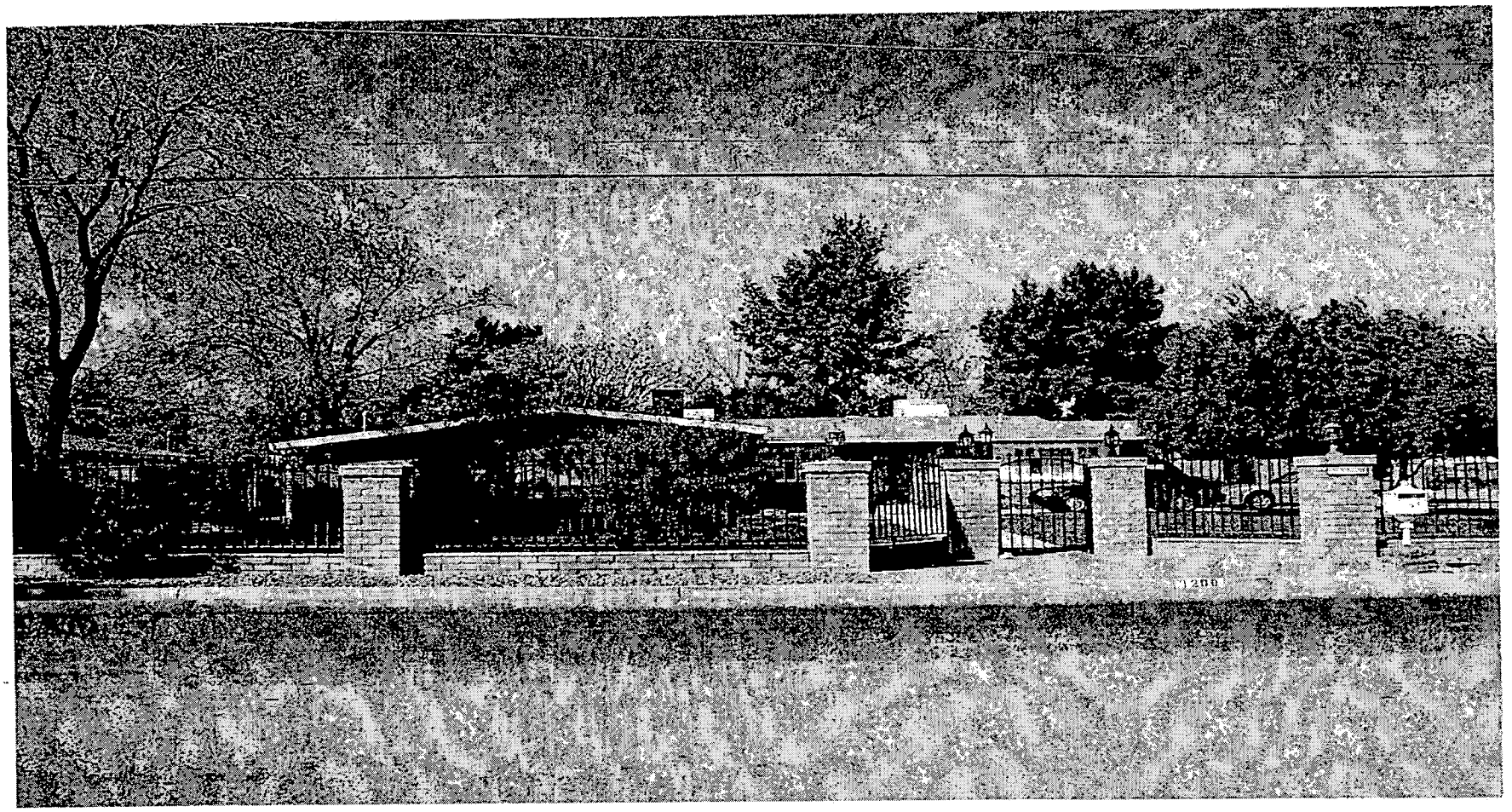
VAR-6098
03/24/05 PC

REVISIONS	BY	DATE



VAR-6098 - APPLICANT: CLYDE CARTER - OWNER: MEI CHU K. CARTER
1220 SHADOW LANE
MARCH 24, 2005 PLANNING COMMISSION

3/7/05



VAR-6098 - APPLICANT: CLYDE CARTER - OWNER: MEI CHU K. CARTER
1220 SHADOW LANE
MARCH 24, 2005 PLANNING COMMISSION

3/7/05

LETTER OF JUSTIFICATION

February 1st 2005

Mr. and Mrs. Clyde Carter
1220 Shadow Lane
Las Vegas, NV 89102

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

Dear Sir or Madam:

This letter is intended to present our justification for variance(s), and pertaining to property at the above address. We have recently purchase the property at 1220 Shadow Lane, Las Vegas -89102 because of our strong admiration of the unique characteristics of the community, and the proximity to our office of business. The current two car garage on our property is old and obsolete, and does not provide safe and secure parking for any of our two vehicles. In addition, the home originally had three bedrooms and one was removed to open up the living space. Unfortunately, this now makes the much needed requirement for adding a master bedroom to the existing structure a critical one for us; and because it would improve the property and provide the much needed space for our family. After careful consideration of the home improvement/construction benefits, we did a market analysis and it was determined that repairing the existing two car garage would be more expensive than building a complete new three stall garage. It was further determined that converting the two car garage into an office/computer room made more sense for us. In constructing the new three car garage, we seek a variance to have a set-back of 4.8 feet from the property line of our neighbor to the south, and the roof eave of the garage will be a minimum of 3.0 feet from the property line. We are also seeking approval of a variance that will allow for 30.5 feet from the rear of the old two car garage (existing structure) to the rear property line. The primary use of the converted two car garage will be for an office/computer room, and **not** as a kitchen in any way. In addition, we will conduct an independent natural light analysis of the entire space that will meet/exceed national standards. All other measurements pertaining to our application for these home improvements will meet and or exceed the requirements of the Planning and Development Office. We have carefully taken into consideration the unique architecture of the existing structure, the community standards, and have decided to make all of the home improvements conforming to the existing architecture. The nature of our business requires that we work late hours on a regular basis, and this therefore mean that we need the security and safety to park our vehicles in a space with easy and remote control access. What we are seeking in this application is consistent with other home-owners

improvements in our community, and our efforts will enhance property in the community. We presented our home-owners improvements to our neighbors, and they overwhelmingly support us in this effort; and as is evident by their signature of approval. Further, the home-owners improvements that we are proposing will meet and or exceed current architectural guidelines, and will conform to all City/Government codes.

Thanks in advance for your consideration, and your support.

Respectfully,

and

Clyde Carter Meichu Carter

January 25th 2005

Meichu Carter and Clyde Carter
1220 Shadow Lane
Las Vegas, Nevada 89102

Dear Neighbors:

The purpose of this letter is to introduce ourselves as your new neighbors, and to inform you that we are the home-owners of the property at the above address. In addition, we are kindly asking for your support as we seek to obtain a variance from the Planning and Development Department of the City of Las Vegas. The purpose of the variance is for home improvements to our property, and as follows: the addition of a three car attached garage, adding a master bedroom to the existing structure, and converting the existing two car garage into an office/recreation room. What we are proposing will maintain and enhance the unique characteristics of the community, and it would also provide us as property owners with the needed space that will allow us to truly enjoy the living potential of this unique property. The proposed home-owners modifications/additions will conform to, and follow the architectural outline of the existing structure, and will be pleasantly appealing from the street and other property view. We will make our architectural drawings for the project available for you review and comments, and will inform you of the progress regarding our submittals to the Planning and Development Department. If after your review of our plans / proposal, and should you have no objections to the application for a variance; then your signature(s) to this letter as an indication of no objections to this variance would be much appreciated, and as we submit our application to the City of Las Planning and Development Department. Thanks in advance for your support and consideration, and as we are anxious to move in very soon.

Sincerely,

Clyde Carter _____ and Meichu Carter _____
Property Owners, 1220 Shadow Lane, Las Vegas-NV 89102

Neighbor(s): _____ Date: 1/25/05 **(Front)**
Patricia Ames & Claudio Loddo, 1201 S. Shadow Lane, Las Vegas- NV 89102

Neighbor(s): Rex & Dorothy Bell Date: 3-19-05 **(Front)**
Rex & Dorothy Bell, 1231 S. Shadow Lane, Las Vegas- NV 89102

Neighbor(s): _____ Date: 3/18/05 **(Rt. Side)**
Claudia Stabile, 1200 Shadow Lane, Las Vegas- NV 89102

Neighbor(s): _____ Date: 2/05/05 **(Lf. Side)**
Morton & Gisela Fox, 1250 Shadow Lane, Las Vegas- NV 89102

Submitted at Planning Commission

Date 3/24/05 Item # 27

City of Las Vegas

Agenda Item No.: 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
SUP-6067 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PETSMART - OWNER: DTR6, L.L.C. - Request for a Special Use Permit FOR A PROPOSED PET BOARDING USE WITHIN AN EXISTING PET SHOP at 2140 North Rainbow Boulevard (APN 138-23-215-024), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 04/20/05
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
DAVENPORT – APPROVED subject to conditions and adding the following conditions:
- **The existing trees within the parking area located directly in front of the tenant space or PetsMart store shall be maintained or replaced if necessary, subject to review and approval by the Planning and Development Department.**
- **The trash enclosure shall be constructed at the rear of the subject tenant space subject to review and approval of the Planning and Development Department.**

– UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

MARIO SUAREZ, Planning and Development Department, explained the proposed pet boarding facility would occupy approximately 7,000 square feet of the 26,000 square feet the PetsMart

MINUTES – Continued:

occupies. Some issues did result from a field investigation that took place after the staff report was finalized and two additional conditions were recommended. The first pertained to landscaping and the second related to the trashcans not being inside trash enclosures. Staff discussed the proposed conditions with the applicant prior to the meeting.

MICHELLE ALTIERI, 8001 Irvine Center Drive, Irvine, California, appeared on behalf of the applicant and concurred with all conditions and the new conditions as read by MR. SUAREZ. She showed the Commission some photos of a similar facility and explained the amenities of the pet hotel. The plans for the remodeling of the existing PetsMart are currently being reviewed and the facility should be open in approximately six months. MS. ALTIERI was unable to tell COMMISSIONER DAVENPORT what the per night rate of the pet suites would be.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.
(8:07 – 8:12)

CONDITIONS:

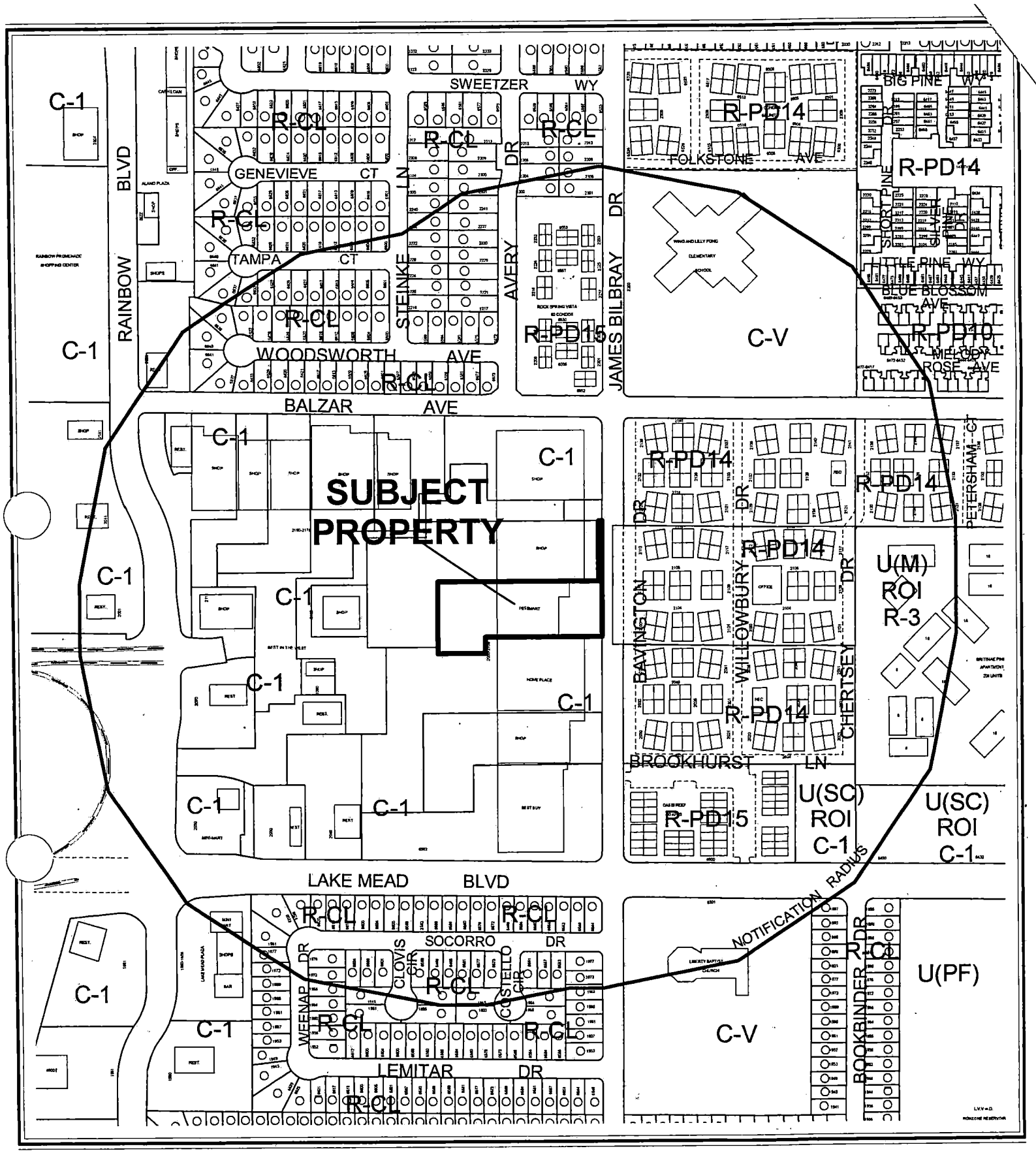
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Pet Boarding use.

2. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. Compliance with all City code requirements and design standards of all City departments.

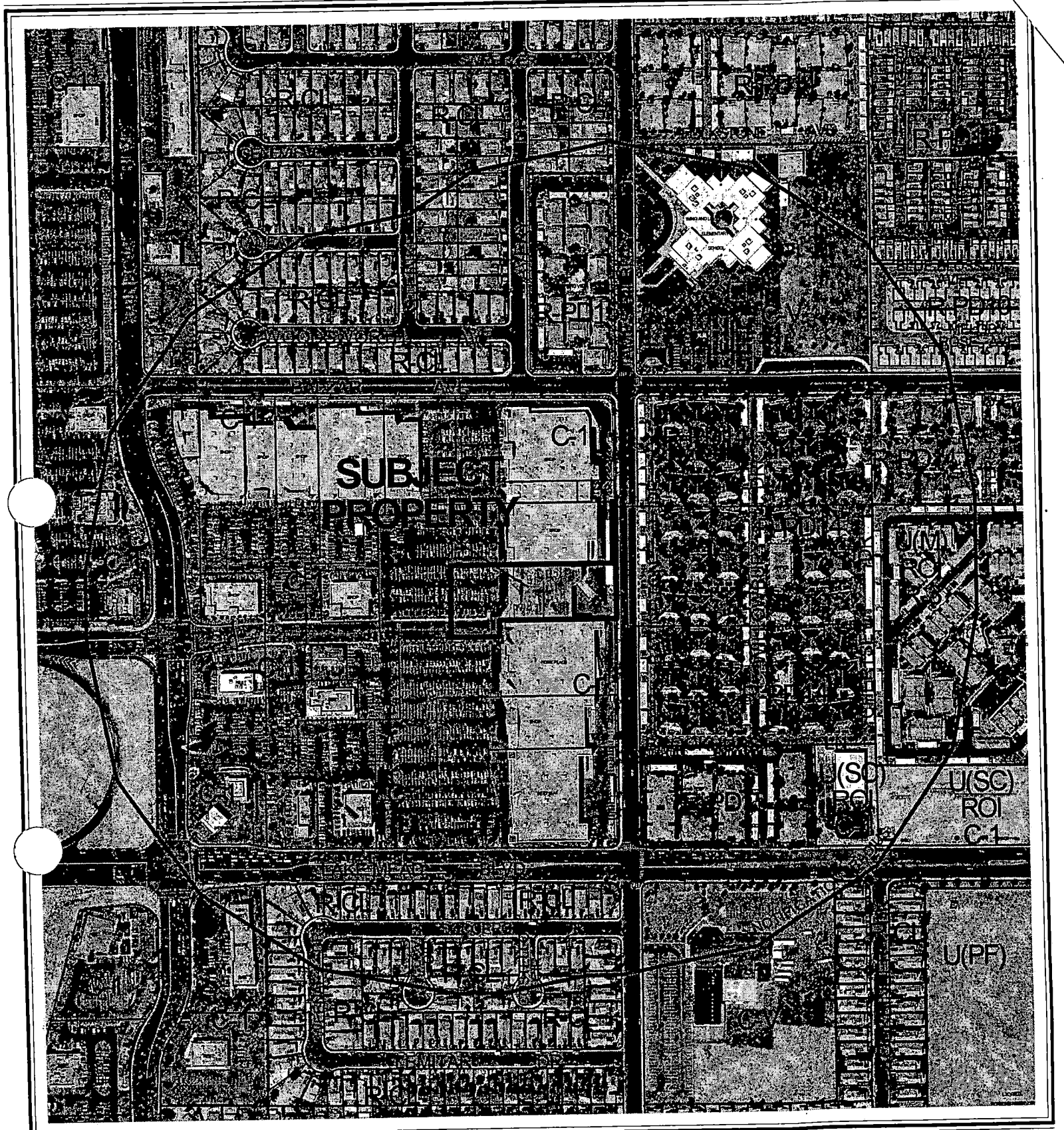
4. No outside activity associated with the proposed Pet Boarding use or the existing pet shop.



CASE: **SUP-6067**

RADIUS: 1000 FT

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



CASE: **SUP-6067**

RADIUS: 1000 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6067 - APPLICANT: PETSMART - OWNER: DTR6, L.L.C.

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Pet Boarding use.
2. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Compliance with all City code requirements and design standards of all City departments.
4. No outside activity associated with the proposed Pet Boarding use or the existing pet shop.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Pet Boarding use within an existing pet shop at 2140 North Rainbow Boulevard.

B) Applicant's Justification

A letter of justification for the proposed use was submitted with the application. The letter indicates that the Pet Boarding use will offer incidental and accessory lodging services to customers. The use would be completely enclosed within the existing pet store, sound attenuated with no direct access to the outside, and no outside activity or dog runs. The pet "hotel" rooms are designed with solid partitions and sanitary wall surfaces.

BACKGROUND INFORMATION

A) Related Actions

06/20/90	The City Council approved a request for Rezoning (Z-0061-90) the subject tract from a N-U (Non-Urban) Zone to a C-1 (Limited Commercial) Zone as part of a larger tract at the northeast corner of Lake Mead Boulevard and Rainbow Boulevard. The Planning Commission and staff recommended approval.
08/19/92	The City Council approved a request for an Extension of Time [Z-0061-90(2)] on an approved Rezoning reclassification (Z-0051-90). The Planning Commission and staff recommended approval.
08/03/94	The City Council approved a request for an Extension of Time [Z-0061-90(3)] on an approved Rezoning reclassification (Z-0051-90). The Planning Commission and staff recommended approval.
06/08/95	The City Council approved a request for an Extension of Time [Z-0061-90(4)] on an approved Rezoning reclassification (Z-0051-90). The Planning Commission and staff recommended approval.
12/20/95	The City Council approved a Plot Plan for a shopping center (Best of the West) on the subject property that included a larger tract at the northeast corner of Lake Mead Boulevard and Rainbow Boulevard. The Planning Commission and staff recommended approval.

DDS

B) Pre-Application Meeting

01/12/05 The staff reviewed a proposal for a Pet Boarding use in an existing Petsmart pet store. It was explained that the proposed use would require the approval of a Special Use Permit.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit, and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.85

B) Existing Land Use

Subject Property:	Retail commercial
North:	Retail commercial
South:	Retail commercial
East:	Residential condominium development
West:	Retail commercial

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:	R-PD14 (Residential Planned Development – 14 units per acre)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated 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 subject site is zoned C-1 (Limited Commercial), which is a zoning district permitted within the SC (Service Commercial) General Plan designation. A Pet Boarding use is permitted as a Special Use in the C-1 (Limited Commercial) Zone.

DDS

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

There are no special plans or overlays that 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	Unit Measurement	Spaces Required		Spaces Provided
		Space/Unit	Spaces	
Pet Boarding	10 employees	1/2 employees	5	29

The proposed Pet Boarding use is to occupy 7,299 square feet of the existing 26,207 square feet of space within the Pet Smart pet store. Pursuant to Title 19.10, the equivalent space for a retail use would require one space for each 250 square feet or 29 parking spaces. For the Pet Boarding use, only 5 spaces are required. Consequently, there is a surplus of 24 spaces available for the proposed use.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial). A Pet Boarding use is permitted within the C-1 (Limited Commercial) zoning district with a Special Use Permit.

- Use

Pet Boarding is defined as follows:

> "A lot, building, premises or structure on which four or more household pets are kept regularly and for extended periods of time for the benefit of persons who do not reside on the premises. The term includes facilities that provide shelter, care, feeding, exercising, grooming or incidental medical care for household pets for remuneration or otherwise on a commercial basis. The term includes a kennel operation."

The Pet Smart pet store is located within an existing shopping center (Best of the West) at the northeast corner of Lake Mead Boulevard and Rainbow Boulevard. The owner's interest is to include a Pet Boarding use within the existing pet store. No outside operations are proposed in conjunction with the use. The pets "hotel rooms" are designed with solid partitions and sanitary wall surfaces.

- Conditions

Applicable conditions of Title 19.04.050 require the following:

1. All animals shall be confined within an enclosed area or on a leash at all times.
2. Structures shall be designed to provide reasonable sound barriers and odor protection for adjoining properties.
3. Pens shall be screened from view from adjacent streets and adjoining properties.
4. Any exterior pens that are adjacent to a residential parcel shall be located a minimum of 50 feet from the parcel.
5. All operation and activities shall be in accordance with LVMC Title 7.

The application as proposed would meet these conditions.

FINDINGS

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

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

   The proposed Pet Boarding use would be located within an existing shopping center located at the northeast corner of Lake Mead Boulevard and Rainbow Boulevard (Best of the West). The shopping center is designed for retail and other commercial uses of equal or greater intensity than the proposed use. Particularly since the proposed use would be completely enclosed with an existing building, there would be no impact upon adjoining uses.

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

   The shopping center within which the proposed Pet Boarding use would be located is designed to accommodate this and other types of commercial uses. The service facilities for the center, including parking and loading spaces, are suitable for the proposed use.

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

   Access to the existing retail center is from Lake Mead Boulevard and Rainbow Boulevard. According to the Master Plan of Streets and Highways, Lake Mead Boulevard is identified as a Primary Arterial street that is designed to have a 100 foot wide right-of-way. Rainbow Boulevard is classified as a Secondary Collector Street and is designed to have an 80-foot wide right-of-way. Both streets are designed to carry high traffic volumes, and the access drives are designed to handle traffic maneuvering in and out of the shopping center. Since the proposed use will occupy part of one of the retail units of the center for which the traffic accommodations are made, there is no additional burden on the traffic load.

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."**

   Establishment of the proposed Pet Boarding use would be subject to periodic inspection, and its establishment would not, therefore, compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 416

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-6067 APN: 138-23-215-024

Name of Property Owner: DTR 6, LLC

Name of Applicant: PETSMART

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: Gary L. Jones

Print Name: GARY L. JONES

Subscribed and sworn before me

This 21st day of JANUARY, 2005

Linda L. Mullins
Notary Public in and for said County and State

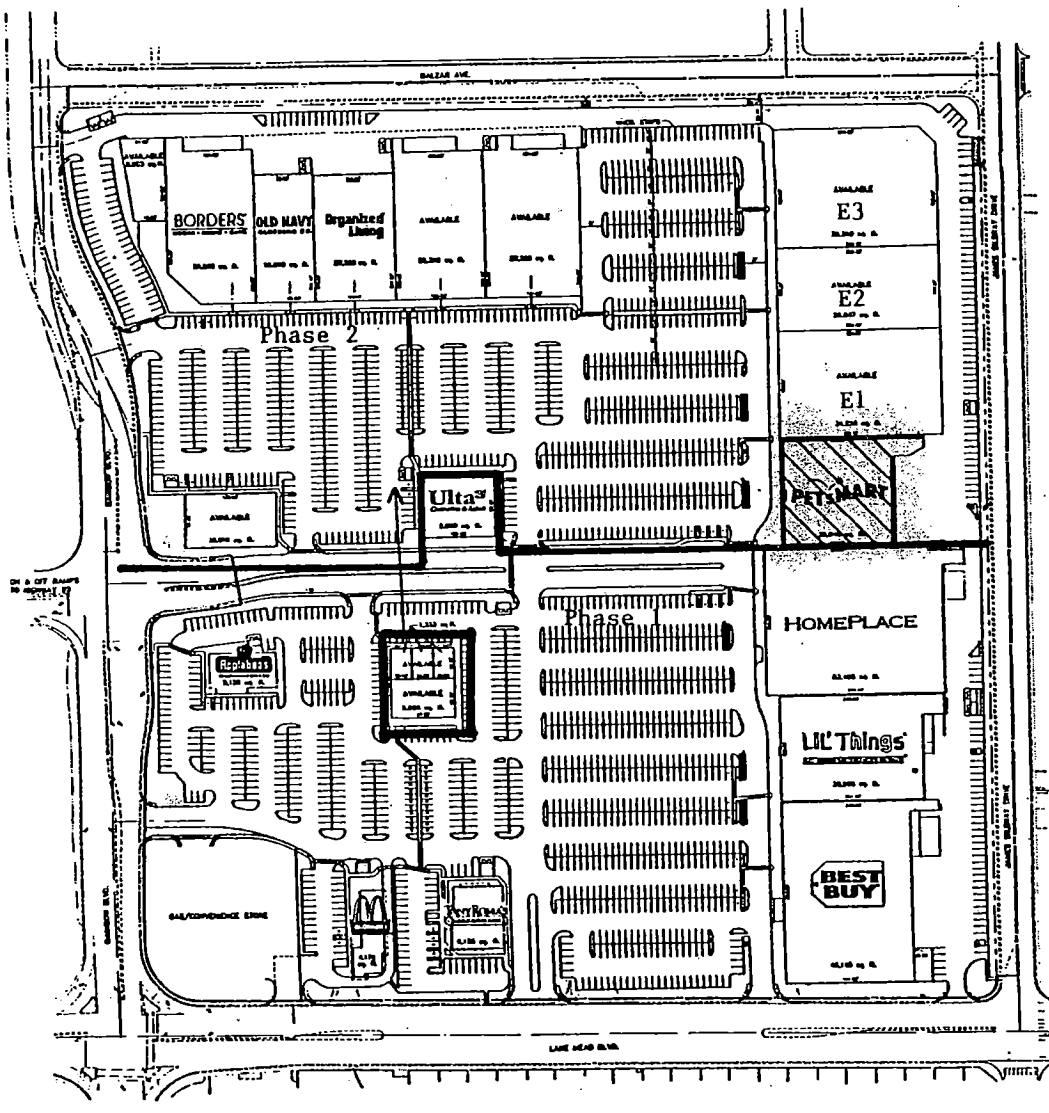
Notary Public State of Arizona
Maricopa County
Linda L Mullins
Expires March 01 2007

Revised 12-03-04

f:\depot\Application Packet\Statement of Financial Interest.doc

EXHIBIT A

SHOPPING CENTER PLAN



SITE PLAN

SUMMARY

LAND	34.85 AC.	1,518,066 S.F.
BUILDINGS A-K		372,035 S.F.
PADS 1,2,4-7		43,438 S.F.
TOTAL		415,473 S.F.
PARKING PROVIDED		1,972 STALLS
PARKING RATIO		4.75/1000

Loading and unloading areas

Pylon Signs

All buildings marked "available," "Borders," "Organized Living," or "Old Navy" are Future Building Areas.

NORTH

GRAPHIC SCALE

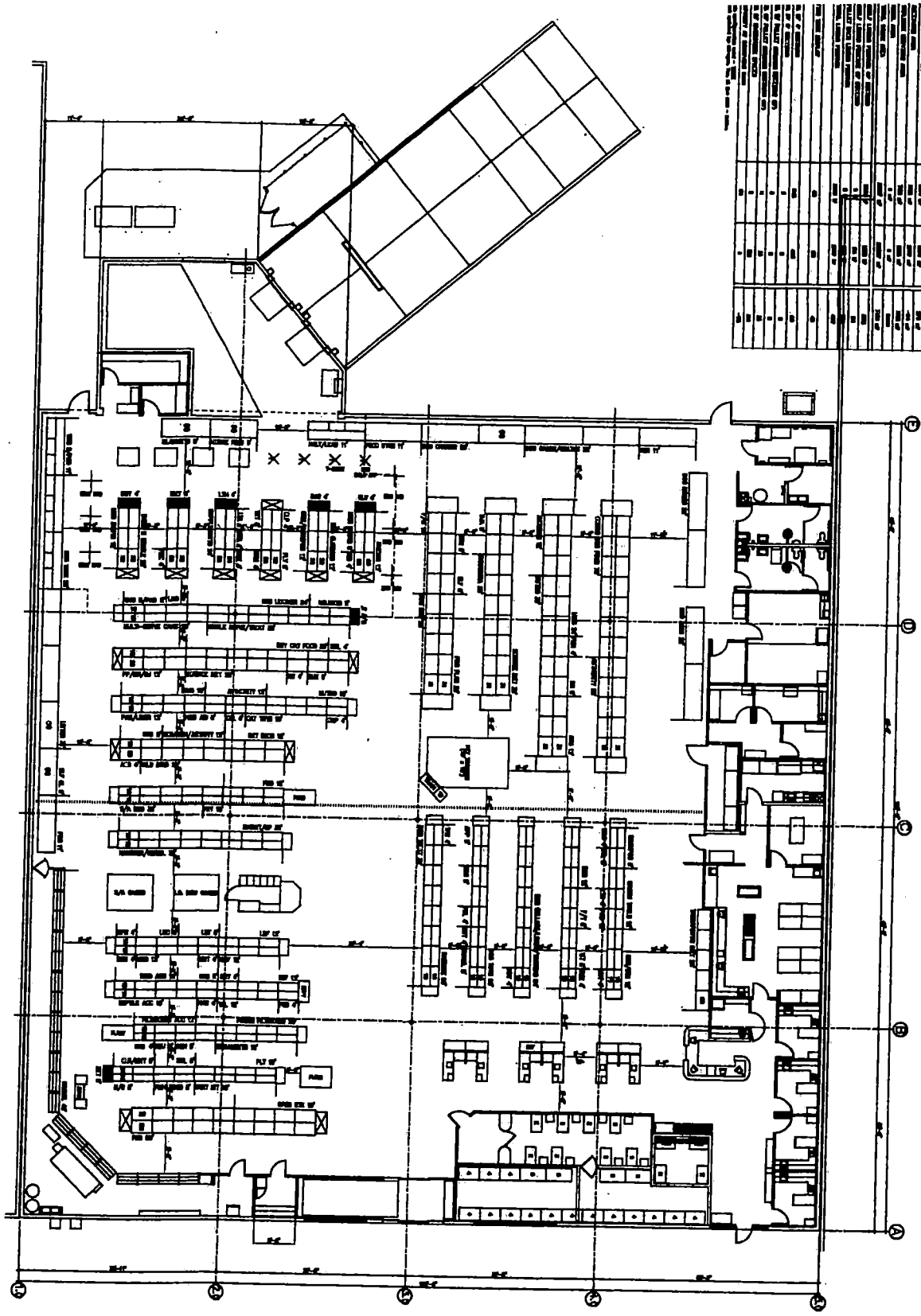
C.C. WALLACE, INC.
Engineering/Architecture

BEST IN THE WEST

LAKE MEAD BLVD. AT RAINBOW BLVD.

#146 **SUP-6067**

03/24/05 PC



FIXTURE SCHEDULE

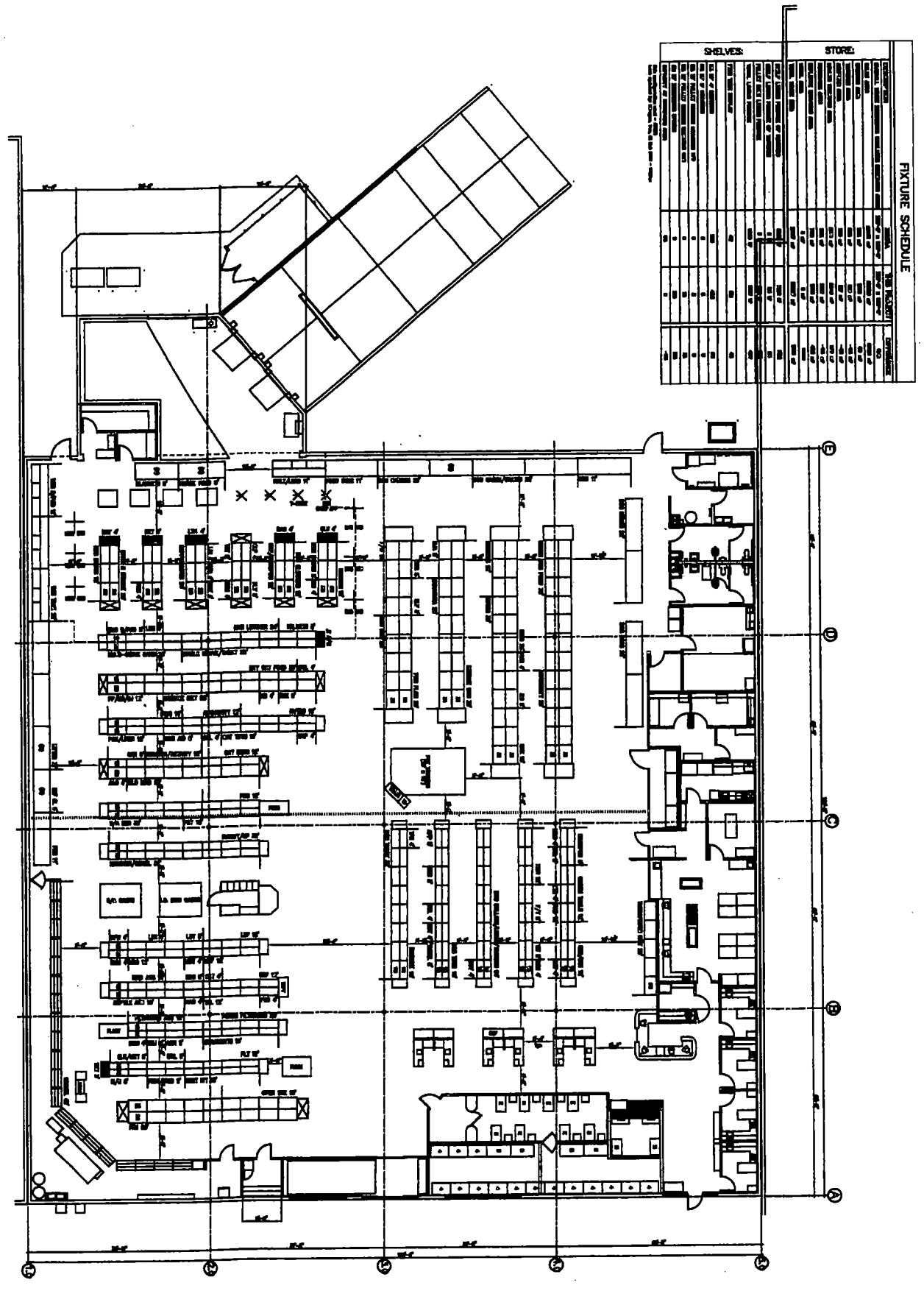
SUP-6067
03/24/05 PC

FIXTURE FLOOR PLAN

F1	FIXTURE FLOOR PLAN	current	STORE #146 NW. LAS VEGAS, NV

No.	DATE:	REVISIONS:

PETSMART.
19601 North 27th Avenue
Phoenix, Arizona 85027 – (623) 580-6100

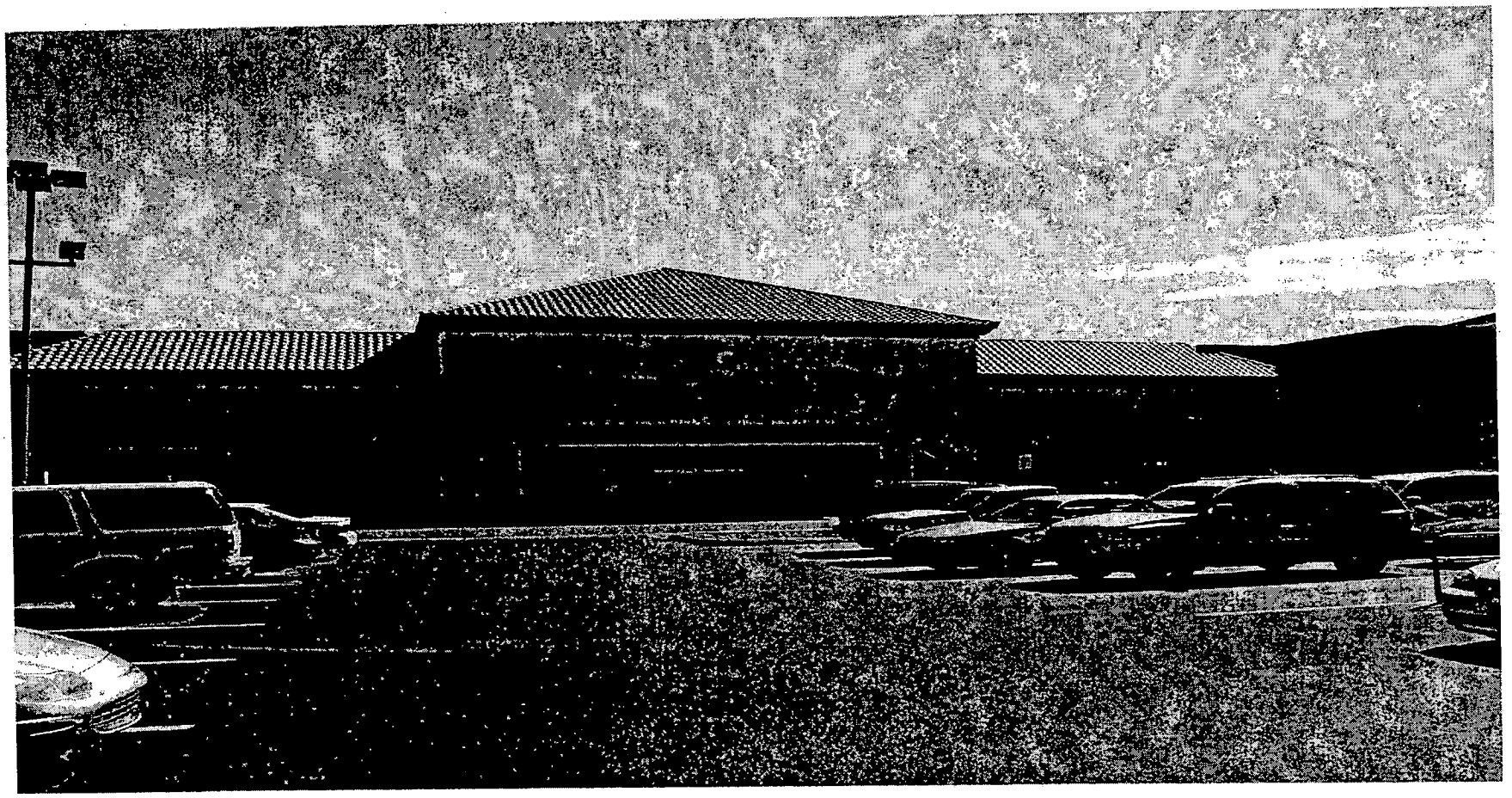


SUP-6067

FIXTURE FLOOR PLAN

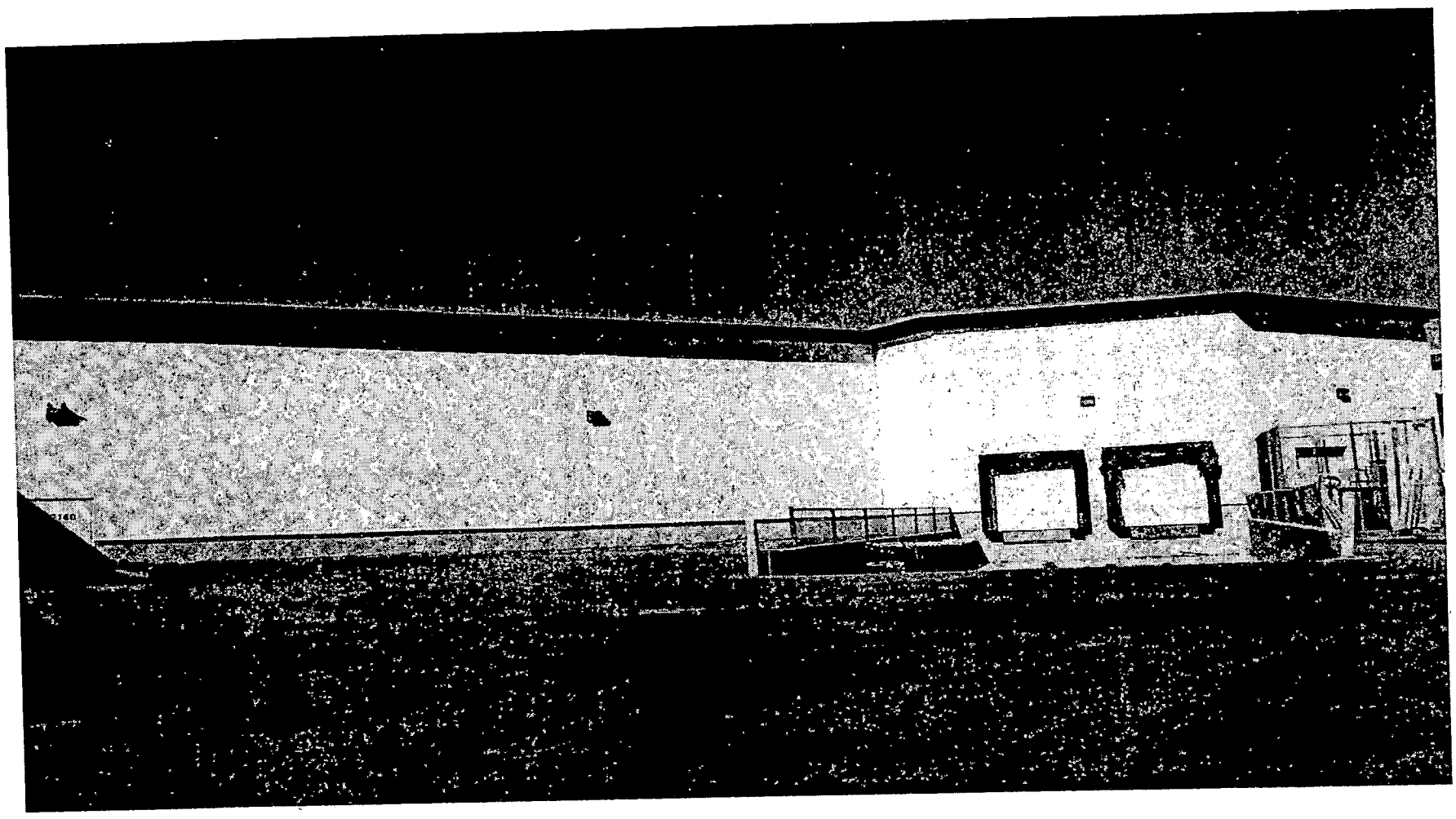
F1	FIXTURE FLOOR PLAN	current	STORE #146 NW. LAS VEGAS, NV	REVISIONS: DATE:

PETSMART.
19601 North 27th Avenue
Phoenix, Arizona 85027 – (623) 580-6100



SUP-6067 - APPLICANT: PETSMART - OWNER: DTR6, L.L.C.
2140 NORTH RAINBOW BOULEVARD
MARCH 24, 2005 PLANNING COMMISSION

3/7/05



SUP-6067 - APPLICANT: PETSMART - OWNER: DTR6, L.L.C.
2140 NORTH RAINBOW BOULEVARD
MARCH 24, 2005 PLANNING COMMISSION

3/7/05

JUSTIFICATION LETTER

Re: PETsMART
2140 N Rainbow Boulevard,
Las Vegas, Nevada

PETsMART is requesting a Special Use Permit to allow a pet lodging facility inside the PETsMART located at 2140 N Rainbow Boulevard.

The *PETsHOTEL* facility will offer incidental and accessory lodging services to the PETsMART customers. The area will be completely enclosed within the PETsMART store, sound attenuating, with no direct access to the outside, and no outside activity or dog runs. The pet hotel rooms are designed with solid partitions and sanitary wall surfaces. The PETsMART *PETsHOTEL* is a distinct departure from the definition of a typical kennel facility.

The proposed pet lodging facility will occupy about 7,299 square feet of the existing 26,207 square feet or 27% of the gross floor area.

See ORD: 5737

City of Las Vegas

Agenda Item No.: 29

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
SUP-6143 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CREATIVE NIGHTLIFE CONCEPTS, LLC - OWNER: MELE PONO HOLDING, COMPANY - Request for a Special Use Permit FOR A PROPOSED 3,040 SQUARE FOOT TAVERN LIMITED ESTABLISHMENT at 111 Las Vegas Boulevard South (APN 139-34-611-013), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 04/20/05

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that approval of the application would allow the tavern in the Downtown Entertainment Overlay District. The proposed use would occupy the building where the 7-11 store is located at the corner of Fremont Street and Las Vegas Boulevard. The business will be subject to the license requirements of Title 6.50. Signage for the business will be subject to the Las Vegas Boulevard Scenic Byway Overlay requirements and the application requires approval from the Downtown Entertainment Overlay District Architectural Review Committee.

MINUTES – Continued:
FRANK ELAM, 1000 Stephanie Place, Henderson, appeared on behalf of both the owner and the applicant. He concurred with all conditions

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.
(8:12 – 8:15)
2-1508

CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements of Title 19.06.120 and Title 6.50.

2. Restricted Gaming shall be prohibited within this establishment pursuant to Title 6.40.155.

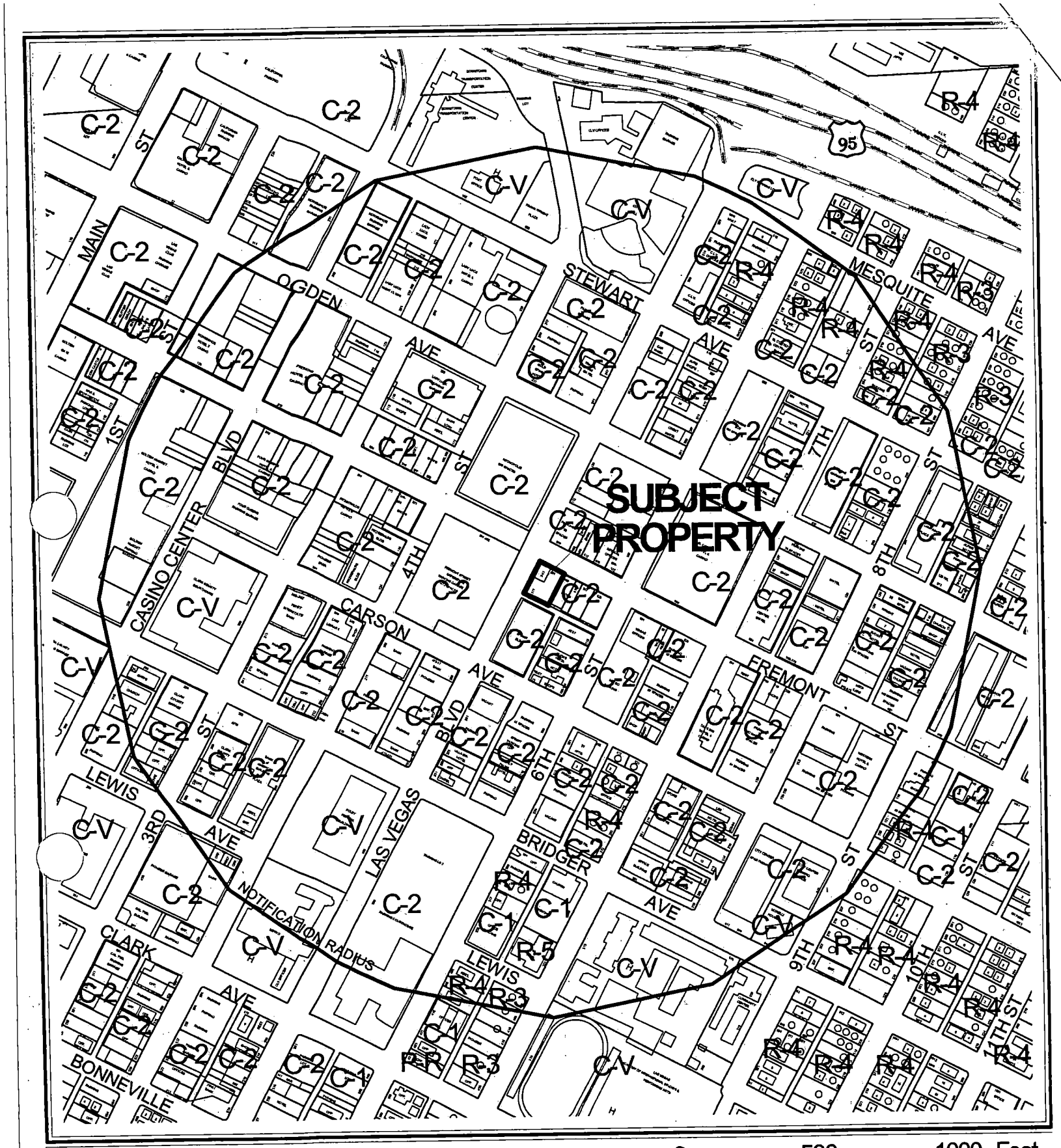
3. The property owner shall be required to participate in a proportionate share of the Entertainment District Streetscape Project, to be implemented and constructed by the City of Las Vegas.

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

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

Public Works

6. Dedicate an additional five feet of right-of-way for a total half street width of 45 feet on Las Vegas Boulevard adjacent to this site and dedicate a 10 foot radius on the southeast corner of Fremont Street and Las Vegas Boulevard 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. This dedication shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent signage or buildings located within the area being requested for dedication.



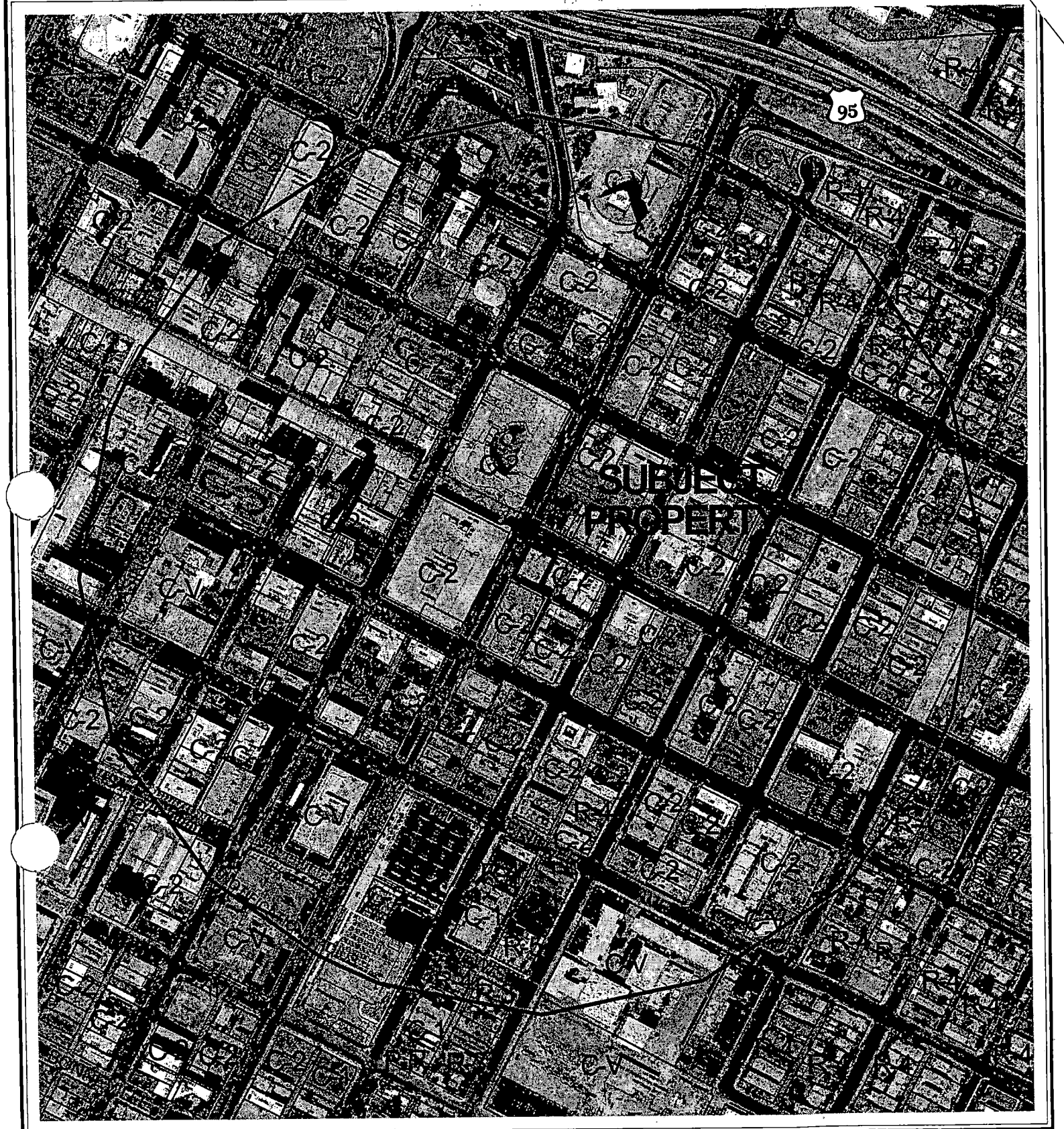
0 500 1000 Feet

CASE: **SUP-6143**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



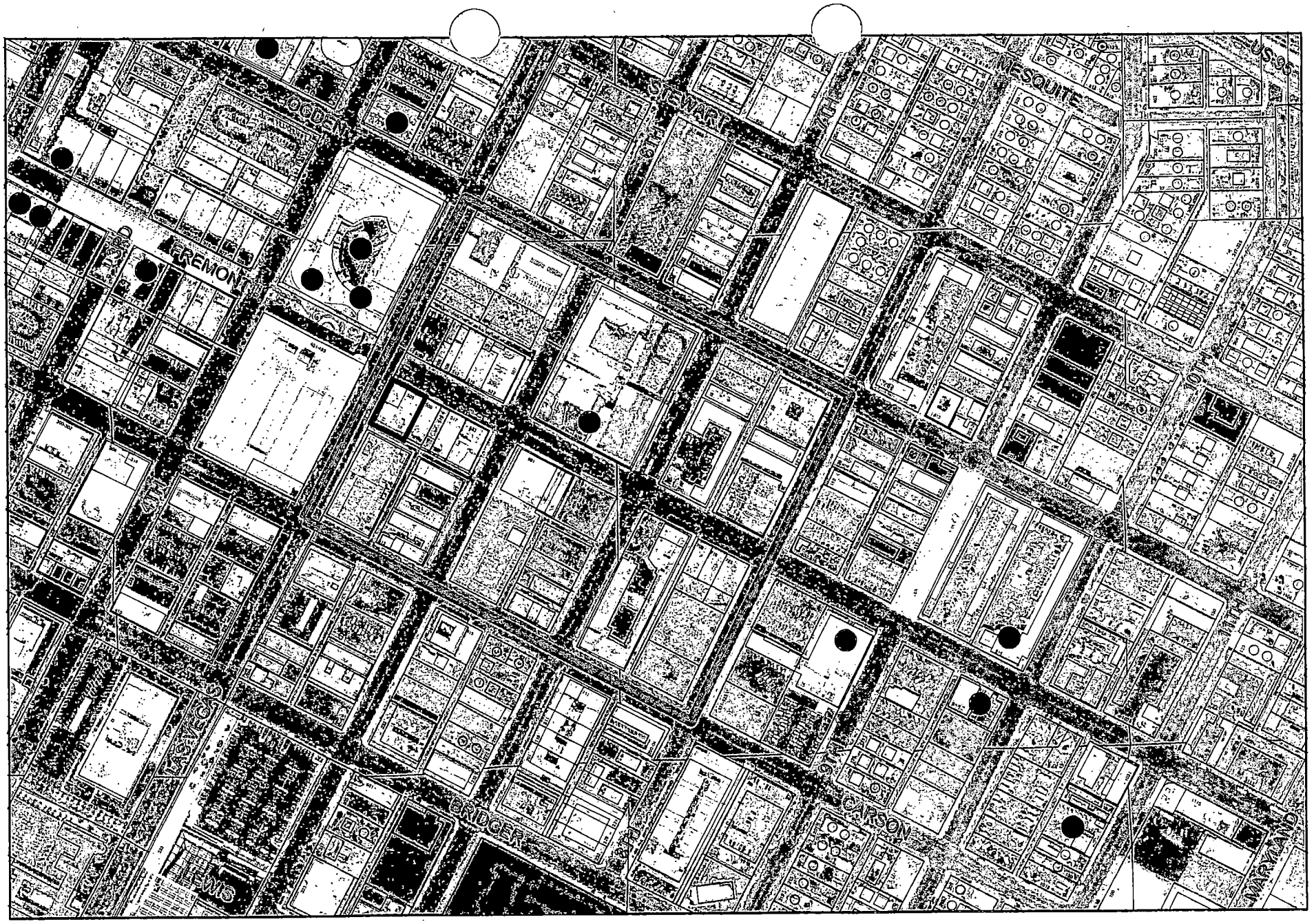
0 500 1000 Feet

CASE: **SUP-6143**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



SUP-6143 **Taverns**

Downtown Entertainment Overlay District

Business Licenses

Child Care/ Children Facility

Tavern

0 237.5 475 950 Feet

RELIGIOUS

PARKS

SCHOOLS

Subject Property

1500 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6143 - APPLICANT: CREATIVE NIGHTLIFE CONCEPTS, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements of Title 19.06.120 and Title 6.50.

2. Restricted Gaming shall be prohibited within this establishment pursuant to Title 6.40.155.

3. The property owner shall be required to participate in a proportionate share of the Entertainment District Streetscape Project, to be implemented and constructed by the City of Las Vegas.

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

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

Public Works

6. Dedicate an additional five feet of right-of-way for a total half street width of 45 feet on Las Vegas Boulevard adjacent to this site and dedicate a 10 foot radius on the southeast corner of Fremont Street and Las Vegas Boulevard 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. This dedication shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent signage or buildings located within the area being requested for dedication.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed 3,040 square foot Tavern-Limited Establishment at 111 Las Vegas Boulevard South.

B) Applicant's Justification

The applicant states that the project is consistent with the plan to development the Entertainment District, and that this lounge will assist in activating the district. In addition, it is noted that the facility will offer entertainment a minimum of four times per week, and that exterior improvements are eventually planned for the facade of the building.

BACKGROUND INFORMATION

A) Related Actions

12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).

B) Pre-Application Meeting

02/16/05 At the pre-application conference, issues were discussed relative to the entitlement process and the requirements applicable to the Tavern Limited license.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.29

FF

B) Existing Land Use

Subject Property:	General Retail Use
North:	Parking Lot
South:	Office Use
East:	General Retail Use
West:	Parking Structure
	General Retail Use

C) Planned Land Use

Subject Property:	C (Commercial Use)
North:	C (Commercial Use)
South:	C (Commercial Use)
East:	C (Commercial Use)
West:	C (Commercial Use)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a C (Commercial) land use designation. The Commercial designation allows uses comparable to the following land use categories: O (Office), SC (Service Commercial), and GC (General Commercial). The proposed use is in compliance with the land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District	X	
Las Vegas Boulevard Scenic Byway Overlay District	X	
Entertainment 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

FF

Redevelopment Plan Area
As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed use is in conformance with the Redevelopment Plan.

Downtown Centennial Plan
The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Casino Center District. The goals of the district include preserving and enhancing the appearance of "Glitter Gulch," as well as encouraging supporting entertainment uses, and maintaining the presence of public facilities.

Downtown Entertainment Overlay District
The subject property is located within the Downtown Entertainment Overlay District, which sets forth sign requirements and allows waivers from the liquor establishment and restaurant service bar separation requirements.

Las Vegas Boulevard Scenic Byway
The property is also located within the boundaries of the Las Vegas Boulevard Scenic Byway Overlay, which is intended to preserve the character of Las Vegas Boulevard as a nighttime urban scenic byway. The Overlay requires the use of neon or animation for all signage, and prohibits new off-premise signage.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.06, properties within the Downtown Overlay District are exempt from the automatic application of standard parking requirements. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan. The following table details the parking figures for the proposed use:

Uses	GFA	**Required**		
		Ratio	Parking	
			Regular	Handicap
Tavern Area	2,240	1/50 GFA	45	
Remaining area	800	1/200 GFA	4	
Total	3,040		49	2

FF

Title 19.10 would typically require a total of 49 parking spaces for this use outside the boundaries of the Downtown Centennial Plan area; parking for the use can be accommodated in the adjacent parking structure, which has 1,472 parking spaces. No on-site parking spaces are available on the property.

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.06.120, any liquor-serving establishment approved by means of a Special Use Permit for a parcel located within the Downtown Entertainment Overlay District shall not be subject to the distance separation requirements set forth in Title 19.04. The Special Use Permit approval may include conditions designed to mitigate any impacts related to distance separation. The nearest protected uses are the Las Vegas Academy of International Studies, Performing and Visual Arts, located at the southeast corner of Bridger Avenue and 7th Street, and Frank Wright Plaza, located at the northeast corner of Stewart Avenue and Fourth Street. The proposed use will have no measurable impact on either property.

B) General Analysis and Discussion

- Zoning

The property is zoned C-2 (General Commercial); Liquor Establishments are permitted upon approval of a Special Use Permit. Nightclub/entertainment facilities are a permitted use in the district. The use will be housed within an existing commercial space, and no additional square footage will be added as part of this request. The signage for the property will be subject to the requirements of the Las Vegas Boulevard Scenic Byway Overlay District, in addition to other standards that apply. Signage and any façade improvements are subject to review and approval by the Downtown Entertainment Overlay District Design Review Committee.

- Use

A Tavern-Limited Establishment, as defined by Title 19.20, is an establishment that is licensed with a tavern-limited business license in accordance with Title 6.50. This type of license:

(1) Authorizes the sale of alcoholic beverages only for consumption on the premises where the same are sold.
(2) May only be issued for premises located in the Downtown Entertainment Overlay District.
(3) Is not transferable, except to a location within the same entertainment district and to an operator who has been approved by the City Council.

In addition, no Restricted Gaming (consisting of not more than fifteen slot machines, incidental to the primary business at the establishment, and no other game or gaming device at the establishment) shall be conducted, maintained, or operated within the Downtown Entertainment Overlay District, per Title 6.40.155.

The proposal is for a Tavern with entertainment to be located within an existing 3,040 square-foot commercial space. No changes are proposed to the exterior of the building at this point in time; the applicant has indicated that they will be seeking a façade improvement grant at a later date. No information has been provided relative to signage; all signage and façade improvements will need to be reviewed and approved by the Downtown Entertainment Overlay District Design Review Committee in accordance with the provisions of Title 19.06.120. In addition, the signage will be subject to the requirements of the Las Vegas Boulevard Scenic Byway Overlay District.

No parking is available on the site; patrons will have to use available spaces along Fremont and Sixth Streets or at the nearby parking garages for a fee. No valet parking is proposed. Live entertainment will be offered at least four nights per week in conformance to the Downtown Entertainment Overlay District standards.

The property would typically be subject to the streetscape standards of the Downtown Centennial Plan, which would require an 11 foot wide sidewalk and palm trees at 30 foot intervals. The Office of Business Development is in the process of working with the Entertainment District property owners to contribute to the costs of implementing streetscape improvements throughout the District. As this project is scheduled for implementation in the near future, the property owner shall be required to participate in a proportionate share of the streetscape treatment, rather than install the streetscape treatment as a condition of approval, as would typically be required.

- Conditions

There are no base conditions for approval of a Tavern Limited Establishment. The establishment need only comply with the regulations for a tavern-limited license and those provisions governing the Downtown Entertainment Overlay District.

FINDINGS

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

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

FF

The proposed Tavern-Limited Establishment is a permitted use in the C-2 (General Commercial) zoning district and is the type of use encouraged in the Downtown Entertainment Overlay District. It is surrounded by other parcels zoned for similar uses. No gaming machines will be incorporated into the use, as dictated by Title 6.50.

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

The existing building is suitable for the proposed Tavern-Limited Establishment. The proposed tavern will depend on off-site parking to support the use; on street parking and nearby parking garages will be more than adequate to support the expected demand.

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 provided by Las Vegas Boulevard, a Primary (100 foot) Arterial, and an alley connecting Las Vegas Boulevard and Sixth Street. Much of the expected traffic for this use will be by pedestrians; however, these rights-of-way are of an adequate size to support the proposed use.

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

The proposed Tavern-Limited Establishment will be subject to inspections for compliance with business licensing requirements and will not compromise the public health, safety and welfare. The proposed use is consistent with the redevelopment objectives of the Downtown Centennial Plan, Las Vegas Redevelopment Area, and the Downtown Entertainment Overlay District.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

NOTICES MAILED 190

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-6143 APN: _____

Name of Property Owner: Mele Pono Holding Company

Name of Applicant: Creative Nightlife Concepts, 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: by: Rosemary Shoong

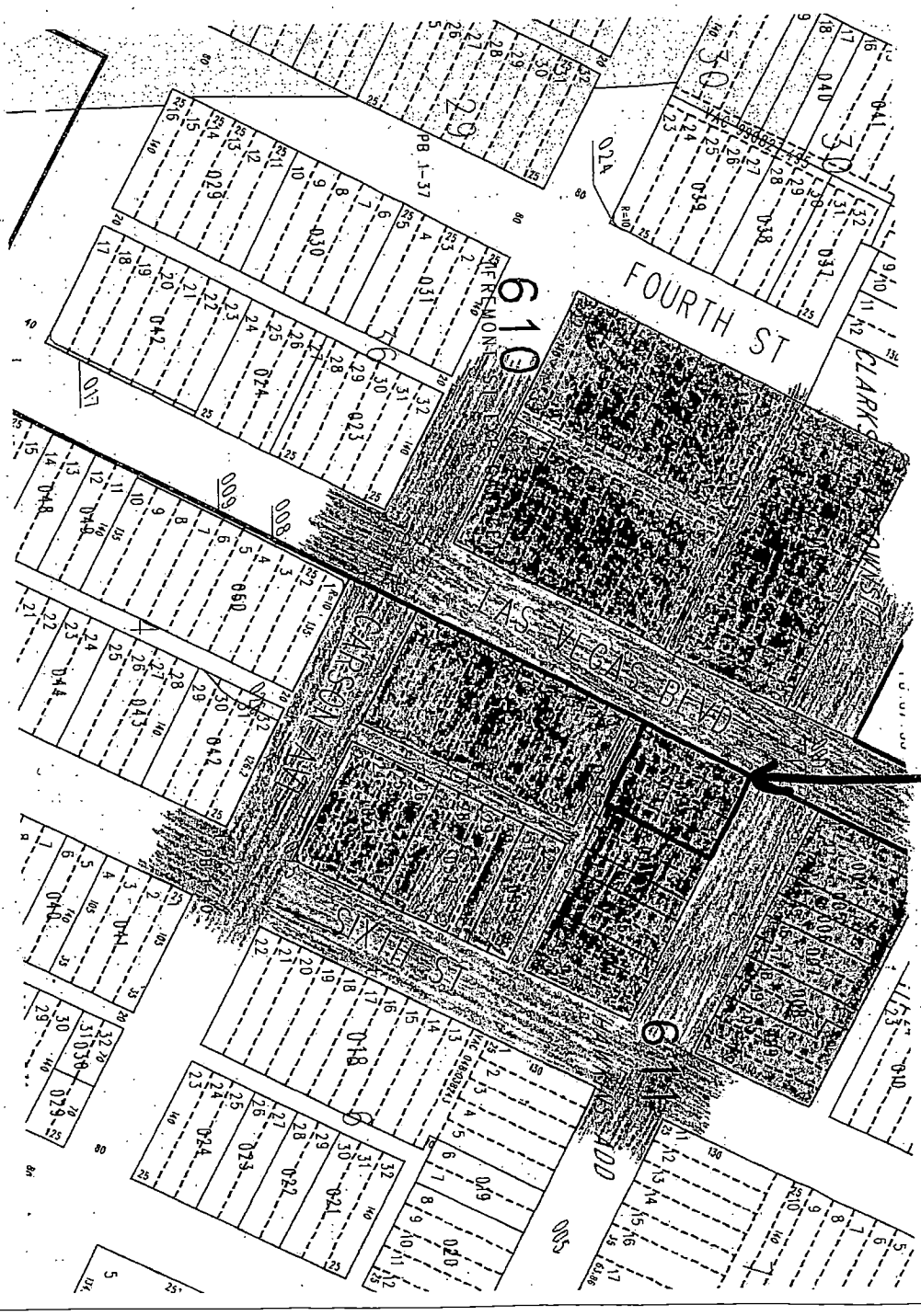
Print Name: Rosemary Shoong President Mele Pono Holding Company

Subscribed and sworn before me

This 16th day of February, 2005

Diann R. Hartzel
Notary Public in and for said County and State

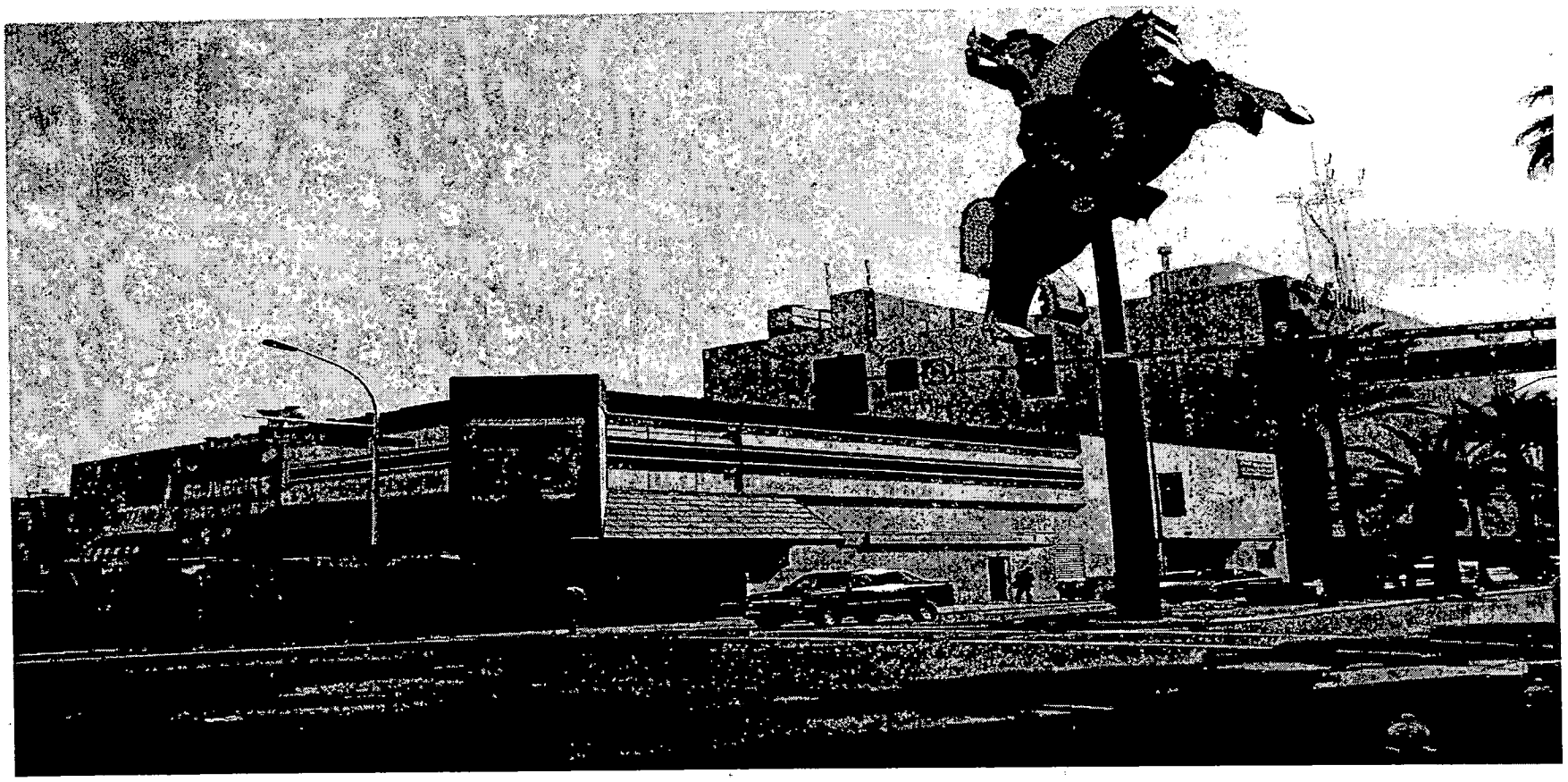
DIANN R. HARTZEL
Notary Public State of Nevada
No. 00-61431-1
My appt. exp. Mar. 13, 2008



SUP-6143
03/24/05 PC

SUP-6143 - APPLICANT: CREATIVE NIGHTLIFE CONCEPTS, LLC - OWNER: MELE PONO HOLDING, COMPANY
111 LAS VEGAS BOULEVARD SOUTH
MARCH 24, 2005 PLANNING COMMISSION

3/7/05



SUP-6143 - APPLICANT: CREATIVE NIGHTLIFE CONCEPTS, LLC - OWNER: MELE PONO HOLDING, COMPANY
111 LAS VEGAS BOULEVARD SOUTH
MARCH 24, 2005 PLANNING COMMISSION

3/7/05

SPECIAL USE PERMIT REQUEST

FOR

CREATIVE NIGHTLIFE CONCEPTS, LLC
d/b/a "DOWNTOWN"

February 15, 2005

JUSTIFICATION LETTER

Creative Nightlife Concepts, LLC, a Nevada corporation, d/b/a "DOWNTOWN" is hereby formally requesting a Special Use Permit for the purpose of operating a **Tavern Limited License** at 111 Las Vegas Boulevard South, Las Vegas, NV 89101. This property is located inside the drawn boundaries of the newly formed Entertainment District.

The premises, for which this permit is being requested, is currently unoccupied. Creative Nightlife Concepts, LLC (CNC) has negotiated a lease with Mele Pono Holding Company, the current owner of the property, for the purpose of operating a Lounge, which would be licensed pursuant to the requirements of the newly provisioned Tavern Limited License as promulgated under Ordinance Number 5607 of the City of Las Vegas. The negotiated lease agreement is subject to the approval of the Special Use Permit, hereby requested, as well as the approval of the Tavern Limited License.

The building in which this proposed Lounge will be located is just south of the corner of Las Vegas Blvd. and East Fremont Street and fronts on Las Vegas Blvd.. It is more specifically located on the east side of Las Vegas Blvd.. The gross building square footage is 16,462. The building runs 86 feet along Las Vegas Blvd. and 115 feet along East Fremont Street. The building is two stories in height.

The current plan is to renovate approximately 3,040 square feet of the building from the entrance on Las Vegas Blvd.. This renovation would include about 800 square feet, which would be converted for back of house purposes, including storage, office and refrigeration. The remaining 2,240 square feet would be used for the operation of the Lounge.

The current director of Economic Development, Scott Adams, apprised the owner of the building, that a program was in the approval process that would provide grant dollars to improve and enhance the façade of the building. This improvement would be done at a later time, as the owner intends to do an architectural plan to improve the façade of the entire building, which would include the property located at 501–513 East Fremont Street. The building for which this Special Use Permit is being requested does not include 509–513 East Fremont, however, the plan is to improve the entire façade owned by Mele Pono Holding Company would include the 509-513 locations.

This project is consistent with the plan to develop the Entertainment District. Furthermore, this Lounge would lend support to accomplishing the goal of activating seven (7) Tavern Limited Licenses within the boundaries of the Entertainment District before the current Ordinance sunsets in the fall of 2005. CNC has budgeted Three Hundred Fifty Thousand ($350,000) Dollars for the building improvements, which will

include upgrading the plumbing and electrical, installation of an air conditioning system and ADA access for all entrances and exits, and ADA bathrooms.

The Lounge will offer an entertainment experience at least four (4) nights per week as required by the Tavern Limited License. CNC plans a very comprehensive marketing plan to develop awareness of the developing Entertainment District as a destination experience for local residents, as well as, visitors to Las Vegas.

This building and space for which this Special Use Permit is being requested is totally surrounded by Commercial Zoning and is currently zoned C-2.

Please consider this application on behalf of Creative Nightlife Concepts, LLC for a Special Use Permit to operate a Lounge located at the above referenced physical address which lies within the Entertainment District boundaries.

Thank you for your consideration of this project.

Sincerely,

Michael Cornthwaite
Manager
Creative Nightlife Concepts, LLC
d/b/a/ "DOWNTOWN"

City of Las Vegas

Agenda Item No.: 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
RQR-6122 - REQUIRED THREE MONTH REVIEW - PUBLIC HEARING - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI - Required Three Month Review of an approved Special Use Permit (SUP-2203) WHICH ALLOWED AN AUTO REPAIR GARAGE, MAJOR AND WAIVERS TO ALLOW MAJOR REPAIR AND SERVICE WORK OUTSIDE OF AN ENCLOSED BUILDING, TO ALLOW OUTDOOR HOISTS, AND TO NOT SCREEN DISABLED OR WRECKED VEHICLES FROM SURROUNDING PROPERTIES AND ADJOINING STREETS at 2101 Fremont Street (APN 139-35-804-004), C-2 (General Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 04/20/05
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for SUP-2203

MOTION:
GOYNES – DENIED – Motion carried with DAVENPORT voting NO and TRUESDELL excused

This is Final Action

NOTE: An initial motion by DAVENPORT to hold the item in abeyance to the 4/14/2005 Planning Commission Meeting failed with GOYNES, NIGRO, EVANS and STEINMAN voting NO

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, explained the request is based on SUP-2203, which was approved by the City Council in August of 2003. That approval was subject to a one-year review, which was approved in October of 2004, with a condition requiring removal of all barbed wire from the fence, installation of a green tarp for screening purposes and that the applicant would not leave any cars outside the property. Staff does not feel the applicant has fully complied with those conditions. On March 3, 2005, a site inspection revealed the barbed wire was not removed. Staff also found it difficult to determine which cars onsite were associated with a repair function.

DENNIS HANCOCK, 7981 Cadenza Lane, appeared and indicated he was out of state and missed the one-year review. His secretary attended that meeting for him and reported back to him the status of the condition changes. She had said the razor wire needed to be removed but he thought the barbed wire could remain. The wire is used for security reasons. Its removal would result in vandalism and theft.

ZYGMUNT AMARETTI, 5339 Heather Brook Circle, the landlord for the property, understood the concerns about the wire falling onto a sidewalk where pedestrians might be. However, there is no sidewalk nearby because the fence is setback 50 feet from the street. In addition, if the wire were removed, anyone could have access to this property.

DENISE CONTIGO, 7981 Cadenza Lane, was present at the review hearing in October of 2004, and she was informed at that time to put up the green mesh along the fencing to screen the cars being worked on from the view of the street and that was done. She was also told that the razor wire had to be removed. In her opinion, the applicant did comply with all conditions set forth during that review.

MARIO SUAREZ, Planning and Development Department, translated for VERONICA ORTIZ, 108 20th Street, who expressed concerns over not being able to park her catering truck in front of her home. When it was determined that her comments did not relate to the item being discussed or any item on the agenda, CHAIRMAN NIGRO asked MR. SUAREZ to direct her to contact Code Enforcement to get clarification and assistance regarding her parking issue.

DEPUTY CITY ATTORNEY BRYAN SCOTT recalled that during the review, he did not feel COUNCILMAN REESE made a distinction between the razor wire and barbed wire. The Building Code treats the two wires as similar and neither one is permitted within City limits. MARGO WHEELER, Planning and Development, clarified that the condition did read barbed wire and in looking at the photos from the review hearing, it pertained to both the barbed wire and razor wire shown.

MINUTES – Continued:

CHAIRMAN NIGRO suggested there was a misunderstanding due to the term barbed wire being used to represent both types of wire. MR. HANCOCK agreed and reiterated removal of the wire would leave the property susceptible to crime. He explained to MR. HANCOCK that the wire had to come down immediately because the Planning Commission had no jurisdiction to allow it to remain. CHAIRMAN NIGRO asked if there was an application that MR. HANCOCK could file that would allow the wire. He wanted to make sure any options available to the applicant were made clear. DEPUTY CITY ATTORNEY SCOTT indicated the Building Code has a provision that would allow an exception to placing barbed wire in certain instances, but he did not have the book to read verbatim.

COMMISSIONER EVANS confirmed with MR. HANCOCK that he has another year remaining on his lease for this site. He recalled that the applicant intended to relocate to a more appropriate location once that lease was completed. The Commissioner then asked if the applicant intended to comply with the conditions.

CHAIRMAN NIGRO reiterated that Council imposed a condition prohibiting barbed wire and the Commission had no authority to allow it to stay. The applicant could apply for a Review of Condition relative to that one condition, as all other conditions would have been met. COMMISSIONER EVANS wanted it known that he would not support any application allowing the wire to go back up. He did not want the applicant to go through the entire process only to find it denied. MR. HANCOCK understood.

COMMISSIONER GOYNES asked if the applicant or owner was the responsible party. CHAIRMAN NIGRO stated that would be a private matter between them. MR. AMARETTI stated he would have it taken down but it would expose the property to invaders. COMMISSIONER GOYNES confirmed with MR. HANCOCK that there have been a few minor thefts on the property but nothing major. MS. CONTIGO indicated the interior shop is alarmed; however, there is no alarm in the lot.

COMMISSIONER STEINMAN questioned staff about allowing vehicles to be left on the lot overnight. MR. LEOBOLD indicated that any customer vehicle could be parked there and that there was no restriction on hours of parking. COMMISSIONER STEINMAN then stated that razor wire still remained along the east wall. MR. HANCOCK confirmed that statement. The Commissioner suggested the applicant consider getting a guard dog for the lot.

CHAIRMAN NIGRO suggested the applicant comply before the item is heard by City Council. He also suggested the applicant meet with DEPUTY CITY ATTORNEY SCOTT to discuss the Review of Condition process and any Code requirements relevant to barbed wire.

MINUTES – Continued:
COMMISSIONER DAVENPORT felt an abeyance would be more appropriate than to send the item forward with a denial. CHAIRMAN NIGRO replied that the item would go to Council anyway and since the applicant has agreed to remove the wire, that action would keep the item moving forward. There was discussion over which action would be most appropriate.

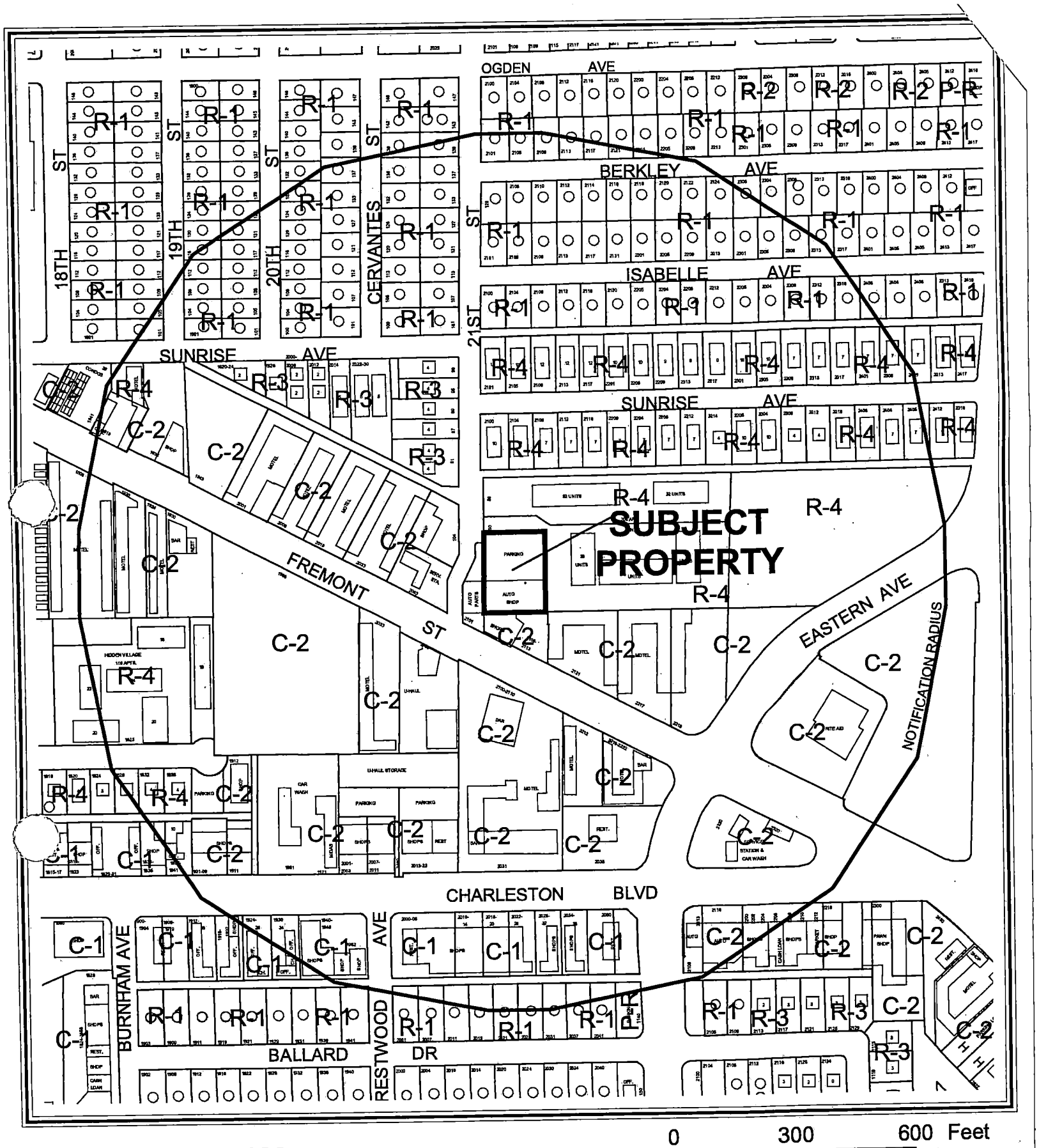
CHAIRMAN NIGRO declared the Public Hearing closed.

(8:15 – 8:38)

CONDITIONS:
Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit SUP-2203 and Required Review RQR-4669.

2. The Special Use Permit shall be reviewed in one year at which time the City Council may require cessation of the use. The applicant shall be responsible for the notification costs of the review. Failure to pay the City for these costs may result in cessation of the use.



0 300 600 Feet

CASE: **RQR-6122**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

0 300 600 Feet

CASE: **RQR-6122**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-6122 - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETT

** CONDITIONS **

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

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit SUP-2203 and Required Review RQR-4669.

2. The Special Use Permit shall be reviewed in one year at which time the City Council may require cessation of the use. The applicant shall be responsible for the notification costs of the review. Failure to pay the City for these costs may result in cessation of the use.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for Required Three Month Review of an approved Special Use Permit (SUP-2203) which allowed an Auto Repair Garage, Major And Waivers To Allow Major Repair And Service Work Outside Of A Enclosed Building, To Allow Outdoor Hoists, And To Not Screen Disabled Or Wrecked Vehicles From Surrounding Properties And Adjoining Streets at 2101 Fremont Street.

B) Applicant's Justification

A justification letter is not required for this type of application.

BACKGROUND INFORMATION

A) Related Actions

08/20/03 The City Council approved a Special Use Permit (SUP-2203) to allow an Auto Repair Garage, Major and waivers to allow major repair and service work outside of a enclosed building, to allow outdoor hoists, and to not screen disabled or wrecked vehicles from surrounding properties and adjoining streets on this site subject to a One-Year Review. The Planning Commission recommended approval on 07/24/03. Staff recommendation was for denial.

10/20/04 The City Council approved a Required One-Year Review (RQR-4669) for Special Use Permit (SUP-2203) which allowed an Auto Repair Garage, Major and waivers to allow major repair and service work outside of a enclosed building, to allow outdoor hoists, and to not screen disabled or wrecked vehicles from surrounding properties and adjoining streets on this site subject to a Three-Month Review. The Planning Commission recommended approval on 08/26/04. Staff recommendation was for denial.

B) Pre-Application Meeting

A pre-application meeting is not required for this type of application.

C) Neighborhood Meetings

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

MP

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.70

B) Existing Land Use

Subject Property:	Auto Repair Garage, Major
North:	Apartments
South:	Commercial
East:	Apartments
West:	Commercial

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	R-4 (High Density Residential)
South:	C-2 (General Commercial)
East:	R-4 (High Density Residential)
West:	C-2 (General Commercial)

E) General Plan Compliance

The site is designated as MXU (Mixed Use) on the Redevelopment Plan Map of the Southeast Sector of the General Plan. This land use allows a mix of uses including residential, offices, and commercial.

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

The property is located within the Las Vegas Redevelopment Plan area. If development and operated in a respectable manner, the proposed Auto Repair Garage, Major should have minimal impact upon the surrounding neighborhood, provided all conditions established by Title 19 are fulfilled. The properties located to the south and west of this site are also located in the Downtown Centennial Plan.

ANALYSIS

A) General Analysis and Discussion

- Zoning

  The Auto Repair Garage, Major is allowed in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

- Use

  The proposed auto repair garage, major, should have minimal impact upon the surrounding neighborhood, provided all conditions established by Title 19 are fulfilled. An Auto Repair Garage, Minor occupied the commercial building prior to the current request. There are no approvals on record allowing for any type of outdoor activities for the previous repair garage.

  The use is permitted by compliance with the conditions of Title 19.04.050 for auto repair garage, major and the conditions of approval for SUP-2203.

- Waivers

  The waivers to allow major repair and service work outside of a enclosed building, to allow outdoor hoists, and to not screen disabled or wrecked vehicles from surrounding properties and adjoining streets are not appropriate and were not supported with either the previous applications on this site.

- Conditions

  The previous Required Review (RQR-4669) was approved with the following condition:

  1. The fence shall be repaired, barbed wire removed and a green type tarp installed for screening within three months and no cars shall be left outside.

  On March 3, 2005 a site inspection was conducted and photos were taken. The inspection revealed the barbed wire on the fence has not been removed as required. Additionally, it is difficult to tell what cars on site are associated with the repair garage. Due to the failure to completely comply with the above condition, the recommendation for this request is denial.

MP

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 auto repair use could be conducted in a manner that is harmonious and compatible with surrounding land uses by conformance with established conditions of approval. The applicant has not fully implemented these conditions, namely condition of approval Number 1 for RQR-4669. Therefore, the operation is not harmonious and compatible with the surrounding area and the recommendation for this request is denial.

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

   There are no physical constraints to the location that would hinder conformance with the conditions of approval.

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

   The site is located adjacent to Fremont Street, a fully developed street.

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 continuation of the Auto Repair Garage as currently operated does not implement the overall objectives of the Redevelopment Plan, which is to create new opportunities for growth in this area of the City.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 204

APPROVALS 0

PROTESTS 1

MP

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-6122** APN: 139-35-804-004

Name of Property Owner: ZYGMUNT AMARETTI

Name of Applicant: A-1 BRAKE AND CARBURETOR / DENNIS HANCOCK

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: Zygmunt Amaretti

Print Name: ZYGMUNT AMARETTI

Subscribed and sworn before me

This 8 day of FEBRUARY, 2005

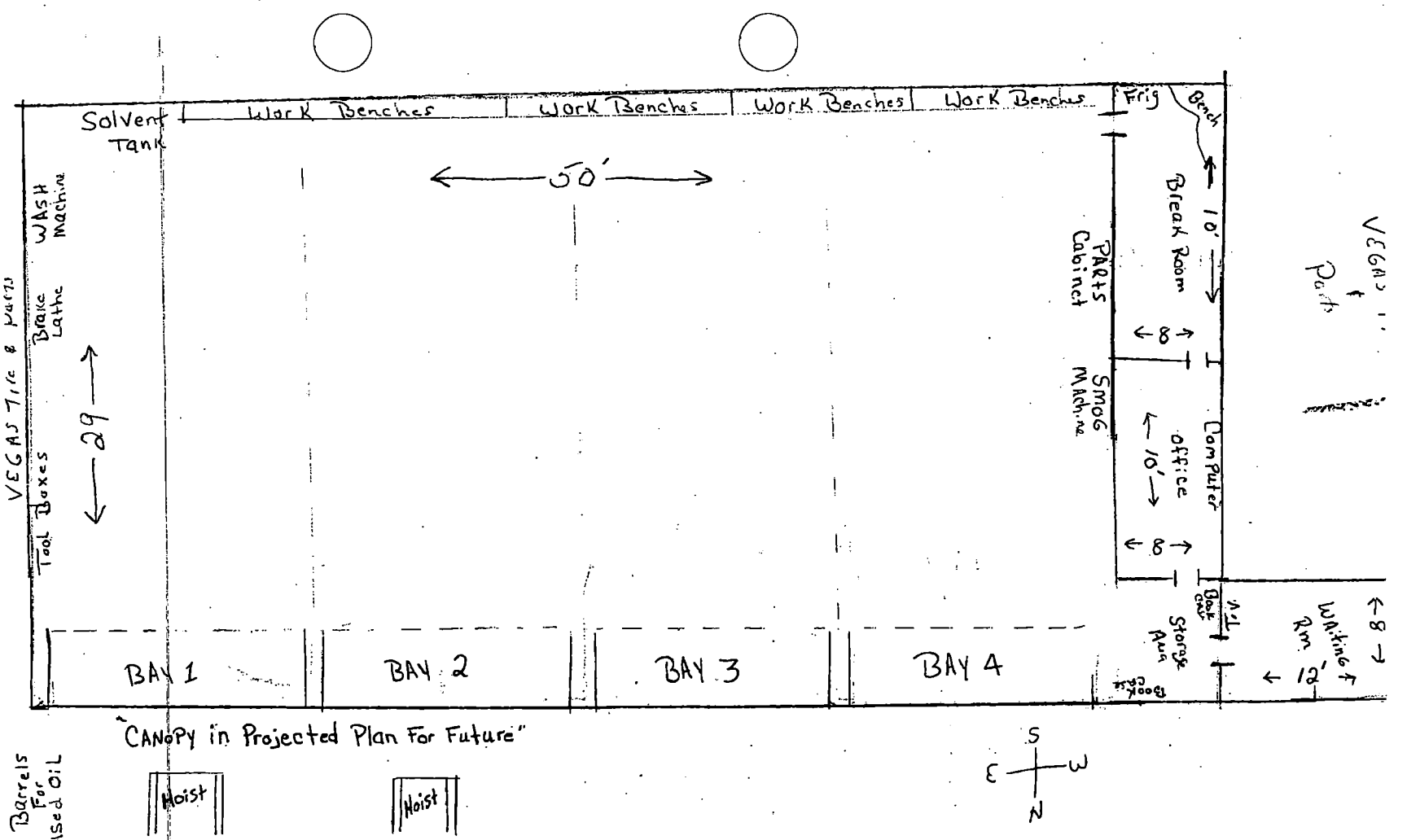
Lenore E. Ledbetter

Notary Public in and for said County and State

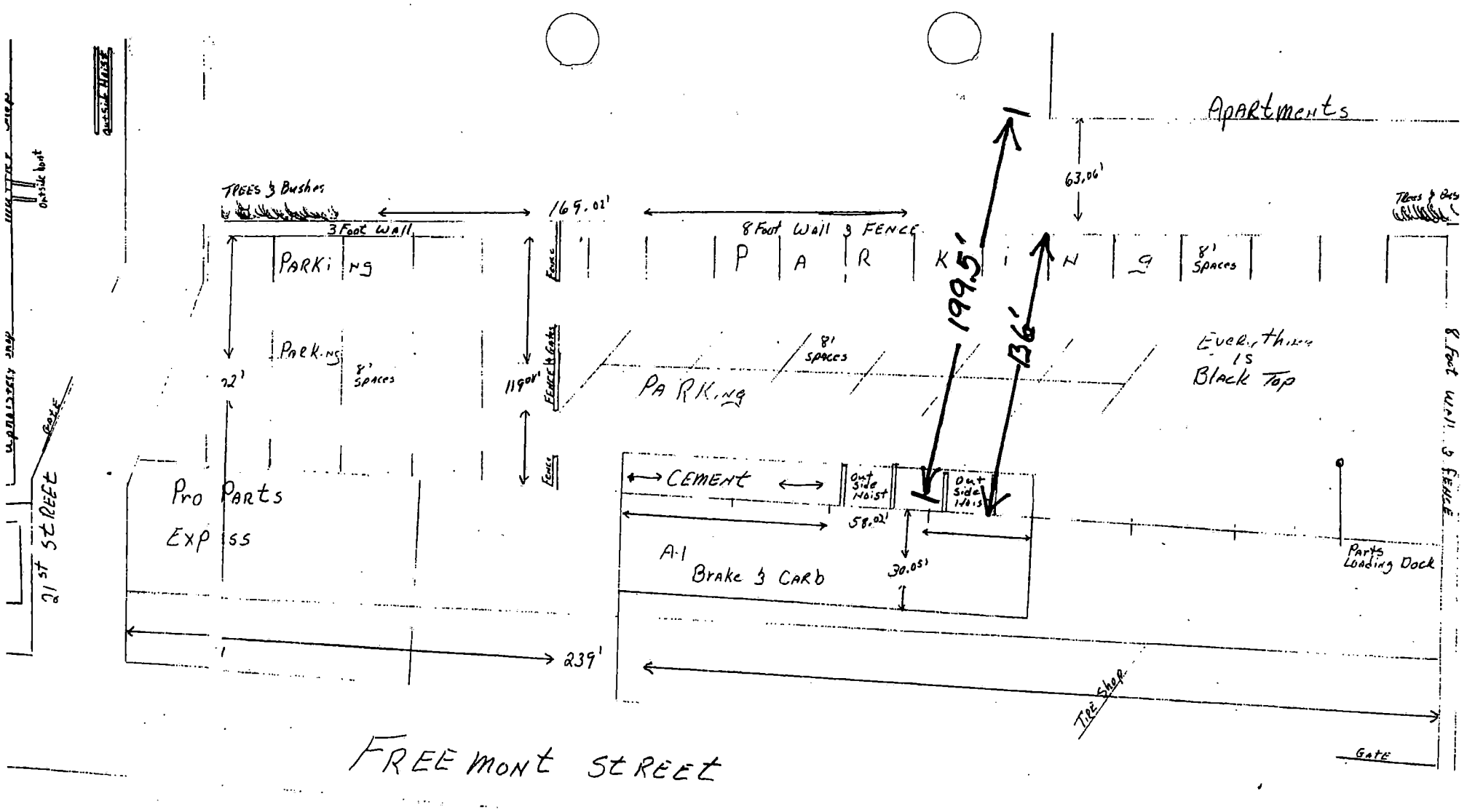
Contra Costa County

California

LENORE E. LEDBETTER
Comm. # 1507923
NOTARY PUBLIC - CALIFORNIA
Contra Costa County
My Comm. Expires August 16, 2008



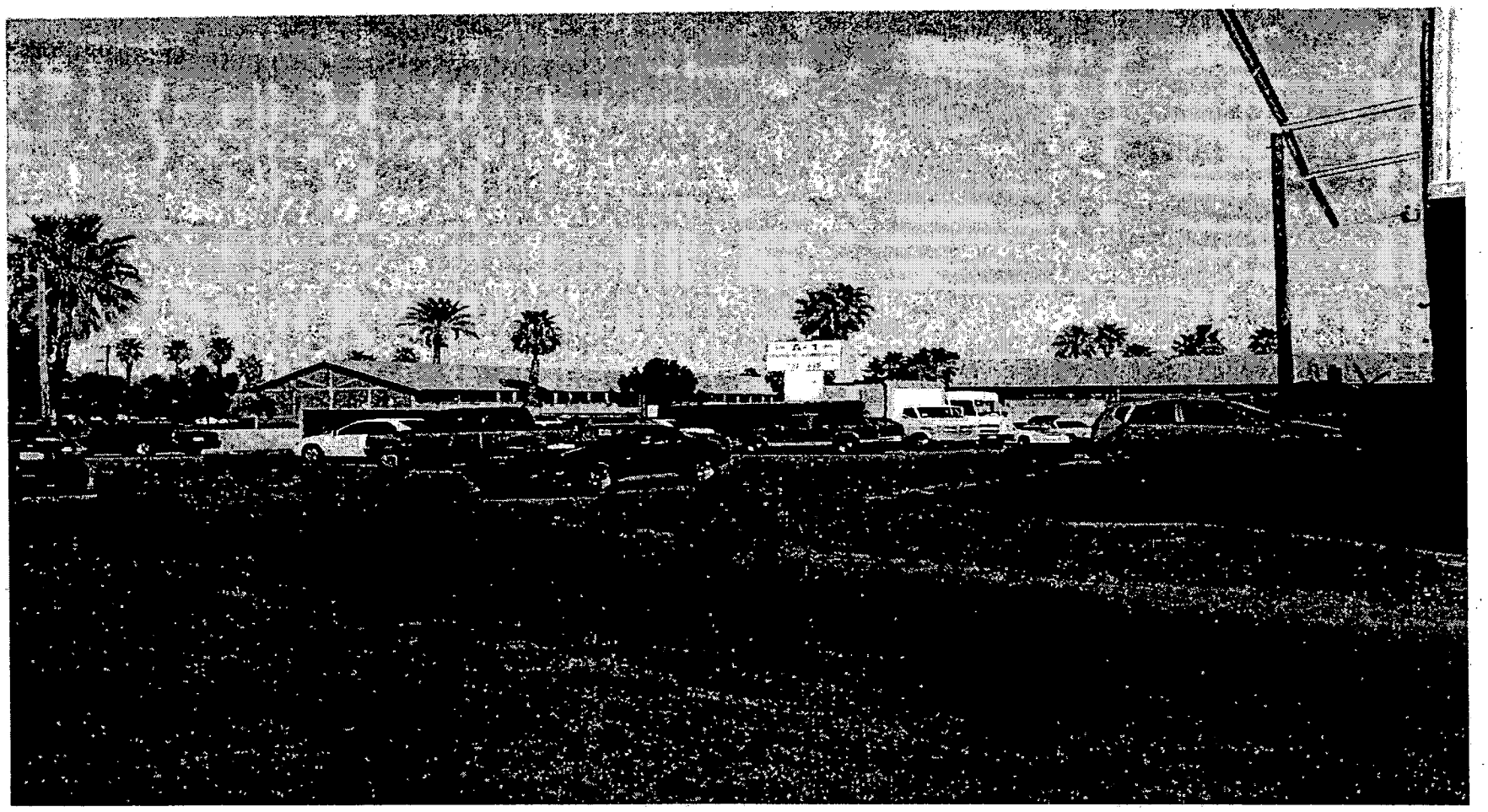
RQR-6122
03/24/05 PC



RQR-6122
03/24/05 PC

RQR-6122 - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI
2101 FREMONT STREET
MARCH 24, 2005 PLANNING COMMISSION

3/3/05



RQR-6122 - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI
2101 FREMONT STREET
MARCH 24, 2005 PLANNING COMMISSION

3/3/05

RQR-6122 - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI
2101 FREMONT STREET
MARCH 24, 2005 PLANNING COMMISSION

3/3/05

Telephone Protest/ Approval Log

Meeting Date: 03/24/05 **Case Number:** RQR 0122

Date: 03/14/05
Name: Nimrod Barashy
Address: 2212 & 2200 E. Charleston. L.V. Nevada 89104
Phone: (702) 296-8886
[X] **PROTEST** [ ] **APPROVE**

Date:
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City of Las Vegas

Agenda Item No.: 31

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
SDR-6057 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LAKE EAST, LLC AND STARBOARD, LLC - Request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF AN EXISTING 448 UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 19.68 acres at 8600 Starboard Drive (APN 163-08-601-005), R-PD23 (Residential Planned Development - 23 units per acre) Zone, Ward 2 (Wolfson).

C.C.: 04/20/05

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
STEINMAN – APPROVED subject to conditions and adding the following conditions:
- **Trash enclosures shall be rebuilt to meet Code and maintained subject to approval of the standards of Planning & Development.**
- **The number of trees required on the project perimeter shall be provided to meet Code pursuant to a landscape plan to be submitted for review and approval by the Planning & Development Department.**

– Motion carried with EVANS voting NO and TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

MARIO SUAREZ, Planning and Development Department, explained the existing density of the

MINUTES – Continued:

conversion project complied with the underlying zoning. The project has been in existence since 1986 and when originally approved, it met parking and landscaping requirements. Measured against current Codes, the landscaping, parking and open space requirements are deficient. A field investigation found the site to be well maintained; however, if the Commission was to recommend approval, an additional condition pertaining to trash enclosures was suggested by staff.

ERNIE FREGGIARO, Integrity Engineering, 2480 East Tompkins Avenue, appeared on behalf of the applicant and commended staff for their analysis of the project. He reiterated that when constructed, the project did comply with all zoning and building criteria; however, the landscape and parking ordinances have changed substantially since that time. The site has 710 parking spaces and by Code, 801 are required. The project is well maintained and would continue to be maintained as a condominium development because the homeowners association would insure compliance. The Lakes Master Plan bylaws make provisions for conversions and that fact sets a precedent allowing this conversion. The applicant is unable to meet parking or landscaping requirements because to meet one requirement, the other would become more deficient.

COMMISSIONER McSWAIN stated that developers for other conversion applications have enhanced the existing landscaping materials to try and comply with the spirit of the landscaping requirement. She asked if the deficiency was in number of trees or if it related to the overall amount of space dedicated to landscaping. MARGO WHEELER, Planning and Development Department, indicated the parking area was deficient by 41 trees and the perimeter landscaping was 68 trees deficient. She confirmed that the parking area has no room for additional landscaping because there is no allocated space for landscaping in that area.

COMMISSIONER McSWAIN also commented that in comparing this project to other conversions approved, this site does not exhibit the character of a condominium project. She speculated that the site not being fenced or self-contained might be giving that impression. Her main concern was that of all the conversion projects that had come before the Board so far, the subject site looked the least like residential units and more like rentals. She asked if fencing the area or adding planting materials would be amenable to the applicant.

She also informed MR. FREGGIARO that the Commission would be having a workshop on the topic of conversions because they are becoming very common and the Commission has several concerns about the process.

MINUTES – Continued:

MR. FREGGIARO stated that if the Commission wanted to approve the application with a condition that required the addition of planting materials, he would agree to it. If the Commission desired perimeter walls, he would take the suggestion to his client. CHAIRMAN NIGRO suggested attaching a condition that required a landscaping plan be added to show where additional trees could be planted. COMMISSIONER McSWAIN concurred but reiterated her concern about the project looking more like a rental development and not ownership property.

COMMISSIONER STEINMAN concurred and stated that when he drove the site, he found it to be very plain. He stated that the rental market is being depleted by the onslaught of conversion applications. The site must be enhanced to make it look less like a rental property. He would support a requirement that landscaping be brought up to Code. MR. FREGGIARO indicated the applicant would comply with such a condition but he did not want the Tentative Map to be held up by the application. Approval of the application with that condition, would allow the applicant to come back before the Commission with those improvements on the project's Tentative Map.

CHAIRMAN NIGRO stated he would also like to see the additional landscaping accomplished without diminishing the parking. Many of the other conversion projects that have come before the Board have proven that conversion-parking deficiencies is not a problem. He agreed with the context of the comments regarding the look of the conversion project but did not feel the Board was in a position to deny an application because it looked like a rental property. He suggested that perhaps a standard relating to that issue would eventually develop but currently, none exist.

COMMISSIONER EVANS agreed that there are global issues that have not been resolved regarding the conversion process. The Board has uncertainty over appropriate questions to ask and what the consequences might be of allowing too many conversions. He feared that the Board would regret approving too many applications without a complete understanding of the repercussions. He agreed with CHAIRMAN NIGRO that parking is not likely to cause an issue but the landscaping definitely needs to be enhanced.

MS. WHEELER suggested the addition of two conditions requiring the trash enclosures being rebuilt to meet Code and maintained subject to approval of the standards of Planning & Development and also that the number of trees required on the project perimeter shall be provided to meet Code pursuant to a landscape plan to be submitted for review and approval by the Planning & Development Department.

COMMISSIONER McSWAIN confirmed with MR. FREGGIARO that the homeowners association for this project would operate under the umbrella association for the Lakes Master Association.

MINUTES – Continued:
DEPUTY CITY ATTORNEY BRYAN SCOTT stated there was a separate association requirement for Commercial Subdivisions compared to a Residential Subdivisions within the Lakes and he questioned how the project would transfer between the two. MR. FREGGIARO reiterated that there was a provision in the Lakes bylaws that sets forth the procedure for that. DEPUTY CITY ATTORNEY SCOTT said he would look into it as well.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.
(8:38 – 8:57)
2-2587

CONDITIONS:
Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations date stamped 02/01/05, and with all applicable conditions of approval of Rezoning (Z-0024-86) and subsequent site-related actions, except as amended by conditions herein.

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

4. 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 either 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.

CONDITIONS – Continued:

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

Public Works

6. Grant a Traffic Signal Chord Easement on the northwest corner of Durango Drive and Starboard Drive.

7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to recordation of a map for this site.

8. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

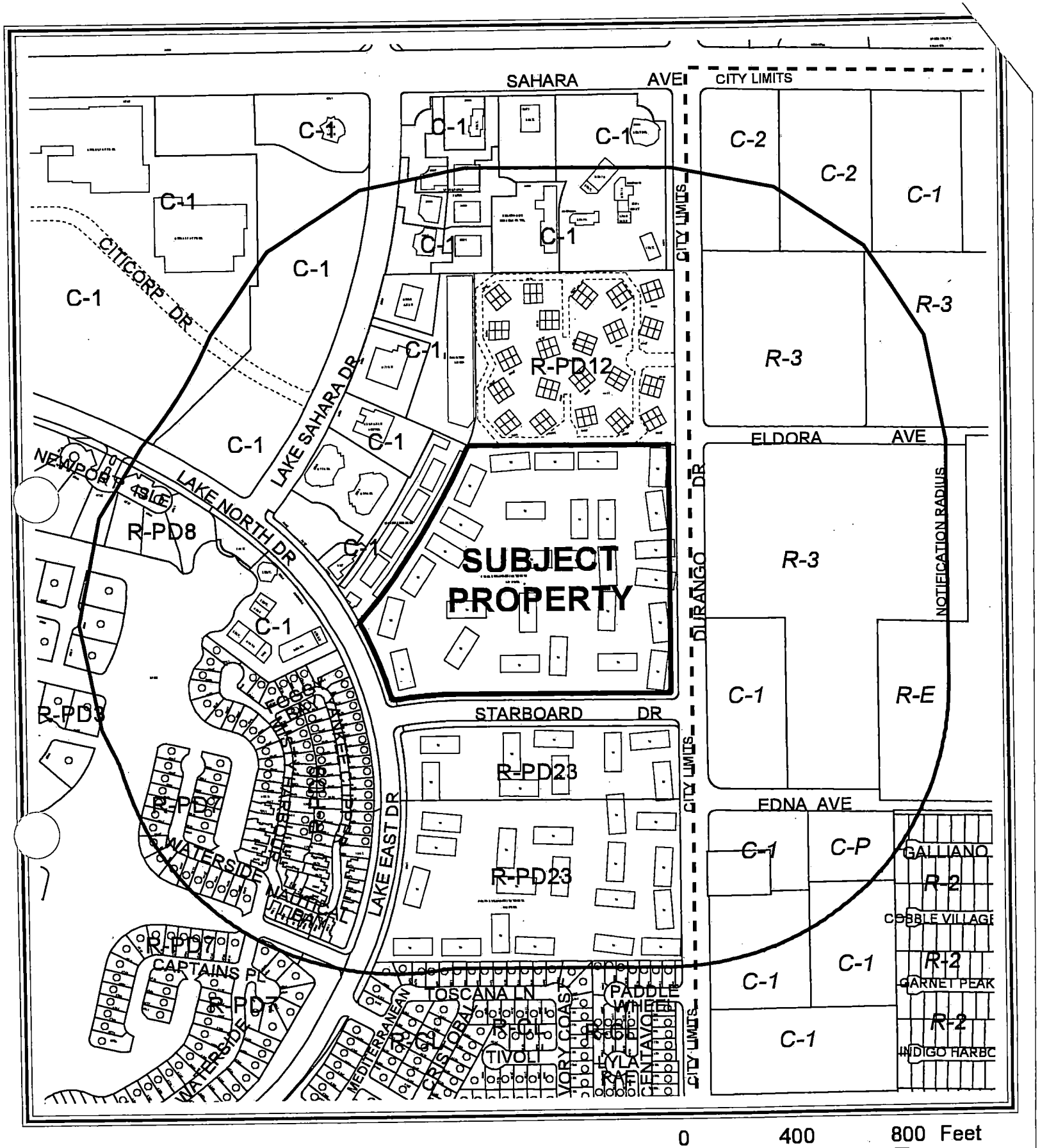
10. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map mylar submittal.

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map to discuss fire requirements for the proposed use of this facility.

12. 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

CONDITIONS – Continued:

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

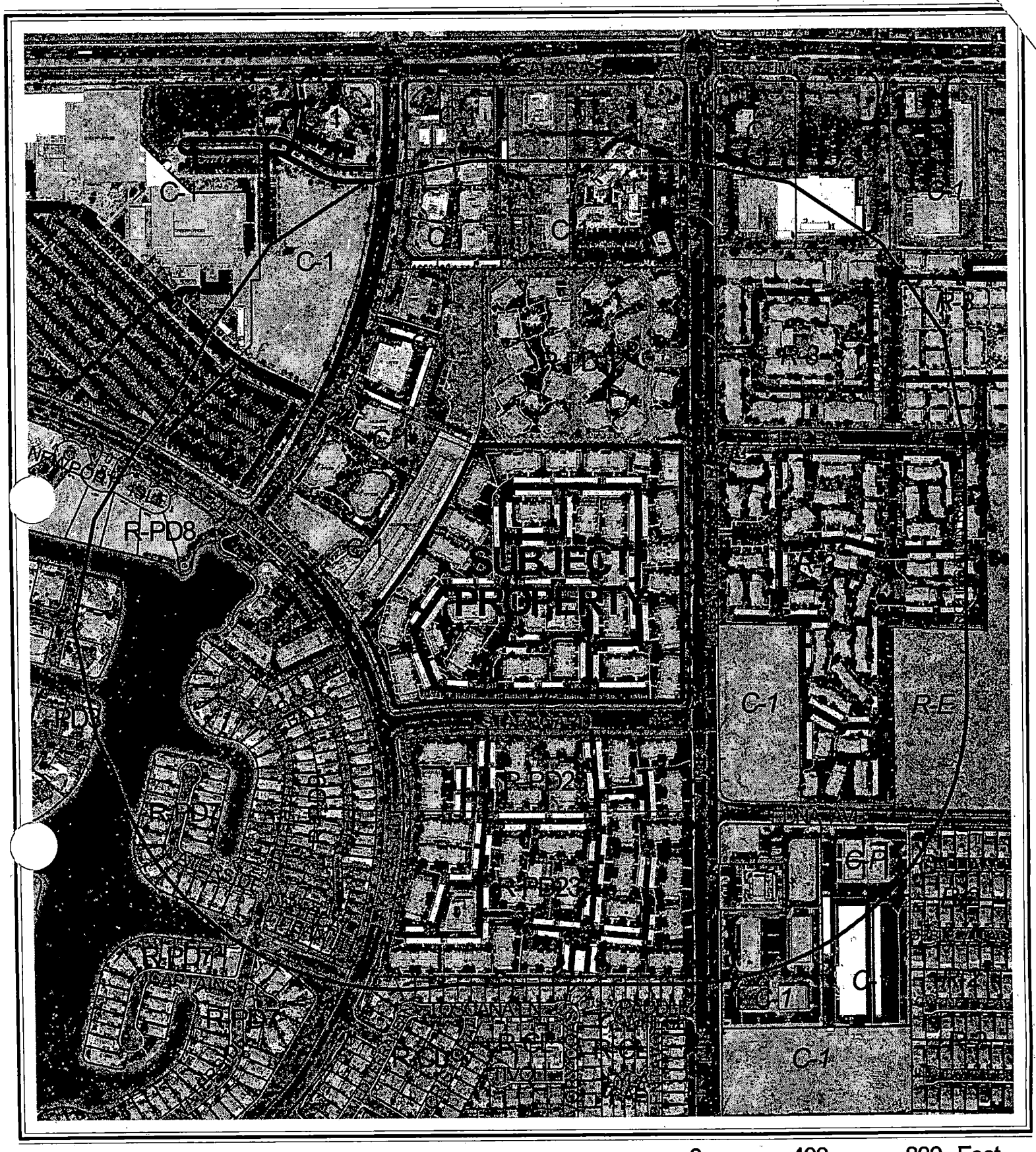


CASE: **SDR-6057**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-PD23 (RESIDENTIAL PLANNED DEVELOPMENT - 23 UNITS PER ACRE)

N



CASE: **SDR-6057**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-PD23 (RESIDENTIAL PLANNED DEVELOPMENT - 23 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6057 - APPLICANT/OWNER: LAKE EAST, LLC AND STARBOARD, LLC

** CONDITIONS **

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

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations date stamped 02/01/05, and with all applicable conditions of approval of Rezoning (Z-0024-86) and subsequent site-related actions, except as amended by conditions herein.

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

4. 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 either 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.

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

Public Works

6. Grant a Traffic Signal Chord Easement on the northwest corner of Durango Drive and Starboard Drive.

7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to recordation of a map for this site.

8. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for the proposed conversion of an existing 448 unit apartment project to a condominium development on 19.68 acres at 8600 Starboard Drive.

B) Applicant's Justification

The applicant's representative has stated in a letter that the property owner has years of experience converting apartment units to condominiums. This conversion will adhere to Uniform Common Interest Ownership Act of 1994 (UCOIA) requirements, providing all tenants with a 120-day minimum notice of the conversion and a minimum 60-day notice for first right of refusal. A Homeowners' Association will be created to meet Nevada Department of Real Estate requirements.

BACKGROUND INFORMATION

A) Previous Actions

04/02/86 The City Council approved a Rezoning (Z-0024-86) from N-U (Non-Urban) under Resolution of Intent to R-PD23 (Residential Planned Development – 23 units per acre) and P-R (Professional Office and Parking) to R-PD23 (Residential Planned Development – 23 units per acre) on the subject site. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

01/21/05 Requirements for submittal of Site Development Plan Review and Tentative Map applications were discussed. The applicant was informed that the earliest that hearings for the Tentative Maps could be scheduled would be 14 days after final approval of the Site Development Plan Reviews.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 19.68

SS

B) Existing Land Use

Subject Property:	Apartments
North:	Residential Condominiums
South:	Apartments
East:	Condominiums and Undeveloped
West:	Mini-Warehouse and Single Family Dwellings

C) Planned Land Use

Subject Property:	H (High Density Residential)
North:	MLA (Medium-Low Attached Density Residential)
South:	M (Medium Density Residential)
East:	Clark County
West:	SC (Service Commercial) and ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property:	R-PD23 (Residential Planned Development – 23 units per acre)
North:	R-PD12 (Residential Planned Development – 12 units per acre)
South:	R-PD23 (Residential Planned Development – 23 units per acre)
East:	R-3 (Multiple-Family Residential – 18 units per acre – Clark County) and C-1 (Local Business – Clark County)
West:	C-1 (Limited Commercial) R-PD9 (Residential Planned Development – 9 units per acre) and R-PD7 (Residential Planned Development – 7 units per acre – perimeter common area)

E) General Plan Compliance

The subject property is designated H (High Density Residential) on the Southwest Sector Map of the General Plan. Although this land use category is intended for residential development with a minimum density of 25 dwelling units per gross acre, lower density residential land uses are acceptable. The existing apartment development has a density of 22.76 units per gross acre; therefore, the proposed conversion project conforms to 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**

No special districts, zones, or plans are associated with the subject property.

SS

PROJECT DESCRIPTION

The complex consists of 448 units in 28 two-story buildings. Recreational amenities include three swimming pools. A landscaped meandering walk maintained by others abuts the north side of Starboard Drive and the east side of Lake East Drive. Access is provided from two entrances from Starboard Drive. A total of 710 parking spaces is provided, including 431 covered spaces. Landscaping is provided on the perimeter of the site and in the parking area, but does not meet current Zoning Code requirements.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD project are established by Site Development Plan Review. The following Development Standards are proposed for the subject property:

Standards	Proposed
Min. Setbacks • Front • Side • Corner • Rear	 10 Feet 15 Feet 20 Feet 15 Feet
Max. Building Height	20 Feet
Trash Enclosure	Walled, gated
Mech. Equipment	Screened

The existing development proposes development standards similar to other condominium developments in this area of the City. Parking and landscaping is deficient with regard to the current code; those issues are discussed in the appropriate sections below.

A2) Residential Adjacency Standards

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

a) Proximity slope. Existing buildings along the southwestern portion of the property are approximately 20 feet tall at their highest point, requiring at least a 60-foot setback from the property lines of the single-family homes located to the southwest of the subject property across Lake East Drive. These buildings are set back at least 140 feet from the protected properties; therefore, the Residential Adjacency Standards with respect to proximity slope have been met.

b) Building setback. These same buildings along the southwestern portion of the property are also set back at least the minimum 10 feet required for the back yards of the protected single-family homes.

A3) Parking and Traffic Standards

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

Uses	Units	**Required** Ratio	Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Condominiums 1-bedroom	144	1.25 spaces/unit + 1 space per 6 units	204			
Condominiums 2-bedroom	248	1.75 spaces/unit + 1 space per 6 units	475			
Condominiums 3-bedroom	56	2.00 spaces/unit + 1 space per 6 units	122			
TOTAL	448		801	N/A	704	6

The site met parking requirements when first approved, but is deficient 91 spaces according to current Zoning Code parking requirements. This represents an 11% deviation from the current requirements. Handicapped parking spaces provided do not meet Title 19 accessibility standards.

The Department of Public Works has recommended a condition of approval requiring all active gated access driveways to be designed, located and constructed in accordance with Standard Drawing #222A.

SS

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 (279 uncovered spaces)	1 Tree/6 uncovered spaces + half of all trees at end of rows	67 Trees (47+20)	26
Buffer: • Min. Trees	1 Tree/30 Linear Feet	141 Trees	73 Trees
• Min. Zone Width	14 Feet with meandering sidewalk, 19 Feet across from single family uses; 6 feet sides and rear		25 Feet 15 Feet rear
• Wall height	8 Feet		Not shown

The site is deficient with respect to the number and spacing of trees and shrubs planted in the parking lot and perimeter planter areas.

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
19.68 acres	22.8	1.65	37.6 %	7.40 acres	29.2 %	5.75 acres

The site provides less for open space than the 7.4 acres required by the current codes, based on density. The Zoning Code bases the minimum amount of open space to be provided on the gross acreage of the project.

A5) Sign Standards

All signage for the site is subject to the standards contained in Title 19.14 for multi-family developments in an R-PD (Residential Planned Development) zoning district, except where allowed by Variance.

SS

B) General Analysis and Discussion

- Zoning

  The site is currently zoned R-PD23 (Residential Planned Development – 23 units per acre), allowing residential development of up to 23.49 dwelling units per acre. The current development (and proposed conversion) is a permitted use in an R-PD zone. The site plans may establish development standards for R-PD projects; however, the Zoning Code requires certain open space provisions to be met. Staff does not encourage the conversion of nonconforming apartment complexes into condominium developments; rather, it recommends compliance with current codes where possible. As the subject development will be unable to provide parking, open space and landscaping according to code standards, staff recommends denial.

- Site Plan

  The site plan depicts an orderly arrangement of buildings and parking areas. Circulation is logical, and there is an adequate sidewalk system connecting all buildings.

- Waivers

  No waivers are sought in conjunction with this project.

- Landscape Plan

  The landscape plan shows the existing planting materials and locations. Although some trees and shrubs are missing per the current landscaping codes, no additional landscaping is proposed. Perimeter landscaping along public rights-of-way is located in a common area and includes clusters of Ash, Mulberry, Sycamore, Purple-Leaf Plum and Pine. Along Starboard Drive, trees are scattered on either side of a meandering sidewalk. There are nearly no trees along the side and rear; these areas, as well as all other unpaved areas, contain turf. A significant amount of landscaping has been planted onsite and is well maintained. Generally, the existing landscaping along Durango Drive and Starboard Drive is aesthetically pleasing though not code compliant. Parking lot trees are planted heavily near the entrances, but are missing throughout most of the development. No planter islands have been constructed.

- Elevation

  The existing elevations are of adequate design and materials to be appropriate for and compatible with surrounding development in the area.

- Floor Plan

  The existing buildings house one, two and three bedroom units ranging from 703 square feet to 1,109 square feet.

FINDINGS

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

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

   Much of the surrounding area is currently developed with medium density residential and commercial uses that are compatible with the proposed conversion.

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

   The proposed condominium conversion is consistent with the General Plan. However, the development fails to meet current Title 19 and Landscape, Wall and Buffer standards in regard to parking, perimeter and parking lot landscaping, and the provision of open space. The applicant is encouraged to bring the site into compliance with current codes, if possible, prior to the conversion of condominium units. If compliance is not possible, conversion of the units is not recommended.

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

   Starboard Drive, a 70-foot right-of-way, provides access to the site. No negative impacts to traffic in the surrounding area are caused by access points or site circulation.

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

   The building materials are appropriate for this area, which contains a similar apartment complex to the south, condominiums to the north and commercial to the west. Landscaping materials are appropriate, but are deficient in number under the current Landscape, Wall and Buffer Standards.

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

   The existing elevations are uniform in appearance and materials and create a pleasing environment for residents and guests.

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

   The proposed development will be subject to compliance with building codes, and therefore the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 583

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6057 APN: 163-08-601-005

Name of Property Owner: Starboard LLC

Name of Applicant: Lake East LLC and Starboard 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: Jacquelyn J. Muis

Print Name: Jacquelyn J. Muis, Secretary and as Attorney-in-Fact for Richard L Hearrean

Subscribed and sworn before me

This 20 day of October, 2004

Erica Rogan LA CA

Notary Public in and for said County and State

ERICA ROGAN
COMM. # 1458041
NOTARY PUBLIC • CALIFORNIA
LOS ANGELES COUNTY
Comm. Exp. DEC. 23, 2007

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6057 APN: 163-08-601-005

Name of Property Owner: Lake East LLC

Name of Applicant: Lake East LLC and Starboard 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: Roy E Hearrean

Print Name: Roy E. Hearrean, Trustee

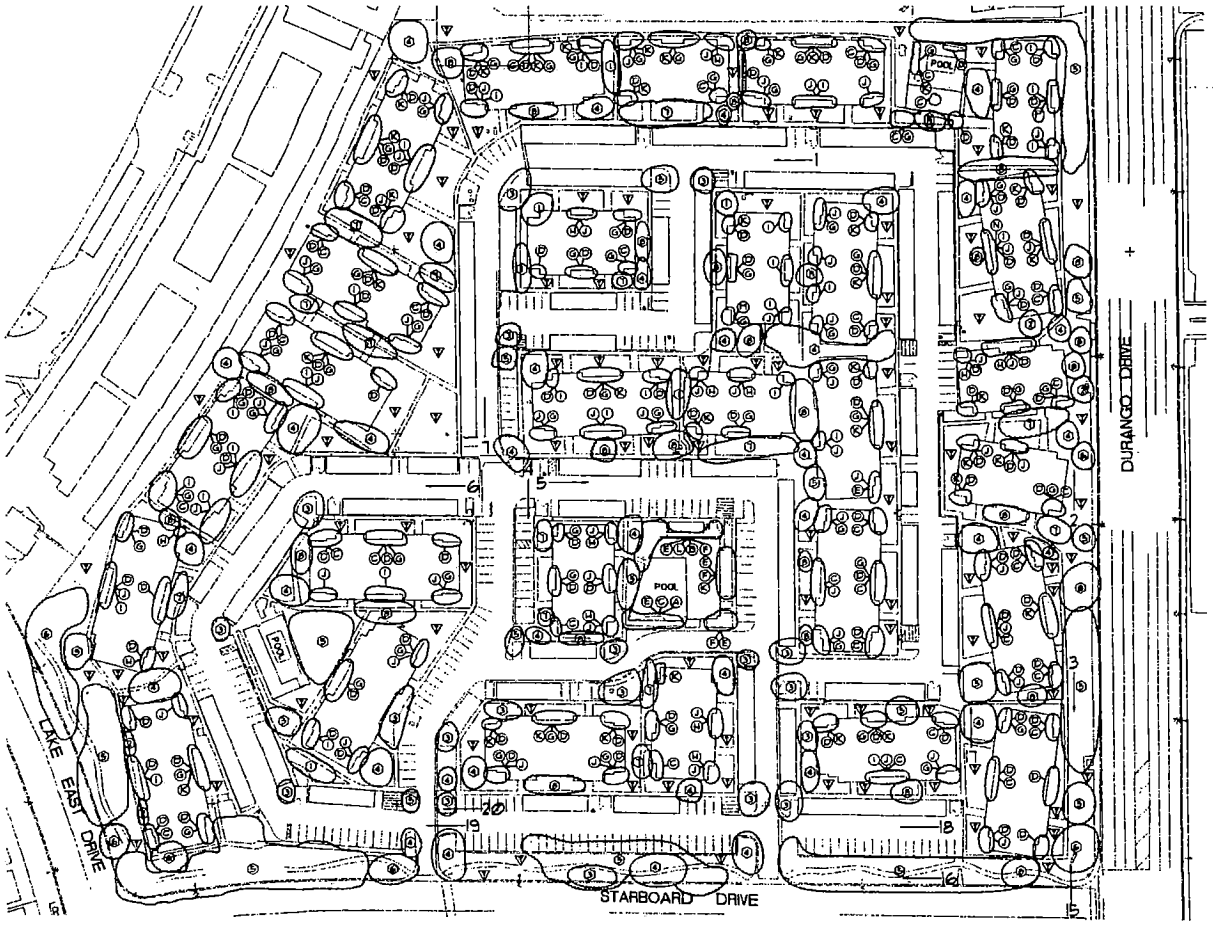
Subscribed and sworn before me

This 20th day of October, 2004

Jacquelyn J. Muns

Notary Public in and for said County and State

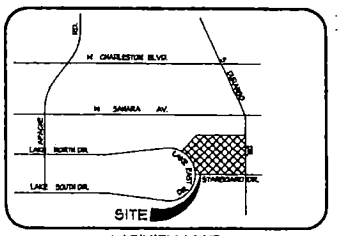
JACQUELYN J. MUNS
COMM. # 1298936
Notary Public - California
LOS ANGELES COUNTY
My Commission Expires March 27, 2005



PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME
	EXISTING TREES	
	ALBIZIA	SILK TREE
	CUPRESSUS	CYPRESS
	FRAXINUS	ASH
	MORUS	MULBERRY
	PINUS	PINE
	PLATANUS	SYCAMORE
	ROBINIA	LOCUST
	PRUNUS	PURPLE-LEAF PLUM
	SOPHORA	HONEY LOCUST
	WASHINGTONIA	PALM
	EXISTING GROUNDCOVERS, SHRUBS, AND ACCENTS	
	CAESALPINIA	DWD OF PARADISE
	DASYLIRION	DESERT SPOON
	EUONYMUS	EUONYMUS
	JUNIPERUS	JUNIPER
	LEUCOPHYLLUM	TEXAS RANGER
	MUHLENBERGIA	DEER GRASS
	NANDINA	HEAVENLY BAMBOO
	PHOTINIA	PHOTINIA
	PITTOSPORUM	TOUR ORANGE
	PYRACANTHA	FIRETHORN
	RAPHIOLEPIS	INDIAN HAWTHORN
	YUCCA	YUCCA
	LIGUSTRUM	PRIVET
	LANTANA	LANTANA
	PITTOSPORUM	TOYON
	STYLOSMA	STYLOSMA
	ROSEMARINUS	ROSEMARY
	FESTUCA	FESCUE SOD

GENERAL NOTES:
1. THIS PLAN PORTRAYS EXISTING PLANT MASSING ONLY.
2. ALL SHRUB PLANTER BEDS CONTAIN DECOMPOSED GRANITE.
3. TURF EXISTS IN ALL REMAINING PLANTER AREAS OUTSIDE THE SHRUB PLANTER BED
4. TOTAL TREES = 930



VICINITY MAP
NTS

NORTH

SDR-6057
03/24/05 PC

JWZ UNINO & ASSOCIATES
LANDSCAPE ARCHITECTURE — LAND PLANNING

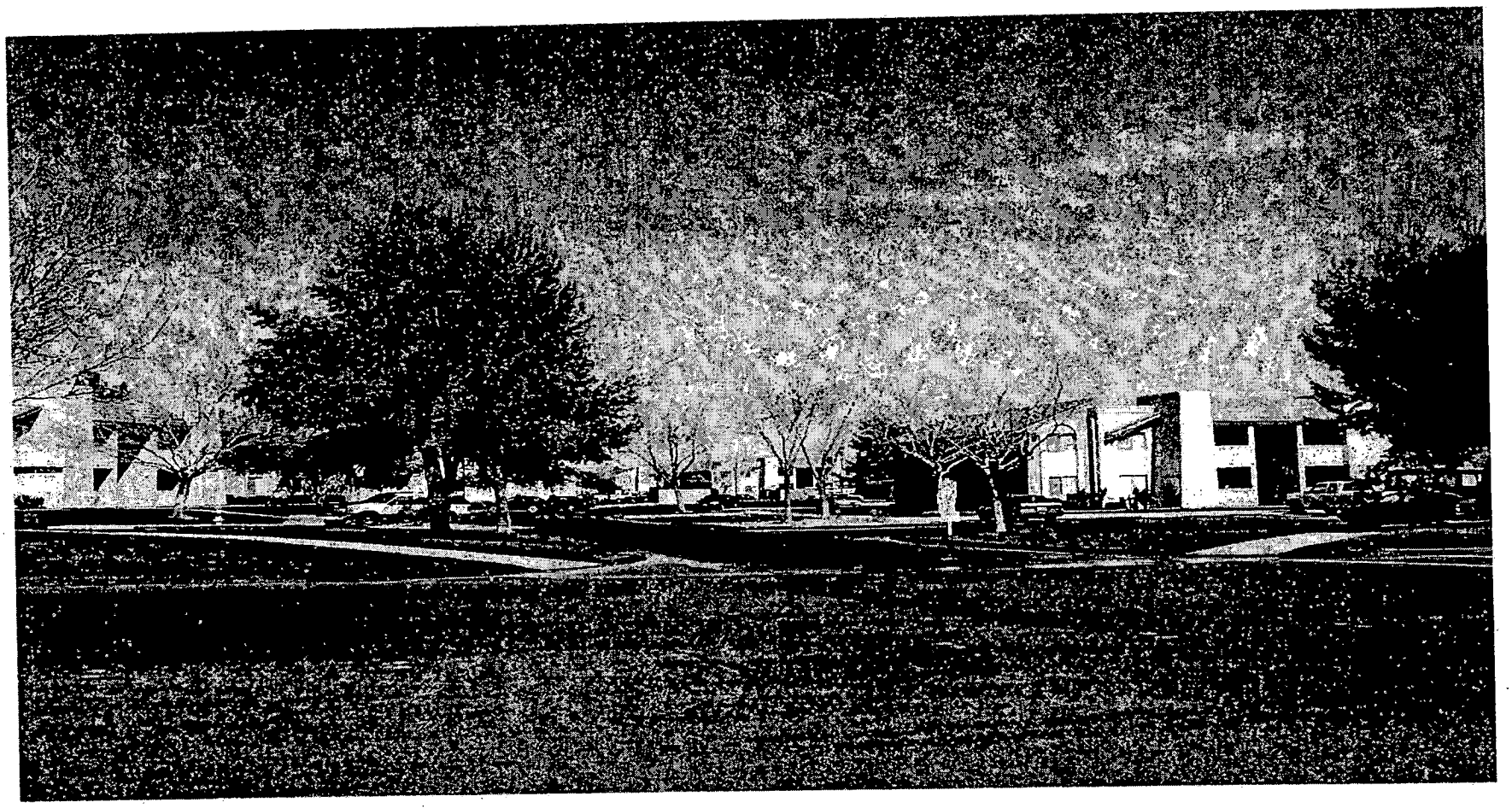
SUNRISE MEADOWS @ THE LAKES

Project Number: 04-55-00
Date: 01-31-05
Drawn By: AJM
Checked By: JUZ
Scale: 1"=50'-0"
Revisions:

THIS DOCUMENT AND THE IDEAS AND DESIGNS INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF JWZ UNINO & ASSOCIATES, AND IS NOT TO BE USED IN WHOLE OR IN PART, FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AGREEMENT OF JWZ UNINO & ASSOCIATES INC.

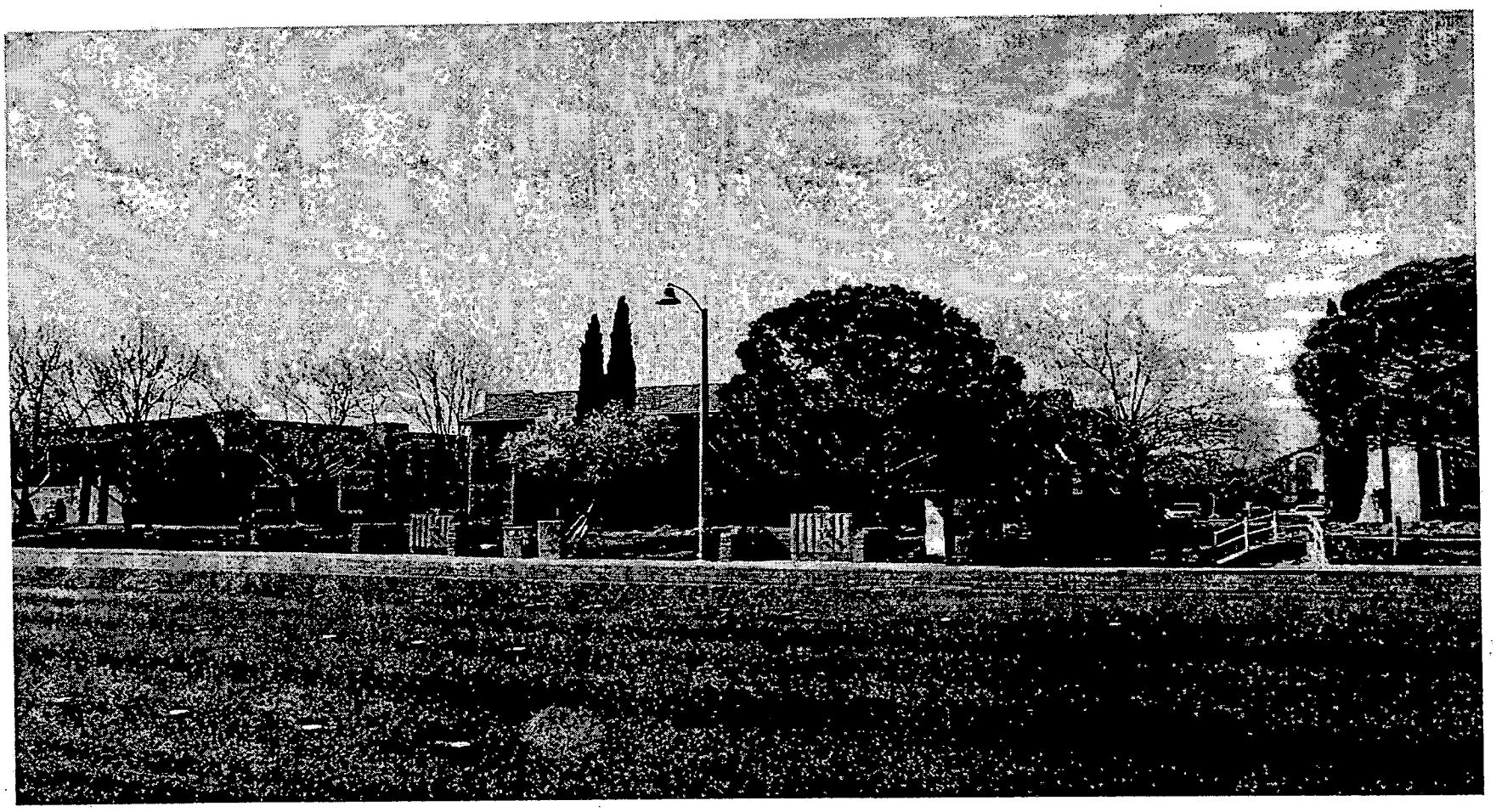
Sheet Title: EXISTING PLANTING PLAN

Sheet Number: L1.01
3 TOTAL



SDR-6057 - APPLICANT/OWNER: LAKE EAST, LLC AND STARBOARD, LLC
8600 STARBOARD DRIVE
MARCH 24, 2005 PLANNING COMMISSION

3/3/05



SDR-6057 - APPLICANT/OWNER: LAKE EAST, LLC AND STARBOARD, LLC
8600 STARBOARD DRIVE
MARCH 24, 2005 PLANNING COMMISSION

3/3/05

February 1, 2005

Mr. Gary Leobold, AICP
Planning Manager
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

RE: Sunrise Meadows at The Lakes

Dear Gary:

On behalf of our client, Lake East, LLC and Starboard, LLC, I am submitting some backround and experience information regarding the main principal of the two LLC's as it relates to condominium conversions.

The main principal of the two LLC'S, Roy E. Hearrean, has been in the real estate development business since 1962. His firm, State Wide Investors, Inc., was founded in 1966 and has built and converted more than 4,000 condominium units. Mr.Hearrean is a licensed general contractor with over 40 years of active involvement in real estate development, marketing, construction, and management. As with prior condominium conversions completed by State Wide Investors, Inc., Mr. Hearrean has indicated that the condominium conversion of Sunrise Meadows at The Lakes will adhere to the requirements of UCOIA, (Uniform Common Interest Ownership Act of 1994).

During the condominium process, State Wide Investors, Inc. will follow the procedures of UCOIA and provide all tenants with a minimum of 120 day notice of the proposed condominium conversion and a minimum 60 day notice for first right of refusal. For tenants who choose not to purchase a condominium unit, funds are available to long term tenants as well as those with specific needs which include an age provision.

The condominiums are expected to have sales prices in the range from $130,000's to the $230,000's. A Homeowner's Association will be created in accordance with the State of Nevada Department of real Estate requirements. All owners will be a member of this association which will be operated under the requirements provided by the state of Nevada.

Sincerely,
Integrity Engineering

David Moran, Project Manager

Telephone Protest/ Approval Log

Meeting Date: 03/24/05 **Case Number:** SDR-6057

Date: 03/15/05
Name: Joyce Tachet (President of Home Owners Assoc)
Address: Home owners Assoc. "TAMCO"
P.O. BOX 12117 L.V. NV. 89112
Phone: (702) 383-8928
☐ **PROTEST** ☒ **APPROVE**
"Grand View CLE & VIEW Landing H.O. Assoc" Total of 81 Homes"

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
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☐ **PROTEST** ☐ **APPROVE**

City of Las Vegas

Agenda Item No.: 32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
SDR-6058 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LAKE EAST, LLC AND STARBOARD, LLC - Request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF AN EXISTING 448 UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 20.00 acres at 3001 Lake East Drive (APNs 163-08-701-001 and 163-08-603-001), R-PD23 (Residential Planned Development - 23 units per acre) Zone, Ward 2 (Wolfson).

C.C.: 04/20/05

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
STEINMAN – APPROVED subject to conditions and adding the following conditions:
- **Trash enclosures shall be constructed and maintained to meet Code and is subject to approval of the standards of the Planning & Development Department.**
- **The number of trees required on the project perimeter shall be provided to meet Code pursuant to a landscape plan to be submitted for review and approval by the Planning & Development Department.**
- **Applicant shall remove the chain link fence located on the lot interior and replace it with wrought iron or tubular steel.**

– Motion carried with EVANS voting NO and TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

MINUTES – Continued:

MARIO SUAREZ, Planning and Development Department, explained the existing density of the conversion project complied with the underlying zoning. When the project was originally approved, it met parking and landscaping requirements. Measured against current Codes, the landscaping, parking and open space requirements are deficient. The project is 43 trees deficient in the parking area and 21 trees deficient in the buffer area bringing the total deficiency to 64 trees. The open space requirement for the project is 7.39 acres and 7.1 acres is provided. A field investigation of the site found the site to be well maintained; however, staff suggested that a chain link fence, which currently surrounds the recreation area, be removed and replaced with a more decorative material such as wrought iron. MR. SUAREZ also suggested that a condition be imposed regarding the trash enclosure.

ERNIE FREGGIARO, Integrity Engineering, 2480 East Tompkins Avenue, appeared on behalf of the applicant and concurred with all conditions. He indicated that the applicant would accept additional conditions regarding the fence and trash enclosure. He also agreed to add additional trees to help reduce the landscaping deficiency. He asked if staff had a plant list or if a JACK ZANINO could make the recommendation for what types of trees to plant. The Board indicated that MR. ZANINO would know what was appropriate.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:57 – 9:01)

2-3632

CONDITIONS:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations date stamped 02/01/05, and with all applicable conditions of approval of Rezoning (Z-0004-85) and subsequent site-related actions, except as amended by conditions herein.

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

CONDITIONS – Continued:

4. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to either 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.

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

Public Works

6. Grant a Traffic Signal Chord Easement on the southwest corner of Durango Drive and Starboard Drive.

7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to recordation of a map for this site.

8. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

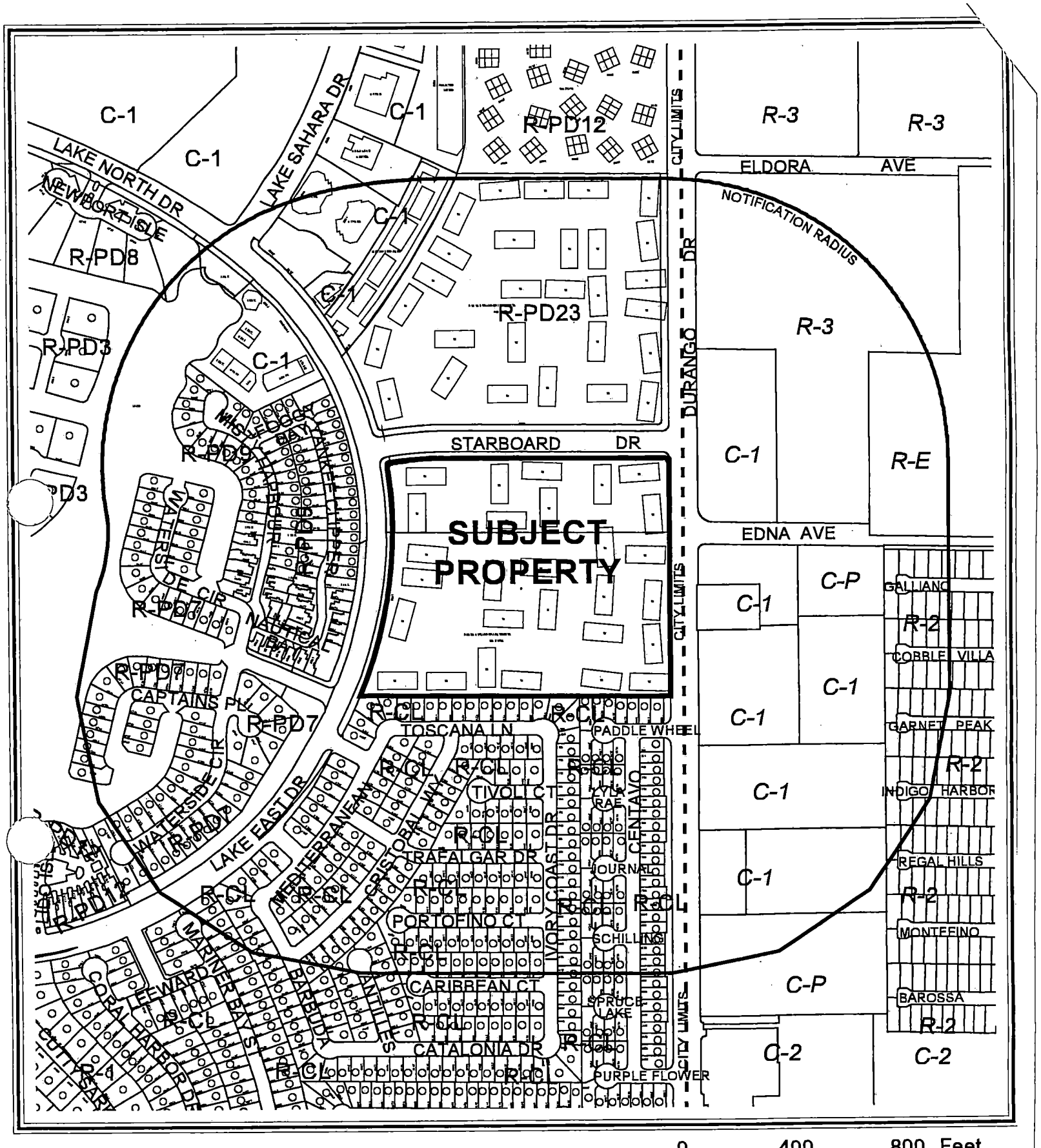
9. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development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

10. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map mylar submittal.

CONDITIONS – Continued:

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map to discuss fire requirements for the proposed use of this facility.

12. 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.



0 400 800 Feet

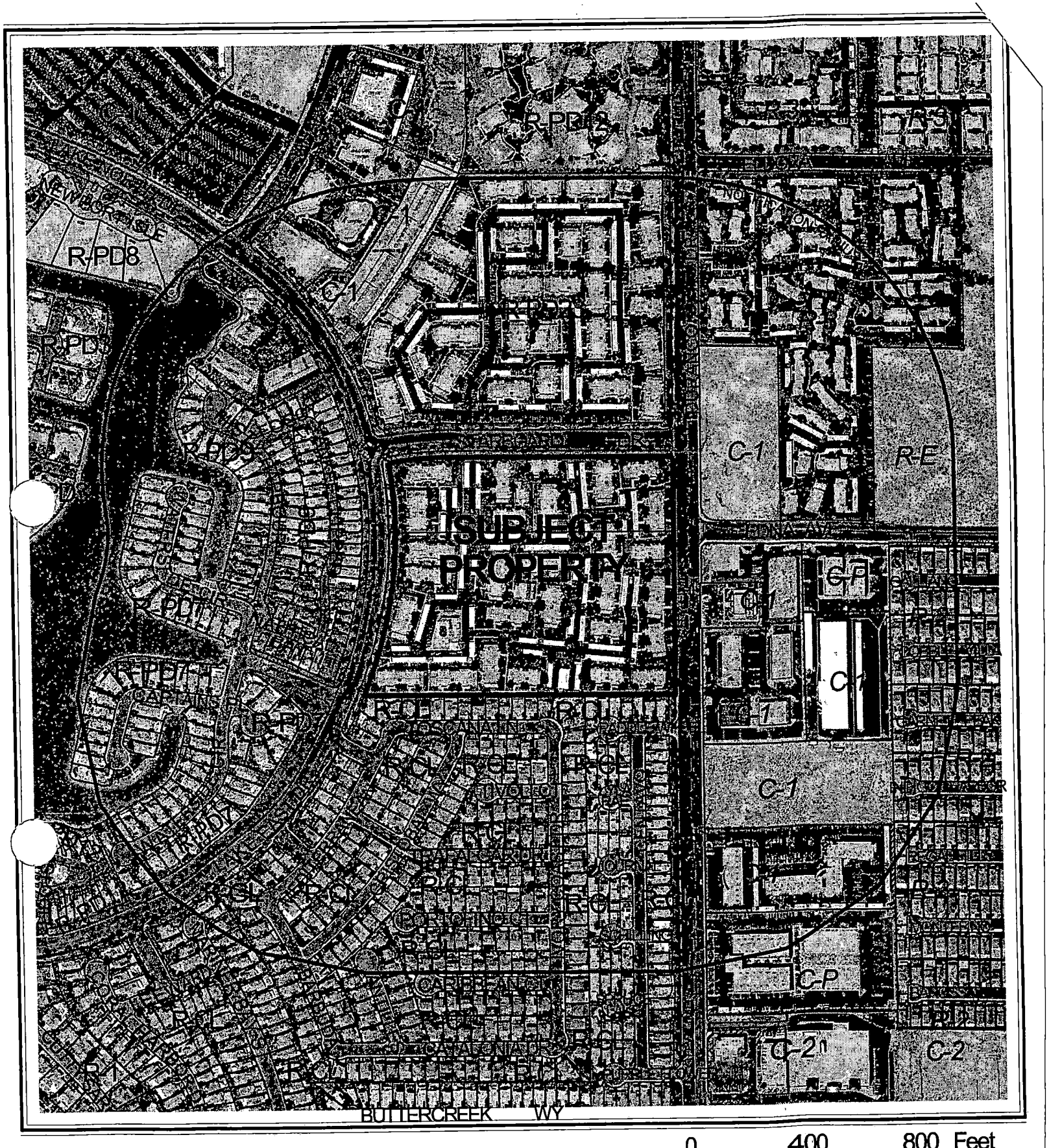
CASE: **SDR-6058**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD23 (RESIDENTIAL PLANNED DEVELOPMENT - 23 UNITS PER ACRE)

N



0 400 800 Feet

CASE: **SDR-6058**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD23 (RESIDENTIAL PLANNED DEVELOPMENT - 23 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6058 - APPLICANT/OWNER: LAKE EAST, LLC AND STARBOARD, LLC

** CONDITIONS **

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

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations date stamped 02/01/05, and with all applicable conditions of approval of Rezoning (Z-0004-85) and subsequent site-related actions, except as amended by conditions herein.

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

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8. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for the proposed conversion of an existing 448 unit apartment project to a condominium development on 20.00 acres at 3001 Lake East Drive.

B) Applicant's Justification

The applicant's representative has stated in a letter that the property owner has years of experience converting apartment units to condominiums. This conversion will adhere to Uniform Common Interest Ownership Act of 1994 (UCOIA) requirements, providing all tenants with a 120 day minimum notice of the conversion and a minimum 60-day notice for first right of refusal. A Homeowners' Association will be created to meet Nevada Department of Real Estate requirements.

BACKGROUND INFORMATION

A) Previous Actions

05/06/85 The City Council approved a Rezoning from N-U (Non-Urban) under Resolution of Intent to R-PD23 (Residential Planned Development – 23 units per acre), R-PD7 (Residential Planned Development – 7 units per acre) and C-1 (Limited Commercial) to R-PD23 (Residential Planned Development – 23 units per acre) on the subject site as part of a larger request (Z-0004-85). The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

01/21/05 Requirements for submittal of Site Development Plan Review and Tentative Map applications were discussed. The applicant was informed that the earliest that hearings for the Tentative Maps could be scheduled would be 14 days after final approval of the Site Development Plan Reviews.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 20.00

SS

B) Existing Land Use

Subject Property:	Apartments
North:	Apartments
South:	Single Family Dwellings
East:	Offices Commercial
West:	Single Family Dwellings Townhouses

C) Planned Land Use

Subject Property:	M (Medium Density Residential)
North:	H (High Density Residential)
South:	ML (Medium-Low Density Residential)
East:	Clark County
West:	ML (Medium Low Density Residential) MLA (Medium-Low Attached Residential) SC (Service Commercial)

D) Existing Zoning

Subject Property:	R-PD23 (Residential Planned Development – 23 units per acre)
North:	R-PD23 (Residential Planned Development – 23 units per acre)
South:	R-CL (Single Family Compact-Lot)
East:	C-P (Office and Professional – Clark County) under Resolution of Intent to C-2 (General Commercial – Clark County) and C-1 (Local Business – Clark County)
West:	R-PD9 (Residential Planned Development – 9 units per acre) and R-PD7 (Residential Planned Development – 7 units per acre – perimeter common area)

E) General Plan Compliance

The subject property is designated M (Medium Density Residential) on the Southwest Sector Map of the General Plan. This land use category is intended for residential development with up to 25 dwelling units per gross acre. The existing apartment development has a density of 22.4 units per gross acre; therefore, the proposed conversion project conforms to 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**

No special districts, zones, or plans are associated with the subject property.

SS

PROJECT DESCRIPTION

The complex consists of 448 units in 28 two-story buildings. Recreational amenities include two centrally located swimming pools and a playground area. A landscaped buffer area with a sidewalk maintained by others abuts the south side of Starboard Drive and the east side of Lake East Drive. Access is provided from two entrances from Starboard Drive. A total of 621 parking spaces is provided, including 443 covered spaces. Landscaping is provided on the perimeter of the site and in the parking area, but does not meet current Zoning Code requirements.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD project are established by Site Development Plan Review. The following Development Standards are proposed for the subject property:

Standards	Proposed
Min. Setbacks • Front (Lake East Dr.) • Side • Corner • Rear	 10 Feet 15 Feet 20 Feet 25 Feet
Max. Building Height	22 Feet
Trash Enclosure	Walled and gated
Mech. Equipment	Screened

The existing development proposes development standards similar to other condominium developments in this area of the City. Parking and landscaping is deficient with regard to the current code; those issues are discussed in the appropriate sections below.

A2) Residential Adjacency Standards

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

a) Proximity slope. Existing buildings along the southern portion of the property are approximately 22 feet tall at their highest point, requiring at least a 66-foot setback from the property lines of the single-family homes located to the south of the subject property. These buildings are only set back approximately 20 to 25 feet from the protected properties; therefore, the Residential Adjacency

Standards with respect to proximity slope cannot be met. Buildings along the west side of the property require at least a 60-foot setback from single-family homes on the west side of Lake East Drive; they are set back at least 130 feet from the property lines of these homes, thereby meeting the proximity slope standard.

b) Building setback. These same buildings along the southern edge of the property are set back at least the minimum 10 feet required for the back yards of the protected single-family homes, thereby complying with the standard. The buildings along the west edge of the property are set back more than the 10 feet required for the rear yards of homes along the west side of Lake East Drive, also meeting the standard.

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
Condominiums 1-bedroom	144	1.25 spaces/unit + 1 space per 6 units	204			
Condominiums 2-bedroom	248	1.75 spaces/unit + 1 space per 6 units	475			
Condominiums 3-bedroom	56	2.00 spaces/unit + 1 space per 6 units	122			
TOTAL	448		801	N/A	618	3

The site met parking requirements when first approved, but is deficient 180 spaces according to current Zoning Code parking requirements. This represents a 22% deviation from the current requirements. Handicapped parking spaces provided do not meet Title 19 accessibility standards.

The Department of Public Works has recommended a condition of approval requiring all active gated access driveways to be designed, located and constructed in accordance with Standard Drawing #222A.

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 (178 uncovered spaces)	1 Tree/6 uncovered spaces + half of all trees at end of rows	60 Trees (30+30)	17
Buffer: • Min. Trees	1 Tree/30 Linear Feet	127 Trees	106 Trees
• Min. Zone Width	14 Feet with meandering sidewalk, 19 Feet across from single family uses; 6 feet rear		25 Feet 15 Feet rear
• Wall height	8 Feet		Not shown

The site is deficient with respect to the number and spacing of trees and shrubs planted in the parking lot and perimeter planter areas.

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
20.00 acres	22.4	1.65	37 %	7.39 acres	35.5 %	7.10 acres

The site provides slightly less open space than the 7.4 acres required by the current codes, based on density. The Zoning Code bases the minimum amount of open space to be provided on the gross acreage of the project.

A5) Sign Standards

All signage for the site is subject to the standards contained in Title 19.14 for multi-family developments in an R-PD (Residential Planned Development) zoning district, except where allowed by variance.

SS

B) General Analysis and Discussion

- Zoning

  The site is currently zoned R-PD23 (Residential Planned Development – 23 units per acre), allowing residential development of up to 23.49 dwelling units per acre. The current development (and proposed conversion) is a permitted use in an R-PD zone. The site plans may establish development standards for R-PD projects; however, the Zoning Code requires certain open space provisions to be met. Staff does not encourage the conversion of nonconforming apartment complexes into condominium developments; rather, it recommends compliance with current codes where possible. As the subject development will be unable to provide parking, open space and landscaping according to code standards, and buildings along the south edge of the project do not meet Residential Adjacency standards, staff recommends denial.

- Site Plan

  The site plan depicts an orderly arrangement of buildings and parking areas. Circulation is logical, and there is an adequate sidewalk system connecting all buildings.

- Waivers

  No waivers are sought in conjunction with this project.

- Landscape Plan

  The landscape plan shows the existing planting materials and locations. Although some trees and shrubs are missing per the current landscaping codes, no additional landscaping is proposed. Perimeter landscaping along Lake East Drive and Starboard Drive is located in a common area and includes clusters of sycamore, Purple-Leaf Plum and pine. Trees along Durango Drive are sparse but include primarily Ash and Honey Locust. Turf is existing on all other unpaved areas. Generally, the existing landscaping along the entire perimeter is aesthetically pleasing though not code compliant. A significant amount of landscaping, including various species of groundcover, has been planted onsite and is well-maintained. Parking lot trees are missing throughout most of the development. No planter islands have been constructed.

- Elevation

  The existing elevations are of adequate design and materials to be appropriate for and compatible with surrounding development in the area.

SS

- Floor Plan

  The existing buildings house one, two and three bedroom units ranging from 703 square feet to 1,109 square feet.

FINDINGS

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

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

   Much of the surrounding area contains existing development with medium-low to medium density residential and commercial uses that are compatible with the proposed conversion.

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

   The proposed condominium conversion is consistent with the General Plan. However, the development fails to meet current Title 19 and Landscape, Wall and Buffer standards in regard to parking, perimeter and parking lot landscaping, and the provision of open space. The applicant is encouraged to bring the site into compliance with current codes, if possible, prior to the conversion of condominium units. If compliance is not possible, conversion of the units is not recommended.

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

   Starboard Drive, a 70-foot right-of-way, provides access to the site. No negative impacts to traffic in the surrounding area are caused by access points or site circulation.

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

   The building materials are appropriate for this area, which contains a similar apartment complex to the north, single family dwellings to the south and west and commercial to the east. Landscaping materials are appropriate, but are deficient in number under the current Landscape, Wall and Buffer Standards.

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

   The existing elevations are uniform in appearance and materials and create a pleasing environment for residents and guests.

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

   The proposed development will be subject to compliance with building codes, and therefore the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 459

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-6058** APN: 163-08-701-001, 163-08-603-001

Name of Property Owner: Starboard LLC

Name of Applicant: Lake East LLC and Starboard 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: Jacquelyn J. Muis

Print Name: Jacquelyn J. Muis, Secretary and as Attorney-in-fact for Richard L. Hebrean

Subscribed and sworn before me

This 20 day of October, 2004

Erica Rogan LA, CA

Notary Public in and for said County and State

ERICA ROGAN
COMM. # 1458041
NOTARY PUBLIC • CALIFORNIA
LOS ANGELES COUNTY
Comm. Exp. DEC. 23, 2007

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-6058** APN: 163-08-701-001, 163-08-603-001

Name of Property Owner: Lake East LLC

Name of Applicant: Lake East LLC and Starboard 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: Roy E Hearrean

Print Name: Roy E. Hearrean, Trustee

Subscribed and sworn before me

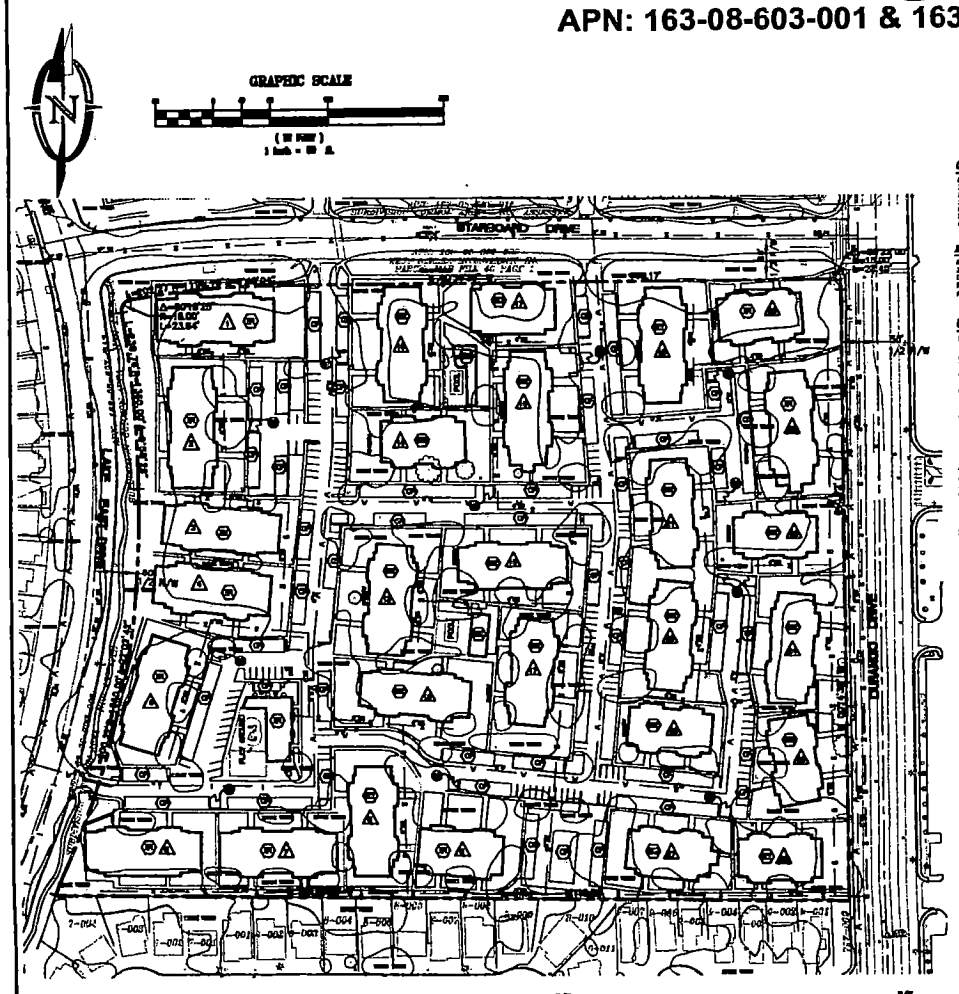
This 20th day of October, 2004

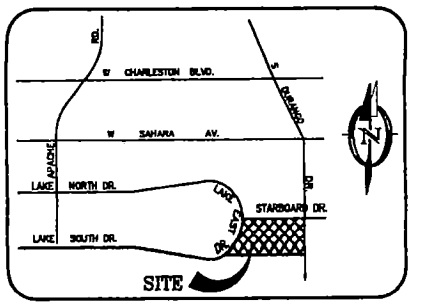
Jacquelyn J Muis

Notary Public in and for said County and State

JACQUELYN J. MUIS
COMM. # 1298935
Notary Public - California
LOS ANGELES COUNTY
My Commission Expires March 27, 2005

SITE PLAN FOR
SUNSET BREEZE @ THE LAKES
APN: 163-08-603-001 & 163-08-701-001





VICINITY MAP
NTS

OWNER & DEVELOPER

LAKE EAST L L C 60.59
STARBOARD L L C 73.33
RSW GROUP
3000 E SPRING ST #300
LONG BEACH CA 90815-3299
TEL: (949) 942-3379
FAX: (949) 362-3083

ENGINEERING

INTEGRITY ENGINEERING
2400 EAST TROPICANA AVE. # 232
LAS VEGAS, NEVADA 89121
TEL: (702) 436-4644
FAX: (702) 436-4918

UTILITIES

UTILITIES ARE SERVED BY THE FOLLOWING AGENCIES

POWER	NEVADA POWER COMPANY	TEL:(702)367-5553
TELEPHONE	SPRINT TELEPHONE	TEL:(702)244-7400
CABLE	COX COMMUNICATIONS	TEL:(702)853-4000
SEWER	CITY OF LAS VEGAS	TEL:(702)229-6301
WATER	LAS VEGAS VALLEY WATER DISTRICT	TEL:(702)634-8601
TRASH	REPUBLIC SERVICES OF SOUTHERN NEVADA	TEL:(702)735-5131
GAS	SOUTHWEST GAS CORPORATION	TEL: (702)876-7011

BASIS OF BEARINGS

NORTH 89°36'36" WEST, BEING THE CENTERLINE OF STARBOARD DRIVE AS SHOWN ON PARCEL MAP FILE NO. 49 PAGE 71 OF PARCEL MAPS IN THE CITY OF LAS VEGAS, CLARK COUNTY IN THE STATE OF NEVADA.

LEGAL DESCRIPTION

ALL THAT LAND SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE EAST HALF (E 1/2) OF SECTION 8, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.B. & M., DESCRIBED AS FOLLOW

LOT TWO (2) AS SHOWN BY MAP THEREOF IN FILE 49 OF PARCEL MAPS, PAGE 1, IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

SAID LAND BEING FURTHER DESCRIBED ON THAT CERTAIN A.L.T.A. SURVEY DATED JULY 7, 1994 AS FOLLOWS:

COMMENCING AT THE NORTHEAST (NE) CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 8; THENCE SOUTH 00°14'36" EAST ALONG THE EAST LINE THEREOF, 2,633.94 FEET; THENCE NORTH 89°36'36" WEST, 30.00 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°36'36" WEST, 1,110.32 FEET TO A POINT ON A CURVE; A RADIAL LINE OF SAID POINT BEARS NORTH 87°43'34" EAST; THENCE NORTHERLY ALONG A CURVE CURVING TO THE LEFT CONCAVE WESTERLY AND HAVING A RADIUS OF 1,390.00 FEET, THROUGH A CENTRAL ANGLE OF 27°02'42", AN ARC DISTANCE OF 656.32 FEET TO A POINT OF COMPOUND CURVATURE; CURVING TO THE LEFT CONCAVE WESTERLY AND HAVING A RADIUS OF 1,390.00 FEET, THROUGH A CENTRAL ANGLE OF 05°36'28", AN ARC DISTANCE OF 136.08 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE TO THE RIGHT, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1,190.76 FEET, THROUGH A CENTRAL ANGLE OF 09°00'04" AN ARC DISTANCE OF 187.27 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89°36'36" EAST 779.12 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE, CURVING TO THE RIGHT, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 15.00 FEET, THROUGH A CENTRAL ANGLE OF 90°22'00" AN ARC DISTANCE OF 23.66 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00°14'36" EAST, 840.72 FEET TO THE POINT OF BEGINNING.

ABUTTING SUBDIVISION

APN 163-08-717-001
-001 ROLANDS CHARLES, BAYSIDE UNIT #2 - LOT 8 BLOCK 1
-002 BOYLE FAMILY TRUST and BOYLE VINCENT F & NANCY C TRS BAYSIDE UNIT #3 - LOT 5 BLOCK 1
-003 MITCHELL DONALD L & AUDREY J, BAYSIDE UNIT #3 - LOT 4 BLOCK 1
-004 MATTHEWS JOHN M, BAYSIDE UNIT #3 - LOT 3 BLOCK 1

APN 163-08-718
-001 ROSENTHER MICHAEL D & NANCY M, BAYSIDE UNIT #4 - LOT 7 BLOCK 1
-002 JONES JEFFREY A, BAYSIDE UNIT #4 - LOT 8 BLOCK 1
-003 AVILA JOSE LUIS, BAYSIDE UNIT #4 - LOT 9 BLOCK 1
-004 ESCOBAR FAMILY TRUST and ESCOBAR JOSEPH S & DOLORES TRS BAYSIDE UNIT #4 - LOT 10 BLOCK 1
-005 BROWN JERRY D & JANET J, BAYSIDE UNIT #4 - LOT 11 BLOCK 1
-006 RILEY FAMILY TRUST and RILEY KENNETH W & ELVA TRS, BAYSIDE UNIT #4 - LOT 12 BLOCK 1
-007 KNIGHT BETTY M, BAYSIDE UNIT #4 - LOT 13 BLOCK 1
-008 BAUER PETER J, BAYSIDE UNIT #4 - LOT 14 BLOCK 1
-009 VOGEL G RAYMOND & TRUST, BAYSIDE UNIT #4 - LOT 15 BLOCK 1
-010 BRENNAN DENNIS, BAYSIDE UNIT #4 - LOT 16 BLOCK 1
-011 BRUNO TRUST, BAYSIDE UNIT #4 - LOT 17 BLOCK 1

APN 163-08-719
-001 WEEKS ALICE, LOS LAGOS - LOT 34 BLOCK 1
-002 WILEY FINDLY P JR DETAILING, LOS LAGOS - LOT 34 BLOCK 1
-003 BARKER JOHN MARK III, LOS LAGOS - LOT 32 BLOCK 1
-004 CHOMER MICHAEL, LOS LAGOS - LOT 31 BLOCK 1
-005 JOHNSON MARGYS & BARBARA, LOS LAGOS - LOT 30 BLOCK 1
-006 BEASH ELBERT W JR, LOS LAGOS - LOT 49 BLOCK 1
-007 CHAMBERS FRANK J & JANET A, LOT LAGOS - LOT 48 BLOCK 1

APN 163-08-701
-008 SUBDIVISION COMMON AREA - NON ASSESSED

LAND AREA

671,343.84 SQ FT (20 ACRES)

BUILDING TYPE	AREA (SQ.FT.)	NO. OF STRUCTURE	COMMON AREA
1BR/1BA	703	144	3 (POOL & PLAYGROUND AREA)
2BR/2BA	923	248	
3BR/2BA	1,109	56	
		TOTAL: 448 UNITS	

SETBACK REQUIREMENTS

REQUIRED

FRONT:	20'
SIDE:	20' STREET & 15' INTERIOR
REAR:	15'
HEIGHT:	3 STORIES OR 35'
REAR:	15'

ZONE: R-PD-35 (RESIDENTIAL PLANNED DEVELOPMENT)

PARKING
STUDIO & 1BR UNITS:
1 1/4 SPACES PER UNIT PLUS
1 GUEST SPACE PER EVERY 6 UNITS

2BR UNITS:
1 3/4 SPACES PER UNIT, PLUS
1 GUEST SPACE PER EVERY 6 UNITS

3BR UNITS:
2 SPACES PER UNIT, PLUS
1 GUEST SPACE PER EVERY 6 UNITS

PARKING DETAILS

STANDARD STALLS	169
HANDICAPPED STALLS	9
COVERED STALLS	443
TOTAL STALLS	621

NUMBER OF UNITS

TOTAL 558

SEWAGE FLOW

112,000 GALLONS PER DAY AVERAGE (0.112 MGD)
336,400 GALLONS PER DAY PEAK (0.3364 MGD)

NOTES

1. THERE ARE NO RESERVATIONS OR DEDICATIONS FOR PARKS, SCHOOLS, OR OTHER PUBLIC USE.
2. THERE ARE NO EXISTING OR PROPOSED STORM DRAINS ON THIS PROJECT.
3. THERE ARE NO EXISTING OR PROPOSED IRRIGATION OR DRAINAGE CHANNEL RIGHT-OF-WAY ON THIS PROJECT.

SYMBOLS

- 2 STORY STUCCO BUILDING, HEIGHT=20±, AREA = 8,198 SQFT.±
- 2 STORY STUCCO BUILDING, HEIGHT=22±, AREA = 8,330 SQFT.±
- 2 STORY STUCCO BUILDING, HEIGHT=21.7±, AREA = 8,713 SQFT.±
- 1 STORY STUCCO BUILDING, HEIGHT=12.0±, AREA = 2,797 SQFT.±
- 1 STORY STUCCO BUILDING, HEIGHT=12.0±, AREA = 578 SQFT.±
- 1 STORY STUCCO BUILDING, HEIGHT=12.0±, AREA = 778 SQFT.±
- COVERED PARKING
- WALL/FENCE ENCLOSURE
- BUILDING NUMBERS

LEGEND

SYMBOL	DESCRIPTION
	CACTUS
	FENCE TIE
	FLAG
	HORIZONTAL & VERTICAL POINT
	MAIL BOX
	SINGLE PALM TREE
	PEDESTRIAN SIGNAL
	POST
	STAND PIPE
	SPOT ELEVATION POINT
	SPOT ELEVATION TEXT
	TRANSMISSION TOWER
	CANTILEVER SIGN
	CURB & GUTTER CATCH BASIN
	CUT POLE
	FIRE HYDRANT
	MISC. UTILITY
	MAN HOLE
	SIGN WITH MULTIPLE POST
	STREET LIGHT
	LIGHT POLE
	UTILITY POLE
	BACK TO BACK SIGN POST
	SINGLE GATE
	SIGN BRIDGE
	SINGLE POST SIGN
	STREET NAME SIGN
	TELEPHONE BOOTH
	SINGLE TREE
	TRAFFIC SIGNAL
	UTILITY PEDESTAL
	UTILITY POLE WITH STREETLIGHT
	MISC. UTILITY
	WALT VALVE
	ARROW, LEFT TURN
	ARROW, RIGHT TURN
	ARROW, LEFT STRAIGHT
	ARROW, RIGHT STRAIGHT
	ARROW, STRAIGHT
	PAINT 'EXIT'
	PAINT 'ONLY'
	PAINT 'STOP'
	HANDICAPPED
	BUILDING
	BRIDGE
	CANOPY
	ROAD CENTER LINES
	CONCRETE
	CONTOUR ELEVATION TEXT
	CONTROL POINT TEXT
	CURB
	DIRT ROAD
	GOLF FAIRWAY
	FENCE
	HIGH VEGETATION
	GUTTER
	INTERMEDIATE CONTOUR
	OBSCURED BUILDING
	ASPHALT PAVEMENT
	DIRT OR TRASH PILES
	STANDING POOL
	RETAINING WALL
	PAVED ROAD
	ROCK OUTCROPPINGS
	RAILROAD
	SAND/SAP
	STAIRS
	CURVES
	GOLF TEE
	TREE LINE
	MISC. TEXT
	SWALES
	UNDER CONSTRUCTION BUILDING
	UTILITY SIGN
	GUARD RAIL

SDR-6058
03/24/05 PC

REVISION APPROVAL BLOCK			
DESCRIPTION	DATE	BY	APP

SCALE: 1"=80'
DRAWN BY: CA
DESIGNED BY: CA
CHECKED BY: DM
DATE:
JOB NO: 15-171

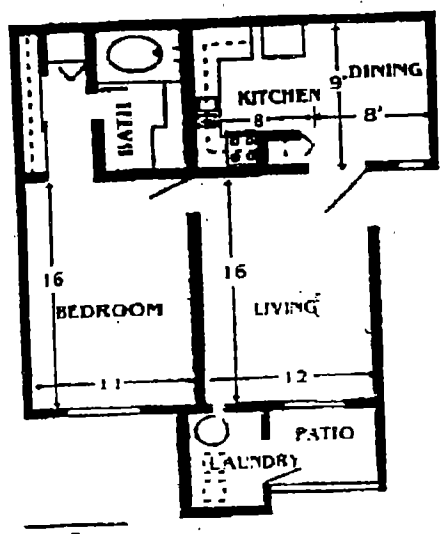
2620 E. Tropicana Ave.
Suite # 232
Las Vegas, NV 89121
phone: 702.456.4644
fax: 702.456.4918

INTEGRITY ENGINEERING

SUNSET BREEZE
@ THE LAKES

SITE PLAN

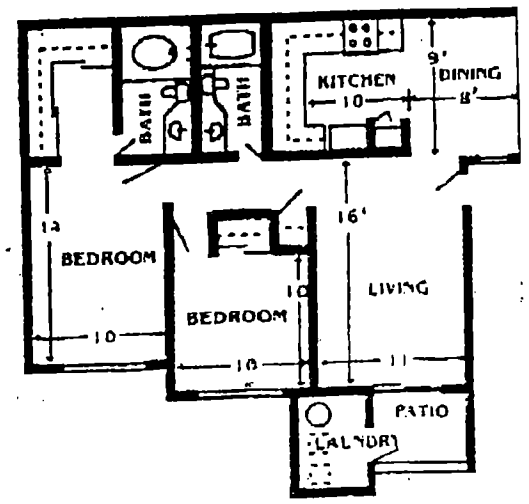
SHEET
C-1
OF 1 SHEETS
DRAWING NO.



Apartment Rent

One Bedroom
703 Square Feet

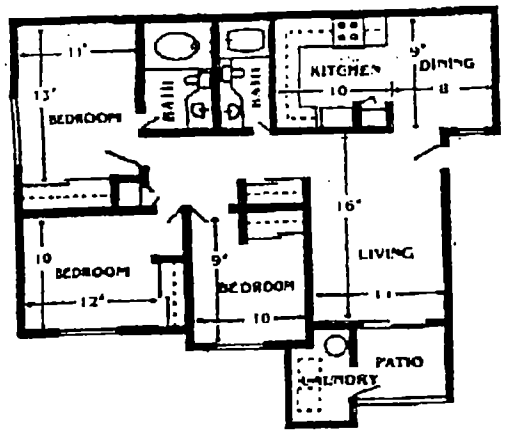
703 ft



Apartment Rent

Two Bedroom
923 Square Feet

923 ft



Apartment Rent

Three Bedroom
1109 Square Feet

1109 ft

SDR-6058
03/24/05 PC

SDR-6058 - APPLICANT/OWNER: LAKE EAST, LLC AND STARBOARD, LLC
3001 LAKE EAST DRIVE
MARCH 24, 2005 PLANNING COMMISSION

3/3/05

February 1, 2005

Mr. Gary Leobold, AICP
Planning Manager
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

RE: Sunset Breeze at The Lakes

Dear Gary:

On behalf of our client, Lake East, LLC and Starboard, LLC, I am submitting some backround and experience information regarding the main principal of the two LLC's as it relates to condominium conversions.

The main principal of the two LLC'S, Roy E. Hearrean, has been in the real estate development business since 1962. His firm, State Wide Investors, Inc., was founded in 1966 and has built and converted more than 4,000 condominium units. Mr.Hearrean is a licensed general contractor with over 40 years of active involvement in real estate development, marketing, construction, and management. As with prior condominium conversions completed by State Wide Investors, Inc., Mr. Hearrean has indicated that the condominium conversion of Sunset Breeze at The Lakes will adhere to the requirements of UCOIA, (Uniform Common Interest Ownership Act of 1994).

During the condominium process, State Wide Investors, Inc. will follow the procedures of UCOIA and provide all tenants with a minimum of 120 day notice of the proposed condominium conversion and a minimum 60 day notice for first right of refusal. For tenants who choose not to purchase a condominium unit, funds are available to long term tenants as well as those with specific needs which include an age provision.

The condominiums are expected to have sales prices in the range from $130,000's to the $230,000's. A Homeowner's Association will be created in accordance with the State of Nevada Department of real Estate requirements. All owners will be a member of this association which will be operated under the requirements provided by the state of Nevada.

Sincerely,
Integrity Engineering

David Moran, Project Manager

Telephone Protest/ Approval Log

Meeting Date: 03/24/05 **Case Number:** SDR-60058

Date: 03/15/05.
Name: Joyce Tachet (President of Home Owners Assoc.)
Address: Home Owners Assoc. "TAMCO"
P.O. BOX 12117 L.V. NV. 89112
Phone: (702) 383-8928

[ ] **PROTEST** [X] **APPROVE**

"Grand View CLEAR VIEW Landing H.O. Assoc."
Total of 81 Homes.

Date:
Name:
Address:
Phone:

[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:

[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:

[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:

[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:

[ ] **PROTEST** [ ] **APPROVE**

City of Las Vegas

Agenda Item No.: 33

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
SDR-6102 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: HARTCO - OWNER: JESUS IS LORD FELLOWSHIP, LAS VEGAS CHAPTER - Request for a Site Development Plan Review FOR A PROPOSED CHURCH AND WAIVERS OF BUILDING PLACEMENT, PERIMETER AND FOUNDATION LANDSCAPING STANDARDS on 2.44 acres adjacent to the west side of Marion Drive, approximately 530 feet north of Charleston Boulevard (APN 140-32-401-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 04/20/05

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

MARIO SUAREZ, Planning and Development, gave a brief overview of the application. The proposed church is approximately 8,8000 square feet. The proposed parking and setbacks are in compliance with Code. Staff supports the requested waivers.

GARY HART, Hartco, 3111 Bel Aire Drive, appeared with the church pastor, ROBERT AQUINO, 4365 East Boston Avenue, and concurred with all conditions.

MINUTES – Continued:
No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.
(9:01 – 9:03)
3-122

CONDITIONS:
Planning and Development

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

2. Waivers of the church building placement, perimeter and foundation landscaping standards of the commercial design standards of Title 19 shall be approved as follows:
   - The church building may be located more than 20 feet from the front lot line.
   - The perimeter trees along the south property line may be omitted.
   - The landscape island width along the south property line may be reduced from eight feet to five feet.
   - Landscaping around the church building foundation may be omitted.

3. One additional handicapped parking space shall be provided for a total of three. If the number of seats in the sanctuary exceeds 204 seats, then one additional parking space for each four spaces over 204 seats shall be provided.

4. Vacant property to the west of the proposed church shall not be developed until a Site Development Plan Review has been submitted and approved for this portion.

5. All development shall be in conformance with the site plan date stamped 03/08/05 and with the building elevations date stamped 02/08/05, except as amended by conditions herein.

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

CONDITIONS – Continued:

7. Any newly constructed 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.

8. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the conditions of approval noted in this report.

9. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the following:
   - Minimum 24-inch box evergreen trees planted a maximum of 20 feet on-center along the north property line.
   - Minimum of four five-gallon shrubs for each tree within provided planters.
   - Two trees planted within 15 feet of Marion Drive.
   - Trees planted at the ends of the northerly parking row.
   - Texas Ranger bushes planted 10 feet on center along the south perimeter wall.

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

11. The elevations shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the correct paint colors for the building.

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

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

14. 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.

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

CONDITIONS – Continued:

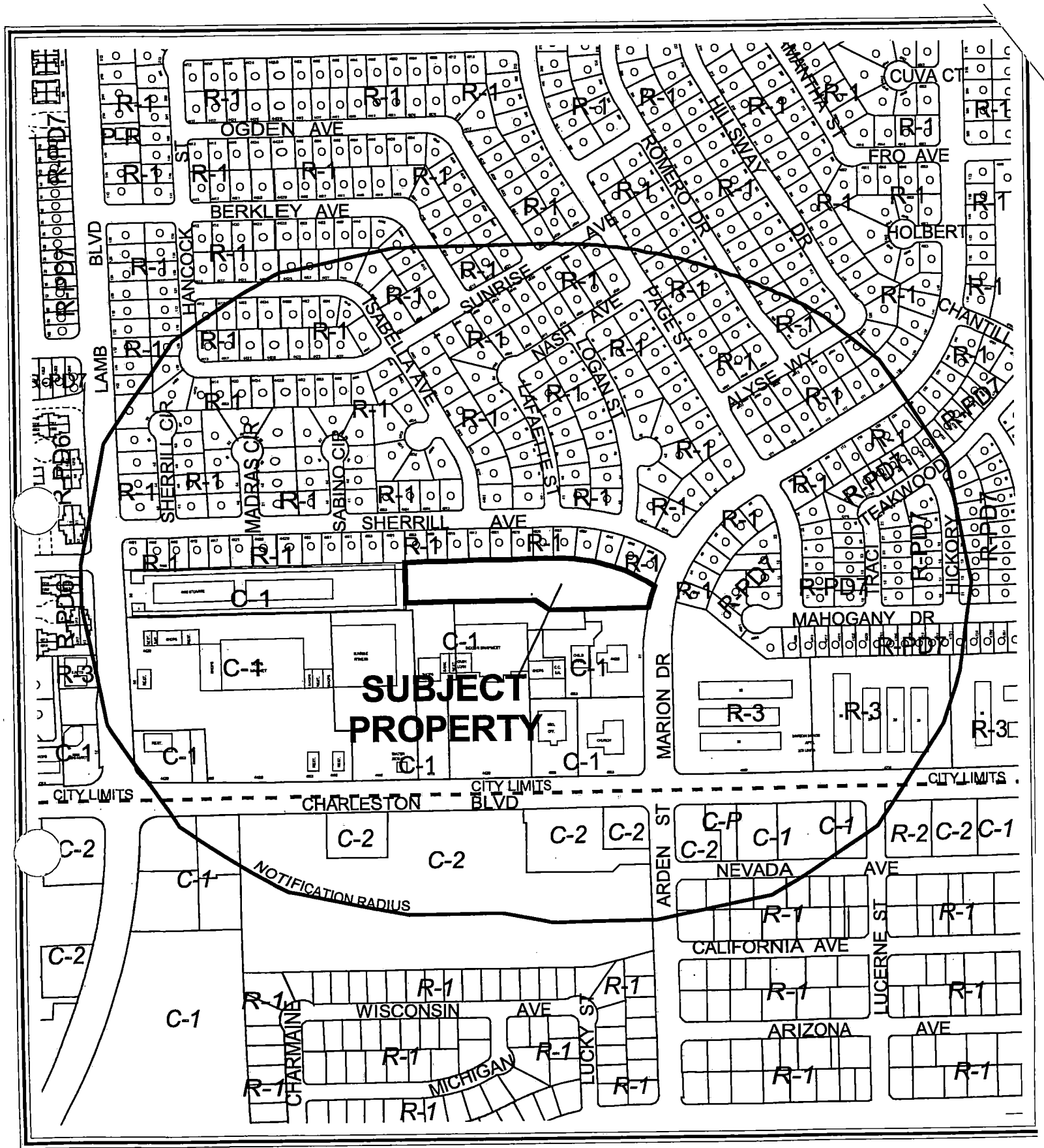
Public Works

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

17. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.

18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

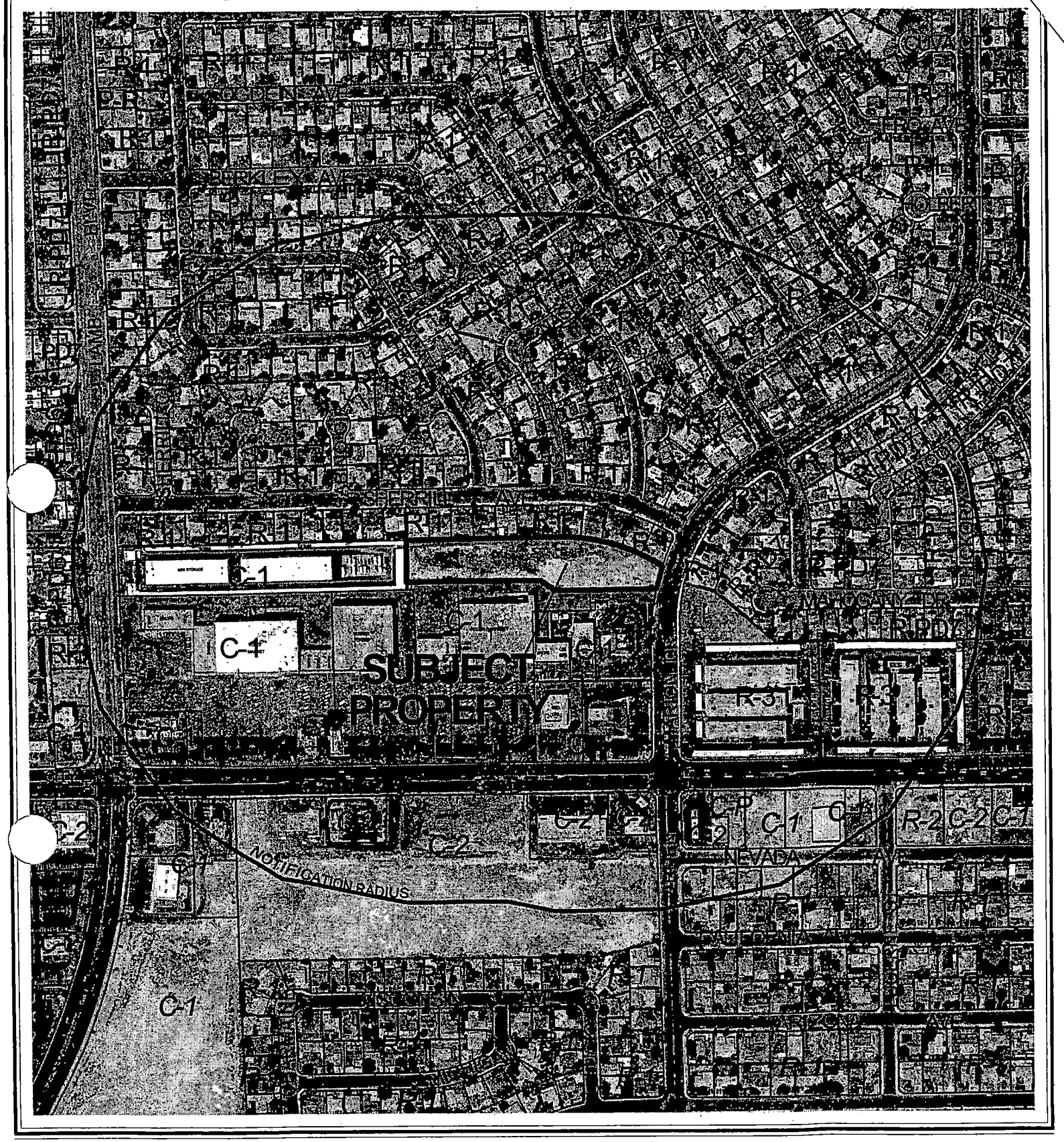
19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and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



CASE: **SDR-6102**

RADIUS: 1000 FT

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



0 400 800 Feet

CASE: **SDR-6102**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6102 - APPLICANT: HARTCO - OWNER: JESUS IS LORD FELLOWSHIP, LAS VEGAS CHAPTER

** CONDITIONS **

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

Planning and Development

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed church and for Waivers of building placement, perimeter and foundation landscaping standards on 2.44 acres adjacent to the west side of Marion Drive, approximately 530 feet north of Charleston Boulevard.

B) Applicant's Justification

A letter was submitted with this application to provide justification for Waivers requested by the applicant. Because of the property's narrow configuration, space for landscaping is constrained. The narrow configuration also requires that the church be set back further on the lot to allow for an access drive at the entrance.

BACKGROUND INFORMATION

A) Related Actions

12/18/76	The City Council approved a Rezoning (Z-0068-75) on the subject property as part of a larger request. The Planning Commission recommended approval.
06/01/88	The City Council approved a Variance (V-0031-88) to allow a mini-warehouse on property to the west.
09/05/90	The City Council denied a request for a Special Use Permit (U-0079-90) for a 60-unit apartment complex on the subject property.
12/08/97	The City Council approved a General Plan Amendment (GPA-0054-97) to SC (Service Commercial) on the subject property as part of a larger request. The Planning Commission recommended approval.
03/12/98	The Planning Commission approved a Site Development Plan Review [Z-0068-75(6)] for a commercial recreational vehicle parking lot on the subject property.
05/2/01	The City Council approved a Site Development Plan Review [Z-0068-75(9)], Special Use Permit (U-003-01) and a Variance [V-0015-01] for a mini-warehouse facility on the subject property. The Planning Commission recommended approval.

DDS

02/07/03 The Planning Commission approved a Site Development Plan Review for a church on the subject property. The staff recommended approval.

B) Pre-Application Meeting

01/18/05 The staff met with the prospective applicant on plans to construct a church on the subject property. The staff reviewed the requirements that must be met, including those for parking, setbacks, residential adjacency, and the commercial development standards.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review, and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.44

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single-family dwellings
South:	Commercial center
East:	Single-family dwellings and an apartment complex
West:	Mini-warehouse facility

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-1 (Single-Family Residential)
South:	C-1 (Limited Commercial)
East:	R-1 (Single-Family Residential) R-3 (Medium Density Residential)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The SC (Service Commercial) designation of the Southeast General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local patrons and that do not include more intense general commercial characteristics.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Inter-local Agreement Joint Land Use Planning Area		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

There are no area plans or other districts or zones that affect the property.

PROJECT DESCRIPTION

This request represents the initial development of a proposed church. The subject property is of sufficient area to accommodate the current and future needs of the church. The scope of this application includes an 8,800 square-foot building, perimeter landscaping, a parking lot, and parking lot landscaping. The rear portion of the lot is left vacant for future expansion and is not a part of this submittal. The floor plans illustrate a sanctuary, multi-function room, classrooms, and ancillary spaces for church functions.

The site is surrounded by commercial development to the west, south, and east. A single-family residential area is located north of the subject property. Appropriate measures have been taken to buffer the single-family dwellings from the proposed church. In addition to an existing block wall that separates the residential area from the subject property, trees spaced 20 feet on-center, as well as shrubs and ground cover, are proposed.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards
Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	None	106,286 sq. ft.	Y
Min. Lot Width	100 feet	86 feet	N
Min. Setbacks			
• Front	20 feet	370 feet	Y
• Side	10 feet	10 feet	Y
• Corner	15 feet	N/A	N/A
• Rear	20 feet	400 feet	Y
Max. Lot Coverage	50 %	8.3 %	Y
Max. Building Height	None	20 feet	Y

Except for the lot width requirement, the proposed development is in conformance with the commercial Development Standards set forth in Title 19. The lot is an established "nonconforming" lot, because the lot width does not meet the lot width requirement by reason of the establishment of the zoning district that requires it. No further action is needed.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, when a property is to be developed for a nonresidential use and it is located adjacent to residential property, the building shall not exceed the height of a line drawn from the property line of the residential property at a 3:1 slope directly onto the property to be developed. At the proposed building height of 20 feet, a setback of 60 feet from the residential property adjacent to the subject property's north property line is required. The site plan shows the building would be 73 feet from the north property line, ensuring compliance 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	Floor Area (sq.ft.)	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Church	3,400	1/100 SF of non-fixed seating area in gathering room.	34	(2)	51	(2)

The proposed project exceeds the parking demand required by Title 19 for regular parking spaces. If the number of seats in the sanctuary exceeds 204 seats, then one additional parking space for each four spaces over 204 seats

shall be provided. For 34 parking spaces, only two handicapped spaces are required; however, for 51 parking spaces, three are required. Two parking spaces are shown, so one additional handicapped space will be needed. This discrepancy is noted as a condition of approval in this report.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/6 Space	13 Trees	11 Trees
Buffer: • Min. trees	• 1 tree/20 linear feet (adjacent to ROW) • 1 tree/ 20 linear feet (adjacent to residential) • 1 tree/30 linear feet (side)	2 Trees 20 Trees 12 Trees	0 Trees 20 Trees 5 Trees
Min. zone width	15 feet (adjacent to ROW.)/8 feet (sides)		15 feet/ 8 and 5 feet
Wall height	6 Feet		Existing walls

The parking area is required to have 13 trees and 11 trees are shown. Two trees should be provided, one at the westerly end and one at the easterly end of the northerly parking row.

One tree is to be provided for every 20 linear feet along the street. One tree is shown in a landscaped island to the north of the driveway entrance, but it should be moved to within 15 feet of the street to provide the street tree canopy effect intended by Title 19. The development is not provided with the required number of trees and tree island width along the south property line. The applicant, however, has requested a Waiver in these requirements. As addressed below, approval of these Waivers is recommended.

Where nonresidential development is located adjacent to residential development, evergreen trees are required to be planted at 20 feet on center to serve as a screen. According to the landscape plan, mesquite trees are shown. An evergreen tree such as African Sumac is recommended.

These deficiencies and discrepancies are addressed as conditions of approval in this report.

B) General Analysis and Discussion

- Zoning

  A church is a permitted use in a C-1 (Limited Commercial) Zone.

- Site Plan

  The site plan depicts an 8,800 square-foot building centrally located on a long, narrow lot. Access is provided by one driveway onto Marion Drive. Parking is located to the east and north sides of the proposed building. There is a large, vacant area to the west of the proposed building that will be used for expansion in a future phase. This area is to be closed off by bollards along the parking area that will prevent patrons from parking in this vacant area.

- Waivers

  Waivers of the building placement, perimeter and foundation landscaping standards of the commercial design standards of Title 19 have been requested. Buildings are required to be placed as far forward on the property as the required building setback allows. The purpose of this requirement is to encourage pedestrian access to buildings from street side sidewalks. The type of use and its juxtaposition to a bank located south of the property is not enhanced by a forward location. It is, therefore recommended that this Waiver be granted.

  The applicant has also requested that a Waiver be granted in the provision of foundation landscaping. A soils report prepared for the applicant suggests that foundation landscaping be avoided because of the expansive type of soils that are present. For this reason, it is recommended that a Waiver be granted in this requirement.

  The third Waiver requested is in the required planting of trees and tree island width along the south property line perimeter wall. The applicant states that the odd shape and narrowness of the lot preempts the planting of trees and a required eight-foot wide tree island. It is recommended that this Waiver be granted, provided Texan Rangers, as proposed, be planted at 10-foot intervals along the wall.

  These Waivers are addressed as conditions of approval in this report.

- Landscape Plan

  Except as noted above, the landscape plan has adequate perimeter and parking lot landscaping. Plant materials include Mesquite trees across the entire property. Measures have been taken to buffer the residential dwellings that exist to the north of the property; however, evergreen trees in lieu of the Mesquite trees are required. As addressed above, Waivers have been requested in landscape requirements. It is recommended that these Waivers be granted.

DDS

- Elevation

  The elevations show a 20-foot high-church building with multiple level roofs of lightweight concrete tile. A main entrance is shown to the front or east side of the building and three side entrances along the north side. A handicapped entrance connected to a ramped sidewalk is proposed at the south side of the building. Utility access is provided to the rear. The building's exterior façade is composed of a three-coat exterior stucco sand finish. The elevation plans indicate that the predominant color is to be "Cookie Dough" in a flat finish and that prominent features are to be in an "Orange Parrot" color also in a flat finish. However, a color and material chart indicates that the stucco color is to be "Swiss Coffee," the door color is to be "Mesa Tan," and the roof is to be a red orange, with brown streaks. The exact colors need to be clarified on the plans, and this discrepancy is made a condition of approval of this report.

- Floor Plan

  The floor plan illustrates a large sanctuary. A vestibule is flanked by restrooms and will provide access to the sanctuary, multi-function room, classrooms, and ancillary spaces for church functions.

FINDINGS

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

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

   The development of this site as a church is compatible with the residential land uses in the area. With the amount and type of landscaping proposed, the church should not adversely affect the surrounding properties.

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;"**

   Except as noted above, the landscaping and setbacks comply with City requirements under Title 19, the Design Standards Manual, and the Landscape, wall and buffer standards. Waivers have been requested in some landscape provisions and in the front setback. It is recommended that theses Waivers be granted.

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

The proposed church will be located on property that has access to Marion Drive, a 80 foot wide secondary collector street. The roadway is adequate in size to meet the requirements of the proposed use.

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

The landscaping and building materials are similar to that found in the existing commercial development in the vicinity.

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;"**

With implementation of the proposed conditions, the design of the building and the site will create a development that is harmonious and compatible with the area.

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

The church building will be subject to the Uniform Building Code (UBC). The public health, safety and welfare, therefore, should not be compromised.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

NOTICES MAILED 331

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6102 APN: 140-32-401-002

Name of Property Owner: Jesus is Lord Church Las Vegas, INC.

Name of Applicant: Pr. Roberto A. Aquino

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) ~~0~~

APN: N/A

Signature of Property Owner/Authorized Agent: X

Print Name: X ROBERTO A AQUINO

Subscribed and sworn before me

This 7 day of FEBRUARY, 2005

Notary Public in and for said County and State

Liliana Monica Reinoso
Notary Public, State of Nevada
Appointment No. 04-90140-1
My Appt. Expires Jun. 01, 2008

CALL before you DIG 1-800-227-2600

CALL before you Overhead 1-702-593-6111

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
TREES				
●	PROSOPIS	MESQUITE	24" BOX	46
SHRUBS				
⊕	LEUCOPHYLLUM	TEXAS RANGER	5 GAL	154
GROUND COVER				

1/4" DECOMPOSED GRANITE COLOR "PALOMINO CORAL"

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

VICINITY MAP
NTS

N

SHERRILL AVENUE

APN 142-32-401-001

APN 142-32-401-006

APN 140-32-401-007

APN 140-32-401-010

APN 142-32-402-001

MARION DRIVE

PROPOSED BUILDING
SQ. FT.=6500
APN=140-32-401-008

APN 142-32-401-045 | APN 142-32-401-046 | APN 142-32-401-044 | APN 142-32-401-043 | APN 142-32-401-042 | APN 140-32-401-008 | APN 140-32-401-009 | APN 140-32-401-010 | APN 140-32-401-011 | APN 140-32-401-012 | APN 140-32-401-013 | APN 140-32-401-014

LEGEND

- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED GRADE
- EXISTING GRADE
- PROPOSED SANITARY SEWER LINE
- EXISTING SANITARY SEWER LINE
- PROPOSED WATER LINE
- EXISTING WATER LINE
- PROPOSED FIRE SPRINKLER LINE
- EXISTING GAS LINE
- EXIST./PROP. EDGE OF ASPHALT
- PROPERTY/RIGHT-OF-WAY LINE
- CENTERLINE
- EXIST./PROP. BLOCK WALL
- EX. OVERHEAD POWER/TELEPHONE
- SAWCUT LINE
- EXIST./PROP SANITARY SEWER MANHOLE
- EXIST./PROP. 18/24 NPS STREETLIGHT
- EXIST./PROP. 18/24 NPS STREETLIGHT
- EXIST./PROP. 30/36 NPS STREETLIGHT
- HANDICAPPED SYMBOL
- EXIST./PROP. FIRE HYDRANT
- EXIST./PROP. GATE VALVE
- EXIST./PROP. REBUILD VALVE
- EXIST./PROP. CLEANOUT
- PROPOSED ASPHALT
- PROPOSED CONCRETE

ABBREVIATIONS

AP	ASPHALTIC CONCRETE
BCR	BEGINNING OF CURB RETURN
BSW	BACK OF SIDEWALK
CC	CLARK COUNTY
CLV	CITY OF LAS VEGAS
CNLV	CITY OF NORTH LAS VEGAS
COH	CITY OF HENDERSON
CT	CENTERLINE
CO	INTERIM CLEANOUT
CONC	CONCRETE
EAC	EXISTING ASPHALTIC CONCRETE
ECR	END OF CURB RETURN
FG	FINISH GRADE
FTC	EXISTING TOP OF CURB
EW	EXISTING
FF	FINISHED FLOOR
FL	FLOWLINE
GB	GRADE BREAK
HP	HIGH POINT
INV	INVERT ELEVATION
LVVWD	LAS VEGAS VALLEY WATER DISTRICT
NTS	NOT TO SCALE
OH	EXISTING OVERHEAD POWER
PE	PAD ELEVATION
PL	PROPERTY LINE
PP	POWER POLE
SD	STORM DRAIN LINE
SF	SIDEWALK FLAT
SL	SECURITY LIGHT
SS	SANITARY SEWERLINE
STA	STATION
SW	SIDEWALK
TC	TOP OF CURB
TYP	TYPICAL
VG	VALLEY GUTTER
W	WATERLINE
WM	WATER METER

BENCHMARK

A BRONZE "X" MARK ON THE SOUTH LIP OF THE STORMDRAIN CATCHBASIN AT THE SOUTHWEST CORNER OF SECTION 32, TOWNSHIP 20 SOUTH, RANGE 60 EAST, BEING 40 EAST, 50.00' SOUTH OF THE NORTH QUARTER CORNER OF SAID SECTION, AS SHOWN ON THAT CERTAIN RECORD OF SURVEY IN FILE 99, PAGE 31 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

ELEV. 1949.65 FT. DATUM (NAVD 88)

BASIS OF BEARINGS

CITY OF LAS VEGAS BENCHMARK (BL302-1999) BEING A PLUG IN TOP OF CURB @ S.E. CORNER OF MARION & PARK.

SDR-6102

03/24/05 PC

HARTCO CONST.

LANDSCAPE PLAN

JESUS IS LORD CHURCH
APN 140-32-401-002

4530 S. SANDHILL, SUITE A-16
LAS VEGAS, NV. 89121
PH. (702) 897-2339
FAX. (702) 897-0339

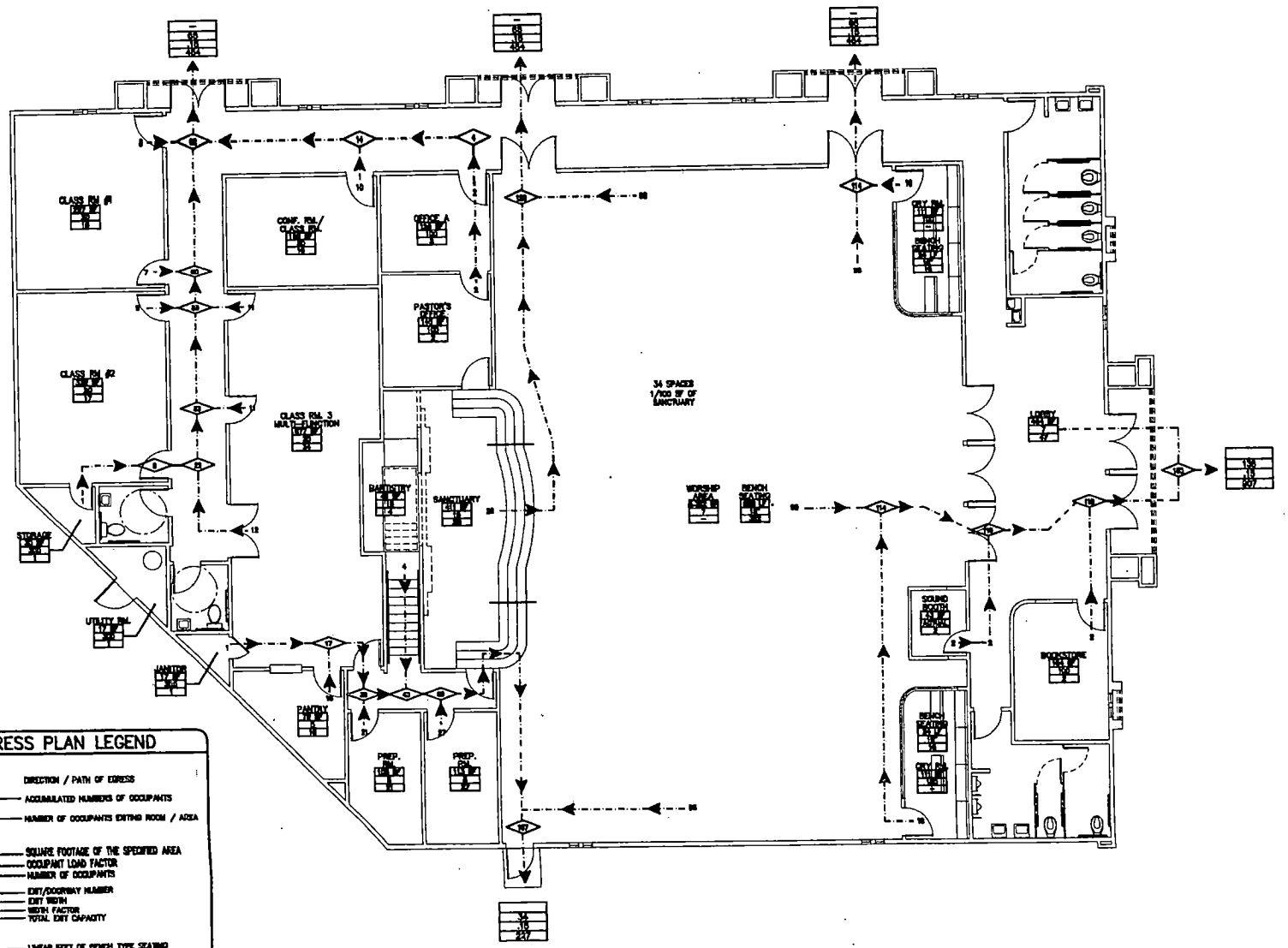
TRUE CONSULTING ENGINEERS, INC.

DRAWN BY: MK / JP
DESIGNED BY: MK
CHECKED BY: MK
PROJECT NO: 0041
TILE NAME: LS-SDR-JJIM

SCALE
HORIZONTAL 1"=30'
VERTICAL N/A

SHEET
LS1
1 OF 1 SHEETS

CLV PROJECT



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

HARTCO Construction
P.O. BOX 15714,
LAS VEGAS, NV 89114
TEL: (702) 382-9600
FAX: (702) 382-9595

PROJECT
"JESUS IS LORD' CHURCH
PARCEL # 140-32-401-002
CORNER OF MARION DR. AND
E. CHARLESTON BL., LV, NV 89110

NO	DATE	REVISION DESCRIPTION
-	-	-

SHEET CONTENTS: EGRESS PLAN
SCALE: AS NOTED
DRAWN BY: BL
CHECKED BY:
- -

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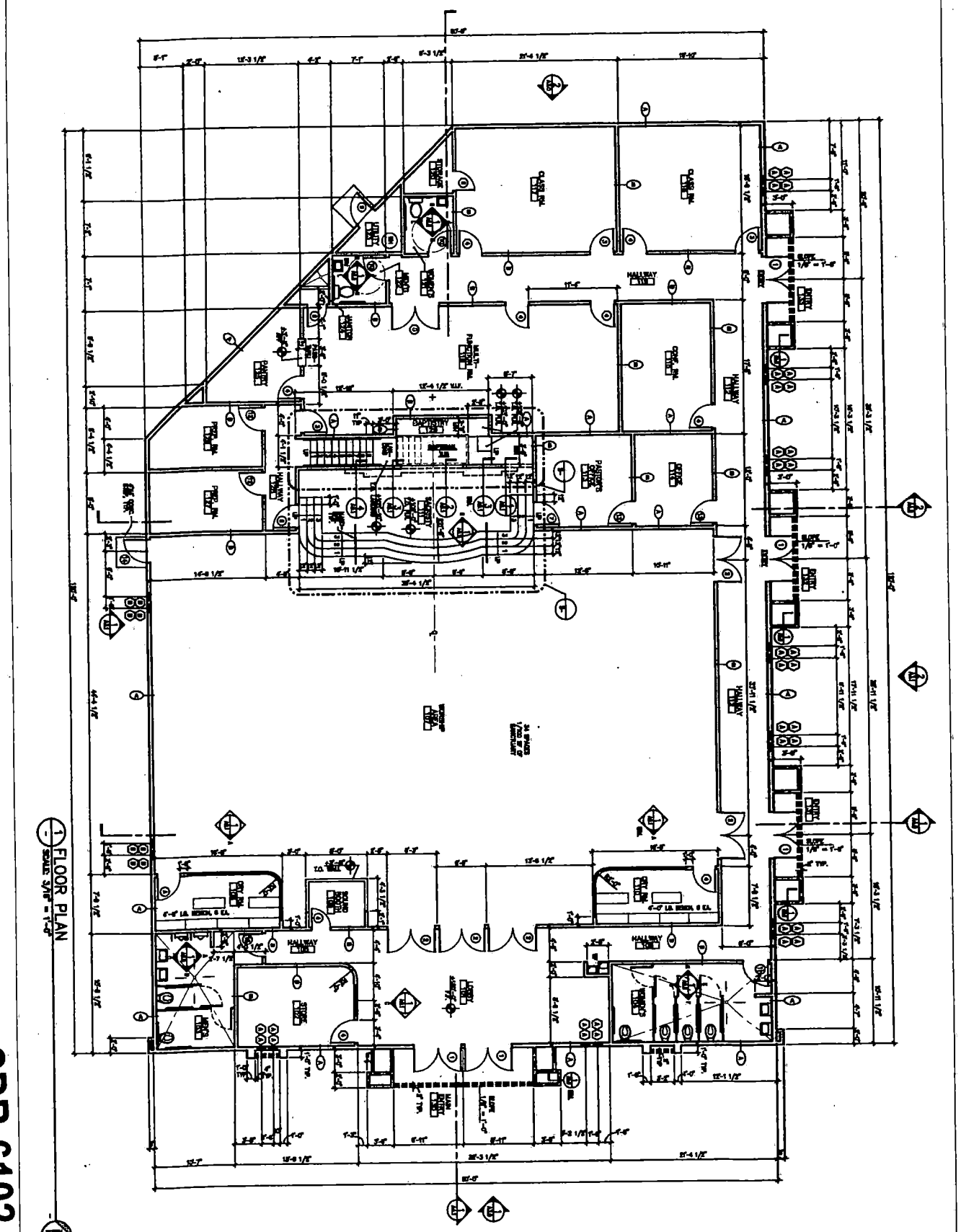
SDR-6102
03/24/05 PC



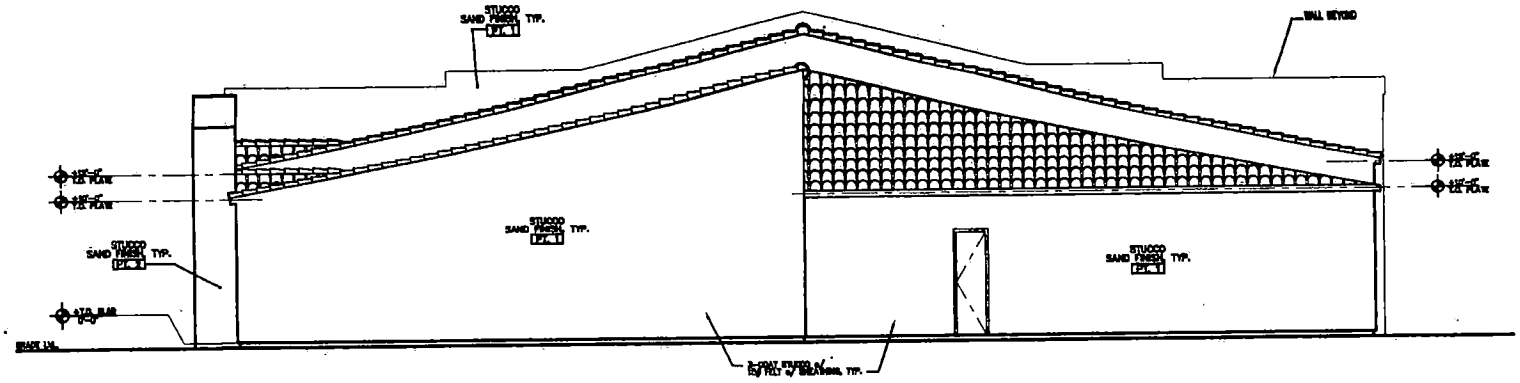
SDR-6102
03/24/05 PC

A2.0	SHEET CONTENTS: FLOOR PLAN	NO. DATE REVISION DESCRIPTION	PROJECT: 'JESUS IS LORD' CHURCH PARCEL # 140-32-401-002 CORNER OF MARION DR. AND E. CHARLESTON BL., LV, NV 89110
	SCALE: AS NOTED · DRAWING DATE: 18 APR 04 · DRAWN BY: BL		HARTCO Construction P.O. BOX 15714, LAS VEGAS, NV 89114 TEL: (702) 382-9600 FAX: (702) 382-9595

PAINT LEGENDS:

[P.T.-1] - BENJAMIN MOORE
1418 – CORNE COUNTY, FLAT

[P.T.-2] - BENJAMIN MOORE
2109-10
CORNINE PARROT, FLAT



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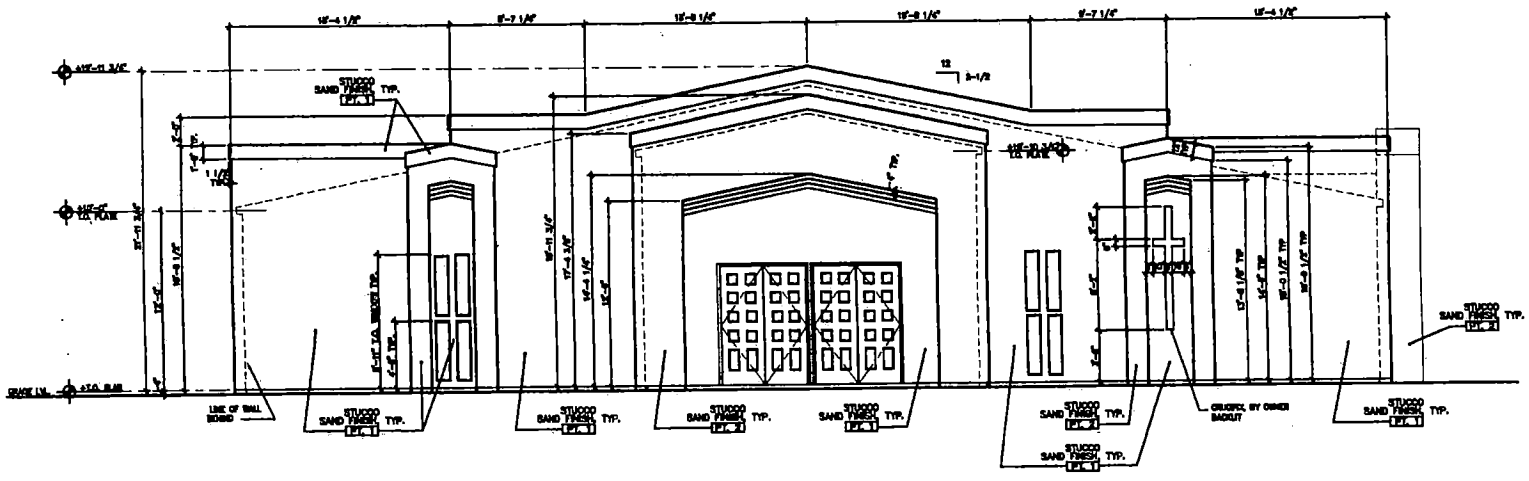

1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

HARTCO Construction
P.O. BOX 15714,
LAS VEGAS, NV 89114
TEL: (702) 382-9600
FAX: (702) 382-9595

PROJECT
"JESUS IS LORD" CHURCH
PARCEL # 140-32-401-002
CORNER OF MARION DR. AND
E. CHARLESTON BL., LV, NV 89110

NO.	DATE	REVISION DESCRIPTION
1	-	-

BUILDING ELEVATIONS

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DRAWN DATE: 10 APR 04
SCALE: AS NOTED

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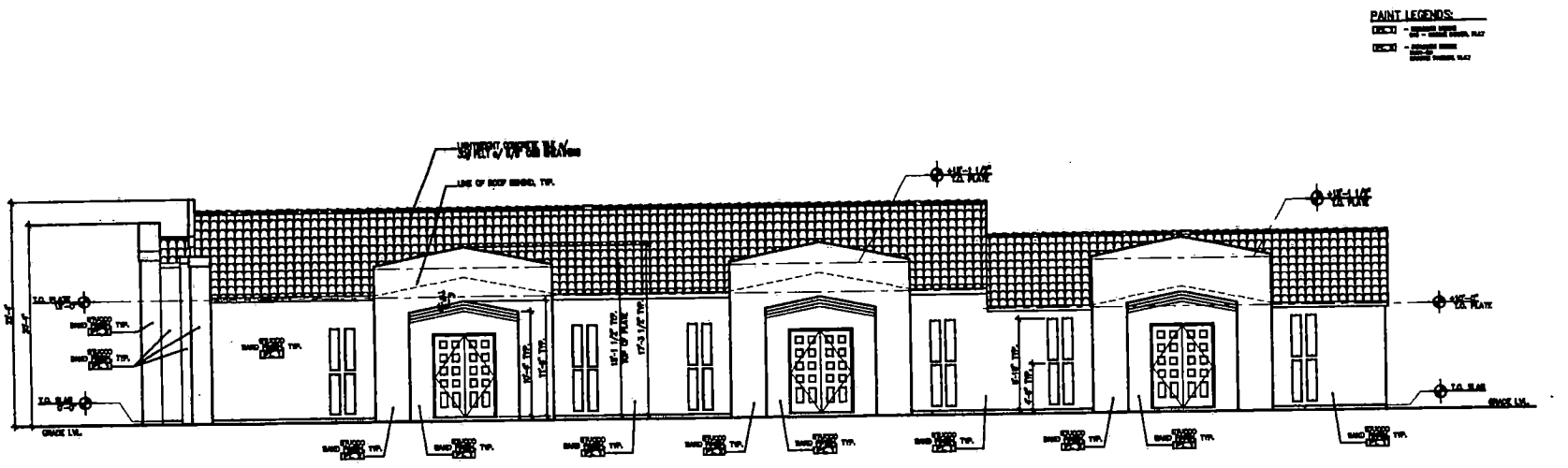
SDR-6102
03/24/05 PC



2 RIGHT ELEVATION
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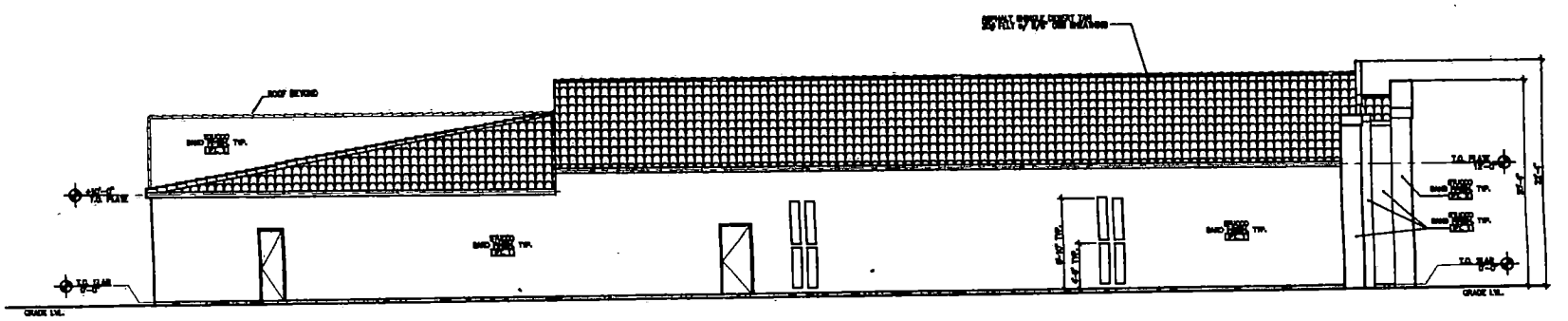


1 LEFT ELEVATION
SCALE: 3/16" = 1'-0"

HARTCO Construction
P.O. BOX 15714,
LAS VEGAS, NV 89114
TEL: (702) 382-9600
FAX: (702) 382-9595

PROJECT
"JESUS IS LORD" CHURCH
PARCEL # 140-32-401-002
CORNER OF MARION DR. AND
E. CHARLESTON BL., LV, NV 89110

NO.	DATE	REVISION DESCRIPTION
1	-	-

SHEET CONTENTS
BUILDING ELEVATIONS
- -

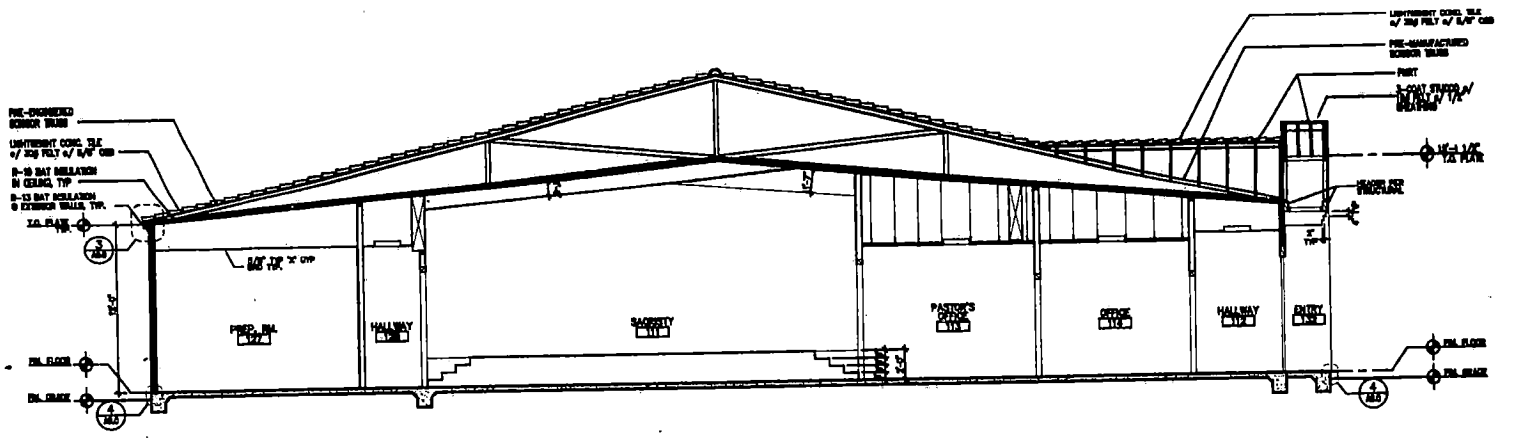
DRAWN BY
BL

CHECKED BY
-

DATE
AS NOTED

A3.1

SDR-6102
03/24/05 PC



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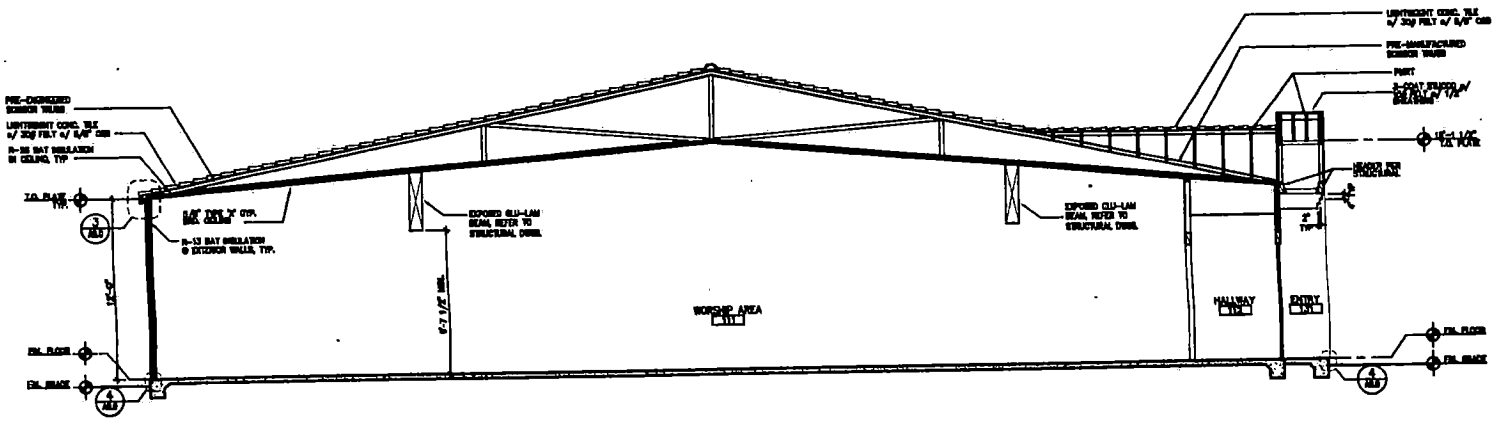

1 SECTION
SCALE: 1/4" = 1'-0"

HARTCO Construction
P.O. BOX 15714,
LAS VEGAS, NV 89114
TEL: (702) 382-9600
FAX: (702) 382-9595

NEW 'JESUS IS LORD' CHURCH
PARCEL # 140-32-401-002
CORNER OF MARION DR. AND
E. CHARLESTON BL., LV, NV 89110

NO.	DATE	REVISION DESCRIPTION
-	-	-

SHEET CONTENTS: BUILDING SECTIONS
SCALE: AS NOTED
DRAWN BY: EL
DRAWING DATE: 19 APR 04

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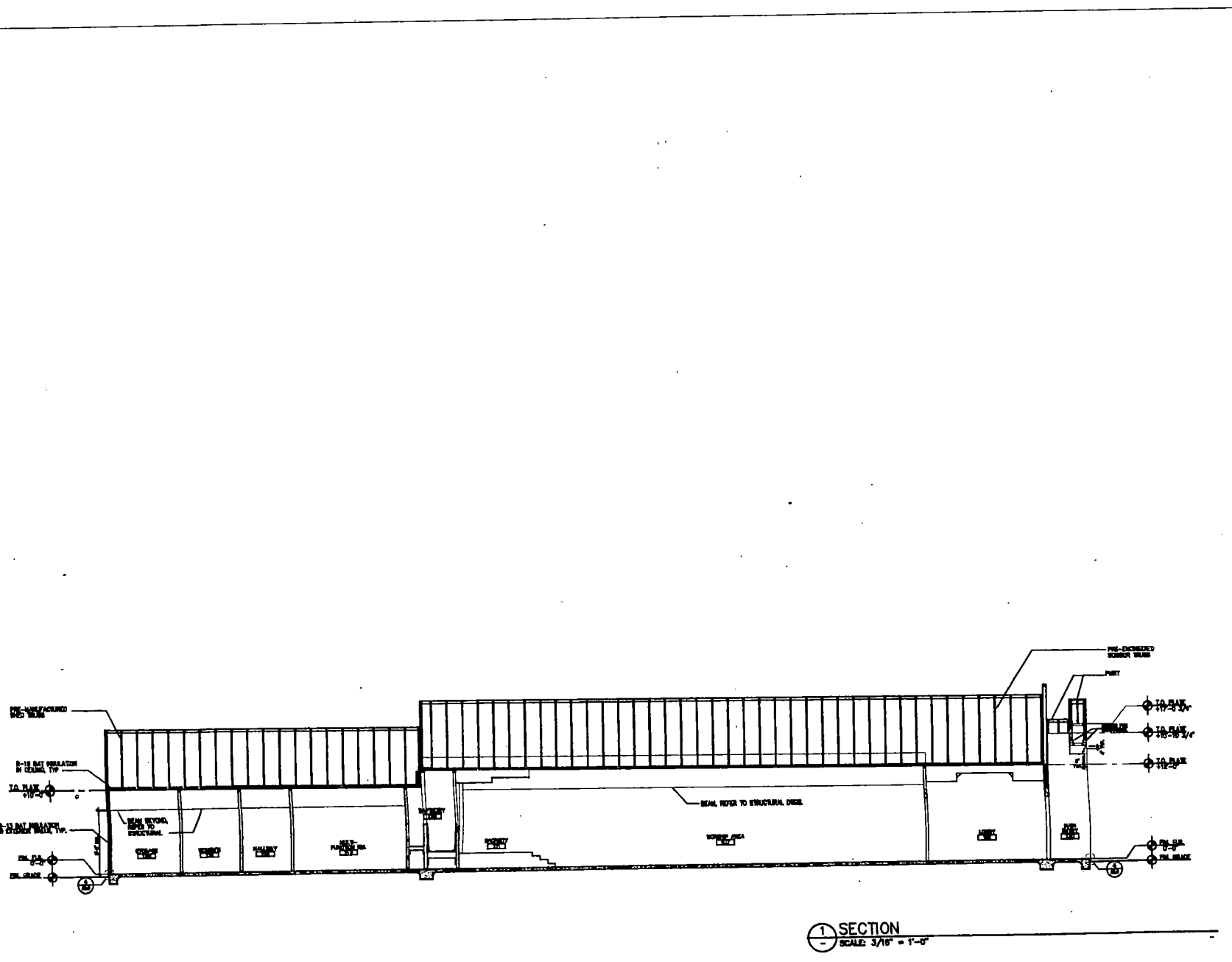
SDR-6102
03/24/05 PC



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

NEW 'JESUS IS LORD' CHURCH
PARCEL # 140-32-401-002
CORNER OF MARION DR. AND
E. CHARLESTON BL., LV, NV 89110

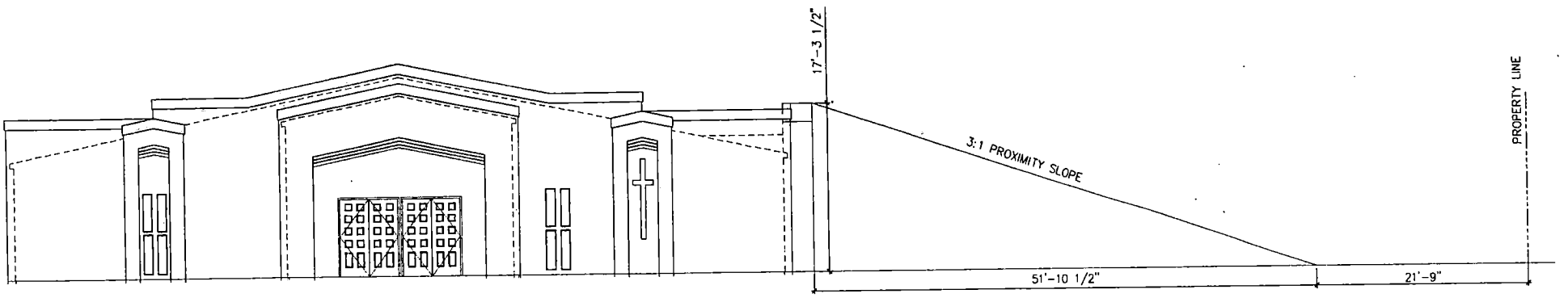
HARTCO Construction
P.O. BOX 15714,
LAS VEGAS, NV 89114
TEL: (702) 382-8600
FAX: (702) 382-8585

NO	DATE	REVISION DESCRIPTION
1	-	-

BUILDING SECTION

A4.1

SDR-6102
03/24/05 PC



1 PROXIMITY SLOPE DETAIL
SCALE: NONE

SDR-6102
03/24/05 PC

SDR-6102 - APPLICANT: HARTCO - OWNER: JESUS IS LORD FELLOWSHIP, LAS VEGAS CHAPTER
WEST SIDE OF MARION DRIVE, APPROXIMATELY 530 FEET NORTH OF CHARLESTON BOULEVARD
MARCH 24, 2005 PLANNING COMMISSION

3/7/05

KJE
CONSULTING
ENGINEERS, INC.

February 8, 2005

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

Subject: Justification for submittal of this Site Development Plan Review application

Dear Sir/Mam:

This letter is being submitted as a justification for the development of the Jesus is Lord Church for a site development plan review (APN 140-32-401-002).

The reason that we have submitted this design review is for approval of this project in regards to the layout of the site, proposed building colors and Architectural features, and requested waivers from standard conditions.

We are requesting a waiver to reduce the landscaping buffer between the commercial site to the south and the proposed church from 8' feet to 5' due to the how narrow the lot is and the requirement that we provide an ADA accessibility path between the building and Marion Drive. With the installation of the ADA path, providing a 8' landscape buffer next to the residential lots, and the installation of the driveways and parking, we are left with 5' for landscaping next to the commercial site. It should also be noted that the commercial site to the south already includes an existing CMU wall and that landscaping was not provided on the adjacent commercial site next to the proposed church site.

We are requesting a waiver for the 6' separation of the sidewalk from the building on the west and south sides due to how close the building has been set to the property line which was required to allow for the future expansion of the parking lot and access driveway to the rear of the lot during future expansion. If the sidewalk is moved away from the rear side of the building, this would require that the building be located further to the north to allow for the 8' landscape buffer, which would reduce the area on the north side for the future expansion as discussed above.

We are requesting a waiver to reduce the standard radius on the driveway from the 25' on the entrance and 15' on the exit to a 10' radius on both sides. This request is due to how narrow the width of the lot is along the Marion Drive frontage (75').

4130 S. Sandhill Road, Suite A-16 • Las Vegas, Nevada 89121
Tel (702) 597-2988 • Fax (702) 597-0309

We are requesting a waiver to place the parking in the front adjacent to Marion Drive and to place the building near the middle of the lot instead of the other way around due to the fact that with the lot being so narrow (75') we would not allow for an access drive if the building was moved to the front of the site.

Please review and approve this site development plan review and waivers so that we may complete the project approval process.

Sincerely,

KJE Consulting Engineers, Inc.

Kenneth J. Erlanger, P.E.
President
234-1jus2-8-05.wps

City of Las Vegas

Agenda Item No.: 34

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
SDR-6109 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SHEA COMMERCIAL - OWNER: CENTENNIAL RANCH, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 104,398 SQUARE FOOT OFFICE CONDOMINIUM COMPLEX on 10.04 acres adjacent to the south side of Azure Drive, approximately 1,250 feet west of Tenaya Way (APNs 125-27-113-003 and 125-27-222-007), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

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

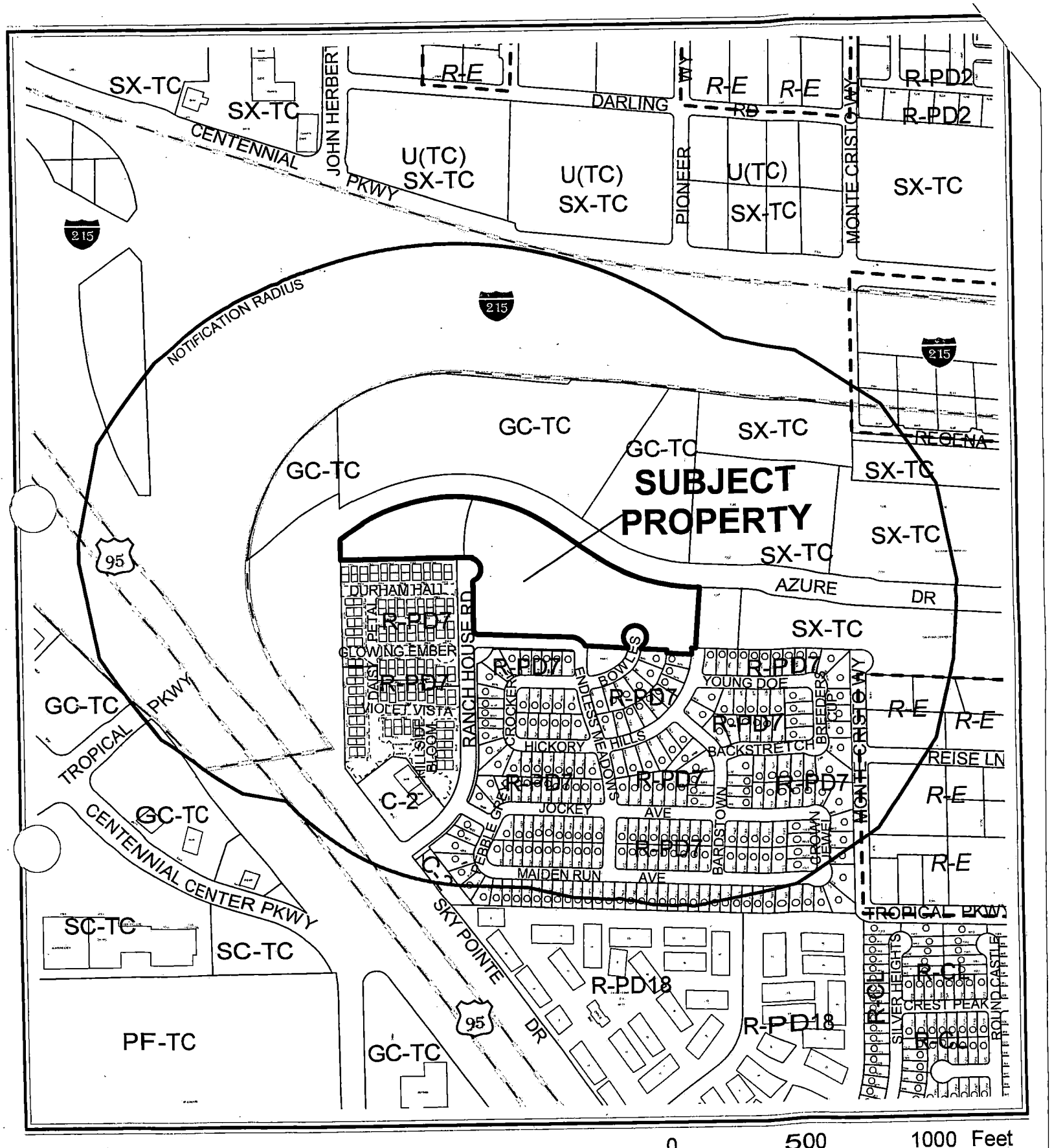
RECOMMENDATION:
Staff recommends this item be HELD IN ABEYANCE to the April 28, 2005 Planning Commission meeting.

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

MOTION:
GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:
There was no discussion.

(6:02 – 6:09)

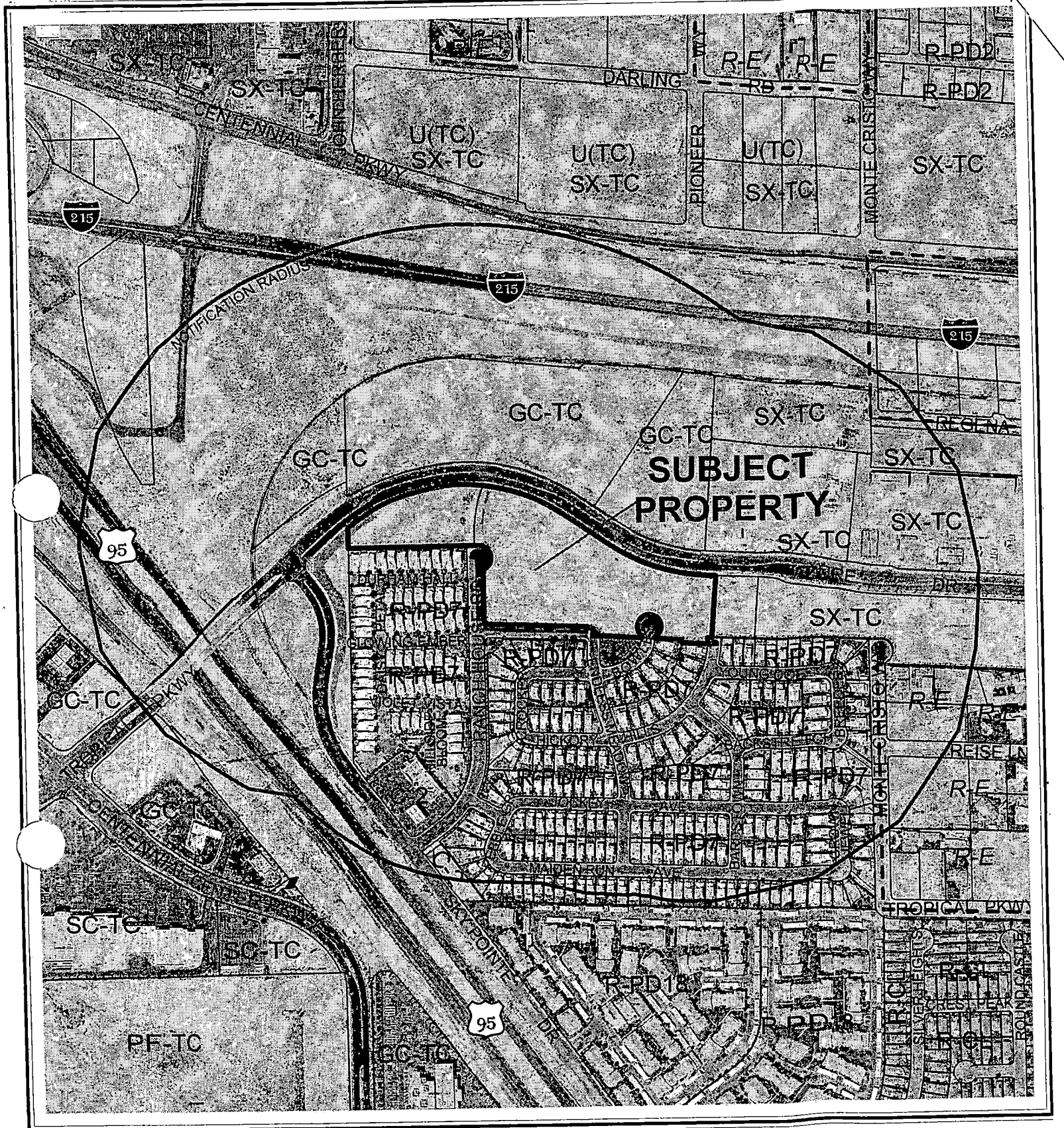


CASE: **SDR-6109**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N



0 500 1000 Feet

CASE: **SDR-6109**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6109 - APPLICANT: SHEA COMMERCIAL - OWNER: CENTENNIAL RANCH, LLC, ET AL

STAFF REQUESTS THIS ITEM BE HELD IN ABEYANCE TO THE APRIL 14, 2005 PLANNING COMMISSION METING AS THE CORRESPONDING REVIW OF CONDITION (ROC-6074) WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNTIL APRIL 6, 2005.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-6109** APN: 125-27-222-007

Name of Property Owner: Azure South Inc.

Name of Applicant: Shea Commercial

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Frank Nielsen

Subscribed and sworn before me

This 8 day of February, 2005

_____

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
ENNIS JULIAN
No. 03-85126-1
My Appointment Expires Nov. 4, 2007

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6109 APN: 125-27-113-003

Name of Property Owner: Centennial Ranch, LLC

Name of Applicant: Shea Commercial

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: Mayor.

Partner(s): Jerry Snyder.

APN: _____

Signature of Property Owner: _____

Print Name: Frank Nielsen

Subscribed and sworn before me

This 8 day of February, 2005

_____

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
ENNIS JULIAN
No. 03-85126-1
My Appointment Expires Nov. 4, 2007

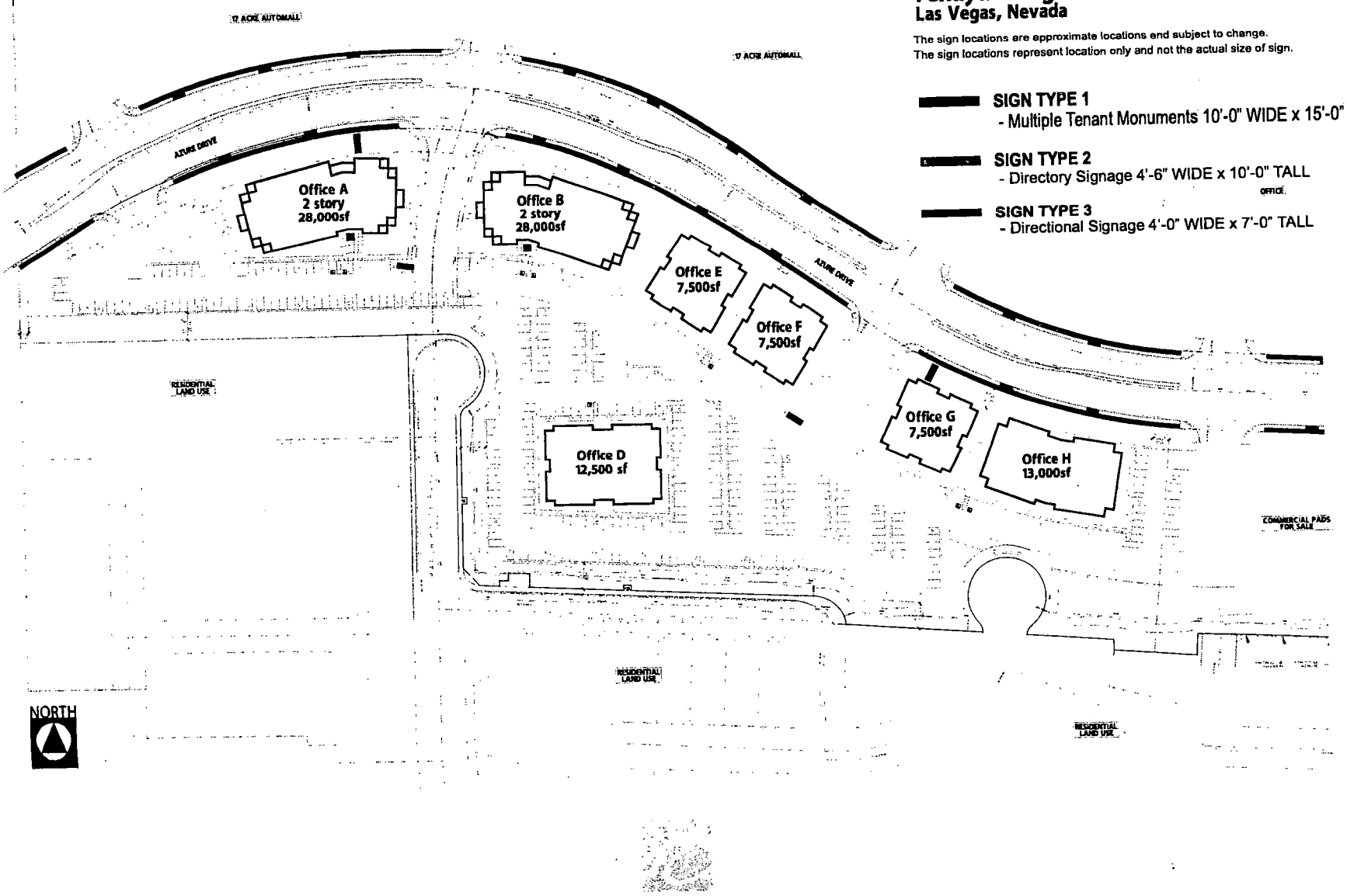
Tenaya Village
Las Vegas, Nevada

The sign locations are approximate locations and subject to change.
The sign locations represent location only and not the actual size of sign.

SIGN TYPE 1
- Multiple Tenant Monuments 10'-0" WIDE x 15'-0" TALL

SIGN TYPE 2
- Directory Signage 4'-6" WIDE x 10'-0" TALL

SIGN TYPE 3
- Directional Signage 4'-0" WIDE x 7'-0" TALL



4634 North 44th Street Phoenix, Arizona 85018 602.224.5100 tel 602.224.5102 fax www.jrcdesign.com
©2005 JRC DESIGN

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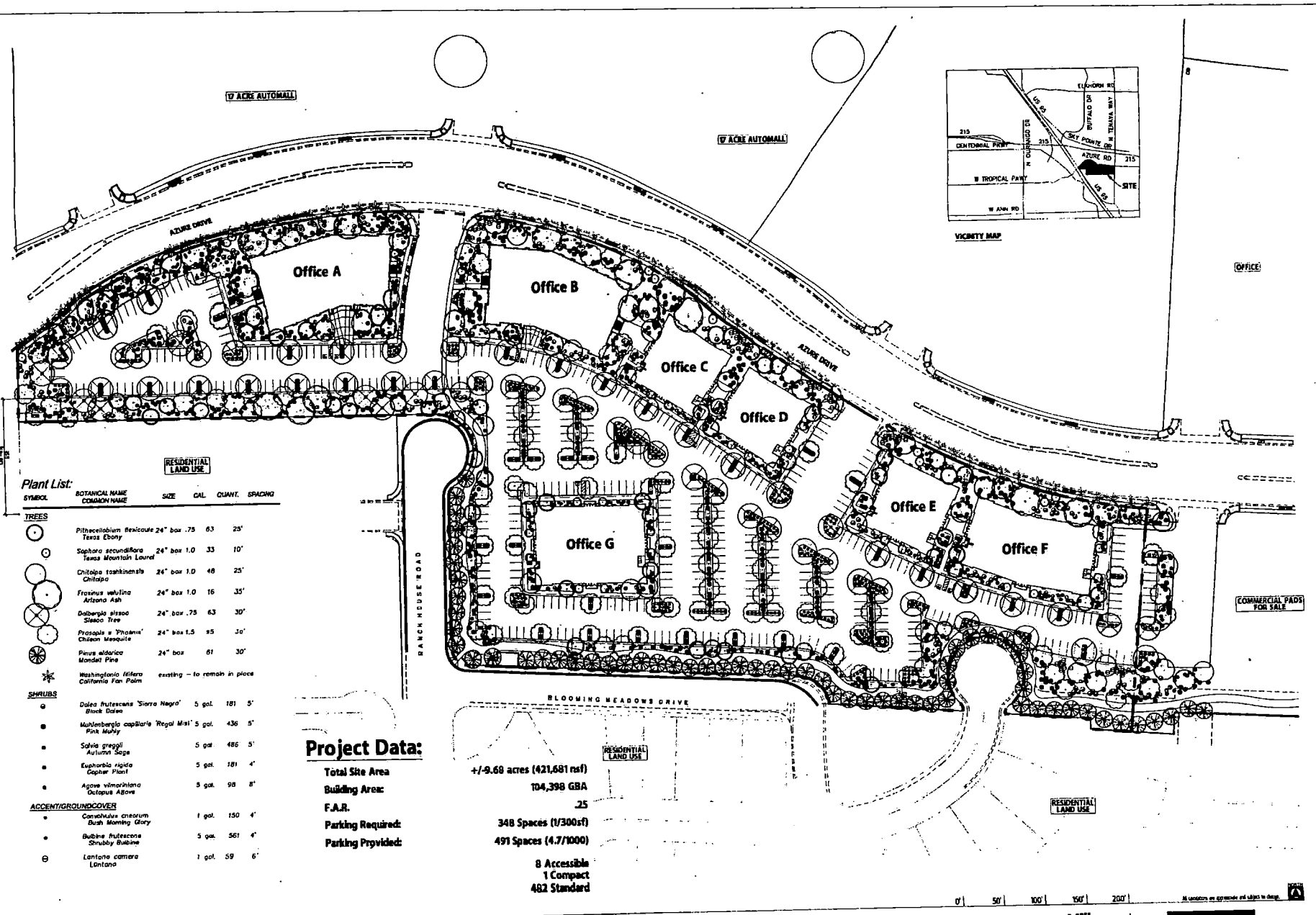
SDR-6109
03/24/05 PC



Plant List:

SYMBOL	BOTANICAL NAME / COMMON NAME	SIZE	CAL.	QUANT.	SPACING
TREES					
	Pithecellobium flexicaule Texas Ebony	24" box .75	63		25'
	Sophora secundiflora Texas Mountain Laurel	24" box 1.0	33		10'
	Chitalpa tashkinensis Chitalpa	24" box 1.0	48		25'
	Fraxinus velutina Arizona Ash	24" box 1.0	16		35'
	Dalbergia sissoo Sissoo Tree	24" box .75	63		30'
	Prosopis x 'Phoenix' Chilean Mesquite	24" box 1.5	95		30'
	Pinus aldorica Mondell Pine	24" box	61		30'
	Washingtonia filifera California Fan Palm	existing – to remain in place			
SHRUBS					
	Dalea frutescens 'Sierra Negra' Black Dalea	5 gal.	181		5'
	Muhlenbergia capillaris 'Regal Mist' Pink Muhly	5 gal.	436		5'
	Salvia greggii Autumn Sage	5 gal.	486		5'
	Euphorbia rigida Gopher Plant	5 gal.	181		4'
	Agave vilmoriniana Octopus Agave	5 gal.	98		8'
ACCENT/GROUNDCOVER					
	Convolvulus cneorum Bush Morning Glory	1 gal.	150		4'
	Bulbine frutescens Shrubby Bulbine	5 gal.	561		4'
	Lantana camara Lantana	1 gal.	59		6'

Project Data:

Total Site Area	+/-9.68 acres (421,681 nsf)
Building Area:	104,398 GBA
F.A.R.	.25
Parking Required:	348 Spaces (1/300sf)
Parking Provided:	491 Spaces (4.7/1000)
	8 Accessible
	1 Compact
	482 Standard

All locations are approximate and subject to change.

epg
4350 EAST CAMELBACK ROAD
SUITE G-200
PHOENIX, ARIZONA 85018
PHONE: 602-956-6370
FAX: 602-956-4374

Tenaya Village
Las Vegas, Nevada
04094
07.FEB.05

SHEA Commercial

SDR-6109
03/24/05 PC

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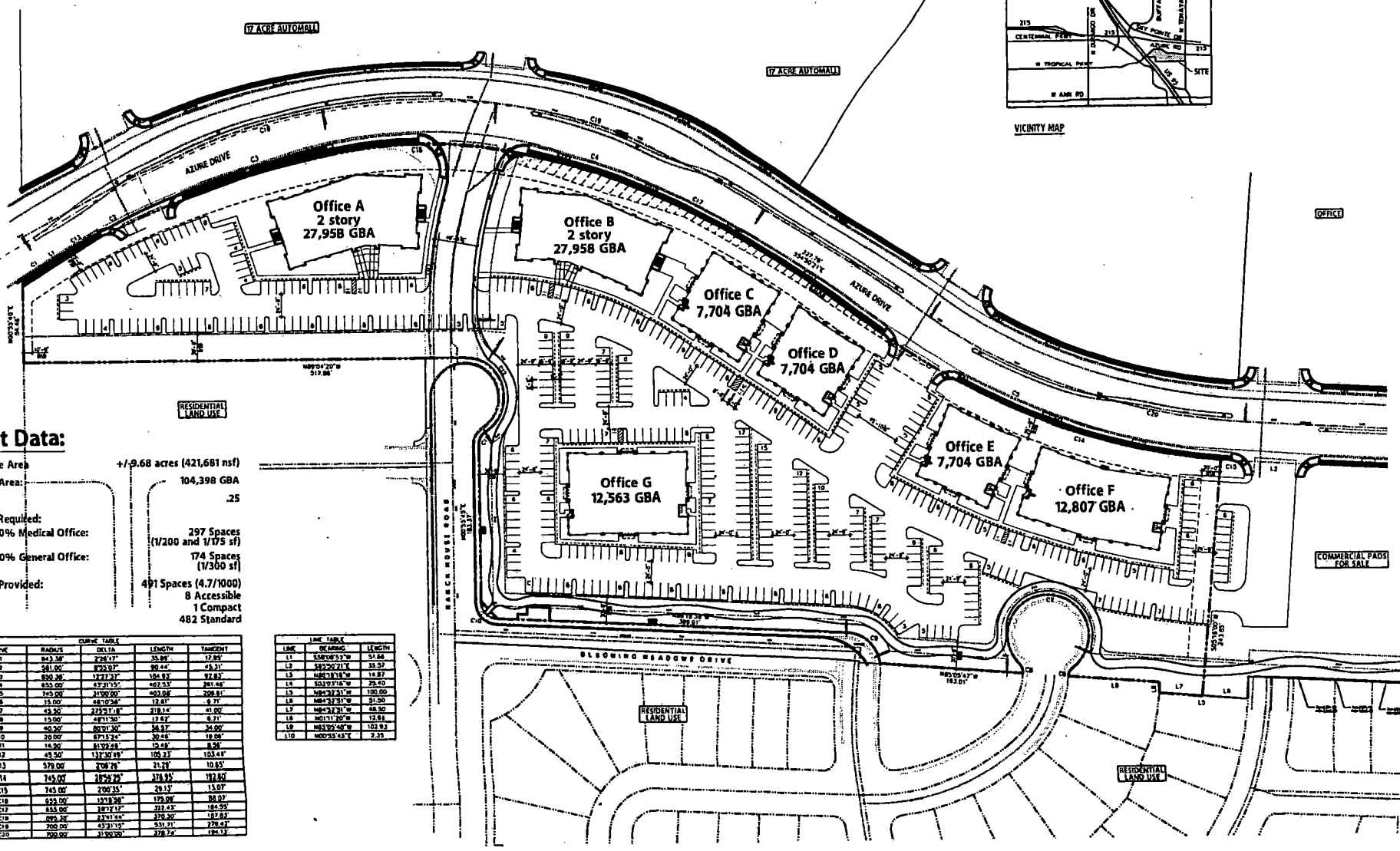
FEB 8 2005



Project Data:

Total Site Area	+/- 9.68 acres (421,681 nsf)
Building Area:	104,398 GBA
F.A.R.	.25
Parking Required:	
50% Medical Office:	297 Spaces (1/200 and 1/175 sf)
50% General Office:	174 Spaces (1/300 sf)
Parking Provided:	491 Spaces (4.7/1000) 8 Accessible 1 Compact 482 Standard

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	TANGENT
C1	843.38'	2°36'17"	35.99'	17.99'
C2	581.00'	8°53'07"	90.44'	45.31'
C3	850.38'	12°27'37"	184.83'	92.83'
C4	655.00'	47°31'15"	402.53'	291.48'
C5	745.00'	31°00'00"	403.08'	208.81'
C6	15.00'	48°10'58"	12.61'	6.71'
C7	49.50'	275°57'18"	238.14'	41.00'
C8	15.00'	48°11'50"	12.62'	6.71'
C9	40.50'	80°01'30"	56.57'	34.00'
C10	20.00'	87°15'24"	30.46'	19.06'
C11	14.50'	81°09'48"	20.55'	8.56'
C12	45.50'	137°30'19"	105.23'	103.48'
C13	579.00'	2°06'26"	21.28'	10.65'
C14	745.00'	28°59'25"	376.95'	192.80'
C15	745.00'	2°00'35"	26.13'	13.07'
C16	655.00'	15°18'38"	175.06'	88.07'
C17	655.00'	28°57'17"	331.43'	184.55'
C18	295.38'	23°41'46"	370.30'	187.83'
C19	700.00'	45°31'15"	531.71'	278.63'
C20	700.00'	31°00'00"	378.76'	194.12'

LINE TABLE

LINE	BEARING	LENGTH
L1	S56°08'53"W	51.66
L2	S82°56'21"E	35.57
L3	N86°38'18"W	14.87
L4	S03°07'18"W	29.40
L5	N84°52'51"W	100.00
L6	N84°52'51"W	31.50
L7	N84°52'51"W	48.50
L8	N01°11'20"W	12.81
L9	N83°05'48"W	103.93
L10	N00°55'43"E	2.35

Joseph H. Worrall A.I.A. Architect

architecture
interior architecture
space planning
facilities management
land planning
landscape architecture
graphic design

SDR-6109
03/24/05 PC

Tenaya Village
Las Vegas, Nevada
04094
08.FEB.05

SHEA Commercial

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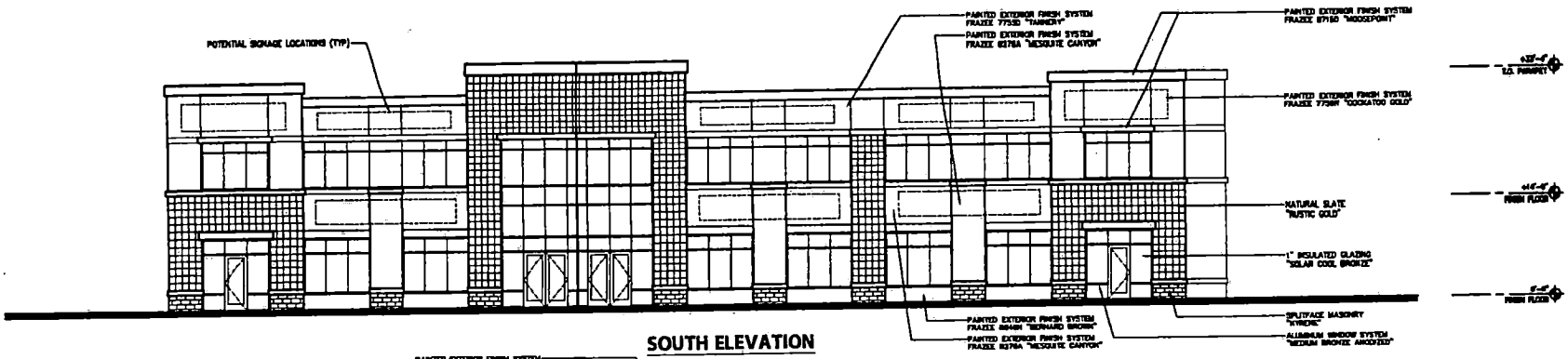
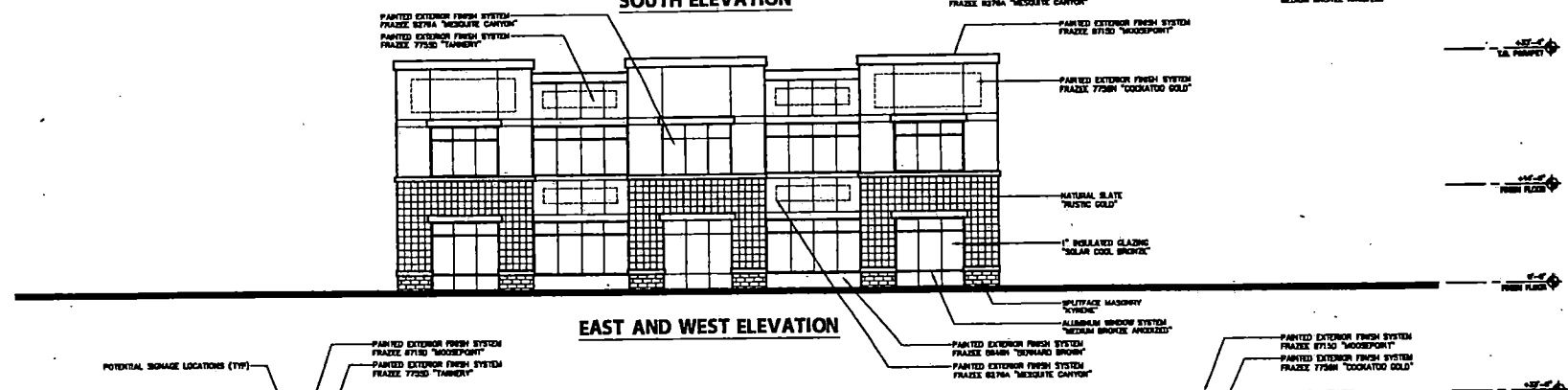
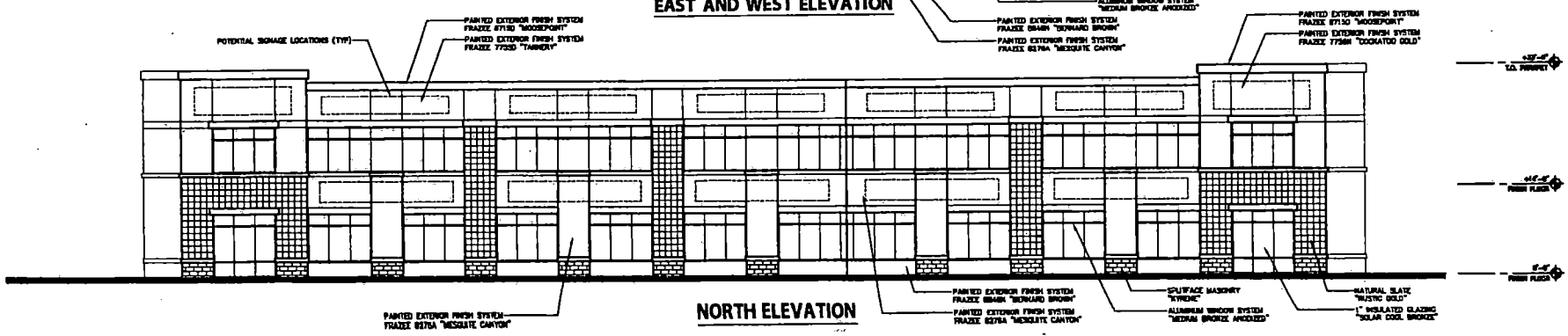


SOUTH ELEVATION



EAST AND WEST ELEVATION



NORTH ELEVATION

Joseph H Worrall A.I.A. Architect

ELEVATIONS
BUILDING A AND B

architecture
interior architecture
space planning
facilities management
land planning
landscape architecture
graphic design

0' 8' 16' 24' 32'

All dimensions are approximate and subject to change

TENAYA VILLAGE
CITY OF LAS VEGAS, NEVADA

04094
03.FEB.05

SHEA Commercial

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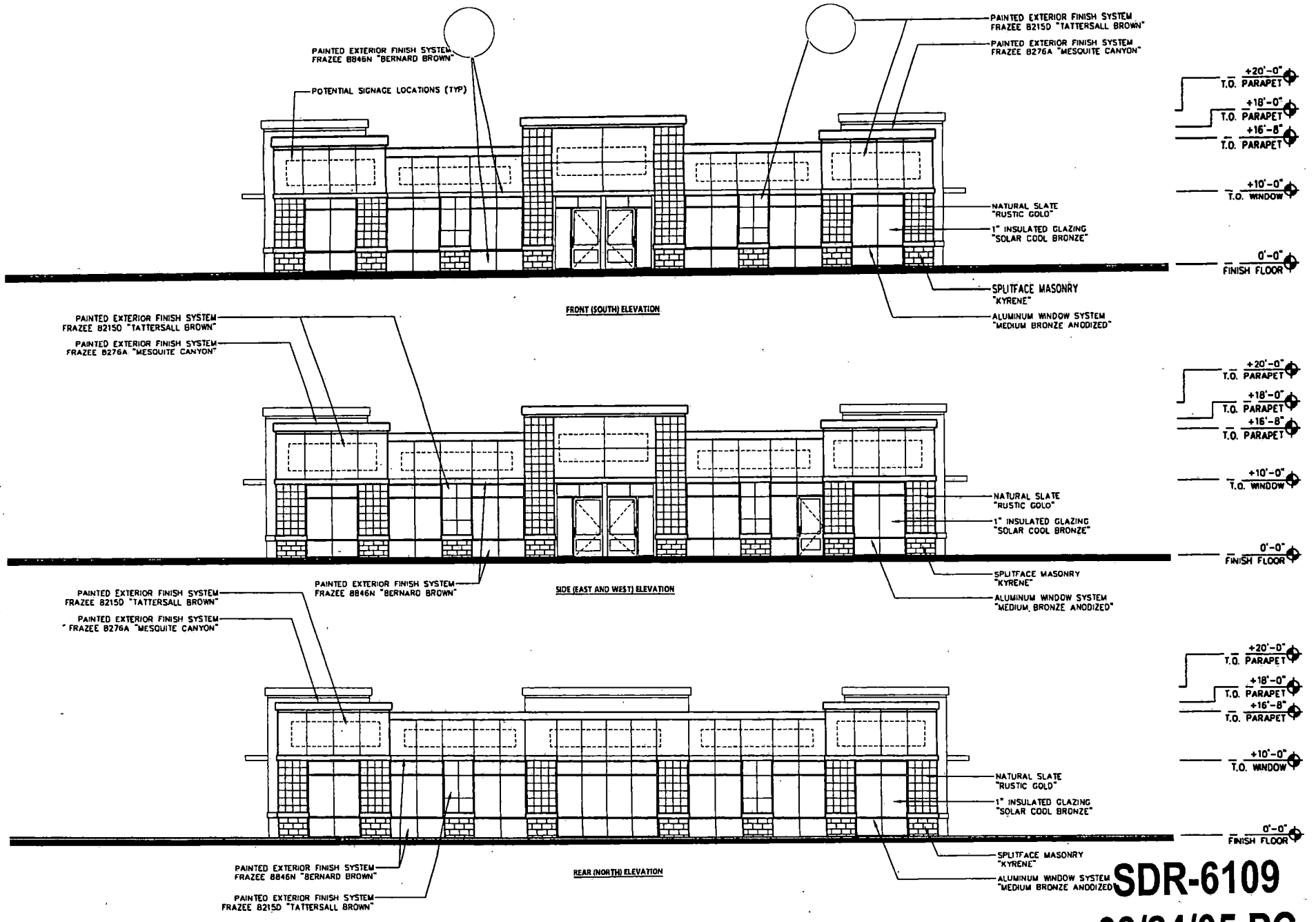
SDR-6109
03/24/05 PC



SDR-6109

03/24/05 PC

Joseph H. Worrall, A.I.A.
Architect

architecture
resident architecture
space planning
facilities management
land planning
landscape architecture
graphic design

BUILDINGS C, D, AND E

0' 8' 16' 24' 32'

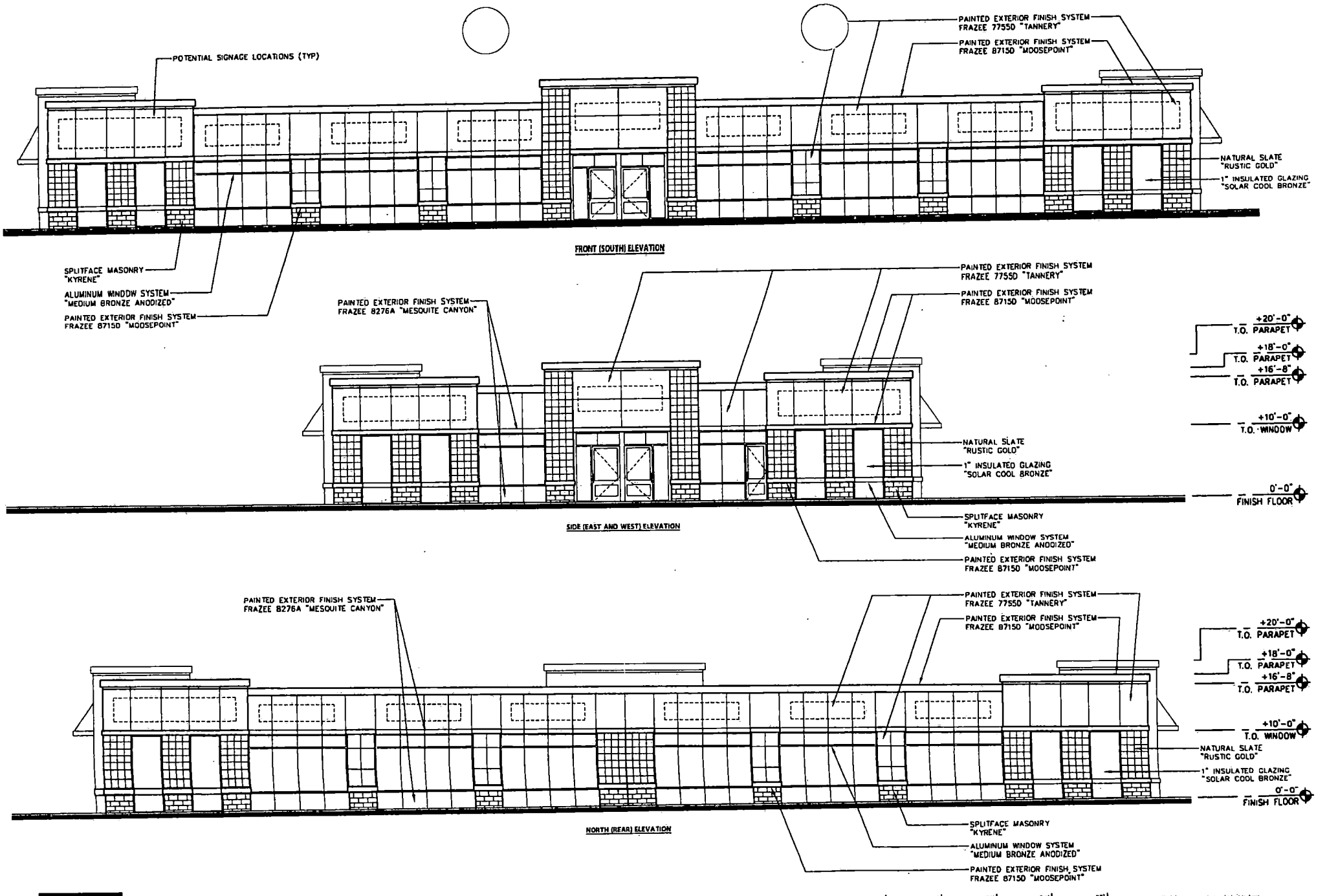
All calculations are approximate and subject to change.

RECEIVED
CITY OF LAS VEGAS, NEVADA

TENAYA VILLAGE

04094
08.FEB.05

SHEA Commercial



Joseph H. Worrall, A.I.A. Architect

BUILDING F

architecture
exterior architecture
space planning
facilities management
land planning
landscape architecture
graphic design

0' 8' 16' 24' 32'

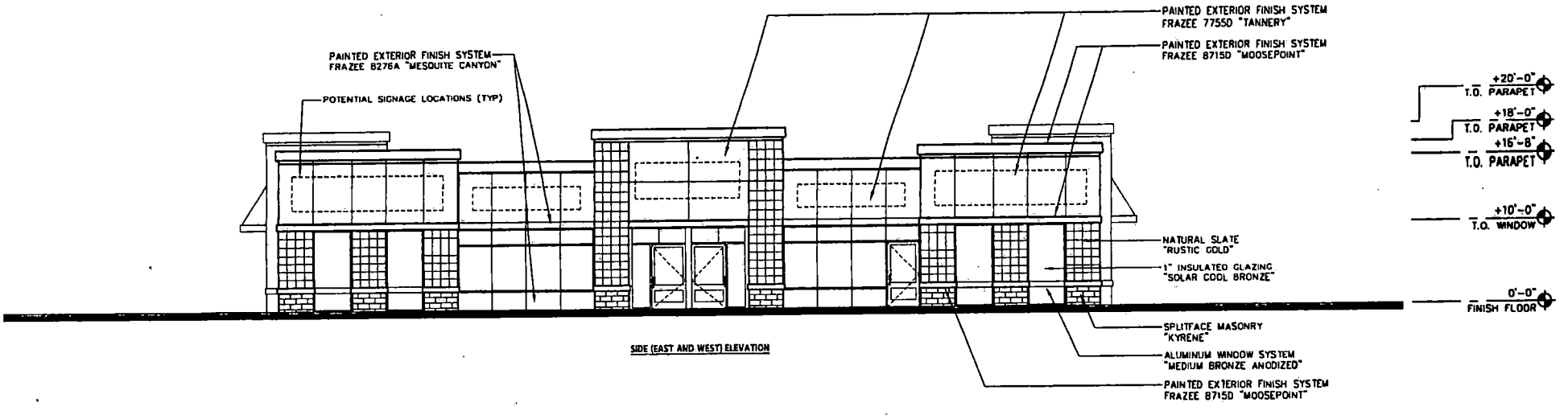
All rendering are approximate and subject to change

RECEIVED

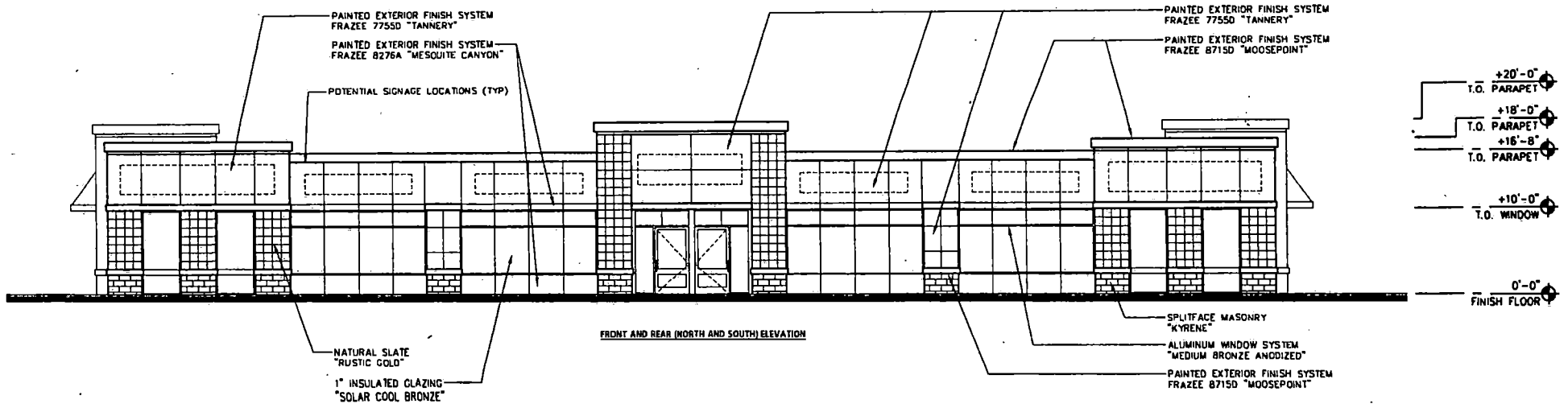
TENAYA VILLAGE
CITY OF LAS VEGAS, NEVADA
04094
08.FEB.05

SHEA Commercial

SDR-6109
03/24/05 PC



SIDE (EAST AND WEST) ELEVATION



FRONT AND REAR (NORTH AND SOUTH) ELEVATION

SDR-6109
03/24/05 PC

Joseph H. Worrall, A.I.A.
Architect

architecture
interior architecture
space planning
facilities management
land planning
landscape architecture
graphic design

BUILDING G

0' 8' 16' 24' 32'

All calculations are approximate and subject to change.

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TENAYA VILLAGE
CITY OF LAS VEGAS, NEVADA

D4094
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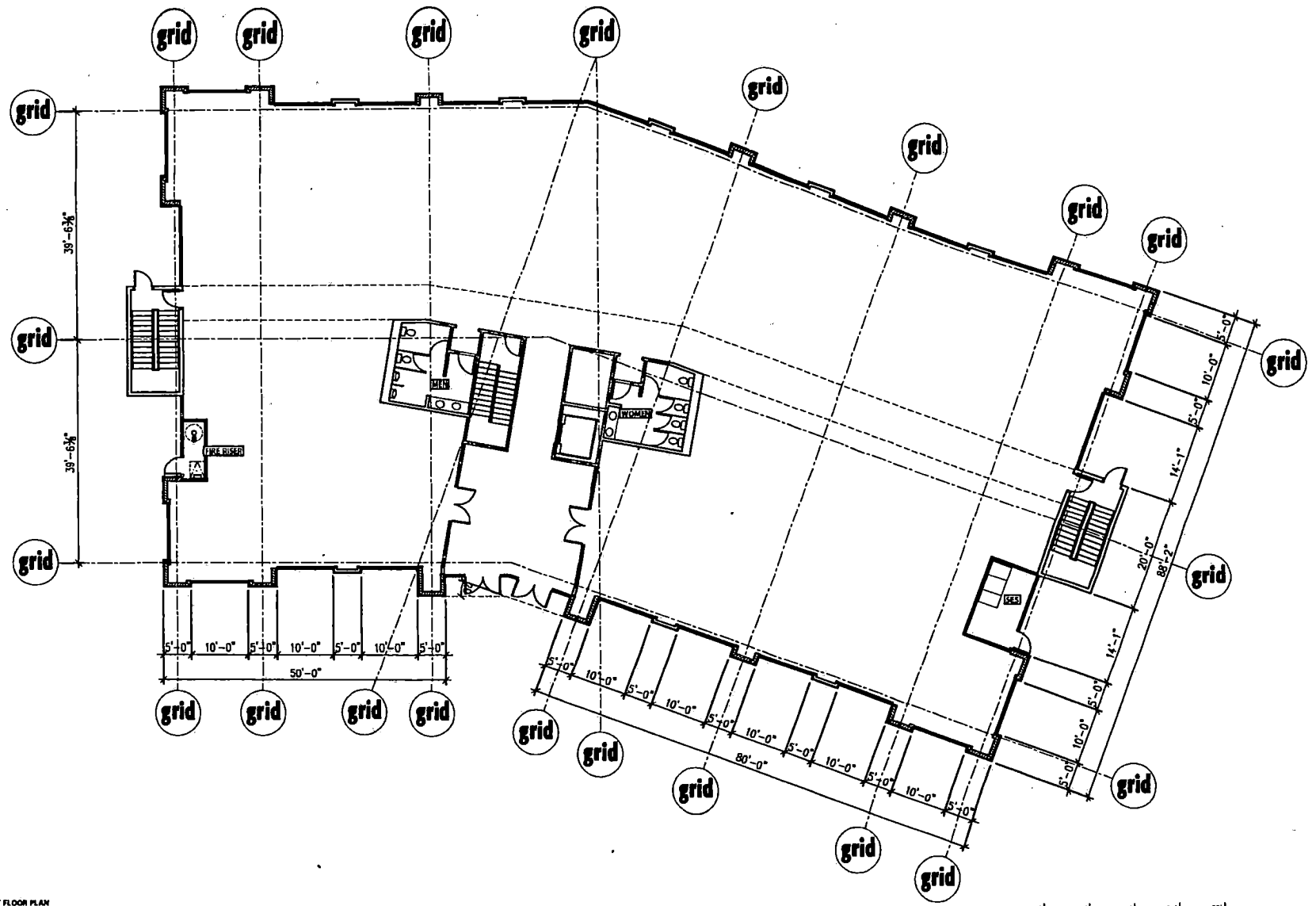
SHEA Commercial



Joseph H. Worrall A.I.A. Architect

architecture
interior architecture
space planning
facilities management
food planning
landscape architecture
graphic design

FIRST FLOOR PLAN
BUILDING A AND B

TENAYA VILLAGE
CITY OF LAS VEGAS, NEVADA
04094
03.FEB.05

SHEA Commercial

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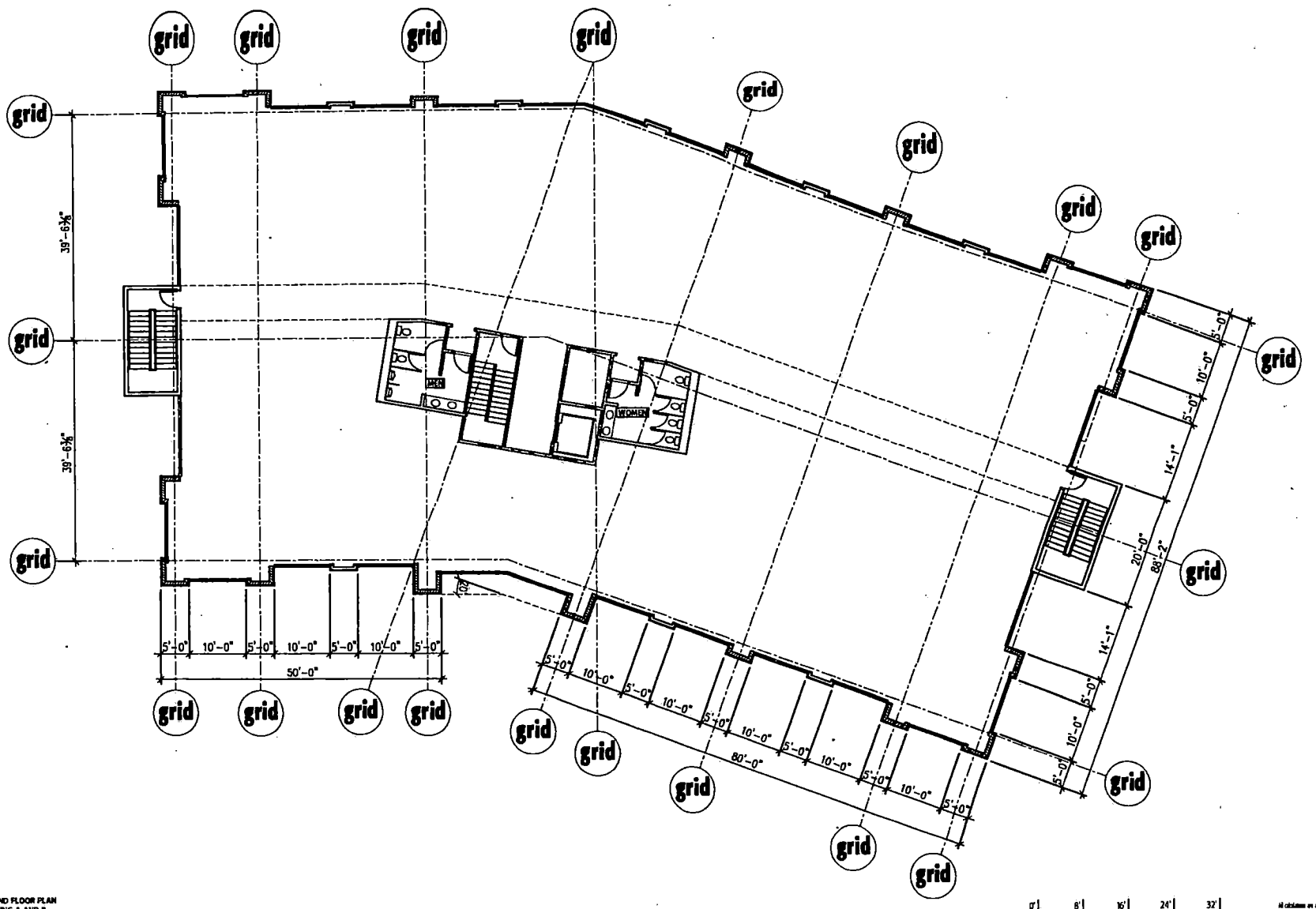
SDR-6109
03/24/05 PC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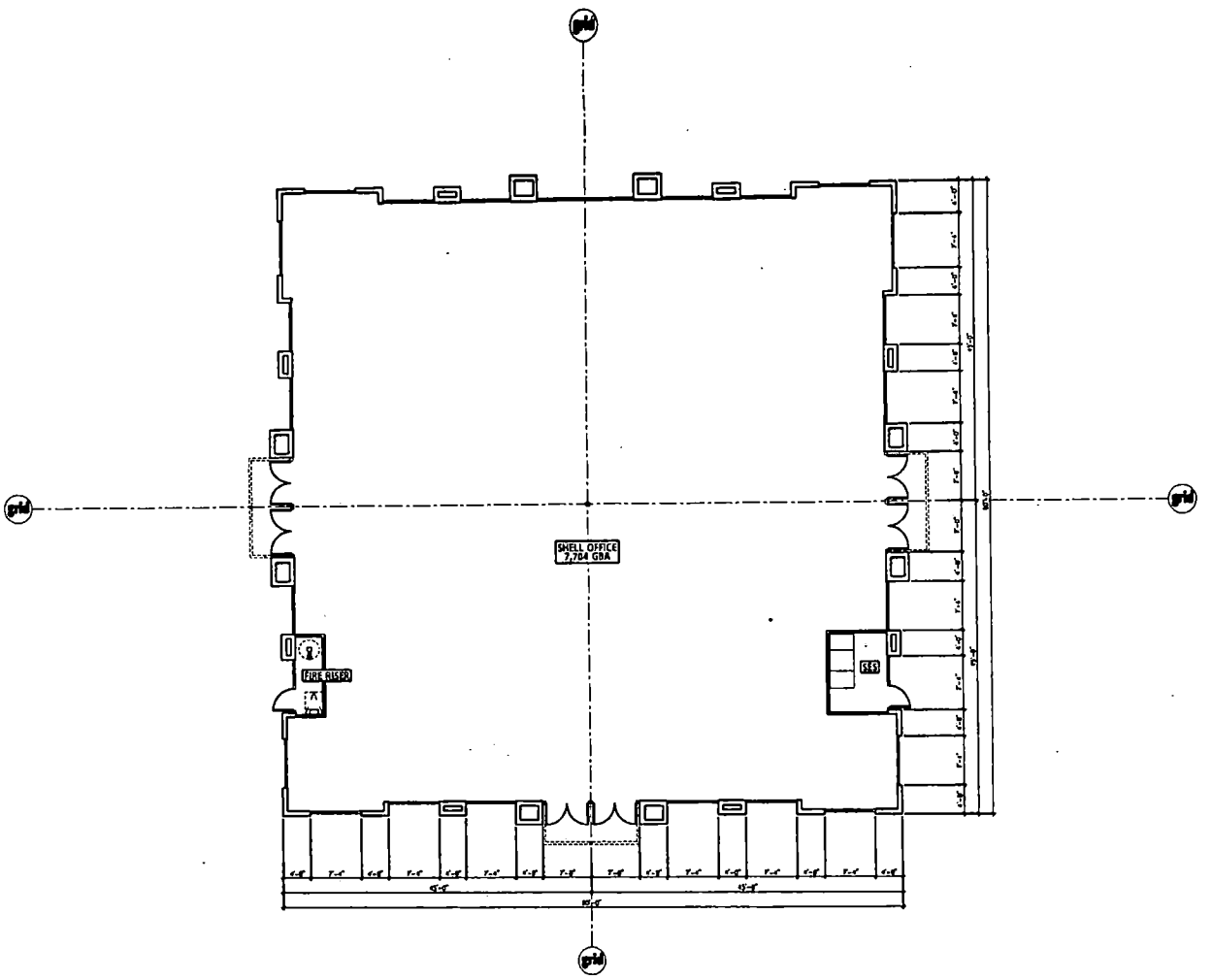

Joseph H. Worrall, A.I.A.
Architect

architecture
interior architecture
space planning
facilities management
land planning
landscape architecture
graphic design

FLOOR PLAN BUILDINGS C, D, AND E

0' 8' 16' 24' 32' all dimensions are approximate and subject to change

TENAYA VILLAGE
CITY OF LAS VEGAS,NEVADA

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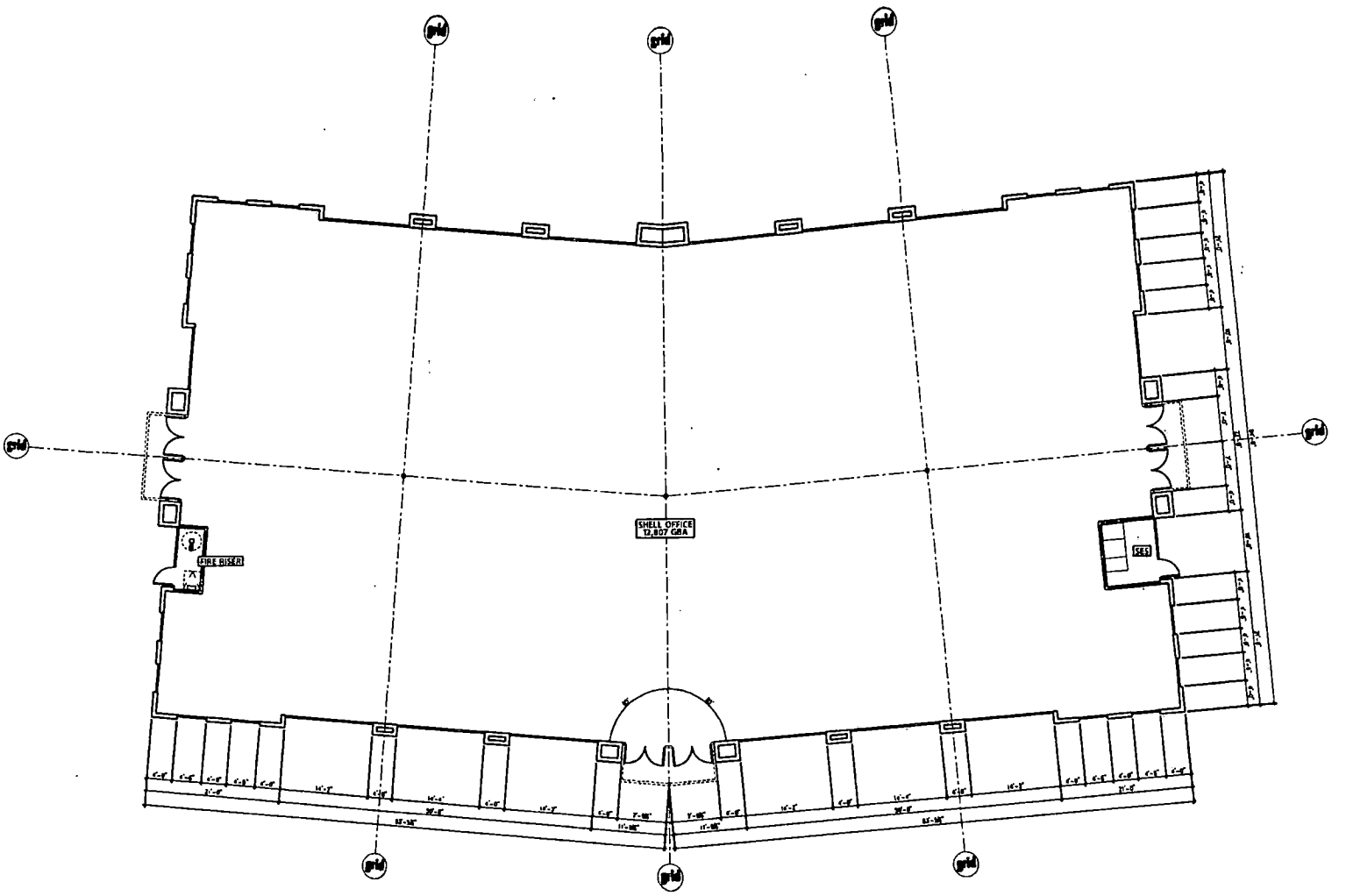
SHEA Commercial

SDR-6109
03/24/05 PC



Joseph H. Worrall, A.I.A.
Architect

architecture
interior architecture
space planning
project management
land planning
landscape architecture
graphic design

FLOOR PLAN BUILDING F

0' 8' 16' 24' 32'

All dimensions are approximate and subject to change

TENAYA VILLAGE
CITY OF LAS VEGAS, NEVADA

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SHEA Commercial

SDR-6109
03/24/05 PC

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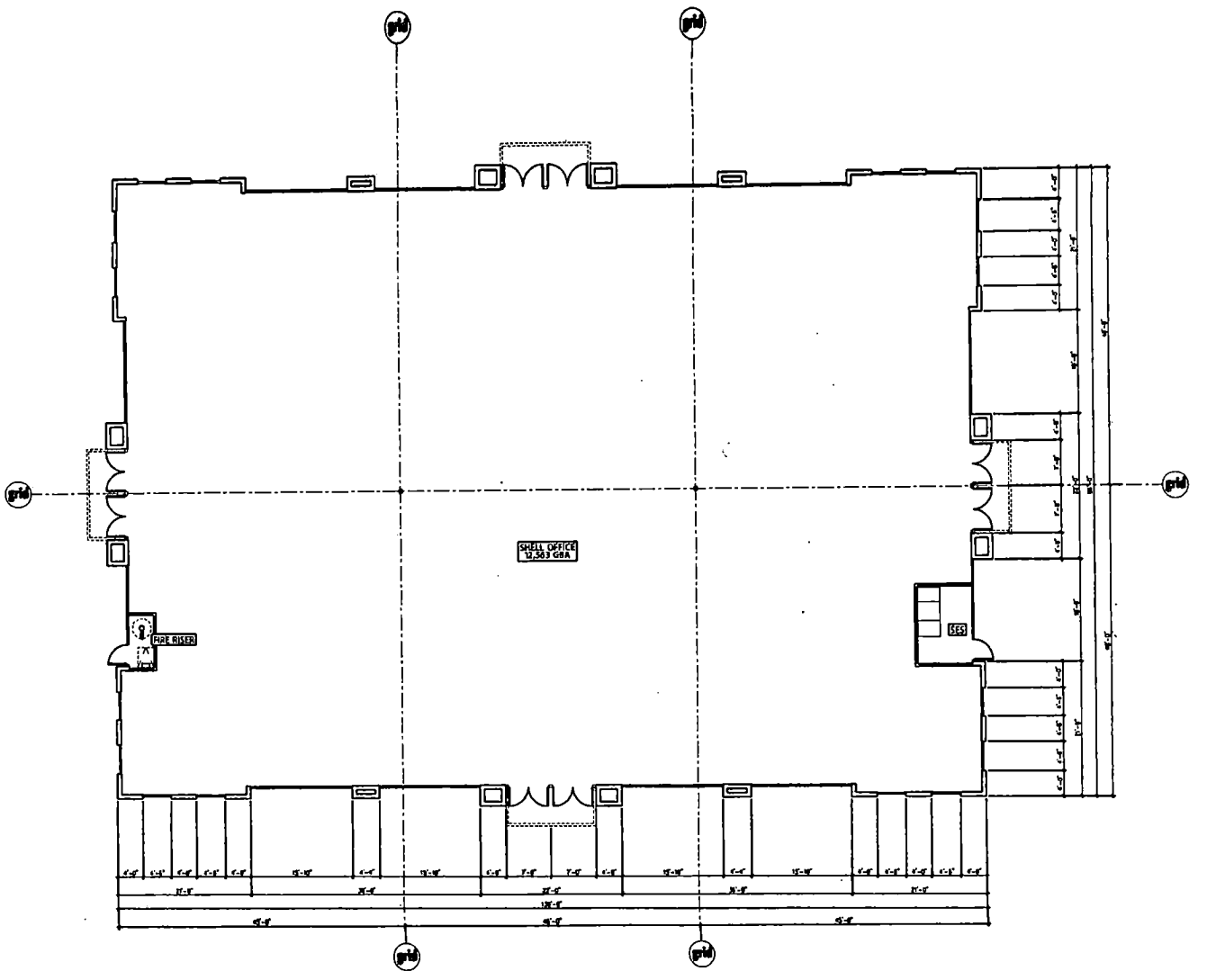

Joseph H. Worrall, A.I.A.
Architect

architecture
interior architecture
space planning
project management
land planning
landscape architecture
graphic design

FLOOR PLAN BUILDING G

0' 8' 16' 24' 32'

All calculations are approximate and subject to change

TENAYA VILLAGE
CITY OF LAS VEGAS,NEVADA

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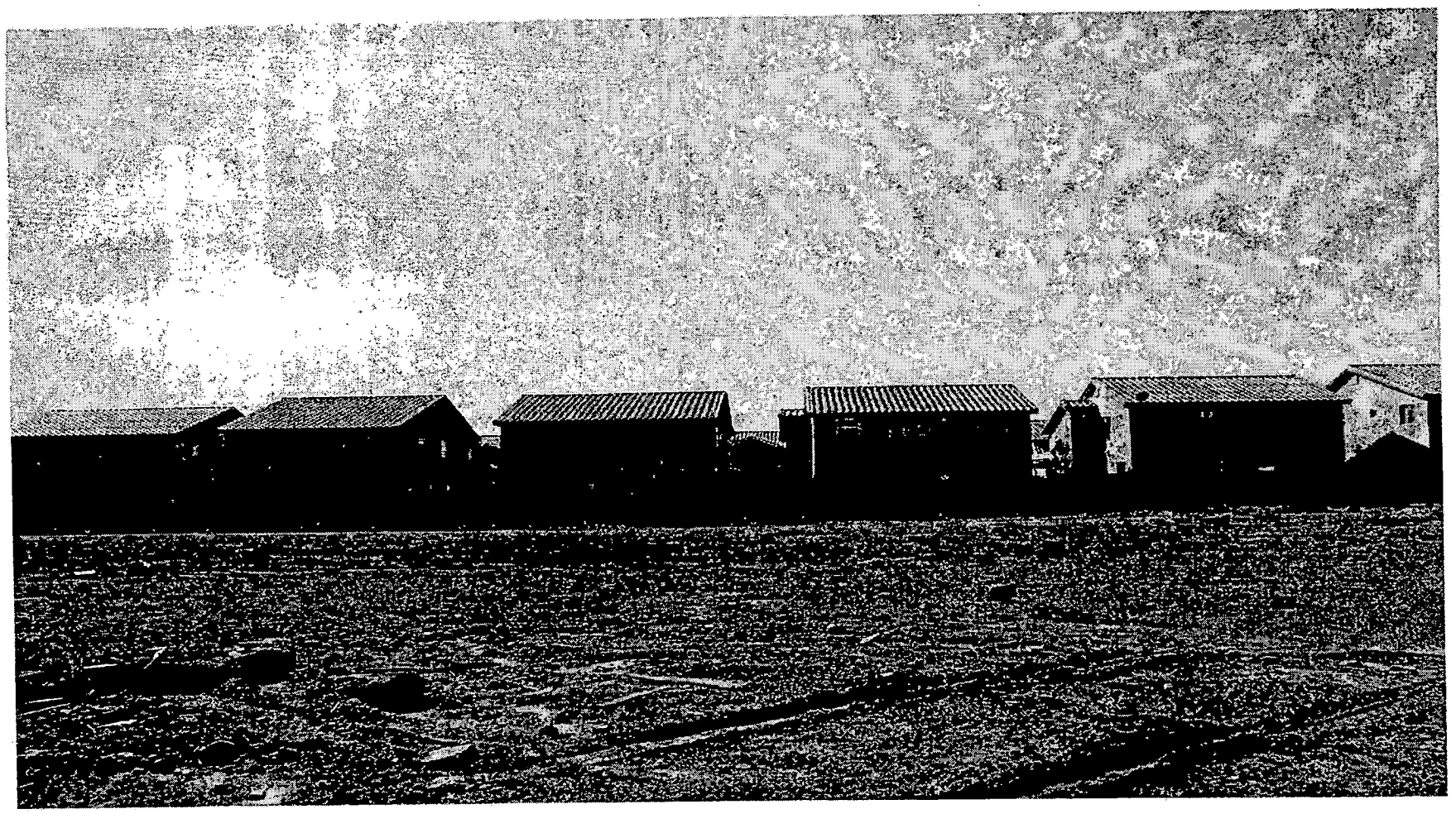
SHEA Commercial

SDR-6109
03/24/05 PC



SDR-6109 - APPLICANT: SHEA COMMERCIAL - OWNER: CENTENNIAL RANCH, LLC, ET AL
SOUTH SIDE OF AZURE DRIVE, APPROXIMATELY 620 FEET WEST OF MONTE CRISTO WAY
MARCH 24, 2005 PLANNING COMMISSION

2/28/05

SDR-6109 - APPLICANT: SHEA COMMERCIAL - OWNER: CENTENNIAL RANCH, LLC, ET AL
SOUTH SIDE OF AZURE DRIVE, APPROXIMATELY 620 FEET WEST OF MONTE CRISTO WAY
MARCH 24, 2005 PLANNING COMMISSION

2/28/05

Joseph H. Worrall, A.I.A.
Architect

2425 East Camelback
Suite 400
Phoenix, AZ 85016
p.602.381.4848
f.602-381.4848

08 February, 2005

Mr. Stephen Swanton
THE CITY OF LAS VEGAS
Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

RE: TENAYA VILLAGE
SITE DEVELOPMENT PLAN SUBMITTAL JUSTIFICATION LETTER

The 9.68 acre development on the south side of Azure Drive just east of US 95 contains a proposed 104,398 square feet of general and medical office. The plan contains two 2-story buildings along Azure Drive that are buffered from the adjacent residential lots by smaller single story offices. The use of building materials such as masonry, natural stone and stucco with rich, desert colors create a development character that transitions the residential lots to the proposed higher intensity Auto Mall use to the north. The lot is strategically located to allow for small scale office uses to maximize the local employment opportunities adjacent to the residential zoning. The site currently includes a completed multi-use transportation trail and perimeter wall (see attached photograph) that frames the southern border of the project. This existing structure will be further enhanced by additional landscaping throughout the site. This proposed development will conform with the current and future plan for this site and the surrounding community.

If you are to have any questions regarding the submittal or its contents, please do not hesitate to call.

Thank you in advance for your support.

Sincerely,

Michael Krentz
Architectural Services Manager

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FEB 8 2005

City of Las Vegas

Agenda Item No.: 35

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
SDR-6111 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: CHARLESTON-3RD, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 20 STORY MIXED USE DEVELOPMENT CONSISTING OF 114 RESIDENTIAL CONDOMINIUM UNITS AND 6,200 SQUARE FEET OF COMMERCIAL/RETAIL SPACE, WITH WAIVERS FROM THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE, BUILD-TO-LINE AND BUILDING STEPBACK REQUIREMENTS on 0.44 acres at 1026 and 1036 South Third Street (APNs 139-34-410-091 and 092), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 04/20/05

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

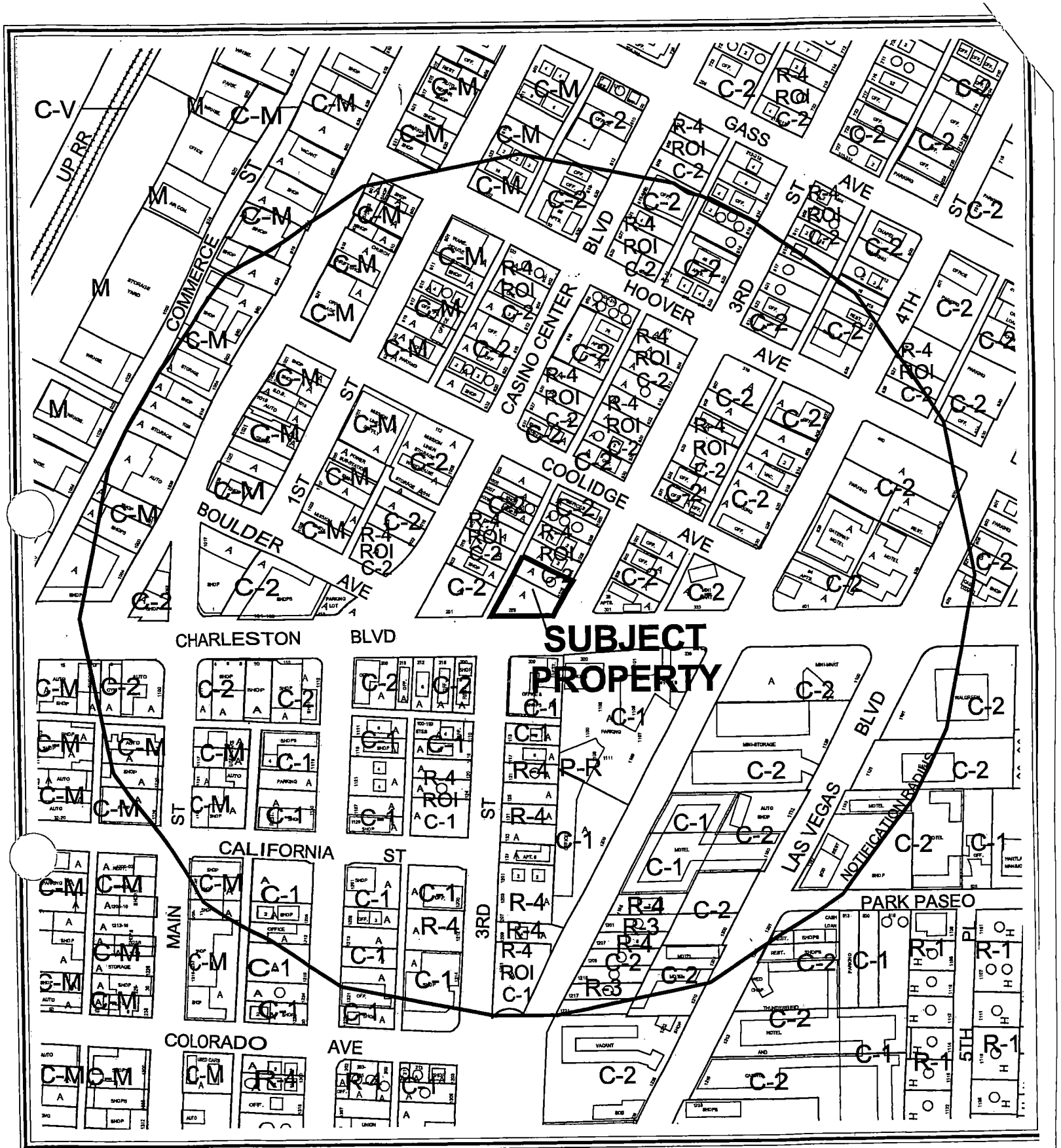
RECOMMENDATION:
Staff recommends this item be HELD IN ABEYANCE to the April 14, 2005 Planning Commission meeting.

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

MOTION:
GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:
There was no discussion.

(6:02 – 6:09)



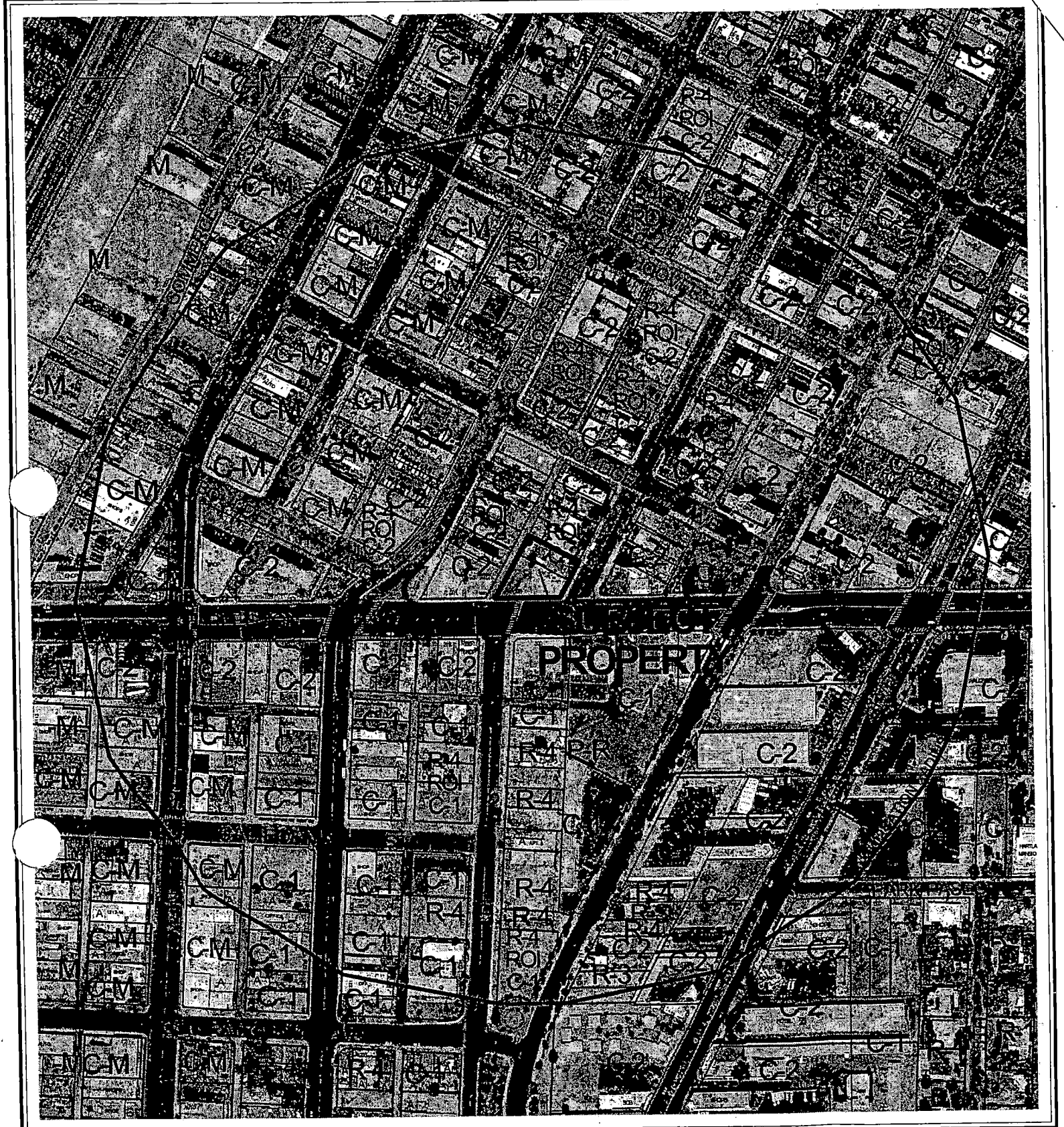
0 300 600 Feet

CASE: **SDR-6111**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)

N



0 300 600 Feet

CASE: **SDR-6111**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6111 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: CHARLESTON-3RD, LLC, ET AL

ON MARCH 18, 2005 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE APRIL 14, 2005 PLANNING COMMISSION MEETING.

JMA ARCHITECTURE STUDIOS

March 18, 2005

City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89101

ATTN: Planning Staff

RE: Charleston & 3rd Street Condominiums
Item to be Held in Abeyance
JMA No. 200401329

APN: 139-34-410-091 & 139-34-410-092

Dear Sir or Madam:

We are requesting item #SDR-6111 to be held in abeyance until Thursday, April 14, 2005 Planning Commission meeting. Due to the possible realignment of Casino Center, which highly impacts this project, we will need more time to continue to work with the City of Las Vegas in the reconfiguration of the site.

If you should have any questions regarding this request, please do not hesitate to call our office. Thank you.

Sincerely

John Lopeman, AIA
Vice President

10150 COVINGTON CROSS DRIVE • LAS VEGAS, NEVADA 89144 • Phone: (702) 731 2033 • FACSIMILE: (702) 731 2039 • www.jmaarch.com

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6111 APN: 139-34-410-091

Name of Property Owner: Charleston & Third, LLC

Name of Applicant: c/o John Lopemzo JMA Architecture Studios

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: LEONARD EDELMAN

Subscribed and sworn before me

This 4th day of February, 2005

Sharon J Herman

Notary Public in and for said County and State

Sharon J Herman
My Commission DD112301
Expires May 16, 2008

Revised 2/12/02

f:\depot\Application Packet\Statement of Financial Interest.doc

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6111 APN: 139-34-410-092

Name of Property Owner: Charleston & Third, LLC

Name of Applicant: JMA Architecture Studios

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: ARTHUR MARSHALL

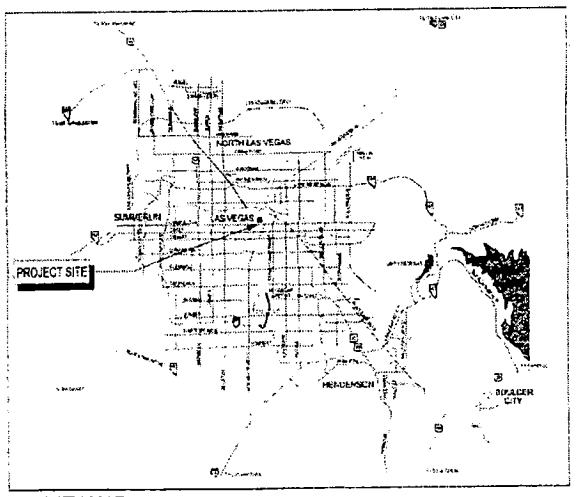
Subscribed and sworn before me

This 4 day of Feb, 2005

[signature]

Notary Public in and for said County and State

MARITZA SMITH
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 03-80514-1
MY APPT. EXPIRES FEB. 13, 2007



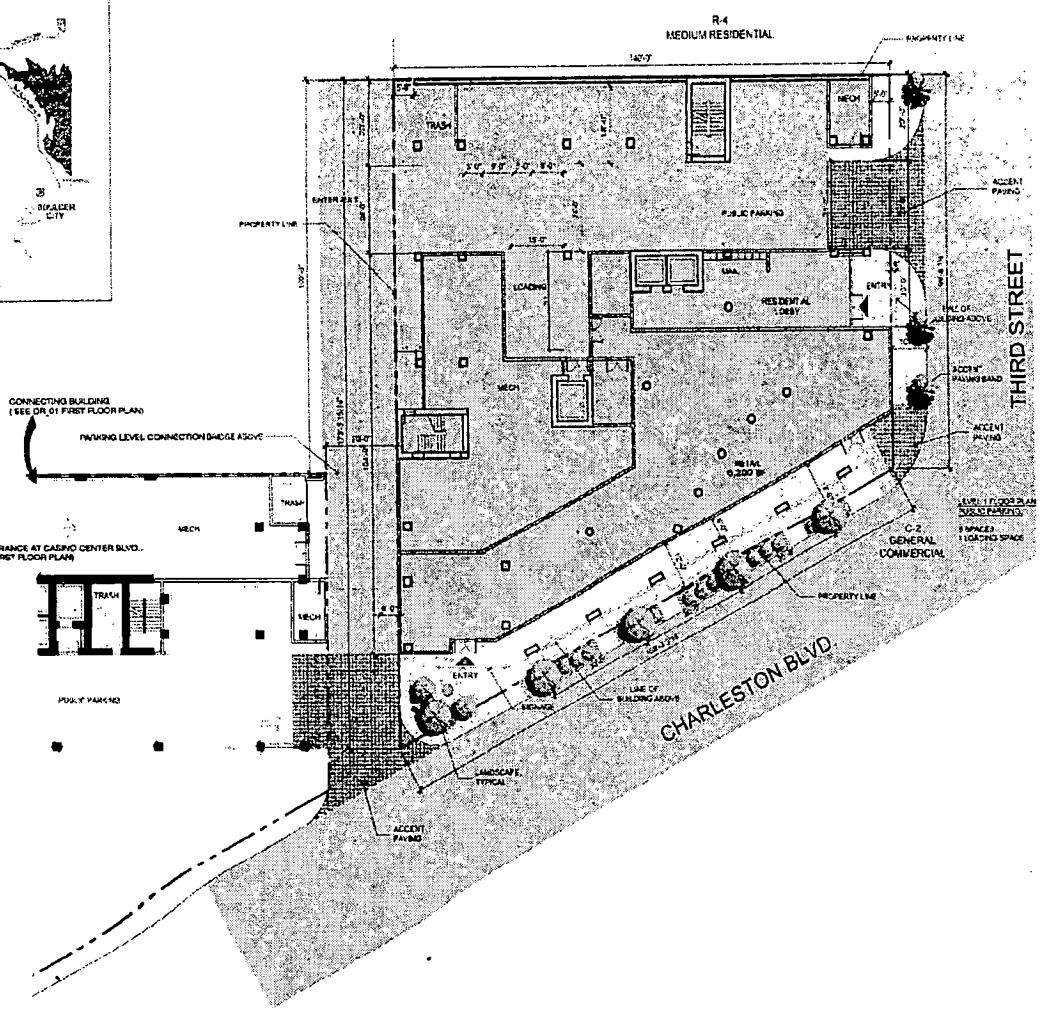
VICINITY MAP N.T.S

LANDSCAPING DATA

LANDSCAPE AREA	520 SF
HARSCAPE AREA	2513 SF
TOTAL LANDSCAPE AREA	3043 SF
LANDSCAPE COVERAGE	15.9%

PLANTING LEGEND

SYMBOL	BOTANICAL COMON NAME	SIZE
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM	25FT.
	ULMUS PARVIFOLIAN DRAKE ELM	5"CAL/14 FT./ 8' SPREAD
	CAESALPANA GILLIESII YELLOW BIRD OF PARADISE	5 GAL
	PATSIA JAPONICA JAPANESE ARALIA	5 GAL



SITE ZONING

PARCEL #	139-34-410-091 139-34-410-092
JURISDICTION :	CITY OF LAS VEGAS

SITE DATA:

SITE AREA GROSS	0.76 ACRES
SITE AREA NET.	0.44 ACRES
CURRENT ZONING:	C-2 (GENERAL COMMERCIAL)
PROPOSED ZONING:	C-2
BUILDING COVERAGE	66 %
F.A.R	9.1 %
UNITS.	114 UNITS
DENSITY:	150

BUILDING AREAS:

1 BEDROOM RESIDENTIAL CONDOS (UNDER 1000 SF) 26 UNITS	22,940 SF
2 BEDROOM RESIDENTIAL CONDOS (OVER 1000 SF) 88 UNITS	120,780 SF
CONDO AMENITIES	4,530 SF
OFFICE / RETAIL	6,200 SF

PARKING ANALYSIS

PARKING PROVIDED:

PARKING STRUCTURE	6 LEVEL
ASSIGNED PARKING FOR 114 UNITS	114 SPACES
OPEN PARKING	59 SPACES
TOTAL RESIDENTS' PARKING	**170 SPACES**
PUBLIC PARKING (1-ST LEVEL)	8 SPACES
TOTAL PARKING PROVIDED	**178 SPACES**
INCLUDING:	
COMPACT PARKING	**54 SPACES**
HANDICAP PARKING (5 RES. & 1 PUBLIC)	**6 SPACES**
ADDITIONAL PARKING	
LOADING PARKING	**1 SPACE**

***** NOTE THE ADDITION OF THE BRIDGE AT PARKING LEVELS BETWEEN THE TWO BUILDINGS RESULTS IN A LOSS OF 15 PARKING SPACES IN THE WESTERN BUILDING

SITE/GROUND/LANDSCAPE PLAN

SCALE: 3/32" = 1'

JMA ARCHITECTURE STUDIOS

SITE DEVELOPMENT PLAN REVIEW

Charleston / THIRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

SDR-6111
03/24/05 PC

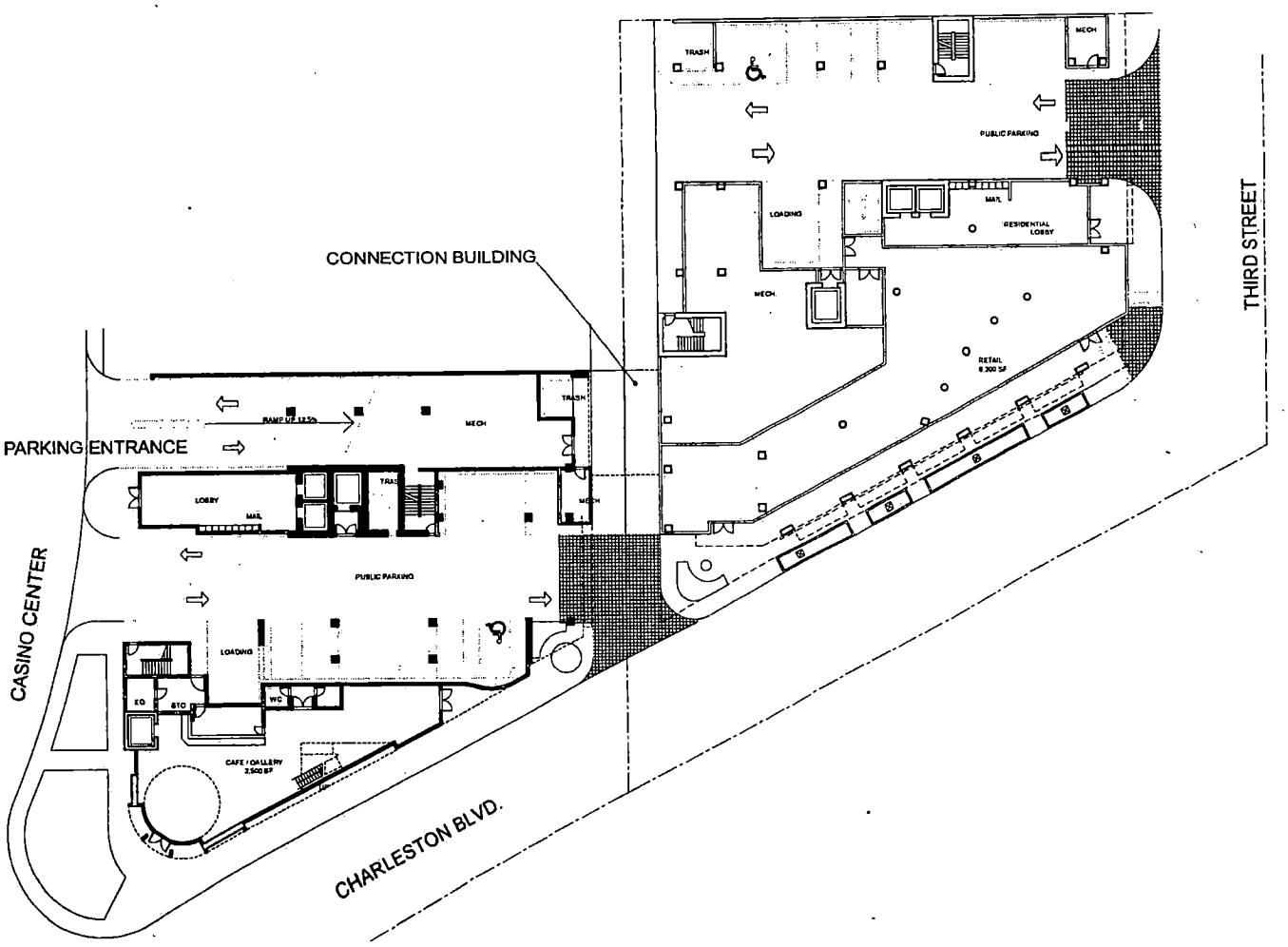
Project # 200401329

10150 COVINGTON CROSS DRIVE *** LAS VEGAS NV 89144
PHONE (702) 731-2013 *** FAX (702) 731-2019 *** WWW.JMAARCH.COM

NORTH

Date: FEBRUARY 8, 2005

SDR-00



SITE DEVELOPMENT PLAN REVIEW

Charleston // THIRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

LEVEL 01 FLOOR PLAN

SCALE: 1/16" = 1'

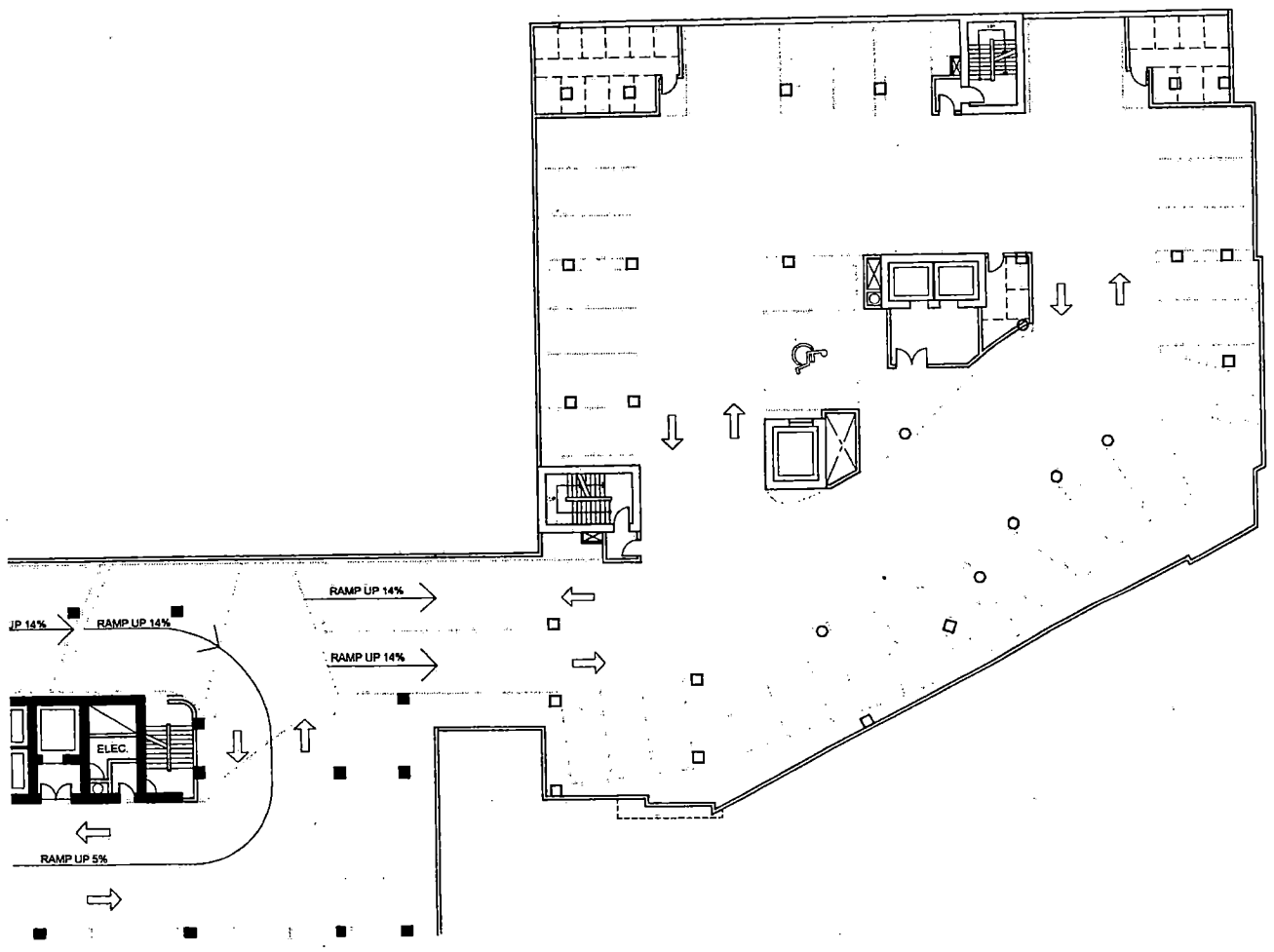
SDR-6111
03/24/05 PC

JMA ARCHITECTURE STUDIOS
Project # 200401329
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89114
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

NORTH

Date: FEBRUARY 8, 2005

DR-01



SITE DEVELOPMENT PLAN REVIEW

Charleston // THIRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

LEVEL 02-06 FLOOR PLAN

SCALE: 3/32" = 1'

JMA ARCHITECTURE STUDIOS

SDR-6111
03/24/05 PC

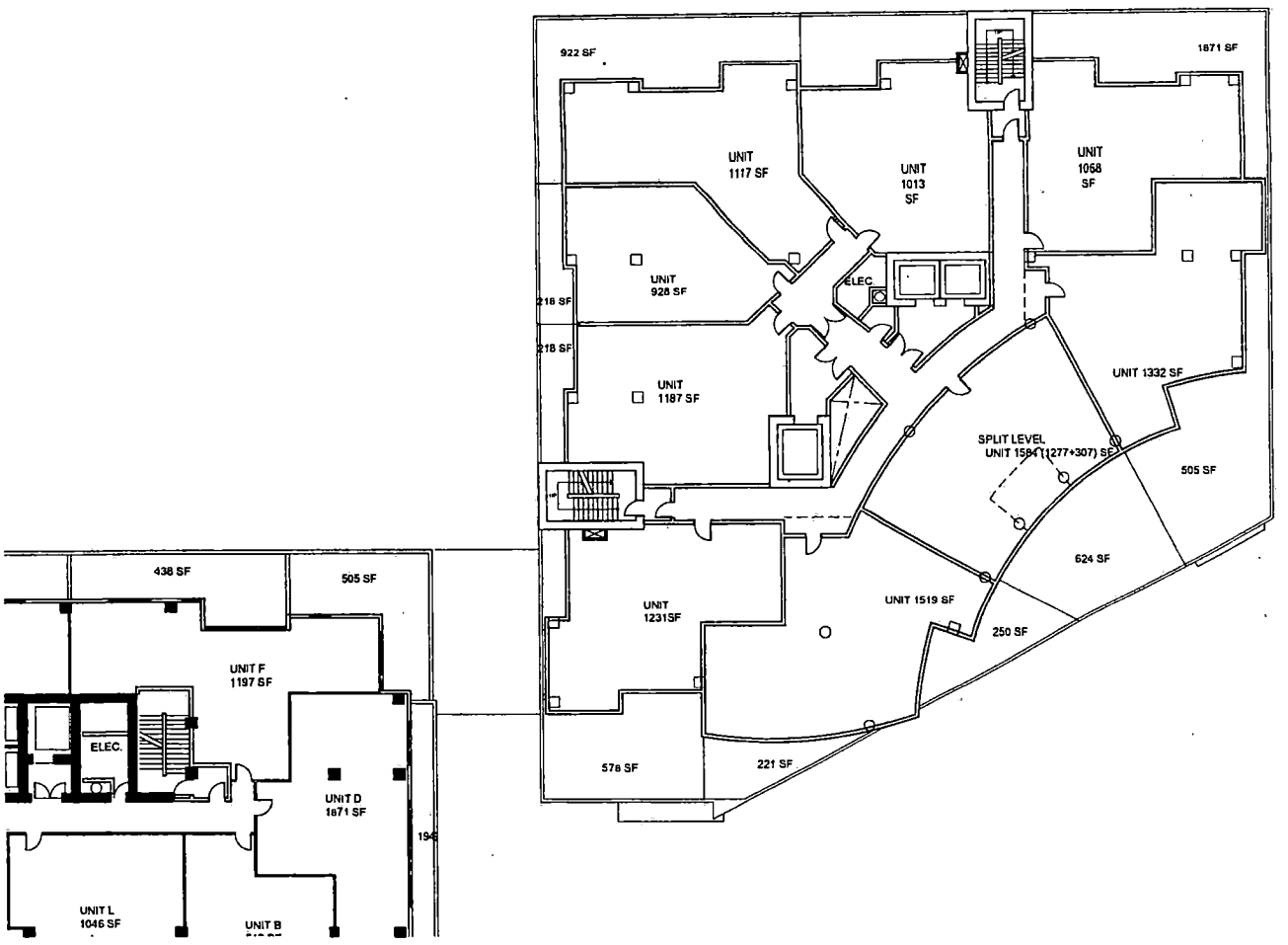
Project # 200401329

NORTH

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89114
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Date: FEBRUARY 8, 2005

DR-02



SITE DEVELOPMENT PLAN REVIEW

Charleston / TWRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

LEVEL 07 FLOOR PLAN

SCALE: 3/32" = 1'

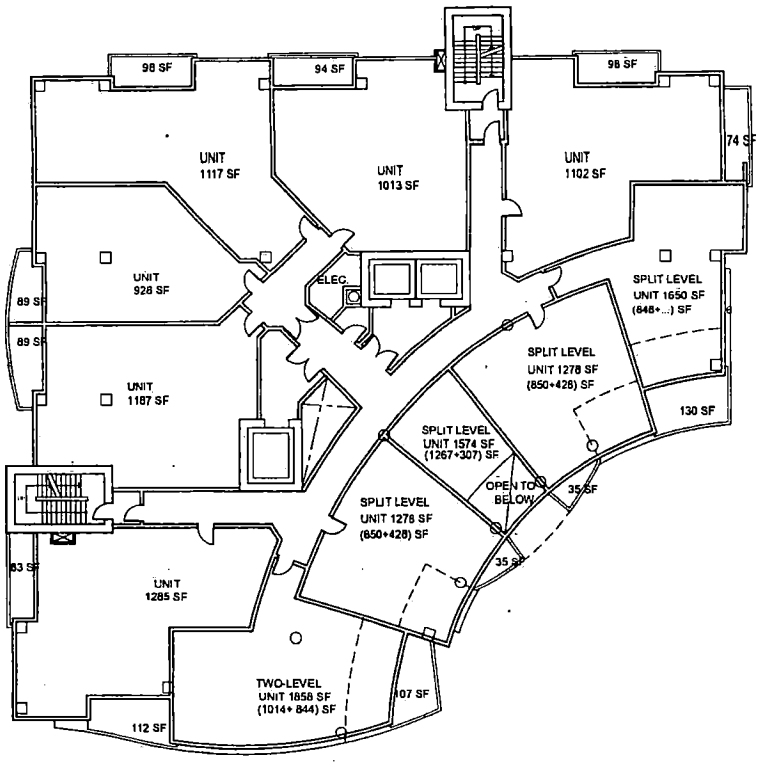
SDR-6111
03/24/05 PC

JMA ARCHITECTURE STUDIOS
Project # 200401329
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

NORTH

Date: FEBRUARY 8, 2005

DR-03



SITE DEVELOPMENT PLAN REVIEW

Charleston // THIRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

LEVEL 08,10,12 FLOOR PLAN

SCALE: 3/32" = 1'

JMA ARCHITECTURE STUDIOS

NORTH

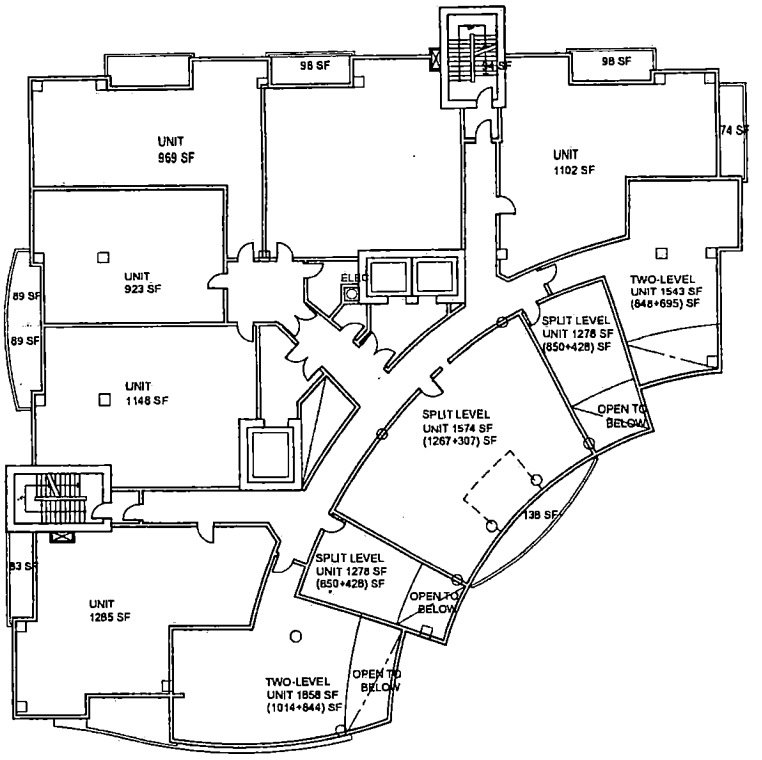
Project # 200401329

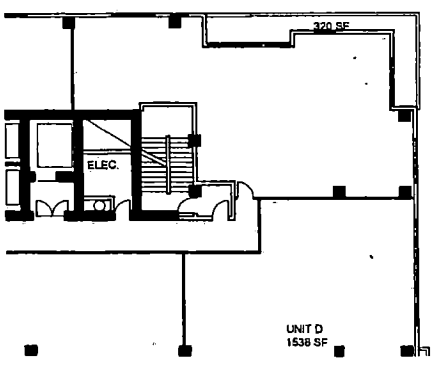
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX. (702) 731-2039 *** WWW.JMAARCH.COM

Date: FEBRUARY 8, 2005

DR-04

SDR-6111
03/24/05 PC





SITE DEVELOPMENT PLAN REVIEW

Charleston // THIRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

LEVEL 09,11,13 FLOOR PLAN

SCALE: 3/32" = 1'

JMA ARCHITECTURE STUDIOS

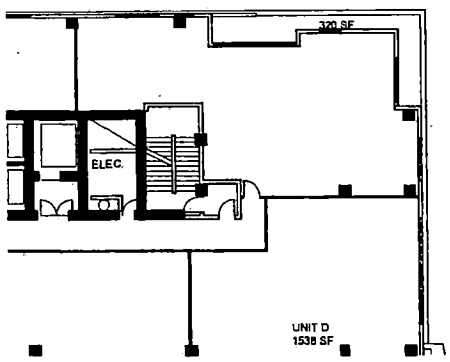
SDR-6111
03/24/05 PC

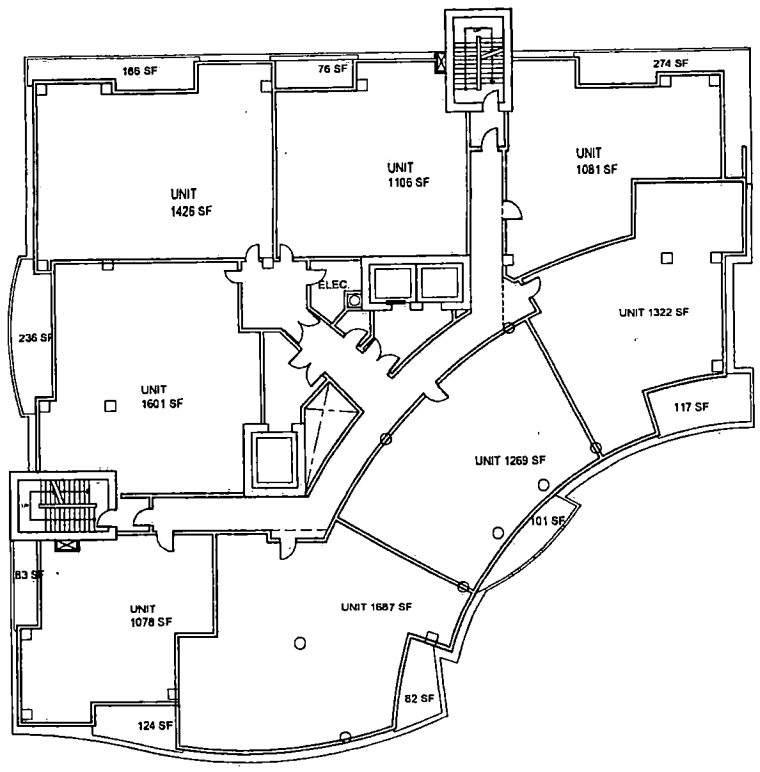
Project # 200401329
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

NORTH

Date: FEBRUARY 8, 2005

DR-05





SITE DEVELOPMENT PLAN REVIEW

Charleston // THIRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

LEVEL 14-18 FLOOR PLAN

SCALE: 3/32" = 1'

JMA ARCHITECTURE STUDIOS

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

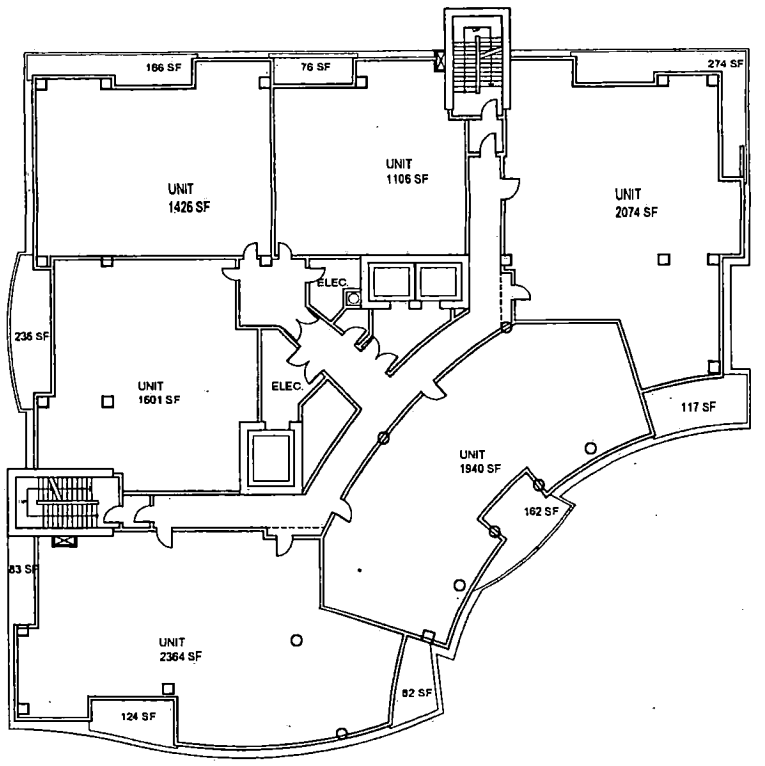
Project # 200401329

NORTH

Date: FEBRUARY 8, 2005

DR-06

SDR-6111
03/24/05 PC



SITE DEVELOPMENT PLAN REVIEW

Charleston // THIRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

LEVEL 19 FLOOR PLAN

SCALE: 3/32" = 1'

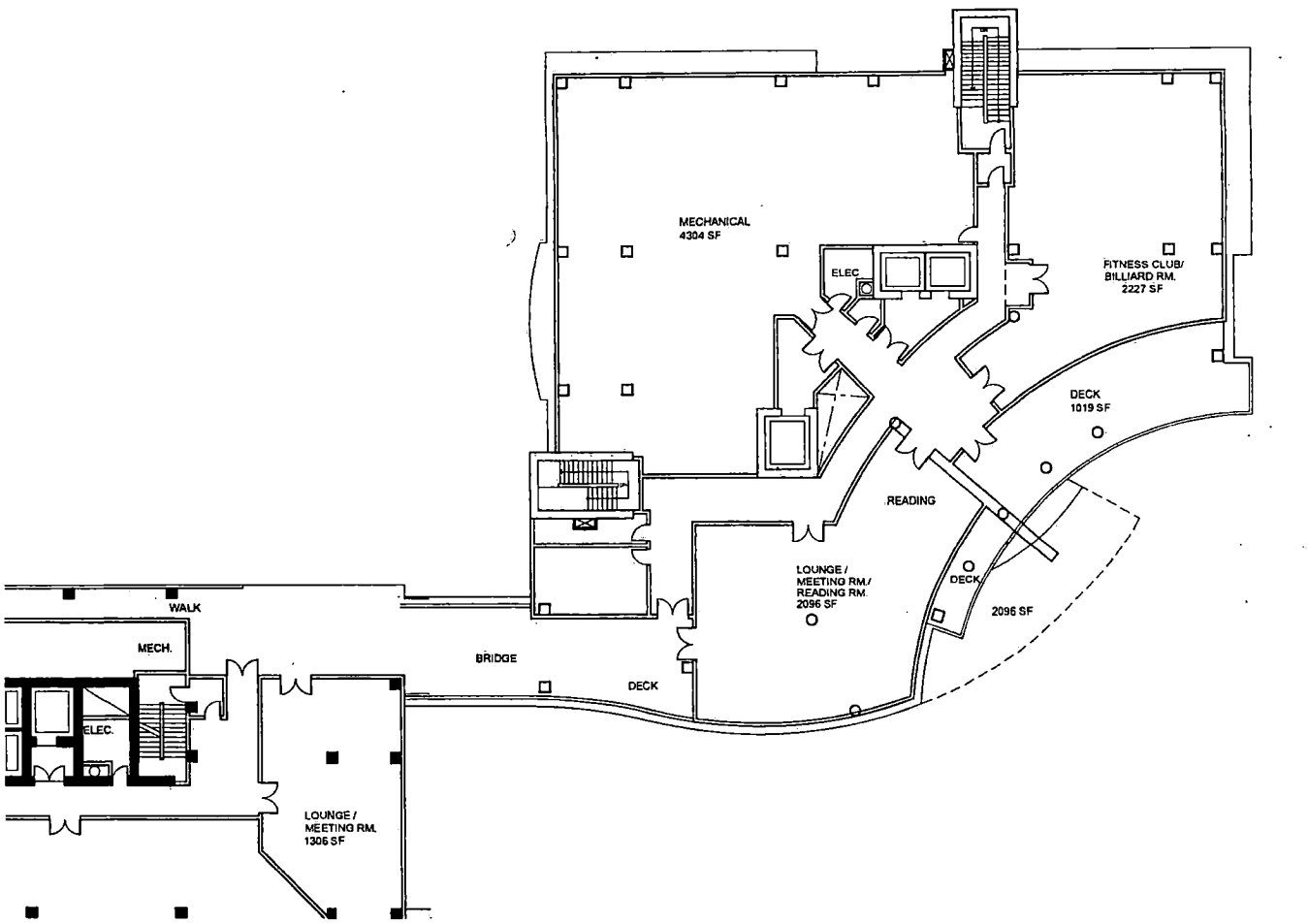
SDR-6111
03/24/05 PC

JMA ARCHITECTURE STUDIOS
Project # 200401329
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

NORTH

Date: FEBRUARY 8, 2005

DR-07



SITE DEVELOPMENT PLAN REVIEW

Charleston // THIRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

LEVEL 20 FLOOR PLAN

SCALE: 3/32" = 1'

JMA ARCHITECTURE STUDIOS

NORTH

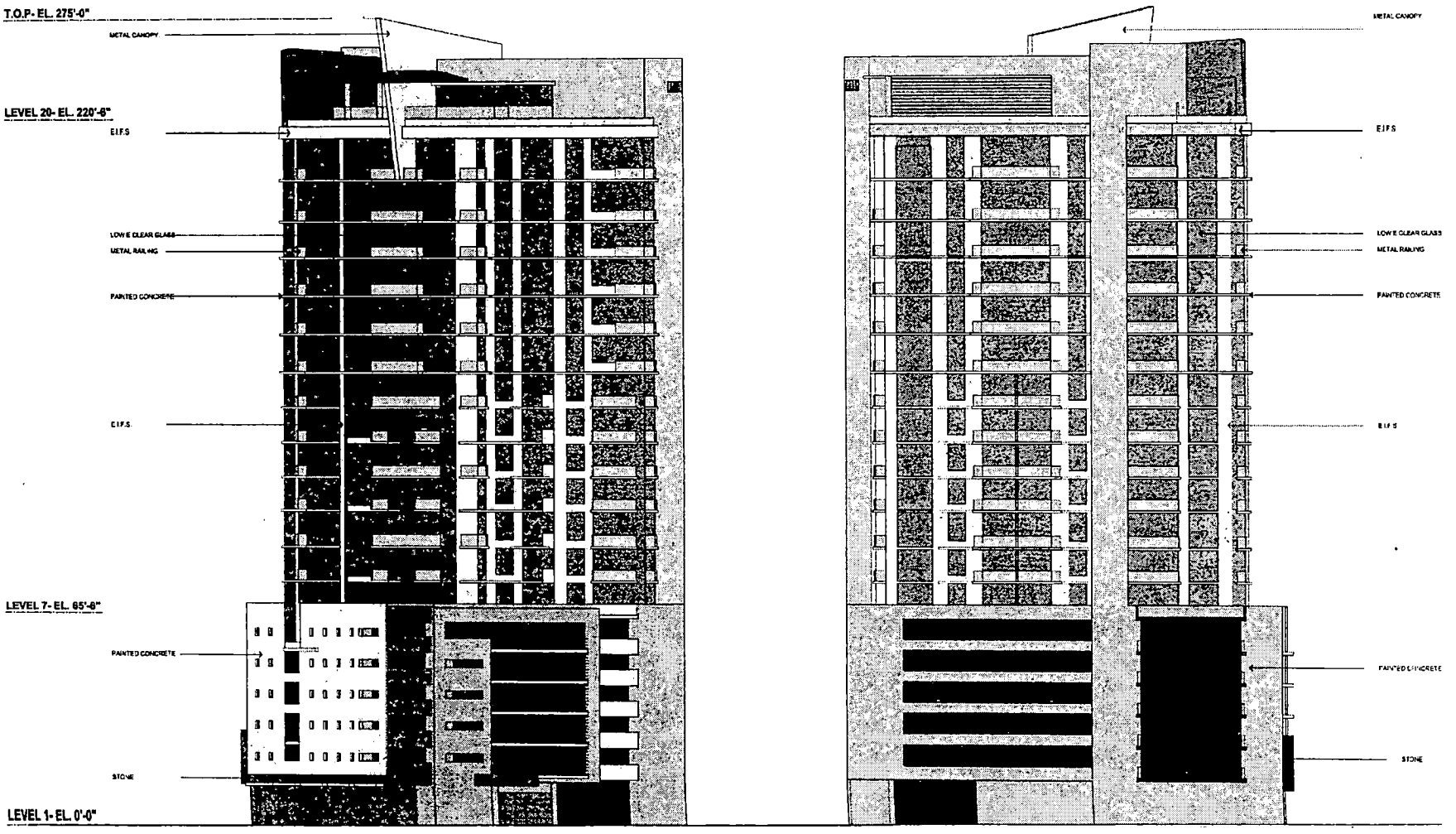
Project # 200401329

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Date: FEBRUARY 6, 2005

DR-08

SDR-6111
03/24/05 PC



EAST ELEVATION

WEST ELEVATION

SITE DEVELOPMENT PLAN REVIEW

Charleston / THIRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

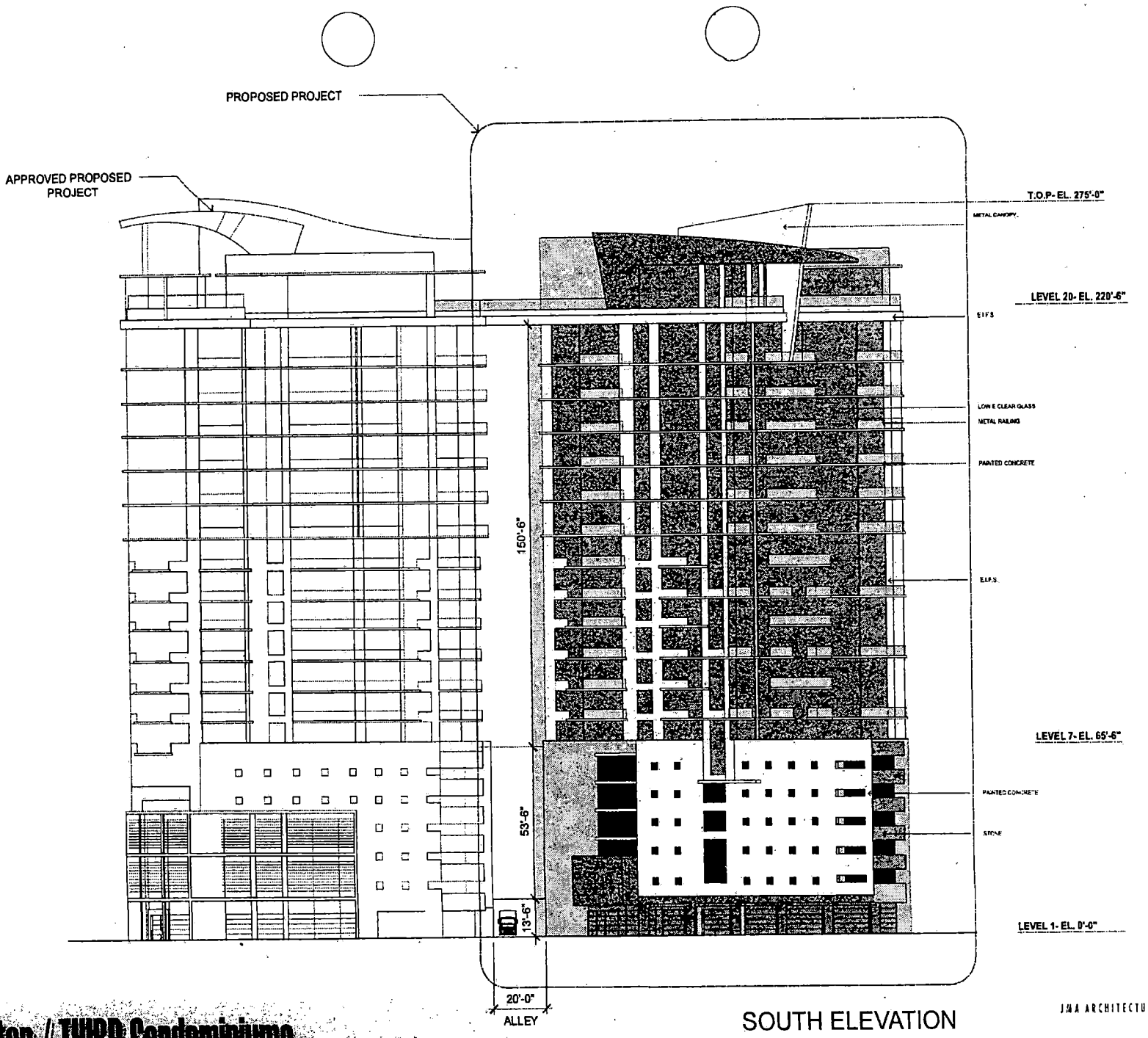
SCALE: 1/16" = 1'-0"

SDR-6111
03/24/05 PC

JMA ARCHITECTURE STUDIOS
Project # 200401329
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Date: FEBRUARY 8, 2005

SDR-09



SOUTH ELEVATION

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

SITE DEVELOPMENT PLAN REVIEW

Charleston / THIRD Condominiums

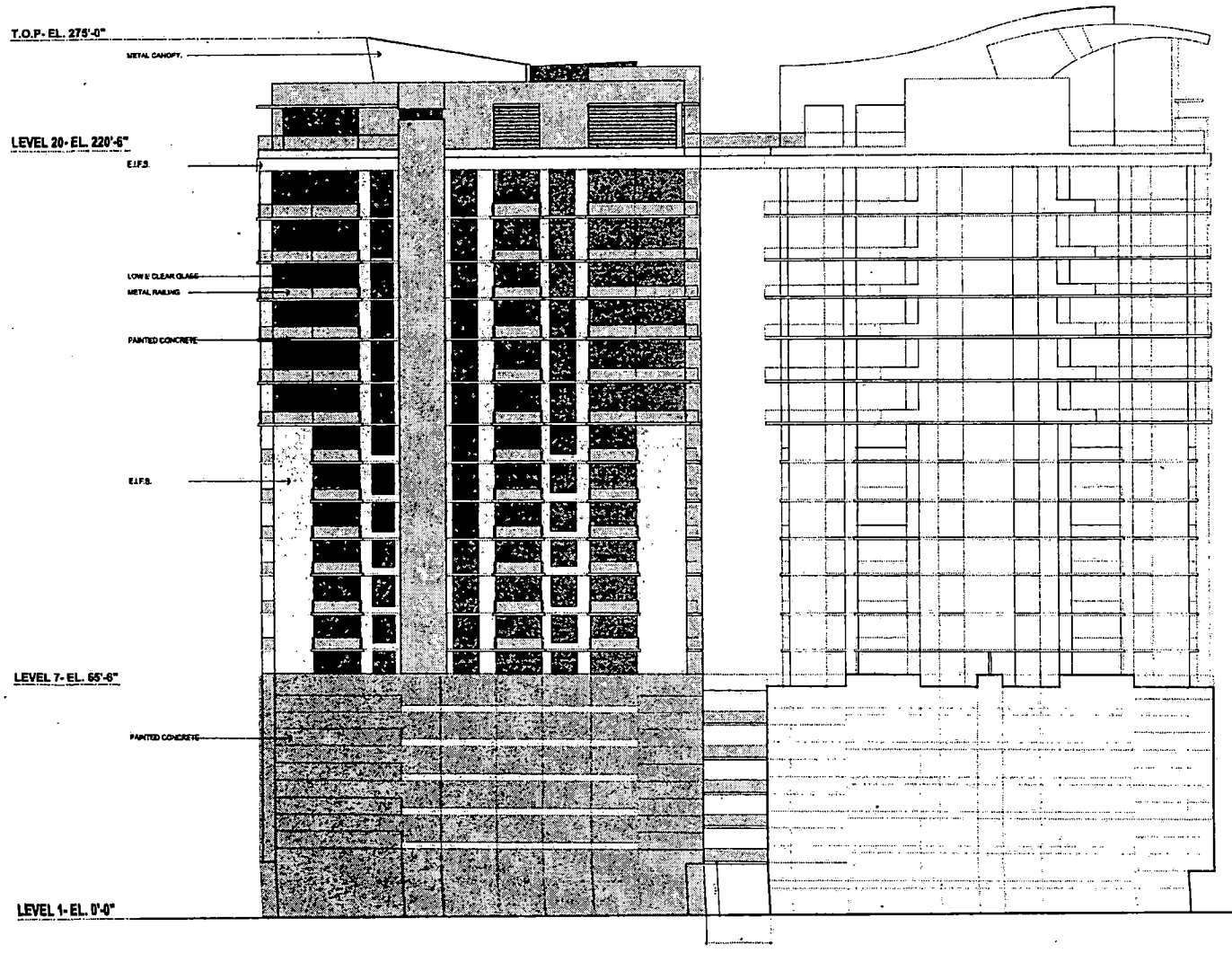
City of Las Vegas
LAS VEGAS, NEVADA

SDR-6111
03/24/05 PC

JMA ARCHITECTURE STUDIOS
Project # 200401329
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Date: FEBRUARY 8, 2005

SDR-10



SITE DEVELOPMENT PLAN REVIEW

Charleston // THIRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

NORTH ELEVATION

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

SDR-6111
03/24/05 PC

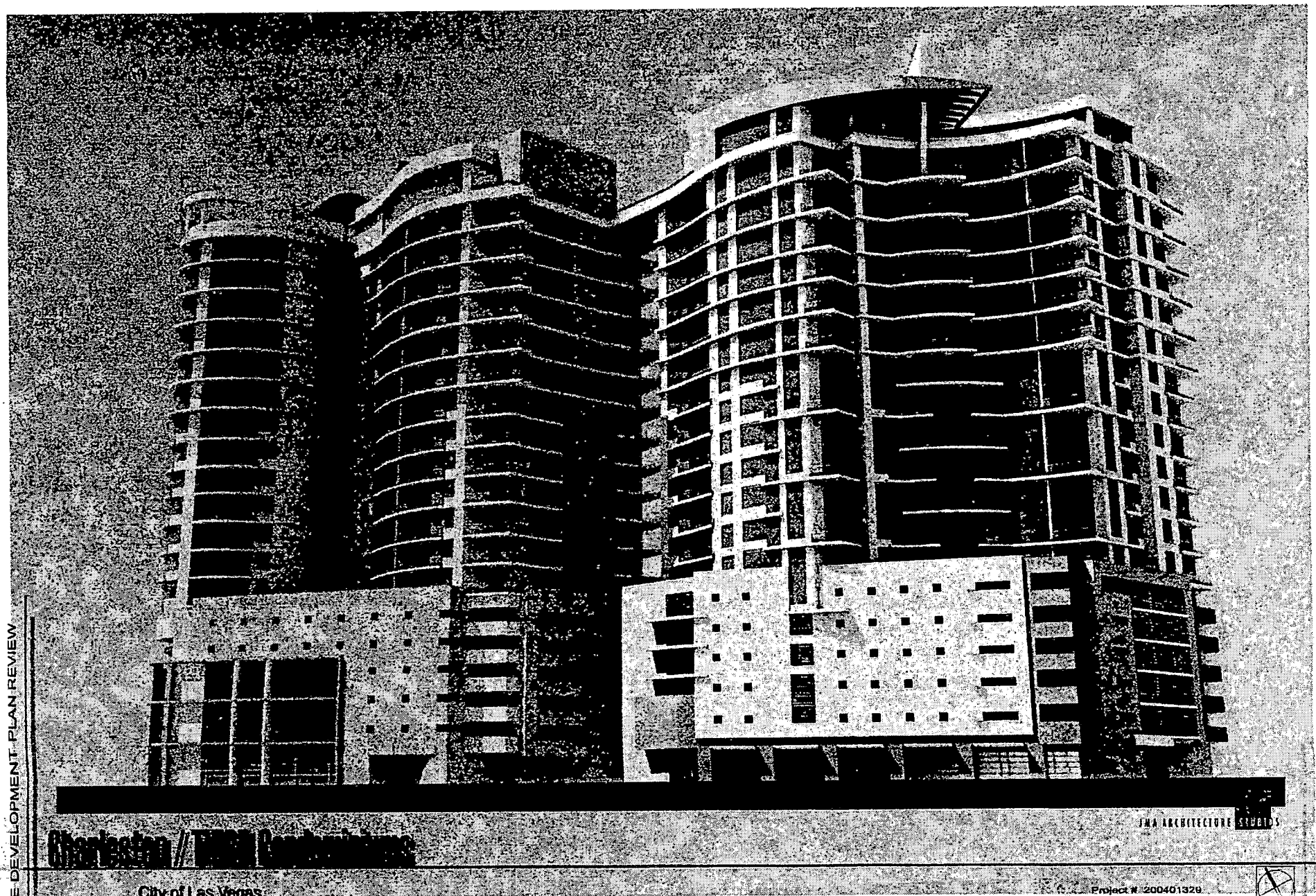
JMA ARCHITECTURE STUDIOS

Project # 200401329

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Date: FEBRUARY 8, 2005

SDR-11



JMA ARCHITECTURE STUDIOS

Charleston // Town Center

City of Las Vegas
LAS VEGAS, NEVADA

Project # 200401329

NORTH

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE (702) 731-2033 *** FAX (702) 731-2050 *** WWW.JMAARCH.COM

SITE DEVELOPMENT PLAN REVIEW

Date: FEBRUARY 8, 2005

DR-01

SDR-6111
03/24/05 PC

SDR-6111 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: CHARLESTON-3RD, LLC, ET A
1026 AND 1036 SOUTH THIRD STREET
MARCH 24, 2005 PLANNING COMMISSION

3/3/05

JMA ARCHITECTURE STUDIOS

February 8, 2005

City of Las Vegas
Current Planning Division
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

RE: Charleston Boulevard and Third Street Condominiums
JUSTIFICATION LETTER

APN: 139-34-410-091
139-34-410-092

Dear Sir or Madam:

We are requesting Site Development Plan Review and Waiver of Design Standard for the development of a mixed use project consisting of a 20 story, 114 unit condominium tower, 4,530 square feet of associated amenity spaces for the condo including a fitness club and lounge, 6,200 square feet of commercial retail space accessible to the general public, and 178 parking spaces in a structured parking garage. This mixed use development will be located at the northwest corner of Charleston Boulevard and Third Street in the downtown redevelopment area. The General Plan designation is General Commercial and the site is zoned C-2.

The proposed building is connected at the parking levels 2 through 6 and the amenities level 20 with the adjacent proposed building located across the alley at the northeast corner of the Casino Center and Charleston Boulevard. The entrance to the residents' parking of both buildings is at the Casino Center Boulevard. The addition of the bridge results in a loss of 15 parking spaces in the parking structure of the adjacent building.

The Waiver of the Design Standard is requested for the building step-back at 4th, 11th and 18th stories. The proposed building steps back at 7th level, the top of parking structure.

The Waiver of the Design Standard is requested for the Build-To-Line requirement. The pedestrian sidewalk on Charleston Boulevard is too narrow to accommodate this requirement.

We are requesting approval for the overhead encroachment to the public way on Third Street. We propose the canopy at the residents' entry to extend 18" past the building (and property) line to be more visible and inviting.

Sincerely

Kastytis Cechavicius
Senior Designer

Thomas J. Schoeman, AIA
President

Edward A. Vance, AIA
Sr. Vice President

10150 COVINGTON CROSS DRIVE LAS VEGAS, NEVADA 89144 (702) 731 2033 facsimile (702) 731 2039

City of Las Vegas

Agenda Item No.: 36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:
SDR-6140 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: GWEN BRAIMOH - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A 13,107 SQUARE FOOT COSMETOLOGY SCHOOL AND WAIVERS OF BUILDING SETBACK AND PERIMETER LANDSCAPING REQUIREMENTS on 0.99 acres on the west side of Stella Lake Street, approximately 600 feet south of Lake Mead Boulevard (a portion of APN 139-21-313-001), C-PB (Planned Business Park) Zone, Ward 5 (Weekly).

C.C.: 04/20/05

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, gave a brief overview of the application. The school would be located in the Las Vegas Enterprise Park on property owned by the City of Las Vegas. The Enterprise Park Architectural Review Committee has approved the plans. The development meets all Title 19 requirements with the exception of the setback from the south property line. The applicant is requesting a waiver to allow a seven-foot setback where 10 feet is required and to eliminate the landscaping requirements in that area. Staff supports this request

MINUTES – Continued:
because the applicant has offered to provide additional trees elsewhere on the site.

GWEN BRAIMOH, 8731 Abbey Ridge Avenue, appeared and concurred with all conditions.

COMMISISONER GOYNES confirmed with MS. BRAIMOH the facility would be a cosmetology/beauty school and there would be no barber training. He wished her luck.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(9:03 – 9:05)

3-187

CONDITIONS:
Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations date stamped 02/08/05, except as amended by conditions herein.

3. The site plan shall be revised and approved by staff of the Planning and Development Department staff, prior to the time application is made for a building permit, to reflect one van accessible parking space and the conditions of approval listed herein.

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

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the following:
   - Except along the south property line, a minimum of nine additional 24-inch box trees shall be planted in conformance with the Landscape, Wall and Buffer Guidelines of Title 19 and as discussed in this report.
   - A minimum of four five-gallon shrubs for each tree shall be provided within designated planters.

CONDITIONS – Continued:

6. A Waiver shall be granted to omit the required landscaping between the proposed building and the south property line, subject to the following:

   - Two trees shall be provided along the south lot line in an eight-foot planter area south of the parking area.
   - One tree shall be provided along the south property line in an eight-foot planter area in front of the building.

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

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

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize "shoe-box" fixtures and downward-directed lights. Wall pack lighting shall utilize "shoe-box" fixtures and downward-directed lights on the proposed building.

10. All utility boxes exceeding 27 cubic feet in size meeting the standards of Title 19.12.050.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.

12. All City code requirements and design standards of all City departments shall be satisfied.

Public Works

13. Construct all incomplete half-street improvements on Stella Lake Street adjacent to this site concurrent with development of this site. Also, if necessary and as required, remove all substandard public street improvements adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.

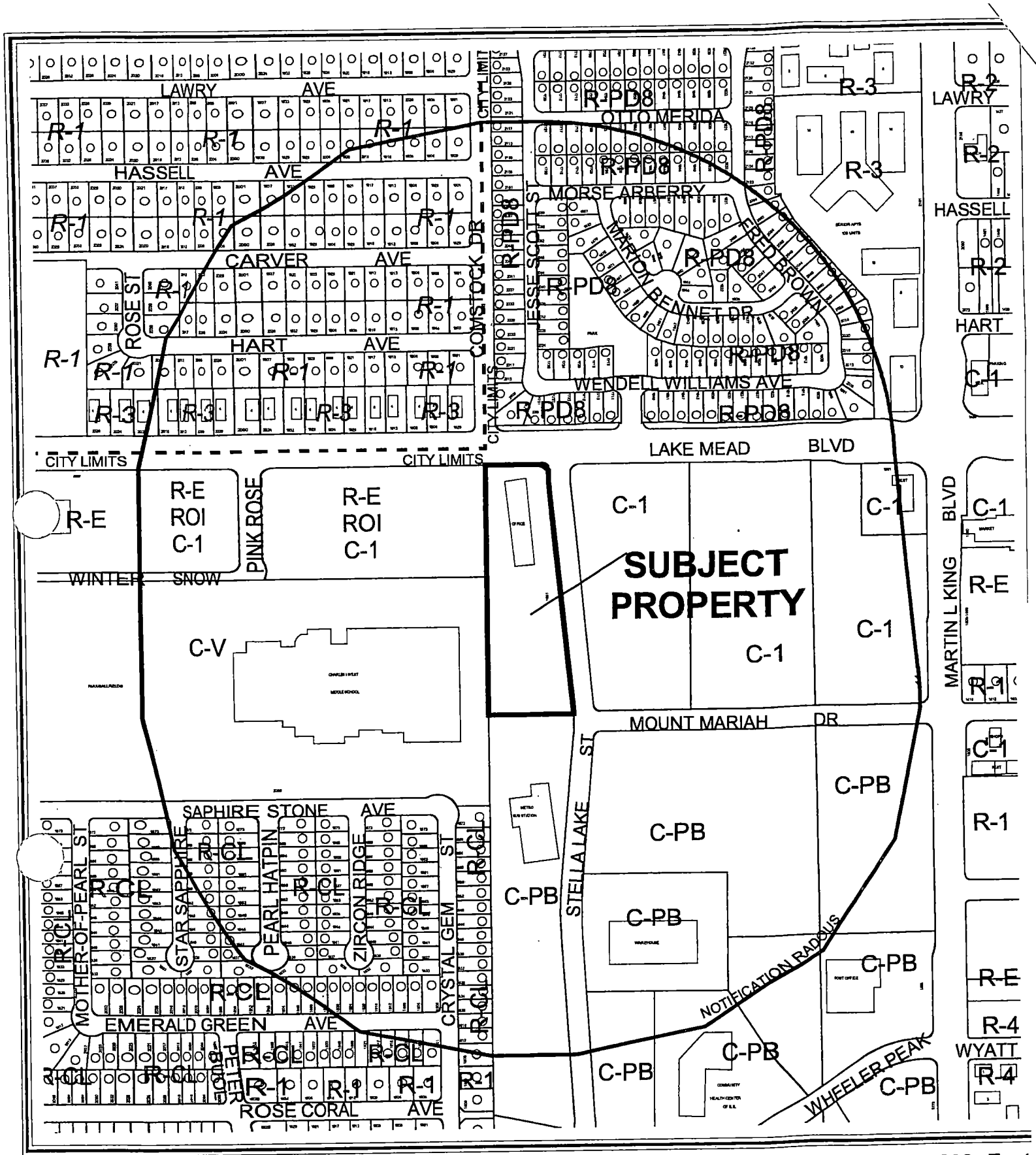
14. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

CONDITIONS – Continued:

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

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, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

17. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-136-94, the Las Vegas Enterprise Park (commercial subdivision) and all other subsequent site-related actions.

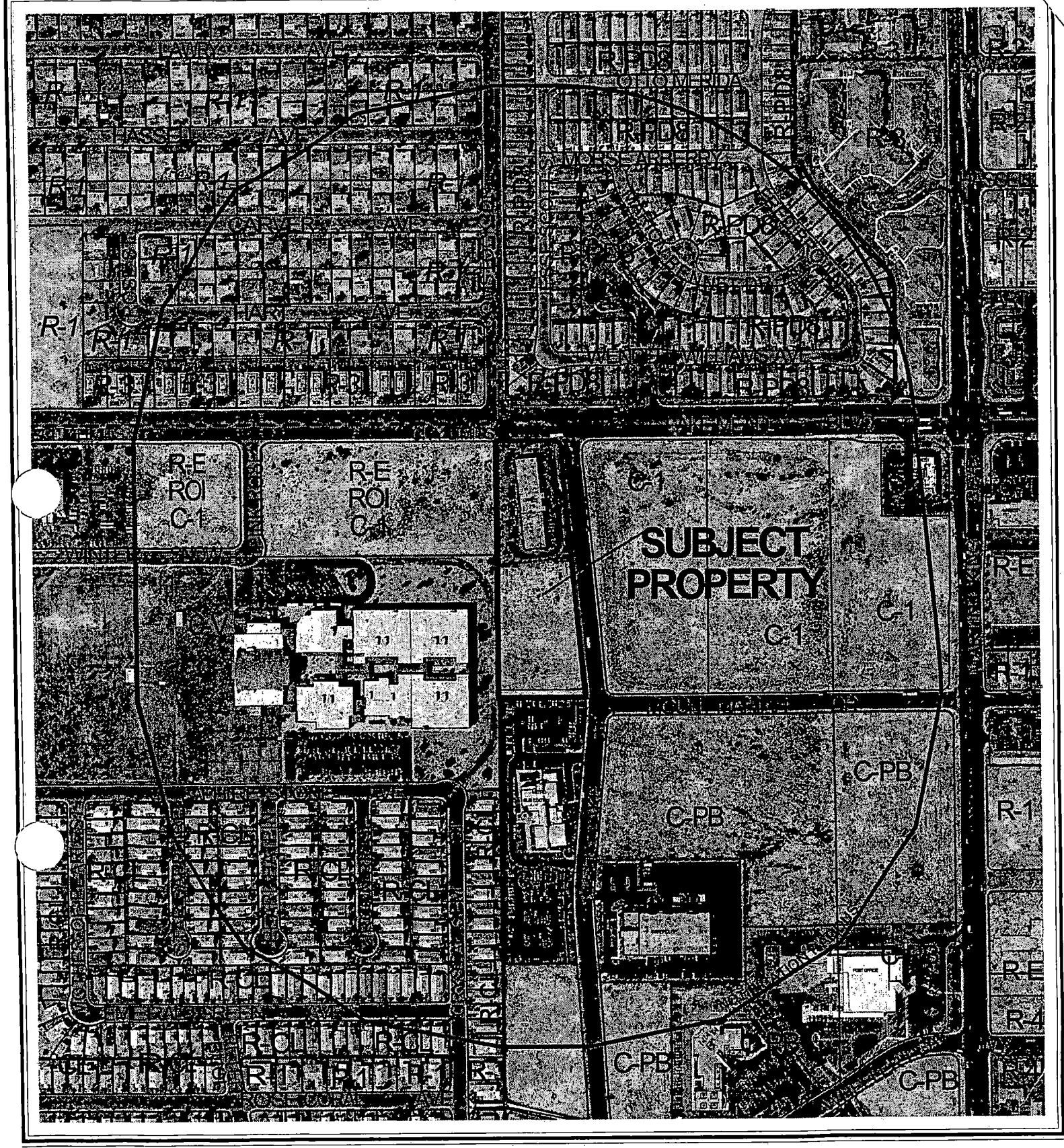


CASE: **SDR-6140**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

N



0 400 800 Feet

CASE: **SDR-6140**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6140 - APPLICANT: GWEN BRAIMOH - OWNER: CITY OF LAS VEGAS

** CONDITIONS **

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

Planning and Development

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

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

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the following:
   - Except along the south property line, a minimum of nine additional 24-inch box trees shall be planted in conformance with the Landscape, Wall and Buffer Guidelines of Title 19 and as discussed in this report.
   - A minimum of four five-gallon shrubs for each tree shall be provided within designated planters.

6. A Waiver shall be granted to omit the required landscaping between the proposed building and the south property line, subject to the following:
   - Two trees shall be provided along the south lot line in an eight-foot planter area south of the parking area.
   - One tree shall be provided along the south property line in an eight-foot planter area in front of the building.

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

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

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize "shoe-box" fixtures and downward-directed lights. Wall pack lighting shall utilize "shoe-box" fixtures and downward-directed lights on the proposed building.

10. All utility boxes exceeding 27 cubic feet in size meeting the standards of Title 19.12.050.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.

12. All City code requirements and design standards of all City departments shall be satisfied.

Public Works

13. Construct all incomplete half-street improvements on Stella Lake Street adjacent to this site concurrent with development of this site. Also, if necessary and as required, remove all substandard public street improvements adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.

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

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

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, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

17. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-136-94, the Las Vegas Enterprise Park (commercial subdivision) and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 13,107 square-foot cosmetology school and for Waivers of building setback and perimeter landscaping requirements on 0.99 acres on the west side of Stella Lake Street, approximately 600 feet south of Lake Mead Boulevard.

B) Applicant's Justification

A letter of justification was submitted with the subject application, explaining that the project is designed with the intent to expand the services of the Expertise School of Beauty. Its mission is to recruit and train students so they can accomplish their goals in the beauty industry. As a partner with the City, the business will continue the City's goals of reducing unemployment, improving the local economy, providing educational programs, and bridging the gap for individuals in need of vocational skills training for career advancement, which leads to economic independence.

A letter of justification was also submitted requesting Waivers in the building setback and perimeter landscaping requirements. The letter states: "The waiver will allow for the creation of 20-foot buffer in addition to the seven foot buffer set back." It goes on to say: "The additional three feet will allow the building to be in compliance with the City of Las Vegas zoning codes."

BACKGROUND INFORMATION

A) Related Actions

12/21/94 The City Council Rezoned (Z-0136-94) the subject property from R-E (Residence Estates) to C-PB (Planned Business Park). The Planning Commission recommended approval.

09/18/96 The City Council approved a Plot Plan [Z-0136-94(4)] and Building Elevation Review for a proposed 17,100 square-foot office/warehouse building on part of the subject property (north of the site). The Planning Commission recommended approval.

B) Pre-Application Meeting

01/19/05 The staff met with the prospective applicant on a proposal to establish a cosmetology school on the subject property. The process and requirements for a Site Development Plan Review were discussed.

C) Neighborhood Meetings

No neighborhood meeting is required for a Site Development Plan Review, and no meeting was held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres:	0.99

B) Existing Land Use

Subject Property:	Undeveloped
North:	Office/warehouse
South:	Metro substation
East:	Undeveloped
West:	Middle school

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-PB (Planned Business Park)
North:	C-PB (Planned Business Park)
South:	C-PB (Planned Business Park)
East:	C-1 (Limited Commercial)
West:	C-V (Civic)

E) General Plan Compliance

The subject site is located within the Las Vegas Redevelopment Area on the Southeast Sector Plan Map of the General Plan. To stimulate revitalization of the City's historic, urban core, several special overlay districts have been adopted which contain standards for redevelopment.

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

Downtown Redevelopment Area

The subject site is located within the Downtown Redevelopment Area on the Southeast Sector Plan Map of the General Plan. To stimulate revitalization of the City's historic urban core, several special overlay districts have been adopted that contain standards for redevelopment.

Las Vegas Enterprise Park

The Las Vegas Enterprise Park is intended as a mixed-use business development under the City's zoning standards. The standards provide for an area exclusively for and conducive to the development and protection of modern administrative facilities, research institutions, and specialized manufacturing operations. The essence of the business park is to provide for an aesthetically attractive working environment.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	**Required**	**Provided**	**Compliance**
Min. Lot Width	100 feet	173 feet	Y
Min. Setbacks			
• Front	20 feet	21 feet	Y
• Side	10 feet	7 feet	N
• Corner	20 feet	NA	N/A
• Rear	15 feet	74 feet	Y
Max. Lot Coverage	50 %	33%	Y
Max. Building Height	NA	1 Stories / 20 feet	N/A
Trash Enclosure	Screened with roof	Screened with roof	Y
			DDS

The proposed building does not have the required 10-foot side yard setback from the south property line, as seven feet is proposed. The applicant has requested a Waiver in the building setback requirement, and as discussed below, it is recommended that this Waiver be granted.

The Las Vegas Enterprise Park Covenants, Conditions, and Restrictions (CC&Rs) for development require a 25-foot front yard setback and a 10-foot side yard setback. Title 19, however, does not recognize CC&Rs. The Enterprise Park Architectural Review Committee, an established committee responsible for reviewing and approving plans for development in the Las Vegas Enterprise Park, has approved the development as submitted.

A2) Parking and Traffic Standards

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

Use	Floor Area	Ratio	Parking Required		Parking Provided	
			Regular	Handicap	Regular	Handicap
Trade School	10,725 sq.ft.	1/staff + 1/2 students	30	(2)	42	(2)
Office	2,382 sq.ft.	1/300	8			
Total	13,107 sq.ft.		38	(2)	42	(2)

The proposed uses for the subject property comply with required number of parking spaces. Two handicapped parking spaces are required; however, one space is required to be van accessible. This deficiency is noted as a condition of approval in this report.

A3) Landscape Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 trees/6 spaces + 1/2 row ends	9 trees	5 trees
Buffer:	• 1 tree/20 linear feet (adjacent to ROW)	6 trees	5 trees
	• 1 tree/ 30 linear feet (adjacent to lot lines)	22 trees	13 trees
Min. zone width	15 feet (adjacent to ROW)/8 feet (sides)		15 feet/ 10 and 7 feet

The development is deficient in the number of trees required by the Landscape Standards. The applicant has requested a Waiver to eliminate part of the landscaping requirements. As discussed below, it is recommended that a Waiver be granted, subject to perimeter landscaping being provided where it is possible to so. A total of 37 trees are required and 23 are provided. With a Waiver, five of the eight trees required along the south property line could be eliminated for a total of nine additional trees needed.

B) General Analysis and Discussion

- Zoning

  The proposed development is consistent with the C-PB (Planned Business Park) zoning district.

- Site Plan

  The site plan illustrates the location of a 13,107 square-foot building for a cosmetology school toward the south side of the 0.99-acre site. Parking for the development is shown along the north and west sides of the property. Access to the facility would be from Stella Lake Street.

- Waivers

  Waivers are requested in the side yard setback from the south property line and in perimeter landscaping along the same side. The building is proposed to be seven feet from the property line instead of the required 10 feet. This deficiency is attributed to a 20 foot drainage channel along the south side of the property. The Enterprise Park Architectural Review Committee has approved the development as submitted, including a reduced side yard setback. The applicant is requesting that a Waiver in the perimeter landscaping required along the south side of the building also be approved.

  The 20 foot drainage channel located along the south side of the property provides a large separation between the proposed building and the property to the south. The existing perimeter wall along the south side of the building is 3.5 feet high, and a new four-foot high wrought iron fence is to be placed on top. With the separation and unrestricted view between the properties, it is recommended that a Waiver in the side yard setback be approved. It is also recommended that a Waiver in the perimeter landscaping required along the south side of the building be approved, provided the landscaping requirements are met along the south side of the parking area and in front of the building. This matter is addressed as a condition of approval in this report.

- Landscape Plan

  As addressed above, the development is deficient in the number of trees required by the Landscape Standards. The applicant has requested a Waiver to eliminate part of the requirement (the trees and shrubs along the south property line). It is recommended that five of eight trees required along the south lot line be omitted.

- Elevation

  The elevation drawings depict a 20-foot high one-story building with walls of "Monterey Stone" (reddish-brown) colored split-face block with "Snowdrift" (tan) colored vertical columns of stucco intermittently spaced. The building front shows varying rooflines of flat, peaked and arched roofs. In addition to an entrance for the school, additional entrances are shown for office space to be leased to other businesses.

- Floor Plan

  The floor plan illustrates space for three classrooms, a large clinic area, and space for ancillary functions for the cosmetology school. Two additional spaces of 2,382 square feet are shown for leased office space. The space configuration is well designed and efficient for the proposed uses.

FINDINGS

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

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

   The proposed development will operate at a level of intensity comparable to the development within the Las Vegas Enterprise Park.

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

   The proposed project overall is consistent with the General Plan, Title 19, the Landscape, Wall and Buffer standards. As noted above, there are minor discrepancies in the Las Vegas Enterprise Park CC&R's; however, the Enterprise Park Architectural Review Committee has approved the development as submitted.

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

   The site will have access to Stella Lake Street. This street is adequate to serve the proposed uses. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

   The building elevations and landscape plan submitted will demonstrate visual consistency with the surrounding developments within the Las Vegas Enterprise Park. The plans depict appropriate façade design and adequate landscape buffering. Although a Waiver is requested in part of the landscape requirements, it is recommended that an additional nine trees be provided for the development. This matter is discussed above and addressed as a condition of approval in this report.

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 landscape plans submitted demonstrate visual consistency with the surrounding developments, in that the submitted materials depict appropriate façade design and adequate landscape buffering. The development will be harmonious and compatible with development in the area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 324

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-6140** APN: 139-21-313-001 (part)

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: Expertise School of Beauty

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: Douglas Selby

Print Name: Douglas Selby

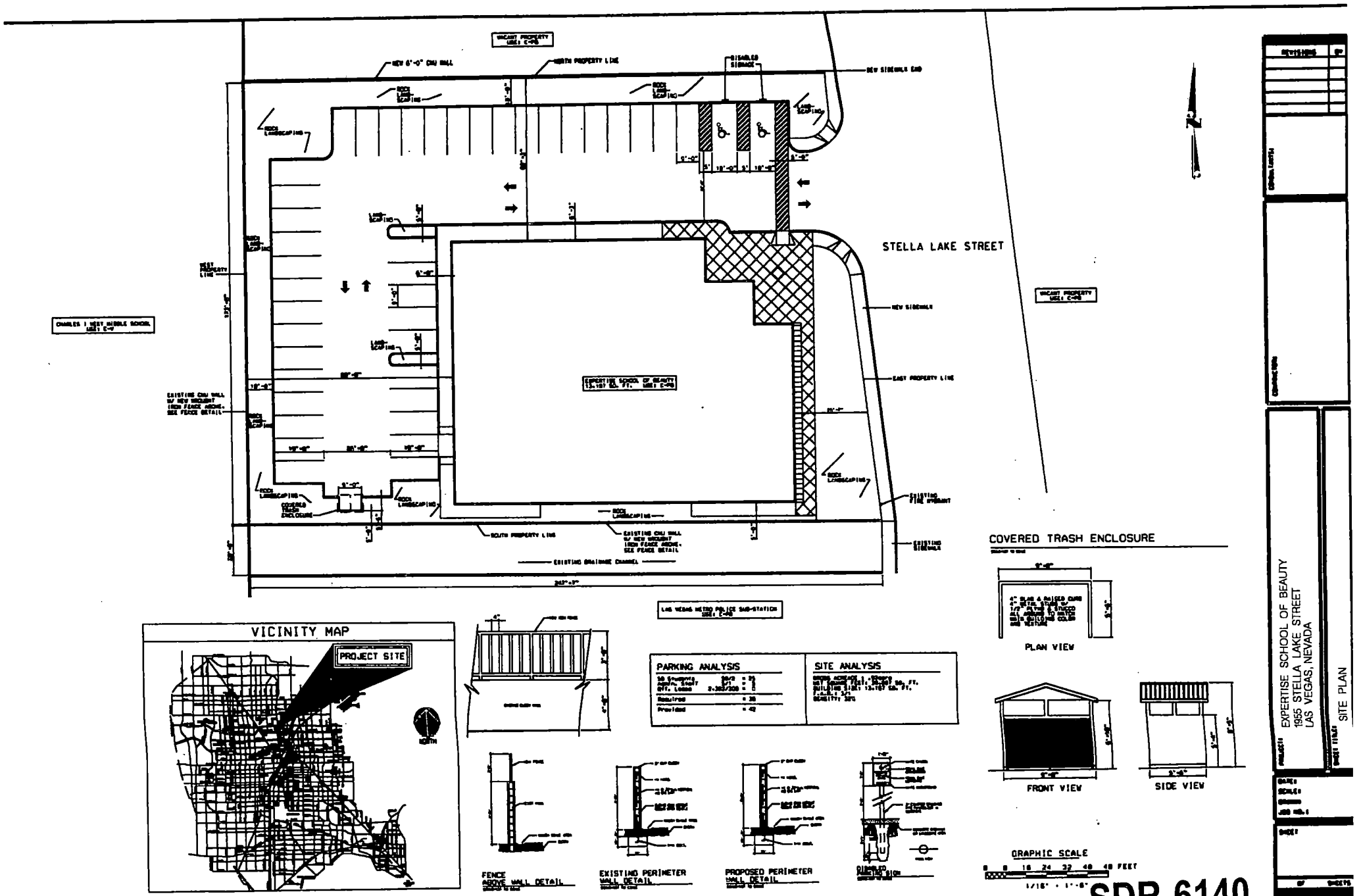
Subscribed and sworn before me

This 15TH day of February, 2005

Arlene Coleman

Notary Public in and for said County and State

ARLENE COLEMAN
Notary Public State of Nevada
No. 00-66111-1
My appt. exp. Nov. 13, 2008



VICINITY MAP

FENCE ABOVE WALL DETAIL

EXISTING PERIMETER WALL DETAIL

PROPOSED PERIMETER WALL DETAIL

PARKING ANALYSIS		SITE ANALYSIS
[illegible]	[illegible]	[illegible]
Required	= 38	
Provided	= 42	

COVERED TRASH ENCLOSURE

GRAPHIC SCALE

0 8 16 24 32 40 48 FEET

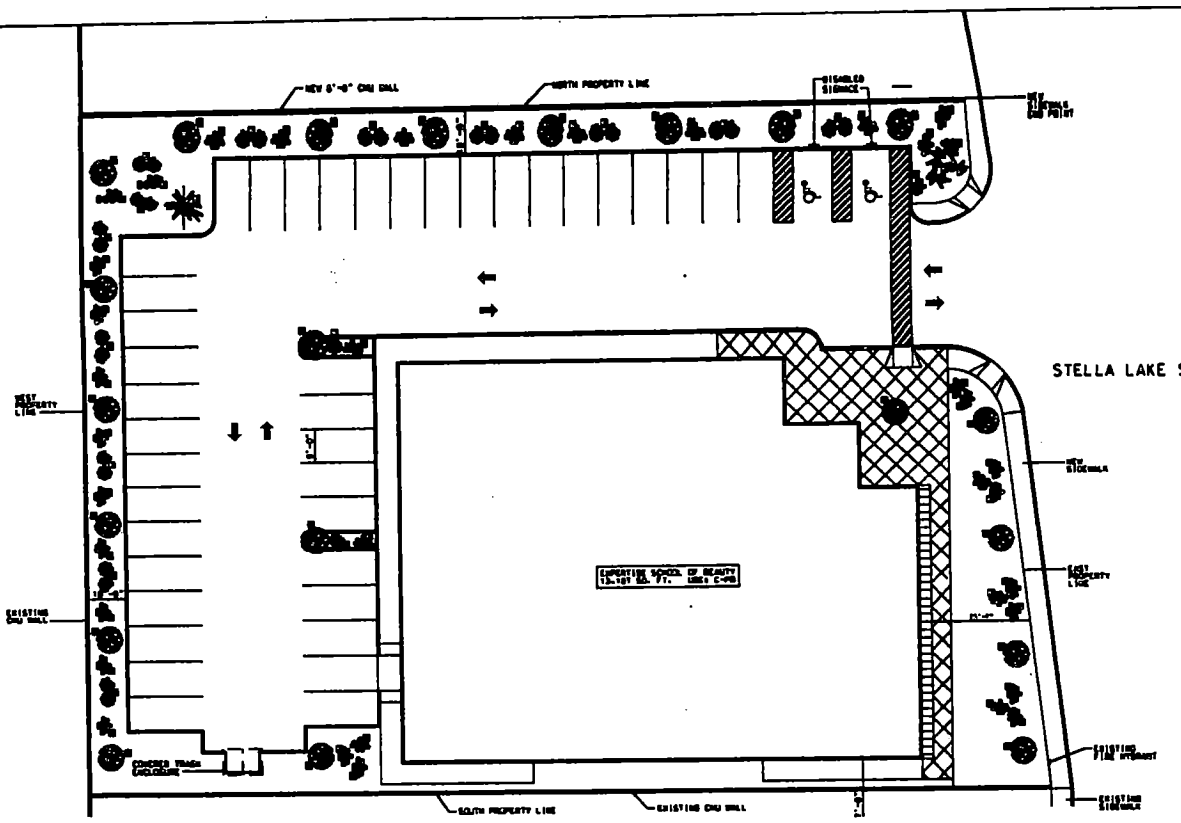
1/16" = 1'-0"

EXPERTISE SCHOOL OF BEAUTY
1955 STELLA LAKE STREET
LAS VEGAS, NEVADA

SITE PLAN

SDR-6140

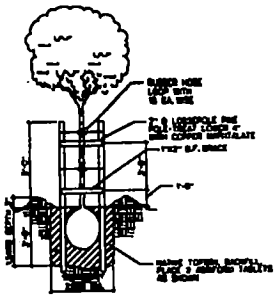
03/24/05 PC



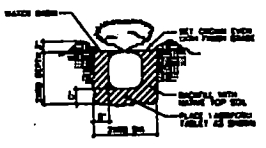
GRAPHIC SCALE

1/16" = 1'-0"

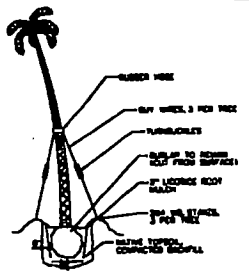
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
1	FESTUCA OVINA GLAUCA	BLUE FESCUE	5 GALLON	
2			5 GALLON	
3	TRACHYCARPUS FORTUNEI	WINDMILL PALM	24" BOX	
4	RHUS LANCEA	AFRICAN SUMAC	24" BOX	



TYPICAL TREE PLANTING



TYPICAL SHRUB PLANTING



TYPICAL PALM TREE PLANTING

IRRIGATION NOTES

1. THE SPRINKLER SYSTEM DESIGN WILL BE BASED ON THE MINIMUM OPERATING PRESSURE AND THE MAXIMUM FLOW DEMAND SHOWN ON THE SHOP DRAWINGS AT EACH POINT OF CONNECTION. THE IRRIGATION CONTRACTOR SHALL VERIFY WATER PRESSURE PRIOR TO CONSTRUCTION, REPORT ANY DIFFERENCE BETWEEN THE WATER PRESSURE INDICATED ON THE SHOP DRAWINGS AND THE ACTUAL PRESSURE READING AT THE IRRIGATION POINT OF CONNECTION TO THE CONTRACTOR. IF THE (VOID) PRESSURE DIFFERENCES ARE NOT REPORTED PRIOR TO START OF CONSTRUCTION, THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY REVISIONS NECESSARY.
2. THIS SHOP DRAWING DESIGN WILL BE DIAGRAMMATIC. ALL PIPING, VALVES, ETC. SHOWN WITHIN PAVED AREAS IS FOR DESIGN CLARITY ONLY AND SHALL BE INSTALLED IN PLANTING AREAS. AVOID ANY CONFLICTS BETWEEN THE SPRINKLER SYSTEM, PLANTING AND ARCHITECTURAL FEATURES.
3. IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO FAMILIARIZE HIMSELF WITH ANY GRADE DIFFERENCES, LOCATION OF WALLS AND RETAINING WALLS.
4. THE IRRIGATION CONTRACTOR SHALL FLUSH AND ADJUST ALL SPRINKLER HEADS FOR OPTIMUM PERFORMANCE AND TO PREVENT OVERSPRAY ONTO WALKS, ROADWAYS AND/OR BUILDING AS MUCH AS POSSIBLE.
5. ALL POP-UP SPRINKLERS SHALL BE INSTALLED SO THAT UPON RETRACTION OF THE RISER PISTON, NO DEBRIS OR SOIL OF ANY KIND WILL BE SUCK WASHED INTO THE SPRINKLER CAUSING THE RISER PISTON TO STICK IN THE "UP" POSITION.
6. ALL SPRINKLER HEADS SHALL BE SET PERPENDICULAR TO FINISH GRADE OF THE AREA TO BE IRRIGATED UNLESS SITE CONDITIONS REQUIRE DIFFERENT ADJUSTMENTS TO BE MADE.

REVISIONS	BY

PROJECT: EXPERTISE SCHOOL OF BEAUTY
1955 STELLA LAKE STREET
LAS VEGAS, NEVADA

SHEET TITLE: LANDSCAPE PLAN

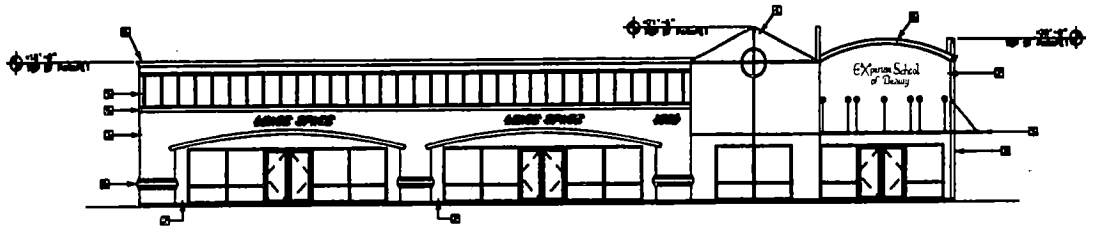
DATE
SCALE
DRAWN
JOB NO.

SHEET

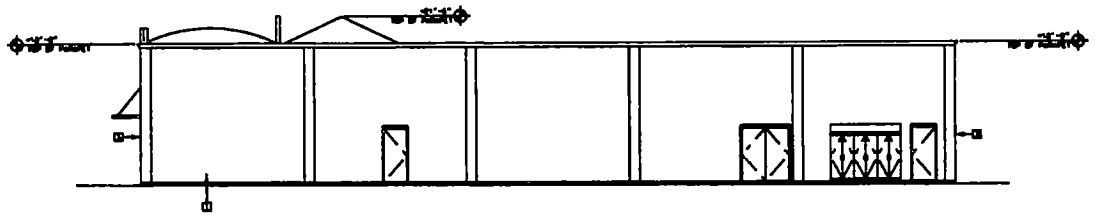
OF SHEETS

SDR-6140

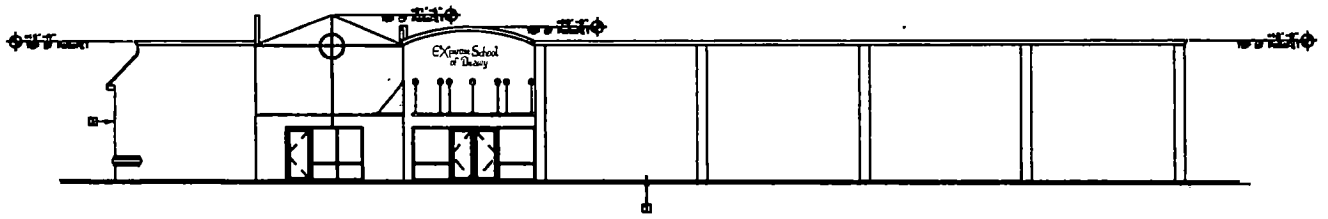
03/24/05 PC



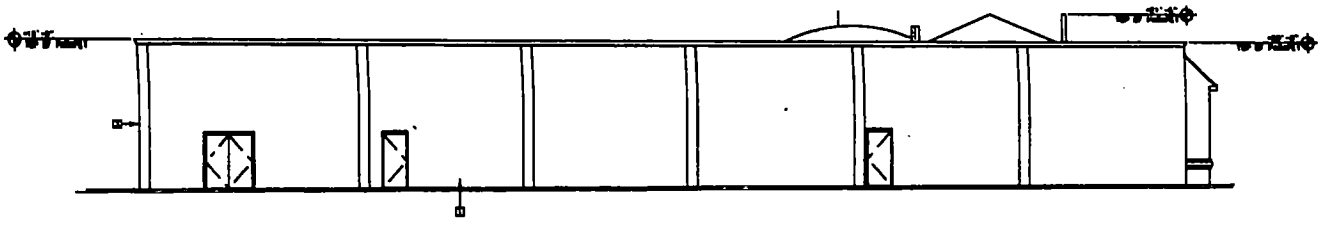
EAST ELEVATION (FRONT)



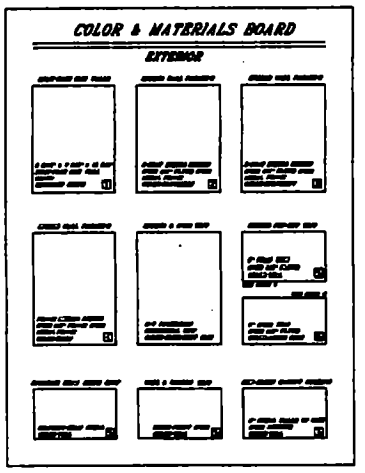
WEST ELEVATION (REAR)



NORTH ELEVATION (R. SIDE)



SOUTH ELEVATION (L. SIDE)



GRAPHIC SCALE

0 4 8 16 24 FEET

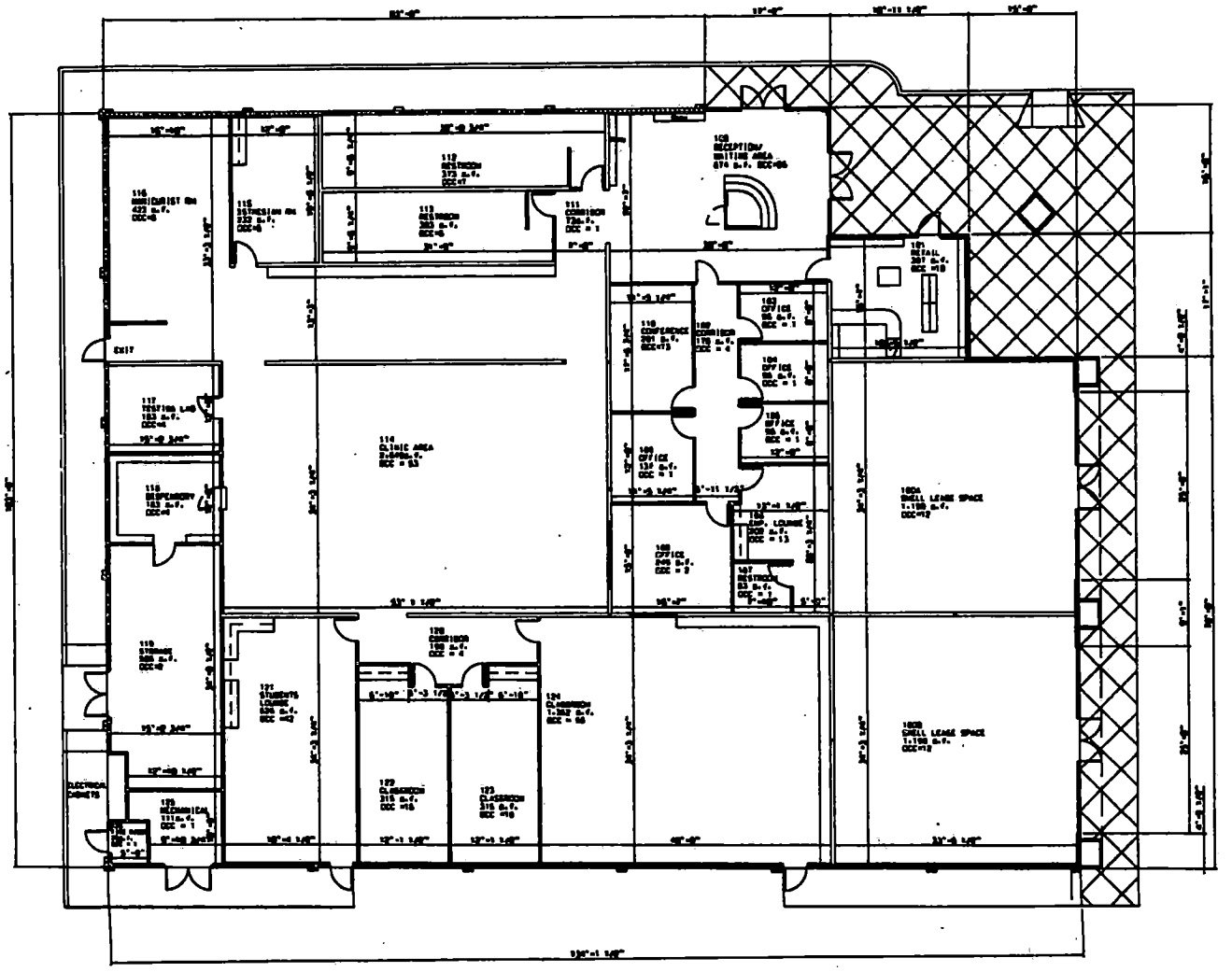
1/8" = 1'-0"

PROJECT: EXPERTISE SCHOOL OF BEAUTY
1955 STELLA LAKE STREET
LAS VEGAS, NEVADA

SHEET TITLE: EXTERIOR ELEVATIONS

SDR-6140

03/24/05 PC



GRAPHIC SCALE

0 4 8 16 24 FEET

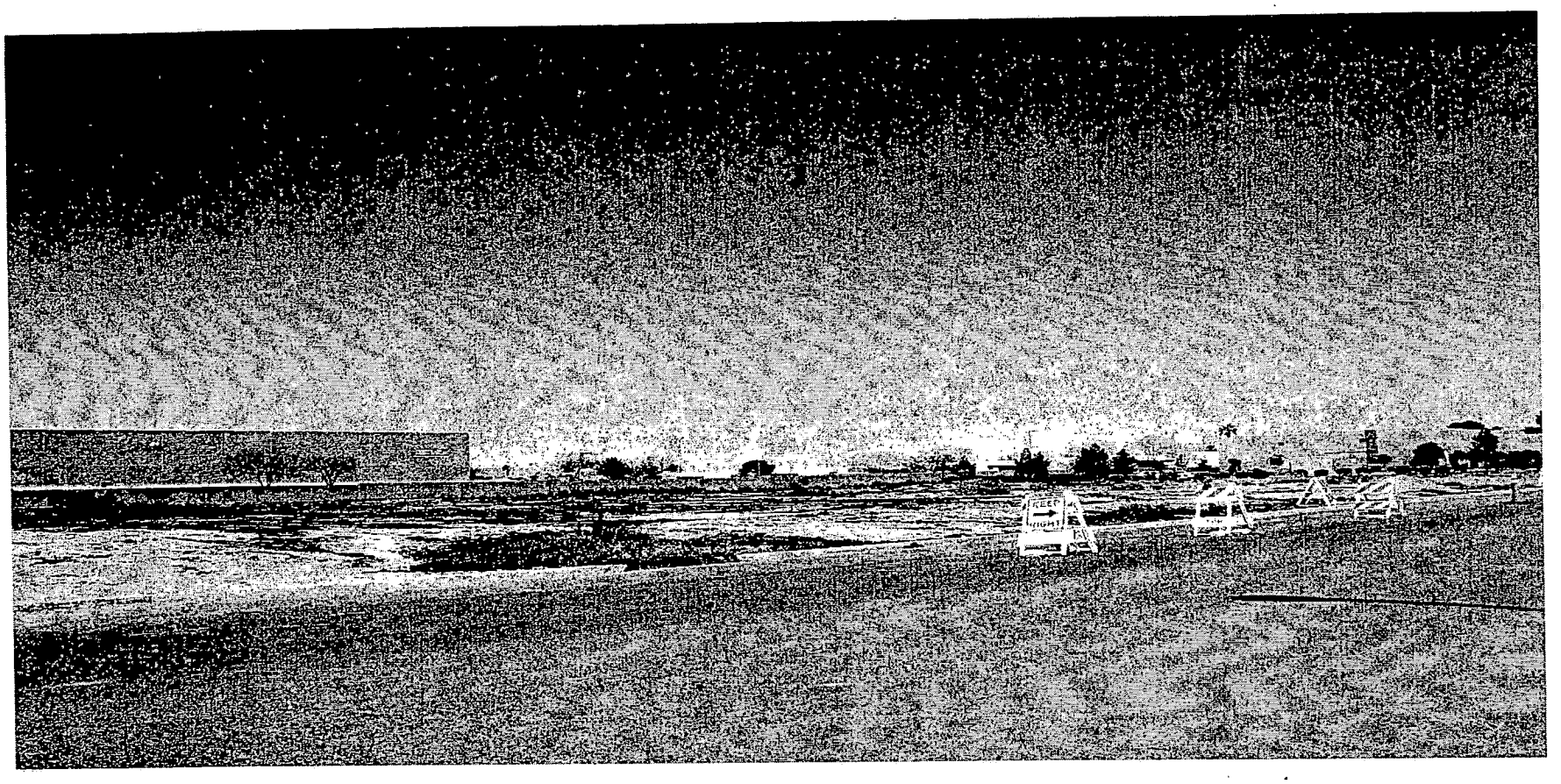
1/8" = 1'-0"

EXPERTISE SCHOOL OF BEAUTY
1955 STELLA LAKE STREET
LAS VEGAS, NEVADA

FLOOR PLAN

SDR-6140

03/24/05 PC

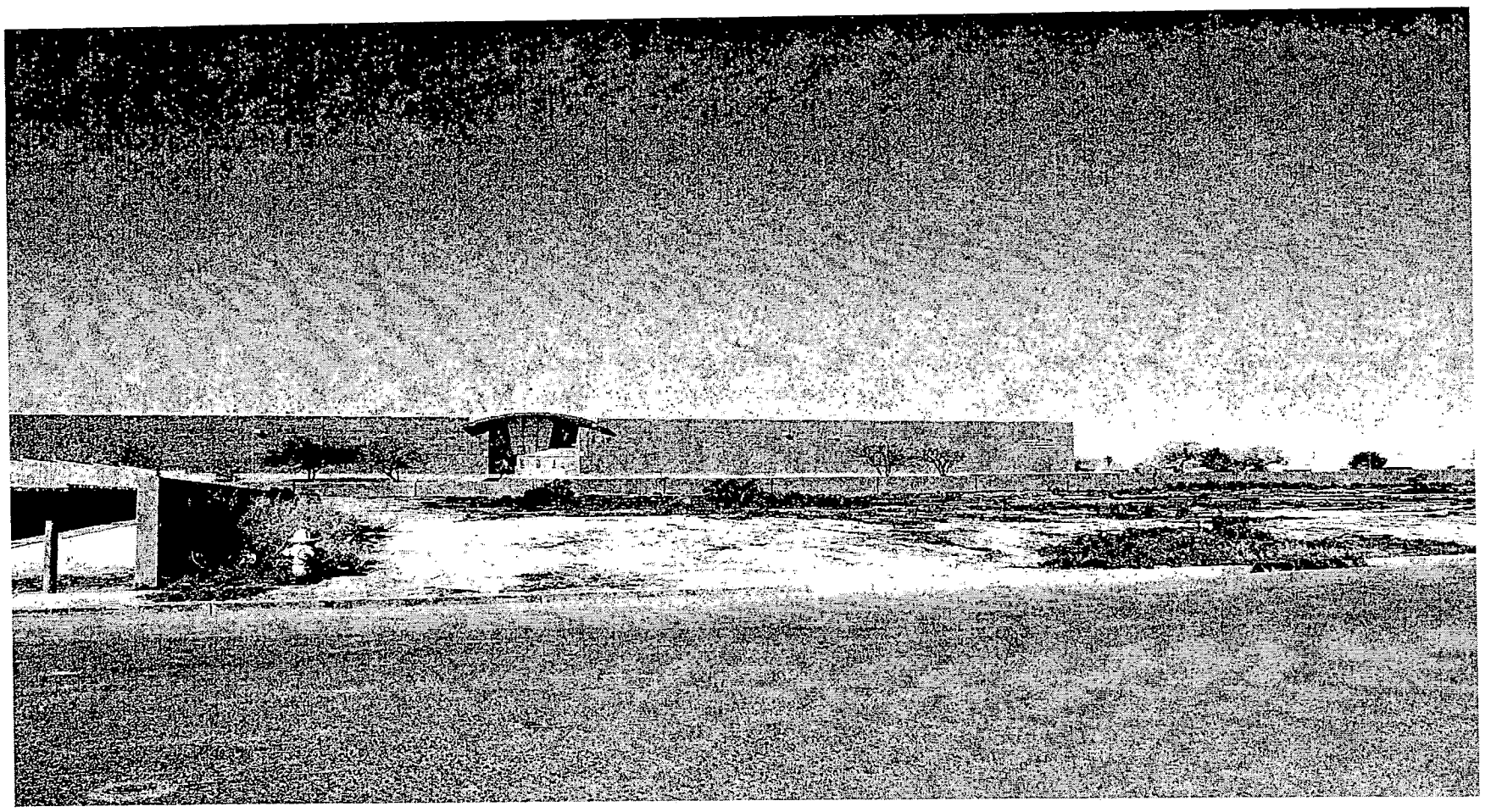


SDR-6140 - APPLICANT: GWEN BRAIMOH - OWNER: CITY OF LAS VEGAS

WEST SIDE OF STELLA LAKE STREET, APPROXIMATELY 600 FEET SOUTH OF LAKE MEAD BOULEVARD

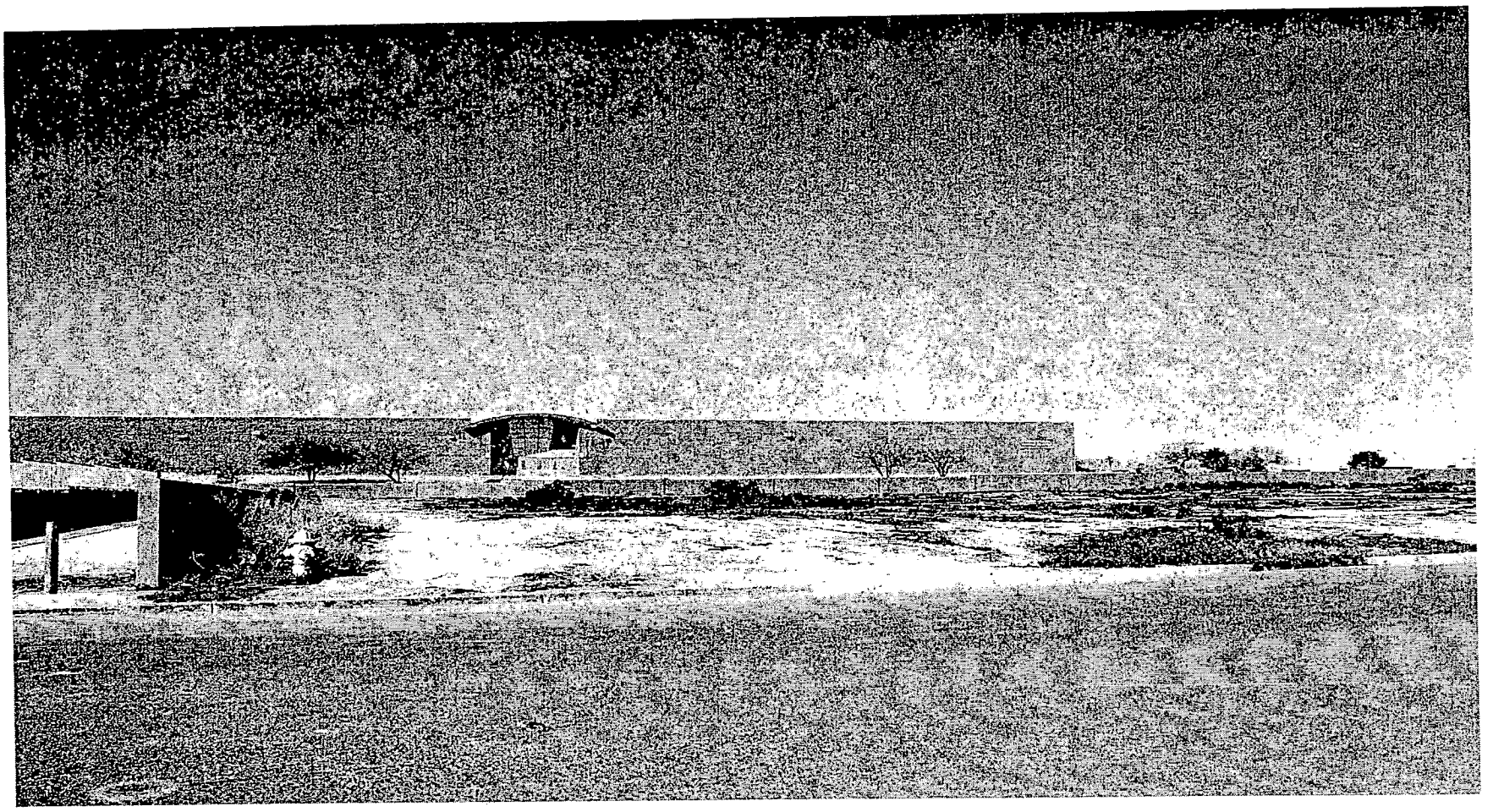
MARCH 24, 2005 PLANNING COMMISSION

3/7/05



SDR-6140 - APPLICANT: GWEN BRAIMOH - OWNER: CITY OF LAS VEGAS
WEST SIDE OF STELLA LAKE STREET, APPROXIMATELY 600 FEET SOUTH OF LAKE MEAD BOULEVARD
MARCH 24, 2005 PLANNING COMMISSION

3/7/05



SDR-6140 - APPLICANT: GWEN BRAIMOH - OWNER: CITY OF LAS VEGAS
WEST SIDE OF STELLA LAKE STREET, APPROXIMATELY 600 FEET SOUTH OF LAKE MEAD BOULEVARD
MARCH 24, 2005 PLANNING COMMISSION

3/7/05

Expertise
School of Beauty

February 4, 2005

City of Las Vegas
Planning and Development Department
400 Stewart 2nd Floor
Las Vegas, Nevada 89101

Dear Sir:

This letter of justification is in regards to the proposed Expertise School of Beauty project, located on Stella Lake in the West Las Vegas enterprise community. This project was designed with the intent to expand the services of the Expertise School of Beauty. Services that have and will continue to enhance the growing Las Vegas community. Our mission is to recruit and train students so that they can accomplish their goals in the beauty industry.

Our partnership with the City of Las Vegas-Business Development division will allow us to continue with our goals of reducing unemployment, improving the local economy, providing educational programs and bridging the gap for individuals in need of vocational skills training for career advancement, which leads to economic independence. The proposed property will also allow Expertise School of Beauty to add two additional courses to our educational program, increase enrollment, continue to offer discounted beauty services to the public in a location which will reach our diverse community.

Thank you for considering our project proposal. If there are any questions or comments, please feel free to contact me at 702-636-8686.

Sincerely,

Gwen Braimoh
School Director

902 W. Owens • Las Vegas • Nevada • 89106
Tel (702) 636-8686 • Fax (702) 636-0367

Expertise
School of Beauty

February 4, 2005

City of Las Vegas
Planning and Development Department
400 Stewart 2nd Floor
Las Vegas, Nevada 89101

To whom it may concern:

This letter is in regards to the acquisition of a waiver for the proposed Expertise School of Beauty project, located on Stella Lake in the West Las Vegas enterprise community. The existing drainage channel holds a 20 foot easement between the adjacent property. The waiver will allow for the creation of 20 foot buffer in addition to the 7 foot buffer set back. The additional 3 feet will allow the building to be in compliance with the City of Las Vegas zoning codes.

Thank you for considering the proposed property waiver. If there are any additional questions or comments, please feel free to contact me at 702-636-8686.

Sincerely,

Gwen Braimoh
School Director

902 W. Owens • Las Vegas • Nevada • 89106
Tel (702) 636-8686 • Fax (702) 636-0367

City of Las Vegas

Agenda Item No.: 37

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 24, 2005

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

SUBJECT:

TXT-5773 – TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.06 of the Las Vegas Zoning Code in order to adopt regulations and define the boundaries of the Rural Preservation Overlay District.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

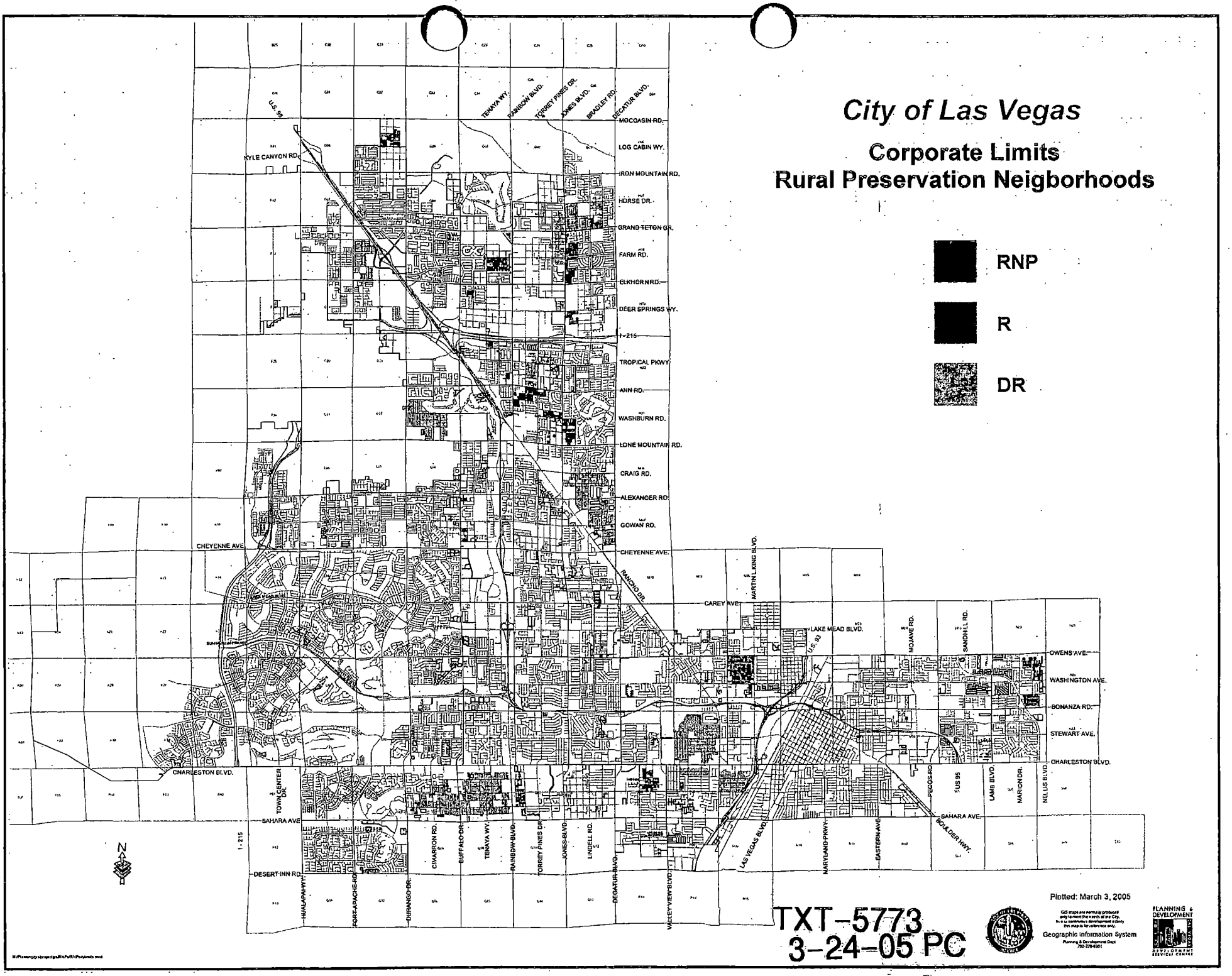
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:
There was no discussion.

(6:02 – 6:09)



TXT-5773
3-24-05 PC

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 24, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-5773 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

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

1. Title 19.06, Special Purpose and Overlay Districts, is hereby amended to include the following section:

19.06.150 RURAL PRESERVATION OVERLAY DISTRICT

A. Establishment of District

There is hereby created a Rural Preservation Overlay District, consisting of those areas of the City which, at the time of establishment of this ordinance, meet all of the following criteria:

1. Located within an area designated RNP (Rural Neighborhood Preservation), DR (Desert Rural) or R (Rural) by the land use map of the Las Vegas 2020 Master Plan;
2. Consist of a minimum of five developed lots each with a net minimum size of 20,000 square feet;
3. Allow residents to have a private horse corral/stable; and
4. Located where the outer boundary of each lot that is used for residential purposes is not more than 330 feet from the outer boundary of any other lot that is used for residential purposes.

B. Designation of Rural Preservation Areas

Rural Preservation Areas are shown on the Rural Preservation Overlay District Map adopted by the City Council on April 20, 2005. The map will be updated as necessary.

C. Intent.

The Rural Preservation Overlay District Map is established to preserve the rural character of designated rural neighborhoods in Las Vegas that have some or all of the following characteristics:

1. Populated by residents with common interests in more open-space lifestyles than experienced in urban neighborhoods;

2. Custom-built homes;

3. Residential lots large enough to park boats, horse trailers and other recreational vehicles behind the front setback line and having enough rear-yard area to construct accessory buildings, stables, tack houses and other horse-related out-buildings;

4. Residential densities low enough to allow substantially more physical separation between neighboring dwellings than typically found in urbanized areas; and

5. re subject to less light pollution from fewer residential nighttime activities and house lighting in general.

D. Standards

1. Adequate buffer areas, screening, and an orderly and efficient transition of land uses, as determined by the City Council, shall be provided between a rural preservation area and a development with a higher density or intensity of use.

2. Property within a rural preservation area shall be maintained as a rural density residential development, not to exceed an overall density of two (2) dwelling units per net acre, unless the Rural Preservation Overlay District Map is amended as specified in Section E.

E. Amendment.

1. Applications that propose any development within a rural preservation area other than residential development with a density not exceeding two units per net acre shall include a request to remove the area of proposed development from the Rural Preservation Overlay District Map.

2. Applicants requesting to remove an area of proposed development from the Rural Preservation Overlay District Map shall demonstrate that the request will not cause significant adverse impacts to the remainder of the rural preservation area and the city of Las Vegas.

3. Prior to an application being forwarded to the Planning Commission, the applicant shall hold a neighborhood meeting with surrounding property owners. The meeting shall be conducted at a nearby facility such as a school, public library or similar public meeting place and shall comply with the notification standards specified by the City for General Plan Amendments.

** STAFF REPORT **

APPLICATION REQUEST

Discussion and possible action to amend Title 19.06 of the Las Vegas Zoning Code to include the following:

1) Title 19.06.150 RURAL PRESERVATION OVERLAY DISTRICT

The proposed amendment will create a Rural Preservation Overlay District Map, which will preserve the rural character of designated rural neighborhoods in Las Vegas.

BACKGROUND INFORMATION

In 1999 the Nevada State Legislature adopted SB 391, which allowed for the creation and protection of rural preservation neighborhoods. These provisions were adopted in response to the rapid development occurring in the Las Vegas Valley and the changing dynamics of existing rural neighborhoods. The legislation allows for the protection of rural neighborhoods and authorizes the governing body to adopt zoning regulations and restrictions to maintain the character of rural neighborhoods [NRS 278.250(2)(k)].

Because this state legislation expired on May 31, 2004, the City of Las Vegas is proposing this Text Amendment in order to continue to protect the character of rural neighborhoods within the City.

ANALYSIS

The proposed amendment will create a Rural Preservation Overlay District, consisting of those areas of the City which, at the time of establishment of this ordinance, meet all of the following criteria:

1. Located within an area designated RNP (Rural Neighborhood Preservation), DR (Desert Rural) or R (Rural) by the land use map of the Las Vegas 2020 Master Plan;
2. Consist of a minimum of five developed lots each with a net minimum size of 20,000 square feet.
3. Allow residents to have a private horse corral/stable; and
4. Located where the outer boundary of each lot that is used for residential purposes is not more than 330 feet from the outer boundary of any other lot that is used for residential purposes.

AR

The Rural Preservation Overlay District is intended to preserve the rural character of designated rural neighborhoods in Las Vegas that are populated by residents with common interests in more open space lifestyles than experienced in urban neighborhoods and which may consist primarily of custom built homes and which consist of residential lots large enough to park boats, horse trailers and other recreational vehicles behind the front setback line and which have enough rear-yard area to construct accessory buildings, stables, tack houses and other horse-related out-buildings; These areas which have residential densities low enough to allow substantially more physical separation between neighboring dwellings than typically found in urbanized areas.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

CITIZENS PARTICIPATION:
ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:
None

MEETING ADJOURNED AT 9:05 P.M.

Respectfully submitted:

Angela Crolli
ANGELA CROLLI, DEPUTY CITY CLERK

Stacey Campbell
STACEY CAMPBELL, DEPUTY CITY CLERK