City of Las Vegas

Agenda Item No. 124

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT

RQR-5939 - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: LODGE BPOE #1468 - Appeal letter filed by the applicant from the Denial by the Planning Commission of a Required Five Year Review of an approved Special Use Permit (U-0216-90) WHICH ALLOWED A 40 FOOT TALL, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4100 West Charleston Boulevard (APN 139-31-801-009), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (4-2 vote) recommends DENIAL. Staff recommends APPROVAL

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

RECOMMENDATION:

The Planning Commission (4-2 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Clear Channel
5. City Council approval letter for U-0216-90
6. Backup referenced from the 2/24/2005 Planning Commission Meeting Item 7

MOTION:

TARKANIAN - APPROVED subject to conditions and amending Condition 1 as follows:

1. The Special Use Permit shall be reviewed in one (1) year at which time the City Council may require the Off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-premise Advertising (Billboard) Sign is removed.

- UNANIMOUS with MACK not voting

NOTE: COUNCILMAN BROWN disclosed he is a member of the BPOE Number 1024 in Norfolk, Massachusetts and was advised by the City Attorney's Office that a disclosure would be sufficient.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ROD CARTER, Clear Channel Outdoor, 2880 Meade Avenue, stated the billboard conforms to the Codes set forth in Title 19.

COUNCILWOMAN TARKANIAN noted she received letters and e-mails concerning this particular

MINUTES - Continued:

sign. She also indicated that the applicant is looking at placing the sign further back on the property because of its large size. She amended Condition 1 to a one-year review, to which MR. CARTER agreed.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(5:51 - 5:54)
6-2720

CONDITIONS:

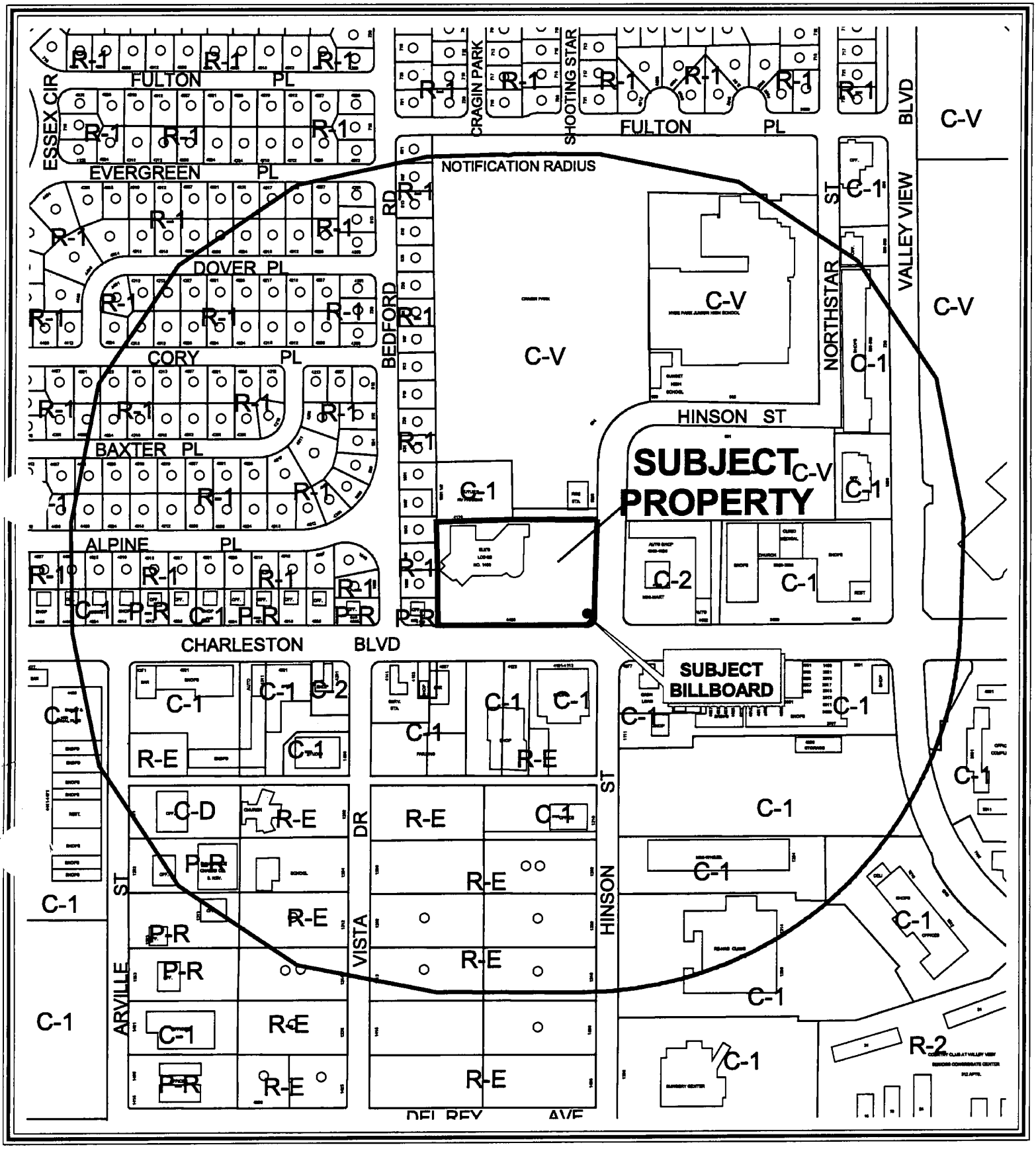
Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the Off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-premise Advertising (Billboard) Sign is removed.

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

3. The Off-premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-premise Advertising (Billboard) Sign.

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



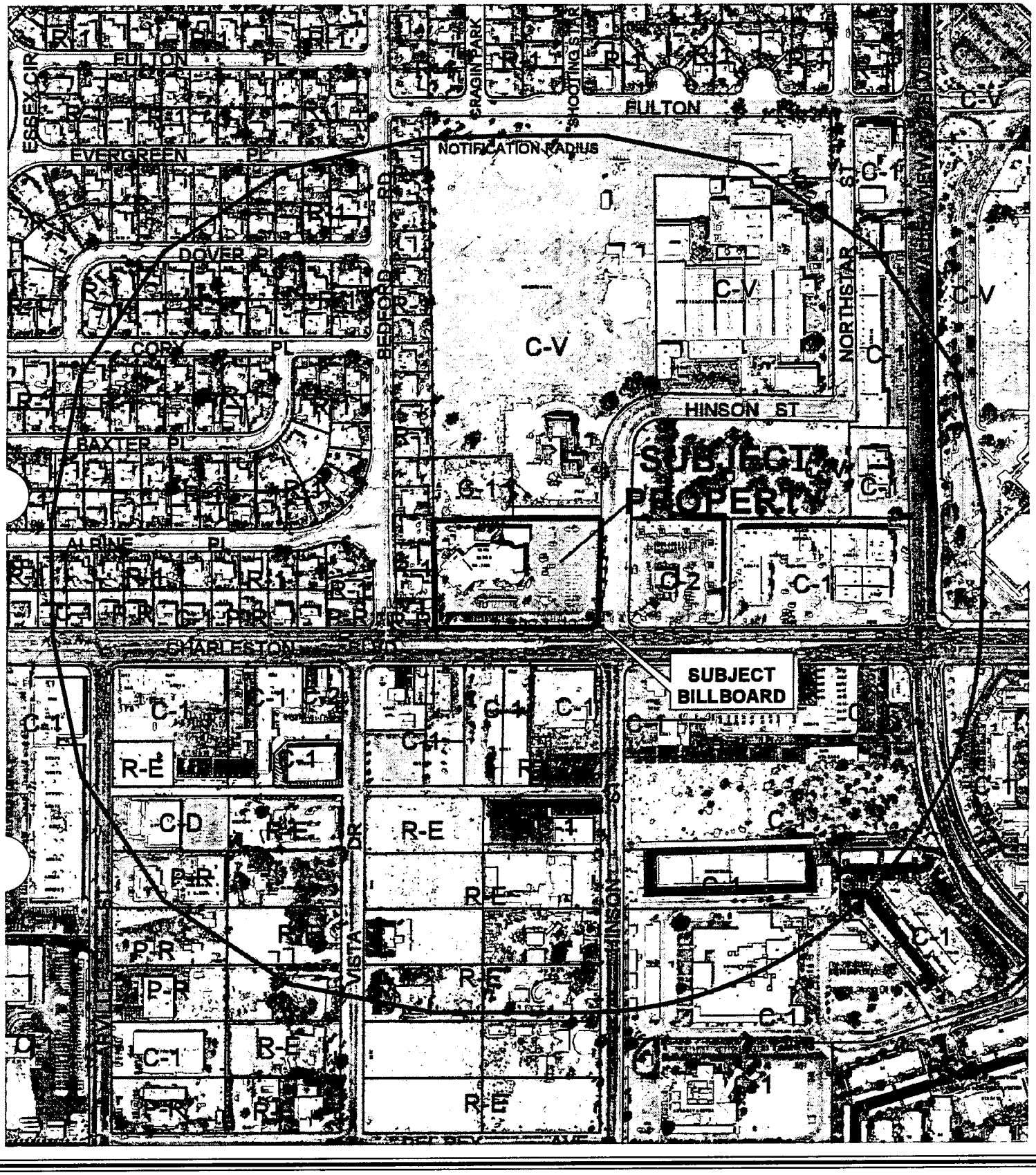
0 400 800 Feet

CASE: **RQR-5939**

RADIUS: 1000 FT

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

N



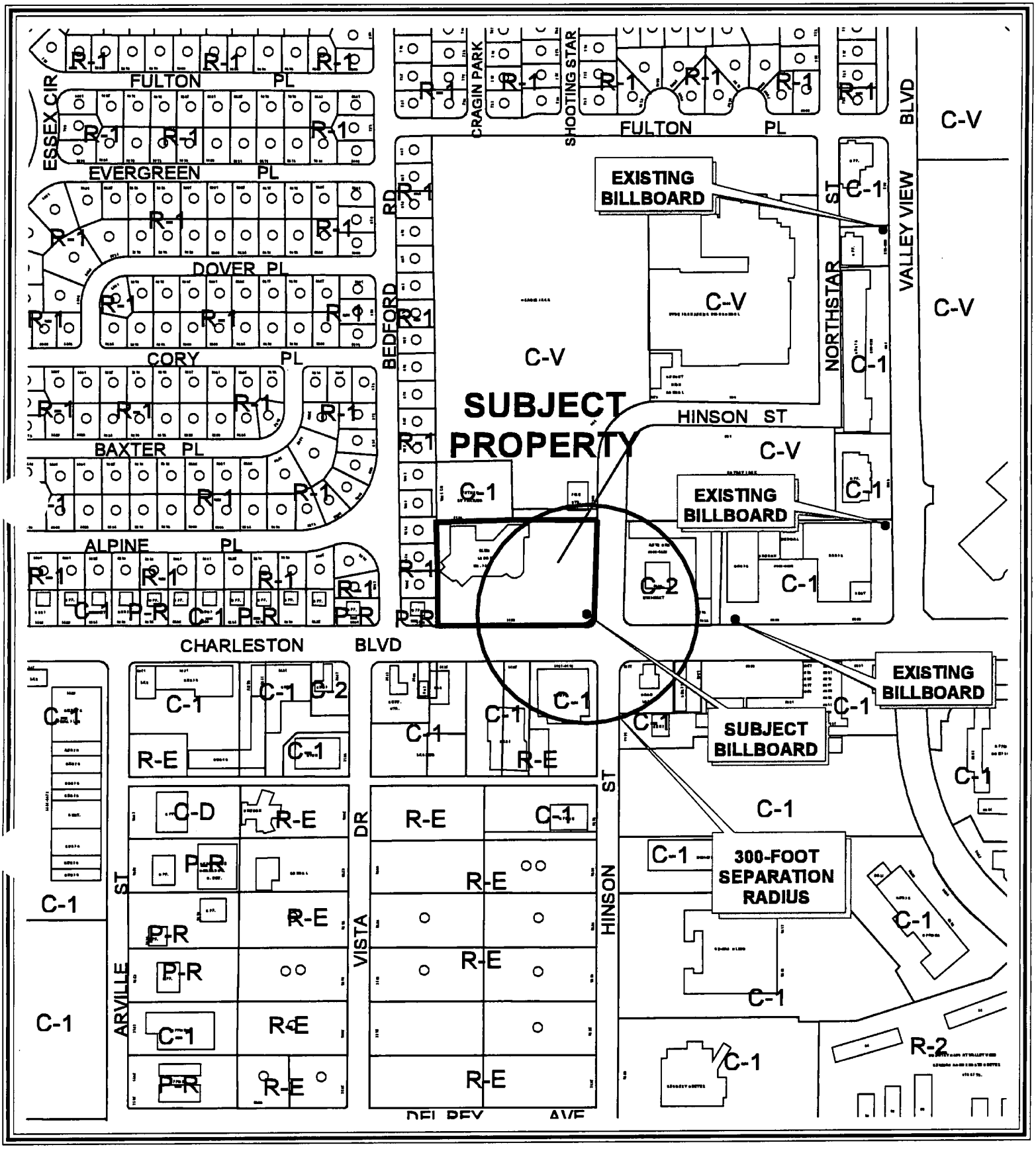
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CASE: **RQR-5939**

RADIUS: 1000 FT

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

N



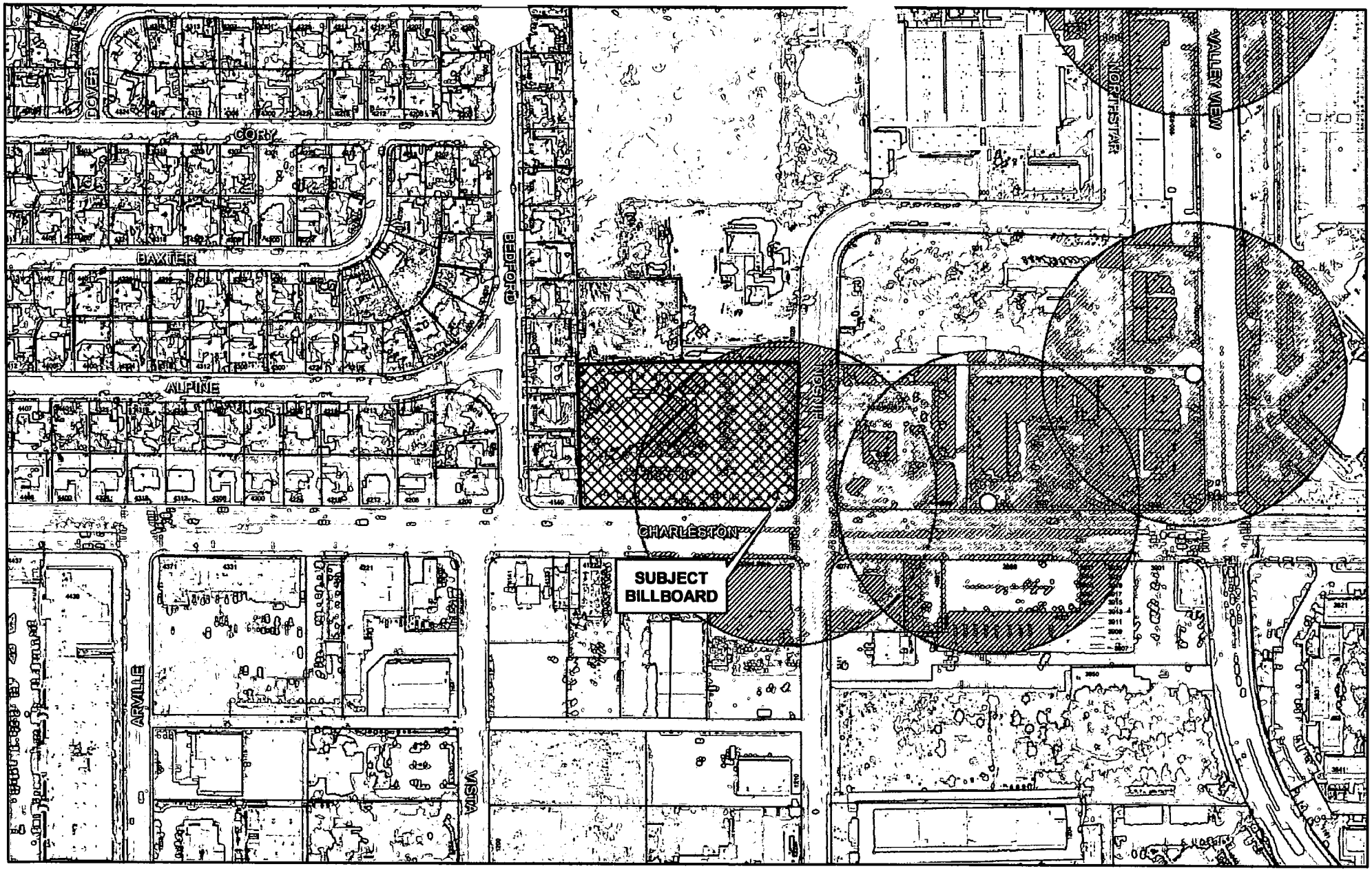
0 400 800 Feet

CASE: **RQR-5939**

SEPARATION RADIUS: 300 FT

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

N



RGE -5939

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-5939 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: LODGE BPOE #1468

** CONDITIONS **

The Planning Commission (4-2 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the Off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-premise Advertising (Billboard) Sign is removed.

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

3. The Off-premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-premise Advertising (Billboard) Sign.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a Required Five Year Review of an approved Special Use Permit (U-0216-90) which allowed a 40 foot tall, 14 foot by 48 foot Off-premise Advertising (Billboard) Sign at 4100 West Charleston Boulevard.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Related Actions

12/05/90 The City Council approved the Special Use Permit (U-0216-90) to allow the 14 foot by 48 foot Off-premise Advertising (Billboard) Sign on this site subject to a five-year review. The Board of Zoning Adjustment and staff recommended denial on 10/25/90.

03/20/96 The City Council approved a Required Five-Year Review [U-0216-90(1)] of the Special Use Permit (U-0216-90) which allowed the 14 foot by 48 foot Off-premise Advertising (Billboard) Sign on this site subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval on 02/27/96.

02/24/05 The Planning Commission voted 4-2 to recommend DENIAL (PC Agenda Item #7/mp).

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.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.85

B) Existing Land Use

Subject Property:	Quasi-Public Facility
North:	Undeveloped
	Park
South:	Retail Commercial
East:	Retail Commercial
	Convenience Store
West:	Single Family Residences and Office

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	PR (Park/recreation/Open Space)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	L (Low Density Residential)
	SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-V (Civic)
South:	C-1 (Limited Commercial)
East:	C-2 General Commercial)
West:	R-1 (Single Family Residential)
	P-R (Professional Office and Parking)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southeast Sector map of the General Plan. The existing C-1 (Limited Commercial) zoning is in compliance with this land use designation. This request is not affected by any General Plan policies.

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

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

ANALYSIS

A) Zoning Code Compliance

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

Standards	Code Requirement	Provided
Off-premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	YES 370 feet to closest Off Premise Sign
Off-premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	YES 410 feet to "R" zoned property.

This billboard exceeds the minimum distance separation requirements from other billboards and "R" zoned properties.

B) General Analysis and Discussion

- Zoning

The existing Off-premises Advertising (Billboard) Sign is allowed in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.14.010 allows the removal of an Off-premise Advertising (Billboard) Sign if conditions in the surrounding area have changed such that the Off-premise sign no longer meets the standards for approval of a Special Use Permit. The continued Off-premise Advertising (Billboard) Sign use on the subject site is appropriate in that there has been little change in the area. Therefore, the recommendation for this request is approval subject to a review in five years.

On 02/07/05 a site inspection was conducted and photos were taken. The inspection revealed the sign is in good condition. A condition has been included that requires the sign to be maintained and kept free of graffiti and clean at all times.

FINDINGS

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

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

Title 19.14.010 allows the removal of an Off-premise Advertising (Billboard) Sign if conditions in the surrounding area have changed such that the Off-premise sign no longer meets the standards for approval of a Special Use Permit. The continued Off-premise Advertising (Billboard) Sign use on the subject site is appropriate in that there has been little change in the area. Therefore, the recommendation for this request is approval subject to a review in five years.

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

   There are no physical constraints to the continuation of the Off-premise Advertising (Billboard) Sign use on this 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."**

   The continuation of the Off-premise Advertising (Billboard) Sign use will not generate any traffic effect on Charleston Boulevard, a fully developed street adjacent to this request.

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

   The Off-premise Advertising (Billboard) Sign will be subject to regular City inspections and will not compromise the public health, safety and welfare.

PLANNING COMMISSION ACTION

At the Planning Commission hearing there was one protest speaker. The Planning Commission majority believed that the billboard was no longer compatible in the area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 158 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-5939 APN: 139 31 801 009

[redacted] of Property Owner: 123 Vegas Eksledge # 1468

Name of Applicant: CLEAR CHANNEL OUTDOOR

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: 139 31 801 009

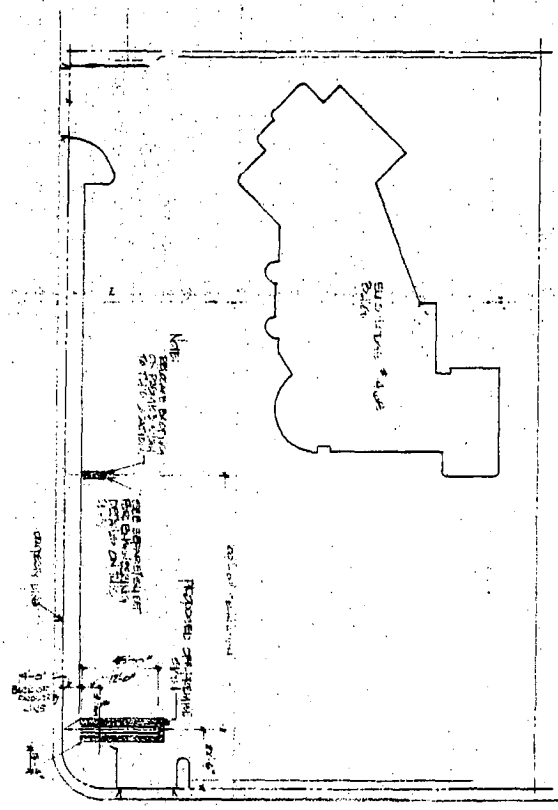
[redacted] of Property Owner: [signature]

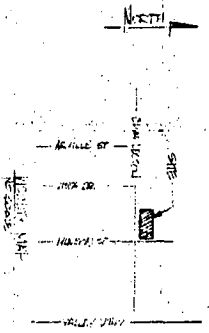
Print Name: Keith Dennison Chairman Trustee
BOD CAREER: AN AUTHORIZED AGENT OF CLEAR CHANNEL OUTDOOR

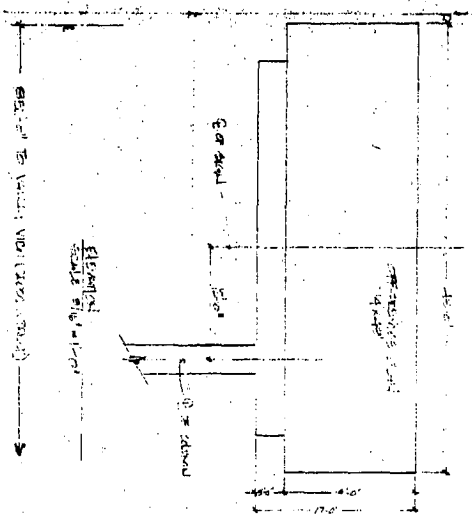
Subscribed and sworn before me

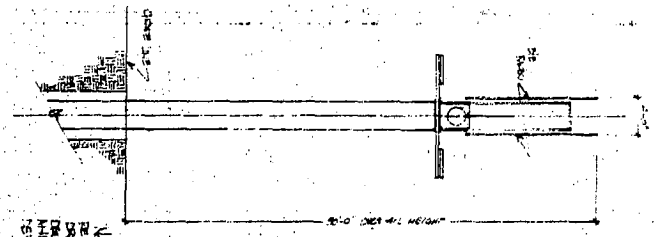
This 3rd day of January, 2005

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









NOTE!
ALL EXPOSED STEEL

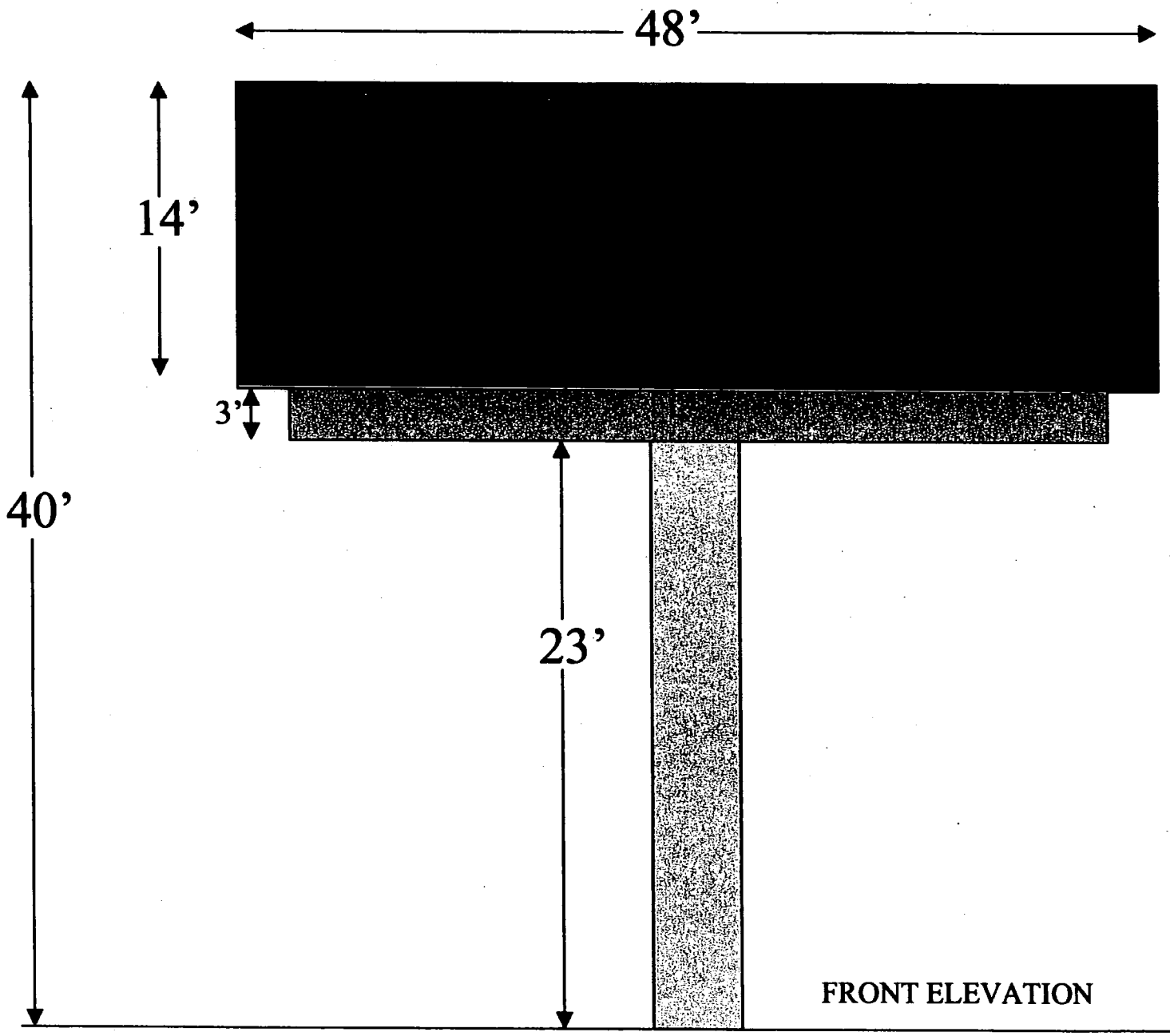
RQR-5939
02/24/05 PC

LAS VEGAS DIVISION
YOUNG ELECTRIC SIGN COMPANY

PROD. APPROVAL	DATE	BY	DRAWINGS	DESIGN NO.	SHEET NO.	SCALE	DATE	BY
CLIENT								
SALES								
DESIGN								
ESTIMATING								
ENGINEERING								
INSPECTION								

SALESPERSON

THIS DRAWING WAS CREATED TO ASSIST YOU IN VISUALIZING OUR PROPOSAL. THE ORIGINAL IDEAS HEREIN ARE THE PROPERTY OF YOUNG ELECTRIC SIGN COMPANY. PERMISSION TO COPY OR REVISE THIS DRAWING CAN ONLY BE OBTAINED THRU A WRITTEN AGREEMENT WITH YESCO. SEE YOUR SALES REPRESENTATIVE OR CALL THE NEAREST OFFICE OF YOUNG ELECTRIC SIGN COMPANY



FRONT ELEVATION

RQR-5939
02/24/05 PC

NOT TO SCALE



RQR-5939 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: LODGE BPOE #1468
4100 WEST CHARLESTON BOULEVARD
FEBRUARY 24, 2005 PLANNING COMMISSION

2/7/05



RQR-5939 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: LODGE BPOE #1468
4100 WEST CHARLESTON BOULEVARD
FEBRUARY 24, 2005 PLANNING COMMISSION

2/7/05

CLEARCHANNEL
OUTDOOR

RECEIVED
CITY CLERK
2005 FEB 28 P 12:06

February 28, 2005

City of Las Vegas
Clerk Office
City Hall, First Floor
400 Stewart Ave
Las Vegas, NV 89101

RE: Letter of Appeal for: ***RQR-5939***

To Whom It May Concern:

Clear Channel Outdoor at this time would like to Appeal the decision for ***Denial*** of our ***Special Use Permit*** for the above said Required Review made by the Planning Commission at its regular meeting that was held on Thursday, February 24, 2005.

This location conforms to all aspects of Title 19A, which governs Off-Premise Advertising "Billboard" Signs, therefore we humbly, request that the above said ***RQR*** (Required Review) be heard on a latter date before City Council.

Should you have any questions please contact me at 702.238.7209

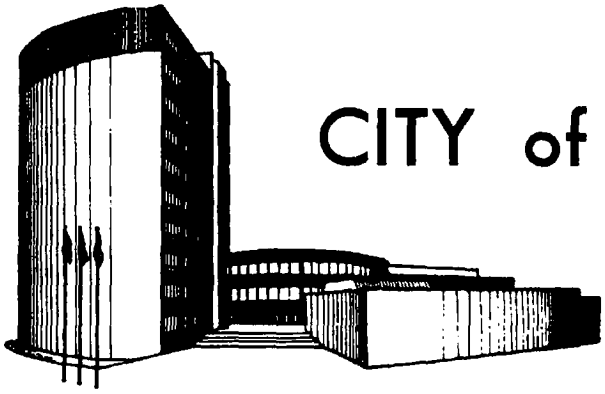
Sincerely,
CLEAR CHANNEL OUTDOOR

Rod Carter
Senior Real Estate Rep
Clear Channel Outdoor
2880 Meade Avenue, Suite 350
Las Vegas, NV 89102

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. MCDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

March 27,. 1996

Las Vegas Elks Lodge BPOE #1468
4100 West Charleston Boulevard
Las Vegas, Nevada 89103

RE: U-216-90(1) - FIVE YEAR REQUIRED REVIEW

Gentlemen:

The City Council at a regular meeting held March 20, 1996 APPROVED the Five Year Required Review on an approved Special Use Permit which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign on property located at 4100 West Charleston Boulevard, C-1 Zone, subject to the following:

1. The Board shall hold a public hearing to review this use in five years and at that time may require the sign to be removed.

2. The applicant must obtain an off-premise sign certificate from the Planning and Development Department.

3. All development must be in conformance with the plot plan and elevations.

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

An approved Variance or Special Use Permit must be exercised within one year or it becomes null and void, unless a request for an Extension of Time is duly filed with the Planning and Development Department for consideration and approval by the appropriate board.

Sincerely,

Kathleen M. Tighe

KATHLEEN M. TIGHE
City Clerk

/cmp
cc: Dept. of Planning & Development
Dept. of Public Works
Dept. of Fire Services
Land Development Services

cc: Ms. Lucretia Langham
Young Electric Sign Company
5119 South Cameron Street
Las Vegas. Nevada 89118

Attorney Beverly Salhanik
1125 Shadow Lane
Las Vegas, Nevada 89102

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101-2986
(702) 229-6011 (VOICE) • (702) 386-9108 (TDD)

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

February 20, 2005

Las Vegas Planning Commission

Dear Sir or Madam:

RE: RQR-5939

I am writing to express my opposition to item number RQR-5939. This is a five year review of a billboard just several blocks from my home. This neighborhood is undergoing a positive change. It is an older area and many of us have recently purchased and improved our homes. The billboards along West Charleston clutter the visual serenity of the neighborhood. In the area from Valley View to the jam packed billboard area of Decatur, there are several along this route. Most of us use Charleston to drive to and from home, I believe we should have the same rights as those that live in the newer neighborhoods to not be visually assaulted with the barrage of billboards as we are today.

I urge each of you to look at this issue and reject it as the fewer signs along this residential route improve our properties, looks, and overall neighborhood condition.

Sincerely,

James Thurlow
Ward 1 resident

READ INTO
THE RECORD

4319 GARDEN PLACE • LAS VEGAS, NEVADA • 89107

City of Las Vegas

Agenda Item No. 125

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SPECIAL USE PERMIT

SUP-5908 - PUBLIC HEARING - APPLICANT: YONG WEN - OWNER: GGP IVANHOE II, INC. - Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND A WAIVER OF THE REQUIRED 400 FOOT DISTANCE SEPARATION FROM RESIDENTIAL PROPERTY AND A SCHOOL at 4300 Meadows Lane (APN 139-31-510-019), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). (NOTE: Item to be heard in conjunction with Morning Session Item 58) The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 2/24/2005 Planning Commission Meeting Item 34

MOTION:

TARKANIAN - APPROVED subject to conditions and the following added condition as read for the record:

- There shall be a maximum of six massage chairs.

- UNANIMOUS with REESE excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 125 [SUP-5908] and Item 58 [4300 Meadows Lane, Yong Wen].

The applicant, YONG WEN explained that the massage establishment would be located across from the food court in the Meadows Mall.

JUNE INGRAM, Charleston Neighborhood Preservation, opposed the massage establishment because it is too close to a school.

MS. WEN explained for COUNCILWOMAN TARKANIAN that the six massage chairs would be located outside Macy's Department Store within the Meadows Mall. People could request a five or ten-minute fully clothed massage. COUNCILWOMAN TARKANIAN explained for MS. INGRAM that this would not be a massage parlor, and that the chairs will not be located in a room, but within the mall.

MINUTES - Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT explained that the proposed massage chairs would be similar to the one approved on the Fremont Street Experience.

COUNCILWOMAN TARKANIAN approved the temporary license with a six-month review with the condition that the massage establishment consists of outside chair massage only and if any changes are made to the business, the license will be brought back to the City Council.

MS. YEN understood the six-month review and clarified that the license will be continued if no problems arise. MARGO WHEELER, Director, Planning and Development Department, suggested an added condition to Item 125 [SUP-5908] stating that there will be a maximum of six massage chairs.

MAYOR GOODMAN declared the Public Hearing closed on Item 125 [SUP-5908] and Item 58 [4300 Meadows Lane, Yong Wen].
(2:02 - 2:09)
4-851

CONDITIONS:

Planning and Development

1. Conformance with all the requirements under Title 19.04.050 for a Massage Establishment.

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. Waiver of the 400-foot separation requirement from a school and property zoned for residential use is hereby granted.

4. Conformance with all other City code requirements and design standards of all City departments.

City of Las Vegas

Agenda Item No. 58

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding a new Massage Establishment License subject to the provisions of the planning and fire codes, Yong Wen, dba Good Hands Acupressure and Massage Center, 4300 Meadows Lane, 6512, Yong Wen, 100% (NOTE: Item to be heard in the afternoon session in conjunction with Item 125 - SUP-5908) - Ward 1 (Tarkanian)

Fiscal Impact:

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

PURPOSE/BACKGROUND:

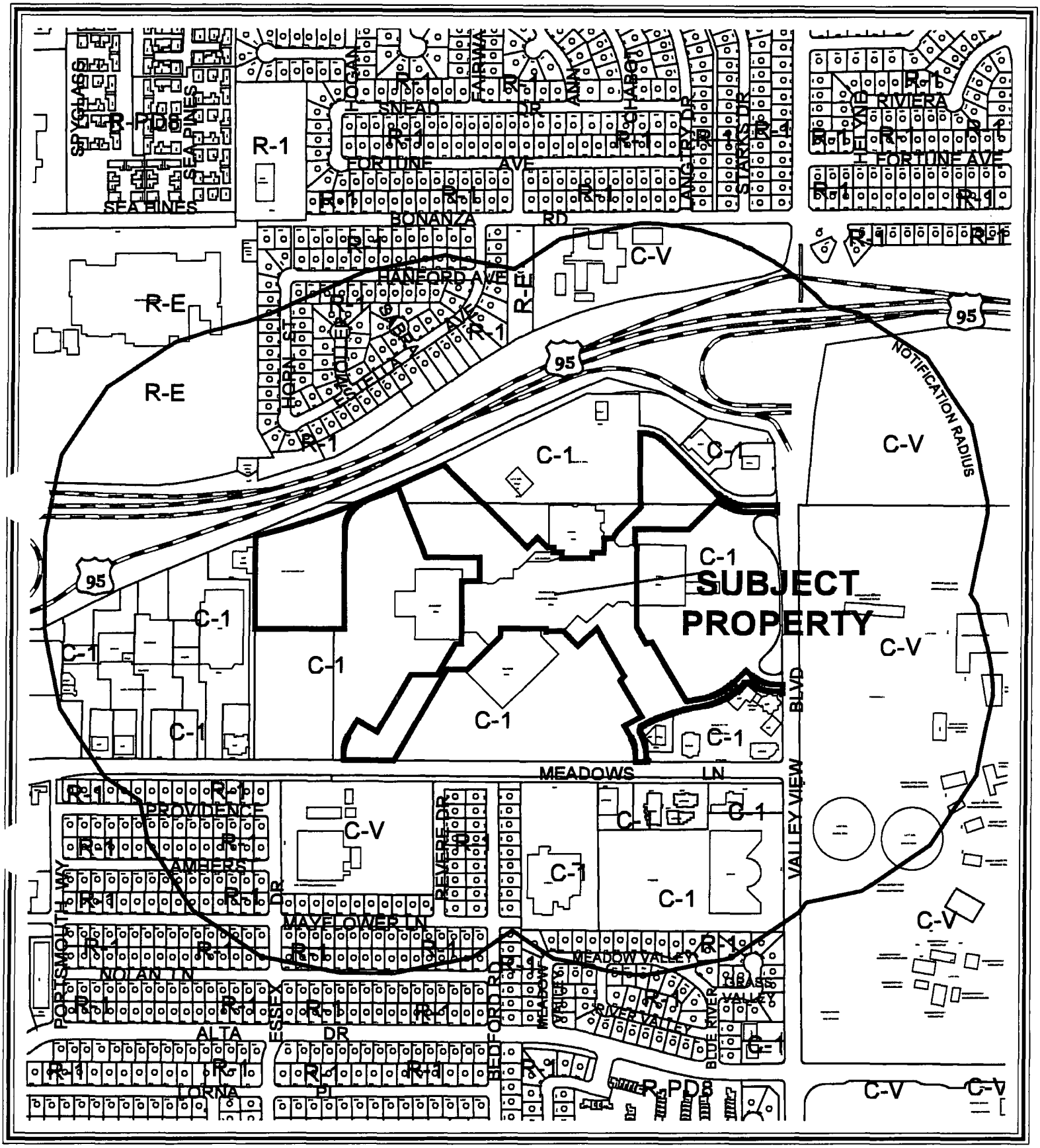
Discussion and possible action regarding a new Massage Establishment License.

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

None

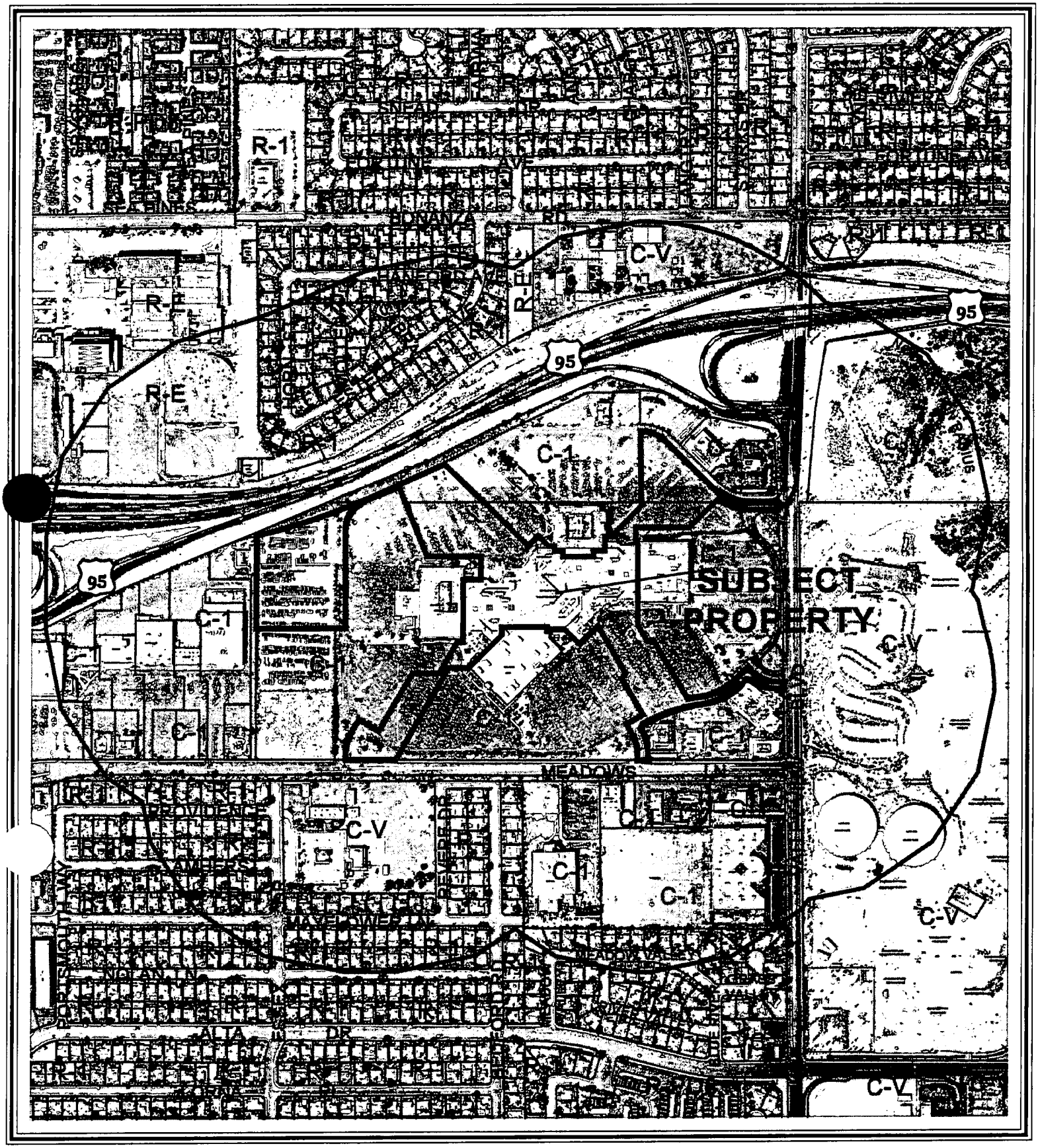


0 600 1200 Feet

CASE: **SUP-5908**

RADIUS: 1000 FT

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

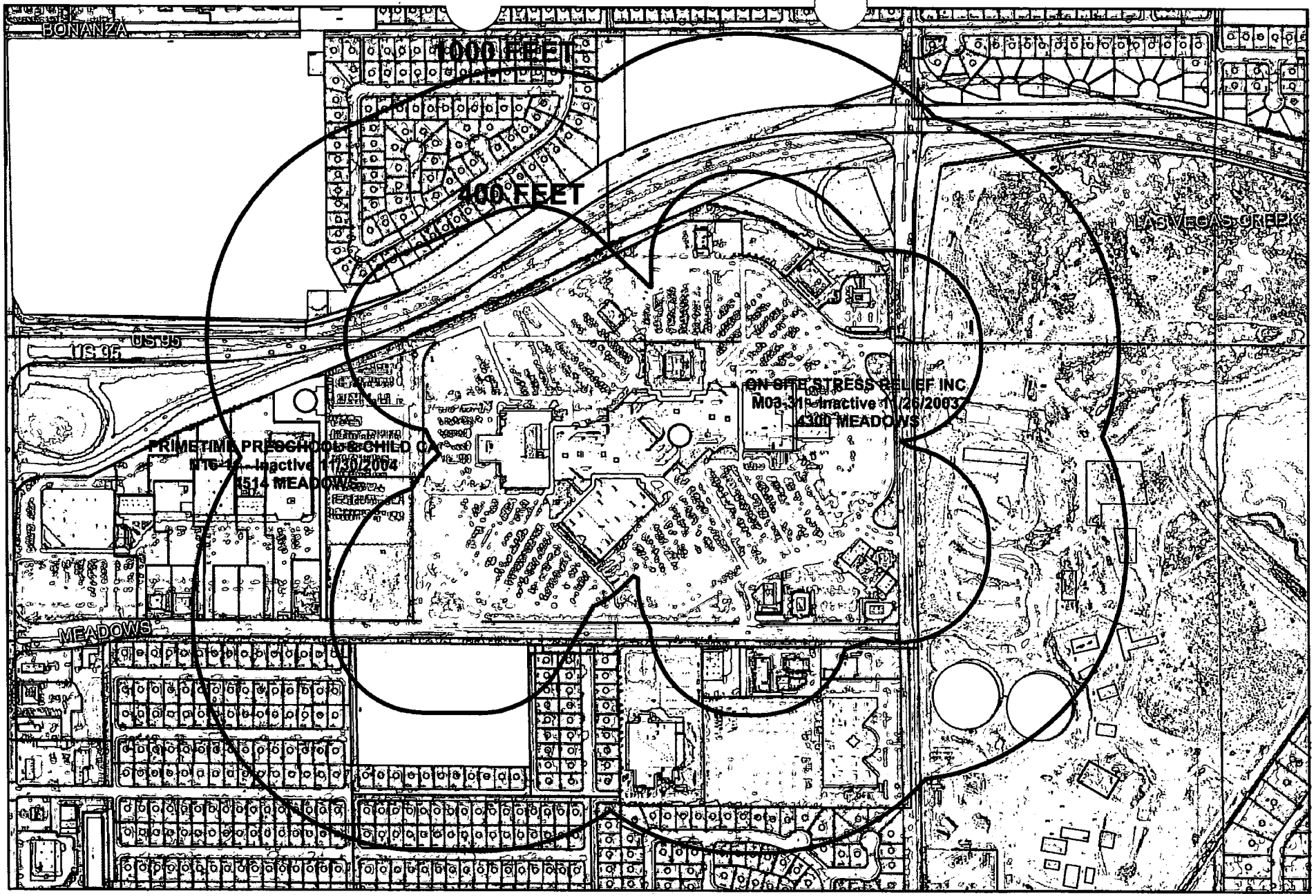


CASE: **SUP-5908**

RADIUS: 1000 FT

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

N



SUP-5908
Message Establishment

Business Licenses
- Massage Establishment
- Child Care/ Children Facility

Protected Landuses
- RELIGIOUS
- SCHOOLS
- PARKS

Subject Property
Residential Property
Buffer

0 337.5 675 1,350 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5908 - APPLICANT: YONG WEN - OWNER: GGP IVANHOE II, INC.

** CONDITIONS **

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance with all the requirements under Title 19.04.050 for a Massage Establishment.

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. Waiver of the 400-foot separation requirement from a school and property zoned for residential use is hereby granted.

4. Conformance with all other City code requirements and design standards of all City departments.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Massage Establishment and a Waiver of the required 400 foot distance separation from a school and property zoned for residential use at 4300 Meadows Lane (Meadows Mall).

B) Applicant's Justification

The applicant indicates in a letter included with the application that the Massage Establishment would be for "relax chair massage services" and located in front of Macy's department store. It was also indicated that all their employees have City massage licenses.

BACKGROUND INFORMATION

A) Related Actions

04/19/95 The City Council approved a Special Use Permit (U-0021-95) for a Class III Secondhand Dealership to allow the sale of used records, tapes and compact discs on the subject property. The Board of Zoning Adjustment and staff recommended approval.

12/18/96 The City Council approved a Special Use Permit (U-0132-96) for Beer and Wine Sales in conjunction with a proposed restaurant on the subject property. The Board of Zoning Adjustment and staff recommended approval.

05/02/01 The City Council approved a Special Use Permit (U-0030-01) for Auto Dealer Inventory Storage on the subject property. The Planning Commission and staff recommended approval.

09/19/01 The City Council approved a Special Use Permit (U-0110-01) for a 60-foot tall wireless communications monopole on the subject property. The Planning Commission and staff recommended approval.

10/06/04 The City Council approved Special Use Permits (SUP-4807 and SUP-4809) to allow a 51 foot high, 14 foot by 48 foot off-premise advertising (billboard) sign and a 40 foot high, 14 foot by 48 foot off-premise advertising (billboard) sign on the subject property. The Planning Commission and staff recommended approval.

01/19/05 The City Council approved requests for Special Use Permits (SUP-5578 and SUP-5580) for a Massage Establishment and General Business Related Gaming Establishment in Suite #243 on the subject property. The Planning Commission and staff recommended approval.

02/24/05 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #34/dds).

B) Pre-Application Meeting

12/01/04 The staff met with the prospective applicant on a proposal for a Massage Establishment within Meadow Mall. It was indicated that a Waiver would be required, as the property is within 400 feet of a school and property zoned for residential use.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 27.25

B) Existing Land Use

Subject Property:	Commercial center (Meadows Mall)
North:	US 95
South:	Residential dwellings
	Public school (Griffith Elementary)
	YMCA
	Office park
East:	Las Vegas Springs Preserve
	Las Vegas Valley Water District property
West:	Commercial center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	ROW (Right-of-Way)
	L (Low Density Residential)
	PF (Public Facilities)
South:	L (Low Density Residential)
	PF (Public Facilities)
	SC (Service Commercial)
East:	PF (Public Facilities)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-1 (Single Family Residential)
	C-V (Civic)

South:	R-1 (Single Family Residential)
	C-V (Civic)
	C-1 (Limited Commercial)
East:	C-V (Civic)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southeast Sector Land Use Map of the General Plan. The C-1 (Limited Commercial) zoning on the site conforms to the SC land use designation. A Message Establishment is permitted as a Special Use in a C-1 (Limited Commercial) zoning district subject to the approval of a Special Use Permit and compliance with the base conditions for a Message Establishment.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

A Massage Establishment is permitted as a Special Use in a C-1 (Limited Commercial) zoning district subject to the approval of a Special Use Permit and compliance with the base conditions for a Massage Establishment. One such condition is a requirement that the Massage Establishment be located no closer than 400 feet to any church, synagogue, school, and childcare facility licensed for more than 12 children, or City park. A school and property zoned for residential use is located south of Meadows Lane, across from Meadows Mall wherein the Massage Establishment is proposed to be located. In the manner in which the distance is measured, the Massage Establishment would be located within 400 feet of the property zoned for residential use and the school. Consequently, the applicant has requested a Waiver in this distance separation requirement.

B) General Analysis and Discussion

- Zoning

The subject property is presently zoned C-1 (Limited Commercial). A Massage Establishment is permitted in a C-1 (Limited Commercial) zoning district subject to the approval of a Special Use Permit and compliance with the base conditions for a Massage Establishment.

- Use

  According to Title 19, a Massage Establishment is: "A facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52." Chapter 6.52 regulates Massage Establishments in general, setting forth procedures for obtaining licenses and permits and for inspections by the Board of Massage Examiners.

  According to the site plan submitted with the application, six chairs would be located along the railing to the first floor vestibule in front of Macy's department store within the Meadows Mall.

- Conditions

  Title 19.04.050 lists the base conditions for the approval of a Special Use Permit for a Massage Establishment as follows:

  (1) The use shall comply with all applicable requirements of LVMC Title 6.

  (2) The use must be located on a secondary thoroughfare or larger.

  (3) The use may not be located within four hundred feet of any church, synagogue, school, City park, childcare facility, or any parcel zoned for residential use.

  (4) The use may not be located within one thousand feet of any other massage establishment.

  (5) The hours of operation shall be limited to the period between 8:00a.m. and 9:00p.m., unless further limited by the City Council on a case-by-case basis.

  Any of the preceding conditions may be waived by the Planning Commission or City Council if convincing and substantial evidence is presented demonstrating that the City's objective in safeguarding the public interest is not compromised. The proposed Massage Establishment can comply with these conditions, except for the distance separation requirement for which a Waiver is sought.

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 subject property is presently zoned C-1 (Limited Commercial). A Massage Establishment is permitted in a C-1 (Limited Commercial) zoning district subject to the approval of a Special Use Permit and compliance with the base conditions for a Massage Establishment. The Massage Establishment meets the base conditions, except for the 400 foot distance separation requirement from a school and property zoned for residential use located south of the Meadows Mall. For this reason, the applicant has requested a Waiver in this requirement.

The Meadows Mall within which the Massage Establishment would be located is actually over a thousand feet from the property zoned for residential use and the school. However, according to Title 19, the distance is to be measured from the closest edge of the parcel containing a Massage Establishment to the edge of the parcel that contains the effected property. In this case, the effected property is across the street from the mall. The distance separation requirement is necessary to ameliorate the incompatibility of the uses from each other. However, in this case, the requirement is superfluous, as there is not only a large separation between the two uses, but there is a physical separation by its location within a shopping center. For these reasons, it is recommended that the Waiver be granted.

It is not uncommon for a Massage Establishment to be located within a shopping mall for weary shoppers. The proposed Massage Establishment would be harmonious and compatible with existing uses in the Meadows Mall and it is recommended that this application be approved.

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

The Meadows Mall consists of retail business that are of similar intensity as the proposed Massage Establishment. The mall's structure is designed for this type of use and is physically suitable.

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 Meadows Mall, within which the proposed Massage Establishment would be located, is designed to accommodate the traffic flow to and from Valley View Boulevard and Meadows Lane. According to the Master Plan of Streets and Highways, Valley View Boulevard is a Secondary (80 foot) Collector street that in turn has direct access to U.S. Highway 95.

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 Massage Establishment would be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 268 by City Clerk

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

229-4693

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5908** APN: _____

Name of Property Owner: General Growth Properties

Name of Applicant: Yong Wen

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: _____, Agent

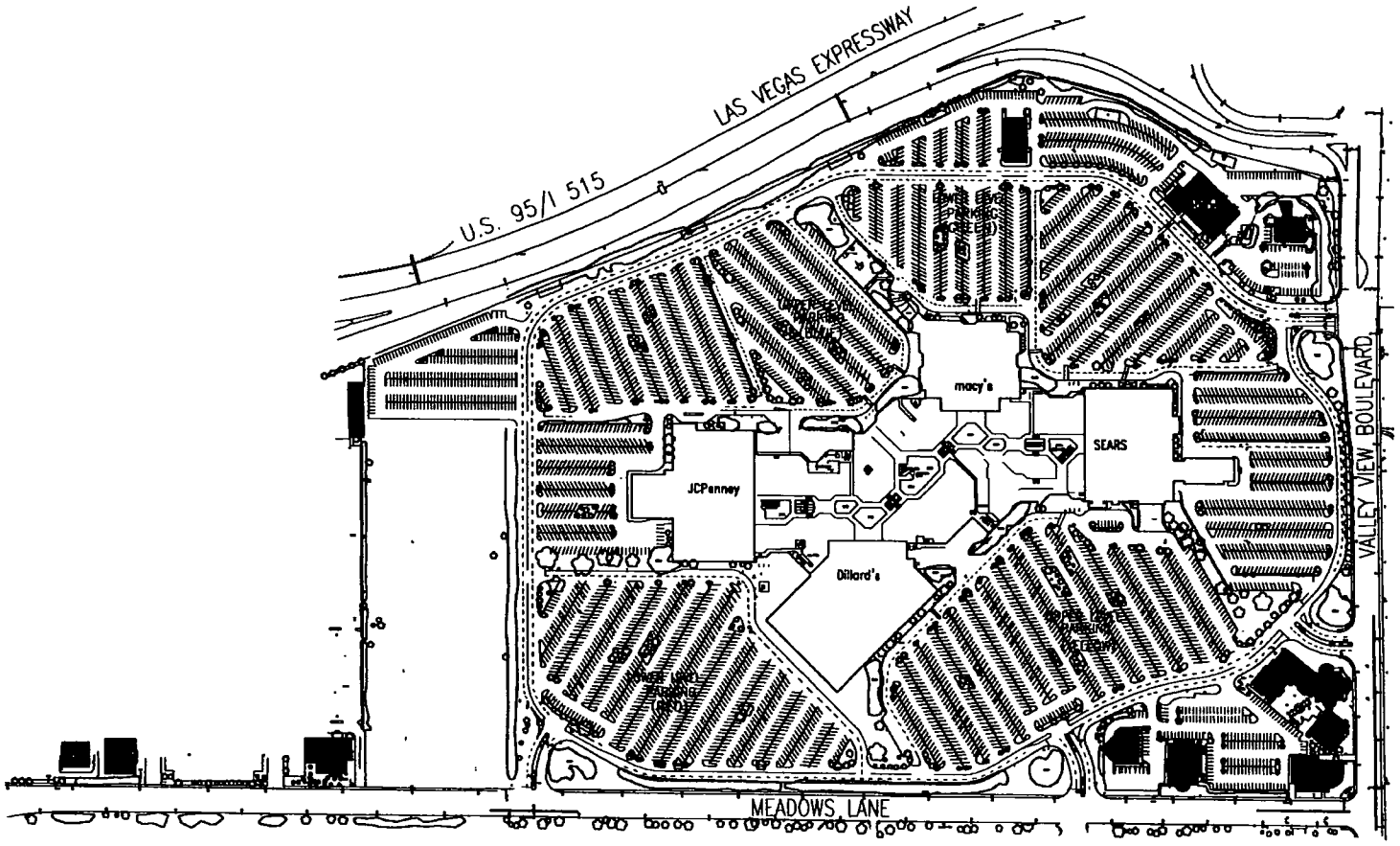
Print Name: Gregory K. Sims

Subscribed and sworn before me

This 9 day of December, 2004

_____
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
URSULA HEAD
No: 95-0843-1
My Appointment Expires Nov. 16, 2007



SITE PLAN
SCALE: 1" = 100'-0"

DISCLAIMER NOTICE

General Growth Properties, Inc.
110 North Wacker Drive
Chicago, Illinois 60606

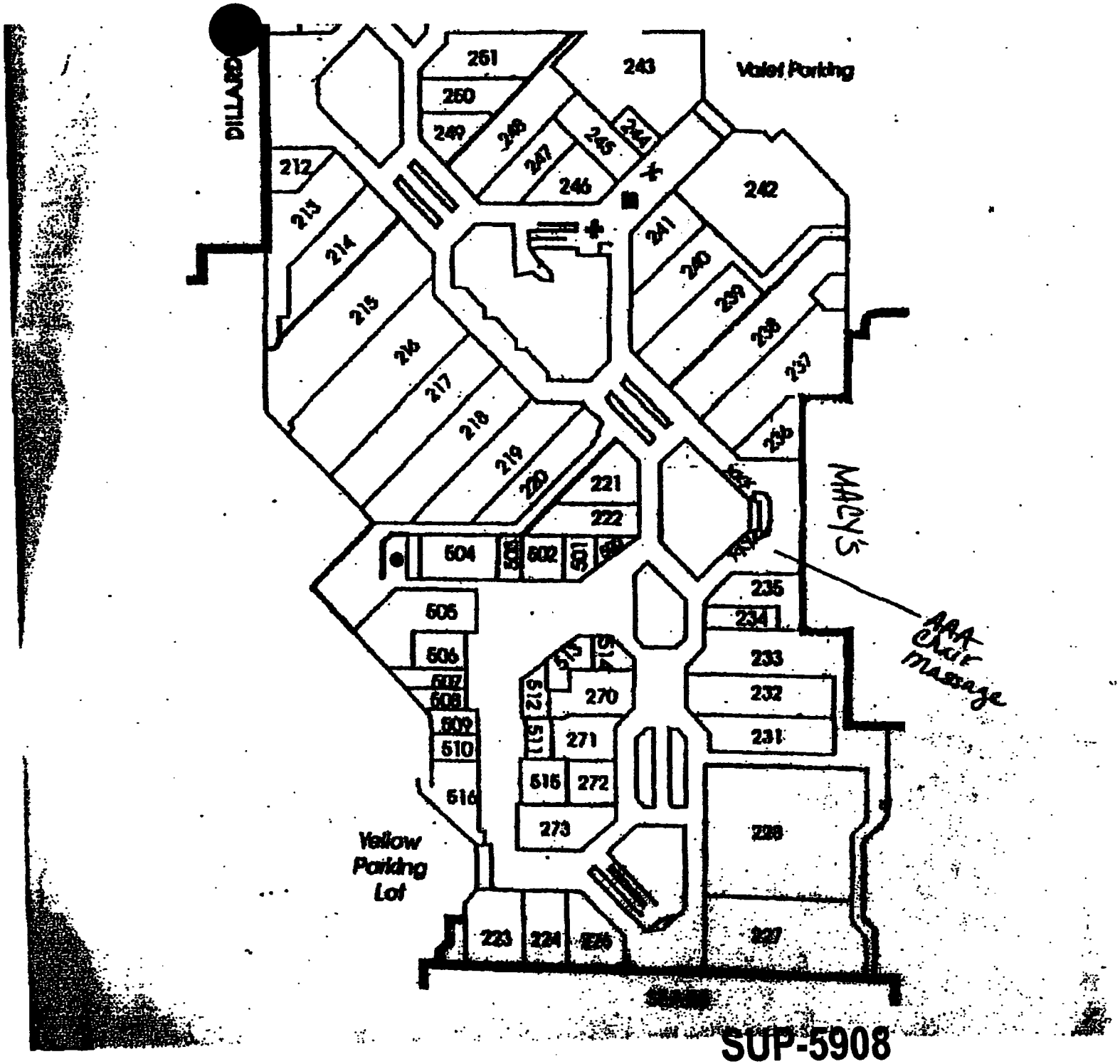
SITE PLAN
MEADOWS MALL
4300 MEADOWS LANE, SUITE B
LAS VEGAS, NEVADA 89107

SP-1

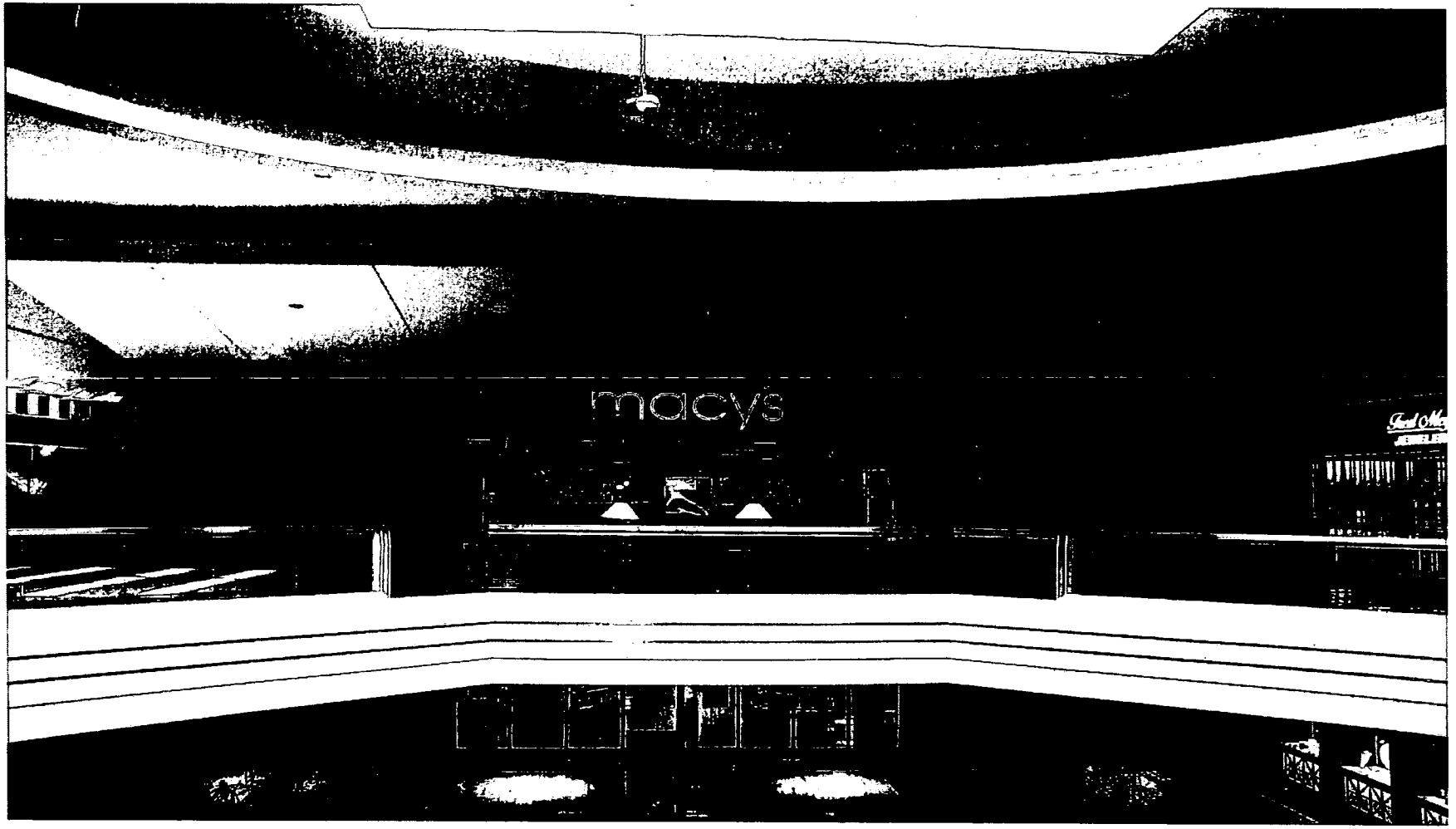
SUP-5908
02/24/05 PC

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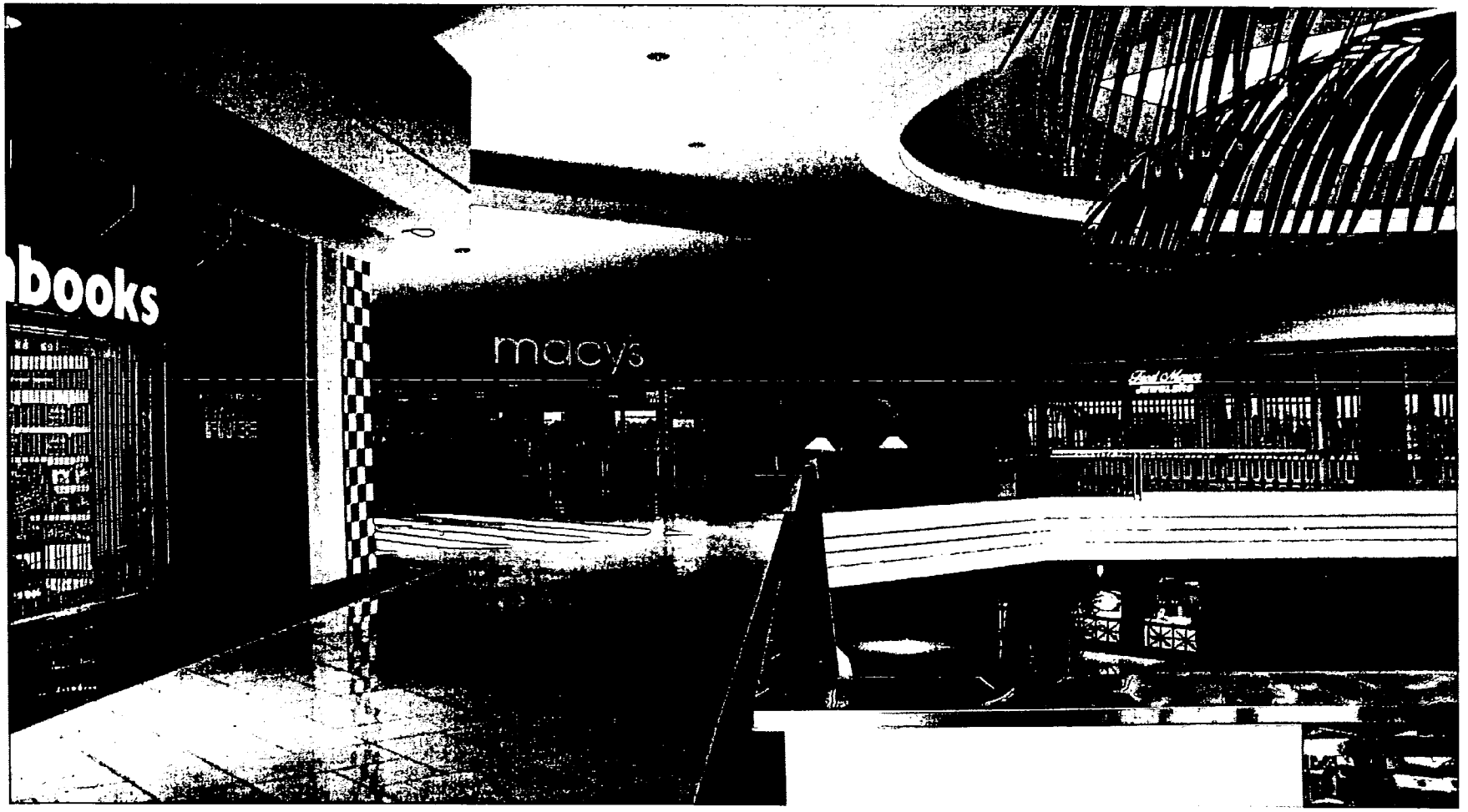


SUP-5908
02/24/05 PC



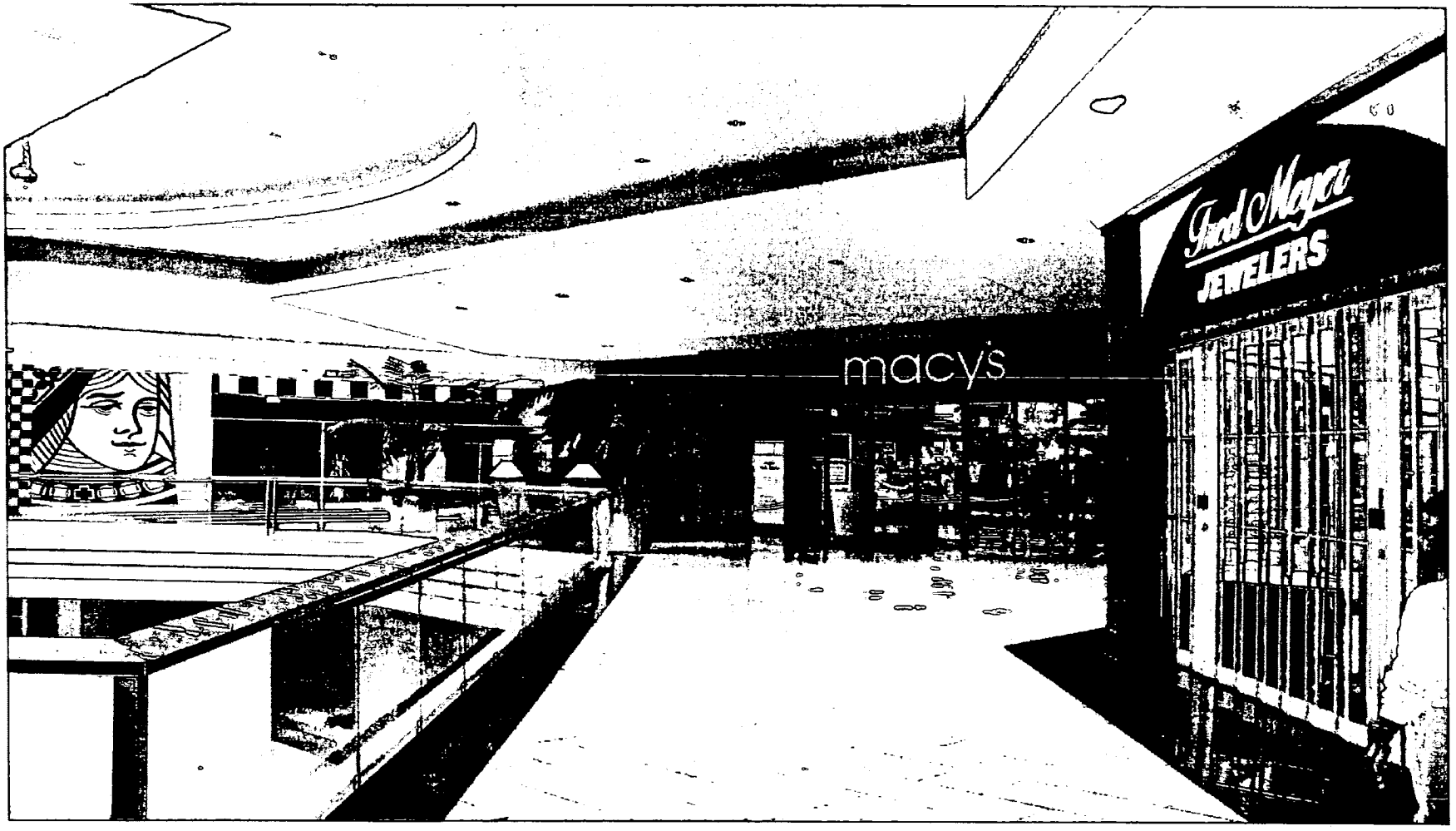
SUP-5908 - APPLICANT: YONG WEN - OWNER: GGP IVANHOE II, INC.
4300 MEADOWS LANE
FEBRUARY 24, 2005 PLANNING COMMISSION

2/9/05



SUP-5908 - APPLICANT: YONG WEN - OWNER: GGP IVANHOE II, INC.
4300 MEADOWS LANE
FEBRUARY 24, 2005 PLANNING COMMISSION

2/9/05



SUP-5908 - APPLICANT: YONG WEN - OWNER: GGP IVANHOE II, INC.
4300 MEADOWS LANE
FEBRUARY 24, 2005 PLANNING COMMISSION

2/9/05

Justifition letter

We will do chair massage inside of meadows mall. which front of Macy.

We do relax chair massage services only.

Business hour: 10am-9pm, 7days a week.

All our worker had Las Vegas City Massage License already.

We Requiers a waiver From 400' minimum distance separation Requierment From Property zooned used For residential purposes And From a school.

Good Hands Accupreture & massage center

Owner: Yong Wen

Dec.01.04

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

Telephone Protest/ Approval Log

Meeting Date: 02/24/05 **Case Number:** SUP-5908

Date: 01/20/05.
Name: Betty Craik
Address: 4416 Alta Dr
L.V. NV. 89107
Phone: (702) 878-4979

[X] **PROTEST** [ ] **APPROVE**

Date: 02/01/04
Name: Elda Decker
Address: 4401 Nolan Ln
L.V. NV. 89107
Phone: 877-9965

[X] **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**

CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

City of Las Vegas Planning Commission
400 Stewart Avenue
Las Vegas, NV 89101

February 21, 2005

RE: Items #34 and #37 on Thursday February 24, 2005's Agenda SUP-5908 and SUP-5938

Dear Planning Commission,

Item #34 SUP-5908:
We do not believe that a Massage Establishment should be located at 4300 Meadows Lane because it is too close to schools and residences. No waivers should be granted for this business.

Please VOTE NO on Item #34 SUP-5908

Item #37 SUP-5938:
Several years ago, another Massage Business tried to get established in this area during Councilman MacDonald's tenure. It was soundly rejected by many of the residents in the neighborhood . The Special Use Permit was denied.

It is an unacceptable business to have so close to residences and schools. The proposed hours of operation are also absolutely unacceptable.

Enclosed is an aerial map of South Rainbow Boulevard with #1750 in the middle. Commercial properties are along the east side of Rainbow with residences directly to the east. There is not 400' between #1750 and the residences next door.

Please help us protect our neighborhood.

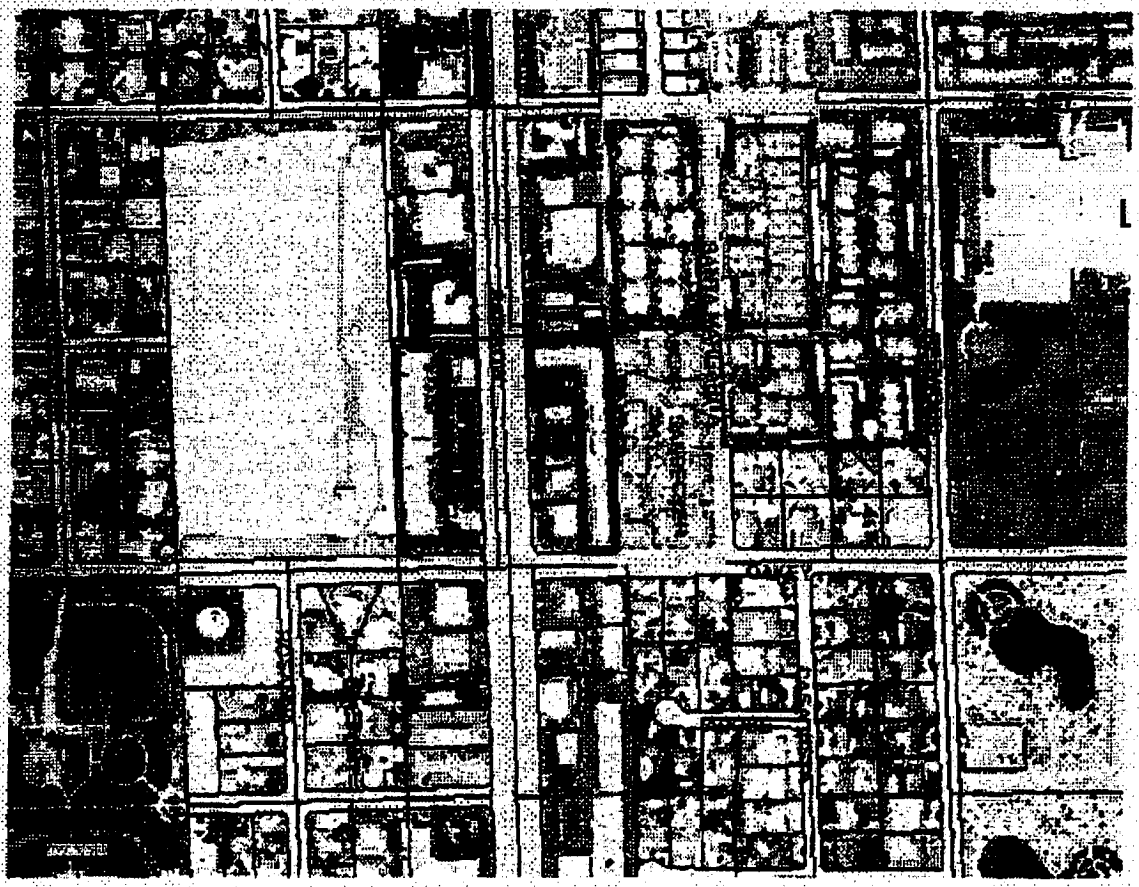
Please VOTE NO on Item #37 SUP-5938

Thank you very much.

June Ingram Pamela Stancliffe

June Ingram and Pamela Stancliffe
259-3094 258-1517

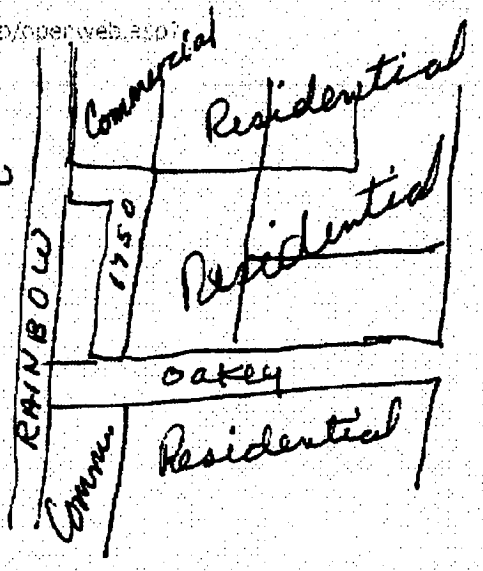
Map Click: Select Property Zoom In Zoom Out Pan Measure



To display a Clark County Assessor's Parcel **Page** Map for the selected parcel: **16302212001 Click Here**

To **mail a link** of selected parcel# **16302212001**, **Click Here** or, Copy / Paste the following hyperlink:
http://gisgate.co.clark.nv.us/openweb/asp/openweb.asp?getParce=16302212001

for 2-24-05
1750 S. Rainbow
Item #37
SUP-5938



City of Las Vegas

Agenda Item No. 126

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SPECIAL USE PERMIT

SUP-5910 - PUBLIC HEARING - APPLICANT: CLASSY CONSIGNMENT, INC. - OWNER: SAHARA PAVILION NORTH U.S., INC. - Request for a Special Use Permit FOR A PROPOSED SECONDHAND DEALER at 4704 West Sahara Avenue, Suite #1 (APN 162-06-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JUDITH STONE, owner of Classy Consignment, Inc., 4704 West Sahara Avenue, stated she is currently doing business as Judith Ann Boutique.

TOM McGOWAN, Las Vegas resident, asked MS. STONE if furniture would be displayed outside. MS. STONE replied that provision of her lease requires that she have no outdoor displays or use flyers or handouts outside of her store.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(3:15 - 3:27)
5-407

CONDITIONS:

Planning and Development

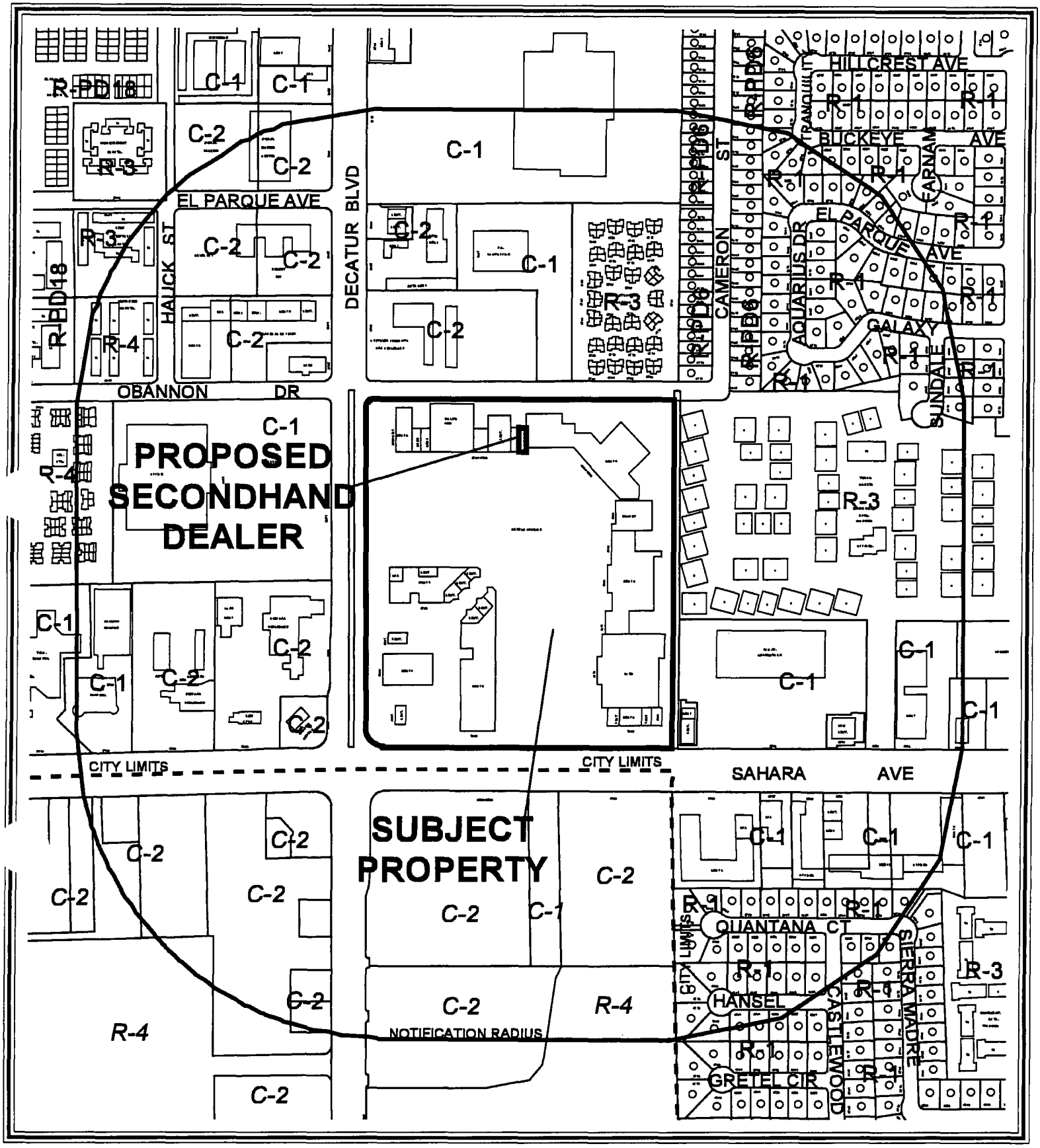
1. Conformance with all the requirements under Title 19.04.050 for a Secondhand Dealer.

2. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised

CONDITIONS - Continued:

or an Extension of Time is granted by the City Council.

3. Conformance with all other City code requirements and design standards of all City departments.

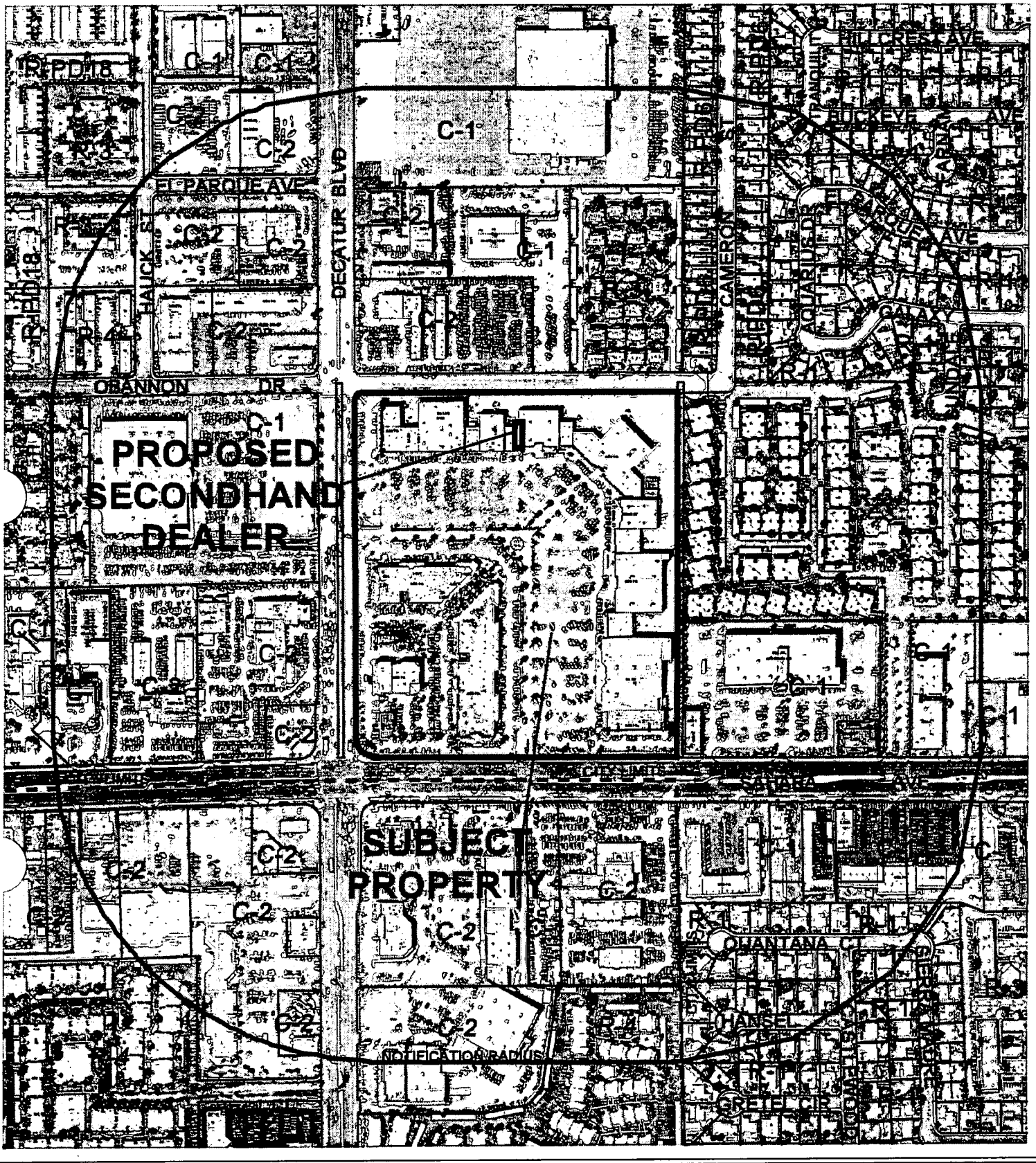


0 400 800 Feet

CASE: **SUP-5910**

RADIUS: 1000 FT

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



0 400 800 Feet

CASE: **SUP-5910**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5910 - APPLICANT: CLASSY CONSIGNMENT, INC. - OWNER: SAHARA PAVILION NORTH U.S., INC.

** CONDITIONS **

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

Planning and Development

1. Conformance with all the requirements under Title 19.04.050 for a Secondhand Dealer.
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. Conformance with all other City code requirements and design standards of all City departments.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Secondhand Dealer at 4704 West Sahara Avenue, Suite #1.

B) Applicant's Justification

The applicant submitted a letter in conjunction with the subject application, presenting justification for the proposed Secondhand Dealer. The applicant states that there is a genuine need for a store that sells "middle ground" clothes and accessory items, i.e. a store for "Macy store items at bargain prices" that is not a secondhand shop.

BACKGROUND INFORMATION

A) Related Actions

08/05/87	The City Council approved a request for Rezoning (Z-0057-87) to C-1 (Limited Commercial) on 38.5 acres of a larger parcel that included the subject property. The Planning Commission and staff recommended approval.
05/12/88	The Planning Commission approved a Plot Plan Review [Z-0057-87(1)] for a proposed shopping center on the subject property.
06/17/92	The City Council approved a Special Use Permit (U-0084-92) for Beer and Wine Sales in conjunction with a restaurant on the subject property. The Board of Zoning Adjustment recommended approval.
08/05/92	The City Council approved on appeal a Special Use Permit (U-0126-92) for additional slot machines in conjunction with a Vons Store on the subject property. The Board of Zoning Adjustment denied the request.
12/16/92	The City Council approved a Special Use Permit (U-0281-92) for a Service Bar in conjunction with a restaurant on the subject property. The Board of Zoning Adjustment recommended approval.
07/21/93	The City Council approved a Special Use Permit (U-0107-93) for the Sale of Beer and Wine in conjunction with a restaurant on the subject property. The Board of Zoning Adjustment recommended approval.
05/18/94	The City Council approved a Special Use Permit (U-0063-94) for a Supper Club on the subject property. The Board of Zoning Adjustment recommended approval.

03/15/95 The City Council approved a Special Use Permit (U-0318-94) for the Sale of Beer and Wine in conjunction with a restaurant on the subject property. The Board of Zoning Adjustment recommended approval.

12/18/96 The City Council approved a Special Use Permit (I-0125-96) for the Sale of Packaged Liquor in conjunction with a drug store on the subject property. The Board of Zoning Adjustment recommended approval.

06/09/97 The City Council approved a Special Use Permit (U-0031-97) for a Secondhand Dealer (used computers) in conjunction with an existing retail computer store on the subject property. The Planning Commission recommended approval on 05/08/97.

10/13/97 The City Council approved a request for a Special Use Permit (U-0092-97) for a Supper Club in conjunction with an existing restaurant on the subject property. The Planning Commission and staff recommended approval.

01/26/98 The City Council approved a Special Use Permit (U-0127-97) for a Secondhand Dealer (jewelry) in conjunction with a jewelry store. The Planning Commission recommended approval.

10/01/03 The City Council denied a request for a Special Use Permit (SUP-2655) for a proposed Financial Institution, Specified on the subject property. The Planning Commission and staff recommended approval.

11/05/03 The City Council approved a request for a Special Use Permit (SUP-2987) for a Secondhand Dealer on the subject property. The Planning Commission and staff recommended approval.

02/10/05 The Planning Commission is to reconsider a request for a Special Use Permit for a Financial Institution, Specified (SUP-4930) on the subject property. The Commission approved this request on 12/16/04; however, it was stricken from the Council's agenda on 01/19/05 and referred back to the Planning Commission. The application was submitted within the one-year time frame of another application (SUP-2655) for a similar use that was denied. The staff recommended denial.

02/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #35/dds).

B) Pre-Application Meeting

12/29/04 The staff met with the prospective applicant to discuss the procedural requirements for obtaining a Special Use Permit for a Secondhand Dealer. It was noted that the property on which the use would be located is within 500 feet of the unincorporated area of Clark County. The use would be considered a Project of Regional Significance for which an environmental impact assessment questionnaire would have to be submitted and routed to regional agencies for comment.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 29.4

B) Existing Land Use

Subject Property:	Service, retail, and office commercial uses
North:	Service, retail, and office commercial uses; residential condominiums; and a U.S. government post office
South:	Service, retail, and office commercial uses in unincorporated Clark County
East:	Service, retail, and office commercial uses and multi-family dwellings
West:	Service, retail, and office commercial uses

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial) PF (Public Facility) M (Medium Density Residential)
South:	Unincorporated Clark County
East:	SC (Service Commercial) M (Medium Density Residential)
West:	SC (Service Commercial) GC (General Commercial)

D) Existing Zoning

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

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southeast Sector Land Use Map of the General Plan. The C-1 (Limited Commercial) zoning on the site conforms to the SC land use designation. A Secondhand Dealer is permitted as a Special Use in a C-1 (Limited Commercial) zoning district subject to the approval of a Special Use Permit and compliance with the base conditions for a Secondhand Dealer.

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

The notification radius for this request includes properties under Clark County jurisdiction. The owners of these properties were notified of a public hearing for this item. In addition, because the subject property is within 500 feet of the unincorporated area of Clark County, any Special Use Permit request is deemed to be a Project of Regional Significance. In accordance with City Ordinance No. 5477, an environmental impact assessment questionnaire was submitted with other materials for this application and circulated to the County of Clark County for a mandated 15 day period. To date no recommendations for mitigation measures have been received. The Planning Commission is to 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:

Use	**Area** (sq. ft.)	**Required**		
		Ratio Parking Spaces / Unit	Parking	
			Regular	Handicap
Secondhand Dealer	1,308	one space / 250 square feet	4	1

The proposed Secondhand Dealer is to be located within a suite of an established commercial center. Parking facilities within the existing shopping center meet the requirements of the Zoning Code and are adequate to accommodate the proposed Secondhand Dealer. No new parking spaces are required or proposed as a result of this project.

B) General Analysis and Discussion

- Zoning

The subject property is presently zoned C-1 (Limited Commercial). A Secondhand Dealer is permitted in a C-1 (Limited Commercial) zoning district subject to the approval of a Special Use Permit and compliance with the base conditions for a Secondhand Dealer. The proposed Secondhand Dealer meets the base conditions.

- Use

  According to Title 19, a Secondhand Dealer is defined as follows:

  > "Secondhand Dealer means a specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For purposes of this definition, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. Used articles may include wearing apparel, furniture, fixtures, appliances, tableware, offices supplies, pictures, paintings, jewelry, cutlery or guns."

  The proposed Secondhand Dealer would be located in an existing vacant 1,308 square foot space in a commercial center. Within this space there is proposed a large open display area, changing rooms, a restroom, and a work area. The space configuration is typical for a retail store.

- Conditions

  Title 19.04.050 lists the base conditions for the approval of a Special Use Permit for a Secondhand Dealer as follows:

  (*1) No outdoor display, sales or storage of any merchandise shall be permitted.

  (*2) The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

  (*3) No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

  None of the preceding conditions may be waived by the Planning Commission or City Council. The proposed Secondhand Dealer complies with all 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 subject property is presently zoned C-1 (Limited Commercial). A Secondhand Dealer is permitted in a C-1 (Limited Commercial) zoning district subject to the approval of a Special Use Permit and compliance with the base conditions for a Secondhand Dealer. The Secondhand Dealer meets all the base conditions.

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

   The commercial center within which the proposed Secondhand Dealer is located consists of retail and service commercial businesses that are of similar intensity as the proposed Secondhand Dealer. The commercial centers structure is designed for this type of use and is physically suitable.

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

   The proposed Secondhand Dealer would be located on Decatur Boulevard and Sahara Avenue. According to the Master Plan of Streets and Highways, both are classified as Primary (100 foot) Arterial streets that are capable of handling the traffic flow from this establishment.

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 Secondhand Dealer would be subject to periodic inspection by regulatory agencies for business licensing; therefore, the public health, safety and welfare would not be compromised.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 274 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5910 APN: 162-06-402-001

Name of Property Owner: Sahara-Pavilion North VS, Inc, a Nevada Corporation

Name of Applicant: Classy Consignment, Inc

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

_____ Yes ____X____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: _____

Subscribed and sworn before me See Attached

This _____ day of _____, 20__

_____

Notary Public in and for said County and State

Sahara Pavilion North U.S., Inc.
a Nevada corporation

By: Stuart A. Tanz
Its: President & Chief Executive Officer

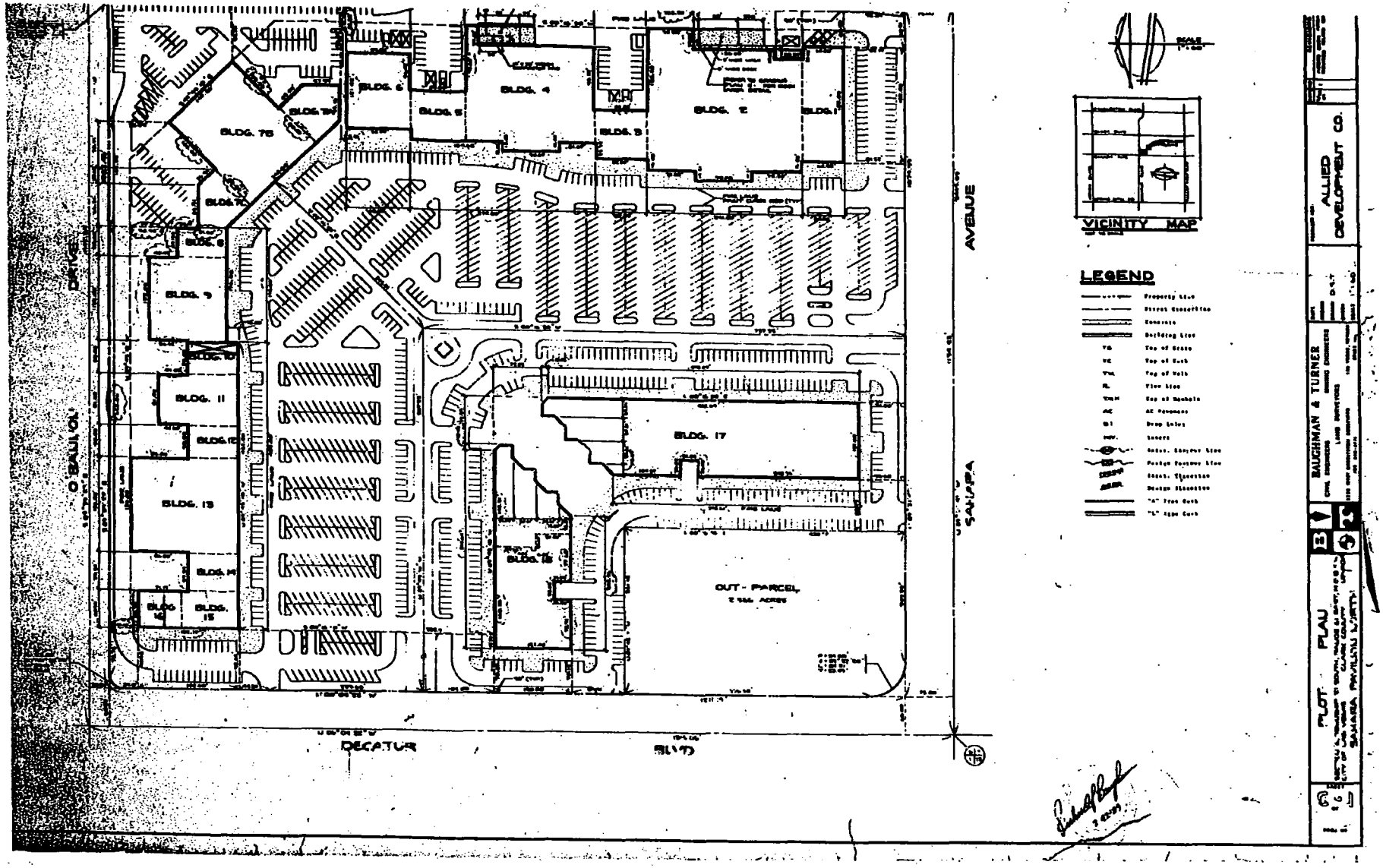
By:
Its: Joseph B. Tyson
Exec. Vice Pres. & CFO

~~f Operating Office~~

PAM PACIFIC LANDLORD

Subscribed and sworn before me this 22nd day of December, 2004. Notary Public in and for said County of San Diego, State of California

MICHAEL W. MURRAY
Commission # 1273754
Notary Public - California
San Diego County



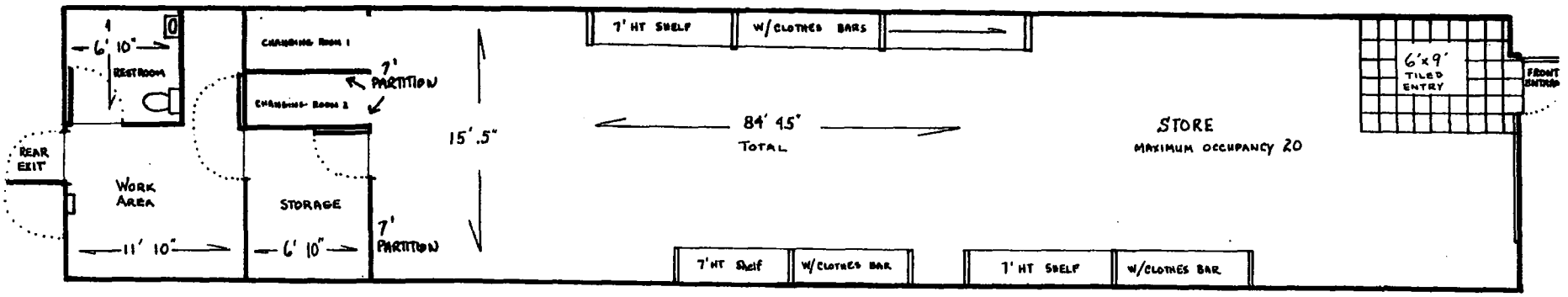
SUP-5910
02/24/05 PC

PAN PACIFIC

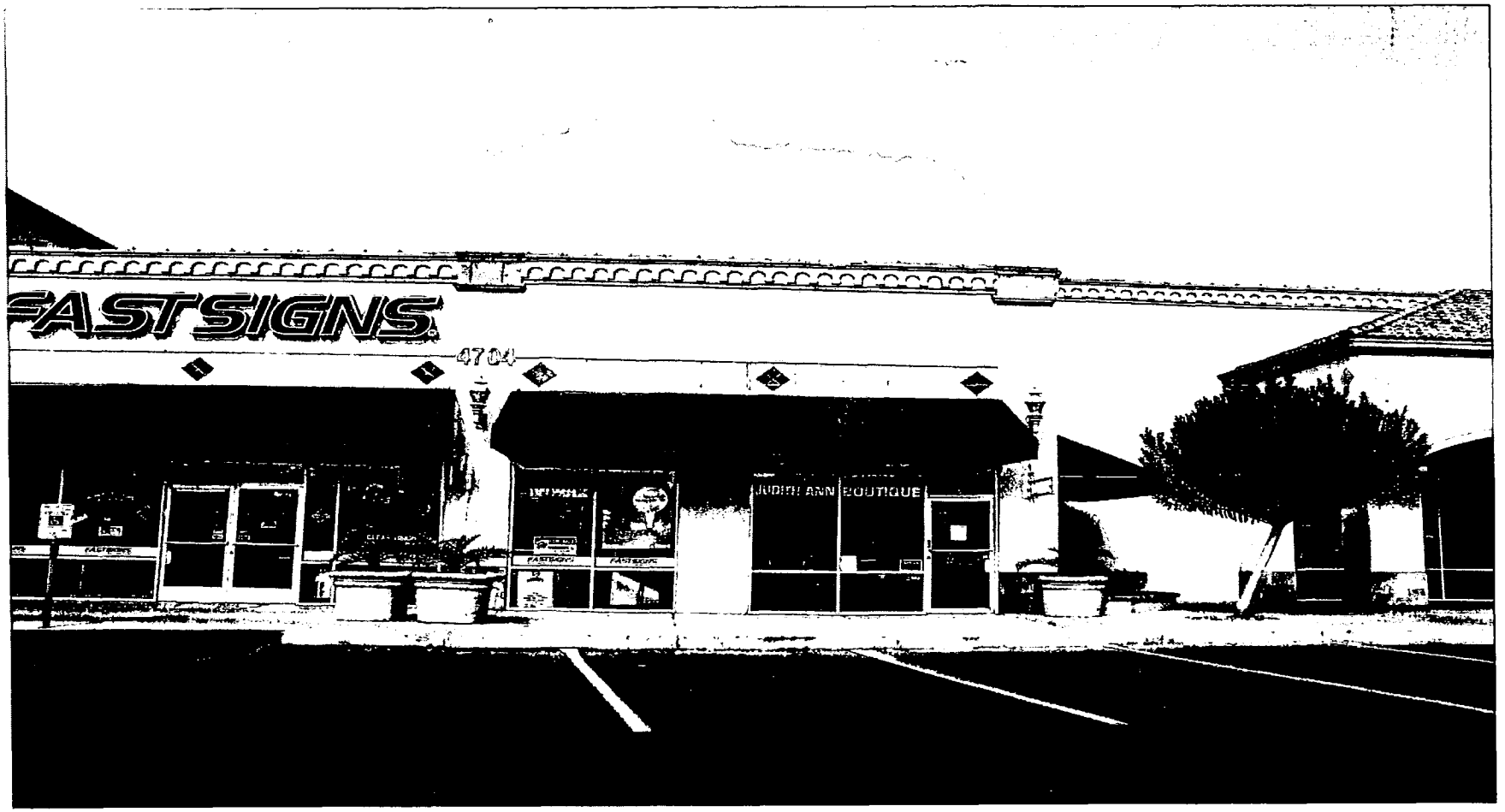
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4704 W SAHARA AVE
SUITE #1



SUP-5910
02/24/05 PC



SUP-5910 - APPLICANT: CLASSY CONSIGNMENT, INC. - OWNER: SAHARA PAVILION NORTH U.S., INC.
4704 WEST SAHARA AVENUE, SUITE #1
FEBRUARY 24, 2005 PLANNING COMMISSION

2/7/05

Classy Consignment, Inc.
4704 West Sahara Avenue, Suite #1
Las Vegas, NV 89102
(702) 878-4556
(702) 875-6875 Cellular

December 20, 2004

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

Re: Justification Letter

Hello:

My name is Judith A. Stone and I am the Principal of Classy Consignment, Inc. I am a 63 year old woman, a retired bookkeeper and I will try to answer your inquiry as succinctly as possible.

Being a senior, I am shut out of most of the available jobs for my profession. Retirement is not as exciting as I believed it would be and has led me on a quest to do something with the "Golden Years" that are left to me.

Having worked most of my adult life in an office environment, I always found it difficult to maintain a varied wardrobe suitable for all the necessary meetings, conferences and social gatherings which my job entailed.

Then, one day, I discovered "CONSIGNMENT" shops, and my wardrobe problems were solved. After my initial induction into this realm, I quickly found all of the local stores in Las Vegas who fell into this category.

The only problem, was that some of these stores carried either a lesser quality of items or were stocked with designer clothes, neither of which really suited my needs. I would have to travel all around town to find what I was looking for.

During my shopping outings, I would encounter many other women who were experiencing the same situation and their common lament was that there were no "middle ground" consignment shops. They wanted a "Classy" store to shop, not a Savers, or second hand shop. They wanted "Macy store items at bargain prices". An admirable pursuit and one which I, myself, had been in search of.

"Why not open your own store!" I said to myself. Make it a genteel place, not snooty or high brow, and definitely not an overcrowded second hand store where you can't get your hand in between the hangers to see the item, and call it CLASSY CONSIGNMENT".

I feel that there is a genuine need for this type of store. Ask any working mother, two income household spouses or up an coming executive secretary who frequents consignment shops and they will tell you that the savings is substantial and has not only increased their available finances but has also helped to promote their future .

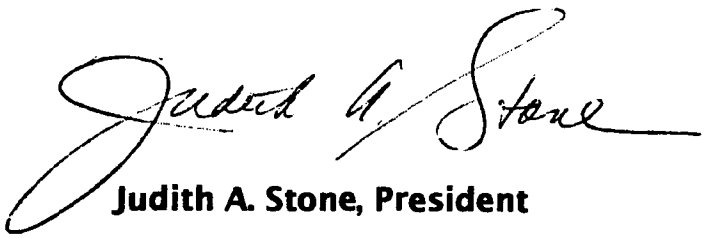
I hope that you too will see the need for this type of consignment shop.

Enclosed is a copy of the agreement which I intend to utilize when clients bring in their items for consignment. All clients must provide proof of identity and a viable mailing address for receiving their payments.

Thank you,

Very truly yours,

Classy Consignment, Inc.



Judith A. Stone, President

Classy Consignment, Inc.

Your Partner in Consigning

4704 West Sahara Ave, #1 Las Vegas, NV 89102
(702) 878-4556 (702) 875-6875 Cellular

Consignment Agreement

Welcome! We're pleased that you want to become a part of our shop. Here's how it works:

When you bring your items in, we will select what our customers will buy. Sometimes there will be items we cannot sell. Please understand that our customers' preferences must be our selection guidelines.

We base prices on supply and demand. We will get the best possible prices for you.

You receive half of the selling price. We will mail checks no later than the 15th of the following month after the sale of your item(s).

We will display you items for 90 days. After 60 days the selling price will be reduced by 50%. Occasionally, an interim price reduction may be made on the floor if required.

If you would like to retrieve any unsold items please do so by the 90th day. Call us ahead of time and we'll have them ready for you. If you don't wish to pick up the remaining unsold items, they become the property of Classy Consignment, Inc. and will be disposed of.

We will do our best to safeguard you items, but we are not responsible for damages or loss.

We look forward to a long and mutually profitable association with you. After all, we couldn't do it without you, our partner in consigning!

I have read the above terms and agree with them.

Signed:_____ Date:_____

I promise you:
that I will do my best to sell you items at the highest possible profit to you.
that I will personally respond to all your concerns
that I will always be honest and straightforward with you.
that I understand that you've chosen Classy Consignment, Inc. as your partner in consigning, and that such an honor deserves the best my staff and I can give you.

Judi Stone

City of Las Vegas

Agenda Item No. 127

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SPECIAL USE PERMIT

SUP-5912 - PUBLIC HEARING - APPLICANT: INDIA OVEN, INC. - OWNER: CHETAK DEVELOPMENT CORPORATION - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR at 2218 Paradise Road (APN 162-03-411-010), C-1 (Limited Commercial) Zone, Ward 3 (Reese). (NOTE: Item to be heard in conjunction with Morning Session Item 57) The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted after final agenda - Letter from Cornerstone Company requesting an abeyance
6. Submitted after final agenda - Letter from Cornerstone Company withdrawing the abeyance request

MOTION:

REESE - APPROVED subject to conditions, deleting Condition 7, and adding a condition as read for the record as follows:

- No parking space shall be allowed in the private alley. A Variance to meet parking standards shall be submitted and approved by the City Council prior to operation of the subject restaurant.

- UNANIMOUS with MACK not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DEPUTY CITY ATTORNEY BRYAN SCOTT announced he received an e-mail from JIM DiFIORE, Manager, Business Services Division, indicating there was no area of concern in the Metro report; therefore, he has no objection to the licensing based on the Special Use Permit conditions.

DENNIS WATTS, Chetak Development, 3810 Meadows Lane, thanked staff for working with him on the redesign of the site. Initially, they were short on parking and has proposed additional parking stalls, for which he will apply for a Variance in the future.

COUNCILMAN REESE asked staff how certain they are on the parking. MARGO WHEELER, Director, Planning and Development Department, recommended the elimination of Condition 7 and the addition of a condition stating that no parking space shall be allowed in the private alley. A Variance to meet parking standards shall be submitted and approved by the City Council prior to operation of the

MINUTES - Continued:

subject restaurant. This condition would allow the applicant to work with staff. There has been considerable research to ensure that there is the proper Variance for the correct amount of spaces to ensure that they will be able to continue to operate with the tenant mix that they hope to have at this center.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(5:54 - 5:58)
6-2867

CONDITIONS:

Planning and Development

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

2. Recordation of a license agreement on the private drive between all parcels comprising the shopping center property and the abutting properties to the north and west prior to obtaining a Certificate of Occupancy. A copy of the recorded document shall be provided to the Planning and Development Department.

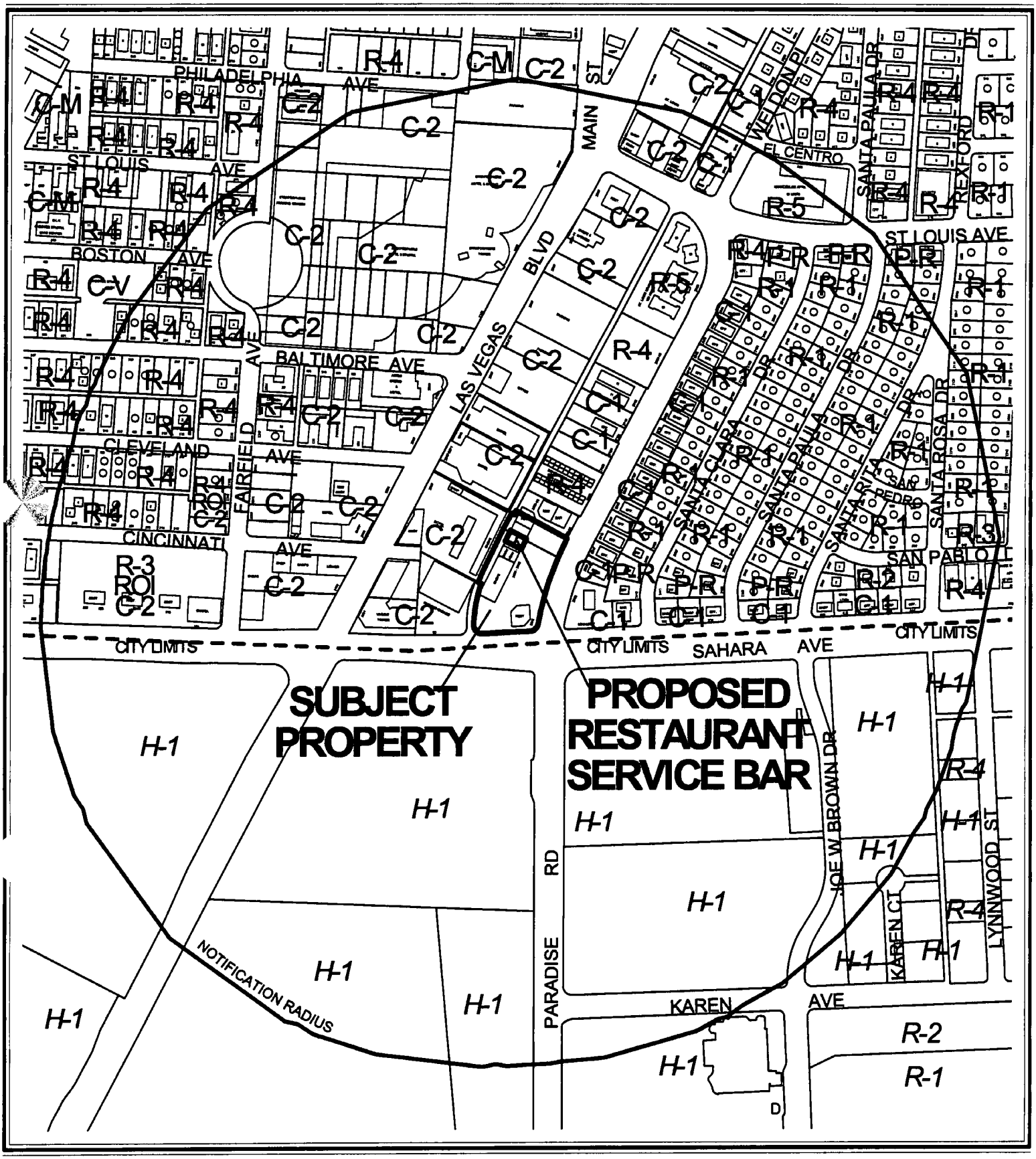
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

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

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

7. A private alley access and signage plan shall be submitted for review and approval by the Departments of Public Works and Fire and Rescue.



CASE: **SUP-5912**

RADIUS: 1500 FT

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

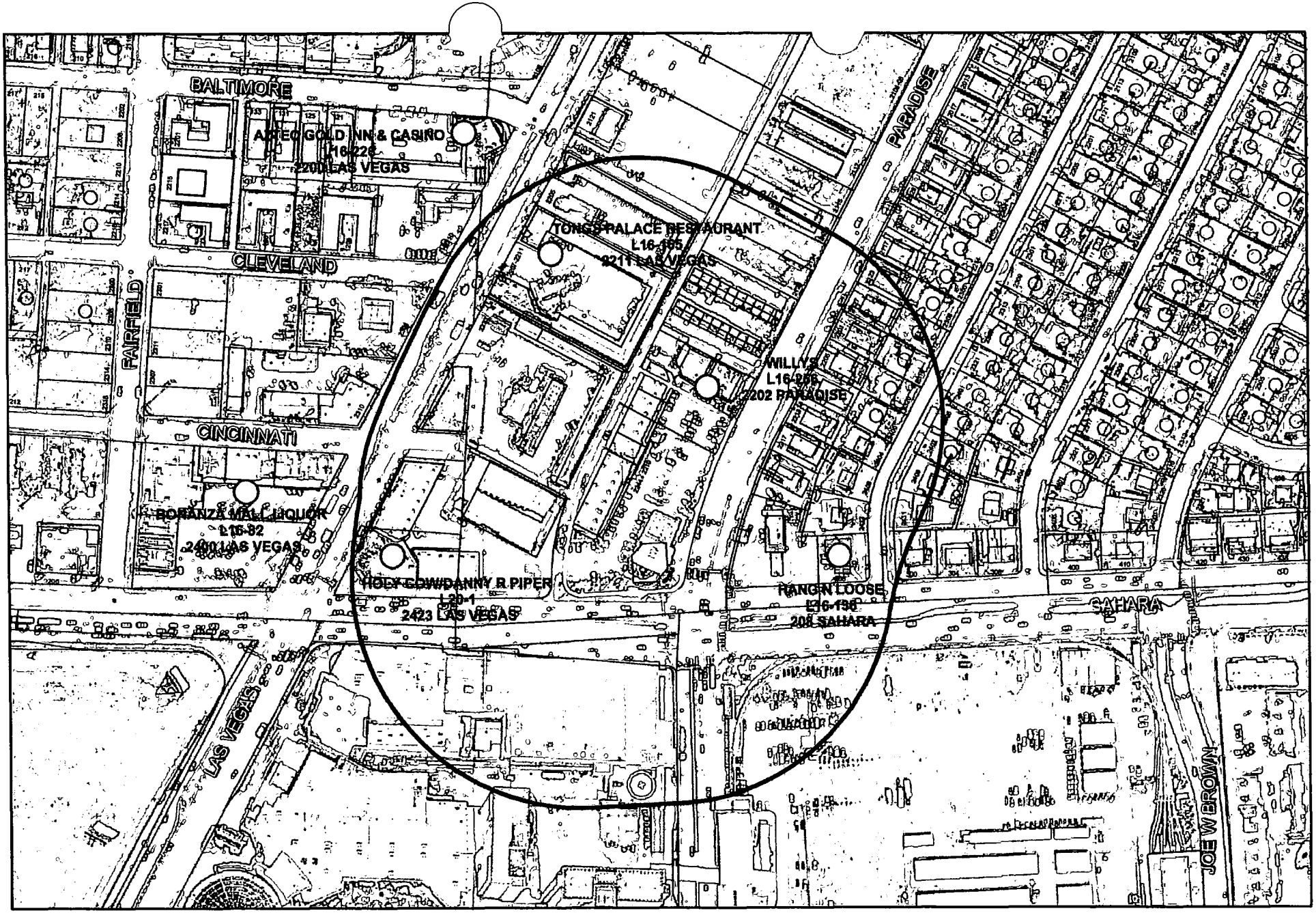


CASE: **SUP-5912**

RADIUS: 1500 FT

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

N



SUP-5912

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

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

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5912 - APPLICANT: INDIA OVEN, INC. - OWNER: CHETAK DEVELOPMENT CORPORATION

** CONDITIONS **

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

2. Recordation of a license agreement on the private drive between all parcels comprising the shopping center property and the abutting properties to the north and west prior to obtaining a Certificate of Occupancy. A copy of the recorded document shall be provided to the Planning and Development Department.

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

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

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

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

7. A private alley access and signage plan shall be submitted for review and approval by the Departments of Public Works and Fire and Rescue.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Restaurant Service Bar at 2218 Paradise Road.

B) Applicant's Justification

According to the applicant's justification letter, the subject restaurant had an on-sale beer and wine license at its previous location (226 West Sahara Avenue), which is being demolished to allow for the construction of a high-rise mixed-use development. Beer and wine will be served at the proposed restaurant location as at the previous location. The proposed location requires a Special Use Permit.

BACKGROUND INFORMATION

A) Related Actions

05/18/77 The City Council approved a Rezoning (Z-0020-77) from R-4 (High Density Residential) to C-1 (Limited Commercial) on the subject site. The Planning Commission and staff recommended approval.

09/03/86 The City Council approved a Plot Plan Review [Z-0020-77] of a proposed retail center with restaurant on the subject site. The Planning Commission and staff recommended approval.

06/25/87 The Board of Zoning Adjustment approved a Variance (V-0065-87) to allow 155 parking spaces where 188 spaces were required on the subject site. Staff recommended denial.

08/19/87 The City Council approved an appeal on the action by the Board of Zoning Adjustment to allow 155 parking spaces where 188 spaces were required on the subject site, thereby approving the Variance. The City Council deleted the previous condition requiring off-site employee parking. The variance was subject to review in one year. Staff recommended denial.

08/17/88 The City Council approved a Required Six Month Review on the approved Variance (V-0065-87) to allow 155 parking spaces where 188 were required, subject to a one year review. Staff recommended approval.

08/02/89 The City Council approved a Required One Year Review on the approved Variance (V-0065-87) to allow 155 parking spaces where 188 were required, subject to a one year review. Staff recommended approval.

08/15/90 The City Council approved a Required One Year Review on the approved Variance (V-0065-87) to allow 155 parking spaces where 188 were required, subject to a one year review. Staff recommended approval.

01/16/91 The City Council approved a Variance (V-0147-90) to allow 155 parking spaces where 205 spaces were required on the subject site, subject to a one year review. Variance approval V-0065-87 was expunged upon final approval of V-0147-90. The Board of Zoning Adjustment recommended approval. Staff recommended denial.

01/22/92 The City Council approved a Required One Year Review on the approved Variance (V-0147-90) to allow 155 parking spaces where 205 were required, with no further review required. Staff recommended approval.

01/12/98 The City Council denied a Variance (V-0099-97) to allow 123 parking spaces where 217 spaces is the minimum required and to allow a proposed fast food restaurant (McDonald's) to be 13.1 feet from the front property line where 20 feet is the minimum setback required. This action was an appeal of the denial of the Board of Zoning Adjustment. Staff also recommended denial.

04/13/98 The City Council approved a Site Development Plan Review [Z-0020-77(1)] for a proposed 3,087 square foot fast food restaurant (McDonald's) on the subject site. As a condition of approval, the City Council permitted the continuance of parking Variance V-0147-90, which allowed 155 spaces where 205 spaces are the minimum required on the site. The Planning Commission recommended approval. Staff recommended denial based on changes to the site since the 1991 parking variance approval and heavy traffic volume at the intersection of Sahara Avenue and Paradise Road.

10/03/01 The City Council denied a Rezoning (Z-0060-01) from C-1 (Limited Commercial) to C-2 (General Commercial) on the subject site. The Planning Commission and staff recommended denial.

12/04/02 The City Council approved the Vacation (VAC-0070-02) of a public alley directly adjacent to the subject site. The Planning Commission and staff recommended approval. The current site plan for this Special Use Permit application shows 15 new parking spaces in the vacated area.

02/24/05 The Planning Commission voted 4-0-2 to recommend APPROVAL (PC Agenda Item #36/ss).

B) Pre-Application Meeting

12/29/04 Application requirements for the Special Use Permit were discussed. It was determined that no protected uses were in the 400 foot distance separation radius. Because of anticipated parking concerns on the site, a detailed parking analysis of the entire shopping center would be required with the submittal. This Special Use Permit application was deemed to be a Project of Regional Significance.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.34 (overall shopping center area is 2.29 acres)

B) Existing Land Use

Subject Property:	Retail/Commercial
North:	Condominiums
South:	Hotel and Casino (Sahara)
East:	Convenience Store
	Professional Office
West:	Retail/Commercial
	Motel

C) Planned Land Use

Subject Property:	C (Commercial – Downtown Redevelopment Area)
North:	C (Commercial – Downtown Redevelopment Area)
South:	C (Commercial – Downtown Redevelopment Area)
East:	C (Commercial – Downtown Redevelopment Area)
West:	C (Commercial – Downtown Redevelopment Area)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-4 (High Density Residential)
South:	H-1 (Limited Resort and Apartment – Clark County Designation)
East:	C-1 (Limited Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

The Southeast Sector Map of the General Plan designates this site as C (Commercial), which allows for an array of office, service and general commercial uses. The proposed Restaurant Service Bar is a service commercial use and therefore conforms to the General Plan Land Use for this area.

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

The subject property is included within the Las Vegas Redevelopment Plan Area. This area is also part of the Neighborhood Revitalization Area, identified by the Las Vegas 2020 Master Plan as neighborhoods where existing residential uses should be protected and proposed commercial development should be designed within the context of a walkable environment. This Special Use Permit request is not directly related to these plans and policies.

INTERAGENCY ISSUES

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

- A Special Use Permit within 500 feet of the City's boundary with unincorporated Clark County

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

1) The Sanitary Sewer Planning Section of the City of Las Vegas Department of Public Works indicates that this project will have minimal impact with respect to the wastewater collection system.

2) The Flood Control Section of the City of Las Vegas Department of Public Works declares that a drainage study will not be required for this project.

No other comments were received.

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

Addition of an alcohol-related use to the existing shopping center does not per se increase the on-site parking requirement. A Parking Analysis was submitted as a part of the tenant improvement approval for the subject restaurant; these calculations show that the shopping center will remain in compliance with parking standards.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Restaurant Service Bar	400' from any church, synagogue, school, child care facility (12+ children), or city park	Greater than 400 feet from any protected use

The subject site, which includes the entire shopping center, meets separation distance requirements for the Restaurant Service Bar use.

B) General Analysis and Discussion

- Zoning

The existing zoning designation on the site is C-1 (Limited Commercial), which allows for the proposed Restaurant Service Bar use with the approval of a Special Use Permit.

- Use

A Restaurant Service Bar is defined as a bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption. The applicant has applied for a beer and wine on-sale license, which is similar to a Restaurant Service Bar, but will only allow the sale of beer and wine on the premises. The Zoning Code does not have a comparable use category. The applicant is in no way obligated to obtain a Restaurant Service Bar license.

The submitted floor plan depicts a 60-seat, 2,548 square foot restaurant in a tenant space located within an existing building approved under Plot Plan Review (Z-0020-77). The floor plan appears to meet the requirements as defined for a Restaurant Service Bar, including offering beer and wine only with meals in the dining area without a separate bar area.

For parking to be permitted at the rear of the multi-tenant building as shown on the site plan, a perpetual access easement may be required between the subject parcel and the parcel to the west, which is owned by the same corporation.

- Conditions

Pursuant to Title 19.04.050, the following base conditions are required as a minimum for the approval of a Special Use Permit for a Restaurant Service Bar on this site:

(1) No restaurant service bar business use shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

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

(a) Any leasehold parcel; or

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

(3) The minimum distance requirement in Subsection (1) does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992.

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

The proposed use meets these conditions.

FINDINGS

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

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

   The proposed Restaurant Service Bar use is compatible with the existing commercial uses on the subject site, including several other restaurants. The use is also compatible with the existing condominium development to the north, professional offices to the east and general commercial uses to the west.

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

   Under the current zoning code, the site is parking impaired. Retail uses in the development have been replaced by more intense uses since its original approval. Future restaurants, massage establishments, or other intense uses may not be permitted within the shopping center unless a variance is approved prior. The owner of the property is proposing to add employee spaces to the rear of the building to ameliorate the parking situation.

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

   Access to the site is via Sahara Avenue, designated as a 150-foot wide Primary Arterial, and via Paradise Road, a 90-foot Primary Arterial as designated on the Master Plan of Streets and Highways. These streets feed into the existing shopping center and will adequately serve the proposed Restaurant Service Bar 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 restaurant will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

PLANNING COMMISSION ACTION

The Planning Commission amended #2 and added Condition #7.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 241 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5912** APN: _____

Name of Property Owner: Chetak Development

Name of Applicant: Jitendra Patel D.B.A. INDIA OVEN, INC.

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

__x__ 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: Richard W. Truesdell

Partner(s): William Kemp _____

APN: 162-03-411-009,010,011

Signature of Property Owner: Will Kemp / Pres. of Chetak Development.

Print Name: Will Kemp / Pres. of Chetak Development

Subscribed and sworn before me

This 15th day of December, 2024

_____

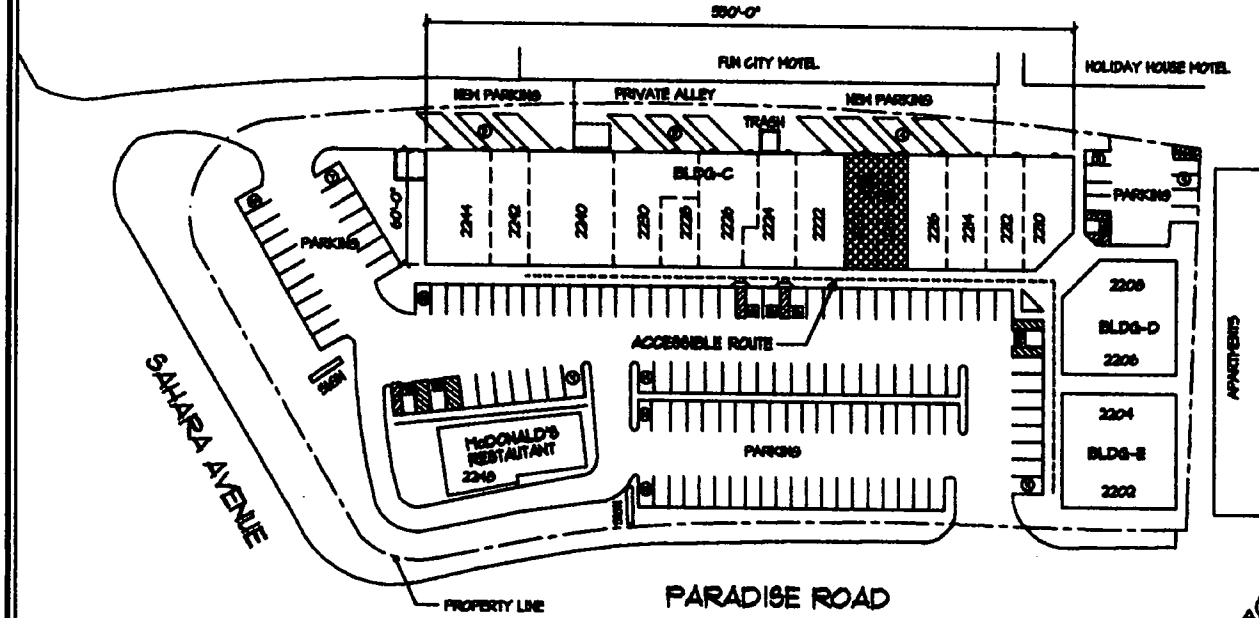
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DENNIS WATTS
No: 03-81805-1
My Appointment Expires April 24, 2007

PROJECT DATA

ADDRESS:	N.W.C. OF PARADISE ROAD & SAHARA AVENUE LAS VEGAS, NEVADA
SITE AREA:	99,636 S. F. / 2.29 A.C.
ZONING:	C-1
BLD'G C:	20,800 SQ. FT +/-
BLD'G D:	3,400 SQ. FT +/-
BLD'G E:	3,600 SQ. FT +/-
McDONALD'S	3,681 SQ. FT +/-

APPLICANT
INDIA OVEN RESTAURANT
2218 PARADISE ROAD
LAS VEGAS, NEVADA



SITE PLAN
SCALE:- 1 : 30

PARKING ANALYSES

SITE NO.	PRESENT TENANT'S NAME	OLD OCCUPANCY	NEW OCCUPANCY	APPROX. AREA	OLD PARKING REQ'D.	NEW PARKING REQ'D.
2208-04	KELLY'S SALOON	RESTAURANT		3500 SF.	35	35
2208-08	STAR POST RESORT	VACANT	OFFICE	3400 SF.	34	12
2210	CASSERO'S RESTAURANT	RESTAURANT		1580 SF.	50*	17 *
2212	PRINCESS MASSAGE	RESTAURANT		1580 SF.		8 *
2214	SHERRI'S COLLECTIBLES	RETAIL		1000 SF.	4	4
2216	STAR POST RESORT	OFFICE		1000 SF.	4	4
2218-00	INDIA OVEN	VACANT	RESTAURANT	3780 SF.	0 **	38 **
2222	GOSSIP HAIR STYLE	RETAIL		870 SF.	4	4
2224	ALL STATE INSURANCE	OFFICE		840 SF.	4	5
2226	SUSHI PARADISE	RESTAURANT		1500 SF.	15	15
2228	SUNSHINE LOAN	OFFICE		700 SF.	5	5
2230	VACANT	OFFICE		1580 SF.	7	7
2240	REM-A-DRESS 'EM	RETAIL	RETAIL	3500 SF.	18	18
2242	KEVIS FOSSER	RETAIL		1500 SF.	4	4
2244	VACANT	RETAIL	VACANT	3400 SF.	10	8
2248	McDONALD'S RESTAURANT	RESTAURANT		3681 SF.	36	36
			TOTAL PARKING REQ'D		182	194
			SEE VARIENCE		38	38
			NET PARKING REQ'D		144	144
			PARKING PROVIDED:			
			STANDARD		135	135
			HANDICAP		7	7
			COMPACT		38	38
			TOTAL EXISTING PARKING		180	180
			ADDED NEW PARKING			19
			TOTAL PARKING PROVIDED		180	199
			SURPLUS PARKING PROVIDED		36	55

* OLD OCCUPANCY REQUIRED 50 SPACES, HOWEVER CHANGE IN OCCUPANCY ONLY 33 SPACES, GIVING AN NET GAIN OF 9 MORE SPACES

** OLD OCCUPANCY REQUIRED 0 SPACES, HOWEVER CHANGE IN OCCUPANCY NOW REQUIRES ONLY 38 SPACES, EACH NEW SEAT REQUIRES 19 ADDITIONAL SPACES



SAHARA - PARADISE PLAZA

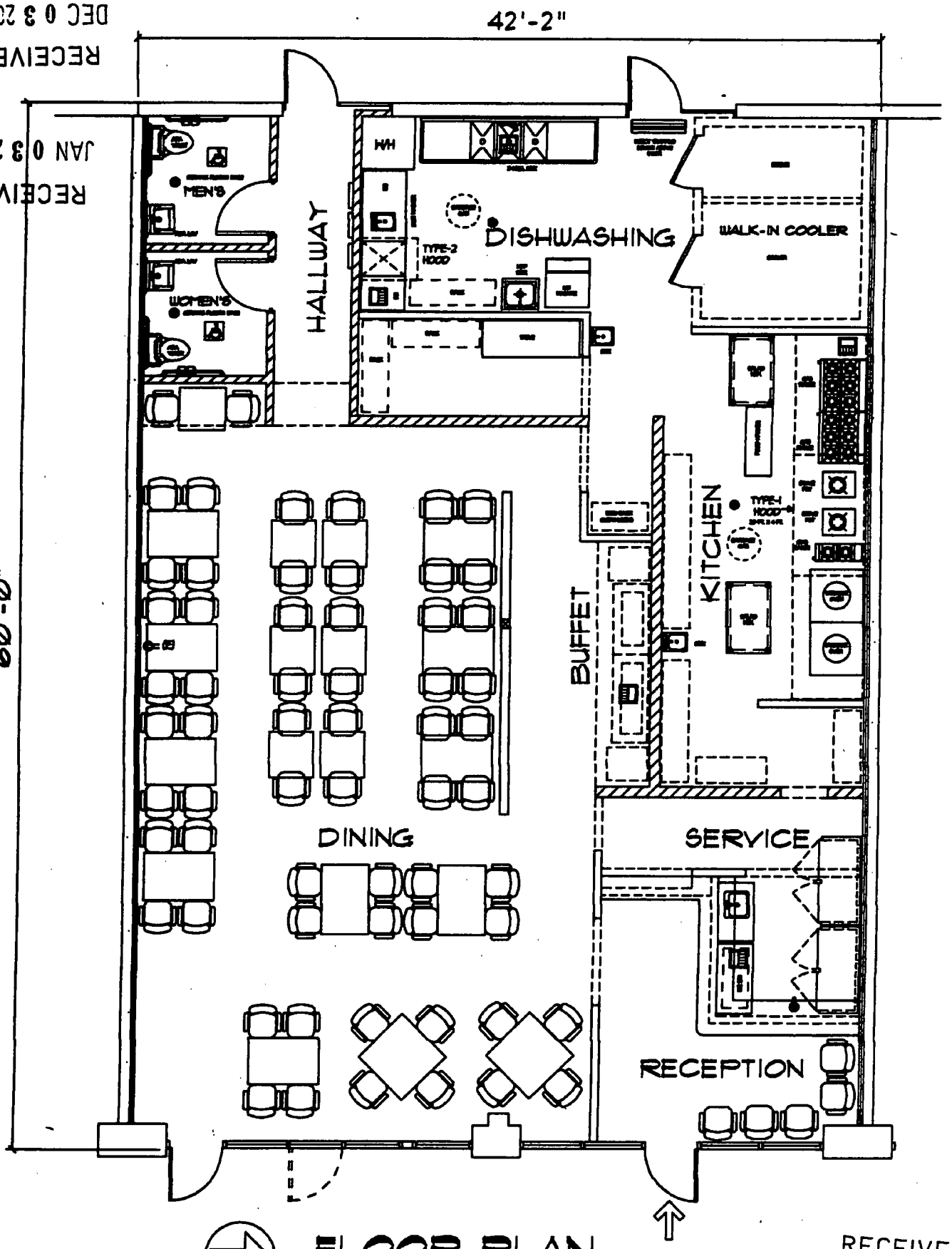
REVISED 2-23-05 **SUP-5912**

02/24/05 PC

RECEIVED
FEB 23 2005

Tenant Improvement For
India Oven
2218 Paradise Road, Las Vegas Nevada

RECEIVED
DEC 0 3 2005
RECEIVED
JAN 0 3 2005



FLOOR PLAN

RECEIVED
JAN 0 3 2005

INDIA OVEN RESTAURANT



SUP-5912 - APPLICANT: INDIA OVEN, INC. - OWNER: CHETAK DEVELOPMENT CORPORATION
2218 PARADISE ROAD
FEBRUARY 24, 2005 PLANNING COMMISSION

2/7/05

An India Oven, Inc.
7361 Hawk Shadow Ave.
Las Vegas, NV 89113
702-366-0222

Planning and Development Dept.
City of Las Vegas
Las Vegas, Nevada

Ref: Beer and Wine Licence Justification

Dear Sir,
I owned restaurant named India Oven which was located at 226 W. Sahara Ave., Las Vegas from June 1999 to Sept. 2004. My lease was terminated in order to make a room for proposed high rise development. I had Beer and Wine licence for said restaurant from 10/06/1999. The said licence became inactive when I closed the restaurant.
I am now moving to new location at 2218 Paradise Rd., Las Vegas. I hereby would like to request the transfer of my Beer and Wine License to new location and also transfer name of India Oven, Principal Jitendra Patel, Owner to An India Oven, Inc., Principal Jitendra Patel and Jayshree Patel, Owners. Proposed restaurant is going to be located in Sahara and Paradise Plaza. The existing property is for multi purpose use with few restaurants with Beer and Wine Licence. I see no conflict with any of city regulations or policy.
Sincerely,

Jitu Patel

Jayshree Patel
Jayshree Patel

Cornerstone Company
Commercial Real Estate Services

February 16, 2005

Steven Swanton
Planner
Current Planning City of Las Vegas
731 S. 4th St.
Las Vegas, Nevada 89101

RE: Shopping Center at NW corner of Sahara and Paradise Rd.
Addresses 2202 – 2248 Paradise Rd.

Dear Mr. Swanton:

I am writing you today to clarify our understanding of the parking at the above-mentioned shopping center. It is our belief that when the site plan was approved for the McDonald's shopping center in 1989, the required parking was one hundred and forty parking stalls, which was adequate for the variance that was in place. Shortly thereafter, the owner of the shopping center reduced the size of the restaurant that was known as Bob's Paradise by 1380 ft^2, thereby reducing the demand on the parking.

The 1380 ft^2 of restaurant that we reduced should be applied to the Indian Oven restaurant that is proposed at 2218 Paradise Road. The Indian Oven restaurant has an approximate square footage of 2,370 ft^2. If you subtract the 1380 ft^2 of original existing restaurant, that leaves you with a net new square footage of 990 ft^2. Therefore the additional parking based on the old code would have only been five new parking stalls (retail = 5 parks, and restaurant = 10 parks). However, for the purpose of our calculations today, the engineer for Indian Oven has totaled the entire restaurant based on the new code of one stall for every 50 ft^2 of waiting and dining area, and one stall for every 200 ft^2 for the back-of-house. His calculations show that their total parking required is 29 stalls.

When comparing any uses that have changed in this center since its inception, there have been very minimal changes to the parking requirement. The Store Point Resort is an office use, and was added to 2206 Paradise Road, thereby reducing the parking requirement by two spots. The All State Insurance office was reduced in size, and its parking requirement went from four parking stalls down to three. The space shown as 2240, which is a Rent a Dress location, was originally retail and is now for dress rental, which we believe falls under the office category. Its original requirement was 13 stalls and is now 11. We have also looked into the Willie's remodel, and found that, based on current code, they would require 33 parking stalls (1000 ft^2 seating / 2600 ft^2 back-of-house).

3810 Meadows Lane
Las Vegas, Nevada 89107-3112
(702) 383-3033 • FAX (702) 383-8576

REVISED
2.23.05

RECEIVED
FEB 17 2005

Based on the above-mentioned facts, we feel that the additional parking that we are adding to the alley should be adequate for the small amount of additional restaurant that we are adding to the overall center. We would be willing to increase the parking in the alley beyond the calculations that I have noted above, as we understand that the parking requirements for the center are very complex and the center may require more than we are showing. We are also aware of the property lines at the existing site, and while we do own all of the properties surrounding the alley where we're striping the parking, we would be willing to create an agreement/license covering this parking prior to Mr. Patel's opening for business. Furthermore, by striping parking in the alley and encouraging the employees of the center to park their cars in the back, it will free up more of the usable parking in front of the center for customers. While we don't feel there will be a conflict in the parking, we do believe that it will be better for the overall center if the employees park in the rear. Should you have any questions or concerns, please feel free to contact me at your earliest convenience.

Sincerely,

Dennis Watts
Broker/Salesman
Cornerstone Company

DW/cb

SUP-5912
02/24/05 PC

RECEIVED
FEB 17 2005

Cornerstone Company
Commercial Real Estate Services

April 5, 2005

Steven Swanton
Planner
Current Planning City of Las Vegas
731 S. 4th St.
Las Vegas, Nevada 89101

RE: SUP-5912, NW corner of Sahara and Paradise Rd.
Addresses 2202 – 2248 Paradise Rd.

Dear Mr. Swanton:

I am writing you today to request the above mentioned item (SUP-5912) be pulled from the agenda and held for two weeks, until the April 20th City Council meeting. This will allow us to work with staff to resolve the parking issue we have discussed. It appears that we are very close to resolving this issue and with your help have narrowed it down to two parking spaces. I feel confident that the architect that prepared the plan will be able to resolve the "turning template" question and add the two additional parks.

Should you have any questions or concerns, please feel free to contact me at your earliest convenience.

Sincerely,

Dennis Watts
Broker/Salesman
Cornerstone Company

DW/cb

RECEIVED
CITY CLERK
2005 APR -6 A 8:15

3810 Meadows Lane
Las Vegas, Nevada 89107-3112
(702) 383-3033 • FAX (702) 383-8576

Submitted after final agenda

Date 4/6/05 Item # 127

Cornerstone Company
Commercial Real Estate Services

April 6, 2005

Steven Swanton
Planner
Current Planning City of Las Vegas
731 S. 4th St.
Las Vegas, Nevada 89101

RE: SUP-5912, NW corner of Sahara and Paradise Rd.
Addresses 2202 – 2248 Paradise Rd.

Dear Mr. Swanton:

Based on our conversation earlier today I request the above mentioned item (SUP-5912) NOT be pulled from the agenda of today's City Council meeting.

Should you have any questions or concerns, please feel free to contact me at your earliest convenience.

Sincerely,

Dennis Watts
Broker/Salesman
Cornerstone Company

DW/cb

RECEIVED
CITY CLERK
2005 APR -6 P 12:47

3810 Meadows Lane
Las Vegas, Nevada 89107-3112
(702) 383-3033 • FAX (702) 383-8576

Submitted after final agenda
Date 4/6/05 Item #127

City of Las Vegas

Agenda Item No. 128

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SPECIAL USE PERMIT

SUP-5938 - PUBLIC HEARING - APPLICANT: LIJUN ZHANG - OWNER: RAINBOW EXPRESS VILLAGE, LIMITED PARTNERSHIP - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND WAIVERS OF THE REQUIRED 1,000 FOOT DISTANCE SEPARATION FROM A SIMILAR USE, THE 400 FOOT DISTANCE SEPARATION FROM RESIDENTIAL PROPERTY, AND HOURS OF OPERATION OF 8:00 A.M. TO 9:00 P.M. TO ALLOW THE HOURS OF OPERATION OF 10:00 A.M. TO 3:00 A.M. at 1750 South Rainbow Boulevard, Suite #12 (APN 163-02-212-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	8	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Lijun Zhang
5. Justification letter
6. Protest letters from Doris E. Gerhard and Randy Huston
7. Submitted after final agenda - Protest letter from Janet T. Abney
8. Backup referenced from the 2/24/2005 Planning Commission Meeting Item 37

MOTION:

TARKANIAN - DENIED - Motion carried with MACK voting NO

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

LIJUN ZHANG, 1750 South Rainbow Boulevard, Suite 12, stated the place he is renting is 900 square feet. The area behind this plaza is residential with approximately seven feet of wall and a row of trees. He will hire licensed employees to provide massages to the client, and he will follow the professional rules to run his business. He noted he would be withdrawing the hours of operation waiver.

JOAN and RICHARD LEAVITT, 6841 West Oakey Boulevard, urged the City Council to support staff and the Planning Commission's recommendation for denial. The hours of operation requested are not appropriate because there are no other facilities open at that time. In addition, this facility has closed rooms and showers making it not the kind of massage establishment appropriate for this area. There are no compelling reasons to waive the rules that regulate message establishments. In addition, there are

MINUTES - Continued:

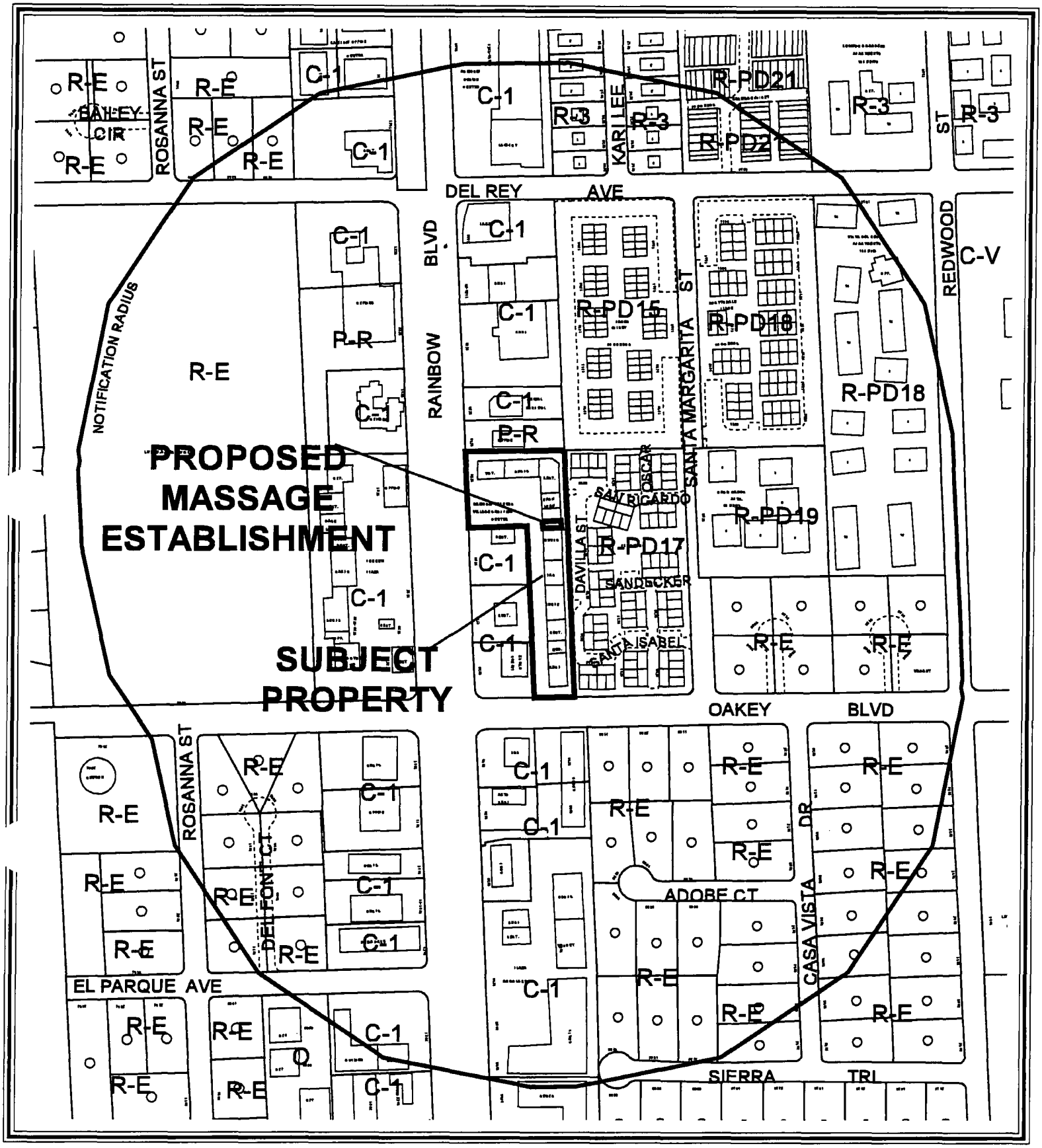
sufficient massage establishments in the vicinity and one in this particular commercial center. A massage establishment should not be open until 3:00 a.m. in a residential neighborhood.

MARGARET MALLOY, 1610 Davilla Street, owns a two-story condominium directly behind the commercial property. There is about 40 feet between the commercial property, the back wall and the windows of her condo. She opposes any business that is open past 9:00 p.m. because of the noise emanating from the commercial property. She questioned the legitimacy and credibility of a massage establishment asking to remain open until 3:00 a.m., especially since the facility would be located between two 24-hour bars. She would be amenable to the applicant reducing the hours of operation.

STEVEN "CAPTAIN TRUTH" DEMPSEY asked what the standard hours of operation for massage establishments are. He felt the applicant should be given a chance to open this massage establishment.

COUNCILWOMAN TARKANIAN pointed out that since she has been on the City Council no massage establishment applications have come forth requesting to be open from 10:00 a.m. to 3:00 a.m. She does not believe this establishment is compatible with the neighborhood.

MAYOR GOODMAN declared the Public Hearing closed.
(5:58 - 6:08)
6-3054/7-1



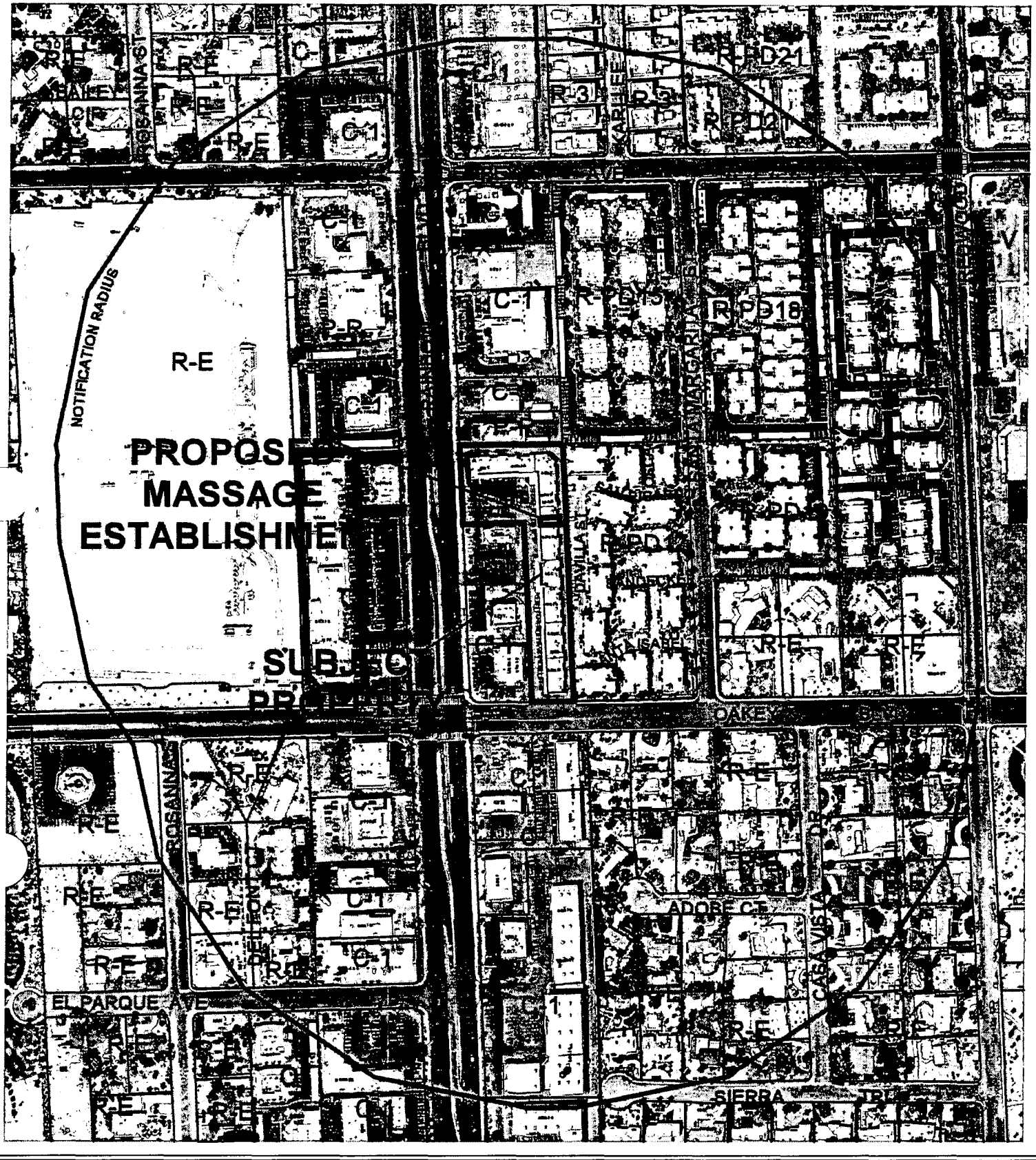
0 300 600 Feet

CASE: **SUP-5938**

RADIUS: 1000 FT

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

N



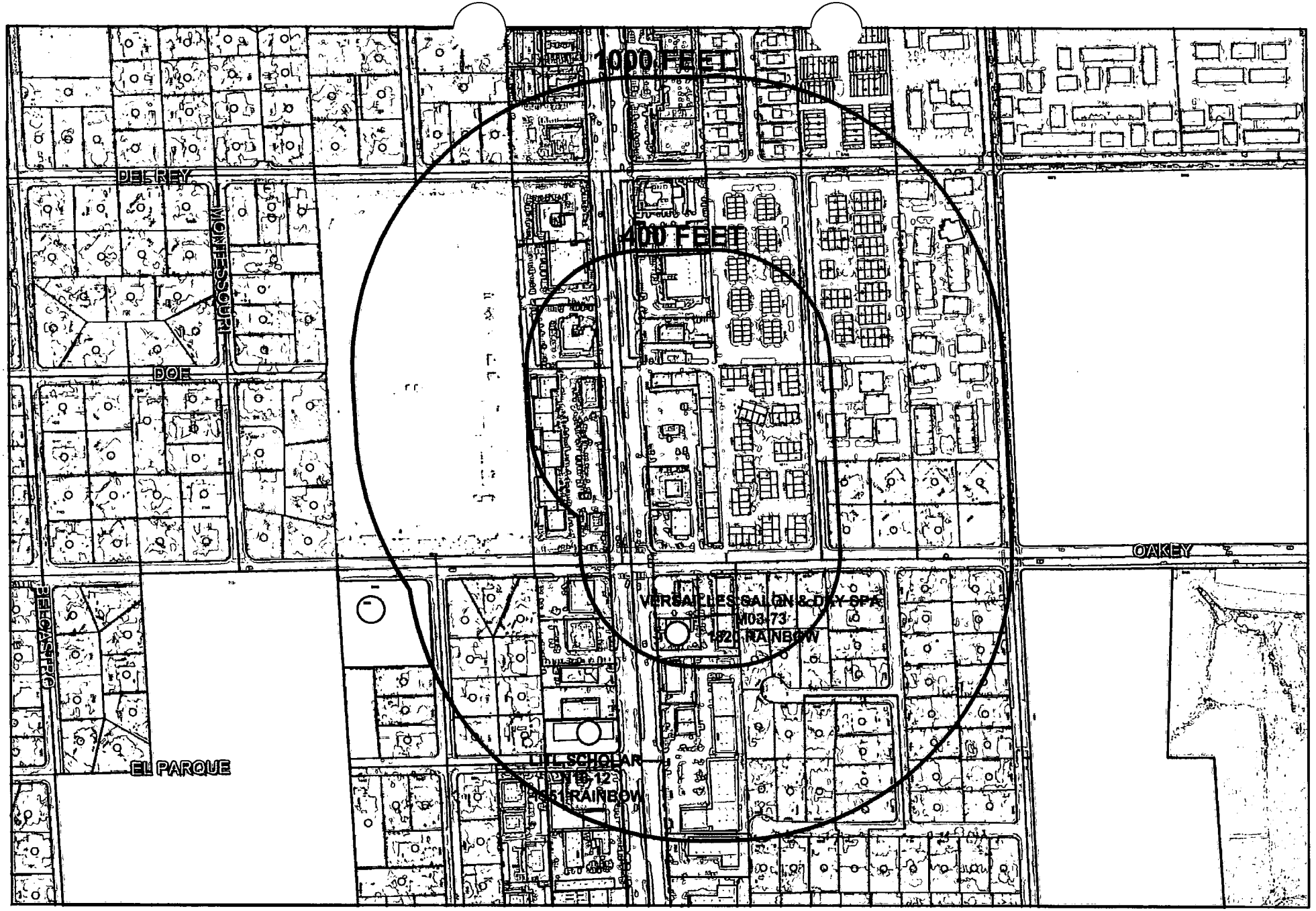
0 300 600 Feet

CASE: **SUP-5938**

RADIUS: 1000 FT

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

N



SUP-5938
Message Establishment

Business Licenses
- Massage Establishment
- Child Care/ Children Facility

Protected Landuses
- RELIGIOUS
- SCHOOLS
- PARKS

Subject Property
Residential Property
Buffer

0 265 530 1,060 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5938 - APPLICANT: LIJUN ZHANG - OWNER: RAINBOW EXPRESS VILLAGE, LIMITED PARTNERSHIP

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Conformance with all the requirements under Title 19.04.050 for a Massage Establishment.

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. Waivers of the required 400 foot distance separation from property zoned for residential use, the required 1,000 foot distance separation from a similar use, and of the hours of operation of 8:00 a.m. to 9:00 p.m. to allow the hours of operation of 10:00 a.m. to 3:00 a.m. are hereby granted.

4. Conformance with all other City code requirements and design standards of all City departments.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit for a proposed Massage Establishment and Waivers of the required 400 foot distance separation from property zoned for residential use, of the required 1,000 foot distance separation from a similar use, and of the hours of operation of 8:00 a.m. to 9:00 p.m. to allow the hours of operation of 10:00 a.m. to 3:00 a.m. located at 1750 South Rainbow Boulevard, Suite #12.

B) Applicant's Justification

The applicant has included a letter with the application that states that the proposed Massage Establishment is intended for "massage-therapy purposes." The letter requests Waivers in separation requirements, but there is no justification indicated for the requests.

BACKGROUND INFORMATION

A) Related Actions

4/15/92 The City Council approved a request for a Special Use Permit (U-0043-92) to allow the On-Premise Sale of Beer and Wine in conjunction with an existing restaurant (Seafood Market Restaurant). The Board of Zoning Adjustment recommended approval on 03/24/92.

02/24/05 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #37/dds).

B) Pre-Application Meeting

12/21/04 The staff met with the prospective applicant wishing to locate a Massage Establishment on the subject property. It was explained that the property would not comply with the base conditions for a Massage Establishment, which would necessitate the approval of Waivers by the Planning Commission and City Council.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.51

B) Existing Land Use

Subject Property:	Commercial center (retail and office uses)
North:	Commercial center (service commercial uses)
South:	Commercial center (service commercial uses)
East:	Residential condominiums
West:	Commercial center (service commercial uses)

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-PD17 (Residential Planned Development – 17 units per acre)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southeast Sector Land Use Map of the General Plan. The C-1 (Limited Commercial) zoning on the site conforms to the SC land use designation. A Massage Establishment is permitted as a Special Use in a C-1 (Limited Commercial) district subject to the approval of a Special Use Permit and compliance with the base conditions for a Massage Establishment.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following parking standards apply to the subject proposal:

Use	Unit Measurement	Required		
		Ratio	Parking	
			Regular	Handicap
Massage Establishment	3 Massage Rooms	Two spaces per massage room, minimum of six spaces	5	1

Because the proposed Massage Establishment would have three massage rooms for treatment, it is required to have a minimum of six parking spaces. The proposed Massage Establishment would be located within an existing commercial center with 30,251 square feet of gross leasable area and 192 parking spaces, eight of which are for the handicapped. There are 17 suites in the commercial center, three restaurants on two pads, and a liquor store on a third. All the suites are occupied with the exception of the suite for the proposed Massage Establishment. For all the existing uses, 163 spaces are required. Since 192 spaces exist for the commercial center, there is ample space available for the proposed Massage Establishment.

A2) Minimum Distance Separation Requirements

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

Land Use	Code Requirement	Provided
Massage Establishment	May not be located within 400 feet of any church, synagogue, school, city park, child care facility, or parcel zoned for residential use	Residential dwellings are within 105 feet of property
	May not be located within 1,000 feet of any other Massage Establishment	No

The proposed Massage Establishment does not meet two of the base conditions for distance separation from other uses. Residential condominiums are located within 105 feet to the rear of the subject property and another Massage Establishment is located within 385 feet on the south side of West Oakey Boulevard.

B) General Analysis and Discussion

- Zoning

The subject property is presently zoned C-1 (Limited Commercial). A Massage Establishment is permitted in a C-1 (Limited Commercial) zoning district subject to the approval of a Special Use Permit and compliance with the base conditions for a Massage Establishment. The proposed Massage Establishment cannot meet the base conditions for the required 400 foot distance separation from property zoned for residential use and of the required 1,000 foot distance separation from a similar use. The applicant also requests a Waiver in the required hours of operation of 8:00 a.m. to 9:00 p.m. to allow the hours of operation of 10:00 a.m. to 3:00 a.m. These Waivers are discussed below.

- Use

  According to Title 19, a Massage Establishment is: "A facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52." Chapter 6.52 of the Las Vegas Municipal Code regulates Massage Establishments in general, setting forth procedures for obtaining licenses and permits and for inspections by the Board of Massage Examiners.

  The proposed Massage Establishment would be located in an existing vacant 889 square-foot space in a commercial center (Rainbow Express). Within this space there would be three massage rooms, a reception and waiting room, break room, shower, restroom, and storage area.

- Conditions

  Title 19.04.050 lists the base conditions for the approval of a Special Use Permit for a Massage Establishment as follows:

  (1) The use shall comply with all applicable requirements of LVMC Title 6.

  (2) The use must be located on a secondary thoroughfare or larger.

  (3) The use may not be located within four hundred feet of any church, synagogue, school, City park, childcare facility, or any parcel zoned for residential use.

  (4) The use may not be located within one thousand feet of any other massage establishment.

  (5) The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m., unless further limited by the City Council on a case-by-case basis.

  Any of the preceding conditions may be waived by the Planning Commission or City Council if convincing and substantial evidence is presented demonstrating that the City's objective in safeguarding the public interest is not compromised. The proposed Massage Establishment cannot comply with conditions (3) and (4) and the applicant wishes to vary from condition (5). Waivers are requested in these distance separation requirements and in the time of operation. These Waivers are discussed below.

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 subject property is presently zoned C-1 (Limited Commercial). A Massage Establishment is permitted in a C-1 (Limited Commercial) zoning district subject to the approval of a Special Use Permit and compliance with the base conditions for a Massage Establishment. The Massage Establishment does not meet the base conditions for a required 400 foot distance separation from property zoned for residential use and for a required 1,000 foot distance separation from a similar use. The applicant also wants to vary from the permitted hours of operation of 8:00 a.m. to 9:00 p.m. to allow the hours of operation of 10:00 a.m. to 3:00 a.m. The applicant has requested Waivers in these requirements.

The purpose of the distance separation requirements is to prevent Massage Establishments from having an adverse affect on residential property and to eliminate a concentration of such uses in the same vicinity. Residential condominiums are located to the rear of the subject property and low density and large lot single-family dwellings are located south across West Oakey Boulevard. In addition, another Massage Establishment exists south of West Oakey Boulevard within 1000 feet of the proposed Massage Establishment. That Massage Establishment was established on 01/11/00 and licensed on 05/16/00 prior to the requirement for a Special Use Permit to establish Massage Establishments.

The Massage Establishments' hours of operation are required to prevent activity outside of normal working hours, particularly when they are within close proximity of residential development. The applicant wishes to establish hours of operation that extend beyond the 9:00 p.m. deadline to 3:00 a.m.

For the reasons that the distance separation requirements and the hours of operation requirement are established in the first place, it is recommended that the subject request and Waivers be denied.

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

The commercial center within which the proposed Massage Establishment is located consists of retail and service commercial businesses that are of similar intensity as the proposed Massage Establishment. The commercial centers structure is designed for this type of use and is physically suitable.

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

The proposed Massage Establishment would be located on Rainbow Boulevard. According to the Master Plan of Streets and Highways, Rainbow Boulevard is a Secondary (80 foot) Collector street that is capable for handling the traffic flow from this establishment.

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 Massage Establishment would be subject to periodic inspection by regulatory agencies for business licensing; therefore, the public health, safety and welfare would not be compromised.

PLANNING COMMISSION ACTION

There were 2 speakers protesting this application at the Planning Commission hearing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 448 by City Clerk

APPROVALS 0

PROTESTS 8

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5938 APN: 16302212001

Name of Property Owner: Rainbow Express Village L.P.

Name of Applicant: Lijun Zhang

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: Dr. Norman PoKras, Trustee

Subscribed and sworn before me

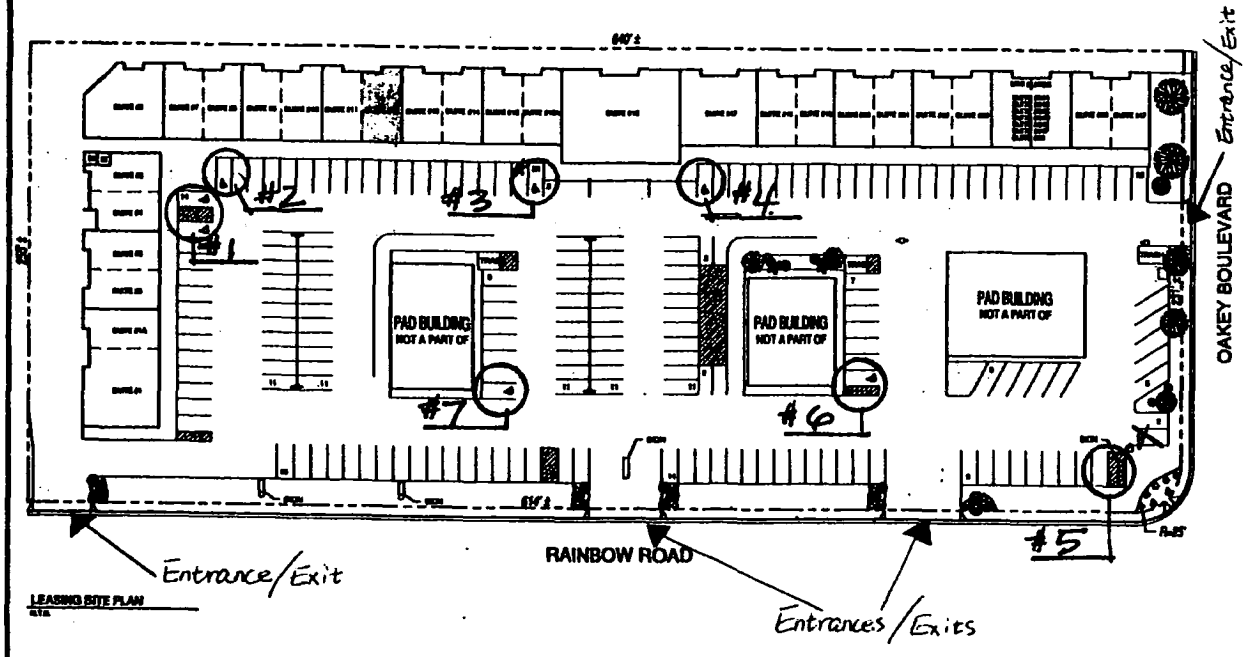
This 30th day of December, 2004

_____
Notary Public in and for said County and State

MARY ANN LOMEO
Notary Public, State of Nevada
Appointment No. 9331801
My Appt Expires April 20, 2005

SITE PLAN

Santa Margarita Condominiums



LEASING SITE PLAN

OCCUPANCY SCHEDULE:

INLINE STORES

#1750 S. RAINBOW BOULEVARD

SUITE # 1	1,958 SQ. FT.
SUITE # 1A	888 SQ. FT.
SUITE # 2	889 SQ. FT.
SUITE # 3	889 SQ. FT.
SUITE # 4	835 SQ. FT.
SUITE # 5	889 SQ. FT.
SUITE # 6	1,883 SQ. FT.
SUITE # 7	889 SQ. FT.
SUITE # 8	889 SQ. FT.
SUITE # 9	889 SQ. FT.
SUITE # 10	889 SQ. FT.
SUITE # 11	799 SQ. FT.
[illegible]	889 SQ. FT.
SUITE # 13	889 SQ. FT.
SUITE # 14	889 SQ. FT.
SUITE # 15	1,885 SQ. FT.
SUITE # 15A	935 SQ. FT.
SUITE # 16	2,553 SQ. FT.
SUITE # 17	2,552 SQ. FT.
SUITE # 18	889 SQ. FT.
SUITE # 19	889 SQ. FT.
SUITE # 20	889 SQ. FT.
SUITE # 21	889 SQ. FT.
SUITE # 22	889 SQ. FT.
SUITE # 23	889 SQ. FT.
SUITE # 24A	185 SQ. FT.
SUITE # 24B	150 SQ. FT.
SUITE # 24C	185 SQ. FT.
SUITE # 24D	295 SQ. FT.
SUITE # 24E	145 SQ. FT.
SUITE # 24F	240 SQ. FT.
SUITE # 25	150 SQ. FT.
SUITE # 26	889 SQ. FT.
SUITE # 27	811 SQ. FT.

TOTAL SQUARE FEET 30,251 SQ. FT.

TOTAL LEASEABLE AREA 30,251 SQ. FT.

TOTAL SPACES PROVIDED 104 STANDARD SPACES
8 HANDICAP
112 TOTAL

RECEIVED
JAN 11 2005

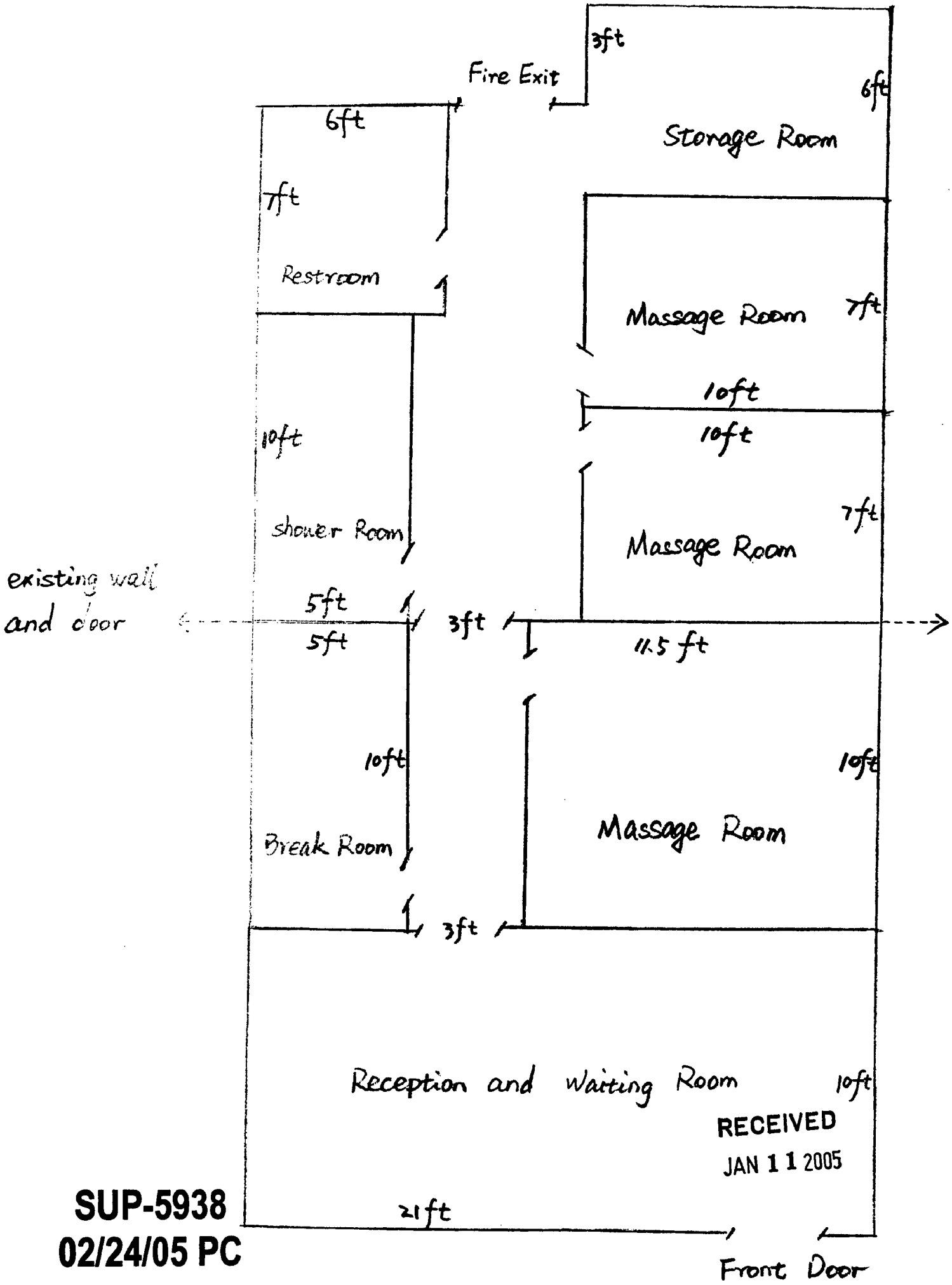
SUP-5938
02/24/05 PC

RAINBOW EXPRESS VILLAGE
NE CORNER OF RAINBOW & OAKEY
LAS VEGAS, NEVADA

LEASING SITE PLAN
LAS VEGAS, NEVADA

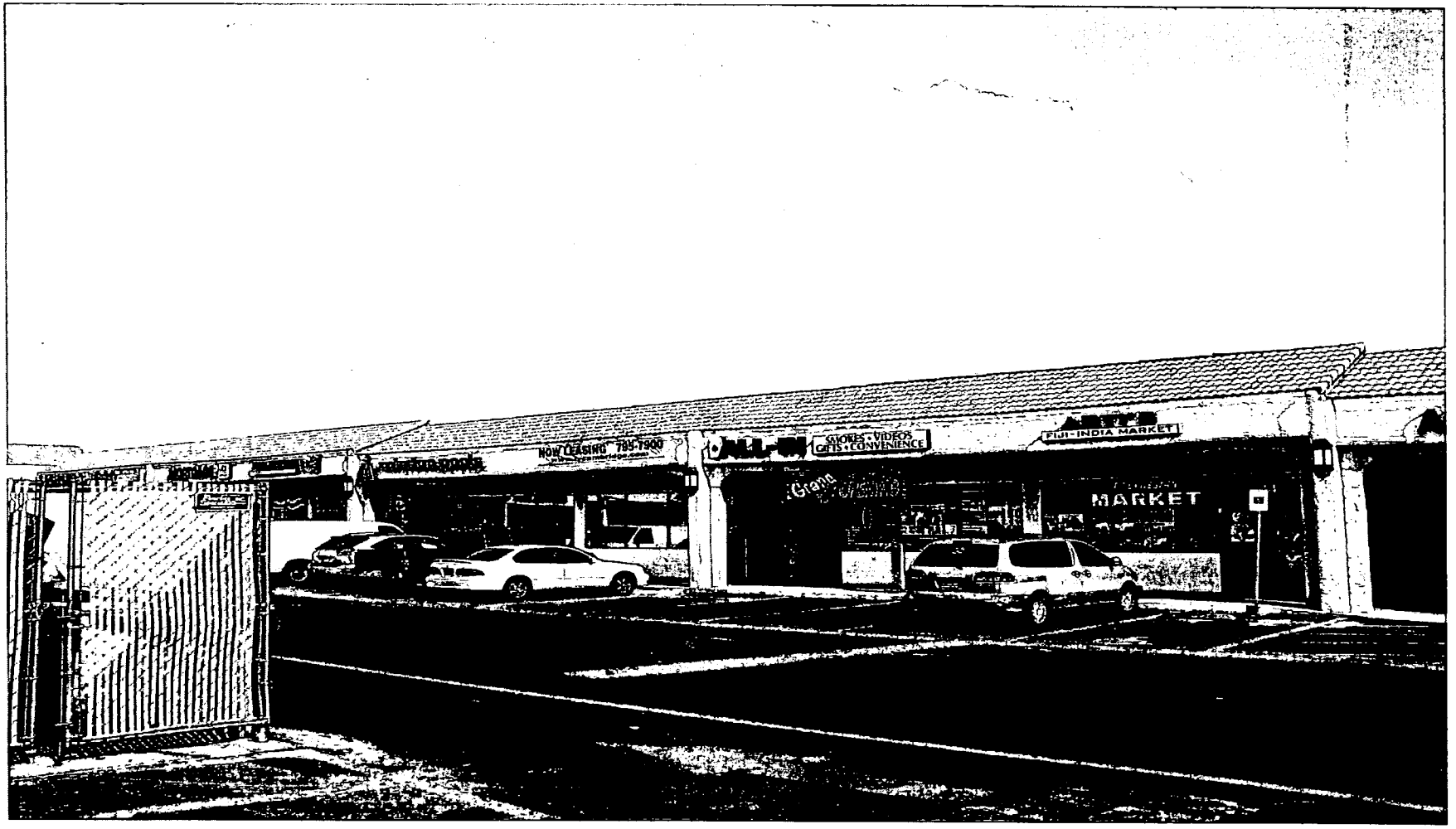
DATE: 9/13/05
DRAWN: P.A.K.
SCALE: AS SHOWN
JOB No.: 05-114

SHEET
1
1 OF 1



RECEIVED
JAN 11 2005

SUP-5938
02/24/05 PC



SUP-5938 - APPLICANT: LIJUN ZHANG - OWNER: RAINBOW EXPRESS VILLAGE, LIMITED PARTNERSHIP
1750 SOUTH RAINBOW BOULEVARD, SUITE #12
FEBRUARY 24, 2005 PLANNING COMMISSION

2/7/05

Appeal

City Clerk:

My SUP-5938 application was denied by the planning board at the meeting. on 2.24

I am now requesting for an appeal.

I want to cancel my application for a waiver of the working time from 10 am to 3 am. I would like to keep my other waivers, though.

Lijung Zhang

Phyllis Hanley

March 2, 2005

RECEIVED
CITY CLERK
2005 MAR -3 P 12: 29

To Sir / Madam:

My name is Lijun Zhang. I will be leasing location 1750 Rainbow Blvd #12 for massage-therapy purposes. Within 1000 ft of my desired location, there is another establishment with the same purpose. I am writing this as a waiver that is needed in a separation agreement.

Thank you very much.

Lijun Zhang

01-08-05

RECEIVED
CITY CLERK

2005 MAR 30 A 10:35

March 28, 2005

Doris E. Gerhardt
1416 Santa Margarita St. #A
Las Vegas, NV 89146

City Clerk
City Council Chambers
Ms. Tarkanian
1st Floor, City Hall
400 Stewart Ave.,Las Vegas, NV 89101

Dear Ms. Tarkanian,

Congratulations on your recent appointment!

I am responding to the recent Notice of Public Hearing, **SPECIAL USE PERMIT, SUP5938.**

I protest this new business. We do not need a **"potential massage parlor"** in our residential neighborhood. Their hours of operations until 3:00am is a clear indication of a potentially shady business. I can see the gangs coming in for the protection of their gals, we could really get carried away with the negative aspects of this venture. The street people are already making this area look bad, they are sitting in front of food/gas marts frequently and for sure are walking all around here.

Best Regards,

Doris E. Gerhardt

Protest

RANDY HUSTON
6750 DEL REY AVENUE
LAS VEGAS, NV 89146

RECEIVED
CITY CLERK

MARCH 25, 2005

2005 MAR 30 A 10:34

CITY CLERK
1ST FLOOR , CITY HALL
400 STEWART AVENUE
LAS VEGAS, NV 89101

RE: SUP-5938

Please show me as objecting to the above noted special use permit. This neighborhood does not need another massage parlor. Especially one that wants waivers for both of the distance separation requirements; and extremely late hours of operation.

Sincerely,

Randy Huston

Randy Huston

Protest

RECEIVED
CITY CLERK

2005 APR -1 A 10:37

March 20, 2005

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

Gentlemen:

RE: SUP-5938 Special Use Permit for Massage Establishment

I am writing in opposition to the request for a massage establishment at 1750 South Rainbow Boulevard.

Reasons: 1 There is a similar business within 1,000 foot from this address.

2. Hours of operation are not conducive to the surrounding family homes within the immediate area.

Please consider permanent denial for requests of this nature.

Wildwood Estate Resident

Janet T. Abney
6823 Adobe Ct.
Las Vegas, NV. 89146

Protest

J:j

Submitted after final agenda
Date 4/1/05 Item #128

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

February 20, 2005

Las Vegas Planning Commission

Dear Sir or Madam:

RE: SUP-5938

I am writing to express my opposition to item number SUP-5938. The proposed item would allow a "massage" business to remain open until 3am. I do not wish to cast any doubt on the owner, but what person with a legitimate need to get a massage does so at 3am? I feel that this is inviting trouble in a ward that is struggling to improve itself and its image. We need business to develop in our ward, but not this way. 3am is way to late for anyone to be in a commercial service business getting a "massage".

I urge you to keep the business hours to respectable times. 3am just is asking for trouble.

Sincerely,

James Thurlow
Ward 1 resident

READ INTO
THE RECORD

4319 GARDEN PLACE • LAS VEGAS, NEVADA • 89107

To: Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV. 89101

16302210038
From: Simpkins Bruce J. & Judith K
1406 "F" Santa Margarita St.
Las Vegas, NV. 89146

Gary Leobold,

This is in regards to **SUP-5938.**
As residents of this area we do not think that it is appropriate to put a massage parlor in that area. Especially with the hours that they want to keep it open.

It is to close to residential properties and also there is a school just a few blocks from this specific area.

These places do not belong in this type of neighborhood.

Thank You

Bruce J. Simpkins
Bruce J. Simpkins
Judith K. Simpkins
Judith K. Simpkins

READ INTO
THE RECORD

Telephone Protest/ Approval Log

Meeting Date: 02/24/05 **Case Number:** SUP 5938

Date: 02/22/05
Name: Donald & Patricia McKlein
Address: 1610 Sandecker Ct. #204
L.V. NV. 89146
Phone: (702) 873-7248
[X] **PROTEST** [ ] **APPROVE**

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

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

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

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

Date:
Name:
Address: READ INTO THE RECORD
Phone:
[ ] **PROTEST** [ ] **APPROVE**

February 13, 2005

Planning Commission
City Council Chambers
400 Stewart Ave.
Las Vegas, NV 89101

Case: SUP-5938

We are strongly opposed to a special use permit for the proposed massage parlor establishment at 1750 So. Rainbow Blvd.

This establishment would be bordering about three-hundred condominiums, none of which would welcome this type of business, and these hours of operation in their immediate area.

Further, this particular strip mall is in some what of a decline. There are shops closing or moving out. This proposed business would do nothing more than to invite an adult book store, or the equivalent into the same area.

A no vote, please.

Sincerely,

DJD LIVING TRUST
5167 Vincitor St.
Las Vegas, NV 89135-3224

Telephone Protest/ Approval Log

Meeting Date: 2-24 **Case Number:** SUP-S-938

Date: 2-18
Name: Linda Johnson
Address: 7100 DOE AVE

Phone: 869 2505

[X] **PROTEST** TOO CLOSE TO HIGH SCHOOL [ ] **APPROVE** NO-to being open to 3AM

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**

Date:
Name:
Address:

Phone:

[ ] **PROTEST** [ ] **APPROVE**

CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

City of Las Vegas Planning Commission
400 Stewart Avenue
Las Vegas, NV 89101

February 21, 2005

RE: Items #34 and #37 on Thursday February 24, 2005's Agenda SUP-5908 and SUP-5938

Dear Planning Commission,

Item #34 SUP-5908:
We do not believe that a Massage Establishment should be located at 4300 Meadows Lane because it is too close to schools and residences. No waivers should be granted for this business.

Please VOTE NO on Item #34 SUP-5908

Item #37 SUP-5938:
Several years ago, another Massage Business tried to get established in this area during Councilman MacDonald's tenure. It was soundly rejected by many of the residents in the neighborhood. The Special Use Permit was denied.

It is an unacceptable business to have so close to residences and schools. The proposed hours of operation are also absolutely unacceptable.

Enclosed is an aerial map of South Rainbow Boulevard with #1750 in the middle. Commercial properties are along the east side of Rainbow with residences directly to the east. There is not 400' between #1750 and the residences next door.

Please help us protect our neighborhood.

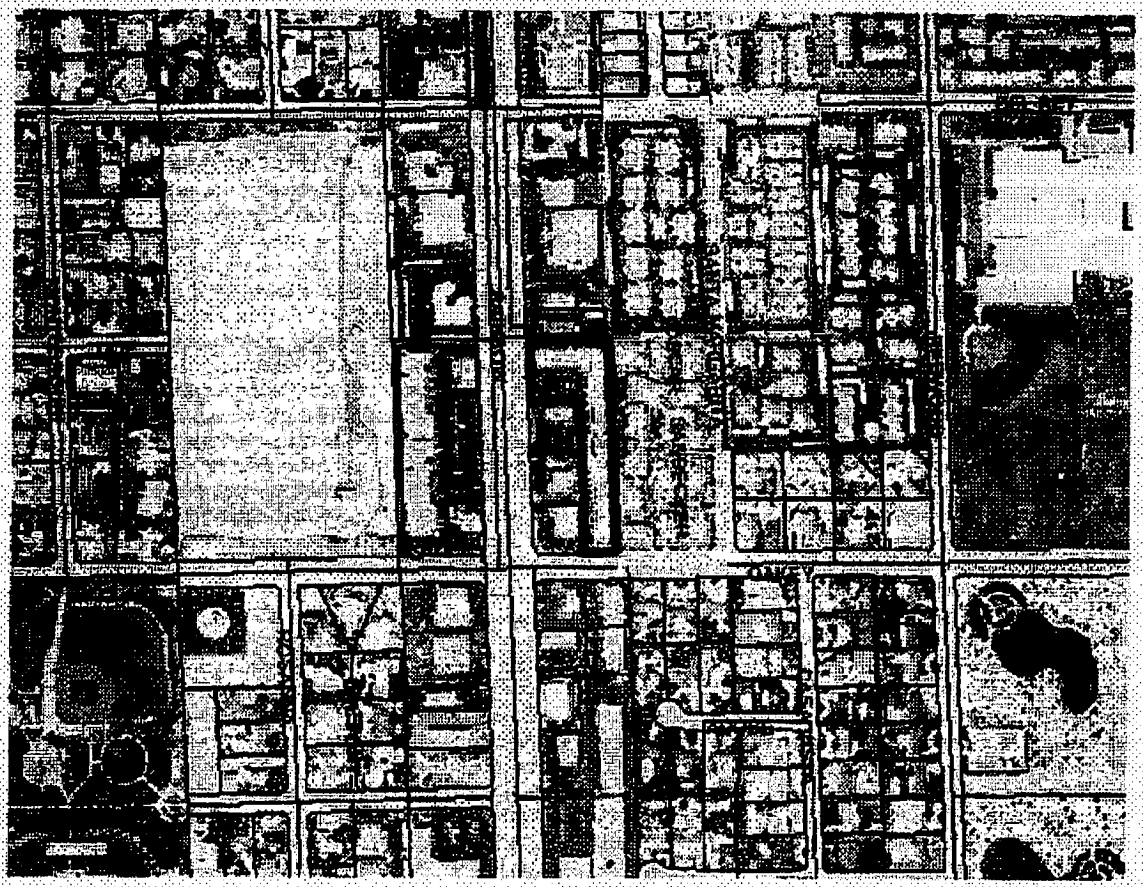
Please VOTE NO on Item #37 SUP-5938

Thank you very much.

June Ingram Pamela Stancliffe

June Ingram and Pamela Stancliffe
259-3094 258-1517

Map Click: (•) Select Property ( ) Zoom In ( ) Zoom Out ( ) Pan ( ) Measure

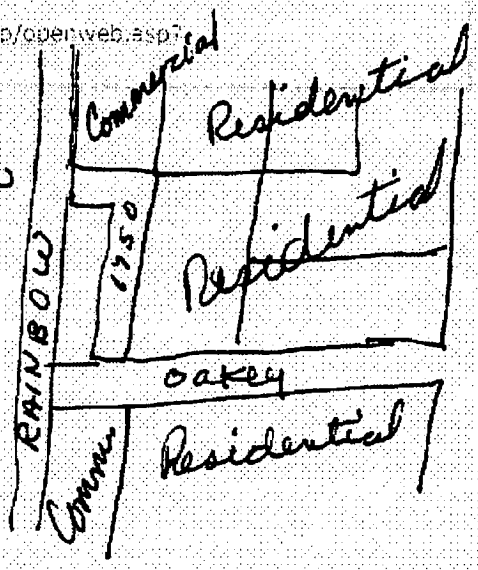


To display a Clark County Assessor's Parcel **Page** Map for the selected parcel:
16302212001 **Click Here**

To **mail a link** of selected parcel# **16302212001**, **Click Here** or, Copy / Paste the following hyperlink:
http://gisgate.co.clark.nv.us/openweb/asp/openweb.asp?getParcel=16302212001

for 2-24-05
Item #37
SUP-5938

1750 S. Rainbow



City of Las Vegas

Agenda Item No. 129

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SPECIAL USE PERMIT

SUP-5917 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH, AIA, LLC - OWNER: RANCHO AIR CENTER, INC. - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) AND FOR A WAIVER OF THE REQUIRED 1,500 FOOT DISTANCE SEPARATION FROM A CHURCH, A SCHOOL AND A CHILD CARE FACILITY adjacent to the west side of Rancho Drive, approximately 250 feet north of Smoke Ranch Road (APN 139-18-410-005), C-M (Commercial/Industrial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

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

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 2/24/2005 Planning Commission Meeting Item 29

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 129 [SUP-5917] and Item 130 [SDR-5916].

RAY FINKEL, Gerald Garapich and Associates, 10 Commerce Center Drive, Henderson, first thanked the Mayor for meeting with his Cub Scouts. MR. FINKEL indicated he met with staff on the design review, and that the tavern is inside the 1500-foot radius to a church. He met with the Pastor and resolved his concerns. COUNCILMAN WEEKLY thanked the applicant and stated he also met with the Pastor.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 129 [SUP-5917] and Item 130 [SDR-5916].

(6:08 - 6:11)

7-277

CONDITIONS:

Planning and Development

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

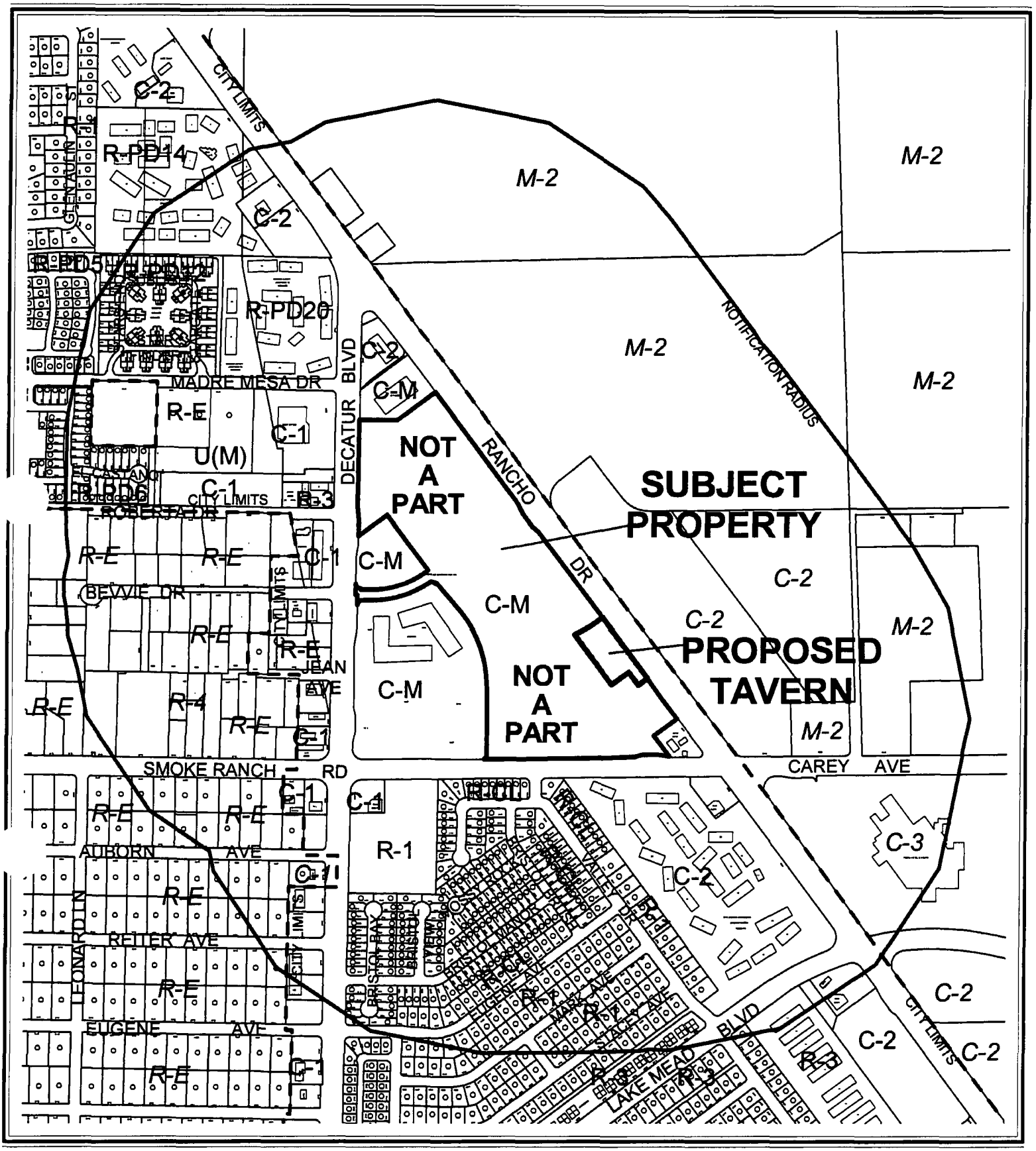
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance with Zoning Reclassification ZON 1401 and all other applicable site-related actions, except as amended by conditions herein.

4. Approval and conformance to a subsequent Site Development Plan Review (SDR-5916) by the Planning Commission and City Council.

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

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

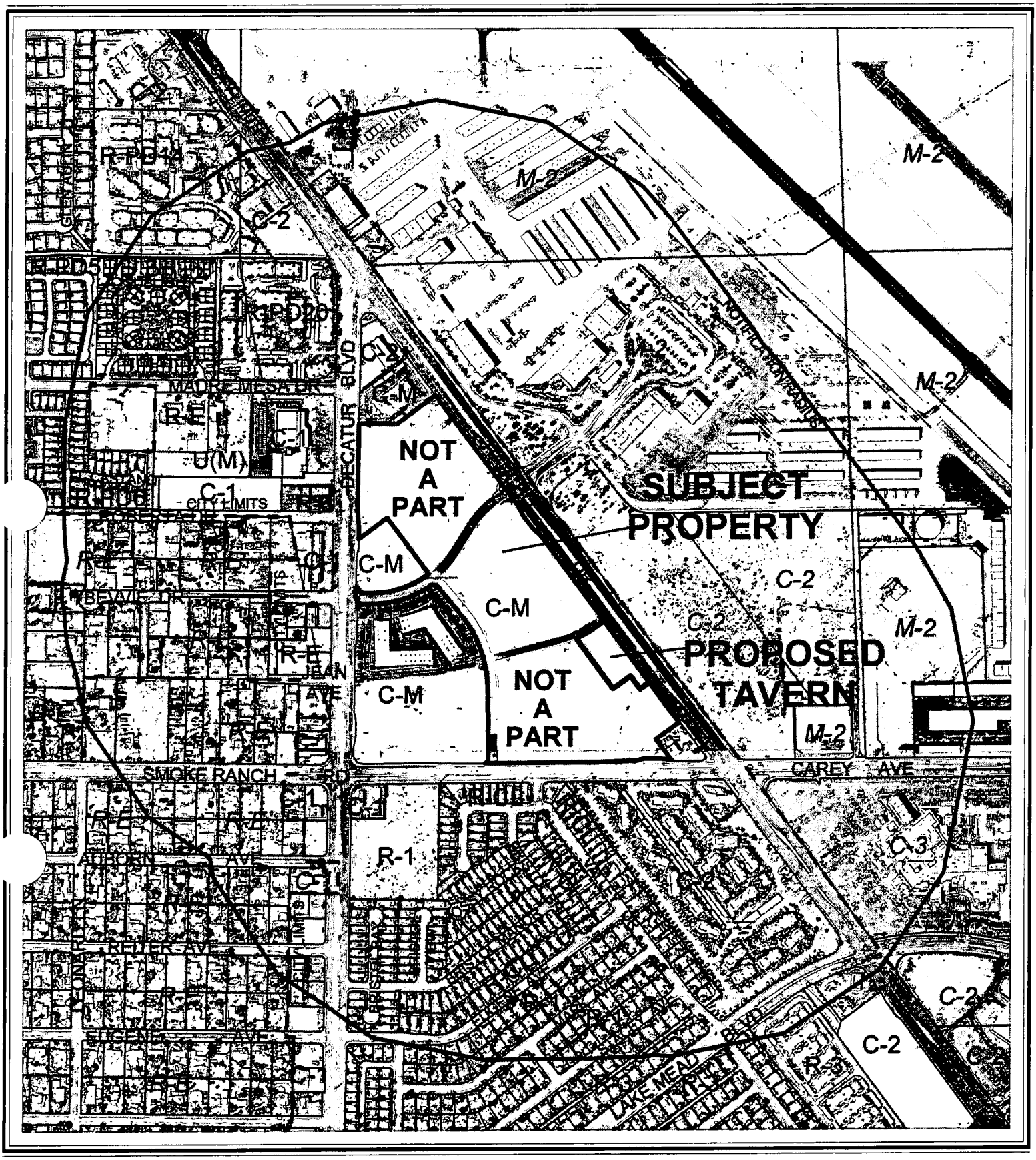


CASE: **SUP-5917**

RADIUS: 1500 FT

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

0 700 1400 Feet



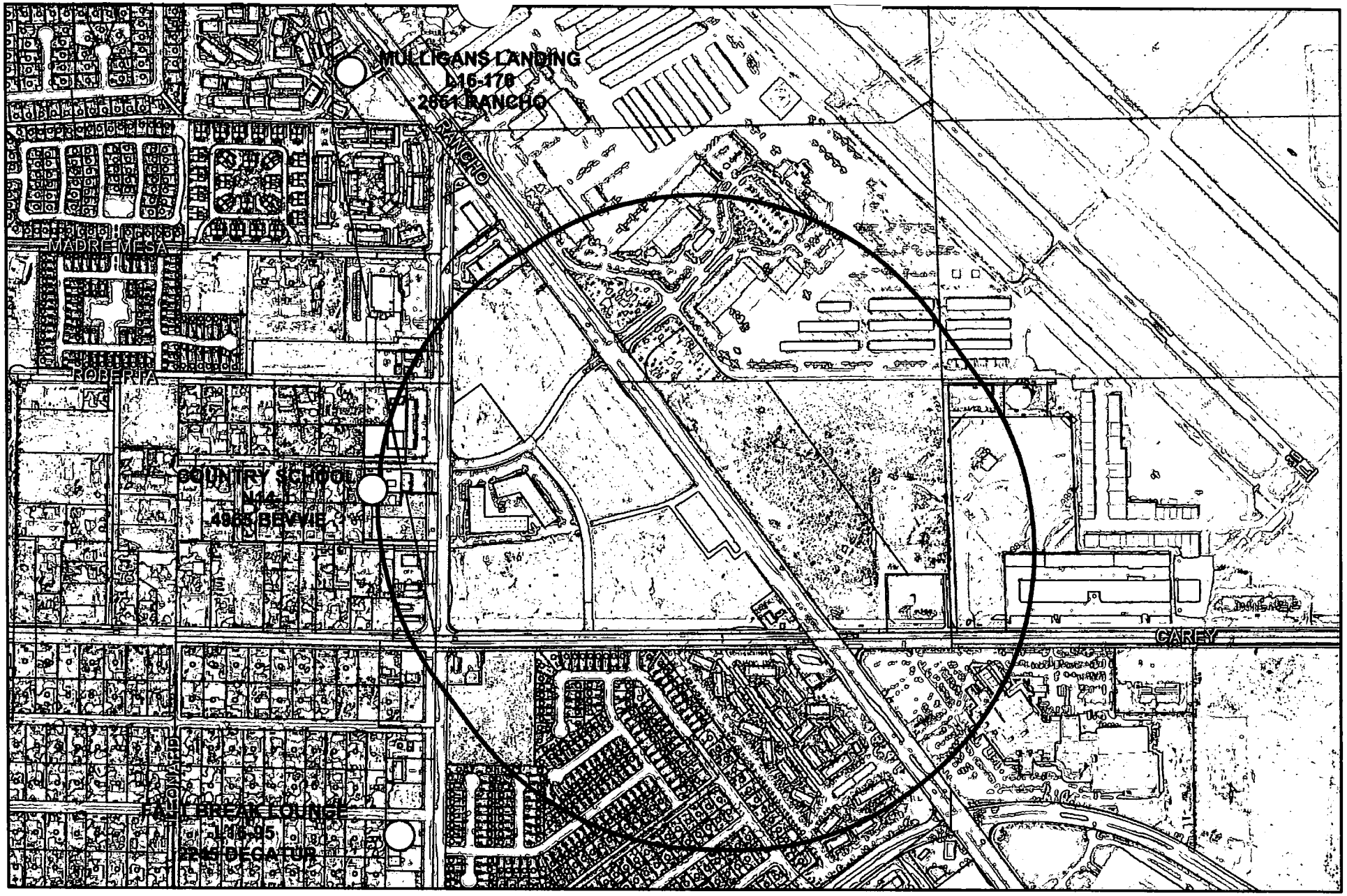
0 700 1400 Feet

CASE: **SUP-5917**

RADIUS: 1500 FT

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

N


MULLIGANS LANDING
L15-178
2861 RANCHO
RANCHO
MADRE MESA
ROBERTA
COUNTRY SCHOOL
M44-1
4963 BEVVIE
CAREY
DECATUR
FAST BREAK LOUNGE
L15-95
2245 DECATUR
SUP-5917
Taverns
Business Licenses
Child Care/ Children Facility
Tavern
0
490
980
1,960
Feet
RELIGIOUS
PARKS
SCHOOLS
Subject Property
1500 foot buffer
N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5917 - APPLICANT: GERALD GARAPICH, AIA, LLC - OWNER: RANCHO AIR CENTER, INC.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

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

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

3. All development shall be in conformance with Zoning Reclassification ZON-1401 and all other applicable site-related actions, except as amended by conditions herein.

4. Approval and conformance to a subsequent Site Development Plan Review (SDR-5916) by the Planning Commission and City Council.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Liquor Establishment (Tavern) and for a waiver of the required 1,500-foot distance separation from a church, a school and a child care facility on 1.34 acres adjacent to the west side of Rancho Drive, approximately 250 feet north of Smoke Ranch Road. An associated Site Development Plan Review (SDR-5916) will be considered by the Planning Commission in conjuncture with this application.

B) Applicant's Justification

The applicant justifies this request by purporting the following:

1. The proposed development shall be located on a portion of the site, which is currently zoned C-M (Commercial/Industrial).
2. The existing site is part of a previously approved Commercial Subdivision.
3. The proposed Tavern fits within the existing zoning of C-M (Commercial/Industrial), per Title 19.
4. The proposed Tavern has been located to comply with required setbacks from roadways, residential developments and other taverns, as required by Title 19.

BACKGROUND INFORMATION

A) Related Actions

06/21/89 The City Council approved a Special Use Permit (U-0054-89) for a 12-foot by 24 foot Off-Premise Advertising (Billboard) Sign to a height of 40 feet, on property located on the west side of Rancho Drive, approximately 425 feet north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval on 05/25/89.

08/21/91 The City Council approved a Variance (V-0081-91) to allow a three-sided billboard on property located on the northeast corner of Smoke Ranch Road and Decatur Boulevard. This Variance was never exercised. The Board of Zoning Adjustment took no action due to a tie vote on 07/15/91.

07/20/94 The City Council approved a five-year Review [U-0054-89(1)] on an approved 12 foot by 24 foot Off-Premise Advertising (Billboard) Sign to a height of 40 feet, on property located on the west side of Rancho Drive, approximately 425 feet north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval on 06/28/94.

09/20/95 The City Council approved a Special Use Permit (U-0092-95) for two (2) Off-Premise Advertising (Billboard) Signs on the west side of Rancho Drive north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval on 08/22/95.

11/01/00 The City Council accepted the Withdrawal of a Five-year Review [U-0092-95(1)] for two (2) Off-Premise Advertising (Billboard) Signs on west side of Rancho Drive, approximately 350 and 1,100 feet north of Smoke Ranch Road. The Planning Commission recommended approval on 09/28/00.

08/01/01 The City Council approved an appeal of a Planning Commission denial for a Special Use Permit (U-0059-01) for five (5) Off-Premise Advertising (Billboard) Signs on the south side of the intersection of Rancho Drive and Decatur Boulevard subject to a two-year review. The Planning Commission denied the request on 05/24/01.

12/20/01 The Planning Commission approved a Tentative Map (TM-0049-01) for a one lot commercial subdivision on the subject site.

02/19/03 The City Council approved a General Plan Amendment (GPA-1400), a Rezoning (ZON-1401) on 48.49 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. On 01/23/03, the Planning Commission recommended approval of the Rezoning application, but failed to achieve a super majority on the General Plan Amendment.

02/19/03 The City Council approved a Site Development Plan Review (SDR-1404) for a proposed commercial/industrial development on 14.45 acres consisting of an 18,500 square foot office building on 1.85 acres adjacent to the west side of Rancho Drive approximately 320 feet south of Decatur Boulevard intersection, and a 166,900 square foot commercial/industrial development on 12.6 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. The Planning Commission recommended 01/23/03.

05/21/03 The City Council approved a required two-year review (RQR-1994) for an approved Special Use Permit (U-0059-01) for the five (5) Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission recommended approval of the request on 04/24/03.

06/02/03 The Department of Planning and Development administratively approved a Site Development Plan Review (SDR-2394) for a 3,000 square foot second floor addition to an approved 18,500 square foot office building on 1.85 acres adjacent to the west side of Rancho Drive, approximately 320 feet south of Decatur Boulevard.

06/24/04 The Planning Commission approved a Master Sign Plan (MSP-4388) application for an approved commercial/industrial development on 47.93 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Drive.

07/07/04 The City Council approved a required two-year review (RQR-4239) for an approved Special Use Permit (U-0059-01) for the five (5) Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission recommended approval on 05/27/04.

12/02/04 The Planning Commission approved a Site Development Plan Review (SDR-5312) application for a proposed 40,016 square foot office complex of eight single-story buildings on 3.30 acres adjacent to the east side of Decatur Boulevard, approximately 875 feet north of Smoke Ranch Road.

02/24/05 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #29/pl).

B) Pre-Application Meeting

11/29/04 A pre-application conference was held and resulted in the following comments:

1. The creation of a parcel with ingress/egress to a 100-foot right-of-way will effect what will be found within the 1,500-foot minimum distance radius.
2. The Special Use Permit should accompany a Site Development Plan Review application.
3. Currently the Special Use Permit would require a waiver of the 1,500-foot minimum distance separation from two Taverns (L-16-176 & L-16-95), as well as a house of worship, a school and a childcare facility.
4. This request qualifies as a Project of Regional Significance, as it is within 500 feet of North Las Vegas.
5. The project is located within the North Las Vegas Airport Overlay District and is restricted to a maximum height of 35 feet.
6. The property is located within a C-M (Commercial/Industrial) zoning district.

02/03/05 The applicant has supplied a new deed and legal description verifying the creation of another parcel within the Rancho Air Center commercial subdivision. The minimum distance radius has since been corrected, therefore removing the two taverns from within that distance.

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: 1.34 acre portion of 31.42 acres

B) Existing Land Use

Subject Property:	Undeveloped [Approved Commercial Subdivision (TM-0049-01)]
North:	Commercial Use
	North Las Vegas Airport
South:	Single family Residential Use
	Commercial Use, Residence Hotel
	Undeveloped [No proposed development]
East:	Undeveloped [No proposed development]
	North Las Vegas Airport
West:	Single family Residential Use
	Multifamily Residential Use
	Commercial Uses
	Office Uses
	Auto-Related Uses
	Mortuary Use

C) Planned Land Use

Subject Property:	LI/R (Light Industrial/Research)
North:	GC (General Commercial)
South:	SC (Service Commercial)
	M (Medium Density Residential)
	ML (Medium Low Density Residential)
East:	NIC (Not in City of Las Vegas)
West:	SC (Service Commercial)
	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	C-M (Commercial/Industrial)
North:	C-2 (General Commercial)
South:	R-1 (Single-Family Residential)
	R-CL (Single-Family Compact Lot)
	C-1 (Limited Commercial)
	C-2 (General Commercial)
East:	North Las Vegas
West:	U (Undeveloped) under Resolution of Intent to C-1 (Limited Commercial)
	R-E (Residence Estate)
	R-3 (Medium Density Residential)
	R-PD20 (Residential Planned Development – 20 units per acre)
	C-1 (Limited Commercial)
	C-2 (General Commercial)

E) General Plan Compliance

The LI/R (Light Industry/Research) designation of Southeast General Plan allows clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, development and testing laboratories. The C-M (Commercial/Industrial) zoning is consistent with the LI/R (Light Industry/Research) General Plan Designation. The requested Special Use Permit is not affected by any specific General Plan policies.

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

Airport Overlay District

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted by Title 19. All development within the airspace above the height of thirty five feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, shall be subject to the height standards established on the Airport Overlay Maps. The proposed structure will stand well below the 35-foot height restriction imposed by the North Las Vegas Airport Overlay District map.

Project of Regional Significance

This request was determined to be a Project of Regional Significance. Information relative to this status is provided below.

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500 feet of 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. No comments have been received at this time. The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Tavern	2,638 SF.	1 Space / 50 Public GFA	53	3	82	3
	2,362 SF.	1 Space / 200 Remaining GFA	9			

The proposed development exceeds the required number of parking spaces.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Tavern)	1,500 from any church, synagogue, school, child care facility licensed for more than 12 children, or City Park *1,500 feet from any church, synagogue, school, child care facility licensed for more than 12 children, or City Park and any other liquor establishment (tavern) and can request a waiver if separated from the existing use by a street with a minimum right-of-way width of 100 feet	**Church** located approximately 1,380 feet away. **School** (Country School) located approximately 1,390 feet away. **Child Care Facility** (Country School) located approximately 1,480 feet away. *Meets standard for Church, School and Child Care Facility.

The subject parcel has been created from an approved commercial/industrial subdivision and has direct access (both ingress and egress) from a street (Rancho Drive) having a minimum right-of-way width of one hundred feet. Therefore, the minimum distance separation has been drawn from the newly created parcel in which the proposed use is to be located. Even so, a church, a school and a child care facility are located within the required 1,500 foot minimum distance separation. Per Title 19.04.050 the distance separation set forth by the Liquor Establishment (Tavern) use category may be waived if the Tavern will be separated from existing protected uses by a street or highway with a minimum right-of-way width of one hundred feet. The applicant has requested said waiver as they are separated from the subject protected uses by Decatur Boulevard, a Primary (100-foot) Arterial as designated by the Master Plan of Streets and Highways.

B) General Analysis and Discussion

- Zoning

A Liquor Establishment (Tavern) is permitted in the C-M (Commercial/Industrial) zone with approval of a Special Use Permit.

- Use

Title 19.20.020 defines a Liquor Establishment (Tavern) as a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.

- Waiver

(5) The distance separation requirement set forth in Paragraph (1) may be waived in accordance with the provisions of Subsection 19.04.050(A) (4), but only in connection with a proposed liquor establishment (tavern) that:

(a) Will be located on a parcel within a C-V (Civic) District or the Downtown Casino Overlay District;

(b) Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as an historic property, historic building, or land mark; or

(c) ***Will be separated from the existing use by a street or highway with a minimum right-of-way width of one hundred feet.***

The following protected uses are located within 1,500 feet of the proposed use:

Church (Desert Harvest Mission Church) - 4900 Bevvie Drive
School (Country School) – 4965 Bevvie Drive
Child Care Facility (Country School) – 4965 Bevvie Drive

The proposed tavern location will be separated from the above mentioned protected uses by Decatur Boulevard, a right of way 100 feet or greater in width.

The amount of waivers requested for this site is considerable. Therefore, it is the position the Department to not support this application.

- Conditions

Listed are the applicable conditions as listed in Title 19.04.050 for a Liquor establishment (Tavern):

(1) Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between liquor establishments (tavern), and a minimum separation between a liquor establishment (tavern) and certain other uses that should be protected from the impacts associated with a liquor establishment (tavern). Therefore, except as otherwise provided below, no liquor establishment (tavern) may be located within fifteen hundred feet of any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for more than twelve children, or City park.

(2) The distance separation referred to in Paragraph (1) shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.

(3) For the purpose of Paragraph (2), and for that purpose only:

(a) The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
(b) The "property line" of a liquor establishment (tavern) refers to:
(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or...

(4) The distance separation requirement set forth in Paragraph (1) does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992.

(5) The distance separation requirement set forth in Paragraph (1) may be waived in accordance with the provisions of Subsection 19.04.050(A)(4), but only in connection with a proposed liquor establishment (tavern) that:

(a) Will be located on a parcel within the C-V (Civic) District or the Downtown Casino Overlay District;
(b) Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as historic property, historic building, or landmark; or
(c) Will be separated from the existing use by a street or highway with a minimum right-of-way width of one hundred feet.

(6) The use shall conform to the provisions of LVMC Chapter 6.50.

FINDINGS

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

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

   While the use is permitted within a C-M (Commercial/Industrial) zoning district by means of an approved special use, the proposal cannot be operated it a manner harmonious and compatible with the surrounding area, since it does not meet the required 1,500-foot distance separation standards of the Code without an approved waiver.

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

   The subject site is physically 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."**

   This project is located on Rancho Drive, which is identified as a Primary (125-foot) Arterial on the Master Plan of Streets and Highways. The road will provide sufficient capacity for the intended development on the subject parcel.

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

   Approval of this request would not be consistent with the standards of Title 19. If the request were approved, it would be subject to other Codes to ensure health, safety and public welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 766 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5917** APN: 139-18-410-005

Name of Property Owner: RANCHO AIR CENTER, INC

Name of Applicant: Gerald Garapich AIA, 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: _____ Rancho Air Center Inc

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Steven Kalb Vice President

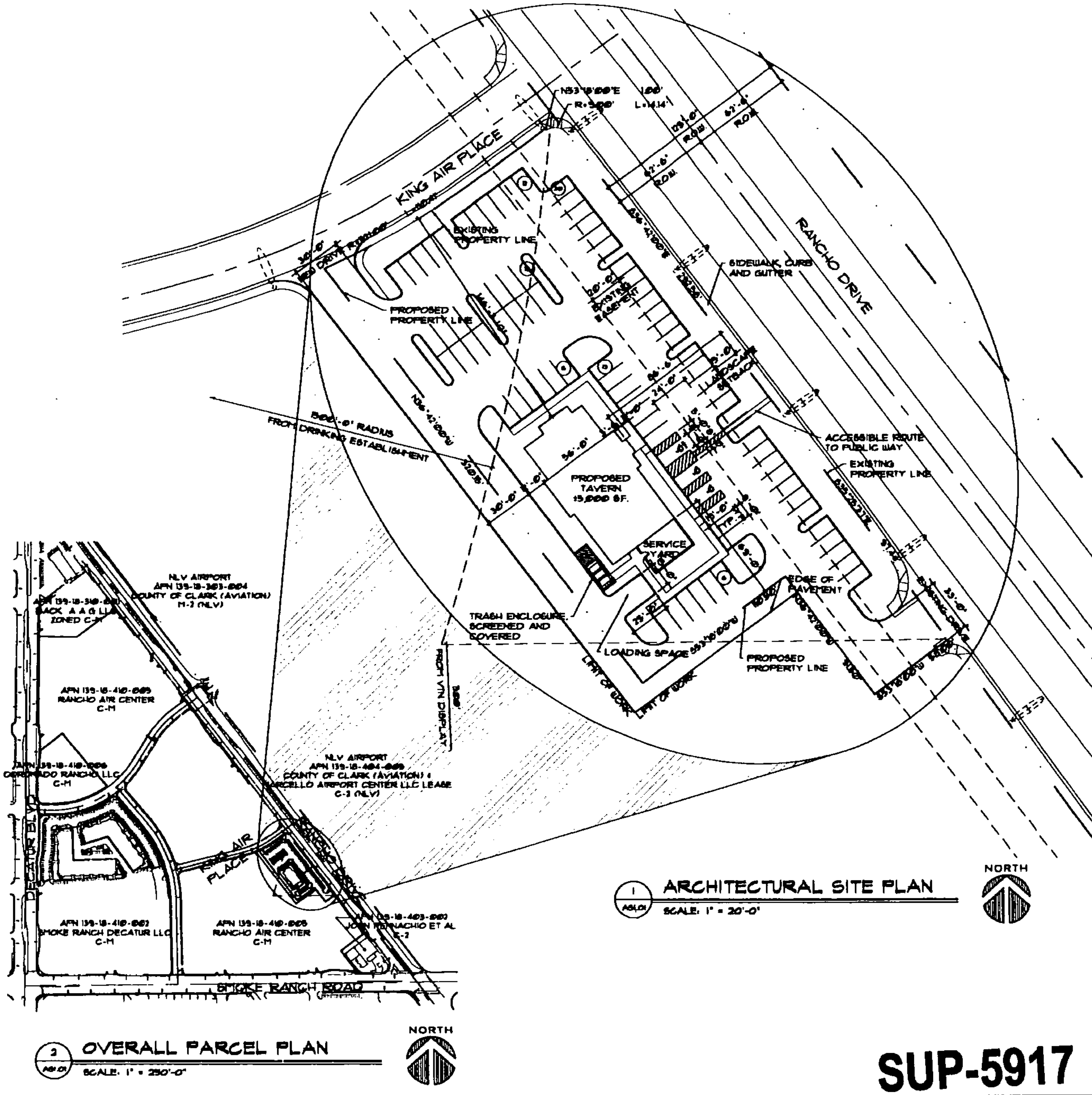
Subscribed and sworn before me

This 23 day of November, 2004

Heather M. Monahan

Notary Public in and for said County and State

HEATHER M. MONAHAN
NOTARY PUBLIC
STATE OF NEVADA
State Appointment Exp: 11-20-2008
Certificate No: 96-5232-1



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

2 OVERALL PARCEL PLAN
SCALE: 1" = 250'-0"

PROJECT DATA:

ASSESSORS PARCEL NUMBER: 139-18-410-009

SITE AREA: 136,8,895 SF. (31.42 ACRES)

CURRENT ZONING: C-M

SETBACKS:

	REQUIRED:	PROVIDED:
FRONT:	10'-0"	86'-6"
SIDES:	10'-0"	69'-0"
REAR:	20'-0"	42'-0"
RESIDENTIAL ZONE BOUNDARY:	N/A	

BUILDING AREA:

BUILDING (TAVERN) 5,000 SF.

LOT COVERAGE: 13.65%

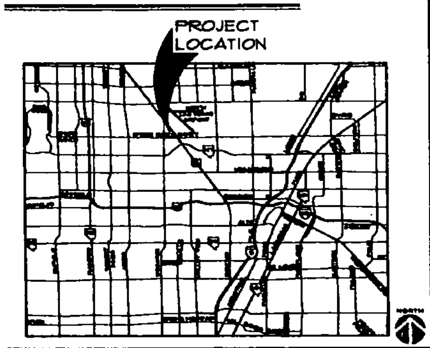
PARKING CALCULATIONS:

REQUIRED: 64 SPACES
1:50 SF. PUBLIC SEATING AREA (GPA) = 2,638 SF. = 53 SPACES
1:200 SF. REMAINING AREA (GFA) = 2,362 SF. = 11 SPACES

PROVIDED: 88 SPACES
INCLUDING 3 ACCESSIBLE SPACES

INDICATES ACCESSIBLE ROUTE

PROJECT LOCATION:



GENERAL NOTES:

1. SEE LANDSCAPE DRAWINGS FOR LANDSCAPING INFORMATION.
2. SEE CIVIL DRAWINGS FOR ALL SITE LAYOUT DIMENSIONS, CURBS, GUTTERS, AND PLANTERS.
3. SEE CIVIL, PLUMBING, AND ELECTRICAL DRAWINGS FOR UTILITY LINES.
4. SEE CIVIL DRAWINGS FOR ALL GRADING AND DRAINAGE INFORMATION.
5. SITE LAYOUT IS TO BE COORDINATED WITH CIVIL DRAWINGS. IF DISCREPANCIES EXIST, THE CIVIL DRAWINGS SHALL TAKE PRECEDENCE OVER THIS DRAWING. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.
6. ALL SITE CONCRETE SHALL RECEIVE WEAKENED PLAN JOINTS AT 15'-0" O.C. AND TOOLED JOINTS AT 5'-0" O.C.
7. ALL CONCRETE WALKS, LANDINGS, ETC. SHALL RECEIVE LIGHT BROOM FINISH.
8. SLOPE ALL PLANTER AREAS AWAY FROM BUILDING 2% MINIMUM.
9. SLOPE ALONG ACCESSIBLE ROUTE WILL NOT EXCEED 5% IN DIRECTION OF TRAVEL AND 2% CROSS SLOPE.
10. COVERED PARKING TO BE SUBMITTED UNDER SEPARATE PERMIT.
11. THIS PROJECT IS PART OF A PREVIOUSLY APPROVED COMMERCIAL SUBDIVISION.
12. THIS PROJECT HAS AN APPROVED MASTER SIGN PLAN AND SHALL COMPLY WITH THE SIGNAGE PLAN. THE SIGNAGE TO BE SUBMITTED UNDER SEPERATE PERMIT, AS REQUIRED.

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

project title:
RANCHO AND SMOKE RANCH TAVERN
LAS VEGAS, NEVADA

sheet title:
ARCHITECTURAL SITE PLAN

issue date: DECEMBER 21, 2004
drawn by: RLP
checked by: GG
project no.: 04-112
revisions:

sheet no.
AS1.01

AS INSTRUMENTS OF SERVICE, THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE REPRODUCED OR USED FOR ANY PURPOSE WITHOUT THE ARCHITECT'S WRITTEN CONSENT. COPIES OF THE DRAWINGS AND SPECIFICATIONS RETAINED BY THE CLIENT MAY BE UTILIZED ONLY FOR THEIR USE AND FOR OCCUPYING THE PROJECT FOR WHICH THEY WERE PREPARED, AND NOT FOR CONSTRUCTION OF ANY OTHER PROJECTS. ANY USE OR REPRODUCTION OF THIS DRAWING IN WHOLE OR PART BY ANY MEANS WHATSOEVER IS STRICTLY PROHIBITED. THESE DOCUMENTS ARE NOT FINAL AND READY FOR USE, AND THEREFORE NOT VALID, UNLESS THEY ARE SEALED, SIGNED, AND DATED.

SUP-5917

KALB CONSTRUCTION

02/24/05 PC

ARCHITECT
GERALD GARAPICH AIA, LLC
10 COMMERCE CENTER DRIVE, HENDERSON, NV 89014 (702) 454-5842 FAX (702) 454-7842

December 21, 2004

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

RE: Rancho & Smoke Ranch Tavern
NWC Rancho & Smoke Ranch
APN # 139-18-410-005

To Whom it May Concern;
Please accept this letter of justification for the above referenced project.

We are requesting the approval of a ±5,000 square foot Tavern. In support of our application we offer the following;

1) The proposed development shall be located on a portion of site which is currently zoned C-M.
2) The existing site is part of a previously approved Commercial Subdivision.
3) The proposed Tavern fits within the existing zoning of C-M, per Title 19.
4) The proposed Tavern has been located to comply with required setbacks from roadways, residential developments and other taverns, as required by Title 19.

The design of the building shall feature wood framed construction, covered with exterior cement plaster, stone veneer and concrete roof tiles, to be architectural appealing to neighboring developments. It is intended to comply with previously approved Commercial Subdivision, Landscape Plans and Master Signage Plans, of the Rancho Air Center.

If you have any questions, please feel free to contact our office.

Sincerely,

Ray Finkel
Project Manager
Gerald Garapich, AIA, LLC

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

BAKER, JACK G + ANNE P.
2316 BRISTOL VIEW CT.
LAS VEGAS, NV. 89108-2925

PLANNING AND DEVELOPMENT DEP.
CURRENT PLANNING DIVISION
DEVELOPMENT SERVICES CENTER
731 SOUTH FOURTH ST.
LAS VEGAS, NEVADA 89101

RE: SUP-5917
SDR-5916

DEAR SIR:

THIS IS TO FILE OUR OBJECTIONS TO THE SPECIAL USE PERMIT AND SITE DEVELOPMENT PLANS LISTED ABOVE.

YOURS TRULY

Jack G. Baker
Anne P. Baker

City of Las Vegas

Agenda Item No. 130

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5917

SDR-5916 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH, AIA, LLC - OWNER: RANCHO AIR CENTER, INC. - Request for a Site Development Plan Review FOR A PROPOSED 5,000 SQUARE FOOT LIQUOR ESTABLISHMENT (TAVERN) on a 1.34 acre portion of a 31.42 site acres adjacent to the west side of Rancho Drive, approximately 250 feet north of Smoke Ranch Road (APN 139-18-410-005), C-M (Commercial/Industrial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

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

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 2/24/2005 Planning Commission Meeting Item 30

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 129 [SUP-5917] for all related discussion.
(6:08 - 6:11)
7-277

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 Zoning Reclassification ZON-1401, the site plan and building elevations date stamped 01/05/05, Site Development Plan Review SDR 1404 (Rancho Air Center commercial subdivision), Master Sign Plan (MSP-4388) and all other applicable site-related actions, except as amended by conditions herein.

3. In the advent of the removal of the private drive aisle along the western and southern property lines, landscaping shall be provided.

4. Landscaping and a permanent underground sprinkler system shall be installed as required by the

CONDITIONS - Continued:

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.]

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

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

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

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

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

10. 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.

11. 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.

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

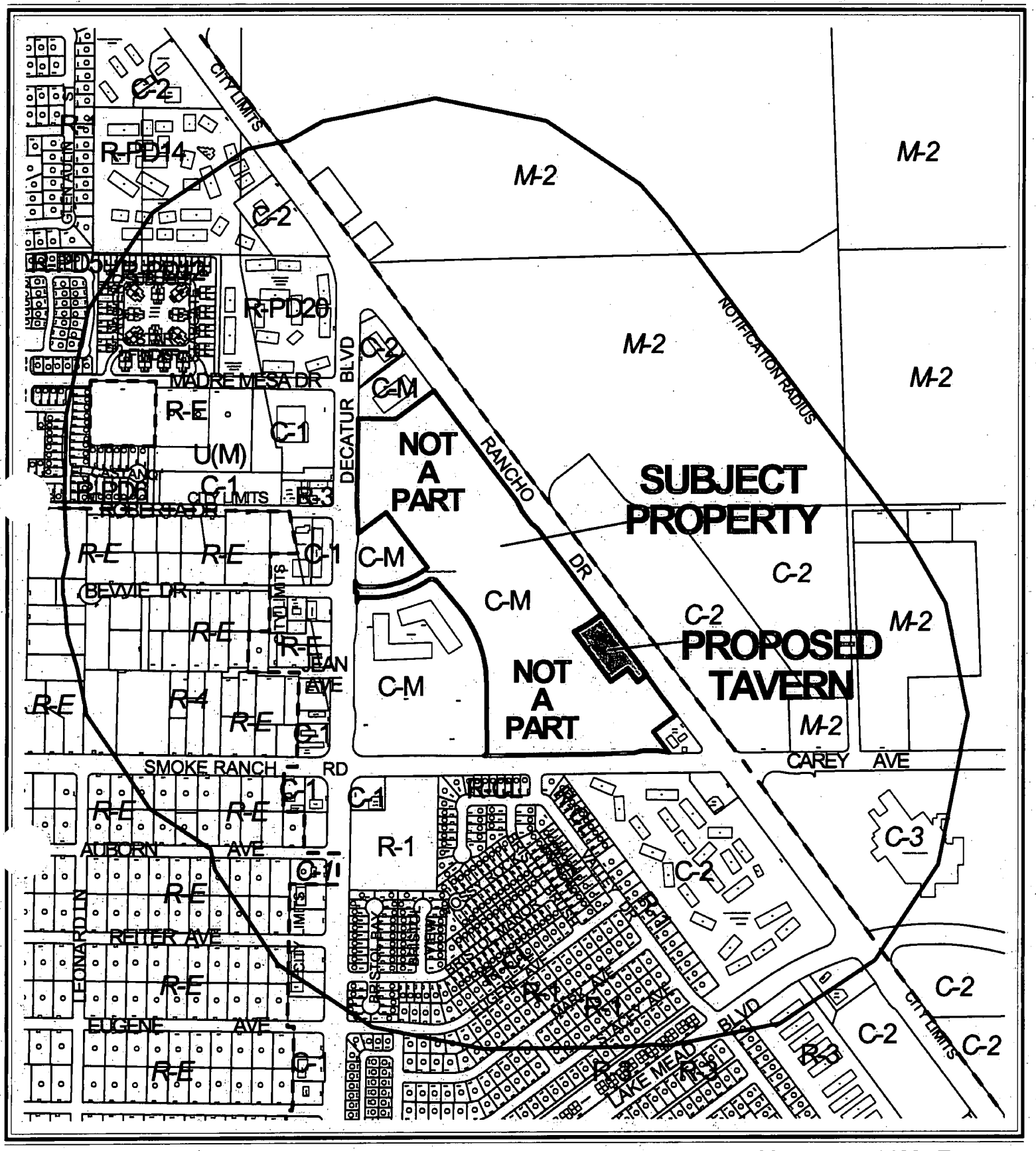
Public Works

13. 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.

14. 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.

15. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility prior to the issuance of any permits.

16. Site development to comply with all applicable conditions of approval of Zoning Reclassification ZON-1401.



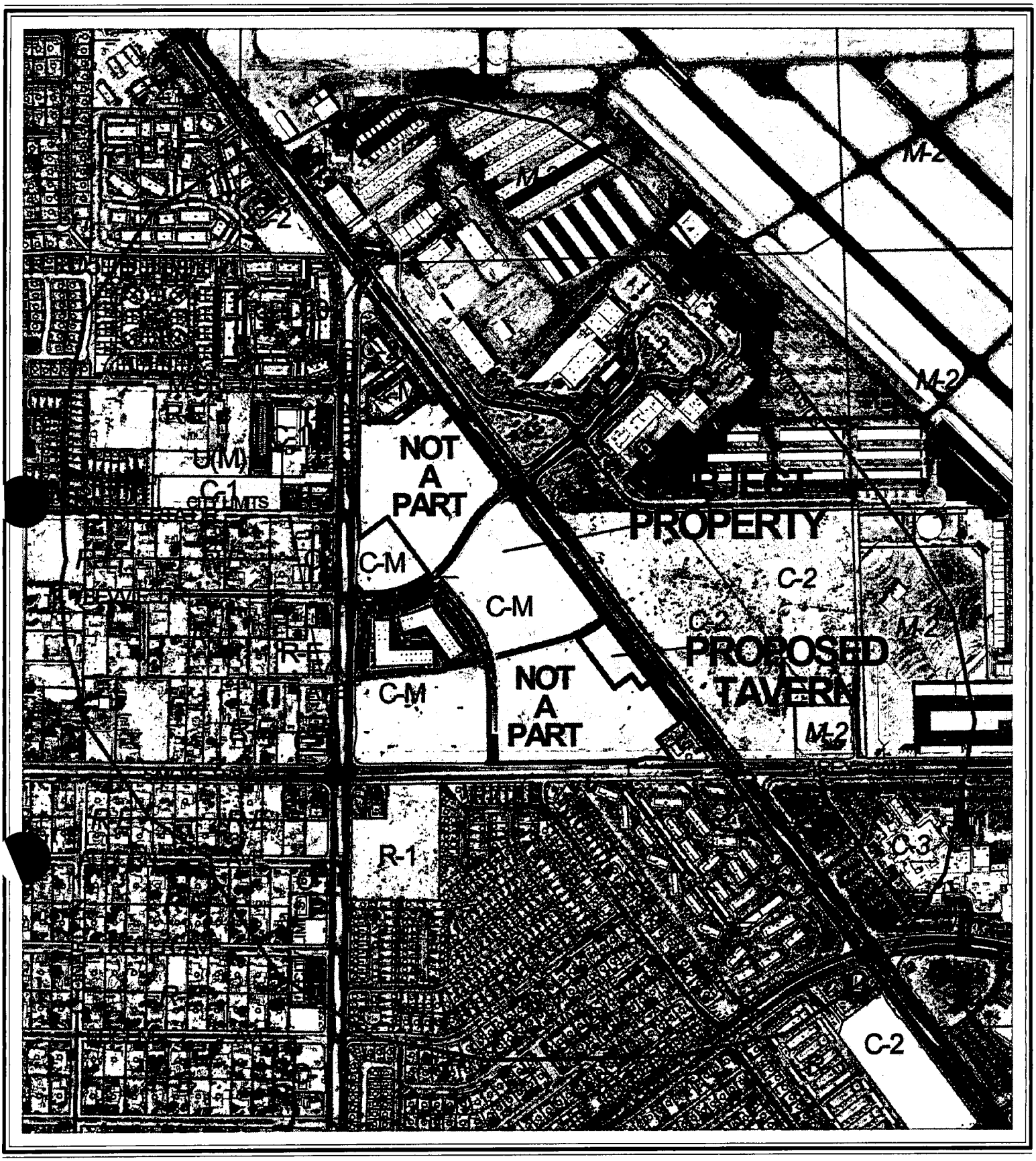
0 700 1400 Feet

CASE: **SDR-5916**

RADIUS: 1500 FT

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

N



CASE: **SDR-5916**

RADIUS: 1500 FT

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5916 - APPLICANT: GERALD GARAPICH, AIA, LLC - OWNER: RANCHO AIR CENTER, INC.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

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

2. All development shall be in conformance with Zoning Reclassification ZON-1401, the site plan and building elevations date stamped 01/05/05, Site Development Plan Review SDR-1404 (Rancho Air Center commercial subdivision), Master Sign Plan (MSP-4388) and all other applicable site-related actions, except as amended by conditions herein.

3. In the advent of the removal of the private drive aisle along the western and southern property lines, landscaping shall be provided.

4. 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.]

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

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

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

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

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

10. 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.

11. 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.

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

Public Works

13. 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.

14. 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.

15. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility prior to the issuance of any permits.

16. Site development to comply with all applicable conditions of approval of Zoning Reclassification ZON-1401.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 5,000 square foot liquor establishment (Tavern) on a 1.34 acre portion of a 31.42 site acres adjacent to the west side of Rancho Drive, approximately 250 feet north of Smoke Ranch Road. An associated Special Use Permit (SUP-5917) will be considered by the Planning Commission in conjuncture with this application.

B) Applicant's Justification

The applicant justifies this request by purporting the following:

1. The proposed development shall be located on a portion of the site, which is currently zoned C-M (Commercial/Industrial).
2. The existing site is part of a previously approved Commercial Subdivision.
3. The proposed Tavern fits within the existing zoning of C-M (Commercial/Industrial), per Title 19.
4. The proposed Tavern has been located to comply with required setbacks from roadways, residential developments and other taverns, as required by Title 19.

BACKGROUND INFORMATION

A) Related Actions

06/21/89 The City Council approved a Special Use Permit (U-0054-89) for a 12 foot by 24 foot Off-Premise Advertising (Billboard) Sign to a height of 40 feet, on property located on the west side of Rancho Drive, approximately 425 feet north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval on 05/25/89.

08/21/91 The City Council approved a Variance (V-0081-91) to allow a three-sided billboard on property located on the northeast corner of Smoke Ranch Road and Decatur Boulevard. This Variance was never exercised. The Board of Zoning Adjustment took no action due to a tie vote on 07/15/91.

07/20/94 The City Council approved a five-year Review [U-0054-89(1)] on an approved 12 foot by 24 foot Off-Premise Advertising (Billboard) Sign to a height of 40 feet, on property located on the west side of Rancho Drive, approximately 425 feet north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval on 06/28/94.

09/20/95 The City Council approved a Special Use Permit (U-0092-95) for two (2) Off-Premise Advertising (Billboard) Signs on the west side of Rancho Drive north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval on 08/22/95.

11/01/00 The City Council accepted the Withdrawal of a Five year Review [U-0092-95(1)] for two (2) Off-Premise Advertising (Billboard) Signs on west side of Rancho Drive, approximately 350 and 1,100 feet north of Smoke Ranch Road. The Planning Commission recommended approval on 09/28/00.

08/01/01 The City Council approved an appeal of a Planning Commission denial for a Special Use Permit (U-0059-01) for five (5) Off-Premise Advertising (Billboard) Signs on the south side of the intersection of Rancho Drive and Decatur Boulevard subject to a two-year review. The Planning Commission denied the request on 05/24/01.

12/20/01 The Planning Commission approved a Tentative Map (TM-0049-01) for a 1-lot commercial subdivision on the subject site.

02/19/03 The City Council approved a General Plan Amendment (GPA-1400), a Rezoning (ZON-1401) on 48.49 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. On 01/23/03, the Planning Commission recommended approval of the Rezoning application, but failed to achieve a super majority on the General Plan Amendment.

02/19/03 The City Council approved a Site Development Plan Review (SDR-1404) for a proposed commercial/industrial development on 14.45 acres consisting of an 18,500 square foot office building on 1.85 acres adjacent to the west side of Rancho Drive approximately 320 feet south of Decatur Boulevard intersection, and a 166,900 square foot commercial/industrial development on 12.6 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. The Planning Commission recommended 01/23/03.

05/21/03 The City Council approved a required two-year review (RQR-1994) for an approved Special Use Permit (U-0059-01) for the five (5) Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission recommended approval of the request on 04/24/03.

06/02/03 The Department of Planning and Development administratively approved a Site Development Plan Review (SDR-2394) for a 3,000 square foot second floor addition to an approved 18,500 square foot office building on 1.85 acres adjacent to the west side of Rancho Drive, approximately 320 feet south of Decatur Boulevard.

06/24/04 The Planning Commission approved a Master Sign Plan (MSP-4388) application for an approved commercial/industrial development on 47.93 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Drive.

07/07/04 The City Council approved a required two-year review (RQR-4239) for an approved Special Use Permit (U-0059-01) for the five (5) Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission recommended approval on 05/27/04.

12/02/04 The Planning Commission approved a Site Development Plan Review (SDR-5312) application for a proposed 40,016 square foot office complex of eight single story buildings on 3.30 acres adjacent to the east side of Decatur Boulevard, approximately 875 feet north of Smoke Ranch Road.

02/24/05 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #30/pl).

B) Pre-Application Meeting

12/02/04 A pre-application conference was held and resulted in the following comments:

1. The current zoning of the site is C-M (Commercial/Industrial).
2. Parking is to be calculated out by means of one parking space per 50 square feet of seating and waiting area, as well as outdoor dinning; and one parking space per 200 square feet of remaining ground floor area (GFA).
3. The front landscape buffer is to be 15 feet deep, with trees spaced at an increment of one tree per 20 linear feet.
4. The side and rear landscape buffers are to be eight deep, with trees spaced at an increment of one tree per 30 linear feet.
5. Parking lot landscaping requires one tree per every 6 parking spaces, as well as a parking island every six spaces.
6. All mechanical equipment is to be screened, the trash enclosure is to have a roof and a gate, and the proposed tavern will require a loading zone.
7. Public Works commented that the applicant would have to update drainage, remove/replace substandard off-site improvements.
8. A Master Sign Plan has been approved for Rancho Air Park (MSP-4388).

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: 1.34 acre portion of 31.42 acres

B) Existing Land Use

Subject Property:	Undeveloped [Approved Commercial Subdivision (TM-0049-01)]
North:	Commercial Use
	North Las Vegas Airport
South:	Single family Residential Use
	Commercial Use
	Residence Hotel
	Undeveloped [No proposed development]
East:	Undeveloped [No proposed development]
	North Las Vegas Airport
West:	Single family Residential Use
	Multi-family Residential Use
	Commercial Uses
	Office Uses
	Auto-Related Uses
	Mortuary Use

C) Planned Land Use

Subject Property:	LI/R (Light Industrial/Research)
North:	GC (General Commercial)
South:	SC (Service Commercial)
	M (Medium Density Residential)
	ML (Medium Low Density Residential)
East:	NIC (Not in City of Las Vegas)
West:	SC (Service Commercial)
	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	C-M (Commercial/Industrial)
North:	C-2 (General Commercial)
South:	R-1 (Single Family Residential)
	R-CL (Single Family Compact Lot)
	C-1 (Limited Commercial)
	C-2 (General Commercial)
East:	North Las Vegas
West:	U (Undeveloped) under Resolution of Intent to C-1 (Limited Commercial)
	R-E (Residence Estate)
	R-3 (Medium Density Residential)
	R-PD20 (Residential Planned Development – 20 units per acre)
	C-1 (Limited Commercial)
	C-2 (General Commercial)

E) General Plan Compliance

The LI/R (Light Industry/Research) designation of Southeast General Plan allows clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, development and testing laboratories. The C-M (Commercial/Industrial) zoning is consistent with the LI/R (Light Industry/Research) General Plan Designation. The site plan as proposed conforms with the LI/R land use regulations.

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

Airport Overlay District

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted by Title 19. All development within the airspace above the height of thirty five feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, shall be subject to the height standards established on the Airport Overlay Maps. The proposed structure will stand well below the 35 foot height restriction imposed by the North Las Vegas Airport Overlay District map.

PROJECT DESCRIPTION

This development is part of the Rancho Air Center, a commercial and light industrial business park. The Site Development Plan Review (SDR-1404) for the entire business park requires that a separate Site Plan Review be performed for each component development; this proposal is one such component.

The proposed liquor establishment (Tavern) is to be built on a 1.34 acre portion of the 31.42 acre Rancho Air Center commercial/industrial subdivision. Access will be from Rancho Drive by a two-way ingress/egress located approximately 600 feet north of Smoke Ranch Road; and by a private drive aisle accessed off of Kings Air Place, an internal drive aisle with access from Rancho Drive.

The 5,000 square foot Tavern will be positioned on the 1.34 acre lot so that the parking will be located along the north, east and south sides of the building. The site will contain 85 parking spaces, including three handicap parking spaces, exceeding the required amount. The front of the building will be orientated towards Rancho Drive. Landscaping is proposed along Rancho Drive and along King Air Place. The site will be deficient landscaping along the west and south portions of the site as a result of an internal drive aisle skirting the west and south sides of the property.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	58,370 SF.	Yes
Min. Lot Width	100 Feet	160.5 Feet	Yes
Min. Setbacks			
• Front	10 Feet	86.5 Feet	Yes
• Side	10 Feet	69 Feet	Yes
• Corner	10 Feet	146 Feet	Yes
• Rear	20 Feet	27 Feet	Yes
Max. Lot Coverage	N/A	8.5 %	N/A
Max. Building Height	None*	28 Feet	Yes
Trash Enclosure	Yes	Yes	Yes
Loading Zone	1	1	Yes
Mech. Equipment	Yes	Yes	Yes

The proposed building meets the required development standards for a C-M (Commercial/Industrial) zoning district set forth by Title 19.08.

* The maximum building height is restricted to 35 feet by the North Las Vegas Airport Overlay District.

A2) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Tavern	2,638 SF.	1 Space / 50 Public GFA	53	3	82	3
	2,362 SF.	1 Space / 200 Remaining GFA	9			

The proposed development exceeds the required number of parking spaces.

A3) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree / 6 Spaces	15 Trees	20 Trees
Buffer: • Min. Trees	1 Tree / 20 Linear Feet	15 Trees	15 Trees
• Min. Zone Width - Front - Side & Rear • Wall height	15 Feet 8 Feet 8 Feet		15 Feet 11 Feet* None

The proposed development exceeds the number of trees required for the parking landscaping. However it should be noted that the proposed parking islands are space at intervals of five to seven parking spaces apart, rather than the required every six spaces. The development meets the required depth and number of trees for the front landscape buffer, as well as for the northern side landscape buffer. The proposed development, as being part of a largely undeveloped commercial/industrial subdivision, has depicted no perimeter walls.

* The proposed development illustrates a private drive aisle running the length of the western and southern property line, therefore not requiring the automatic application of landscaping along the respective property lines. However, since the commercial/industrial subdivision has yet to be fully planned out, this application will be conditioned so as in the advent of the removal of the private drive aisle along the western and southern property lines, landscaping will be required.

A5) Sign Standards

The submitted site plan and building elevations do not indicate any signage to be located onsite. All signage will be subject to the approved Master Sign Plan (MSP-4388).

B) General Analysis and Discussion

- Zoning

The subject site is located within a C-M (Commercial/Industrial) zoning district. The C-M (Commercial/Industrial) District is a general commercial and restricted industrial district designed to provide for a variety of compatible business, warehouse, wholesale, offices and limited industrial uses. This district is intended to be located away from areas of low and medium density residential development. The proposed use of the site is not compatible with out the approval of a Special Use Permit (SUP-5917) and the approval of a waiver of the 1,500 foot minimum distance separation from a Church, a school and a child daycare center. Therefore, the proposed development would not be acceptable based upon the proposed use.

- Site Plan

The site plan indicates a proposed 5,000 square foot Tavern located within an approved Commercial/Industrial subdivision. Access to the site will be made possible via Rancho Drive, a Primary (125 foot) Arterial as designated by the Master Plan of Streets and Highways, and King Air Place, an internal private drive to the Rancho Air Center. Parking on site will be provided on the north, east and south sides of the subject parcel. A trash enclosure and loading zone have been indicated on the southwest portion of the site and will be accessible via an internal drive aisle.

- Waivers

No waivers have been requested as part of this application, nor are any waivers warranted.

- Landscape Plan

The landscape plan indicates a 15 foot buffer along the Rancho Drive road frontage with 24 inch box trees spaced at an increment of one tree per 20 linear feet. The plan also depicts an 11 foot buffer along the King Air Place roadway frontage with 24-inch box trees spaced at an increment of one tree per 20 linear feet. Interior parking landscaping is composed of landscaping islands placed at increments of five or seven parking spaces. Foundation landscaping ranges in depth from five feet to 10 feet and is composed of 24 inch box trees and five-gallon shrubs. Materials to be used include 24 inch Foothill Palo Verde, Holy Oak, Mondel Pine and Shoestring Acacia trees, as well as five gallon New Gold Lantana, Green Cloud Ranger, Dwarf Centennial Broom and Dwarf Germander shrubs with a 'Ruby Red' decomposed granite ground cover.

- Elevation

The use of both cement plaster and stone wainscot, combined with a harmonious color palette, results in a development that is both visually pleasing and a harmonious with the desert landscape. The variation of the planar wall elements adds interest and assists in reducing the massing of the structures. Wall openings are well proportioned, and add human scale to the complex.

- Floor Plan

  The floor plan indicates a total of 5,000 square feet of interior space. Of the 5,000 square feet, 2,638 square feet will be utilized as public seating and dining areas, as well as 2,362 square feet will be utilized as non-public areas, such as the pantry, the coolers and kitchen. The bar area indicates space for 14 video gaming machines.

FINDINGS

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

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

   The proposed development is located within a largely undeveloped commercial/industrial subdivision, therefore cannot be compared to any immediate development. However, development in the surrounding area dictates that the proposed Tavern would be incompatible, as there already exists a concentration of similar uses.

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

   The structure itself is in conformance with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly adopted City Plans, policies and Standards. However, the proposed Tavern use and associated floor plan will be subject to the approval of Special Use Permit (SUP-5917), which has been recommended to the Planning Commission as a denial due to the proposed use's proximity to a number of protected uses.

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

   Access to the site will be made available via internal drive aisles that are accessible from Rancho Drive, which is a Primary (125 foot) Arterial as designated by the Master Plan of Streets and Highways. The proposed development will not have a negative impact on adjacent roadways or neighborhood traffic.

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

   Building and landscape materials to be used for this project are appropriate for the area.

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

The submitted building elevations and landscaping incorporates design characteristics and other architectural and aesthetic features that will not be unsightly, undesirable or obnoxious in appearance. However, since the majority of the commercial/industrial subdivision has yet to be developed a clear determination as to its compatibility with surrounding development cannot be made.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 520 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5916 APN: 139-18-410-005

Name of Property Owner: RANCH AIR CENTER, INC.

Name of Applicant: GERALD GARAPICH, AIA, 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: Steven Kalb Member

Print Name: Steven Kalb

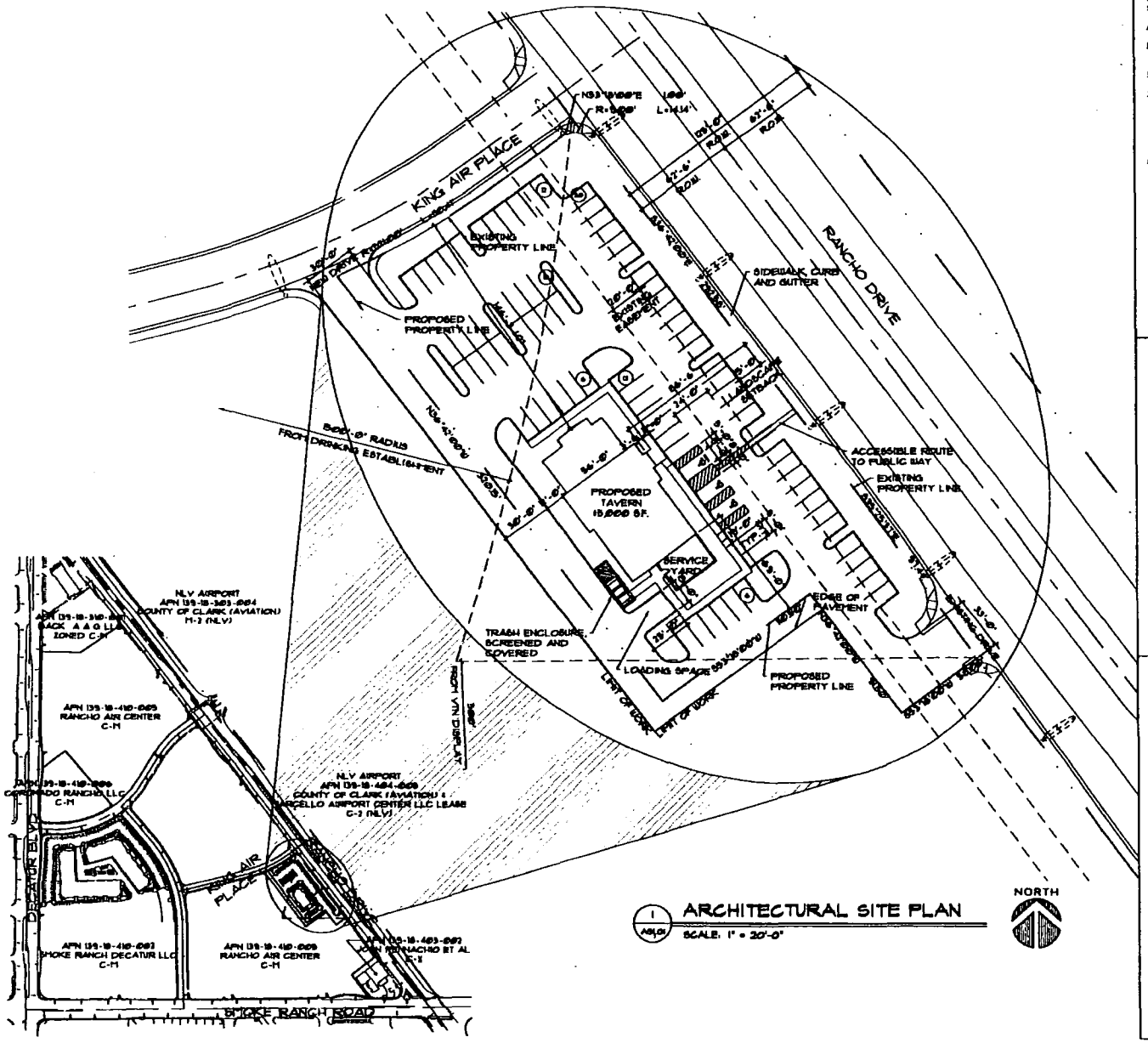
Subscribed and sworn before me

This 21 day of December, 2004

Vicki Stewart

Notary Public in and for said County and State

VICKI STEWART
Notary Public State of Nevada
No. 99-51094-1
My appt. exp. Jan.6, 2007



1 ARCHITECTURAL SITE PLAN
A81.01 SCALE: 1" = 20'-0"

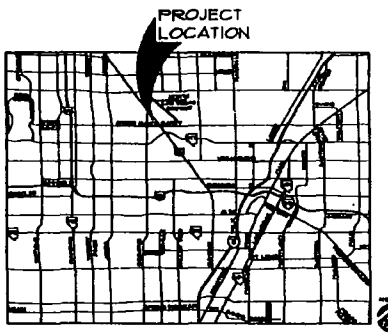
2 OVERALL PARCEL PLAN
A81.01 SCALE: 1" = 250'-0"

PROJECT DATA:

ASSESSORS PARCEL NUMBER:		139-18-410-005
SITE AREA:		1368855 SF. (31.42 ACRES)
CURRENT ZONING:		C-M
SETBACKS:	REQUIRED:	PROVIDED:
FRONT:	15'-0"	86'-6"
SIDES:	15'-0"	65'-0"
REAR:	20'-0"	42'-0"
RESIDENTIAL ZONE BOUNDARY:	N/A	
BUILDING AREA:		
BUILDING (TAVERN)		5,000 SF.
LOT COVERAGE:		1.36%
PARKING CALCULATIONS:		
REQUIRED:		64 SPACES
1:50 SF. PUBLIC SEATING AREA (GFA) = 2,638 SF. = 53 SPACES		
1:200 SF. REMAINING AREA (GFA) = 2,362 SF. = 11 SPACES		
PROVIDED:		89 SPACES
INCLUDING 3 ACCESSIBLE SPACES		

INDICATES ACCESSIBLE ROUTE

PROJECT LOCATION:



GENERAL NOTES:

1. SEE LANDSCAPE DRAWINGS FOR LANDSCAPING INFORMATION.
2. SEE CIVIL DRAWINGS FOR ALL SITE LAYOUT DIMENSIONS, CURBS, GUTTERS, AND PLANTERS.
3. SEE CIVIL, PLUMBING, AND ELECTRICAL DRAWINGS FOR UTILITY LINES.
4. SEE CIVIL DRAWINGS FOR ALL GRADING AND DRAINAGE INFORMATION.
5. SITE LAYOUT IS TO BE COORDINATED WITH CIVIL DRAWINGS. IF DISCREPANCIES EXIST, THE CIVIL DRAWINGS SHALL TAKE PRECEDENCE OVER THIS DRAWING. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.
6. ALL SITE CONCRETE SHALL RECEIVE WEAKENED PLAN JOINTS AT 15'-0" O.C. AND TOOLED JOINTS AT 5'-0" O.C.
7. ALL CONCRETE WALKS, LANDINGS, ETC. SHALL RECEIVE LIGHT BROOM FINISH.
8. SLOPE ALL PLANTER AREAS AWAY FROM BUILDING 2% MINIMUM.
9. SLOPE ALONG ACCESSIBLE ROUTE WILL NOT EXCEED 5% IN DIRECTION OF TRAVEL AND 2% CROSS SLOPE.
10. COVERED PARKING TO BE SUBMITTED UNDER SEPARATE PERMIT.
11. THIS PROJECT IS PART OF A PREVIOUSLY APPROVED COMMERCIAL SUBDIVISION.
12. THIS PROJECT HAS AN APPROVED MASTER SIGN PLAN AND SHALL COMPLY WITH THE SIGNAGE PLAN. ALL SIGNAGE TO BE SUBMITTED UNDER SEPERATE PERMIT, AS REQUIRED.

SDR-5916

02/24/05 PC

KALB CONSTRUCTION

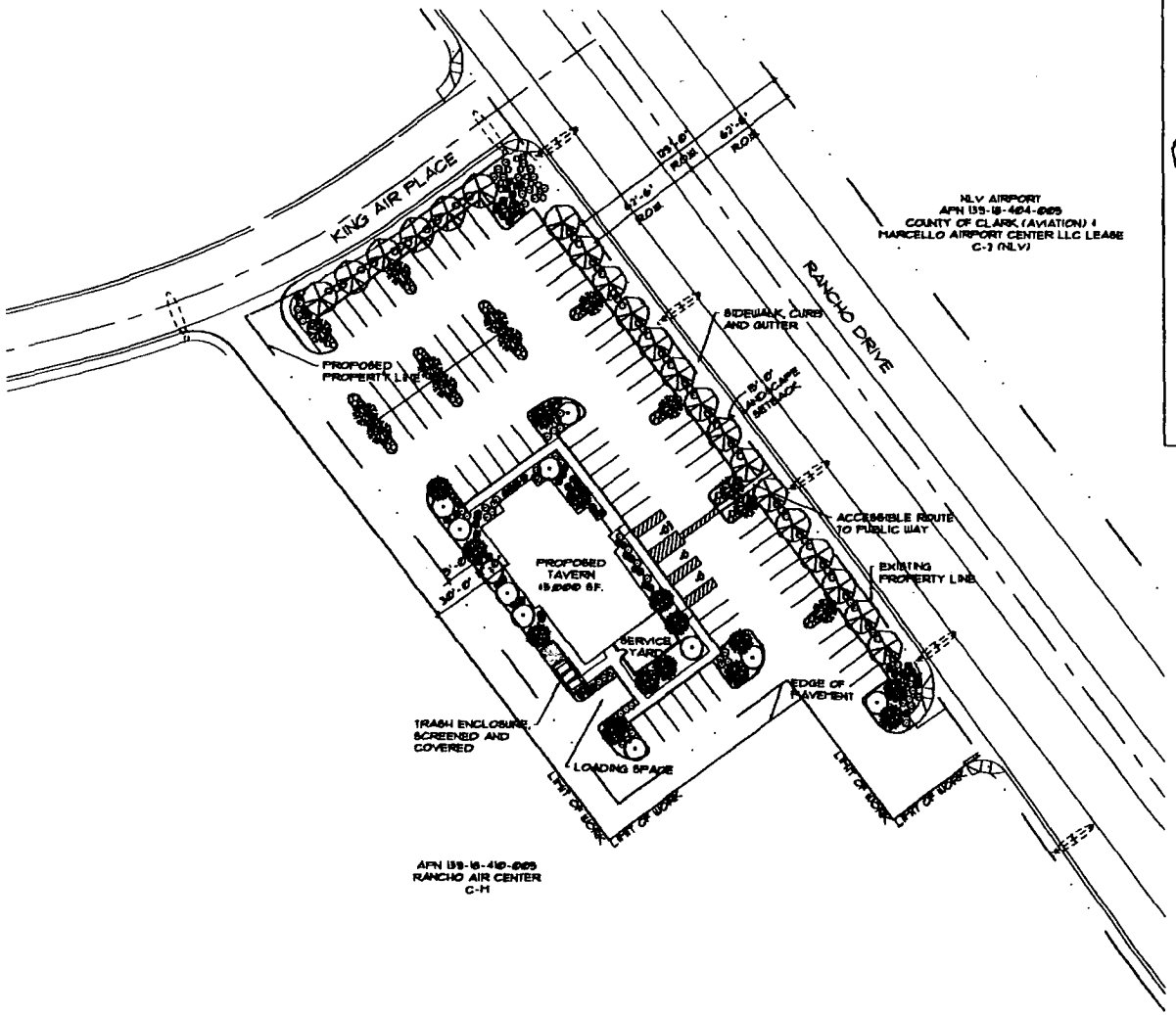
ARCHITECT
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(702) 454-8442 FAX (702) 454-7842

project title:
RANCHO AND SMOKE RANCH TAVERN
LAS VEGAS, NEVADA

sheet title:
ARCHITECTURAL SITE PLAN

issue date: DECEMBER 21, 2004
drawn by: RLP
checked by: GC
project no.: 04-152
revisions:
sheet no.: AS1.01
of sheets

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1 L1.01 LANDSCAPE PLAN

SCALE: 1" = 20'-0"

NORTH

LANDSCAPE LEGEND:

	BOTANICAL NAME	COMMON NAME	SIZE
	TREES		
	CERCIDIUM MICROPHYLLUM	FOOTHILL PALO VERDE	24" BOX
	QUERCUS LEX	HOLLY OAK	24" BOX
	PINUS ELDARICA	MONDEL PINE	24" BOX
	ACACIA STENOPHYLLA	SHOESTRING ACACIA	24" BOX
	SHRUBS		
	LANTANA SP. 'NEW GOLD'	NEW GOLD LANTANA	5 GAL.
	LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD'	GREEN CLOUD RANGER	5 GAL.
	BACCHARIS 'CENTENNIAL'	DWARF CENTENNIAL BROOM	5 GAL.
	TECOMA CAPENSIS 'PROSTRATUM'	DWARF GERMANDER	5 GAL.
	MISCELLANEOUS		

DECOMPOSED GRANITE IN ALL PLANTING AREAS 3" DEPTH (TYP.)
COLOR: 'RUBY RED' VII SCREENED.

THIS LANDSCAPE PLAN IS INTENDED TO MATCH THE PREVIOUSLY APPROVED LANDSCAPE PLAN FOR THE DEVELOPMENT. IF ANY DISCREPANCIES OCCUR, THE PREVIOUS APPROVED PLAN SHALL GOVERN.

ALL LANDSCAPING SHALL COMPLY WITH CITY OF LAS VEGAS, TITLE 19 REQUIREMENTS.

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(702) 456-3662 FAX (702) 456-7662

project title:
RANCHO AND SMOKE RANCH TAVERN
LAS VEGAS, NEVADA

sheet title:
LANDSCAPE PLAN

issue date: DECEMBER 21, 2004
drawn by: RLJ
checked by: CC
project no.: 04-102
revisions:

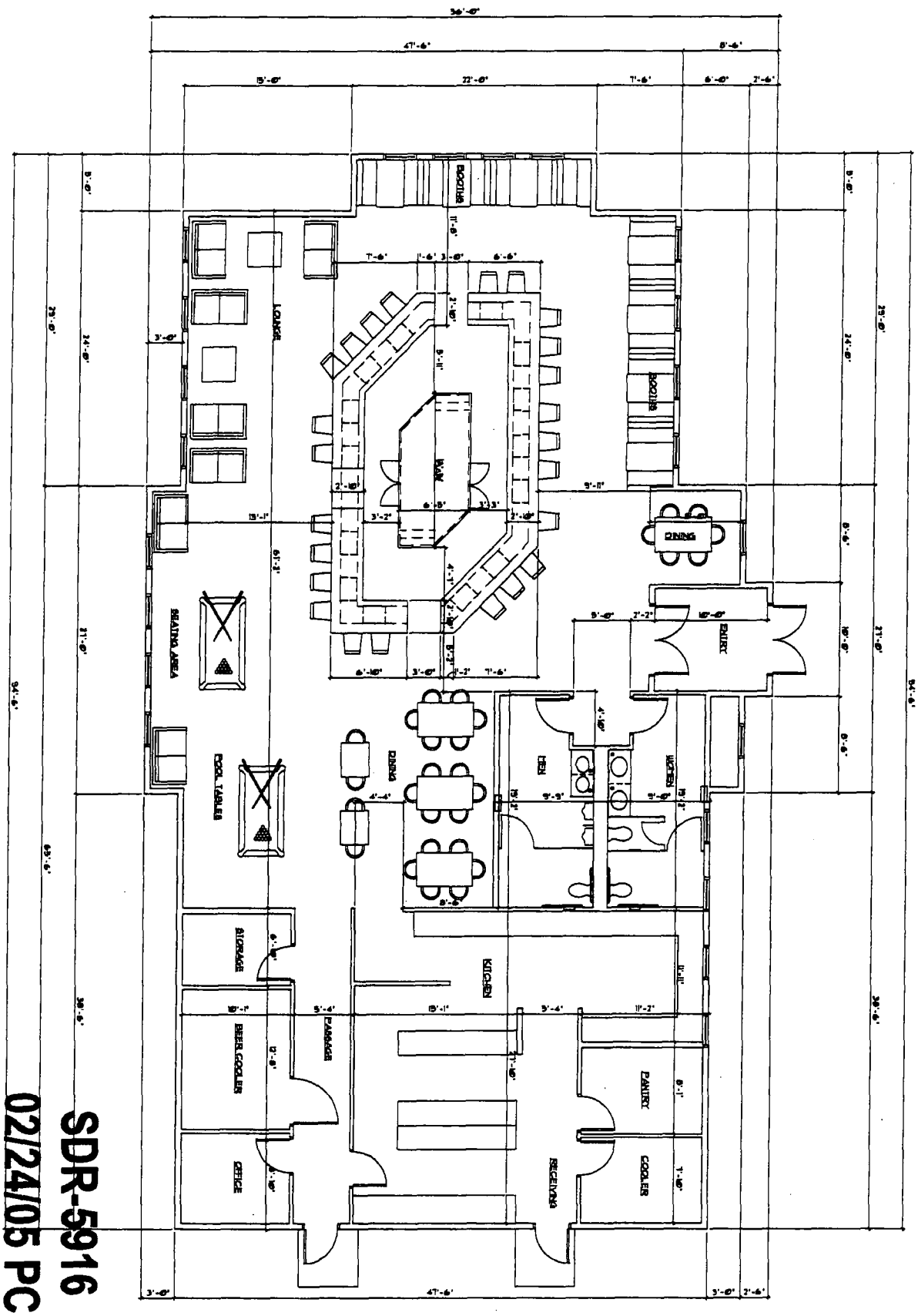
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SDR-5916

02/24/05 PC

KALB CONSTRUCTION



A1.01 FLOOR PLAN

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

12,658 S.F. TOTAL AREA
12,358 S.F. SEATING AREA
12,358 S.F. RESTAURANT AREA

NORTH

KALB CONSTRUCTION

SDR-5916

02/24/05 PC

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sheet title: FLOOR PLAN

date: DECEMBER 21, 2004

drawn by:

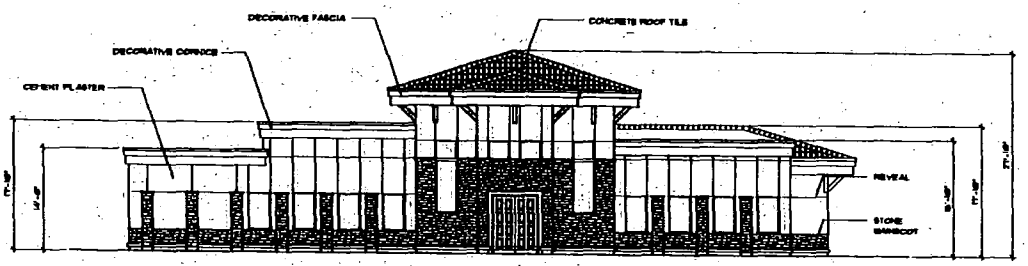
checked by: GG

project no. 04-192

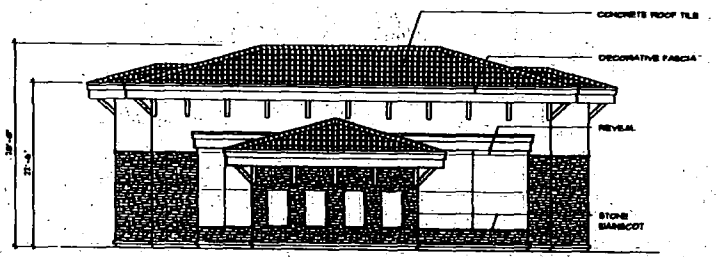
revisions:

project title:
RANCHO AND SMOKE RANCH TAVERN
LAS VEGAS, NEVADA

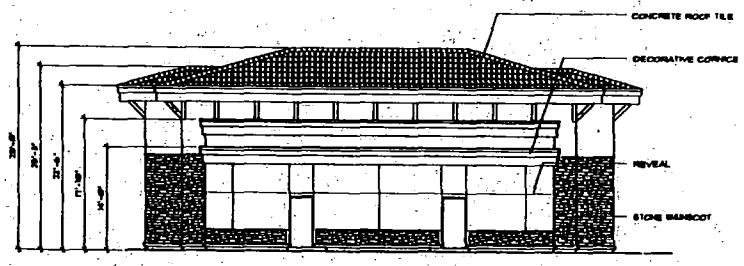
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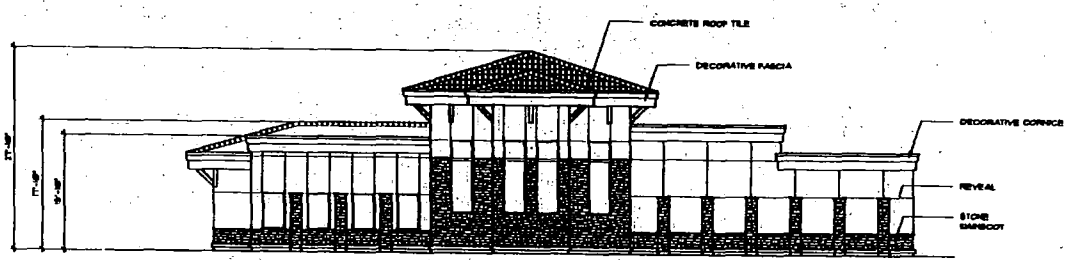
1 A6.01 FRONT ELEVATION
SCALE: 1/8"=1'-0"



2 A6.01 RIGHT ELEVATION
SCALE: 1/8"=1'-0"



3 A6.01 LEFT ELEVATION
SCALE: 1/8"=1'-0"



4 A6.01 REAR ELEVATION
SCALE: 1/8"=1'-0"

KALB CONSTRUCTION

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HENDERSON, NEVADA 89014
(702) 451-6662 FAX (702) 451-7662

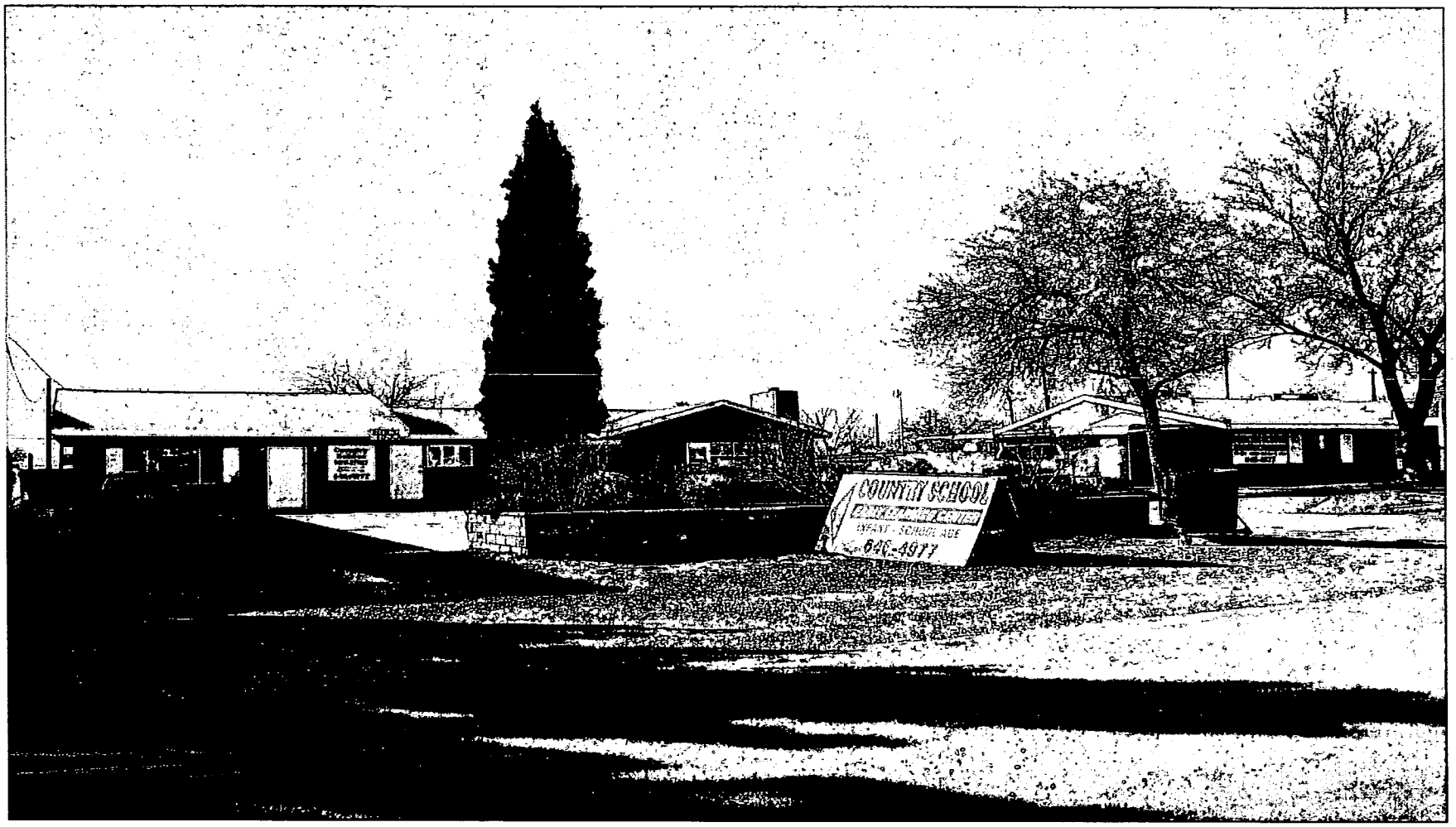
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RANCHO AND SMOKE RANCH TAVERN
LAS VEGAS, NEVADA

sheet title:
BUILDING ELEVATIONS

issue dates:
DECEMBER 31, 2004
drawn by: RLP
checked by: GG
project no.: 04-720
revisions:

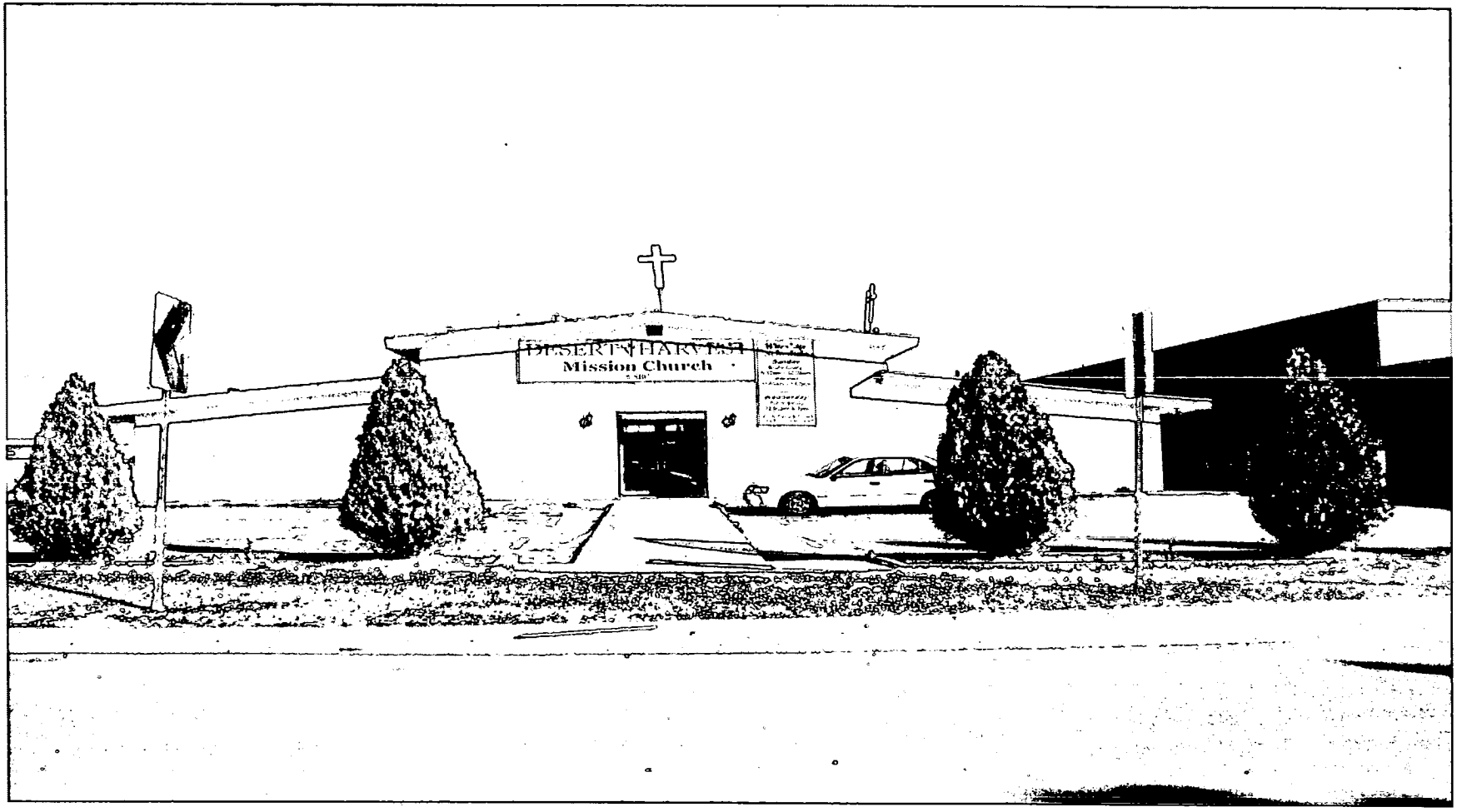
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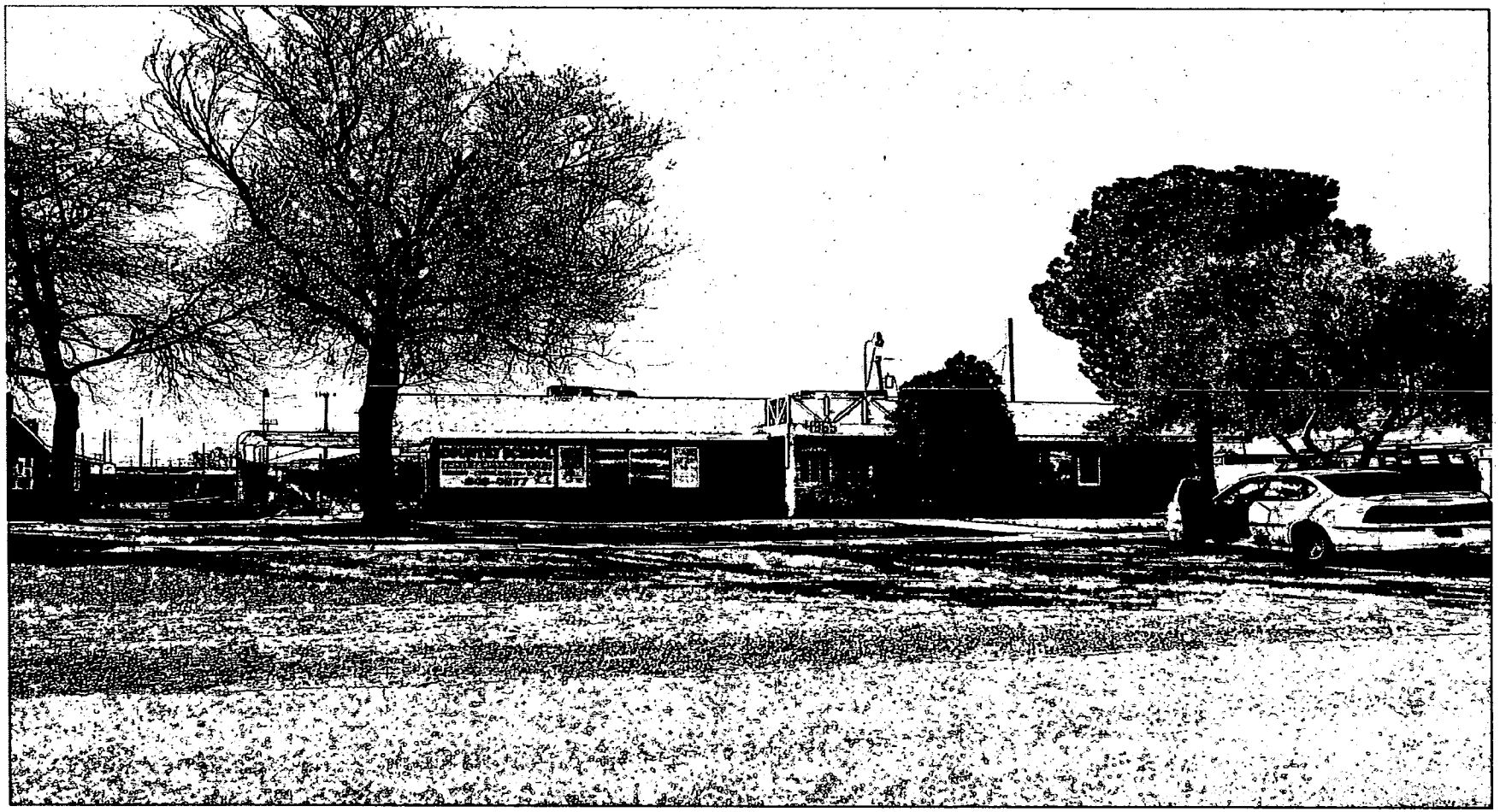
SUP-5917 & SDR-5916 - APPLICANT: GERALD GARAPICH, AIA, LLC - OWNER: RANCHO AIR CENTER, INC.
WEST SIDE OF RANCHO DRIVE, APPROXIMATELY 250 FEET NORTH OF SMOKE RANCH ROAD
FEBRUARY 24, 2005 PLANNING COMMISSION

2/9/05



SUP-5917 & SDR-5916 - APPLICANT: GERALD GARAPICH, AIA, LLC - OWNER: RANCHO AIR CENTER, INC.
WEST SIDE OF RANCHO DRIVE, APPROXIMATELY 250 FEET NORTH OF SMOKE RANCH ROAD
FEBRUARY 24, 2005 PLANNING COMMISSION

2/9/05



SUP-5917 & SDR-5916 - APPLICANT: GERALD GARAPICH, AIA, LLC - OWNER: RANCHO AIR CENTER, INC.
WEST SIDE OF RANCHO DRIVE, APPROXIMATELY 250 FEET NORTH OF SMOKE RANCH ROAD
FEBRUARY 24, 2005 PLANNING COMMISSION

2/9/05

ARCHITECT
GERALD GARAPICH AIA, LLC
10 COMMERCE CENTER DRIVE, HENDERSON, NV 89014 (702) 454-5842 FAX (702) 454-7842

December 21, 2004

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

RE: Rancho & Smoke Ranch Tavern
NWC Rancho & Smoke Ranch
APN # 139-18-410-005

To Whom it May Concern;
Please accept this letter of justification for the above referenced project.

We are requesting the approval of a ±5,000 square foot Tavern. In support of our application we offer the following;

1) The proposed development shall be located on a portion of site which is currently zoned C-M.
2) The existing site is part of a previously approved Commercial Subdivision.
3) The proposed Tavern fits within the existing zoning of C-M, per Title 19.
4) The proposed Tavern has been located to comply with required setbacks from roadways, residential developments and other taverns, as required by Title 19.

The design of the building shall feature wood framed construction, covered with exterior cement plaster, stone veneer and concrete roof tiles, to be architectural appealing to neighboring developments. It is intended to comply with previously approved Commercial Subdivision, Landscape Plans and Master Signage Plans, of the Rancho Air Center.

If you have any questions, please feel free to contact our office.

Sincerely,

Ray Finkel
Project Manager
Gerald Garapich, AIA, LLC

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

BAKER, JACK G + ANNE P.
2316 BRISTOL VIEW CT.
LAS VEGAS, NV. 89108-2925

PLANNING AND DEVELOPMENT DEP.
CURRENT PLANNING DIVISION
DEVELOPMENT SERVICES CENTER
731 SOUTH FOURTH ST.
LAS VEGAS, NEVADA 89101

RE: SUP-5917
SDR-5916

DEAR SIR:

THIS IS TO FILE OUR OBJECTIONS TO THE SPECIAL USE PERMIT AND SITE DEVELOPMENT PLANS LISTED ABOVE.

YOURS TRULY
Jack G. Baker
Anne P. Baker

City of Las Vegas

Agenda Item No. 131

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 6, 2005

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

SUBJECT:
SPECIAL USE PERMIT

SUP-5947 - PUBLIC HEARING - APPLICANT: NORA'S WINE BAR AND OSTERIA, LLC - RAMPART COMMONS, LTD., LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (ON AND OFF-PREMISE SALE OF BEER AND WINE) at 1031 South Rampart Boulevard (APN 138-32-411-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
WOLFSON - APPROVED subject to conditions - UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open on Item 131 [SUP-5947] and Item 132 [SDR-5946].

ATTORNEY NICK MASTRANGELO, 811 South Sixth Street, appeared on behalf of Nora's Wine Bar and Osteria, together with GIOVANNI and MARCELLO MAURO, Principals of the company and LENDALL MAINS, Architect, 3930 East Patrick Lane, Suite #1. ATTORNEY MASTRANGELO concurred with all conditions.

COUNCILMAN MACK was pleased that such a fine establishment would be located in the City of Las Vegas. GIOVANNI MAURO explained the new location would have similar food that is being served at their other restaurant, but with more protein-based meals. He graciously sang Happy Birthday in Italian to MAYOR PRO TEM REESE'S wife, CAROL.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 131 [SUP-5947] and Item 132 [SDR-5946].
(6:11 - 6:15)
7-380

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (On and Off-Premise Sale of Beer and Wine) and Title 6.50 of the Las Vegas Municipal Code.

2. No gaming operations shall be allowed.

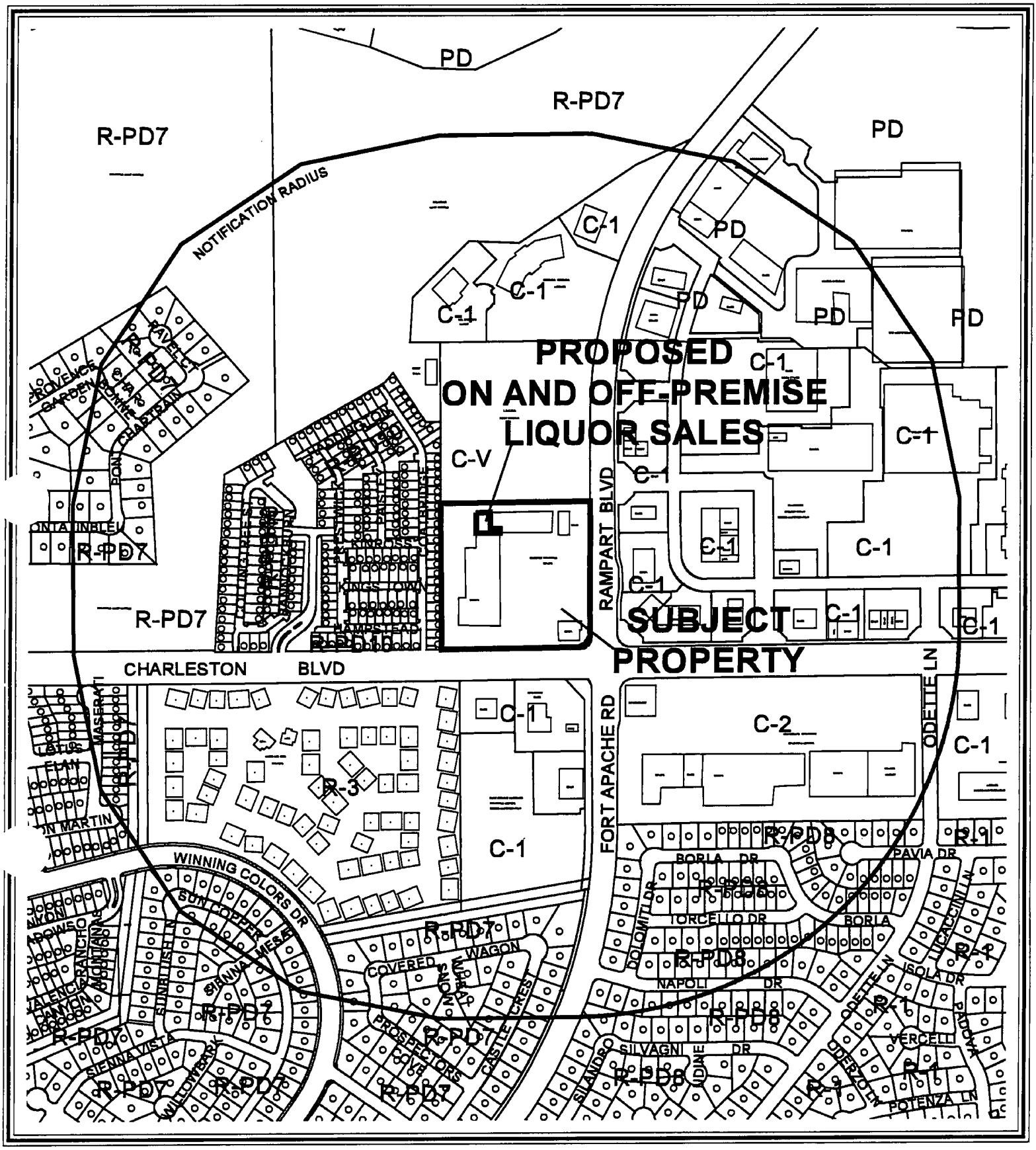
3. The use shall be operated in conjunction with a restaurant.

4. Consumers may purchase alcoholic beverages in the original sealed or corked containers for consumption off the premises.

5. Conformance to the Site Development Plan Review (SDR-5946) approved by the City Council.

6. 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.

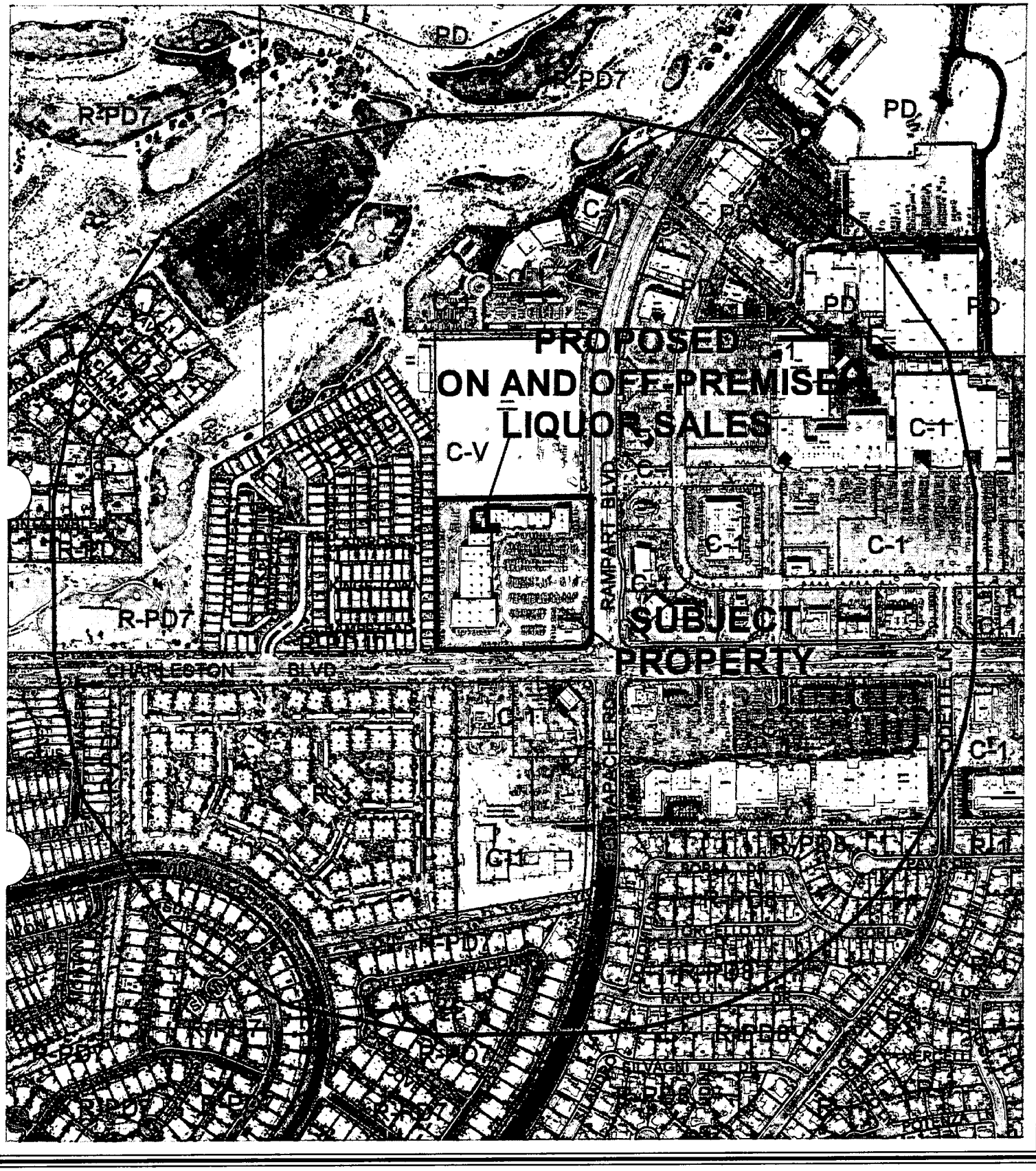
7. All City Code requirements and design standards of all City departments must be satisfied.



CASE: **SUP-5947**

RADIUS: 1500 FT

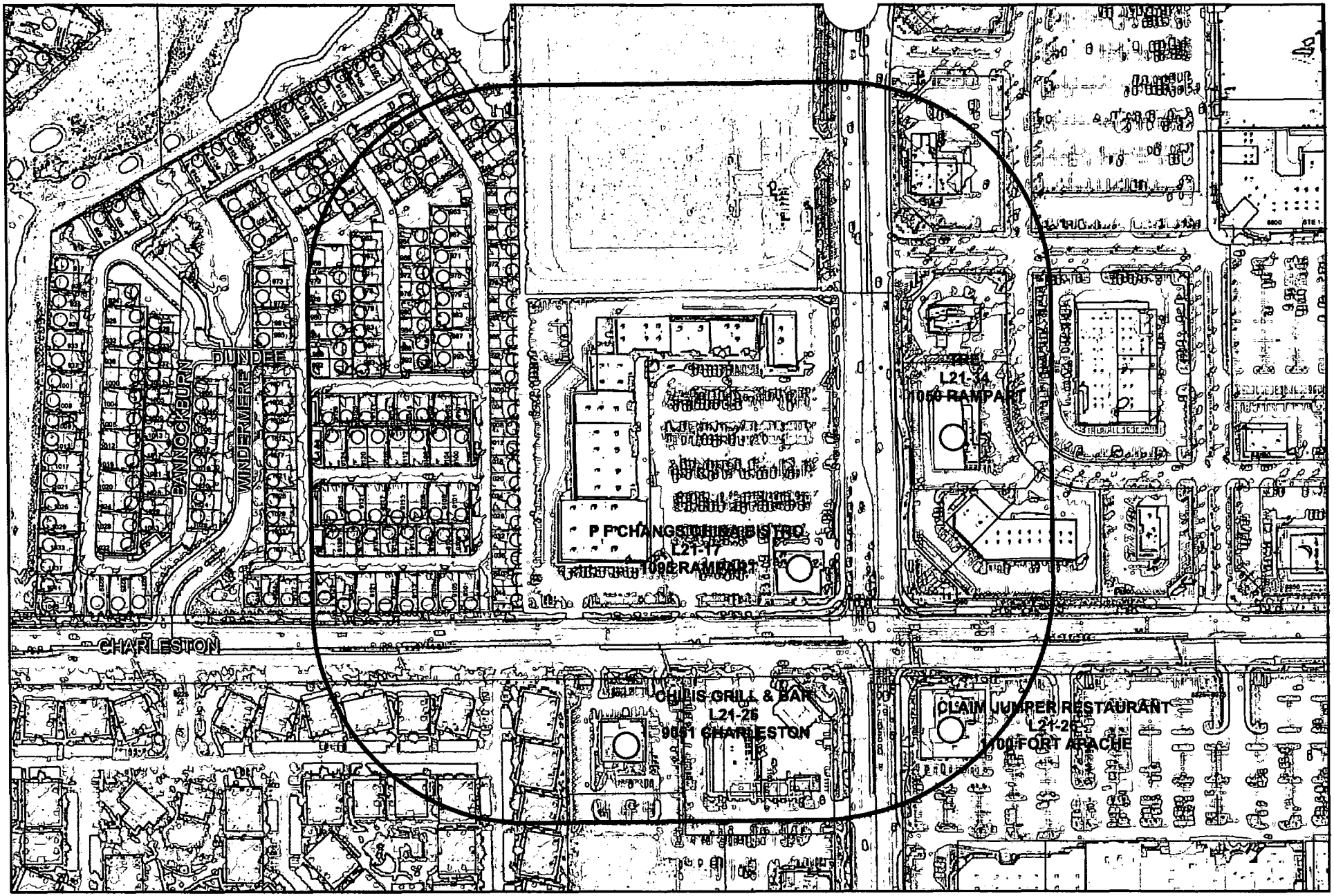
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-5947**

RADIUS: 1500 FT

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



SUP-5947

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

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

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5947 - APPLICANT: NORA'S WINE BAR AND OSTERIA, LLC - RAMPART COMMONS, LTD., LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (On and Off-Premise Sale of Beer and Wine) and Title 6.50 of the Las Vegas Municipal Code.

2. No gaming operations shall be allowed.

3. The use shall be operated in conjunction with a restaurant.

4. Consumers may purchase alcoholic beverages in the original sealed or corked containers for consumption off the premises.

5. Conformance to the Site Development Plan Review (SDR-5946) approved by the City Council.

6. 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.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine) at 1031 South Rampart Boulevard.

B) Applicant's Justification

The applicant submitted a letter with the application; however, there is no indication in the letter as to the justification for the use. The applicant indicates that the request is submitted for a Special Use Permit for beer/wine/cooler on-off sales in conjunction with a restaurant. It is also indicates that there are no adjacent uses or conflicts prohibiting this request.

BACKGROUND INFORMATION

A) Related Actions

12/17/80	The property was annexed into Las Vegas [A-0018-80(A)].
04/04/90	The City Council approved a request to Rezone (Z-0017-90) this site to C-1 (Limited Commercial) as part of a larger request.
10/12/98	The City Council Approved a Special Use Permit (U-0102-98) for a Supper Club (P.F. Chang's) on the subject property. The Planning Commission and staff recommended approval.
01/12/01	The Planning Commission accepted the withdrawal without prejudice of a request for a Special use Permit (U-0190-00) for a proposed 4,300 square foot Tavern (Martini's) on the subject property. The staff recommended denial.
01/17/01	The City Council approved a Site Development Plan Review [Z-0017-90(34)] for a 75,650 square foot commercial center on the subject property. The Planning Commission and staff recommended approval.
07/25/02	The Planning Commission accepted the withdrawal without prejudice of a request for a Special use Permit (U-0080-02) for the sale of Packaged Liquor for Off-Premises Consumption on the subject property. The staff recommended approval.
02/24/05	The Planning Commission recommended approval of an accompanying request for a Special Use Permit for a proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine) on the subject property. The staff is recommending approval.

02/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #31/dds).

B) Pre-Application Meeting

12/28/04 The staff met with the prospective applicant on a proposed addition to a commercial center on the subject property. It was indicated that a Special Use Permit would be required for what was then determined to be a Liquor Establishment (Tavern).

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres:	8.28

B) Existing Land Use

Subject Property:	Retail center
North:	Water district well site
South:	Retail center
East:	Retail center (Boca Park)
West:	Townhouses

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	PF (Public Facility)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-V (Civic)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	R-PD10 (Residential Planned Development – 10 units per acre)

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 Liquor Establishment (On and Off-Premise Sale of Beer and Wine) is permitted within the C-1 (Limited Commercial) district with a Special Use Permit.

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	Floor Area (sq. ft.)	Required			Provided	
		Ratio (spaces/area)	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Liquor Establishment	• Seating 2,071 • Other 1,225	1/50 seating 10 minimum	41 10	(9)	430	(12)
Commercial Center	70,555	1/250	282			
PF Changs			92			
Total			425			

The subject property has 430 spaces for which 425 spaces are required for all the businesses, including the 51 required for the Liquor Establishment (On and Off-Premise Sale of Beer and Wine).

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (On and Off-Premise Sale of Beer and Wine)	Shall not be located within 400 feet of any church, synagogue, school, child care facility, or City park	Greater than 400 feet from protected uses

Title 19.04.050 requires that a Liquor Establishment (On and Off-Premise Sale of Beer and Wine) be a minimum of 400 feet from any church, synagogue, school, child care facility licensed for more than 12 children, or a City park. None of these protected uses are within a 400-foot radius of the site.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial). A Liquor Establishment (On and Off-Premise Sale of Beer and Wine) is permitted within the C-1 (Limited Commercial) district with a Special Use Permit.

- Use

By definition in Title 19, a Liquor Establishment (On and Off-Premise Sale of Beer and Wine) is: "a facility that does not qualify under a more specific use category in this Chapter and that: (a) sells alcoholic beverages for consumption on the premises where the same are sold; (b) sells alcoholic beverages in the original sealed or corked containers for consumption off the premises where the same are sold; or (c) sells alcoholic beverages under the provisions set forth in both Paragraphs (a) and (b) of this definition." Title 19.04.050 establishes the conditions for the approval of a Liquor Establishment (On and Off-Premise Sale of Beer and Wine).

A Liquor Establishment (On and Off-Premise Sale of Beer and Wine) has many of the same elements of a Liquor Establishment (Tavern). A Tavern does not require its association with a restaurant, it allows up to 15 gaming machines, and business license fees are substantially greater. Since the requirements for a Tavern are much more restrictive than for the subject use, it is important that the elements of the subject use are distinct from that of a Tavern.

The proposed use is to be located in the corner of a shopping center on the subject property. A total of 4,096 square feet of inside and outside space would be devoted to the use, including a building addition of 736 square feet. Approximately 2,071 square feet would be used for seating, 800 square feet of which would be devoted to outside seating. The request is for a restaurant in addition to the proposed Liquor Establishment. Since the request is not for a Liquor Establishment (Tavern), there is no presumption of gaming operations in conjunction with this use and none are recommended.

- Conditions

The following base conditions are stipulated for a Liquor Establishment (On and Off-Premise Sale of Beer and Wine) within a C-1 zoning district. The conditions with asterisks are non-waivable (except as otherwise provided):

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

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

(a) Any leasehold parcel; or

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

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

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

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

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

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

(a) An establishment which has a nonrestricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992; or

(b) A proposed retail establishment having more than fifty thousand square feet or retail floor space.

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

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

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

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

(c) In connection with a proposed retail establishment having between twenty thousand square feet and fifty thousand square feet of retail floor space, if no more than ten percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or

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

The proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine) meets these base 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 use would be located within one of 12 units of buildings that comprise the retail center that occupies the site. Retail centers are located to the east and south of the site, a Las Vegas Valley Water District well site is located to the north, and townhouses are located to the west. Except for 800 square feet of outdoor eating area, which is focused toward the center's parking area, the proposed use would be completely enclosed within an existing building. The applicant did not apply for a Special Use Permit for a Liquor Establishment (Tavern) nor indicate that gaming operations would be a part of the use. A recommendation of approval assumes there will be no gaming operations in association with this use, the use will be conducted in association with a restaurant, and that any consumer may purchase alcoholic beverages in the original sealed or corked containers for consumption off the premises. These are addressed as conditions of approval in this report.

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

   The retail center within which the proposed 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 Charleston Boulevard and Rampart Boulevard. According to the Master Plan of Streets and Highways, both streets are identified as Primary Arterial streets with 100-foot wide rights-of-way. Although both streets are high traffic carriers, the access drives are designed to handle traffic maneuvering in and out of the retail center. Since the proposed use will occupy 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 Liquor Establishment (On and Off-Premise Sale of Beer and Wine) will be subject to periodic inspection and would not, therefore, compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 433 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5947 APN: 138-32-411-003

Name of Property Owner: Nora's Wine Bar & Osteria L.L.C.

Name of Applicant: _____

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: James B. Boyne

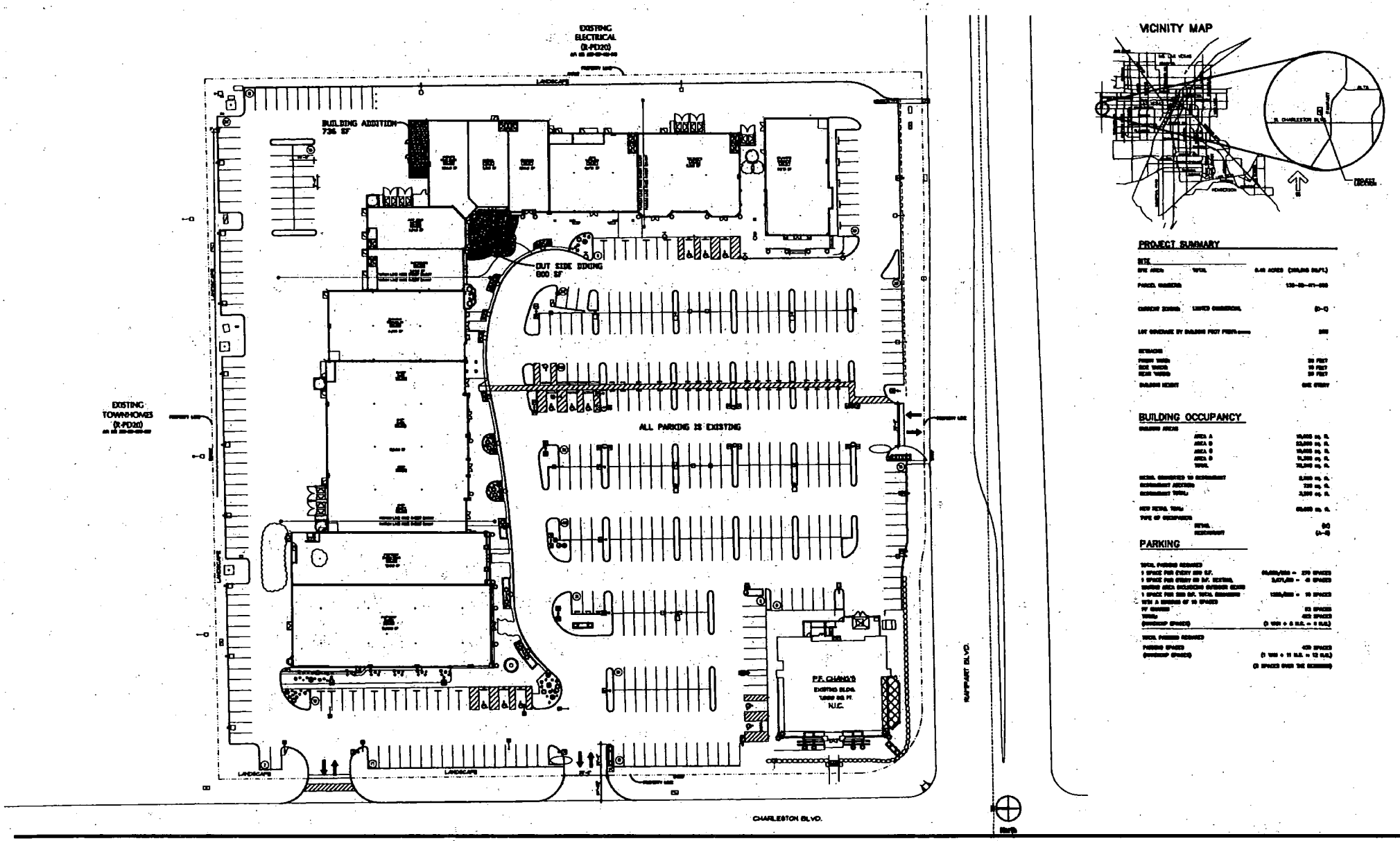
Subscribed and sworn before me

This 10th day of January, 2005

Joanne Baldassare

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JOANNE BALDASSARE
My Appointment Expires
June 2, 2006
No: 96-3510-1



VICINITY MAP

PROJECT SUMMARY

SITE

BUILDING OCCUPANCY

PARKING

SITE PLAN- EXISTING REVISED(02-02-05)

NORAS WINE BAR

SUP-5947
SDR-5946
02/24/05 PC

RECEIVED
FEB 0 7 2005

REVISED
2.7.05

GRAPHIC SCALE IN FEET
JANUARY 10, 2005

LENDALL MAINS
ARCHITECT

SHEET No.
AS-1

LENDALL MAINS
ARCHITECT

February 2, 2005

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

RE: Nora's Wine Bar and Restaurant at Rampart Commons
1031 S. Rampart Blvd., Las Vegas, NV
APN # 138-32-411-003

Please accept this as a revised justification for requesting a review for an addition of approximately 740 sf. to the existing shopping center. This space will be used for cooler, freezer, storage, office, bathrooms, electric room and waiting area for people to pick up their car from valet. The addition will match the existing building in materials and height with painted CMU exterior walls, painted exterior steel doors and painted cornice material.

We are adding awnings on the front of the building and will be keeping in style with the existing awnings. There will also be signage in the form of text and logos on the awnings.

We are also removing the existing exterior water feature and creating a patio with seating for restaurant service. Please see attached plan for location and size.

The parking analysis shows that the existing center has more than enough existing parking. With this addition and use there will be a surplus of 8 parking spaces beyond the centers required spaces.

We respectfully request approval for this project. If you have any questions please call me.

Sincerely,

Lendall W. Mains, FCSI, AIA
Principal

Lendall W. Mains, FCSI, AIA
Managing Principal
3930 E. Patrick Lane
Suite 1
Las Vegas, NV 89120
(702) 437-5621 Phone
(702) 437-5623 Fax

REVISED
2.7.05

City of Las Vegas

Agenda Item No. 132

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5947

SDR-5946 - PUBLIC HEARING - APPLICANT: NORA'S WINE BAR AND OSTERIA, LLC - RAMPART COMMONS, LTD., LLC - Request for a Site Development Plan Review FOR A PROPOSED 737 SQUARE FOOT EXPANSION TO AN EXISTING SHOPPING CENTER on 8.28 acres at 1031 South Rampart Boulevard (APN 138-32-411-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WOLFSON - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 131 [SUP-5947] for all related discussion.
(6:11 - 6:15)
7-380

CONDITIONS:

Planning and Development

1. Approval by the City Council of a Special Use Permit (SUP-5947) for a Liquor Establishment (On and Off-Premise Sale of Beer and Wine).

2. Compliance with the conditions of approval for the original Site Development Plan Review [Z-0017-90(34)] approved for the commercial center.

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

4. All development being in conformance with the site plan and building elevations date stamped 02/07/05, except as amended by conditions herein.

5. All exterior materials and architectural features for the building addition and for the front of the proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine) consisting of those

CONDITIONS - Continued:
established for the remaining center.

6. All mechanical equipment, air conditioners and trash areas being fully screened in views from the abutting streets.

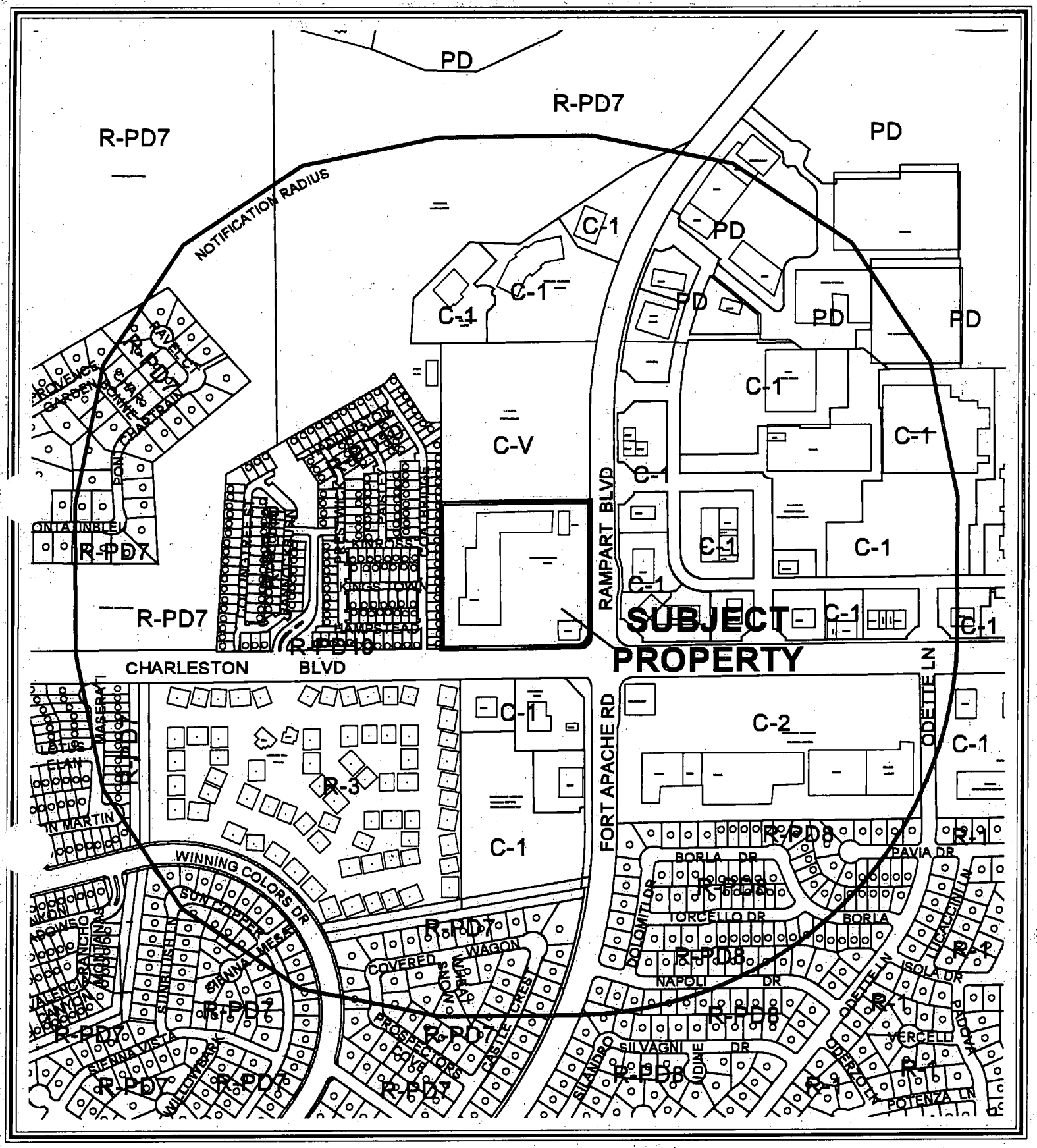
7. All utility boxes exceeding 27 cubic feet in size meeting the standards of Title 19.12.050.

8. All City Code requirements and design standards of all City departments being satisfied.

Public Works

9. An update to the previously approved Drainage Plan and Technical Drainage Study being 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.

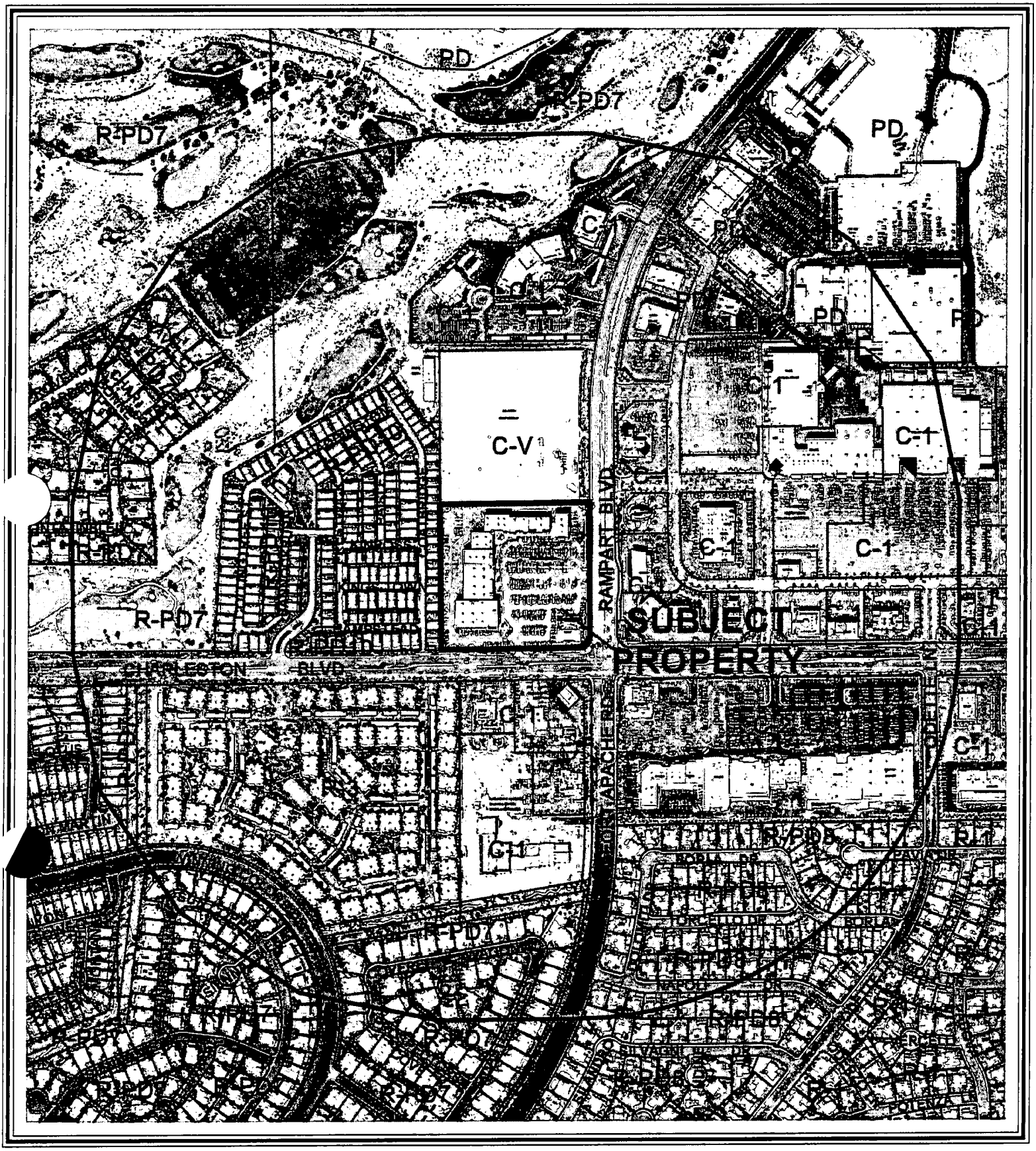
10. The site development complying with all applicable conditions of approval for Z-0017-90 and all other subsequent site-related actions.



CASE: **SDR-5946**

RADIUS: 1500 FT

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



CASE: **SDR-5946**

RADIUS: 1500 FT

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5946 - APPLICANT: NORA'S WINE BAR AND OSTERIA, LLC - RAMPART COMMONS, LTD., LLC

** CONDITIONS **

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

Planning and Development

1. Approval by the City Council of a Special Use Permit (SUP-5947) for a Liquor Establishment (On and Off-Premise Sale of Beer and Wine).

2. Compliance with the conditions of approval for the original Site Development Plan Review [Z-0017-90(34)] approved for the commercial center.

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

4. All development being in conformance with the site plan and building elevations date stamped 02/07/05, except as amended by conditions herein.

5. All exterior materials and architectural features for the building addition and for the front of the proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine) consisting of those established for the remaining center.

6. All mechanical equipment, air conditioners and trash areas being fully screened in views from the abutting streets.

7. All utility boxes exceeding 27 cubic feet in size meeting the standards of Title 19.12.050.

8. All City Code requirements and design standards of all City departments being satisfied.

Public Works

9. An update to the previously approved Drainage Plan and Technical Drainage Study being 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.

10. The site development complying with all applicable conditions of approval for Z-0017-90 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 736 square foot addition to an existing shopping center on 8.28 acres at 1031 South Rampart Boulevard.

B) Applicant's Justification

The applicant submitted a letter with the application that addresses how the proposed addition is to be used and its conformance with the remaining commercial center. The letter indicates that the space will be used for a cooler, freezer, storage, office, bathrooms, electric room and waiting area for people to pick up their car from valet in conjunction with a proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine). The letter mentions that in front of the establishment, an exterior water feature is to be removed and replaced with seating for restaurant service.

BACKGROUND INFORMATION

A) Related Actions

12/17/80 The subject property was annexed into Las Vegas [A-0018-80(A)].

04/04/90 The City Council approved a request to Rezone (Z-0017-90) the subject property to C-1 (Limited Commercial) as part of a larger request.

10/12/98 The City Council Approved a Special Use Permit (U-0102-98) for a Supper Club (P.F. Chang's) on the subject property. The Planning Commission and staff recommended approval.

01/12/01 The Planning Commission accepted the withdrawal without prejudice of a request for a Special use Permit (U-0190-00) for a proposed 4,300 square foot Tavern (Martini's) on the subject property. The staff recommended denial.

01/17/01 The City Council approved a Site Development Plan Review [Z-0017-90(34)] for a 75,650 square foot commercial center on the subject property. The Planning Commission and staff recommended approval.

07/25/02 The Planning Commission accepted the withdrawal without prejudice of a request for a Special use Permit (U-0080-02) for the sale of Packaged Liquor for Off-Premises Consumption on the subject property. The staff recommended approval.

02/24/05 The Planning Commission recommended approval of an accompanying request for a Special Use Permit (SUP-5947) for a proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine) on the subject property. The staff is recommending approval.

02/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #32/dds).

B) Pre-Application Meeting

12/28/04 The staff met with the prospective applicant on a proposed addition to a commercial center on the subject property. It was explained that the addition is to be ancillary space for what was then determined to be a Liquor Establishment (Tavern).

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres:	8.28

B) Existing Land Use

Subject Property:	Retail center
North:	Water district well site
South:	Retail center
East:	Retail center (Boca Park)
West:	Townhouses

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	PF (Public Facility)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-V (Civic)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	R-PD10 (Residential Planned Development – 10 units per acre)

E) General Plan Compliance

The subject property 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 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 Liquor Establishment (On and Off-Premise Sale of Beer and Wine) is permitted within the C-1 (Limited Commercial) district with a Special Use Permit.

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 Site Development Plan Review is for a 736 square foot addition to an existing retail center on the subject property. The space will be used for ancillary uses in conjunction with a proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine). The proposed use is to be located in the corner of the retail center. A total of 4,096 square feet of inside and outside space would be devoted to the use, including the building addition. Approximately 2,071 square feet would be used for seating, 800 square feet of which would be devoted to outdoor seating.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following development standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	NA	8.28 acres	NA
Min. Lot Width	100 feet	615	Y
Min. Setbacks (addition)			
• Front	20 feet	420 feet	Y
• Side	10 feet	30 feet	Y
• Corner	15 feet	508 feet	Y
• Rear	20 feet	162 feet	Y
Max. Lot Coverage	50 %	23%	Y
Max. Building Height	NA	24 feet	NA

The existing commercial center and the proposed addition comply with the development standards of Title 19.

A2) 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 (spaces/area)	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Liquor Establishment	• Seating • 2,071 • Other 1,225	1/50 seating 10 minimum	41 10	(9)	430	(12)
Shopping Center	70,555	1/250	282			
PF Changs			92			
Total			425			

The subject property has 430 spaces for which 425 spaces are required for all the businesses, including the 51 required for the Liquor Establishment (On and Off-Premise Sale of Beer and Wine).

A3) Landscape Standards

A Site Development Plan Review [Z-0017-90(34)] was approved by the City Council on 01/17/01 for development of the existing commercial center. The Development complied with the landscape standards of Title 19, except for conditions approved with the original Site Development Plan Review. Additional landscaping is not required for this 736 square foot addition.

B) General Analysis and Discussion

- Zoning

  The subject site is zoned C-1 (Limited Commercial). A Liquor Establishment (On and Off-Premise Sale of Beer and Wine) is permitted within the C-1 district with a Special Use Permit.

- Site Plan

  The site plan illustrates the proposed 736 square foot addition to be adjacent to space for a proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine) located in the corner of a commercial center on the subject property. The addition would extend out from behind the commercial center and be hidden from view of streets that abut the center. A total of 4,096 square feet of inside and outside space would be devoted to the proposed use, including the building addition. Approximately 2,071 square feet would be used for seating, 800 square feet of which would be devoted to outdoor seating. The outdoor seating area is designed to accommodate nine tables for 36 patrons.

- Waivers

  No Waivers are requested or needed.

- Landscape Plan

  The landscape plan complies with the landscape standards of Title 19.

- Elevation

  It is not discernible from the elevation drawing whether the surface materials and articulation are consistent with those of the rest of the center. The drawing shows the surface material to be of painted CMU block. It was mentioned with the original Site Development Plan Review [Z-0017-90(34)] that: "the rear elevations provide little articulation and feature large expanses of expressionless stucco." Consequently, there was a condition of approval that stated the following: "The rear elevations of the retail buildings shall be revised to show architectural features that are consistent throughout the commercial center." It is recommended that the surface materials and architectural features of the proposed addition consist of the same materials and architectural features approved for the rear of the rest of the commercial center. This is addressed as a condition of approval in this report.

  The elevation of the building front for the proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine) depicts a multi-level front roofline with a tower that has pitched roofs. In addition, the front consists of decorative false windows with awnings and a balcony that provide an attractive and interesting front facade. The proposed building materials include stucco, stone, and tile roofing that would match the front façade of the rest of the commercial center.

- Floor Plan

  The floor plan for the 736 square foot addition illustrates space for dry storage, a freezer, a cooler, an office and restrooms. The space is ancillary to a proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine) that would consist of 2,558 square feet of inside space and 800 square feet of outdoor seating area. In addition to the 800 square feet of outdoor seating area, approximately 2,071 square feet would be used for indoor seating.

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 use would be located within one of 12 units of buildings that comprise the retail center that occupy the subject property. Retail centers are located to the east and south of the property, a Las Vegas Valley Water District well site is located to the north, and townhouses are located to the west. Except for 800 square feet of outside eating area, which is focused toward the center's parking area, the proposed use would be completely enclosed. The outside seating area will enhance the ambiance of the commercial center for shoppers and other patrons. The proposed development is 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 proposed addition meets the requirements of Title 19 and all other design standards and is consistent with the City's plans and policies.

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

   Access to the existing retail center is from Charleston Boulevard and Rampart Boulevard. According to the Master Plan of Streets and Highways, both streets are identified as Primary Arterial streets with 100-foot wide rights-of-way. Although both streets are high traffic carriers, the access drives are designed to handle traffic maneuvering in and out of the retail center. The 736 square-foot addition for the proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine) is not expected to result in an additional burden on the traffic load.

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

   The materials for the front façade of the proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine) are attractive and consistent with the front façade of the existing buildings that comprise the commercial center. In addition, a condition of approval regarding revised rear elevations will result in a development more harmonious and compatible with the existing development.

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

   The proposed building elevations will not create an unsightly, undesirable or obnoxious appearance. As noted above, a condition of approval regarding revised rear elevations will result in a development more harmonious and compatible with the existing development.

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

   Establishment of the new addition for a Liquor Establishment (On and Off-Premise Sale of Beer and Wine) will be subject to periodic inspection and would not, therefore, compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 431 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5946** APN: 138-32-411-003

Name of Property Owner: Nora's Wine Bar & Osteria L.L.C.

Name of Applicant: _____

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: James B. Boyne

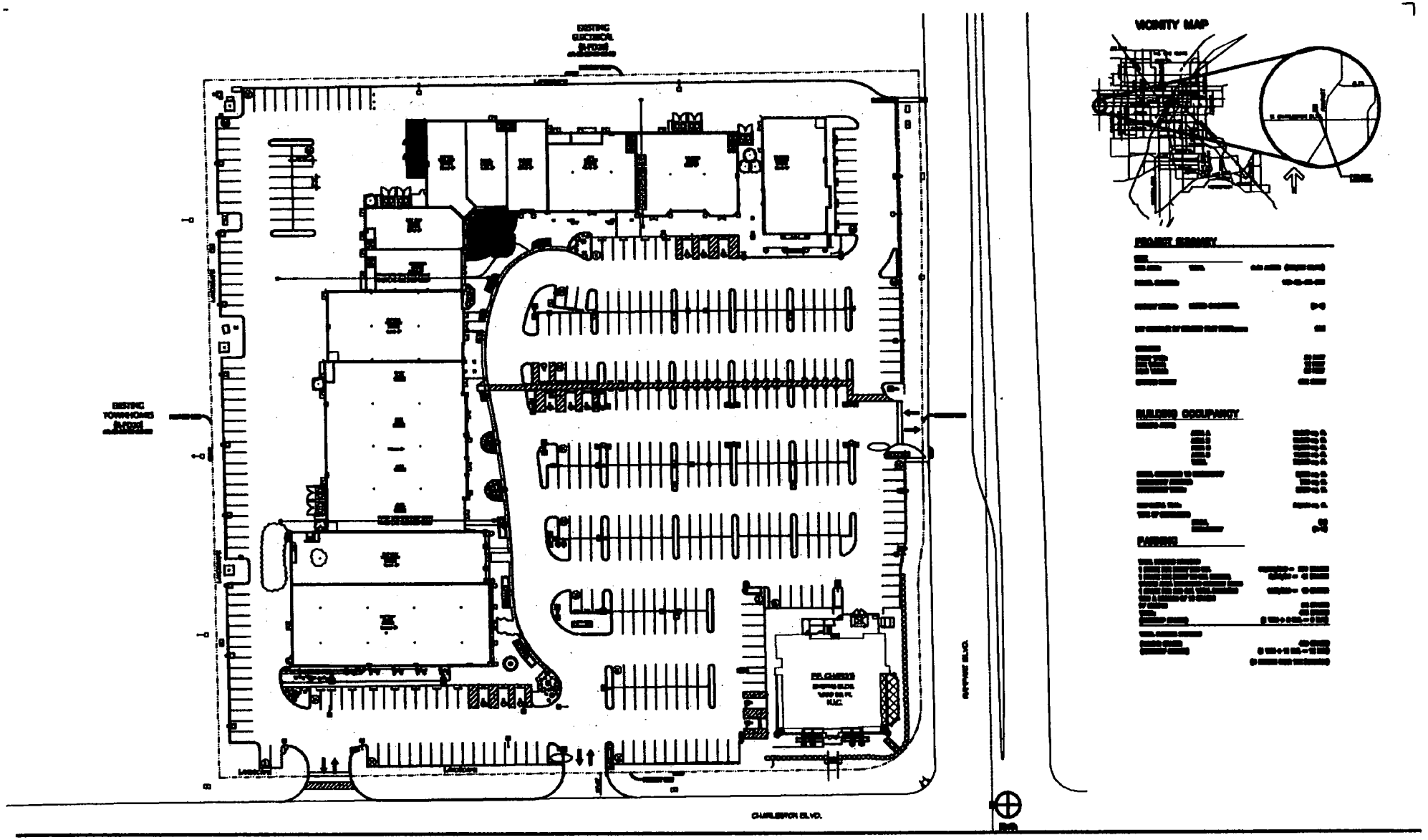
Subscribed and sworn before me

This 10th day of January, 2005

Joanne Baldassare

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JOANNE BALDASSARE
My Appointment Expires
June 2, 2006
No: 98-3510-1



SITE PLAN- EXISTING REVISED (02-02-05)

NORAS WINE BAR

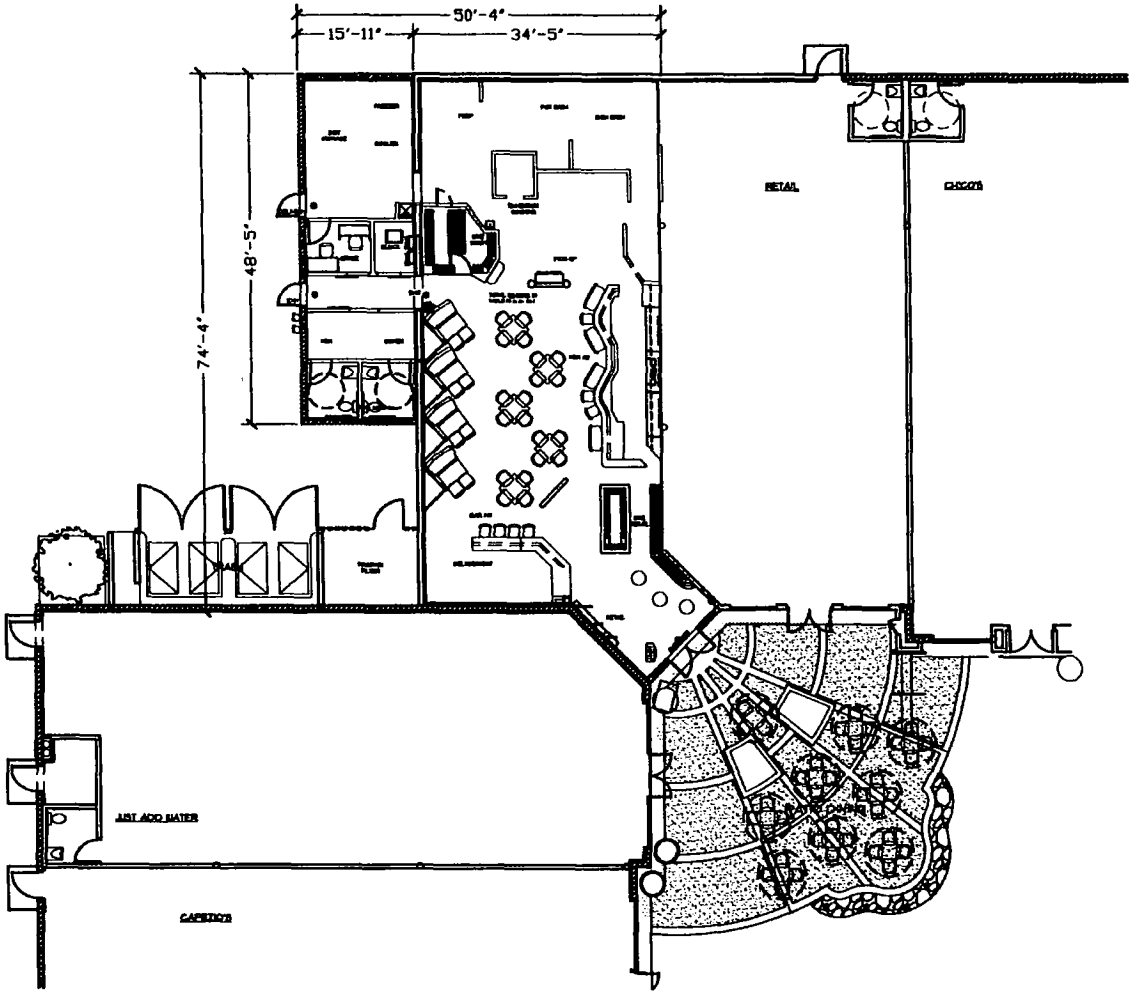
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SDR-5946
02/24/05 PC

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REVISED
2.7.05

LENDALL MAINS
ARCHITECT

AS-1



FLOOR PLAN REVISED (02-02-05)

NORAS WINE BAR

SUP-5947
SDR-5946
02/24/05 PC

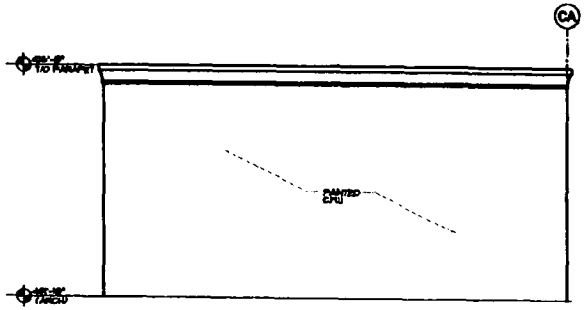
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GRAPHIC SCALE IN FEET
JANUARY 10, 2005

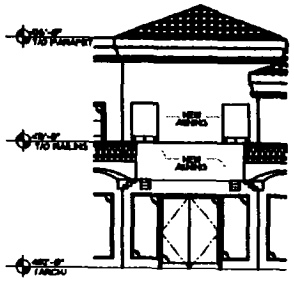
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2.7.05

LENDALL MAINS
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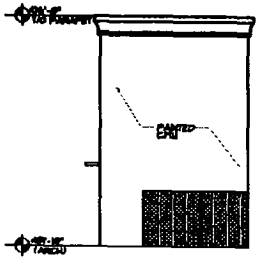
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A-1



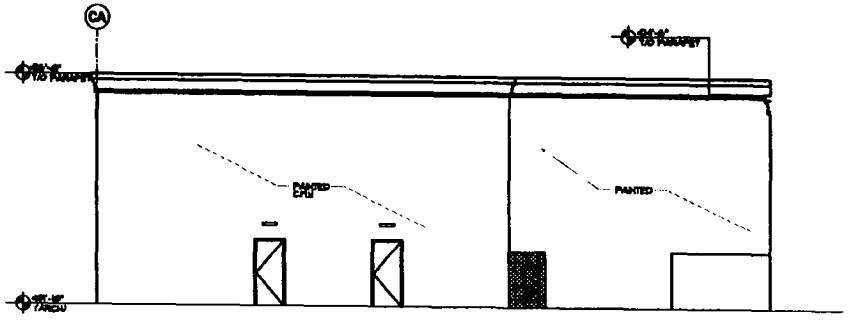
4 PARTIAL ELEVATION - AREA C



5 CORNER TOWER ELEVATION - AREA C



2 PARTIAL ELEVATION - AREA C



1 PARTIAL ELEVATION - AREA C

ELEVATIONS REVISED (02-02-05)

NORAS WINE BAR

SUP-5947
SDR-5946
02/24/05 PC

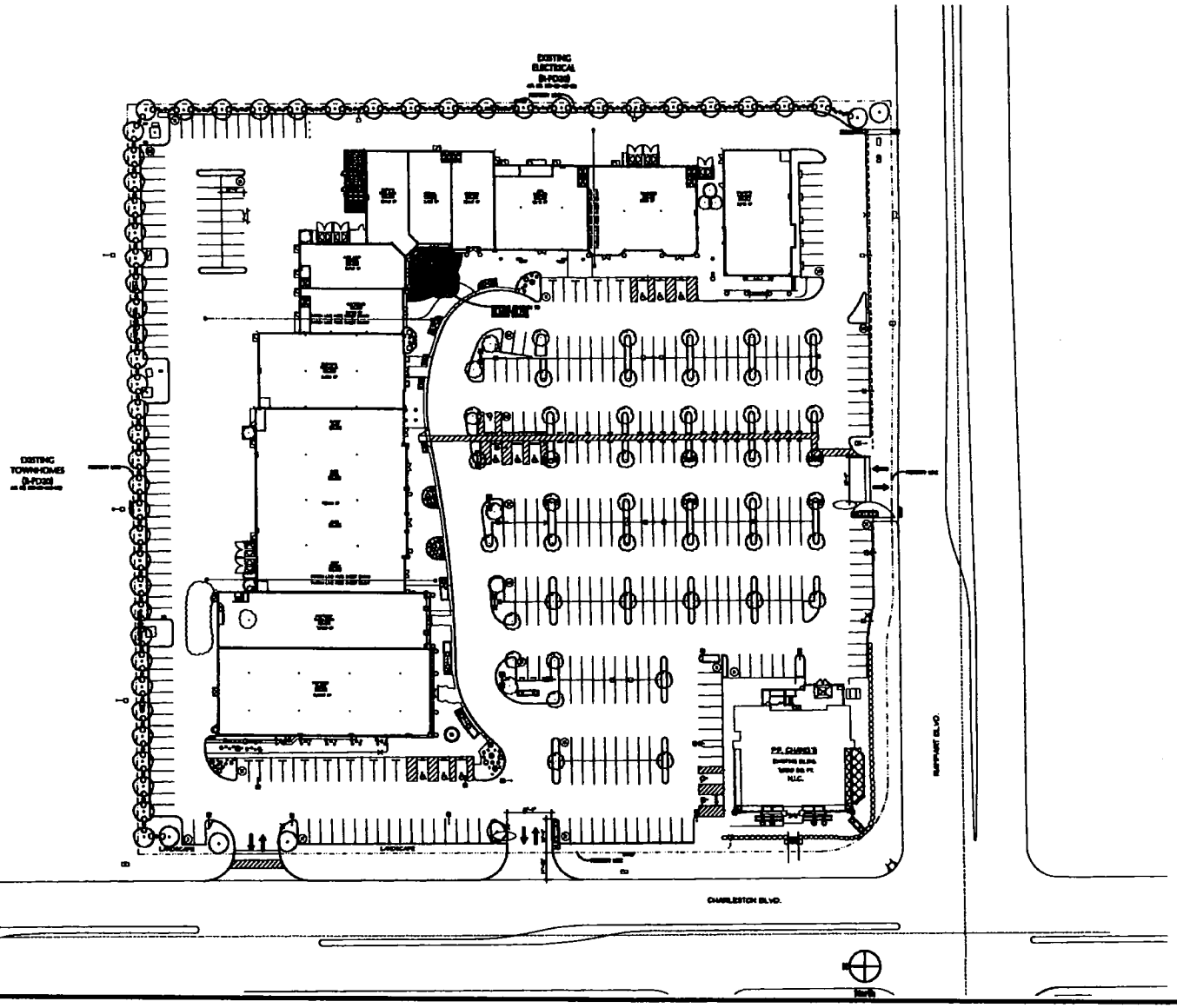
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JANUARY 10, 2006

REVISED
2.7.05

LENDALL MAINS
ARCHITECT

SHEET No.
A-2



LANDSCAPE PLAN- EXISTING REVISED (02-02-05)

NORAS WINE BAR

SUP-5947
SDR-5946
02/24/05 PC

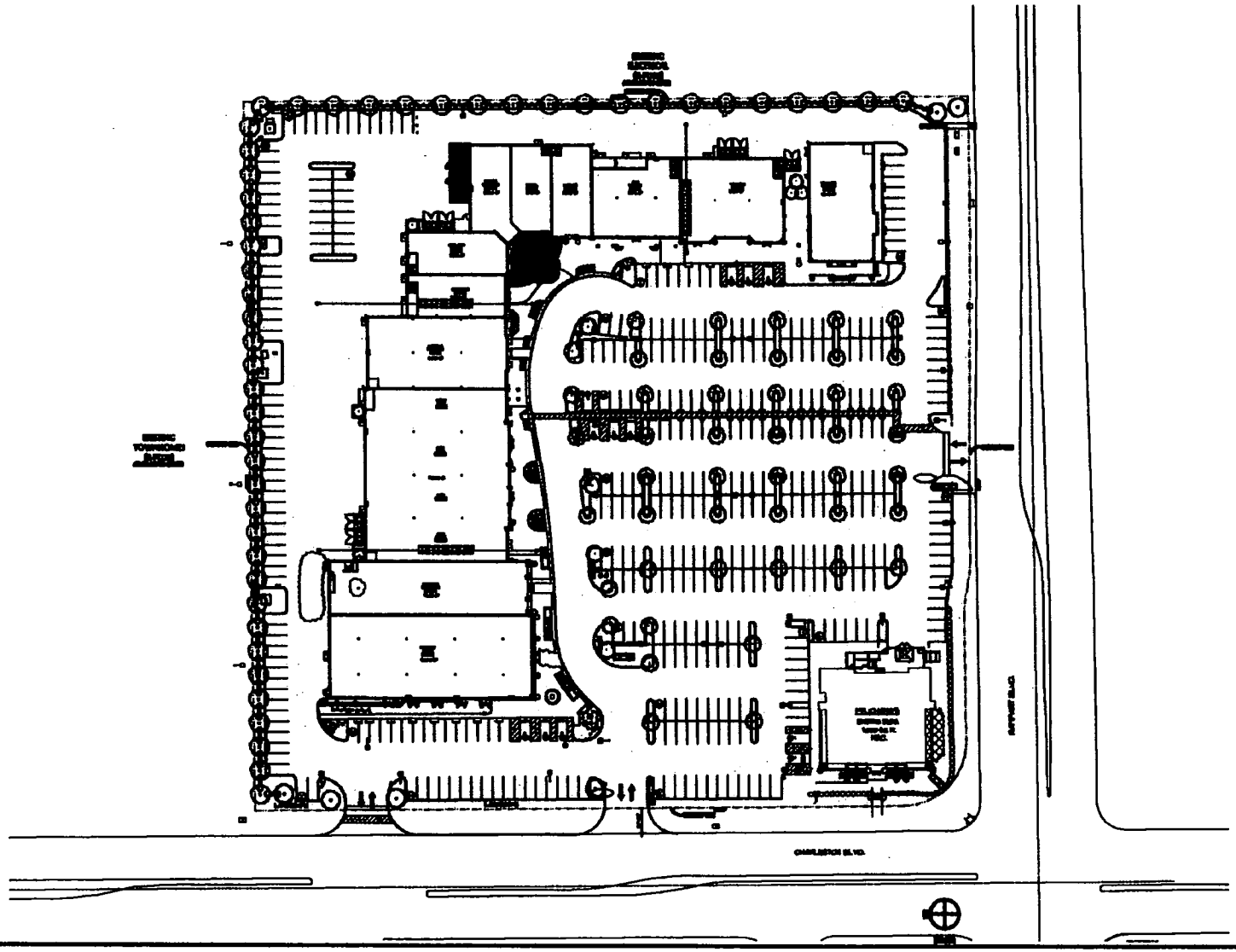
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JANUARY 10, 2005

REVISED
2.7.05

LENDALL MAINS
ARCHITECT

SHEET No.
L-1



LANDSCAPE PLAN- EXISTING REVISED (02-02-05)

NORAS WINE BAR

SUP-5947
SDR-5946
02/24/05 PC

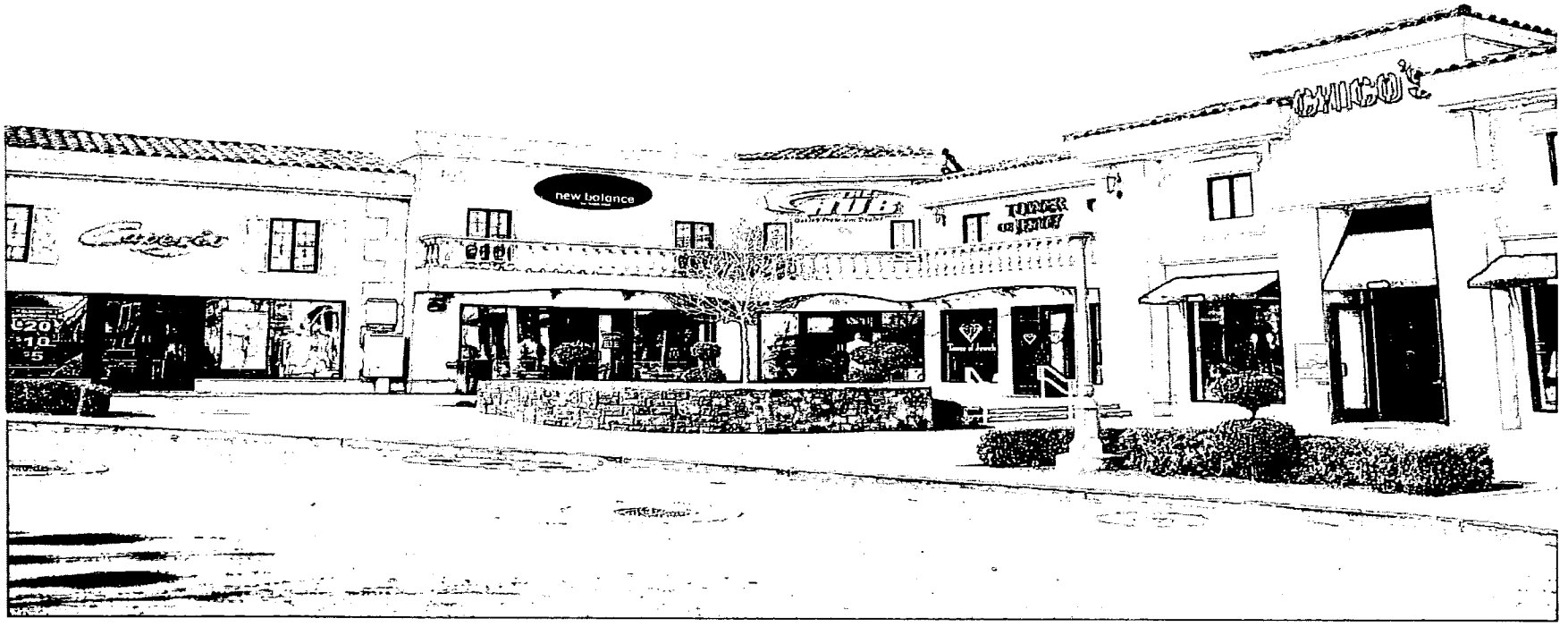
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2.7.05

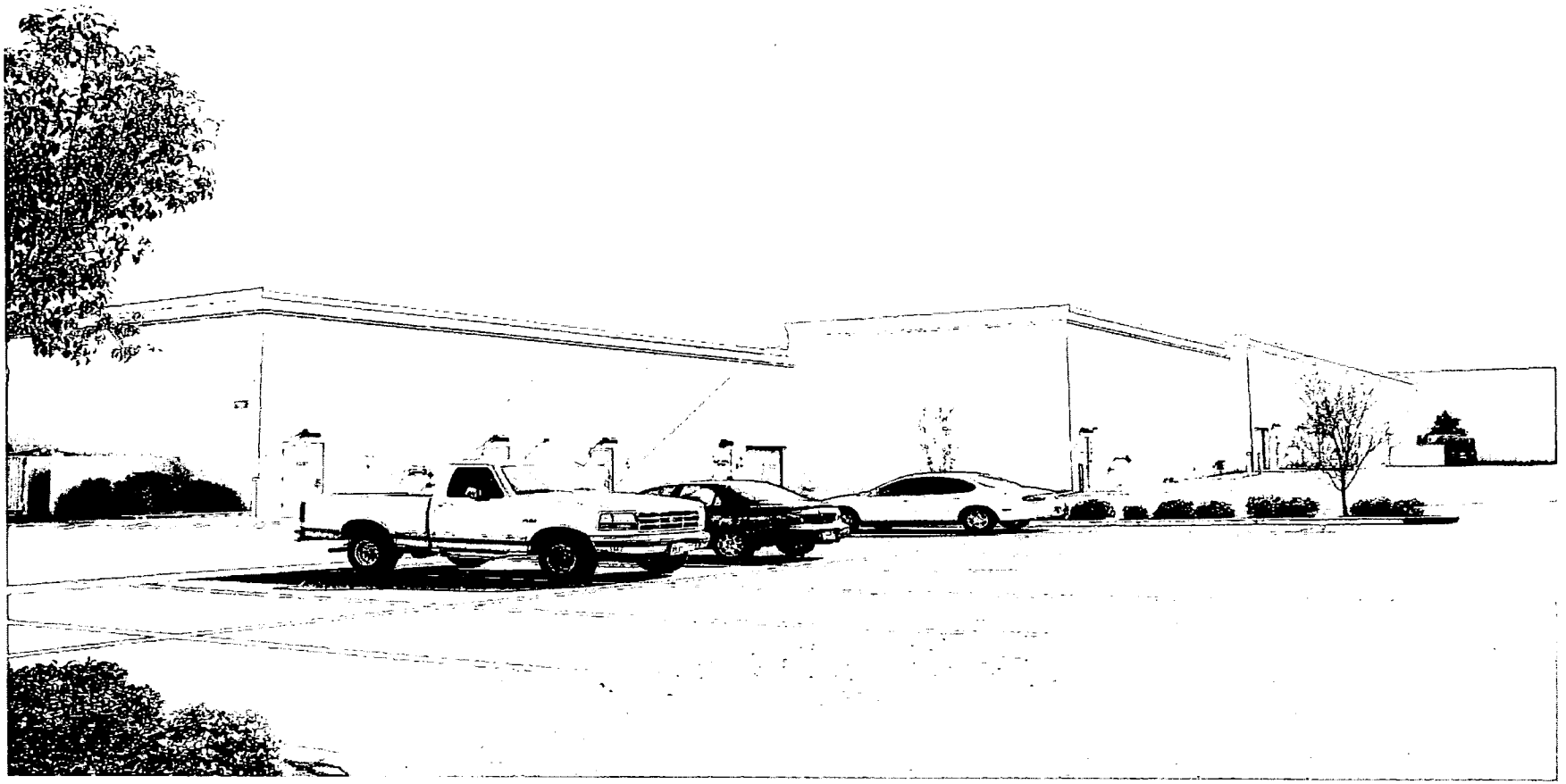
LENDALL MAINS
ARCHITECT

SHEET No.
L-1



SUP-5947 & SDR-5946 - APPLICANT: NORA'S WINE BAR AND OSTERIA, LLC - RAMPART COMMONS, LTD., LLC
1031 SOUTH RAMPART BOULEVARD
FEBRUARY 24, 2005 PLANNING COMMISSION

2/7/05



SUP-5947 & SDR-5946 - APPLICANT: NORA'S WINE BAR AND OSTERIA, LLC - RAMPART COMMONS, LTD., LLC
1031 SOUTH RAMPART BOULEVARD
FEBRUARY 24, 2005 PLANNING COMMISSION

2/7/05

LENDALL MAINS
ARCHITECT

February 2, 2005

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

RE: Nora's Wine Bar and Restaurant at Rampart Commons
1031 S. Rampart Blvd., Las Vegas, NV
APN # 138-32-411-003

Please accept this as a revised justification for requesting a review for an addition of approximately 740 sf. to the existing shopping center. This space will be used for cooler, freezer, storage, office, bathrooms, electric room and waiting area for people to pick up their car from valet. The addition will match the existing building in materials and height with painted CMU exterior walls, painted exterior steel doors and painted cornice material.

We are adding awnings on the front of the building and will be keeping in style with the existing awnings. There will also be signage in the form of text and logos on the awnings.

We are also removing the existing exterior water feature and creating a patio with seating for restaurant service. Please see attached plan for location and size.

The parking analysis shows that the existing center has more than enough existing parking. With this addition and use there will be a surplus of 8 parking spaces beyond the centers required spaces.

We respectfully request approval for this project. If you have any questions please call me.

Sincerely,

Lendall W. Mains, FCSI, AIA
Principal

Lendall W. Mains, FCSI, AIA
Managing Principal
3930 E. Patrick Lane
Suite 1
Las Vegas, NV 89120
(702) 437-5621 Phone
(702) 437-5623 Fax

REVISED
2.7.05

City of Las Vegas

Agenda Item No. 133

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SPECIAL USE PERMIT

SUP-5859 - PUBLIC HEARING - APPLICANT: ANVUI, LLC - OWNER: G.L. DRAGON, LLC - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB at 1050 South Rampart Boulevard (APN 138-32-412-024), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WOLFSON - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY BRIAN WEDL, Jolley Urga Wirth Woodbury & Standish, 3800 Howard Hughes Parkway, appeared on behalf of the applicant.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(6:15 - 6:16)
7-503

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.

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

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

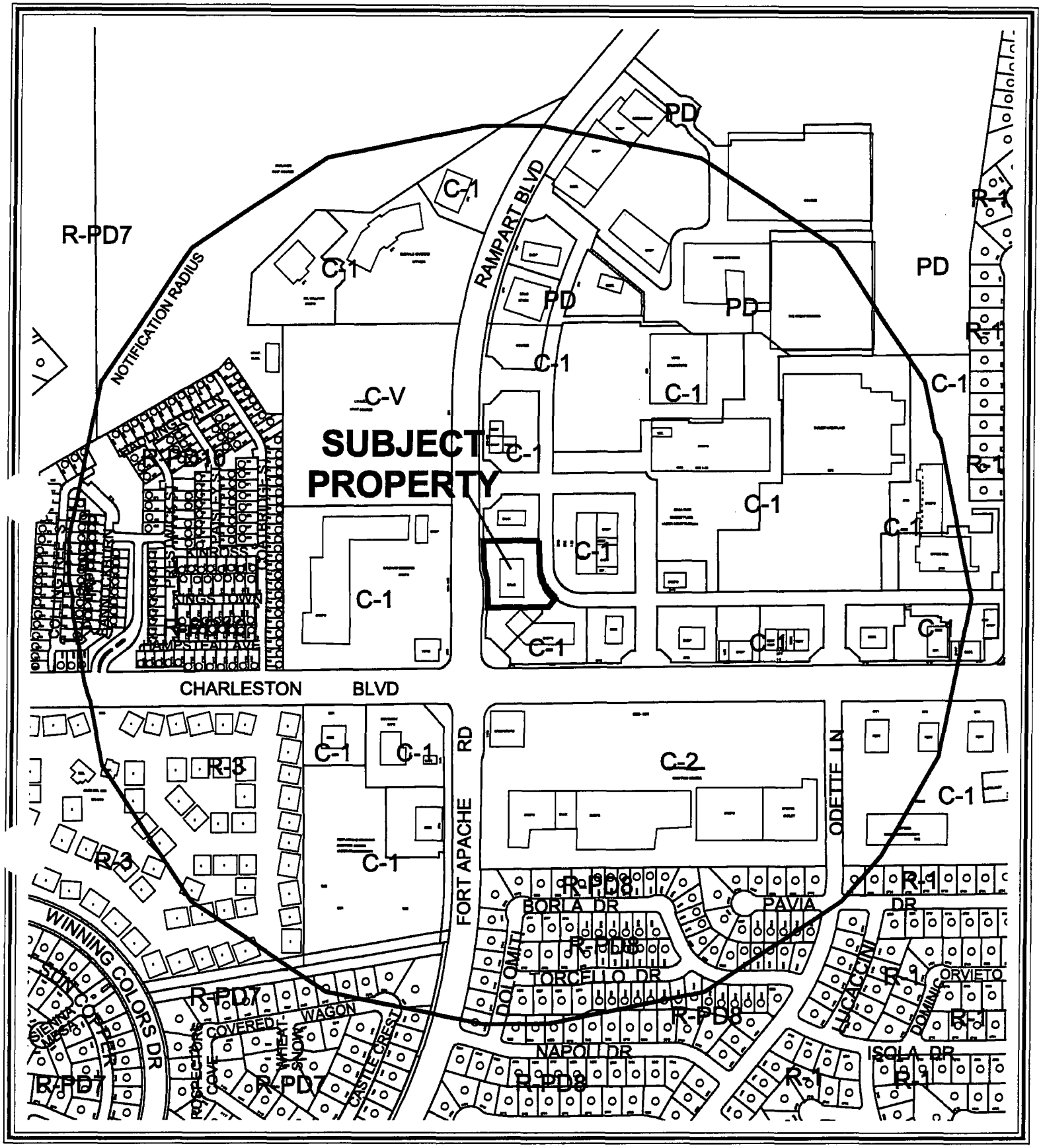
4. The business shall conform to the provisions of Chapter 6.50 of the City of Las Vegas Municipal

CONDITIONS - Continued:
Code.

5. The Supper Club use shall conform to the definition as listed in Title 19.20.020.

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

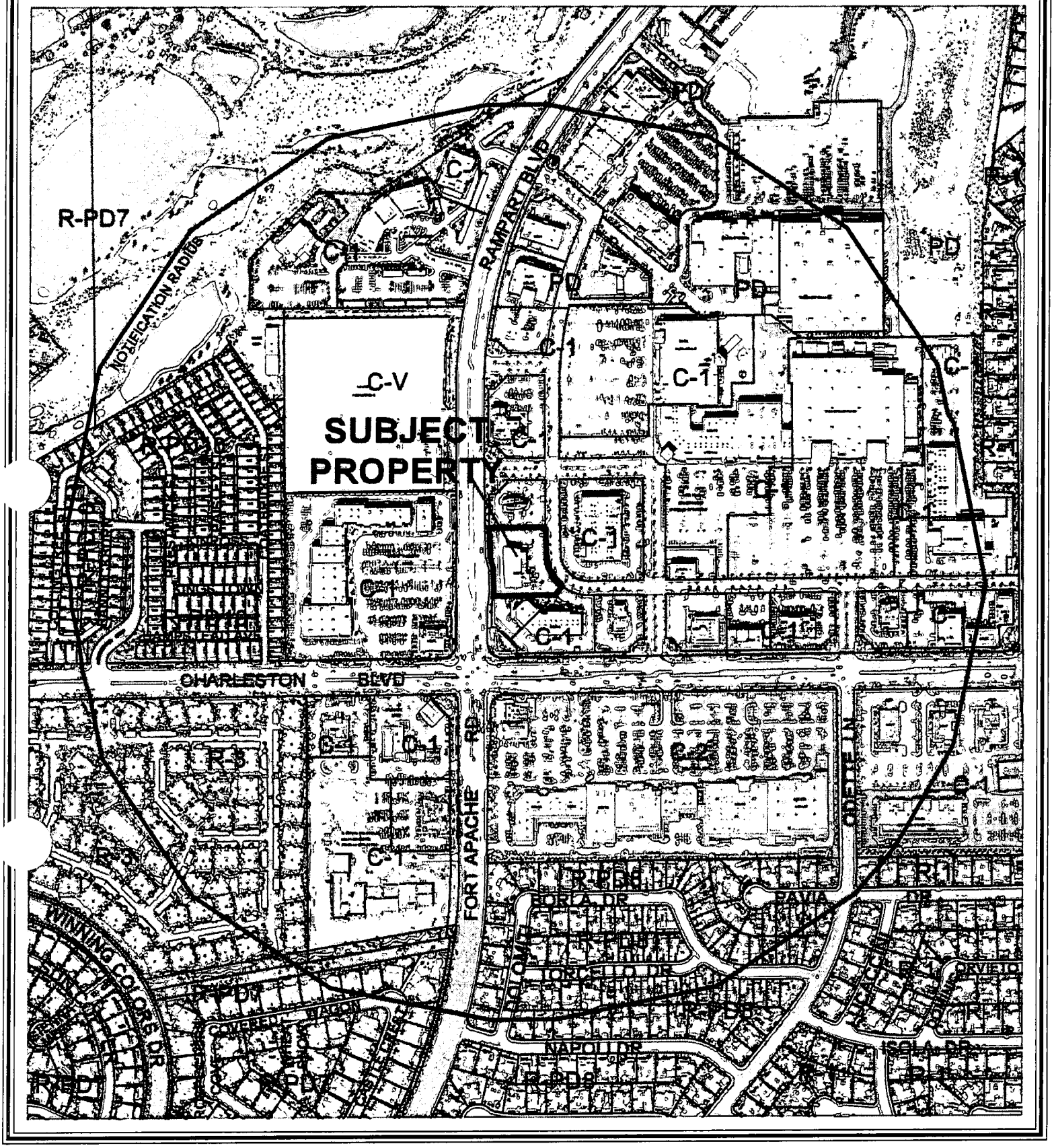
7. The trash enclosure shall be roofed in accordance with Title 19.08.045 requirements.



CASE: **SUP-5859**

RADIUS: 1500 FT

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



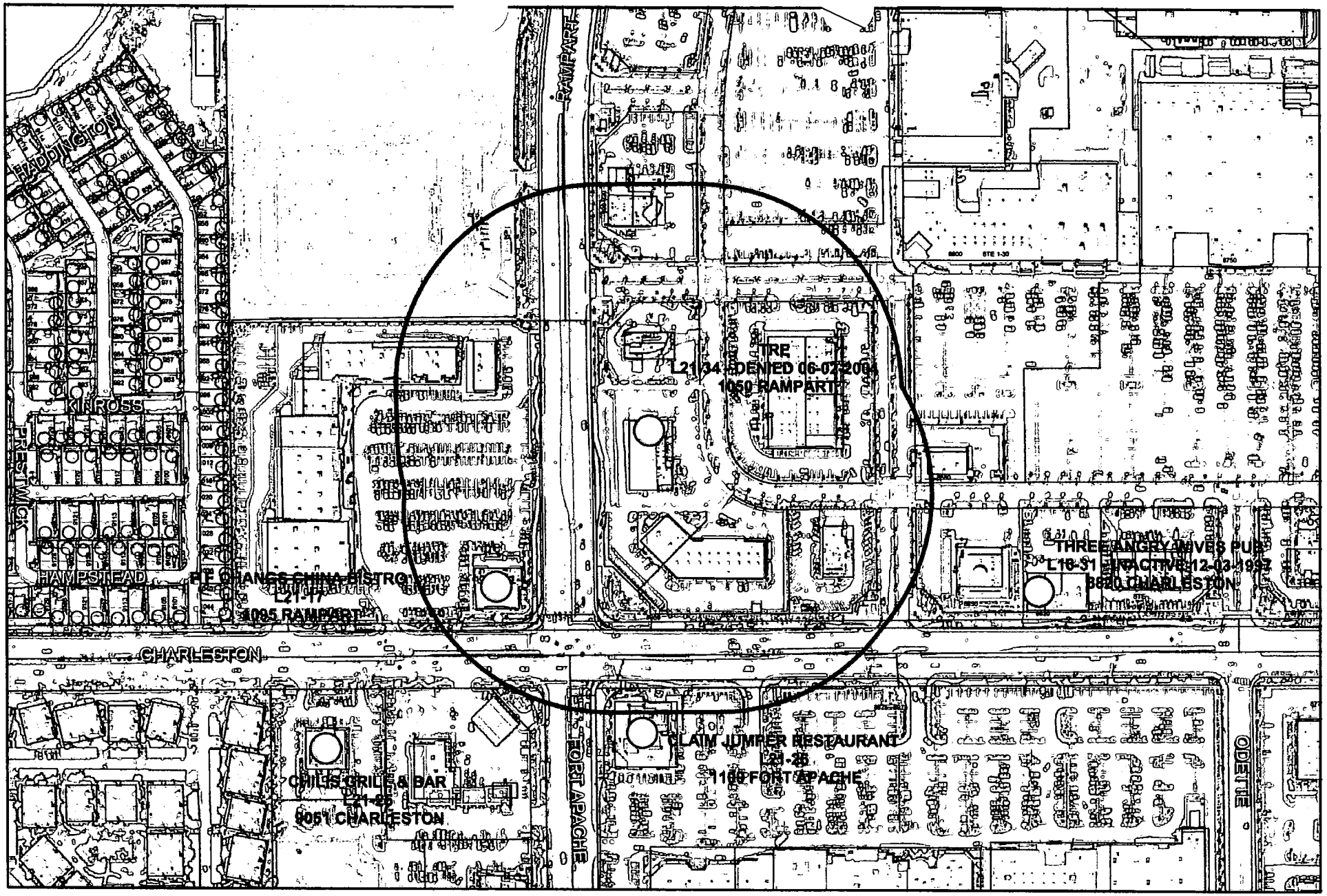
0 500 1000 Feet

CASE: **SUP-5859**

RADIUS: 1500 FT

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

N



SUP-5859

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

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

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5859 - APPLICANT: ANVUI, LLC - OWNER: G.L. DRAGON, LLC

** CONDITIONS **

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

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.

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

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

4. The business shall conform to the provisions of Chapter 6.50 of the City of Las Vegas Municipal Code.

5. The Supper Club use shall conform to the definition as listed in Title 19.20.020.

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

7. The trash enclosure shall be roofed in accordance with Title 19.08.045 requirements.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Supper Club at 1050 South Rampart Boulevard.

BACKGROUND INFORMATION

A) Related Actions

09/02/92 The City Council approved a Rezoning (Z-0030-92) to C-1 (Limited Commercial) on this site as part of a larger request. The Planning Commission and staff recommended approval on June 25, 1992.

07/05/01 The City Council approved a Special Use Permit (U-0054-01) for a supper club at this location. The Planning Commission and staff recommended approval on May 24, 2001.

03/25/04 The Special Use Permit (SUP-3717) for a Night Club at 1050 South Rampart Boulevard was withdrawn without prejudice.

03/10/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #36).

B) Business License History

12/16/02 Original license date for Tre Restaurant Supper Club [L21-00034].

03/05/04 Physical inspection on this date, business is closed – non-operational advice letter sent on this date.

06/02/04 License [L21-00034] was revoked for non-payment of fees due 04/01/04.

C) Pre-Application Meeting

09/22/04 The following items were discussed at the pre-application meeting:

- A Site Development Plan Review is not required. Minor changes can be done with a building permit.
- A new special use permit is required to allow a Supper Club use again, since the license expired in March 2004.

D) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	1.15

B) Existing Land Use

Subject Property:	Vacant
North:	Bank
South:	Multi-Tenant Building
East:	Multi-Tenant Building
West:	Shopping Center

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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. Supper Club is permitted within the C-1 district with a Special Use Permit.

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

This site is located within a larger commercial subdivision, which allows cross-access shared parking throughout the entire commercial center. There are three handicap spaces near the front entrance to the building. The parking requirements were addressed as part of the Site Development Plan Review for this site.

A2) Minimum Distance Separation Requirements

Standards	Code Requirement	Provided
Supper Club (distance separation requirement)	May not be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park	Greater than 400 Feet from all protected uses

The Supper Club use is located in a suite within a commercial subdivision. The proposed supper club is greater than 400 feet from any of the protected uses. Therefore, it meets the minimum distance separation requirement.

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

Standards	Code Requirement	Provided
Trash Enclosure	Walled, gated, roofed	Not indicated

Although a walled and gated trash collection area is shown on the floor plan at the back of the building, it is unclear whether it is proposed that this area will be roofed. A condition of approval has been added, which addresses this issue.

B) General Analysis and Discussion

- Zoning

A Supper Club is permitted in a C-1 (Limited Commercial) zone with approval of a Special Use Permit.

- Use

Title 19.04.050 establishes the criteria and minimum requirements for the approval of alcohol-related uses. The Code requires a supper club to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case, no protected uses are known to be within the minimum separation distance requirement.

In accordance with Title 19.20.020, operational requirements for a supper club include: 1) the bar area must be separated from the restaurant area by a barrier sufficient to prevent access to the bar by minors; 2) the actual seating available at all times within the restaurant area will accommodate at least one-hundred twenty-five persons; 3) alcoholic beverages must be served in the restaurant area only in conjunction with the service of food; 4) full-course meals must be available during all hours the bar area is open to the public; 5) a cook and food server, other than a bartender, must be available at all times the bar area is open to the public; and 6) the restaurant operation is the principal portion of the business.

- Conditions

The conditions of Title 19 applicable to a Supper Club are listed as follows:

1. No supper club use shall be located within 400 feet of any church, synagogue, school, childcare facility licensed for more than twelve children or City park.

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

   a. Any leasehold parcel; or

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

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

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

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

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

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

Except for number 5, the conditions above may be waived if it can be shown by convincing and substantial evidence by the applicant that any waiver of these requirements will not compromise the objective of the City in safeguarding the interests of the citizens of the City.

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 project is compatible with the General Plan land use designation and is located within an existing commercial center with a substantial concentration of major commercial development. The proposed use can be conducted in a manner that is harmonious and compatible with the surrounding uses

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

   The proposed Supper Club will be located within a commercial center and the proposed use will be operating in an existing restaurant. There is no evidence of a physical constraint to the proposed Supper Club use on the subject 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."**

   The abutting street network will be adequate for the traffic generated by the use since it has access to Rampart Boulevard, a 100-foot wide primary arterial on the Master Plan of Streets and Highways.

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

The proposed use will be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 310 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5859 APN: 138-32-412-024

Name of Property Owner: G.L. Dragon, LLC

Name of Applicant: _____

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

_____ Yes XX No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: ROBERT W. ENG

Subscribed and sworn before me

This 16th day of October, 2004

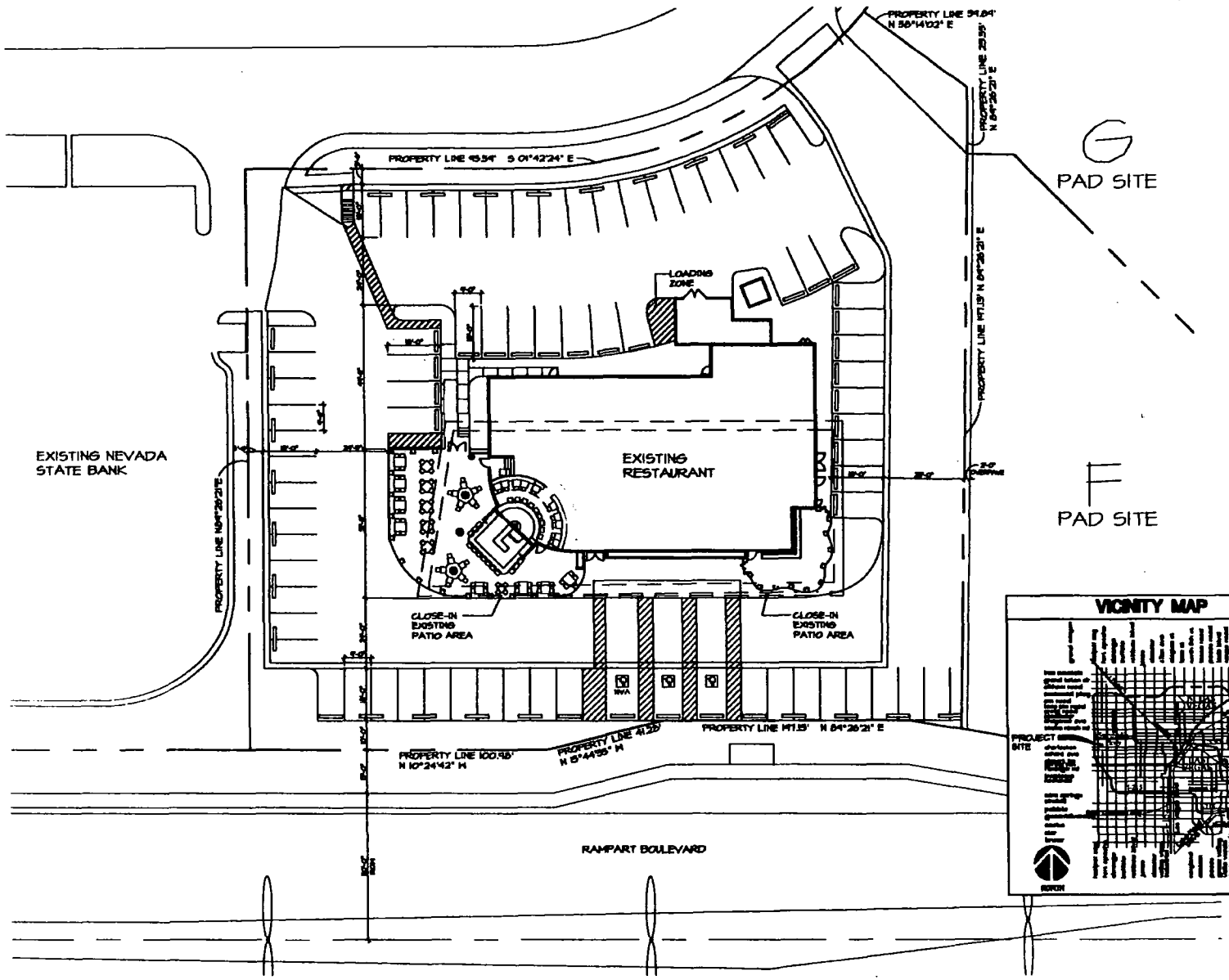
Summer Cordan

Notary Public in and for said County and State

SUMMER K. CORDAN
Notary Public State of Nevada
No. 97-1812-1
My appt. exp. Apr. 29, 2005

TRE' RESTAURANT

CITY OF LAS VEGAS, NEVADA



NORTH

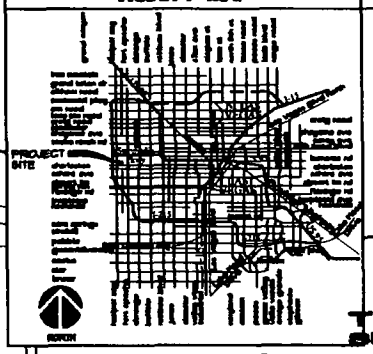
SCALE: 1/16" = 1'-0"

PROPOSED SITE PLAN

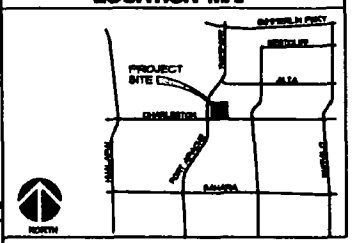
SITE DATA

APN:	138-33-402-009
ZONING:	C-1
OCCUPANCY:	A-2
LOT SIZE:	19,670 SQ. FT. 0.45 ACRES
LOT COVERAGE:	NOT APPLICABLE

VICINITY MAP



LOCATION MAP



TRE' RESTAURANT
SPECIAL USE PERMIT

WESTAR ARCHITECTS
ARCHITECTURE • PLANNING • INTERIOR DESIGN
3900 MEADOWS LANE SUITE 220 LAS VEGAS, NEVADA 89107
TELEPHONE: (702) 878-0000 FAX: (702) 878-8430
www.wagnerarchitects.com

SUP-5859
03-10-05 PC

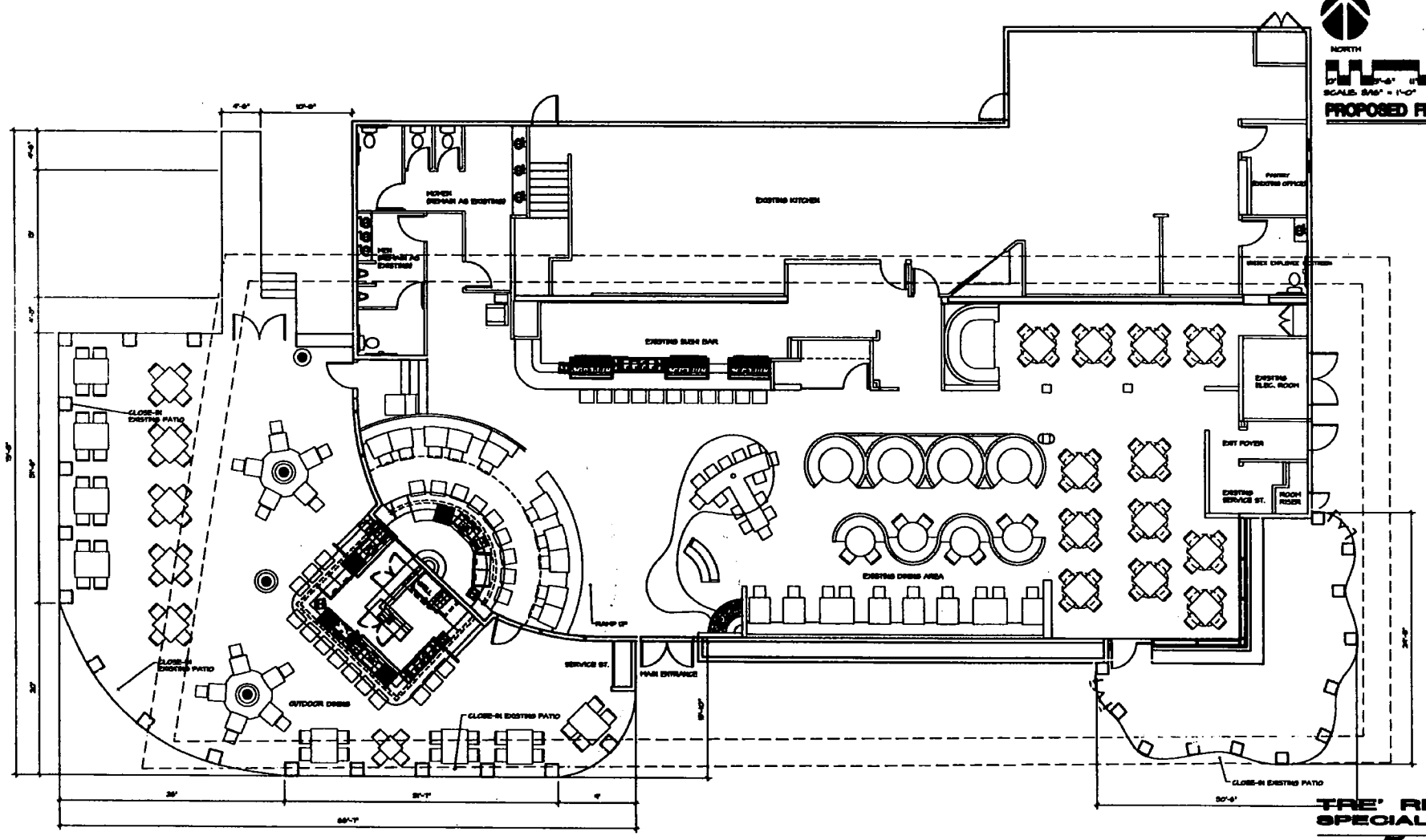
TRE' RESTAURANT

CITY OF LAS VEGAS, NEVADA

NORTH

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

PROPOSED FLOORPLAN



TRE' RESTAURANT
SPECIAL USE PERMIT

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SUP-5859
03-10-05 PC



SUP-5859 - APPLICANT: ANVUI, LLC - OWNER: G.L. DRAGON, LLC
1050 SOUTH RAMPART BOULEVARD
MARCH 10, 2005 PLANNING COMMISSION

02/22/05

JOLLEY URGA WIRTH
WOODBURY & STANDISH
ATTORNEYS AT LAW

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WILLIAM R. URGA
BRUCE L. WOODBURY
THOMAS J. STANDISH
BRIAN E. HOLTHUS
MARTIN A. LITTLE
ALICIA R. ASHCRAFT

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89005
(702) 293-3674

BILL SPOHRER
DIRECTOR OF ADMINISTRATION

RECEIVED

MAR 0 9 2005

December 21, 2004

Mr. Robert Genzer
City of Las Vegas
Director of Planning & Development
731 South Fourth Street
Las Vegas, Nevada 89101

Re: ANVUI, LLC (the "Company") - Special Use Permit
1050 S. Rampart, Las Vegas, Nevada 89145 (the "Location")

Dear Mr. Genzer:

Enclosed are the Application / Petition Form and Statement of Financial Interest with original signatures for the above Company's special use permit application at the above Location.

Please accept this letter as the justification letter. The Company is applying for a special use permit for the operation of a restaurant, including the service of liquor under a supper club liquor license, at the Location. Previously the Location was utilized as a restaurant with the service of liquor under the business name of "Tre'" under a special use permit. However, that business has since closed and the special use permit previously issued has expired. Therefore, it is necessary for the Company apply for a special use permit to allow the sale and service of liquor at the location in conjunction with its new restaurant.

If you have any questions, or if you require additional information, please do not hesitate to contact me. Thank you for your assistance in this matter.

Very truly yours,

JOLLEY URGA WIRTH WOODBURY
& STANDISH

Alicia R. Ashcraft

ARA:ae

S:\ARA\Anvui 8676\02001Special Use Permit\Genzer 041221.wpd

City of Las Vegas

Agenda Item No. 134

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SPECIAL USE PERMIT

SUP-5998 - PUBLIC HEARING - APPLICANT: PEI WEI - OWNER: MARK L. FINE & ASSOCIATES - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR at 10830 West Charleston Boulevard, Suite 110 (APN 137-36-414-002), P-C (Planned Community) Zone, Ward 2 (Wolfson). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WOLFSON - APROVED subject to conditions - UNANIMOUS with GOODMAN abstaining because MR. FINE has an interest in the same building in which GOODMAN and ATTORNEY BROWN are partners

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and disclosed his abstention.

ATTORNEY CURT LEDFORD, Jones Vargas, 3773 Howard Hughes Parkway, 3rd Floor, appeared on behalf of the applicant and concurred with staff conditions.

TOM McGOWAN, Las Vegas resident, supported the application.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(6:16 - 6:18)
7-535

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04 for the Restaurant Service Bar use.

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

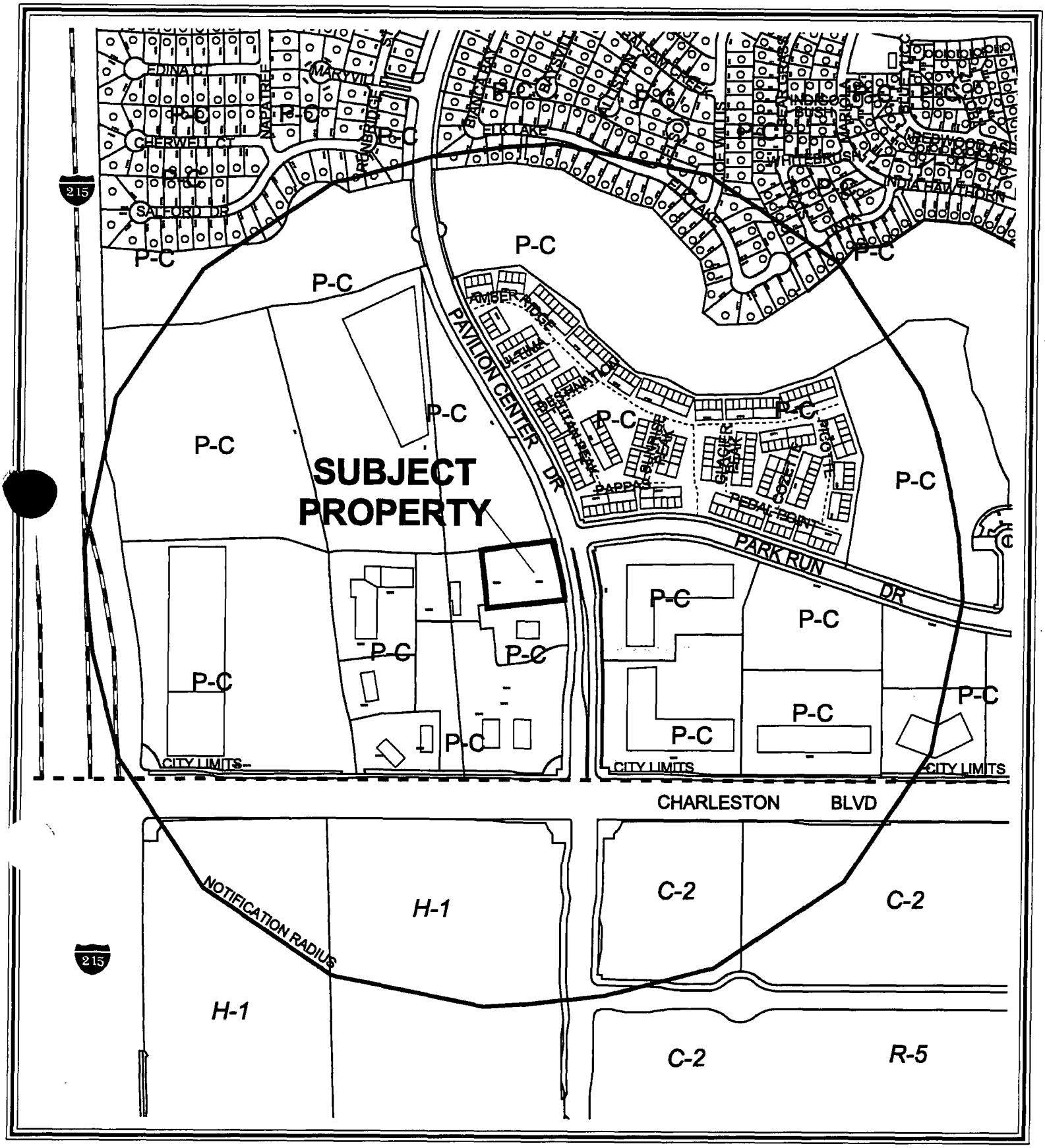
CONDITIONS - Continued:

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

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

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

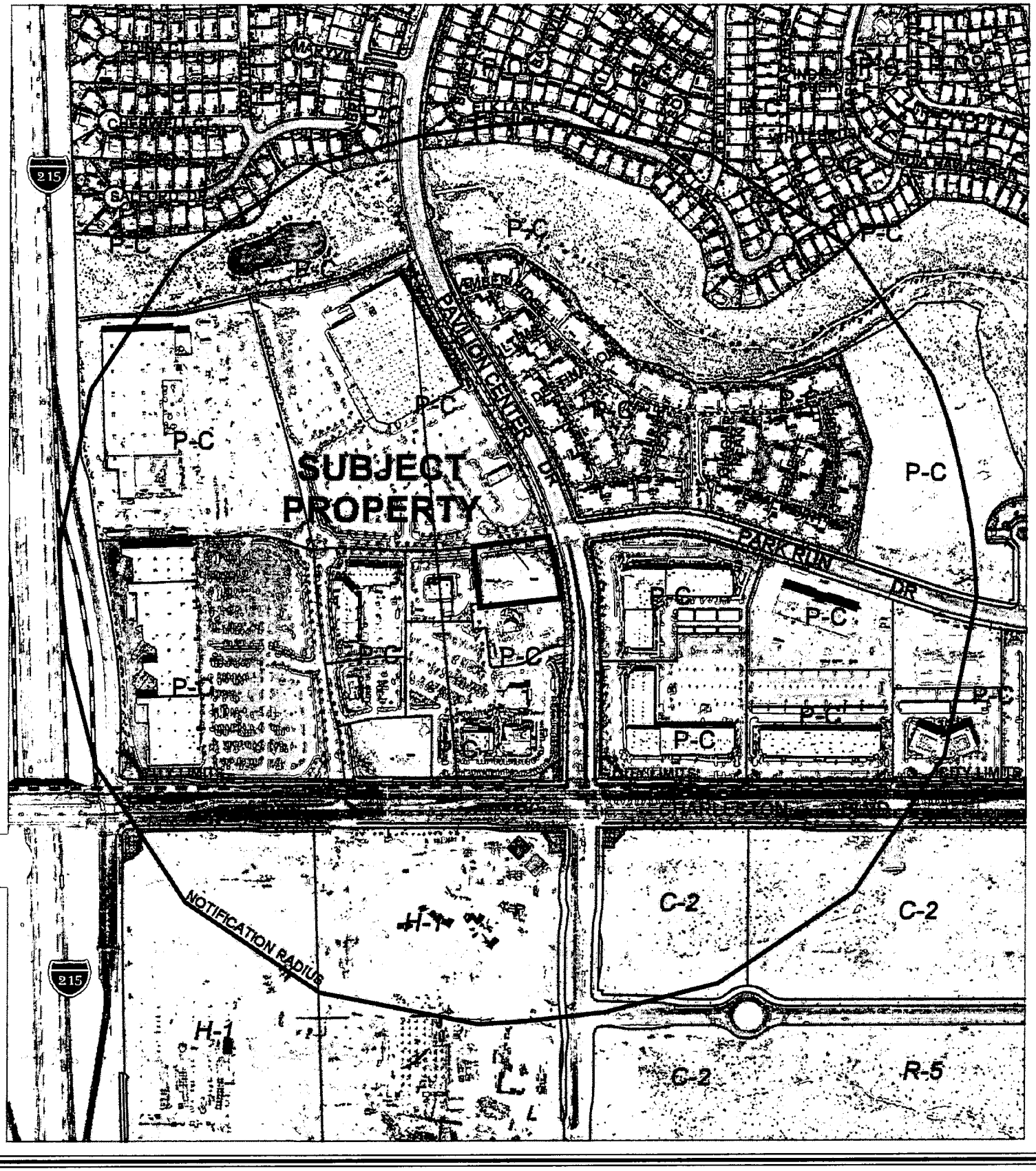
6. The trash enclosure shall be roofed in accordance with Title 19.08.045 requirements.



CASE: **SUP-5998**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)



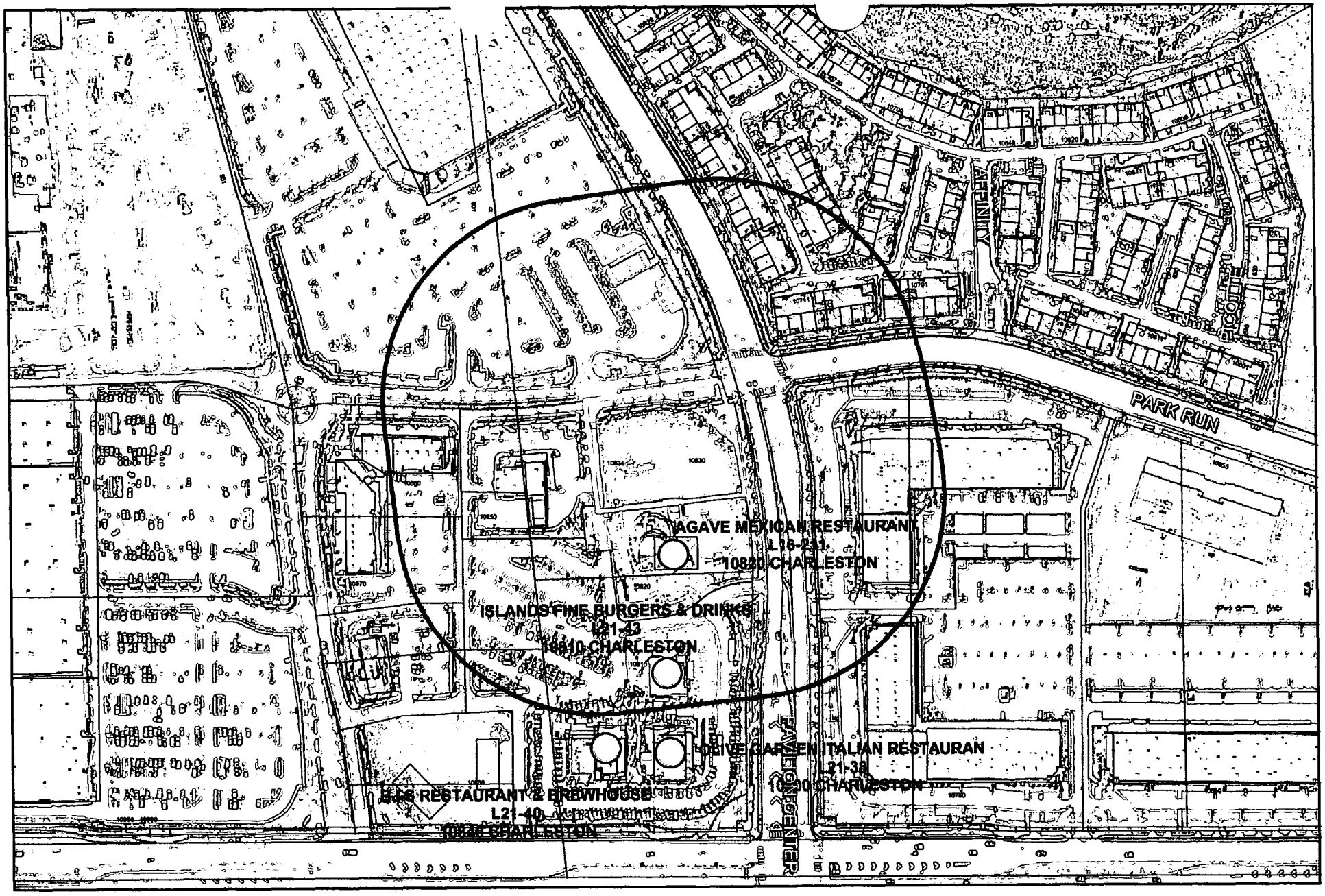
0 500 1000 Feet

CASE: **SUP-5998**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

N



SUP-5998

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

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

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5998 - APPLICANT: PEI WEI - OWNER: MARK L. FINE & ASSOCIATES

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04 for the Restaurant Service Bar use.

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

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

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

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

6. The trash enclosure shall be roofed in accordance with Title 19.08.045 requirements.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a Restaurant Service Bar at 10830 West Charleston Boulevard, Suite 110.

B) Applicant's Justification

The applicant states that the proposed use is harmonious and compatible with uses located on surrounding parcels.

BACKGROUND INFORMATION

A) Related Actions

02/16/94 The City Council approved a request for a Zoning Reclassification (Z-0135-93) from N-U (Non-Urban) to P-C (Planned Community) on the subject site. The Planning Commission recommended approval on 01/13/94.

09/09/99 The Planning Commission approved the Arbors at Summerlin Village 11/12, Unit No. 2C, Lot 7 Tentative Map (A Commercial Subdivision) (TM-0040-99).

02/20/02 The Summerlin City Referral Group administratively approved a request for a Site Development Plan Review (SV-0001-02) for a proposed commercial center on the northwest corner of Charleston Boulevard and Pavilion Center Drive, at Canyon Pointe at Summerlin Centre - Parcel 4, on 14.72 acres located on the northwest corner of Charleston Blvd and Pavilion Center Drive, on a portion of the overall commercial site.

03/10/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #37).

B) Pre-Application Meeting

01/21/05 The elements of a Special Use Permit application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.50

B) Existing Land Use

Subject Property:	Multi-Tenant Building
North:	Retail Building
South:	Restaurant Service Bar
East:	Office Building
West:	Bank

C) Planned Land Use

Subject Property:	EC (Employment Center - Summerlin) [H (High Density) General Plan Designation]
North:	EC (Employment Center – Summerlin [M (Medium Density) General Plan Designation]
South:	EC (Employment Center – Summerlin [SC (Service Commercial) and H (High Density) General Plan Designation]
East:	VC (Village Commercial – Summerlin [SC (Service Commercial) and H (High Density) General Plan Designation]
West:	EC (Employment Center – Summerlin [H (High Density) General Plan Designation]

D) Existing Zoning

Subject Property:	P-C (Planned Community)
North:	P-C (Planned Community)
South:	P-C (Planned Community)
East:	P-C (Planned Community)
West:	P-C (Planned Community)

E) General Plan Compliance

The subject property is designated VC (Village Commercial) on the Summerlin Special Land Use Plan for the Arbors, Village 11/12, within the Summerlin Master Planned Community. The proposed Restaurant Service Bar is a permitted use within the VC (Village Commercial) land use designation with approval of a Special Use Permit.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Canyon Pointe Parcel 4 parking analysis as submitted and approved on 10/06/04 accounts for all development within Parcel 4, which includes the subject Pei Wei restaurant. Since Parcel 4 is a commercial subdivision, the parking is shared between all developments within the overall site.

A2) Minimum Distance Separation Requirements

While Title 19 requires a Restaurant Service Bar to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, and City Park, as measured from property line to property line, the Summerlin Development Standards do not require any distance separations from uses. In this case, however, there are no protected uses within the minimum distance separation as indicated in Title 19.

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

Standards	Code Requirement	Provided
Trash Enclosure	Walled, gated, roofed	Not indicated

Although a walled and gated trash collection area is shown on the floor plan at the back of the building, it is unclear whether it is proposed that this area will be roofed. A condition of approval has been added, which addresses this issue.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned P-C (Planned Community) and has a Summerlin Land Use designation of VC (Village Commercial). The proposed Restaurant Service Bar will be within the range of uses permitted, with approval of a Special Use Permit, in the VC (Village Commercial) land use designation with P-C (Planned Community) zoning.

- Use

Title 19.20.020 defines a Restaurant Service Bar as a bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption.

- Conditions

  Title 19.20.020 defines a Restaurant Service Bar as a bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption.

- Conditions

  Listed are the applicable conditions as listed in Title 19.04.050 for a Restaurant Service Bar:

  Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

  (1) No restaurant service bar business use shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

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

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

  (3) In the case of a restaurant service bar proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Subsection (1) shall be measured in a straight line:

    (a) From the nearest property line of the existing use to the nearest portion of the structure in which the restaurant service bar will be located, without regard to intervening obstacles; or
    (b) In the case of a proposed restaurant service bar which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the restaurant service bar will be located, without regard to intervening obstacles.

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

(5) The minimum distance requirement in Subsection (1) does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992.

(6) In the O District, a restaurant service bar is permitted only as an accessory use.

(7) All businesses that sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

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 subject site is currently zoned P-C (Planned Community) and has a Summerlin Land Use designation of VC (Village Commercial). The proposed Restaurant Service Bar will be within the range of uses permitted, with approval of a Special Use Permit, in the VC (Village Commercial) land use designation with P-C (Planned Community) zoning.

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

   The proposed use will be located within a multi-tenant building, which is physically suitable for the type and intensity of land use proposed.

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

   The proposed Restaurant Service Bar use will be accessed solely through the Canyon Pointe Centre commercial site with access from Charleston Boulevard (100-foot Primary Arterial) and Pavilion Center Drive (Summerlin 100-foot Arterial). These roads have adequate capacity to serve the proposed development. The project will not have any negative traffic impact on residential neighborhoods in the area.

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 Restaurant Service Bar use will be subject to regular City inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 311 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5998 APN: 137-36-414-002

Name of Property Owner: FDG-CP2, LLC

Name of Applicant: Pei Wei Asian Diner

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?

x 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 Oscar Goodman

Partner(s): _____ _____

APN: 162-04-112-010

Signature of Property Owner: Mark Fine

Print Name: Mark Fine

Subscribed and sworn before me

This 26th day of January, 2005

Shelly A Ryan

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
SHELLY A. RYAN
My Appointment Expires
August 5, 2007
No: 99-36522-1

SITE PLAN

N.T.S.

SUP-5998
03-10-05 PC

#0045

CANYON POINTE
CENTER DRIVE @
SUMMERLIN CENTRE
LAS VEGAS, NEVADA

SITE PLAN

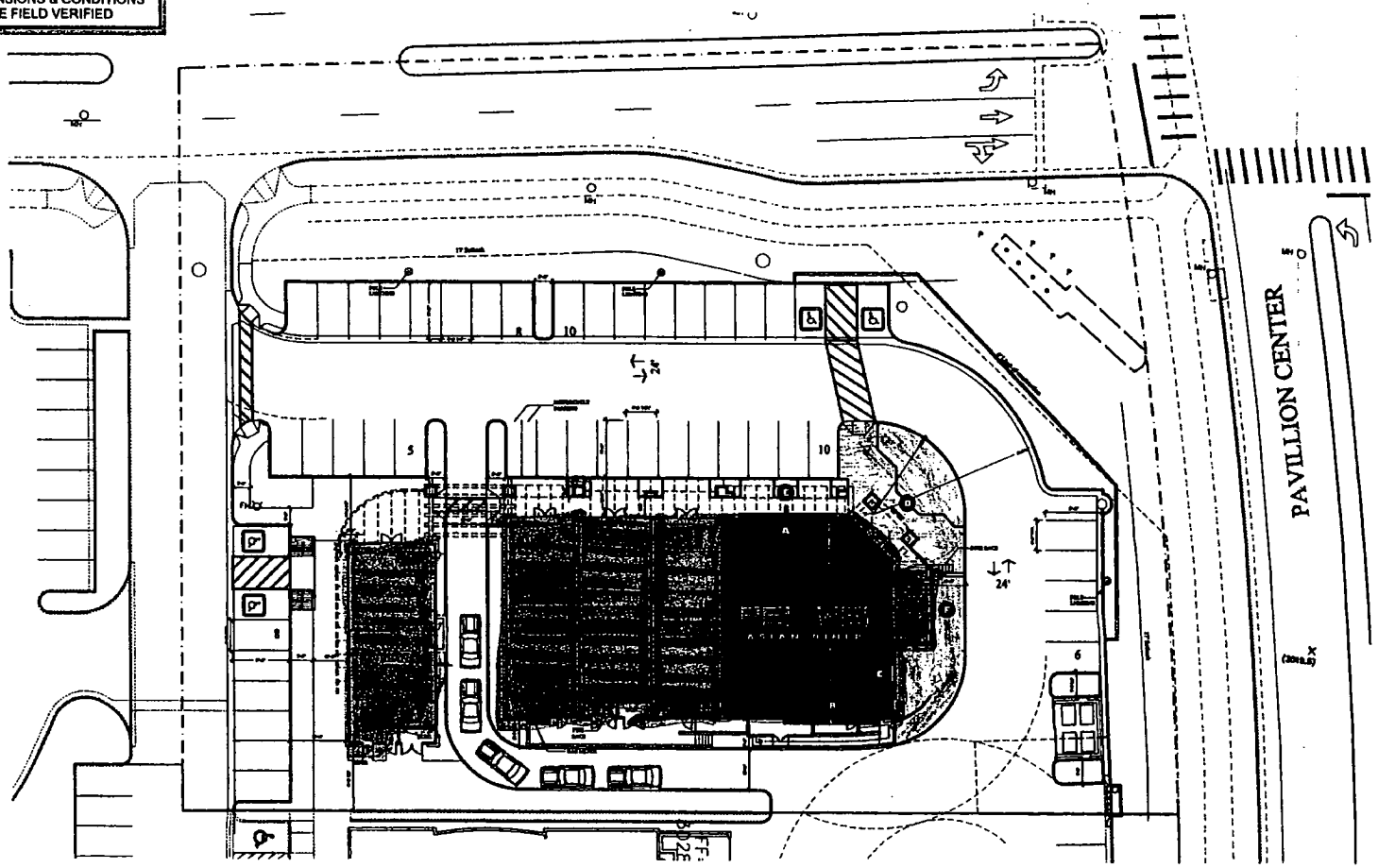
AAD: fitch

DESIGN DEVELOPMENT 08/04/04

D1

PRELIMINARY EXHIBIT
ALL DIMENSIONS & CONDITIONS
TO BE FIELD VERIFIED

Exhibit F-1



N
SITE PLAN
SCALE: NTS

PEI WEI
ASIAN DINER

Design #
C44806R5
Sheet 1 of 8

Client
PEI WEI

Address
CANYON POINT
LAS VEGAS, NV

Account Rep. J. MUELLER
Designer C. RUST
Date 06/30/04

Approval / Date
Client
Sales
Estimating
Art
Engineering
Landlord

Revision / Date
R1:MO/7/9/04:REV TO CURRENT SPECS
UPDATE FTTA SIGN, BLADE SUPPORT BY CS
R2:MO/7/9/04:CHG RTNS FRM COOL A - 10
R3:MO/7/13/04:REV FTTA TO NEW SPECS
R4:MO/7/14/04:ADD UPDATE ELEVS & RTT PLN
R5:CLR/7/20/04:MV TAE SIGN TO WHERE DOOR WILL BE

Chandler Signs
www.chandlersigns.com

FINAL ELECTRICAL CONNECTION BY CUSTOMER

SUP-5998
03-10-05 PC

SUP-5998
03-10-05 PC

#0045

CANYON POINTE
CENTER DRIVE @
SUMMERLIN CENTRE
LAS VEGAS, NEVADA

PEI WEI

LOD PLAN

AAD: fitch

DESIGN DEVELOPMENT 08/04/04

D9

#0045
CANYON POINTE
CENTER DRIVE @
SUMMERLIN CENTRE
LAS VEGAS, NEVADA
FIXTURE / SEATING PLAN
AAD: fitch
DESIGN DEVELOPMENT 08/04/04
D2
SUP-5998
03-10-05 PC
FIXTURE / SEATING PLAN
PATIO
TAKE AWAY
SALES AREA
ORDER COUNTER
COOKLINE
PREP AREA
BEVERAGE COUNTER
DINING AREA
MEN'S RESTROOM
WOMEN'S RESTROOM
MANAGER
CASHIER AREA
PATIO FURNITURE BY TENANT
EXISTING CANOPY ABOVE BY LANDLORD
EXISTING STOREFRONT SYSTEM BY LANDLORD
LINE OF PERIMETER SLAB
1
2
3
4
5
A
AA
B
BB



SUP-5998 - APPLICANT:PEI WEI - OWNER: MARK L. FINE & ASSOCIATES
10830 WEST CHARLESTON BOULEVARD, SUITE 110
MARCH 10, 2005 PLANNING COMMISSION

02/22/05

HERBERT M. JONES
MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
ALBERT F. PAGNI
JOHN P. SANDE, III
WILLIAM J. RAGGIO
BOB MILLER
GARY R. GOODHEART
MICHAEL E. BUCKLEY
RICHARD F. JOST
JANET L. CHUBB
DOUGLAS M. COHEN
KIRK B. LENHARD
KEVIN R. STOLWORTHY
JAMES L. WADHAMS
JODI R. GOODHEART
PAUL A. LEMCKE
PHILIP M. BALLIF

MICHAEL P. LINDELL
MICHAEL G. ALONSO
BRIAN P. CLARK
ANN MORGAN
R. DOUGLAS KURDZIEL
KRIS T. BALLARD
CRAIG H. NORVILLE
WILLIAM C. DAVIS, JR.
KARL L. NIELSON
DAWN R. HINMAN
PATRICK A. ROSE
PATRICK J. SHEEHAN
ROBERT C. ANDERSON
TONY F. SANCHEZ III
CLARK V. VELLIS
JOHN P. DESMOND
SCOTT M. SCHOENWALD
CONSTANCE L. AKRIDGE

KEVIN E. BECK
JENNIFER BEATTY BRINTON
DAVID A. CARROLL
KRISANNE S. CUNNINGHAM
TRACY A. DIFILLIPPO
ELIZABETH M. FIELDER
EDWARD M. GARCIA
JANA L. GILL
RYAN W. HERRICK
BRIAN R. IRVINE
MATTHEW T. MILONE

CHRISTOPHER C. MONEY
TAMARA BEATTY PETERSON
MOLLY MALONE REZAC
BRETT J. SCOLARI
STEVEN G. SHEVORSKI
ARIEL E. STERN
TIFFANY J. SWANIS
BRADLEY R. TATOM
AMY N. TIRRE
GORDON H. WARREN

JONES VARGAS

ATTORNEYS AT LAW
3773 HOWARD HUGHES PARKWAY
THIRD FLOOR SOUTH
LAS VEGAS, NEVADA 89109
TEL (702) 862-3300 FAX(702) 734-2722
WWW.JONESVARGAS.COM

CLIFFORD A. JONES (1912 - 2001)
GEORGE L. VARGAS (1909 - 1985)
JOHN C. BARTLETT (1910 - 1982)
LOUIS MEAD DIXON (1919 - 1993)
GARY T. FOREMASTER (1953 - 1998)

OF COUNSEL
DOUGLAS G. CROSBY

BRIAN J. MATTER
EXECUTIVE DIRECTOR

PETE ERNAUT*
MANAGING DIRECTOR
GOVERNMENT AFFAIRS
AND PUBLIC POLICY

January 21, 2005

Development Services Center
Planning and Development
731 South Fourth Street
Las Vegas, NV 89101

Hand Delivered

Re: ***Justification Letter as requested by Special Use Permit Application for Pei Wei Asian Diner, Inc. (Parcel No. 137-36-414-002).***

Dear Ms. Wheeler:

Enclosed is a Special Use Permit application form for a restaurant with a service bar and all requested documents attached thereto.

Pei Wei Asian Diner, Inc. ("Pei Wei") is a casual dining establishment that plans to operate in the shopping plaza located at the intersection of Charleston and Pavilion Center in Las Vegas, Nevada. The applicant seeks to operate a restaurant with an attached service bar. The proposed use complies with all applicable provisions of Title 19 of the Las Vegas Code.

The proposed use is compatible with adjacent uses and will be conducted in a manner that is harmonious and compatible with uses located on the same and surrounding properties. The proposed restaurant will be open during normal restaurant business hours and plans to operate in a shopping plaza that will have other similar dining establishments.

The proposed operation should also have a minimal effect on public safety, transportation, and utility services as the greater shopping area has already accounted for any impact upon these services.

SUP-5998

For these reasons, we ask that the Planning and Development Department grant this Special Use Permit. Thank you for your consideration.

Very truly yours,

JONES VARGAS

Edward M. Garcia

EMG/ls
Enclosures as stated

SUP-5998

HERBERT M. JONES
MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
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LOUIS MEAD DIXON (1919 - 1993)
GARY T. FOREMASTER (1953 - 1998)

BRIAN J. MATTER
EXECUTIVE DIRECTOR

January 26, 2005

FDG-CP2, LLC
Attn: Mark L. Fine
3960 Howard Hughes Parkway
Suite 750-A
Las Vegas, NV 89109

Hand Delivered

Dear Mr. Fine:

I am currently working with Pei Wei Asian Diner, Inc. to secure a special use permit from the City of Las Vegas for a restaurant with a service bar for the Pei Wei Asian Diner located at Charleston and Pavilion Center in Las Vegas (APN # 137-36-414-002). The City requires that we obtain explicit consent from the land owner to the lessee prior to approval of the application. We now ask for that consent.

I have taken the liberty of drafting a document, attached hereto, that gives Pei Wei consent to obtain this special use permit. Please call me at 702-862-3391 if you have any questions regarding this request or the attached document. Thank you.

Very Truly Yours,

JONES VARGAS

Curt R. Ledford

CRL/dla
Enclosures as stated.

RENO OFFICE
100 WEST LIBERTY STREET, TWELFTH FLOOR, RENO, NEVADA 89504 TEL (775) 786-5000 FAX (775) 786-1177

SUP-5998

FDG-CP2, LLC
Attn: Mark L. Fine
3960 Howard Hughes Parkway
Suite 750-A
Las Vegas, Nevada 89109

RE: Authority to request Use Permit for parcel no. 137-36-414-002

To whom it may concern:

I, the undersigned manager of FDG-CP2, LLC, ("FDG-CP2") a Nevada limited liability company, do hereby authorize Pei Wei Asian Diner, Inc. ("Pei Wei"), a Nevada corporation, to secure an use permit from the City of Las Vegas for certain real property owned by FDG-CP2 more specifically described as Assessor Parcel Number 137-36-414-002. As manager of FDG-CP2, I am authorized to sign on behalf of the company.

Mark L. Fine,

Manager, FDG-CP2, LLC, a Nevada limited liability company.

State of Nevada
County of Clark

This instrument was acknowledged before me on 26th (date) by January (name(s) of person(s)) as Mark Fine (type of authority, e.g., officer, trustee, etc.) of Manager (name of party on behalf of whom instrument was executed).

Shelly A Ryan
(Signature of notarial officer)

(Seal, if any)

(Title and rank (optional))

Notary Public - State of Nevada
County of Clark
SHELLY A. RYAN
My Appointment Expires
August 5, 2007
No: 99-36522-1

SUP-5998

City of Las Vegas

Agenda Item No. 135

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SPECIAL USE PERMIT

SUP-6004 - PUBLIC HEARING - APPLICANT: MULUGETA BOUR - OWNER: NEVADA BROOKS COOK - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) TO ALLOW FULL LIQUOR SALES at 1616 South Las Vegas Boulevard (APN 162-03-210-058), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL

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

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

TARKANIAN - DENIED - Motion carried with GOODMAN, MACK voting NO and WOLFSON not voting

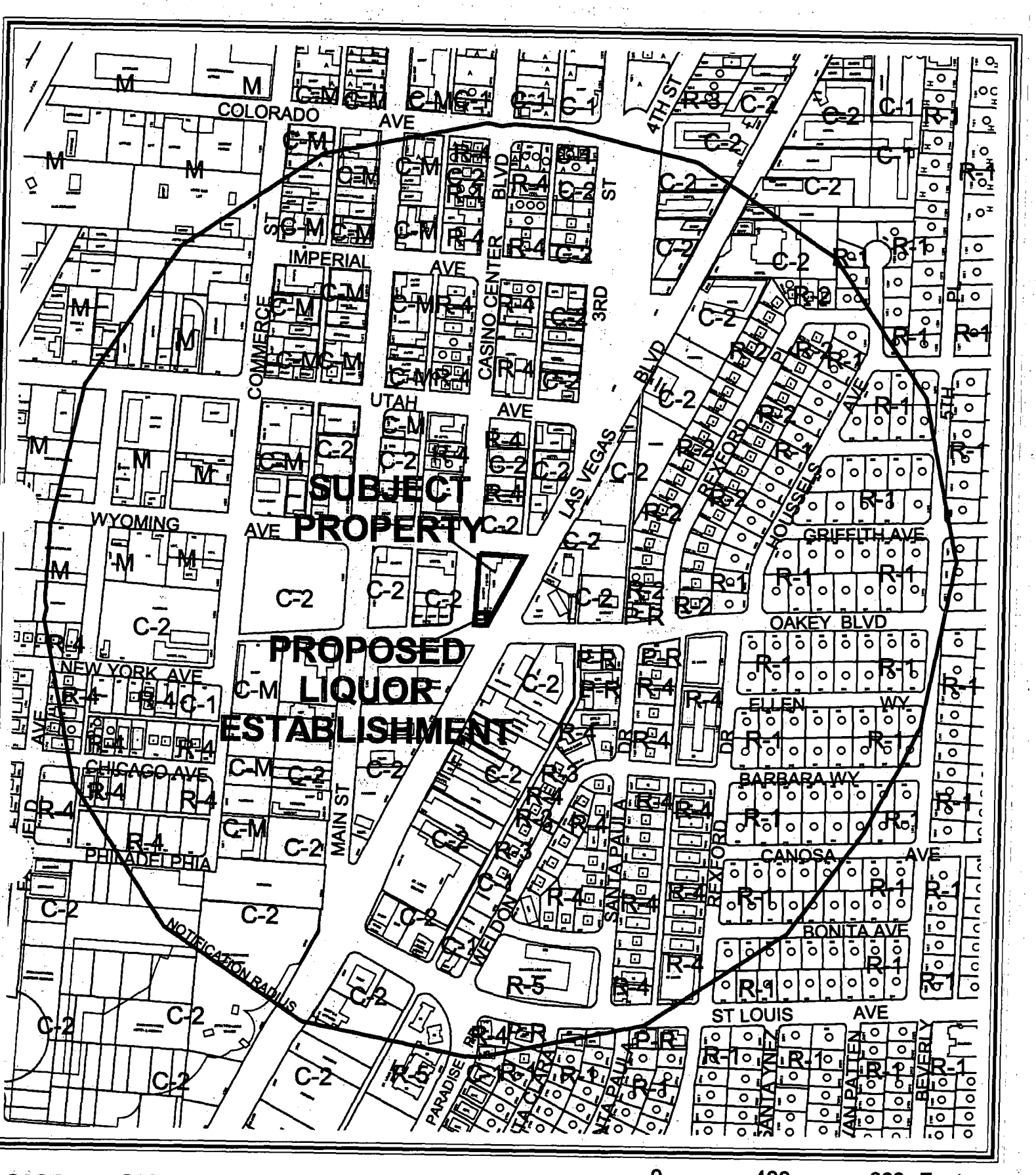
MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MULUGETA BOUR, 1616 South Las Vegas Boulevard, asked for approval.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(6:18 - 6:19)
7-601



CASE: **SUP-6004**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



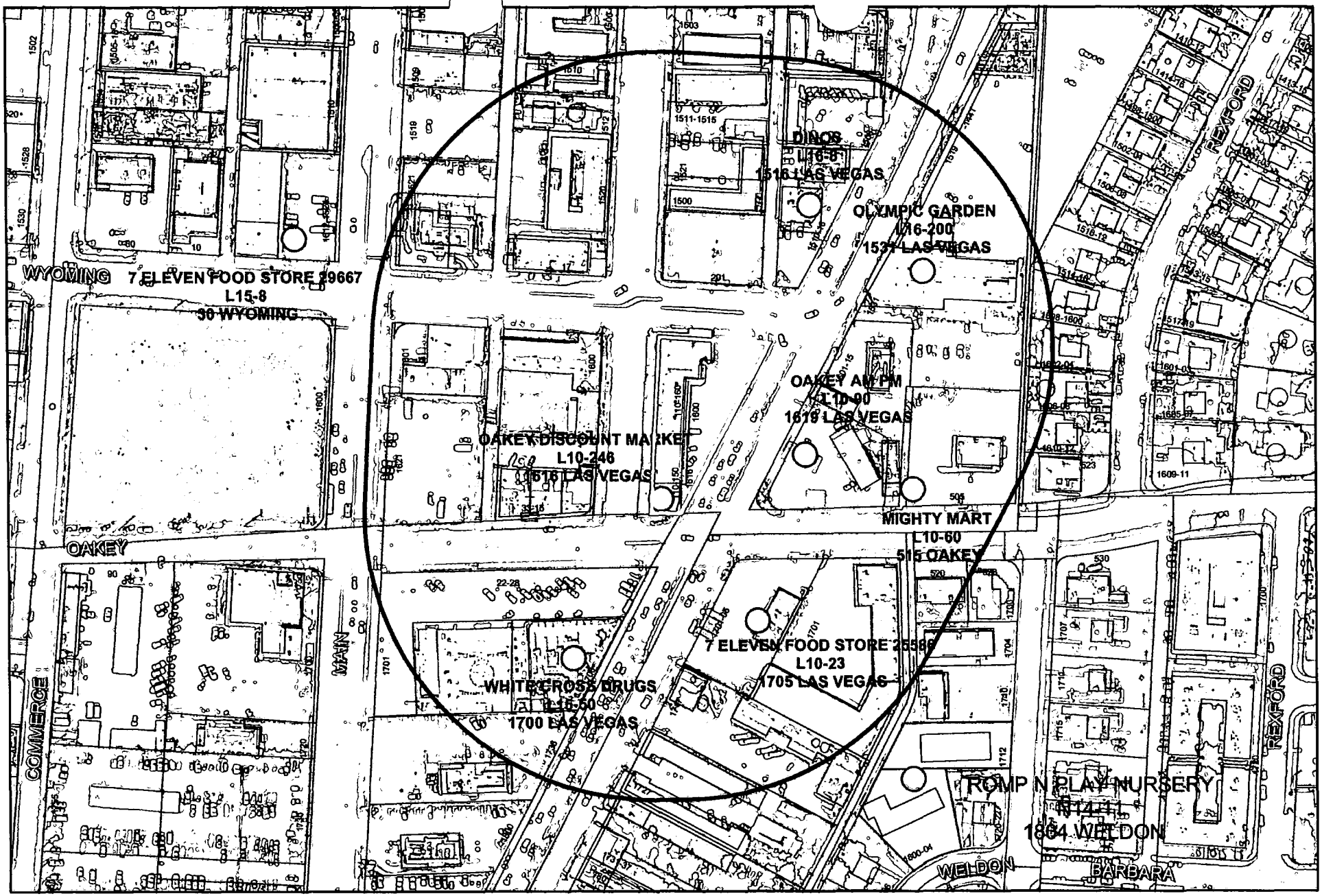
0 400 800 Feet

CASE: **SUP-6004**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



SUP-6004
Package Liquor Sales

Business Licenses

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

- RELIGIOUS
- PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6004 - APPLICANT: MULUGETA BOUR - OWNER: NEVADA BROOKS COOK

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL, subject to:

Planning and Development

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

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

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

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

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

6. This application shall be subject to a one-year review at a Public Hearing by the Planning Commission.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Liquor Establishment (Off-Premise Consumption) within an existing convenience store at 1616 South Las Vegas Boulevard.

B) Applicant's Justification

The applicant states that the existing business has been properly maintained and is a benefit to the neighborhood, and that the sale of liquor is necessary for the store to remain in business.

BACKGROUND INFORMATION

A) Related Actions

10/13/97 The City Council approved a request for a Special Use Permit (U-0075-97) for the Off-Premise Sale of Beer and Wine in conjunction with a proposed convenience store. The Planning Commission recommended approval of the request on 09/11/97.

03/31/03 The Business Services Division of the City of Las Vegas issued licenses to the applicant for a Convenience Store, Tobacco Dealer – Retail, and for Beer/Wine Cooler – Off Sale. The previous licenses issued for the premises had expired.

11/12/03 The Business Services Division of the City of Las Vegas issued a Gaming – Restricted license and a license for Convention Hall Gaming Tax to the applicant.

03/10/05 The Planning Commission voted 4-1-2 to recommend APPROVAL (PC Agenda Item #38).

B) Pre-Application Meeting

01/05/05 At the pre-application conference, issues were discussed relative to the separation distance requirements.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.56

B) Existing Land Use

Subject Property:	Commercial Shopping Center
North:	Undeveloped
	Tavern
South:	Drugstore
East:	Convenience Store
	Service Station
	Restaurant
West:	Motel
	Restaurant

C) Planned Land Use

Subject Property:	C (Commercial)
North:	C (Commercial)
South:	C (Commercial)
East:	C (Commercial)
West:	C (Commercial)

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 C (Commercial) designation permits office uses, limited commercial uses, and general commercial uses. The convenience store use is consistent with the General Plan designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		
Signage 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

Redevelopment Plan Area
As noted above, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The 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 Northern Strip District, which encourages major hotel-casino projects along Las Vegas Boulevard and Sahara Avenue. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional streetscape and architectural requirements are applicable.

Las Vegas Boulevard Scenic Byway Overlay District
The subject property is located within the Scenic Byway Overlay, which is intended to preserve the character of Las Vegas Boulevard as a nighttime urban scenic byway. The Overlay District 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

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of parking requirements. The following table details the parking figures for the development:

Uses	GFA	**Provided** Parking	
		Regular	Handicap
General Retail	13,822	35	Not indicated

A total of 35 parking spaces are existing on the site; the information submitted by the applicant does not indicate the number of handicap spaces that are provided. As the proposed Special Use Permit request will not increase the square footage of the existing building or result in a more stringent parking requirement, no additional parking spaces are required as a result of the request.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Off-Premise)	400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park	Yes

The proposed use will be located within an existing convenience store, and is more than 400 feet from any protected use. It should be noted that there are four other Liquor Establishments and two Taverns within the required separation distance. A child care facility is located approximately 450 to the southeast of the subject property at the intersection of Weldon Place and Santa Paula Drive.

B) General Analysis and Discussion

- Zoning

  The subject property is currently zoned C-2 (General Commercial). A Liquor Establishment (Off-sale) use is permitted in the C-2 (General Commercial) district upon the approval of a Special Use Permit.

- Use

  Title 19.04.050 establishes the criteria for the approval of alcohol-related uses within the city. The Code requires this Liquor Establishment (Off-sale) use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case, there are no protected uses within the required minimum 400-foot distance separation radius. The proposed sale of liquor will be an accessory use to an existing convenience store (Oakey Discount Market). The convenience store was originally issued a business license on 03/31/03.

- Conditions

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

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

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

a. Any leasehold parcel; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The application appears to meet all the applicable conditions of Title 19.04.050. However, it should be noted that four other Liquor Establishments and two Taverns are located within the separation radius.

FINDINGS

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

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

   The proposed Liquor Establishment (Off-sale) use will be an accessory use to an existing convenience store. It is located in a commercial area, where other Liquor Establishments are in the immediate proximity.

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

   The subject site is physically suitable for the type and intensity of land use proposed. The addition of liquor sales does not affect the parking requirement for the convenience store.

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

   The subject location is accessible from Las Vegas Boulevard, a 100-foot Primary Arterial, and from Wyoming Avenue, an 80-foot Secondary Collector. The street facilities are adequate to accommodate 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."**

   Public health, safety and welfare may be compromised by the saturation of Liquor Establishments within the vicinity of the subject site.

PLANNING COMMISSION ACTION

There was one speaker in protest at the Planning Commission hearing. The Planning Commission added Condition #6 requiring a one year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 376 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-6004 APN: 162-03-210-058

Name of Property Owner: Nevada Cook & Robyne Brooks

Name of Applicant: _____

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

_____ Yes ✓ 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: Robyne Brooks

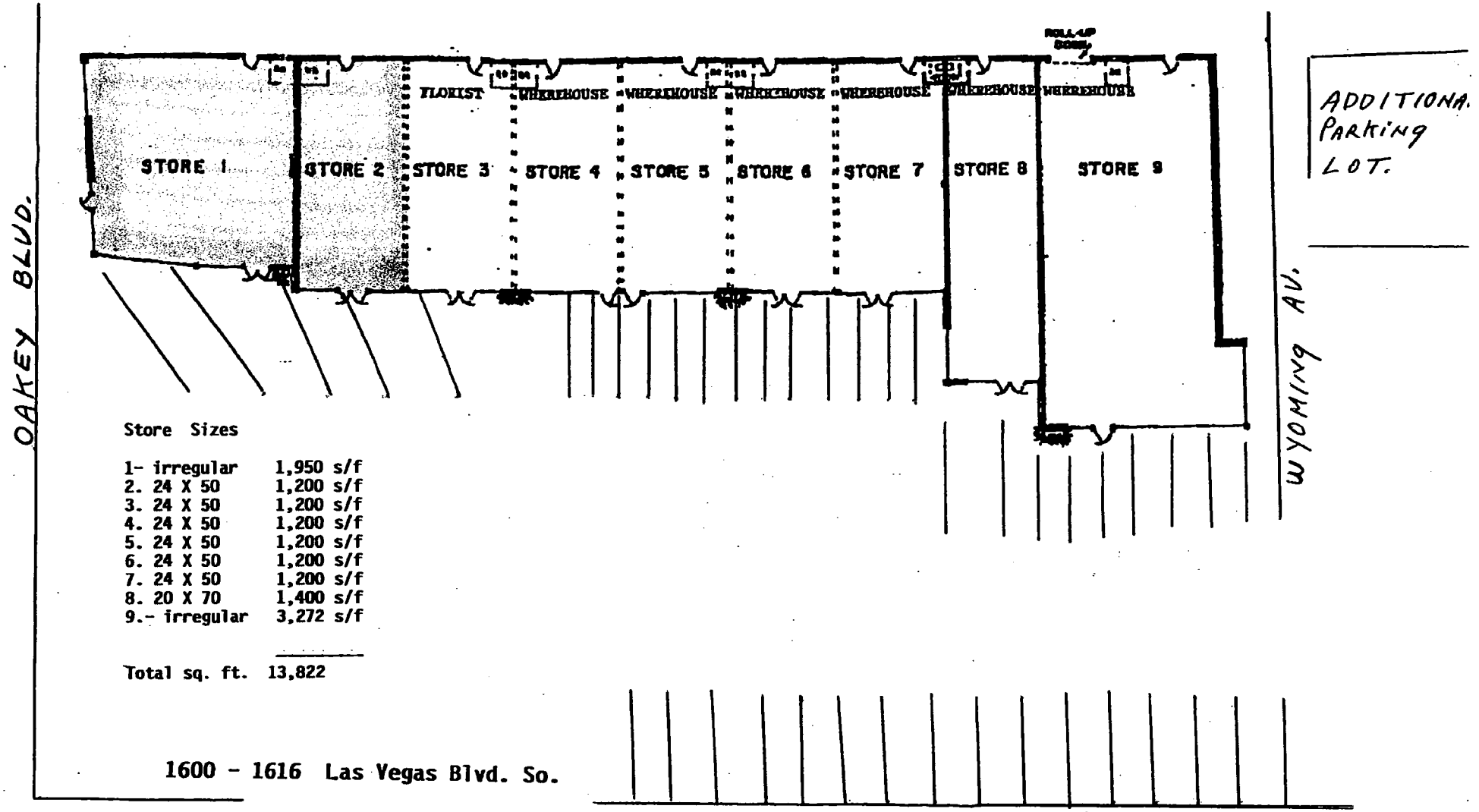
Print Name: Robyne Brooks

Subscribed and sworn before me

This 05 day of January, 2005

Notary Public in and for said County and State

FRANCHEZCA SOTELO
Notary Public, State of Nevada
Appointment No. 04-91322-1
My Appt. Expires Sep 9, 2008



Store Sizes

1- irregular	1,950 s/f
2. 24 X 50	1,200 s/f
3. 24 X 50	1,200 s/f
4. 24 X 50	1,200 s/f
5. 24 X 50	1,200 s/f
6. 24 X 50	1,200 s/f
7. 24 X 50	1,200 s/f
8. 20 X 70	1,400 s/f
9.- irregular	3,272 s/f
Total sq. ft.	13,822

1600 - 1616 Las Vegas Blvd. So.

RECEIVED

JAN 24 2005

SUP-6004
03-10-05 PC



SUP-6004 - APPLICANT: MULUGETA BOUR - OWNER: NEVADA BROOKS COOK
1616 SOUTH LAS VEGAS BOULEVARD
MARCH 10, 2005 PLANNING COMMISSION

02/22/05

Friday, January 21, 2005

As owner of the Oakey Discount Market at 1616 Las Vegas Blvd., S. @ the north-west corner of W. Oakey Blvd., I am respectfully requesting the granting of a liquor license for my business. It is essential.

Since opening, our Oakey Discount Market has been deemed as a satisfactory welcome (desirables) to what's been considered for years as a somewhat unsavory neighborhood in our community.

Not only has our business been, so far, a somewhat success, but as owner, have worked & continue to work many long hours, daily, to establish a personal relationship with our customers, most of which, are hard-working as I am "repeat customers" from right here in the neighborhood of my store.

Unfortunately however, many of my customers, as well as out-of-towners, often strolling down Las Vegas Blvd., are asking for liquor, which I have not yet, obviously, been authorized to sell to them.

Me and my customers know "for certain," that the Oakey Discount Market is a prime applicant & location for sale of liquor. The Metropolitan Police & City Inspectors can not deny that our market, its surrounding area in which the market is responsible for properly maintaining, as well as, our average customer, have been an ideal example of and for what's been expected & desired by & for businesses that have been sought after for many neighborhoods throughout Las Vegas.

Our business is & has been descent & respectable & needs not only to survive, but to thrive or will be in danger of slowly dying. The aforementioned is "more" that a real concern, for me & worry for my wife, now pregnant with my soon-to-be twin little girls.

It is vital to our community, as well as to ensure that a business remains a success for many years to come, be rewarded for its investment, commitment & doing all the right things in a neighborhood where others may not be quite so eager to invest & be a part of.

Sincerely,

Mulugeta Bour
1616 Las Vegas Blvd., S.
Las Vegas, NV 89104

SUP-6004

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

Telephone Protest/ Approval Log

Meeting Date: 03/10/05 **Case Number:** SUP 60004

Date: 02/28/05
Name: Barbara Jean Mitchell
Address: 1416 Houssels Ave
L.V. NV 89104
Phone: (702) 386-4933
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
ame:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
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Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

City of Las Vegas

Agenda Item No. 136

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

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

SUBJECT:
SPECIAL USE PERMIT

SUP-6020 - PUBLIC HEARING - APPLICANT: VIOLET SAHAKYAN - OWNER: ROBERT BOLTEN AND RHONDA BOLTEN - Request for a Special Use Permit FOR A PROPOSED CHILD CARE CENTER adjacent to the southeast corner of Jones Boulevard and Washburn Road (APN 125-36-301-001), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

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

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

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

MOTION:
MACK - APPROVED subject to conditions - UNANIMOUS with WOLFSON not voting

MINUTES:
MAYOR GOODMAN declared the Public Hearing open on Item 136 [SUP-6020] and Item 137 [SDR-6018].

URB LIVENGOOD, Poggemeyer Design Group, 2601 North Tenaya Way, appeared on behalf of the applicant and agreed with staff recommendations.

COUNCILMAN MACK stated this is a great facility and will fit nicely in the community.

Regarding Item 137 [SDR-6018], MARGO WHEELER, Director, Planning and Development Department, suggested an added condition that there be no ingress or egress from Washburn Avenue. MR. LIVENGOOD responded they were anticipating evaluating that into their traffic study impact analysis. Not allowing access from Washburn Avenue could cause traffic to back up on Jones Boulevard. BART ANDERSON, Public Works Department, explained that the desire to restrict access to Washburn Avenue would not be for technical reasons; therefore, the City Council would need to decide and not leave it to the traffic study. There will not be any backing up onto Jones Boulevard. There may be backing up on their property trying to get out to Jones Boulevard.

JACK WOODCOCK, owner of a similar facility on Terra and Cimarron, asked the City Council to consider allowing access to Washburn Avenue. The vast majority of the parents that will be dropping children off at a nearby school will need to get into Washburn Avenue otherwise they would have to go

MINUTES - Continued:

down, go around the neighborhood and make a u-turn. Access to Washburn Avenue is imperative.

COUNCILMAN MACK opted not to allow the ingress and egress on Washburn Avenue.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 136 [SUP-6020] and Item 137 [SDR-6018].
(6:19 - 6:25)
7-641

CONDITIONS:

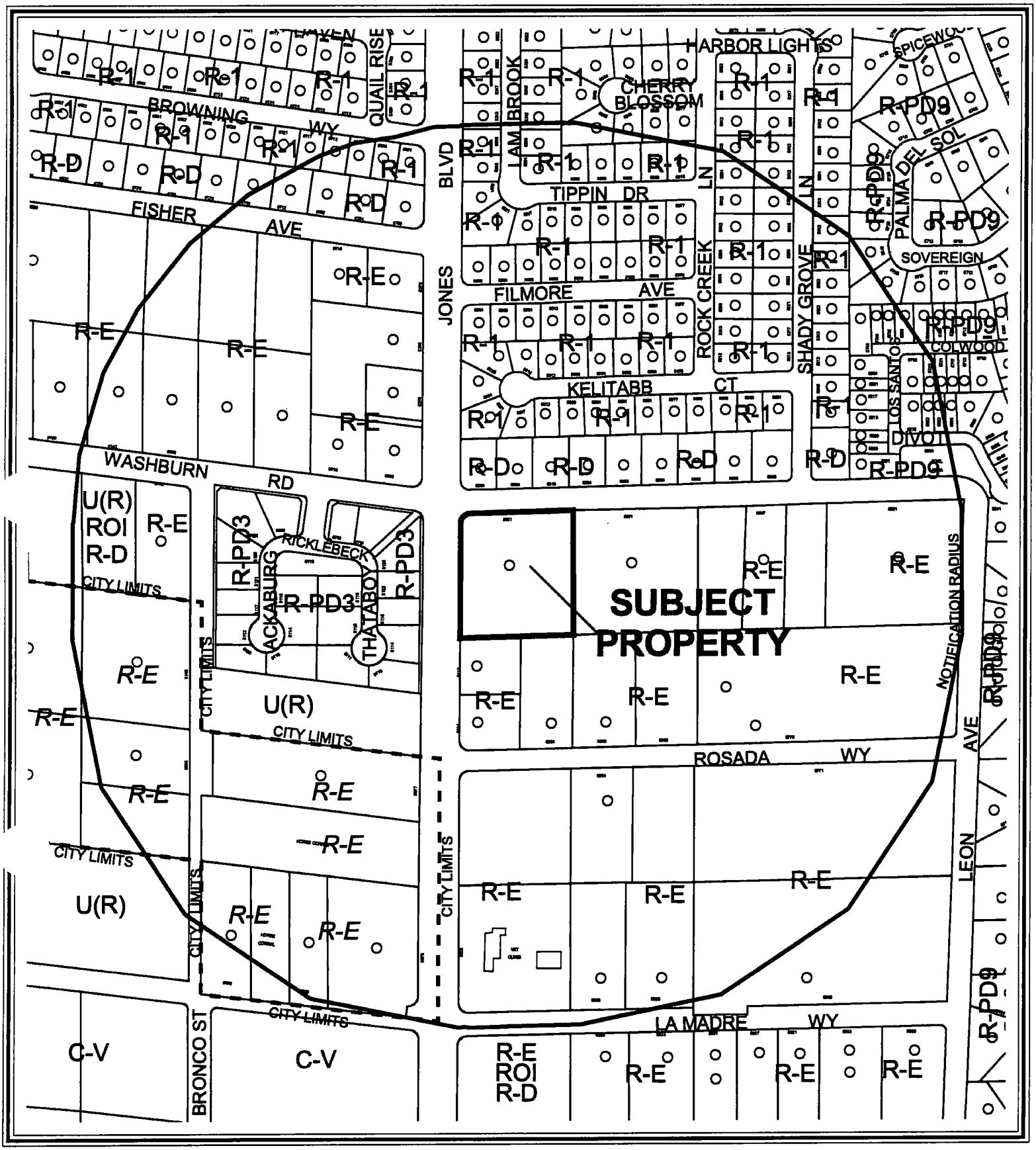
Planning and Development

1. 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.

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

Public Works

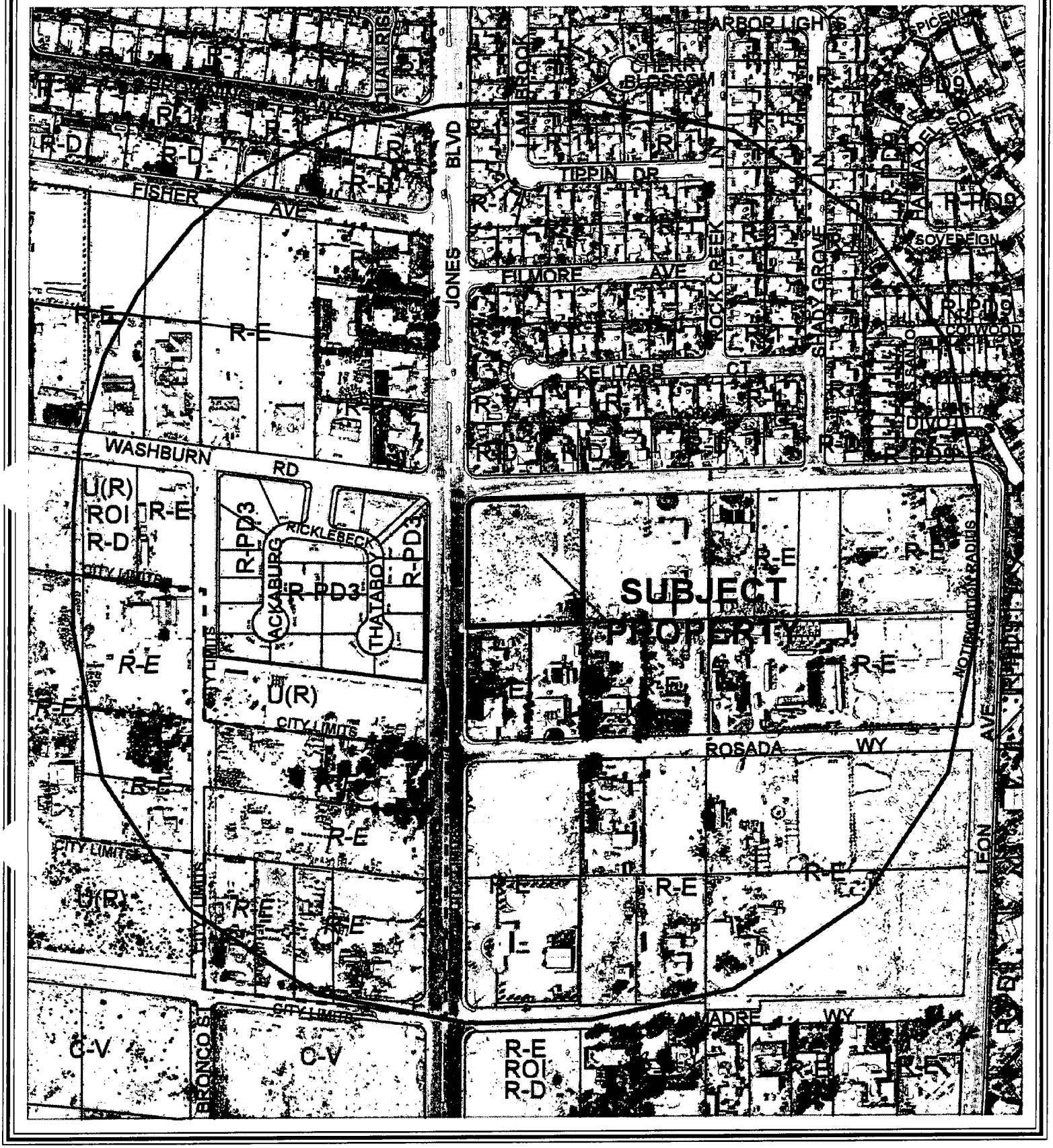
3. Must conform to all conditions set forth in Site Development Plan Review (SDR-6018).



CASE: **SUP-6020**

RADIUS: 1000 FT

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



CASE: **SUP-6020**

RADIUS: 1000 FT

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6020 - APPLICANT: VIOLET SAHAKYAN - OWNER: ROBERT BOLTEN AND RHONDA BOLTEN

** CONDITIONS **

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

Planning and Development

1. 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.

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

Public Works

3. Must conform to all conditions set forth in Site Development Plan Review (SDR-6018).

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This a request for a Special Use Permit for a Child Care Center adjacent to the southeast corner of Jones Boulevard and Washburn Road.

B) Applicant's Justification

The proposed childcare center will provide a desirable service for the neighborhood and surrounding areas by making available day care services for working parents with young children. It will also provide a learning center for young children to better prepare them for entrance into the elementary school system, along with providing an attractive, aesthetically pleasing new structure that will compliment the neighborhood. The proposed use will have minimal traffic impacts, primarily limited to drops-offs and pick-ups twice a day at varying times.

BACKGROUND INFORMATION

A) Related Actions

03/10/05 The Planning Commission recommended approval of a related Site Development Plan Review (SDR-6018) to approve a new building on subject property.

03/10/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #34).

B) Pre-Application Meeting

11/07/04 A pre-application meeting was held where the following items were discussed:

The Special Use Permit will have to conform to all conditions of Title 19.04.

C) Neighborhood Meetings

A neighborhood meeting was not required for this application; however, the applicant did hold a neighborhood meeting on February 25, 2005 at the Lamb of God Lutheran Church located at 6220 North Jones Boulevard, where there were five (5) people in attendance representing neighborhood interests. At the meeting the following items were discussed:

1. Neighborhood traffic concerns as well as perceived adverse impacts of the site development;
2. The hours of operations and the ages of the children being served;
3. The tree size of the proposed site landscaping;

The neighbors expressed concerns about the possible traffic impact the learning center would have on Washburn Road. The suggestion was made that possibly both driveways entering and exiting the site be located along Jones Boulevard. The attendees also expressed concerns about the proposed landscaping, specifically the size of the proposed trees that are to be planted around the perimeter of the site. It was stated that a 24-inch box tree may be to small and the size may need to be increased to help screen the site better. No specific detail was proposed on what size those trees should be. It was also discussed the possibility of an opening being placed in the median along Jones Boulevard to allow southbound traffic from Jones Boulevard to make a left hand turn into the learning center site. It was discussed that this may be possible, but there may not be enough room between Washburn Road and a proposed left hand turn lane to not interfere with traffic flow. Lastly it was mentioned that the traffic impacts, drainage impacts and associated mitigation measures for the proposed learning center will completely addressed at a later date when the design of the facility is finalized.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.15 acres
Net Acres:	2.07 acres

B) Existing Land Use

Subject Property:	Vacant
North:	Residential
South:	Residential
East:	Residential
West:	Residential

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	L (Low Density Residential)
South:	R (Rural Density Residential)
East:	R (Rural Density Residential)
West:	R (Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residential Estate)
North:	R-D (Residential-Restricted)
South:	R-E (Residential Estate)
East:	R-E (Residential Estate)
West:	R-PD3 (Residential Planned Development – 3 units per acre)

E) General Plan Compliance

a. Centennial Hills General Plan

The site is designated R (Rural Residential) on the Centennial Hills Map General Plan. This designation allows for rural to semi-rural residential lots, which allows up to 3.5

dwelling units per acre. The current R-E (Residential Estate) zoning does conform to the R (Rural Density Residential), which will allow for a Child Care Center use with the approval of a Special Use Permit.

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	

A Project of Regional Significance is required because it is within 500 feet of the City boundary.

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500'of the City Boundary

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

1) Flood Control requires a technical drainage study of the subject project to address and mitigate the drainage impact to the vicinity areas. The drainage study must be prepared by a Nevada registered civil engineer and submitted to the City of Las Vegas Flood Control Division for review and approval.

2) Las Vegas Valley Water District has determined that the project will not have a significant impact on the capacity of the District's water supply system.

3) Wastewater collection system has determined that the project will have minimal impacts.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Child Care Center	N/A	One space per staff member and one space per 10 children	70	3	70	3

The site will have sufficient parking for the proposed 40 staff members and the potential of up to a maximum 300 students at any one time.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Child Care Center use.

B) General Analysis and Discussion

- Zoning

The R-E (Residential Estate) zone permits a Child Care Center with the approval of a Special Use Permit. There are no standard conditions that apply for a Child Care Center as part of the Special Use Permit.

- Use

A Child Care Center by definition is a commercial facility in which the licensee regularly provides day or overnight care for more than 12 children. The facility is subject to the childcare regulations and standards of the Department of Business Activity. The proposed Child Care Center is an allowed use with the approval of this Special Use Permit. There are no other Child Care Center's within the notification radius.

- Conditions

There are no base conditions for approval of a Special Use Permit for a Child Care Center use. These projects are evaluated on a case-by-case basis and conditions are imposed as needed.

FINDINGS

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

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

   Although the subject property is surrounded by single family homes, the proposed use will not have an adverse affect on those surrounding properties and can be harmonious with the surrounding land uses and any future land uses.

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

   The proposed site plan will provide sufficient play areas, parking and building facilities to accommodate the students and staff.

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."**

   Jones Boulevard is a Primary Thoroughfare (100-foot) per the City's Master Planned Streets and Highways that will provide the primary access to the site. Washburn Road is also adequate in size to accommodate traffic entering and leaving the site.

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

   The proposed Child Care Center development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 179 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP. 6020 APN: **125-36-301-001**

Name of Property Owner: **Robert and Rhonda Bolten**

Name of Applicant: **Violet Sahakyan**

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

_____ Yes **X** No

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

City Official: **N/A**

Partner(s): **N/A**

APN: **N/A**

Signature of Property Owner: Rhonda Bolten / Robert Bolten

Print Name: Rhonda Bolten / ROBERT BOLTEN

Subscribed and sworn before me

This 23rd day of JAN, 2005

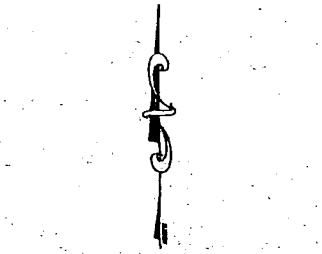
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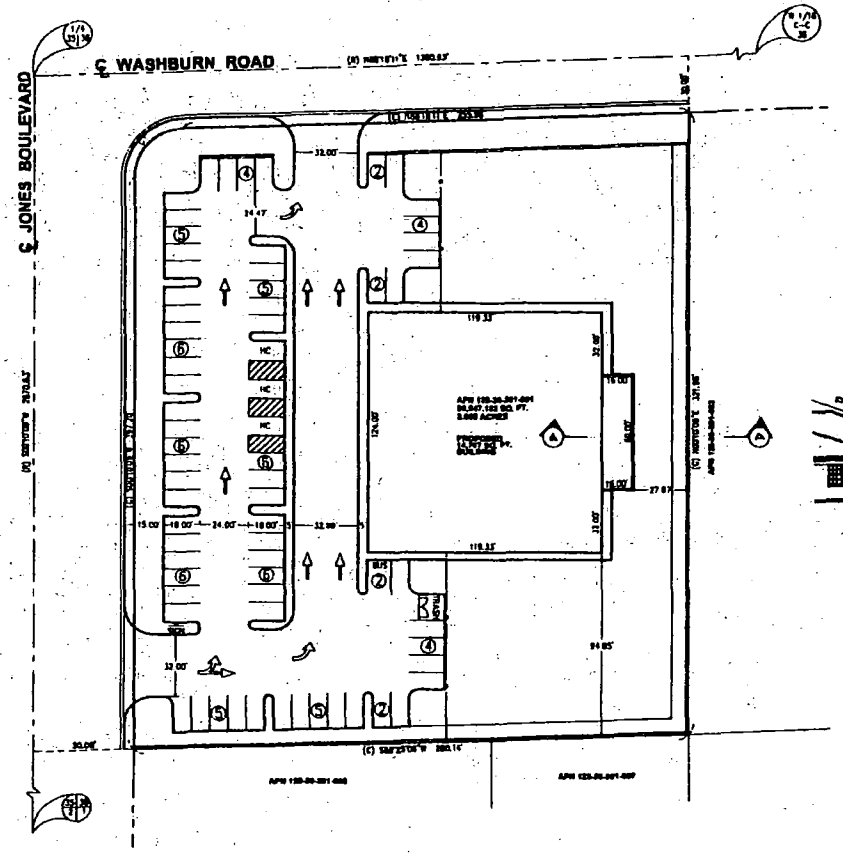
Notary Public in and for said County and State

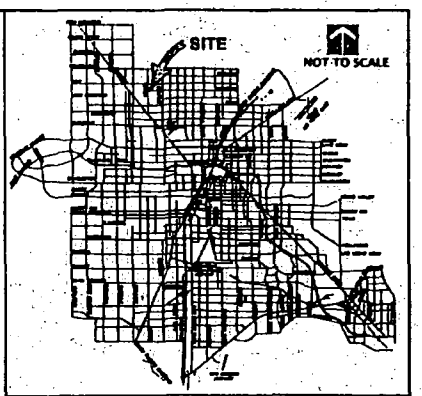
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NOTARY PUBLIC
STATE OF NEVADA
APPT. NO. 01-69344-1
MY APPT. EXPIRES JUNE 28, 2005

SITE EXHIBIT
FOR
KIDS 'R KIDS LEARNING CENTER

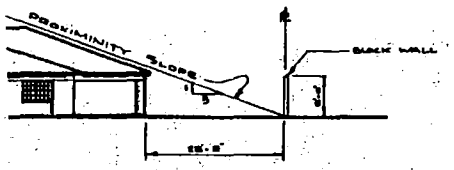
A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 60 EAST, MOUNT DIABLO MERIDIAN, CLARK COUNTY, NEVADA.







VICINITY MAP



ZONING DATA:

CURRENT ZONING: ----------R-E
FRONT SET BACK: ----------30' FEET
SIDE SET BACK: ----------10' FEET
REAR SET BACK: ----------35' FEET
MIN. CORNER SIDE SET BACK---15' FEET
MIN. LOT WIDTH ----------100' FEET
MIN. LOT SIZE ----------20,000 SQ. FT.
MIN. LOT WIDTH ----------100' FEET
DWELLINGS PER LOT ----------1
BUILDING HEIGHT----------2 STORIES OR 35' FEET WHICHEVER IS LESS

SITE DATA:

APN 125-36-301-001
88,947± SQ. FT.
2.04± ACRES

PARKING DATA:

66 SPACES (9' x 18')
1 BUS SPACE (12' x 18')
3 HANDICAP (9.5' x 18')
70 TOTAL PARKING SPACES

CURVE TABLE:

CURVE	LENGTH	RADIUS	DELTA	TANGENT
C1	38.49	23.00	89°56'07"	24.70

LEGEND

———— = LOT BOUNDARY LINE
— — — = CENTERLINE
— — — = RIGHT-OF-WAY LINE
▬▬▬ = PROPOSED 8' HIGH BLOCK WALL
—o—o— = PROPOSED 6' HIGH CYCLONE FENCE
(C)= CALCULATED BEARING AND DISTANCE
(R)= RECORD BEARING AND DISTANCE
④= NUMBER OF PARKING STALLS
HC= HANDICAPED PARKING STALL
R.O.S.= RECORD OF SURVEY
A.P.N.= ASSESSOR'S PARCEL NUMBER

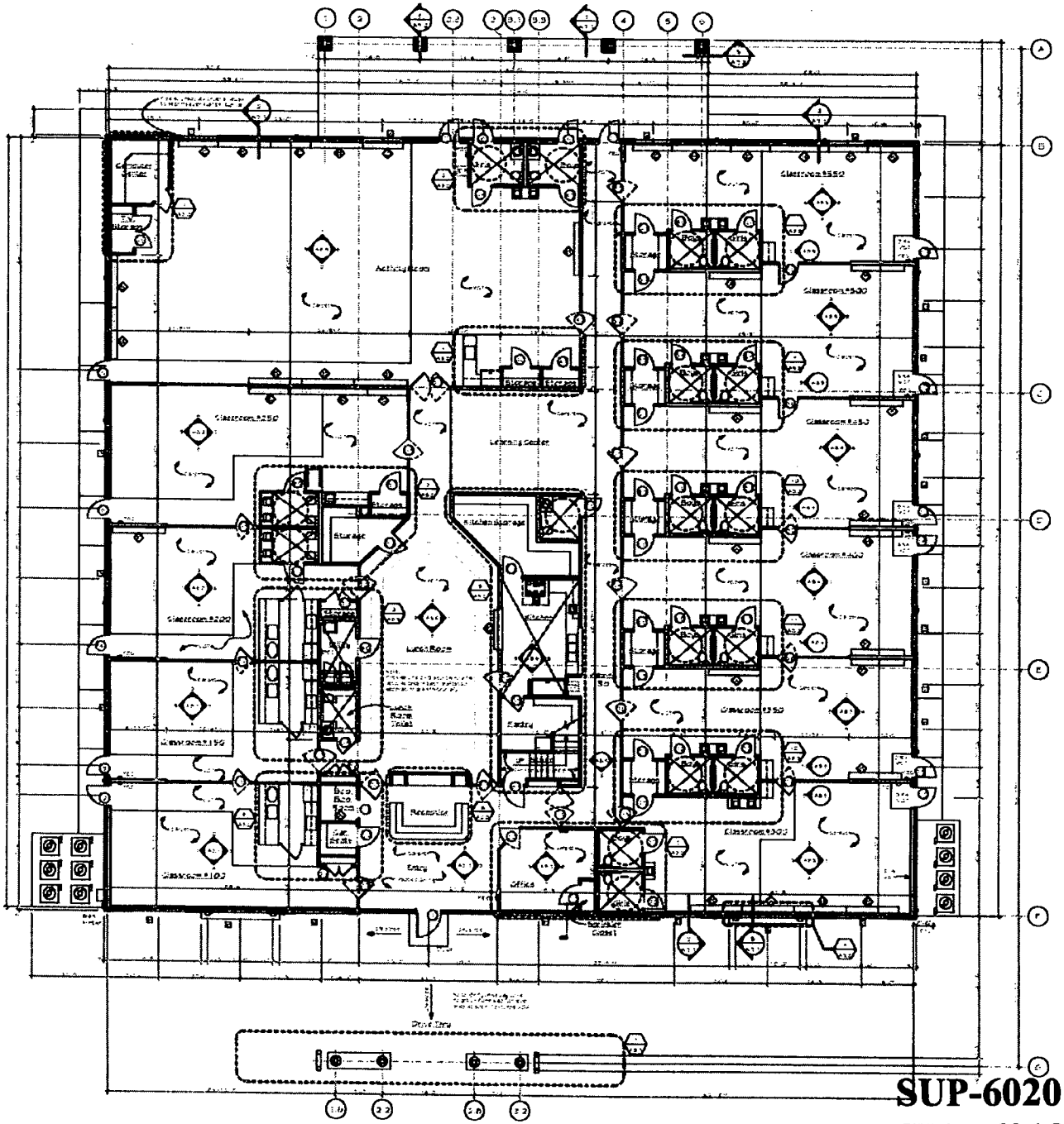
RECEIVED
FEB 24 2005

SUP-6020
SDR-6018
03-10-05 PC
REVISED 02-24-05

SITE EXHIBIT
FOR
KIDS 'R KIDS LEARNING CENTER
A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 60 EAST, MOUNT DIABLO MERIDIAN, CLARK COUNTY, NEVADA.

POGGEMEYER DESIGN GROUP

JOB NUMBER	05004A
CHECKED BY:	U.C.L. JR.
CAD DRAWING	SEE TAG
DRAWING DATE	01-24-05
DRAWN BY	E. JOHNSON



SUP-6020
SDR-6018
03-10-05 PC

POGGEMEYER
DESIGN GROUP
ENGINEERS + PLANNERS + SURVEYORS
LANDSCAPE ARCHITECTS

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

January 21, 2005

RE: Special Use Permit/Site Development Plan Review—Justification letter for Kids 'R Kids Learning Center (Robert and Rhonda Bolten) to be located at the southeast corner of Jones Blvd. and Washburn Road (Parcel # 125-36-301-001)

Dear Sir/ Madam:

The purpose of this letter is to provide justification for the development of a child care center for the above property for the following reasons;

- The proposed use would provide a desirable service for the neighborhood and surrounding areas by making available day care services or working parents with young children;
- The project would provide a learning center for young children to better prepare them for entrance into the elementary school system; and
- It would provide an attractive, aesthetically pleasing new structure that would compliment the neighborhood; and
- The use would have minimal traffic impacts, primarily limited to drop-offs and pick-ups twice a day at varying times.

Your favorable consideration is appreciated for this needed facility. If there are any questions, I can be contacted at (702) 255-8100.

Sincerely,

POGGEMEYER DESIGN GROUP

Jack Lohman
Planning Manager

Poggemeyer Design Group, Inc.
2601 North Tenaya Way
Las Vegas, Nevada 89128
(702) 255-8100
FAX (702) 255-8375
email: pdg-lv@pdg-lv.com

SUP-6020

Current Traffic Signal Impact Fee Schedule

Land Use	Unit	Fee
Single-Family Detached	Dwelling	$185
Multi-Family	Dwelling	$128
Mobile Home Park	Pad	$93
Adult Congregate Living Facility	Dwelling	$42
Hotel/Motel	Room	$174
RETAIL/COMMERCIAL		
Shopping Center/Gen Retail (0-249,999 sf)	1,000 sq. ft.	$342
Shopping Center/Gen Retail (250,000-499,999 sf)	1,000 sq. ft.	$295
Shopping Center/Gen Retail (500,000+ sf)	1,000 sq. ft.	$243
Automobile Care Center	1,000 sq. ft.	$315
Automobile Parts Sales	1,000 sq. ft.	$295
Bank w/Drive Through	1,000 sq. ft.	$775
Bank w/o Drive Through	1,000 sq. ft.	$457
Car Wash, Self Service	Stall	$96
Casino Hotel, Local (gaming area only)	1,000 sq. ft.	$2,642
Casino Hotel, Resort Corridor (gaming area only)	1,000 sq. ft.	$2,173
Convenience Store w/ Gas Sales	1,000 sq. ft.	$732
Drinking Place	1,000 sq. ft.	$570
Golf Course (open to public)	acre	$66
New Car Sales	1,000 sq. ft.	$304
Recreational Community Center	1,000 sq. ft.	$256
Restaurant, Fast Food	1,000 sq. ft.	$725
Restaurant, Sit-Down	1,000 sq. ft.	$370
OFFICE/INSTITUTIONAL		
Office, General (0-99,999 sf)	1,000 sq. ft.	$239
Office, General (100,000+ sf)	1,000 sq. ft.	$173
Office, Medical	1,000 sq. ft.	$553
Church	1,000 sq. ft.	$127
College	1,000 sq. ft.	$270
Day Care Center	1,000 sq. ft.	$250
Hospital	1,000 sq. ft.	$269
Library	1,000 sq. ft.	$355
Nursing Home	1,000 sq. ft.	$75
School, Elementary (private)	1,000 sq. ft.	$45
School, Middle/Junior High (private)	1,000 sq. ft.	$44
School, High (private)	1,000 sq. ft.	$49
INDUSTRIAL		
General Light Industrial	1,000 sq. ft.	$107
Warehouse	1,000 sq. ft.	$76
Mini-Warehouse	1,000 sq. ft.	$30

SUP-6020

City of Las Vegas

Agenda Item No. 137

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6020

SDR-6018 - PUBLIC HEARING - APPLICANT: VIOLET SAHAKYAN - OWNER: ROBERT BOLTEN AND RHONDA BOLTEN - Request for a Site Development Plan Review FOR A 14,797 SQUARE-FOOT CHILD CARE CENTER on 2.24 acres adjacent to the southeast corner of Jones Boulevard and Washburn Road (APN 125-36-301-001), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions and the following added condition as read for the record:

- No ingress or egress shall be allowed from Washburn Avenue to this site.

- UNANIMOUS with WOLFSON not voting

MINUTES:

NOTE: See Item 136 [SUP-6020] for all related discussion.

(6:19 - 6:25)

7-641

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 02/24/05, except as amended by conditions herein.

3. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum of four (4) five-gallon shrubs for each 24-inch box tree within provided planters along the perimeters. The plan shall also show a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24-inch box tree provided within parking lot planter fingers, and that turfed areas shall not exceed a maximum of 12.5% of the total landscapable area.

CONDITIONS - Continued:

4. 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.

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

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

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

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

9. 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.

10. 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.

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

Public Works

12. Construct half-street improvements on Washburn Road, including appropriate transition paving, adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern boundary of this site prior to construction of hard surfacing (asphalt or concrete).

13. Remove all substandard public street improvements and unused driveway cuts on Jones Boulevard adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

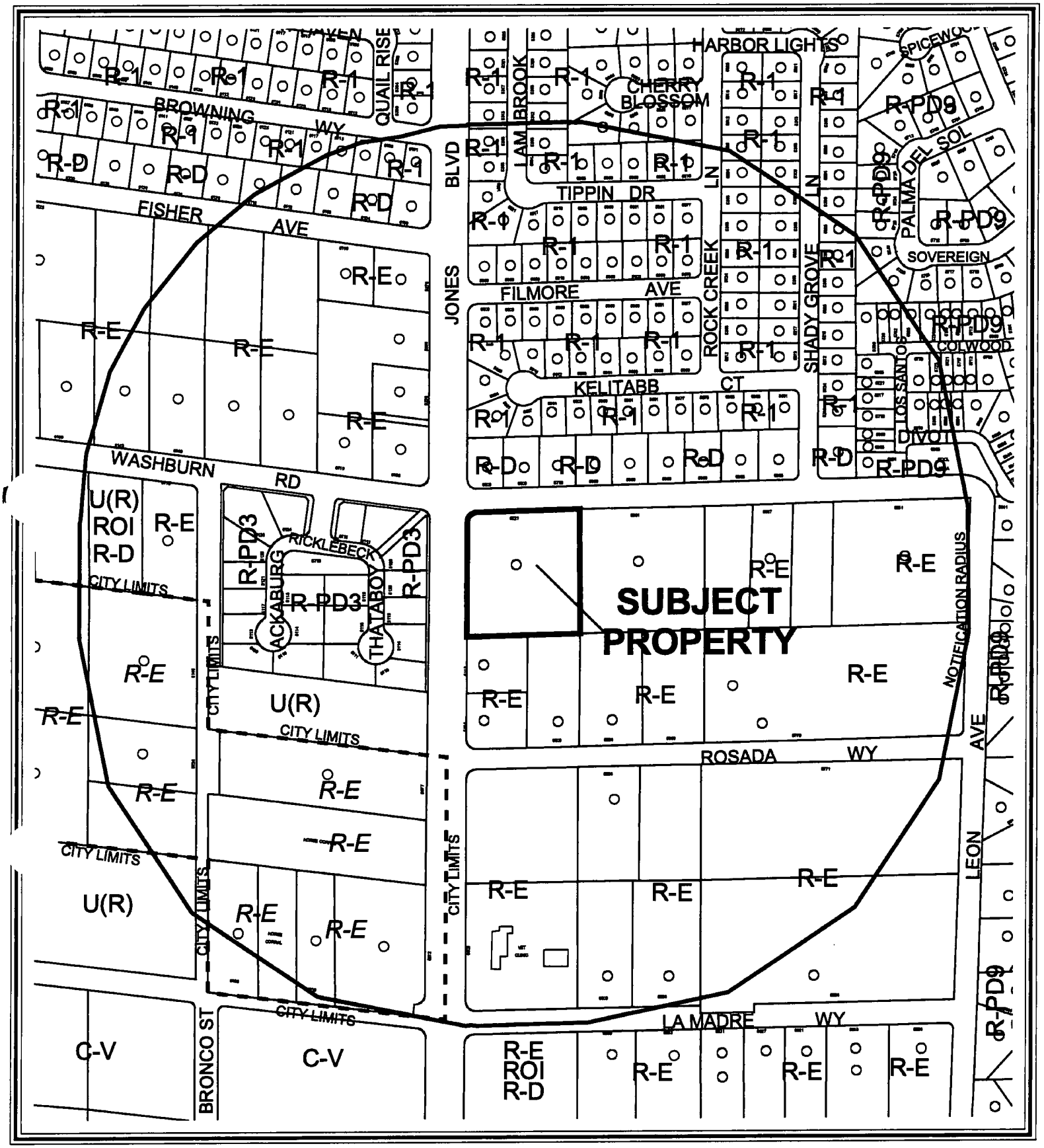
14. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk

CONDITIONS - Continued:

shall be terminated on-site with a handicap ramp.

15. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The 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.

16. 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-6018**

RADIUS: 1000 FT

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6018 - APPLICANT: VIOLET SAHAKYAN - OWNER: ROBERT BOLTEN AND RHONDA BOLTEN

** CONDITIONS **

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

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations date stamped 02/24/05, except as amended by conditions herein.

3. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum of four (4) five-gallon shrubs for each 24-inch box tree within provided planters along the perimeters. The plan shall also show a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24-inch box tree provided within parking lot planter fingers, and that turfed areas shall not exceed a maximum of 12.5% of the total landscapable area.

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

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

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

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9. 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.

10. 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.

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

Public Works

12. Construct half-street improvements on Washburn Road, including appropriate transition paving, adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern boundary of this site prior to construction of hard surfacing (asphalt or concrete).

13. Remove all substandard public street improvements and unused driveway cuts on Jones Boulevard adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

14. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 14,797 square-foot Child Care Center on 2.24 acres adjacent to the southeast corner of Jones Boulevard and Washburn Road.

B) Applicant's Justification

The proposed childcare center will provide a desirable service for the neighborhood and surrounding areas by making available day care services for working parents with young children. It will also provide a learning center for young children to better prepare them for entrance into the elementary school system, along with providing an attractive, aesthetically pleasing new structure that will compliment the neighborhood. The proposed use will have minimal traffic impacts, primarily limited to drops-offs and pick-ups twice a day at varying times.

BACKGROUND INFORMATION

A) Related Actions

03/10/05 The Planning Commission recommended approval of the related Special Use Permit (SUP-6020) requesting approval for a Child Care Center.

03/10/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #35).

B) Pre-Application Meeting

11/07/04 A pre-application meeting was held where the following items were discussed:

1. The purposed wall around the site is required to be 8 feet in height.
2. 24-inch box trees are required 20 feet on center around the perimeter of the site, including between the side yard wall and in the parking lot and along Jones Boulevard.
3. The planter along Jones shall be 3 feet tall, 15 feet wide and will have four 1-gallong and four 5-gallon shrubs per each tree.
4. The monument sign shall be 5 feet inside the property line. Cannot be more than 50 square-feet in area and no taller than 8 feet.
5. Parking is one space per staff member, plus one space per 10 children.
6. Planter along the south and east property lines shall be 8 feet wide.
7. The planter along Jones and Washburn shall be 15 feet in width.

C) Neighborhood Meetings

A neighborhood meeting was not required for this application; however, the applicant did hold a neighborhood meeting on February 25, 2005 at the Lamb of God Lutheran Church located at 6220 North Jones Boulevard, where there were five (5) people in attendance representing neighborhood interests. At the meeting the following items were discussed:

1. Neighborhood traffic concerns as well as perceived adverse impacts of the site development;
2. The hours of operations and the ages of the children being served;
3. The tree size of the proposed site landscaping;

The neighbors expressed concerns about the possible traffic impact the learning center would have on Washburn Road. The suggestion was made that possibly both driveways entering and exiting the site be located along Jones Boulevard. The attendees also expressed concerns about the proposed landscaping, specifically the size of the proposed trees that are to be planted around the perimeter of the site. It was stated that a 24-inch box tree may be to small and the size may need to be increased to help screen the site better. No specific detail was proposed on what size those trees should be. It was also discussed the possibility of an opening being placed in the median along Jones Boulevard to allow southbound traffic from Jones Boulevard to make a left hand turn into the learning center site. It was discussed that this may be possible, but there may not be enough room between Washburn Road and a proposed left hand turn lane to not interfere with traffic flow. Lastly it was mentioned that the traffic impacts, drainage impacts and associated mitigation measures for the proposed learning center will completely addressed at a later date when the design of the facility is finalized.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.15 acres
Net Acres:	2.07 acres

B) Existing Land Use

Subject Property:	Vacant
North:	Residential
South:	Residential
East:	Residential
West:	Residential

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	L (Low Density Residential)
South:	R (Rural Density Residential)
East:	R (Rural Density Residential)
West:	R (Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residential Estate)
North:	R-D (Residential-Restricted)
South:	R-E (Residential Estate)
East:	R-E (Residential Estate)
West:	R-PD3 (Residential Planned Development – 3 units per acre)

E) General Plan Compliance

a. Centennial Hills General Plan

The site is designated R (Rural Residential) on the Centennial Hills Map General Plan. This designation allows for rural to semi-rural residential lots, which allows up to 3.5 dwelling units per acre. The current R-E (Residential Estate) zoning does conform to the R (Rural Density Residential), which will allow for a Child Care Center use with the approval of a Special Use Permit.

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	

Project of Regional Significance is required because it is within 500 feet of the City boundary.

PROJECT DESCRIPTION

The subject site is proposed to have a 14,797 square-foot one-story building that will be 25 ft in height. The interior of the structure will be broken down into 10 classrooms, a large activity room, a learning center, a reception area and offices. The center will also include kitchen facilities for the preparation of meals and snacks. This site plan also proposes two large outside program areas on the northeast corner and on the southeast corner of the lot surrounding the building on the north, east and south sides. The exterior of the building will be stuccoed with a tile roof and have a residential appearance and scale. Parking for the site will be placed out against Jones Boulevard which will have 70 parking stalls with 3 handicap stalls. The plan indicates two 34-foot wide driveways that access the property, one coming off of Washburn Road and the other off of Jones Boulevard.

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	20,000 square-feet	89,947 square-feet	Y
Min. Lot Width	100 Feet	280 Feet	Y
Min. Setbacks			
• Front	50 Feet	96 Feet	Y
• Side	10 Feet	28 Feet	Y
• Corner	15 Feet	118 Feet	Y
• Rear	35 Feet	95 Feet	Y
Max. Lot Coverage	50 %	16 %	Y
Max. Building Height	2 Stories / 35 Feet	1 Story / 25 Feet	Y
Trash Enclosure	50 Feet	62 Feet	Y

This site meets all the requirements of Title 19.08 Residential Development Standards.

A2) Residential Adjacency Standards

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

a) The proposed building on the site does comply with all Residential Adjacency Standards and is setback sufficiently far enough to remain under the proximity slope line.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Child Care Center	N/A	One space per staff member and one space per 10 children	70	3	70	3

The site will have sufficient parking for the proposed 40 staff members and the potential of up to a maximum 300 students at any one time.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1Tree / 6 Spaces	18 Trees	18
Buffer: • Min. Trees	1 Trees/ 20 Linear Feet	28 Trees	28
• Min. Zone Width • Front • Side • Wall height	15 Feet 8 Feet 8 Feet		15 Feet 8 Feet 8 Feet

The landscaping for the site will consist of 28 Mondel Pines located along the east and south property lines to buffer adjacent residential from the proposed play areas. A 15-foot landscape buffer does exist along Jones Boulevard and Washburn Road that will have twenty-five 24" box trees that are either Palo Verde tree or a Chaste tree. The Landscape fingers in the parking area are missing the required four 5-gallon shrubs per tree. The site plan indicates an eight-foot high block wall around the site adjacent to neighboring properties.

A5) Sign Standards

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

Institutional Sign: [Freestanding]

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 2 total	1 / Street frontage 1 total
Maximum Area	50 SF /sign	Not Available
Maximum Height	8 Feet	NA
Minimum Setback	5 Feet	NA
Illumination	Direct/Internal	NA

The site plan shows a possible location for a freestanding sign, but the sign is not a part of this site plan review. However, what has been indicated is a possible location of the signage. Title 19.14 allows one institutional (detached) sign per street frontage. The site plan illustrates one freestanding sign facing onto Jones Boulevard. Approval of this Site Development Plan Review does not grant approval of any indicated signage.

B) General Analysis and Discussion

- Zoning

The R-E (Residential Estate) zone permits a Child Care Center with the approval of a Special Use Permit. There are no standard conditions that apply for a Child Care Center as part of the Special Use Permit.

- Site Plan

  The site plan depicts an orderly arrangement of the building and parking and play areas as well as the proposed access points to the site from Jones Boulevard and Washburn Road.

- Waivers

  There are no waiver requests associated with this application.

- Landscape Plan

  The landscape depicts the required amount of trees and shrubs for the buffer and perimeter landscaping. The landscape fingers in the parking area are missing the required four 5-gallon shrubs per tree. The applicant will need to submit a revised landscape plan adding the required shrubs.

- Elevation

  The building elevations do show a design that will be appropriate for a residential neighborhood with the pitched roofs and articulated entrance.

- Floor Plan

  The submitted floor plan shows a well laid out plan that flows from the reception area back into the classrooms and the large activity room.

FINDINGS

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

1. **"The proposed development is compatible with adjacent development and development in the area;"**
   The proposed Child Care Center is an appropriate use in a residential area, due to the proximity to single family residential properties. With the appropriate landscaping the site will be well buffered visually from the adjacent residential 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;"**

   The proposed project will be consistent with Title 19 and applicable City plans, policies and standards with implementation of the conditions as contained in this report.

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

The subject site is bounded by Washburn Road, designated as a Collector Street (60-foot), to the north and Jones Boulevard, designated as a Primary Thoroughfare (100-foot), on the west. The primary access to the site should be from Jones Boulevard and not from Washburn Road as it is more of minor street with residential that faces onto it. Both streets will be adequate in size though to provide access to and from the site.

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

   The building layout and design, along with the proposed landscaping surrounding the site will be conducive to the surrounding area and will not negatively impact the surrounding properties.

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

   The materials and colors of the proposed building will be appropriate for this area by providing aesthetically pleasing building that has variety and interest.

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

   The proposed Child Care Center development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 177 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR. 6018 APN: **125-36-301-001**

Name of Property Owner: **Robert and Rhonda Bolten**

Name of Applicant: **Violet Sahakyan**

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

_____ Yes **X** No

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

City Official: **N/A**

Partner(s): **N/A**

APN: **N/A**

Signature of Property Owner: Rhonda Bolten / Robert Bolten

Print Name: Rhonda Bolten / ROBERT BOLTEN

Subscribed and sworn before me

This 23rd day of JAN, 2025

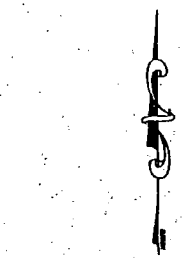
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Notary Public in and for said County and State

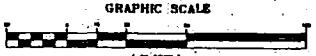
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NOTARY PUBLIC
STATE OF NEVADA
APPT NO 01-69344-1
MY APPT. EXPIRES JUNE 28, 2005

SITE EXHIBIT
FOR
KIDS 'R KIDS LEARNING CENTER

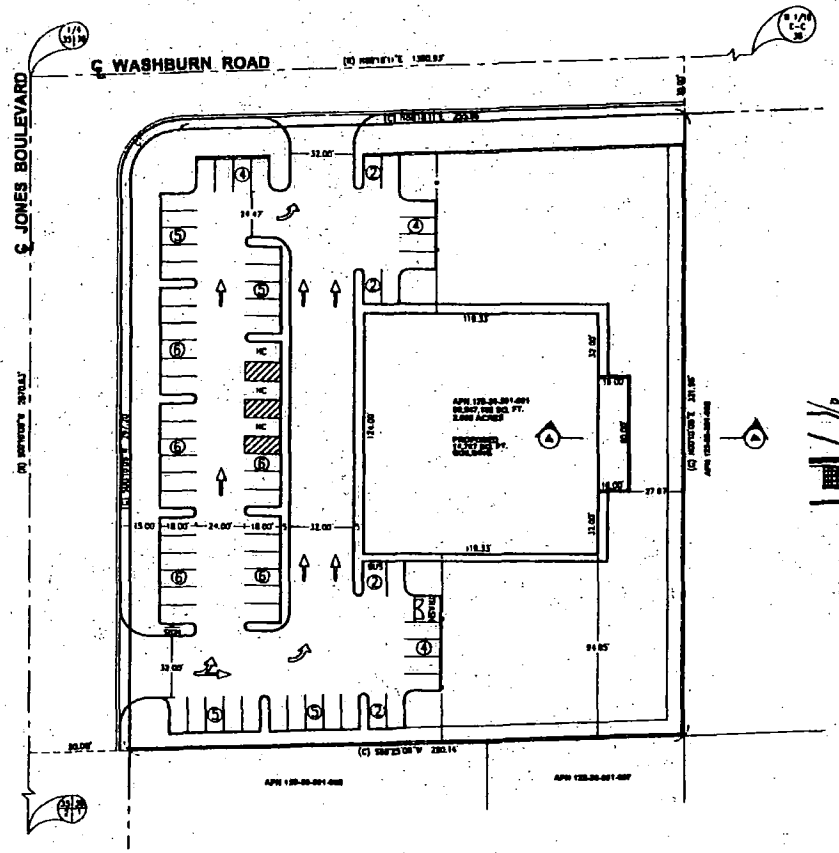
A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 60 EAST, MOUNT DIABLO MERIDIAN, CLARK COUNTY, NEVADA.

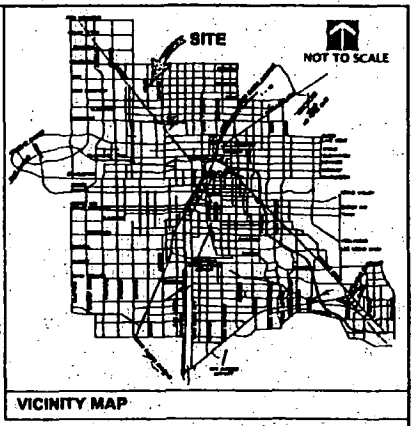


GRAPHIC SCALE

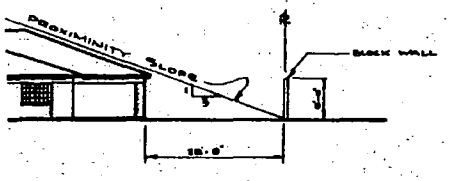


(IN FEET)
1 inch = 30 ft.





VICINITY MAP



SECTION A-A
N.T.S.

ZONING DATA:

CURRENT ZONING: ---------- R-E
FRONT SET BACK: ---------- 50' FEET
SIDE SET BACK: ---------- 10' FEET
REAR SET BACK: ---------- 35' FEET
MIN. CORNER SIDE SET BACK -- 15' FEET
MIN. LOT WIDTH ---------- 100' FEET
MIN. LOT SIZE ---------- 20,000 SQ. FT.
MIN. LOT WIDTH ---------- 100' FEET
DWELLINGS PER LOT ---------- 1
BUILDING HEIGHT ---------- 2 STORIES OR 35' FEET WHICHEVER IS LESS

SITE DATA:

APN 125-36-301-001
89,947± SQ. FT.
2.07± ACRES

PARKING DATA:

64 SPACES (9' x 18')
1 BUS SPACE (12' x 18')
3 HANDICAP (9.5' x 18')
70 TOTAL PARKING SPACES

CURVE TABLE:

CURVE	LENGTH	RADIUS	DELTA	TANGENT
C1	36.19	23.00	89°58'07"	23.00

LEGEND

- ———— = LOT BOUNDARY LINE
- — — — = CENTERLINE
- — — — = RIGHT-OF-WAY LINE
- ▬▬▬▬ = PROPOSED 6' HIGH BLOCK WALL
- —o—o— = PROPOSED 4' HIGH CYCLONE FENCE
- (C) = CALCULATED BEARING AND DISTANCE
- (R) = RECORD BEARING AND DISTANCE
- ⑩ = NUMBER OF PARKING STALLS
- HC = HANDICAPED PARKING STALL
- R.O.S. = RECORD OF SURVEY
- A.P.N. = ASSESSOR'S PARCEL NUMBER

RECEIVED

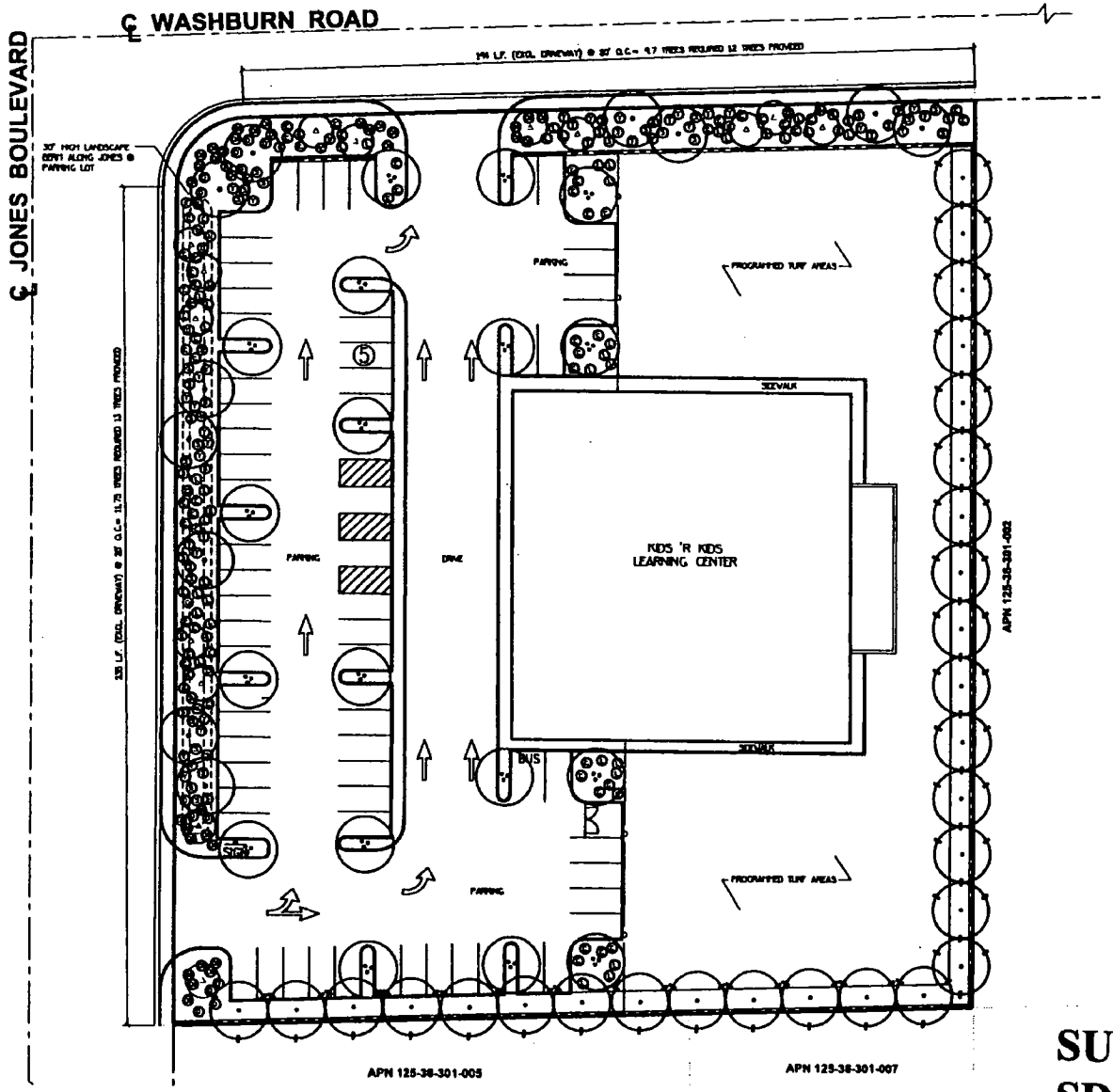
FEB 24 2005

SUP-6020
SDR-6018
03-10-05 PC
REVISED 02-24-05

SITE EXHIBIT
FOR
KIDS 'R KIDS LEARNING CENTER
A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 60 EAST, MOUNT DIABLO MERIDIAN, CLARK COUNTY, NEVADA.

POGGEMEYER DESIGN GROUP

JOB NUMBER	05004A
CHECKED BY:	U.C.L. JR.
CAD DRAWING	SITE.TAC
DRAWING DATE	01-24-05
DRAWN BY	E. JOHNSON



PLANT SCHEDULE

TREES

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	MIN. SPEC.	REMARKS
	6	CERCIDIUM FLORIDUM	PALO VERDE	24" BOX	AS IS/GOOD	FULL+ SHAPE
	10	PINUS ELDARICA	MONDEL PINE	24" BOX	AS IS/GOOD	STANDARD
	10	PINUS LANCEA	AFRICAN SUMAC	24" BOX	AS IS/GOOD	STANDARD
	14	ULMUS PARVIFOLIA CATHEDRAL	CHINESE ELM	24" BOX	AS IS/GOOD	VERY BRANCHED

SHRUBS

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	MIN. SPEC.	REMARKS
	36	CACTI, VARIOUS	VARIOUS	1 GAL	CAN FULL	-
	68	MISCANTHUS SINENSIS 'ADAGIO'	ADAGIO MAIDEN	5 GAL	CAN FULL	-
	72	SYRINGA PATULA	KORFANA	5 GAL	CAN FULL	-
	46	SALVIA GREGGII	SALVIA	5 GAL	CAN FULL	-
	39	YUCCA FILAMENTOSA	GARDNERS YUCCA	5 GAL	CAN FULL	-
	57	LANTANA MONTEVIDENSIS	PURPLE LANTANA	5 GAL	CAN FULL	-

NOTES

1) ALL REV LANDSCAPE AREAS SHALL RECEIVE A 2" LAYER 3/4" ROCK MULCH
2) APPLY ARIZONA NURSERY ASSOCIATION
3) APPLY AMERICAN STANDARD FOR NURSERY STOCK
4) ROOT BARRIERS ARE REQUIRED FOR ALL TREES PLANTED WITHIN 5' OF SIDEWALKS AND ALL OTHER HARDSCAPE
5) KEEP TREES A MINIMUM OF 3' FROM BACK OF SIDEWALKS AND ALL OTHER HARDSCAPE, NO OBSTRUCTIONS PERMITTED BETWEEN 3 FEET AND 7 FEET ABOVE GRADE WITHIN SITE VISIBILITY RESTRICTION EASEMENT. FOUNDER, TREE TRUNKS WITHIN SIGHT LINE PERPENDICULAR TO SIGHT LINE. TREES IF NECESSARY, OR SITE VISIBILITY RESTRICTION EASEMENT SHALL BRANCH ABOVE 8' FOR TREES FOR SHRUBS IS 24". TREES IN SITE VISIBILITY RESTRICTION EASEMENT SHALL BE PRUNED SO THAT ALL BRANCHES AND FOLIAGE ARE ABOVE 7'.
6) CONTRACTOR TO PROVIDE A FULLY AUTOMATED DRIP IRRIGATION SYSTEM FOR ALL TREES, SHRUBS AND GROUND COVERS.
7) LANDSCAPING SHALL BE IN ACCORDANCE W/ CLV TITLE 19.12

SUP-6020
SDR-6018
03-10-05 PC

NORTH
SCALE: 1"=30'-0"

poggemeyer design group, inc.
engineers • planners • surveyors • landscape architects
3201 North Tenaya Way • Las Vegas, NV 89129 • ph 702.255.6175 • fax 702.255.6275

CONCEPTUAL LANDSCAPE PLAN

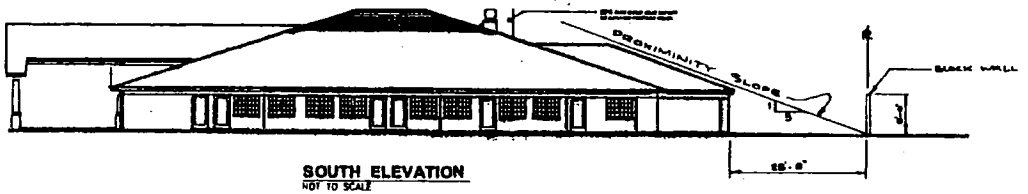
KIDS 'R KIDS
LEARNING CENTER
LAS VEGAS, NEVADA

JOB NUMBER	05004-0
DESIGNED BY	CNA
DRAWN BY	JLR
CHECKED BY	CNA
DATE	01/23/05
SHEET NUMBER	L1.1

ELEVATION PLAN
FOR
KIDS 'R KIDS LEARNING CENTER
A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 60 EAST, MOUNT DIABLO MERIDIAN, CLARK COUNTY, NEVADA.



WEST ELEVATION
NOT TO SCALE



SOUTH ELEVATION
NOT TO SCALE



EAST ELEVATION
NOT TO SCALE

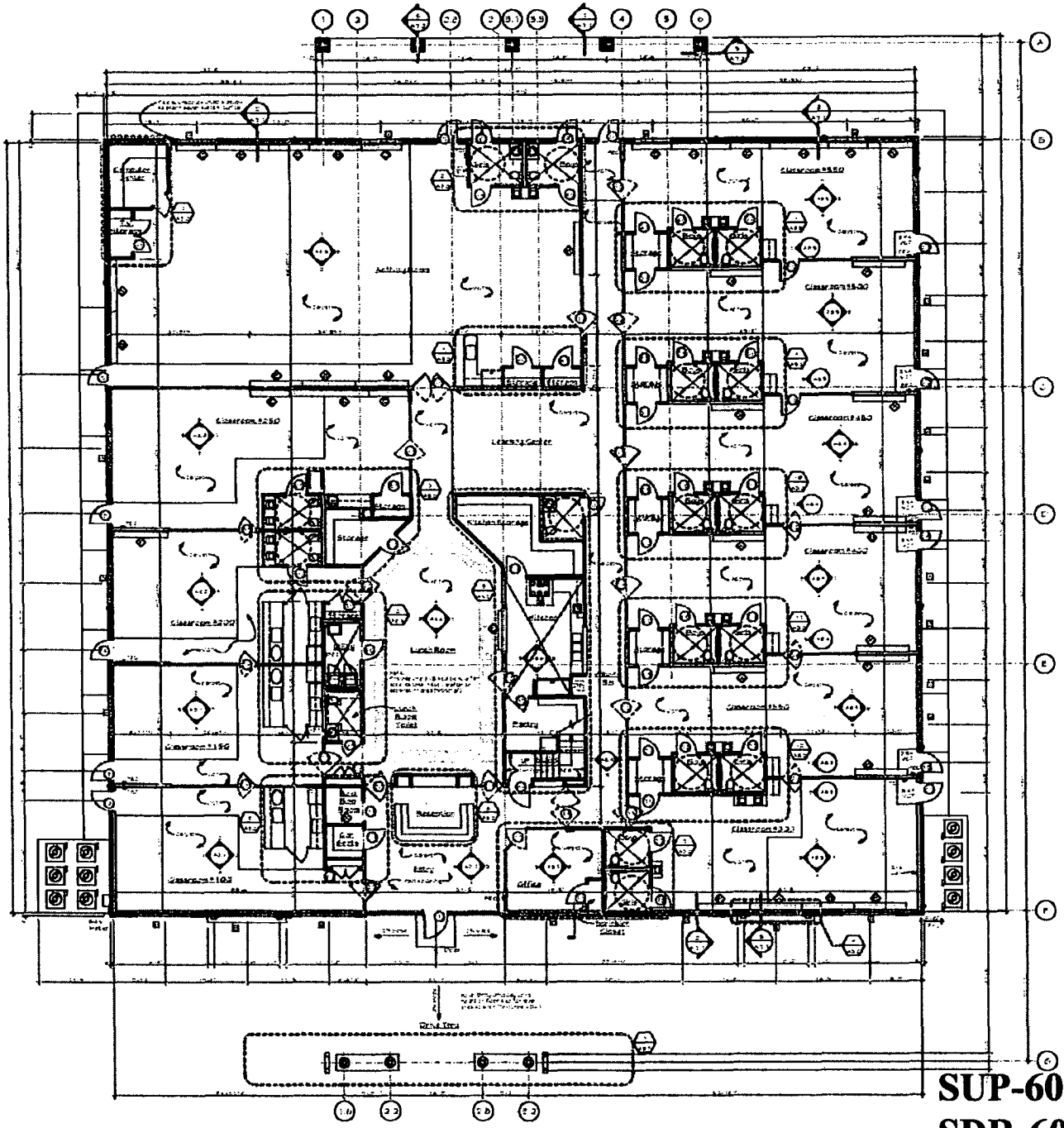


NORTH ELEVATION
NOT TO SCALE

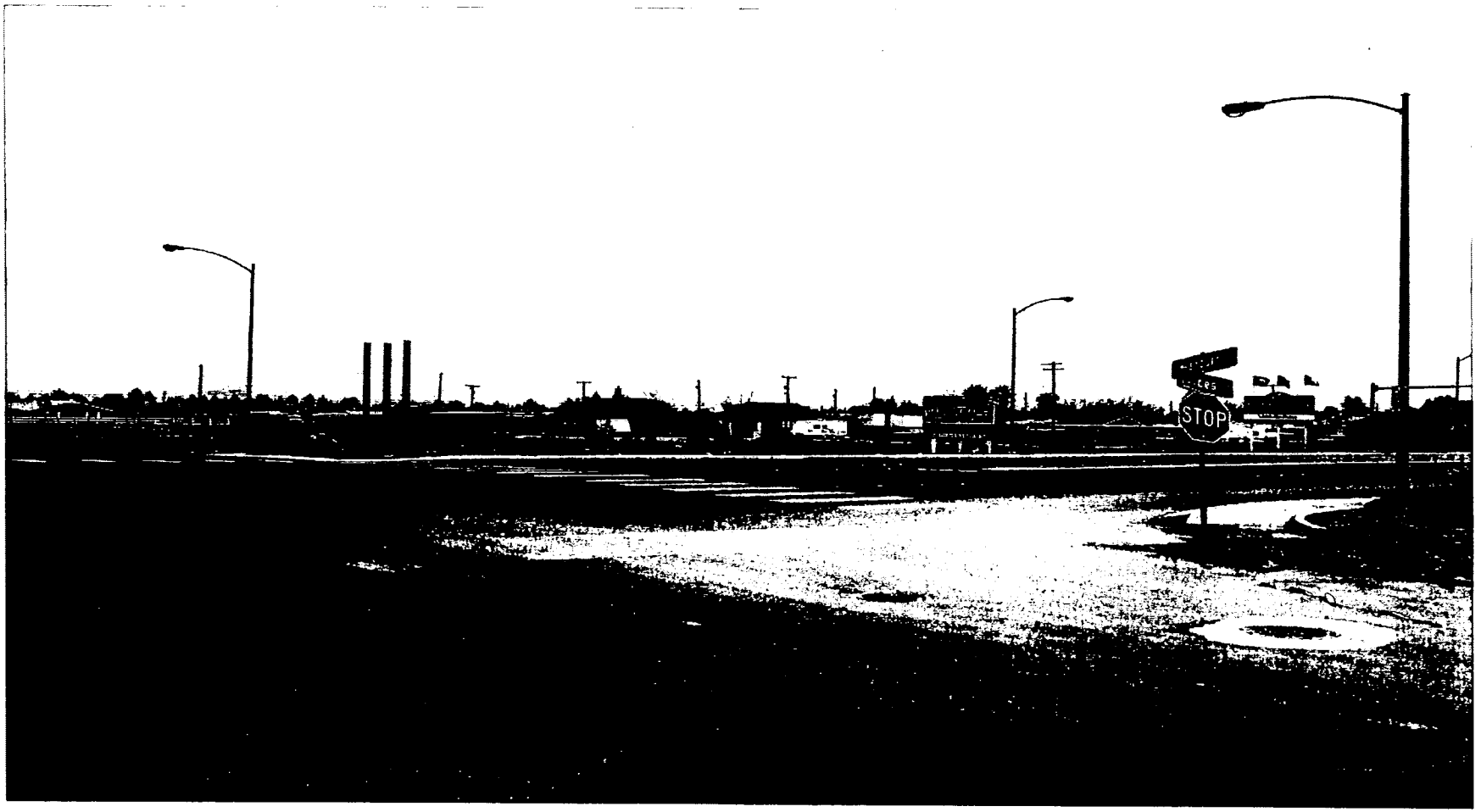
RECEIVED
FEB 24 2005

SUP-6020
SDR-6018
03-10-05 PC
REVISED 02-24-05

ELEVATION PLAN
FOR
KIDS 'R KIDS LEARNING CENTER
A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 60 EAST, MOUNT DIABLO MERIDIAN, CLARK COUNTY, NEVADA.



SUP-6020
SDR-6018
03-10-05 PC



SUP-6020 & SDR-6018 - APPLICANT: VIOLET SAHAKYAN - OWNER: ROBERT BOLTEN AND RHONDA BOLTEN
SOUTHEAST CORNER OF JONES BOULEVARD AND WASHBURN ROAD
MARCH 10, 2005 PLANNING COMMISSION

02/22/05

POGGEMEYER
DESIGN GROUP
ENGINEERS + PLANNERS + SURVEYORS
LANDSCAPE ARCHITECTS

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

January 21, 2005

RE: Special Use Permit/Site Development Plan Review—Justification letter for Kids 'R Kids Learning Center (Robert and Rhonda Bolten) to be located at the southeast corner of Jones Blvd. and Washburn Road (Parcel # 125-36-301-001)

Dear Sir/ Madam:

The purpose of this letter is to provide justification for the development of a child care center for the above property for the following reasons;

- The proposed use would provide a desirable service for the neighborhood and surrounding areas by making available day care services or working parents with young children;
- The project would provide a learning center for young children to better prepare them for entrance into the elementary school system; and
- It would provide an attractive, aesthetically pleasing new structure that would compliment the neighborhood; and
- The use would have minimal traffic impacts, primarily limited to drop-offs and pick-ups twice a day at varying times.

Your favorable consideration is appreciated for this needed facility. If there are any questions, I can be contacted at (702) 255-8100.

Sincerely,

POGGEMEYER DESIGN GROUP

Jack Lohman
Planning Manager

Poggemeyer Design Group, Inc.
2601 North Tenaya Way
Las Vegas, Nevada 89128
(702) 255-8100
FAX (702) 255-8375
email: pdg-lv@pdg-lv.com

SDR-6018

Current Traffic Signal Impact Fee Schedule

Land Use	Unit	Fee
Single-Family Detached	Dwelling	$185
Multi-Family	Dwelling	$128
Mobile Home Park	Pad	$93
Adult Congregate Living Facility	Dwelling	$42
Hotel/Motel	Room	$174
RETAIL/COMMERCIAL		
Shopping Center/Gen Retail (0-249,999 sf)	1,000 sq. ft.	$342
Shopping Center/Gen Retail (250,000-499,999 sf)	1,000 sq. ft.	$295
Shopping Center/Gen Retail (500,000+ sf)	1,000 sq. ft.	$243
Automobile Care Center	1,000 sq. ft.	$315
Automobile Parts Sales	1,000 sq. ft.	$295
Bank w/Drive Through	1,000 sq. ft.	$775
Bank w/o Drive Through	1,000 sq. ft.	$457
Car Wash, Self Service	Stall	$96
Casino Hotel, Local (gaming area only)	1,000 sq. ft.	$2,642
Casino Hotel, Resort Corridor (gaming area only)	1,000 sq. ft.	$2,173
Convenience Store w/ Gas Sales	1,000 sq. ft.	$732
Drinking Place	1,000 sq. ft.	$570
Golf Course (open to public)	acre	$66
New Car Sales	1,000 sq. ft.	$304
Recreational Community Center	1,000 sq. ft.	$256
Restaurant, Fast Food	1,000 sq. ft.	$725
Restaurant, Sit-Down	1,000 sq. ft.	$370
OFFICE/INSTITUTIONAL		
Office, General (0-99,999 sf)	1,000 sq. ft.	$239
Office, General (100,000+ sf)	1,000 sq. ft.	$173
Office, Medical	1,000 sq. ft.	$553
Church	1,000 sq. ft.	$127
College	1,000 sq. ft.	$270
Day Care Center	1,000 sq. ft.	$250
Hospital	1,000 sq. ft.	$269
Library	1,000 sq. ft.	$355
Nursing Home	1,000 sq. ft.	$75
School, Elementary (private)	1,000 sq. ft.	$45
School, Middle/Junior High (private)	1,000 sq. ft.	$44
School, High (private)	1,000 sq. ft.	$49
INDUSTRIAL		
General Light Industrial	1,000 sq. ft.	$107
Warehouse	1,000 sq. ft.	$76
Mini-Warehouse	1,000 sq. ft.	$30

SDR-6018

City of Las Vegas

Agenda Item No. 138

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

REZONING

ZON-5769 - PUBLIC HEARING - APPLICANT/OWNER: GARETH J. SPICER - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.15 acres at 708 South Jones Boulevard (APN 138-36-316-007), Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL. [NOTE: Request is to P-R (Professional Office and Parking)]

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 2/24/2005 Planning Commission Meeting Item 26

MOTION:

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

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 138 [ZON-5769] and Item 139 [SDR-5770].

LES TRAVIS, Gary Guy Wilson Architects, 7625 South Industrial Road, Suite #100, appeared on behalf of Gareth Spicer and asked for approval.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 138 [ZON-5769] and Item 139 [SDR-5770].
(6:25 - 6:28)
7-824

CONDITIONS:

Planning and Development

1. A Site Development Plan Review (SDR-5770) approved by the City Council prior to issuance of any permits, site grading, or development activity for the site.

2. A Resolution of Intent to P-R (Professional Office and Parking) with a two-year time limit.

CONDITIONS - Continued:

3. No computer repair shall be performed on premises.

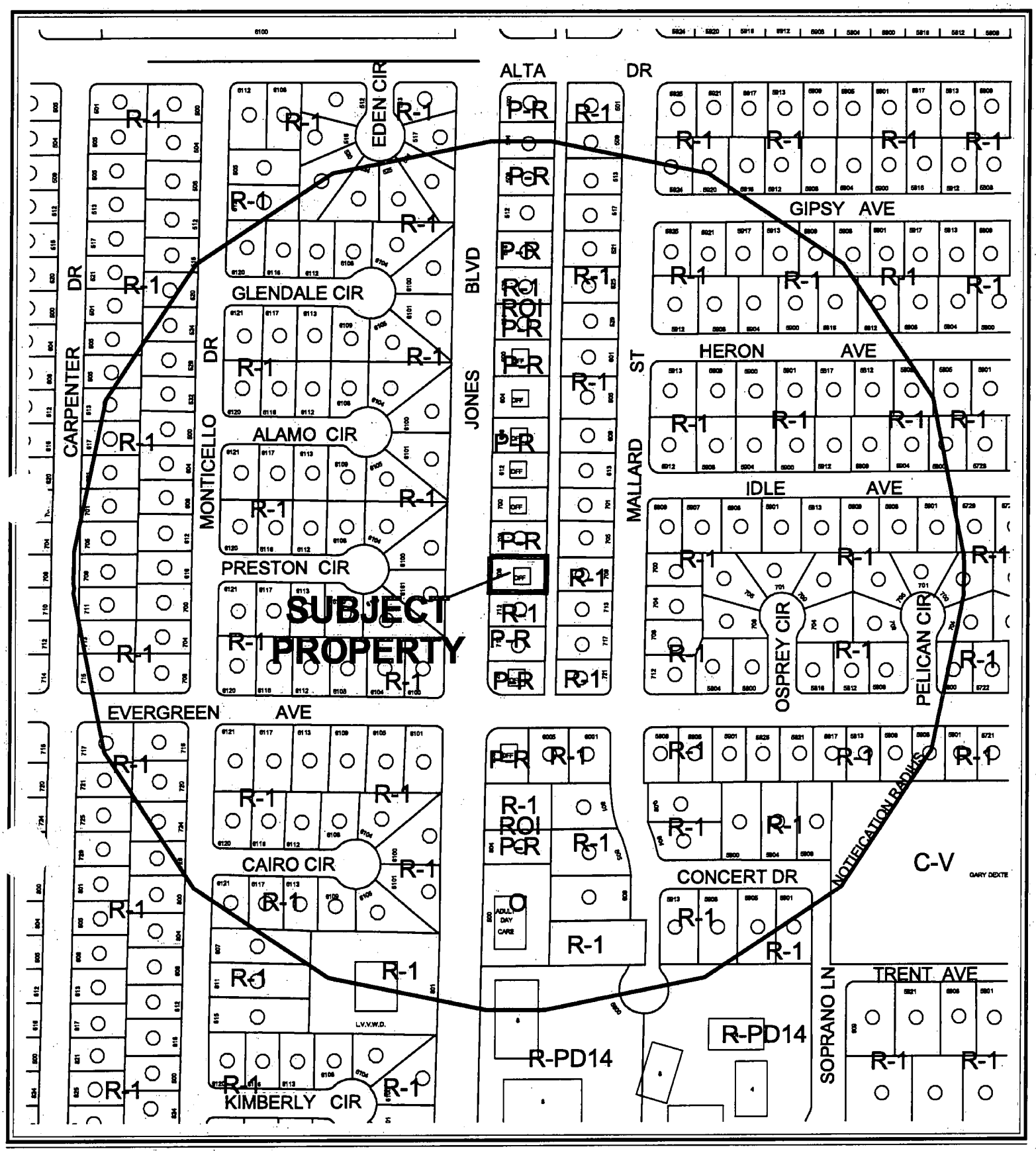
4. No new or used computers or ancillary equipment shall be sold on premises.

Public Works

5. 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.

6. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

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



0 200 400 Feet

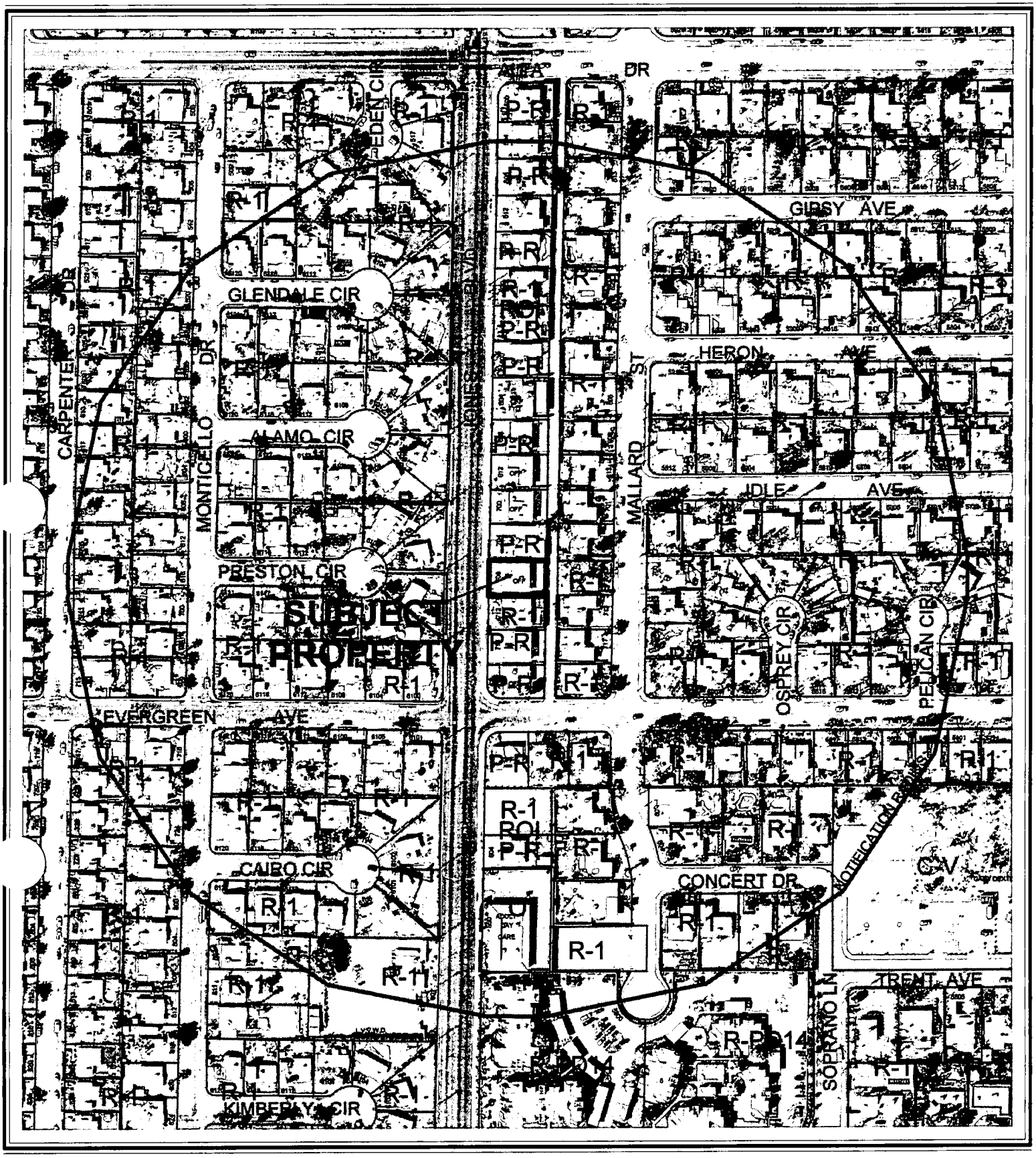
CASE: **ZON-5769**

RADIUS: 750 FT

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

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

N



0 200 400 Feet

CASE: **ZON-5769**

RADIUS: 750 FT

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

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5769 - APPLICANT/OWNER: GARETH J. SPICER

** CONDITIONS **

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

Planning and Development

1. A Site Development Plan Review (SDR-5770) approved by the City Council prior to issuance of any permits, site grading, or development activity for the site.

2. A Resolution of Intent to P-R (Professional Office and Parking) with a two-year time limit.

3. No computer repair shall be performed on premises.

4. No new or used computers or ancillary equipment shall be sold on premises.

Public Works

5. 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.

6. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-1 (Single-Family Residential) to P-R (Professional Office and Parking) on 0.15 acres at 708 South Jones Boulevard. This is an amended request by the applicant from an initial request to rezone the subject property to C-1 (Limited Commercial).

B) Applicant's Justification

The applicant has submitted a letter of justification with the subject application, which states the following:

> "Consistent with Neighborhood Development, numerous residences in the surrounding area and along Jones Boulevard have already been converted into a commercial/ professional zoning or other and are currently being operated as businesses. The existing building will remain as is with site improvements, floor plan and exterior elevations as per the submitted plans and per the two discussions with staff in the pre-application planning conferences."

BACKGROUND INFORMATION

A) Related Actions

01/27/05 The Planning Commission held the subject item in abeyance until the 02/24/05 Planning Commission meeting at the applicant's request.

02/24/05 The Planning Commission recommended approval of an application in conjunction with this application for a Site Development Plan Review (SDR-5770) for a proposed 1,688 square foot commercial use; for Waivers of commercial development standards for perimeter, foundation and parking lot landscaping; and for a Waiver to allow a 14 foot front setback where 20 feet is required for a commercial use on the subject property.

02/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #26/dds).

B) Pre-Application Meeting

12/02/04 The staff discussed various elements of the prospective development, including the following:

- A Waiver in landscape standards with a letter justifying the reasons for their omission.

- Seven parking spaces required at one space per 250 square feet of floor area.
- Need encroachment agreement with the City for landscaping along the curb.
- Approval by Nevada Department of Transportation for a 24 foot wide driveway entrance.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres:	0.15 acres

B) Existing Land Use

Subject Property	Office
North	Single-family residence
South	Single-family residence
East	Single-family residence
West	Single-family residence

C) Planned Land Use

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

D) Existing Zoning

Subject Property	R-1 (Single Family Residential)
North	P-R (Professional Office and Parking)
South	R-1 (Single Family Residential)
East	R-1 (Single Family Residential)
West	R-1 (Single Family Residential)

E) General Plan Compliance

The subject property is located in the Southwest Sector of the General Plan. The property is presently classified in the SC (Service Commercial) land use category. The P-R (Professional Office and Parking) Zone proposed by this amended application is a zoning district that is permitted within the SC (Service Commercial) 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

The SC (Service Commercial) land use designation established over the lots along the east side of Jones Boulevard, extends from U.S. Highway 95 south to Evergreen Avenue (north of Charleston Boulevard). In this same distance, numerous lots have been rezoned to the P-R (Professional Office and Parking) Zone. The P-R (Professional Office and Parking) Zone is intended for professional and business offices, the deleterious effects of which can be ameliorated by appropriate buffering elements upon the single family residences that rear upon these lots or are across Jones Boulevard.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The existing property complies with the development standards of the P-R (Professional Office and Parking) zoning district to which many of the other lots along Jones Boulevard are zoned. A complete analysis of these development standards for an accompanying Site Development Plan Review (SDR-5770) is presented in a report that addresses that application.

B) General Analysis and Discussion

The applicant has an interest in converting an existing 1,688 square foot house to an office for a computer repair business. The property is designated for SC (Service Commercial) uses on the Southwest Sector Map of the General Plan. The applicant has submitted a request to Rezone the property from an existing R-1 (Single Family Residential) Zone to a P-R (Professional Office and Parking) Zoning district, a zone which is permitted within the SC (Service Commercial) land use category.

The SC (Service Commercial) land use category includes all the lots along the east side of Jones Boulevard, extending from U.S. Highway 95 south to Evergreen Avenue (north of Charleston Boulevard). Because single-family dwellings are located adjacent to these lots to the east and across Jones Boulevard to the west, none of the SC (Service Commercial) lots has been rezoned to a lower or less restrictive zoning district than P-R (Professional Office and Parking), which permits professional and business offices.

The applicant had earlier requested that the subject property be rezoned to a C-1 (Limited Commercial) Zone to allow a computer repair business. The C-1 (Limited Commercial) zoning district is permitted in an SC (Service Commercial) land use category, but it allows

less restrictive commercial uses that may not be compatible with the adjacent single family residential uses. For this reason, it was recommended that the application be denied. The applicant recently indicated that he only wants to establish an office for his use, which is permitted in a P-R (Professional Office and Parking) Zone, and not to repair computers on the property. Consequently, the applicant amended his application to request the subject property be rezoned to a P-R (Professional Office and Parking) Zone. It is recommended that the amended request be approved.

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."**

   As discussed in the *General Plan Compliance* section, the proposed Rezoning application is consistent with the General Plan.

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

   As discussed in the *General Plan Compliance* and *General Analysis and Discussion* sections, the P-R (Professional Office and Parking) Zone permits uses that cannot be made compatible with single-family residences. For this reason, it is recommended that the subject application be approved

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

   The subject property was designated SC (Service Commercial) to promote this and other property along the east side of Jones Boulevard for office type uses. The proposed Rezoning is consistent with growth and development factors in the community.

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."**

   According to the Master Plan of Streets and Highways, the subject site is located on Jones Boulevard, an 80 foot wide Secondary Collector street. Provided appropriate access is provided to the site, the street is adequate in size to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 222 by Planning Department

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5769 APN: 138-36-316-007

Name of Property Owner: GARETH SPICER

Name of Applicant: GARY GOY WILSON ARCHITECT 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: Gareth SPICER

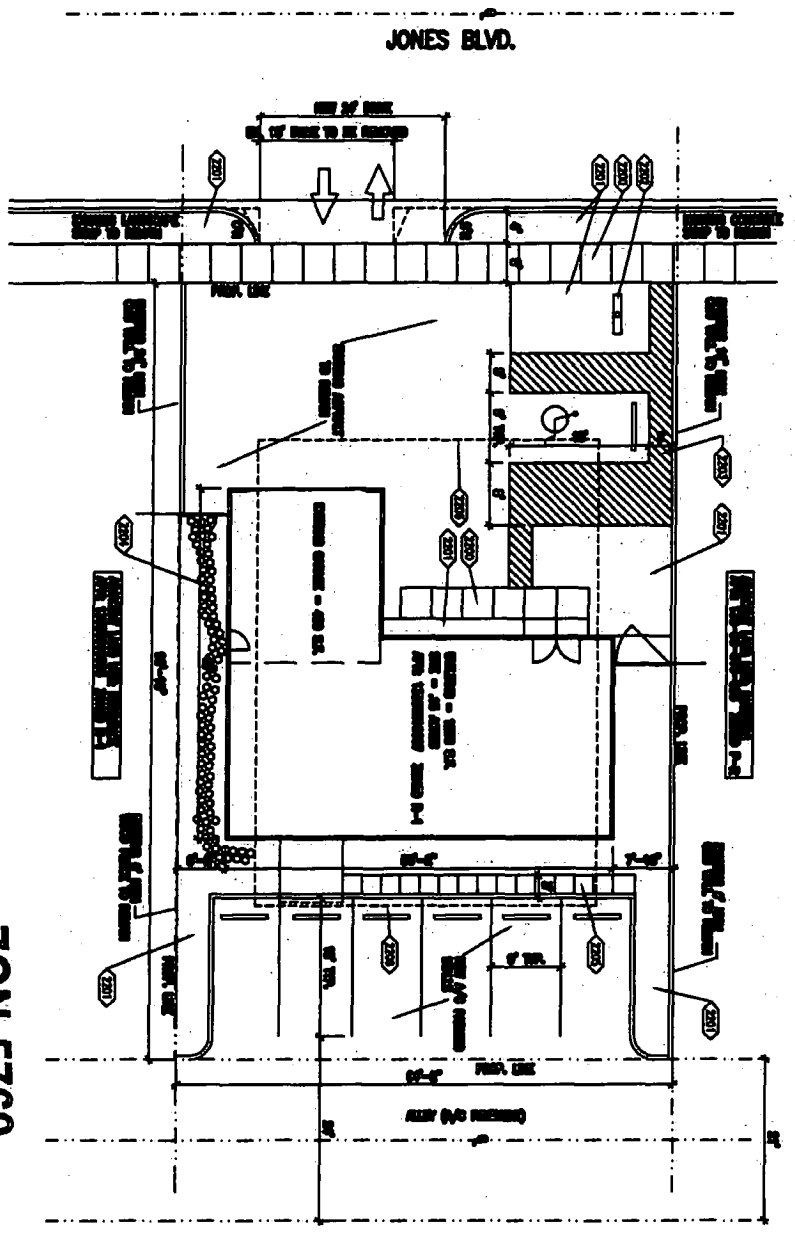
Subscribed and sworn before me

This 7th day of December, 2004

Cathleen M Malone

Notary Public in and for said County and State

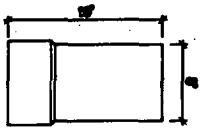
CATHLEEN M. MALONE
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 02-17-2007
Certificate No: 99-55790-1



ZON-5769
01/27/05 PC

SITE PLAN
SCALE: 1/8"=1'-0"
5

SIGN
SCALE: NONE
8



KEYNOTES: THIS SHEET ONLY

1000 EXISTING CONC. SIDEWALK TO REMAIN
1010 NEW LANDSCAPING AREA
1020 NEW MONUMENT SIGN, SEE ELEVATION THIS SHEET
1030 NEW ACCESSIBLE RAMP AND ACCESS TO THE PUBLIC WAY, PAINTED ON EXISTING A/C PAVING
1040 EXISTING STONE WALKING PATH TO REMAIN
1050 NEW 3'-0" WIDE CONCRETE SIDEWALK
1060 SETBACK LINE (C-1 ZONE), FRONT 25', SIDE 10' AND REAR 20'.

PROJECT DATA:

APN: 139-38-310-007

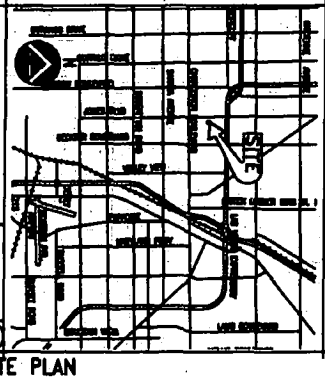
ZONING
CURRENT ZONING R-1
PROPOSED ZONING C-1
CURRENT GENERAL PLAN S-C
PROPOSED GENERAL PLAN S-C

SIZE
BUILDING = 1338 S.F.
GARAGE = 450 S.F.
TOTAL = 1888 S.F.
SITE = .15 ACRES

PARKING
REQUIRED 7 (1 SPACE PER 250 S.F.)
PROVIDED 7 SPACES INCLUDING 1 HANDICAP

DENSITY
EXISTING 28.6 % OF SITE

VICINITY MAP
SCALE: N.T.S.
1



SITE PLAN

SHT.NO. D1.2

REVISIONS

PROJECT: 12680427.01
DRAWN: G.G.WILSON, AIA
CHECKED: GGW
SCALE: 1/8"=1'-0"
DATE: 1/26/05
JOB CAPTN: GGW
DRAWING: SDR
SHEET: D1.2
APPROVED: GGW
P.M.: N/A
P.E.: N/A

SPICER ZONE CHANGE & SITE DEVELOPMENT REVIEW
@ 708 SOUTH JONES
FOR: MR. GARETH SPICER
CITY OF LAS VEGAS, NEVADA

architecture/engineering/site planning/interior design
GARY GUY WILSON AIA ARCHITECTS, PC
7625 South Industrial Road, Suite#100
Las Vegas, Nevada 89139
(702)876-0698

CONSULTANTS:
CIVIL: N/A
STRUCTURAL: N/A
ELEC: N/A
MECH: N/A

THE DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE AND SHALL REMAIN THE PROPERTY OF GARY GUY WILSON AIA ARCHITECTS, PC. ALL RIGHTS RESERVED.

MEMO 01:

Project Name: SPICER ZONE CHANGE & SDPR	*Date:* 08DEC04	*Project #:* 12680427.01
Location: @ 708 South Jones Blvd., Las Vegas, NV. 89015	*Page:* 1 of 1	*Architect Phase #:* 02

Type: ☐ Conference ☐ Teleconference ☐ Research Report ■ Other:

Justification Letter:

Mr. Gareth Spicer requests a Re-Zoning from R-1 to C-1 and a Site Development Plan Review of the property at 708 South Jones for the following reasons:

1. Mr. Spicer wishes to maintain and operate a computer repair business at the aforementioned site.

2. Consistent with Neighborhood Development, numerous residences in the surrounding area and along Jones Blvd. have already been converted into a commercial/professional zoning or other, and are currently being operated as businesses. The existing building will remain as-is with site improvements, floor plan and exterior elevations as per the submitted plans and per the two discussions with staff in the pre-application planning conferences.

3. Due to the existing site conditions, a waiver for the required landscaping is being requested for the following areas: Parking areas due to the minimal lot size, Perimeter landscaping due to the minimal lot size as well as the possibility of causing structural damage to the existing building footings and Foundation landscape planting due to the watering that will be required with plant root systems that can and will damage the existing building footings. Water should be kept from footings and stucco finishes due to the damage it will cause over time. Improved landscaping will be provided as per the submitted landscape plan. All existing and/or new landscape areas shown on the plans will receive a rock ground cover with most areas also receiving new plants and trees. Also, side yard setbacks due to the building already being existing and all other businesses/structures in the neighborhood are similar.

Distribution:	Fax:	Date:	Initial:	Signed by:
City of Las Vegas				
				Name: Mark V. Martino
				Title: Project Manager
				Last printed: 8-Dec-04 4:15 PM

☐ Mail ☐ Please reply
☐ Fax ■ No Reply Necessary Unless Exception Taken
■ Deliver

Reviewed By:
■ Project Files ☐ H.R.M. Files
☐ Account Files ☐ Other:

Copyright © 2004 GGWStudios V:\2004 Projects\12680427.01 - Site Plan Review @ SPICER ZONE CHANGE\05 - Memos\Memo01-justification letter.DOC

architecture / engineering / site
GARY GUY WILSON
7625 S. Industrial Rd., #100, Las Vegas, NV 89139
professional corp./certified n.c.a.r.b.
AIA
planning / interior design
STUDIOS...
(702) 876-0668

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

CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

City of Las Vegas Planning Commission
400 Stewart Avenue
Las Vegas, NV 89101

February 21, 2005

RE: Items #26 and #27 on Thursday February 24, 2005's Agenda ZON-5769 and SDR-5770

Dear Planning Commission,

Fourteen years ago, North and South Jones Boulevard from Washington Avenue to Charleston Boulevard was residential. During the ensuing years, many of these residences have been rezoned for Professional Office Buildings (P-R).

Today, there are 28 residences (R-1), 29 Professional Office Buildings (P-R) and one "O" on South Jones from #100 to #901.

Item #26 ZON-5769:
We do not believe that 708 South Jones Boulevard should be rezoned to C-1 since the rest of this area is zoned R-1 and P-R. Would you want trucks coming into a residential neighborhood any hour of the day or night? We think not. This must be kept R-1 or P-R. Anything else would be unacceptable.

Enclosed are 2 pages from the Clark County Assessor's Real Property Search. The first shows a list of South Jones addresses from #100 to #901. We looked at each address for its Zone Code. The second is an aerial map showing the area of South Jones Boulevard from #520 to #850. No Commercial Codes were found anywhere.

Please VOTE NO on Item #26 ZON-5769 for C-1, but YES for P-R.

Item #27 SDR-5770:
This is a beautiful building and the parking lot is fine. Only a P-R Code is acceptable.

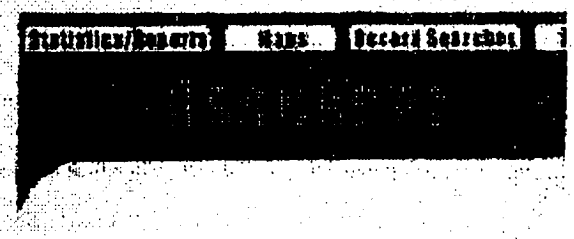
Please VOTE YES on Item #27 SDR-5770 ONLY IF IT IS ZONED P-R

Thank you very much.

June Ingram Pamela Stancliffe

June Ingram (259-3094) and Pamela Stancliffe (258-1517)

Clark County Assessor Real Property Search By Loc



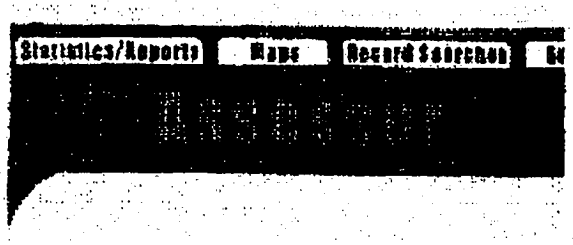
M.W. Schofie

PARCEL NUMBER INQUIRY - SEARCH

LOCATION ADDRESS		CITY
100 S JONES BLVD	R-1	LAS VE
102 S JONES BLVD	R-1	LAS VE
104 S JONES BLVD	P-R	LAS VE
106 S JONES BLVD	P-R	LAS VE
108 S JONES BLVD	R-1	LAS VE
112 S JONES BLVD	P-R	LAS VE
116 S JONES BLVD	R-1	LAS VE
120 S JONES BLVD	R-1	LAS VE
200 S JONES BLVD	P-R	LAS VE
204 S JONES BLVD	P-R	LAS VE
208 S JONES BLVD	P-R	LAS VE
212 S JONES BLVD	P-R	LAS VE
216 S JONES BLVD	R-1	LAS VE
220 S JONES BLVD	R-1	LAS VE
224 S JONES BLVD	P-R	LAS VE
228 S JONES BLVD	R-1	LAS VE
304 S JONES BLVD	R-1	LAS VE
308 S JONES BLVD	R-1	LAS VE
312 S JONES BLVD	R-1	LAS VE
316 S JONES BLVD	P-R	LAS VE
320 S JONES BLVD	P-R	LAS VE
328 S JONES BLVD	R-1	LAS VE
332 S JONES BLVD	P-R	LAS VE
336 S JONES BLVD	P-R	LAS VE
340 S JONES BLVD	R-1	LAS VE
344 S JONES BLVD	R-1	LAS VE
350 S JONES BLVD	R-1	LAS VE
352 S JONES BLVD	R-1	LAS VE
356 S JONES BLVD	R-1	LAS VE
360 S JONES BLVD	R-1	LAS VE
400 S JONES BLVD	P-R	LAS VE

http://sandgate.co.clark.nv.us/servlet/Assessor

Clark County Assessor Real Property Search By Loca



M.W. Schofie

PARCEL NUMBER INQUIRY - SEARCH

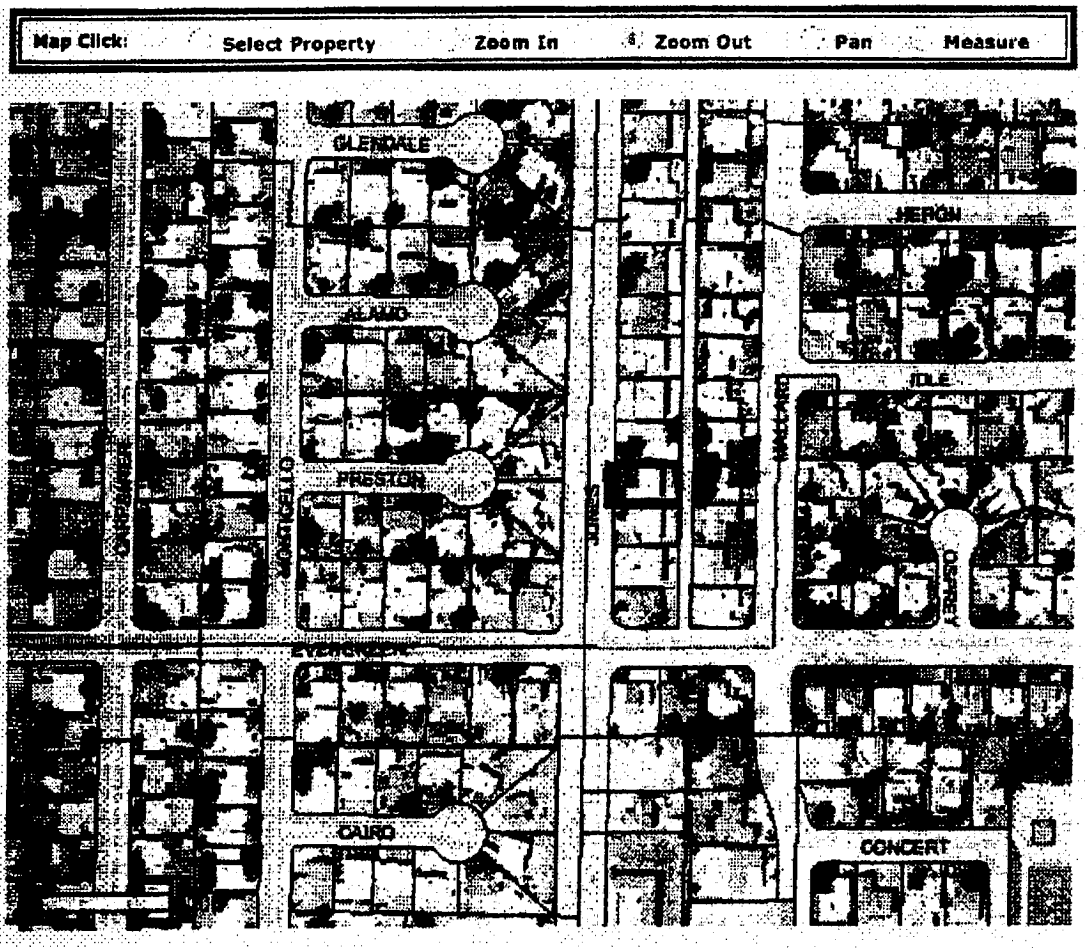
LOCATION ADDRESS		
404 S JONES BLVD	R-1	
408 S JONES BLVD	P-R	
412 S JONES BLVD	R-1	
416 S JONES BLVD	P-R	
420 S JONES BLVD	P-R	
500 S JONES BLVD	P-R	
504 S JONES BLVD	P-R	
508 S JONES BLVD	P-R	
512 S JONES BLVD	P-R	
516 S JONES BLVD	P-R	
520 S JONES BLVD	R-1	
524 S JONES BLVD	R-1	
600 S JONES BLVD	P-R	
604 S JONES BLVD	P-R	
608 S JONES BLVD	P-R	
612 S JONES BLVD	P-R	
700 S JONES BLVD	P-R	
704 S JONES BLVD	P-R	
708 S JONES BLVD	R-1	
712 S JONES BLVD	R-1	
716 S JONES BLVD	R-1	
720 S JONES BLVD	P-R	
800 S JONES BLVD	P-R	
804 S JONES BLVD	R-1	
850 S JONES BLVD		
901 S JONES BLVD, * * * * * * END OF REQUEST * *		

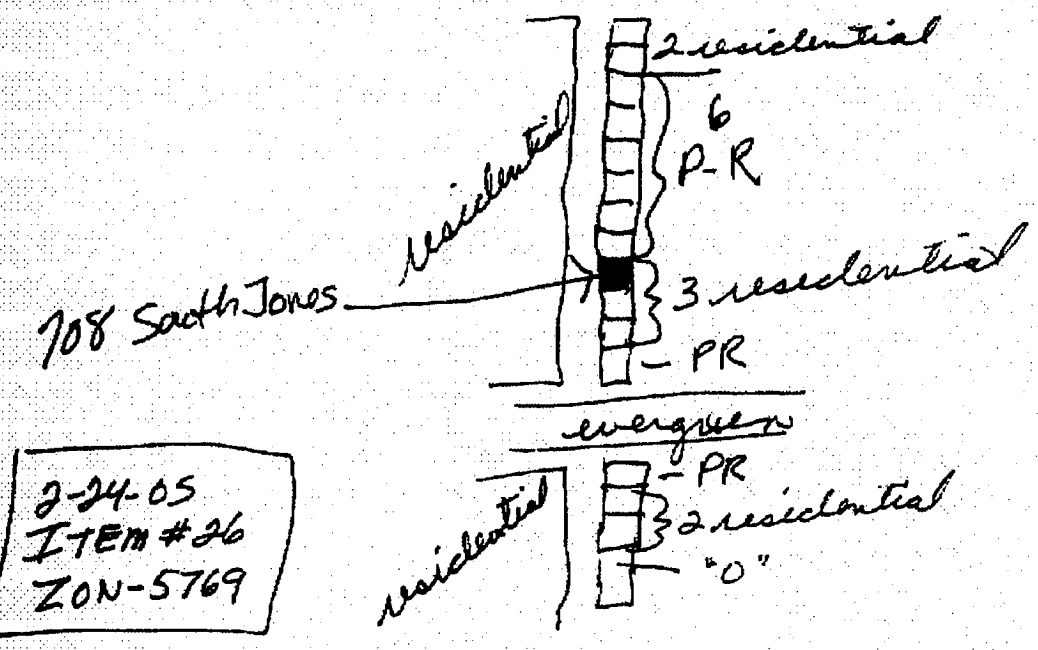
708

R-PD14

2-24-05 Item #26
ZON-5769

http://sandgate.co.clark.nv.us/servlet/Assessor





2-24-05
ITEM #26
ZON-5769

City of Las Vegas

Agenda Item No. 139

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5769

SDR-5770 - PUBLIC HEARING - APPLICANT/OWNER: GARETH J. SPICER - Request for a Site Development Plan Review FOR A PROPOSED 1,688 SQUARE-FOOT COMMERCIAL USE AND WAIVERS OF COMMERCIAL DEVELOPMENT STANDARDS FOR PERIMETER, FOUNDATION AND PARKING LOT LANDSCAPING; A WAIVER TO ALLOW A 27 FOOT FRONT SETBACK WHERE 20 FEET IS REQUIRED; AND A WAIVER TO ALLOW A 6.2 FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR A COMMERCIAL USE on 0.15 acres at 708 South Jones Boulevard (APN 138-36-316-007), R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 2/24/2005 Planning Commission Meeting Item 27

MOTION:

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

MINUTES:

NOTE: See Item 138 [ZON-5769] for all related discussion.
(6:25 - 6:28)
7-824

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-5769) to a P-R (Professional Office and Parking) Zone approved by the City Council.

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

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

CONDITIONS - Continued:

4. Waivers shall be granted in the front yard setback and in the perimeter, parking and foundation landscape standards, provided that additional landscaping is provided within the following areas as addressed in this report:
The landscape islands at the ends of the parking row.
Side yards.
A minimum 6.2-foot wide landscape planter in front.
Front yard island.

5. 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 additional landscape provisions in Item #4 above.

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

7. The facade of the existing residence shall be retained or improved to appear as a single-family dwelling with minor changes made to comply with building and safety codes.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting street.

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. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

11. Any new property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eight 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. The existing walls shall be painted or improved to have an attractive appearance and continuously maintained.

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

Public Works
13. If on-street parking is not already prohibited adjacent to this site, submit a written request to the City Traffic Engineer to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of any permits.

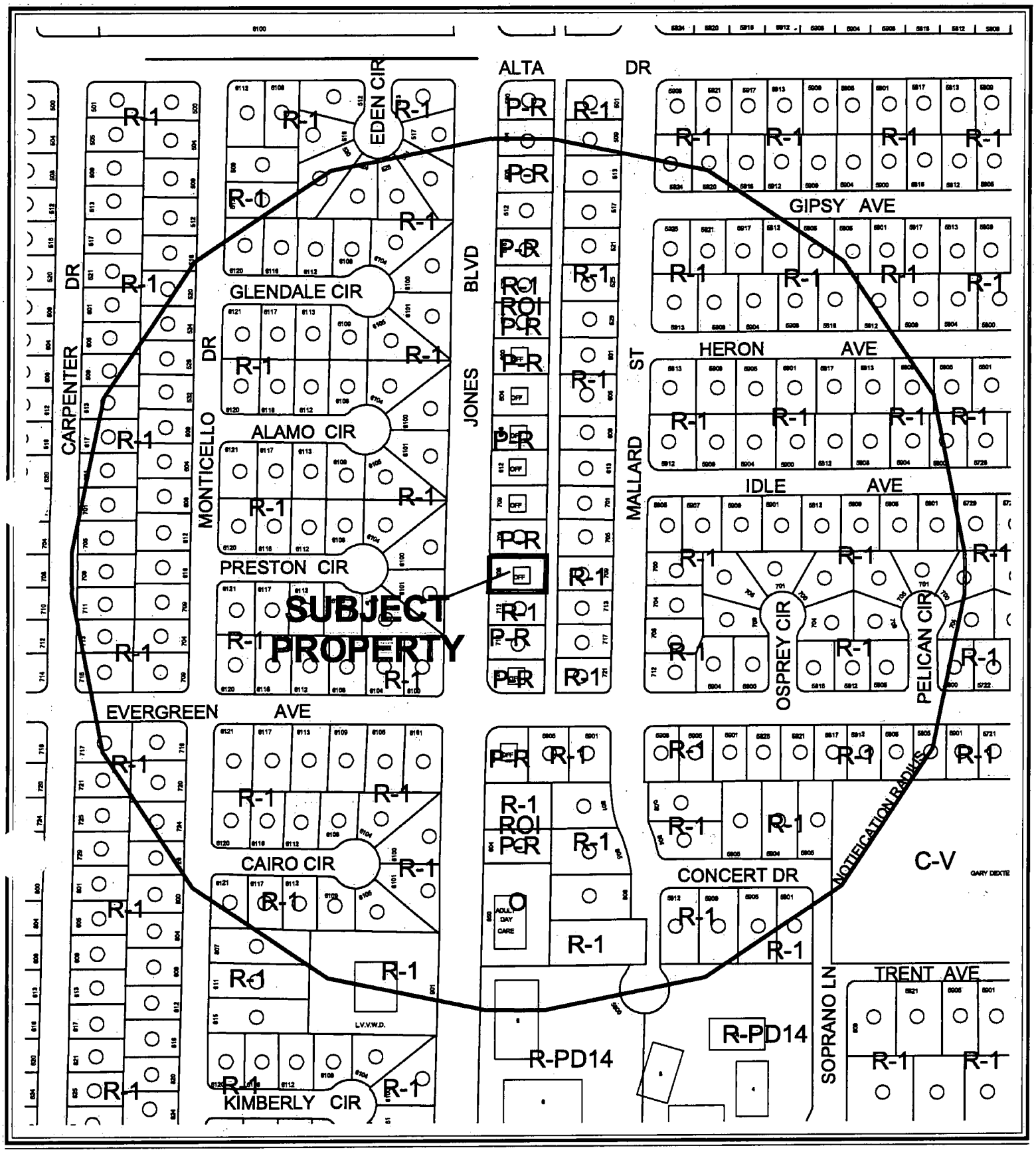
14. Hard surface and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained

CONDITIONS - Continued:

so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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

16. Site development to comply with all applicable conditions of approval for ZON-5769 and all other applicable site-related actions.



0 200 400 Feet

CASE: **SDR-5770**

RADIUS: 750 FT

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

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5770 – APPLICANT/OWNER: GARETH J. SPICER

** CONDITIONS **

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

Planning and Development

1. A Rezoning (ZON-5769) to a P-R (Professional Office and Parking) Zone approved by the City Council.

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

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

4. Waivers shall be granted in the front yard setback and in the perimeter, parking and foundation landscape standards, provided that additional landscaping is provided within the following areas as addressed in this report:
   - The landscape islands at the ends of the parking row.
   - Side yards.
   - A minimum 6.2-foot wide landscape planter in front.
   - Front yard island.

5. 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 additional landscape provisions in Item #4 above.

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

7. The façade of the existing residence shall be retained or improved to appear as a single-family dwelling with minor changes made to comply with building and safety codes.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting street.

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. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

11. Any new property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eight 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. The existing walls shall be painted or improved to have an attractive appearance and continuously maintained.

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

Public Works

13. If on-street parking is not already prohibited adjacent to this site, submit a written request to the City Traffic Engineer to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of any permits.

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

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

16. Site development to comply with all applicable conditions of approval for ZON-5769 and all other applicable site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a proposed 1,688 square-foot commercial use and for Waivers of commercial development standards for perimeter, foundation and parking lot landscaping and to allow a 27-foot front setback where 20 feet is required for a commercial use on 0.15 acres at 708 South Jones Boulevard.

B) Applicant's Justification

The applicant has submitted a letter of justification with the subject application, which states the following:

> "Due to the existing site conditions, a waiver for the required landscaping is being request for the following areas: Parking areas due to the minimal lot size, perimeter landscaping due to the minimal lot size as well as the possibility of causing structural damage to the existing building footings and foundation landscape planting due to the watering that will be required with plan root systems that can well damage the existing building footings. Water should be kept from footings and stucco finishes due to the damage it will cause over time. Improved landscaping will be provided as per the submitted landscape plan. All existing and/or new landscape areas shown on the plans will receive a rock ground cover with most areas also receiving new plants and trees. Also, side yard setbacks due to the building already being existing and all other businesses/structures in the neighborhood are similar."

BACKGROUND INFORMATION

A) Related Actions

01/27/05 The Planning Commission held the subject item in abeyance until the 02/24/05 Planning Commission meeting at the applicant's request.

02/24/05 The Planning Commission recommended approval of an application in conjunction with this application for Rezoning the subject property from R-1 (Single-Family Residential) to P-R (Professional Office and Parking).

02/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #27/dds).

B) Pre-Application Meeting

12/02/04 The staff discussed various elements of the prospective development, including the following:

- A Waiver in landscape standards with a letter justifying the reasons for their omission.
- Seven parking spaces required at one space per 250 square feet of floor area.
- Need encroachment agreement with the City for landscaping along the curb.
- Approval by Nevada Department of Transportation for a 24-foot wide driveway entrance.

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

Acres:	0.15 acres

B) Existing Land Use

Subject Property	Office
North	Single family residence
South	Single family residence
East	Single family residence
West	Single family residence

C) Planned Land Use

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

D) Existing Zoning

Subject Property	R-1 (Single Family Residential)
North	P-R (Professional Office and Parking)
South	R-1 (Single Family Residential)
East	R-1 (Single Family Residential)
West	R-1 (Single Family Residential)

E) General Plan Compliance

The subject property is located in the Southwest Sector of the General Plan. The property is presently classified in the SC (Service Commercial) land use category. An amended accompanying request is submitted for Rezoning the subject property to a P-R (Professional Office and Park) Zone. This zoning district is permitted within the SC land use classification. The proposed site plan conforms to the SC land use designation.

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

The SC (Service Commercial) land use designation established over the lots along the east side of Jones Boulevard extends from U.S. Highway 95 south to Evergreen Avenue (north of Charleston Boulevard). In this same distance, numerous lots have been rezoned to the P-R (Professional Office and Parking) Zone. The P-R zone is intended for professional and business offices, the deleterious effects of which can be ameliorated by appropriate buffering elements upon the single-family residences that rear upon these lots or are across Jones Boulevard.

PROJECT DESCRIPTION

The applicant has an interest in converting an existing 1,688 square-foot house to an office for a computer repair business. The applicant has submitted an accompanying amended request to this application to rezone the property to a P-R (Professional Office and Parking) Zone that would permit this use.

Located on the east side of Jones Boulevard, this request is similar to other requests to convert existing single-family dwelling to offices. The proposed Development meets the requirements for a P-R (Professional Office and Parking) Zone, except for the existing dwelling's setback and the landscape requirements. Waivers have been request in these requirements and are addressed below.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	NA	6,406 sq. ft.	NA
Min. Lot Width	60 feet	64.2 feet	Y
Setback • Front	20 feet	27 feet	N
Min. Setbacks • Side • Corner • Rear	5 feet NA 20 feet	10 and 6.2 feet NA 28.6 feet	Y NA Y
Max. Lot Coverage	50 %	26 %	Y
Max. Building Height	None	11.7 feet	NA

Except for the building setback, the existing property and proposed development meet the Development Standards of Title 19.08 for a lot zoned P-R (Professional Office and Parking). According to the Development Standards, the building is to be placed as far forward on the lot as the front yard setback allows, which is 20 feet. The existing building is located 26.3 feet from the front lot line. A Waiver in this requirement is requested. It does not appear that the location of the building in its present location will have any diminutive affect on adjoining property; therefore, it is recommended that this Waiver be granted.

A2) Residential Adjacency Standards

Buildings higher than 15 feet are subject to the Residential Adjacency Standards. Since the building is 11.7 feet high, these standards are not applicable.

A3) Parking and Traffic Standards

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

Uses	Gross Floor Area (Sq. ft.)	Required			Provided	
		Parking space/ sq. ft.	Parking Spaces		Parking Spaces	
			Regular	Handicap	Regular	Handicap
Office	1688	1/250	6	1	6	1

The proposed use complies with the parking space requirements.

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	2 trees/ 6 space	2 trees	0
Buffer: • Min. Trees	1 trees/ 20 linear Ft.	9 trees	0
Min. Zone Width: • At front • At Wall	15 Feet 8 Feet		9 feet 6.2 and 10 feet

Although the site plan indicates that three Aleppo Pine trees are provided for the property, only one tree is shown. A total of 11 trees are required for the property. The applicant has submitted requests for Waivers in the perimeter, parking and foundation landscape standards. Although space on the property is severely limited, trees could be provided in some locations. These locations include the following:

- The landscape islands at the ends of the parking row. Although these islands are only four feet wide and five feet is the required width, there are several small varieties of trees that would subsist in this restricted space, including Shoestring Acacia, Chaste, and Mesquite trees.
- Side yards. The side yards have a width of 10 feet along the north property line and 6.2 feet along the south side. Stone walking paths are proposed within both side yards. However, there is sufficient space within the north side yard for small variety trees and some shrubs with the walk placed to one side or meandered around the trees. On the south side, where no wall exists, shrubs could be planted along the building foundation.
- A minimum 6.2-foot wide landscape planter in front. There is sufficient space in front of the garage to provide a minimum 6.2 foot wide landscape planter along the south property line that flares out to the edge of the access drive. A large variety tree in the front corner, small variety trees at 20 feet on center, and four shrubs for each tree could be planted within this landscape planter.
- Front yard island. While it would appear that a tree has purposefully been left out of this area because of a sign to be located in front, a low profile sign could be located to one side of a tree planted in the island area.

It is recommended that Waivers be granted in the landscape standards, subject to the provision of trees and shrubs as suggested above. These deficiencies and Waivers are addressed as conditions of approval in this report.

B) General Analysis and Discussion

- Zoning

An accompanying amended request for Rezoning the subject property to a P-R (Professional Office and Parking) Zone has been submitted. It is recommended that this application be approved. The proposed development is permitted in the P-R (Professional Office and Parking) Zone.

- Site Plan

  The site plan for the proposed development illustrates compliance with the Development Standards for Title 19, except for the existing building's setback and landscaping requirements. Waivers have been requested in the requirements, and it is recommended that the Waivers be granted.

- Waivers

  Waivers in the front yard setback and the perimeter, parking and foundation landscape standards have been requested. It is recommended that Waivers be granted, provided additional landscaping is provided as discussed in the *Zoning Code Compliance* section above.

- Landscape Plan

  As discussed in the *Zoning Code Compliance* section above, there are numerous deficiencies in the landscape standards of Title 19. It is recommended that the landscape plan be amended to provide additional landscaping as discussed. These deficiencies are addressed as conditions of approval in this report.

- Elevation

  The subject office would be located in an area with single-family dwellings located to the east and across Jones Boulevard to the west. It is recommended that the building retain a residential profile to the extent possible.

- Floor Plan

  The floor plan of the proposed business illustrates three offices, a large "storage and work area" in the garage, a kitchen, a restroom, lobby and storage areas. The house remodeling will have to comply with building and safety codes.

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;"**

   An accompanying amended request to Rezone the subject property to a (Professional Office and Parking) Zone had been submitted. This zone permits uses that can be made compatible with single-family residences. With the improvements proposed and required for the subject development, it should 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 located in the Southwest Sector of the General Plan. The property is presently classified in the SC (Service Commercial) land use category, which is intended for development as proposed for the subject property. The proposed development is consistent with the City's standards with the exception of its front yard setback and compliance with the landscape standards. With Waivers and the provision of additional landscaping, the development will meet the intent of these standards.

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

   According to the Master Plan of Streets and Highways, the subject site is located on Jones Boulevard, an 80-foot wide Secondary Collector street. Provided appropriate access is provided to the site, the street 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;"**

   As discussed in the *Zoning Code Compliance* and *General Analysis and Discussion* sections above, the proposed development has deficiencies in the landscape standards of Title 19. The applicant has requested a Waiver in these standards. It is recommended that this Waiver be approved if additional landscaping, as recommended in this report, is provided. With the additional landscaping, the landscape materials are appropriate for the area.

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

   As discussed in the *General Analysis and Discussion* section above, the proposed project is to convert an existing dwelling to an office where there are adjacent single-family dwellings located to the east and across Jones Boulevard to the west. The conversion appears to maintain a residential profile. It is recommended to the extent possible that the building retain a residential profile.

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 7

NOTICES MAILED 222 by Planning Department

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5770** APN: 138363160007

Name of Property Owner: Gareth Spicer

Name of Applicant: Gary Guy Wilson 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: [signature]

Print Name: Gareth SPICER

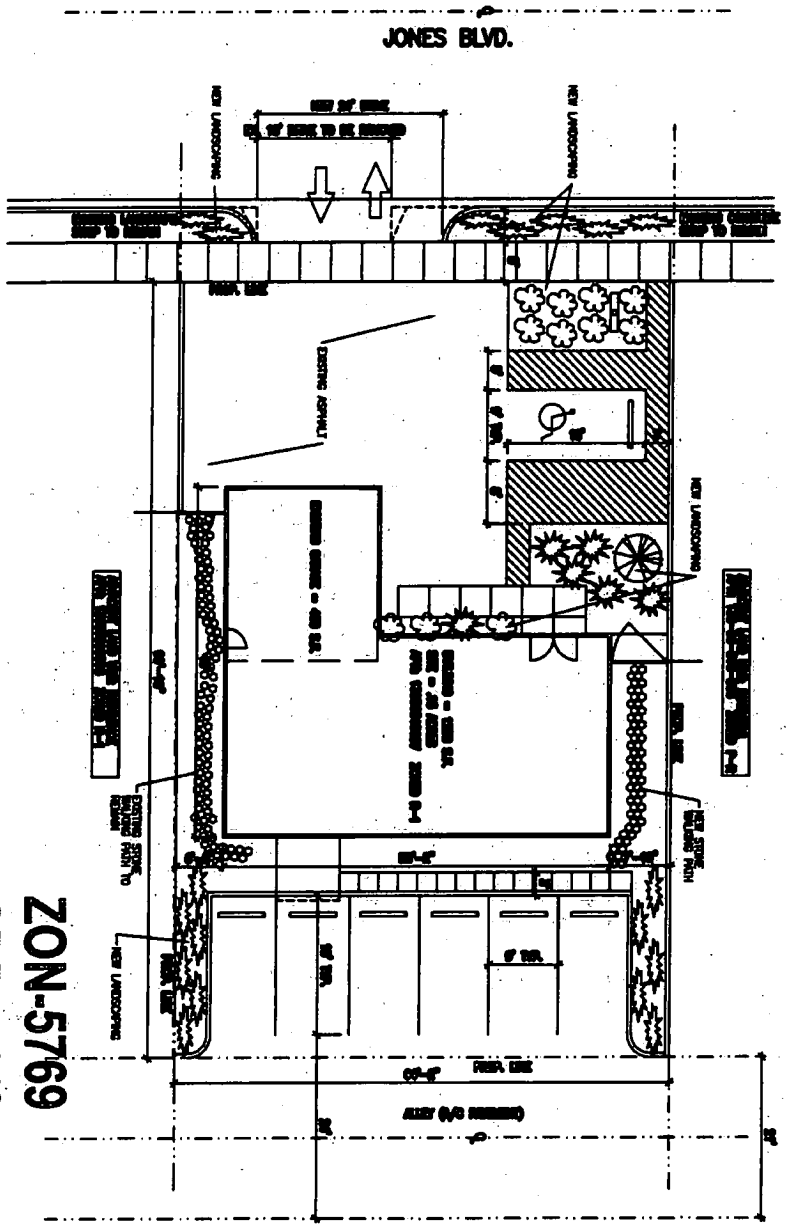
Subscribed and sworn before me

This 1st day of October, 2004

[signature]
Notary Public in and for said County and State of NEV

CATHLEEN M. MALONE
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 02-17-2007
Certificate No: 89-55790-1

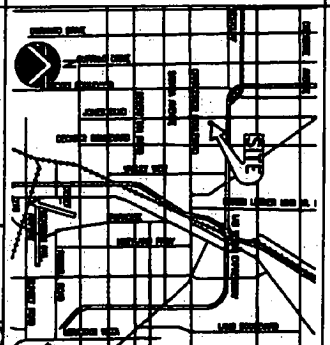
JONES BLVD.
SITE PLAN
SCALE: 1/8"=1'-0"
SDR-5770
01/27/05 PC
N
SIGN
SCALE: NONE
KEYNOTES: THIS SHEET ONLY
PROJECT DATA:
APN: 139-08-310-007
ZONING
CURRENT ZONING: P-1
PROPOSED ZONING: C-1
CURRENT GENERAL PLAN: S-C
PROPOSED GENERAL PLAN: S-C
SITE = .15 ACRES
PARKING
REQUIRED 7 (1 SPACE PER 250 S.F.)
PROVIDED 7 SPACES INCLUDING 1 HANDICAP
ASPHALT
COVERAGE 25% OF SITE
VICINITY MAP
SCALE: N.T.S.
SITE
SITE PLAN
SHT.NO. D1.2
SPICER ZONE CHANGE &
SITE DEVELOPMENT REVIEW
@ 708 SOUTH JONES
FOR: MR. GARETH SPICER
GARY GUY WILSON AIA
ARCHITECTS, PC
CONSULTANTS:
CIVIL: N/A
ELEC: N/A
V:\2004 Projects\12680427.01 - [illegible] Review @ SPICER ZONE CHANGE\Phase 2 - Site Planni



ZON-5769
SDR-5770
01/27/05 PC

LANDSCAPE PLAN

VICINITY MAP



LANDSCAPE SCHEDULE

KEY	SYM	COMMON NAME	BOTANICAL NAME	SIZE	NOTES
1		FLOWERING PEAR	PYRUS CALLERYANA	24" BOX	0
2		PHOTINIA	PHOTINIA FRASERI	5 GAL	6
3		PHOTINIA	PHOTINIA FRASERI	1 GAL	6
4		LANTANA	LANTANA SPECIES	1 GAL	12
5		ASIATIC JASMINE	TRACHELOSPERMUM ASIATICUM	1 GAL	12
6		ALOE VERA	ALOE VERA	5 GAL	8
7		MEXICAN FEATHER GRASS	NASSELLA TENUISSIMA	1 GAL	8
8		TEXAS MOUNTAIN LAUREL	SOPHORA SECUNDIFLORA	24" BOX	3

KEYNOTES: THIS SHEET ONLY

1 –

GENERAL LANDSCAPE NOTES

1. ALL PLANTER AREAS NOT OTHERWISE NOTED TO HAVE 3" OF DECOMPOSED GRANITE IN COLOR "PURPLE HEART" OVER PLASTIC AND SAND BASE. SIZE 1/4" - 1" (MIN.)
2. ALL PLANTING AREAS TO BE AUTOMATICALLY WATERED AND REMAINED TO SUCH AREAS TO BE AUTOMATICALLY WATERED AND MAINTAINED AFTER INSTALLATION.
3. SUPPLY AND INSTALL ALL PIPING, FITTINGS, VALVES, HEADS, TIMERS, WIRING, ETC. NECESSARY TO PROVIDE A PROPER AUTOMATIC IRRIGATION SYSTEM TO ALL PLANTING AREAS ADEQUATE TO ALLOW MAXIMUM PLANT LIFE, HEALTH AND GROWTH. IRRIGATION SUB-CONTRACTOR TO PROVIDE DETAILED IRRIGATION PLAN TO ARCHITECT FOR REVIEW AND APPROVAL.
4. PROVIDE ROOT SHIELD WHERE TREES ARE WITHIN 5' OF A WALL OR SIDEWALK.
5. PROVIDE CROSS FREE WELL FOR ALL TREES WITH EXTRUDED CONCRETE LANDSCAPE CURBING AND CRUSHED GRANITE GROUND COVER.

LANDSCAPE PLAN

SHT.NO. D1.3

REVISIONS	
–	

PROJ.MGR.	C.B.WILSON,AIA
PROJECT DES.	
JOB CAPT.	RSM
DRAWN BY	RSM
CHECKED BY	
PHASE 1	N/A
PHASE 2/3	UNKNOWN
PHASE 4	N/A

SPICER ZONE CHANGE & SITE DEVELOPMENT REVIEW
@ 708 SOUTH JONES
FOR: MR. GARETH SPICER
OFF-OF US 95NB, NEVADA

architecture/engineering/site planning/interior design
GARY GUY WILSON ARCHITECTS,PC
7625 South Eastern Road, Suite#100
Las Vegas, Nevada 89139
(702)870-0588

CONSULTANTS:
CIVIL: N/A
STRUCTURAL: N/A
ELEC: N/A
MECH: N/A

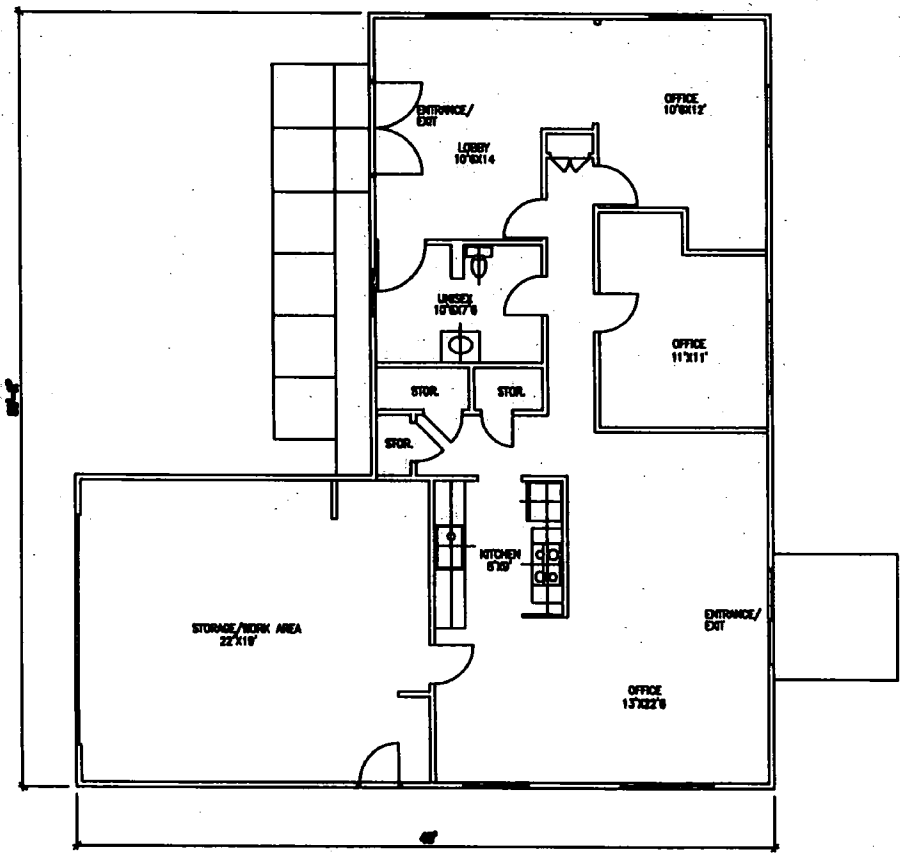
THE DRAWINGS AND SPECIFICATIONS AND IDEAS, DESIGNS AND ARRANGEMENTS REPRESENTED THEREIN ARE AND SHALL REMAIN THE PROPERTY OF GARY GUY WILSON ARCHITECTS, PC AND WERE CREATED AND DEVELOPED FOR USE ON THE PROJECT AND SHALL NOT BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF GARY GUY WILSON ARCHITECTS, PC

LEGEND:

EXISTING INTERIOR AND EXTERIOR 2X4 STUD WALLS TO REMAIN.

KEYNOTES: THIS SHEET ONLY

-



FLOOR PLAN SC: 1/4"=1'0 5

ZON-5769
SDR-5770
01/27/05 PC

GARY GUY WILSON AIA ARCHITECTS, PC

CONSULTANTS:

INTERIOR-EXTERIOR REMODEL
PERLITER FAMILY CARE
@: 2500 PERLITER AVE.
FOR: DR. RAM K. SINGH

PROJ.NO.	12420401.DI
PROJ.ARCH	G.G.WILSON,AIA
PROJ.MGR.	MM
JOB CAPT.	SSM
TECH'N	SSM
ARCH.LOAN	GGW
1/3-2/3	22MAR04
1/2	08OCT04
3/4	15OCT04

REVISIONS

FLOOR PLAN

SHT.NO. D2.1

V:\2004 Projects\12680427.DII + CHANGE ORDER #2 - Site Planni

EAST (REAR) ELEVATION 8

SOUTH (RIGHT SIDE) ELEVATION 7

NORTH (LEFT SIDE) ELEVATION 6

WEST (FRONT) ELEVATION 5

KEYNOTES: THIS SHEET ONLY

- EXISTING DOOR WITH DECORATIVE W.I. SECURITY BARS (BLUE)
- EXISTING WINDOW WITH W.I. SECURITY BARS (BLUE)
- EXISTING GARAGE DOOR TO REMAIN (WHITE)
- EXISTING STUCCO (WHITE) TO REMAIN
- EXISTING CRUSHED ROCK (WHITE) FINISH ROOFING TO REMAIN
- EXISTING WOOD EAVE TRIM (BLUE) TO REMAIN
- EXISTING ATTIC VENT (WHITE) TO REMAIN

ZON-5769
SDR-5770
01/27/05 PC

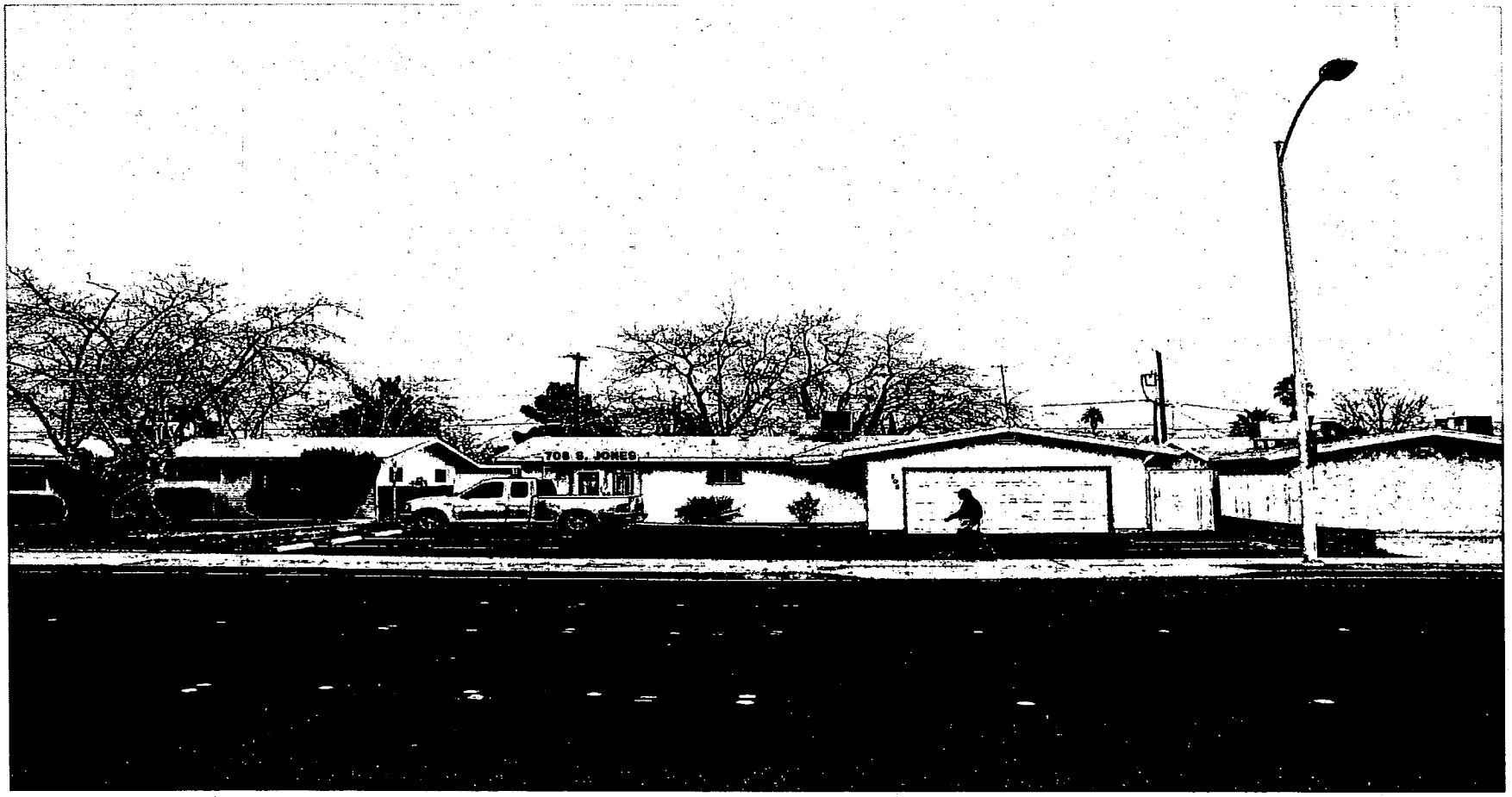
EXTERIOR ELEVATIONS

GARY GUY WILSON ARCHITECTS, PC

SPICER ZONE CHANGE & SITE DEVELOPMENT REVIEW
● 708 SOUTH JONES

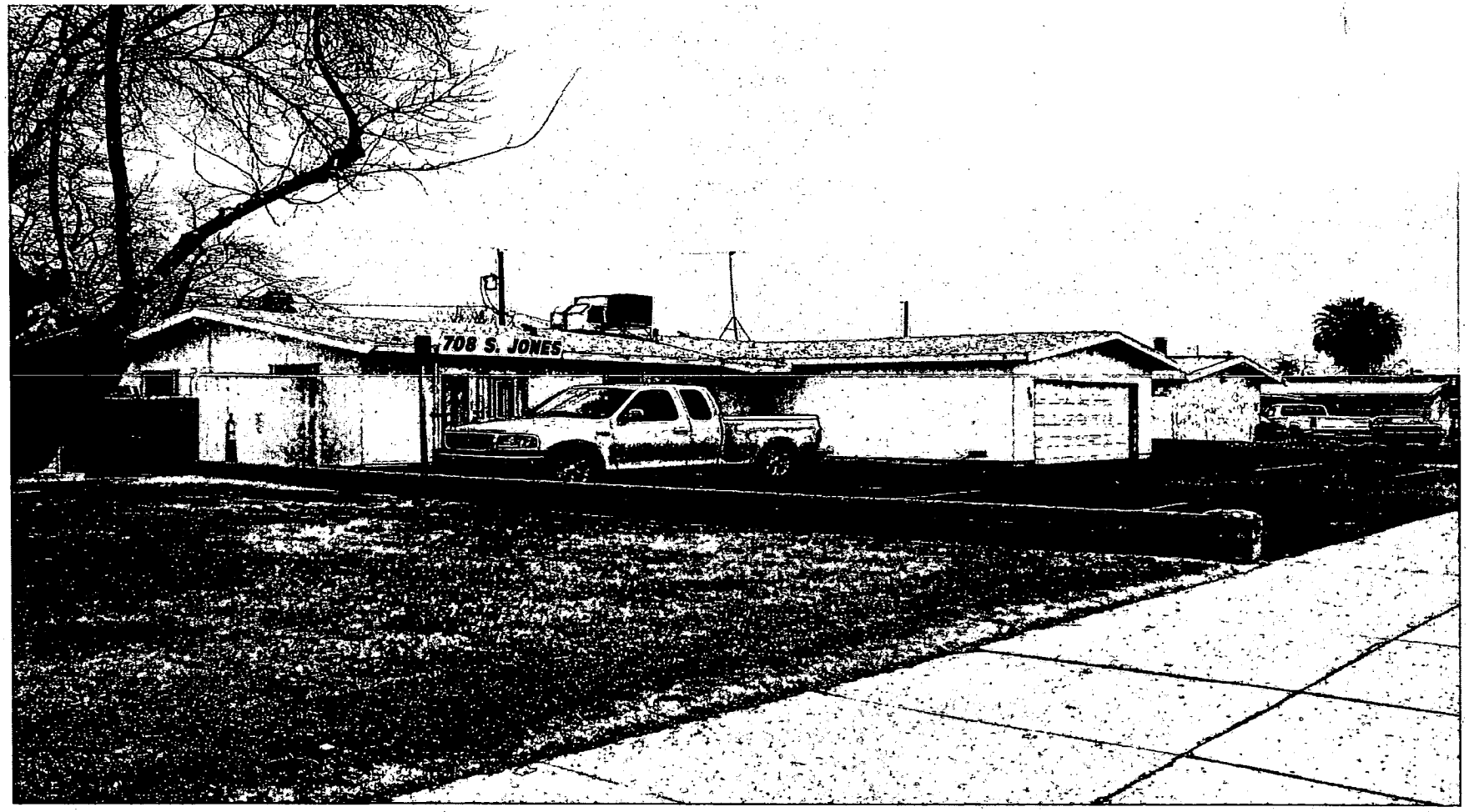
D3.1

V:\2004 Projects\1268041\Drawings\Phase 2 - ZONE CHANGE\Spicer Site Plan



ZON-5769 & SDR-5770 - APPLICANT/OWNER: GARETH J. SPICER
708 SOUTH JONES BOULEVARD
FEBRUARY 27, 2005 PLANNING COMMISSION

1/6/05



ZON-5769 & SDR-5770 - APPLICANT/OWNER: GARETH J. SPICER
708 SOUTH JONES BOULEVARD
FEBRUARY 27, 2005 PLANNING COMMISSION

1/6/05

MEMO 01:

Project Name: SPICER ZONE CHANGE & SDPR	*Date:* 08DEC04	*Project #:* 12680427.01
Location: @ 708 South Jones Blvd. Las Vegas, NV. 89015	*Page:* 1 of 1	*Architect Phase #:* 02

Type: ☐ Conference ☐ Teleconference ☐ Research Report ■ Other:

Justification Letter:

Mr. Gareth Spicer requests a Re-Zoning from R-1 to C-1 and a Site Development Plan Review of the property at 708 South Jones for the following reasons:

1. Mr. Spicer wishes to maintain and operate a computer repair business at the aforementioned site.

2. Consistent with Neighborhood Development, numerous residences in the surrounding area and along Jones Blvd. have already been converted into a commercial/professional zoning or other, and are currently being operated as businesses. The existing building will remain as-is with site improvements, floor plan and exterior elevations as per the submitted plans and per the two discussions with staff in the pre-application planning conferences.

3. Due to the existing site conditions, a waiver for the required landscaping is being requested for the following areas: Parking areas due to the minimal lot size, Perimeter landscaping due to the minimal lot size as well as the possibility of causing structural damage to the existing building footings and Foundation landscape planting due to the watering that will be required with plant root systems that can and will damage the existing building footings. Water should be kept from footings and stucco finishes due to the damage it will cause over time. Improved landscaping will be provided as per the submitted landscape plan. All existing and/or new landscape areas shown on the plans will receive a rock ground cover with most areas also receiving new plants and trees. Also, side yard setbacks due to the building already being existing and all other businesses/structures in the neighborhood are similar.

Distribution:	Fax:	Date:	Initial:	Signed by:
City of Las Vegas				
				Name: Mark V. Martino
				Title: Project Manager
				Last printed: 8-Dec-04 4:15 PM

☐ Mail ☐ Fax ■ Deliver

☐ Please reply
■ No Reply Necessary Unless Exception Taken

Reviewed By:
■ Project Files ☐ H.K.M. Files
☐ Account Files ☐ Other:

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architecture / engineering / site
GARY GUY WILSON
7625 S. Industrial Rd., #100, Las Vegas, NV 89139
professional corp./certified n.c.a.r.b.
AIA
planning / interior design
STUDIOS...
(702) 876-0668

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

CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

City of Las Vegas Planning Commission
400 Stewart Avenue
Las Vegas, NV 89101

February 21, 2005

RE: Items #26 and #27 on Thursday February 24, 2005's Agenda ZON-5769 and SDR-5770

Dear Planning Commission,

Fourteen years ago, North and South Jones Boulevard from Washington Avenue to Charleston Boulevard was residential. During the ensuing years, many of these residences have been rezoned for Professional Office Buildings (P-R).

Today, there are 28 residences (R-1), 29 Professional Office Buildings (P-R) and one "O" on South Jones from #100 to #901.

Item #26 ZON-5769:
We do not believe that 708 South Jones Boulevard should be rezoned to C-1 since the rest of this area is zoned R-1 and P-R. Would you want trucks coming into a residential neighborhood any hour of the day or night? We think not. This must be kept R-1 or P-R. Anything else would be unacceptable.

Enclosed are 2 pages from the Clark County Assessor's Real Property Search. The first shows a list of South Jones addresses from #100 to #901. We looked at each address for its Zone Code. The second is an aerial map showing the area of South Jones Boulevard from #520 to #850. No Commercial Codes were found anywhere.

Please VOTE NO on Item #26 ZON-5769 for C-1, but YES for P-R.

Item #27 SDR-5770:
This is a beautiful building and the parking lot is fine. Only a P-R Code is acceptable.

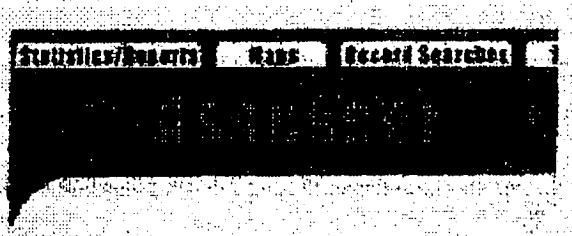
Please VOTE YES on Item #27 SDR-5770 ONLY IF IT IS ZONED P-R

Thank you very much.

June Ingram Pamela Stancliffe

June Ingram (259-3094) and Pamela Stancliffe (258-1517)

Clark County Assessor Real Property Search By Loc



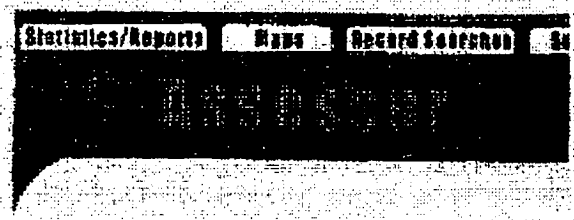
M.W. Schofie

PARCEL NUMBER INQUIRY - SEARCI

LOCATION ADDRESS		CITY
100 S JONES BLVD	R-1	LAS VE
102 S JONES BLVD	R-1	LAS VE
104 S JONES BLVD	P-R	LAS VE
106 S JONES BLVD	P-R	LAS VE
108 S JONES BLVD	R-1	LAS VE
112 S JONES BLVD	P-R	LAS VE
116 S JONES BLVD	R-1	LAS VE
120 S JONES BLVD	R-1	LAS VE
200 S JONES BLVD	P-R	LAS VE
204 S JONES BLVD	P-R	LAS VE
208 S JONES BLVD	P-R	LAS VE
212 S JONES BLVD	P-R	LAS VE
216 S JONES BLVD	R-1	LAS VE
220 S JONES BLVD	R-1	LAS VE
224 S JONES BLVD	P-R	LAS VE
228 S JONES BLVD	R-1	LAS VE
304 S JONES BLVD	R-1	LAS VE
308 S JONES BLVD	R-1	LAS VE
312 S JONES BLVD	R-1	LAS VE
316 S JONES BLVD	P-R	LAS VE
320 S JONES BLVD	P-R	LAS VE
328 S JONES BLVD	R-1	LAS VE
332 S JONES BLVD	P-R	LAS VE
336 S JONES BLVD	P-R	LAS VE
340 S JONES BLVD	R-1	LAS VE
344 S JONES BLVD	R-1	LAS VE
350 S JONES BLVD	R-1	LAS VE
352 S JONES BLVD	R-1	LAS VE
356 S JONES BLVD	R-1	LAS VE
360 S JONES BLVD	R-1	LAS VE
400 S JONES BLVD	P-R	LAS VE

http://sandgate.co.clark.nv.us/servlet/Assessor

Clark County Assessor Real Property Search By Loca



M.W. Schofie

PARCEL NUMBER INQUIRY - SEARCH

LOCATION ADDRESS		
404 S JONES BLVD	R-1	
408 S JONES BLVD		P-R
412 S JONES BLVD	R-1	
416 S JONES BLVD		P-R
420 S JONES BLVD		P-R
500 S JONES BLVD		P-R
504 S JONES BLVD		P-R
508 S JONES BLVD		P-R
512 S JONES BLVD		P-R
516 S JONES BLVD		P-R
520 S JONES BLVD	R-1	
524 S JONES BLVD	R-1	
600 S JONES BLVD		P-R
604 S JONES BLVD		P-R
608 S JONES BLVD		P-R
612 S JONES BLVD		P-R
700 S JONES BLVD		P-R
704 S JONES BLVD		P-R
708 S JONES BLVD	R-1	
712 S JONES BLVD	R-1	
716 S JONES BLVD	R-1	
720 S JONES BLVD		P-R
800 S JONES BLVD		P-R
804 S JONES BLVD	R-1	
850 S JONES BLVD		O
901 S JONES BLVD, * * * * * END OF REQUEST * *		

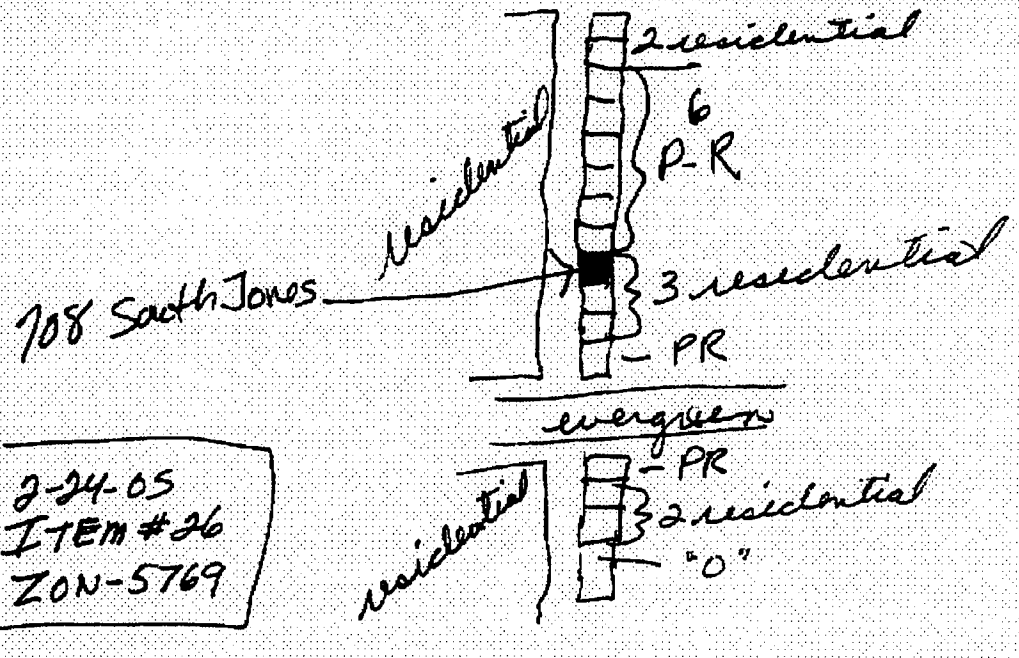
708 →

R-PD14

2-24-05 Item #26
ZON-5769

http://sandgate.co.clark.nv.us/servlet/Assessor





2-24-05
ITEM #26
ZON-5769

City of Las Vegas

Agenda Item No. 140

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

REZONING

ZON-5776 - PUBLIC HEARING - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE) on 2.16 acres adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive (APN 138-13-301-001), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (3-1-2 vote) recommends APPROVAL. [NOTE: Application has been revised to R-PD3 (Residential Planned Development - 3 Units per Acre)] (NOTE: This item will be held in abeyance to the 05/04/05 Council meeting)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	96	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (3-1-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 2/24/2005 Planning Commission Meeting Item 15

MOTION:

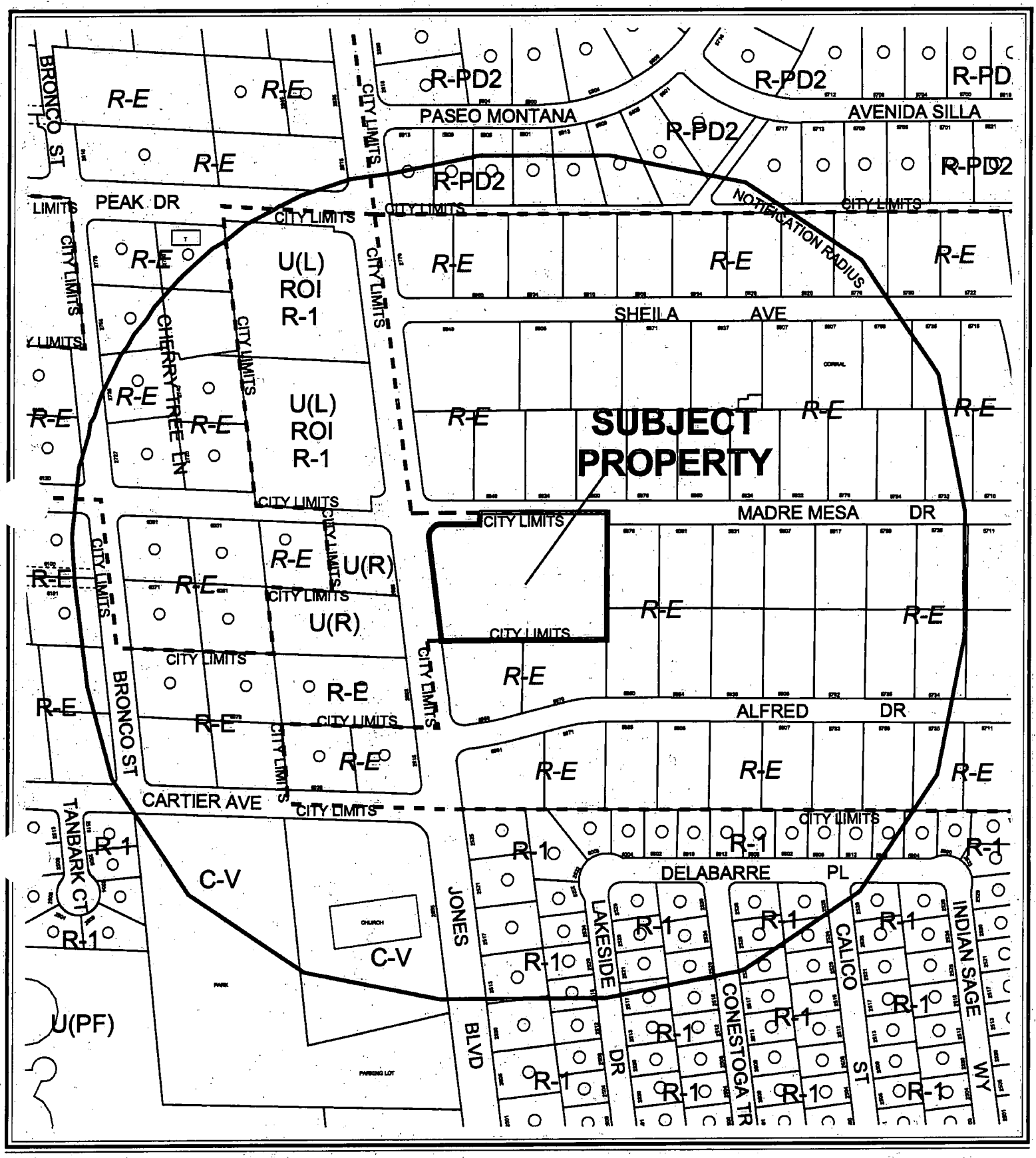
REESE - Motion to STRIKE Item 88 [2740 Harris Avenue] and Item 94 [DIR-6223]; TABLE Item 102 [SDR-6025] and HOLD IN ABEYANCE Item 140 [ZON-5776], Item 141 [VAR-5846] and Item 142 [SDR-5778] to 5/4/2005 - UNANIMOUS

MINUTES:

MARGO WHEELER, Director, Planning and Development Department, indicated that Item 140 [ZON-5776], Item 141 [VAR-5846] and Item 142 [SDR-5778] are shown on the City Council agenda as being held in abeyance to the May 4, 2005 City Council meeting as the Annexation has not yet occurred. COUNCILMAN WEEKLY further explained that DEPUTY CITY MANAGER BETSY FRETWELL informed him that this Bill is currently being heard at the Legislature. COUNCILMAN REESE verified with MS. WHEELER that this issue would be resolved by the May 4th City Council meeting. COUNCILMAN WEEKLY apologized to his constituents for any inconvenience.

(1:36 - 1:50)

4-1



0 200 400 Feet

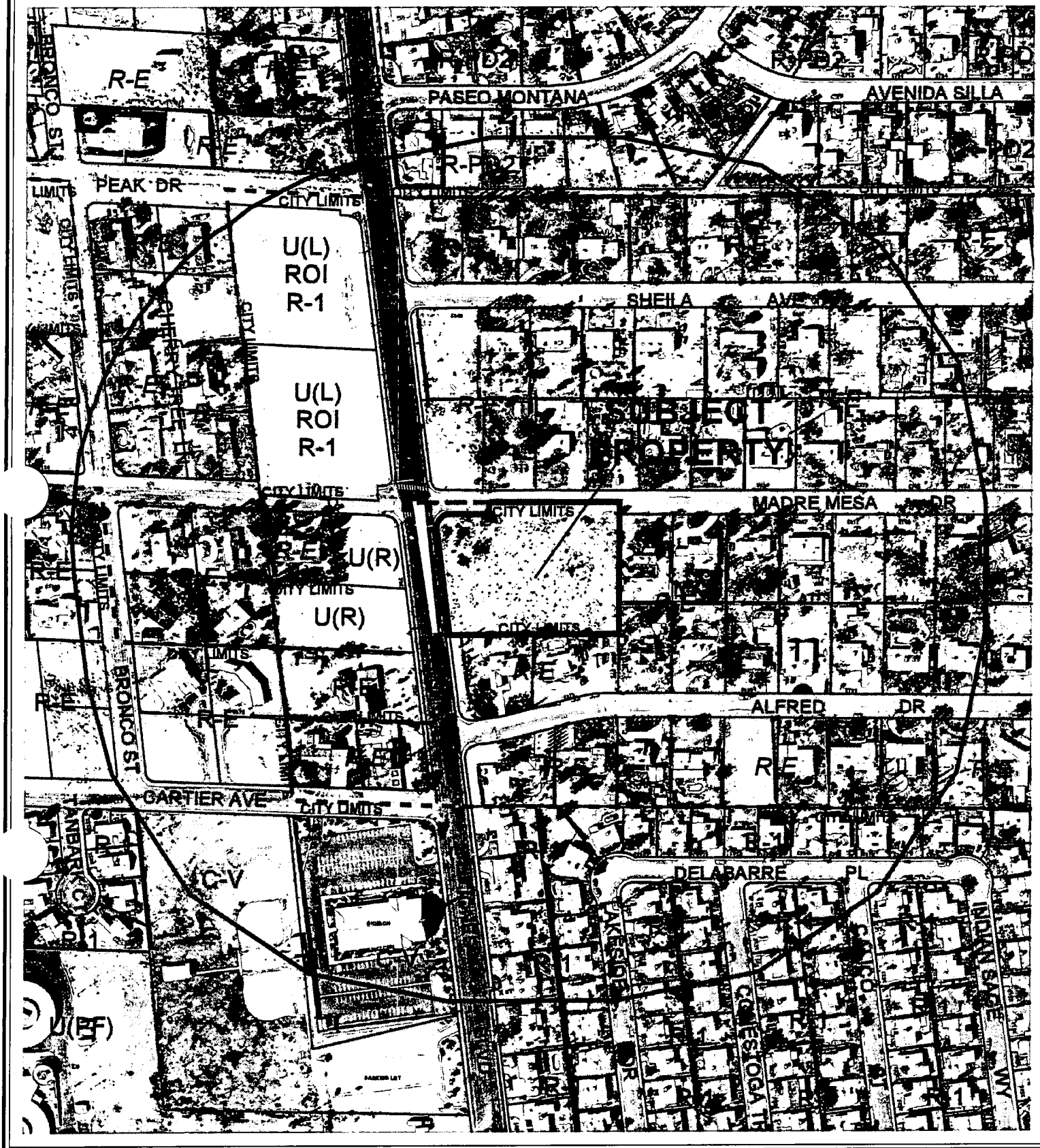
N

CASE: **ZON-5776**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)



CASE: **ZON-5776**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5776 - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC

THIS ITEM WILL BE HELD IN ABEYANCE TO THE 05/04/05 COUNCIL MEETING.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (3-1-2 vote) recommends APPROVAL, subject to:

Planning and Development

1. The zoning district applicable to the subject site shall be R-PD3 (Residential Planned Development – 3 units per acre).

2. A Variance (VAR-5846) to allow an R-PD development on less than five acres and a Site Development Plan Review (SDR-5778) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

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

Public Works

4. Dedicate 25 feet of right-of-way adjacent to this site for Madre Mesa Drive.

5. Construct half-street improvements, including appropriate overpaving, on Madre Mesa Drive and construct all incomplete half-street improvements on Jones Boulevard adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the east boundary of this site prior to construction of hard surfacing (asphalt or concrete).

6. 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.

7. Extend public sewer in Madre Mesa Drive to the western edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning from U (Undeveloped) [R (Rural Density Residential) General Plan designation] to R-PD4 (Residential Planned Development - 4 units per acre) on 2.16 acres adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive.

B) Applicant's Justification

The applicant's justification letter claims that the property is compatible with surrounding uses, as it will provide much needed single-family housing in the area.

BACKGROUND INFORMATION

A) Related Actions

01/27/05 The Planning Commission held this item and a related General Plan Amendment (GPA-5775) from R (Rural Density Residential) to L (Low Density Residential), Variance (VAR-5846) for reduced R-PD district size, and a Site Development Plan Review (SDR-5778) for a proposed nine-lot single-family residential development in abeyance to the 02/24/05 Planning Commission meeting so that the applicant could revise the plan to a lower density. Staff recommended denial of all items.

02/02/05 The City Council approved a Petition to Annex (ANX-5329) the subject site into the city of Las Vegas. The effective date of this annexation was 02/11/05. Staff and the Planning Commission recommended approval.

02/24/05 The Planning Commission accepted the applicant's request to withdraw without prejudice the related General Plan Amendment; they recommended approval of the related Variance and Site Development Plan Review (VAR-5846 and SDR-5778).

02/24/05 The Planning Commission voted 3-1-2 to recommend APPROVAL (PC Agenda Item #15/ss).

B) Pre-Application Meeting

12/01/04 Submittal requirements were discussed. The related annexation will be effective by the time these applications go to City Council. The development proposal would require a General Plan Amendment, Rezoning to an R-PD district, a Variance to allow an R-PD designation on a parcel less than five acres and a Site Development Plan Review. The Department of Public Works will require a Drainage Study and will assess a traffic signal mitigation fee, but no traffic study is required. This site will not need a waiver for intersection offset separation. The site should be revised to ensure minimal retainment along the east edge of the development. The development was originally designed as a hammerhead on a public street, but has since been revised into a knuckle with a turnaround on a private street.

C) Neighborhood Meetings

12/20/04 A neighborhood meeting sponsored by the applicant was held at the Durango Hills Community Center/YMCA at 3251 North Durango Drive. Six people attended and had the following comments

- No streetlights, no curb and gutter. Please retain rural street standards.
- Would like 3 or 4 units max. Builder said that no one is willing to do 3 or 4 units on that property because it fronts Jones.
- The higher density doesn't fit with 1/2-acre horse property in surrounding neighborhood.
- Drainage and traffic are major problems along Madre Mesa.
- They were also concerned about having to convert to LVVWD water.
- Concerned about running sewer line down Madre Mesa and the resulting disruption to the neighborhood during construction and the potential to make full street improvements.
- Overall sentiment: density, traffic, drainage will become worse.
- The applicant explained that this project may help improve traffic and drainage because these issues will be studied and city and developer will take action to correct problems as part of developing this project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.16

B) Existing Land Use

Subject Property	Undeveloped
North	Single family dwellings
South	Single family dwellings
East	Single family dwellings
West	Single family dwellings

C) Planned Land Use

Subject Property	R (Rural Density Residential)
North	R (Rural Density Residential)
South	R (Rural Density Residential)
East	R (Rural Density Residential)
West	R (Rural Density Residential)

D) Existing Zoning

Subject Property	U (Undeveloped)
North	Clark County R-E (Rural Estates Residential)
South	Clark County R-E (Rural Estates Residential)
East	Clark County R-E (Rural Estates Residential)
West	U (Undeveloped)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an R (Rural Density Residential) land use designation. The proposed zoning for this site is R-PD4 (Residential Planned Development - 4 units per acre), which will be in compliance with the General Plan with the approval of the related General Plan Amendment (GPA-5804) to the L (Low Density Residential) designation.

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

Special Notification - Property located within the notification radius falls within sections of unincorporated Clark County. The Clark County Planning Department has been notified of the land use application.

ANALYSIS

A) General Analysis and Discussion

The proposed R-PD4 (Residential Planned Development - 4 units per acre) zoning district is intended for residential developments with up to 4.49 units per acre, and is not appropriate for the area.

The revised site plan submitted 01/21/05 depicts nine lots with lot sizes ranging between 6,981 and 8,757 square feet, which are significantly smaller than those in the area. The adjacent R-E (Rural Estates Residential – Clark County Designation and Residence Estates – City of Las Vegas Designation) zoned parcels have minimum lot sizes of over one half acre and are rural in nature. Given the established development pattern of the area, a Rezoning request to R-PD4 (Residential Planned Development - 3 units per acre) zoning would be inappropriate for this location.

FINDINGS

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

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

With the approval of the proposed General Plan Amendment (GPA-5775) to an L (Low Density Residential) land use designation, the proposed R-PD4 (Residential Planned Development – 4 units per acre) zoning district will conform 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."**

The R-PD4 (Residential Planned Development - 4 units per acre) zoning district allows for residential development with up to 4.49 units per acre. The revised site plan depicts nine lots with lot sizes ranging between 6,981 and 8,757 square feet. The proposed lot sizes are significantly smaller than those of the adjacent city and county R-E (Residence Estates and Rural Estates Residential) zoned parcels, which have minimum lot sizes of over one-half acre. The proposed residential development is not consistent or compatible with the surrounding development in the area. While the smaller lots depicted on the revised site plan increased in size, the overall number of lots did not; therefore, the density remains identical to the original request, which cannot be supported.

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

Given the established development pattern in the area, the proposed R-PD4 (Residential Planned Development) zoning district is not appropriate, as the majority of the parcels in the area are zoned R-E (Residence Estates and Rural Estates Residential), which allow for larger lot sizes and lower densities than the proposed development.

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 will receive access from Madre Mesa Drive, a 60-foot collector street that is adequate in size to meet the requirements of the proposed zoning district.

PLANNING COMMISSION ACTION

There were 2 speakers in protest.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 125 by Planning Department

APPROVALS 0

PROTESTS 96

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-5776** APN: 138-13-301-001

Name of Property Owner: S.F. Investments, LLC

Name of Applicant: S.B.A. Development, Inc.

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

____ Yes ____ V ____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Stephen B. Ai

Print Name: STEPHEN B. AIZENBERG

Subscribed and sworn before me

This 3rd day of December, 2004

J. Rosanna Eitnier

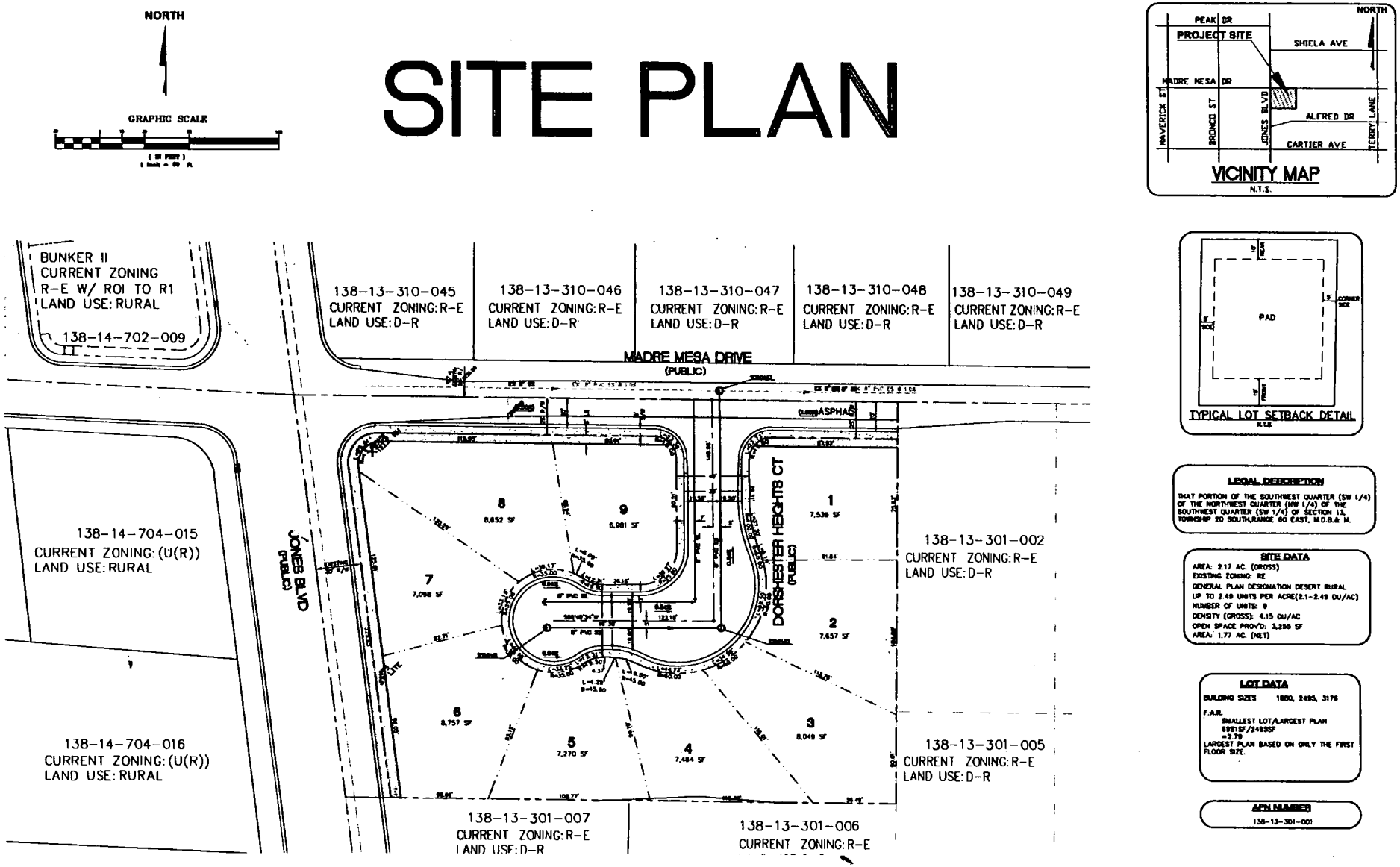
Notary Public in and for said County and State

J. ROSANNA EITNIER
NOTARY PUBLIC
STATE OF NEVADA
Appointment Exp. Aug. 6, 2007
Certificate No: 04-90741-1

RECEIVED

DEC 14 2004

SITE PLAN



VICINITY MAP
N.T.S.

TYPICAL LOT SETBACK DETAIL
N.T.S.

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B.& M.

SITE DATA

AREA: 2.17 AC. (GROSS)
EXISTING ZONING: RE
GENERAL PLAN DESIGNATION DESERT RURAL
UP TO 2.49 UNITS PER ACRE(2.1-2.49 DU/AC)
NUMBER OF UNITS: 9
DENSITY (GROSS): 4.15 DU/AC
OPEN SPACE PROV'D: 3,255 SF
AREA: 1.77 AC. (NET)

LOT DATA

BUILDING SIZES 1880, 2495, 3176

F.A.R.
SMALLEST LOT/LARGEST PLAN
6981SF/2495SF
=2.79
LARGEST PLAN BASED ON ONLY THE FIRST FLOOR SIZE.

APN NUMBER

138-13-301-001

DEVELOPER

SPINNAKER HOMES
4511 W. CHEYENNE, SUITE 105
N. LAS VEGAS, NV. 89033
PHONE: (702) 873-7773
FAX: (702) 873-7776

OWNER

HENRY AND LILIAS GORDON
1993 LIVING TRUST
800 TROTTER CIRCLE
LAS VEGAS, NV. 89107

TRC
Customer Focused Solutions
BV Engineering Nevada
6330 W. SUNSET ROAD
Suite 100
Las Vegas, NV 89113
Tel: 702-851-8177
Fax: 702-307-4222
Web: trcsolutions.com

PROJ NO. 607.00716
DESIGN: FRS
DATE: 01/20/05
SCALE: AS SHOWN
FILE: 04

BUNKER COMMONS IV
SITE PLAN / LOCATION MAP

SHEET
1
OF 1 SHTS
PROJECT ID

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JAN 21 2005

ZON-5776 GPA-5775
VAR-5846 SDR-5778
02/24/05 PC

TRC

Customer-Focused Solutions

BV Engineering Nevada

December 13, 2004

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

Re: GPA, Zone Change, and SDR for 2.1-acres on the Southeast corner of Madre Mesa Drive and Jones Boulevard in the City of Las Vegas, Nevada. (APN #138-13-301-001)

To Whom It May Concern:

This project is generally located on the southeast corner of Madre Mesa Drive and Jones Boulevard. The project site is currently in the jurisdiction of Clark County and is zoned RE (Rural Estates 2 units/acre) according to their general plan designation. Annexation application ANX-5923 for the project site proposes to annex the parcel into the City of Las Vegas jurisdictional limits. Our application for a general plan amendment is in for a Residential Planned Development of 4.1 units/acre. This zone change would create an RPD-4 zoning on these parcels.

Jones Boulevard, an 80-foot arterial, borders the property to the east while Madre Mesa Drive, a 60' local collector, borders the site on the north. Half acre residential homes border the site to the east and south. The proposed subdivision will consist of 9 lots and have a gross density of 4.16 units/acre. Access to the site is proposed from Madre Mesa Drive and approximately 280-feet of intersection length is provided to satisfy Title 18, Section 12.12.160. The interior street of the subdivision is a 49-foot public street with an offset bulb to provide emergency access to the site. Although the termination of the street is not in conformance with Title 18, Section 18.12.130, the proposed design mitigates the requirement for access to the site via Jones Boulevard. The project is directly adjacent to an 80' minor arterial, which provides adequate traffic facilities and is included on the Master Streets and Highways Plan. Water, sewer and dry utilities are all available to this site and accessible with right-of-way dedicated adjacent to the project. Six feet of landscaping, required by Title 18, is being proposed along the street frontages of Madre Mesa Drive and Jones Boulevard. A 6-foot decorative CMU wall is proposed at the project boundary to screen this project from the adjacent uses to the west and north.

This project is compatible with surrounding uses, as it will provide much needed single-family housing in the area. City facilities are adequate to serve the development and assure the continued development of infill parcels. The existing subdivision on the northwest corner (a.k.a Bunker Commons II) is already zoned R1 which will create a homogeneous atmosphere in the neighborhood. If you have any questions or concerns regarding this application, please feel free to contact me.

Sincerely,

David L. Yancy II, E.I.

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DEC 14 2004

8395 West Sunset Road, Suite 190 • Las Vegas, Nevada 89113
Telephone 702-650-0572 • Fax 702-307-4222

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

Telephone Protest/ Approval Log

Meeting Date: 02/24/05 **Case Number:** ZON-5776

Date: 02/23/05
Name: ERIC FARNSWORTH
Address: 5735 MADRE MESA
L.V. NV. 89108
Phone: (702) 339-1555
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
ame:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name: READ INTO THE RECORD
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

January 2, 2005

5980 W. Alfred Drive
Las Vegas, Nevada 89108

Re: General Plan Amendment GPA-5775

Zone Change ZON-5776

Site Development Review SDR-5778

Variance VAR-5846

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CITY CLERK
2005 JAN -3 A 11:08

Attn: County Commission
City Planning Commissioners
City Council Members

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

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

We are very much opposed to the Zone change requested.

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

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

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

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

Thank you,

Arlon R. Sibert Suzan C. Sibert

Arlon R. Sibert Suzan C. Sibert

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS	
Carla A. Silva	5980 W. ALFRED Dr. 89108	645-6666
Suzanne Silva	5980 W. ALFRED Dr 89108	645-6666
Janet White	5970 Alfred Dr 89108	655-3979
Richard White	5970 Alfred Dr. 89108	655-3979
Cindi Schum	5908 Alfred 89108	647-9644
Rocky Zanora	5908 Alfred 89108	647-9644
Pat Ogle	5908 alfred 89108	646-7224
John Hurst	5948 Madre Mesa 89108	648-0135
Sheryl Cartwright	5875 madre mesa 89108	648-[illegible]
FRED CARTWRIGHT	5875 MADRE MESA 89108	"
Sidney J. Draper	5900 Madre Mesa 89108	646-5728
Teri L. Draper	5900 madre mesa 89108	"
R Steele	5851 Madre Mesa 89108	
Sherry Interrante	5831 Madre Mesa Dr. 89108	
John Interrante	5831 Madre Mesa Dr. 89108	
MOHAMMED & ADELAISA RACHIDI	5817 MADRE MESA DR. 89108	
Michelle Locatelli	5778 Madre Mesa Dr 89108	651-5999

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
PAT DiNUCCI	5759 MADRE MESA
Maureen Dinucci	5759 MADRE MESA
Bertha Dominguez	5754 Madre Mesa
David Cummings	5754 Madre Mesa
James J McKiernan	5782 Alfred Drive
Richard Avith	5711 Alfred Drive
[illegible]	5735 Alfred Dr.
Michelle Fisher	5735 Alfred Dr.
Abi Bance	5735 Alfred dr
Carol Kayce Kaiser	5798 Alfred Dr.
Larry Kaiser	5798 Alfred Dr.
Susan Carson	5759 Alfred Dr.
Eileen Carson	5759 Alfred Dr.
Larry L. McKiernan	5782 ALFRED
Pat Hebert	5783 ALFRED DR.
Nanette Kaiser	5806 Alfred Dr.
Kara Kaiser	5806 Alfred Drive

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
Roy Eugene Lee	5807 Alfred Drive Las Vegas 89108
Lolla Lee	5807 Alfred Dr 89108
Ronald Thomas	5831 Alfred Dr. 89108
James Pinton	5854 Alfred Dr. 89108
Lucia Pinto	5854 Alfred Dr 89108
Dennis Zdlossa	5885 ALFred Dr 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

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NAME	ADDRESS	
Aaron Swanel	2517 N. Jones	
Robert D Strait	5960 Sheila Ave.	89108
Melanie Strait	5960 Sheila ave	89108
Robert Weare	5960 Sheila Ave	89108
[illegible]	5905 Paseo Montana	89108
[illegible]	5905 Paseo Montana	89108
Matt Sansone	5905 Paseo Montana	89108
William A. [illegible]	5801 Paseo Montana	89108
Steven A Harris	5801 Paseo Montana	89108
Elizabeth Jeffries	5716 Avenida Silla	89108
Shane Richardson	5717 Avenida Silla	
Cory Krauss	5900 Paseo Montana	89108
Lynn Krauss	5900 Paseo Montana	89108
Mourah Beher	5904 Paseo Montana	89108
[illegible]	5904 Paseo Montana	89108
Drexel Steward	2845 N. Jones Blvd	89108
Sue Brandt	5855 Alfred Ct.	89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
Patricia Lindsey	2513 N. Jones Blvd.
Lee Lindsey	2513 N. Jones Blvd
James Barfield	2508 Lakeside Dr
Marcia Barfield	2508 Lakeside Dr
John Mayfield	2512 Lakeside Dr.
Jackie Ramos	2524 Lakeside Dr
Crystal Parker	2528 Lakeside Dr. 89108
Michelle Marshall	2532 Lakeside 89108
Sharon Camero	6000 Delabarre Pl 89108
Raymond L Camero	6000 Delaberro Pl 89108
Ronald A Yuhas	2529 Conestoga Trail 89108
Alfred Otten	5812 Delaberre Pl 89108
Tonda Otten	5812 Delabarre Pl 89108
Maureen Nicol	2529 Calico Ln. 89108
Sandra Davis	2528 Conestoga Trail 89108
Rae A Yuhas	2529 Lakeside Dr. 89108
Ron Yuhas	2529 Lakeside Dr. 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
JOHN ADAM	2521 LAKESIDE DR 89108
Graciela F. Adam	2521 Lakeside Dr. 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
JOHN E NARVAIZ	6661 ALFRED DR
MYRNA NARVAIZ	6661 ALFRED DR
Dortha Mann	5617 Alfred Dr. 89108
HAROLD H. MANN	5617 ALFRED DR 89108
MARINA FURLOW-BRADY	5616 ALFRED DR 89108
THOMAS T. BRADY	5616 ALFRED DR 89108
James Scott White	5613 Alfred Dr. 89108
Mona Kuhlke	5613 ALFRED DR 89108
Kurt Hardahl	5594 ALFRED DR 89108
[illegible]	5660 Alfred Dr 89108
Alfredo Calderón J.	5660 Alfred Dr. 89108
Gil Boland	5593 Alfred DR. 89108
[illegible]	5526 Alfred Dr 89108
Brent Howard	5526 Alfred Dr. 89108
Crystal Howard	5526 Alfred Drive 89108
Priscilla Vasconcellos	5591 Alfred Dr 89108
Saul Vasconcellos	5591 ALFRED DR 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
[illegible]	5486 Alfred Dr.
[illegible]	5505 Alfred Dr.
[illegible]	〃 〃 〃
[illegible]	5439 Alfred Dr.
[illegible]	5439 Alfred Dr.
[illegible]	2649 MICHAEL WAY
[illegible]	5487 MADRE MESA DR
[illegible]	5532 Madre Mesa
[illegible]	5532 Madre Mesa
[illegible]	5531 MADRE MESA
[illegible]	5531 Madre Mesa Drive
[illegible]	5510 Madre Mesa Dr.
[illegible]	5510 MADRE MESA DR.
[illegible]	5576 Madre Mesa Dr.
[illegible]	5576 MADRE MESA DR.
[illegible]	5575 MADRE MESA DR.
[illegible]	5598 Madre Mesa Dr.

11

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
Patty McGonigal	5598 Madre Mesa Dr. Las Vegas NV 89108
Ted Mulh	5617 Madre Mesa Las Vegas 89108
Ilene Chester	5642 MADRE MESA " " "
ANDRA CHILDS	5639 Madre Mesa LV NV 89108
Bryce Childs	5639 Madre Mesa Dr LV NV 89108
Thomas C Childs	5639 Madre Mesa Dr " " "
Pamela R Caster	5659 Madre Mesa DR LV NV 89108
Thomas W Caster	5659 Madre Mesa DR LV NV 89108
PETER P PINTAR	5675 SHEILA AVE LV NV 89108
Jeanette B. Pintar	5675 Sheila ave LV NV 89108
[illegible]	5625 Sheila Lv 89108
[illegible]	5628 Sheila Av. L.V. Nv. 89108
Donald B Layton	5541 Sheila Ave LV NV 89108
Coleen Layton	5541 Sheila ave LV NV 89108
[illegible]	5498 Sheila ave LV NV 89108
[illegible]	5498 Sheila Ave LV NV 89108
John Rose	5478 SHEILA AVE LV NV 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
Brenda Reber	5478 Sheila Ave - 89108
Leha James	5465 Sheila Av. 89108
Robert James	5465 Sheila Av. 89108
Joann Lapointe	5446 Sheila Av 89108
[illegible]	5417 Alfred Av 89108
[illegible]	5417 Alfred Av 89108
Carol K. Ewell	5603 Alfred Dr 89108
E. Floyd Ewell	5603 Alfred Dr. 89108
Norman A. Tadahl	5572 Alfred Dr 89108
Leslie Zemp	5482 Alfred Dr. 89108
Lapeli ~~Ewell~~ Lasike	5460 Alfred Dr 89108
Lanell W. Lasike	5460 Alfred Dr. 89108
IRMA McCoy	5438 ALFRED DR. 89108
CHRIS WILSON	5417 MADRE MESA DR 89108
L L Pedro	5414 Sheila 89108
Velda K. Sirena	5441 Sheila Ave. 89108
William M. Sirena	5441 S. Sheila Ave. 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
Judy S Klenkel	5524 Sheila ave 8910
Mary Kenyon	5664 Madre Mesa Dr. 89108
Michael Lucas	5664 Madre Mesa Dr 89108

V

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
Stacey Hardin	6045 Moore Mesa 89108 Parcel # 138-13-311-013 1312 Clam Jumper Dr Las Vegas, NV
Jason Hardin	Parcel # 138-13-31-013 1312 Clam Jumper Dr LV NV 89108
Chris Brown	5424 Moore Mesa Dr LV NV 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

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2005 JAN 14 A 10:29

NAME	ADDRESS
Thomas A Gunn	5876 Madre Mesa Dr
Kathleen Gunn	5876 Madre Mesa Dr.
Sidney J. Draper	5900 Madre Mesa Dr.
Chris Brown	5924 Madre Mesa
Amy Brown	5924 Madre Mesa
Roosevelt Savage	2770 N. Jones Blvd
Jerilynn Cope	5934 Sheila Ave.
C. C	5925 SHEILA AVE.
William Doyle	5910 SHEILA AV
Richard L. Miller	5908 Sheila AVE
Darlene L. Miller	5908 Sheila Ave.
Linda E. Cole	5828 Sheila Ave.
Kitty Sumpter	5735 W Sheila Ave.
	5735 W. Sheila Ave.
	5750 W Sheila Ave
	5722 Sheila Ave
	5722 Sheila Ave

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

RECEIVED
CITY CLERK
2005 JAN 14 A 10:29

NAME	ADDRESS
Wayne Richardson	5776 Sheila Ave
Carol Richardson	5776 Sheila Ave
[illegible]	2727 cherry tree Ln
Shelley Pattus	2735 Cherry Ln CAPT
Linda Mudile	2755 Cherry Ln
Mary Bruttomesso	2755 Cherry Tree Ln
Anthony Lee [illegible]	6101 Bronco Loco Ct.
Tom Martinez	6161 Bronco Loco Ct
[illegible]	6191 Bronco Loco Ct
[illegible]	6191 Bronco Loco St. L.V. Nv
[illegible]	6190 Bronco Loco Ct L.V.N.V
Robert Tatro	6160 Bronco Loco Ct LV
Rosalyn Tatro	6160 Bronco Loco LV
Cindy [illegible]	6140 MADRE MESA LV
[illegible]	6150 MADRE MESA LV
Brenda Sadberry	5981 Alfred Dr LV Nv 89108
Teri Brandt	5855 Alfred Dr LV NV 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

RECEIVED
CITY CLERK
2005 JAN 14 A 10:29

NAME	ADDRESS
Tim Van Cartier	2720 CHERRY TREE LN LV NV 89108
Michelle Van Cartier	2720 Cherry Tree Las Vegas NV 89108
Sean E Ellingsworth	2740 Cherry Tree LN Las Vegas NV 89108
[illegible]	2735 CHERRY TREE LN. L.V. 89108
Kathryn L Woodland	2780 Cherry Tree Ln 89108
Will Woodland	2780 Cherry Tree Ln 89108
[illegible]	2780 Cherry tree lane 89108
[illegible]	2755 CHERRY TREE LN 89108
[illegible]	6100 Alder Wash Dr 89107
[illegible] Schiesel	6100 Alder Wash Dr 89108
Dennis Speis	6078 W. Cartier Ave. 89108
[illegible] Adams	6038 W. CARTIER AVE 89108
Dan Adams	6038 W. Cartier Ave. 89108
[illegible] Cohen	5971 Alfred Dr. 89108
Carol Cohen	5971 Alfred Dr 89108
Michael Schwartzer	2525 N. Jones Blvd - LV. NV. 89108
Chris Dimitt	2521 No. Jones Blvd 89108
Faye L. Dimitt	2521 No. Jones Blvd 89108

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

RECEIVED
CITY CLERK
2005 JAN 14 A 10:29

NAME	ADDRESS
Diane Perez	2615 N Jones Blvd
Jerry Ortiz	2615 N. Jones Blvd
Carlos Maravilla	2655 N. Jones Blvd
Erika Maravilla	2655 N. Jones Blvd.
GREG SARANTOS	6071 MADRE MESA ST. 89108
Monica B Lee	6100 BRONCO LOCO CT. 89108
Oliver Lee	6100 BRONCO LOCO CT. 89108
Wen [illegible]	6130 MADRE MESA 89108
Kelley Fankhauser	5837 SHEILA AVE 89108
Susan [illegible]	5837 Sheila ave 89108
Fred Gregg Kerzic	5807 SHEILA AVE
Lou Valentin	5759 Sheila ave.
Kei Suyama	5710 Alfred Dr.
Marjorie R Tally	5734 W ALFRED DR 89108
Barry L Brandt	5855 ALFRED Dr. 89108

City of Las Vegas

Agenda Item No. 141

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VARIANCE RELATED TO ZON-5776

VAR-5846 - PUBLIC HEARING - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 2.16 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED on property adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive (APN 138-13-301-001), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (3-1-2 vote) recommends APPROVAL. (NOTE: This item will be held in abeyance to the 05/04/05 Council meeting)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	26	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (3-1-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted after final agenda - Protest letter from Polly J. Welch
6. Backup referenced from the 2/24/2005 Planning Commission Meeting Item 16

MOTION:

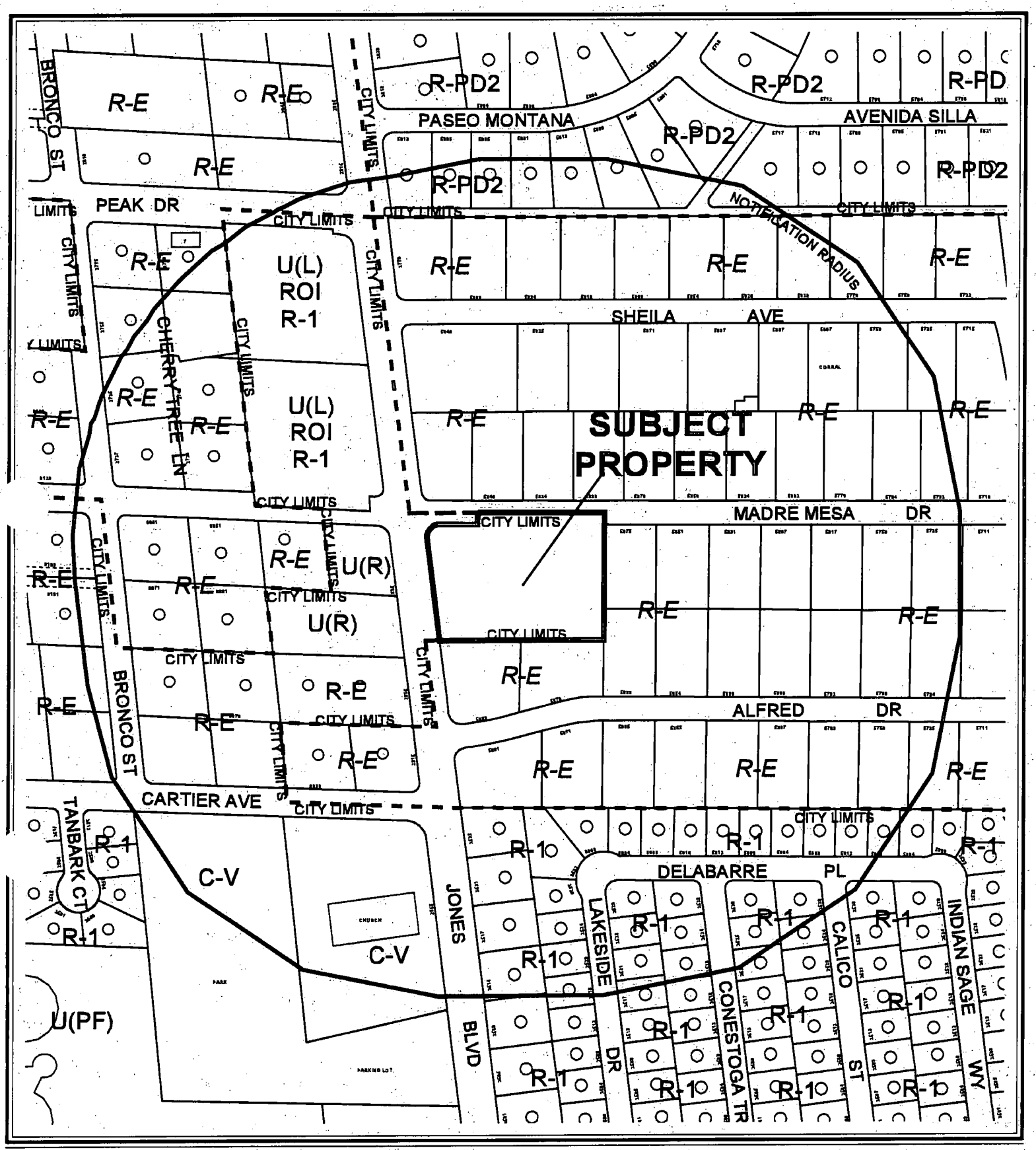
REESE - Motion to STRIKE Item 88 [2740 Harris Avenue] and Item 94 [DIR-6223]; TABLE Item 102 [SDR-6025] and HOLD IN ABEYANCE Item 140 [ZON-5776], Item 141 [VAR-5846] and Item 142 [SDR-5778] to 5/4/2005 - UNANIMOUS

MINUTES:

MARGO WHEELER, Director, Planning and Development Department, indicated that Item 140 [ZON-5776], Item 141 [VAR-5846] and Item 142 [SDR-5778] are shown on the City Council agenda as being held in abeyance to the May 4, 2005 City Council meeting as the Annexation has not yet occurred. COUNCILMAN WEEKLY further explained that DEPUTY CITY MANAGER BETSY FRETWELL informed him that this Bill is currently being heard at the Legislature. COUNCILMAN REESE verified with MS. WHEELER that this issue would be resolved by the May 4th City Council meeting. COUNCILMAN WEEKLY apologized to his constituents for any inconvenience.

(1:36 - 1:50)

4-1



CASE: **VAR-5846**

RADIUS: 750 FT

141

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5846 - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC

THIS ITEM WILL BE HELD IN ABEYANCE TO THE 05/04/05 COUNCIL MEETING.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (3-1-2 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Rezoning (ZON-5776) and Site Development Plan Review (SDR-5778) approved by the City Council.

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 the development of an R-PD (Residential Planned Development) zoning district on 2.16 acres, where 5.00 acres are the minimum required, on property adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive.

B) Applicant's Justification

The applicant's justification letter states that no other type of zoning district (other than an R-PD) can accommodate the proposed lot configuration without numerous variances of development standards. The proposed R-PD4 (Residential Planned Development – 4 units per acre) will have little to no negative impact on the surrounding area.

BACKGROUND INFORMATION

A) Related Actions

01/27/05 The Planning Commission held this item and a related General Plan Amendment (GPA-5775) from R (Rural Density Residential) to L (Low Density Residential), Rezoning (ZON-5776) from U (Undeveloped) [R (Rural Density Residential) General Plan designation] to R-PD4 (Residential Planned Development - 4 units per acre), and a Site Development Plan Review (SDR-5778) for a proposed nine-lot single-family residential development in abeyance to the 02/24/05 Planning Commission meeting so that the applicant could revise the plan. Staff recommended denial of all items.

02/02/05 The City Council approved a Petition to Annex (ANX-5329) the subject site into the city of Las Vegas. The effective date of this annexation was 02/11/05. Staff and the Planning Commission recommended approval.

02/24/05 The Planning Commission accepted the applicant's request to withdraw without prejudice the related General Plan Amendment; they recommended approval of the related Rezoning and Site Development Plan Review (ZON-5776 and SDR-5778).

02/24/05 The Planning Commission voted 3-1-2 to recommend APPROVAL (PC Agenda Item #16/ss).

B) Pre-Application Meeting

12/17/05 This item was a late submittal for review. Submittal requirements were explained, but no other issues relating directly to this case were discussed.

C) Neighborhood Meetings

12/20/04 A neighborhood meeting sponsored by the applicant was held at the Durango Hills Community Center/YMCA located at 3251 North Durango Drive. Six people attended and had the following comments

- No streetlights, no curb and gutter. Please retain rural street standards.
- Would like 3 or 4 units max. Builder said that no one is willing to do 3 or 4 units on that property because it fronts Jones.
- The higher density doesn't fit with 1/2-acre horse property in surrounding neighborhood.
- Drainage and traffic are major problems along Madre Mesa.
- They were also concerned about having to convert to LVVWD water.
- Concerned about running sewer line down Madre Mesa and the resulting disruption to the neighborhood during construction and the potential to make full street improvements.
- Overall sentiment: density, traffic, drainage will become worse.
- The applicant explained that this project may help improve traffic and drainage because these issues will be studied and city and developer will take action to correct problems as part of developing this project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.16

B) Existing Land Use

Subject Property	Undeveloped
North	Undeveloped Single family dwellings
South	Single family dwellings
East	Single family dwellings
West	Single family dwellings

C) Planned Land Use

Subject Property	R (Rural Density Residential)
North	R (Rural Density Residential)
South	R (Rural Density Residential)
East	R (Rural Density Residential)
West	R (Rural Density Residential)

D) Existing Zoning

Subject Property	U (Undeveloped)
North	Clark County R-E (Rural Estates Residential)
South	Clark County R-E (Rural Estates Residential)
East	Clark County R-E (Rural Estates Residential)
West	U (Undeveloped)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an R (Rural Density Residential) land use designation. The proposed zoning for this site is R-PD4 (Residential Planned Development - 4 Units Per Acre), which will be in compliance with the General Plan with the approval of the related General Plan Amendment (GPA-5804) to the L (Low Density Residential) designation. Variance not affected by the General Plan Policies.

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

Special Notification - Property located within the notification radius falls within sections of unincorporated Clark County. The Clark County Planning Department has been notified of the land use application.

ANALYSIS

A) General Analysis and Discussion

This Variance will allow a R-PD development proposed at the southeast corner of Jones Boulevard and Madre Mesa Drive to be located on a parcel of 2.16 acres, where a minimum site area of 5.00 acres is required by Title 19.04.040.

The proposed R-PD4 (Residential Planned Development - 4 Units Per Acre) zoning district is intended for residential developments with up to 4.49 Units Per Acre, and is not appropriate for the area. The proposed site plan depicts nine lots with other lot sizes ranging between 6,981 and 8,757 square feet, which are significantly smaller than those in the area. The adjacent R-E (Rural Estates Residential - Clark County Designation and Residence Estates) zoned parcels have minimum lot sizes of over one half acre and are rural in nature. Given the established development pattern of the area, a Rezoning request to R-PD4 (Residential Planned Development - 3 units per acre) zoning would be inappropriate for this location.

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 19.18.070L 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 requesting R-PD (Residential Planned Development) on a site with insufficient acreage. 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 128 by City Clerk

APPROVALS 0

PROTESTS 26

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-5846** APN: 138-13-301-001

Name of Property Owner: S.F. INVESTMENTS, LLC

Name of Applicant: S. B. A. Development, INC.

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

_____ Yes _____ 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: Stephen B. Aizenberg

Subscribed and sworn before me

This 16th day of December, 2004

J. Rosanna Eitniear

Notary Public in and for said County and State

J. ROSANNA EITNIEAR
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: Aug. 4, 2007
Certificate No: 03-83605-1

TRC

Customer-Focused Solutions

BV Engineering Nevada

December 17, 2004

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

Re: Variance of Title 19 Section 19.06.040 for 2.1-acres on the Southeast corner of Madre Mesa Drive and Jones Boulevard in the City of Las Vegas, Nevada. (APN #138-13-301-001)

To Whom It May Concern:

The project site is currently in the jurisdiction of Clark County and is zoned RE (Rural Estates 2 units/acre) according to their general plan designation. Annexation application ANX-5923 for the project site proposes to annex this parcel into the City of Las Vegas jurisdictional limits. Applications for a General Plan Amendment (to go from Rural to Low Density), a Zone Change (to go from RE to R-PD4) and a Site Development Plan review have been submitted in conjunction with this application.

While processing the annexation for this project, we met with staff and reviewed the options for various zoning districts. We found that with our proposed design there was no available zoning district that would not require us to apply for one or in some cases several variances. We determined the RPD-4 zoning to best suit our proposed project while only requiring this one variance which we believe has little to no negative impact on the surrounding area and still supports existing City policies and regulations. However, per Title 19 section 19.06.040 the minimum site area that is eligible for rezoning to the R-PD zoning district is 5 acres and our site is only 2.1 acres.

Since the City's preferred option for access to this project would be off of Madre Mesa Drive, a 60' collector street, vs. Jones Boulevard an 80' arterial we needed to design a 49' interior street with an off-set bulb for emergency access which created various pie shaped lots within the subdivision that require unique setbacks of an 18' front, 5' sides and 10' in the rear in order for the proposed product to fit. The pie shaped lots also have reduced lot widths in the front. Had we applied for any other zoning these would have been variances that would have come with a recommendation for denial from staff.

It is our understanding that the RDP districts were created to provide for flexibility and innovation in residential development. We believe this proposed project to be and ideal candidate for this with its unique and spacious lots, over 3,200 sq' of perimeter landscaping and it's over all homogeneity of the surrounding land use.

If you have any further questions or comments please contact me at (702) 650-0572. Thank you in advance for your consideration.

Sincerely,

Valerie Livengood
Project Coordinator

8395 West Sunset Road, Suite 190 • Las Vegas, Nevada 89113
Telephone 702-650-0572 • Fax 702-307-4222

24 Mar 2005

City Clerk
1st floor - City Hall
400 Stewart Ave.

To whom it may concern, I
am a resident on Madre Mesa and
am against that many homes
being built on that small lot.

Sally J. Welch
5802 Madre Mesa Dr.
Las Vegas NV 89108

RECEIVED
CITY CLERK
2005 MAR 30 A 10:2

Protest

Submitted after final agenda
Date 3/31/05 Item #141

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

January 2, 2005

5980 W. Alfred Drive
Las Vegas, Nevada 89108

Re: General Plan Amendment GPA-5775

Zone Change ZON-5776

Site Development Review SDR-5778

Variance VAR-5846

RECEIVED
CITY CLERK
2005 JAN -3 A 11:08

Attn: County Commission Meetings January 03. 2005
City Planning Commissioners January 05, 2005
City Council Members February 2, 2005
January 27, 2005
March 2, 2005

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

We are very much opposed to the Zone change requested.

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

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

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

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

Thank you,

Arlon R. Sibert Suzan C. Sibert

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS	
Carlos R. Silva	5980 W. ALFRED Dr. 89108	645-6666
Suzana C. Silva	5980 W. ALFRED Dr. 89108	645-6666
Janet White	5970 Alfred Dr. 89108	655-3979
Richard White	5970 Alfred Dr. 89108	655-3979
Cindi Schum	5908 Alfred 89108	647-9644
Rocky Zamora	5908 Alfred 89108	647-9644
Pat Ogle	5908 alfred 89108	646-7224
John Hunt (John to left)	5948 Madre Mesa 89108	648-0135
Sheryl Cartwright (Carter)	5875 madre mesa 89108	648-6608
FRED CARTWRIGHT	5875 MADRE MESA 89108	"
Sidney J. Draper	5900 Madre Mesa 89108	646-5728
Teri L. Draper	5900 Madre Mesa 89108	"
R. Steck	5851 Madre Mesa 89108	
Sherry Interrante	5831 Madre Mesa Dr. 89108	
John Interrante	5831 Madre Mesa Dr. 89108	
MOHAMMED & ADELAISA RACHIDI	5817 MADRE MESA DR. 89108	
Michelle Locatelli	5778 Madre Mesa Dr 89108	631-5997

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
PAT DIEGO	5759 MADRE MESA
Maggie Diego	5759 MADRE MESA
Bertha Dominguez	5754 Madre Mesa
David Dominguez	5754 Madre Mesa
[illegible] J McKiernan	5782 Alfred Drive
Richard Avila	5711 Alfred Drive
[illegible]	5735 Alfred Dr.
Michelle Fisher	5735 Alfred Dr.
Abbie Bauer	5735 Alfred Dr
Carol Lynch Weiser	5798 Alfred Dr.
Larry Weiser	5798 Alfred Dr.
Susan Carson	5759 Alfred Dr.
Eileen Carson	5759 Alfred Dr.
Larry L. McKiernan	5782 ALFRED
Pat Hebert	5783 ALFRED DR.
Nanette Lewis	5806 Alfred Dr
Kara Lewis	5806 Alfred Drive

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
Roy Eugene Lee	5807 Alfred Drive Las Vegas 89108
Lolla Lee	5807 Alfred Dr 89108
Ronald Thomas	5830 Alfred Dr. 89108
James Pinton	5854 alfred Dr 89108
Lucia Pinton	5854 Alfred Dr 89108
Dennis Idossa	5885 Alfred Dr 89108

City of Las Vegas

Agenda Item No. 142

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5776, AND VAR-5846

SDR-5778 - PUBLIC HEARING - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC - Request for a Site Development Plan Review FOR A PROPOSED NINE LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 2.16 acres adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive (APN 138-13-301-001), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (3-1-2 vote) recommends APPROVAL. (NOTE: Proposal as been amended to R-PD3 for 7 units) (NOTE: This item will be held in abeyance to the 05/04/05 Council meeting)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	26	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (3-1-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 2/24/2005 Planning Commission Meeting Item 17

MOTION:

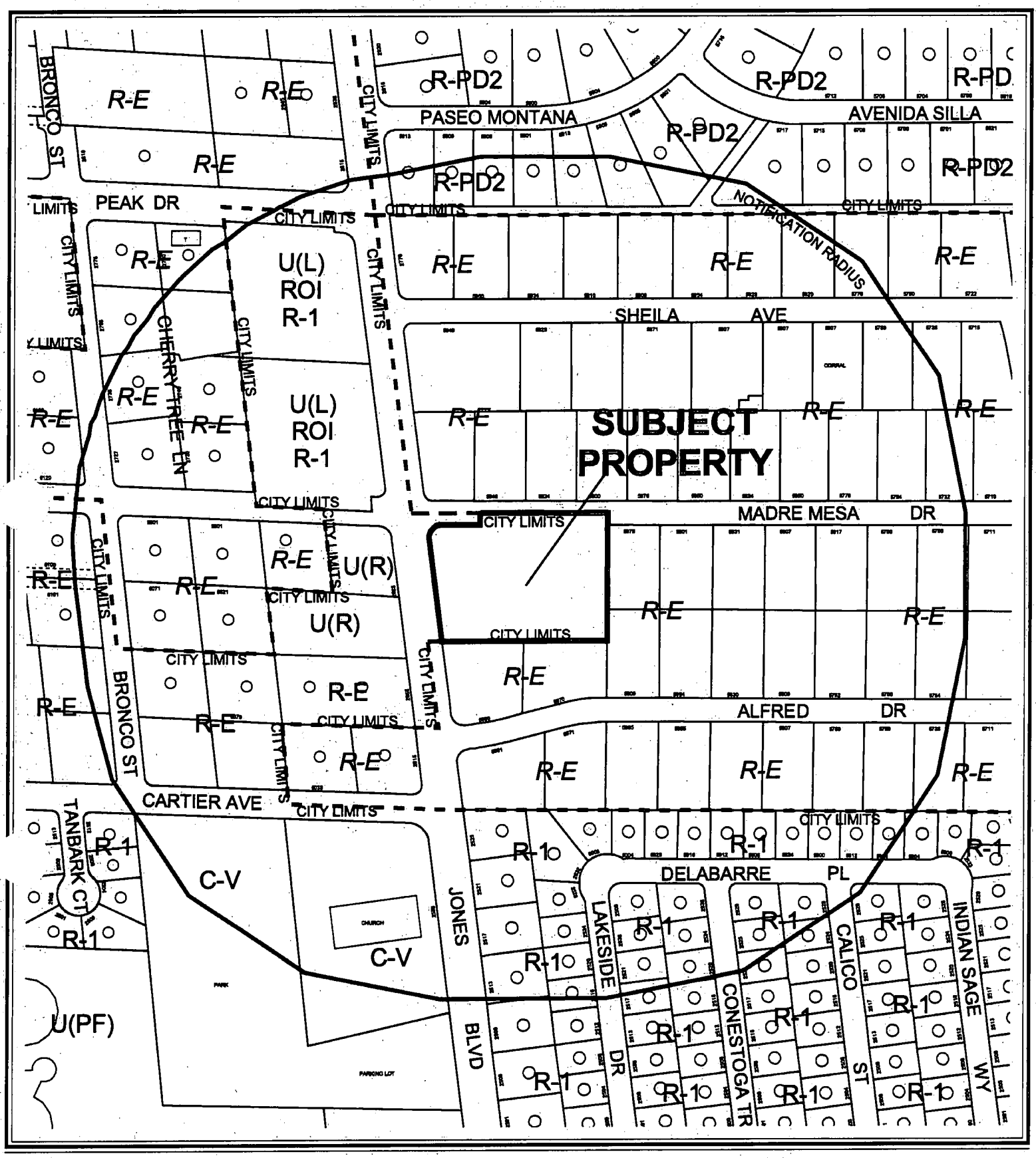
REESE - Motion to STRIKE Item 88 [2740 Harris Avenue] and Item 94 [DIR-6223]; TABLE Item 102 [SDR-6025] and HOLD IN ABEYANCE Item 140 [ZON-5776], Item 141 [VAR-5846] and Item 142 [SDR-5778] to 5/4/2005 - UNANIMOUS

MINUTES:

MARGO WHEELER, Director, Planning and Development Department, indicated that Item 140 [ZON-5776], Item 141 [VAR-5846] and Item 142 [SDR-5778] are shown on the City Council agenda as being held in abeyance to the May 4, 2005 City Council meeting as the Annexation has not yet occurred. COUNCILMAN WEEKLY further explained that DEPUTY CITY MANAGER BETSY FRETWELL informed him that this Bill is currently being heard at the Legislature. COUNCILMAN REESE verified with MS. WHEELER that this issue would be resolved by the May 4th City Council meeting. COUNCILMAN WEEKLY apologized to his constituents for any inconvenience.

(1:36 - 1:50)

4-1



0 200 400 Feet

CASE: **SDR-5778**

RADIUS: 750 FT

142

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5778 - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC

THIS ITEM WILL BE HELD IN ABEYANCE TO THE 05/04/05 COUNCIL MEETING.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (3-1-2 vote) recommends APPROVAL, subject to:

Planning and Development

1. Homes on lots 1 and 7 shall face Madre Mesa Drive as shown on the site plan submitted at the 02/24/05 Planning Commission meeting.

2. Lot 6 shall have a wall constructed into a combination of block and wrought iron.

3. Lots 1, 2, 3, and 4 shall be single story.

4. Home sizes shall range from 1,900 square feet to 2,500 square feet for single story dwellings and shall be a minimum of 3,000 square feet for two story homes.

5. Disclosure on sales that rural property abuts the development allowing the keeping of horses and other animals, shall be made by the developer to purchasers of these homes.

6. A Variance (VAR-5846), and Rezoning (ZON-5776) approved by the City Council.

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

8. All development shall be in conformance with the site plan and building elevations submitted at the 02/24/05 Planning Commission meeting, except as amended by conditions herein.

9. The setbacks for this development shall be a minimum of 18 feet to the front of the house, five feet on the side, five feet on the corner side, and 10 feet in the rear.

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

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

12. Any 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 submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

15. 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.

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

Public Works

17. A Master Streetlight Plan of public streetlights shall be submitted and approved by the Department of Public Works prior to the submittal of any construction drawings for this site.

18. Site development to comply with all applicable conditions of approval for ZON-5776 and all other subsequent site-related actions.

19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that the substandard public cul-de-sac bulb was approved as a deviation from Standards by the City Engineer on January 20, 2005.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed nine lot residential development on 2.16 acres adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive.

B) Applicant's Justification

The applicant's justification letter claims that the property is compatible with surrounding uses, as it will provide much needed single-family housing in the area.

BACKGROUND INFORMATION

A) Related Actions

01/27/05 The Planning Commission held this item, a related General Plan Amendment (GPA-5775) from R (Rural Density Residential) to L (Low Density Residential), Rezoning (ZON-5776) from U (Undeveloped) [R (Rural Density Residential) General Plan designation] to R-PD4 (Residential Planned Development - 4 units per acre), and Variance (VAR-5846) for reduced R-PD district size in abeyance to the 02/24/05 Planning Commission meeting so that the applicant could revise the plan to a lower density. Staff recommended denial of all items.

02/02/05 The City Council approved a Petition to Annex (ANX-5329) the subject site into the city of Las Vegas. The effective date of this annexation was 02/11/05. Staff and the Planning Commission recommended approval.

02/24/05 The Planning Commission accepted the applicant's request to withdraw without prejudice the related General Plan Amendment; they recommended approval of the related Rezoning and Variance (ZON-5776 and VAR-5846).

02/24/05 The Planning Commission voted 3-1-2 to recommend APPROVAL (PC Agenda Item #17/ss).

B) Pre-Application Meeting

12/01/04 Submittal requirements were discussed. The related annexation will be effective by the time these applications go to City Council. The development proposal would require a General Plan Amendment, Rezoning to an R-PD district, a Variance to

allow an R-PD designation on a parcel less than five acres and a Site Development Plan Review. The Department of Public Works will require a Drainage Study and will assess a traffic signal mitigation fee, but no traffic study is required. This site will not need a waiver for intersection offset separation. The site should be revised to ensure minimal retainment along the east edge of the development. The development was originally designed as a hammerhead on a public street, but has since been revised into a knuckle with a turnaround on a private street.

C) Neighborhood Meetings

12/20/04 A neighborhood meeting sponsored by the applicant was held at the Durango Hills Community Center/YMCA located at 3251 North Durango Drive. Six people attended and had the following comments.

- No streetlights, no curb and gutter. Please retain rural street standards.
- Would like 3 or 4 units max. Builder said that no one is willing to do 3 or 4 units on that property because it fronts Jones.
- The higher density doesn't fit with half-acre horse property in surrounding neighborhood.
- Drainage and traffic are major problems along Madre Mesa.
- They were also concerned about having to convert to LVVWD water.
- Concerned about running sewer line down Madre Mesa and the resulting disruption to the neighborhood during construction and the potential to make full street improvements.
- Overall sentiment: density, traffic, drainage will become worse.
- The applicant explained that this project may help improve traffic and drainage because these issues will be studied and city and developer will take action to correct problems as part of developing this project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.16

B) Existing Land Use

Subject Property	Undeveloped
North	Undeveloped Single family dwellings
South	Single family dwellings
East	Single family dwellings
West	Single family dwellings

C) Planned Land Use

Subject Property	R (Rural Density Residential)
North	R (Rural Density Residential)
South	R (Rural Density Residential)
East	R (Rural Density Residential)
West	R (Rural Density Residential)

D) Existing Zoning

Subject Property	U (Undeveloped)
North	R-E (Rural Estates Residential – Clark County Designation)
South	R-E (Rural Estates Residential – Clark County Designation)
East	R-E (Rural Estates Residential – Clark County Designation)
West	U (Undeveloped)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an R (Rural Density Residential) land use designation. The proposed zoning for this site is R-PD4 (Residential Planned Development - 4 units per acre), which will be in compliance with the General Plan with the approval of the related General Plan Amendment (GPA-5804) to the L (Low Density Residential) designation. This land use category allows residential densities of up to 5.5 units per acre. Therefore the site plan complies with the General Plan land use designation.

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

Special Notification - Property located within the notification radius falls within sections of unincorporated Clark County. The Clark County Planning Department has been notified of the land use application.

PROJECT DESCRIPTION

The site plan depicts a nine lot residential development on 2.16 acres, for a density of 4.15 dwelling units per acre. The development is proposed on a parcel at the southeast corners of Jones Boulevard and Madre Mesa Drive. Access to the development is from Madre Mesa Drive. All lots front on a 39-foot private street terminating in a cul-de-sac. Six-foot landscape buffers are provided along both Jones Boulevard and Madre Mesa Drive and provide 3,225 square feet of open space. The lots will be developed with one and two story detached single family residential dwellings.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.040, the Site Development Plan establishes the Development Standards within an R-PD District. The development standards that are proposed for this site through this Site Development Plan are as follows:

Standards	**Provided**
Min. Lot Size	6,981 SF
Min. Lot Width	33 Feet
Min. Setbacks:	
Front	18 Feet
Side	5 Feet
Corner	5 Feet
Rear	10 Feet

The revised site plan indicates that lot sizes and widths have increased, while setbacks have decreased to 18 feet to the front of the house, five feet on the side and corner side, and 10 feet in the rear. The only other R-PD development in the area has larger lots and setbacks typical of lower density developments; therefore, this revised project would be setting a precedent in the area.

A2) Landscape and Open Space Standards

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

Standards	**Required**		**Provided**
	Ratio	Trees	
Buffer: • Min. Trees (Jones/Madre Mesa)	1 – 24" Box Tree/30 Linear Feet	18 Trees	18 Trees
• Min. Zone Width	6 Feet		6 Feet
• Wall height	6 Feet max		Not provided

The proposal meets applicable Title 19 landscape requirements.

The open space requirements of Title 19.06 do not apply to R-PD developments containing 11 or fewer lots.

B) General Analysis and Discussion

- Zoning

The proposed zoning for the subject site is R-PD4 (Residential Planned Development - 4 units per acre). The purpose of the R-PD (Residential Planned Development) District is to allow maximum flexibility to permit imaginative and innovative residential design and to utilize land for the development of residential communities, which are planned and developed with appropriate amenities to establish a clear sense of community. It is intended to promote the enhancement of residential amenities by means of an efficient consolidation and utilization of open space, separation of pedestrian and vehicular traffic and homogeneity of use patterns. Portions of an R-PD (Residential Planned Development) development may have a higher or lower density than permitted by the

- Site Plan

The proposed site plan depicts lot sizes ranging between 6,981 and 8,757 square feet, which are significantly smaller than those in the area. The revised site plan did not remove lots; therefore, the density remains 4.15 dwelling units per acre. The proposed lots, though slightly increased in size, are not compatible with adjacent parcels, which have minimum lot sizes of over one half acre, are rural in nature, and have densities that are half of the ratio proposed by this application.

- Waivers

There are no waivers required for this application.

- Landscape Plan

The landscape plan depicts six-foot landscape buffers along Jones Boulevard and Madre Mesa Drive. The buffer areas are planted with 24-inch box Holly Oak trees 30 feet on center. The proposal exceeds applicable Title 19 and Landscape, Wall and Buffer requirements.

- Elevation

The building elevations depict typical one and two story single-family dwellings.

FINDINGS

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

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

   The proposed density and lot sizes are not compatible with adjacent development and development in the area. The proposed site plan depicts an average lot size of approximately 7,700 square feet, which is significantly smaller than the average size of existing lots in the area. The proposed lots, though slightly increased in size, are not compatible with adjacent parcels, which have minimum lot sizes of over one half acre, are rural in nature, and have densities that are half of the ratio proposed by this application.

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

   With the approval of the companion General Plan Amendment (GPA-5775) and Rezoning (ZON-5776), the development will be consistent with the General Plan, Title 19, the Design Standards Manual, and the Landscape, Wall and Buffer Standards.

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

   The site will receive access via Madre Mesa Drive. Site access 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 and landscape materials are appropriate for the area and the City.

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

   The building elevations depicts structures that are not unsightly, undesirable, or obnoxious in appearance, and are typical of single family dwellings in the area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 125 by Planning Department

APPROVALS 0

PROTESTS 26

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5578 APN: 138-13-301-001

Name of Property Owner: S.F. Investments, LLC

Name of Applicant: S.B.A. Development, Inc.

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

____ Yes ____✓____ 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: STEPHEN B. ATTENBERG

Subscribed and sworn before me

This 3rd day of December, 2004

[signature]

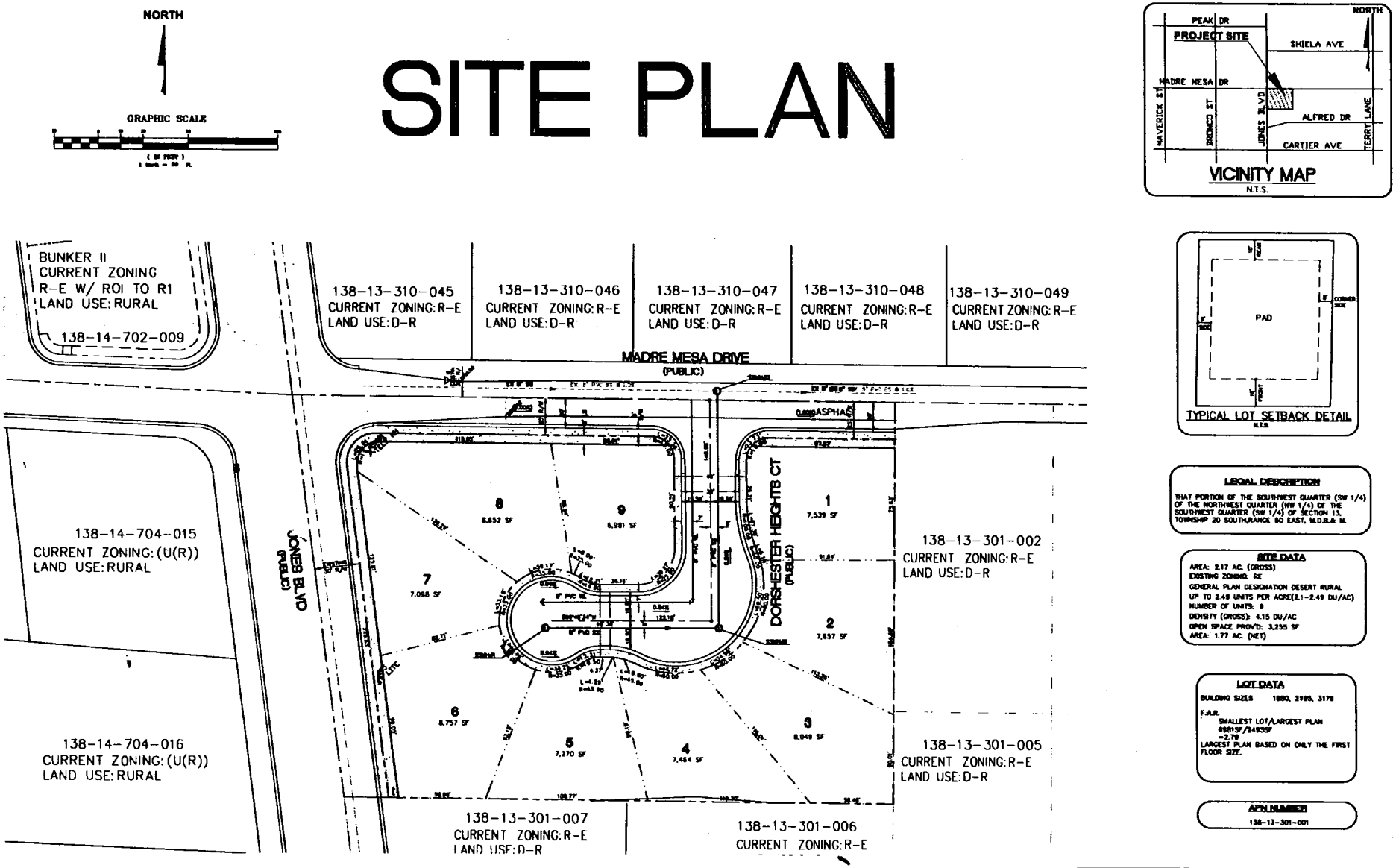
Notary Public in and for said County and State

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NOTARY PUBLIC
STATE OF NEVADA
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SITE PLAN



VICINITY MAP
N.T.S.

TYPICAL LOT SETBACK DETAIL
N.T.S.

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B.& M.

SITE DATA

AREA: 2.17 AC. (GROSS)
EXISTING ZONING: RE
GENERAL PLAN DESIGNATION DESERT RURAL
UP TO 2.49 UNITS PER ACRE(2.1-2.49 DU/AC)
NUMBER OF UNITS: 9
DENSITY (GROSS): 4.15 DU/AC
OPEN SPACE PROV'D: 3,255 SF
AREA: 1.77 AC. (NET)

LOT DATA

BUILDING SIZES 1880, 2995, 3178
F.A.R.
SMALLEST LOT/LARGEST PLAN
6981SF/2995SF
=2.79
LARGEST PLAN BASED ON ONLY THE FIRST FLOOR SIZE.

APN NUMBER

138-13-301-001

DEVELOPER

SPINNAKER HOMES
4511 W. CHEYENNE, SUITE 105
N. LAS VEGAS, NV. 89032
PHONE: (702) 873-7773
FAX: (702) 873-7776

OWNER

HENRY AND LILIAS GORDON
1993 LIVING TRUST
800 TROTTER CIRCLE
LAS VEGAS, NV. 89107

TRC
Customer Focused Solutions
8V Engineering Awards
8280 W. SUNSET ROAD
LAS VEGAS, NV 89113
PH: 702-851-8272
FAX: 702-307-4222
Web: trcsolutions.com

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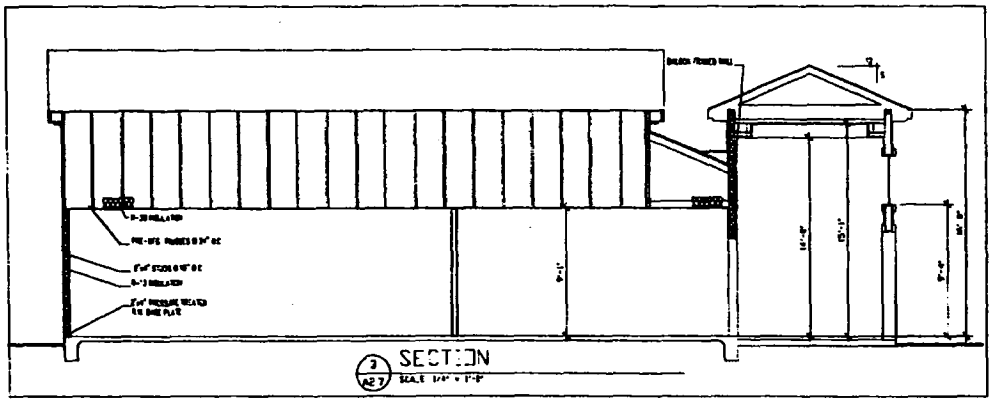
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SITE PLAN / LOCATION MAP

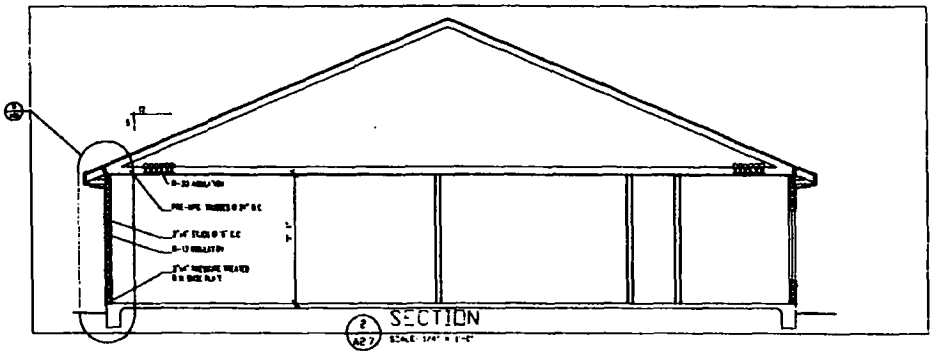
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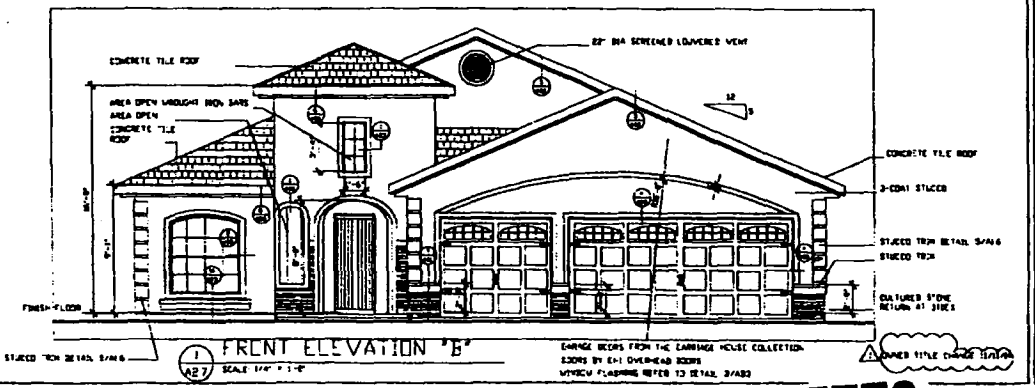
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ZON-5776 GPA-5775
VAR-5846 SDR-5778
02/24/05 PC

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DAVID MONTEE ARCHITECT
HC 31 BOX 735
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(702) 290-4070 FAX 838-7682

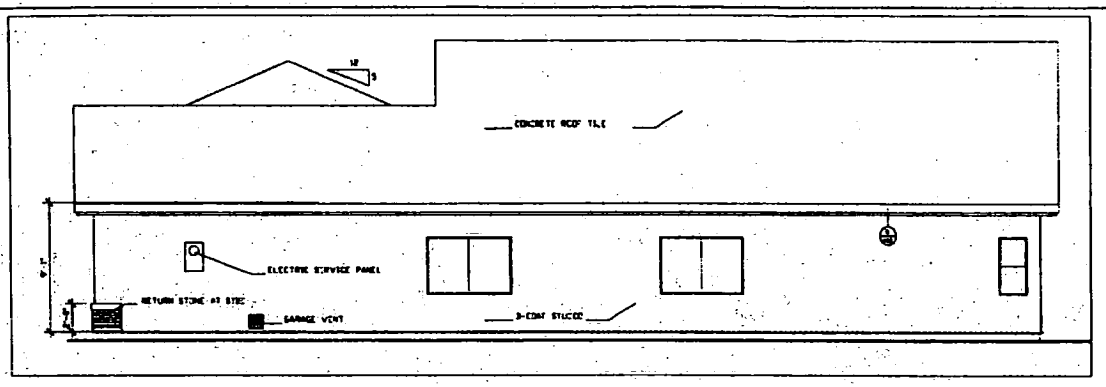
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No. 4682
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STATE OF NEVADA

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LAS VEGAS, NV 89032
PH 873-7773 FAX 873-7776
Contractor Lic. 035409

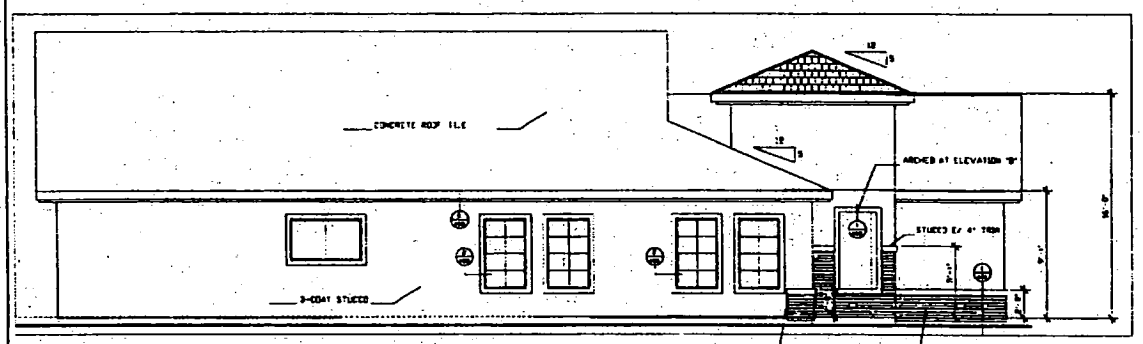
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BUNKER COMMONS

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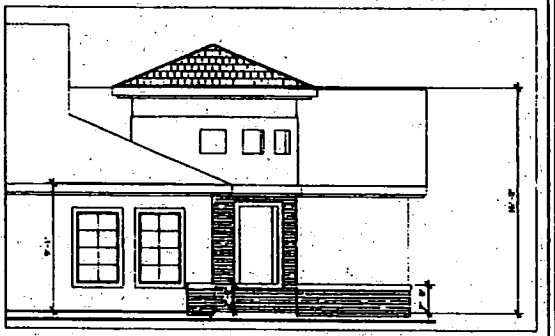
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02/24/05 PC



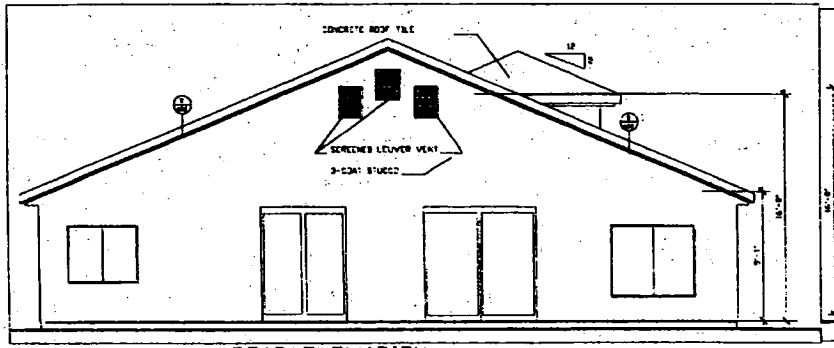
2 A2.6 RIGHT ELEVATION



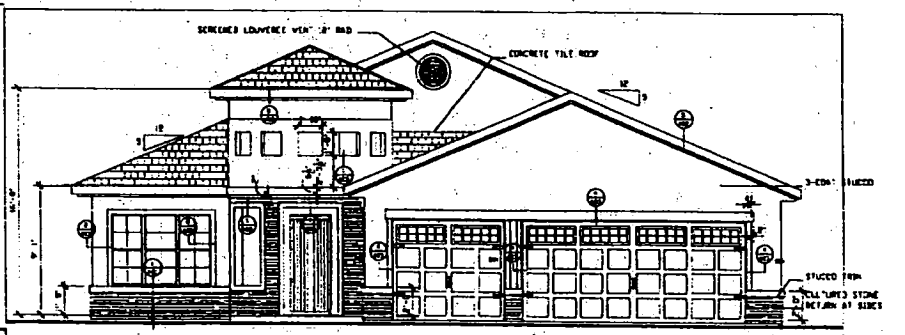
4B A2.6 LEFT ELEVATION "B"



4 A2.6 LEFT ELEVATION "A"



3 A2.6 REAR ELEVATION



1 A2.6 FRONT ELEVATION "A"

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HC 31 BOX 738
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(702) 290-4070 FAX 838-7682

No. 6648

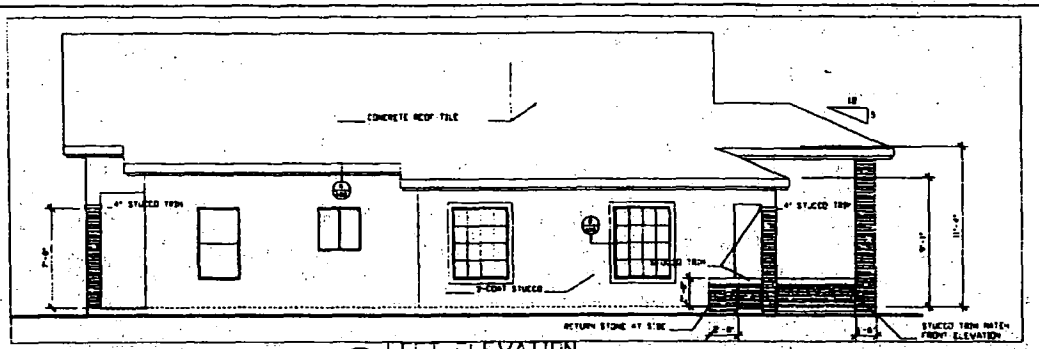
ROYAL CONSTRUCTION
4511 W. CHEYENNE AVE. SUITE 105
LAS VEGAS, NV 89032
PH 873-7773 FAX 873-7776
Contractor Lic. 025409

PLAN (2) 2495
ELEVATIONS
BUNKER COMMONS

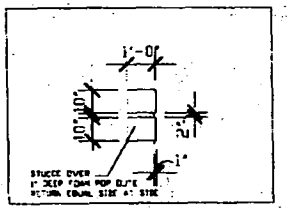
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SDR-5778
02/24/05 PC

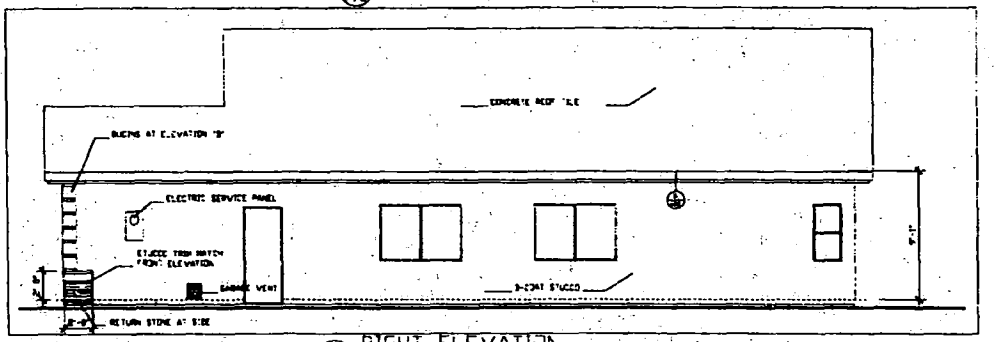
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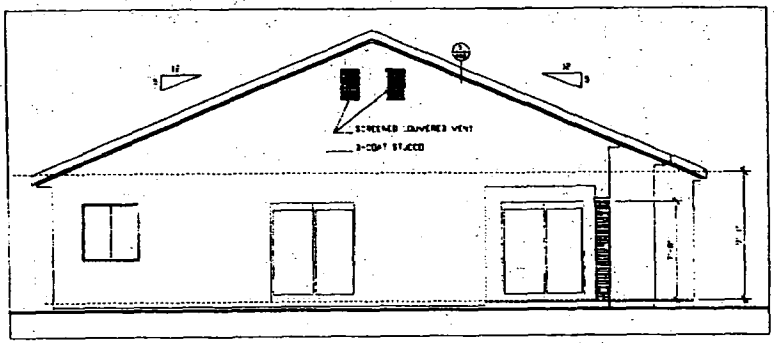
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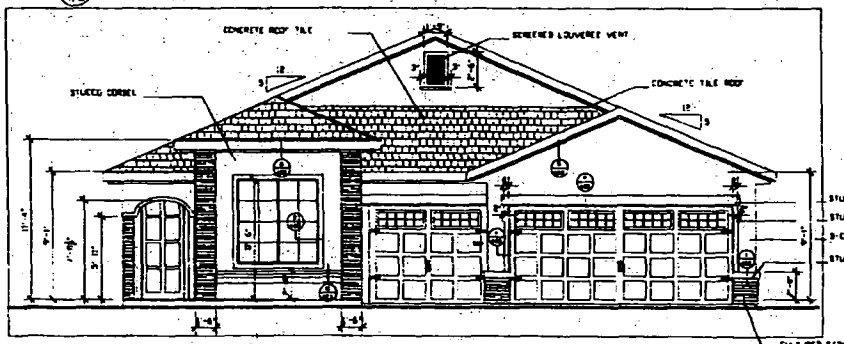
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2 / A1.6 RIGHT ELEVATION
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3 / A1.6 REAR ELEVATION
SCALE: 1/4" = 1'-0"



1 / A1.6 FRONT ELEVATION "A"
SCALE: 1/4" = 1'-0"

GARAGE DOORS FROM THE CARRIAGE HOUSE COLLECTION
DOORS BY THE OVERHEAD DOORS
WINDOW FLASHING REFER TO DETAIL 3/A8.0

DAVID MCKEE ARCHITECT
HC 31 BOX 150
SANDY VALLEY NV 89019
(702) 250 4070 FAX 538 1882

DAVID B. MCKEE
No. 6883
REGISTERED ARCHITECT
STATE OF NEVADA

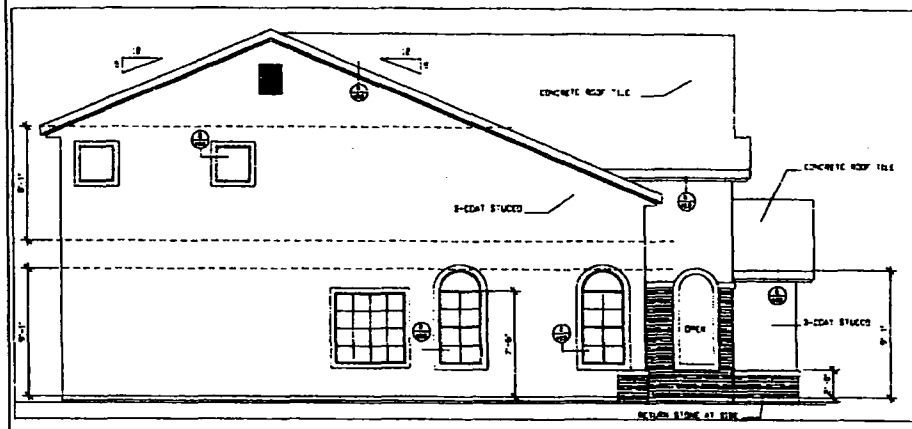
ROYAL CONSTRUCTION
4511 W. CHEYENNE AVE. SUITE 105
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PH 873-7773 FAX 873-7776
Contractor Lic. 023409

PLAN CD 1880
ELEVATIONS
BUNKER COMMONS

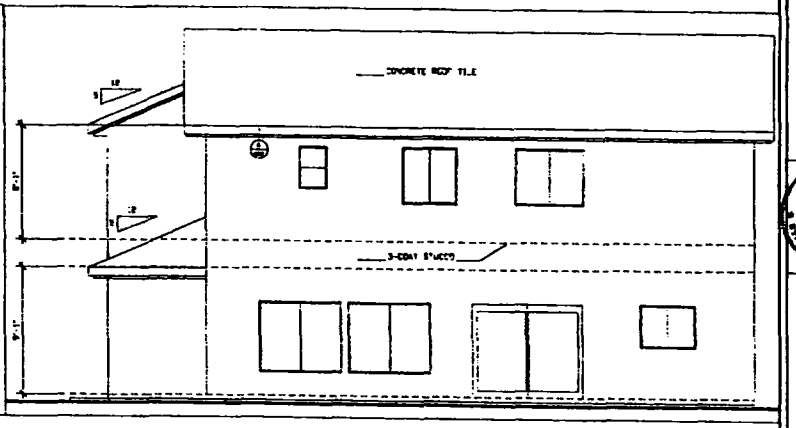
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SDR-5778
02/24/05 PC

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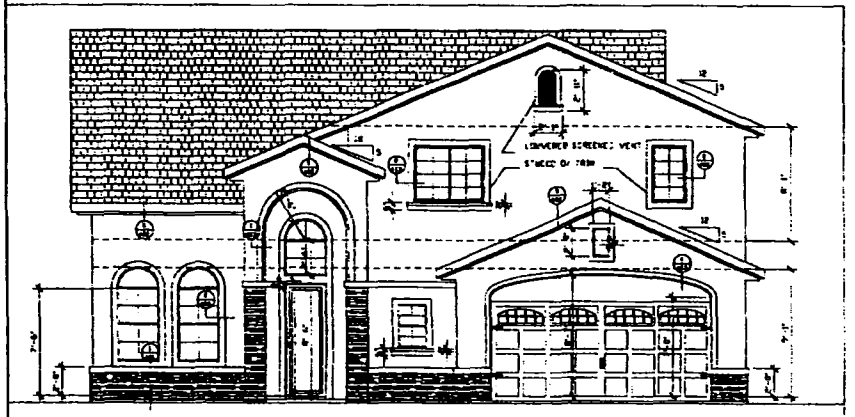


LEFT ELEVATION "A"

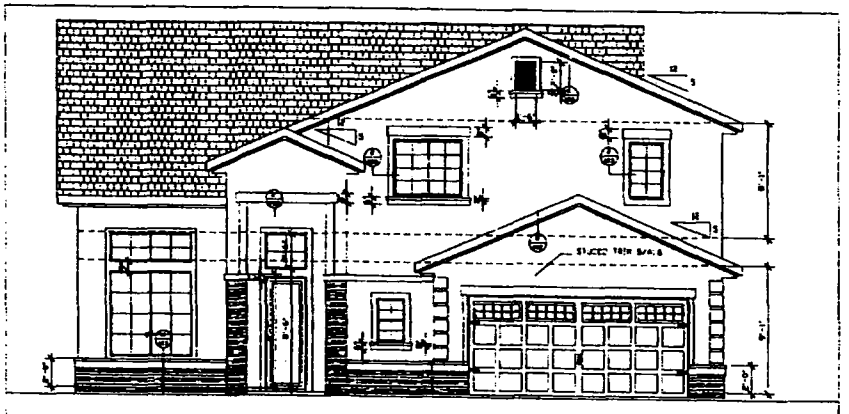


REAR ELEVATION

GARAGE DOORS FROM THE CARRIAGE HOUSE COLLECTION
DOORS BY C-H OVER-HEAD DOORS
WINDOW FLASHING REFER TO DETAIL 3/A8.0



FRONT ELEVATION "A"



FRONT ELEVATION "B"

NEW FLOOR PLAN STYLING

DAVID MCKEE ARCHITECT
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SANDY VALLEY NV 89019
(702) 250 4070 FAX 838-7682

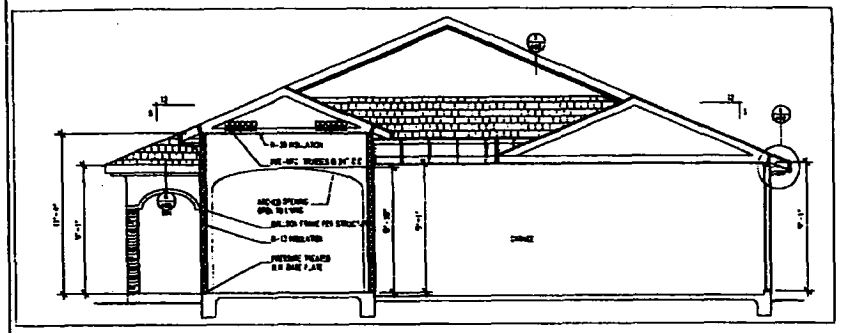
ROYAL CONSTRUCTION
4511 W. CHEYENNE AVE. SUITE 105
LAS VEGAS, NV 89102
PH 873-7773 FAX 873-7776
Contractor Lic. 035409

PLAN (4) 3176
ELEVATIONS
BUNKER COMMONS

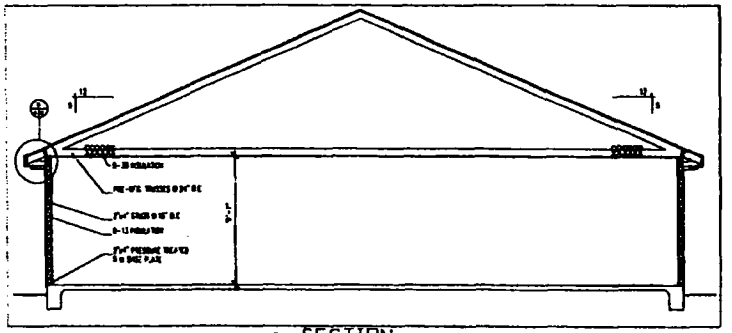
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SDR-5778
02/24/05 PC

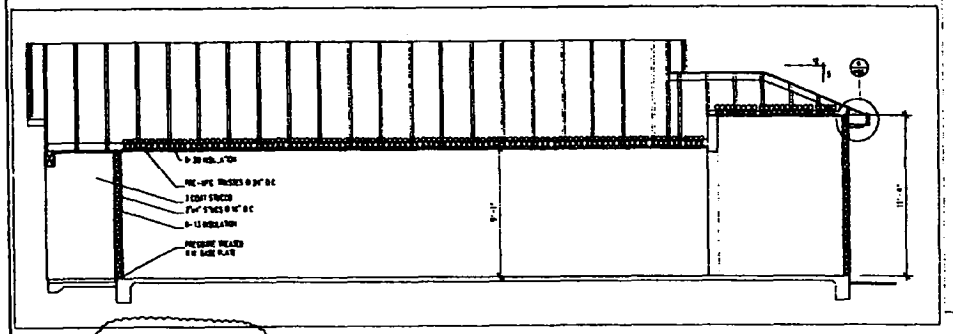
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DEC 14 2004



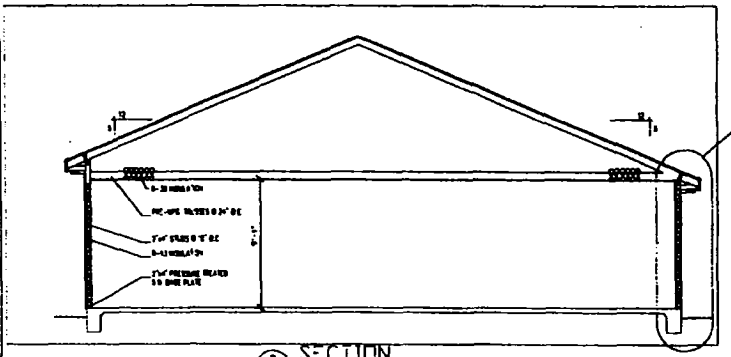
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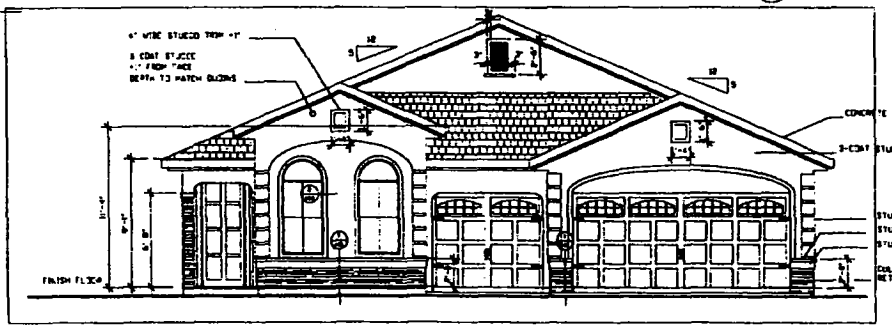
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5 A1.7 SECTION
SCALE: 1/4" = 1'-0"



2 A1.7 SECTION
SCALE: 1/4" = 1'-0"



1 A1.7 FRONT ELEVATION "B"
SCALE: 1/4" = 1'-0"

GARAGE DOORS FROM THE CARRIAGE HOUSE COLLECTION
DOORS BY (N) OVERHEAD DOORS

1 DARKER TILE CHANGE 02/15/05

1 REVISE PER PLAN REVIEW 02/14/05 ARC FULLY ENTERED

DAVID MOSER ARCHITECT
HC 31 BOX 738
SANDY VALLEY NV 89019
(702) 750-4070 FAX 838-7682

STAMP

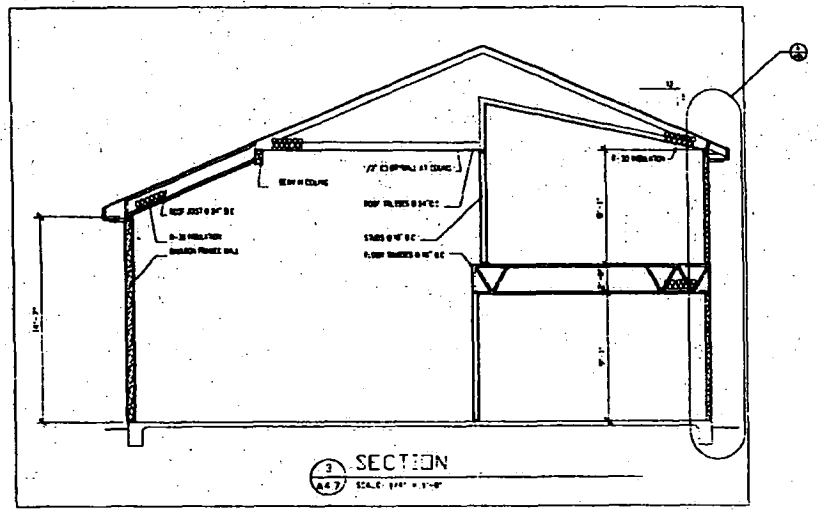
ROYAL CONSTRUCTION
4511 W. CHEYENNE AVE. SUITE 105
LAS VEGAS, NV 89032
PH 873-7773 FAX 873-7776
Contractor Lic. 033409

PLAN 1880
ELEVATIONS
BUNKER COMMONS

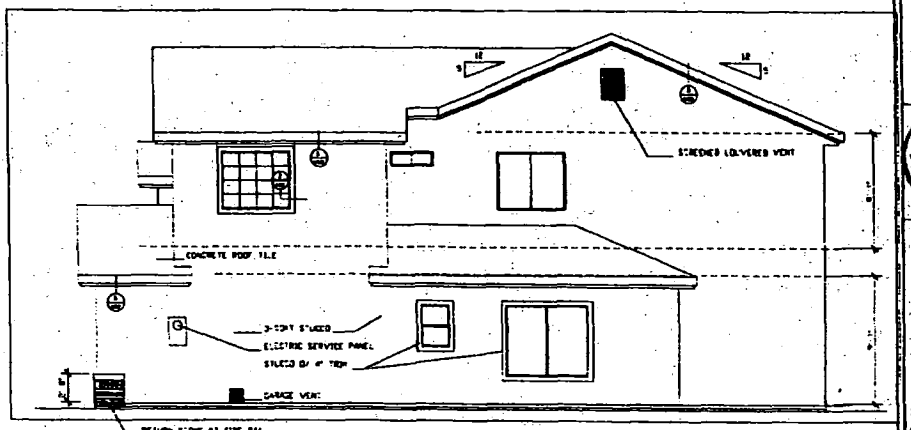
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SHEET	A1.7
OF	7 SHEETS

SDR-5778
02/24/05 PC

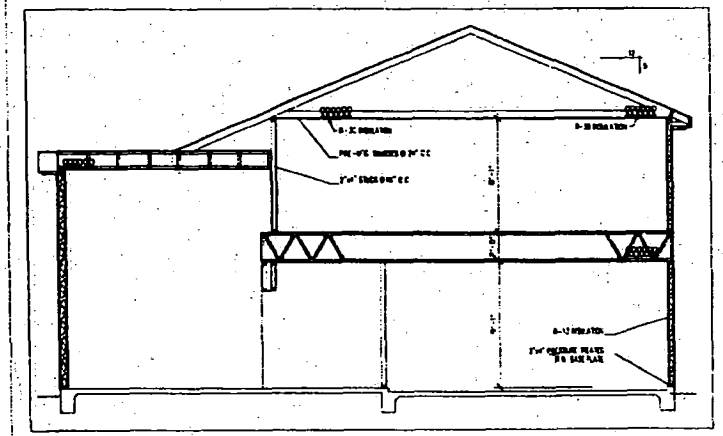
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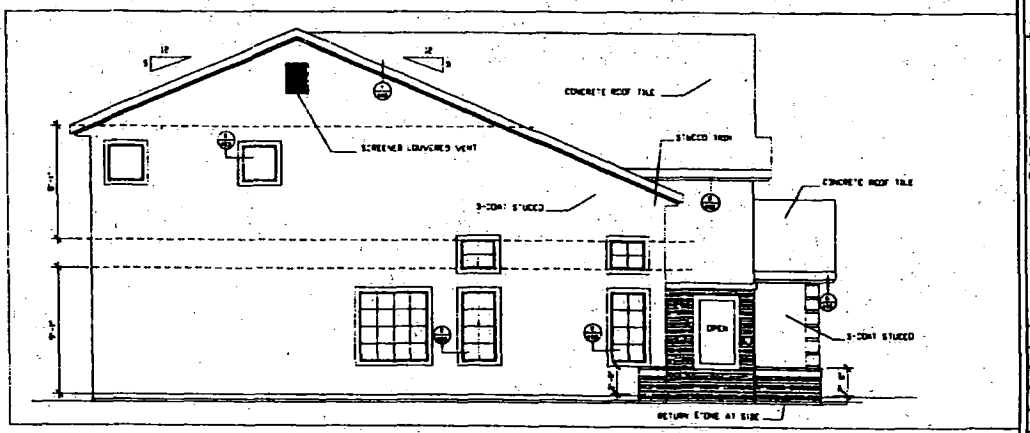
3 A4.7 SECTION



1 A4.7 RIGHT ELEVATION



1 A4.7 SECTION



2 A4.7 LEFT ELEVATION "B"

DAVID MCKEE ARCHITECT
HC 31 BOX 738
SANDY VALLEY NV 89019
(702) 250-4070 FAX 838-7682

REGISTERED ARCHITECT No.4688

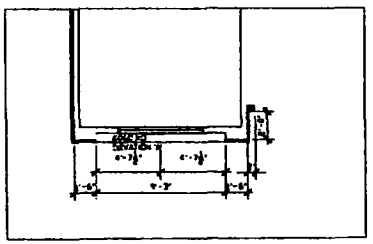
ROYAL CONSTRUCTION
4511 W. CHEYENNE AVE. SUITE 101
LAS VEGAS, NV 89032
PH 873-7773 FAX 873-7776
Contractor Lic.#:033409

PLAN (4) 3176
ELEVATIONS
BUNKER COMMONS

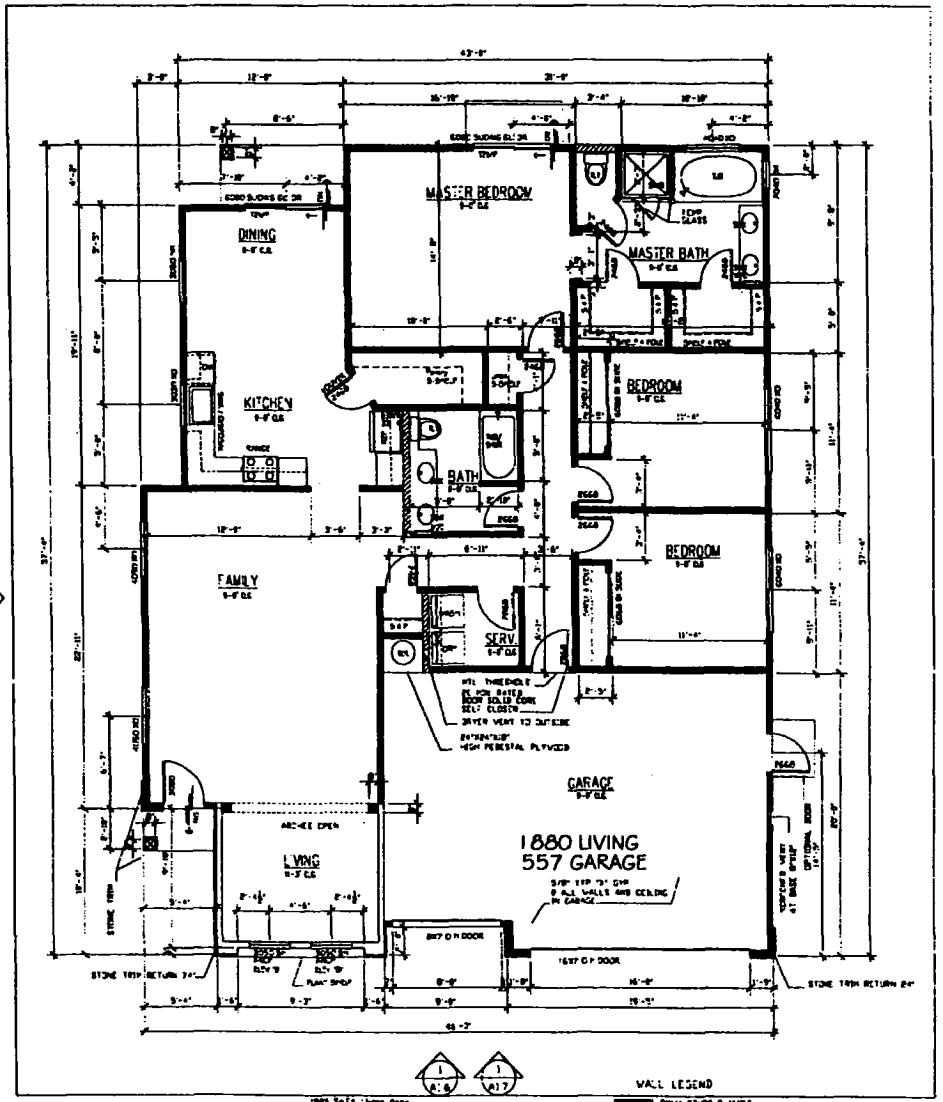
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SCALE	AS SHOWN
JOB NO.	04-34
SHEET	A4.7
OF	7 SHEETS

SDR-5778

02/24/05 PC



FLOOR PLAN ELEVATION "A"



FLOOR PLAN

DAVID MCKEE ARCHITECT
HC 31 BOX 738
SANDY VALLEY NV 89019
(702) 290-4070 FAX 838 7662

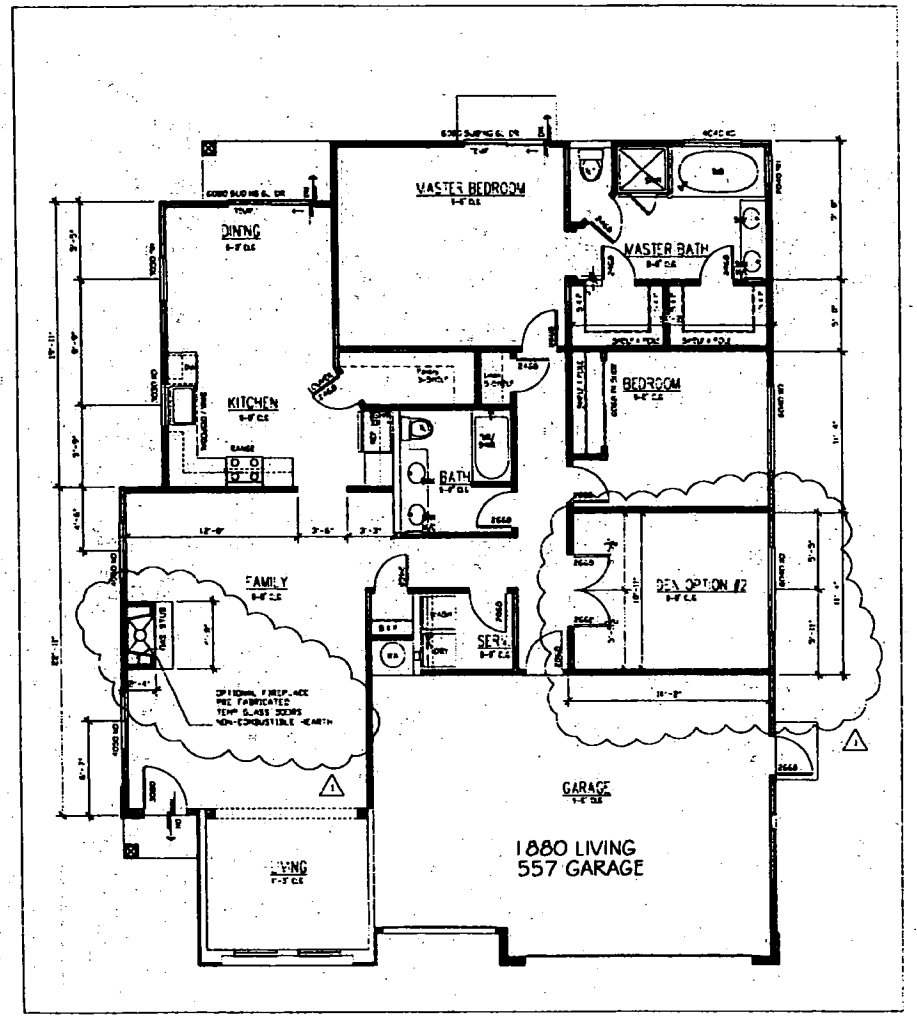
ROYAL CONSTRUCTION
4511 W CHEYENNE AVE. SUITE 105
LAS VEGAS, NV 89032
(N) 873-7773 FAX 873-7776

PLAN C1) 1880
FLOOR PLAN
BUNKER COMMONS

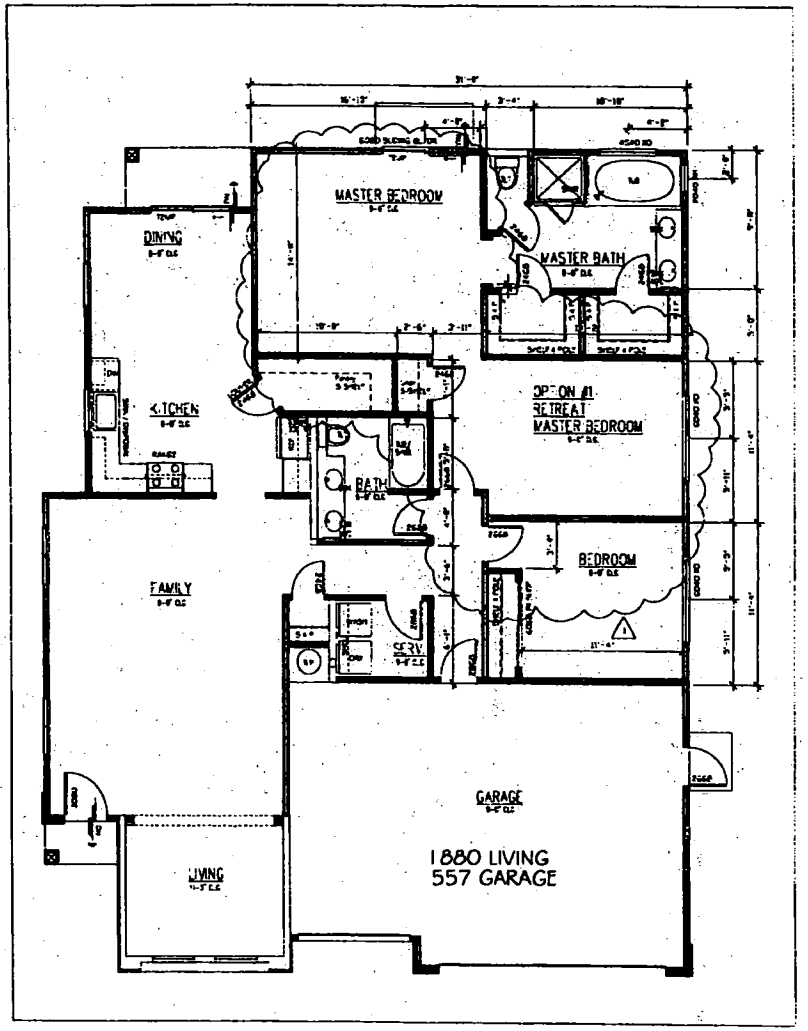
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JOB NO 04-1
SHEET A1.2

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SDR-5778
02/24/05 PC



2 A1.8 FLOOR PLAN OPTIONS



1 A1.8 FLOOR PLAN OPTIONS

1 REVISED OPTIONS FOR REVIEW 12/10/04

1 OWNER TITLE CHANGE 11/15/04

DAVID MCKEE ARCHITECT
HC 31 BOX 738
SANDY VALLEY NV. 89019
(702) 230-4070 FAX 838-7662

ROYAL CONSTRUCTION
4511 W. CHEYENNE AVE. SUITE 105
LAS VEGAS, NV 89032
PH 873-7773 FAX 873-7776
Contractor Lic. 03409

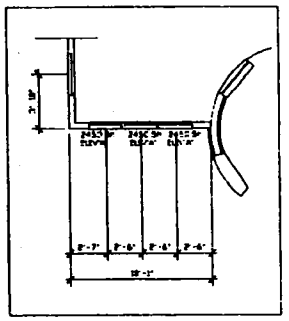
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FLOOR PLAN
BUNKER COMMONS

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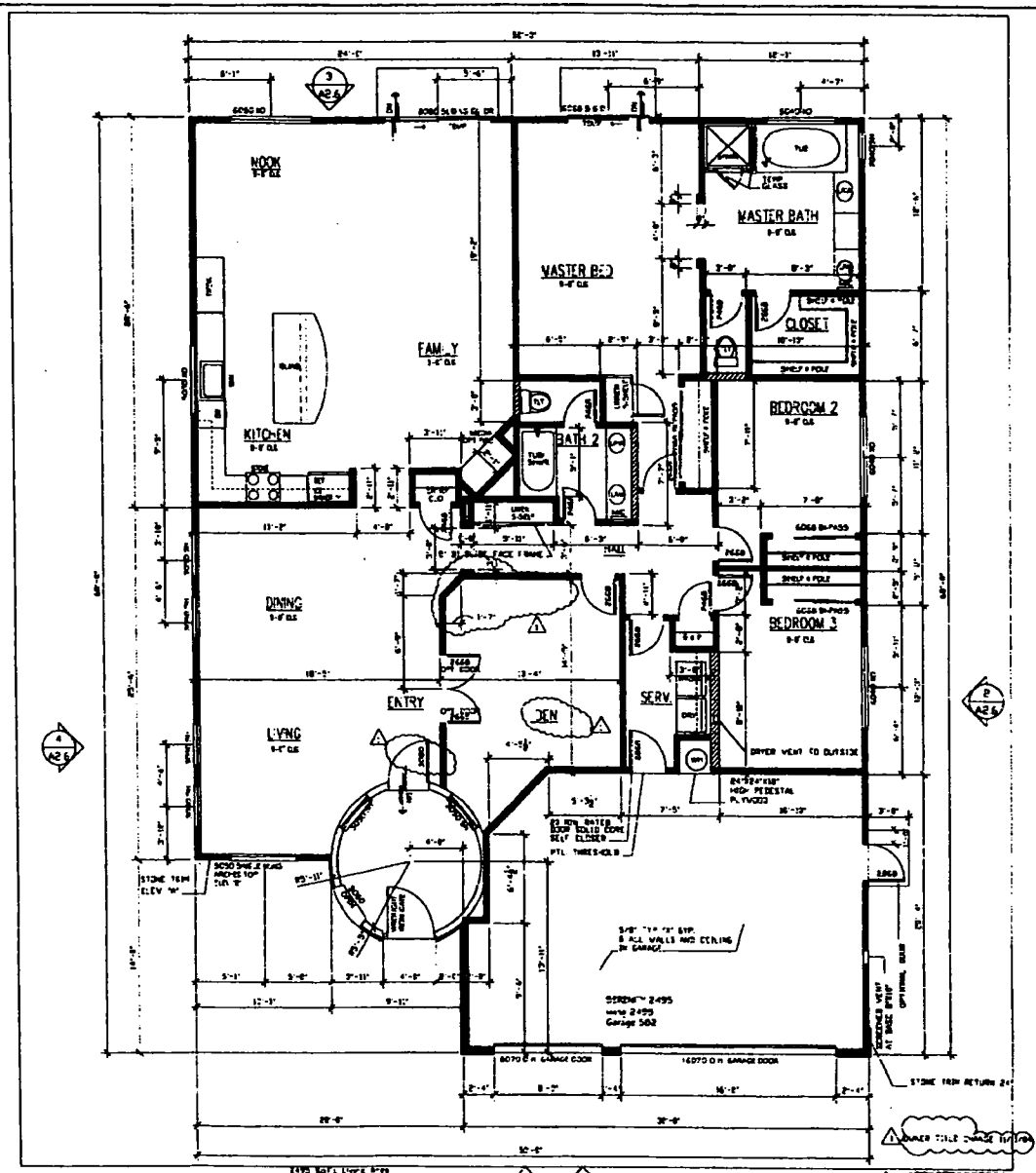
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SDR-5778

02/24/05 PC



FLOOR PLAN ELEVATION "A"



FLOOR PLAN W/ DEN

ALL FIREPLACES SHALL COMPLY WITH CITY BUILDING CODE INCLUDING ALL PRE-MANUFACTURED FIREPLACES AND CHIMNEYS. ALL FIREPLACES, CHIMNEYS, AND FIREPLACE ACCESSORIES SHALL BE INSTALLED PER MANUFACTURER REQUIREMENTS AND APPROVED FOR SPECIFICATION REPORT.
FIREPLACES
FIREPLACE SHALL BE PROVIDED WITH A SOLID DOOR AND UNOBSTRUCTED FRESH AIR SUPPLY DIRECTLY FROM EXTERIOR OF STRUCTURE TO FIRE BOX

WALL LEGEND
2"x4" STUDS @ 16"OC
2"x6" STUDS @ 16"OC
MASONRY FRAMED WALLS (REFER TO STRUCTURAL FOR STUD SIZE)

DAVID MCKEE, ARCHITECT
HC 31 BOX 736
SMITH VALLEY NV 89018
(707) 750-4070 FAX 838-7682

RIYAL CONSTRUCTION
4511 W. CHEYENNE AVE. SUITE 105
LAS VEGAS, NV 89032
PH 873-7773 FAX 873-7776

PLAN (2) 2495
FLOOR PLAN
BUNKER COMMONS

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DATE 08/26/0
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JOB NO.
SHEET A2.2

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DEC 14 2004

SDR-5778
02/24/05 PC

DAVID MOREE ARCHITECT
INC 31 DOR 738
SANDY VALLEY NV 89019
(702) 290-4070 FAX 838 7882

RNYAI CONSTRUCTION
4311 W. CHEYENNE AVE. SUITE 105
LAS VEGAS, NV 89032
PH 873-7773 FAX 873-7776

PLAN (2) 2495
FLOOR PLAN
BUNKER COMMONS

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DATE 08/24/
SCALE AS S-0
JOB NO.
SHEET A2.8

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DEC 14 2004

SDR-5778

02/24/05 PC

SECOND FLOOR OPTIONS
FLOOR PLAN

1
A4.8

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

NEW FLOOR PLAN 12-21-04

WALL LEGEND

SDR-5778

02/24/05 PC

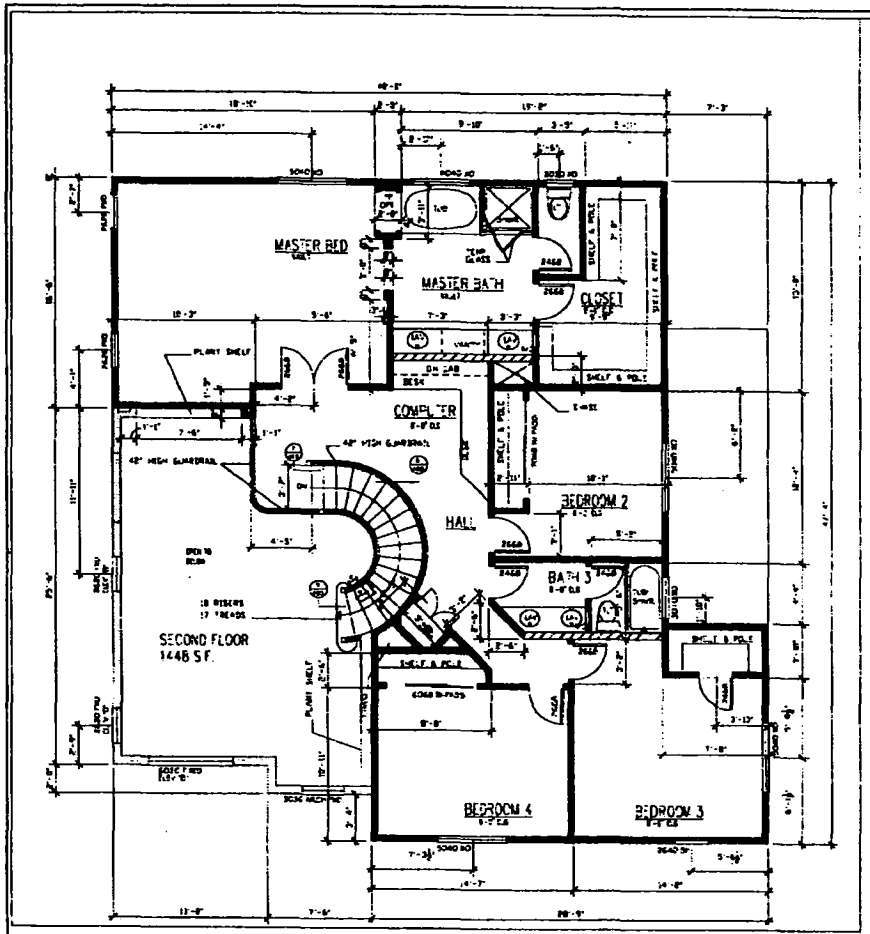
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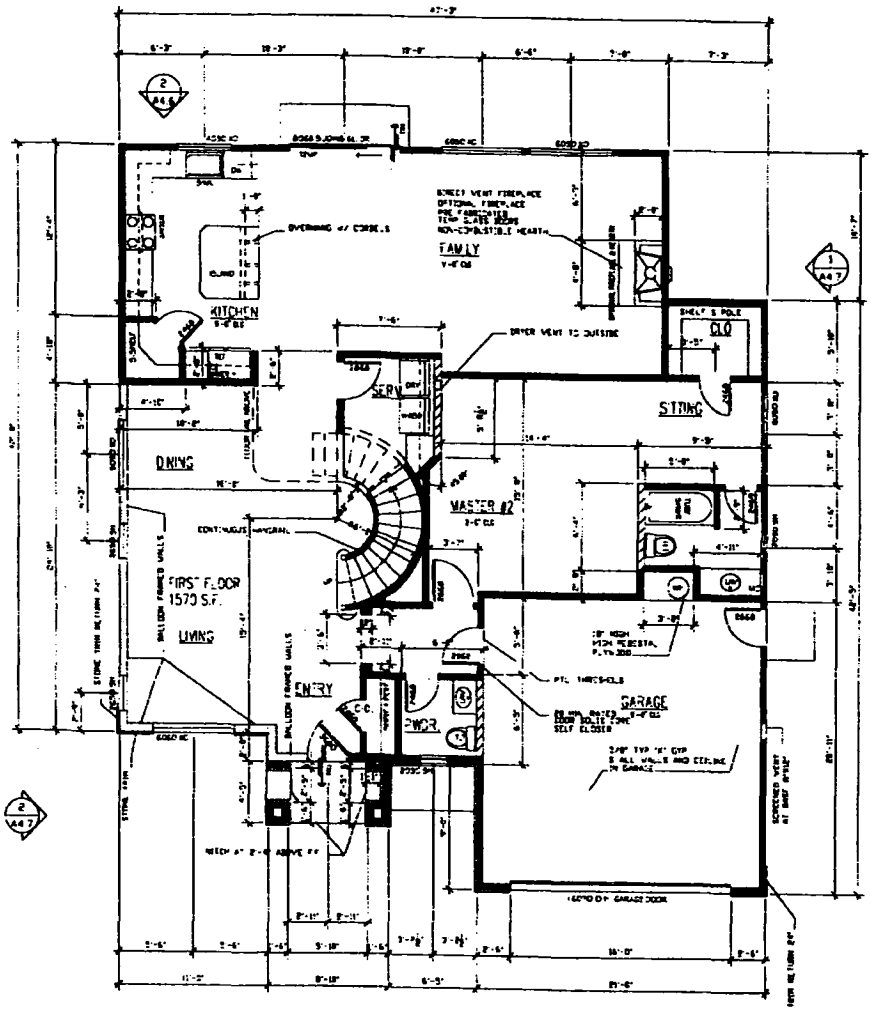
DAVID MCKEE ARCHITECT
HC 31 BOX 738
SANDY VALLEY NV 89019
(702) 250-4070 FAX 838-7682

ROYAL CONSTRUCTION
4511 W. CHEYENNE AVE. SUITE 105
LAS VEGAS, NV 89032
PH 873-7773 FAX 873-7776
(contractor Lic 03240)

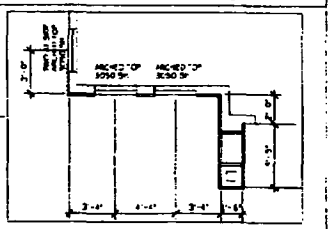
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FLOOR PLAN
BUNKER COMMONS

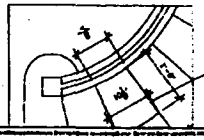
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SHEET A4.8





ELEVATION "A"
FIRST FLOOR





SECOND FLOOR
FLOOR PLAN

FIRST FLOOR

WALL LEGEND

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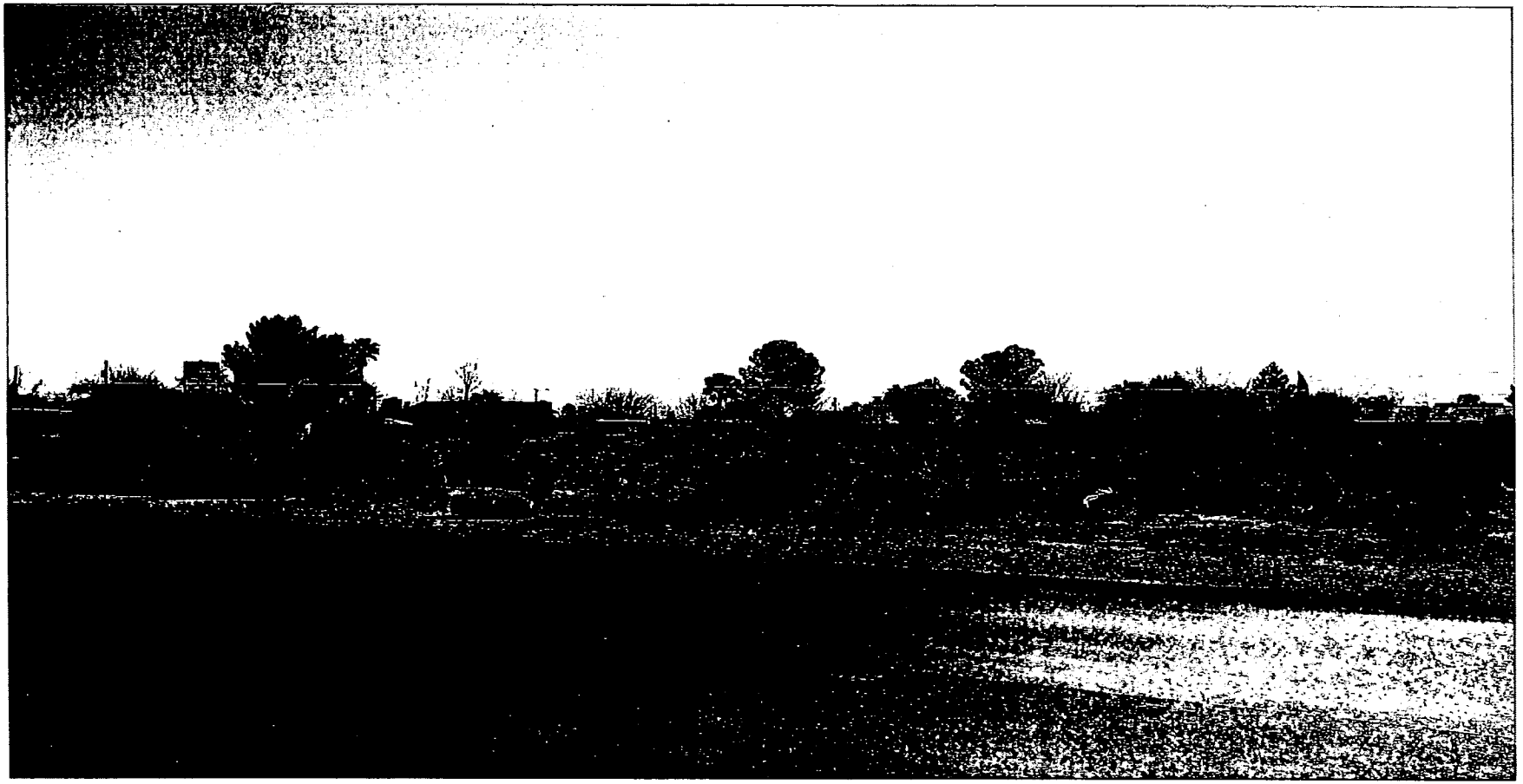
SDR-5778
02/24/05 PC

DAVID MERKLE ARCHITECT
HC 31 BOX 738
SANDY VALLEY NV 89019
(702) 250-4070 FAX 838-7682

ROYAL CONSTRUCTION
4511 W CHEYENNE AVE. SUITE 105
LAS VEGAS, NV 89032
PH 877 7773 FAX 873-7776
Contractor Lic. 035409

PLAN (4) 3176
FLOOR PLAN
BUNKER COMMONS

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CHECKED DMK
DATE 10/26/04
SCALE AS SHOWN
JOB NO 04-54
SHEET A4.2



GPA-5775, ZON-5776, VAR-5846, & SDR-5778 - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC
SOUTHEAST CORNER OF JONES BOULEVARD AND MADRE MESA DRIVE
FEBRUARY 24, 2005 PLANNING COMMISSION

1/12/05

TRC

Customer-Focused Solutions

BV Engineering Nevada

December 13, 2004

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

Re: GPA, Zone Change, and SDR for 2.1-acres on the Southeast corner of Madre Mesa Drive and Jones Boulevard in the City of Las Vegas, Nevada. (APN #138-13-301-001)

To Whom It May Concern:

This project is generally located on the southeast corner of Madre Mesa Drive and Jones Boulevard. The project site is currently in the jurisdiction of Clark County and is zoned RE (Rural Estates 2 units/acre) according to their general plan designation. Annexation application ANX-5923 for the project site proposes to annex the parcel into the City of Las Vegas jurisdictional limits. Our application for a general plan amendment is in for a Residential Planned Development of 4.1 units/acre. This zone change would create an RPD-4 zoning on these parcels.

Jones Boulevard, an 80-foot arterial, borders the property to the east while Madre Mesa Drive, a 60' local collector, borders the site on the north. Half acre residential homes border the site to the east and south. The proposed subdivision will consist of 9 lots and have a gross density of 4.16 units/acre. Access to the site is proposed from Madre Mesa Drive and approximately 280-feet of intersection length is provided to satisfy Title 18, Section 12.12.160. The interior street of the subdivision is a 49-foot public street with an offset bulb to provide emergency access to the site. Although the termination of the street is not in conformance with Title 18, Section 18.12.130, the proposed design mitigates the requirement for access to the site via Jones Boulevard. The project is directly adjacent to an 80' minor arterial, which provides adequate traffic facilities and is included on the Master Streets and Highways Plan. Water, sewer and dry utilities are all available to this site and accessible with right-of-way dedicated adjacent to the project. Six feet of landscaping, required by Title 18, is being proposed along the street frontages of Madre Mesa Drive and Jones Boulevard. A 6-foot decorative CMU wall is proposed at the project boundary to screen this project from the adjacent uses to the west and north.

This project is compatible with surrounding uses, as it will provide much needed single-family housing in the area. City facilities are adequate to serve the development and assure the continued development of infill parcels. The existing subdivision on the northwest corner (a.k.a Bunker Commons II) is already zoned R1 which will create a homogeneous atmosphere in the neighborhood. If you have any questions or concerns regarding this application, please feel free to contact me.

Sincerely,

David L. Yancy II, E.I.

RECEIVED
DEC 14 2004

8395 West Sunset Road, Suite 190 • Las Vegas, Nevada 89113
Telephone 702-650-0572 • Fax 702-307-4222

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

January 2, 2005

5980 W. Alfred Drive
Las Vegas, Nevada 89108

Re: General Plan Amendment GPA-5775

Zone Change ZON-5776

Site Development Review SDR-5778

Variance VAR-5846

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CITY CLERK
2005 JAN -3 A 11:08

Attn: County Commission — Meetings January 03. 2005
City Planning Commissioners — January 05, 2005
City Council Members — February 2, 2005
January 27, 2005
March 2, 2005

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

We are very much opposed to the Zone change requested.

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

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

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

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

Thank you,

Arlon R. Sibert Suzan C. Sibert

Arlon R. Sibert Suzan C. Sibert

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS	
Robert A. Silva	5980 W. ALFRED Dr. 89108	645-6666
Suzan C. Silva	5980 W. ALFRED Dr. 89108	645-6666
Janet White	5970 Alfred Dr. 89108	655-3979
Richard White	5970 Alfred Dr. 89108	655-3979
Cindi Schum	5908 Alfred 89108	647-9644
Rocky Zanora	5908 Alfred 89108	647-9644
Pat Ogle	5908 alfred 89108	646-7224
John Hurst (John to left)	5948 Madre Mesa 89108	648-0135
Sheryl Cartwright (Carlton)	5875 madre mesa 89108	648-[illegible]
FRED CARTWRIGHT	5875 MADRE MESA 89108	"
Sidney J. Draper	5900 Madre Mesa 89108	646-5[illegible]8
Teri L. Draper	5900 Madre Mesa 89108	"
R. Steck	5851 Madre Mesa 89108	
Sherry Interrante	5831 Madre Mesa Dr. 89108	
John Interrante	5831 Madre Mesa Dr. 89108	
Mohammed & Adolisa Rashidi	5817 Madre Mesa Dr. 89108	
Michelle Locatelli	5778 Madre Mesa Dr 89108	631-5995

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
Pat Dinello	5759 Madre Mesa
Marge Dinello	5759 Madre Mesa
Bertha Dominguez	5754 Madre Mesa
David Dominguez	5754 Madre Mesa
[illegible] J McKiernan	5782 Alfred Drive
Richard Alvis	5711 Alfred Drive
[illegible]	5735 Alfred Dr.
Michelle Tisha	5735 Alfred Dr.
Arlie Bance	5735 Alfred dr
Carol Kayser Vaisen	5798 Alfred dr.
Danny Vaisen	5798 Alfred Dr.
Dana Carson	5759 Alfred Dr.
Eileen Carson	5759 Alfred Dr.
Larry L. McKiernan	5782 ALFRED
Pat Habert	5783 ALFRED DR.
Nanette Kerser	5806 Alfred Dr.
Kara Kerser	5806 Alfred Drive

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

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

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

NAME	ADDRESS
Mary Eugene Lee	5807 Alfred Drive Las Vegas 89108
Lolla Lee	5807 Alfred Dr 89108
Ronald Thamm	5830 Alfred Dr. 89108
James Pintar	5854 Alfred Dr 89108
Lucia Pintar	5854 Alfred Dr 89108
Dennis Ldossa	5885 ALFred Dr 89108

City of Las Vegas

Agenda Item No. 143

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-5762 - PUBLIC HEARING - APPLICANT: AMTI SUNBELT, LLP - OWNER: KOBIE CREEK, LLC - Request to amend a portion of the Centennial Hills Sector Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 5.10 acres adjacent to the northwest corner of Decatur Boulevard and Gowan Road (APN 138-12-601-040), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Justification letter
5. Appeal letter from Attorney Paul Larsen
6. Submitted at City Council - Protest petition with 98 signatures for Item 143 [GPA-5762], and Item 144 [ZON-5765] filed under Item 143 [GPA-5762]
7. Submitted at City Council - Appraisal letter submitted by Attorney Paul Larsen for Item 143 [GPA-5762], and Item 144 [ZON-5765] filed under Item 143 [GPA-5762]

MOTION:

MACK - ABEYANCE to 4/20/2005 - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 143 [GPA-5762] and Item 144 [ZON-5765].

ATTORNEY PAUL LARSEN, 300 South 4th Street, appeared on behalf of the applicant. He stated he met with the neighbors who expressed concern about the original design of the 18 units and the fact that the two story homes would abut the existing neighborhood to the west. The applicant has now agreed to limit all the lots along the western property line to single stories. In addition, the street to the east will be shifted to make the parcels on the west larger. As result, a new site plan was provided to staff incorporating all these suggestions. The lots were reduced to 17 units, thus increasing the size of the lots of the western property line. The smallest lot is over 10,000 square feet with some being 15,000 square feet. The eight lots on that side would be single story. He concurred with staff conditions.

LEX ANDERSON, 3709 Waterhole Street, is a member of Northwest Area Resident Association (NARA) and stated there are 742 homes within the NARA neighborhood of which 499 homes are half-acre units. Some of the developments are gated with single stories and a common ground. The

MINUTES - Continued:

entire area has only 16 two-story homes. The Planning Commission was adamant about moving the access further to the west and about not having any left turn on Gowan Road to Rancho Road. The residents are concerned about a trailer that was placed about four months ago, which they said was used only for storage; however, an advertising sign has been placed there and the residents would like it removed.

DAVE BURICK, 4816 West Gowan Road, was pleased to hear there would only be single story homes, but he believes that about 216 cars would be added to the existing traffic problem. In addition, if the ground level of the proposed home is higher than some of the existing properties, the water from the rains would drain into his property. His concern is that the surrounding property values would decrease. He asked the City Council to deny the applications.

MAYOR GOODMAN commented his understanding was the Council was to get traffic studies for those items where the traffic was an issue. There have been items where reference has been made to traffic and the City Council does not have anything to compare representations made by the residents. He would like to see a study and he believed it was policy. BART ANDERSON, Public Works Department, replied that staff understood that a traffic study would be provided on projects such as large towers with many units. The Council's desire was that the reports be provided prior to any action being taken. On small lot developments such as this one, from a technical standpoint, especially adjacent to two major streets, the traffic impacts produced by such a small development are really quite negligible. For the people who live there the addition of any cars will seem to be more than desirable. Therefore, a traffic study is not even required on a development this small.

MIKE MALONE, President, Northwest Area Residents Association (NARA), submitted a petition opposing the project. This particular property has been denied zoning changes before. He contacted the new owner and asked they meet with NARA members, but they never did. They only met with the residents after the Planning Commission denied their request. The last he heard was that the applicant would provide half-acre lots.

DANIEL MARKOFF, 4816 Martinelli Court, and BARRY MOSS, 4900 Omega Circle, opposed the proposed development and expressed concerns about the character of the area changing from rural to low density residential and increased traffic. MR. MARKOFF remarked that the City Council might be offended if a big company like Tyson Foods were to come and build a chicken-plucking factory. Thus, the residents are offended by this project being placed in the middle of a rural neighborhood.

STEVEN "CAPTAIN TRUTH" DEMPSEY commented that it seems that an item everyone opposes is always approved. He agreed that a traffic study should be provided, especially when there is a substantial traffic increase.

ATTORNEY LARSEN rebutted that this project will not have any negative effect on property values. Nevertheless, an appraiser has looked at this application and the surrounding neighborhood and indicated that the proposed homes will have no negative effect on the surrounding neighborhood. In fact, there might be a positive effect because the homes are proposed to sell in excess of a half million dollars each. With regard to the issue of flooding, the applicant agrees to perform a drainage study and comply with all recommendations and requirements of the flood study. The applicant agrees to a traffic

MINUTES - Continued:

study. A parcel this size with the 17 lots will have a negligible impact on traffic, given the fact that the site is located at the intersection of two major streets, Decatur Boulevard and Gowan Road. The current traffic situation is a result of the size of the two streets, not because of any development.

Regarding the driveway, ATTORNEY LARSEN explained the intent is to put the street at exactly the same spot, as not to alter the curb. There will be no effect upon the neighbors to the west whose traffic access is on Malner Lane. Therefore, with the revisions that have been made to the site plan, the proposed development will not have a negative effect on the neighborhood. In fact, the adjacent neighbors' property values will probably increase.

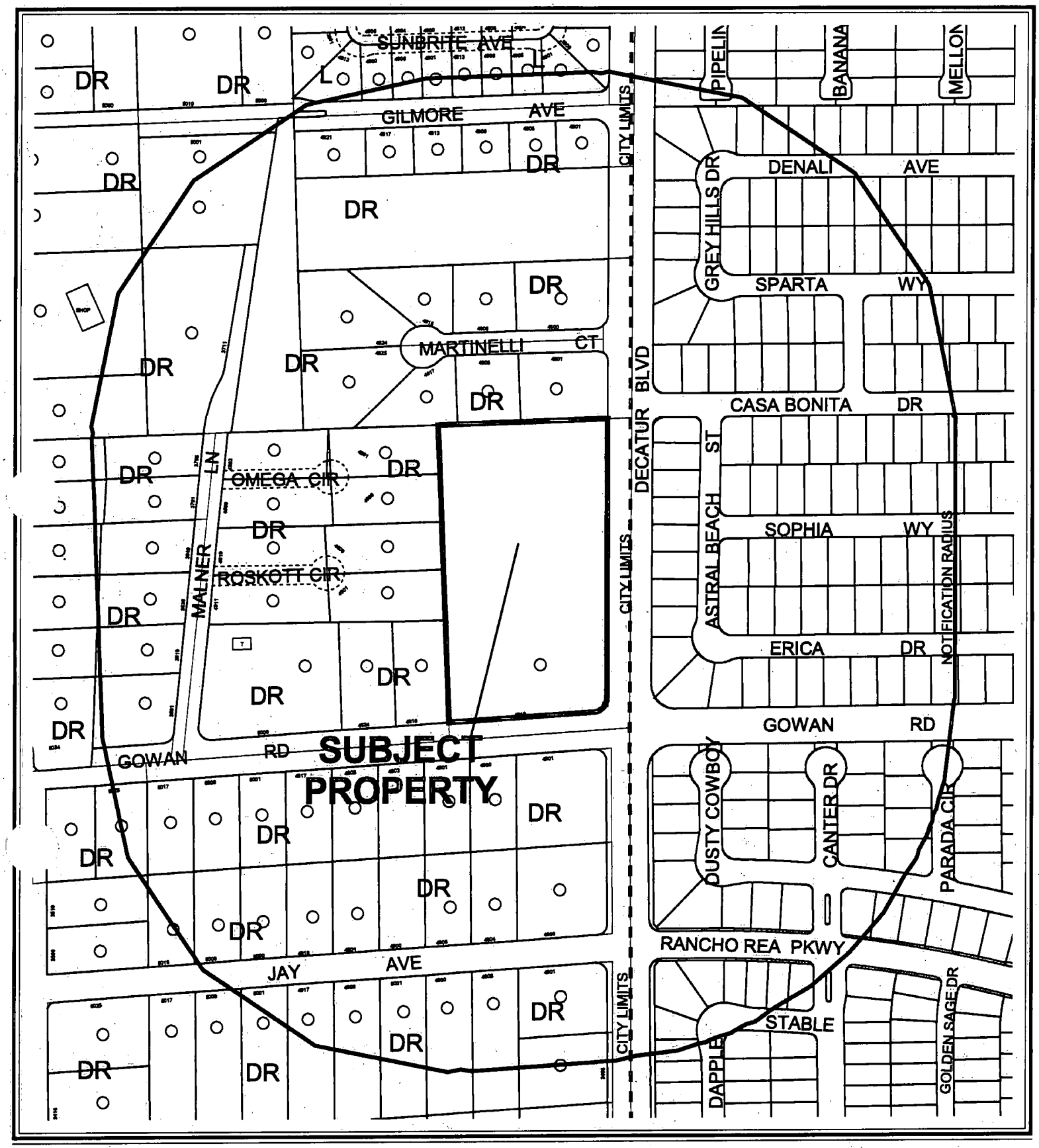
MAYOR GOODMAN commented he would prefer seeing a traffic study before taking any action. COUNCILMAN MACK indicated he has had a great relationship with NARA residents and requested a two-week abeyance so he can meet with the residents. ATTORNEY LARSEN replied he would be happy to meet with them.

MR. ANDERSON clarified for MAYOR GOODMAN that there is not a mini traffic study, but he would look into developing one. Upon direction from COUNCILMAN MACK, the traffic study should include how many trip loads a day each home has for 15 homes, and how much impact that would have versus the current traffic. MR. ANDERSON indicated that the Institute of Transportation Engineers (ITE) publishes a schedule for all developments and has standard numbers. MAYOR GOODMAN asked if staff could extrapolate the data and try to impose that on a particular neighborhood.

COUNCILMAN BROWN asked ATTORNEY LARSEN if there is any possible way of looking at an alignment of a cul-de-sac coming off of Decatur Boulevard where a bulb can be built, picking up the same density on Decatur Boulevard. This would take access completely out of the NARA neighborhood and put it on Decatur Boulevard. In some cases, other infill areas mitigate the need for density in some of the existing neighbors. ATTORNEY LARSEN replied he would try to do that.

NOTE: MAYOR GOODMAN directed CITY MANAGER DOUG SELBY to explore the possibility of having some kind of skeleton traffic analysis for the City Council for review before a vote is taken.

MAYOR GOODMAN declared the Public Hearing closed on Item 143 [GPA-5762] and Item 144 [ZON-5765].
(6:28 - 6:51)
7-916

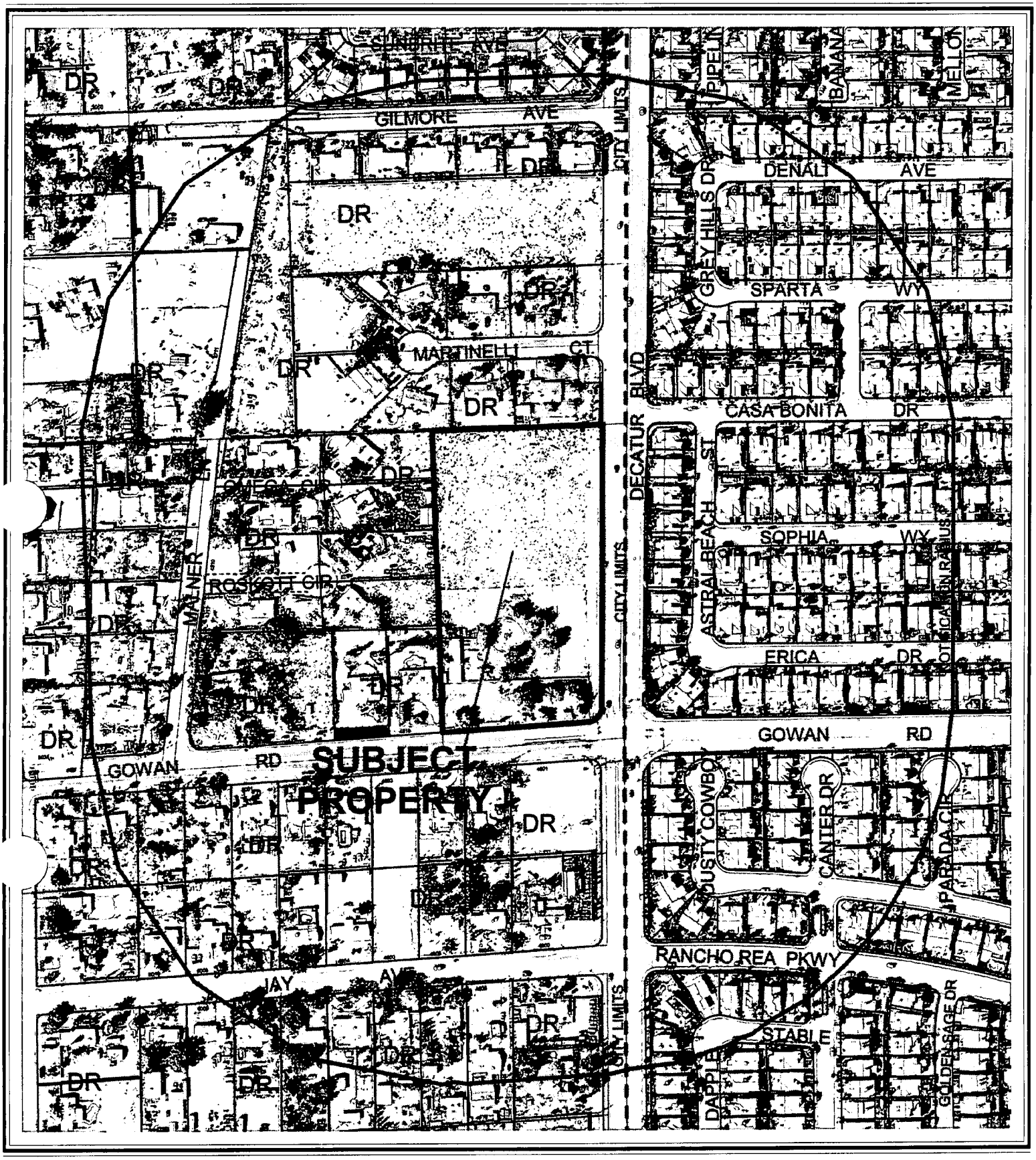


CASE: **GPA-5762**

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
L (LOW DENSITY RESIDENTIAL)



0 200 400 Feet

CASE: **GPA-5762**

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
L (LOW DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-5762 - APPLICANT: AMTI SUNBELT, LLP - OWNER: KOBIE CREEK, LLC

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL.

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located on the northwest corner of Decatur Boulevard and Gowan Road from DR (Desert Rural) to L (Low Density Residential).

The applicant has stated the following justifications for the request:

- The proposed development will be upscale, semi-custom homes with CC&Rs that will promote harmony with existing developments; and
- There is adequate existing infrastructure to support the development.

BACKGROUND DATA:

08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Residential land uses with a maximum density of three units per acre.

03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan. The Northwest Sector Plan designated this property as R (Rural Density Residential) with a maximum density of 3.96 units per acre.

05/24/99 The City Council approved the Centennial Hills Sector Map (GPA-0001-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map. On this plan, the property was designated as DR (Desert Rural Density Residential), with a maximum density of two units per acre.

08/18/99 The City Council approved GPA-0023-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 units per acre, Medium-Low Density Residential to allow up to 8 units per acre, and Medium Density Residential up to 25 units per acre.

09/28/99 A request for a General Plan Amendment to designate this property as SC (Service Commercial) was withdrawn by the applicant prior to the item being placed on a Planning Commission agenda (GPA-0031-99).

09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan.

02/19/03 The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for DR (Desert Rural Density Residential) land uses with a maximum density of 2.49 units per acre.

01/27/05 The Planning Commission voted to hold this item and a related Rezoning (ZON-5765) request from R-E (Residence Estates) to R-1 (Single Family Residential) in abeyance to the 2/24/05 Planning Commission meeting to allow time for the applicant to redesign the project.

02/24/05 The Planning Commission recommended denial of a related item (ZON-5765).

02/24/05 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #12/ss).

DETAILS OF APPLICATION REQUEST

Site Area: 5.10 Acres

EXISTING LAND USE

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

PLANNED LAND USE

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

EXISTING ZONING

Subject Property	R-E (Residence Estates)
North	R-E (Residence Estates)
South	R-E (Residence Estates)
East	R-1 (Single-Family) [North Las Vegas designation]
West	R-E (Residence Estates) R-PD2 (Residential Planned Development – 2 units per acre)

	YES	NO
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

DR (Desert Rural Density Residential) (2.1 to 2.49 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2.49 units per acre. The predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

L (Low Density Residential) (3.6 to 5.5 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

INTERAGENCY ISSUES

SPECIAL PLAN AREA

This site is not within a Special Plan Area.

RURAL PRESERVATION NEIGHBORHOOD

This site is not within a Rural Preservation Neighborhood.

RURAL PRESERVATION NEIGHBORHOOD BUFFER

This site is not within a Rural Preservation Neighborhood Buffer.

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

The Southern Nevada Regional Policy Plan, approved February 22, 2001, set out a requirement for local entities to establish a means of identifying Projects of Regional Significance (PRS), and of addressing the impacts of these projects. The city of Las Vegas, through Ordinance No. 5477, has established such a process. Pursuant to this Ordinance, it has been determined that this proposed General Plan Amendment and its companion items would not meet the definition of a Project of Regional Significance as defined in the ordinance.

ANALYSIS

The subject property is currently developed with a single-family home. Access to the site is available off of both Decatur Boulevard and Gowan Road. Adjacent uses are all single-family homes.

The homes to the north, west, and south are all built at two units per acre. To the east, in the jurisdiction of the City of North Las Vegas, the density is somewhat greater. However, that development is separated by Decatur Boulevard. The requested land use designation of L (Low Density Residential) allows up to 5.5 units per acre, which is out of character for the existing context. The DR (Desert Rural Density Residential) designation is defined in part as "generally a rural environment that permits greater privacy...." The L (Low Density Residential) designation is more suburban in nature and would likely result in development that would diminish the rural atmosphere and privacy that exists now.

Policy 2.1.2 of the Master Plan 2020 states that, "Development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use an design to surrounding development." Although this policy is addresses the Neighborhood Revitalization Area, it is intended to support and preserve mature neighborhoods, so it is applicable in this context. The General Plan designation requested for this site would allow development that is not sensitive to the surrounding properties and therefore cannot be supported.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to "1":

The density of the proposed General Plan Amendment is not compatible with the adjacent land use designations.

In regard to "2":

The zoning designations that would be permitted by the proposed development allow uses that are out of character and incompatible with the adjacent single-family homes.

In regard to "3":

This parcel is in an area of the city where all services are existing and available to the site. The property is served by the Northwest Area Command of the Las Vegas Metropolitan Police Department with a substation located approximately one mile away at Decatur Boulevard and Rancho Drive. Fire Station #9, at Lone Mountain Road and Rainbow Boulevard, is the closest city facility to the site. Children's Memorial Park, at Gowan Road and Torrey Pines Drive, is the closest city park to the site.

In regard to "4":

There are no other adopted plans or policies that would be applicable.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on 12/21/04, the applicant sponsored a neighborhood meeting. The 10 persons in attendance had the following comments:

- The small lot sizes will decrease the value of their homes.
- The area floods so this project will increase water on adjacent properties.
- They would like a new eight-foot wall adjacent to the existing homes.
- They would like one-story homes adjacent to the existing homes.

PLANNING COMMISSION ACTION

The Planning Commission denied the project based upon concerns about density, traffic and access, privacy and drainage. There were three speakers at the Planning Commission meeting protesting the application.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 219 by Planning Department

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-5762 APN: 138-12-601-040

Name of Property Owner: Kobie Creek LLC.

Name of Applicant: Bramble Homes, Inc.

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

_____ Yes _____ 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: L Sayers, Mgr.

Print Name: Larry L. Sayers

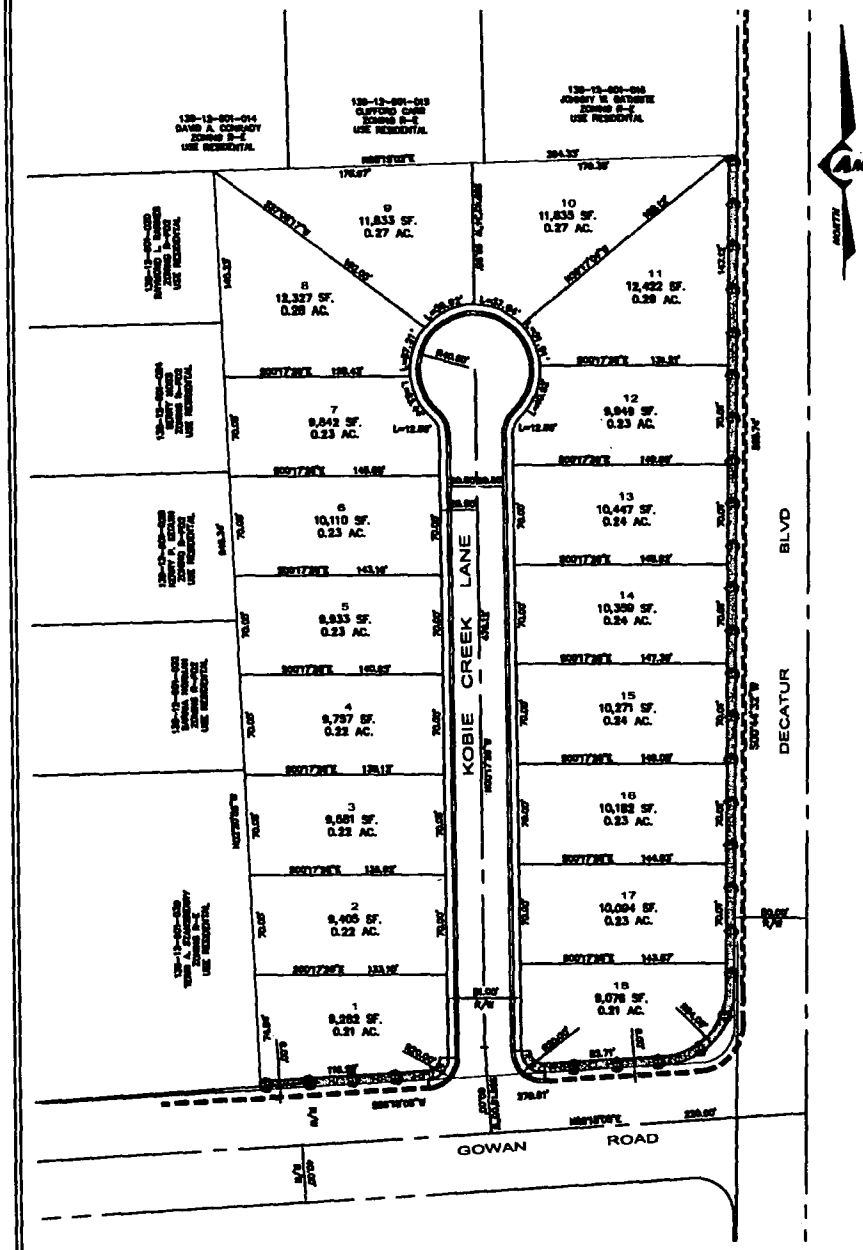
Subscribed and sworn before me

This 2nd day of November, 2004

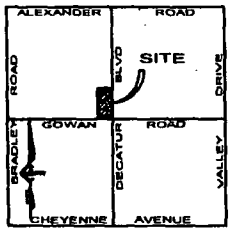
Jennifer Lockerbie

Notary Public in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
JENNIFER LOCKERBIE
My Appointment Expires
January 10, 2007
No. 98-37222-1



PRELIMINARY SITE PLAN
FOR
KOBIE CREEK
A SINGLE FAMILY SUBDIVISION
APN: 138-12-601-040
CLARK COUNTY, NEVADA



VICINITY MAP
N.T.S.

APN: 138-12-601-040

ZONING

LAND USE

OWNER

SUBDIVIDER / DEVELOPER

LEGAL DESCRIPTION

UTILITY COMPANIES SERVICING SITE

SITE DATA

BASIS OF BEARINGS

LEGEND

TREE - 24" BOX (30' ON CENTER)
LAURUS PARVIFOLIA (TRUE GREEN ELM)

5 GALLON SHRUB
LEUCOPHYLLUM LANGMANIAE
(LYNN'S LEGACY)

SCALE: 1" = 40'

LANDSCAPE PLAN
NWC GOWAN RD. & DECATUR BLVD.
KOBIE CREEK
LAS VEGAS CLARK COUNTY NEVADA

AMTI • SUNBELT LLP
ENGINEERING • PLANNING • SURVEYING

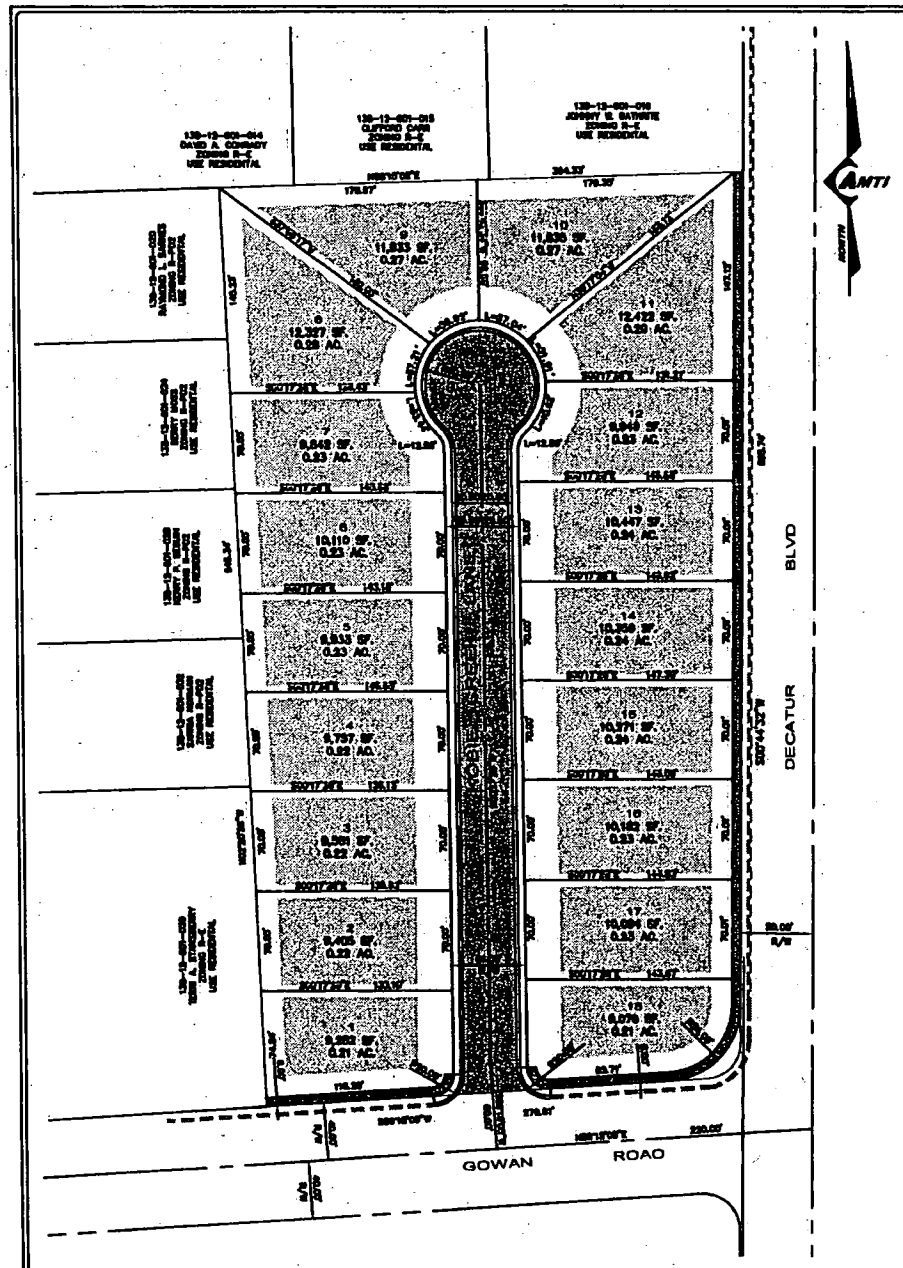
SHEET C1
1 OF 1 SHEETS

REVISED 2.15.05

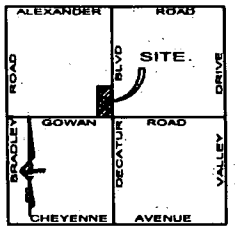
GPA-5762
2-24-05 PC

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PRELIMINARY SITE PLAN
FOR
KOBIE CREEK
A SINGLE FAMILY SUBDIVISION
APN: 138-12-601-040
CLARK COUNTY, NEVADA



VICINITY MAP
N.T.S.

APN: 138-12-601-040

ZONING

LAND USE

OWNER / SUBDIVIDER / DEVELOPER

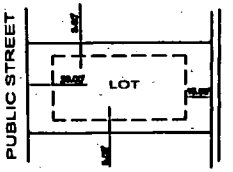
LEGAL DESCRIPTION

UTILITY COMPANIES SERVICING SITE

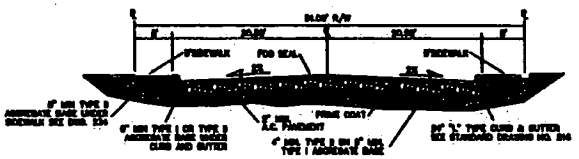
SITE DATA

BASIS OF BEARINGS

LEGEND



TYPICAL LOT - BUILDING SETBACKS


TYPICAL INTERIOR STREET

SCALE: 1" = 40'

PRELIMINARY SITE PLAN
NWC GOWAN RD. & DECATUR BLVD
KOBIE CREEK
LAS VEGAS CLARK COUNTY NEVADA

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ENGINEERING • PLANNING • SURVEYING

SHEET C1
1 OF 1 SHEETS

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REVISED
2.15.05

ZON-5765
2-24-05 PC

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SUNBELT LLP
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DEC 30 2004

December 29, 2004

City of Las Vegas Development Services Center
Planning and Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101

Re: Request for Rezoning for a proposed single-family residential subdivision located at the northwest corner of Decatur and Gowan (APN 138-12-601-040).

The purpose of this letter is to request a Rezoning for a proposed single-family residential subdivision located at the northwest corner of Decatur and Gowan. Our office has previously submitted an application for this project for a request for rezoning to a RPD-4 designation. After discussions with City of Las Vegas staff and the Client, we would like to revise the rezoning request to a R-1 designation. We are supplying a revised site plan and landscape plan to reflect the change for R-1 zoning. The rezoning application is scheduled to be heard at the Planning Commission Meeting on 1/27/05.

A rezoning is required for the proposed subdivision to meet density requirements. A rezoning of the subject parcels to R-1 is requested. The proposed subdivision exceeds the current zoning (R-E) density of 2.49 units per acre with 4.4 units per acre net. The smallest lot size is 9100 sf and meets the criteria for R-1 zoning.

The subject property is located in a designated R land use area under the General Plan. An application for a General Plan Amendment is being applied for concurrently with the rezoning application.

The proposed subdivision will be marketed as a site for upscale semi-custom homes with CCRs established to promote harmony with the existing developments in the area and to be aesthetically pleasing. The density and intensity of the project is comparable with nearby developments.

here are sufficient infrastructure improvements to accommodate the proposed development. Decatur is a fully improved road and Gowan is mostly improved but will require some additional curb, gutter, sidewalk, and paving. Existing sewer, water, and storm drain are in the streets adjacent to the development. The proposed development is providing a 6' landscape strip adjacent along Decatur and Gowan and is proposing a 10' common lot along the interior street that in will include landscaping and a meandering sidewalk.

We sincerely hope that the requests for these actions be reviewed and considered. Please contact me at # 938-0650 if you have any questions or comments.

Sincerely,
Acclaim MTI, LLP

Kirby P. Adams, P.E.
Project Engineer

720 SUSANNA WAY ♦ HENDERSON, NEVADA 89015 ♦ PHONE (702) 242-9908 ♦ FAX (702) 242-9915
WWW.ACCLAIMMTI.COM

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW
1100 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 383-8888

FAX (702) 383-8845
lsc@lionelsawyer.com
www.lionelsawyer.com

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SAMUEL S. LIONEL (1918-1996)
GRANT SAWYER (1918-1996)
JON R. COLLINS (1923-1987)
RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
DENNIS L. KENNEDY
RICHARD W. HORTON
DAN C. BOWEN
MARK A. SOLOMON
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
DAVID WHITTEMORE
CAM FERENBACH
LYNDA S. MABRY
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JENNIFER A. SMITH
GARY W. DUHON
LAUREL E. DAVIS
DAN R. REASER
CARL D. SAVELY
MARK LEMMONS
HOWARD E. COLE
PAUL E. LARSEN
P. GREGORY GIORDANO
MARK A. McINTIRE
ALLEN J. WILT
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RORY J. REID
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SHAWN M. ELICEGUI
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EMILIA K. CARGILL
JANET SUE BESSEMER
G. LANCE COBURN
WILLIAM J. McKEAN
JOHN M. NAYLOR
GREGORY R. GEMIGNANI
E. LEIF REID
DANA A. DWIGGINS
ELIZABETH R. BRENNAN
DOREEN SPEARS HARTWELL
SEAN T. WATERS
ELLICK C. HSU
STEVEN E. HOLLINGWORTH
LINDA M. BULLEN
LAURA K. GRANIER
KYLE O. STEPHENS
ALAN D. FREER
MAXIMILIANO D. COUVILLIER III
ELIZABETH BRICKFIELD
LEAH A. AYALA
SARAH E. HARMON
CRISTINA L. JOHNSON
MICHAEL D. KNOX
ROSA SOLIS-RAINEY
ERIC C. BOUGHMAN
ERIN FLYNN
JENNIFER ROBERTS
SUZANNE L. MARTIN
BRENT HEBERLEE
MATTHEW B. CRANE
JASMINE K. MEHTA
JON A. BAUMUNK
CHRISTOPHER CHILDS

OF COUNSEL
BRIAN McKAY
ELLEN WHITTEMORE
BRIAN HARRIS
ABBIE G. FRIEDMAN
LAURA J. THALACKER

February 28, 2005

WRITER'S DIRECT DIAL NUMBER:
702-383-8819
plarsen@lionelsawyer.com

Barbara Jo Ronemus, City Clerk
City of Las Vegas
City Hall
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: GPA-5762
ZON-5765

Dear Ms. Ronemus:

On behalf of my clients, Kobie Creek, LLC, I respectfully appeal the decision of the Las Vegas Planning Commission of February 24, 2005, wherein the Commission denied the above referenced applications. I respectfully appeal these applications to the City Council to enable the Council to review several modifications of the application that have been made to address the neighbors' concerns about density, lot size, visual buffers and drainage.

Very truly yours,

Paul E. Larsen

cc: Margo Wheeler

WE, THE UNDERSIGNED NORTHWEST AREA RESIDENTS ASSOCIATION (NARA), INC., NEIGHBORS, FAMILIES, AND FRIENDS ARE ADAMANTLY AGAINST A PROPOSED 18-LOT RESIDENTIAL SUBDIVISION TO BE LOCATED AT THE NORTHWEST CORNER OF DECATUR AND GOWAN IN LAS VEGAS, NEVADA. WE ARE ALSO AGAINST THE PROPOSAL THAT THIS AREA BE REZONED FROM THE CURRENT CLASSIFICATION OF **R-E** TO **RPD4**; ALSO THAT THE GENERAL PLAN OF **DR** BE AMENDED TO **L**.

PRINT full name	your Residence address	City	County	Signature	Today's date
Steve Mann	4123 Helen Ave	LV	Clk		1-25-05
CONNIE MANN	4123 HELEN AVE	LV	CLK		1-2505
Darryl & Reed	4124 Helen Ave	LV	clk		1-25-05
Cindi Reed	4124 Helen Ave	LV	Clk		1-25-05
SHARON FREE	4116 HELEN AVE	LV	CK		1 25 05
Dennis Free	4116 Helen Ave	LV	CLK	Dennis FREE	1-25-05
Bobby Livingston	4110 Helen Ave	LV	Clk		1-24-05
Charles S White	4001 Helen Ave	LV		Charles S. White	1-25-05
Zenaida White	5213 Big River	LV			1-25-05
Paul Coronado	5655 W. Alexander	LV	Clk		1-25-05
Sara Coronado	5655 W Alexander	LV	Clk		1-25-05
ERIC MARTIN	5512 W ALEXANDER	LV	CLK		1-25-05
Michael C Johnson	5401 W Alexander Rd	LV	CLK		1-25-05
Matthew J. Herdt	3816 Asbury Ct.	LV	CLARK		1-25-05

#143 #144

WE, THE UNDERSIGNED NORTHWEST AREA RESIDENTS ASSOCIATION (NARA), INC., NEIGHBORS, FAMILIES, AND FRIENDS ARE ADAMANTLY AGAINST A PROPOSED 18-LOT RESIDENTIAL SUBDIVISION TO BE LOCATED AT THE NORTHWEST CORNER OF DECATUR AND GOWAN IN LAS VEGAS, NEVADA. WE ARE ALSO AGAINST THE PROPOSAL THAT THIS AREA BE REZONED FROM THE CURRENT CLASSIFICATION OF **R-E** TO **RPD4**; ALSO THAT THE GENERAL PLAN OF **DR** BE AMENDED TO **L**.

PRINT full name	your Residence address	City	County	Signature	Today's date
Mark James Edgel	5645 W. Alexander Rd	LV	clark	Mark James Edgel	Jan 26, 2005
KURT PAUL FOWERS	5646 W ALEXANDER Rd	LV	CLARK		1-26-05
David Fowers	5646 W. Alexander Rd	LV	Clark		1-26-05
Sherronday Fowers	5646 W. Alexander Rd	LV	Clark	Sherron Lee Fowers	1-26-05
Erin Hayes	5656 W. Alexander	LV	Clark		1-26-05
Trenton Trent Fowkes	4001 Leon Ave	LV	Clark		1/26/05
Janice Fowkes	4001 Leon Ave	LV	Clark		1/26/05
JACK McGUIRE	4011 LEON AVE	LV	CLARK		1/26/05
Jill Oleary	4031 Leon	LV	Clark		1-26-05
Craig Wisner	4041 LEON	LV	CLARK		1-26-05
LARRY J. McDANIEL	5656 Broderick	LV	Clark		1-26-05
Shirley M McDaniel	5656 Broderick Ave	LV	Clark		1-26-05
Cindy Cameron	~~5655~~ 5655 Broderick Ave	LV	Clark		1-25-05
Tom Barrye	5601 Broderick	LV	Clark		1-25-05
Lloyd Lass	5636 Broderick	LV	Clark	LLOYD LASS	1-25-05

WE, THE UNDERSIGNED NORTHWEST AREA RESIDENTS ASSOCIATION (NARA), INC., NEIGHBORS, FAMILIES, AND FRIENDS ARE ADAMANTLY AGAINST A PROPOSED 18-LOT RESIDENTIAL SUBDIVISION TO BE LOCATED AT THE NORTHWEST CORNER OF DECATUR AND GOWAN IN LAS VEGAS, NEVADA. WE ARE ALSO AGAINST THE PROPOSAL THAT THIS AREA BE REZONED FROM THE CURRENT CLASSIFICATION OF **R-E** TO **RPD4**; ALSO THAT THE GENERAL PLAN OF **DR** BE AMENDED TO **L**.

PRINT full name	your Residence address	City	County	Signature	Today's date
Carl L. Anderson	3709 Waterhole St	LV	NV	Carl L Anderson	Dec 21, 04
Vickie Barnes	4901 Omega Cr	LV	CK	Vickie Barnes	12-21-04
Raymond Barnes	4901 Omega Cr	LV	CK		12-21-04
ADRIENNE MOSS-GLENNON	4900 OMEGA CIR	LV	CK		12-21-04
BARRY MOSS	4900 OMEGA CIR.	LV	CK	Barry Moss	12/21/04
TERRI STANSBERRY	4816 WEST GOWAN	LV	CK	Terri A. Stansberry	12/21/04
DAN MARKOFF	4816 MARTINELLI CT	LV.	CLARK		12/21/04
John Hall	4718 BIDDLE WY	NLV	CK	John Hall	12/21/04
Cindy Burch	3708 Waterhole St	LV	CK	Cynthia Burch	1-10-05
R Dean Jeter	3609 Beeson Ct.	LV	Clark	R Dean Jeter	1-10-05
Jeanne Howerton	5140 Cutty Way	LV	Clark	Jeanne Howerton	1-10-05
AL DUCHENE	3725 BRADLEY	LV.	CLARK		1-10-05
Kenneth W Black	3661 Thom Blvd.	LV	Clark	Kenneth W. Black	1/27/05
ANTONIO PANE	3600 BEESON CT	LV.	CLARK	Antonio Pane	2/5/05

WE, THE UNDERSIGNED NORTHWEST AREA RESIDENTS ASSOCIATION (NARA), INC., NEIGHBORS, FAMILIES, AND FRIENDS ARE ADAMANTLY AGAINST A PROPOSED 18-LOT RESIDENTIAL SUBDIVISION TO BE LOCATED AT THE NORTHWEST CORNER OF DECATUR AND GOWAN IN LAS VEGAS, NEVADA. WE ARE ALSO AGAINST THE PROPOSAL THAT THIS AREA BE REZONED FROM THE CURRENT CLASSIFICATION OF **R-E** TO **RPD4**; ALSO THAT THE GENERAL PLAN OF **DR** BE AMENDED TO **L**.

PRINT full name	your Residence address	City	County	Signature	Today's date
DONALD A. HARPER	5411 W Alexander Rd	LV	CLARK	Donald Harper	1/26/5
Joaquin Martinez	5434 W. Alexander	LV	Clark	Joaquin Martinez	1-26-05
William Patterson	5108 Big River Ave	LV	Clark	William Patterson	27 JAN 05
Gloria Patterson	5108 Big River Ave	LV	Clark	Gloria Patterson	Jan 27 '05
Clarence REED	4805 Ricky	LV	Clark	Clarence Reed	1-27-05
KATHY MARTIN	5025 Judy Ct	LV	Clark	Kathy Martin	3/17/05
Loretta Johnson	5036 Leo Dr.	LV	Clark	Loretta Johnson	3-17-05
Michael K. Powers	5026 Leo Dr.	LV	Clark	Michael K. Powers	3-17-05
Sharon Powers	5026 Leo Dr	LV	Clark	Sharon Powers	3-17-05
Billy Lorren	5117 Cuthway	LV	Clark	Billy Lorren	3-17-05
Rebecca L. Loman	5117 Cuthy way	LV	Clark	Rebecca L. Loman	3-17-05
Mike Malone	3660 Thom Blvd	LV	Clark	Mike Malone	4-2-05

WE, THE UNDERSIGNED NORTHWEST AREA RESIDENTS ASSOCIATION (NARA), INC., NEIGHBORS, FAMILIES, AND FRIENDS ARE ADAMANTLY AGAINST A PROPOSED 18-LOT RESIDENTIAL SUBDIVISION TO BE LOCATED AT THE NORTHWEST CORNER OF DECATUR AND GOWAN IN LAS VEGAS, NEVADA. WE ARE ALSO AGAINST THE PROPOSAL THAT THIS AREA BE REZONED FROM THE CURRENT CLASSIFICATION OF **R-E** TO **RPD4**; ALSO THAT THE GENERAL PLAN OF **DR** BE AMENDED TO **L**.

PRINT full name	your Residence address	City	County	Signature	Today's date
DONALD D. WICKER MD.	4824 W. GOWAN Rd.	L.V.	CL		1-14-05
Mary Alice Carrillo	4809 W. Gowan Rd	LV	Cl	Mary Alice Carrillo	124 05
Carlos Carrillo	4809 W. Gowan Rd.	LV	Cl		1 24 05
Len Zarndt	4917 W. Gowan	LV	Cl		
P.W. CHRISTIAN	5001 W. GOWAN	LV	Cl		1/24/05
Aurelianco Lemus	4909 W Gowan DR	LV	Cl.		

WE, THE UNDERSIGNED NORTHWEST AREA RESIDENTS ASSOCIATION (NARA), INC., NEIGHBORS, FAMILIES, AND FRIENDS ARE ADAMANTLY AGAINST A PROPOSED 18-LOT RESIDENTIAL SUBDIVISION TO BE LOCATED AT THE NORTHWEST CORNER OF DECATUR AND GOWAN IN LAS VEGAS, NEVADA. WE ARE ALSO AGAINST THE PROPOSAL THAT THIS AREA BE REZONED FROM THE CURRENT CLASSIFICATION OF **R-E** TO **RPD4**; ALSO THAT THE GENERAL PLAN OF **DR** BE AMENDED TO **L**.

PRINT full name	your Residence address	City	County	Signature	Today's date
Christine Clemons	3600 Beesont	LV	Clark		2-11-05
JOHN ROHMAN	3601 Beesley T	LV	CLARK	John Rohman	2-11-05

WE, THE UNDERSIGNED NORTHWEST AREA RESIDENTS ASSOCIATION (NARA), INC., NEIGHBORS, FAMILIES, AND FRIENDS ARE ADAMANTLY AGAINST A PROPOSED 18-LOT RESIDENTIAL SUBDIVISION TO BE LOCATED AT THE NORTHWEST CORNER OF DECATUR AND GOWAN IN LAS VEGAS, NEVADA. WE ARE ALSO AGAINST THE PROPOSAL THAT THIS AREA BE REZONED FROM THE CURRENT CLASSIFICATION OF **R-E** TO **RPD4**; ALSO THAT THE GENERAL PLAN OF **DR** BE AMENDED TO **L**.

PRINT full name	your Residence address	City	County	Signature	Today's date
Gregory S. Gerke	5212 Copper River Ave	LV	Clark	Gregory S. Gerke	4-5-05
John R McCormick	4108 Nancy Margarite	LV	Clark		4-5-05
Ron & Linda Dupee	5109 W. Gilmore Ave	LV	Clark	Ron Dupee	4-5-2005

John@spiritlv.com

WE, THE UNDERSIGNED NORTHWEST AREA RESIDENTS ASSOCIATION (NARA), INC., NEIGHBORS, FAMILIES, AND FRIENDS ARE ADAMANTLY AGAINST A PROPOSED 18-LOT RESIDENTIAL SUBDIVISION TO BE LOCATED AT THE NORTHWEST CORNER OF DECATUR AND GOWAN IN LAS VEGAS, NEVADA. WE ARE ALSO AGAINST THE PROPOSAL THAT THIS AREA BE REZONED FROM THE CURRENT CLASSIFICATION OF **R-E** TO **RPD4**; ALSO THAT THE GENERAL PLAN OF **DR** BE AMENDED TO **L**.

PRINT full name	your Residence address	City	County	Signature	Today's date
Joseph SORTINO	5104 Copper River	LV	Clark	Joseph J. Sortino	4.5.05
CHRISTINA PETERSON	4113 NANCY MARGARITE	LV	CLARK	Chr Peterson	4-5-05
Council Liaison Lisa Campbell	400 Stewart Ave	LV			4-5-05
Liz Thompson	3909 Leon	LV	Clark		4-5-05
PHYLLIS MAGUIRE	3909 LEON AVE	LV	clark	Phyllis Maguire	4-5-05
Art Goldberger	3912 Wide River St	LV	Clark	Art Goldberger	4-5-05
Coyle E. Knowles, Jr.	5200 Cold River Ave	LV	Clark	Coyle E. Knowles Jr.	4-5-05
RICHARD ACKERMAN	5121 BIG RIVER	LV	CLARK		4-5-05
Mary Kreme	5209 W. Gilmore Ave	LV	clark	MaryKreme@hotmail.com Mary A. Kreme	4-05-05
Mitch Basta	5117 Gentle River	LV	Clark		4-5-05
Christine Meaham	4104 Dana Margarita	LV	CLARK		4-5-05
Sunny Ellsworth	5117 Missy Marie	LV	Clark		4-5-05
Dee Moody	4113 Tyler William	LV	Clark	Dee Moody	4-5-05
Geraldine Cosco-Bria	5117 Gentle River	LV	Clark	Geraldine Cosco-Bria	4-5-05
Barbara L. Jackson	3905 Whiskey River	LV	Clark	Barbara L. Jackson	4-5-05

WE, THE UNDERSIGNED NORTHWEST AREA RESIDENTS ASSOCIATION (NARA), INC., NEIGHBORS, FAMILIES, AND FRIENDS ARE ADAMANTLY AGAINST A PROPOSED 18-LOT RESIDENTIAL SUBDIVISION TO BE LOCATED AT THE NORTHWEST CORNER OF DECATUR AND GOWAN IN LAS VEGAS, NEVADA. WE ARE ALSO AGAINST THE PROPOSAL THAT THIS AREA BE REZONED FROM THE CURRENT CLASSIFICATION OF **R-E** TO **RPD4**; ALSO THAT THE GENERAL PLAN OF **DR** BE AMENDED TO **L**.

PRINT full name	your Residence address,	City	County	Signature	Today's date
Ronald & Noela Lutton	4016 Tyler William Lane relutton@yahoo.com	LV	CLARK	Ronald & Noela A. Lutton	4/5/05
Bill & Rebecca Loman	5117 Cutty Way Chewy in LV @ COX.NET	LV	Clark	Rebecca Loman	4/5/05
SMITH, CLARENCE E.	5116 Cold River Ave. PRAIRI1932@AOL.COM	LV	CLARK	Clarence E. Smith	040505
ERIC MARTINI	5512 N ALEXANDER	LV	CLARK		4/5/05
PHIL BEDDOME	5217 GENTLY RIVER	LV	CLARK	Phil Beddome	4/5/05
Sue Beddome	5217 Gentle River	LV	Clark	Sue Beddome	4/5/05
Joan Cross	5212 Gentle River	LV	clark	Joan Cross	4/5/05
DORIS BOKA	5104 DALE SCOTTY	LV	CLARK		4/05/05
Robert + DAWN Neilson	3913 WHISKEY RIVER ST	LV	CLARK		4/04/05
Paul & Laura Coronado	5655 N. Alexander	LV	CLARK		4-5-05
THEODORE + TAETO BRADLEY	3901 WHISKEY RIVER ST.	LV	CLARK		4-5-05
GARY & MARY GREENE	3931 Leon Ave	LV	CLARK	Gary Greene Mary Greene	4-5-05
Regan Scott Orr	4016 Nancy Margarite ln	LV	Clark	Regan Scott Orr	4-5-05
ANDREW CUMMINGS	5205 COLD RIVER AVE	LV	"		4-5-05
Kathleen Maurer	3701 Bradley Rd	LV	CL		4-5-05

Keane Real Estate Inc.

February 22, 2005

RE: PN #138-12-601-040

To Whom It May Concern:

We have been asked to review the effect that a zone change from Residence Estates District (R-E) to Residential (R-1) to certain real property located on the South Half (S 1/2) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) Section 12 Township 20 South Range 60 East, Clark County, Nevada would have on existing homes in this area.
In our opinion, standard appraisal methodology would consider this zone change to be value neutral, i.e., it would have neither a positive nor a negative effect in and of itself.

Appraisal methodology for these existing parcels, which consist of one-quarter acre, half-acre to over one acre parcels with homes of various styles and sizes, built between 1975 to 1985 is to look to similar homes in the same market area, with similar lot sizes, similar gross living area, and of similar construction quality and materials.
Thus, these existing homes would depend upon each other for "comparables". They would not use new construction, tract-built homes on smaller lots with larger gross living area or other construction on the undeveloped parcel for a value determination. As long as the new development is a compatible development (e.g., residential single family versus commercial) there would be no adjustment to values of the existing homes because of the zone change.

Not only does standard appraisal methodology bear out this "neutral" effect, but the history of property values in the Las Vegas Valley also support this conclusion. In fact, market forces other than density of new developments has consistently driven residential property values in an upward trend. If these market services remain in place, we see no reason why this historical trend would not continue, and property values for existing homes continue to increase, regardless of whether this zone change is granted or not.

In conclusion, the proposed zone change will have a neutral effect on property values for existing residential properties in the area.

Ann-Marie Keane
Ann-Marie Keane
Certified Residential Appraiser

Frank J. Keane
Certified General Appraiser

12 Spur Cross Circle, Henderson, NV. 89074 (702) 492-3596 FAX (702) 492-3597

Submitted at City Council

Date 4/6/05 Item # 143 & 144

City of Las Vegas

Agenda Item No. 144

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

REZONING RELATED TO GPA-5762

ZON-5765 - PUBLIC HEARING - APPLICANT: AMTI SUNBELT, LLP - OWNER: KOBIE CREEK, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 5.10 acres adjacent to the northwest corner of Decatur Boulevard and Gowan Road (APN 138-12-601-040), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

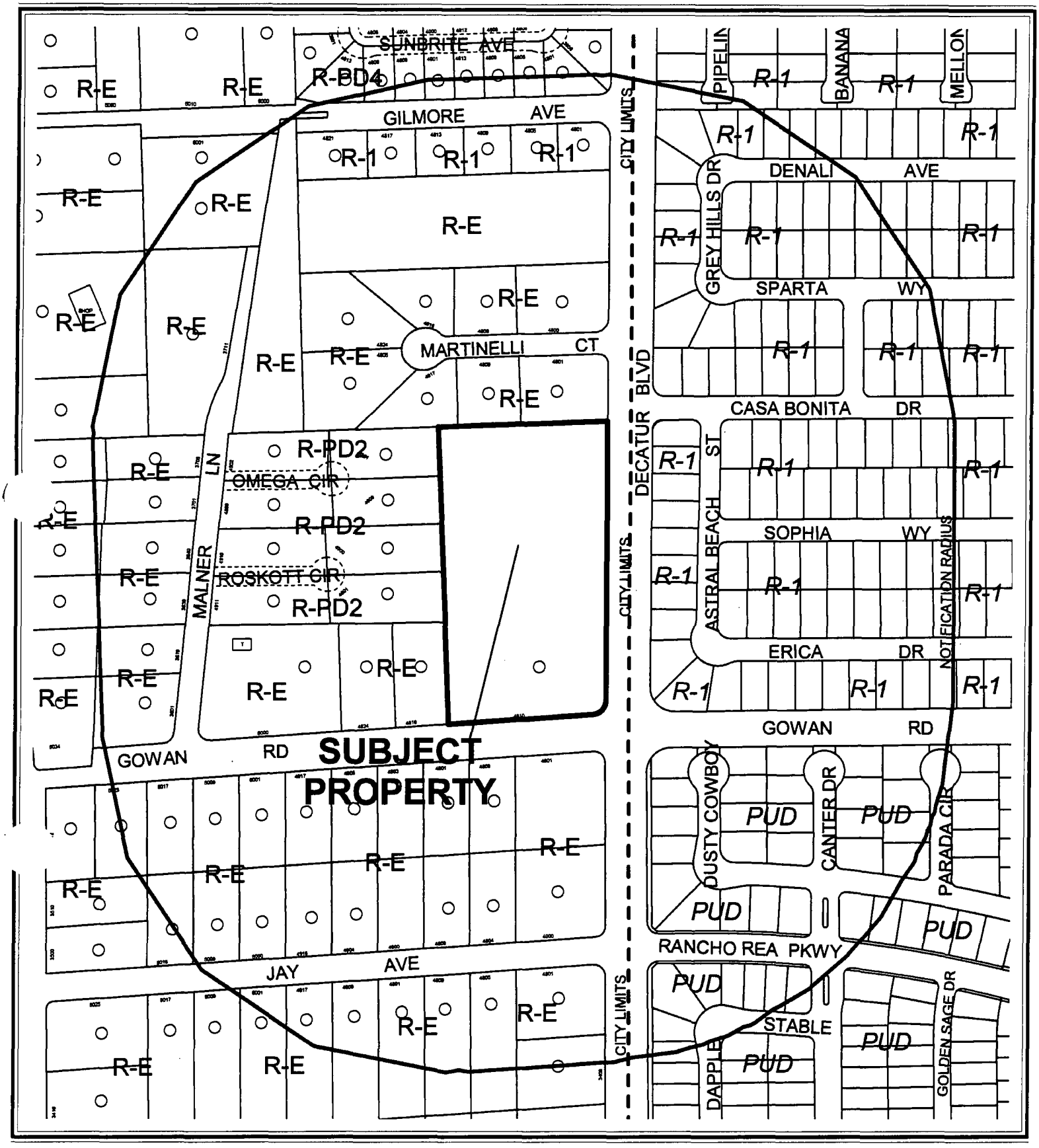
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted at City Council - Protest petition with 98 signatures for Item 143 [GPA-5762], and Item 144 [ZON-5765] filed under Item 143 [GPA-5762]
6. Submitted at City Council - Appraisal letter submitted by Attorney Paul Larsen for Item 143 [GPA-5762], and Item 144 [ZON-5765] filed under Item 143 [GPA-5762]

MOTION:

MACK - ABEYANCE to 4/20/2005 - UNANIMOUS

MINUTES:

NOTE: See Item 143 [GPA-5762] for all related discussion.
(6:28 - 6:51)
7-916



0 200 400 Feet

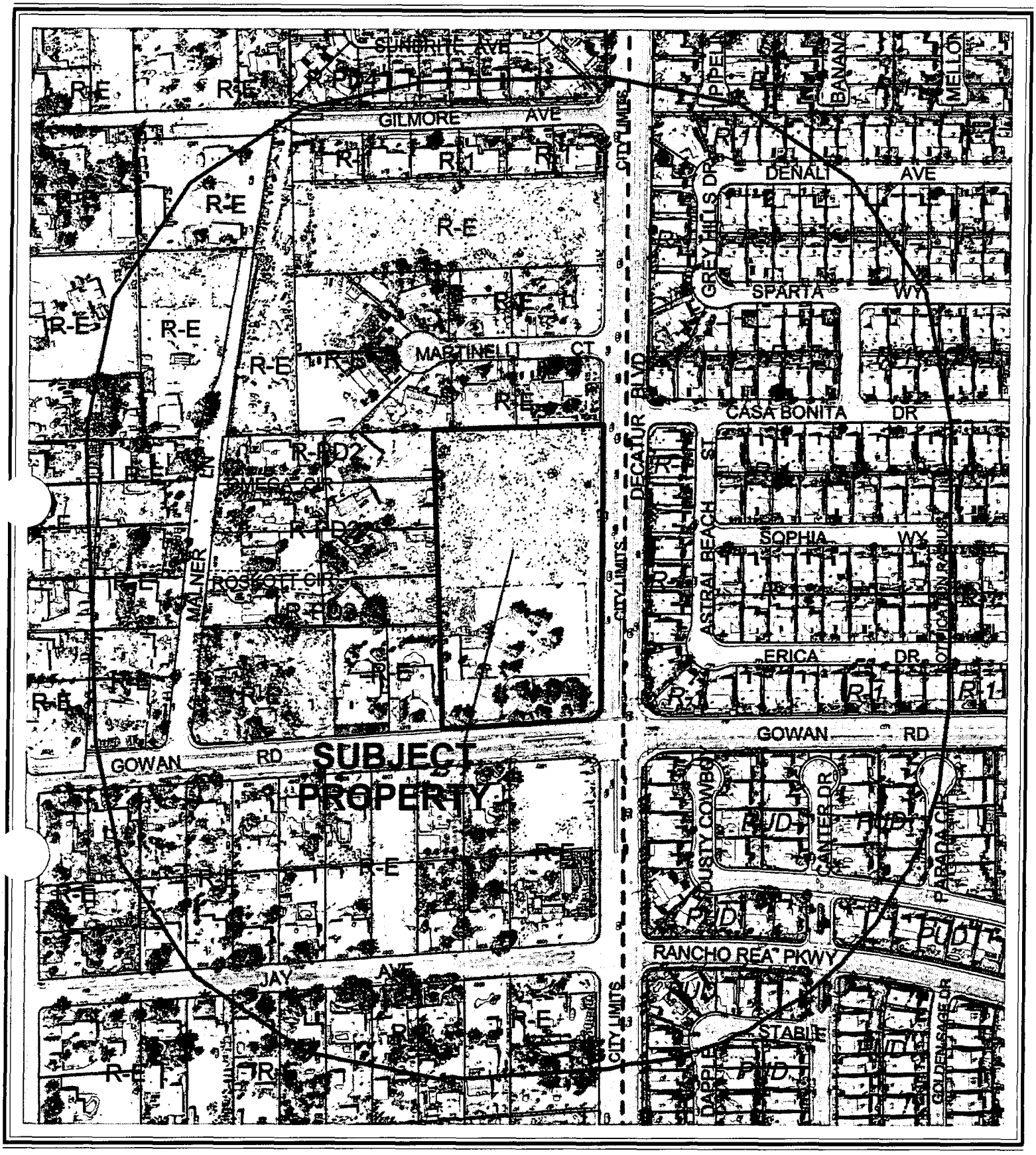
CASE: **ZON-5765**

RADIUS: 750 FT

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

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

N



0 200 400 Feet

CASE: **ZON-5765**

RADIUS: 750 FT

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

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5765 - APPLICANT: AMTI SUNBELT, LLP - OWNER: KOBIE CREEK, LLC

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-5762) to an L (Low Density Residential) land use designation approved by the City Council.

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

3. All development shall be in conformance with the site plan date stamped 02/15/05 except as amended herein.

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

Public Works

5. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Decatur Boulevard and Gowan Road.

6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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.

8. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site.

9. 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.

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

11. A Master Streetlight Plan for public streetlights must be submitted to and approved by the Department of Public Works prior to the submittal of any construction drawings for this site.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residential) on 5.10 acres located on the northwest corner of Decatur Boulevard and Gowan Road.

B) Applicant's Justification

The applicant has stated the following justifications for the request:

- The proposed development will be upscale, semi-custom homes with CC&Rs that will promote harmony with existing developments; and
- There is adequate existing infrastructure to support the development.

BACKGROUND INFORMATION

A) Related Actions

01/02/64 The City Council annexed this parcel as part of a larger request (A-0029-63) totaling 95 acres.

09/28/99 A request for a General Plan Amendment (GPA-0031-99) to designate this property as SC (Service Commercial) was withdrawn by the applicant prior to the item being placed on a Planning Commission agenda.

01/27/05 The Planning Commission voted to hold this item and a related General Plan Amendment (GPA-5762) from DR (Desert Rural Density Residential) to L (Low Density Residential) in abeyance to the 2/24/05 Planning Commission meeting to allow time for the applicant to redesign the project. Staff recommended denial of both items.

02/24/05 The Planning Commission recommended denial of a related item (GPA-5762).

02/24/05 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #12/ss).

B) Pre-Application Meeting

11/17/04 At this initial meeting R-PD District restrictions and open space standards were discussed. A General Plan Amendment to L (Low Density Residential) would be required. As an alternative to providing an active open space lot, streetscaping could be added in a five-foot strip between the curb and sidewalk, containing trees and shrubs.

C) Neighborhood Meetings

12/21/04 A neighborhood meeting was held as required by the related General Plan Amendment request, with 10 residents attending. At that meeting, neighbors were concerned about a possible reduction in property value due to the small lot sizes; drainage onto their properties; the need for an eight foot wall and single family homes adjacent to the existing homes to buffer the property.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	5.10
Net Acres:	4.29

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:	North Las Vegas
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) [North Las Vegas designation]
West:	R-E (Residence Estates) and R-PD2 (Residential Planned Development – 2 units per acre)

E) General Plan Compliance

The Centennial Hills Sector Plan designates this site as DR (Desert Rural Density Residential), which allows for residential densities of up to 2.49 units per gross acre. A request has been submitted to amend the designation to L (Low Density Residential), which would support the proposed R-1 (Single Family Residential) zoning. If that General Plan amendment is not approved, this request also cannot be approved.

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

The City of North Las Vegas was notified of this request, as its jurisdiction is immediately east of the subject property.

INTERAGENCY ISSUES

There are no interagency issues involved with this request.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required R-1	Provided	Compliance
Min. Lot Size	6,500 SF	9,076 SF	Yes
Min. Lot Width	65 Feet	70 feet (32 feet on cul-de-sac knuckle)	Yes
Min. Setbacks			
• Front	20 Feet	20 Feet	Yes
• Side	5 Feet	5 Feet	Yes
• Corner	15 Feet	15 Feet	Yes
• Rear	15 Feet	20 Feet	Yes
Max. Lot Coverage	50 %	45%	Yes
Max. Building Height	2 Stories / 35 Feet	Not provided	undetermined

A revised site plan submitted 12/30/04 reduced side and rear setbacks and eliminated streetscaping, resulting in increased lot sizes. The number of lots remains at 18; therefore, density is not affected. The submitted site plan is in substantial compliance with the requirements of Title 19.08 in regard to R-1 (Single Family Residential) zoning. Information on building height was not provided. That issue will be addressed in the conditions of approval and all development will be subject to review during the building permit process.

B) General Analysis and Discussion

The subject parcel is currently developed with a single-family home. The applicant is proposing an 18 lot residential development with access via a cul-de-sac off of Gowan Road. Lot sizes depicted on the site plan range from 9,076 square feet to 12,422 square feet. The majority of the lots are in the 10,000 square foot range. The plan now depicts standard R-1 (Single Family Residential) setbacks and sidewalks around the public street in lieu of streetscaping.

The adjacent homes to the north, south, and west are all on lots of 20,000 square feet or greater. Smaller lots are located to the east in the City of North Las Vegas; however, those lots are separated by Decatur Boulevard and provide no justification for smaller lots on the subject parcel.

The revised plan is an improvement over the previous plan in that lot sizes have increased. However, no lots were removed, which would have had the double effect of increasing lot size and decreasing density. Because density remains at 3.53 units per acre, the proposed zoning district would still be out of character with the surrounding districts and densities. The proposed density would be better suited for an R (Rural Density Residential) General Plan designation and R-D (Single Family Residential-Restricted) zoning; however, those standards cannot be met in the current configuration.

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."**

   This proposal is not in conformance with the Centennial Hills Sector Plan. The property is currently designated as DR (Desert Rural Density Residential), which allows 2.49 units per acre. Adjacent properties within the city limits also have that designation. A related application has been submitted to designate this site as L (Low Density Residential). That designation is not intended to promote the rural character that currently exists in the area. If that application is not approved, neither can this request.

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 zoning district will allow development that is out of character with the area. The R-1 (Single Family Residential) zoning district is intended to create a suburban setting, which would result in too great a density to be compatible with the adjacent homes.

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

   There are no growth or development factors in the area that justify an amendment to the General Plan and subsequent rezoning on this parcel.

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 by Decatur Boulevard and Gowan Road, both of which are adequate to serve this parcel.

PLANNING COMMISSION ACTION

At the Planning Commission hearing the applicant agreed to a minimum lot size shall be 10,000 square feet. The Planning Commission discussed larger lot sizes and single story structures.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 219 by Planning Department

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5765 APN: 138-12-601-040

Name of Property Owner: Kobie Creek LLC

Name of Applicant: Bramble Homes, Inc.

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

____ Yes 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: Larry L. Sayers, Pres.

Print Name: Larry L. Sayers

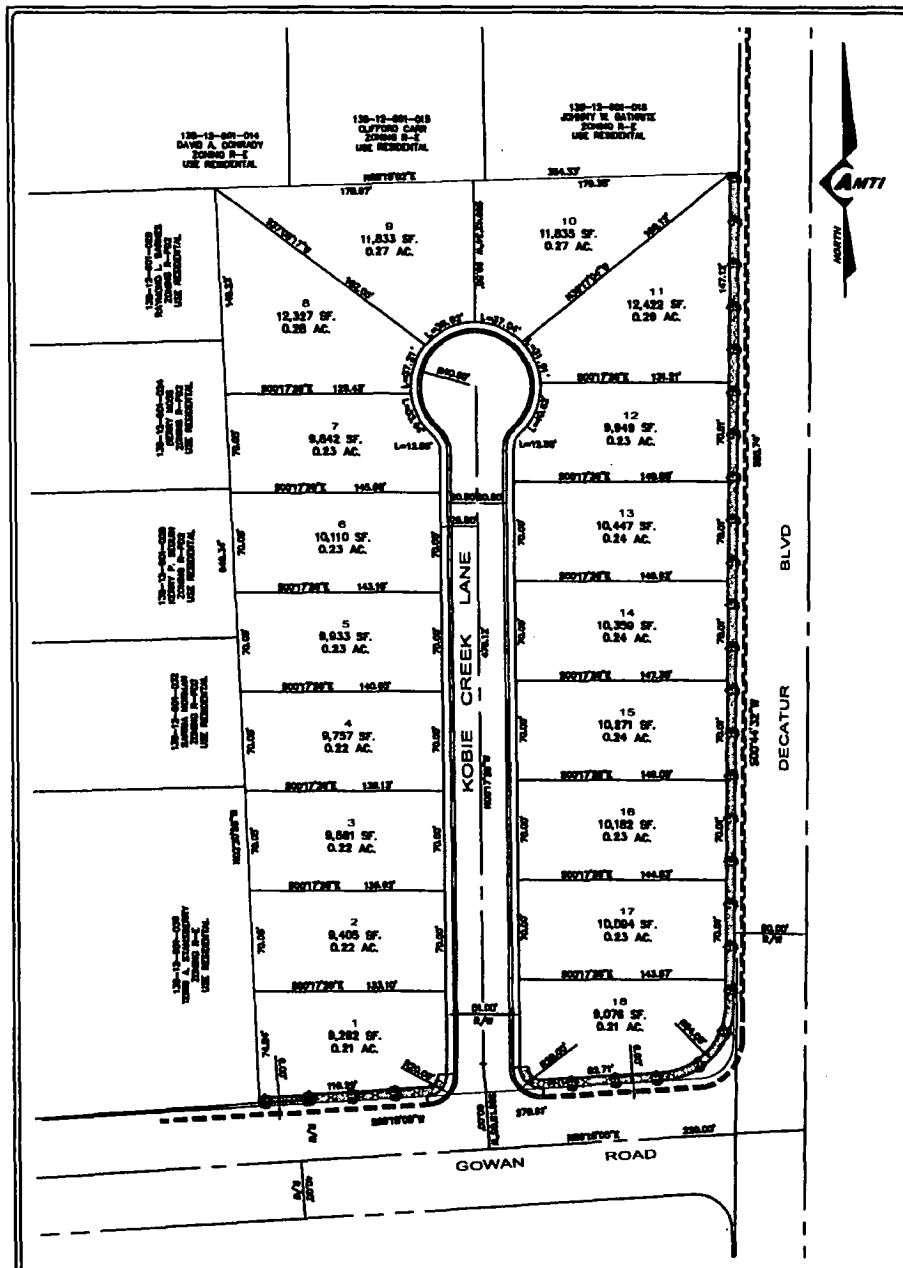
Subscribed and sworn before me

This 10th day of December, 2004

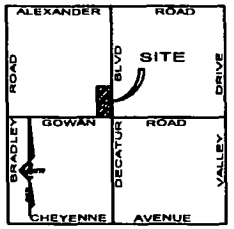
Jennifer Lockerbie

Notary Public in and for said County and State

Notary Public State Of Nevada
COUNTY OF CLARK
JENNIFER LOCKERBIE
My Appointment Expires
January 10, 2007
No. 98-37222-1



PRELIMINARY SITE PLAN
FOR
KOBIE CREEK
A SINGLE FAMILY SUBDIVISION
APN: 138-12-601-040
CLARK COUNTY, NEVADA



VICINITY MAP
N.T.S.

APN: 138-12-601-040

ZONING

LAND USE

OWNER

SUBDIVIDER / DEVELOPER

LEGAL DESCRIPTION

UTILITY COMPANIES SERVICING SITE

SITE DATA

BASIS OF BEARINGS

LEGEND

TREE - 24" BOX (20' ON CENTER)
ULMUS PARVIFOLIA (TRUE GREEN ELM)

5 GALLON SHRUB
LEUCOPHYLLUM LANGMANIAE
(LYNN'S LEGACY)

SCALE: 1" = 40'

LANDSCAPE PLAN
NWC GOWAN RD. & DECATUR BLVD.
KOBIE CREEK
LAS VEGAS CLARK COUNTY NEVADA

AMTI • SUNSELT LLP
ENGINEERING • PLANNING • SURVEYING

SHEET 1 OF 1 SHEETS

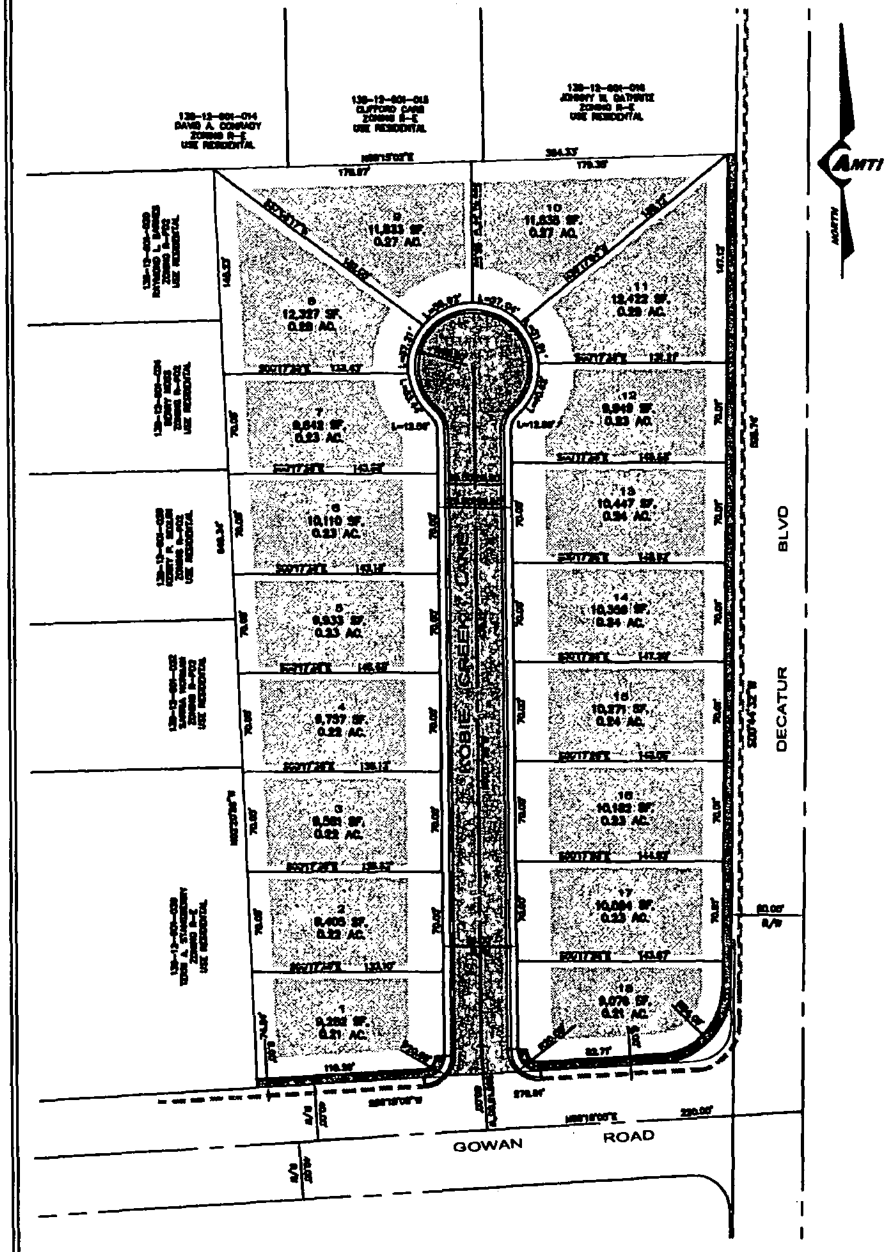
REVISED
2.15.05

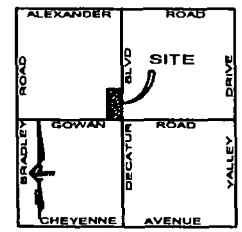
GPA-5762
2-24-05 PC

RECEIVED
FEB 15 2005

J:\2004 Jobs\04151-041 / 53\04165 Kobie Creek\-1 ENG\submittals\04165-GPA-LS-2.dwg, 02/14/2005 04:24:29 PM, -\amti2k\hp5011HP LaserJet 5000 Series PCL 5e

PRELIMINARY SITE PLAN
FOR
KOBIE CREEK
A SINGLE FAMILY SUBDIVISION
APN: 138-12-601-040
CLARK COUNTY, NEVADA





VICINITY MAP
N.T.S.

APN: 138-12-601-040

ZONING

LAND USE

OWNER

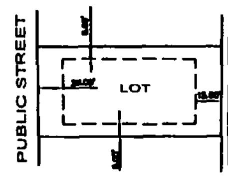
SUBDIVIDER / DEVELDPER

LEGAL DESCRIPTION

UTILITY COMPANIES SERVICING SITE

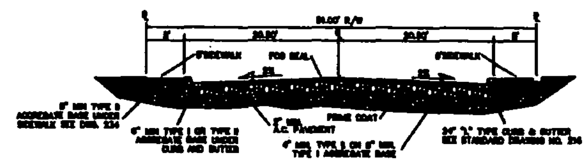
SITE DATA

BASIS OF BEARINGS



TYPICAL LOT - BUILDING SETBACKS

LEGEND



TYPICAL INTERIOR STREET

SCALE: 1" = 40'

PRELIMINARY SITE PLAN
NWC GOWAN RD. & DECATUR BLVD.
KOBIE CREEK
LAS VEGAS CLARK COUNTY NEVADA

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SHEET
C1
1 OF 1 SHEETS

REVISED
2.15.05

ZON-5765
2-24-05 PC

RECEIVED
FEB 15 2005



GPA-5762 & ZON-5765 - APPLICANT: AMTI SUNBELT, LLP - OWNER: KOBIE CREEK, LLC
ADJACENT TO THE NORTHWEST CORNER OF DECATUR BOULEVARD AND GOWAN ROAD
FEBRUARY 24, 2005 PLANNING COMMISSION

1/11/05

AMTI
SUNBELT LLP
CIVIL ENGINEERING · PLANNING · SURVEYING

December 29, 2004

RECEIVED
DEC 30 2004

City of Las Vegas Development Services Center
Planning and Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101

Re: Request for Rezoning for a proposed single-family residential subdivision located at the northwest corner of Decatur and Gowan (APN 138-12-601-040).

The purpose of this letter is to request a Rezoning for a proposed single-family residential subdivision located at the northwest corner of Decatur and Gowan. Our office has previously submitted an application for this project for a request for rezoning to a RPD-4 designation. After discussions with City of Las Vegas staff and the Client, we would like to revise the rezoning request to a R-1 designation. We are supplying a revised site plan and landscape plan to reflect the change for R-1 zoning. The rezoning application is scheduled to be heard at the Planning Commission Meeting on 1/27/05.

A rezoning is required for the proposed subdivision to meet density requirements. A rezoning of the subject parcels to R-1 is requested. The proposed subdivision exceeds the current zoning (R-E) density of 2.49 units per acre with 4.4 units per acre net. The smallest lot size is 9100 sf and meets the criteria for R-1 zoning.

The subject property is located in a designated R land use area under the General Plan. An application for a General Plan Amendment is being applied for concurrently with the rezoning application.

The proposed subdivision will be marketed as a site for upscale semi-custom homes with CCRs established to promote harmony with the existing developments in the area and to be aesthetically pleasing. The density and intensity of the project is comparable with nearby developments.

There are sufficient infrastructure improvements to accommodate the proposed development. Decatur is a fully improved road and Gowan is mostly improved but will require some additional curb, gutter, sidewalk, and paving. Existing sewer, water, and storm drain are in the streets adjacent to the development. The proposed development is providing a 6' landscape strip adjacent along Decatur and Gowan and is proposing a 10' common lot along the interior street that in will include landscaping and a meandering sidewalk.

We sincerely hope that the requests for these actions be reviewed and considered. Please contact me at #938-0650 if you have any questions or comments.

Sincerely,
Acclaim MTI, LLP

Kirby P. Adams, P.E.
Project Engineer

720 SUSANNA WAY ♦ HENDERSON, NEVADA 89015 ♦ PHONE (702) 242-9908 ♦ FAX (702) 242-9915
WWW.ACCLAIMMTI.COM

City of Las Vegas

Agenda Item No. 145

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

REZONING

ZON-5809 - NOT TO BE HEARD BEFORE 4:00 P.M. - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE) on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL. (NOTE: Request is now for R-PD8)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	64	**Planning Commission Mtg.**	1
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 145 [ZON-5809], Item 146 [VAR-5810] and Item 147 [SDR-5807].

MAYOR GOODMAN asked GEORGE GARCIA, 1711 Whitney Mesa, Suite 110, who was representing some of the landowners in the adjacent area, whether or not he was able to reach an accord. MR. GARCIA responded that some progress was made; however, a final conclusion was not reached because he did not hear back from the developers in terms of some of the suggestions that were made. He summarized that at a neighborhood meeting the discussion focused on the character of Balsam Street; that it have a block wall and that the lots currently facing out to the street would be facing inward towards the subdivision. Subsequently, COUNCILMAN MACK'S office received an indication that the residents preferred to cul-de-sac the street or close the street with a fire emergency access at the north end. It was agreed to have an eight-foot block wall along the north edge with landscaping and that the wall closer to Rainbow Boulevard near the daycare center would be moved back and angled away for visibility of the sign.

MR. GARCIA added that another resident's concern, not related to this particular application, is the vacant property to the north along Rainbow Boulevard. Discussion was held about a landscape buffer

MINUTES - Continued:

similar to what was done to the west. That vacant parcel will be coming before the Planning Commission with a General Plan Amendment later this month. The residents would like to see 6,000 square foot lots around the perimeter of their homes on the northern edge, so that when the next phase comes they will have that transition buffer.

MAYOR GOODMAN thanked the applicant for meeting with MR. GARCIA and for taking the time to discuss these issues.

ATTORNEY TABITHA KEETCH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and confirmed MR. GARCIA'S request of the eight-foot block wall along the northern perimeter and that the block wall will be scaled to follow along the cul-de-sac to eliminate any destruction of signage for the daycare center to the north. In addition, landscaping will be added on the north of the property. She cannot agree to the lot sizes on the project proposed to the north, but she can agree to the conditions of the applicant's particular site. ATTORNEY KEETCH confirmed for MR. GARCIA that there would be a homeowners association.

JEANETTE RATLIFF, 6904 Glen Landing Avenue, indicated there was a disagreement between the people who live on Rainbow Boulevard, represented by MR. GARCIA and the Rio Vista residents, who live adjacent to the proposed subdivision. Two petitions were circulated on streets closest to Balsam Street asking if they preferred a block wall or a crash gate and the majority would prefer a block wall. MAYOR GOODMAN indicated that at the last meeting the residents agreed that MR. GARCIA could speak and negotiate for them. MS. RATLIFF rebutted that that was not the case.

JIM EPLEY, 5686 North Rainbow Boulevard, clarified that an eight-foot wall would also be located on Rainbow Boulevard. He also indicated that he did not find any information in the Code regarding gross acreage. MAYOR GOODMAN replied that he is not sure it is in the Code, but it has been the custom and practice.

KEITH PEARSON, 5710 North Rainbow Boulevard, stated the proper decision would be to take Balsam Street out and make it a cul-de-sac. He is not pleased with the density because it changes the rural character of the neighborhood.

CICELIA LAUB, 6781 Haven Hollow Avenue, asked that when the adjacent vacant lot is developed a buffer of larger single story homes be considered on the north edge. On a separate note, she announced that Desert Quilters of Nevada hung 248 quilts for the Las Vegas Centennial Celebration Quilt Show and invited the City Council and Mayor to attend the show, which will be on Friday and Saturday 9:00 to 5:00 p.m. and Sunday 10:00 to 4:00 p.m. at the Henderson Convention Center.

MADHULIKA SHRIVASTAVA, 6908 Glen Landing Avenue, and SHERRI HUGHES, 5853 Rebecca Road, both indicated that at the neighborhood meeting the first choice was to have a block wall on Balsam Street. If the developer could not agree to the block wall, they would agree to a cul-de-sac on Balsam Street. MS. HUGHES thanked MR. GARCIA for his help.

STEVEN "CAPTAIN TRUTH" DEMPSEY commended the individuals who got involved in their community to come to an agreement.

MINUTES - Continued:

MAYOR GOODMAN thanked everyone for their patience and for cooperating with each other.

ATTORNEY KEETCH stated an e-mail was sent to COUNCILMAN MACK'S office indicating that the residents would prefer not to have a block wall on Balsam Street because it would create a canyon effect that would probably increase traffic in that area. She clarified that the eight-foot block wall on the north end of this site would only be adjacent to the childcare center.

COUNCILMAN MACK thanked the applicant for his patience. If a block wall is placed on this project, there would be a tunnel effect. Therefore, there will be homes facing each other on Balsam Street with a cul-de-sac. He believes it will make a nice community. Not having the cut thru traffic through Balsam Street will be great relief to those residents to the north. Putting the eight-foot wall adjacent to the childcare center was very respectful by the applicant, even though it only protects the daycare parking lot and not the student playground.

Regarding Item 147 [SDR-5807], COUNCILMAN MACK amended Condition 7 by adding at the end of the sentence that an eight-foot wall will be added at the northern property line adjacent to APN 125-27-803-005. He also added a condition that the developer shall provide two 24-inch box trees in each lot adjacent to APN 125-27-803-005. MARGO WHEELER, Director, Planning and Development Department, verified with COUNCILMAN MACK that the eight-foot wall on the northern property line will be angled to retain sign visibility of the northern property. ATTORNEY KEETCH agreed with both the amended and additional conditions.

MAYOR GOODMAN declared the Public Hearing closed on Item 145 [ZON-5809], Item 146 [VAR-5810] and Item 147 [SDR-5807].
(6:51 - 7:09)
7-1790

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-5804) to a ML (Medium-Low Density Residential) land use designation approved by the City Council.

2. This request shall be limited to the R-PD8 (Residential Planned Development - 8 units per acre) zoning district.

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

4. A Variance (VAR-5810) and Site Development Plan Review application (SDR 5807) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

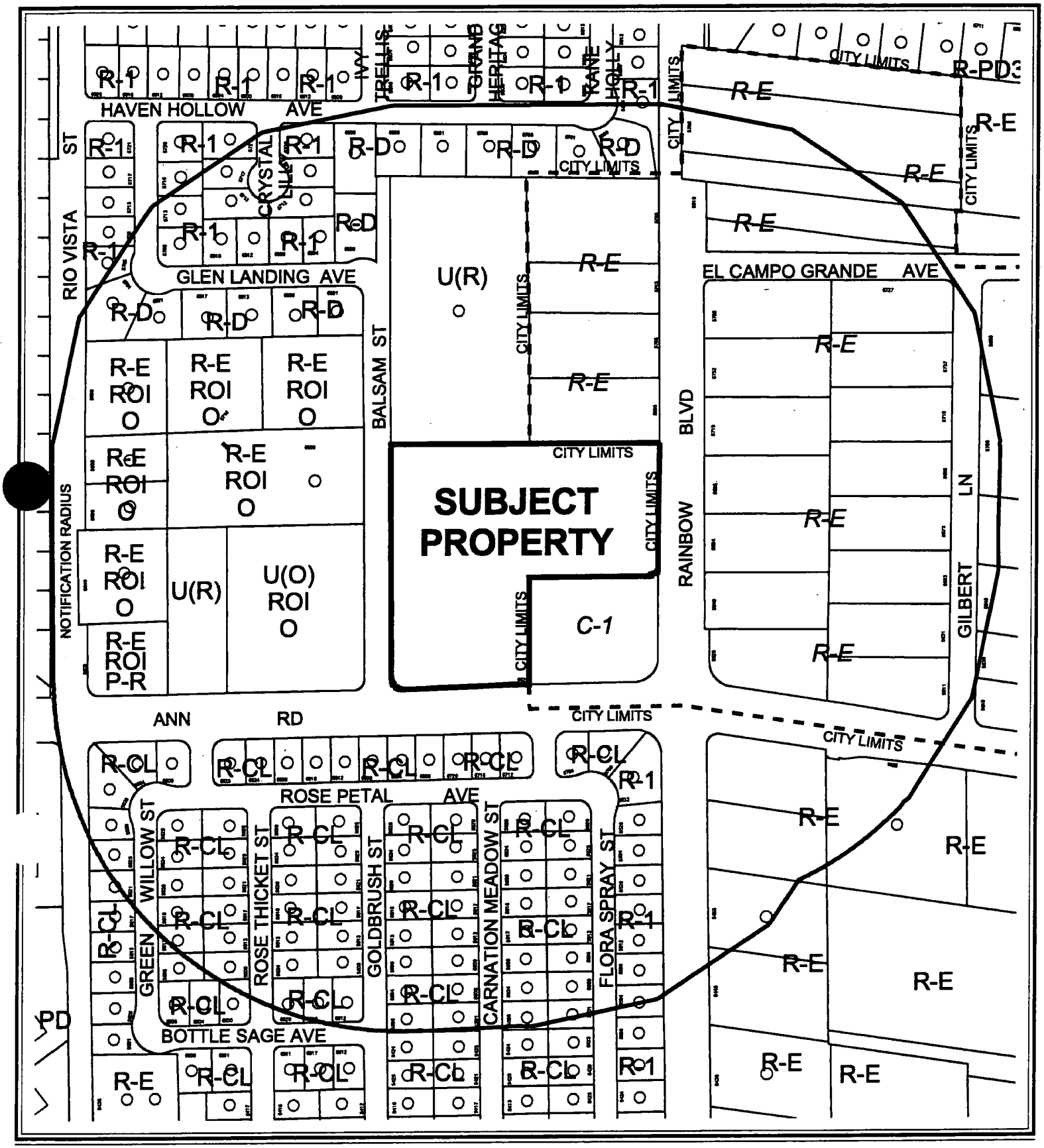
5. Construct half-street improvements, including appropriate overpaving and transition paving where applicable, on Rainbow Boulevard and Balsam Street adjacent to this site concurrent with development

CONDITIONS - Continued:

of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

6. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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



0 300 600 Feet

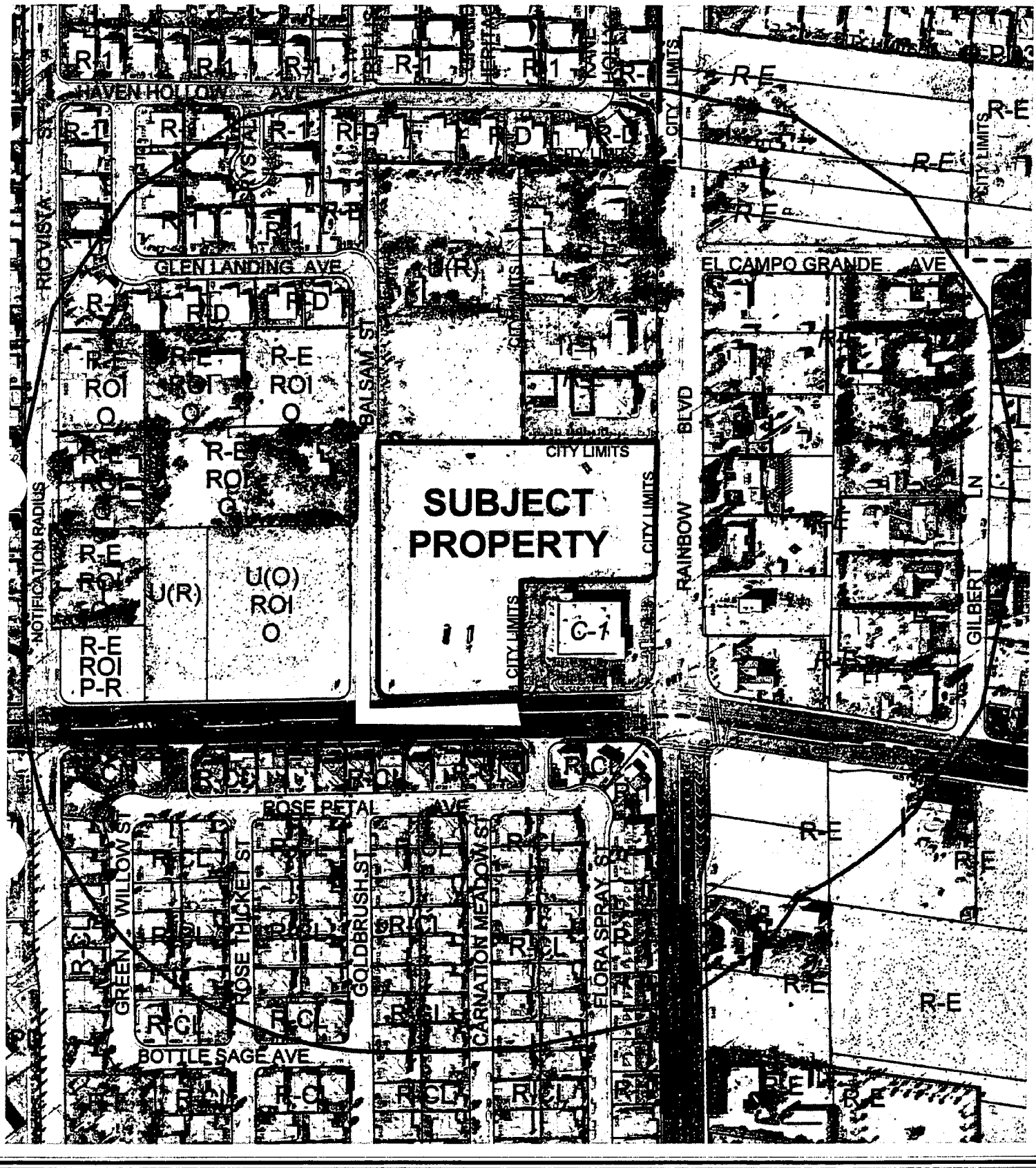
CASE: **ZON-5809**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

N



0 300 600 Feet

CASE: **ZON-5809**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - ZON-5809 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 16, 2005 CITY COUNCIL MEETING AT COUNCILMAN MACK'S REQUEST.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-5804) to a ML (Medium-Low Density Residential) land use designation approved by the City Council.

2. This request shall be limited to the R-PD8 (Residential Planned Development – 8 units per acre) zoning district.

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

4. A Variance (VAR-5810) and Site Development Plan Review application (SDR-5807) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

5. Construct half-street improvements, including appropriate overpaving and transition paving where applicable, on Rainbow Boulevard and Balsam Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

6. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from U (Undeveloped) [R (Rural Density Residential) General Plan designation], under Resolution of Intent to C-1 (Limited Commercial) to R-PD8 (Residential Planned Development - 8 units per acre) on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard. A related General Plan Amendment (GPA-5804), Variance (VAR-5810) and Site Development Plan Review (SDR-5807) will be considered concurrently with this request.

B) Applicant's Justification

As the population in the Vegas area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas, and even some industrial properties. There is a need to develop affordable housing on what has the potential to be an in-fill parcel and is not compatible for commercial given the surrounding community. The product on this parcel will provide a good transition buffer from the existing residential communities and the existing commercial development in the area.

BACKGROUND INFORMATION

A) Related Actions

02/16/05 The City Council will consider a petition to annex (ANX-5586) the subject site into the City of Las Vegas. The effective date of this annexation will be 02/25/05. Staff and the Planning Commission recommended approval on 12/16/04.

01/27/05 The Planning Commission voted to approve a modified General Plan Amendment (GPA-5804) from R (Rural Density Residential) to ML (Medium-Low Density Residential) on the subject site, instead of the original request for MLA (Medium-Low Attached Residential). Staff had recommended denial of the original request.

01/27/05 The Planning Commission voted to hold this item and related cases in abeyance to its 02/24/05 meeting, to allow the applicant to redesign the site and related applications to meet the land use density maximums of the ML (Medium-Low Density Residential) land use designation, and to review this design with staff.

These related cases are a Variance (VAR-5810) for a reduction of required open space and Site Development Plan Review (SDR-5807) for a 66 lot residential development. Staff recommended denial of the original requests.

02/24/05 The Planning Commission recommended approval of these companion items concurrently with this request. The applicant has revised the project to conform to the ML (Medium-Low Density Residential) land use designation.

02/24/05 The Planning Commission voted 4-1-1 to recommend APPROVAL (PC Agenda Item #18/gl).

B) Pre-Application Meeting

12/01/04 Issues discussed included the need for open space calculations, landscaping along Rainbow Boulevard and Ann Road, and the acknowledgement that a signal impact fee would be levied.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Rezoning application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 6.86

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Residential
South:	Drug Store/ Single Family Residential
East:	Single Family Residential
West:	Single Family Residential/ Undeveloped

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential) ML (Medium-Low Density Residential)
East:	RE (Rural Estates – Clark County)
West:	O (Office)

D) Existing Zoning

Subject Property:	R-E (Rural Estates Residential–Clark County) under Resolution of Intent to C-1 (Local Business District – Clark County)
North:	U (Undeveloped) [R (Rural Residential) General Plan Designation] & R-E (Rural Estates Residential -Clark County)
South:	R-CL (Single-Family Compact -Lot) R-E (Rural Estates Residential – Clark County) under Resolution of Intent to C-1 (Local Business District – Clark County)
East:	R-E (Rural Estates Residential – Clark County)
West:	U (Undeveloped) [O (Office) General Plan Designation] Under Resolution of Intent to O (Office) R-E (Residence Estates) Under Resolution of Intent to O (Office)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with an R (Rural Density Residential) land use designation. The Planning Commission has recommended approval of an amended General Plan Amendment request (GPA-5804) to ML (Medium-Low Density Residential), which allows up to eight units per acre. Pursuant to this recommendation, the applicant has now amended this zoning request to R-PD8 (Residential Planned Development - 8 units per acre), which will be in compliance with the proposed General Plan designation.

The R-CL (Single-Family Compact -Lot) properties south of the subject site are zoned R-CL (Single-Family Compact -Lot) with the General Plan of ML (Medium-Low Density Residential).

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

Trails – A Multi-use Transportation Trail is required adjacent to the north side of Ann Road.

Special Notification - Property located within the notification radius falls within sections of unincorporated Clark County. The Clark County Planning Department has been notified of the land use application.

ANALYSIS

A) Zoning Code Compliance

Pursuant to Title 19.08, Development Standards within an R-PD (Residential-Planned Development) district are established by the approved site plan.

Standards	Provided
Min. Lot Size	2,520 Feet
Min. Lot Width	35 Feet
Min. Setbacks	
• Front	10 Feet
• Front (Garage)	18 Feet
• Side	3.5 Feet
• Corner	3.5 Feet
• Rear	10 Feet
Max. Building Height	23 Feet

B) General Analysis and Discussion

The subject site is currently located within Clark County and zoned R-E (Rural Estates Residential –Clark County), under Resolution of Intent to C-1 (Local Business District – Clark County). Upon the effective date of the pending Annexation (ANX-5586), the subject parcel will be designated as U (Undeveloped) [R (Rural Density Residential) General Plan designation] under Resolution of Intent to C-1 (Limited Commercial) district. This rezoning request proposes the R-PD8 (Residential Planned Development – 8 units per acre) district, which is intended to permit imaginative and innovative residential communities with appropriate amenities to establish a clear sense of community. The proposed residential development has a density of 8.45 units per acre., and is an acceptable use within the R-PD8 (Residential Planned Development – 8 units per acre) zoning district.

FINDINGS

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

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

   With the approval of the revised General Plan Amendment (GPA-5804) to a ML (Medium-Low Residential) land use designation, the proposed rezoning to the R-PD8 (Residential Planned Development – 8 units per Acre) zoning district will conform to the General Plan. The recommendation for denial by staff springs solely from the deficiency of open space, which is self-imposed and cannot be supported. It should be noted that the revised plan has increased the amount of open space provided, although a deficiency remains.

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

   The proposed density and lot sizes allowed by the R-PD8 (Residential Planned Development – 8 units per acre) zoning district are generally compatible with the adjacent residential development to the south and west. There are about 20 lots of residential development located to the northwest of the site with somewhat lower density than that proposed on the site; however, due to the proposed road pattern in this and in the adjacent development, there should be little impact on the area to the north caused by this project.

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

   The site is in a location on the transition from larger rural lots to smaller urban lots. The companion site plan needs to be sensitive to the potential impact on the adjacent large-lot areas; however, the density of development as proposed can be a positive community asset in this area.

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

   The site receives access via a drive from Balsam Street, a 60-foot wide local street. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

PLANNING COMMISSION ACTION

There were 6 speakers protesting this matter at the Planning Commission hearing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 163 by Planning Department

APPROVALS 1

PROTESTS 64

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5809 APN: 125-27-803-008

Name of Property Owner: REGAL VILLAGE LLC % V KAMDAR

Name of Applicant: RICHMOND AMERICAN HOMES

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

____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: V. K Kamdar

Print Name: V. KAMDAR

Subscribed and sworn before me April Cox

This 2 day of November, 2004

April Cox

Notary Public in and for said County and State
State of Utah
County of Utah

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
March 18, 2007
APRIL COX
1376 North State
Orem, Utah 84059

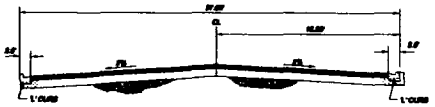
Revised 2/12/02

N:\dept\Application Packet\Statement of Financial Interest.doc

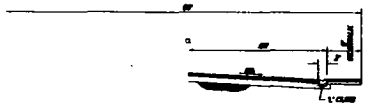
ANN / RAINBOW

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT
BY RICHMOND AMERICAN HOMES





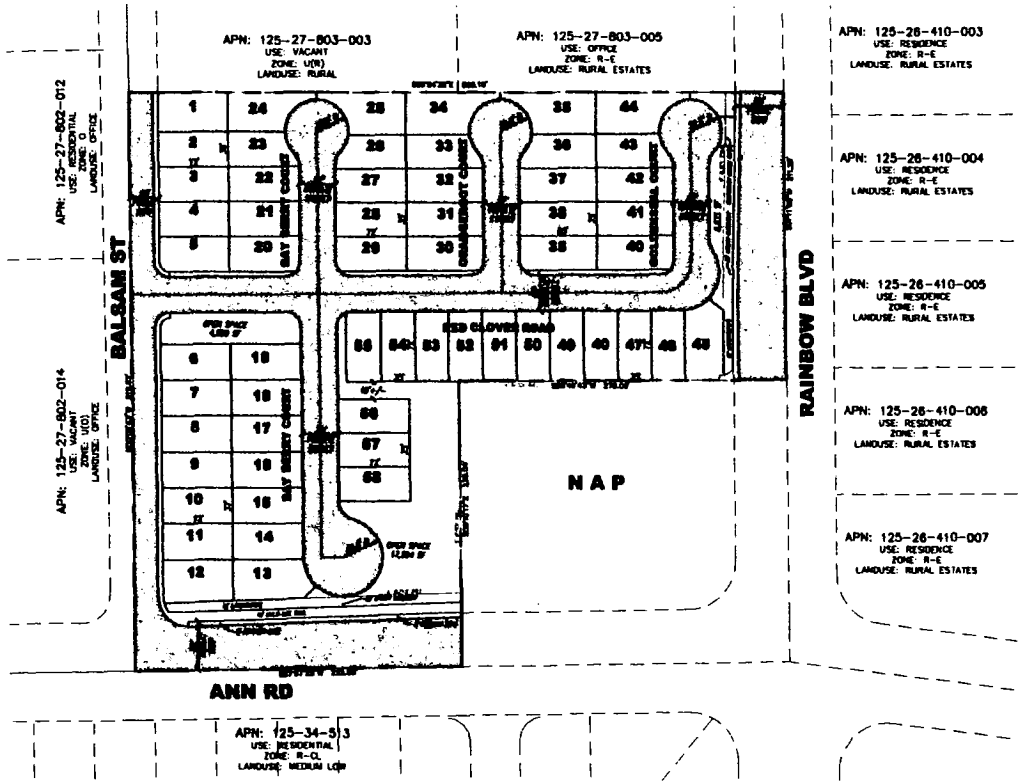
37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE

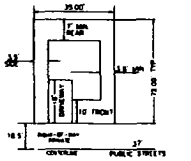


60' PUBLIC STREET HALF-SECTION (BALSAM ST.)
NOT TO SCALE

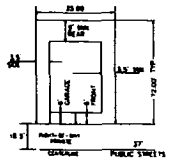


100' PUBLIC STREET HALF-SECTION (ANN RD. / RAINBOW BLVD.)
NOT TO SCALE

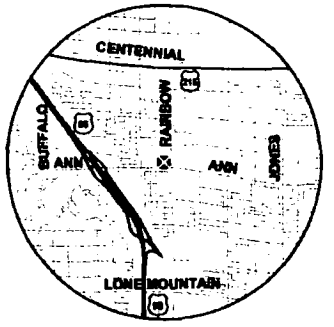




LOT DETAIL (TYPICAL)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT +/-)



LOT DETAIL (CUL-DE-SAC)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT +/-)



VICINITY MAP
NOT TO SCALE

DEVELOPER
RICHMOND AMERICAN HOMES
2250 W PEAK AVE
SUITE 212
LAS VEGAS, NEVADA 89128
(702) 240-5800

OWNERS
REGAL VILLAGE LLC
10 S STATE ST
LYNDON UT 84042

ENGINEER
THOMASON CONSULTING ENGINEERS
3161 E WARM SPRINGS RD
SUITE 200
LAS VEGAS, NEVADA 89120
(702) 932-4125

ASSESSORS PARCEL NUMBER:
125-27-803-008

OVERALL TABULATIONS

EXISTING ZONING	C-1
PROPOSED ZONING	R-PD8
EXISTING LAND USE	RURAL
PROPOSED LAND USE	MEDIUM-LDR
# OF UNITS	58
GROSS ACREAGE	6.86 ACRES +/-
DENSITY	8.4 D.U.A.
OPEN SPACE REQUIRED	.95 AC (41,382 SF)
OPEN SPACE PROVIDED	.64 AC (28,189 SF)
- 32% REDUCTION IN OS	

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MAR 0 4 2005

ZON-5809
VAR-5810
SDR-5807

REVISED
03/16/05 CC

REVISED 3-4-05

DEVELOPER
RICHMOND AMERICAN HOMES
2250 W PEAK AVE, #212
LAS VEGAS, NEVADA
(702) 240-5800

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7535 Hillcrest Avenue Las Vegas, NV 89139 Office: (702) 384-7701 Fax: (702) 384-7703

SHEET
TENTATIVE MAP

TITLE
ANN / RAINBOW
CITY OF LAS VEGAS, NEVADA

DATE
FEBRUARY 23, 2005
DRAWN BY
B SAYLOR
DESIGNED BY
R SHUE
CHECKED BY
R SHUE
SCALE
1" = 60'
PROJECT NO
RA-0085
ENGINEERING SEAL

SHEET
TM-1
OF
2
DRAWING NO

LAS VEGAS
r S CONSULTING, INC.
NEVADA
STRATEGIC PLANNING SOLUTIONS

March 7, 2005 ***"REVISED" #2***

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

Attention: Gary Leobold, Planning Supervisor

Reference: **Ann-Rainbow SDR, GPA, Rezoning and Variance**
APN #125-27-803-008

On behalf of Richmond American Homes we respectfully request your consideration of the attached General Plan Amendment, Rezoning, Site Development Plan Review and Variance applications.

Location: The proposed 6.86 acre± site is located directly behind the existing Walgreens on the northwest corner of Ann Road and Rainbow Boulevard.

Request: At this time, Richmond American Homes is requesting the consideration of a General Plan Amendment, Site Development Plan Review and Rezoning to ***R-PD8*** with an open space Variance for a ***58*** unit single family detached residential development on 6.86 acres± (125-27-803-008) with a proposed density of ***8.45 ±*** dwelling units per acre (DUA). Additionally, we are currently in the process of an annexation (ANX-5586-04) for the above referenced property into the City of Las Vegas from Clark County that is scheduled to be heard by the Planning Commission on December 16, 2004.

Background/Justification: The parcel in question is currently under resolution of intent within Clark County to C-1. This parcel with the current surrounding land uses and proposed adjacent projects will become an in-fill parcel for residential as this area is not compatible for commercial with the surrounding existing land uses. The property is currently vacant and zoned C-1 with a land use designation of Rural Density Residential (Clark County) of up to 3.59 du/ac. The adjacent properties are zoned and the current land uses are; north, the western most property is zoned Undeveloped (U) and master planned Rural (R)(CLV) and the eastern property is zoned R-E and master planned Rural Density Residential (RDR)(CC), south is an existing higher density residential project that is currently zoned R-CL and master planned ML, to the west is zoned Office (O) and master planned Office (O) in both Clark County and the City, to the east is existing single family residential that is zoned R-E and master planned Rural Estates. In the past 5 + years, there has been a significant change in population in the Las Vegas Valley. As the population in the Las Vegas-area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas and even some Industrial properties. We especially believe that there is a need to develop affordable housing on what has the potential to be an *in-fill* parcel and is not compatible for commercial with the surrounding community. Developing this site as such allows less burdens on getting infrastructure to these properties but due to the nature of the *in-fill* property, we find it necessary to request minor deviations to the cities code requirements in order to develop the property making it a positive for the developer, the City of Las Vegas and the surrounding community.

ZON-5809
VAR-5810
SDR-5807

RECEIVED
MAR - 7 2005

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

LAS VEGAS r S CONSULTING, INC. NEVADA
STRATEGIC PLANNING SOLUTIONS

Ann-Rainbow
SDR,GPA,Rezoning and Variance
APNs 125-27-803-008

Development Standards: All interior streets will be 37' privately maintained rights of way. It is also necessary that with these applications, we request a *Deviation of Standard* for a reduced cul-de-sac radius. The reduced radii is due to the relatively small parcel size and by using the larger standard bulb (typically provided on a public street) where provided this may necessitate a variance request for setbacks as the intrusion of a standard cul-de-sac bulb on the smaller lot sizes reduces the lot depth in that area. ***The requested deviation of standard was approved on 2/22/05 by CLV Public Works for reduced cul-de-sac radii (32.5' for 3 cul-de-sac's) and one modified knuckle as shown on the submitted Tentative Map (TMP-6214).*** The product intended for this proposed site will be single family detached residences, and range in size from 1,327 s.f. to 1,803 s.f.

The following minimum setbacks are being requested:	Front – 18'(Garage), Front – 10'(Living), Rear – 10', Side/Corner side – 3.5'
Cul-de-sac's – due to Deviation of Standards request The following minimum setbacks are being requested:	Front – 6'(Garage), Front – 6'(Living), Rear – 9', Side/Corner side – 3.5'
Open Space requirements are as follows:	OS Required: .95 acres± (41,382 s.f.±) OS Provided: ***.64 acres± (28,189 s.f.±)***

At this time we are requesting a variance of the required open space. Our re-designed plan provides for 68% of the required open space, and our request is for a ***32%*** reduction in open space requirements, which is greater than the original requested 53% reduction of open space. The open space amenities within the proposed residential subdivision have changed during the planning process from the original concept due in part from neighborhood concerns and a re-design of the proposed subdivision. It is still our concern with the recent developments within the Las Vegas Valley and our current water situation that we become proactive, and it is with our best intentions to continue to provide open space amenities for our residents but also be concerned with the future of Southern Nevada and review the quality of open space we are providing for our residents.

We believe that this product on this parcel will provide a good transition buffer from the existing residential community and the existing commercial development planned for this area and will be an enhancement to the community. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Skuse
President

Cc: Richmond American Homes, Manny Pattni

RECEIVED
MAR - 7 2005

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

City of Las Vegas

Agenda Item No. 146

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VARIANCE RELATED TO ZON-5809

VAR-5810 - NOT TO BE HEARD BEFORE 4:00 P.M. - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Variance TO ALLOW 0.51 ACRES OF OPEN SPACE WHERE 1.09 ACRES IS THE MINIMUM AMOUNT REQUIRED IN CONJUNCTION WITH A PROPOSED 66 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) [PROPOSED: R-PD10 (Residential Planned Development - 10 units per acre) Zone], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL. (NOTE: Application is for 58 units)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	64	**Planning Commission Mtg.**	1
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

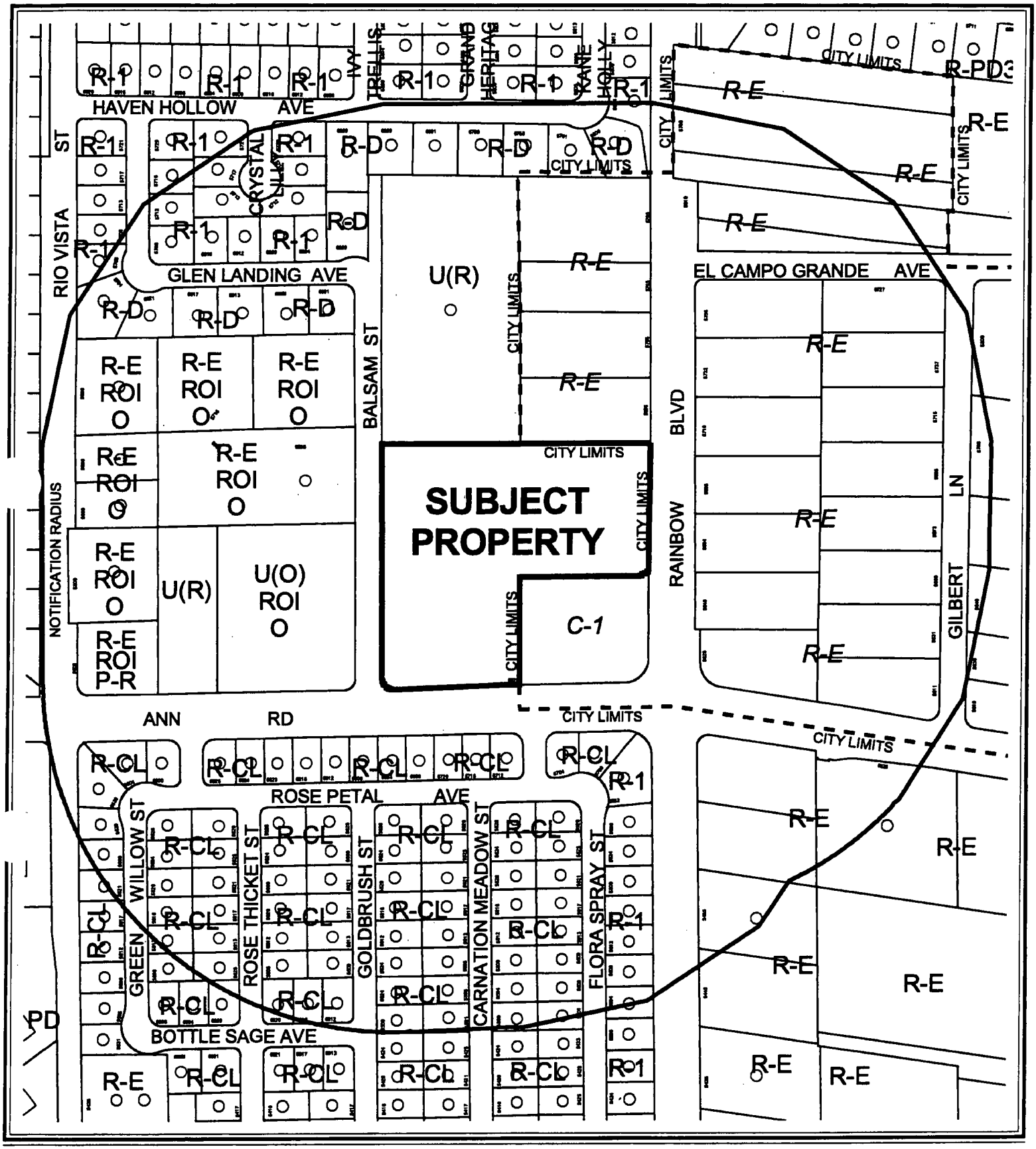
NOTE: See Item 145 [ZON-5809] for all related discussion.
(6:51 - 7:09)
7-1790

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON 5809) and Development Plan Review (SDR-5807).

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



CASE: **VAR-5810**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - VAR-5810 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 16, 2005 CITY COUNCIL MEETING AT COUNCILMAN MACK'S REQUEST.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5809) and Development Plan Review (SDR-5807).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This was initially request for a Variance to allow 0.51 acres of open space where 1.08 acres of open space is required adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard. A revised site plan now adjusts this request for 0.74 acre of open space where 0.95 acre is required. A related General Plan Amendment (GPA-5804), Rezoning (ZON-5809) and Site Development Plan Review (SDR-5807) will be considered concurrently with this request.

B) Applicant's Justification

As the population in the Vegas area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas, and even some industrial properties. There is a need to develop affordable housing on what has the potential to be an in-fill parcel and is not compatible for commercial given the surrounding community. The product on this parcel will provide a good transition buffer from the existing residential communities and the existing commercial development in the area.

BACKGROUND INFORMATION

A) Related Actions

02/16/05 The City Council will consider a petition to annex (ANX-5586) the subject site into the City of Las Vegas. The effective date of this annexation will be 02/25/05. Staff and the Planning Commission recommended approval on 12/16/04.

01/27/05 The Planning Commission voted to approve a modified General Plan Amendment (GPA-5804) from R (Rural Density Residential) to ML (Medium-Low Density Residential) on the subject site, instead of the original request for MLA (Medium-Low Attached Residential). Staff had recommended denial of the original request.

01/27/05 The Planning Commission voted to hold this item and related cases in abeyance to its 02/24/05 meeting, to allow the applicant to redesign the site and related applications to meet the land use density maximums of the ML (Medium-Low Density Residential) land use designation, and to review this design with staff. These related cases are a Rezoning (ZON-5809) from U (Undeveloped) [R (Rural Density Residential) General Plan designation] to R-PD10 (Residential Planned Development - 10 units per acre) and a Site Development Plan Review (SDR-5807) for a 66-lot residential development. Staff had recommended denial of these original requests.

02/24/05 The Planning Commission recommended approval of these companion items concurrently with this request. The applicant has revised the project to conform to the ML (Medium-Low Density Residential) land use designation.

02/24/05 The Planning Commission voted 4-1-1 to recommend APPROVAL (PC Agenda Item #19/gl).

B) Pre-Application Meeting

12/01/04 Issues discussed included the need for open space calculations, landscaping along Rainbow Boulevard and Ann Road, and the acknowledgement that a signal impact fee would be levied.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 6.86

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Residential
South:	Drug Store/ Single Family Residential
East:	Single Family Residential
West:	Single Family Residential / Undeveloped

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential) ML (Medium-Low Density Residential)
East:	RE (Rural Estates – Clark County)
West:	O (Office)

D) Existing Zoning

Subject Property:	R-E (Rural Estates Residential –Clark County) under Resolution of Intent to C-1 (Local Business District) – Clark County)
North:	U (Undeveloped) [R (Rural Density Residential) General Plan Designation] R-E (Rural Estates Residential –Clark County)

South:	R-CL (Single-Family Compact -Lot) R-E (Rural Estates Residential –Clark County) under Resolution of Intent to C-1 (Local Business District – Clark County)
East:	R-E (Rural Estates Residential – Clark County)
West:	U (Undeveloped) [O (Office) General Plan Designation] under Resolution of Intent to O (Office) R-E (Residence Estates Residential) under Resolution of Intent to O (Office)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with an R (Rural Density Residential) land use designation. The Planning Commission has recommended approval of an amended General Plan Amendment request (GPA-5804) to ML (Medium-Low Density Residential), which allows up to eight units per acre. Pursuant to this recommendation, the applicant has now amended the companion zoning request (ZON-5809) to R-PD8 (Residential Planned Development - 8 units per acre), which will be in compliance with the proposed General Plan designation. This Variance request is not directly affected by any specific General Plan policies.

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

Trails – A Multi-use Transportation Trail is required adjacent to the north side of Ann Road.

Special Notification - Property located within the notification radius falls within sections of unincorporated Clark County. The Clark County Planning Department has been notified of the land use application.

ANALYSIS

A) Zoning Code

A1) Open Space Standards

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

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
6.86 acres	8.45	1.65	13.9 %	0.95 Acre (41,536 SF)	10.8%	0.74 Acre (32,414 SF)

The proposal does not meet open space requirements and this Variance has been requested to provide relief of this requirement. The applicant has reduced the scope of the Variance from a 47% deficiency in the original submission to a 22% deficiency in the current site plan. This deficiency is the sole basis for the recommendation of denial of the companion site plan and rezoning requests by staff.

B) General Analysis and Discussion

The request is for a Variance to allow 0.74 acre of open space for a 58-lot residential development where only 0.95 acre of open space is required. This equates to a reduction of 22% of the required open space, and no evidence of a unique or extraordinary circumstance has been presented. The applicant is proposing a 58-lot single-family residential development and could easily design the site with two or three fewer lots in order to comply with this aspect of the Zoning Code. The decision to not do so is financially related and self-imposed.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

There is no evidence of a unique or extraordinary circumstance involved that meets Code standards for granting a Variance; accordingly, it is recommended that this request be denied.

PLANNING COMMISSION ACTION

The revised plans now show 0.74 acres where 0.95 acres is required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 166 by City Clerk

APPROVALS 1

PROTESTS 64

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5810 APN: 125-27-803-008

Name of Property Owner: REGAL VILLAGE LLC % V KAMDAR

Name of Applicant: RICHMOND AMERICAN HOMES

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

____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: V. KAMDAR

Subscribed and sworn before me April Cox

This 2 day of November, 2004

[signature]

Notary Public in and for said County and State

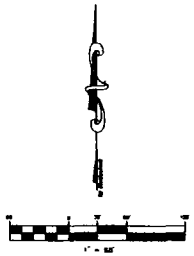
State of Utah

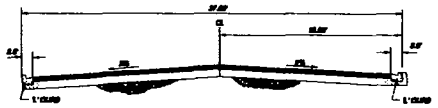
County of Utah

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
March 18, 2007
APRIL COX
1376 North State
Orem, Utah 84059

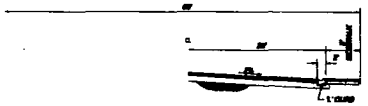
ANN / RAINBOW

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT
BY RICHMOND AMERICAN HOMES





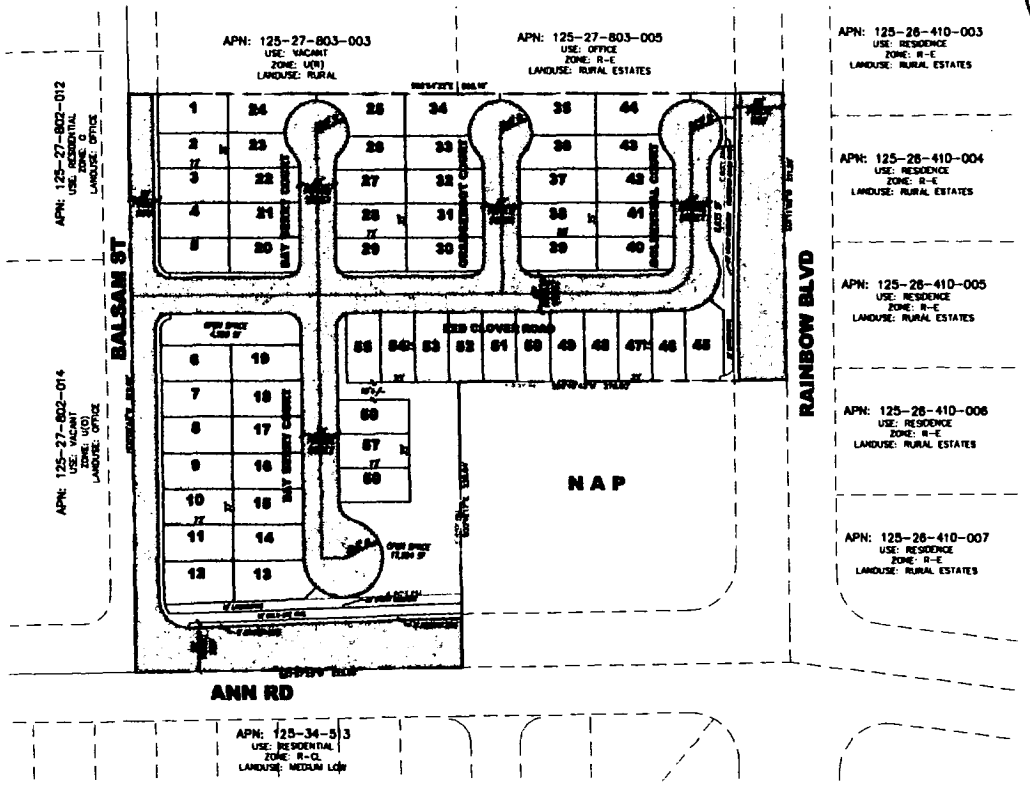
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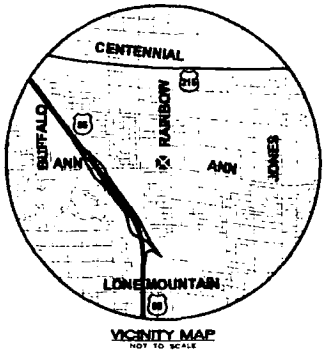


60' PUBLIC STREET HALF-SECTION (BALSAM ST.)
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100' PUBLIC STREET HALF-SECTION (ANN RD. / RAINBOW BLVD.)
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VICINITY MAP
NOT TO SCALE

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RICHMOND AMERICAN HOMES
2250 WEST PEAK AVE
SUITE 212
LAS VEGAS, NEVADA 89128
(702) 240-5600

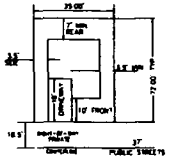
OWNERS
REGAL VILLAGE, LLC
10 S. STATE ST
LYNDON, UT 84042

ENGINEER
THOMASON CONSULTING ENGINEERS
3161 E. WARM SPRINGS RD
SUITE 200
LAS VEGAS, NEVADA 89120
(702) 932-4125

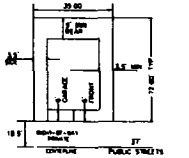
ASSESSORS PARCEL NUMBER:
125-27-805-008

OVERALL TABULATIONS

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PROPOSED ZONING	R-PUD
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DENSITY	8.4 DUA
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OPEN SPACE PROVIDED - 32% REDUCTION IN OS	64 AC (28,189 SF)



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NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT +/-)



LOT DETAIL (CUL-DE-SAC)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT +/-)

RECEIVED
MAR 0 4 2005

ZON-5809
VAR-5810
SDR-5807

REVISED
03/16/05 CC

REVISED 3-4-05

DEVELOPER
RICHMOND AMERICAN HOMES
2250 W PEAK DRIVE, #212
LAS VEGAS, NEVADA
(702) 240-5600

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7128 Hillpoint Avenue, Las Vegas, NV 89139 Office: 702.384.7701 Fax: 702.384.7702

TITLE: TENTATIVE MAP
ANN / RAINBOW
CITY OF LAS VEGAS, NEVADA

DATE: FEBRUARY 23 2005
DRAWN BY: BSAYLOR
DESIGNED BY: P. WISE
CHECKED BY: P. WISE
SCALE: 1" = 80'
PROJECT NO: RA-0086
ENGINEERING SEAL

SHEET: TM-1
OF 2

LAS VEGAS
r S
CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
NEVADA

March 7, 2005 ***"REVISED" #2***

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

Attention: Gary Leobold, Planning Supervisor

Reference: **Ann-Rainbow SDR, GPA, Rezoning and Variance**
APN #125-27-803-008

On behalf of Richmond American Homes we respectfully request your consideration of the attached General Plan Amendment, Rezoning, Site Development Plan Review and Variance applications.

Location: The proposed 6.86 acre± site is located directly behind the existing Walgreens on the northwest corner of Ann Road and Rainbow Boulevard.

Request: At this time, Richmond American Homes is requesting the consideration of a General Plan Amendment, Site Development Plan Review and Rezoning to ***R-PD8*** with an open space Variance for a ***58*** unit single family detached residential development on 6.86 acres± (125-27-803-008) with a proposed density of ***8.45 ±*** dwelling units per acre (DUA). Additionally, we are currently in the process of an annexation (ANX-5586-04) for the above referenced property into the City of Las Vegas from Clark County that is scheduled to be heard by the Planning Commission on December 16, 2004.

Background/Justification: The parcel in question is currently under resolution of intent within Clark County to C-1. This parcel with the current surrounding land uses and proposed adjacent projects will become an in-fill parcel for residential as this area is not compatible for commercial with the surrounding existing land uses. The property is currently vacant and zoned C-1 with a land use designation of Rural Density Residential (Clark County) of up to 3.59 du/ac. The adjacent properties are zoned and the current land uses are; north, the western most property is zoned Undeveloped (U) and master planned Rural (R)(CLV) and the eastern property is zoned R-E and master planned Rural Density Residential (RDR)(CC), south is an existing higher density residential project that is currently zoned R-CL and master planned ML, to the west is zoned Office (O) and master planned Office (O) in both Clark County and the City, to the east is existing single family residential that is zoned R-E and master planned Rural Estates. In the past 5 + years, there has been a significant change in population in the Las Vegas Valley. As the population in the Las Vegas-area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas and even some Industrial properties. We especially believe that there is a need to develop affordable housing on what has the potential to be an *in-fill* parcel and is not compatible for commercial with the surrounding community. Developing this site as such allows less burdens on getting infrastructure to these properties but due to the nature of the *in-fill* property, we find it necessary to request minor deviations to the cities code requirements in order to develop the property making it a positive for the developer, the City of Las Vegas and the surrounding community.

ZON-5809
VAR-5810
SDR-5807

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MAR - 7 2005

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

LAS VEGAS
r S CONSULTING, INC.
NEVADA
STRATEGIC PLANNING SOLUTIONS

Ann-Rainbow
SDR,GPA,Rezoning and Variance
APNs 125-27-803-008

Development Standards: All interior streets will be 37' privately maintained rights of way. It is also necessary that with these applications, we request a *Deviation of Standard* for a reduced cul-de-sac radius. The reduced radii is due to the relatively small parcel size and by using the larger standard bulb (typically provided on a public street) where provided this may necessitate a variance request for setbacks as the intrusion of a standard cul-de-sac bulb on the smaller lot sizes reduces the lot depth in that area. ***The requested deviation of standard was approved on 2/22/05 by CLV Public Works for reduced cul-de-sac radii (32.5' for 3 cul-de-sac's) and one modified knuckle as shown on the submitted Tentative Map (TMP-6214).*** The product intended for this proposed site will be single family detached residences, and range in size from 1,327 s.f. to 1,803 s.f.

The following minimum setbacks are being requested:	Front – 18'(Garage), Front – 10'(Living), Rear – 10', Side/Corner side – 3.5'
Cul-de-sac's – due to Deviation of Standards request The following minimum setbacks are being requested:	Front – 6'(Garage), Front – 6'(Living), Rear – 9', Side/Corner side – 3.5'
Open Space requirements are as follows:	OS Required: .95 acres± (41,382 s.f.±) OS Provided: ***.64 acres± (28,189 s.f.±)***

At this time we are requesting a variance of the required open space. Our re-designed plan provides for 68% of the required open space, and our request is for a ***32%*** reduction in open space requirements, which is greater than the original requested 53% reduction of open space. The open space amenities within the proposed residential subdivision have changed during the planning process from the original concept due in part from neighborhood concerns and a re-design of the proposed subdivision. It is still our concern with the recent developments within the Las Vegas Valley and our current water situation that we become proactive, and it is with our best intentions to continue to provide open space amenities for our residents but also be concerned with the future of Southern Nevada and review the quality of open space we are providing for our residents.

We believe that this product on this parcel will provide a good transition buffer from the existing residential community and the existing commercial development planned for this area and will be an enhancement to the community. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Skuse
President

Cc: Richmond American Homes, Manny Pattni

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City of Las Vegas

Agenda Item No. 147

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5809 AND VAR-5810

SDR-5807 - NOT TO BE HEARD BEFORE 4:00 P.M. - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Site Development Plan Review FOR A PROPOSED 66 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) [PROPOSED: R-PD10 (Residential Planned Development - 10 units per acre) Zone], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL. (NOTE: Application is for 58 units)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	64	**Planning Commission Mtg.**	1
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions, amending Condition 7 as read for the record as follows:

7. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to reflect a 6-foot wall along Rainbow Boulevard and Ann Road, and an eight-foot wall along the northern property line adjacent to APN 127-27-803-005 angled to retain sign visibility.

And the added condition as read for the record as follows:

- The developer shall provide two 24-inch box trees in each lot adjacent to APN 125-27-803-005.

- UNANIMOUS

MINUTES:

NOTE: See Item 145 [ZON-5809] for all related discussion.

(6:51 - 7:09)

7-1790

CONDITIONS:

Planning and Development

1. City Council approval of a General Plan Amendment (GPA-5804) to a ML (Medium-Low Residential) designation, Rezoning (ZON-5809) to a R-PD8 (Residential Planned Development - 8 units

CONDITIONS - Continued:

per acre) Zoning District, and a Variance (VAR-5810) for a reduction of required open space.

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

3. All development shall be in conformance with the site plan date stamped 02/16/05 and building elevations as originally submitted, except as amended by conditions herein, and shall be limited to a maximum of 58 lots. Additionally, all required on-site parking must be designed to meet the requirements of Title 19.10.010.E.8 for unimpeded parking.

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

5. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community , or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

6. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3.5 feet on the side, 3.5 feet on the corner side, and 10 feet in the rear.

7. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to reflect a 6 foot wall along Rainbow and Ann roads.

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

9. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five gallon shrubs for each tree within provided

CONDITIONS - Continued:

planters along Rainbow Boulevard and Ann Road.

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

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

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

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

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

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

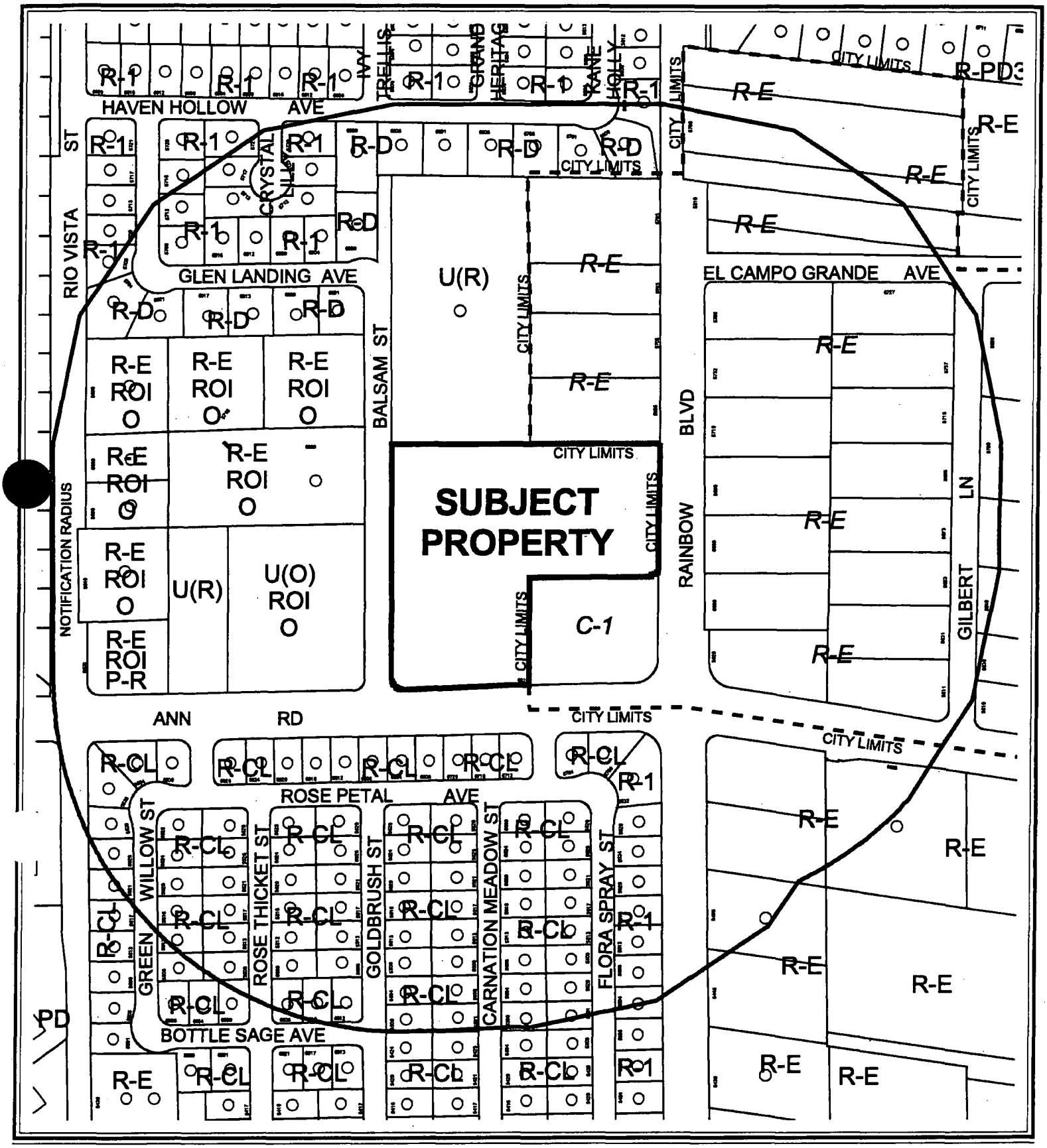
Public Works

16. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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

18. Site development to comply with all applicable conditions of approval for ZON-5809 and all other site-related actions.

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



0 300 600 Feet

CASE: **SDR-5807**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SDR-5807 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 16, 2005 CITY COUNCIL MEETING AT COUNCILMAN MACK'S REQUEST.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. City Council approval of a General Plan Amendment (GPA-5804) to a ML (Medium-Low Residential) designation, Rezoning (ZON-5809) to a R-PD8 (Residential Planned Development - 8 units per acre) Zoning District, and a Variance (VAR-5810) for a reduction of required open space.

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

3. All development shall be in conformance with the site plan date stamped 02/16/05 and building elevations as originally submitted, except as amended by conditions herein, and shall be limited to a maximum of 58 lots. Additionally, all required on-site parking must be designed to meet the requirements of Title 19.10.010.E.8 for unimpeded parking.

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

5. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community , or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

6. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3.5 feet on the side, 3.5 feet on the corner side, and 10 feet in the rear.

7. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to reflect a 6 foot wall along Rainbow and Ann roads.

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

9. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along Rainbow Boulevard and Ann Road.

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

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

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

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

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

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

Public Works

16. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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

18. Site development to comply with all applicable conditions of approval for ZON-5809 and all other site-related actions.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 66-lot single-family residential development on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard. A related General Plan Amendment (GPA-5804), Rezoning (ZON-5809), and Variance (VAR-5810) will be considered concurrently with this request.

B) Applicant's Justification

As the population in the Vegas area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas, and even some industrial properties. There is a need to develop affordable housing on what has the potential to be an in-fill parcel and is not compatible for commercial given the surrounding community. The product on this parcel will provide a good transition buffer from the existing residential communities and the existing commercial development in the area.

BACKGROUND INFORMATION

A) Related Actions

02/16/05 The City Council will consider a petition to annex (ANX-5586) the subject site into the City of Las Vegas. The effective date of this annexation will be 02/25/05. Staff and the Planning Commission recommended approval on 12/16/04.

01/27/05 The Planning Commission voted to approve a modified General Plan Amendment (GPA-5804) from R (Rural Density Residential) to ML (Medium-Low Density Residential) on the subject site, instead of the original request for MLA (Medium-Low Attached Residential). Staff had recommended denial of the original request.

01/27/05 The Planning Commission voted to hold this item and related cases in abeyance to its 02/24/05 meeting, to allow the applicant to redesign the site and related applications to meet the land use density maximums of the ML (Medium-Low Density Residential) land use designation, and to review this design with staff. These related cases are a Rezoning (ZON-5809) from U (Undeveloped) [R (Rural Density Residential) General Plan designation] to R-PD10 (Residential Planned Development - 10 units per acre) and a Variance (VAR-5810) for a reduction of required open space. Staff had recommended denial of these original requests.

02/24/05 The Planning Commission recommended approval of these companion items concurrently with this request. The applicant has revised the project to conform to the ML (Medium-Low Density Residential) land use designation.

02/24/05 The Planning Commission voted 4-1-1 to recommend APPROVAL (PC Agenda Item #20/gl).

B) Pre-Application Meeting

12/01/04 Issues discussed included the need for open space calculations, landscaping along Rainbow Boulevard and Ann Road, and the acknowledgement that a signal impact fee would be levied.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 6.86

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Residential
South:	Drug Store / Single Family Residential
East:	Single Family Residential
West:	Single Family Residential/ Undeveloped

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential) & ML (Medium-Low Density Residential)
East:	RE (Rural Estates Residential – Clark County)
West:	O (Office)

D) Existing Zoning

Subject Property:	R-E (Rural Estates Residential – Clark County) under Resolution of Intent to C-1 (Local Business District) – Clark County)
North:	U (Undeveloped) [R (Rural Density Residential) General Plan designation] R-E (Rural Estates Residential – Clark County)

South:	R-CL (Single-Family Compact - Lot) R-E (Rural Estates Residential – Clark County) under Resolution of Intent to C-1 (Local Business District – Clark County)
East:	R-E (Rural Estates Residential – Clark County)
West:	U (Undeveloped) [O (Office) General Plan designation] under Resolution of Intent to O (Office) R-E (Residence Estates) under Resolution of Intent to O (Office)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with an R (Rural Density Residential) land use designation. The Planning Commission has recommended approval of an amended General Plan Amendment request (GPA-5804) to ML (Medium-Low Density Residential), which allows up to eight units per acre. Pursuant to this recommendation, the applicant has now amended the zoning request for this site to R-PD8 (Residential Planned Development - 8 units per acre), which will be in compliance with the proposed General Plan designation.

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

Trails – A Multi-use Transportation Trail is required adjacent to the north side of Ann Road.

PROJECT DESCRIPTION

The original request was for a proposed 66-lot single-family residential development on 6.86 acres. The amended request is for 58 lots on the site. Access was to be provided via a drive from Rainbow Boulevard; now, the access will come from Balsam Street to the west of the site. The project will utilize 37-foot private drives will provide internal circulation for the site. The overall density is down from 9.62 units per acre to 8.45 units per acre. There are ten-foot planters located along Ann Road and Rainbow Boulevard, and 32,414 square feet of open space is proposed, up from 22,151 square feet of community open space on the original plan. The building elevations depict two-story single-family dwellings with stucco exteriors and tile roofs.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, Development Standards within an R-PD (Residential-Planned Development) district are established by the approved site plan.

Standards	Provided
Min. Lot Size	2,520 Feet
Min. Lot Width	35 Feet
Min. Setbacks	
• Front	10 Feet
• Front (Garage)	18 Feet
• Side	3.5 Feet
• Corner	3.5 Feet
• Rear	10 Feet
Max. Building Height	23 Feet

A2) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Tree / 30 Linear Feet	18 Trees	10 Trees
• Min. Zone Width	6 Feet		10 Feet
• Wall height	6 Feet		Not Depicted

The landscape plan does not depict the required decorative wall or the required number of street trees. Title 19 requires a six-foot wall along Ann Road and Rainbow Boulevard, and a 24-inch box tree for every 30 feet of planter. Two Conditions of Approval has been included to ensure compliance with these requirements.

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

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
6.86 acres	8.45	1.65	13.9 %	0.95 Acre (41,536 SF)	10.8%	0.74 Acre (32,414 SF)

The proposal does not meet open space requirements and a Variance (VAR-5810) has been requested to provide relief of this requirement. The applicant has reduced the scope of the Variance from a 47% deficiency in the original submission to a 22% deficiency in the current site plan. This deficiency is the sole basis for the recommendation of denial of this application by staff.

B) General Analysis and Discussion

- Zoning

The subject site is currently located within Clark County and zoned R-E (Rural Estates – Clark County), under Resolution of Intent to C-1 (Local Business District – Clark County). Upon the effective date of the pending Annexation (ANX-5586), the subject parcel will be designated as U (Undeveloped) [R (Rural Density Residential) General Plan designation] under Resolution of Intent to C-1 (Limited Commercial). A related rezoning (ZON-5809) request for the site proposes the R-PD8 (Residential Planned Development – 8 Units per acre) district, which is intended to permit imaginative and innovative residential communities with appropriate amenities to establish a clear sense of community. The proposed residential development has a density of 8.45 u.p.a., and is an acceptable use within the R-PD8 (Residential Planned Development – 8 Units per acre) zoning district.

- Site Plan

The revised request is for a proposed 58-lot single-family residential development on 6.86 acres. Access is provided via a drive from Balsam Street, and 37-foot private drives will provide internal circulation for the site. The overall density is 8.45 units per acre. The proposed development is compatible with surrounding residential development to the south and as proposed to the west. There is also existing R-1 (Single Family Residential) and R-D (Single Family Residential-Restricted) Development to the northwest of the site. The revised site plan still does not meet the intent of the R-PD (Residential Planned Development) zoning district through the lack of common facilities, open space, and amenities, although the revised plan contains substantially more open space than the previous plan.

- Waivers

  No waivers are being requested as a part of this application; however, a companion request for a Variance (VAR-5810) of the open space provisions of the Code has been requested. The request cannot be supported as the deficiency is self-imposed and therefore does not meet the test for the granting of variances under state law.

- Landscape Plan

  The landscape plan depicts ten-foot buffers along Ann Road and Rainbow Boulevard planted with 24-inch box Chitalpas, 15-inch box Live Oaks and Honey Mesquites, 25-foot Mexican Fan Palms, and various one and five gallon shrubs. The plan does not depict the required 24-inch box trees spaced 30 feet on center along Ann Road and Rainbow Boulevard. A condition of approval has been included to ensure compliance with this requirement. In addition, Title 19 requires 0.95 acres of open space for this development where only 0.74 acres of open space is provided. This equates to a reduction of 22% of the required open space, and a Variance (VAR-5810) has been requested to provide relief from this requirement. The Department of Public Works has identified a right-of-way taper on Rainbow Boulevard along the east side of the site that may have an impact on the Variance request.

- Elevation

  The building elevations depict 24-foot two-story detached residences with stucco exteriors and tiled roofs in six different color schemes.

- Floor Plan

  The floor plans are typical of two-story single-family homes.

FINDINGS

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

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

   The site plan proposes densities and lots sizes that are generally compatible with the adjacent residential development to the south and west. There are about 20 lots of residential development located to the northwest of the site with somewhat lower density than that proposed on the site; however, due to the proposed road pattern in this and in the adjacent development, there should be little impact on the area to the north caused by this project.

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

   The landscape plan does not depict the required decorative wall or the required number of street trees. Two Conditions of Approval have been included to ensure compliance with these requirements. The revised site plan depicts 0.74 acres of open space where 0.95 acres is required, and a Variance (VAR-5810) has been requested to provide relief from this requirement. The recommendation for denial of the site plan by staff springs solely from this deficiency of open space, which is self-imposed and cannot be supported. It should be noted that the revised plan has increased the amount of open space provided, although a deficiency remains. With compliance with the added Conditions of Approval and the approval of the proposed Variance, the development will be consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards, should the request be approved.

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

   The site receives access via a drive from Balsam Street, a 60-foot wide local street. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

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

   With conformance with the included Conditions of Approval, the building and landscape materials will be appropriate for the area and the City.

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

   The materials utilized on the exterior of the buildings are appropriate for type of product offered, however, the scale of the project is not compatible with the rural nature of the residential development in the vicinity.

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

   The structure will be inspected by the Building and Safety Department, and therefore will not compromise the public health, safety and welfare.

PLANNING COMMISSION ACTION

The Planning Commission listened to concerns about low-income housing and inappropriate dense land use. The Planning Commission felt that the design was "unimaginative."

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 163 by Planning Department

APPROVALS 1

PROTESTS 64

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5807 APN: 125-27-803-008

Name of Property Owner: REGAL VILLAGE LLC % V KAMDAR

Name of Applicant: RICHMOND AMERICAN HOMES

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

____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: V K Kamdar

Print Name: V. KAMDAR

Subscribed and sworn before me April Cox

This 2 day of November, 2004

April Cox

Notary Public in and for said County and State

State of Utah

County of Utah

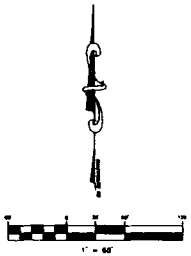
NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
March 18, 2007
APRIL COX
1375 North State
Orem, Utah 84059

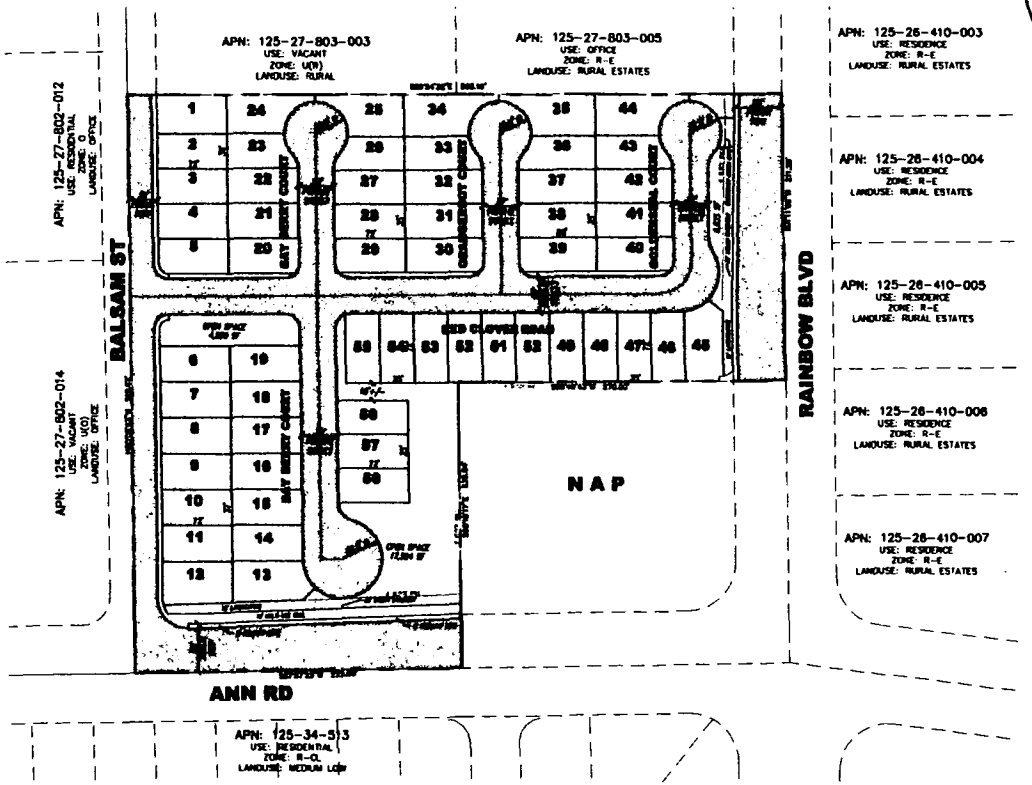
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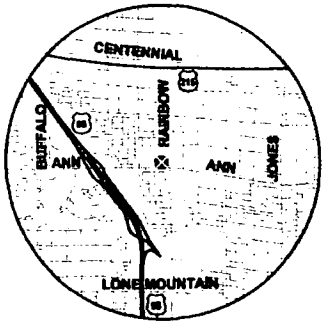
f:\dept\Application Packet\Statement of Financial Interest.doc

ANN / RAINBOW

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT
BY RICHMOND AMERICAN HOMES







VICINITY MAP
NOT TO SCALE

DEVELOPER
RICHMOND AMERICAN HOMES
2250 WEST PEAK AVE
SUITE 212
LAS VEGAS, NEVADA 89128
(702) 240-5600

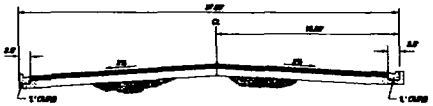
OWNERS
REGAL VILLAGE LLC
10 S STATE ST
LINDON UT 84042

ENGINEER
THOMPSON CONSULTING ENGINEERS
3181 E WARM SPRINGS RD
SUITE 200
LAS VEGAS, NEVADA 89120
(702) 932-8125

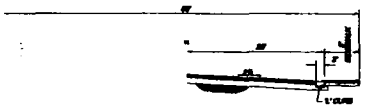
ASSESSORS PARCEL NUMBER:
125-27-803-008

OVERALL TABULATIONS

EXISTING ZONING	C-1
PROPOSED ZONING	R-PD9
EXISTING LAND USE	RURAL
PROPOSED LAND USE	MEDIUM-LOW
# OF UNITS	58
GROSS ACREAGE	6.86 ACRES +/-
DENSITY	8.4 D.U.A.
OPEN SPACE REQUIRED	55 AC (41,382 SF)
OPEN SPACE PROVIDED	64 AC (28189 SF)
- 32% REDUCTION IN OS	



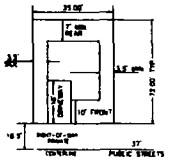
37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE



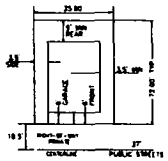
60' PUBLIC STREET HALF-SECTION (BALSAM ST.)
NOT TO SCALE



100' PUBLIC STREET HALF-SECTION (ANN RD. / RAINBOW BLVD.)
NOT TO SCALE



LOT DETAIL (TYPICAL)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT +/-)



LOT DETAIL (CUL-DE-SAC)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT +/-)

RECEIVED
MAR 0 4 2005

ZON-5809 REVISED
VAR-5810 03/16/05 CC
SDR-5807

REVISED 3/16/05

DEVELOPER
RICHMOND AMERICAN HOMES
2250 WEST PEAK AVE, SUITE 212
LAS VEGAS, NEVADA
(702) 240-5600

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7251 Hillcrest Avenue, Las Vegas, NV 89128 (702) 341-7701 Fax: 702.341.7702

SHEET: TENTATIVE MAP
TITLE: ANN / RAINBOW
CITY OF LAS VEGAS, NEVADA

DATE: FEBRUARY 23, 2005
DRAWN BY: BSNYDER
DESIGNED BY: B. SNYDER
CHECKED BY: B. SNYDER
SCALE: 1" = 60'
PROJECT NO: RA-0065
ENGINEERING SEAL

SHEET: TM-1 OF 2
DRAWING NO:

SDR-5807
01/27/05 PC

ABBREVIATIONS

PROJECT TEAM

CLIENTS CONSULTANTS

CODE TABULATION

AREA SUMMARY

SHEET INDEX

T-1 TITLE SHEET
GN-1 GENERAL NOTES
GN-2 GENERAL NOTES

PLAN 827
A1 'A' & 'B' FLOOR PLANS AND OPTIONS
A1.2 UTILITY PLANS
A1.3 BUILDING SECTIONS/ INTERIOR ELEVATIONS
A1.4 'A' EXTERIOR ELEVATIONS/ ROOF PLANS
A1.5 'B' EXTERIOR ELEVATIONS/ ROOF PLANS

PLAN 858
A2.1 'A' & 'B' FLOOR PLANS AND OPTIONS
A2.2 UTILITY PLANS
A2.3 BUILDING SECTIONS/ INTERIOR ELEVATIONS
A2.4 'A' EXTERIOR ELEVATIONS/ ROOF PLANS
A2.5 'B' EXTERIOR ELEVATIONS/ ROOF PLANS

PLAN 887
A3.1 'A' & 'B' FLOOR PLANS AND OPTIONS
A3.2 UTILITY PLANS
A3.3 BUILDING SECTIONS/ INTERIOR ELEVATIONS
A3.4 'A' EXTERIOR ELEVATIONS/ ROOF PLANS
A3.5 'B' EXTERIOR ELEVATIONS/ ROOF PLANS

PLAN 933
A4.1 'A' & 'B' FLOOR PLANS AND OPTIONS
A4.2 UTILITY PLANS
A4.3 BUILDING SECTIONS/ INTERIOR ELEVATIONS
A4.4 'A' EXTERIOR ELEVATIONS/ ROOF PLANS
A4.5 'B' EXTERIOR ELEVATIONS/ ROOF PLANS

DETAILS
D-1 ARCHITECTURAL DETAILS
D-2 ARCHITECTURAL DETAILS

25 TOTAL SHEETS

VICINITY MAP

SONATA



SONATA

RICHMOND AMERICAN
7220 W. PRAIR DR. #200
LAS VEGAS, NV 89128

2004-466

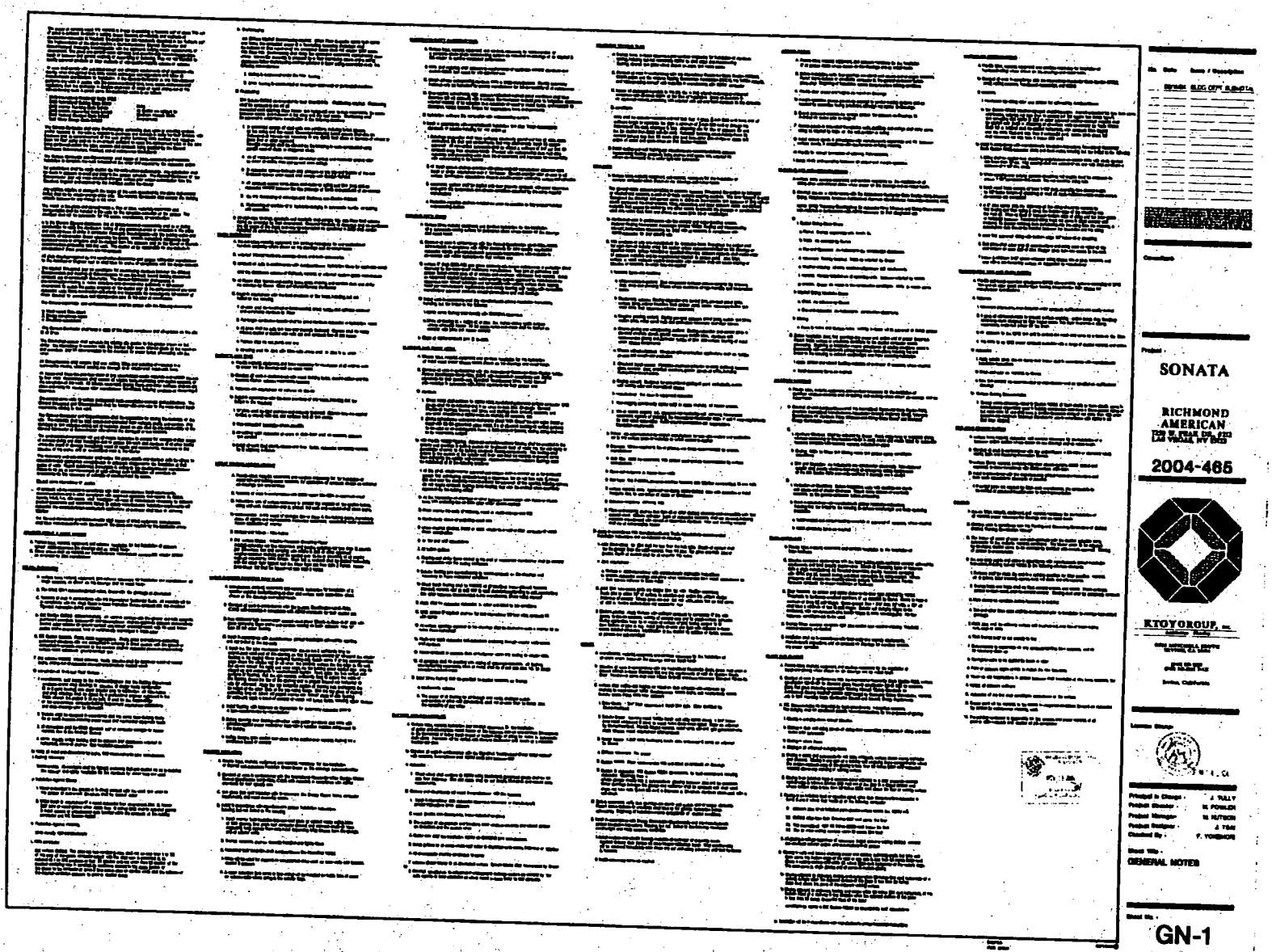
KTOYOGROUP, INC.

TITLE SHEET

T-1

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01/27/05 PC



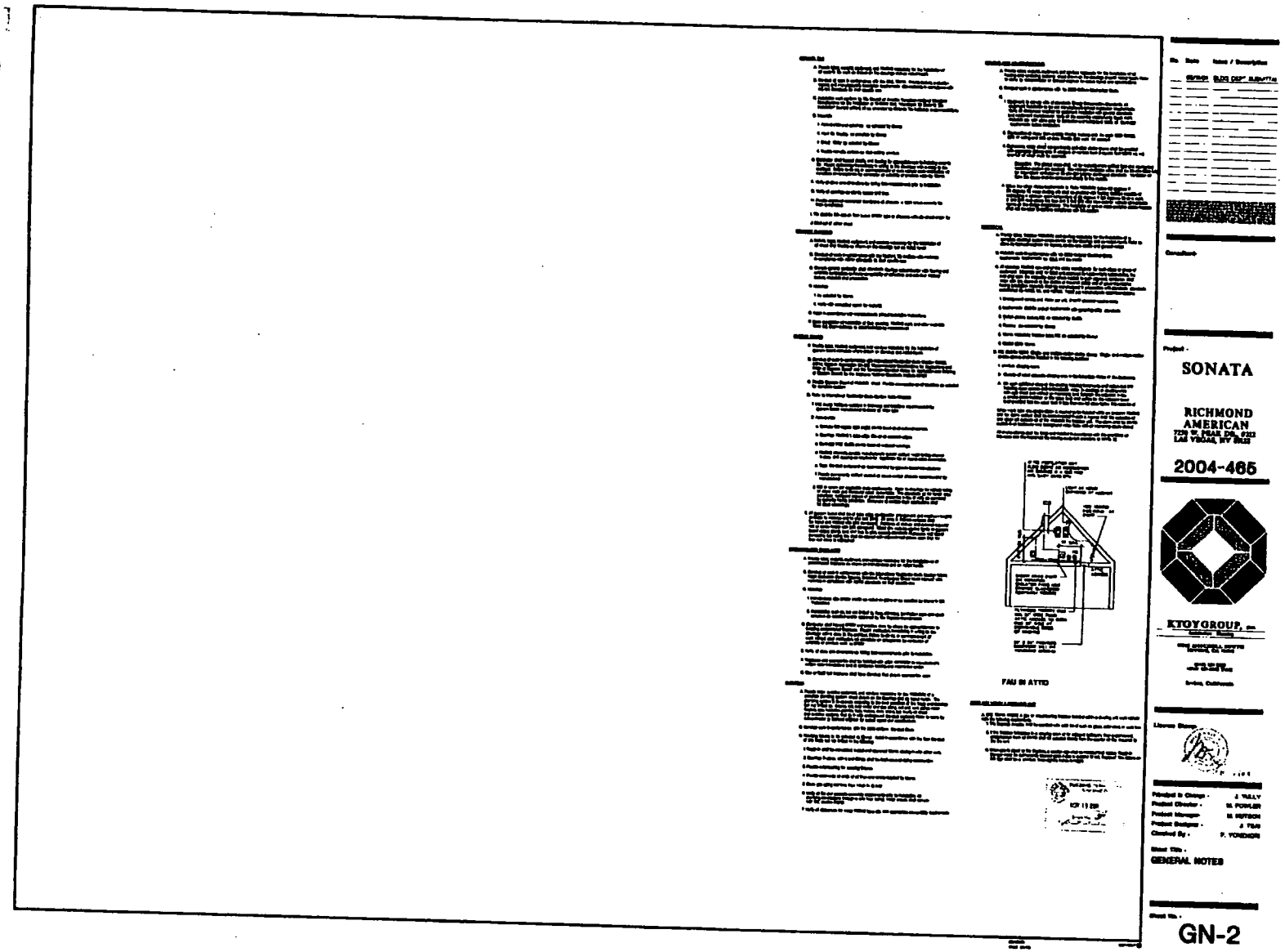
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RICHMOND AMERICAN

2004-465

GENERAL NOTES

GN-1



SONATA

RICHMOND AMERICAN

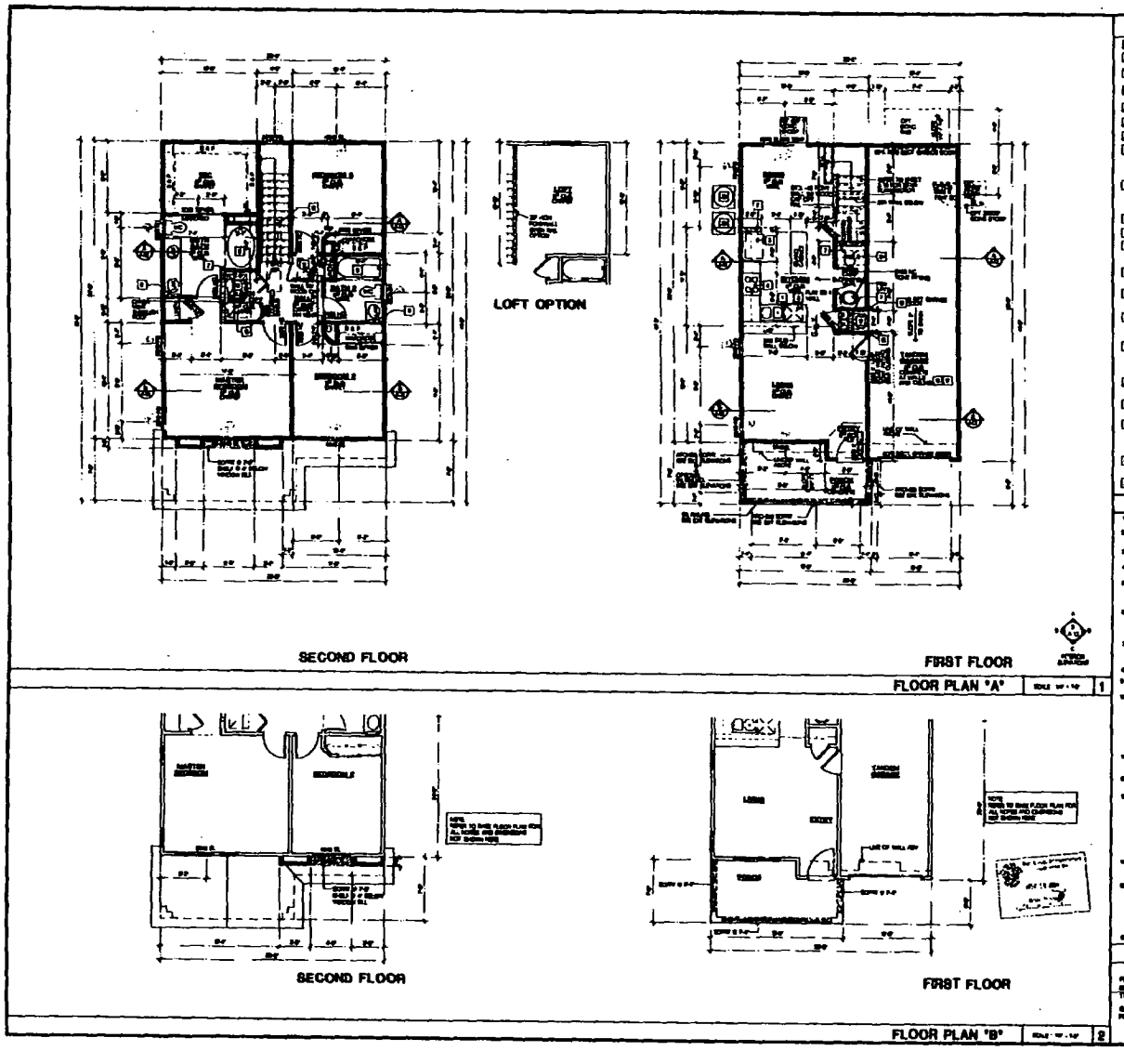
2004-465

KTOYGROUP, inc.

GENERAL NOTES

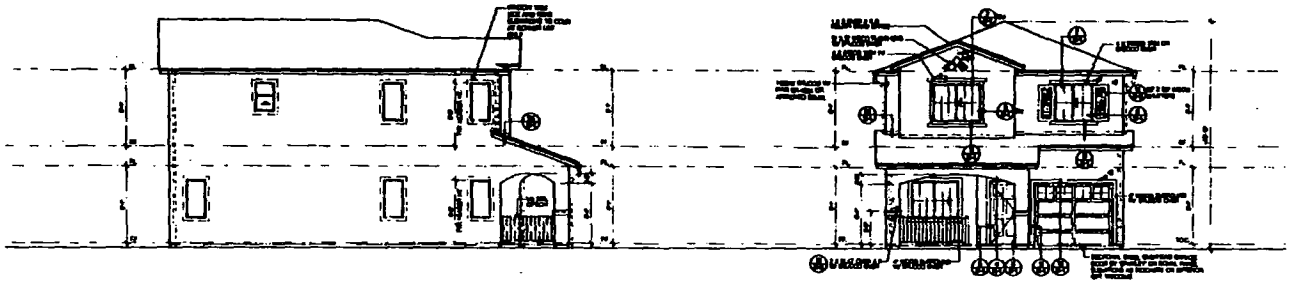
GN-2

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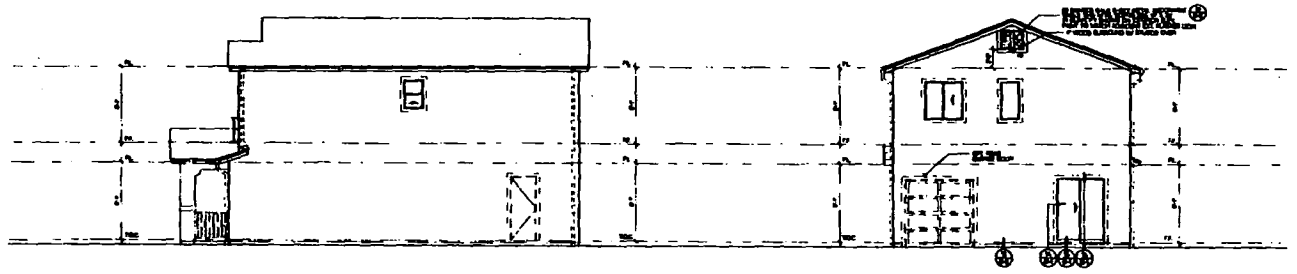
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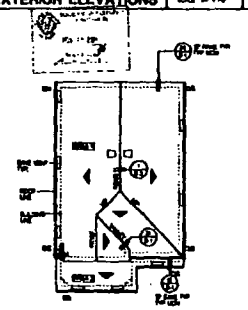
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EXTERIOR ELEVATIONS 1

NOTES

ATTIC VENTILATION



ROOF PLAN 2

SONATA

RICHMOND AMERICAN

2004-465

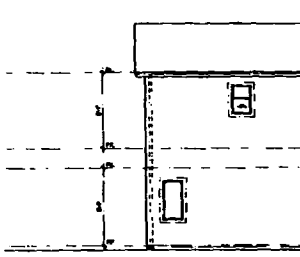
KTGYGROUP, INC.

PLAN 1327 'A' EXTERIOR ELEVATIONS / ROOF PLAN

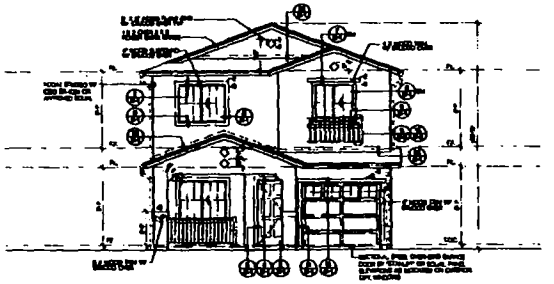
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01/27/05 PC

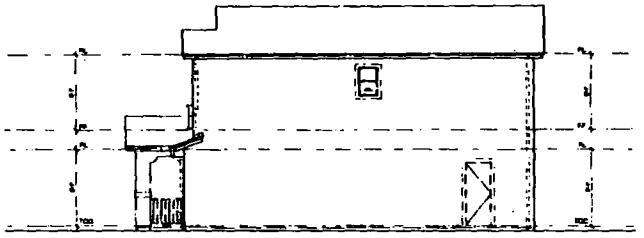
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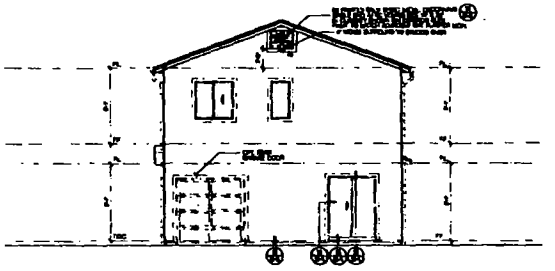
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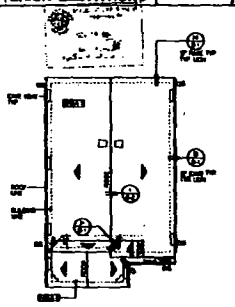


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EXTERIOR ELEVATIONS 1

NOTES

ATTIC VENTILATION



ROOF PLAN 2

SONATA

RICHMOND AMERICAN

2004-465

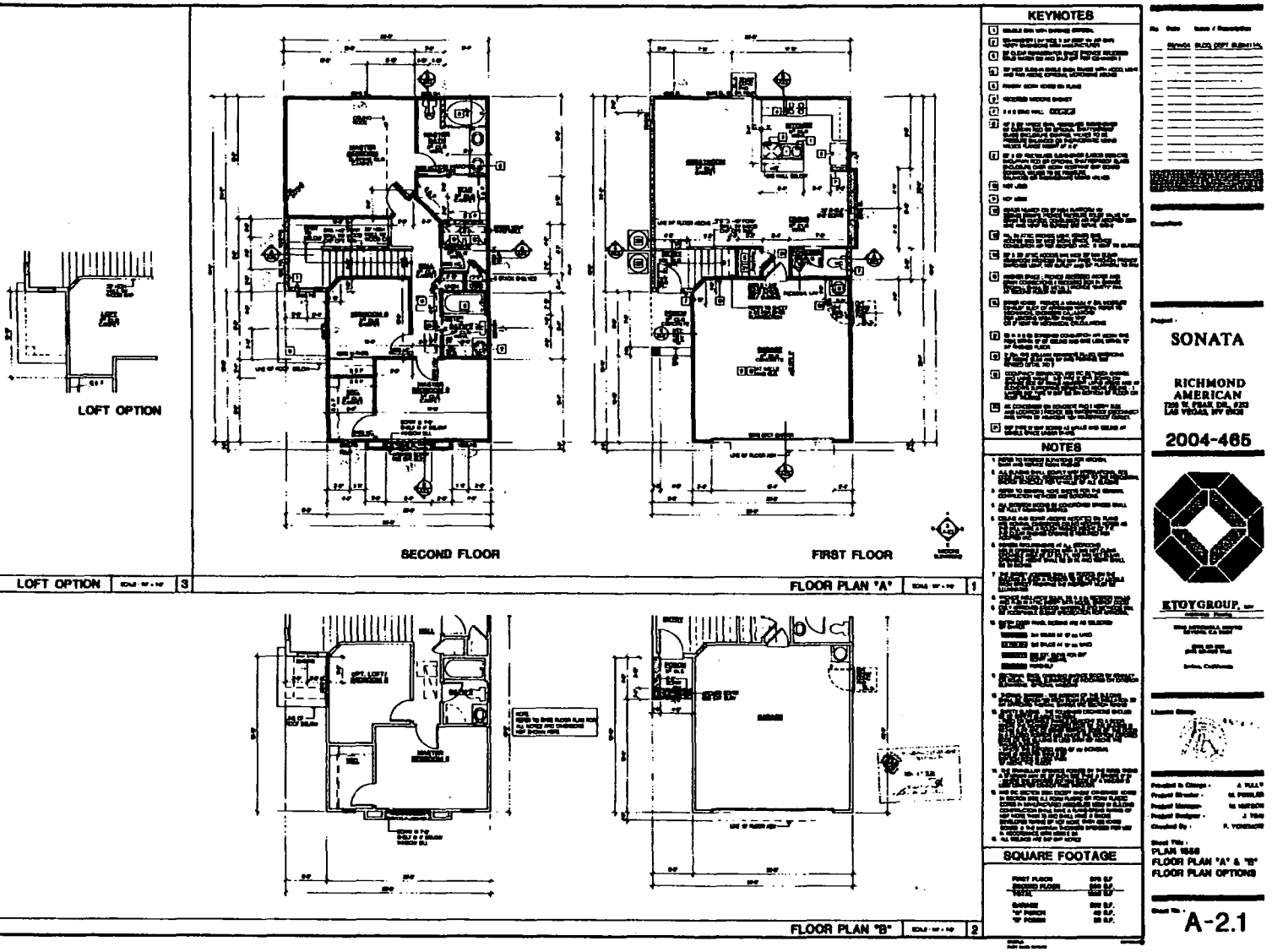
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PLAN 1327
'B' EXTERIOR ELEVATIONS / ROOF PLAN

A1.5

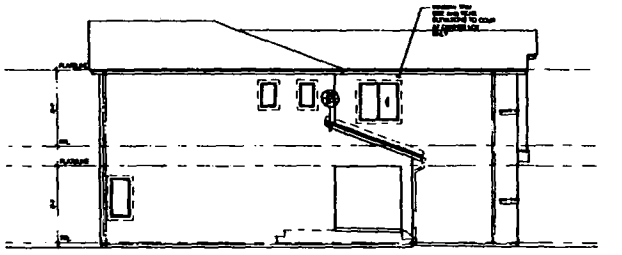
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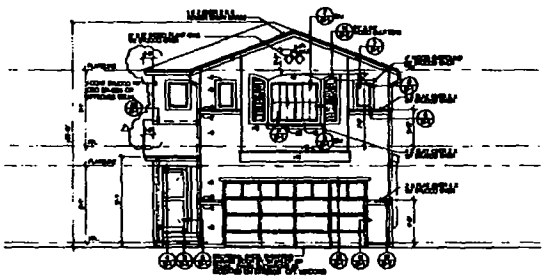


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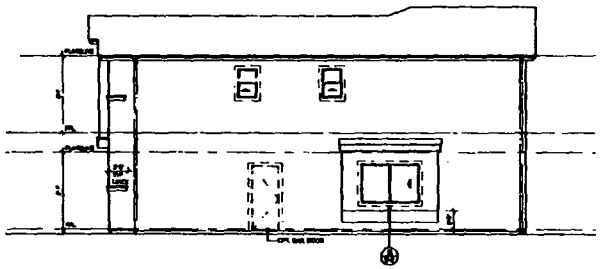
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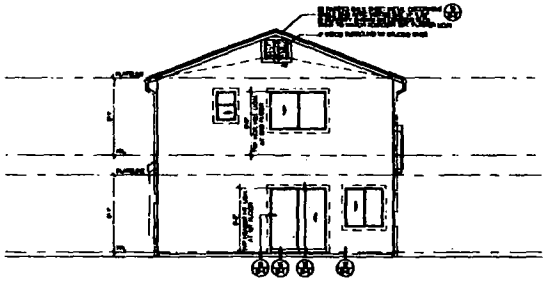
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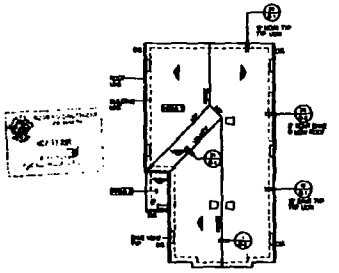


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EXTERIOR ELEVATIONS 1

NOTES

ATTIC VENTILATION



ROOF PLAN 2

SONATA

RICHMOND AMERICAN

2004-465

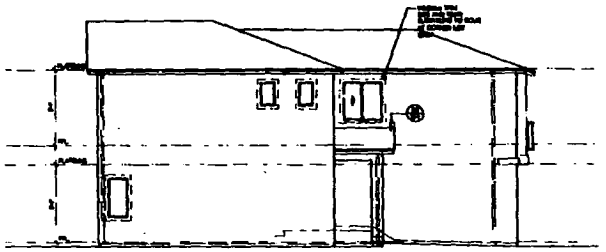
KTGYGROUP, INC.

PLAN 1668 'A' EXTERIOR ELEVATIONS / ROOF PLAN

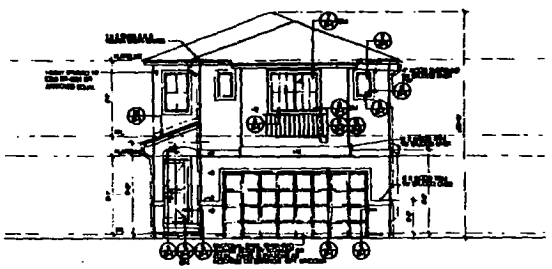
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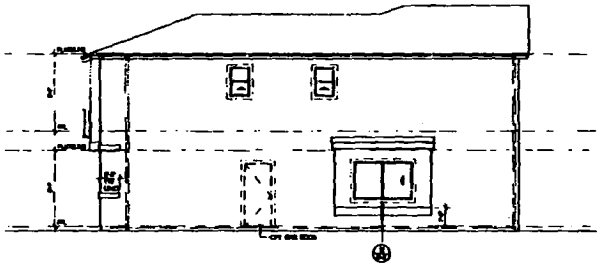
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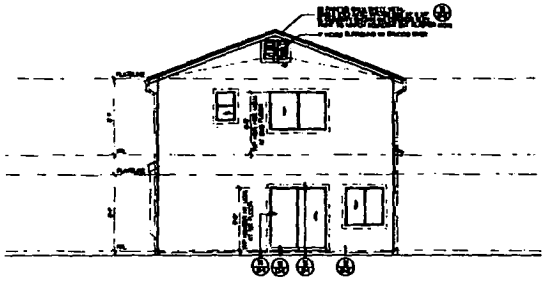
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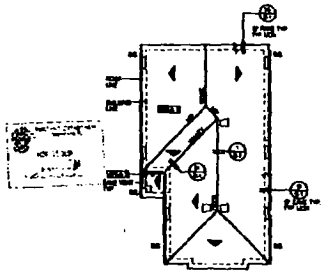


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EXTERIOR ELEVATIONS 1

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ROOF PLAN 2

SONATA

RICHMOND AMERICAN

2004-465

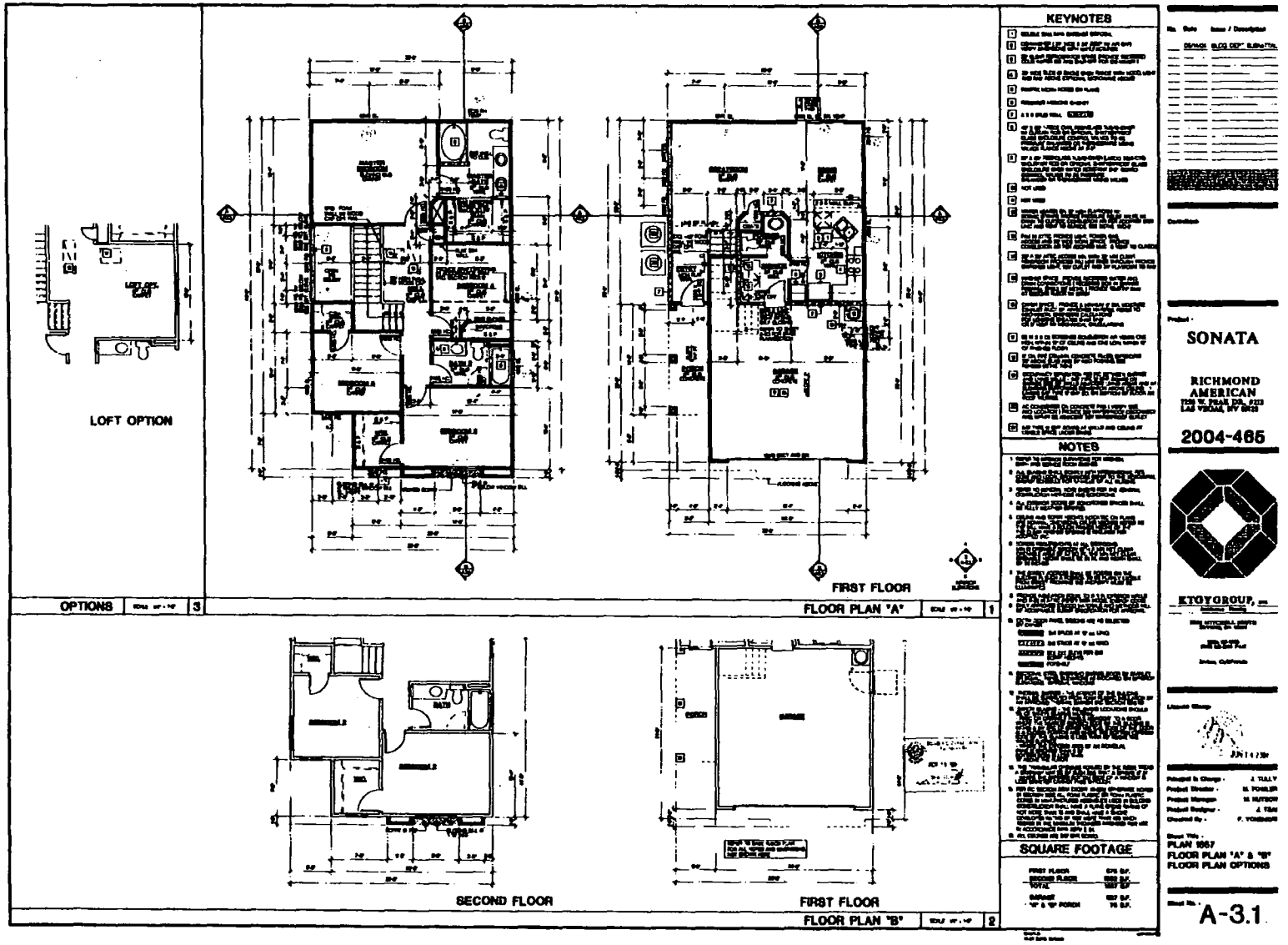
KTGYGROUP, INC.

PLAN 1559
'B' EXTERIOR
ELEVATIONS /
ROOF PLAN

A2.5

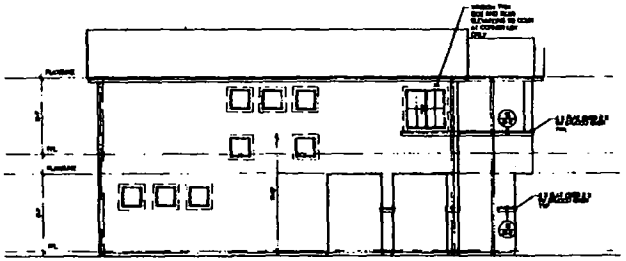
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01/27/05 PC

DEC 14 RECD

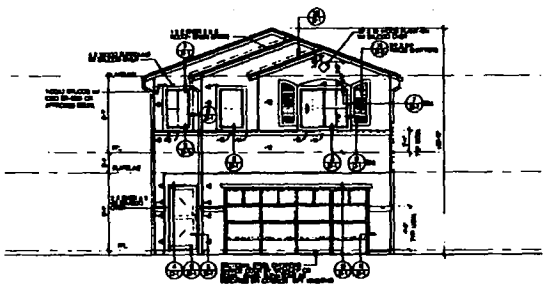


SDR-5807
01/27/05 PC

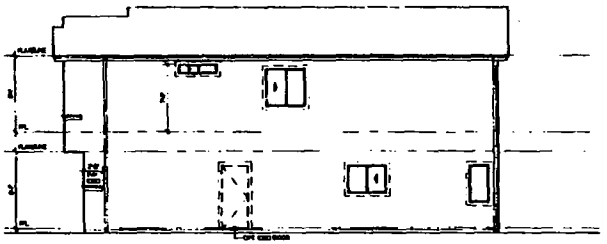
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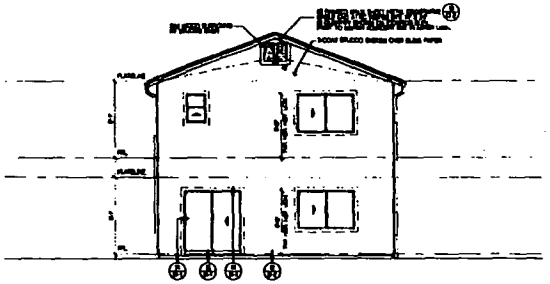
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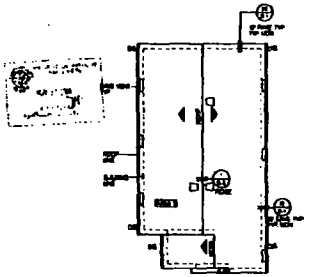
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EXTERIOR ELEVATIONS 1

NOTES



ATTIC VENTILATION

ROOF PLAN 2

SONATA

RICHMOND AMERICAN

2004-465

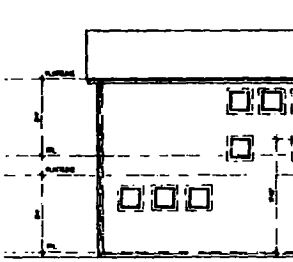
KTGYGROUP, inc.

PLAN 1697
'A' EXTERIOR ELEVATIONS / ROOF PLAN

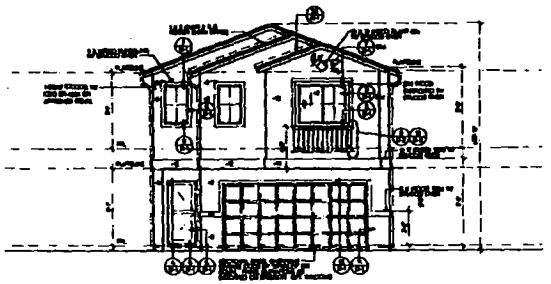
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SDR-5807
01/27/05 PC

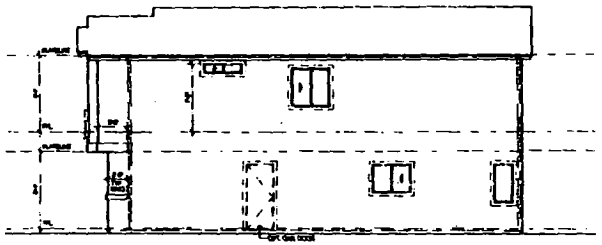
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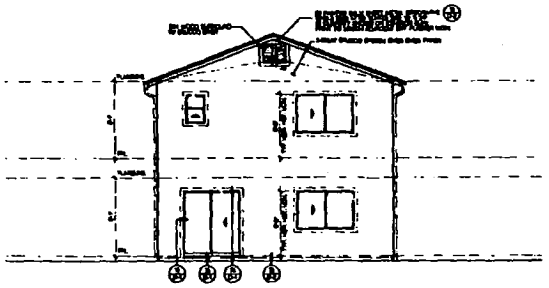
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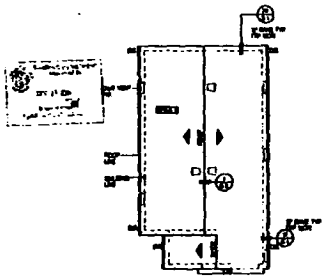


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EXTERIOR ELEVATIONS 1

NOTES

ATTIC VENTILATION



ROOF PLAN 2

SONATA

RICHMOND AMERICAN

2004-465

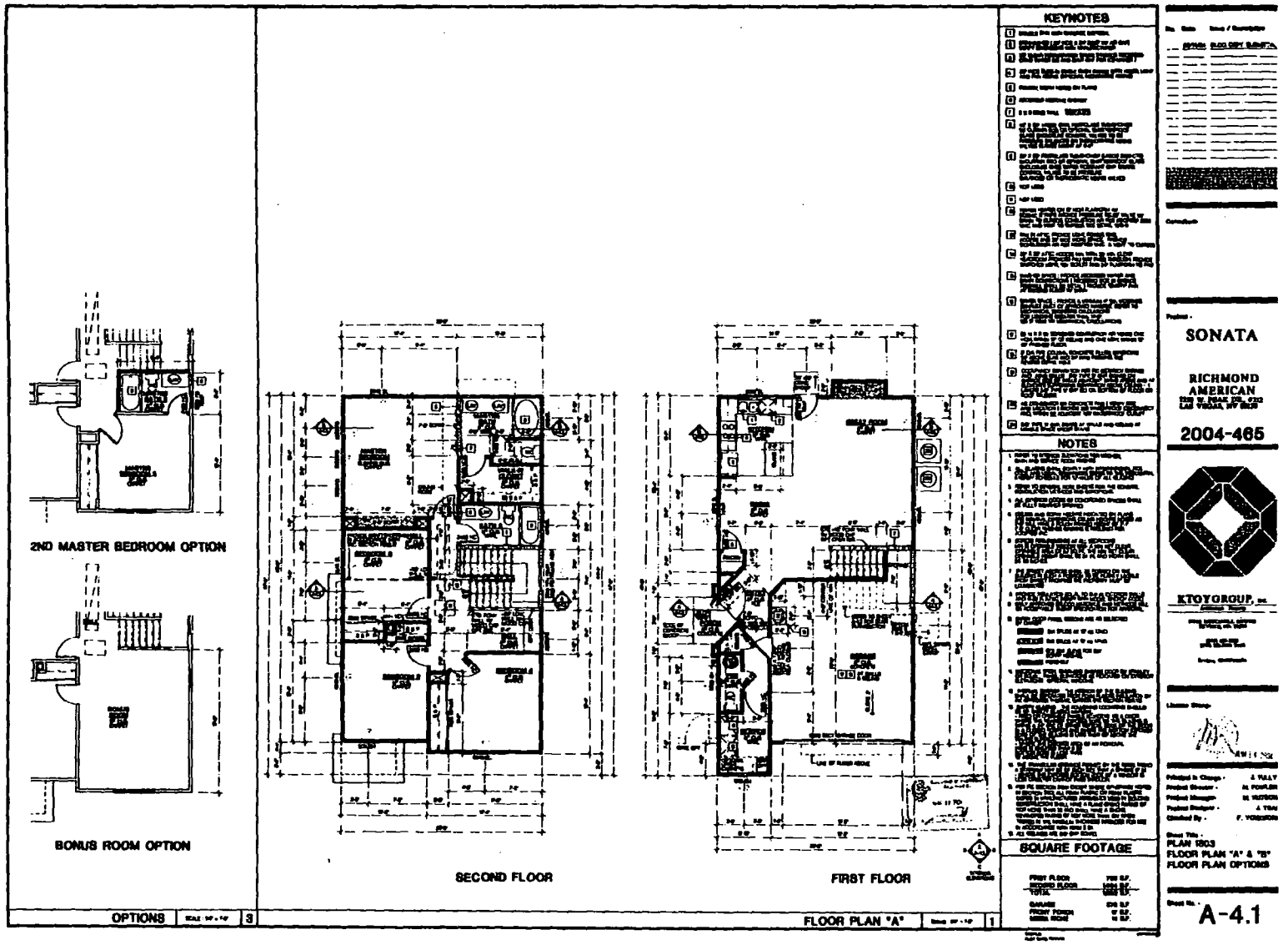
KTGYGROUP, inc.

PLAN 1657
'B' EXTERIOR
ELEVATIONS /
ROOF PLAN

A3.5

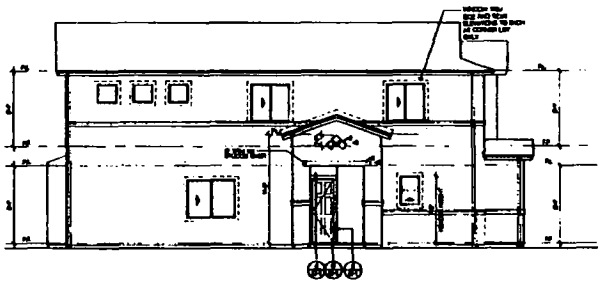
SDR-5807
01/27/05 PC

RECEIVED
DEC 14 RECD

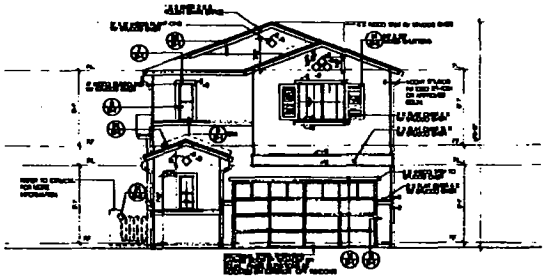


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01/27/05 PC

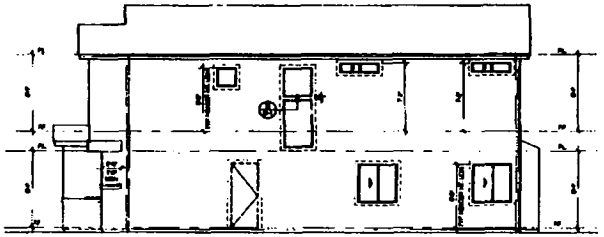
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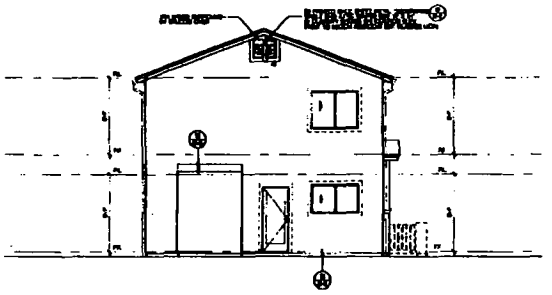
LEFT



FRONT



RIGHT

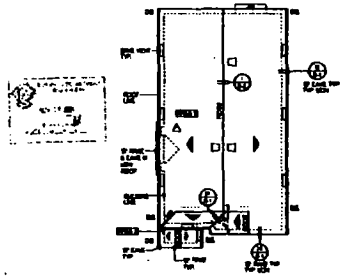


REAR

EXTERIOR ELEVATIONS 1

NOTES

ATTIC VENTILATION



ROOF PLAN 2

SONATA

RICHMOND AMERICAN

2004-465

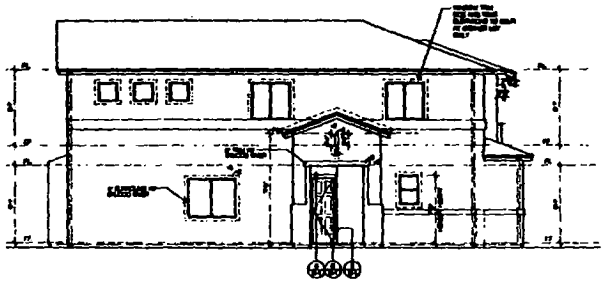
KTGY GROUP, INC.

PLAN 1903
'A' EXTERIOR ELEVATIONS / ROOF PLAN

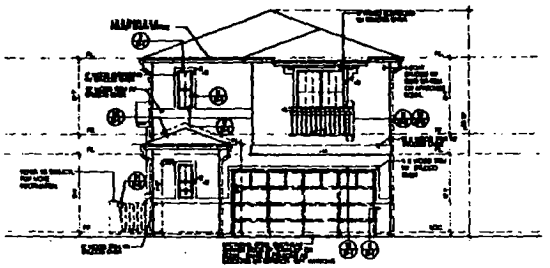
A-4.4

SDR-5807
01/27/05 PC

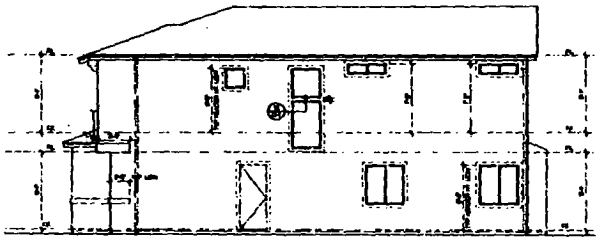
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DEC 14 RECD



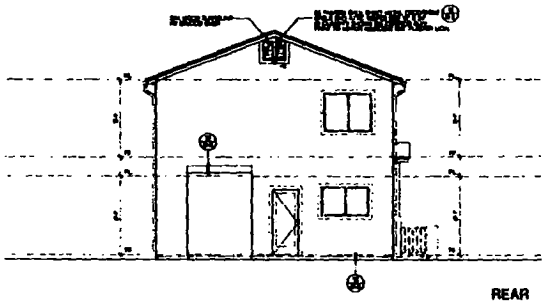
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FRONT



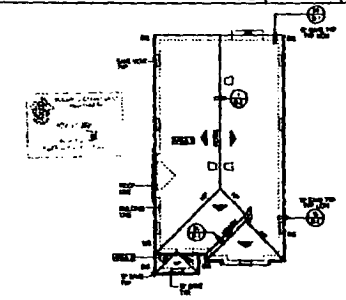
RIGHT



REAR

EXTERIOR ELEVATIONS | 1

NOTES



ATTIC VENTILATION

ROOF PLAN | 2

SONATA

RICHMOND AMERICAN

2004-466

KTGYGROUP, inc.

PLAN 1803 'B' EXTERIOR ELEVATIONS / ROOF PLAN

A-4.5

SDR-5807
01/27/05 PC

Cherry Lane

Color Submittal

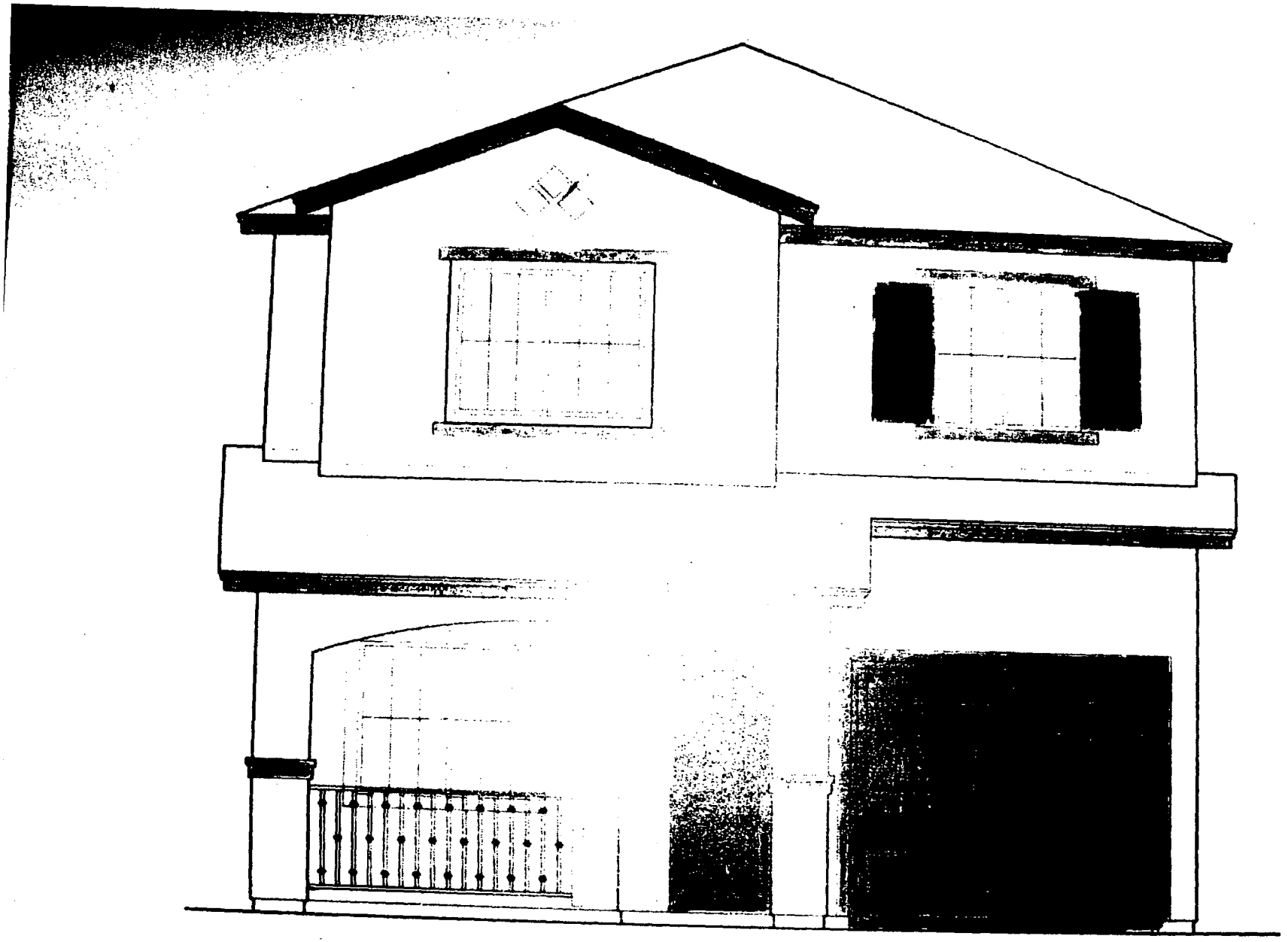


	Scheme #2	Scheme #3	Scheme #4	Scheme #5	Scheme #6
182	307	CZ 15-6855	CZ 15 8674	CZ 15-7792	CZ 15-9565
Arizona White	Navajo White	Basic Beige	Windrift Beige	Antique White	European White
8723M	8223M	8232W	CZ 15-11498	CZ 15-9198	8703M
Desert Tumbleweed	Sienna Sand	Lulled Beige	Bedouin Beige	Toasty Grey	Rockridge
8724M	8224M	8234M	8714M	8674M	8734M
Meadowlark	Balsam Bark	Dapin	Wildcat	Muddy River	Bark Mulch
8526D	524	8775D	8765D	8665D	8315D
Jacaranda Brown	Riverbed	Metal Shavings	Beaver Creek	Grist Mill	Ravenwood
8726N	8725A	8756N	8306M	CZ15-10143	CZ 15-11288
Mocha Brown	Coach House	Cordwood	Alcazar Brown	Century Brown	Midnite Hour
AC140N	8696N	8536N	8796N	8656N	8746N
Mission Brown	Twisted Branch	Blackmar	Black Metal	Greek Olive	Timber Trail
Calif. Mission Blend	Sandstorm	Autumn Blend	Casa Grande Blend	Rio Grande Blend	Redwood Blend
1ESCS 6464	1ESCS 0026	1ESCS 6160	1ESCS 6169	1ESCS 6142	1ESCS 7221

Mortar Rout Tile (A & B Elevs.)

All paints to be Frazee only

SDR-5807
01/27/05 PC



Plan: 1327 - Elevation "A"

SDR-5807
01/27/05 PC

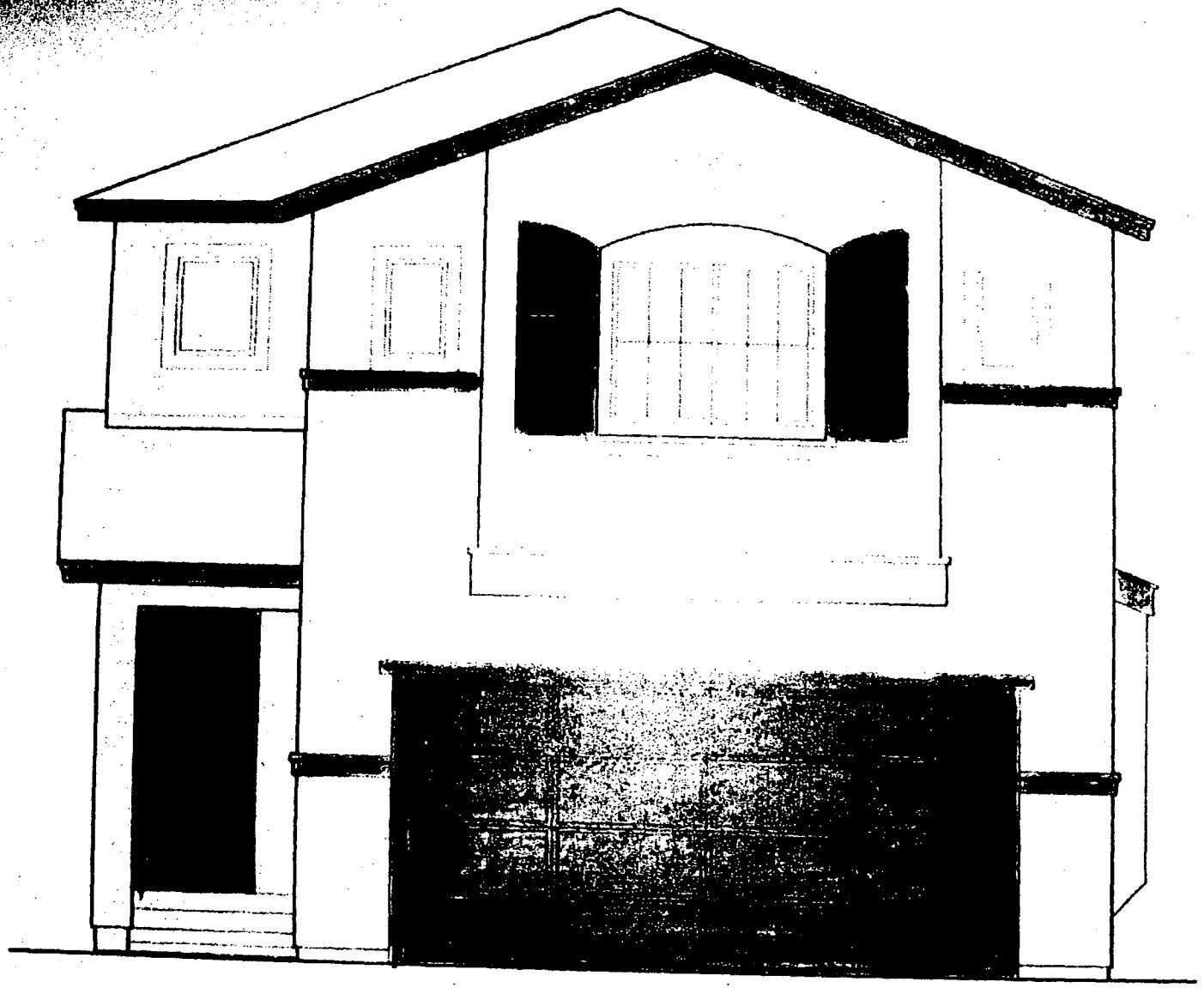
The Cherry Lane Collection



Plan: 1327 - Elevation "B"

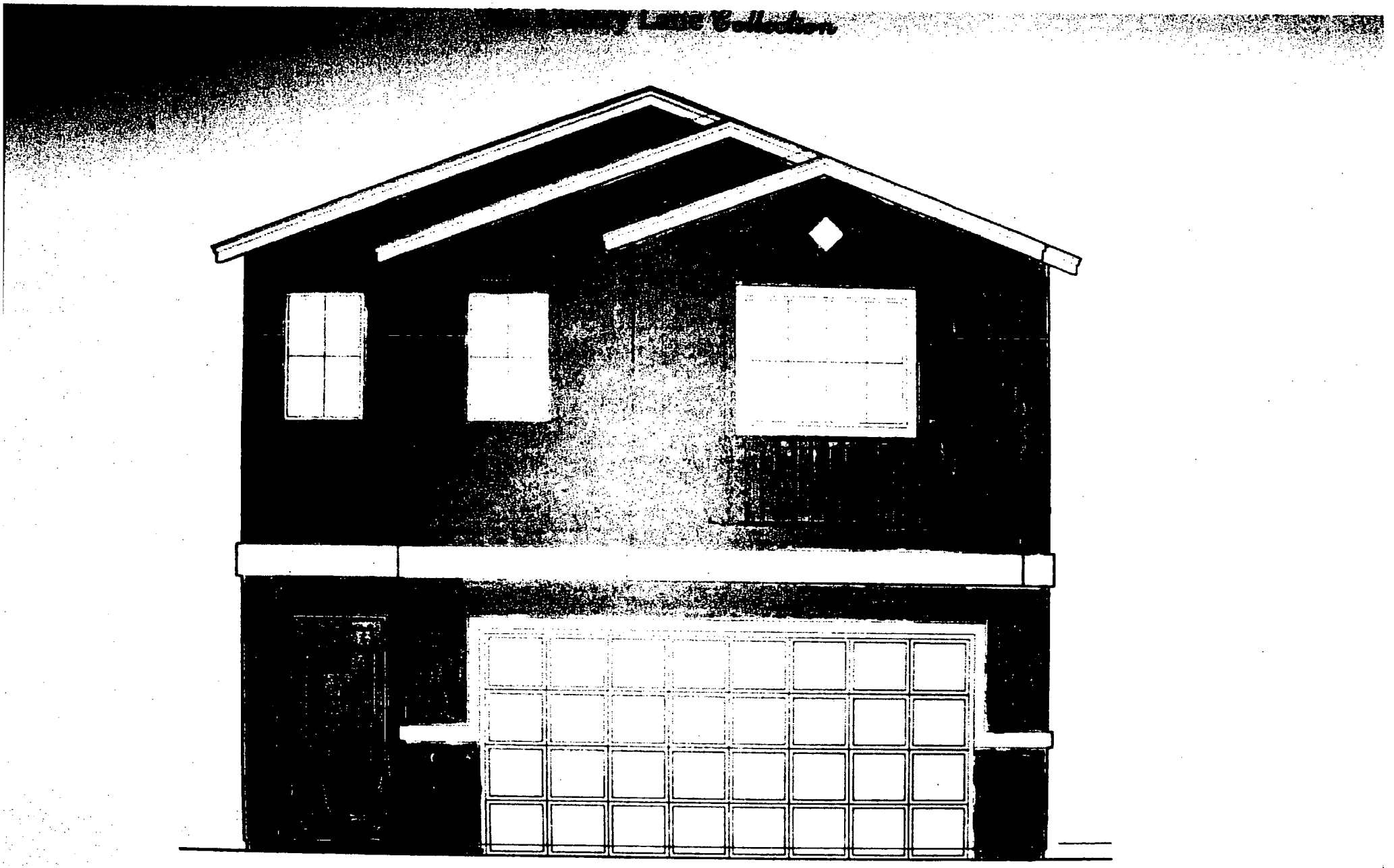
SDR-5807
01/27/05 PC

The Cherry Lane Collection



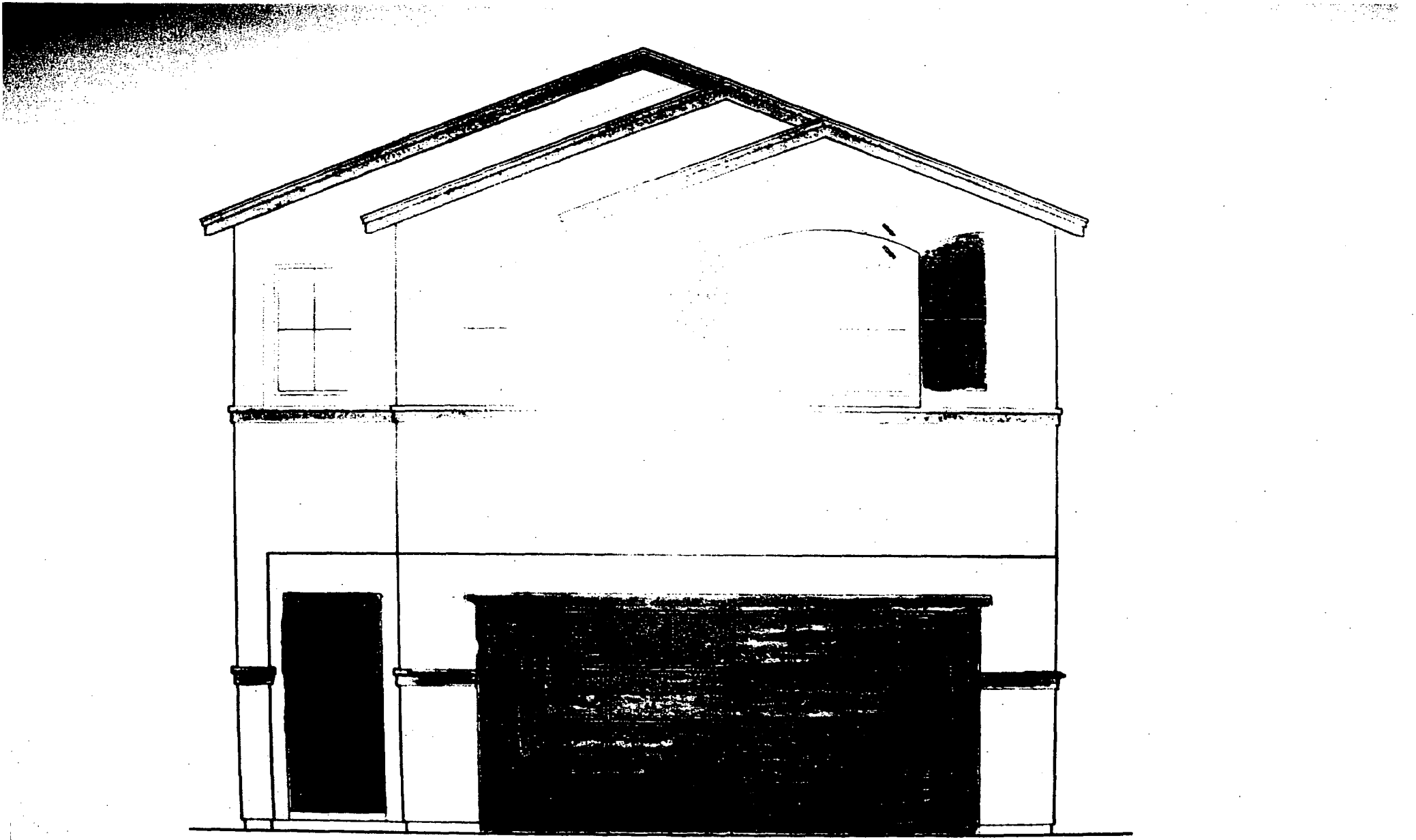
Plan: 1556 - Elevation "A"

SDR-5807
01/27/05 PC



Plan: 1657 - Elevation "B"

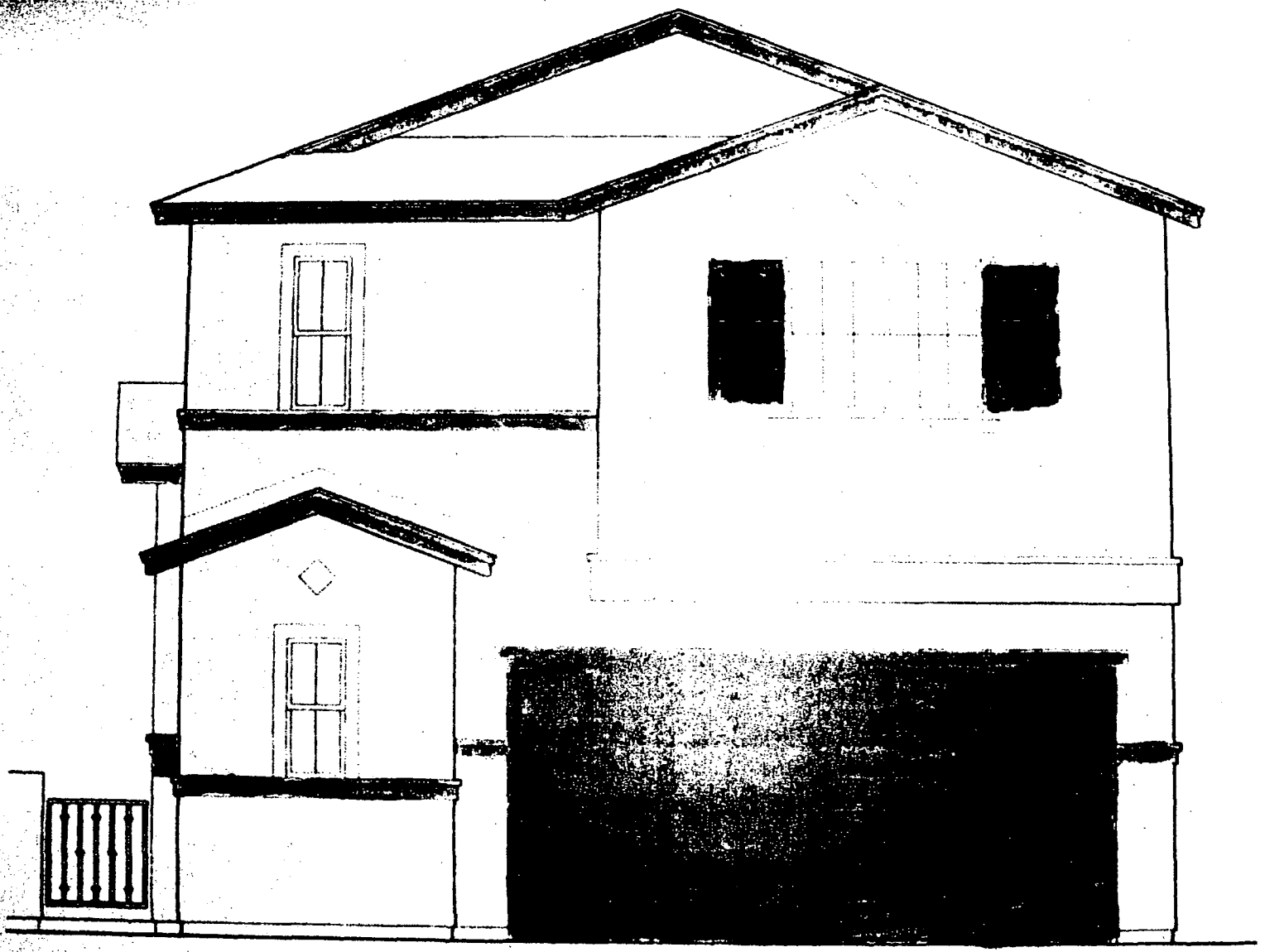
SDR-5807
01/27/05 PC



Plan: 1657 - Elevation "A"

SDR-5807
01/27/05 PC

The Cherry Lane Collection



Plan: 1807 - Elevation "A"

SDR-5807
01/27/05 PC

The Cherry Lane Collection



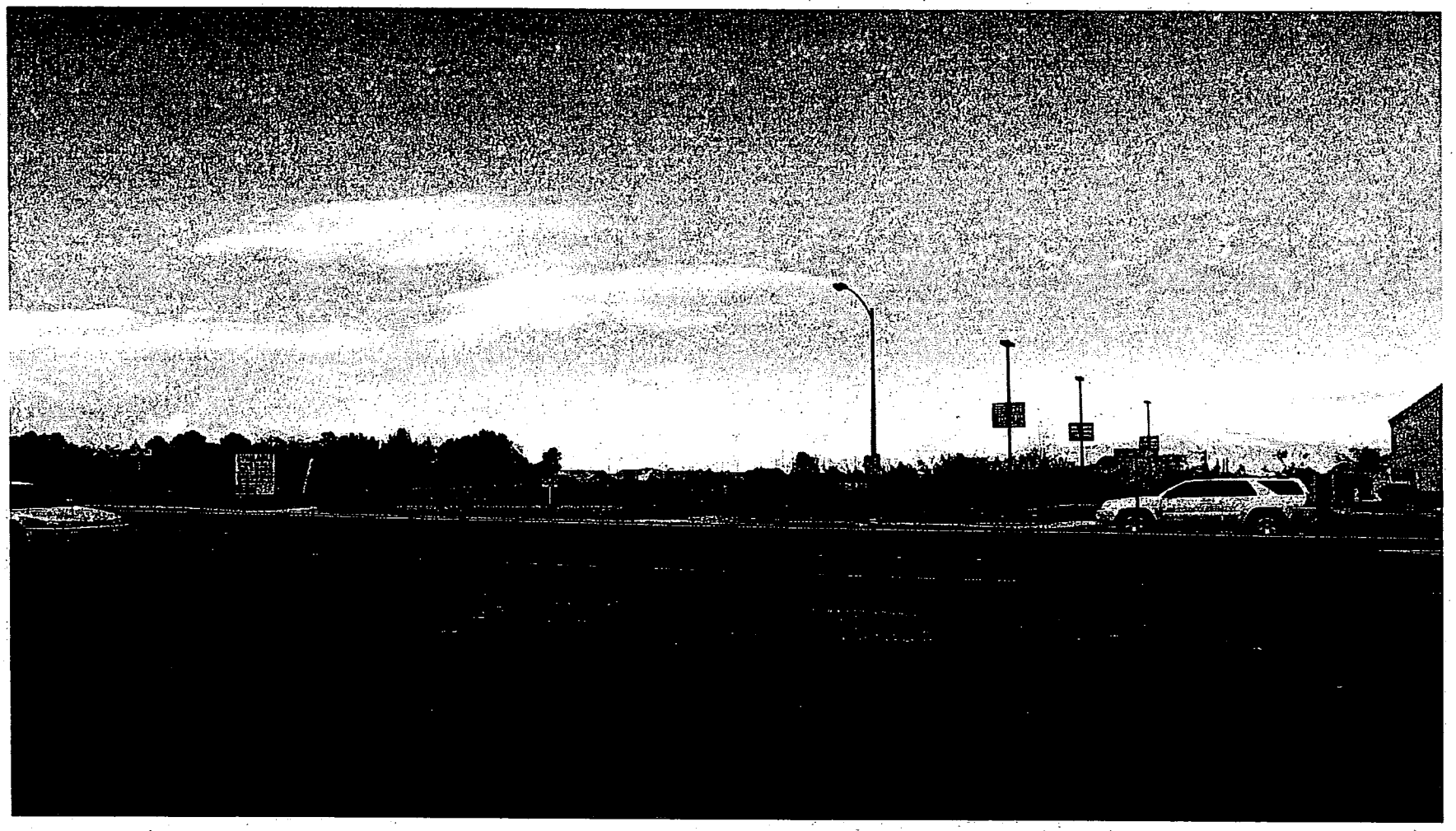
Plan: 1807 - Elevation "B"

SDR-5807
01/27/05 PC



ZON-5809, VAR-5810 & SDR-5807 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC
NORTH SIDE OF ANN ROAD, APPROXIMATELY 290 FEET WEST OF RAINBOW BOULEVARD
FEBRUARY 24, 2005 PLANNING COMMISSION

1/6/05



ZON-5809, VAR-5810 & SDR-5807 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC
NORTH SIDE OF ANN ROAD, APPROXIMATELY 290 FEET WEST OF RAINBOW BOULEVARD
FEBRUARY 24, 2005 PLANNING COMMISSION

1/6/05

LAS VEGAS
r S CONSULTING, INC.
NEVADA
STRATEGIC PLANNING SOLUTIONS

March 7, 2005 ***"REVISED" #2***

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

Attention: Gary Leobold, Planning Supervisor

Reference: **Ann-Rainbow SDR, GPA, Rezoning and Variance**
APN #125-27-803-008

On behalf of Richmond American Homes we respectfully request your consideration of the attached General Plan Amendment, Rezoning, Site Development Plan Review and Variance applications.

Location: The proposed 6.86 acre± site is located directly behind the existing Walgreens on the northwest corner of Ann Road and Rainbow Boulevard.

Request: At this time, Richmond American Homes is requesting the consideration of a General Plan Amendment, Site Development Plan Review and Rezoning to ***R-PD8*** with an open space Variance for a ***58*** unit single family detached residential development on 6.86 acres± (125-27-803-008) with a proposed density of ***8.45 ±*** dwelling units per acre (DUA). Additionally, we are currently in the process of an annexation (ANX-5586-04) for the above referenced property into the City of Las Vegas from Clark County that is scheduled to be heard by the Planning Commission on December 16, 2004.

Background/Justification: The parcel in question is currently under resolution of intent within Clark County to C-1. This parcel with the current surrounding land uses and proposed adjacent projects will become an in-fill parcel for residential as this area is not compatible for commercial with the surrounding existing land uses. The property is currently vacant and zoned C-1 with a land use designation of Rural Density Residential (Clark County) of up to 3.59 du/ac. The adjacent properties are zoned and the current land uses are; north, the western most property is zoned Undeveloped (U) and master planned Rural (R)(CLV) and the eastern property is zoned R-E and master planned Rural Density Residential (RDR)(CC), south is an existing higher density residential project that is currently zoned R-CL and master planned ML, to the west is zoned Office (O) and master planned Office (O) in both Clark County and the City, to the east is existing single family residential that is zoned R-E and master planned Rural Estates. In the past 5 + years, there has been a significant change in population in the Las Vegas Valley. As the population in the Las Vegas-area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas and even some Industrial properties. We especially believe that there is a need to develop affordable housing on what has the potential to be an *in-fill* parcel and is not compatible for commercial with the surrounding community. Developing this site as such allows less burdens on getting infrastructure to these properties but due to the nature of the *in-fill* property, we find it necessary to request minor deviations to the cities code requirements in order to develop the property making it a positive for the developer, the City of Las Vegas and the surrounding community.

ZON-5809
VAR-5810
SDR-5807

RECEIVED
MAR - 7 2005

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

LAS VEGAS
r S CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
NEVADA

Development Standards: All interior streets will be 37' privately maintained rights of way. It is also necessary that with these applications, we request a *Deviation of Standard* for a reduced cul-de-sac radius. The reduced radii is due to the relatively small parcel size and by using the larger standard bulb (typically provided on a public street) where provided this may necessitate a variance request for setbacks as the intrusion of a standard cul-de-sac bulb on the smaller lot sizes reduces the lot depth in that area. ***The requested deviation of standard was approved on 2/22/05 by CLV Public Works for reduced cul-de-sac radii (32.5' for 3 cul-de-sac's) and one modified knuckle as shown on the submitted Tentative Map (TMP-6214).*** The product intended for this proposed site will be single family detached residences, and range in size from 1,327 s.f. to 1,803 s.f.

The following minimum setbacks are being requested:	Front – 18'(Garage), Front – 10'(Living), Rear – 10', Side/Corner side – 3.5'
Cul-de-sac's – due to Deviation of Standards request The following minimum setbacks are being requested:	Front – 6'(Garage), Front – 6'(Living), Rear – 9', Side/Corner side – 3.5'
Open Space requirements are as follows:	OS Required: .95 acres± (41,382 s.f.±) OS Provided: ***.64 acres± (28,189 s.f.±)***

At this time we are requesting a variance of the required open space. Our re-designed plan provides for 68% of the required open space, and our request is for a ***32%*** reduction in open space requirements, which is greater than the original requested 53% reduction of open space. The open space amenities within the proposed residential subdivision have changed during the planning process from the original concept due in part from neighborhood concerns and a re-design of the proposed subdivision. It is still our concern with the recent developments within the Las Vegas Valley and our current water situation that we become proactive, and it is with our best intentions to continue to provide open space amenities for our residents but also be concerned with the future of Southern Nevada and review the quality of open space we are providing for our residents.

We believe that this product on this parcel will provide a good transition buffer from the existing residential community and the existing commercial development planned for this area and will be an enhancement to the community. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Skuse
President

Cc: Richmond American Homes, Manny Pattni

RECEIVED
MAR - 7 2005

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

City of Las Vegas

Agenda Item No. 148

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

MINUTES:

DB 717 West Washington Avenue, DB 412 Alexander Avenue, DB 512 Jackson Avenue, SUP-6067, SUP-6099, SUP-6143, RQR-5683, RQR-6003, RQR-6122, VAR-6098, VAR-6230, VAC-6095, VAC-6101 and VAC-6106 - Agenda 4/20/2005

City of Las Vegas

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 6, 2005

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

DOROTHY BARNES, Las Vegas resident, brought to the City Council's attention her concerns about child abuse. She is fighting for her children and grandchildren's rights to have people not endanger their lives.
(7:09 - 7:12)
7-2569

TOM McGOWAN, Las Vegas resident, submitted his written comments for the record.
(7:12 - 7:15)
7-2725

STEVEN "CAPTAIN TRUTH" DEMPSEY presented information about STEVE MILLER'S newspaper articles. He also indicated that the media does not write enough about illegal immigration issues.
(7:15 - 7:18)
7-2827

ADJOURNED AT 7:18 P.M.

TM / Las Cncl. Mtg: [1P + Wed. 6 April, '06 (Cncl. Chmb) (cit: Mtg 06)

. CitB. Partic.

..< (2 mins) >..

• Tom McGowan. Las Vegas Resident.

For Your Edification:-

(1.) A 'Vertical' city devoid of retired seniors and families with children and grandchildren is not a 'Community'. 'Communities' are about People, not towering high-rise structural 'enclaves'.

(2.) A master-planned diverse array of world class food, beverage and entertainment venues is categorically imperative to the ensured success of both a Downtown Entertainment Overlay District and an Arts District in the City of Las Vegas. My proposals for each and both of those developments are available, ~ if you're interested.

(3.) In today's afternoon session, approximately Fifty (50%) per cent of the recommendations made by the Planning Commission and the Planning Dept. staff, respectively, are diametrically counterpoised. ~ Maybe they don't use the same 'Guidance Manual', or serve the same City. But, don't worry. This has been another in your continuing series of meetings in violation of Constitutional and Statutory Law; and all actions taken during an unlawful meeting are null, void and non-binding on all persons.

(4.) Here's a hypothetical quote from a 'Walter Winchell' column, directed to: 'Mr. and Mrs. North and South America, and all the ships at sea":-
~ "Don't invite the 'World's Happiest Mayor' and the 'World's Happiest

(TM, cont'd)

POLITICAL PUNDIT TO BE MAROONED ON THE SAME DESERT ISLAND, BECAUSE: ~ THERE MAY NOT BE ENOUGH GIN TO GO AROUND! --

3. THEN, THERE'S THE ONE ABOUT THE DYSLEXIC TRAFFIC COP, WHO GAVE OUT 'I.U.D.'s ALL DAY LONG.

FINALLY, ~ FOR THE BENEFIT OF THOSE WHO ARE NOT CONVERSANT WITH THE FIELD of MUSIC:-

4. THE KEY PHRASE IN THE TONY BENNETT-RECORDED SONG ENTITLED:-
   - "THE BEST IS YET TO COME", -- IS: ~
   - "-- COMES THE DAY YOU'RE MINE!", ~

~ WHICH LIMITS THE PRUDENCE AND ADVISABILITY of its USAGE AS A MAYORAL RE-ELECTION CAMPAIGN THEMESONG IN THE City of LAS VEGAS, NEVADA!

5. THANK YOU.

- THE WRITTEN TEXT of MY PUBLIC COMMENT is SUBMITTED AND REQUESTED INCLUSION IN THE MINUTES of TODAY'S MEETING, IN COMPLIANCE WITH NRS 241., THE NEVADA OPEN MEETING LAW.

(END of AFTERNOON SESSION).

Committee on City Council
4/6/05 Item Citizen Participation