

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 6, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SITE DEVELOPMENT PLAN REVIEW**

SDR-6017 - PUBLIC HEARING - APPLICANT: SKY RISE DEVELOPMENT GROUP, INC - OWNER: EDWARD B. FRANKEL FAMILY TRUST - Request for a Site Development Plan Review FOR THE CONVERSION OF A 504-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 24.76 acres at 2200 South Fort Apache Road (APN 163-05-315-045 and 163-05-410-001), R-PD18 (Residential Planned Development - 18 Units per Acre), Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

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

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted at City Council - Letter from Singer & Brown regarding additional conditions
6. Submitted at City Council - Support Letter from Attorney Gruchow on behalf of Canyon Gate Master Association

MOTION:

TARKANIAN - APPROVED subject to conditions and amending Condition 3 as follows:

3. All development shall be in conformance with the site plan and building elevations date stamped 01/25/05 and landscaping plan date stamped 03/10/05 and that the total amount of trees as required by Code shall be provided and shown in the landscape plan as approved by the Planning and Development Department.

- UNANIMOUS with GOODMAN abstaining because he has a business relationship with ATTORNEY BROWN

MINUTES:

MAYOR GOODMAN opened the Public Hearing and declared his abstention.

ATTORNEY JAY BROWN, 520 South 4th Street, appeared on behalf of the applicant together with DAVE TURNER, Consulting Engineers, Baughman & Turner, Inc., 1210 Hinson Street, and MIKE HILL, Aztech Engineering, 3320 N. Buffalo Drive. ATTORNEY BROWN submitted a list of improvements the applicant is prepared to do. He outlined four items that the Canyon Gate Homeowners Association requested he put on the record. First, the association wanted to ensure that an eight-foot block wall would be installed separating their condominiums from the proposed project. Secondly, that adequate plant shrubbery would be provided on the side of the proposed project to ensure

CITY COUNCIL MEETING OF: APRIL 6, 2005**MINUTES - Continued:**

that no one would climb over the wall into their properties. Thirdly, they asked that subdued lighting be provided to ensure that their property was not disturbed, and finally, that the rock displays be removed. ATTORNEY BROWN submitted a support letter from Canyon Gate Homeowners Association's attorney.

In conclusion, ATTORNEY BROWN assured the City Council that every effort will be made to ensure mortgage payments are similar to what the current apartment dwellers are paying for their particular apartment. In addition, mortgage financing will be available to the tenants and the applicant is hopeful that only a minimal deposit would be required, depending on their credit. The current tenants will have a first right of refusal for their particular apartment. MAYOR PRO TEM REESE discussed with ATTORNEY BROWN that the applicant would make the decision, as far as what repairs need to be made to kitchens, which appliances remain and which will be replaced.

ATTORNEY BROWN indicated that a landscaping plan was submitted. COUNCILWOMAN TARKANIAN verified with MARGO WHEELER, Director, Planning and Development Department, that the landscaping is adequate and it meets the Code. MR. HILL added that staff requested a landscape plan, which was submitted to staff prior to the March 10, 2005 Planning Commission meeting. They have performed a field count of the existing trees and they are in excess of what is required. MS. WHEELER indicated that those plans were not reflected in the reports. She recommended that a condition be added that the total number of trees to meet code shall be provided on site subject to the landscape plan to be submitted to the Planning and Development Department. The condition will allow staff to verify that the plan complies with all requirements. MR. HILL agreed with the condition.

COUNCILWOMAN TARKANIAN was pleased that the applicant is making the effort to give the tenants every possible means by which they can purchase the units themselves.

TOM McGOWAN, Las Vegas resident, appeared in support of the project.

HANK BOB, Canyon Lake resident, appeared in support and asked to see a copy of the improvement list submitted by ATTORNEY BROWN. He also asked if the right of first refusal pertains only to the individual's apartment or if it can be applied to a larger apartment. ATTORNEY BROWN responded that it is for the individual's apartment; however, he does not see any reason why someone could not request a larger apartment.

TOM WENWORTH has lived in Canyon Lake for four years and supports the conversion. Currently, his rental payment is over \$10,000 a year. With a reasonable down payment the monthly mortgage payments would be approximately less than what he is paying now for rent. He believes the conversion will result in better security within the complex, a much stronger sense of community and all the intangibles that come with a private ownership.

MS. WHEELER clarified that Condition 3 would be amended to read that the development shall be in conformance with the site plan and building elevations date stamped 01/25/05 and the landscaping plan dated 03/10/2005, and that the total number of trees as required by Code shall be provided and shown in the landscape plan as approved by the Planning and Development Department. She confirmed with

CITY COUNCIL MEETING OF: APRIL 6, 2005**MINUTES - Continued:**

DEPUTY CITY ATTORNEY BRYAN SCOTT that the 13 conditions outlined by ATTORNEY BROWN were made part of the record, but would not be added as conditions as they were privately agreed to with the residents and the applicant.

COUNCILMAN WOLFSON commented that the City Council is seeing more condominium conversions. One of the concerns of the Clark County Growth Task Force report is affordable housing. He directed City staff and or the City Attorney's Office to work with Planning for a comprehensive examination of the current City Ordinances, as well as Nevada Revised Statutes, concerning what laws are required to be followed by the applicants, as far as notice and how much notice should be given. If the tenant is given a first right of refusal how much time are they given to decide? He has no doubt that those applicants that have come before the City Council are operating in good faith, but as these conversions continue to come forward, the City Council needs to be consistent with efforts to provide affordable housing. MAYOR GOODMAN agreed because it is something new and it needs to be done soon. DEPUTY CITY MANAGER BETSY FRETWELL replied that a joint City Council and Planning Commission meeting is scheduled at the end of July for a comprehensive discussion about affordable housing. One of the issues anticipated is the discussion of condo conversions. She recommended that briefing reports be provided to the Council prior to that time to give the Council a synopsis of what is currently in place, including Coe and new revised statutes, as well as potential recommendations for the Council's consideration at that July meeting.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:06 - 4:23)

5-2286

CONDITIONS:**Planning and Development**

1. A revised landscape plan will need to be submitted showing compliance with Urban Design Guidelines & Standards for perimeter landscaping for a multi-family development with one 24 inch box tree/every thirty feet on center with four 5-gallons shrubs per tree prior to approval of TMP-6089.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted [by the City Council].
3. All development shall be in conformance with the site plan and building elevations date stamped 01/25/05, except as amended by conditions herein.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
5. 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.

CITY COUNCIL MEETING OF: APRIL 6, 2005**CONDITIONS - Continued:**

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

7. 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.

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

Public Works

9. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to recordation of a map for this site.

10. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

11. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

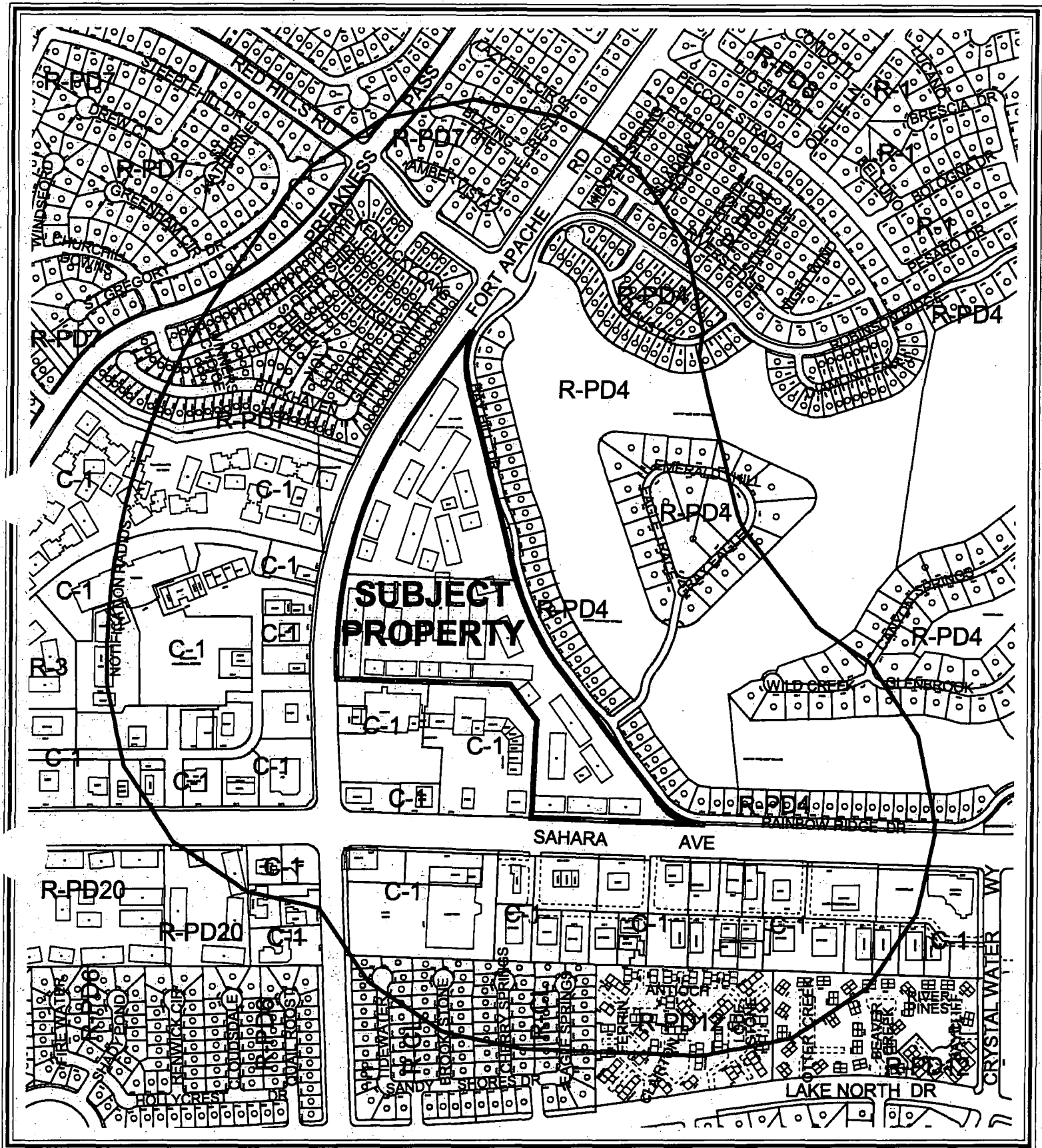
12. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map Mylar submittal.

13. An update to the previously approved Drainage Plan and Technical Drainage Study must be

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.



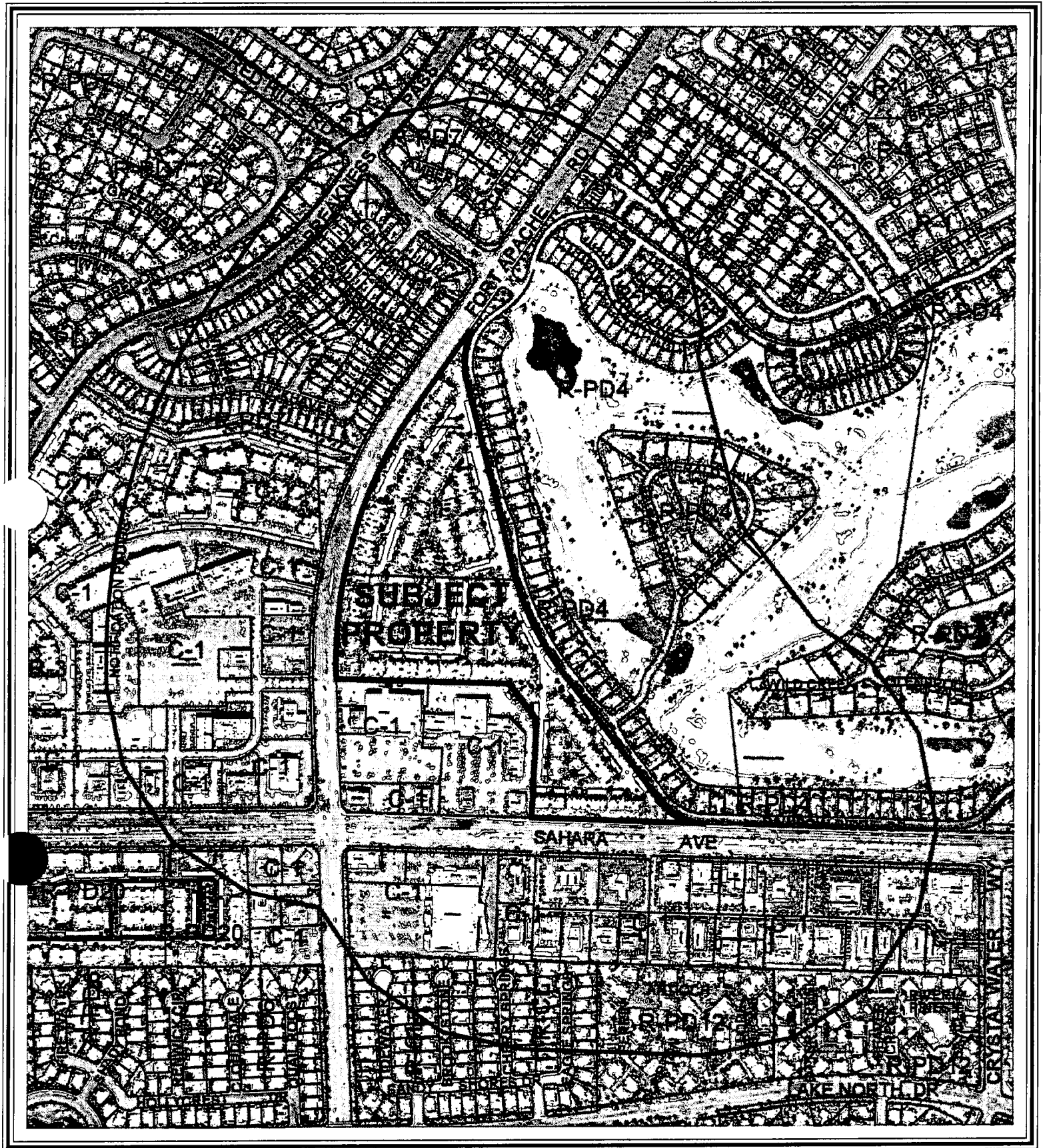
CASE: SDR-6017

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD18 (RESIDENTIAL PLANNED DEVELOPMENT - 18 UNITS PER ACRE)

101



CASE: SDR-6017

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD18 (RESIDENTIAL PLANNED DEVELOPMENT - 18 UNITS PER ACRE)

0 600 1200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6017 - APPLICANT: SKY RISE DEVELOPMENT GROUP, INC - OWNER: EDWARD B. FRANKEL FAMILY TRUST

**** CONDITIONS ****

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

Planning and Development

1. A revised landscape plan will need to be submitted showing compliance with Urban Design Guidelines & Standards for perimeter landscaping for a multi-family development with one 24 inch box tree/every thirty feet on center with four 5-gallons shrubs per tree prior to approval of TMP-6089.
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6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. 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.

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

Public Works

9. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to recordation of a map for this site.
10. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
11. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
12. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map Mylar submittal.
13. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for the conversion of a 504-unit apartment project to a condominium development on 24.76 acres at 2200 South Fort Apache Road.

B) Applicant's Justification

The applicant has justified this project by stating the conversion of the apartments to condominiums will provide affordable housing for the community. This application will not have a negative effect on either the environment or the general public. The applicant has stated that the site is compliant with the City of Las Vegas landscaping standards. The applicant has also stated the original plot plan review (Z-79-88) complied with the minimum on-site parking requirements for a multi-family development. Since the project was built, on-site parking requirements have increased. Currently the code requires 922 spaces and parking provided is 834 spaces. Other condominium conversion projects with similar parking situations have recently been approved.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|--|
| 09/30/88 | The City Council approved a request to Rezone (Z-0079-88) property generally located on the north side of Sahara Avenue and on the east side of Fort Apache Road from N-U (Non-Urban) to R-PD18 (Residential Planned Development – 18 units per acre) and C-1 (Limited Commercial). The Planning Commission and staff both recommended approval. |
| 12/01/89 | The Planning Commission approved the request for a Plot Plan Review (Z-0079-88) for an apartment complex on 24 acres. |
| 01/31/89 | The Board of Zoning Adjustment approved the request for a Variance (V-153-88) to allow an eight-foot (8') high block wall where six feet (6') is the maximum allowed, on the property located east of Fort Apache Road and north of Sahara Avenue. |
| 03/10/05 | The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #40/da). |

B) Pre-Application Meeting

01/07/05 A pre-application meeting was held where the following items were discussed:

1. The applicant will be required to submit photos showing the existing landscaping on-site.
2. The applicant will also be required to submit photos of the exterior elevations of the buildings.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 24.76 acres

B) Existing Land Use

Subject Property: Apartments
North: Single Family Residential
South: Commercial
East: Single Family Residential
West: Commercial and Single Family Residential

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-PD18 (Residential Planned Development – 18 Unit per acre)
North: R-PD4 (Residential Planned Development – 4 Units per acre)
South: C-1 (Limited Commercial)
East: R-PD4 (Residential Planned Development – 4 Units per acre)
West: C-1 (Limited Commercial) and R-PD7 (Residential Planned Development – 7 Units per acre)

E) General Plan Compliance

a. Southwest General Plan

The subject property is located within the Southwest sector of the General Plan with a M (Medium Density Residential) land use designation. The existing R-PD18 (Residential Planned Development – 18 Unit per acre) zone district is in compliance with the General Plan.

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

PROJECT DESCRIPTION

This request is for a Site Development Plan Review for the conversion of a 504-unit apartment development to condominiums. The Planning Commission approved the original Plot Plan review back on Dec. 1, 1989. The site is made up of 34 buildings, 2 fitness areas and 2 pools. The site is adjacent to residential on the north and the east and adjacent to commercial on the south. The site does have access into and out of the development from Sahara Avenue and Fort Apache Road. The main entrance to the site is from Fort Apache where the main leasing office is found. Along the north and east property lines of the subject site a variance was granted to install an eight-foot tall fence to help screen the property from the neighboring residential and commercial developments.

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	6,500 Feet	24.76 Acres	Y
Min. Lot Width	N/A	1273 Feet	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories	Y

The subject site does substantially comply with the original plot plan review (Z-0079-88), which set the development standards for this project.

A3) Parking and Traffic Standards

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

Uses	Units	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Multi-family and Condominium Developments	504	**	922	N/A	834	6

The proposed conversion of this apartment complex to a condominium development will utilize the same parking requirements as is outlined in Title 19. The subject site currently has 834 existing parking stalls where 922 stalls are required and thus this site will be deemed "parking impaired". The development is short 88 parking stalls and thus is recommendation of staff that this conversion be denied based on the deficiency in parking. They are 9.5% underparked

** The existing development is composed of one, two, and three bedroom units. The parking standards for such development are as follows:

Multi-family and Condominium Developments	Required
Studio and one bedroom	One and one-quarter spaces per unit, plus one guest space for every six units.
Two bedrooms	One and three-quarter spaces per unit, plus one guest space for every six units.
Three bedrooms and above	Two spaces per unit, plus one guest space for every six units.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/6 Spaces	79 Trees	None
Buffer:			
• Min. Trees	1 Trees/30 Linear Feet	98 Trees	98 Trees
• Min. Zone Width	15 Feet in the front 6 Feet in the when adjacent to commercial or residentially zoned property		15 Feet 10 Feet
• Wall height	8 Feet		8 Feet

The subject site does have landscaping around the perimeter of the project adjacent to the residentially zoned property on the north and east. Landscaping is also installed along the property that is adjacent to the commercially zoned property on the northeast corner of Fort Apache Road and Sahara Avenue. The landscape plan that was submitted does not accurately reflect what is currently planted on site. In part, they have provided the necessary buffer landscape trees count, but the location of the trees are uncertain. It is the recommendation of staff that a new landscape plan be submitted prior to the approval of the tentative map that shows the subject site in substantial compliance with today's landscaping requirements

- **R-PD ONLY**

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

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
24.76 acres	18	1.65	29.7 %	320,328 SF	31.3%	337,590 SF

The subject property does comply with the Title 19.06 standards for the required open space. The applicant is required to supply approximately 7.4 acres of open space and currently the landscape plan shows they have 7.75 acres of open space that is useable space for the community.

B) General Analysis and Discussion

- **Zoning**

The current zoning on the property is R-PD18 (Residential Planned Development – 18 units per acre), which is compliant with the Land Use designation of M (Medium Density Residential) for the property. The overall density for the site conforms to the original zoning case (Z-0079-88).

- **Site Plan**

The site plan depicts 34 buildings that are accessed from an internal street system that is accessed by two entry gates from Sahara Avenue and Fort Apache Road. The site is in the same condition as was approved by the Plot Plan Review (Z-0079-88) with the same amount of units, buildings and amenities.

- Landscape Plan

The submitted landscape plan does not comply with standards outlined in Title 19 or the Urban Design Guidelines and Standards. The supplied photos do show a mature landscaping on the interior of the project, but the perimeter landscaping does not appear to meet the 1 tree every 30 feet on center with four five-gallon shrubs per tree standard. The perimeter landscaping will need to be enhanced to come into conformance with City Code.

- Elevation

The elevations show a 2-story product with a stucco exterior and tile roofs. This design and material type was approved with the original site plan (Z-0079-88). These elevations will be visually compatible with the surrounding residential and commercial developments.

FINDINGS

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

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

This proposed conversion to condominiums will not effect the surrounding properties in any way and the site will continue to act as a buffer to the single family residents to the east of the subject site from traffic and the commercial uses along Fort Apache Road and Sahara Avenue.

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 condominium development currently exceeds the allowed 18 units per acre zoning that was approved on the site. The site currently does not comply with the minimum open space requirement per the R-PD standards within Title 19 and also does not meet the minimum landscape standards for the perimeter buffer area. Lastly the site does not comply with the required parking standards for a multi-family development. These deficiencies are the reason for the recommendation for denial on this proposal.

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

This site has access to and from Fort Apache Road and Sahara Avenue. Fort Apache is considered a Primary Arterial (100') by the Master Plan of Streets and Highways, as well as Sahara Avenue. These roads will provide sufficient access to the site and will not have an adverse effect on traffic flow within the development or to surrounding properties.

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

The existing colors and materials of the buildings are appropriate for the area and will not detract from the surrounding properties. The interior landscaping in the parking areas appear to be sufficient to meet the requirements of the City Code. The perimeter landscaping will need to be enhanced to help screen the property from the adjoining roads, residential and commercial developments.

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 design is harmonious with surrounding developments.

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

The development will be subject to all codes, ordinances, and standards that will secure the health, safety, and general welfare of the public.

PLANNING COMMISSION ACTION

There was one speaker in support at the Planning Commission hearing.

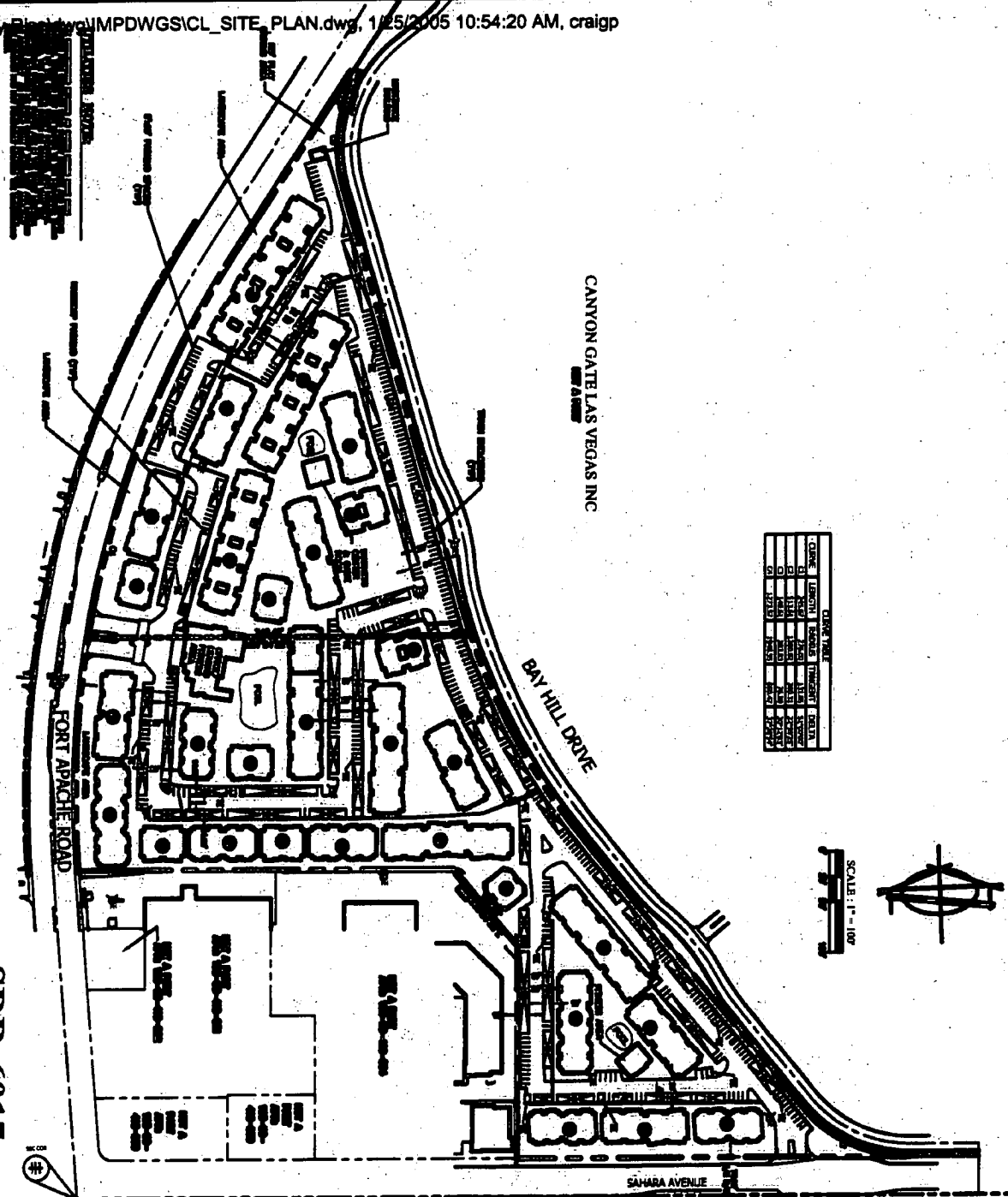
NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

NOTICES MAILED 636 by Planning Department

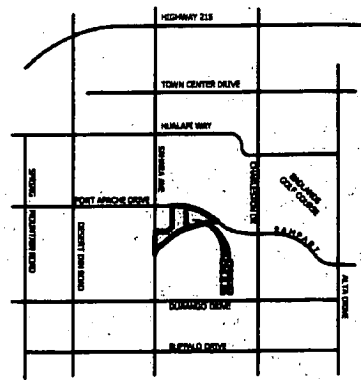
APPROVALS 1

PROTESTS 0



SDR-6017
03-10-05 PC

CLONE	LESSON	REASON	THREAT	DEATH
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SDR-6017 - APPLICANT: SKY RISE DEVELOPMENT GROUP, INC - OWNER: EDWARD B. FRANKEL
FAMILY TRUST
2200 SOUTH FORT APACHE ROAD
MARCH 10, 2005 PLANNING COMMISSION

02/22/05



SDR-6017 - APPLICANT: SKY RISE DEVELOPMENT GROUP, INC - OWNER: EDWARD B. FRANKEL
FAMILY TRUST
2200 SOUTH FORT APACHE ROAD
MARCH 10, 2005 PLANNING COMMISSION

02/22/05

Baughman & Turner, Inc.

Consulting Engineers & Land Surveyors

1210 HINSON ST.
LAS VEGAS, NEVADA 89102-1604

PHONE (702) 870-8771
FAX (702) 878-2695

January 25, 2005

C L V Planning & Development Department

731 S. Fourth Street
Las Vegas, NV 89101

Re: APN-163-05-315-045 & 163-05-410-001/Canyon Lake at the Lakes

To Whom It May Concern:

Please let this letter serve as justification for a site development plan review for a condominium conversion. The project called "Canyon Lake at the Lakes" consists of 30 apartment buildings (504 units) along with several incidental buildings (office/leasing, recreation etc.) on 24.76 acres located on Sahara Avenue at Fort Apache Road. The apartments will be converted to condominiums through the subdivision process. The need for affordable ownership housing has made this request feasible.

The buildings were built in 1991 and have a tan stucco finish with terracotta clay tile roofs. The current zoning and general plans are consistent with the proposed development. The original Plot Plan Review Z-79-88 complied with minimum on-site parking requirements for a multi-family development (846 where 620 were required). Since the project was built, on-site parking requirements have increased. Currently the code requires 922 spaces and parking provided is 834 spaces. Other condominium conversion projects with similar parking situations have recently been approved. Landscaping complies with CLV standards. The approval of this application will not have a negative effect on either the environment or general public. Should you have any questions, please do not hesitate to call.

Sincerely,
Baughman & Turner, Inc.



David S. Turner
President
DST/hc

SDR-6017

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

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

March 15, 2005

Mr. Doug Rankin
Planning Supervisor
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89101

Re: SDR-6017 – SITE DEVELOPMENT PLAN REVIEW-PUBLIC HEARING-
APPLICANT: SKY RISE DEVELOPMENT GROUP, INC.-OWNER: EDWARD
B. FRANKEL FAMILY TRUST – Request for a Site Development Plan Review
FOR THE CONVERSION OF A 504-UNIT APARTMENT PROJECT TO A
CONDOMINIUM DEVELOPMENT on 24.76 acres at 2200 South Fort Apache
Road (APN 163-05-315-045 and 163-05-410-001).

Dear Doug:

As I am sure you will recall, I represented the applicant in the above entitled matter at the March 10, 2005 City of Las Vegas Planning Commission meeting.

The purpose of this letter is to confirm that on behalf of the applicant I represented to the Planning Commission that if it approved this application, the applicant would agree to the following:

1. Replace the entrance gates.
2. Repaint the exterior of the building.
3. Resurface the parking area.
4. Upgrade and add additional site lighting.
5. Upgrade and approve the business center.
6. Upgrade the playground.

Submitted at City Council

Date 4/6/05 Item 101

Mr. Doug Rankin

March 15, 2005

Page 2

7. Build a game room for children.
8. Upgrade the landscaping.
9. Paint the units.
10. Make kitchen cabinet replacements where necessary.
11. Provide new appliances where necessary.
12. Improve the pool.
13. Provide adequate reserves.

I promised the Planning Commission that I would provide this letter to your office and that it be made a part of the record.

If you need any additional information or require further clarification, please contact me at your earliest convenience.

Very truly yours,

Jay H. Brown

JHB:cc

cc: Yizhak Toledano

JOHN E. LACI
GREGORY J. WALCH
NICOLAS J. SANTORO
MICHAEL E. KEARNEY
J. DOUGLAS DRIGGS, JR.
RICHARD F. HOLLEY
DAVID G. JOHNSON
RONALD J. THOMPSON
JAMES F. WHITHIRE, III
STEVEN A. GIBSON
DANIEL L. SCHWARTZ
VICTORIA L. NELSON
DEAN S. BENNETT

**SANTORO, DRIGGS, WALCH,
KEARNEY, JOHNSON & THOMPSON**

ATTORNEYS
400 SOUTH FOURTH STREET, THIRD FLOOR
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JENNIFER K. CHART
BYRON E. THOMAS
JENNIFER L. HANDING
RILEY WEST
MICHAEL F. LYNCH
RYAN T. SCHULTZ
R. MICHAEL BLAKLEY
STELLA B. DORMAN
TRACY A. GALLEGOS

OF COUNSEL:
ANTHONY A. ZHAILA
CHARLES L. TITUS

JAVIER A. ARQUELLO
LEE E. DAVIS
SEAN L. ANDERSON
JAMES D. BOYLE
BRETT D. EKINS

April 5, 2005

Via Facsimile: (702) 382-8558

Lois Tarkanian
City Councilwoman
400 Stewart Avenue
Las Vegas, NV 89101

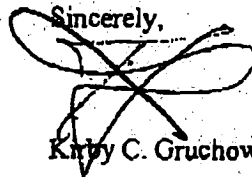
Re: Canyon Lakes Apartments Condominium Conversion

Dear Ms. Tarkanian:

Canyon Gate Master Association (the "Association") wishes to advise Councilwoman Tarkanian that it is in full support of SDR6017, which is Sky Rise Development Group, Inc.'s request for a site development plan review for the conversion of a 504-unit apartment project to a condominium development on 24.76 acres at 2200 South Fl. Apache Road. Sky Rise has met with the Association and addressed all of the Association's concerns as set forth in the attached correspondence. Accordingly, the Association supports the condominium conversion.

Should you have any questions, please do not hesitate to call me.

Sincerely,



Kirby C. Gruchow, Jr., Esq.

KCG:as
Enclosures

cc: Richard Probst, PCAM - Association Manager
Richard Ziskind, President
Jay Brown, Esq.
Patrick J. Sheehan, Esq.

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-6025 - PUBLIC HEARING - APPLICANT/OWNER: DECATUR CONCORD LLC - Request for a Site Development Plan Review FOR A 4,987 SQUARE-FOOT COMMERCIAL BUILDING AND A WAIVER TO ALLOW A 15-FOOT FRONT SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED AND WAIVERS OF FOUNDATION, BUFFER AND PARKING LOT LANDSCAPING STANDARDS on 0.83 acres adjacent to the northeast corner of Decatur Boulevard and Concord Village Drive (APN 139-19-301-007), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Letter request to table from the Applicant

MOTION:

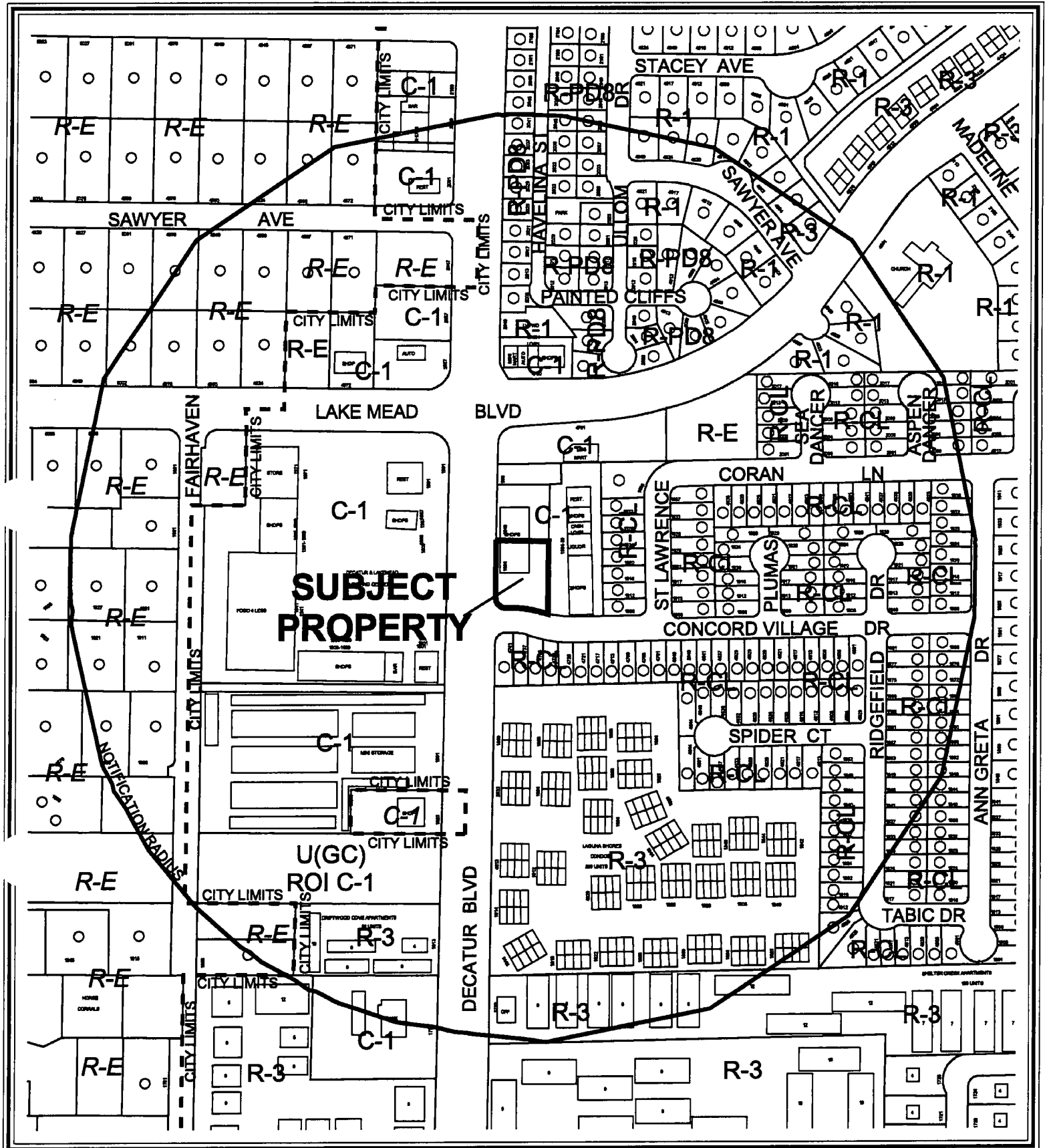
REESE - Motion to STRIKE Item 88 [2740 Harris Avenue] and Item 94 [DIR-6223]; TABLE Item 102 [SDR-6025] and HOLD IN ABEYANCE Item 140 [ZON-5776], Item 141 [VAR-5846] and Item 142 [SDR-5778] to 5/4/2005 - UNANIMOUS

MINUTES:

There was no discussion.

(1:36 - 1:50)

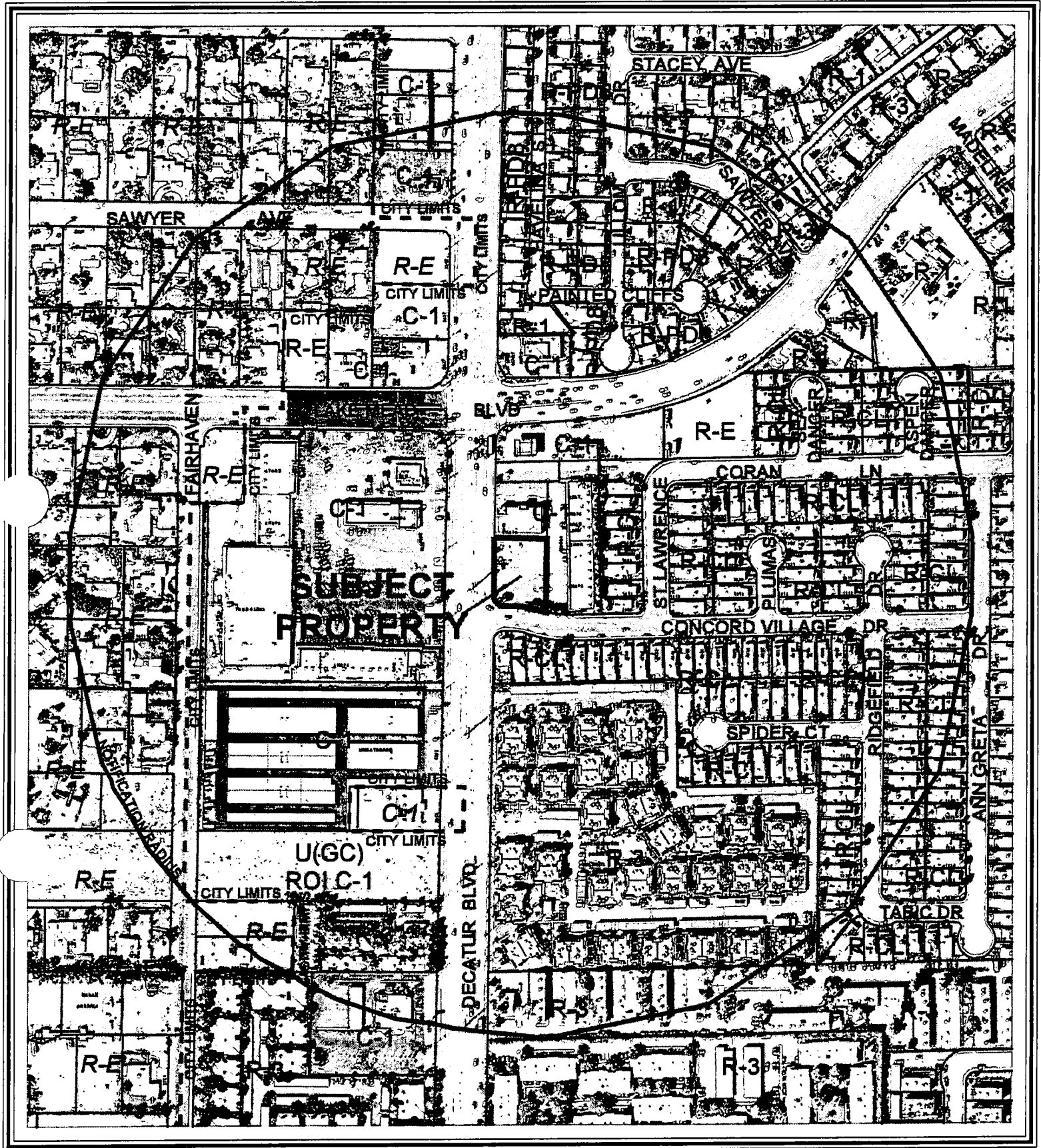
4-1



CASE: SDR-6025

RADIUS: 1000 FT

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



CASE: SDR-6025

RADIUS: 1000 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-6025 - APPLICANT/OWNER: DECATUR CONCORD LLC

**** CONDITIONS ****

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

Planning and Development

1. The south elevation of the building shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation. The buildings shall carry the same level of detail around all sides of a building providing for a more consistent design and higher quality of development.
2. The trash enclosure shall be fully enclosed and roofed using the same design theme and materials similar to those used in the main structures. The trash enclosures shall be relocated pursuant to Title 19.08.
3. A cross access agreement between adjacent parcels shall be recorded and submitted to the Planning Department, prior to issuance of building permits.
4. All parking space dimensions shall conform to Title 19.10 Parking, Loading, and Traffic Standards.
5. All development shall be in conformance with the site plan and building elevations, date stamped 03/09/05 except as amended by conditions herein.
6. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
7. All City Code requirements and design standards of all City departments must be satisfied.
8. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
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 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

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

Public Works

19. 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.
20. Construct the full-width of the proposed driveway accessing Decatur Boulevard and appropriate on-site paving to provide for two-way vehicular traffic concurrent with development of this site. The proposed driveway shall be designed, located and constructed in accordance with Standard Drawing #222A.

21. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north and east prior to the issuance of any permits.
22. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.
23. This lot must legally connect to public sewer in Concord Village Drive, unless proper documentation is provided allowing on-site common sewers.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and Waivers of front setback, foundation, buffer, and parking lot landscaping standards on 0.83 acres adjacent to the northeast corner of Decatur Boulevard and Concord Village Drive.

B) Applicant's Justification

The applicant indicates that the development is similar and fits well with what presently exists at this intersection.

BACKGROUND INFORMATION

A) Related Actions

- 04/18/84 The City Council approved a Rezoning (Z-0014-84) on the site from R-E (Residence Estates) to C-1 (Limited Commercial).
- 03/18/87 The City Council approved a Plot Plan review of the subject site.
- 12/17/87 The City council approved a SP-0002-87, a Shared parking agreement between the property owners of the commercial parcels around, and including, and the subject site. The agreement pertains to the commercial development that is located between Lake Mead Boulevard to the north, Decatur Boulevard to the west, and Concord Drive to the south. The parking agreement was approved, but never recorded.
- 04/06/88 The City Council approved a Reinstatement and Extension of Time for the subject site.
- 02/12/04 The Planning Commission tabled a request for a Site Development Plan Review (SDR-2997) for a 6,500 square-foot general retail building and a reduction of the front yard setback to allow 10 feet where 20 feet is the minimum required, a reduction in the side yard setback to allow 5 feet where 10 feet is the minimum required, and a reduction in the required amount of perimeter landscaping.
- 03/10/05 The Planning Commission voted 5-0 to recommend DENIAL (PC Agenda Item #42/bts).

B) Pre-Application Meeting

01/12/05 The following information was discussed at the pre-application meeting:

- The trash enclosure needs to be roofed and gated.
- 24" box trees 20 feet on center are required along the street with four-one gallon and four-five gallon shrubs.
- Exterior elevations should match the existing building.
- A Waiver of the front setback, foundation, and buffer landscaping is needed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.83

B) Existing Land Use

Subject Property: Vacant
North: Retail Commercial
South: Concord Village Drive Right-of-Way, Single Family Dwelling
East: Retail Commercial
West: Decatur Boulevard Right-of-Way, Retail Commercial

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: R-CL (Residential Compact-Lot)
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southeast Sector Map of the General Plan. The proposed C-1 (Limited Commercial) zoning on this site is compatible with the SC (Service Commercial) designation. The proposed use complies with both the land use designation and the proposed zoning for the site.

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

There are no Special Districts or zones associated with this site.

PROJECT DESCRIPTION

The proposed project consists of a 4,900 square-foot multi-tenant retail building which is to be located on a 0.83-acre site. Access to the site is from an existing driveway, which is accessed via Decatur Boulevard approximately 270 feet south of Lake Mead Boulevard. Pursuant to Title 19.10 Parking requirements, the site is required to have 28 parking spaces with 2 handicapped accessible. The current site plan indicates 30 parking spaces with 2 handicapped accessible.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	120 Feet	Y
Min. Setbacks			
• Front	20 Feet	15 Feet	N
• Side	10 Feet	96 Feet	Y
• Corner	15 Feet	17.8 Feet	Y
• Rear	20 Feet	5 Feet	N
Max. Lot Coverage	50 %	13.6%	Y
Trash Enclosure	Y	Y	N
Loading Zone	Y	Y	N
Mech. Equipment	Y	*	*

The applicant does not meet the front or rear setback standard. The applicant requested a Waiver of the front setback, but did not for the rear setback. The Site Development Plan was originally submitted as a part of an overall site, which consisted of three previously approved pads. Since the Site Plan was originally submitted, the site has since been limited to the subject parcel, which corresponds with APN 139-19-301-007. Therefore, the rear setback does not meet the required 20-foot rear setback standard.

The trash enclosure is indicated on the site plan, but an elevation has not been provided. A condition of approval has been added, which requires the trash enclosure to be enclosed and roofed using the same design theme and materials similar to those used in the main structures.

Mechanical equipment is not indicated on the plan, but a condition of approval is included, which requires screening of all mechanical equipment.

A2) Residential Adjacency Standards

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

- a) Proximity slope - Only the southern portion of the site is affected by proximity slope requirements, where there are single-family homes on the south side of Concord Village Drive. The proposed building is indicated at height of 23 feet, this building is required to be at least 69 feet away. Since the actual shortest distance to the property line of these homes is approximately 90 feet, this development complies with the requirements of this portion of the Code.
- b) Building setback - The front setback for these single-family homes is 14 feet. Since the closest buildings proposed for this site will be approximately 90 feet, the project conforms to this requirement.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
General Retail Store, other than listed (less than 25,000 sf)	4,900 SF.	1/175 GFA	28	2	28	2

* The applicant meets the required Parking Standards pursuant to Title 19.10, but the applicant does not meet the handicapped parking space dimensions. A condition of approval has been added which addresses this issue.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Space	5 Trees	3 Trees
Buffer:	1 Trees/ 30 Linear Feet	9 Trees	11 Trees
• Min. Trees	15 Feet	8 Feet	11 Feet
• Min. Zone Width			
• Concord Village Drive and Decatur Boulevard)			
• north and east property line.			
• Wall height	6 Feet		0 Feet N/A

The landscape plan fails to meet Title 19.12 requirements. The applicant has requested Waivers, which are discussed below.

B) General Analysis and Discussion

• Zoning

The C-1 District is intended to provide most retail shopping and personal services. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the Service Commercial category of the General Plan.

• Site Plan

The site plan is deficient in several areas. A more appropriately designed site plan would eliminate these site deficiencies. First, the loading zone is not effective in its current location. The loading zone is accessed through an existing parking space, which is not functional or appropriate. The loading zone as currently configured does not meet Title 19.08 requirements. Title 19.08 states: "service and loading zones shall be located to the rear, side or in an internal location where visibility from public rights-of-way and views from neighboring buildings and properties will be minimized." Second, the existing trash enclosure is inappropriately located and is not functional to the subject site. While the trash enclosure is located on the subject parcel, the trash enclosure is accessed from the adjacent parcel to the east. Title 19.08 states: "they

(trash enclosure) shall be located away from the street front and screened from view rights-of-way, sidewalks, and abutting properties through the use of landscaping and screening.” Third, the required rear setback is 20 feet. The site plan indicates the building 5 feet from the rear property line. A condition of approval has been added, which states that prior to the time the application is made for a building permit to reflect a 20-foot rear setback

- **Waivers**

The applicant has request Waivers to allow a 15-foot front setback where 20 feet is the minimum setback required. Waivers of the foundation, buffer, and parking lot landscaping standards are also requested. The Waivers cannot be justified because the site is overbuilt. A more appropriately designed site would eliminate the need for the requested Waivers.

- **Landscape Plan**

The landscape plan consists of four twenty-four inch box trees and two existing evergreen trees. The site also consists of both one and five-gallon shrubs.

- **Elevation**

The building elevations indicate a 23-foot tall building. The building is proposed to utilize various shades of stucco, anodized aluminum, and an inverted cornice as architectural detail. The north, west, and east elevations provide architectural detail, variation, and overall interest in the overall design of the building. The south elevation lacks detail and articulation. A condition has been added, which requires the south elevation match the other building elevations.

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 retail building is too large for the site, with an excessive number of waivers to setback and landscaping standards of the Code. The over-building of the site and the associated waivers make it incompatible with the development of the surrounding area.

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

The proposed use is consistent with the General Plan and the land use provisions of Title 19; however, the site plan as proposed does not meet specific requirements of the Zoning Code, including the Commercial Design Guidelines and Standards. An excessive amount of deviation from the Code has been requested through the Waivers, making the proposed development inappropriate in its current configuration.

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

Access to the site is via Decatur Boulevard, classified as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The access and roadways are adequate to meet the needs of the proposed development.

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

The building materials as proposed are appropriate for this type of commercial use in this area. The parking lot, foundation, and perimeter landscaping do not meet the minimum standards of the Code, which is not appropriate for this area of the City.

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

The design, architecture, and aesthetic features of the proposed development as conditioned are satisfactory and should not have a negative impact on this site or on surrounding areas.

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

The proposed retail building will be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

PLANNING COMMISSION ACTION

There were 3 speakers in protest at the Planning Commission hearing.

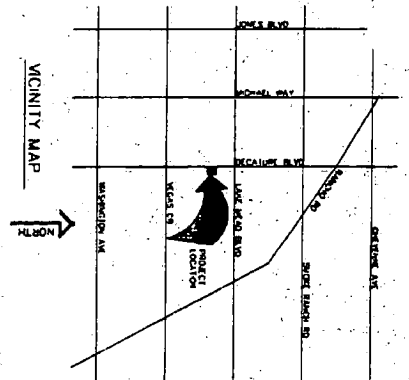
NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

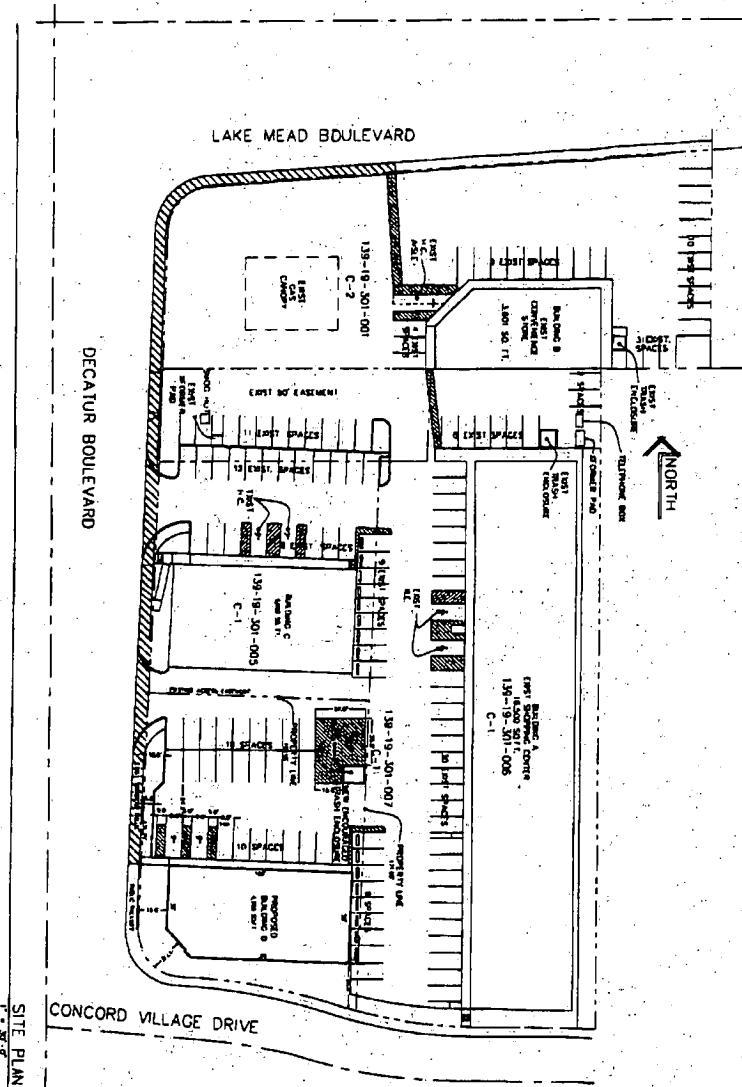
NOTICES MAILED 270 by Planning Department

APPROVALS 0

PROTESTS 3



PROJECT DATA	
APPLICANT'S NAME, NUMBER	139-19-201-007
PROJECT NAME	EXPRESS BUILDING & DEVELOPMENT
PROJECT ADDRESS	5800 MEIKLE LN - LAS VEGAS - NV - 89156 - (702) 437-0001
PROJECT TYPE	COMMERCIAL
PROJECT AREA	0.81 ACRES
PROJECT ZONE	C-1
PROJECT SUBZONE	139-19-201-007
PROJECT SUBZONE AREA	0.81 ACRES
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SDR-6025
03-10-05 PC
REVISED 03-09-05

RECEIVED

MAR 09 2005

RECEIVED
MAR 09 2005

DECATUR CONCORD - NEW RETAIL SALES BUILDING - SEC LAKE MEAD & DECATUR BLVD	
EXPRESS BUILDING & DEVELOPMENT - 5800 MEIKLE LN - LAS VEGAS - NV - 89156 - (702) 437-0001	
MARCH 9, 2005	1

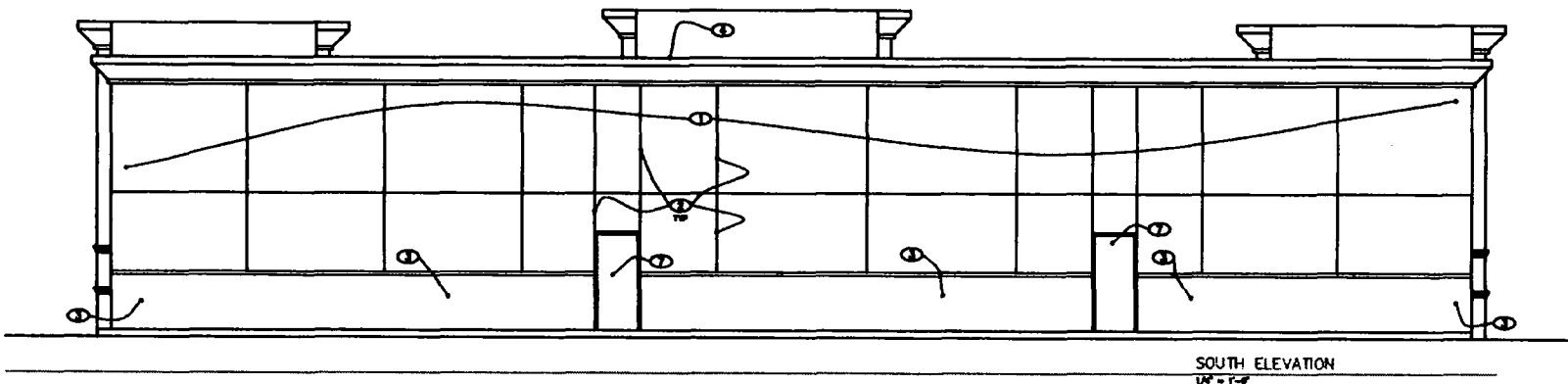
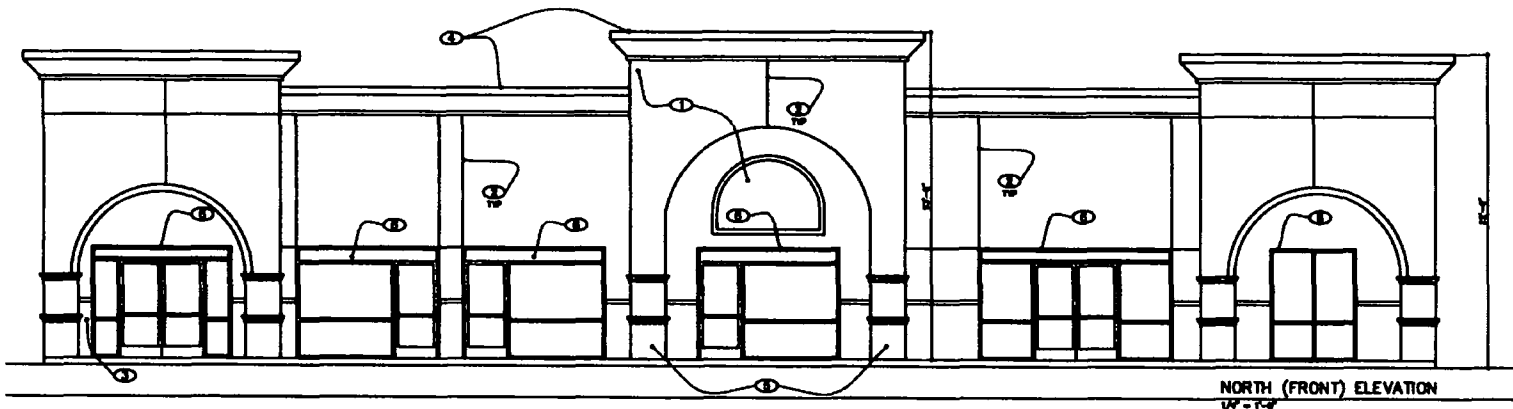
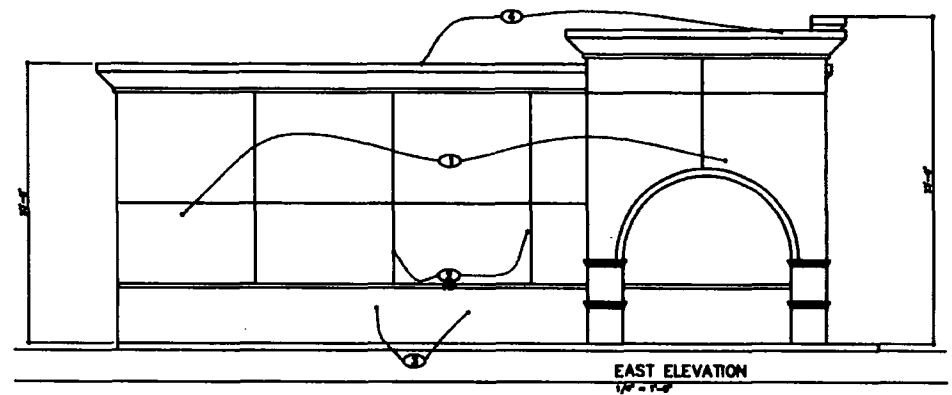
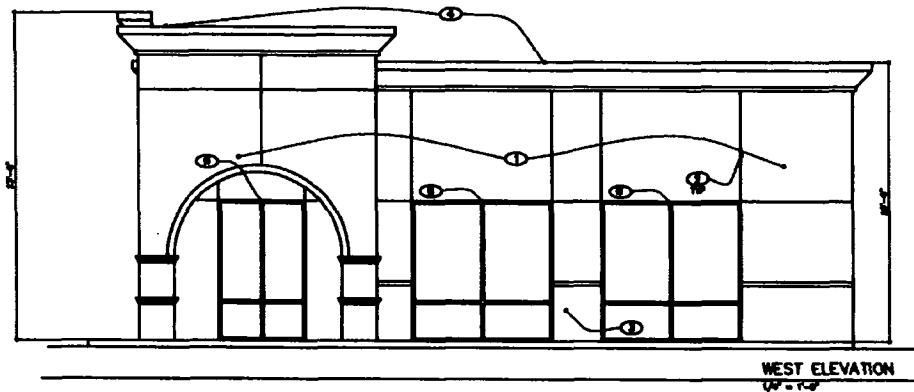


FLOOR PLAN
F-14

2

JANUARY 1, 2006

EXPRESS BUILDING & DEVELOPMENT - 5800 MEIKLE LN - LAS VEGAS - NV - 89156 - (702) 437-0001



KEY NOTES

- ① BRICK OVER STUCCO WALL (EXIST. BRICK)
- ② DECORATIVE BRICK EXPANSION JOINT
- ③ COLORED CONCRETE BLOCK (EXIST.)
- ④ BRICK OVER DECORATIVE POLYSTYRENE CORNER
- ⑤ BRICK COLUMN
- ⑥ ANCHORED ALUMINUM STORM/SCREEN DOOR

NEW RETAIL SALES BUILDING
SEC DECATUR & LAKE MEAD

EXPRESS BUILDING & DEVELOPMENT
8880 HENTLE LN-479-9812-7702 437-0001

JANUARY 1, 2005

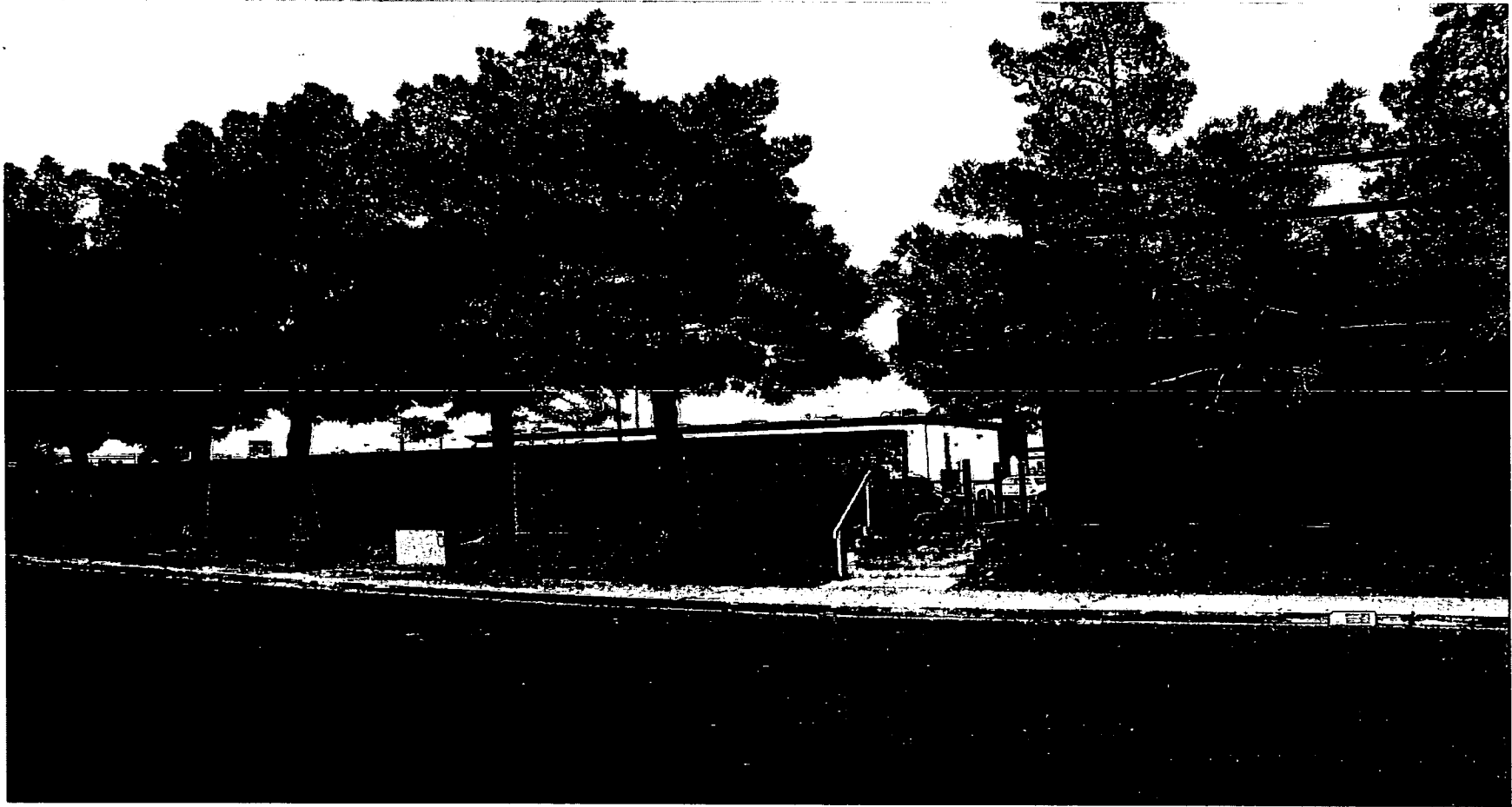
3

SDR-6025
03-10-05 PC



SDR-6025 - APPLICANT/OWNER: DECATUR CONCORD LLC
ADJACENT TO THE NORTHEAST CORNER OF DECATUR BOULEVARD AND CONCORD VILLAGE DRIVE
MARCH 10, 2005 PLANNING COMMISSION

02/22/05



SDR-6025 - APPLICANT/OWNER: DECATUR CONCORD LLC
ADJACENT TO THE NORTHEAST CORNER OF DECATUR BOULEVARD AND CONCORD VILLAGE DRIVE
MARCH 10, 2005 PLANNING COMMISSION

02/22/05

Decatur Concord LLC

5800 Meikle Lane
Suite A
Las Vegas, NV 89156

Phone: (702) 437-0001
Fax: (702) 437-2955

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

RE: Justification Letter
Assessors Parcel No.: 139-19-301-007
SEC Decatur & Lake Mead Blvd.

We hereby respectfully propose to build a new 4,987.5 Sq. Ft. building on above pad to be used mainly for general retail sales, gifts, video, cellular, etc. This building pad is the last pad in an existing commercial shopping center development with all improvements including parking, driveways, and landscaping already done.

Due to offsite and landscaping being approved several years ago, we would like to request the following waivers:

1. Waiver of front setback distance to front property line to 15' where 20' is required.
2. Waiver of foundation landscaping to front and side only where perimeter is required.
3. Waiver of front buffer width for landscaping.

This development is similar and fits well with what presently exists at this intersection and shall conform to all city codes, policies and regulations. A freshly new building could enhance the surroundings and real estate values.

Respectfully,

Decatur Concord LLC

By: _____
Sam Zeer

SDR-6025

Decatur Square
1900 North Decatur Boulevard
M-19-5

	Suite	Address	Business Name	Use	Information	Parking Required
Building A	1	1930 N. Decatur Blvd.	Fairview Chinese Restaurant	Restaurant (25,000 sf or greater)	750 SF	15
	2	1930 N. Decatur Blvd.	Fairview Chinese Restaurant		850 SF	4.25
	3	1928 N. Decatur Blvd.	American General Finance	Office, Other than Listed (25,000 sf or greater)	1100 SF	3.6
	4	1926 N. Decatur Blvd.	Richard's Barber Shop	Barber/Beauty Parlor (25,000 sf or greater)	1100 SF	5.5
	5	1922 N. Decatur Blvd.	New U	Barber/Beauty Parlor (25,000 sf or greater)	1100 SF	5.5
	6	1920 N. Decatur Blvd.	Vacant	General Retail Store (25,000 sf or greater)	1100 SF	4.4
	7	1918 N. Decatur Blvd.	Decatur Finance	Office, Other than Listed (25,000 sf or greater)	1100 SF	3.6
	8	1916 N. Decatur Blvd.	H & H Discount Liquor	Liquor Establishment, Off-Premise	2200 SF	7.3
	9	1916 N. Decatur Blvd.	H & H Discount Liquor	(25,000 sf or greater)		
	10	1912 N. Decatur Blvd.	Use the Experts	Office, Other than Listed (25,000 sf or greater)	1100 SF	3.6
	11	1910 N. Decatur Blvd.	Vacant	General Retail Store (25,000 sf or greater)	1100 SF	4.4
	12	1908 N. Decatur Blvd.	Vacant	General Retail Store (25,000 sf or greater)	1100 SF	4.4
	13	1906 N. Decatur Blvd.	Bob Chaney's Karate	General Personal Service (25,000 sf or greater)	2200 SF	7
	14	1906 N. Decatur Blvd.	Bob Chaney's Karate	1 Employee, 12 Students		
	15	1904 N. Decatur Blvd.	All Weapons Plus	General Retail Store (25,000 sf or greater)	1100 SF	4.4
Building B		4701 W. Lake Mead Blvd.	Fasty's	Convenience Store (25,000 sf or greater)	3601 SF	14.4
Building C		1940 N. Decatur Blvd.	Vacant	General Retail Store (25,000 sf or greater)	6000 SF	24
Building D		Proposed Building		General Retail Store (25,000 sf or greater)	4987.5 SF	19.95

Total = 30,488.5 SF 131.3

Total Sq. Ftg. Of Buildings	30,488.5
(Not Qualified for General Retail)	<u>-3,800</u>
Net Qualified for General Retail	26,688.5

Total Required Parking	131.3
Regular Parking Provided	137
Handicap Parking Provided	<u>6</u>
Total Parking Provided	143

SDR-6025

DECATUR CONCORD LLC.

5800 Meikle Lane
Suite A
Las Vegas, NV 89156

Phone: (702) 437-0001
Fax: (702) 437-2955

Thursday, March 24, 2005

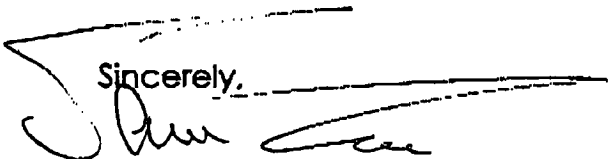
Attn: Douglas Rankin
Planning and Development Department
Current Planning Division, City of Las Vegas
Tel: (702) 229-6301
Fax: (702) 474-0352

From: Sam Zeer
Decatur Concord LLC.
Tel: (702) 437-0001
Fax: (702) 437-2955

RE: SDR 6025, Decatur & Lake Mead
APN: 139-19-301-007

Please be advised that we are hereby asking to adjourn indefinitely our
application #SDR 6025.

Sincerely,



Sam Zeer
Decatur Concord LLC.

RECEIVED
CITY CLERK
2005 MAR 30 A 7:27

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 6, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****MAJOR MODIFICATION TO THE LONE MOUNTAIN MASTER DEVELOPMENT PLAN**

MOD-5581 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC AND THE CITY OF LAS VEGAS - Request for a Major Modification to the Lone Mountain Master Development Plan TO CHANGE LAND USE DESIGNATIONS FROM: NEIGHBORHOOD COMMERCIAL AND PARK/SCHOOL/RECREATION/OPEN SPACE TO: MULTI-FAMILY MEDIUM on 8.74 acres adjacent to the east side of Hualapai Way, north and south of Gilmore Avenue (APN 138-07-201-001 and 002; 138-07-103-006), U (Undeveloped) Zone [PCD (Planned Community Development) and PR-OS (Parks/Recreation/Open Space) General Plan Designations] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (4-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (4-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVE BROWN, 4175 Cameron Street, appeared on behalf of the applicant and stated that in December the Planning Commission approved the application with the understanding that the applicant would meet with the neighbors and COUNCILMAN BROWN'S office to resolve some issues. A meeting was held where the neighbors expressed their concerns, and the plan presented at this time represents a compromise between the City, the applicant and the neighbors.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:23 - 4:25)

5-3117

CONDITIONS:

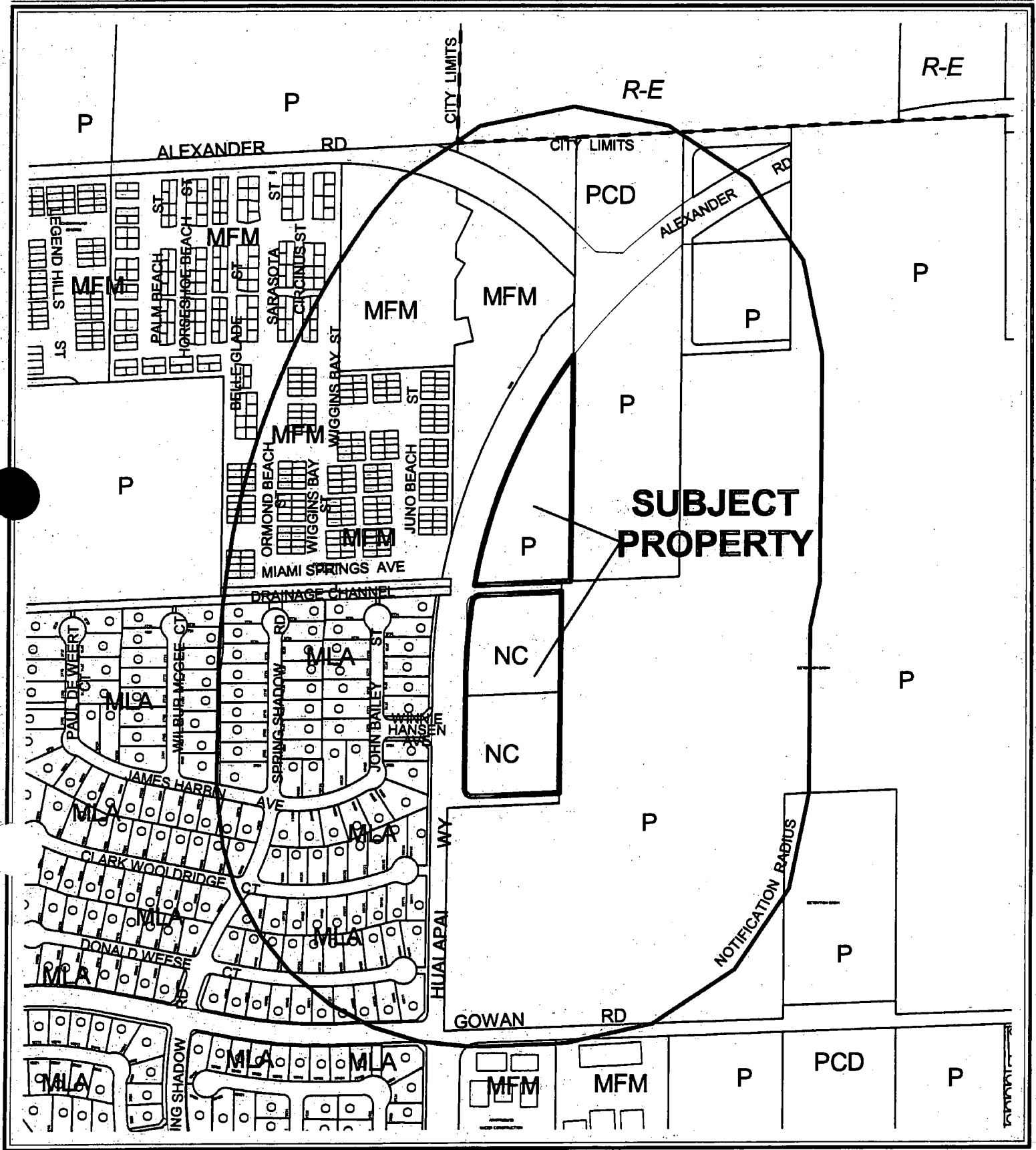
Planning and Development

- 1 Approval of a Site Development Plan Review (SDR-5579) by the City Council.

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

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

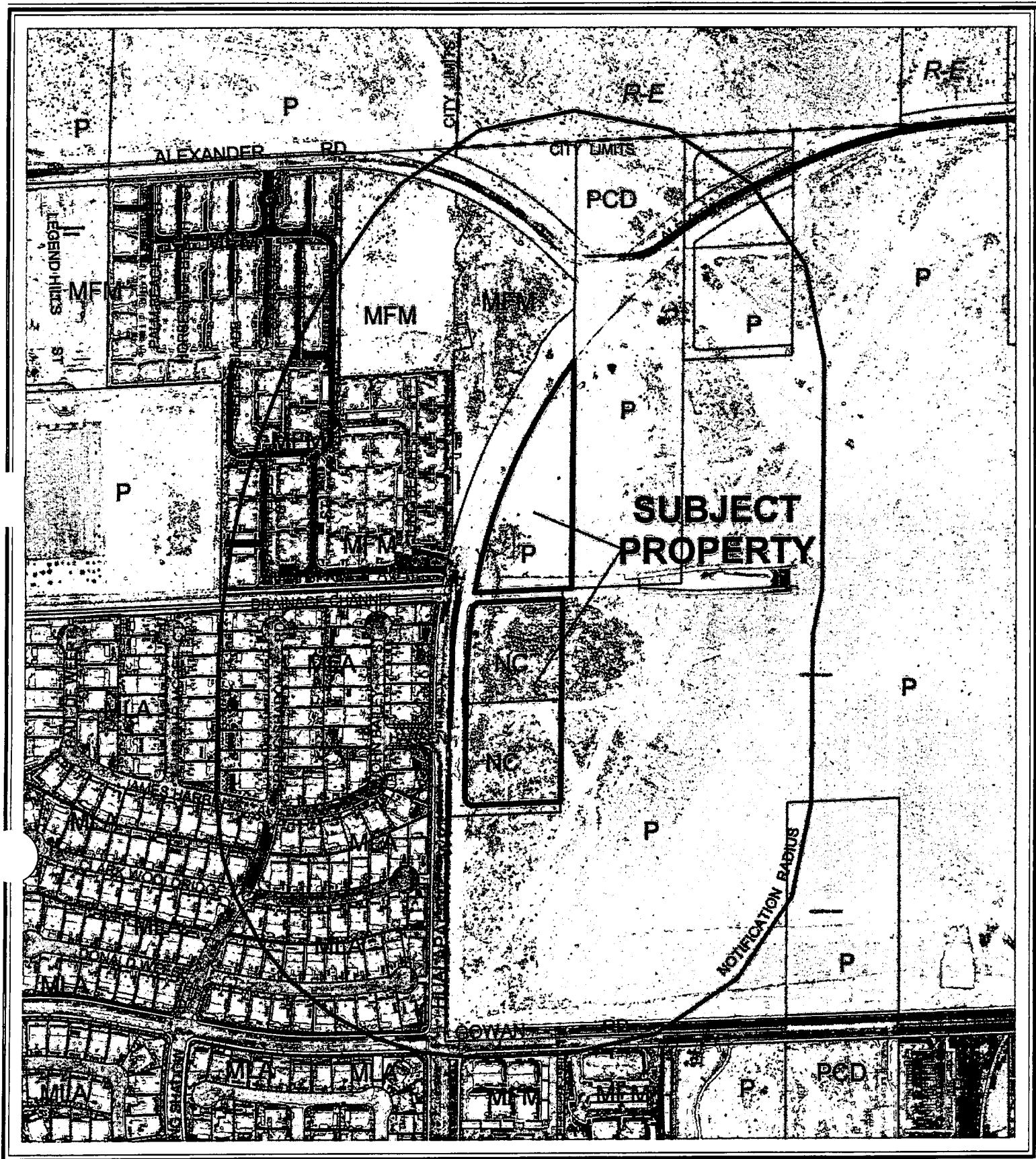


CASE: MOD-5581

RADIUS: 750 FT

LONE MOUNTAIN MASTER PLAN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
NEIGHBORHOOD COMMERCIAL AND PARK/SCHOOL/RECREATION/OPEN SPACE

PROPOSED LONE MOUNTAIN MASTER PLAN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
MULTI-FAMILY MEDIUM



CASE: MOD-5581

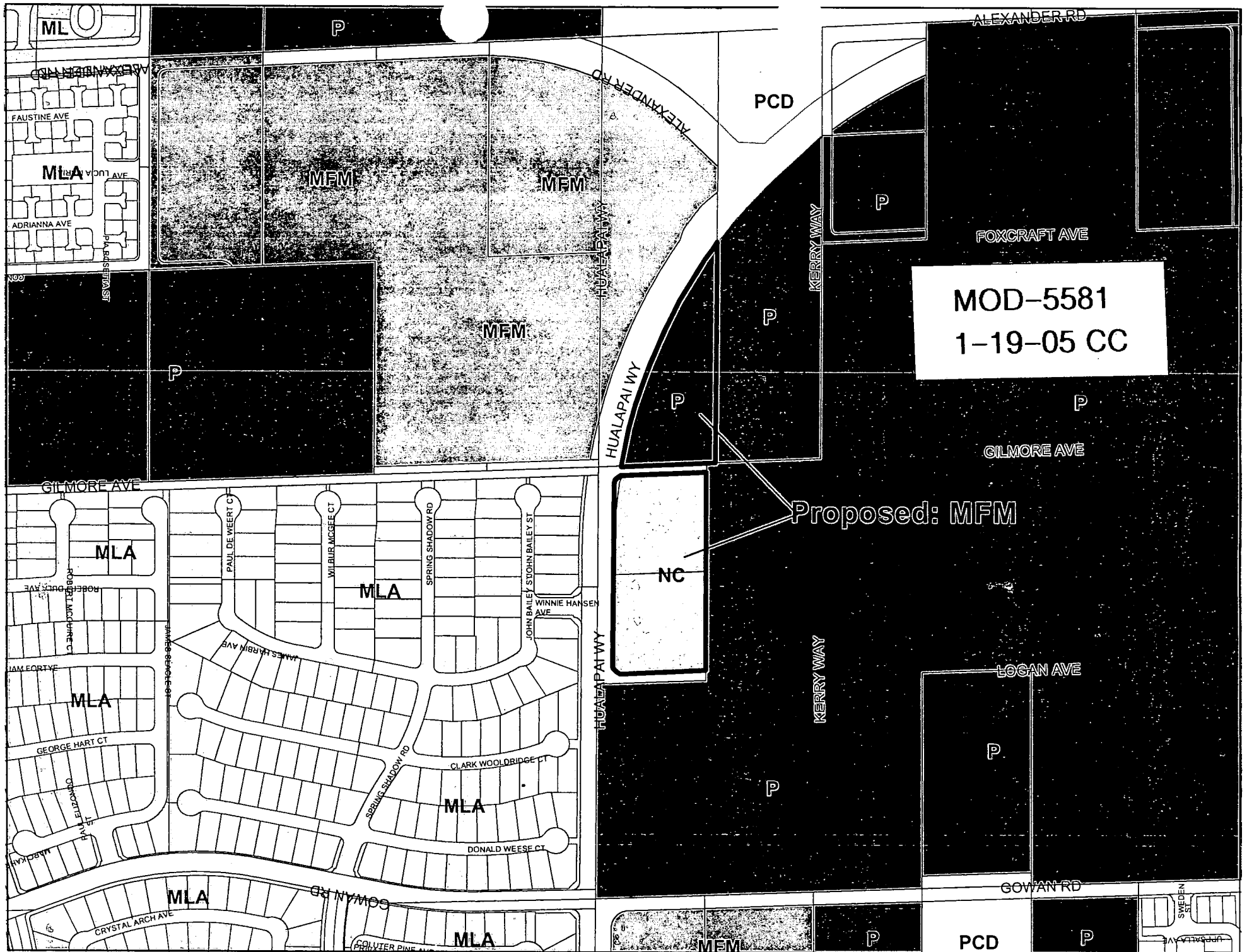
RADIUS: 750 FT

LONE MOUNTAIN MASTER PLAN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
NEIGHBORHOOD COMMERCIAL AND PARK/SCHOOL/RECREATION/OPEN SPACE

PROPOSED LONE MOUNTAIN MASTER PLAN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
MULTI-FAMILY MEDIUM

0 300 600 Feet





AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - MOD-5581 - APPLICANT: OMEGA
DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC AND THE CITY
OF LAS VEGAS

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

**** CONDITIONS ****

The Planning Commission (4-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

- 1 Approval of a Site Development Plan Review (SDR-5579) by the City Council.
2. Conformance to the Lone Mountain West Master Development Plan, except as amended by this request.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Major Modification to the Lone Mountain Master Development Plan to change the land use designations from Neighborhood Commercial and Park/School/Recreation/ Open Space to Multi-Family Medium on 8.74 acres adjacent to the east side of Hualapai Way, north and south of Gilmore Avenue.

B) Applicant's Justification

The applicant has justified the request by stating the following:

“This application is for a Site Development Review and Major Modification to develop 136 for-sale condominium homes on these parcels. This project is adjacent to residential (across Hualapai Way) and more specifically condominiums. The City of Las Vegas is currently in the process of constructing a park that would abut these parcels to the east. The residential development is much more appropriate for this area given the residential feel to the area and lack of high intense commercial developments. The park will provide a much needed relaxation spot for all of the adjacent residential neighbors.”

BACKGROUND INFORMATION

A) Actions

- 12/14/95 The two southern parcels of the subject property were annexed to the City at the request of Sasasuwan Kosol & Sopin, et al (out of Los Angeles, California). The Focus Commercial Group represented this group, which purchased the property on 10/30/90. Prior to this date, there were five previous owners since 04/24/67.
- 03/15/96 Sasasuwan Kosol & Sopin, et al sold the two southern parcels of the subject property to Summit Holdings LLC.
- 06/19/96 Summit Holdings LLC sold the two southern parcels of the subject property to Perma-Bilt.
- 06/23/97 The City Council approved a Rezoning request (Z-0033-97) by Perma-Bilt to rezone the two southern parcels of the subject property and all the area included in the Lone Mountain Master Development Plan from N-U (Non-Urban), ROI to R-CL (Single-Family Compact Lot), R-PD9 (Residential Planned Development – 9 Units per Acre), and R-2 (Two-Family Residence) zoning districts to PD (Planned

Development). The Planned Development ("Master Development Plan") designated the two southern parcels of the subject property and an additional 62 acres for commercial use. (There was no commercial zoning or commercial designation of the two southern parcels of the subject request prior to this Rezoning request.)

- 09/29/97 Perma-Bilt sold the two southern parcels of the subject property to Lone Mountain Commercial LLC (Phil Davis was the manager).
- 11/04/04 Lone Mountain Commercial LLC sold the two southern parcels of the subject property to Lone Mountain Villas LLC.
- 11/26/03 The City acquired a parcel, which included the northern parcel of the subject property, from the Bureau of Land Management. This parcel was acquired for the construction of the Hualapai Way curve (under a Special Improvement District assessment) and to convey a remnant west of Hualapai Way to the Focus Commercial Group.
- 12/16/04 The Planning Commission voted 4-1 to recommend APPROVAL (PC Agenda Item #28/dds).
- 01/19/05 The City Council abeyed this item and an accompanying request for a Site Development Plan Review (SDR-5579) to the 03/02/05 City Council meeting at the request of Councilman Brown.

B) Pre-Application Meeting

- 10/19/04 The staff met with the applicant to review a proposal to establish a residential condominium development on the subject property. It was indicated that a Major Modification would be required to change the commercial and open space classifications of the Lone Mountain Master Development Plan to permit the development. The procedures for both a Major Modification and a Site Development Plan Review were discussed.

C) Neighborhood Meetings

The staff required a neighborhood meeting be held for this Major Modification. The meeting was to be scheduled for January 12; however, that meeting was cancelled and a subsequent meeting has not been set. It is anticipated that a neighborhood meeting will be held on the subject application prior to its consideration by the City Council on 03/02.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 8.74

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped and detention basin
West: Single-family residences, residential condominiums, and undeveloped

C) Planned Land Use

Subject Property: Neighborhood Commercial and Park/School/Recreation/Open Space
North: Park/School/Recreation/Open Space
South: Park/School/Recreation/Open Space
East: Park/School/Recreation/Open Space
West: Multi-Family Medium and Medium-Low Attached

D) Existing Zoning

Subject Property: PD (Planned Development)
North: PD (Planned Development)
South: PD (Planned Development)
East: PD (Planned Development)
West: PD (Planned Development)

E) General Plan Compliance

This property is designated for PCD (Planned Community Development) land uses in the Centennial Hills Sector Plan of the General Plan. The site is included within the Lone Mountain Master Development Plan area and is designated for Neighborhood Commercial and Park/School/Recreation/Open Space land uses.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		
Lone Mountain Master Development 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

A multi-use transportation trail is required along the east side of Hualapai Way with provisions for a crossing to the north side of Alexander Road. This trail is not shown on the latest site plan submitted. This matter is discussed in detail in an accompanying Site Development Plan Review (SDR-5579).

ANALYSIS:

A) Zoning Code Compliance

The subject property is zoned PD (Planned Development) which is a zone intended to permit and encourage comprehensively planned developments. This zoning district provides the flexibility for the subject property to be developed according to the permitted land uses and development standards of the Lone Mountain Master Development Plan.

B) General Analysis and Discussion

The southerly two parcels (approximately five acres) of the subject property were designated in the Lone Mountain Master Development Plan for "Neighborhood Commercial" development. (Attached to this report is the Lone Mountain Master Development Plan Proposed Land Use Map for this area.) There is no explanation in the Plan as to the purpose for this land use designation in this particular location. According to the land use descriptions of the Plan (page 9 of Section 2.3), "The Neighborhood Commercial category addresses parcels of five acres or less and provides for the development of convenience retail shopping, services and professional offices principally serving neighborhood needs, and compatible in scale, character and intensity with adjacent residential development." For the convenience of the neighborhood, Neighborhood Commercial is also located approximately a half mile to the south at Hualapai Way and Cheyenne Avenue, resulting in some redundancy for Neighborhood Commercial uses in the subject location.

The subject property is located immediately west of a large detention basin and undeveloped areas that the City has an interest in developing for a major park. (A plan of the proposed park is attached to this report.) Commercial development at this location has no particular relationship to the proposed park, although park users would find it convenient to purchase food, drinks and other various items. Residential development at this location would benefit by the presence of the park.

The applicant has requested a residential land use classification (Multi-Family Medium) that permits a density of development of from 12.1 to 18 dwelling units per acre. The proposal is to develop a 136-unit residential condominium project on 8.74 gross acres for an overall density of 15.6 dwelling units per acre. The subject property is separated from other developments to the west by Hualapai Way and from any other development by the proposed park and detention basin to the north, east and west. For this and the above reasons, the proposed development is an appropriate land use for this area, and it is recommended that the subject request for a Major Modification be approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

10

NOTICES MAILED 436 by Planning Department

APPROVALS

0

PROTESTS

2







SITE DATA

PROPOSED USE:
AREA:
CURRENT USE, PLAN DESIGNATION:
PROPOSED USE, PLAN DESIGNATION:
PROPOSED UNIT:
PROPOSED DENSITY:

LOW DENSITY RESIDENTIAL,
6.74 ACRES
LOW DENSITY - REDESIGNED COMMERCIAL & PARK
MAJOR USE, TO BE LOW DENSITY RESIDENTIAL
130-2 BEDROOM CONDOS
10.50 UNITS/ACRE

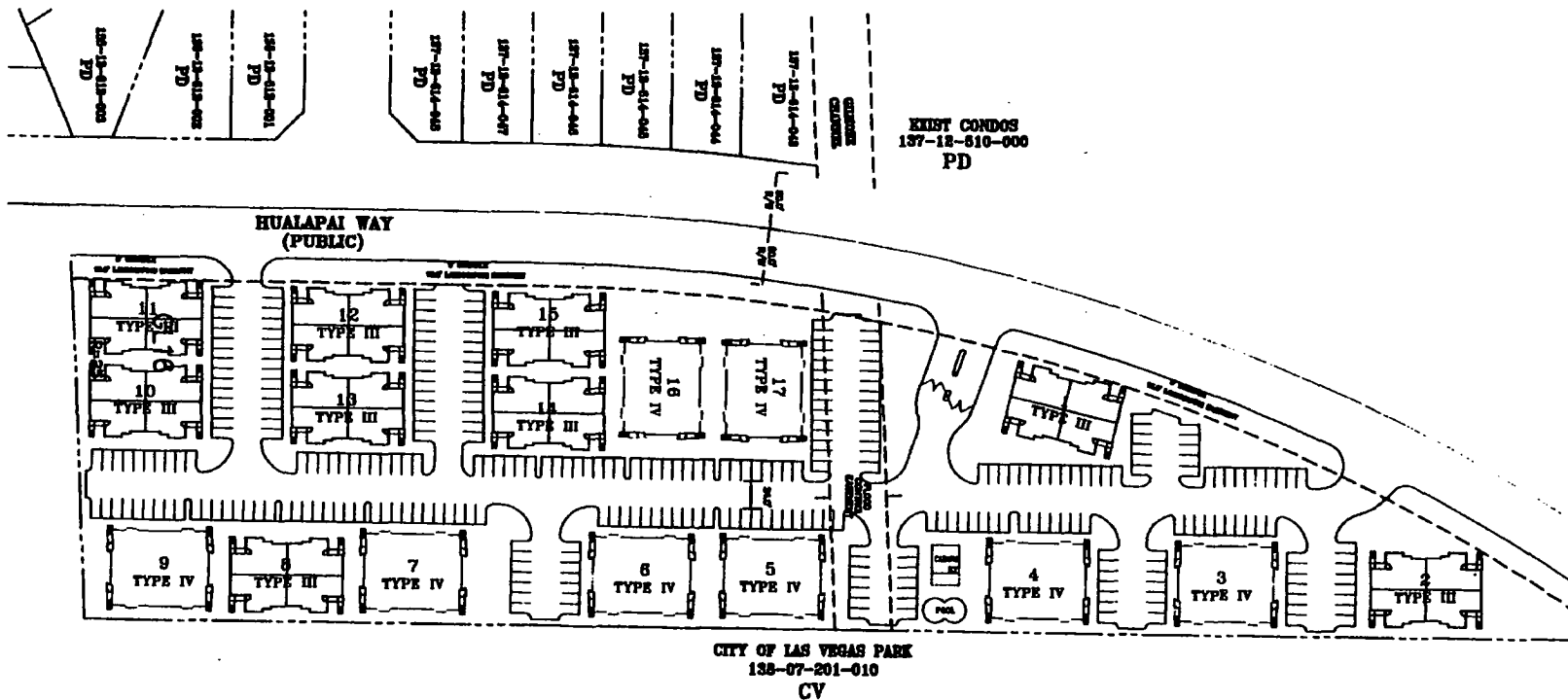
MIN FRONT SETBACK: 10'
MIN SIDE YARD SETBACK: 10'
MIN CORNER SETBACK: 10'
MIN REAR YARD SETBACK: 10'
MAX BUILDING HEIGHT: 2 STORES OR 20' (WHICHEVER IS LESS)

APN NUMBERS

APN 130-07-003-001, 130-07-003-002, -003

9 OF 2 BED UNITS:
REQUIRED PARKING PER UNIT:
GUEST PARKING REQUIRED:
TOTAL PARKING REQUIRED:
TOTAL PARKING PROVIDED:

130
1.75 SPACES PER UNIT
8 SPACES/200 SPACES
200 RESIDENT + 12 GUEST = 212 SPACES
200 SPACES



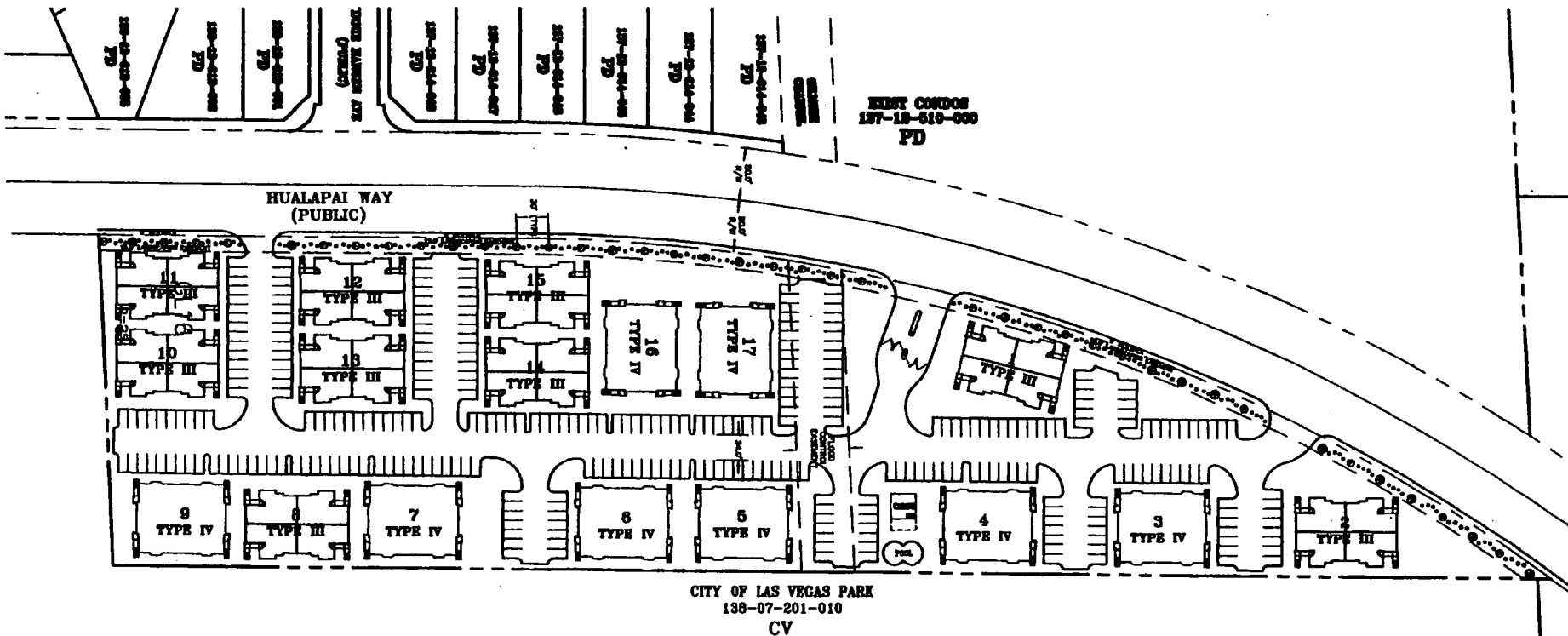
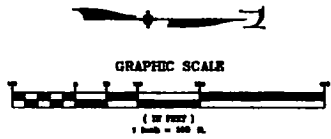
PROJECT NO. 5581 DATE: 12/16/04 BY: [Signature] CHECKED: [Signature] APPROVED: [Signature]	
STATE OF ARIZONA COUNTY OF MARICOPA CITY OF LAS VEGAS OFFICE OF THE CITY CLERK 1000 WEST WASHINGTON AVENUE LAS VEGAS, NV 89101 702-468-2000 FAX 702-468-2001 TDD www.cityoflasvegas.com	
CS CONSTRUCTION SERVICES, LLC 1000 WEST WASHINGTON AVENUE LAS VEGAS, NV 89101 702-468-2000 FAX 702-468-2001 TDD www.cityoflasvegas.com	
LOVE MOUNTAIN HILLS GILMORE AND HUALAPAI CONDOMINIUMS PRELIMINARY SITE PLAN	
SP 12/16/04	

MOD-5581
12/16/04 PC

APN NUMBERS

LEDGEND

SYM.	TYPE	QTY
⊕	24" Box Modesto Ash	14
⊙	24" Box Mendel Pine	24
●	5 gallon Texas Ranger	42
●	5 gallon Autumn Sage	73
●	5 gallon Deer Grass	48



LONE MOUNTAIN HILLS
 GILMORE AND HUALAPAI CONDOMINIUMS
 LANDSCAPE PLAN

MOD-5581
12/16/04 PC



MOD-5581 - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC
AND THE CITY OF LAS VEGAS
EAST SIDE OF HUALAPAI WAY, NORTH AND SOUTH OF GILMORE AVENUE
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04

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 MOD-5581**

SDR-5579 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC AND THE CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 136-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT on 8.74 acres adjacent to the east side of Hualapai Way, north and south of Gilmore Avenue (APN 138-07-201-001 and 002; 138-07-103-006), U (Undeveloped) Zone [PCD (Planned Community Development) and PR-OS (Parks/Recreation/Open Space) General Plan Designations] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (4-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	14
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

The Planning Commission (4-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

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

3. All development shall be in conformance with the site plan and building elevations dated stamped 04/06/05, except as amended by conditions herein.
4. The maximum building height shall be 2 Stories/less than 30 feet.
6. Amend the following bullets as read for the record:

First bullet - A detailed section of the transportation trail and landscaping shall be provided on the landscape plan, which shall be subject to approval of the Public Works and Planning and Development Departments.

Second bullet - Perimeter landscaping with 24-inch box trees, 30 feet on center shall be provided along the front and side property lines and that the northern triangle shall have a specific landscape design.

Fourth bullet - Amend the last sentence as follows: The rear wall along Hualapai Way shall consist of a combination of a two-foot 10-inch high solid wall with a wrought iron fence in between solid pilasters with a cap.

Fifth bullet - In lieu of compliance with the open space requirements of Municipal Code 19.06.0404 the developer may make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$4.00 per square foot of difference between the open space required by Code and the amount provided by this developer to be utilized by the City Council for improvements to the existing public parks nearby. This contribution must be made to Land Development prior to

CITY COUNCIL MEETING OF: APRIL 6, 2005**MOTION - Continued:**

approval of a final map, otherwise the developer is still required to comply with the open space requirements in accordance with Title 19 of the Las Vegas Municipal Code.

And the following added condition as read for the record:

- The Finished Floor elevations of Buildings 1 and 15, as depicted in the site plan presented to City Council on 04/06/05, shall be limited to the following values: Building 1 shall be no higher than 0.5 feet lower than the street centerline of Hualapai Way immediately west of the building, and Building 15 shall be no higher than 0.5 feet lower than the street centerline of Hualapai Way immediately west of the building. All other buildings shall be at elevations consistent with the general elevations established with these two buildings. Entry drives and adjacent landscaping shall be constructed in a manner acceptable to the Flood Control Section of the Department of Public Works to ensure adequate flood protection of all buildings.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVE BROWN, 4175 Cameron Street, appeared on behalf of the applicant.

COUNCILMAN BROWN approved the item and outlined amendments to Conditions 3, 4 and 6. Condition 3 should reflect elevations date stamped 04/06/05. The maximum building height in Condition 4 shall be revised from 2 Stories/35 feet to 2 Stories/less than 30 feet. He clarified some of the bullet points in Condition 6. The first bullet regarding the multi-use transportation trail, the applicant has the understanding that he is going to have a five-foot sidewalk and a 15-foot amenity zone, which is reflected along the Hualapai Way corridor. Yet the City's multi-use transportation trail calls out for a different cross section. The expectation is to have this application be similar to the rest of the Hualapai Way corridor. MARGO WHEELER, Director, Planning and Development Department, noted that a 10-foot wide sidewalk located five feet off the street curb is shown and that five feet would be an amenity area. MR. BROWN pointed out he met with Public Works and with the landscape architect for the park and the landscape design matches what is being done to the south and north of the subject site. COUNCILMAN BROWN commented he is more concerned with the 15-foot proposed amenity zone than with the landscaping. MS. WHEELER suggested that the first portion of the first bullet be eliminated up to the last sentence, which states that the detailed section of the transportation trail and landscaping shall be provided on the landscape plan, which shall be subject to approval of the Public Works and Planning and Development Departments. That will enable staff to ensure that it meets the requirements and matches with the other ones.

Bullet number two, regarding the perimeter landscaping with 24-inch box trees, 30 feet on center shall be provided along the rear and side property lines, COUNCILMAN BROWN did not object to the side property lines being kept in there, but his understanding is there will be two-story condos with views on the eastern portion. He does not want to mandate trees 30-feet on center, but would leave that to the discretion of the applicant. However, in waiving that back perimeter landscaping, he asked that that be enhanced on the Hualapai Landscape Plan. MS. WHEELER suggested that the second bullet read that the perimeter landscaping with 24-inch box trees, 30 feet on center shall be provided along the front and side property lines and that the northern triangle area shall have a specific landscape design.

Regarding the fourth bullet, COUNCILMAN BROWN commented his understanding is that the

CITY COUNCIL MEETING OF: APRIL 6, 2005

MINUTES - Continued:

perimeter wall was to be on the eastern portion of the property and not on the Hualapai Way alignment. MS. WHEELER recommended that the combination of a two-foot 10-inch high solid wall with a wrought iron fence be erected between solid pilasters with a cap, be on the rear wall along Hualapai Way.

Regarding the fifth bullet, which addressed the total amount of open space per dwelling units, COUNCILMAN BROWN requested that the condition used in previous application abutting an existing park be used in this situation. If that open space requirement cannot be met, he does not want the applicant to create an internal open space. MS. WHEELER recommended that the fifth bullet be replaced with a condition stating that in lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer may make a contribution to the City Las Vegas Parks CIP Fund in the amount of \$4.00 per square foot of difference between the open space required by Code and the amount provided by this developer to be utilized by the City Council for improvements to the existing public parks nearby. This contribution must be made to Land Development prior to approval of a final map, otherwise the developer is still required to comply with the open space requirements in accordance with Title 19 of the Las Vegas Municipal Code. MR. BROWN agreed to the amended conditions.

COUNCILMAN BROWN commented that the final elevations would be reviewed, as far as embellishments and colors. He requested that the applicant enhance the front landscaping along Hualapai Way and make sure that the building elevations and colors are appropriate. The applicant has worked on lowering the rooflines to preserve some of the views, and some buildings have been moved around. This project will be a great amenity to the overall Shadow Hills Master Plan community. Additionally, this is a down zoning from commercial development to for-sale condominiums at fifteen and one half units per acre. It will be an enhancement to the area.

BART ANDERSON, Public Works, verified with COUNCILMAN BROWN that a condition should be added for the elevation of Buildings 1 and 15 with respect to the neighboring buildings. MR. BROWN verified that they are each 1.5 feet below the centerline of Hualapai Way. MR. ANDERSON read the additional condition, to which MR. BROWN agreed. COUNCILMAN BROWN informed MR. ANDERSON that the first and third exits are going to be submitted as emergency access only.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:25 - 4:35)

5-3248

CONDITIONS:

Planning and Development

1. Approval of a Major Modification to the Lone Mountain Master Development Plan (MOD-5581) 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.

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

3. All development shall be in conformance with the site plan and building elevations date stamped 12/08/04, except as amended by conditions herein.

4. The standards for this development shall include the following:

Standards	Dimensions
Min. Setbacks	
Front	20 feet
Side	5 feet
Corner	5 feet
Rear	10 feet
Space between buildings	10 feet
Max. Building Height	2 Stories/35 feet

5. The site plan shall be revised to show compliance with the standards above, the provision of handicapped parking spaces, and other conditions of approval stated herein and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map or a building permit, whichever comes first.

6. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map or a building permit, whichever comes first, to reflect the following:

A multi-use transportation trail that complies with the design specifications of the "Master Plan Transportation Trails Elements" shall be constructed along Hualapai Way. Provision shall be made for a crossing of the path to the north side of Alexander Road. Street trees spaced 30 feet on center shall be provided within the minimum five-foot amenity zone along the back side of the trail path. A detailed section of the transportation trail and landscaping shall be provided on the landscape plan.

Perimeter landscaping with 24 inch box trees, 30 feet on center shall be provided along the rear and side property lines and shall be planted within a six-foot wide planting area. The landscaping shall be shown on the landscape plan.

Trees shall be provided within the parking area and comply with the Parking Area standards of the City's "Landscape, Wall, and Buffer Guidelines." The parking area trees shall be shown on the landscape plan.

A detail of the perimeter walls, including the design and materials shall be illustrated on the landscape plan. All property line walls shall be decorative block walls, with at least 20 percent contrasting materials, and they 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, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet. The front

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

wall along Hualapai Way shall consist of a combination of a two-foot 10-inch high solid wall with a wrought iron fence in between solid pilasters with a cap.

The total amount of open space, to consist of a minimum of 330 square feet per dwelling unit, shall be designated on the landscape plan.

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

8. The elevation drawings and floor plans shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map or a building permit, whichever comes first, to reflect the following:

Notation of the total square footage for each type of unit.

Elevation drawings with details of the architectural embellishments and colors.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

10. 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.

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

12. 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.

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

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

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 a 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 is 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

CITY COUNCIL MEETING OF: APRIL 6, 2005**CONDITIONS - Continued:**

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 shall be defined as removal of debris and surface grading once every calendar year. Should the common interest community, or members thereof, request additional maintenance activities, the associated costs shall be assessed to the common interest community and/or members thereof.

Public Works

16. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

17. Dedicate an area acceptable to the Flood Control Section of the Department of Public Works for the existing flood control channel shown on the submitted site plan as "Drainage Right-of-Way" with the Final Map for this site.

18. Coordinate with the City of Las Vegas Engineering Design Section of the Department of Public Works to determine any impacts to this site from the Hualapai Way SID Project #1493, if any, prior to the submittal of any construction drawings for this site.

19. Vacate all rights-of-way in conflict with this site prior to the recordation of a Final Map for this site, unless otherwise allowed by the City Engineer.

20. The proposed site plan is acceptable for a multi-family condominium development, however does not comply with private street code requirements for a townhome development; if townhomes are proposed, the site must be re-designed to comply with Title 18 requirements unless a waiver of such is approved by City Council.

21. Landscape and maintain all unimproved right-of-way adjacent to this site.

22. Submit an Encroachment Agreement for all landscaping and private improvements located in the Hualapai Way and drainage channel public rights-of-way adjacent to this site prior to occupancy of this site.

23. 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.

24. The proposed entrance driveway shall align with the existing driveway on the west side of Hualapai Way and shall be designed, located and constructed in accordance with Standard Drawing #222a. Driveway throat depth shall be a minimum of 120-feet unless otherwise allowed by the City Traffic Engineer.

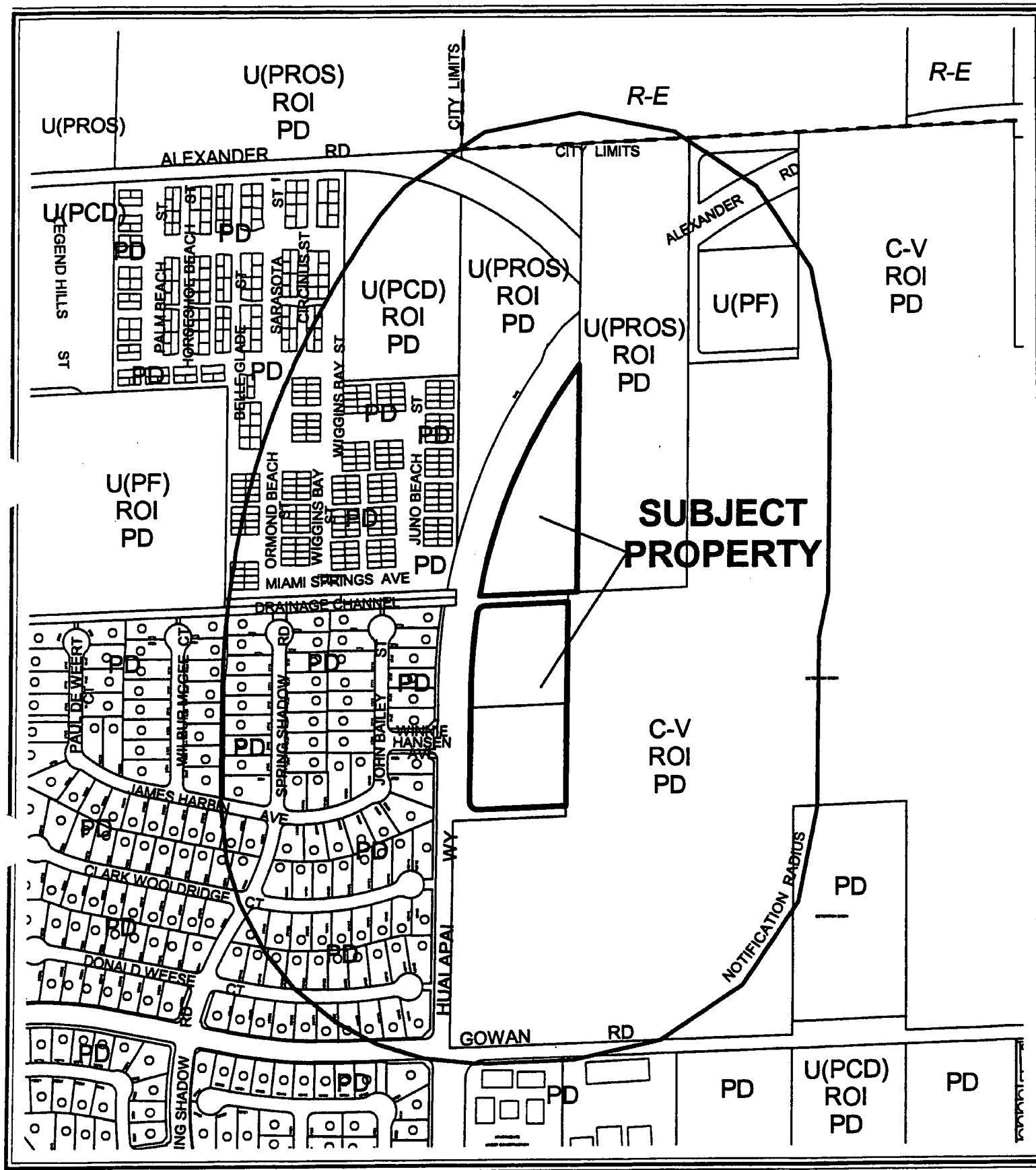
25. An update to the Master Traffic Impact Analysis must be submitted to and approved by the

CITY COUNCIL MEETING OF: APRIL 6, 2005**CONDITIONS - Continued:**

Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or 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.

26. 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.

27. Site development to comply with all applicable conditions of approval for Z-33-97, the Lone Mountain Master Plan and all other applicable site-related actions.



CASE: SDR-5579

RADIUS: 750 FT

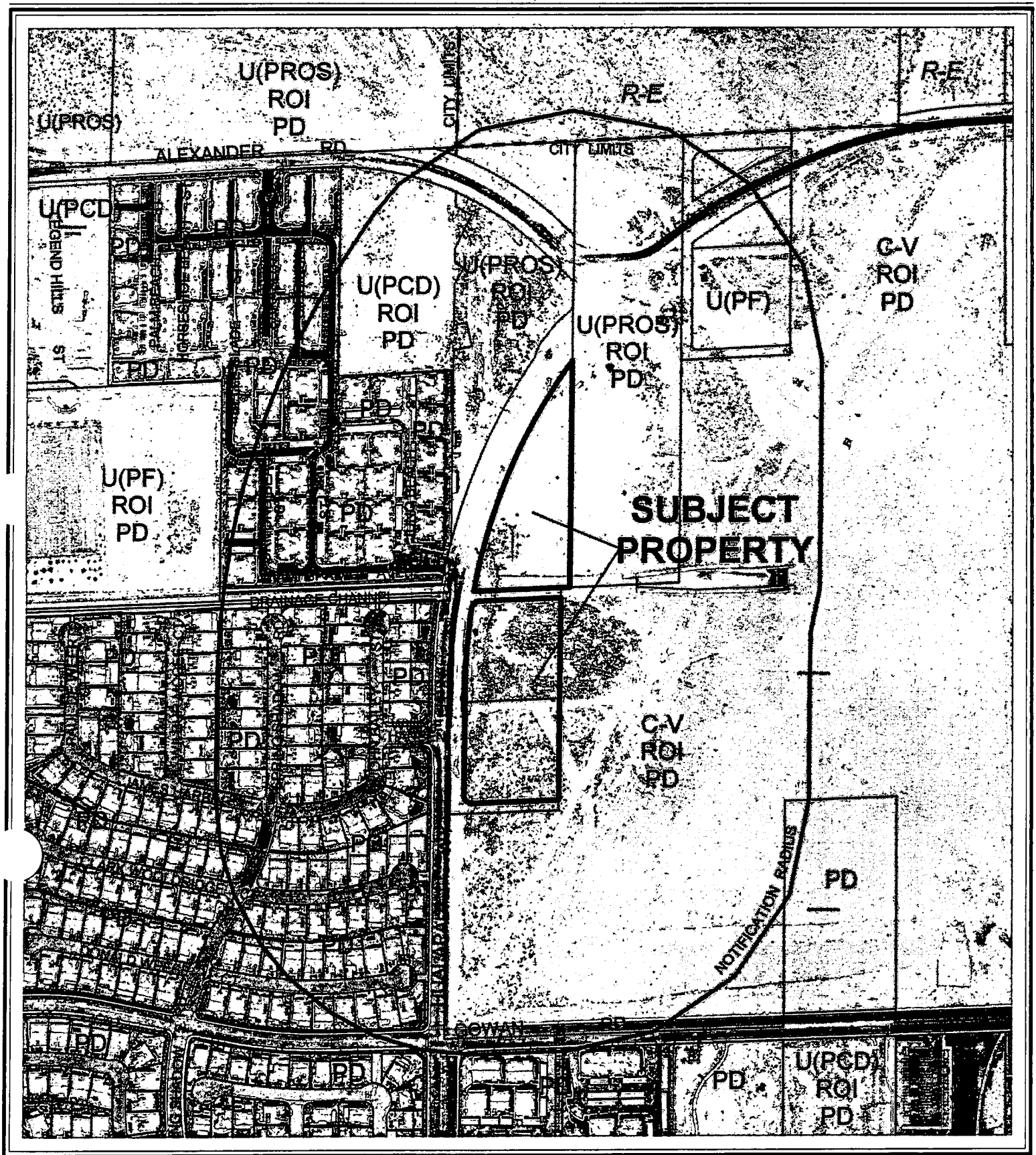
ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) AND PR-OS (PARKS/RECREATION/OPEN SPACE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)

0 300 600 Feet



104



CASE: SDR-5579

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) AND PR-OS (PARKS/RECREATION/OPEN SPACE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SDR-5579 - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC AND THE CITY OF LAS VEGAS

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

**** CONDITIONS ****

The Planning Commission (4-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of a Major Modification to the Lone Mountain Master Development Plan (MOD-5581) by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 12/08/04, except as amended by conditions herein.
4. The standards for this development shall include the following:

Standards	Dimensions
Min. Setbacks	
• Front	20 feet
• Side	5 feet
• Corner	5 feet
• Rear	10 feet
• Space between buildings	10 feet
Max. Building Height	2 Stories / 35 feet

5. The site plan shall be revised to show compliance with the standards above, the provision of handicapped parking spaces, and other conditions of approval stated herein and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map or a building permit, whichever comes first.
6. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map or a building permit, whichever comes first, to reflect the following:

- A multi-use transportation trail that complies with the design specifications of the “Master Plan Transportation Trails Elements” shall be constructed along Hualapai Way. Provision shall be made for a crossing of the path to the north side of Alexander Road. Street trees spaced 30 feet on center shall be provided within the minimum five-foot amenity zone along the back side of the trail path. A detailed section of the transportation trail and landscaping shall be provided on the landscape plan.
 - Perimeter landscaping with 24 inch box trees, 30 feet on center shall be provided along the rear and side property lines and shall be planted within a six-foot wide planting area. The landscaping shall be shown on the landscape plan.
 - Trees shall be provided within the parking area and comply with the Parking Area standards of the City’s “Landscape, Wall, and Buffer Guidelines.” The parking area trees shall be shown on the landscape plan.
 - A detail of the perimeter walls, including the design and materials shall be illustrated on the landscape plan. All property line walls shall be decorative block walls, with at least 20 percent contrasting materials, and they 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, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet. The front wall along Hualapai Way shall consist of a combination of a two-foot 10-inch high solid wall with a wrought iron fence in between solid pilasters with a cap.
 - The total amount of open space, to consist of a minimum of 330 square feet per dwelling unit, shall be designated on the landscape plan.
7. Landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner.
 8. The elevation drawings and floor plans shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map or a building permit, whichever comes first, to reflect the following:
 - Notation of the total square footage for each type of unit.
 - Elevation drawings with details of the architectural embellishments and colors.
 9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
 10. 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.
 11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
 12. 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.

13. All City code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
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 a 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 is 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 shall be defined as removal of debris and surface grading once every calendar year. Should the common interest community, or members thereof, request additional maintenance activities, the associated costs shall be assessed to the common interest community and/or members thereof.

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25. An update to the Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or 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.
26. 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.

27. Site development to comply with all applicable conditions of approval for Z-33-97, the Lone Mountain Master Plan 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 136-unit residential condominium development on 8.74 acres adjacent to the east side of Hualapai Way, north and south of Gilmore Avenue.

B) Applicant's Justification

The applicant has justified the request by stating the following:

“This application is for a Site Development Review and Major Modification to develop 136 for-sale condominium homes on these parcels. This project is adjacent to residential (across Hualapai) and more specifically condominiums. The City of Las Vegas is currently in the process of constructing a park that would abut these parcels to the east. The residential development is much more appropriate for this area given the residential feel to the area and lack of high intense commercial developments. The park will provide a much needed relaxation spot for all of the adjacent residential neighbors.”

BACKGROUND INFORMATION

A) Actions

- 06/23/97 The City Council approved a request for Rezoning (Z-0033-97) from C-V (Civic) and N-U (Non Urban) under a Resolution of Intent to R-CL (Single-Family Compact Lot) and R-PD9 (Residential Planned Development - 9 Units per Acre) to PD (Planned Development) for the Lone Mountain Master Plan Area. The subject property is included in that area. The Planning Commission and staff recommended approval on 06/12/97.
- 11/06/03 A request for Rezoning (ZON-2999) of a portion of the subject property from a U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) to C-V (Civic) Zone was stricken from the Planning Commission's agenda.
- 12/16/04 The Planning Commission recommended approval of an accompanying item for a Major Modification (MOD-5581) to the Lone Mountain Master Development Plan to change the land use designations from Neighborhood Commercial and Park/School/Recreation/ Open Space to Multi-Family Medium.

- 12/16/04 The Planning Commission voted 4-1 to recommend APPROVAL (PC Agenda Item #29/dds).
- 01/19/05 The City Council abeyed this item and an accompanying request for a Major Modification (MOD-5581) from Neighborhood Commercial and Park/School/ Recreation/ Open Space to Multi-Family Medium to the 03/02/05 City Council meeting at the request of Councilman Brown.

B) Pre-Application Meeting

- 10/19/04 The staff met with the prospective applicant to review a proposal to establish a residential condominium development on the subject property. It was indicated that a Major Modification would be required to change the commercial and open space classifications of the Lone Mountain Master Development Plan to permit the development. The procedures for both a Major Modification and a Site Development Plan Review were discussed.

C) Neighborhood Meetings

The staff required a neighborhood meeting be held for this Major Modification. The meeting was to be scheduled for January 12; however, that meeting was cancelled and a subsequent meeting has not been set. It is anticipated that a neighborhood meeting will be held on the subject application prior to its consideration by the City Council on 03/02.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 8.74

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped and detention basin
West: Single-family residences, residential condominiums, and undeveloped

C) Planned Land Use

Subject Property: Neighborhood Commercial
North: Park/School/Recreation/Open Space
South: Park/School/Recreation/Open Space
East: Park/School/Recreation/Open Space
West: Multi-Family Medium and Medium-Low Attached

D) Existing Zoning

Subject Property: PD (Planned Development)
North: PD (Planned Development)
South: PD (Planned Development)
East: PD (Planned Development)
West: PD (Planned Development)

E) General Plan Compliance

This property is designated for PCD (Planned Community Development) land uses in the Centennial Hills Sector Plan of the General Plan. The site is included within the Lone Mountain Master Development Plan area and is designated for Neighborhood Commercial and Park/School/Recreation/Open Space land uses. The site plan will comply with the proposed special land use designation of Multi-Family Medium, if an accompanying application for a Major Modification (MOD-5581) is approved.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		
Lone Mountain Master Development 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

A multi-use transportation trail is required along the east side of Hualapai Way with provisions for a crossing to the north side of Alexander Road. This trail is not shown on the latest site plan submitted. This matter is discussed in detail later in this report, and is addressed through a condition of approval.

PROJECT DESCRIPTION

The proposed development is to consist of 136 residential condominium units on 8.74 acres for an overall density of 15.56 dwelling units per acre. The 136 units are distributed within 17 two-story buildings with eight units in each building. There are two models proposed, nine buildings with "Type III" units and eight buildings with "Type IV" units. All the units are to have two bedrooms.

Three access points to Hualapai Way are proposed that will connect to a north-south drive through the development. All parking will be exterior to the buildings. The only landscaping proposed for the development is within a 15-foot landscape strip along Hualapai Way.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for the subject development are to comply with those standards approved in the Lone Mountain Master Development Plan; however, according to the Development Plan, the setback requirements are to be according to Title 19 requirements. Since the property is zoned PD (Planned Development) and there are no specific standards for the PD Zone, the proposed standards are compared to the setback requirements for an R-3 (Medium Density Residential and Apartment District).

Standards	R-3 Zone	Provided
Min. Setbacks		
• Front	20 feet	20 feet
• Side	5 feet	10 feet
• Corner	5 feet	10 feet
• Rear	20 feet	10 feet
Between buildings	10 feet	Unknown
Max. Building Height	2 Stories / 35 feet	2 Stories / 35 feet

In comparing the standards of the proposed development to an R-3 (Medium Density Residential and Apartment District) of Title 19, the standards are similar. Title 19 requires a separation of 10 feet between buildings. This distance is not indicated or noted on the site plan, but it is recommended that this minimum distance be provided. The development standards above, including the separation requirement, are addressed in the conditions of approval for this staff report.

A2) Parking and Traffic Standards

Pursuant to the Lone Mountain Master Development Plan, the parking requirements are to adhere to Title 19 requirements. Accordingly, Title 19.10 requires the following:

Uses	Units	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Multi-family Two bedroom	136	1 3/4/unit + 1/6 units	238 23			
Total	136		256	5	319	0

For 136 two-bedroom residential condominium units, 261 total parking spaces are required. A total of 319 parking spaces are provided which exceeds the requirement. All parking spaces are exterior to the units, and no differentiation is made as to which of the required 23 spaces are for guest parking. Handicapped

parking spaces are to be provided at the ratio of two percent times the total number of parking spaces. For 319 spaces, six are to be handicapped spaces. One of the six handicapped spaces must be van accessible. This is addressed as a condition of approval in this staff report.

A3) Landscape and Open Space Standards

According to the Lone Mountain Master Development Plan, perimeter area landscaping is to be in accordance with the City's "Landscape, Wall, and Buffer Guidelines." The Guidelines require a 10-foot wide landscape planter or a 14-foot wide landscape planter including a meandering sidewalk along a public street and a six-foot wide landscape planter along rear and side property line solid walls.

The development is proposed to have a 15-foot landscape easement in back of a five-foot sidewalk along Hualapai Way. A multi-use transportation trail is required along Hualapai Way that is designed and constructed to comply with the "Master Plan Transportation Trails Element." In lieu of a five-foot sidewalk constructed along the street curb, a 10-foot wide sidewalk constructed five feet off the street curb should be provided. There is sufficient width within the landscape easement to provide a five-foot amenity zone to the rear of the 10-foot wide sidewalk. Trees spaced 30 feet on center within the five-foot amenity zone are required. No other landscaping is illustrated for the development, including the required trees along the rear and side property lines. Neither is landscaping proposed for the parking areas. The Lone Mountain Master Development Plan requires that landscaping "be incorporated into parking areas to break up expanses of pavement and provide visual, heat and glare relief" (Section 6.2.3B). It is recommended that the parking areas be provided with trees in compliance with the City's "Landscape, Wall, and Buffer Guidelines."

Also, perimeter walls are proposed around the development to establish a gated development. The Lone Mountain Master Development Plan includes broad statements as to the design of perimeter walls that are consistent with the design standards for walls of the "Landscape, Wall, and Buffer Guidelines." In particular, the walls should be constructed to consist of 20 percent contrasting materials. Five-foot wrought iron "view fencing" is proposed along the rear property line. A detail of the fencing has not been provided. It is recommended that a combination of a two-foot 10-inch high solid wall with a wrought iron fence in between solid pilasters with caps be provided along Hualapai Way.

According to the Lone Mountain Master Development Plan, a minimum of 330 square feet per dwelling unit shall be allocated to open space. There is no indication on the plan as to compliance with this requirement.

To address the deficiencies and discrepancies indicated above, the Conditions of Approval in this staff report include the following stipulations:

- A multi-use transportation trail that complies with the design specifications of the Master Plan Transportation Trails Elements shall be constructed along Hualapai Way. Street trees spaces 30 feet on center shall be provided within the minimum five-foot amenity zone along the back of the trail path. A detailed section of the transportation trail and landscaping shall be provided on the landscape plan.
- Perimeter landscaping with 24 inch box trees, 30 feet on center shall be provided along the rear and side property lines and shall be planted within a six-foot wide planting area. The landscaping shall be shown on the landscape plan.
- Trees shall be provided within the parking area and comply with the Parking Area standards of the City's "Landscape, Wall, and Buffer Guidelines." The parking area trees shall be shown on the landscape plan
- The perimeter walls shall be shown on the landscape plan. A detail of the perimeter walls, including the design and materials shall be illustrated on the landscape plan. It is recommended that the front wall along Hualapai Way consist of a combination of a two-foot 10-inch high solid wall with a wrought iron fence in between solid pilasters with caps.
- Open space, to consist of 330 square feet per dwelling unit, shall be designated on the landscape plan.

B) General Analysis and Discussion

- Zoning

The present zoning of the property is PD (Planned Development). The proposed development is permitted within this zoning district.

- Site Plan

Elements of the site plan are described in the "Project Description" section and addressed in A of the "Analysis section" above. Except for noted deficiencies and discrepancies, there are no major concerns with the site plan.

- Waivers

No Waivers are being requested.

- Landscape Plan

The landscape plan is discussed in detail above. As noted, there are major deficiencies and discrepancies in the provisions of landscaping.

- Elevation

The elevation drawings illustrate two story buildings with concrete tile roofs and stucco siding on the exterior. Second floor stairways extend either out from the building or

turn at a landing partway down. Exterior columns extend the height of the building and second-story balconies provide visual interest to the buildings' design. A color palate has not been submitted. This is addressed in the Conditions of Approval for this development.

- Floor Plan

Floor plans have been submitted for two types of units. Both units are similar in the number of bedrooms, bathrooms and other spaces, but their configuration is much different. One floor plan illustrates a kitchen located central to the floor space, and the other has a living room as the central focus. The square footage of the space is not indicated and should be noted on the plan. This is addressed as a condition of approval with this report.

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 subject property is separated from other residential developments to the west by Hualapai Way and from any other development by a proposed City park and detention basin to the north, east and west. Since the development is virtually isolated from any other development, compatibility is not an issue. The City park will provide a direct service and benefit to the residents of the proposed residential 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 development complies generally with the Lone Mountain Master Development Plan. However, there are major deficiencies and discrepancies in compliance with the Landscape, Wall and Buffer Standards of Title 19. This concern is addressed as a condition of approval in this report.

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

According to the Master Plan of Streets and Highways, Hualapai Way is a Primary Arterial (100-foot wide) street. The street is designed to carry significant volumes of traffic that originate from within and beyond the site. The central drive to the complex and its juxtaposition with a drive to a residential development across Hualapai Way is not shown on the site plan. This is addressed as a condition of approval in this report.

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

Building materials are similar to other projects of this type and include concrete roof tile and stucco siding. Numerous architectural embellishments, including protruding columns and recessed balconies, provide visual interest to the design of the buildings. The site is devoid of landscaping as addressed in the "Analysis" section above.

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 addressed in 1 and 4 above, the buildings are not unsightly, undesirable or obnoxious in appearance, and they are compatible with development in the area.

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

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

PLANNING COMMISSION ACTION

There were 15 speakers opposed to the project at the Planning Commission hearing. Issues of concern included access to the park, elimination of future park land, restricted views, traffic and neighborhood degradation.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 436 by Planning Department

APPROVALS 0

PROTESTS 15







SITE DATA

PROPOSED USE:
 AREA:
 CLURRY COIL PLAN DESIGNATION:
 PROPOSED SOX PLAN DESIGNATION:
 PROPOSED LOTS:
 PROPOSED DENSITY:

LOW DENSITY RESIDENTIAL
 8.74 GROSS ACRES
 LOW DENSITY - RESIDENTIAL COMMERCIAL & PARK
 MAJOR SOX: 10 RESIDENTIAL RESIDENTIAL
 135-4 RESIDENTIAL COMMERCIAL
 15.88 UNITS/ACRE

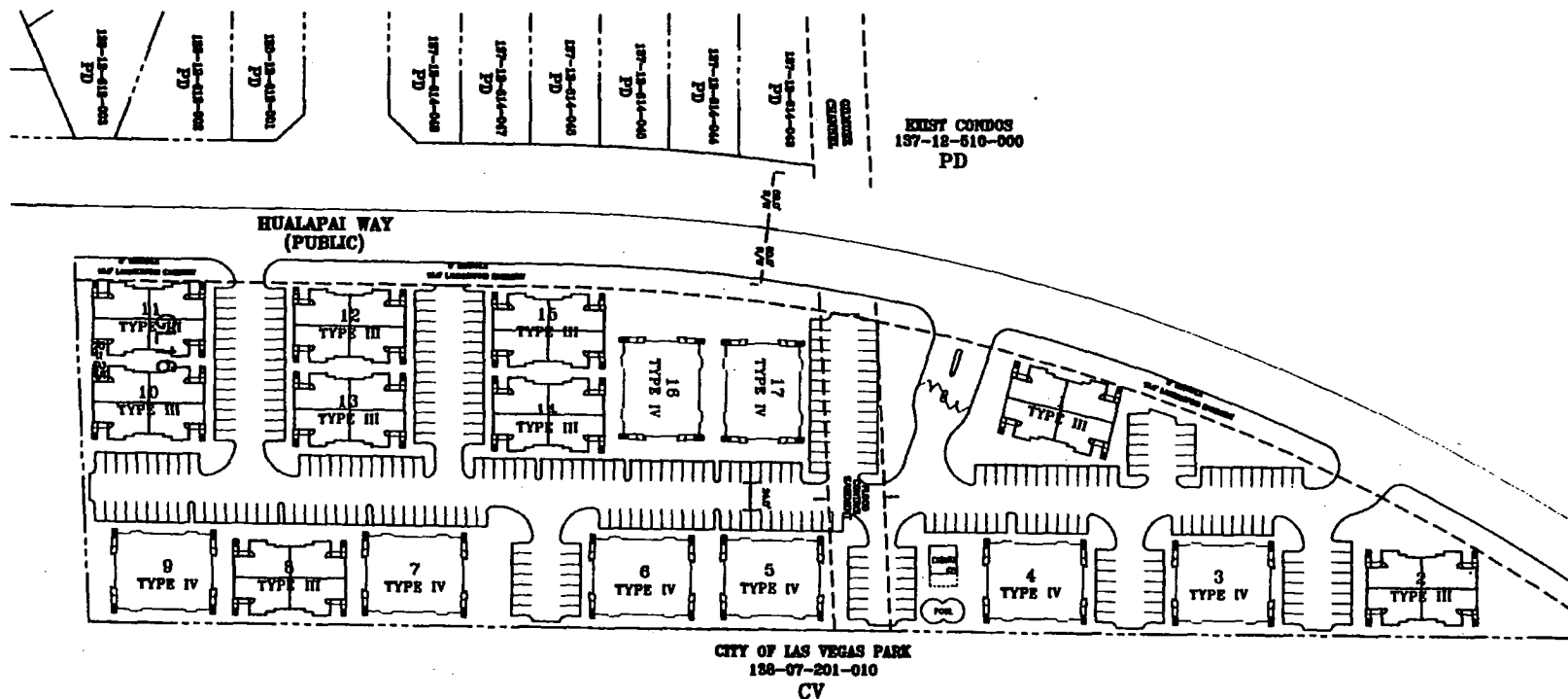
MIN FRONT SETBACK: 10'
 MIN SIDE YARD SETBACK: 10'
 MIN CORNER SETBACK: 10'
 MIN REAR YARD SETBACK: 10'
 MAX BUILDING HEIGHT: 2 STORIES OR 20' (WHICHEVER IS LESS)

APN NUMBERS

APN: 138-07-201-001, 138-07-201-002, -003

1 OF 2 BED UNITS
 REQUIRED PARKING PER UNIT:
 GUEST PARKING REQUIRED:
 TOTAL PARKING REQUIRED:
 TOTAL PARKING PROVIDED:

130
 1.75 SPACES PER UNIT
 8 SPACES/100 SPACES
 130 RESIDENT + 12 GUEST = 142 SPACES
 200 SPACES



PROJECT INFORMATION

PROJECT NAME: LONE MOUNTAIN HILLS GILMORE AND HUALAPAI CONDOMINIUMS

PRELIMINARY SITE PLAN

DATE: 12/16/04

BY: SDR-5579

CITY OF LAS VEGAS, NV

CLURRY COIL PLAN DESIGNATION: 135-4

PROPOSED SOX PLAN DESIGNATION: 135-4

PROPOSED LOTS: 135-4

PROPOSED DENSITY: 15.88 UNITS/ACRE

MIN FRONT SETBACK: 10'

MIN SIDE YARD SETBACK: 10'

MIN CORNER SETBACK: 10'

MIN REAR YARD SETBACK: 10'

MAX BUILDING HEIGHT: 2 STORIES OR 20' (WHICHEVER IS LESS)

APN NUMBERS: 138-07-201-001, 138-07-201-002, -003

1 OF 2 BED UNITS

REQUIRED PARKING PER UNIT: 1.75 SPACES PER UNIT

GUEST PARKING REQUIRED: 8 SPACES/100 SPACES

TOTAL PARKING REQUIRED: 130 RESIDENT + 12 GUEST = 142 SPACES

TOTAL PARKING PROVIDED: 200 SPACES

SDR-5579

12/16/04 PC

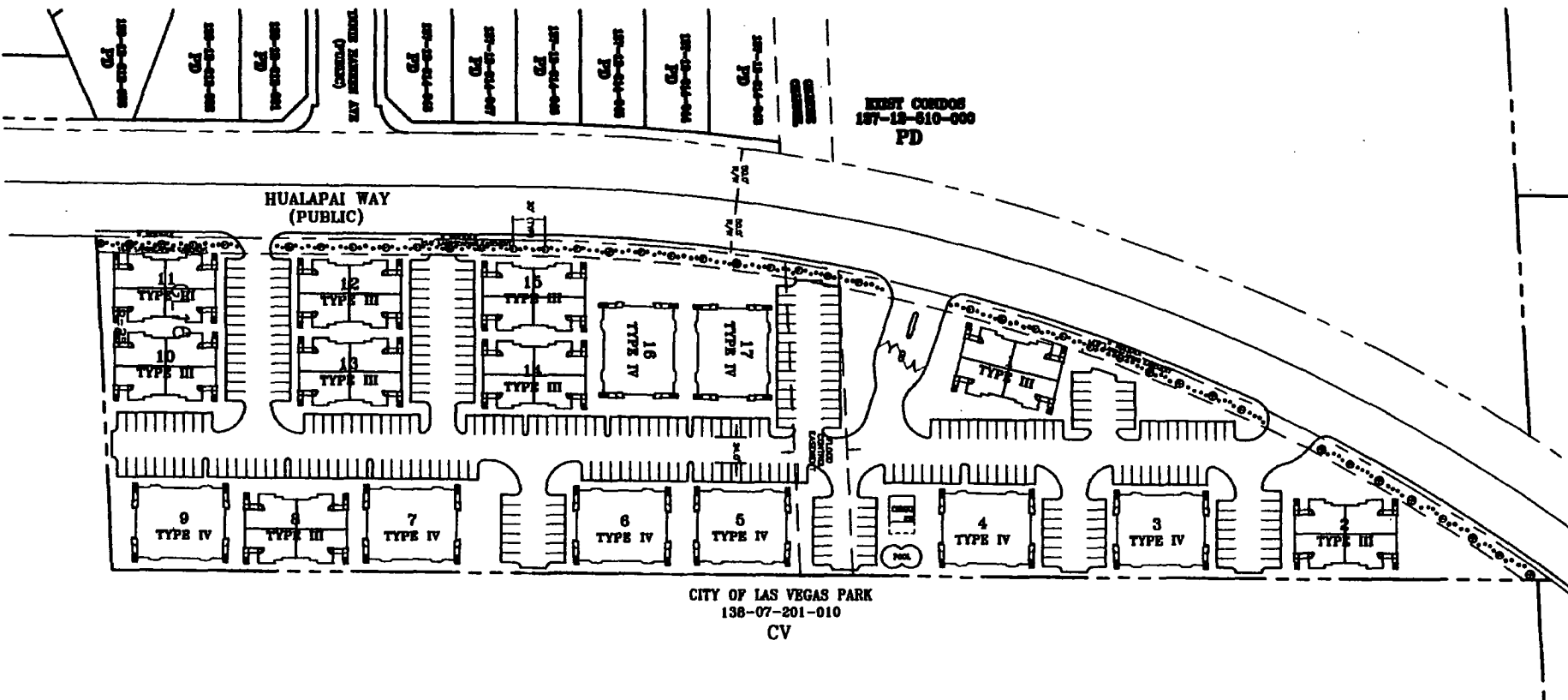
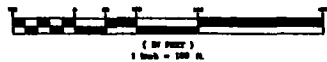
APN NUMBERS

APN: 138-07-024-001 - 012
138-07-103-008

LEDGEND

SYM.	TYPE	QTY
⊕	24" Box Modesto Ash	14
⊙	24" Box Modesto Pine	24
•	5 gallon Texas Ranger	42
•	5 gallon Autumn Sage	73
•	5 gallon Deer Grass	48

GRAPHIC SCALE



CITY OF LAS VEGAS PARK
138-07-201-010
CV

EAST CONDOS
137-12-610-000
PD

HUALAPAI WAY
(PUBLIC)

SDR-5579

12/16/04 PC

LONE MOUNTAIN HILLS
GILMORE AND HUALAPAI CONDOMINIUMS
LANDSCAPE PLAN





SDR-5579 - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC
AND THE CITY OF LAS VEGAS
EAST SIDE OF HUALAPAI WAY, NORTH AND SOUTH OF GILMORE AVENUE
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 6, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****VACATION**

VAC-5901 - PUBLIC HEARING - APPLICANT: JHR ASSOCIATES - OWNER: SEEGMILLER PARTNERS, LLC - Petition to Vacate Public Utility Easements at 205 Hoover Avenue, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

The Planning Commission (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.

DERRICK FENNER, JHR Associates, 4880 West University Avenue, #B2, appeared on behalf of the applicant, and stated that the vacation of these easements will have no effect to the adjacent property owners.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:35 - 4:36)

6-143

CONDITIONS:

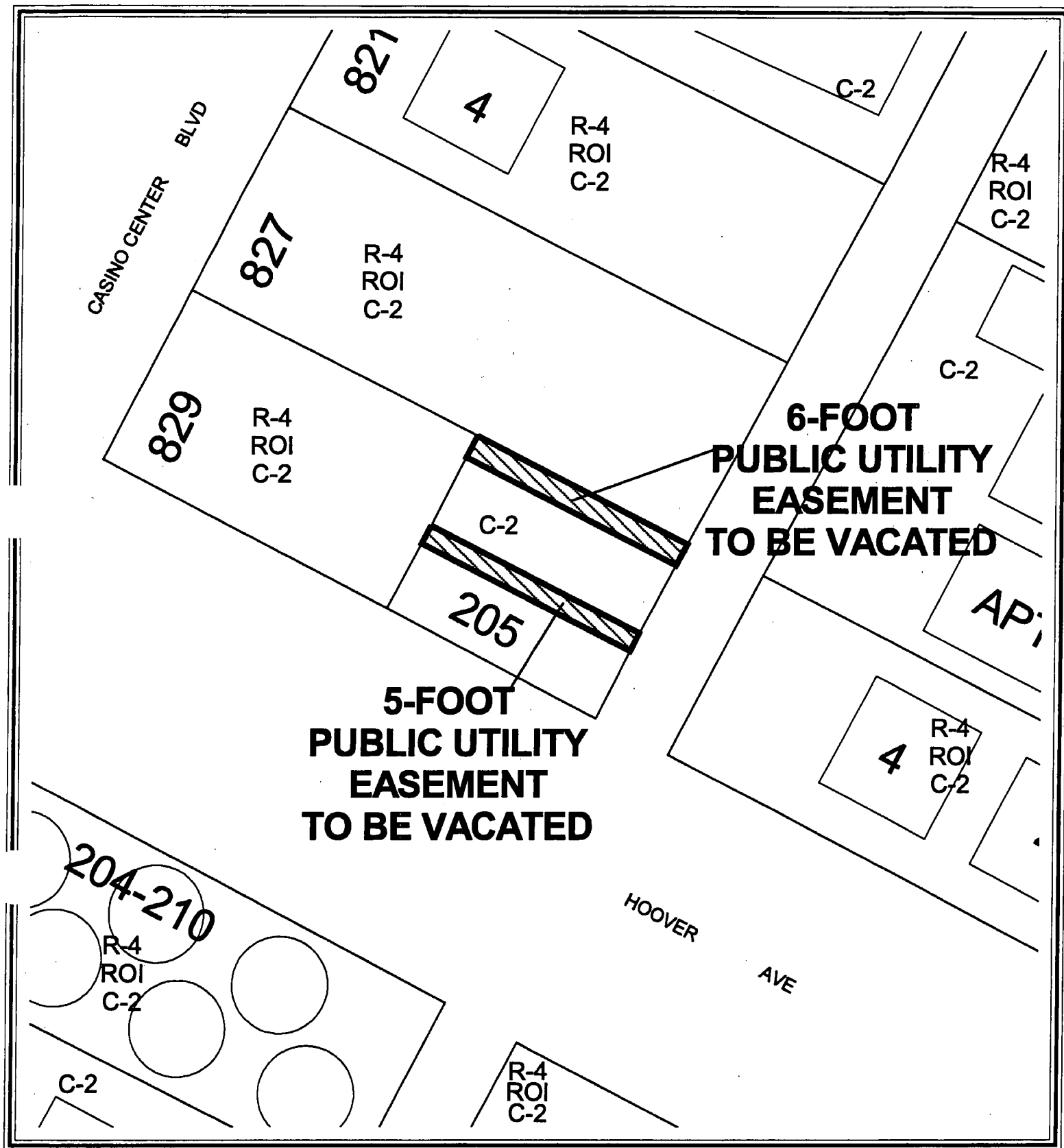
1. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right of way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right of way or easement being vacated must be retained.

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



CASE: VAC-5901

0 30 60 Feet

105



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-5901 - APPLICANT: JHR ASSOCIATES - OWNER:
SEEGMILLER PARTNERS, LLC

**** CONDITIONS ****

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

1. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
4. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate Public Utility Easements at 205 Hoover Avenue.

B) Applicant's Justification

The applicant has justified this application by stating that the proposed vacation will allow for the construction of the Newport Lofts mixed-use development that will include the subject site.

BACKGROUND INFORMATION

A) Related Actions

- 12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single-Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
- 10/15/70 The Planning Commission approved a Plot Plan Review application (Z-0100-64[84]) to allow the conversion of an existing residence to a dental laboratory.
- 10/06/04 The City Council approved a request for a Special Use Permit (SUP-4728) and a Site Development Plan Review (SDR-4727) for a mixed use development on the subject site. The Planning Commission and staff recommended approval.
- 11/04/04 The Planning Commission approved a Tentative Map (TMP-5375) for the Newport Lofts subdivision. Staff recommended approval.
- 12/23/04 Planning and Development Department staff administratively approved a Technical Review (FMP-5758) of a Reversionary Map of Lots 11 - 16 of Block 12 of the South Addition. As of the date of this report, this map has not recorded.
- 02/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #8/ss).

DETAILS OF APPLICATION REQUEST

This petition seeks to Vacate public utility easements located in a portion of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 34, Township 20 South, Range 61 East, M.D.M.

ANALYSIS

A) Planning discussion

The two public utility easements, one five feet wide, the other six feet wide, are internal to the property and extend the length of the parcel, which will be merged into the adjacent parcels when the reversionary map for the Newport Lofts subdivision records. This particular site will contain the retail and art gallery portions of the project. Planning and Development does not have an objection to the vacation of these easements, as they are no longer needed.

B) Public Works discussion

The Department of Public Works has no objection to the vacation application request to Vacate public utility easements located at 205 Hoover Avenue.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

22

NOTICES MAILED 3 by City Clerk

APPROVALS 0

PROTESTS 0



VAC-5901 - APPLICANT: JHR ASSOCIATES - OWNER: SEEGMILLER PARTNERS, LLC
205 HOOVER AVENUE
FEBRUARY 24, 2005 PLANNING COMMISSION

2/8/05

JHR Associates, Ltd.

Civil Engineers & Land Surveyors

Internet: WWW.JHRASSOCIATES.COM

4880 W. University, Suite B-2

Las Vegas, Nevada 89103

Ph: (702) 876-2341

Fax: (702) 876-8395

December 29, 2004

City of Las Vegas
731 South Fourth Street
Las Vegas, Nevada 89101

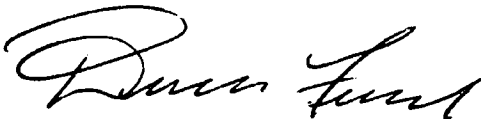
**Subject: Justification Letter, Newport Lofts
Vacation Submittal**

To Whom It May Concern:

We are submitting for a vacation on the above mentioned project, to eliminate existing easements so a high rise condo project can be constructed.

Should you have any questions, or require any further information, please give us a call.

Sincerely,

A handwritten signature in black ink, appearing to read "Derrick Fenner", written in a cursive style.

Derrick Fenner

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VACATION

VAC-5902 - PUBLIC HEARING - APPLICANT: JHR ASSOCIATES - OWNER: SP SAHARA DEVELOPMENT, LLC - Petition to Vacate a 15 foot wide Public Utility Easement at 200 West Sahara Avenue, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (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.

DERRICK FENNER, JHR Associates, 4880 West University Avenue, #B2, appeared on behalf of the applicant, and stated that some public utilities located in the easement need to be relocated prior to recordation.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:36 - 4:37)

6-172

CONDITIONS:

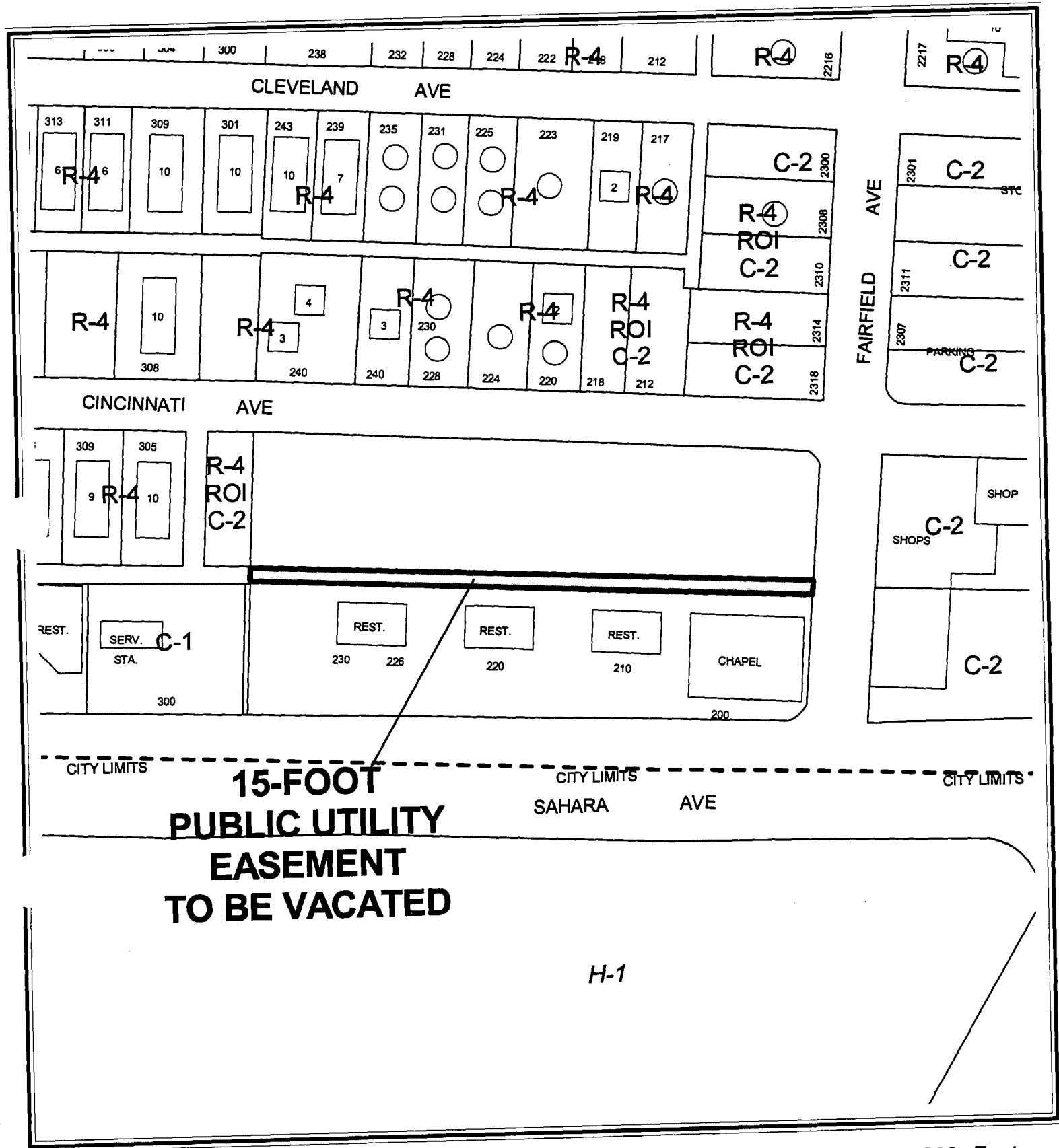
1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by Zoning Reclassification Z-2-99 and SDR-4534 may be used to satisfy this requirement provided that it addresses the area to be vacated.

2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right of way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right of way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

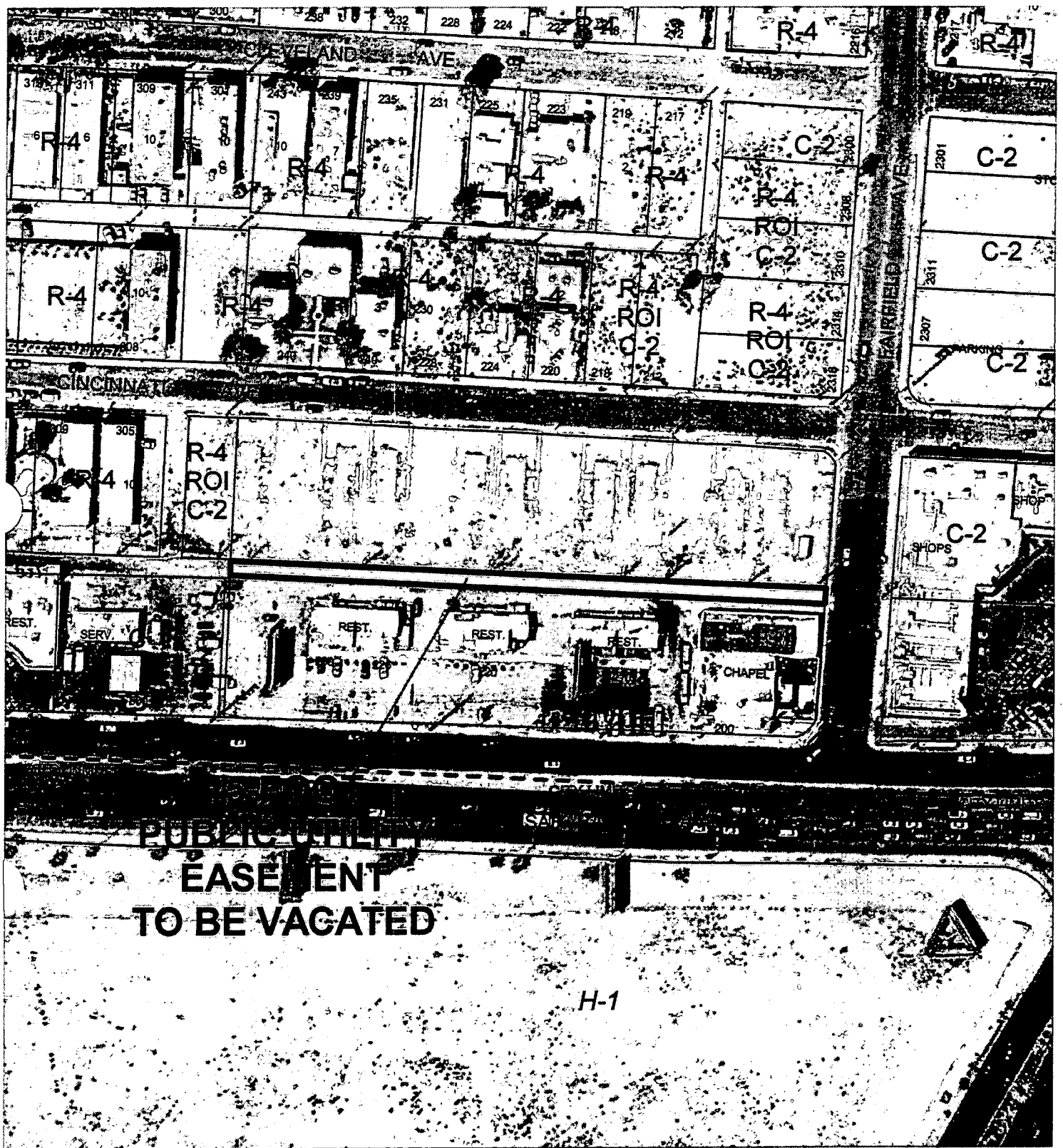


0 100 200 Feet

CASE: VAC-5902

106





0 100 200 Feet

CASE: VAC-5902



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-5902 - APPLICANT: JHR ASSOCIATES - OWNER: SP SAHARA DEVELOPMENT, LLC

**** CONDITIONS ****

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

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by Zoning Reclassification Z-2-99 and SDR-4534 may be used to satisfy this requirement provided that it addresses the area to be vacated.
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Petition to vacate a 15-foot wide Public Utility Easement at 201 West Sahara Avenue.

B) Applicant's Justification

The applicant has justified this application by stating that the proposed vacation will allow for the construction of the Allure Condominiums mixed-use development that includes the subject site.

BACKGROUND INFORMATION

A) Related Actions

- 03/22/61 The City Council approved a Rezoning (Z-0013-61) on a portion of the subject site from R-3 (Medium Density Residential) to C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
- 07/26/61 The City Council approved a Rezoning (Z-0026-61) on a portion of the subject property from R-3 (Medium Density Residential) to C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
- 01/07/87 The City Council approved a Rezoning (Z-0099-86) from C-1 (Limited Commercial) to C-2 (General Commercial) on a portion of the subject property in order to allow a Wedding Chapel use. The Planning Commission and staff recommended approval.
- 02/18/87 The City Council approved a Rezoning (Z-0107-86) on the subject property from R-3 (Medium Density Residential) and C-1 (Limited Commercial) with a portion under Resolution of Intent to C-2 (General Commercial) to C-1 (Limited Commercial) and C-2 (General Commercial) in order to permit the development of retail shops, gas sales and a convenience store, and a restaurant. The Planning Commission and staff recommended approval.
- 03/08/99 The City Council approved a Rezoning (Z-0002-99) from C-1 (Limited Commercial), C-2 (General Commercial), R-3 (Medium Density Residential) and R-4 (High Density Residential) to C-2 (General Commercial) on the subject property in order to permit the development of 54,580 square foot shopping center. The Resolution of Intent on this property has no expiration date. The City Council also approved a Petition to Vacate alleys generally located south of Cincinnati Avenue, west of Fairfield Avenue (VAC-0001-99). In both cases, the Planning Commission and staff recommended approval.

- 06/05/02 The City Council approved a Site Development Plan Review [Z-0002-99(1)] for the development of a 200-room hotel and casino on the site. Special Use Permits for a Hotel Lounge Bar (U-0042-02) and Non-Restricted Gaming (U-0043-02), and a Variance (V-0027-02) to allow the construction of parking garage directly on the north property line and 12-foot high perimeter walls were also approved at that time. The Planning Commission and staff recommended approval of all items. All approvals expired on 06/05/04, with the exception of V-0027-02, which was extended into 2006.
- 08/04/04 The City Council approved a Special Use Permit (SUP-4540) for a Mixed-Use development concurrently with the request for a Site Development Plan Review (SDR-4534) for a proposed 39-story mixed-use development consisting of 808 multi-family units and 35,500 square feet of retail space on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue. The Planning Commission and staff recommended approval.
- 12/16/04 The Planning Commission approved a Tentative Map (TMP-5574) for the Allure Condominiums Subdivision. Staff recommended approval.
- 12/23/04 Planning and Development Department staff administratively approved a Technical Review (FMP-5750) of a Reversionary Map of Lots 1 - 18 of Block 9 of the Meadows Addition. As of the date of this report, this map had not recorded.
- 02/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #9/ss).

DETAILS OF APPLICATION REQUEST

This petition seeks to Vacate a 15-foot wide Public Utility Easement located in a portion of the South Half (S½) of the Southeast Quarter (SE¼) of Section 4, Township 21 South, Range 61 East, M.D.M.

ANALYSIS

A) Planning discussion

The 15-foot wide public utility easement is internal to the property and extends the length of Assessor's Parcel Number 162-04-812-001, which will be merged into the adjacent parcel when the reversionary map for the Allure Condominiums Subdivision records. Previous vacation applications had reserved this easement on the site. Planning and Development does not have an objection to the vacation of this easement, as it is no longer needed. Pending the results of a drainage study, appropriate drainage easements may need to be reserved on the site.

B) Public Works Discussion

The Department of Public Works has no objection to the vacation application request to Vacate public utility easements located at 201 West Sahara Avenue

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 4 by City Clerk

APPROVALS 0

PROTESTS 0



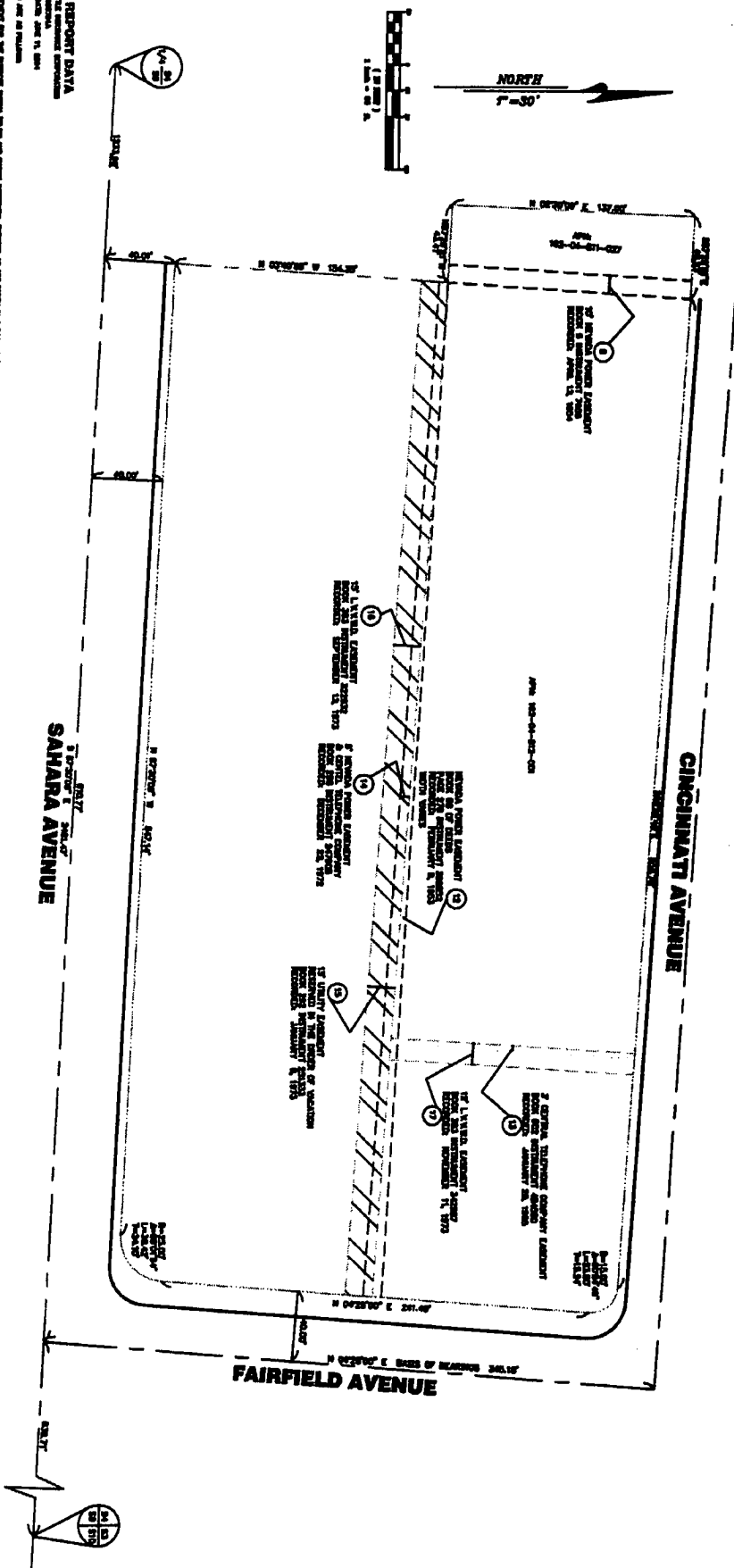
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LEGAL DESCRIPTION

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BASIS OF BEARINGS
 NORTH ARROW: EAST, BEARING OF 170° FROM
 THE CENTER OF THE CIRCLE
 OFFICIAL RECORD

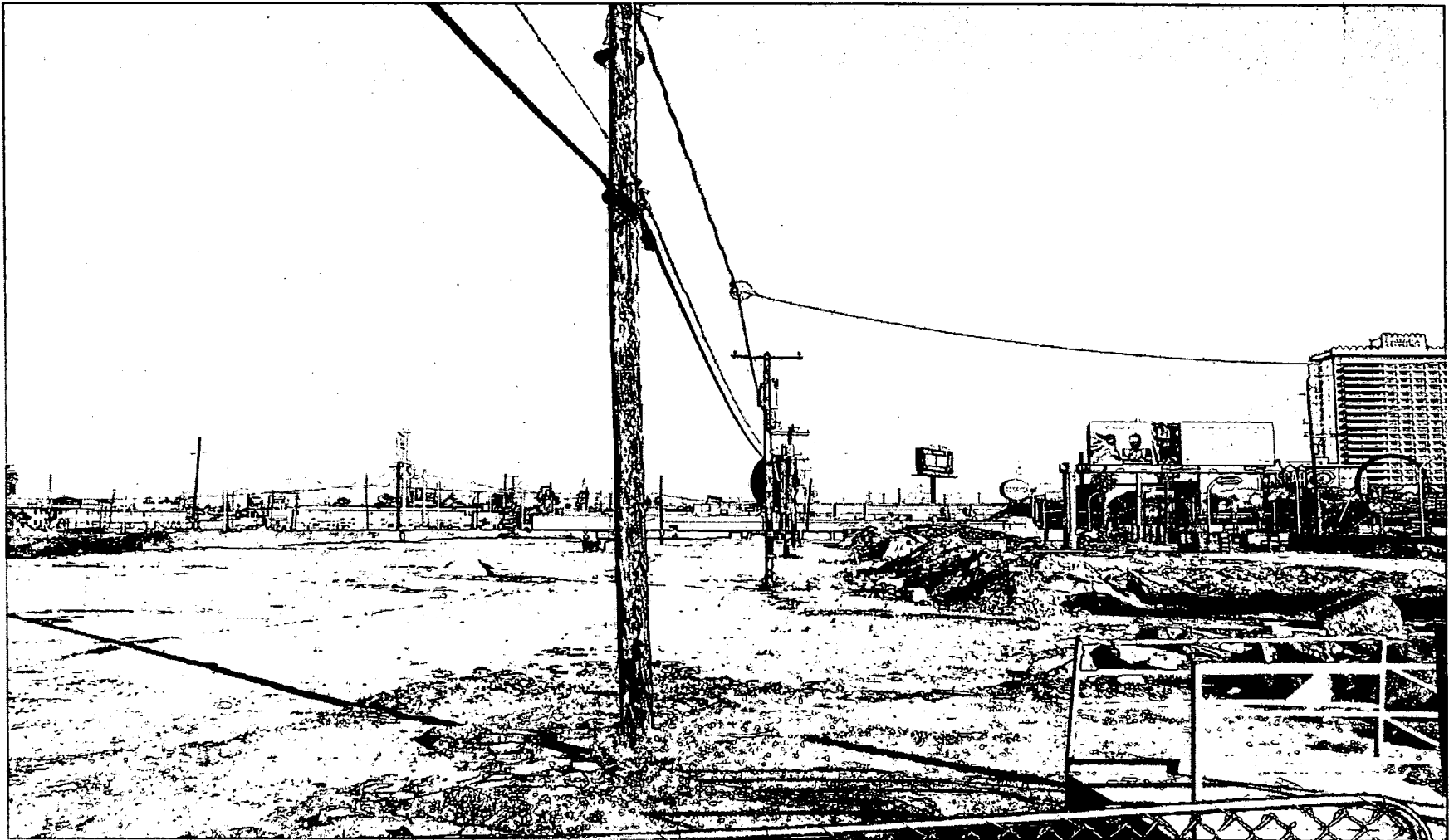
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VAC-5902
02/24/05 PC

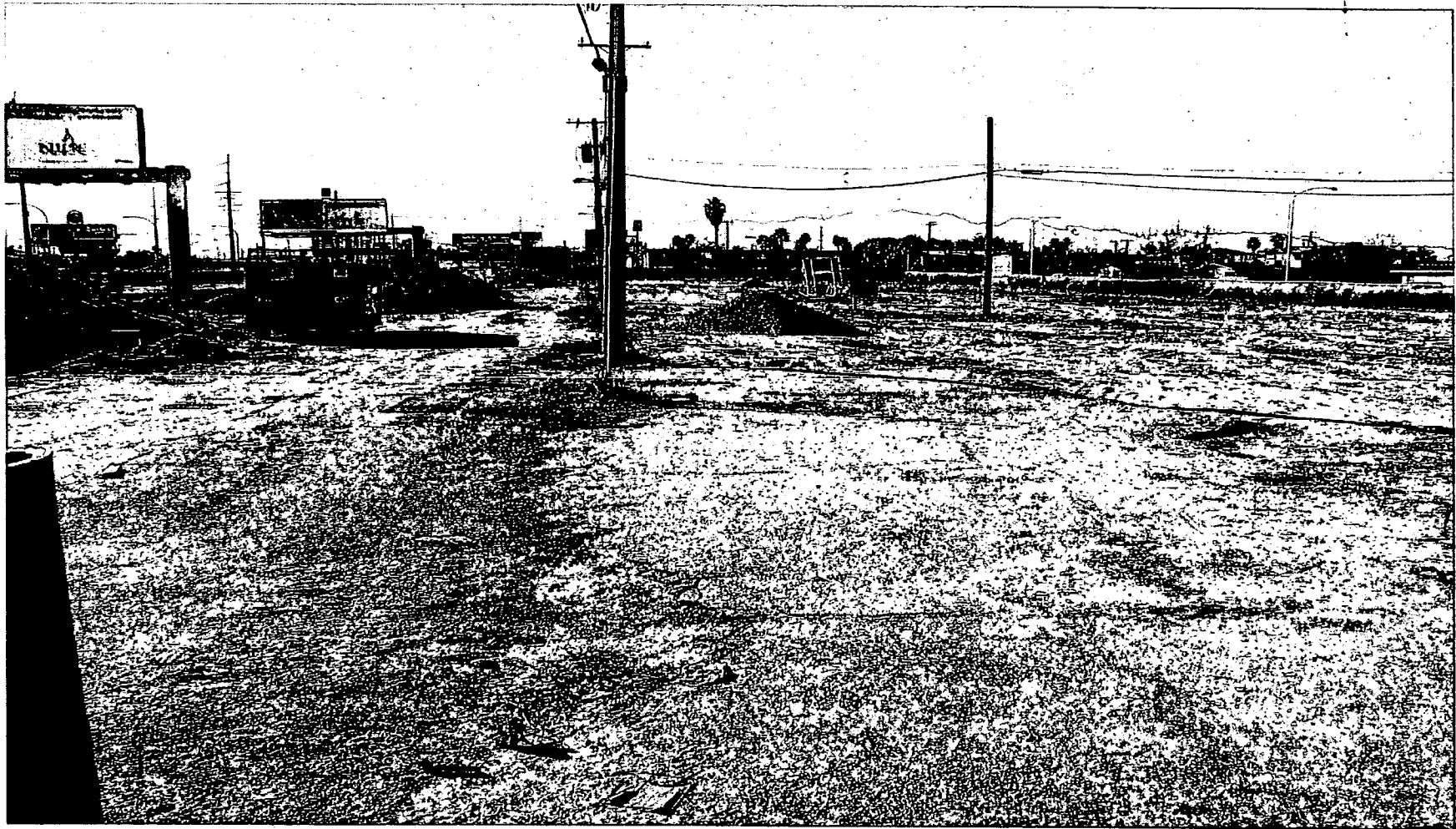
RECEIVED
JAN 14 2005

	DRAWN BY DATE CHECKED BY DESIGNED BY	SHEET 1-1-84 VACATION EXHIBIT	DRAWN BY DATE CHECKED BY DESIGNED BY	SP SAHARA DEVELOPMENT, LLC. 20 N. UNIVERSITY BLVD., SUITE 200, LAS VEGAS, NEVADA 89102 PHONE (702) 676-2341 FAX (702) 676-2340	10/10/84 BY
	PROJECT NO. 100-04-000	PROJECT ALLURE CONDOMINIUMS WEST SAHARA AVENUE CITY OF LAS VEGAS, NEVADA	PROJECT SP SAHARA DEVELOPMENT, LLC. 20 N. UNIVERSITY BLVD., SUITE 200, LAS VEGAS, NEVADA 89102 PHONE (702) 676-2341 FAX (702) 676-2340	10/10/84 BY	



VAC-5902 - APPLICANT: JHR ASSOCIATES - OWNER: SP SAHARA DEVELOPMENT, LLC
200 WEST SAHARA AVENUE
FEBRUARY 24, 2005 PLANNING COMMISSION

2/8/05



VAC-5902 - APPLICANT: JHR ASSOCIATES - OWNER: SP SAHARA DEVELOPMENT, LLC
200 WEST SAHARA AVENUE
FEBRUARY 24, 2005 PLANNING COMMISSION

2/8/05

JHR Associates, Ltd.

Civil Engineers & Land Surveyors

Internet: WWW.JHRASSOCIATES.COM

4880 W. University, Suite B-2

Las Vegas, Nevada 89103

Ph: (702) 876-2341

Fax: (702) 876-8395

December 29, 2004

City of Las Vegas
731 South Fourth Street
Las Vegas, Nevada 89101

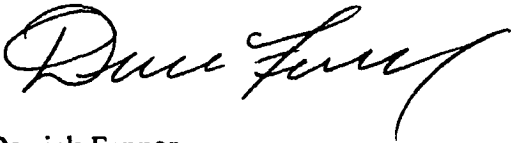
Subject: Justification Letter, Allure Condos
Vacation Submittal

To Whom It May Concern:

We are submitting for a vacation on the above mentioned project, to eliminate the existing 15.00' utility easement identified as exception # 15. To allow a high rise condo project can be constructed.

Should you have any questions, or require any further information, please give us a call.

Sincerely,



Derrick Fenner

RECEIVED
JAN 14 2005

VAC-5902

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VACATION

VAC-5936 - PUBLIC HEARING - APPLICANT/OWNER: PN II, INC. D/B/A PULTE HOMES OF NEVADA - Petition to Vacate U.S. Government Patent Easements generally located west of Shaumber Road, south of Dorrell Lane, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CHASE JENKINS, GC Wallace, Inc., 1555 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff recommendations. The vacation is required to accommodate 170 homes to a previously approved tentative map.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:37 - 4:38)

6-198

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Tentative Map TMP 5935 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of

CITY COUNCIL MEETING OF: APRIL 6, 2005

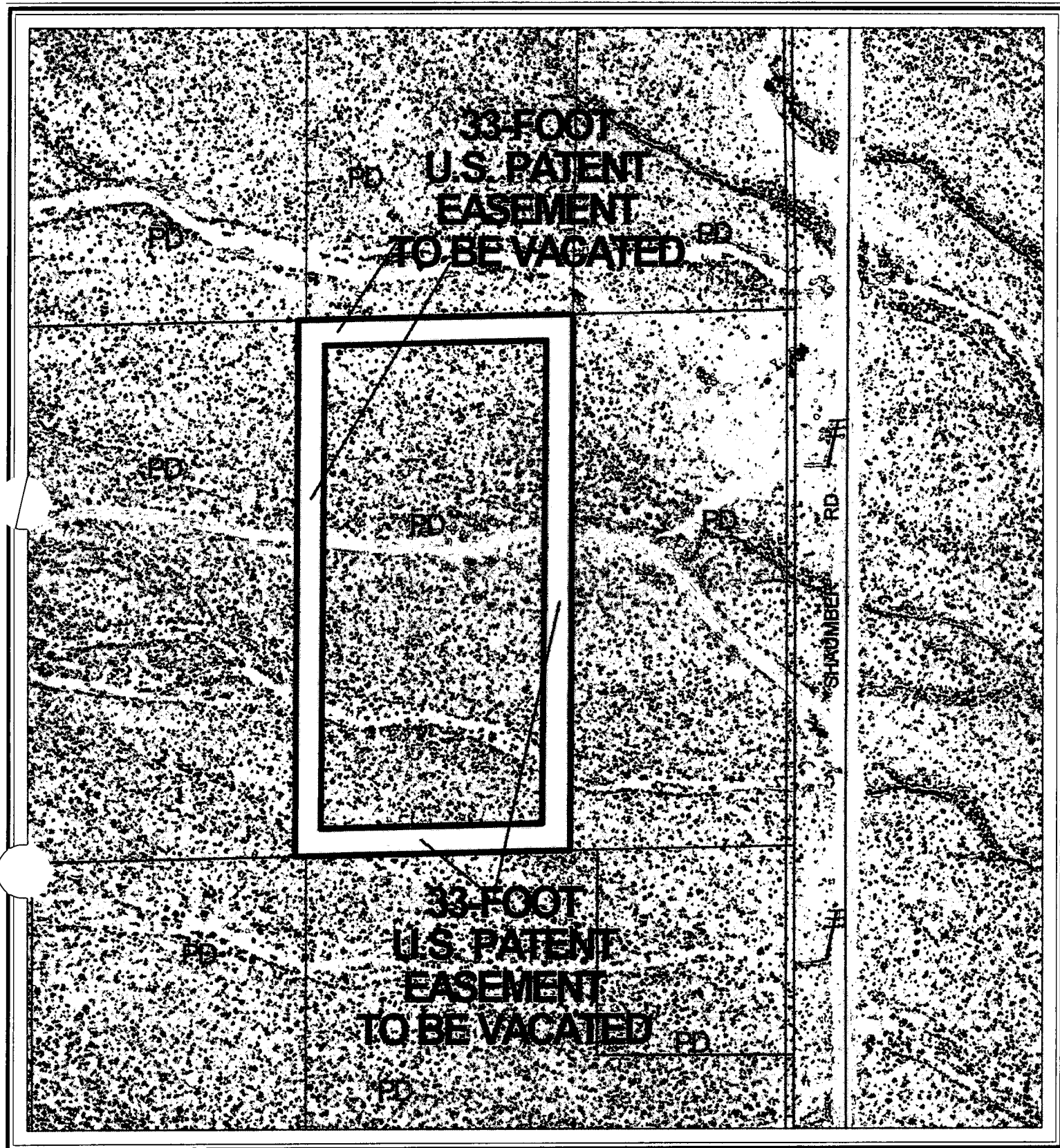
CONDITIONS - Continued:

Relinquishment of Interest.

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

PD





0 100 200 Feet

CASE: VAC-5936



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-5936 - APPLICANT/OWNER: PN II, INC. D/B/A PULTE HOMES OF NEVADA

**** CONDITIONS ****

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

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Tentative Map TMP-5935 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Petition to Vacate U.S. Government Patent Easement generally located west of Shaumber Road, south of Dorrell Lane.

B) Applicant's Justification

The U.S. Patent Easements are located within parcels that are proposed for the development of a 169 lot single family residential subdivision. The vacation would facilitate the development of structures throughout the subject parcels.

BACKGROUND INFORMATION

A) Related Actions

- 02/05/03 The City Council approved an Annexation (A-0035-02) of over 1056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of Rezoning (ZON-1520). The Planning Commission recommended approval on September 26, 2002. The effective date of this annexation is February 14, 2003.
- 03/19/03 The City Council approved the "Cliff's Edge Master Development Plan" to regulate development and the provision of infrastructure in the area around the subject site. The Planning Commission and staff recommended approval.
- 04/16/03 The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on 297.50 acres and to establish a Master Plan for the Cliff's Edge Development adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission recommended approval on February 13, 2003.
- 07/16/03 The City Council approved a request for a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved amendments to the approved Cliff's Edge Master Development Plan. The Planning Commission and staff recommended approval on 06/12/03.

- 02/18/04 The City Council approved a Development Agreement between the City of Las Vegas and Cliff's Edge, Limited Liability Company, for the Cliff's Edge Master Planned Community. The Planning Commission recommended approval on 01/08/04. Staff recommended approval of this application.
- 03/11/04 The Planning Commission approved a Tentative Map (TMP-3798) for a 35-lot mixed-use subdivision on 922.96 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. This Tentative Map is to serve as the guiding map for the further subdivision of land within the Cliff's Edge Master Development Plan Area.
- 06/16/04 The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-4197) to add major roads within the Cliff's Edge Master Development Plan area, generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way. The preparation and submission of this request was a condition of approval of the Cliff's Edge parent Tentative Map, as approved by the Planning Commission on March 11, 2004.
- 07/07/04 The City Council approved a Rezoning (ZON-4142) application for the reclassification of property from U (Undeveloped) [PCD (Planned Community Development) General Plan designation] to PD (Planned Development) on 20.0 acres south of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission recommended approval on May 27, 2004.
- 02/24/05 The Planning Commission held in abeyance to their 03/10/05 meeting a Tentative Map (TMP-5935) application for a 169 lot single family residential subdivision on 22.23 acres (POD 303a & 303b) adjacent to the west side of Shaumber Road, approximately 630 feet south of Dorrell Lane. Staff is recommending approval.
- 02/24/05 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #10/pl).

DETAILS OF APPLICATION REQUEST

The subject Vacation request proposes to vacate U. S. Government Patent Easements generally described as the West, South, East and North thirty-three feet (33') of the West Half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 24, Township 19 South, Range 59 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U. S. Government Patent Reservation because it is no longer needed in its current configuration. This will allow the development of a 169 lot single family residential subdivision on this site. This request is appropriate, as the subject easement is not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

Public Works has no objection to the vacation application request for U.S. Government Patent Reservations generally located west of Shaumber Road, south of Dorrell Lane.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

NOTICES MAILED 6 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-5936** APN: 126-24-210-005, 003

Name of Property Owner: PN II Inc. A Nevada Corporation

Name of Applicant: Pulte 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: _____

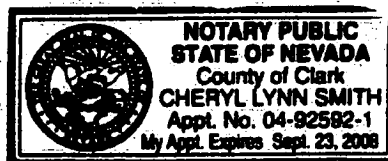
Signature of Property Owner/Authorized Agent: _____

Print Name: Jeremy Fritz

Subscribed and sworn before me

This 29th day of Nov, 2004

Cheryl Lynn Smith
Notary Public in and for said County and State

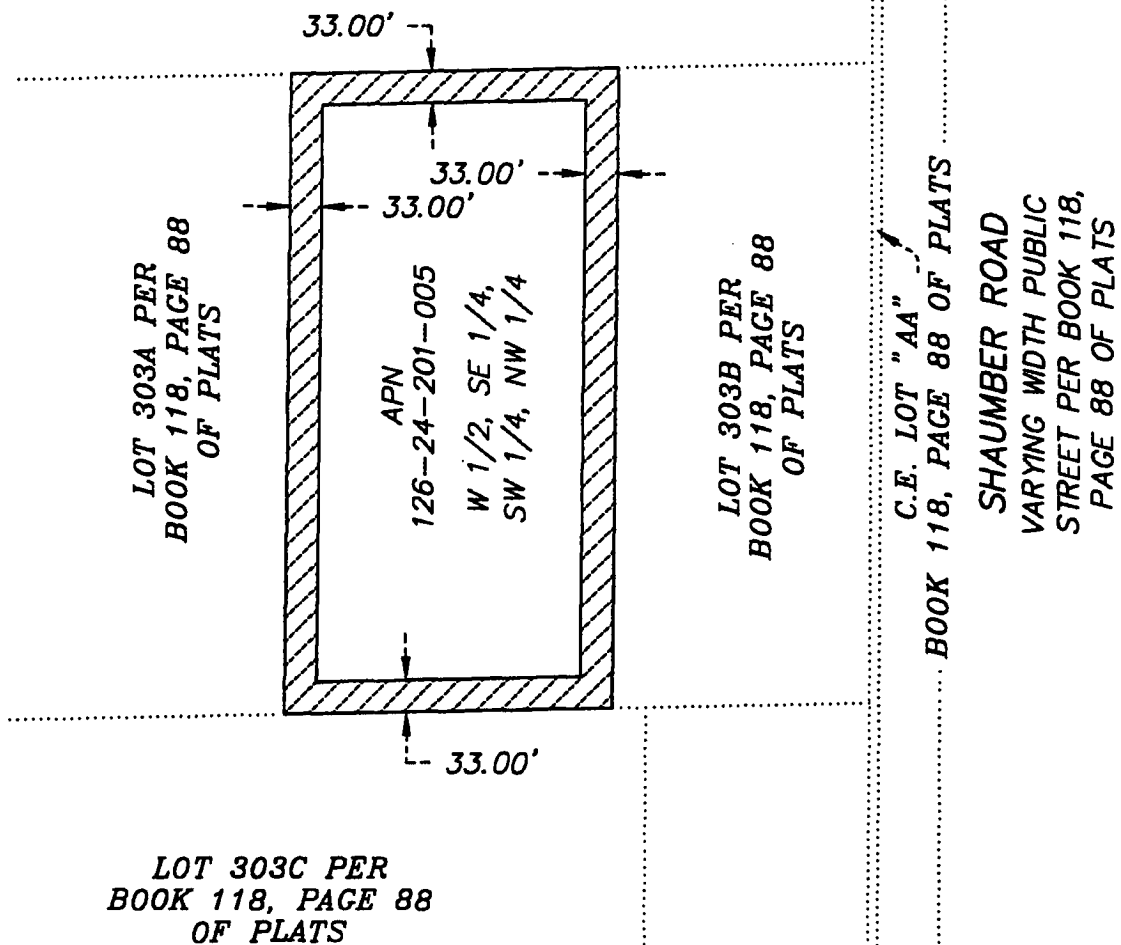


APN 126-24-201-005

RELINQUISHMENT OF PATENT EASEMENTS

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 24,
TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS,
CLARK COUNTY, NEVADA

LOT 301 PER
BOOK 118, PAGE 88
OF PLATS



SCALE: 1" = 200'



PATENT EASEMENTS TO BE
RELINQUISHED

EXHIBIT "A"
PAGE 2 OF 2



G.C. WALLACE, INC.
Engineers/Planners/Surveyors
1555 SOUTH RAINBOW BLVD., LAS VEGAS, NEVADA 89145

R:\051\764\094.001\exhibits\VAC-01.dwg

VAC-5936
02/24/05 PC

RECEIVED
FEB 3 2005



VAC-5936 - APPLICANT/OWNER: PN II, INC. D/B/A PULTE HOMES OF NEVADA
WEST OF SHAUMBER ROAD, SOUTH OF DORRELL LANE
FEBRUARY 24, 2005 PLANNING COMMISSION

2/8/05



G. C. WALLACE, INC.
Engineers • Planners • Surveyors

G. C. WALLACE, PE/SE, PLS
JAMES A. DUDDLESTEN, PE
MICHAEL D. ROSS, PE
CHRISTOPHER W. ANDERSON, PE
CALVIN L. BLACK, PE, PLS
E. ROBERT PETERSON
SCOTT R. PLUMMER, PE
BENJAMIN C. SMITH, PE
EUGENE W. WRIGHT, PE

THOMAS P. DYSON, PE
DOUGLAS M. HANKEL
J. P. HIGGINS, PLS, WRS
BERT A. HUGHES, PE
RICKEY D. HUNSAKER, PE, LC
NOEL C. LAUGHLIN, PE
MARVIN W. MAIZE
TIMOTHY A. MCCOY, PE, PTOE
DANNY S. MCFADDEN, PE
S. WILLIAM NEIGHBORS, PE
THOMAS R. NICHOLS, PE
FREDERICK W. ORBAN, PLS
JERRY E. PRUITT, PE
BRIAN L. SCHMIDT, PE
JEFF W. STAYTON, PE
JOHN R. TOBIN, PE, PTOE
HOWARD K. VANDER MEER, PE, WRS
G. IRA WALLACE, PE

M. B. BAKKEDAH, PE
SEPH A. BODROG, PLS
Y. D. CLARK, PE
J. DI A. DEXHEIMER, PE
ERIC J. GALVAN
RANDALL K. GREMLICH, PE
PASCAL HAYES, PE/SE
DANNY E. HILL, PLS
DAPHNE L. HOFFMAN
DONALD L. HOTCHKISS JR., PE
BILL HUNTER, PE
RANDY W. MROWICKI, PLS
JOHNNIE R. PATE JR., PE, PTOE
FRED A. SELLE
SAUNDRA L. VANCE, CCS, CCCA

FAYSAL ARIDI, PE
RYAN R. BELSICK, PE
JOHN T. BROWN, PE
PATRICK S. BYRD, PE
MARY A. CARR, PE
RICHARD G. CLARKE
GLENN R. CURTIS, III, CMI
IAIN DOLEMAN
JOHN FITCH, PE
ERIC G. GILES, PE/SE
NICHOLAS G. GOLZ, PE
KEITH HATTON, PE
TODD C. HAYNE, PE
GERALD L. HOLTON, PLS, WRS
RUSSELL D. JAMISON, PLS
TOSH JOHNSON, PE
ANN JONGSMA, PE
D. N. KELLEY, PE
J. NIS R. KETTERMAN
ED KHANBOLOUKI, PE
SCOTT R. LANDERMAN, PLS
PAUL R. LOHMAN, PE
RICHARD A. LOZANO, PE
MICHAEL J. LUDWIG, PE
CHRISTOPHER M. LUQUETTE, PE, CFM
JEFFERY J. MCBRIDE, PE
WILLIAM METCALF
MATTHEW D. MEYER, PE
WILLIAM J. MEYER, PE
RIMAH I. NAZZAL, PE/SE
GIA D. NGUYEN, PE
JERRY E. PASCOE, PLS
WESLEY T. PETTY, PE
CHRISTOPHER W. PLUTTE, PE
RICK J. READ, PE
BRADFORD G. ROCKWELL, PE
CHRISTOPHER B. SMITH, PE
DONNA J. STRALOW, PLS
S. TRACY STRATTON
CHURAIKAT (ANN) TANAKU, PE
GRANT Y. TOKUMI, PE
KEVIN L. TOMLINSON, PE
JERRY TSUNETA
F. EDUARDO VILLALOBOS, PE/SE
PAUL J. VILLALUZ, PE
KEVIN W. WALLACE, PLS
GLENN B. WATANABE, PE
STEPHEN L. WEATHERMAN, PE
MANSON W. WONG, PE, PTOE
DEBRA M. YAMACHIKA, PE
DERICK D.J. YORO, PE

AFFILIATE OFFICE IN
SACRAMENTO, CA

764.094.001

November 15, 2004

City of Las Vegas Planning
731 S. Fourth Street
Las Vegas, Nevada 89030

Subject: Justification letter - Vacation of patent easements for Easton Place
Parcel #126-24-210-005 & 003

To whom this may concern:

On behalf of our client, PN II Inc. dba Pulte Homes of Nevada, G. C. Wallace, Inc. requests the approval of a Vacation of the patent easements lying within the subject parcels. This project generally located south of Dorrell Lane and west of Shaumber Road. This project will consist of 169 single-family homes. The patent easements need to be vacated due to the structures that will be built throughout the parcels.

Very truly yours,

G. C. WALLACE, INC.

Chais Jenkins
Project Coordinator

G:\764-094-001\admin\tr\vacationjust.doc

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 6, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****VACATION**

VAC-5954 - PUBLIC HEARING - OWNER: CARINA CORPORATION - APPLICANT: THE KEITH COMPANIES - Petition to Vacate a Road, Public Utility and Flood Control Easements generally located on Tule Springs Road approximately 1,316 Feet south of Farm Road, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MAE CRAWFORD, The Keith Companies, 444 East Warm Springs Road, appeared on behalf of the applicant, and stated they have sufficiently provided all roadway, public utilities and flood control easements for this project.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:38 - 4:40)

6-229

CONDITIONS:

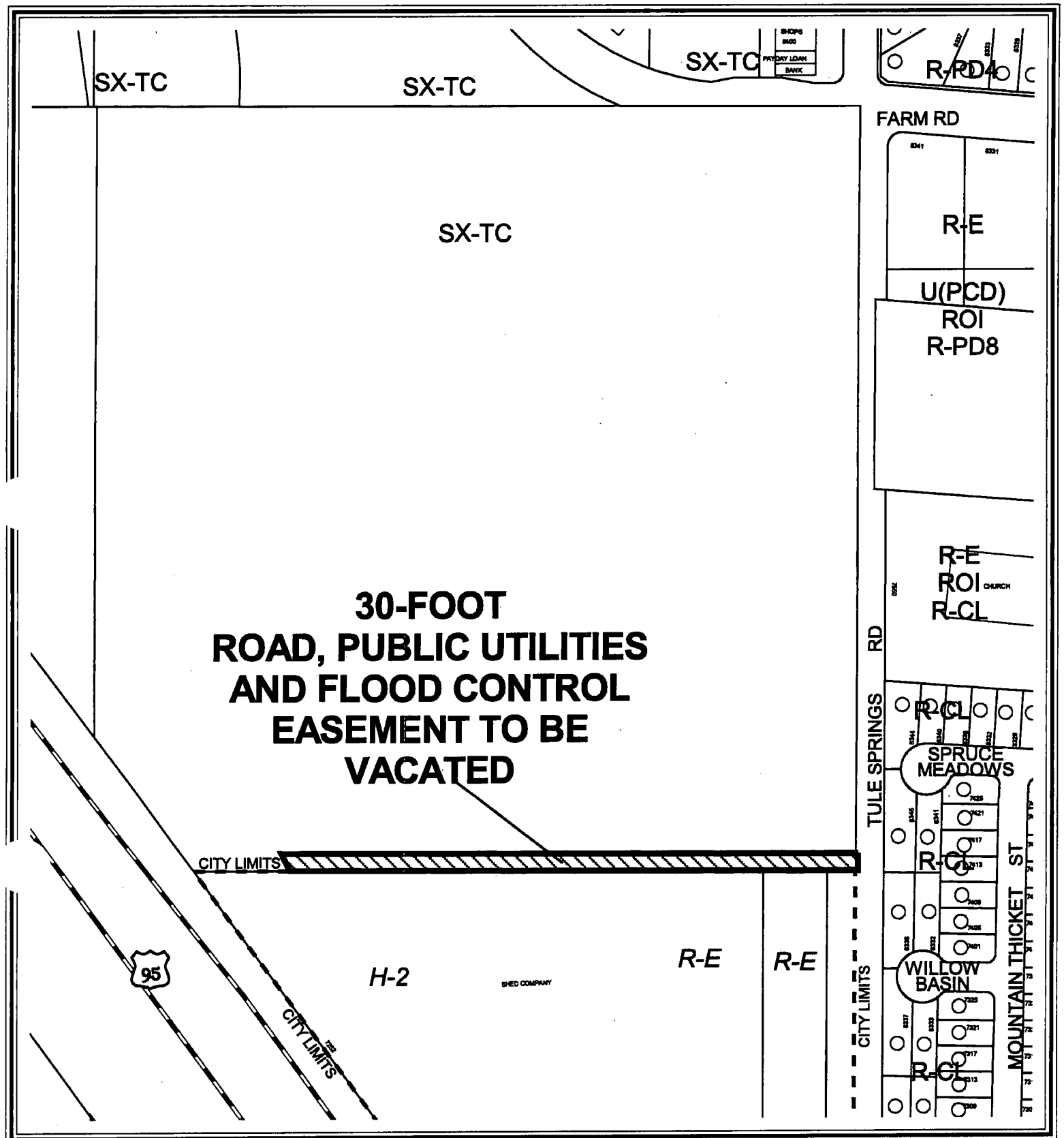
1. Prior to, or concurrent with the recordation of the Order of Vacation, alternative legal access and drainage rights for Assessor's Parcel Number 125-17-702-004 must be provided through a recorded subdivision plat or another method acceptable to the Department of Public Works.
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. Reservation of easements for the facilities of the various utility companies together with reasonable

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

ingress thereto and egress there from shall be provided if required.

4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right of way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right of way being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



CASE: VAC-5954

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-5954 - OWNER: CARINA CORPORATION -
APPLICANT: THE KEITH COMPANIES

**** CONDITIONS ****

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

1. Prior to, or concurrent with the recordation of the Order of Vacation, alternative legal access and drainage rights for Assessor's Parcel Number 125-17-702-004 must be provided through a recorded subdivision plat or another method acceptable to the Department of Public Works.
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a petition to Vacate a Road, Public Utility, and Flood Control Easement generally located on Tule Springs Road approximately 1,316 Feet south of Farm Road.

B) Applicant's Justification

Based on the approved Tentative Map and Amended Tentative Map the new development will provide sufficient roadways through the site. There will be no need for the Road, Utility, and Flood Control easement that is the subject of this request.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|---|
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) of these parcels and the surrounding area and thus created the Centennial Hills Town Center. The Planning Commission and Staff recommended approval. |
| 11/07/01 | The City Council approved the current version Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center. The Planning Commission and Staff recommended approval. |
| 08/02/00 | The City Council approved a Site Development Plan Review [Z-0076-98(15)] for a 381,750 square-foot commercial center on 41.02 acres on the southwest corner of the intersection of Farm Road and Tule Springs Road. |
| 11/21/01 | The City Council approved a Special Use Permit (U-0129-01) for packaged liquor sales in conjunction with a proposed supermarket (Smiths); and for a Waiver of the Minimum Separation Requirement from an existing church located on the southwest corner of Tule Springs Road and Farm Road |
| 01/02/02 | The City Council approved an update to the Town Center Development Standards Manual that included standards for residential development through Bill No. 2001-139. The Planning Commission and Staff recommended approval. |
| 02/18/04 | The City Council approved a General Plan Amendment (GPA-3497) from SC-TC to SX-TC. The Planning Commission recommended approval. Staff recommended denial. |

- 07/07/04 The City Council approved a Variance (VAR-4300) to allow 1.94 acres of open space where 2.41 acres are required, a Special Use Permit (SUP-4299) and a waiver for non-gated Private Streets, and a Site Development Plan Review (SDR-4290) for a proposed mixed-use development consisting of 211 single-family residential units, eight multi-family units, and 105,850 square feet of commercial space on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road. The Planning Commission and staff recommended approval.
- 08/12/04 The Planning and Development Department approved Site Development Plan Review SDR-4758, an administrative review for a proposed 7,770 square-foot office building on a portion of 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road.
- 09/23/04 The Planning Commission approved a Tentative Map (TMP-4838) for a 213 lot subdivision on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road.
- 01/05/05 The Planning and Development Department approved Tentative Map TMP-4838 as an administrative review for a 241 lot subdivision on 41.02 acres which clarified the proposed mapping of the commercial/mixed use areas.
- 03/10/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #22).

DETAILS OF APPLICATION REQUEST

The subject request proposes to Vacate a portion of a 30-foot wide public utility easement at the east side of Tule Springs Road 1346.71 feet south of Farm Road, more particularly described as follows: The South 30 feet of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section 17, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The site of this request will be incorporated in the southern portion of single-family home lots along the southern edge of the Centennial Springs Master plan. The easement will not be needed as adequate space will be available in the proposed private streets of the Centennial Springs Master plan for public utility needs.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *N/A as no right-of-way is involved, only a road, public utility, and flood control easement.*
- B. From a traffic-handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, there is not a constructed road within the easement area.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, only various public utility easements.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the Village at Centennial Springs project (TMP-4838).*
- E. Does this vacation request eliminate public street access to any abutting parcel? *Yes, Assessor's Parcel Number 125-17-702-004.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

NOTICES MAILED 5 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-5954 APN: 125-17-702-002

Name of Property Owner: CARINA CORPORATION

Name of Applicant: **CARINA CORPORATION**

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): _____

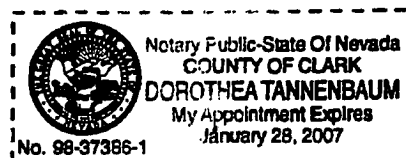
APN: 125-17-702-002

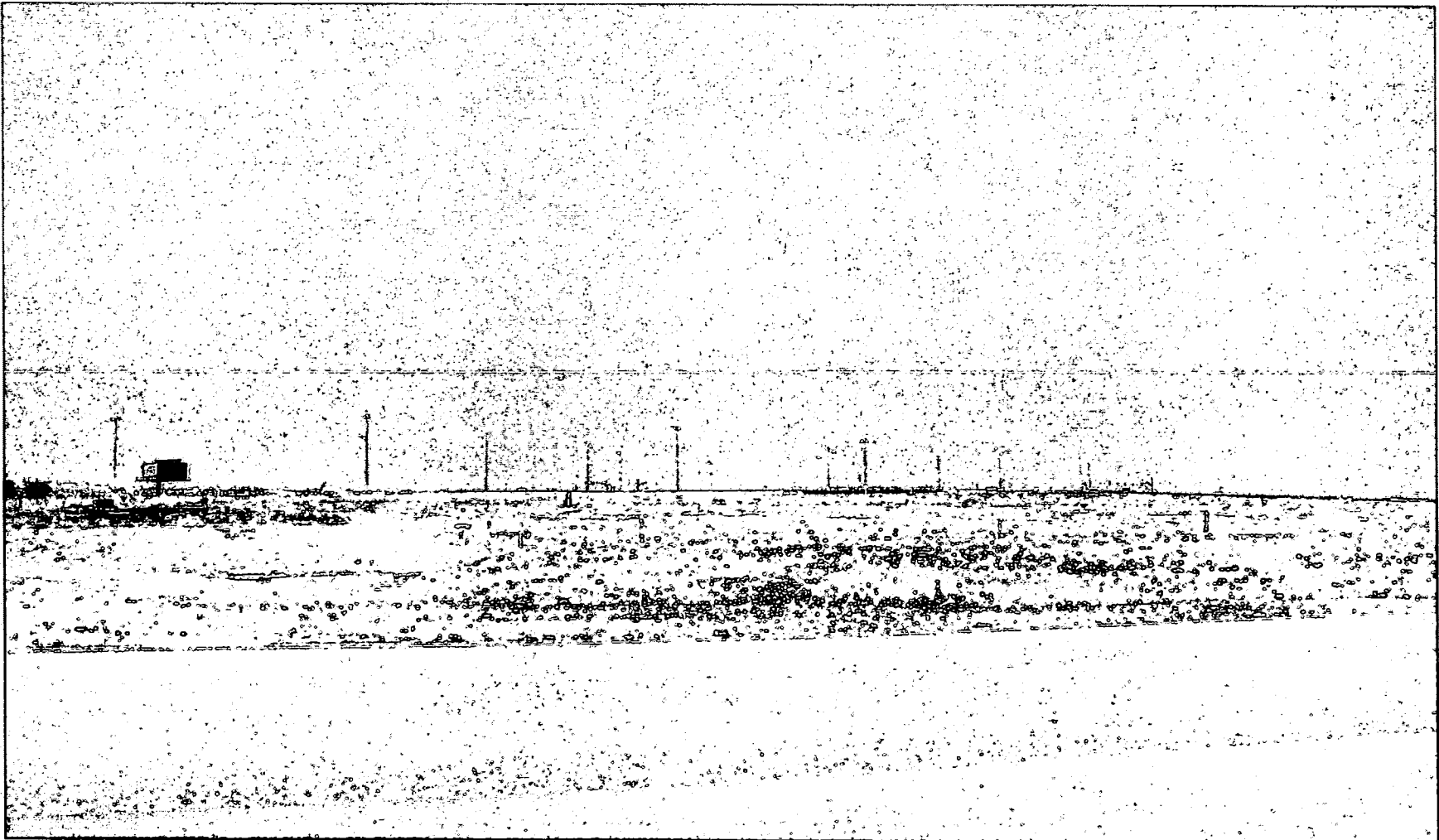
Signature of Property Owner: *W. M. Carter*

Print Name: B.H. Mc CARTY

Subscribed and sworn before me

This 10th day of January, 2005
Deborah Turner
 Notary Public in and for said County and State





VAC-5954 - OWNER: CARINA CORPORATION - APPLICANT: THE KEITH COMPANIES
TULE SPRINGS ROAD APPROXIMATELY 1,316 FEET SOUTH OF FARM ROAD
MARCH 10, 2005 PLANNING COMMISSION

02/22/05

52007.00

January 2005

City of Las Vegas Planning
731 S 4th St
Las Vegas NV 89101

Re: Justification for Vacation and Abandonment of Easement

To Whom it May Concern:

On behalf of our client Carina Homes we are respectfully requesting the vacation and abandonment of the following easement.

Road, PUE & Flood Control Easement – Based on the approved Tentative Map and Amended Tentative Map the new development will provide sufficient roadways through the site. Therefore, there will be no need for this easement.

The granting of this vacation request will not be detrimental to the health, safety and welfare of the surrounding properties.

Sincerely,

THE KEITH COMPANIES

Michele Tennyson
Processing

Nevada Division
444 E. Warm Springs Road
Las Vegas
Nevada 89119-4236

T: 702.263.8206
F: 702.263.8529
www.keithco.com

VAC-5954

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VACATION

VAC-6015 - PUBLIC HEARING - OWNER/APPLICANT: TOM AND JUDY MILLER - Petition to Vacate a portion of Nemeth Road generally located south of Smoke Ranch Road, approximately 481 feet east of Rainbow Boulevard, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL. [NOTE: The application should read Nemeth Lane]

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions and amending Condition 3 as follows:

3. Dedicate an additional 10.5 feet of right-of-way for a total half-street width of 25.5 feet on the east side of Nemeth Lane adjacent to this site and the area for the east half of a cul-de-sac meeting current City Standards, prior to the recordation of an Order of Vacation.

- UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MAYOR GOODMAN pointed out that the application should read Nemeth Lane rather than Nemeth Road.

TOM MILLER, owner of the property, commended City staff for their help and response regarding his application. MAYOR GOODMAN commented that Planning, Public Works, and Building Department staff is very receptive to working with the constituents.

BART ANDERSON, Public Works Department, recommended that Condition 3 be amended to reflect the need to dedicate appropriate right-of-way for an east half of a cul-de-sac. MR. MILLER concurred with the amendment.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:40 - 4:42)

CITY COUNCIL MEETING OF: APRIL 6, 2005

MINUTES - Continued:

6-373

CONDITIONS:

1. Applicant will need to submit a revised site plan to the Planning and Development Department showing the vacated Right-of-Way and changes to the site.
2. The limits of this Petition of Vacation shall be the full width of Nemeth Road (30-feet), beginning at the boundary of Jake's Ranch Unit 5 subdivision, extending to the north approximately 70-feet terminating with a cul-de-sac curve.
3. Dedicate an additional 10.5 feet of right-of-way for a total half-street width of 25.5 feet on the east side of Nemeth Road adjacent to this site and the area for a cul-de-sac meeting current City Standards, prior to the recordation of an Order of Vacation.
4. Prior to recordation of the Order of Vacation, meet with the Flood Control Section of the Department of Public Works to determine if a Drainage Study or reservation of Public Drainage Easements is required. If a drainage study is required, it shall be approved prior to the recordation of an Order of Vacation.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
7. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right of way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right of way or easement being vacated must be retained.
8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-6015 - VACATION - PUBLIC HEARING -
OWNER/APPLICANT: TOM AND JUDY MILLER

**** CONDITIONS ****

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

1. Applicant will need to submit a revised site plan to the Planning and Development Department showing the vacated Right-of-Way and changes to the site.
2. The limits of this Petition of Vacation shall be the full width of Nemeth Road (30-feet), beginning at the boundary of Jake's Ranch Unit 5 subdivision, extending to the north approximately 70-feet terminating with a cul-de-sac curve.
3. Dedicate an additional 10.5 feet of right-of-way for a total half-street width of 25.5 feet on the east side of Nemeth Road adjacent to this site and the area for a cul-de-sac meeting current City Standards, prior to the recordation of an Order of Vacation.
4. Prior to recordation of the Order of Vacation, meet with the Flood Control Section of the Department of Public Works to determine if a Drainage Study or reservation of Public Drainage Easements is required. If a drainage study is required, it shall be approved prior to the recordation of an Order of Vacation.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
7. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is to vacate a portion of Nemeth Road, located between Sweetzer Way and Smoke Ranch Road.

B) Applicant's Justification

The applicant has justified the vacation of Nemeth Road in order to provide a turn around with an entrance to the Smoke Ranch Retail Center that is to be constructed on the east side of Nemeth. It will also provide the necessary parking that is required for the retail center.

BACKGROUND INFORMATION

A) Related Actions

- 05/03/95 The City Council approved a request for a Rezoning (Z-0018-95) from N-U (Non-Urban) zone to C-1 (Limited Commercial). Staff and Planning Commission both recommended approval.
- 07/01/96 The City Council approved a request for a Reinstatement and Extension of Time [Z-0018-95(1)] on an approved Rezoning from N-U (Non-Urban) Zone to C-1 (Limited Commercial) and for an 18,000 square-foot office building on the subject site. The Planning Commission recommended approval on 06/13/96. This Reinstatement and Extension of Time was to expire on 05/03/97.
- 07/14/97 The City Council approved a request for a second Reinstatement and Extension of Time [Z-0018-95(2)] on an approved Rezoning from N-U (Non-Urban) Zone to C-1 (Limited Commercial) and for an 18,000 square-foot office building on the subject site. The Planning Commission recommended approval on 06/12/97.
- 01/07/04 The City Council approved a request for a Rezoning (ZON-3031) from U (Undeveloped) zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial). As well as a Site Development Plan Review (SDR-3035) for a proposed 9,000 square foot building, along with a Variance (VAR-3040) for a reduction from the parking requirements, and lastly a Special Use Permit (SUP-3038) to allow Automotive Repair, Minor in a C-1 zone. Both Staff and the Planning Commission recommended approval for ZON-3031, but recommended denial for all remaining cases.
- 03/10/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #6/da).

DETAILS OF APPLICATION REQUEST

The subject Vacation is legally described as follows:

A portion of Nemeth Road, thirty feet (30') wide; said property being a portion of the Northeast quarter (NE¼) of the Northwest quarter (NW¼) of the Northwest quarter (NW¼) of the Northwest quarter (NW¼) of Section 23, Township 20 south, Range 60 east, M.D.M.

ANALYSIS

A) Planning discussion

The applicant has requested that the east half of Nemeth Road adjacent to the south end of the applicants property be vacated to allow for the future development of a retail center on the adjacent property. The City is requiring that the entire width of Nemeth Road be vacated to effectively close Nemeth Road between Smoke Ranch Road and Sweetzer Way.

B) Public Works discussion

We present the following information concerning this request to vacate certain public street ROW:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Uniform.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? No.
- C. Does it appear that the vacation request involves only excess right-of-way? Yes.
- D. Does this vacation request coincide with development plans of the adjacent parcels? Yes, Rezoning application ZON-3031 and Site Development Plan Review SDR-3035.
- E. Does this vacation request eliminate public street access to any abutting parcel? No.
- F. Does this vacation request result in a conflict with any existing City requirements? No.
- G. Does the Department of Public Works have an objection to this vacation request? No.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

NOTICES MAILED 6 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number:

VAC-6015

APN:

138-23-110-014 + 015

Name of Property Owner:

Tom & Judy Miller

Name of Applicant:

Tom + Judy Miller

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:

James Miller

Print Name:

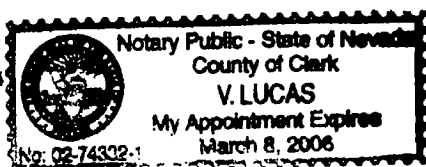
Thomas J Miller

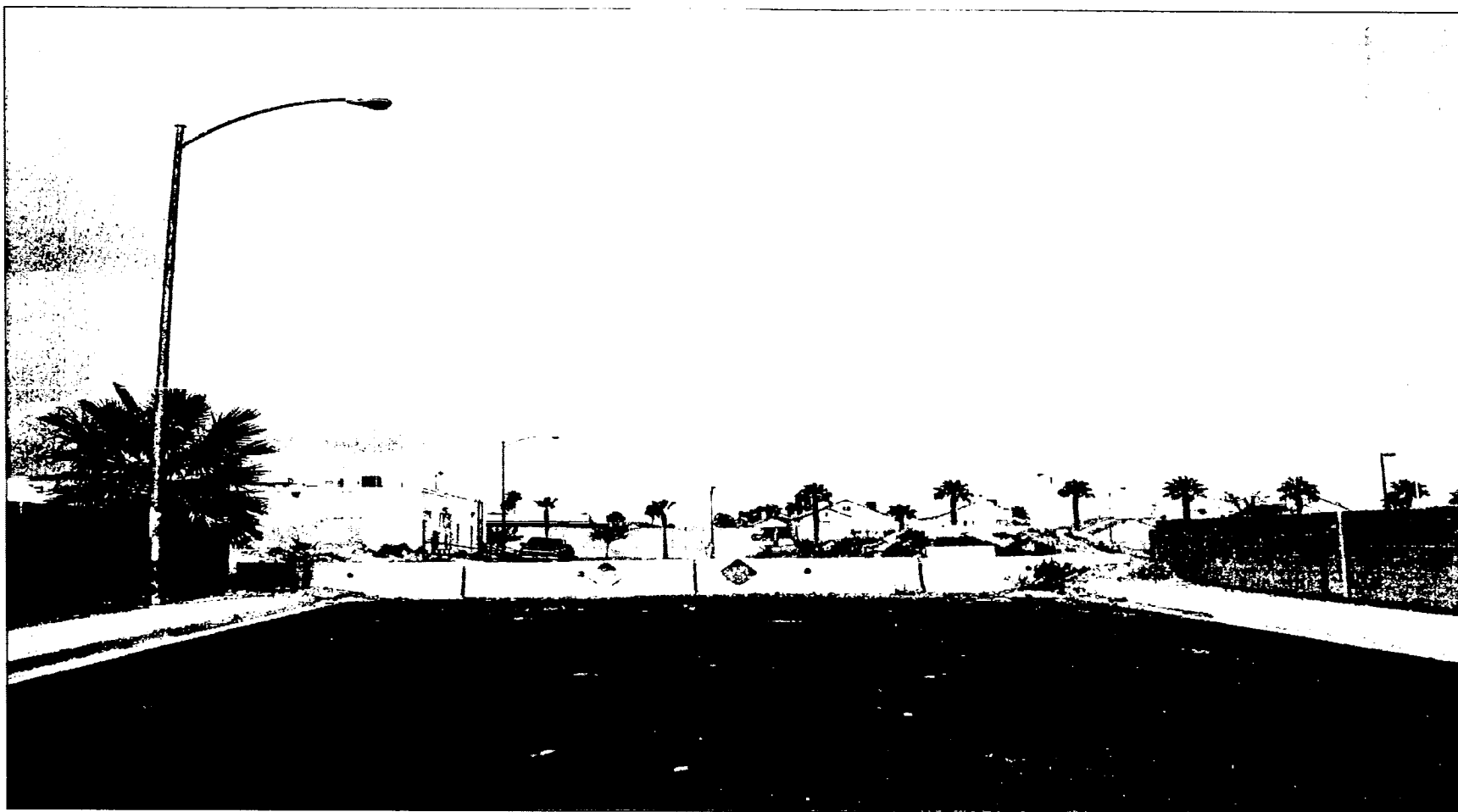
Subscribed and sworn before me

This 18th day of JANUARY, 2005

Ducks

Notary Public in and for said County and State





VAC-6015 - OWNER/APPLICANT: TOM AND JUDY MILLER
SOUTH OF SMOKE RANCH ROAD, APPROXIMATELY 481 FEET EAST OF RAINBOW BOULEVARD
MARCH 10, 2005 PLANNING COMMISSION

02/22/05

**Las Vegas Planning & Development Dept.
Development Services Center
731 South 4th. Street
Las Vegas, Nevada 89101**

January 18, 2005

Justification Letter

APN-13823-110-014 & 015

We are requesting a Vacation of approximately 30ft. of the South Portion of Nemeth to accommodate and provide a Turn Around with an entrance to the Smoke Ranch Retail Center on the East Side of Nemeth. This plan also provides all the necessary parking for the Center.

Respectfully,

Tom and Judy Miller

VAC 6015

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

WAIVER OF TITLE 18

WVR-6035 - PUBLIC HEARING - APPLICANT: NEVADA HOMES GROUP - OWNER: DAY STAR VENTURES LLC - Request for a Waiver of Title 18.12.160 TO ALLOW 209 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED FOR A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.35 acres adjacent to the southeast corner of Dorrell Lane and Hualapai Way (APN 125-19-201-001 and 003), R-PD3 (Residential Planned Development- 3 Units per Acre), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY TABITHA KEETCH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and explained that this application is a result of negotiations the applicant had with the neighbors when the zoning was approved.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

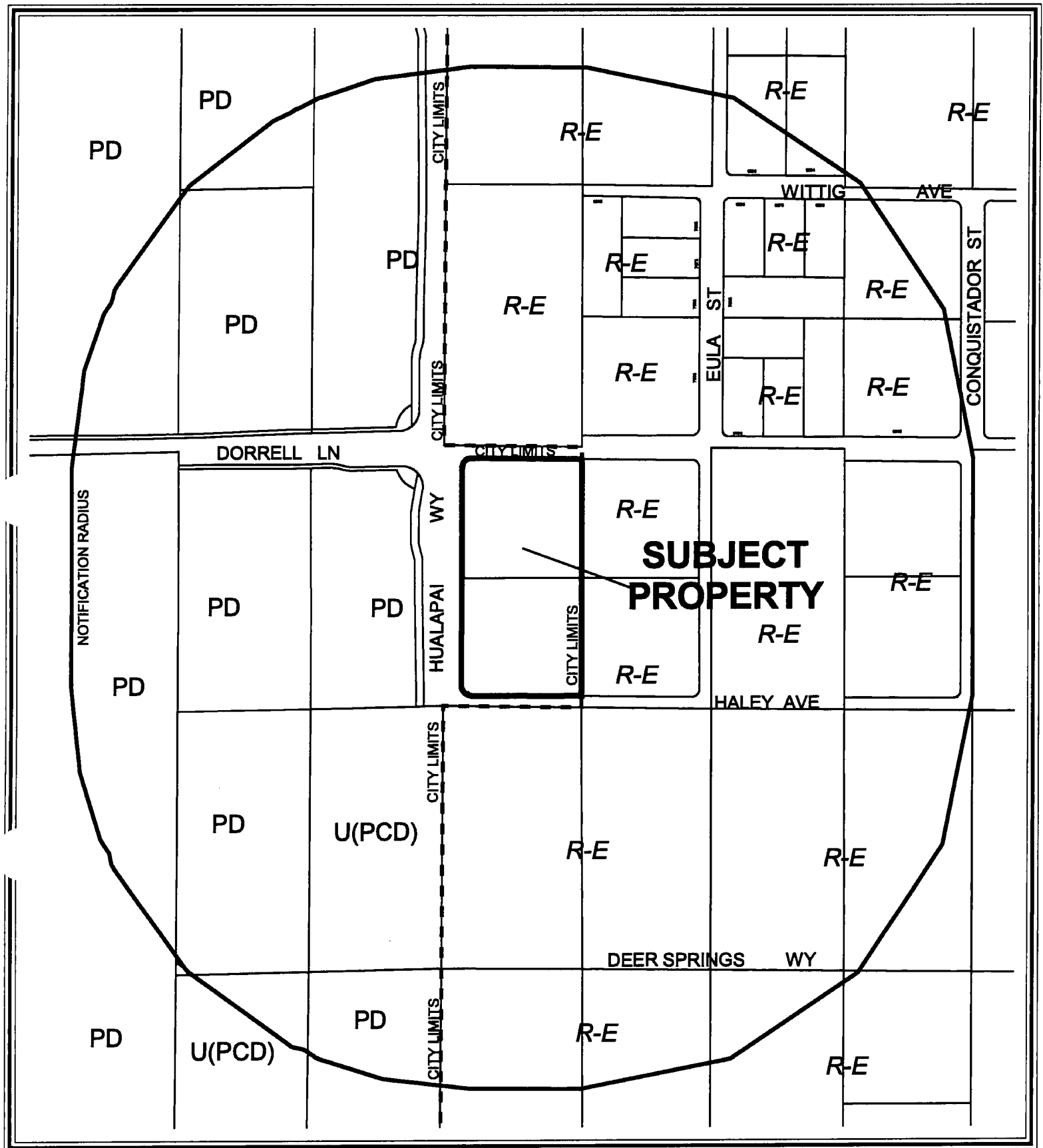
(4:42 - 4:44)

6-357

CONDITIONS:

Planning and Development

1. All development shall conform to the Conditions of Approval for Rezoning (ZON-4623), Site Development Plan Review (SDR-4626).
2. All City Code requirements and design standards of all City departments must be satisfied.



CASE: WVR-6035

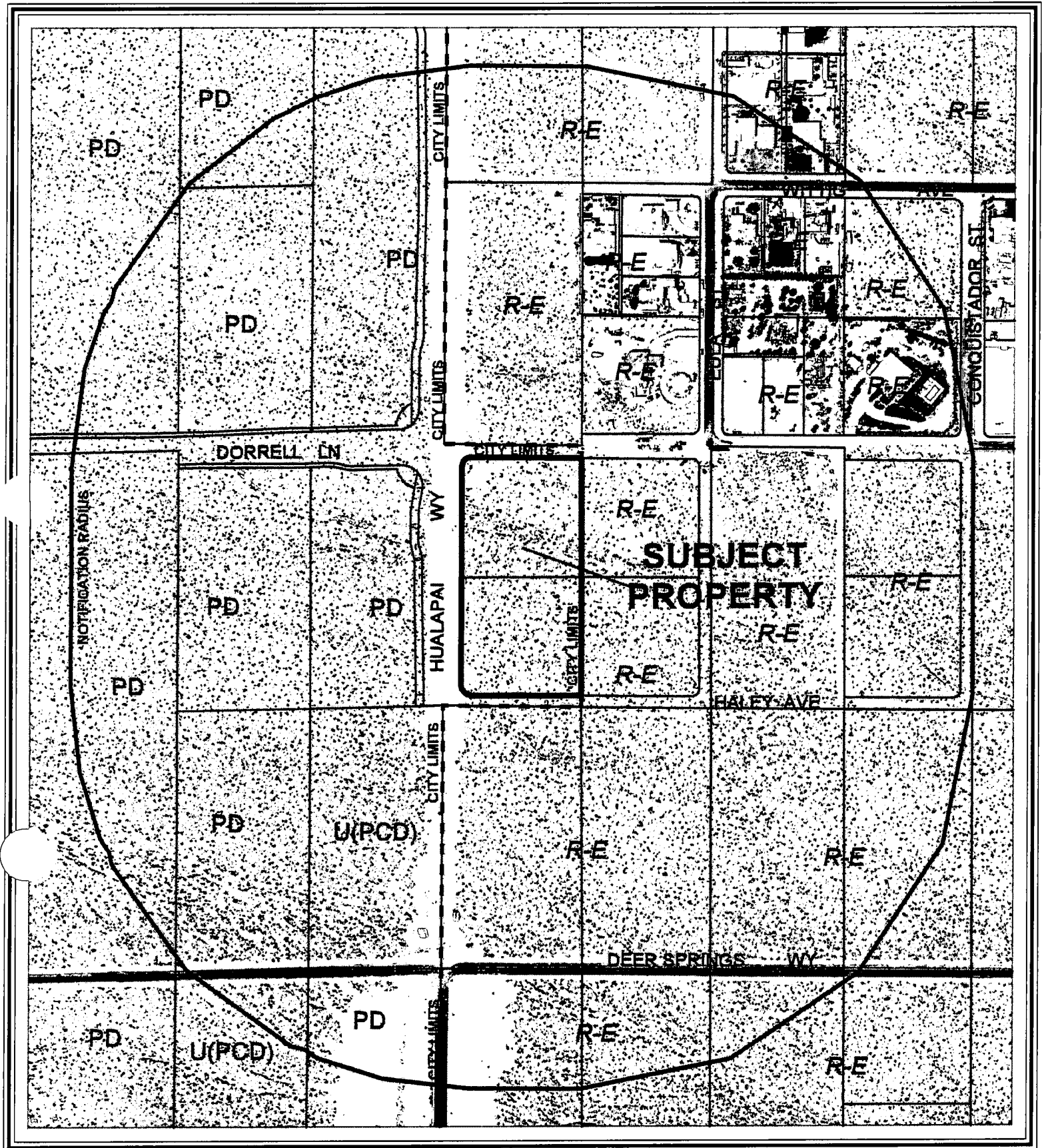
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT -
 3 UNITS PER ACRE)

0 300 600 Feet





CASE: WVR-6035

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT -
 3 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-6035 - APPLICANT: NEVADA HOMES GROUP -
OWNER: DAY STAR VENTURES LLC

**** CONDITIONS ****

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

Planning and Development

1. All development shall conform to the Conditions of Approval for Rezoning (ZON-4623), Site Development Plan Review (SDR-4626).
2. 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 Waiver of Title 18.12.160 to allow 209 feet between street intersections where 220 feet is the minimum distance separation required for an existing street having a right-of-way width of 60 feet or more for a single-family residential development on 5.35 acres adjacent to the southeast corner of Dorrell Lane and Hualapai Way to.

B) Applicant's Justification

The configuration of the property has caused the entry street accessing Dorrell Lane to be located closer than the required 220 feet from Hualapai Way. The applicant believes this request is in accordance with the requirements of Title 19.

BACKGROUND INFORMATION

A) Related Actions

- 07/07/04 The City Council heard the introduction of a bill to annex this property (ANX-4451). The effective date of that annexation was August 13, 2004.
- 01/19/05 The City Council approved a Rezoning (ZON-4623) to R-PD3 (Residential Planned Development – 3 units per acre) along with a Site Development Plan Review (SDR-4626) for a 19 lot single family residential development and a Variance (VAR-5377) to allow no open space within the development.
- 03/10/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #29/da).

B) Pre-Application Meeting

No pre-application meeting was held

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.35 acres

B) Existing Land Use

Subject Property: Vacant
North: Vacant
South: Vacant
East: Vacant
West: Vacant

C) Planned Land Use

Subject Property: R (Rural Residential)
North: R (Rural Residential)
South: R (Rural Residential)
East: PCD (Planned Community Development)
West: RNP (Rural Neighborhood Preservation)

D) Existing Zoning

Subject Property: R-PD3 (Residential Planned Development – 3 units per acre)
North: Clark County
South: Clark County
East: Clark County
West: PD (Planned Development)

E) General Plan Compliance

a. Centennial Hills General Plan

The site is designated R (Rural Residential) within the Centennial Hills General Plan. The Approved R-PD3 (Residential Planned Development – 3 units per acre) zoning, which allows up to 3.59 units to the acre, is in conformance with the 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

ANALYSIS

A) General Analysis and Discussion

This request is to waive the requirements of the City's Subdivision Code Title 18.12.160 for the length between intersections. The approved Site Development Plan Review (SDR-4626) showed lot 1 of the subdivision being smaller and the access road fitting within the 220 feet. The revised site plan that is being submitted has enlarged lot 1 and decreased the widths of lots 18 and 19 which has moved the access road into this subdivision down to within 209 feet of Hualapai Way.

FINDINGS

We have no objection to the Request for a Waiver of Title 18.12.160 to allow a 209 foot separation between intersections where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more, for property located at the southeast corner of Dorrell Lane and Hualapai Way.

We note that this site is the subject of a Zoning Reclassification ZON-4623 and Site Development Plan Review SDR-4626; all site-related conditions of approval are addressed with those actions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

NOTICES MAILED 37 by Planning Department

APPROVALS 0

PROTESTS 0

Case Number: WVR-6035 APN: 125-19-201-001, 003

Name of Property Owner: Day Star Ventures L.L.C.

Name of Applicant: Nevada Homes Group

 Yes ~~X~~ No

City Official: _____

Partner(s): _____

APN: _____

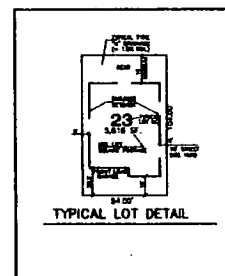
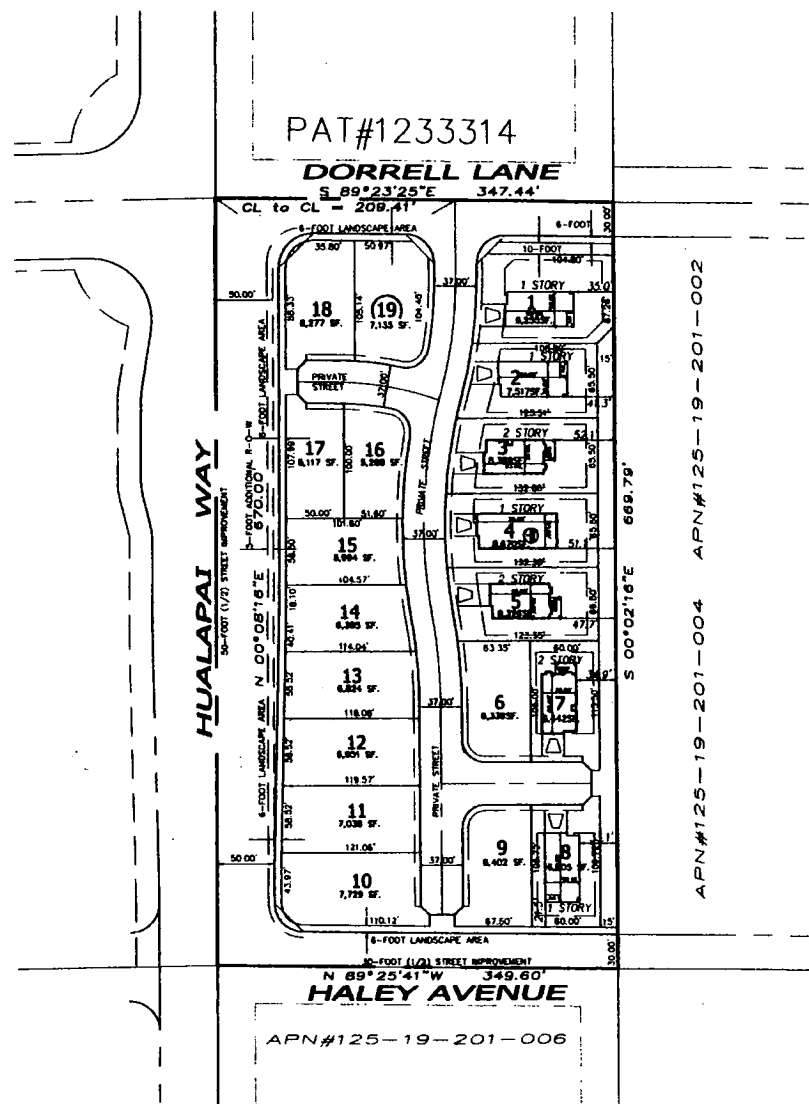
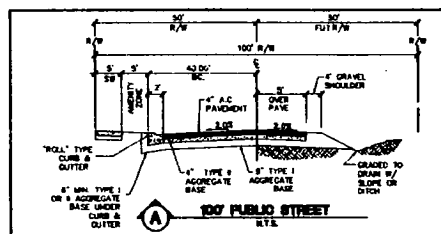
Signature of Property Owner:

Print Name:

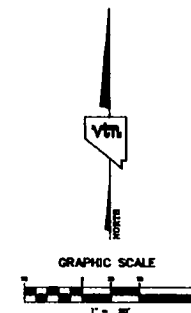
Subscribed and sworn before me

This 26th day of January, 2005
Larae Benau
 Notary Public in and for said County and State





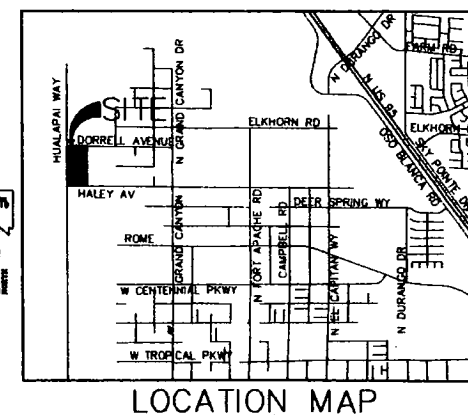
PROJECT SUMMARY	
ISSUED BY/ISSUED FOR	102-15-28-00 & 102
ASSIGNED PERSON, EMP NO.	
WORK ACCT	200 ACCT
CURRENT SCHEDULE PLAN	1 - PLAN
CURRENT PROJECT	10 - PLAN EXHIBITS, PROPOSAL
PROJECT NUMBER	10-PLAN - PLAN EXHIBITS, PROPOSAL
PROPOSED LABOR USE	10000 LABOR, PROPOSAL
PROPOSED NUMBER OF UNITS	10 UNITS
PROPOSED BUDGET	100 BUDGET
ISSUE PRICE	
ISSUE PRICE BUDGET	10000 BT
PROPOSED ISSUED PRICE	10000 BT
CURRENT PRICE	10 BT
TOTAL ISSUE PRICE PERCENT	10 BT
ISSUES	
10000 ISSUES	10
TOTAL PROPOSED PRICE PROVIDED	100000



- GENERAL NOTES :**
1. There are no existing structures located within the property boundary.
 2. The lot dimensions are preliminary and may vary with the mapping process.
 3. The boundary for this project is from "of record information".
 4. The of record boundary will most likely differ from the surveyed boundary.
 5. Some lot lines and dimensions may change during the final mapping process.

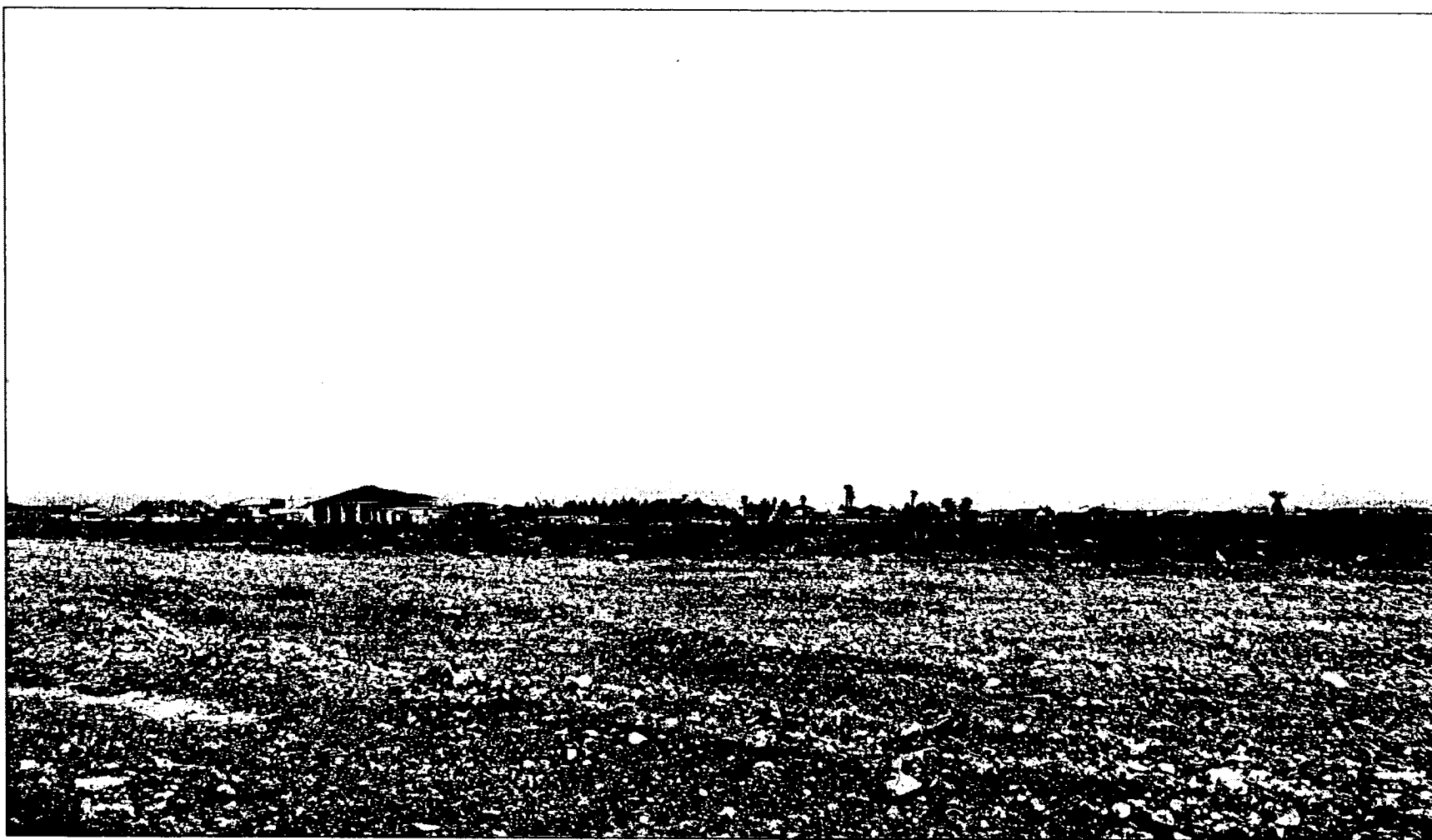
SETBACKS
FRONT (GARAGE) : 20'
FRONT (HOUSE) : 15'
SIDE : 5'
CORNER/SIDE : 10'
REAR : 15'

OWNER/DEVELOPER
NEVADA HOMES GROUP
8835 W. SAHARA AVENUE, SUITE # 201
LAS VEGAS, NEVADA 89117
(702) 220-5200
CONTACT : PAUL WAGNER

[illegible]

WVR-6035
03-10-05 PC

RECEIVED
JAN 27 REC'D



WVR-6035 - APPLICANT: NEVADA HOMES GROUP - OWNER: DAY STAR VENTURES LLC
ADJACENT TO THE SOUTHEAST CORNER OF DORRELL LANE AND HUALAPAI WAY
MARCH 10, 2005 PLANNING COMMISSION

02/22/05



CONSULTING ENGINEERS • PLANNERS • SURVEYORS

PROVIDING QUALITY PROFESSIONAL
SERVICES SINCE 1960

January 26, 2005

W.O. 6438

City of Las Vegas
Planning & Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, NV 89101

RE: Waiver Application
APN: 125-19-201-001, 003
Hualapai/Dorrell

On behalf of the client, Nevada Homes Group, VTN Nevada respectfully requests a Waiver to Title 18 Subdivision Ordinance on approximately 5.35 acres generally located at the southeast corner of Hualapai Way and Dorrell Lane.

Section 18.12.160 INTERSECTIONS – LENGTH.

Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet, measured from centerline to centerline.

The approved Site Plan (ZON-4623, SDR-4626, VAR-5377) indicates the developer intends to provide 19 single-family detached residential lots on approximately 5.35 acres for a density of 3.5 dwelling units per acre within parcels zoned R-PD3, in an R (Rural) Master Planned area. The configuration of the property has caused the entry street accessing Dorrell Lane to be located closer than the required 220' from Hualapai Way. The actual distance as measured from the centerline of Hualapai Way to the centerline of the entry street to the subdivision is 209.41', requiring the attached Waiver application.

The applicant believes this request is in accordance with the requirements of title 19 and respectfully requests the City's approval of this request.

Thank you for your consideration in this matter. Should you have any further questions regarding this application, please call our office at 873-7550.

Sincerely,

Brent Wilson
VTN Nevada
Planning Department

WVR-6035

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-5808 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: PERKOWITZ AND RUTH ARCHITECTS - OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC. - Request for a Variance TO ALLOW A 37-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 84 FEET FOR A PROPOSED OFFICE/WAREHOUSE DEVELOPMENT on 3.56 acres east of Rancho Drive, approximately 500 feet south of Lone Mountain Road (APN 138-02-102-012), C-2 (General Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 111 [VAR-5808] and Item 112 [SDR-5813].

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He indicated that Richmond American Homes own both the subject parcel and the parcel immediately adjacent to the east, which triggers the required waiver of the Residential Adjacency Standard. Both parcels are zoned C-2 for General Commercial use. Richmond American Homes sold the property to the applicant and kept the adjacent parcel for its own residential development. Richmond American Homes applied for a General Plan Amendment, a Zoning and Site Development Plan Review to allow for an 11 unit per acre attached residential development on its site. All of those applications were approved. The proposed waiver simply allows the applicant to build the commercial development for which the property was sold. There have been no concerns from adjacent neighbors or from Richmond American Homes.

Regarding Item 112 [SDR-5813], ATTORNEY KAEMPFER stated that office/warehouse complex on Rancho Drive is located in an area planned and zoned for General Commercial use. Access to the site is from Rancho Drive. Because of the planned residential to the east, the building has been placed further

CITY COUNCIL MEETING OF: APRIL 6, 2005

MINUTES - Continued:

to the east so that all of the parking is on Rancho Drive away from residential. A minimum 24-foot driveway essentially encircles the building. Substantial landscape is provided along Rancho Drive, with the exception of two locations, which is the landscaping waiver the applicant is requesting. The waiver is appropriate because there is substantial landscaping on Rancho Drive, as well as substantial landscaping to the east adjacent to the proposed 11-unit per acre project. The absence of landscaping in the two locations has no adverse visual impact for the traveling public. The existing development immediately to the north does not provide any side yard landscaping; therefore, the applicant would be providing side yard landscaping.

ATTORNEY KAEMPFER indicated that Condition 4 of Item 112 [SDR-5813] requires that deliveries be between 9:00 a.m. and 5:00 p.m. However, some of these office/warehouses require that there be some deliveries prior to the opening of business. Therefore, he asked that the hours be extended from 7:00 a.m. until 7:00 p.m. These hours would not adversely impact the neighbors in the R-PD11 or the commercial to the north or south. MARGO WHEELER, Director, Planning and Development Department, recommended changes to Condition 4 to reflect the delivery hours of 7:00 a.m. to 7:00 p.m. Condition 6 amended to state that the development shall be in conformance with the site plan and landscape plan dated stamped 03/27/05 and the building elevations date stamped 02/04/05. Condition 9 will be revised to read that waiver of perimeter landscaping standards shall be granted and the rest of that condition eliminated. MS. WHEELER verified with ATTORNEY KAEMPFER that there would be warehouse uses; therefore, she recommended that Condition 7 be deleted in order to accommodate that request. ATTORNEY KAEMPFER concurred with the amended and deleted conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 111 [VAR-5808] and Item 112 [SDR-5813].

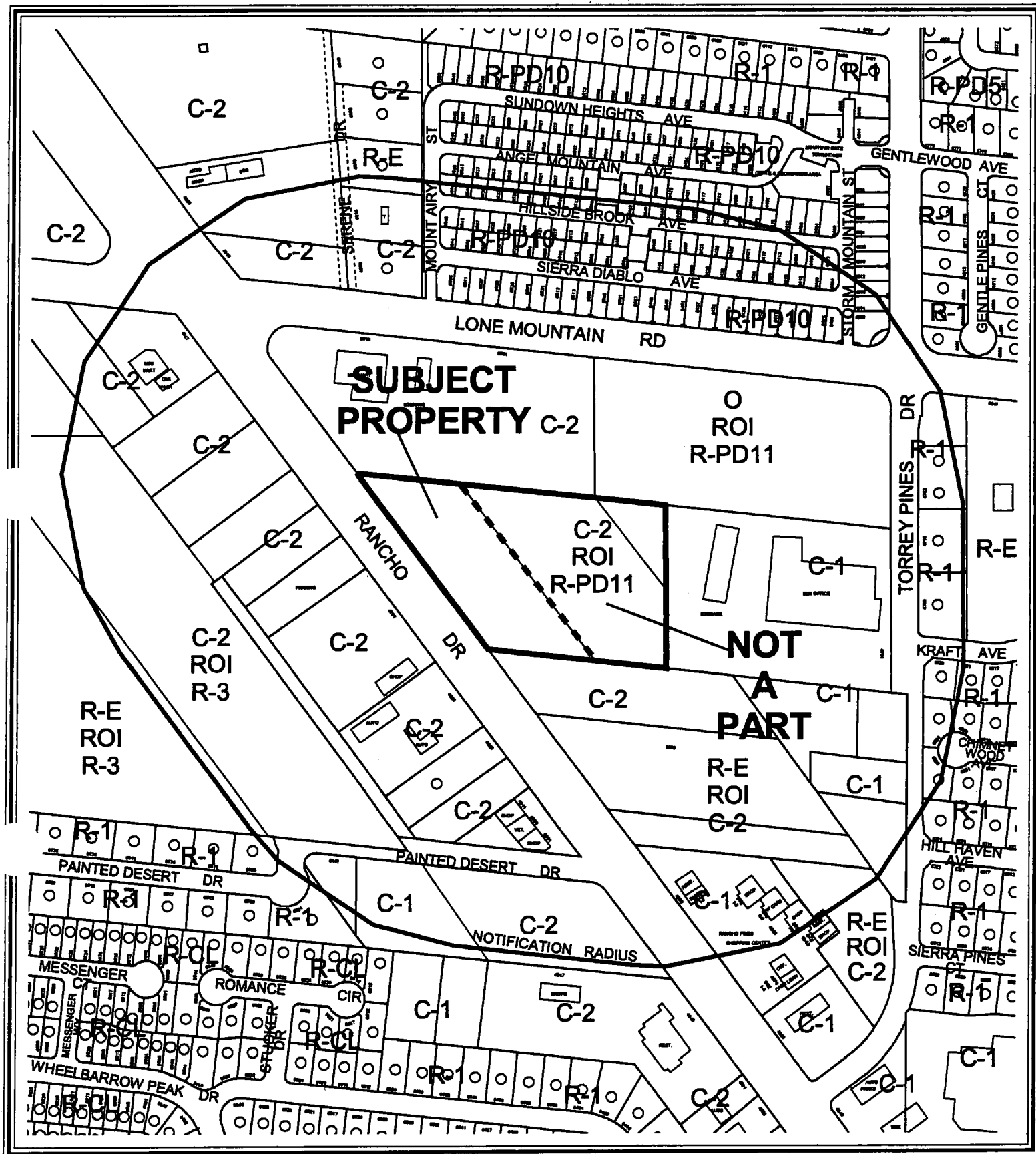
(4:44 - 4:51)

6-404

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5813).
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-5808

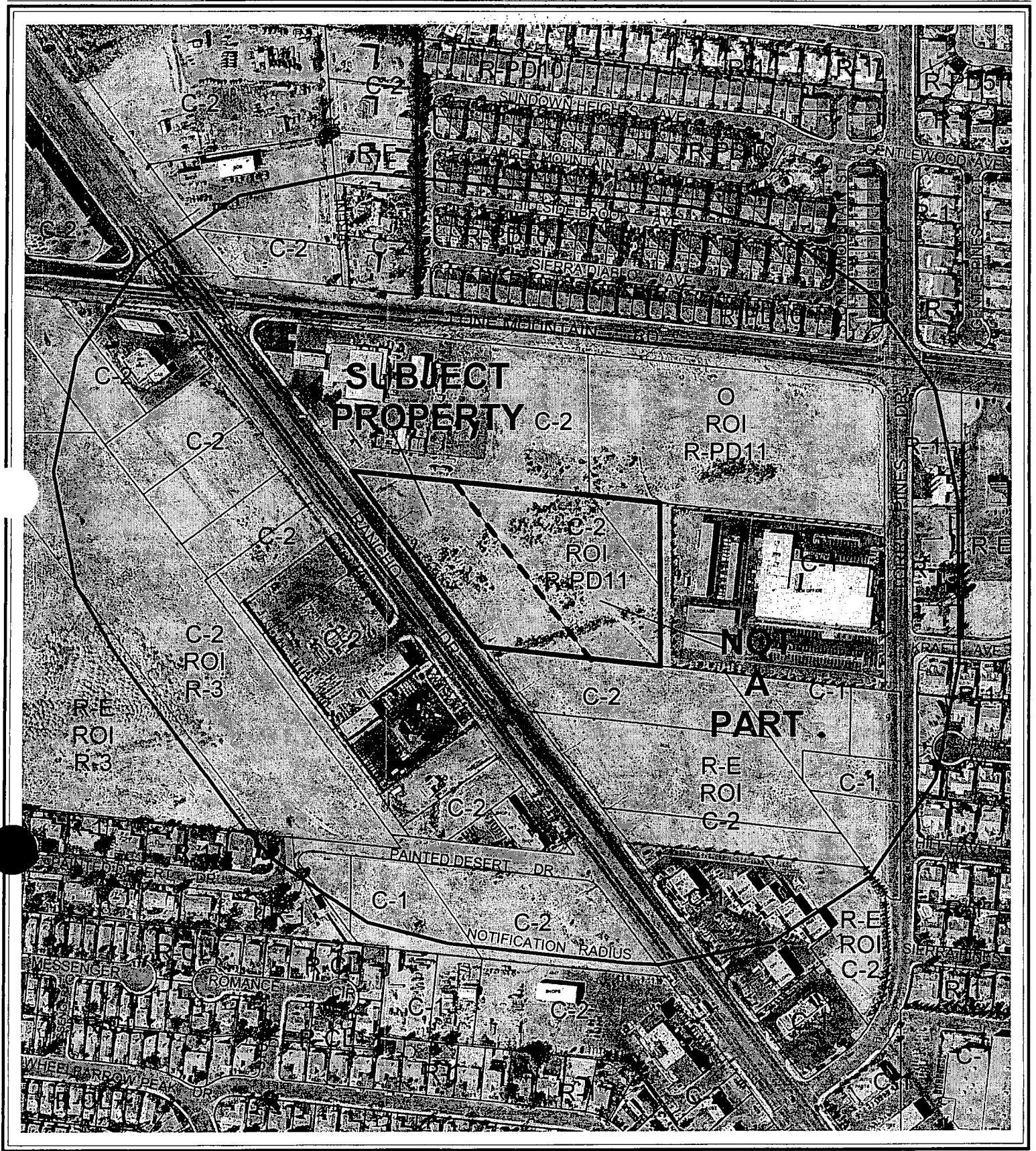
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

0 300 600 Feet

111





CASE: VAR-5808

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - VAR-5808 – APPLICANT: PERKOWITZ AND RUTH ARCHITECTS – OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC.

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

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5813).
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 a 37-foot setback where Residential Adjacency Standards require a minimum setback of 84 feet for a proposed office development on 3.56 acres east of Rancho Drive, approximately 500 feet south of Lone Mountain Road.

B) Applicant's Justification

According to the applicant's justification letter, the roof height is 21 feet to accommodate proposed storage uses, but necessary screening of mechanical equipment requires an additional seven-foot parapet. A denser perimeter landscape buffer with trees spaced a maximum of 15 feet on center is proposed to mitigate the effects of the building height relative to residential development on the east. The trees will grow taller than the proposed building height, thus screening the development from the proposed single-family homes. Allowing the variance will provide the environmental quality the zoning ordinance seeks to maintain while allowing the owner full and reasonable use of his property. In addition, the owner, who is also owner and developer of the residential development to the east, supports this variance request and believes the quality of his own housing development will not be compromised by a shallower setback on the subject property.

BACKGROUND INFORMATION

A) Previous Actions

- 06/07/72 The Board of City Commissioners approved a Rezoning (Z-0039-72) from R-E (Residence Estates) to C-2 (General Commercial) on the subject property. The Planning Commission and staff recommended approval.
- 04/26/99 The City Council approved a Rezoning (Z-0007-99) from R-E (Residence Estates) to C-1 (Limited Commercial) to the east of the subject property. The Planning Commission and staff recommended approval.
- 05/24/99 The City Council approved a General Plan Amendment (GPA-0003-99) from SC (Service Commercial) to GC (General Commercial) and a Rezoning (Z-0008-99) from R-E (Residence Estates) and C-2 (General Commercial) to C-2 (General Commercial) on the subject property for a proposed new car dealership and accessory uses.
- 07/19/00 The City Council approved a Request for a Site Development Plan Review for a proposed 67,680 square-foot Bureau of Land Management facility on 5.09 acres on the west side of Torrey Pines Drive, approximately 355 feet south of Lone Mountain Road. The Planning Commission and staff recommended approval.

- 07/07/04 The City Council approved a General Plan Amendment (GPA-4072) from O (Office) and GC (General Commercial) to MLA (Medium-Low Attached Density Residential), a Rezoning (ZON-4202) from O (Office), R-E (Residence Estates) and C-2 (General Commercial) to R-PD11 (Residential Planned Development - 11 Units Per Acre) and a Site Development Plan Review (SDR-4204) for a proposed 116-unit single-family attached residential development on 10.95 acres to the east of the subject property. The Planning Commission recommended approval. Staff recommended denial.
- 01/27/05 The Planning Commission recommended approval of a companion Site Development Plan Review (SDR-5813) request for a proposed 38,000 square-foot office development and for a Waiver of the building placement, perimeter, and parking lot landscaping requirements on the subject property. Staff recommends denial.
- 01/27/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #65/ss).

B) Pre-Application Meeting

- 12/01/04 The site requires construction of a portion of the multi-use transportation trail along Rancho Drive. Right-of-way improvements will require NDOT approval. Residential adjacency standards will apply, as land to the east of the subject site has a General Plan designation compatible with single-family development.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.56 (western 272 feet of APN 138-02-102-012)

B) Existing Land Use

Subject Property: Undeveloped
North: Convenience Store
South: Undeveloped
East: Undeveloped
West: Heavy Machinery
Equipment (Rental, Sales and Service)

C) Planned Land Use

Subject Property: GC (General Commercial)
North: GC (General Commercial)
South: GC (General Commercial)
East: MLA (Medium-Low Attached Density Residential)
West: GC (General 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) under Resolution of Intent to R-PD11
(Residential Planned Development – 11 Units Per Acre)
West: C-2 (General Commercial)

E) General Plan Compliance

The subject property is designated GC (General Commercial) in the Centennial Hills Sector Plan. This land use category allows intense retail, service, wholesale, office and other general business uses not generally considered compatible with adjoining residential areas without significant transition. The existing C-2 (General Commercial) zoning district and proposed office uses are compatible with the GC (General Commercial) designation. There are no General Plan projects that directly affect this request.

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

A 20-foot Multi-Use Non-Equestrian Trail as depicted in Exhibit 1 of the Transportation Trails Element of the Las Vegas 2020 Master Plan is required along the west side of the subject property adjacent to Rancho Drive. The site plan conforms to the Trails Element.

ANALYSIS

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

- a) Proximity slope. The height of the proposed building at the rear is 28 feet; therefore, it must be set back at least 84 feet from the rear property line, which the site shares with a proposed single-family attached residential development. The site plan shows the building to be set back 37 feet from the rear property line. The amount of deviation from the standard is 56 percent.
- b) Building setback. The proposed building must also be set back at least five feet from the rear property line to match the rear yard setback of the proposed single-family attached residential lots to the east of the subject property. This standard has been met, as the proposed building is set back 37 feet from the rear property line.

B) General Analysis and Discussion

The proposed building requires additional waivers of Commercial Development Standards and perimeter landscaping in addition to the requested variance. All other code standards are met. The hardship in this case is created by the interior storage use proposed by the applicant. This use requires higher ceilings than would be found in a typical office building. The suitability of storage for this area is not an issue; however, this type of use need not be placed adjacent to residential development, where the code requires a greater setback. The lot is not deep enough to accommodate a building of this size and height and still meet Zoning Code standards. The option to include storage in the tenant spaces is voluntary and therefore self-created. Denial is thus recommended.

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 proposing a storage use requiring higher ceilings than would normally be found in a typical office building. Eliminating the storage use would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

NOTICES MAILED 136 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-5808** APN: 138-02-102-012

Name of Property Owner: Richmond American Homes of NV, Inc.

Name of Applicant: Perkowitz & Ruth Architects

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: _____

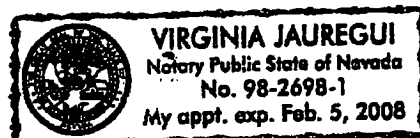
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: Paulo E. Chavez

Subscribed and sworn before me

This 14 day of December, 2004

Virginia Lawrence
Notary Public in and for said County and State





NOTES:



75	03/04/04	SCALE: 1:1000
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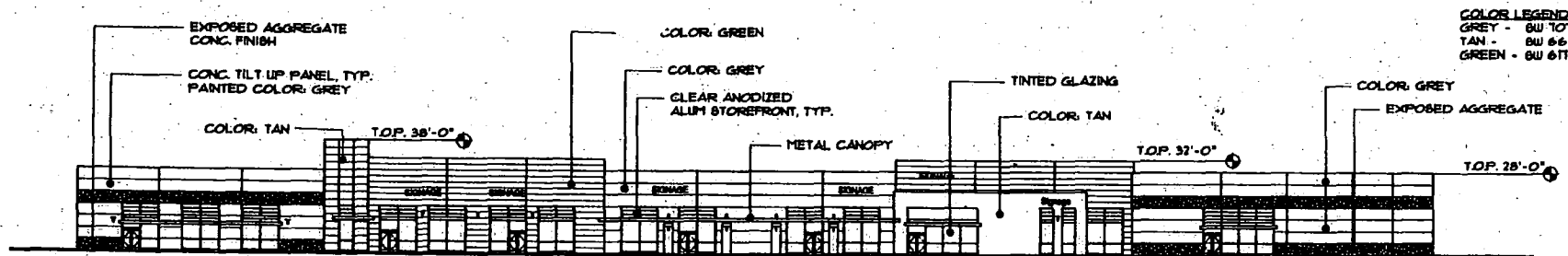
Revision

Date 2/04/05
Drawn By C Curtis
Checked By RUDY STARKS
Project No. 04-897-II
File Name D04897II-LS-Idwg
Scale 1" = 60'

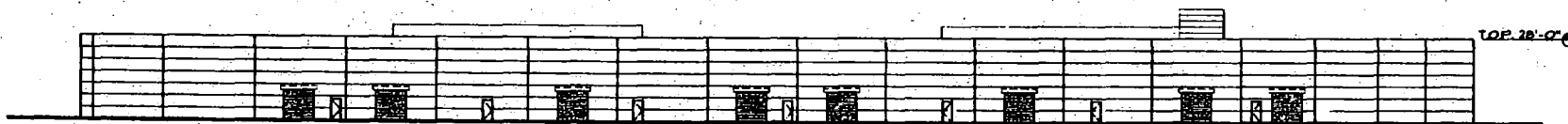
Landscape Plan
LS-1

VAR-5808
SDR-5813
3-2-05 CC
REVISED

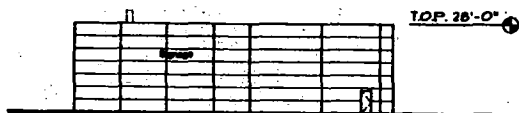
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FEB 4 2005



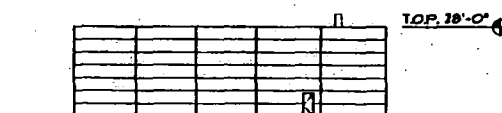
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SCALE: 1" = 40'-0"



NORTH ELEVATION
SCALE: 1" = 40'-0"



EAST ELEVATION
SCALE: 1" = 40'-0"



WEST ELEVATION
SCALE: 1" = 40'-0"



PRELIMINARY - NOT FOR CONSTRUCTION
THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.

COLOR LEGEND
GREY - BW 1071
TAN - BW 6613
GREEN - BW 6178

PR

3990 Howard Hughes Pkwy.
Suite 450
Las Vegas, NV 89109
702-834-8500
702-834-8514 fax
www.parkowitzruth.com
Corporate Office
Long Beach, CA
Regional Offices
Hawthorne, CA
Washington, DC
Las Vegas, NV

Parkowitz-Ruth
ARCHITECTS

RANCHO CEMERCE PARK
**Las Vegas,
Nevada**

Revisions

Date: 2/04/05
Drawn By: C. Curtis
Checked By: RUDY STARRS
Project No.: 04-007-11
File Name: D0405711-ELEV.dwg
Scale: 1" = 40'

Elevations
A-4.0

VAR-5808
SDR-5813
3-2-05 CC
REVISED

RECEIVED
FEB 4 2005



3280 Howard Hughes Pkwy.
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Las Vegas, NV 89169
702-832-2520
702-832-8514 fax
www.parkowitzruth.com
Corporate Office:
Long Beach, CA
Regional Offices:
Westport Beach, CA
Washington, DC
Las Vegas, NV

Parkowitz Ruth
ARCHITECTS

RANCHO OSAGE PARK

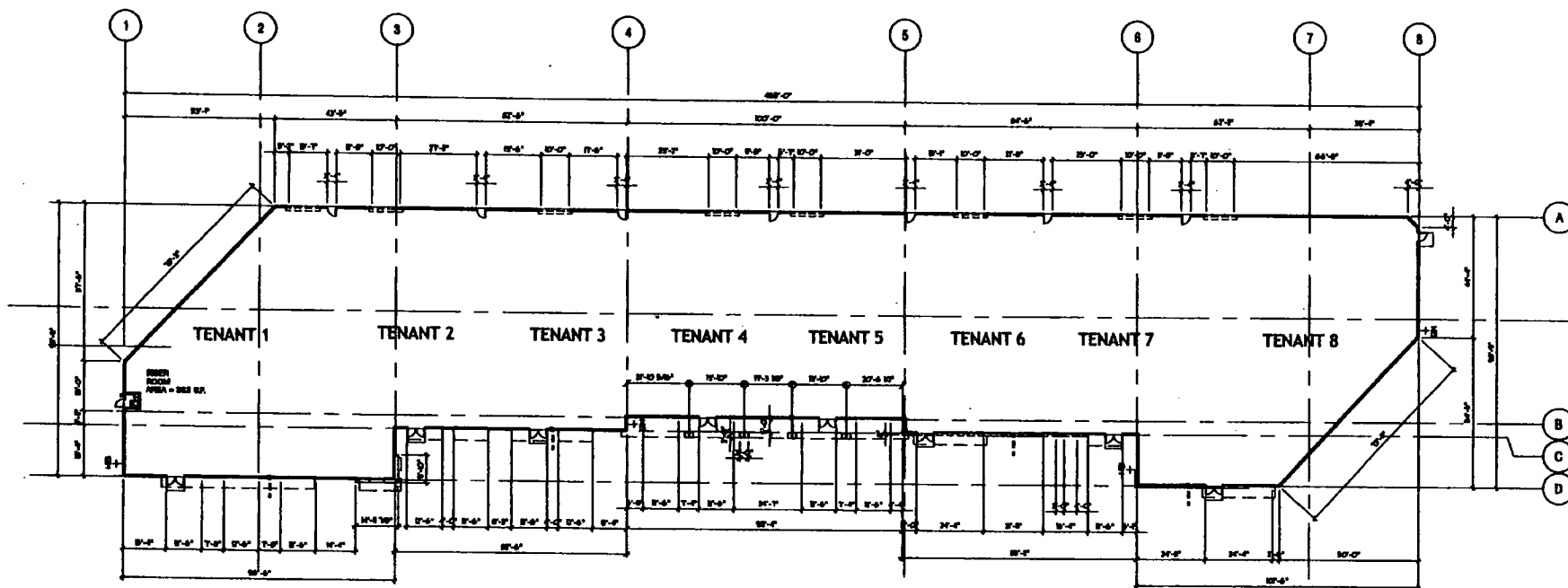
Las Vegas,
Nevada

Revisions

Date	2/04/05
Drawn By	C. O'Neil
Checked By	RUDY STARKS
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File Name	00483711-A11.dwg
Scale	1" = 4'

FLOOR PLAN

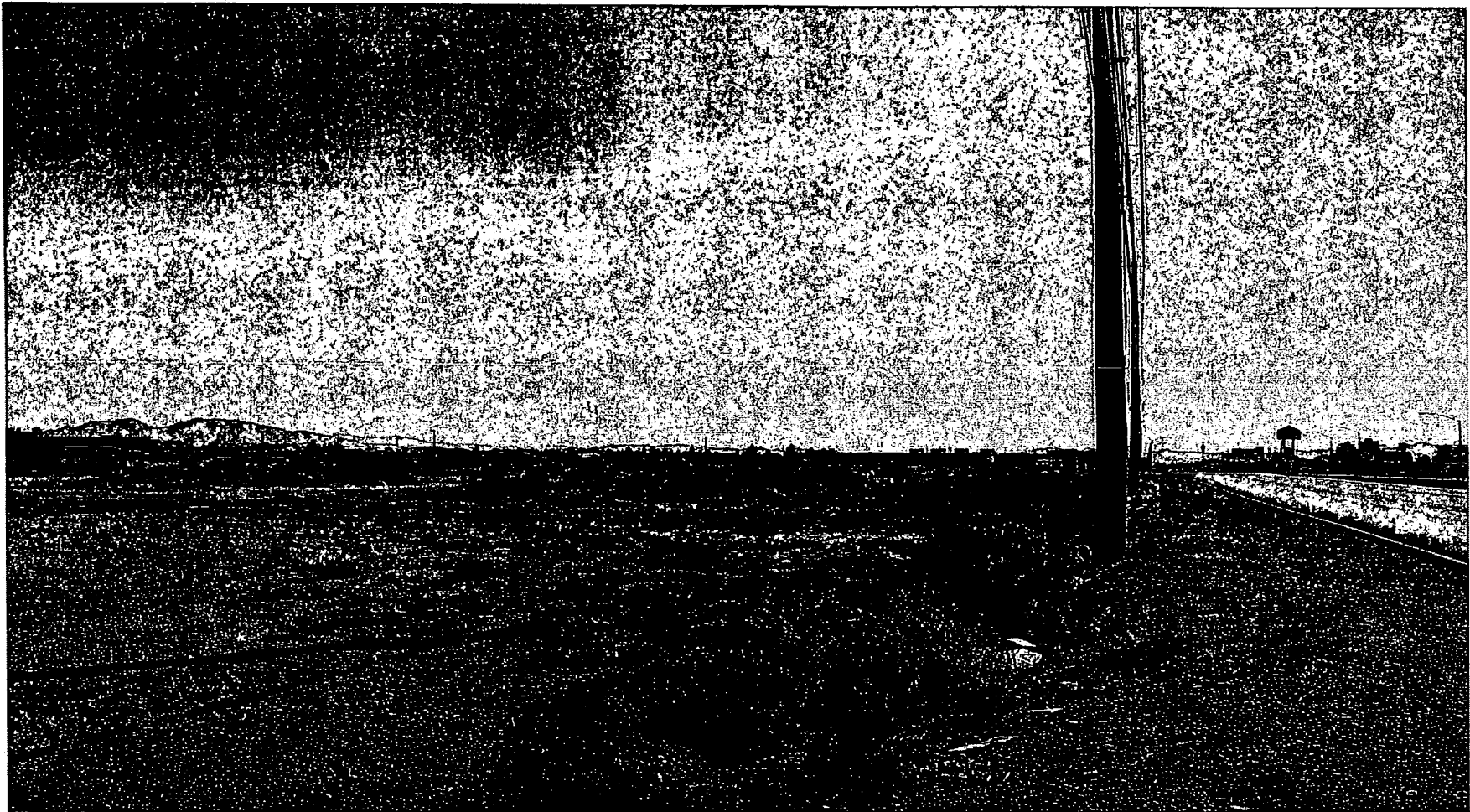
A-10



FLOOR PLAN

VAR-5808
SDR-5813
3-2-05 CC
REVISED

RECEIVED
FEB 4 2005



VAR-5808 - APPLICANT: PERKOWITZ AND RUTH ARCHITECTS - OWNER: RICHMOND AMERICAN
HOMES OF NEVADA, INC.

EAST OF RANCHO DRIVE, APPROXIMATELY 500 FEET SOUTH OF LONE MOUNTAIN ROAD

JANUARY 27, 2005 PLANNING COMMISSION

1/12/05



04-897.11 5.1

3980 Howard Hughes Parkway
Suite 450
Las Vegas, NV 89109
702.892.8500
702.892.8514

www.prarchitects.com

January 17, 2005

Mr. Steve Swanton
City of Las Vegas
Current Planning Department
731 S. Fourth Street
Las Vegas, NV 89101

**RE: RANCHO COMMERCE PARK
APPLICATION FOR SITE DEVELOPMENT PLAN REVIEW
JUSTIFICATION LETTER**

Dear Mr. Swanton:

Perkowitz+Ruth Architects, on behalf of SF Investments, LLC, respectfully requests Site Development Plan Review approval for a 3.56 acre parcel located on the north side of Rancho Drive, south of Lone Mountain.

The Rancho Commerce Park project is a proposed shell building of approximately 38,000 s.f., for use as an office/retail space with warehouse for interior storage. The intent is to provide space for professional, service, and retail tenants who need a large amount of incidental storage or workspace relative to their office spaces, with uses that meet the current C-2 zoning. Possible tenants meeting this description may be:

- professional surveyors
- highway equipment rental service
- printers
- catering service
- wholesale showrooms
- cleaners
- garden supply
- auto parts accessory installation
- landscapers

Other similar uses that would require a use permit may be:

- custom and craft work (conditional use)
- building and maintenance service and sales (conditional use)
- light assembly and fabrication (conditional use)

The parking analysis assumes that the storage/work area of such uses as printers, light assembly, cleaners, or catering would be parked at the industrial/warehousing rate (1/1000). The floor area devoted to office space for professional and business services would be parked at 1/300, and retail and other uses would meet Chapter 19.10.

Sy Perkowitz, AIA, PE
President & CEO

Steven J. Ruth, AIA
Executive Vice President

Principals

Gary Clements
Kenneth P. Gunther, AIA
Branko Prebenda
Alan Pullman, AIA
Marios A. Savopoulos, AIA
J. Todd Stoutenborough, AIA
Brian Wolfe, AIA

Senior Associates

Don Grainger, AIA
Rick Overley, AIA
Vasilis G. Papadatos, AIA
Michael Salmon, AIA
Ted Yoshizaki, AIA

Associates

Tarek Anan
Farooq Ameen, AIA, RIBA
Ronald E. Bernhardt, AIA
Winston Chang, AIA
Percy Cheng
Edmond H. Classen
Mitra Esfandiari
Yong Heng
Scott Jackson
Hans Kaufmann
Deborah B. Loayza, AIA
Keith Mericle
Steven J. Phillips, AIA
Rudolph Starks, Jr., AIA
Jim Thury
Terry Todd
Sean Unsell
Brad Williams
Henry G. Wong, AIA

REVISED
1.18.05

RECEIVED
JAN 18 2005

We do not propose any tenants that would be wholesale distribution centers. This use is not allowed in C-2.

The proposed use is therefore compatible with the other commercial uses planned for the adjacent parcels.

The landscape plan provides an 8' landscape buffer along the rear only, which is adjacent to residential. We are requesting approval to omit the landscape buffer at the two sides, as these are adjacent to commercial use. The landscaping will be per City standards.

We are also requesting a waiver to the residential adjacency height limit, as the lot to the rear is to be developed as residential. Both properties are owned by the same entity. The owner, as the applicant for this action and developer of the adjacent residential, supports the height waiver and does not consider that this will lessen the quality of the residential development. The owner naturally would not propose the waiver if it would reduce the desirability of the homes. The height restriction, if not waived, would drastically limit the use of this lot and would limit access into the lot because of awkward building placement. With the proposed configuration, the building serves as a buffer between the homes and the parking area and street, resulting in reduced noise and pollution near the homes.

We do not foresee any particular issues or problems associated with this location.

Sincerely,

PERKOWITZ + RUTH ARCHITECTS



Mary Venable
Project Manager

Cc: File No. 5.2

RECEIVED
JAN 18 2005

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 VAR-5808

SDR-5813 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: PERKOWITZ AND RUTH ARCHITECTS - OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC. - Request for a Site Development Plan Review FOR A PROPOSED 38,000 SQUARE-FOOT OFFICE/WAREHOUSE DEVELOPMENT AND FOR A WAIVER OF THE BUILDING PLACEMENT, PERIMETER, AND PARKING LOT LANDSCAPING REQUIREMENTS on 3.56 acres east of Rancho Drive, approximately 500 feet south of Lone Mountain Road (APN 138-02-102-012), C-2 (General Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions, deleting Condition 7 and amending the following conditions as read for the record:

4. There will be no deliveries outside of normal business hours of 7:00 a.m. to 7:00 p.m.
6. The development shall be in conformance with the site plan and landscape plan date stamped 03/27/05 and the building elevations date stamped 02/04/05.
9. Waiver of perimeter landscaping standards shall be granted.

- UNANIMOUS

MINUTES:

NOTE: See Item 111 [VAR-5808] for all related discussion.

(4:44 - 4:51)

6-404

CONDITIONS:

Planning and Development

1. There shall be no adult businesses or taverns allowed on site.
2. An eight-foot block wall shall be built along the east property line of the site.
3. There shall be no outdoor storage on the site.

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

4. There will be no deliveries outside of normal business hours of 9 am - 5 pm.
5. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted.
6. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 02/04/05, except as amended by conditions herein. The applicant shall submit a revised site plan prior to consideration by City Council to reflect perimeter buffering as required by Code.
7. No warehouse use as defined in Title 19.20 shall be permitted on the subject property.
8. Trash enclosures shall be roofed in accordance with Title 19.08.045.
9. There shall be no waiver of perimeter landscaping standards. 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.
10. Prior to the time application is made for a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
11. 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.]
12. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
13. Turfed areas shall not exceed a maximum of 12.5% of the total landscapable area.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Construct all incomplete half-street improvements on Rancho Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights of way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

17. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

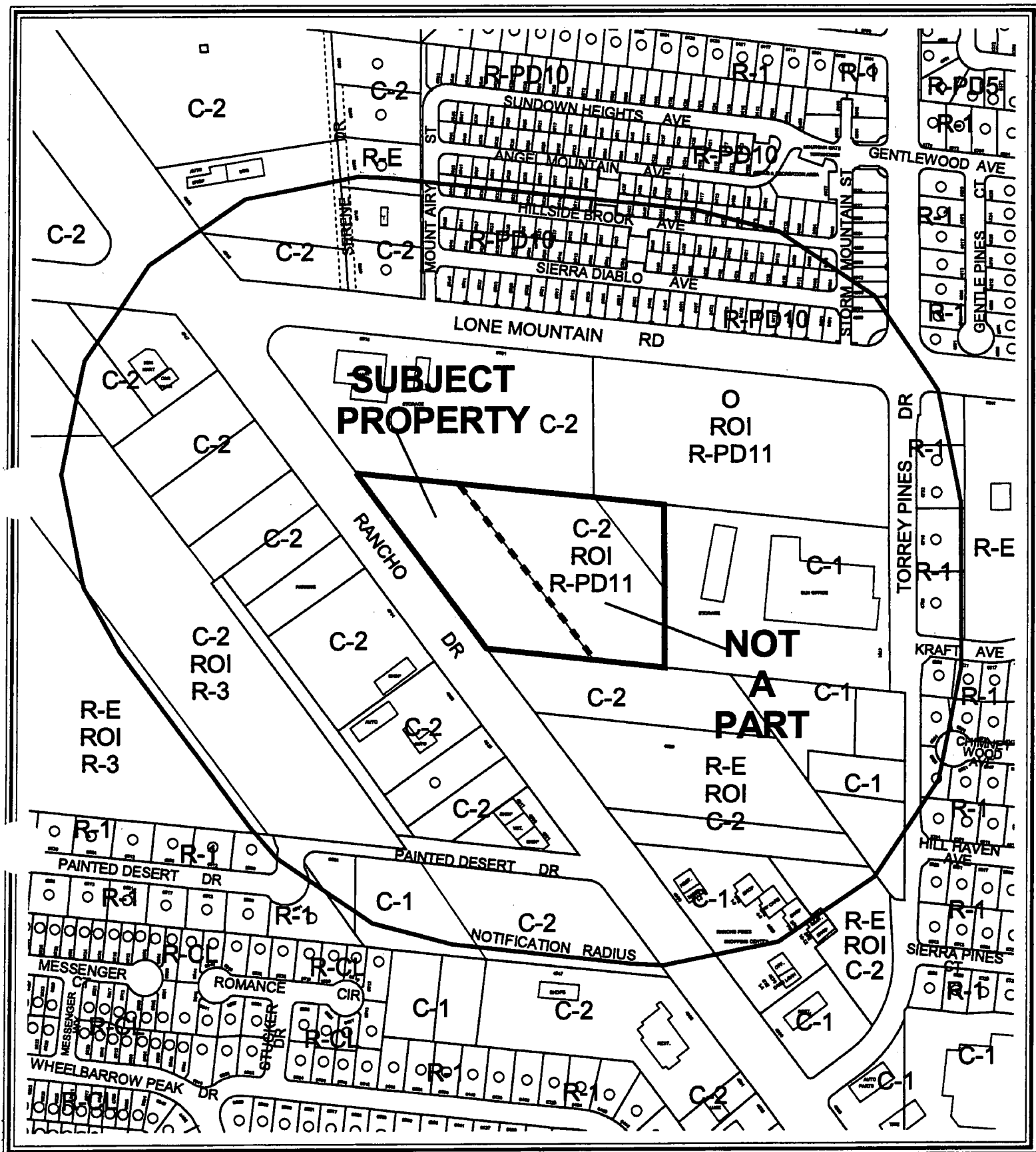
18. Construct sidewalk on at least one side of the access drive connecting this site to the adjacent public street concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

19. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall also receive approval from the Nevada Department of Transportation.

20. Landscape and maintain all unimproved right(s) of way on Rancho Drive adjacent to this site.

21. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all landscaping and private improvements in the Rancho Drive public right-of-way adjacent to this site prior to the issuance of any permits.

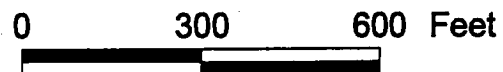
22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and 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-5813

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



112



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SDR-5813 - APPLICANT: PERKOWITZ AND RUTH ARCHITECTS - OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC.

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

**** CONDITIONS ****

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

Planning and Development

1. There shall be no adult businesses or taverns allowed on site.
2. An eight-foot block wall shall be built along the east property line of the site.
3. There shall be no outdoor storage on the site.
4. There will be no deliveries outside of normal business hours of 9 am – 5 pm.
5. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted.
6. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 02/04/05, except as amended by conditions herein. The applicant shall submit a revised site plan prior to consideration by City Council to reflect perimeter buffering as required by Code.
7. No warehouse use as defined in Title 19.20 shall be permitted on the subject property.
8. Trash enclosures shall be roofed in accordance with Title 19.08.045.
9. There shall be no waiver of perimeter landscaping standards. 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.
10. Prior to the time application is made for a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

11. 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.]
12. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
13. Turfed areas shall not exceed a maximum of 12.5% of the total landscapable area.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Construct all incomplete half-street improvements on Rancho Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
17. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
18. Construct sidewalk on at least one side of the access drive connecting this site to the adjacent public street 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 and shall be terminated on-site with a handicap ramp.
19. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall also receive approval from the Nevada Department of Transportation.
20. Landscape and maintain all unimproved right(s)-of-way on Rancho Drive adjacent to this site.
21. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all landscaping and private improvements in the Rancho Drive public right-of-way adjacent to this site prior to the issuance of any permits.

22. 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 Site Development Plan Review for a proposed 38,000 square-foot office development and for a Waiver of the building placement, perimeter, and parking lot landscaping requirements on 3.56 acres east of Rancho Drive, approximately 500 feet south of Lone Mountain Road.

B) Applicant's Justification

According to the applicant's justification letter, the project is a proposed office shell building of approximately 38,000 square feet. The intent is to provide space for professional, service and retail tenants who need a large amount of incidental storage or work space relative to their office spaces. The proposed uses are compatible with the current C-2 (General Commercial) zoning district and uses planned for adjacent parcels. The project will be in conformance with all applicable zoning regulations, with the exception of residential adjacency standards, for which a companion variance is sought, and building placement and landscaping standards, for which waivers are requested as a part of this application. The applicant concludes that the landscape waivers are justified because the subject property is adjacent to commercially zoned property. The parking analysis assumes a warehouse-parking ratio for the storage spaces.

BACKGROUND INFORMATION

A) Previous Actions

- 06/07/72 The Board of City Commissioners approved a Rezoning (Z-0039-72) from R-E (Residence Estates) to C-2 (General Commercial) on the subject property. The Planning Commission and staff recommended approval.
- 04/26/99 The City Council approved a Rezoning (Z-0007-99) from R-E (Residence Estates) to C-1 (Limited Commercial) to the east of the subject property. The Planning Commission and staff recommended approval.
- 05/24/99 The City Council approved a General Plan Amendment (GPA-0003-99) from SC (Service Commercial) to GC (General Commercial) and a Rezoning (Z-0008-99) from R-E (Residence Estates) and C-2 (General Commercial) to C-2 (General Commercial) on the subject property for a proposed new car dealership and accessory uses.
- 07/19/00 The City Council approved a Request for a Site Development Plan Review for a proposed 67,680 square-foot Bureau of Land Management facility on 5.09 acres on the west side of Torrey Pines Drive, approximately 355 feet south of Lone Mountain Road. The Planning Commission and staff recommended approval.

- 07/07/04 The City Council approved a General Plan Amendment (GPA-4072) from O (Office) and GC (General Commercial) to MLA (Medium-Low Attached Density Residential), a Rezoning (ZON-4202) from O (Office), R-E (Residence Estates) and C-2 (General Commercial) to R-PD11 (Residential Planned Development - 11 Units Per Acre) and a Site Development Plan Review (SDR-4204) for a proposed 116-unit single-family attached residential development on 10.95 acres to the east of the subject property. The Planning Commission recommended approval. Staff recommended denial.
- 01/27/05 The Planning Commission recommended approval of a companion Variance (VAR-5808) request to allow a 37-foot setback where Residential Adjacency standards require a minimum setback of 84 feet for a proposed office/warehouse development on the subject property. Staff recommended denial.
- 01/27/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #66/ss).

B) Pre-Application Meeting

- 12/01/04 The site requires construction of a portion of the multi-use transportation trail along Rancho Drive. Right-of-way improvements will require NDOT approval. Residential adjacency standards will apply, as land to the east of the subject site has a General Plan designation compatible with single-family development.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.56 (western 272 feet of APN 138-02-102-012)

B) Existing Land Use

Subject Property: Undeveloped
North: Convenience Store
South: Undeveloped
East: Undeveloped
West: Heavy Machinery and Equipment (Rental, Sales and Service)

C) Planned Land Use

Subject Property: GC (General Commercial)
North: GC (General Commercial)
South: GC (General Commercial)
East: MLA (Medium-Low Attached Density Residential)
West: GC (General 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) under Resolution of Intent to R-PD11
 (Residential Planned Development – 11 Units Per Acre)
 West: C-2 (General Commercial)

E) General Plan Compliance

The subject property is designated GC (General Commercial) in the Centennial Hills Sector Plan. This land use category allows intense retail, service, wholesale, office and other general business uses not generally considered compatible with adjoining residential areas without significant transition. The existing C-2 (General Commercial) zoning district and proposed office uses are compatible with the GC (General Commercial) designation.

PROJECT DESCRIPTION

The proposal is a 38,000 square-foot building shell with eight speculative tenant spaces for office and ancillary storage uses. Access to the site is from a 30-foot driveway from Rancho Drive. A minimum 24-foot driveway encircles the building. A total of 73 parking spaces are provided, not including three loading spaces. The building is oriented toward the rear, so that parking is primarily in the front. Landscaping is provided along the Rancho Drive and rear property lines. The rear buffer planter includes dense evergreen trees for the purpose of screening from abutting planned residential development to the east. A Multi-Use Non-Equestrian Trail is provided adjacent to Rancho Drive as required by the City's 2020 Master Plan.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required C-2	Provided	Compliance
Min. Lot Size	N/A	3.56 Acres	N/A
Min. Lot Width	100 Feet	272 Feet	Y
Min. Setbacks			
• Front	20 Feet	64 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	20 Feet	20 Feet	Y
Max. Lot Coverage	50 %	24.5 %	Y
Max. Building Height	none	38 Feet	Y
Trash Enclosure	Walled, gated, roofed, 50 feet from residential property	Walled, gated, 63 feet from residential	Y
Loading Zone	3 spaces	3 spaces	Y
Mech. Equipment	Screened	Parapet screening	Y

The proposed project complies with development standards for the C-2 (General Commercial) zoning district. A condition of approval will ensure that all trash enclosures are roofed according to the Commercial Development Standards.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The height of the proposed building at the rear is 28 feet; therefore, it must be set back at least 84 feet from the rear property line, which the site shares with a proposed single-family attached residential development. The site plan shows the building to be set back 37 feet from the rear property line. The amount of deviation from the standard is 56 percent. A companion Variance (VAR-5808) has been requested for relief from the Proximity Slope standard.
- b) Building setback. The proposed building must also be set back at least five feet from the rear property line to match the rear yard setback of the proposed single-family attached residential lots to the east of the subject property. This standard has been met, as the proposed building is set back 37 feet from the rear property line.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Office	11,400 SF	1 space/300 SF GFA	38	---		
Interior Storage	26,600 SF	1 space/1,000 SF GFA	27	---		
TOTAL	38,000 SF	---	62	3	66	3

The proposed development exceeds Title 19 parking requirements. A mix of 30 percent office and 70 percent storage uses is projected. An imbalance in the use mix is likely to increase the parking requirement.

A4) Landscape Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 spaces + half of all trees at end of rows	17 Trees	19 Trees
Buffer (maximums):			
• Min. Trees (Rancho Dr.)	1 Tree/20 Linear Feet	24 Trees	31 Trees
• Min. Trees (sides)	1 Tree/30 Linear Feet	17 Trees	0 Trees
• Min. Trees (rear)	1 Tree/20 Linear Feet	28 Trees	37 Trees
• Min. Zone Width (Rancho Drive)	15 Feet along Rancho Drive		15 Feet
• Min. Zone Width (sides/rear)	8 Feet		0 Feet along sides, 8 Feet along rear
• Wall height	Min. 6 Feet adjacent to residential, max. 6 Feet along sides		6 Feet at sides, 8 Feet at rear

Waivers have been requested from perimeter and parking lot landscaping standards. No buffer is provided on either side of the property. All other landscaping is compliant with Title 19 and the Landscape, Wall and Buffer Standards.

A5) Sign Standards

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

Monument Signs: [Entrance from Rancho Drive]

Standards	Allowed	Provided
Maximum Number	1 / 200 feet street frontage 2 total	1 total
Maximum Area	75 SF /sign	Not provided
Maximum Height	10 Feet	Not provided
Minimum Setback	5 Feet	5 Feet
Illumination	External/Internal	Not provided
Minimum Separation	100 Feet	N/A

Wall Signs: [West elevation]

Standards	Allowed	Provided
Maximum Number	Based on area	10 total
Maximum Area	Up to 20% of elevation of each leased area and 20% of any building elevation	Not provided
Maximum Projection	4 Feet	Not provided
Illumination	Internal/External/Animated/ Electronic Message Unit	Not provided

Signage consists of one entry monument sign and wall signage at each tenant space. All signage must conform to the standards contained in Title 19.14 specific to developments in the C-2 (General Commercial) zoning district.

B) General Analysis and Discussion

- **Zoning**

The site is currently zoned C-2 (General Commercial). The proposed office uses are permitted as of right in this district. The storage use is related to these proposed office uses, and no distribution of the stored goods is proposed. The parcel on which this site is located is shared with a portion of an approved single-family attached residential development to the east.

- **Site Plan**

Access to the site is from a 30-foot driveway from Rancho Drive. Circulation is logical, with a minimum 24-foot driveway extending around the proposed building. A 20-foot Multi-Use Transportation trail is proposed on the property adjacent to the east side of Rancho Drive and is accurately depicted on the site plan. Other than the requested variance for residential adjacency setback and waivers of building placement and perimeter landscaping standards addressed below, the site meets other applicable aspects of the Zoning Code, including setbacks, lot coverage, height, and lot specifications. However, the location of such a large building next to dense residential development could create ongoing nuisance issues.

- **Waivers**

The applicant has requested a Waiver of the Commercial Development Standards for placement of the building away from the front setback line to allow for parking in front of the building. Approval of the request is recommended. Although the building meets lot coverage requirements and its design is likely too large for it to comply with the placement standard, it is a better alternative to facing the residential development to the east, as well as siting the parking on that end of the property.

A Waiver of perimeter landscaping standards to allow no buffers along the side property lines has been requested. The waiver is not recommended, as the building size as designed could be reduced to accommodate required parking, access and landscaping. Lands on either side of the subject property are zoned for commercial uses, but that fact does not necessarily excuse a given site from adherence to the standards. No unavoidable circumstances preclude the applicant from providing conforming landscape buffers.

A Waiver of parking lot landscaping standards was requested as part of the original application. The landscape plan was subsequently revised to comply with Commercial Development Standards; therefore, the waiver is no longer necessary.

- Landscape Plan

The conceptual landscape plan shows 24-inch box Evergreen Elm trees spaced 20 feet on center along Rancho Drive. In addition, 24-inch box Chilean Mesquites are proposed for the parking area, and 24-inch Torrey Pines are depicted along the eastern boundary of the site. Additional trees spaced approximately 15 feet on center have been provided along the eastern (rear) wall for screening of the proposed project from the approved residential development to the east. The standard shrubs and groundcover, including five-gallon Texas Ranger, Yellow Bird of Paradise, Autumn Sage and Brittle Bush and one-gallon Gazania, Lantana, and Creeping Acacia, have been provided.

- Elevation

Elevations are aesthetically pleasing and provide a varied roofline and numerous offsets. Building materials are acceptable and compatible with other commercial structures in the area.

- Floor Plan

The applicant has speculated that approximately 70 percent of the tenant space within the proposed building will consist of storage for the proposed office uses. It is speculated that the tenants will rent a separate storage unit for their goods. Eight tenant spaces of various sizes are depicted on the floor plans.

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 size and uses proposed for the building may have a negative impact on residential development planned to the east of the subject site. Office uses would be most compatible with the surrounding land 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 development proposes uses not permitted in the C-2 (General Commercial) zoning district or the GC (General Commercial) General Plan land use designation. Approval of Waivers of Commercial development standards with regard to building placement is required, as well as a Waiver of perimeter landscaping standards.

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

The site will have access from Rancho Drive, a 200-foot Primary Arterial as shown on the Master Plan of Streets and Highways. Circulation around the site is logical. The proposed layout should not negatively impact Rancho Drive or neighboring traffic.

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

Building materials include tilt-up concrete, metal and aggregate, which are appropriate for office buildings in this area of the City. Landscaping materials are acceptable and are strategically placed for purposes of screening and beautification.

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;”**

Elevations are aesthetically pleasing and provide a varied roofline and numerous offsets. Building materials are acceptable and compatible with other commercial structures in the area.

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

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

PLANNING COMMISSION ACTION

The Planning Commission added Conditions #1 through 4. New plans have been submitted which eliminated the need for a waiver of perimeter landscaping. The applicant agreed to all additional conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

NOTICES MAILED 135 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5813** APN: 130-02-102-012
Name of Property Owner: Richmond American Homes of NV, Inc.
Name of Applicant: Perkowitz & Ruth Architects

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: _____

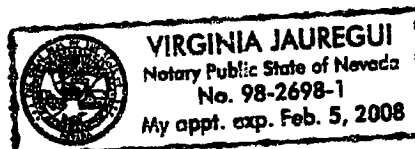
Signature of Property Owner/Authorized Agent: 

Print Name: MANOJ PATTNI

Subscribed and sworn before me

This 13 day of December, 2004

Virginia J. Janssen
Notary Public in and for said County and State

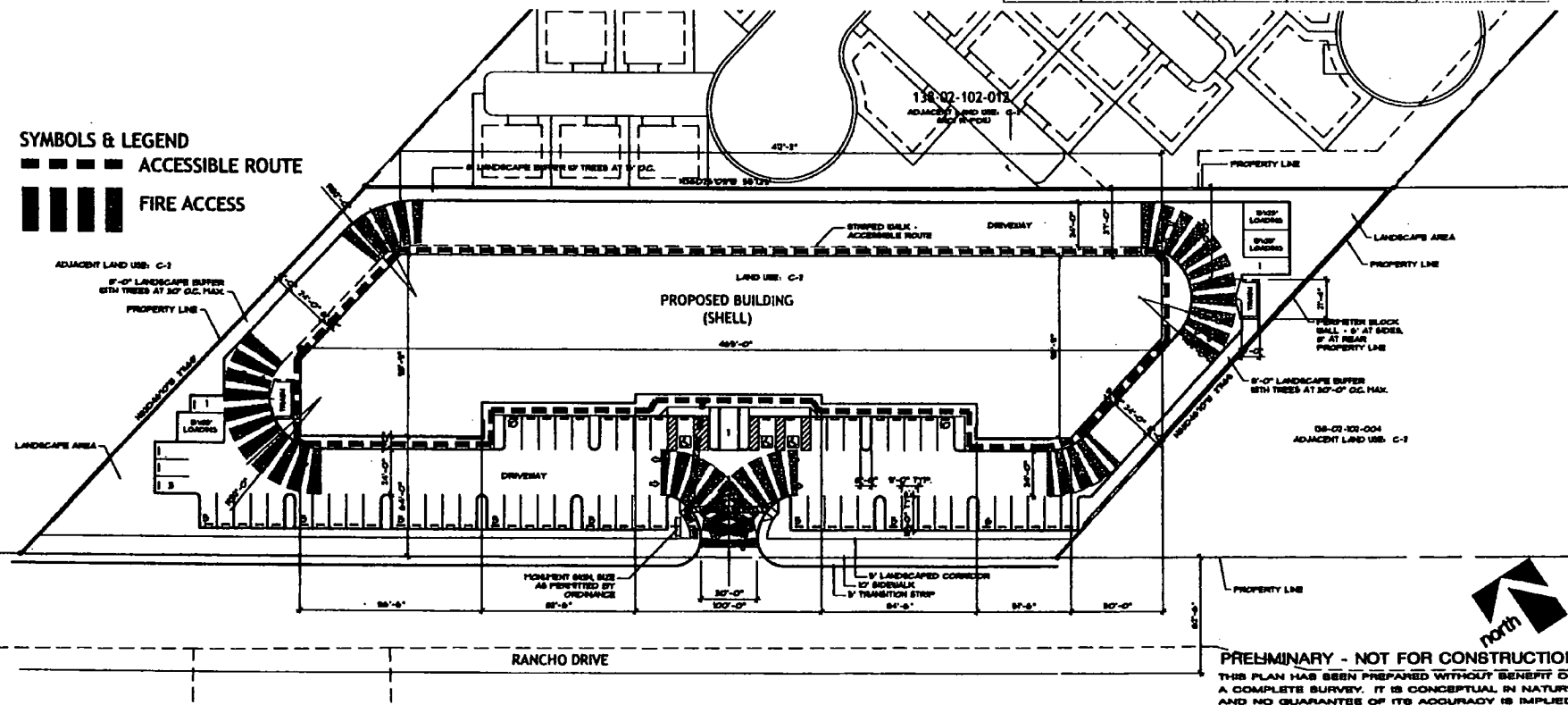


SITE SUMMARY					
LAND AREA				APPROX 2.56 ACRES (155,074 S.F. +/-)	
BUILDING AREA				37,660 S.F.	
BUILDING COVERAGE				24%	
CURRENT/PROPOSED ZONING				C-2	
SETBACKS REQUIRED:					
FRONT				20'	
REAR				20'	
SIDES				10'	
APN:				138-03-102-012	
PARKING ANALYSIS:					
TOTAL S.F.		37,660	S.F.	REQD	
OFFICE		30%	11,298 S.F. @ 1/	300	38
WAREHOUSE		70%	26,362 S.F. @ 1/	1000	26
TOTAL REQD				64	
PROVIDED (INCL 3 HC)				68	

SYMBOLS & LEGEND

— — — — — ACCESSIBLE ROUTE

||||| FIRE ACCESS



SITE PLAN

SCALE: 1" = 60'-0"

PRELIMINARY - NOT FOR CONSTRUCTION
THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.



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Parkowitz + Roth
ARCHITECTS
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Las Vegas,
Nevada

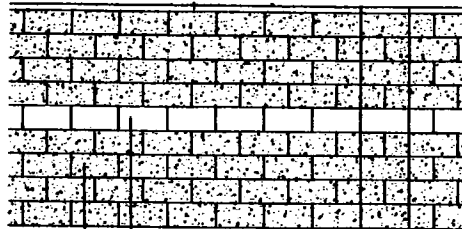
Revisions

Date: 2/04/05
Drawn By: C. Curtis
Checked By: RUDY STARKS
Project No: 04-857-3
File Name: 0408070-SITEPLAN.dwg
Scale: 1" = 60'

Site Plan
SA-1

VAR-5808
SDR-5813
3-2-05 CC
REVISED

RECEIVED
FEB 4 2005



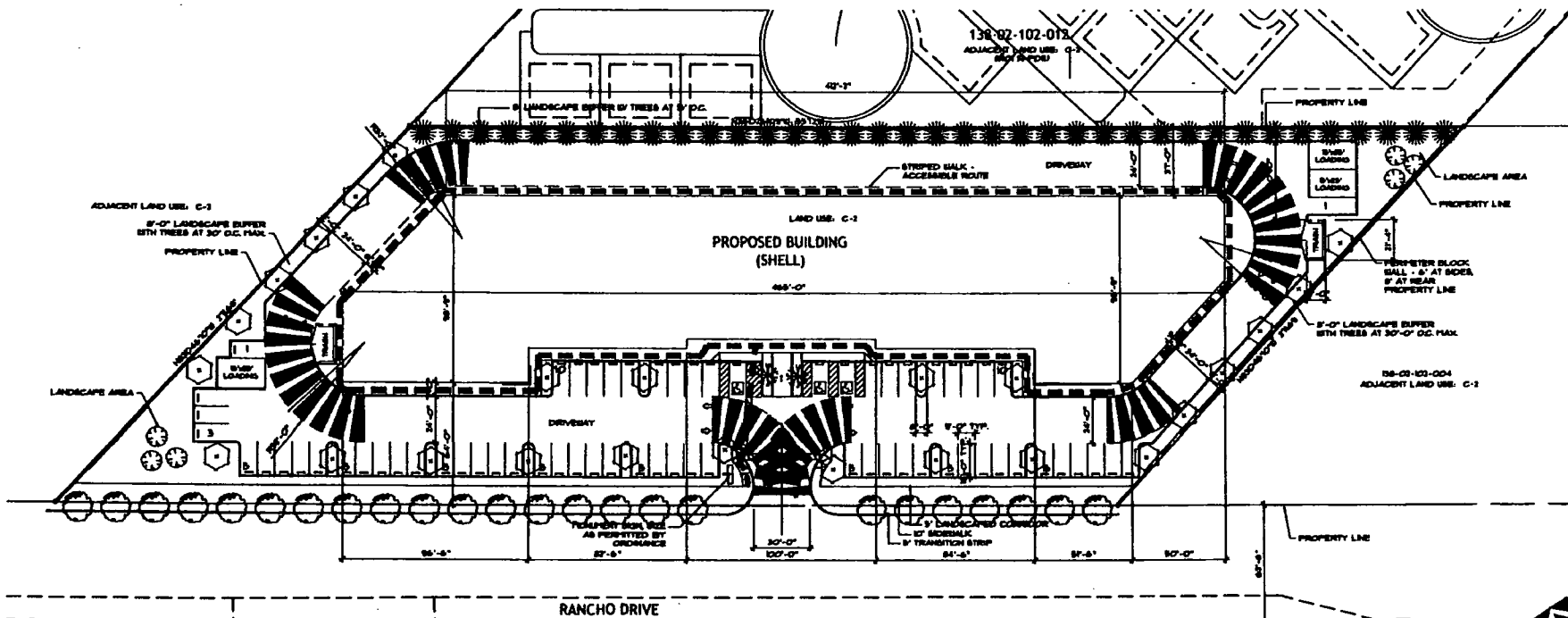
PERIMETER SITE WALL (6' TALL AT SIDES, 8' AT REAR)

PLANT LEC

BOTANICAL No.	COMMON NAME	SIZE	QTY.
TREES			
WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	10'	6
ULMUS PARVIFOLIA	EVERGREEN ELM	24" BOX	24
PROSOPIS CHILIDENSIS THORNLESS	CHILEAN MESQUITE	24" BOX	26
Pinus TORREYANA	TORREY PINE	24" BOX	37
ACACIA ANEURA	MULGA	24" BOX	2
SHRUBS			
LEUCOPHYLLUM FRUTESCENS	TEXAS RANGER	5 GAL.	(4) - 5 GAL. PER TREE +
CAESALPINIA GILLIESII	YELLOW BIRD OF PARADISE	5 GAL.	(4) - 1 GAL. PER TREE
SALVIA GREGGII	AUTUMN SAGE	5 GAL.	
ENCELIA FARNOSA	BRITTLE BUSH	5 GAL.	
GROUND COVER			
GAZANIA RIGENS	GAZANIA	1 GAL.	
LANTANA MONTEVIDEENSIS	LANTANA	1 GAL.	
ACACIA REDOLENS	CREeping ACACIA	1 GAL.	

NOTES:

ROCK MULCH AT ALL AT ALL PLANTING AREAS U.N.O.



CONCEPTUAL LANDSCAPE PLAN

1/8" = 1'-0" SCALE: H&O



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Parkowitz & Ruth
Architects
RANCHO COMMERCE PARK
Las Vegas,
Nevada

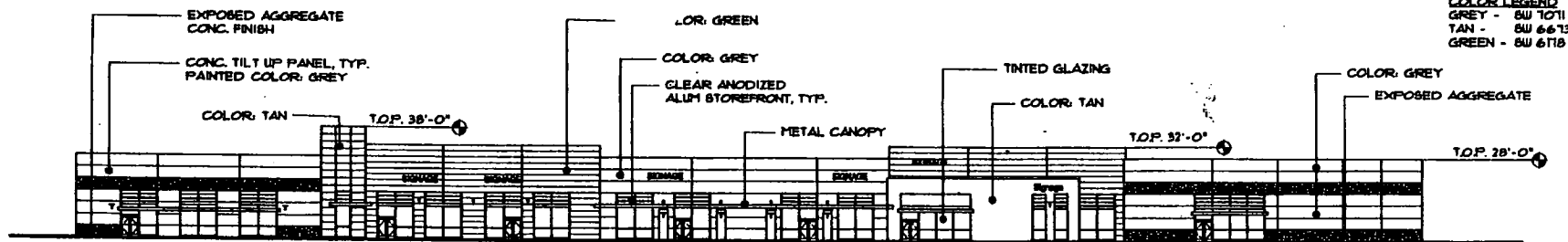
Revisions

Date: 2/04/05
Drawn By: C. Curtis
Checked By: RUDY STAPROS
Project No.: 04-887-11
File Name: D0488711-LS-1.dwg
Scale: 1" = 6'

Landscape Plan
LS-1

VAR-5808
SDR-5813
3-2-05 CC
REVISED

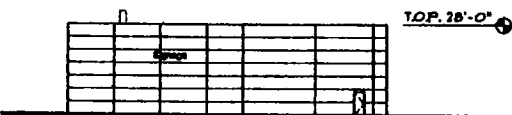
RECEIVED
FEB 4 2005



SOUTH ELEVATION
SCALE: 1" = 40'-0"



NORTH ELEVATION
SCALE: 1" = 40'-0"



EAST ELEVATION
SCALE: 1" = 40'-0"



WEST ELEVATION
SCALE: 1" = 40'-0"



PRELIMINARY - NOT FOR CONSTRUCTION
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COLOR LEGEND
GREY - S&W T011
TAN - S&W 6613
GREEN - S&W 6118



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Regional Offices:
Newport Beach, CA
Washington, DC
Las Vegas, NV

Parkowitz, Rudy & Associates

RANCHO CARMENCE PARK
**Las Vegas,
Nevada**

Revisions

Date	2/04/05
Drawn By	C Curtis
Checked By	RUDY STAROS
Project No.	04-897-11
File Name	00489711-ELEV.dwg
Scale	1" = 40'

Elevations

A-4.0

**VAR-5808
SDR-5813
3-2-05 CC
REVISED**

RECEIVED
FEB 4 2005



3000 Howard Hughes Pkwy.
Suite 450
Las Vegas, NV 89109
702-536-8500
702-536-8504 fax
www.parkowitch.com
Corporate Office:
Long Beach, CA
Regional Office:
Newport Beach, CA
Washington, DC
Las Vegas, NV

Parkowitz, Ruth
ARCHITECTS

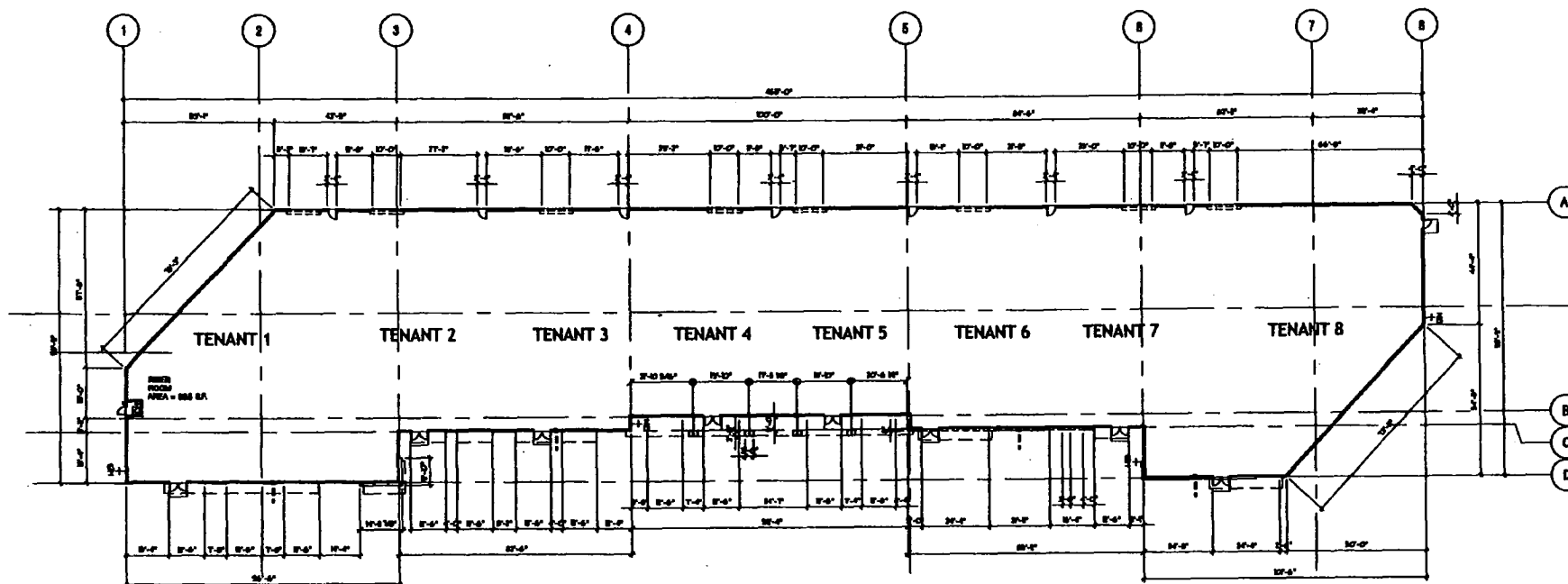
RANCHO COMMERCE PARK
Las Vegas,
Nevada

Revisions

Date: 2/04/05
Drawn By: C. Curtis
Checked By: RUDY STARRS
Project No: 04-037-11
File Name: 00408770-A10.dwg
Scale: 1" = 40'

FLOOR PLAN

A-1.0



FLOOR PLAN

VAR-5808
SDR-5813
3-2-05 CC
REVISED

RECEIVED
FEB 4 2005



SDR-5813 - APPLICANT: PERKOWITZ AND RUTH ARCHITECTS - OWNER: RICHMOND AMERICAN
HOMES OF NEVADA, INC.

EAST OF RANCHO DRIVE, APPROXIMATELY 500 FEET SOUTH OF LONE MOUNTAIN ROAD

JANUARY 27, 2005 PLANNING COMMISSION

1/12/05



04-897.11 5.1

ARCHITECTS

January 17, 2005

Mr. Steve Swanton
City of Las Vegas
Current Planning Department
731 S. Fourth Street
Las Vegas, NV 89101

3980 Howard Hughes Parkway
Suite 450
Las Vegas, NV 89109
702.892.8500
702.892.8514

www.prarchitects.com

**RE: RANCHO COMMERCE PARK
APPLICATION FOR SITE DEVELOPMENT PLAN REVIEW
JUSTIFICATION LETTER**

Dear Mr. Swanton:

Perkowitz+Ruth Architects, on behalf of SF Investments, LLC, respectfully requests Site Development Plan Review approval for a 3.56 acre parcel located on the north side of Rancho Drive, south of Lone Mountain.

The Rancho Commerce Park project is a proposed shell building of approximately 38,000 s.f., for use as an office/retail space with warehouse for interior storage. The intent is to provide space for professional, service, and retail tenants who need a large amount of incidental storage or workspace relative to their office spaces, with uses that meet the current C-2 zoning. Possible tenants meeting this description may be:

- professional surveyors
- highway equipment rental service
- printers
- catering service
- wholesale showrooms
- cleaners
- garden supply
- auto parts accessory installation
- landscapers

Other similar uses that would require a use permit may be:

- custom and craft work (conditional use)
- building and maintenance service and sales (conditional use)
- light assembly and fabrication (conditional use)

The parking analysis assumes that the storage/work area of such uses as printers, light assembly, cleaners, or catering would be parked at the industrial/warehousing rate (1/1000). The floor area devoted to office space for professional and business services would be parked at 1/300, and retail and other uses would meet Chapter 19.10.

Sy Perkowitz, AIA, PE
President & CEO

Steven J. Ruth, AIA
Executive Vice President

Principals
Gary Clements
Kenneth P. Gunther, AIA
Branko Prebanda
Alan Pullman, AIA
Marios A. Savopoulos, AIA
J. Todd Stoutenborough, AIA
Brian Wolfe, AIA

Senior Associates
Don Grainger, AIA
Rick Overley, AIA
Vasilis G. Papadatos, AIA
Michael Salmon, AIA
Ted Yoshizaki, AIA

Associates
Tarek Anan
Farooq Ameen, AIA, RIBA
Ronald E. Bernhardt, AIA
Winston Chang, AIA
Percy Cheng
Edmond H. Classen
Mitra Esfandiari
Yong Heng
Scott Jackson
Hans Kaufmann
Deborah B. Loayza, AIA
Keith Mericle
Steven J. Phillips, AIA
Rudolph Starks, Jr., AIA
Jim Thury
Terry Todd
Sean Unsell
Brad Williams
Henry G. Wong, AIA

REVISED
1.18.05

RECEIVED
JAN 18 2005

We do not propose any tenants that would be wholesale distribution centers. This use is not allowed in C-2.

The proposed use is therefore compatible with the other commercial uses planned for the adjacent parcels.

The landscape plan provides an 8' landscape buffer along the rear only, which is adjacent to residential. We are requesting approval to omit the landscape buffer at the two sides, as these are adjacent to commercial use. The landscaping will be per City standards.

We are also requesting a waiver to the residential adjacency height limit, as the lot to the rear is to be developed as residential. Both properties are owned by the same entity. The owner, as the applicant for this action and developer of the adjacent residential, supports the height waiver and does not consider that this will lessen the quality of the residential development. The owner naturally would not propose the waiver if it would reduce the desirability of the homes. The height restriction, if not waived, would drastically limit the use of this lot and would limit access into the lot because of awkward building placement. With the proposed configuration, the building serves as a buffer between the homes and the parking area and street, resulting in reduced noise and pollution near the homes.

We do not foresee any particular issues or problems associated with this location.

Sincerely,

PERKOWITZ + RUTH ARCHITECTS



Mary Venable
Project Manager

Cc: File No. 5.2

RECEIVED
JAN 18 2005

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 6, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****VARIANCE**

VAR-5694 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH, A.I.A., LLC - OWNER: A.L.M. CORP. - Request for a Variance TO ALLOW A 24-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 73 FEET on 2.55 acres adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN a portion of 125-09-401-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****4****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****1****City Council Meeting****0****RECOMMENDATION:**

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Protest letter from Gary Kronenberg
6. Protest letter from Tim and Glenda deBues for Item 113 [VAR-5694] and Item 114 [SUP-5691] filed under Item 113 [VAR-5694]
7. Backup referenced from the 3/10/2005 Planning Commission Meeting Item 7

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

MAYOR GOODMAN declared the Public Hearing open on Item 113 [VAR-5694], Item 114 SUP-5691] and Item 115 [SDR-5689].

GEORGE GARCIA, 1711 Whitney Mesa Drive, Suite #110, Henderson, appeared together with RICHARD GALLEGOS, Garapich and Associates, 10 Commerce Center Drive, Henderson, on behalf of the applicant. MR. GARCIA clarified that the waiver request for trash enclosure was withdrawn at the Planning Commission meeting. Secondly, the issue of the proximity to a park was resolved.

JAMES SPENDLOVE, 8124 Quail Nest Avenue, appeared on behalf of 119 homes in the Carriage Park community, who oppose the proposed project. The project was approved six years ago, but has yet to be built. The applicant keeps coming back with small changes, putting the project closer to residential and again the residents have to compromise. The original plan placed the tavern on the corner away from the other amenities, which provided a buffer from residential. Through a compromise the tavern has

CITY COUNCIL MEETING OF: APRIL 6, 2005**MINUTES - Continued:**

been expanded to include more acreage. He questioned why the tavern could not be placed at the end with the other facilities closer to residential. This particular neighborhood is in the process of being developed. Homes are being built to the north and the homes to the east have been approved at seven units to the acre. If the Frontage Road on the corner of Durango Drive will be left vacant it could become an eyesore. The parking lot and the landscaping on property located on Tenaya Way and Ann Road is not kept up to Code. MR. SPENDLOVE would prefer concurrent development instead of piecemeal. In 2002 the applicant, MR. APOLLO, was told he would risk losing his license if he moved the tavern back to this other section, which he has done. There is no right-hand turn lane into the establishment or onto Durango Drive, which is a 120-foot wide road. He does not believe that 131 parking spaces will be enough and there is no parking on the street in these areas. The property encroaches into the residential neighborhood, and asked that the tavern be moved back to the corner and that the variances not be granted.

NANCY BEYER, 8228 Spanish Meadows Avenue, verified that the tavern use was approved six years ago. She opposes the tavern use because it is surrounded by residential where many children live. She asked the City Council to deny the application.

MR. SPENDLOVE suggested the applicant build a restaurant instead of a bar, which he would gladly frequent.

MR. GARCIA stated that part of the reason why this arose in terms of Residential Adjacency Standards, is the particular design of the buildings. Rather than a flat, common commercial roof design, the building has a residential pitched roof design. The applicant is being penalized for having an attractive residential style building close to residential. MR. GARCIA pointed out that the City's desire is to have these use permits in place well in advance before homes are built so that people are well informed on what uses are planned for this area, and there is less reason to be contentious. This use has been in existence for some time. Nevada Homes Group, who owns that land, provided a letter, which was submitted at the Planning Commission meeting indicating they support the project without the trash enclosures. That waiver has been withdrawn.

COUNCILMAN MACK stated that many questions regarding the use were raised when this application came forward. This approval happened at the County level and then annexed into the City. This is one of the reasons why the City formed an Interlocal Agreement with the County that if a developer wants to develop a non-conforming land in the Centennial Hills area, they have to obtain approval from both the County Commission and the City Council. Since that agreement, no uses have been approved and hopefully none will be approved in the future. The issue today is whether to allow MR. APOLLO to move his facility. It was originally approved on the corner. The concern brought to his attention was the fact that the other pads might become fast food restaurants or smog and tune-up huts, which could cause a concern because of the speaker boxes. The applicant has agreed not to have these types of uses and that would be placed as a condition. He is certain MR. APOLLO'S establishment will be welcomed into the community and will be a huge success.

COUNCILWOMAN TARKANIAN questioned why the City Council was voting on this Special Use Permit if the tavern was already approved at this location. DEPUTY CITY ATTORNEY BRYAN SCOTT clarified that a tavern was previously proposed but at a different location on this site. MR.

CITY COUNCIL MEETING OF: APRIL 6, 2005**MINUTES - Continued:**

GARCIA added that the tavern was previously approved and is being moved further to the east. COUNCILWOMAN TARKANIAN commented that this is exactly what the residents do not support. MR. GARCIA rebutted that his understanding was that some did not want the tavern at all and some asked that it remain at its original location.

COUNCILMAN MACK added a condition that no roll-up doors or drive-thru windows shall be allowed on this site. MARGO WHEELER, Director, Planning and Development Department, read into the record language to be added at the end of Condition 10 of Item 115 [SDR-5689] stating that it is 12.5% of the total landscape area. MR. GARCIA accepted both conditions.

MAYOR GOODMAN declared the Public Hearing closed on Item 113 [VAR-5694], Item 114 SUP-5691] and Item 115 [SDR-5689].

(4:51 - 5:06)

6-649

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Site Development Plan Review (SDR-5689) and a Special Use Permit (SUP-5691).

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.



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5694 - APPLICANT: GERALD GARAPICH A.I.A. LLC -
OWNER: A.L.M. CORP.

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Site Development Plan Review (SDR-5689) and a Special Use Permit (SUP-5691).
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 a 24-foot setback where residential adjacency standards require a minimum of 73-feet on 5.11 acres adjacent to the northeast corner of Grand Teton and Durango Drive. A 73-foot setback was requested, but an 88-foot setback is required.

B) Applicant's Justification

The applicant justifies the request by stating that Tavern was previously approved and the neighborhood is aware of the proposed developed.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 3/17/99 | The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive. |
| 6/08/99 | The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999. |
| 6/21/00 | The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval. |
| 7/17/02 | The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval. |
| 01/13/05 | The Planning Commission held this item in abeyance to the 02/10/05 Planning Commission meeting at the request of the applicant. |
| 02/10/05 | The Planning Commission held this item in abeyance to the 02/10/05 Planning Commission meeting at the request of the applicant. |
| 03/10/05 | The Planning Commission recommended approval of companion requests for a Special Use Permit (SUP-5691) and Site Development Plan Review (SDR-5689). |
| 03/10/05 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #7/bts). |

B) Pre-Application Meeting

- | | |
|----------|--|
| 11/16/04 | The elements of a Variance application were discussed. |
|----------|--|

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.55 acres

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

Trails

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

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

- a) Proximity slope. The proposed Tavern is 24 feet and four inches from the nearest property line. As the applicant is proposing a building 29 feet and two and one-half inches in height, the setback is required to be 88 feet from the property line. As the building is proposed to be only 24.3 feet from the property line. The project fails to meet proximity slope requirement. This Variance request is intended to address this deficiency. A 73-foot setback was requested, but an 88-foot setback is required.
- b) Building setback. The proposed Tavern is 24-feet four-inches from the nearest property line, where only ten feet are required, therefore the proposed development meets the building setback requirement

B) General Analysis and Discussion

The site plan as shown does not comply with Residential Adjacency Standards. The proposed Tavern is 24 feet and four inches from the nearest property line. As the applicant is proposing a building 29 feet and two and one-half inches in height, the setback is required to be 88 feet from the property line. The building is proposed to be only 24.3 feet from the east property line. The project fails to meet proximity slope requirements. This Variance request is intended to address this deficiency. The subject Variance cannot be supported because of its close proximity to the residential property to the east. An alternative site design would better serve this type of development and the residential properties to the north and east.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by designing a site plan and Tavern, which fail to meet Residential Adjacency Standards. An alternative site design for the proposed Tavern, would allow conformance with Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

It should be noted that Residential Adjacency Standards did not affect the previous approval of the Tavern. Since the proposed location of the Tavern has been moved, Residential Adjacency Standards have become an issue, which requires the subject Variance.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

NOTICES MAILED 765 by City Clerk

APPROVALS

1

PROTESTS

4



ARCHITECT
GERALD GARADICH • AIA • LLC
10 COMMERCE CENTER DRIVE
HENDERSON, NEVADA 89014
(702) 484-8822 FAX (702) 484-7842

ARCHITECT

GERALD GARAPICH, AIA, LLC.

10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

November 29, 2004

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

**Attn: Kyle Walton
Principal Planner**

**RE: GRAND TETON & DURANGO
COMMERCIAL DEVELOPMENT
JUSTIFICATION LETTER**

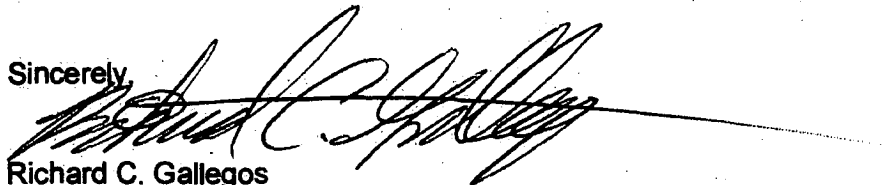
PROJECT NO: 02-171

Dear Mr. Walton,

We respectfully request favorable consideration for a variance to allow a previously approved tavern site within 1500 feet from a park. The park has been recently constructed within a new residential development. This site has been approved for a tavern for over 6 years and the neighborhood has been well aware of the proposed commercial development. The actual tavern location is approximately 1500 feet away from the park.

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

Sincerely,


**Richard C. Gallegos
Project Director**

Cc: 02-171.js.it.kyle.walton.112904

VAR-5094

ATTN: MS. RONEMUS

NOTICE OF PUBLIC HEARING

RECEIVED
CITY CLERK

March 26, 2005

1 VOTE No on

VAR-5694

Gary R. Kronenberg

KRONENBERG GARY R
8316 BLUSHING HEIGHTS AVE
LAS VEGAS NV 89131-4610

VARIANCE

2005 MAR 29 A 10:28

MEETING: CITY COUNCIL
DATE: APRIL 6, 2005
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

VAR-5694

APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - REQUEST FOR A VARIANCE TO ALLOW A 24-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 73 FEET ON 2.55 ACRES ADJACENT TO THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN A PORTION OF 125-09-401-006), U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6, (MACK).

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

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>



Protest

BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE

Tim & Glenda deBues
8041 Flambeau St
Las Vegas, NV 89131

RECEIVED
CITY CLERK

2005 MAR 30 A 10:30

March 28, 2005

City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101

Re: **SUP-5691** and **VAR-5694**

Protest

Dear Ms. Ronemus:

With regard to **VAR-5694**, we oppose the variance to allow a 24-foot setback where 73 feet is required. We would like to see the residential adjacency standards upheld in our neighborhood.

With regard to **SUP-5691**, we think that waiving the 1500-foot distance separation requirement from an existing park would be inappropriate. We have small children and we strongly object to any tavern so close to our home. The parcel noted is almost completely surrounded by homes. Certainly, there are other types of businesses that could be placed on this parcel that would better serve the neighborhood.

Thank you,



Tim deBues



Glenda deBues

**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**

NOTICE OF PUBLIC HEARING

1 VOTE No

VARIANCE

ON VARIANCE 5694.

Gary R. Kronenberg
GARY R. KRONENBERG
8316 BLUSHING HTS. AVE.
JAN. 5, 05.

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

VAR-5694

APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP. - REQUEST FOR A VARIANCE TO ALLOW A 24-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 73 FEET ON 2.55 ACRES ADJACENT TO THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN A PORTION OF 125-09-401-006), U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6, (MACK).

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

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



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

SEE LOCATION MAP ON REVERSE SIDE

Telephone Protest/ Approval Log

Meeting Date: 01/13/05

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

Date: 01/05/05
Name: Simon Jordan
Address: 8245 Quail Aurora
89131
Phone: (702) 396-5953
☒ PROTEST ☐ APPROVE

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

Date: 1-6-04
Name: WALTER MARCIA SCHULLER
Address: 7936 QUAIL HARBOR
ST. LV
Phone: 656-9834
☒ PROTEST ☐ APPROVE
Enough drinks w/o adding more bars

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 6, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SPECIAL USE PERMIT RELATED TO VAR-5694**

SUP-5691 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH, A.I.A., LLC - OWNER: A.L.M. CORP. - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER OF THE 1,500-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING PARK adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN a portion of 125-09-401-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL. [NOTE: Waiver request withdrawn as unnecessary]

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Protest letter from Gary Kronenberg
6. Protest letter from Tim and Glenda deBues for Item 113 [VAR-5694] and Item 114 [SUP-5691] filed under Item 113 [VAR-5694]
7. Backup referenced from the 3/10/2005 Planning Commission Meeting Item 8

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with TARKANIAN voting NO

MINUTES:

NOTE: See Item 113 [VAR-5694] for all related discussion.
(4:51 - 5:06)
6-649

CONDITIONS:

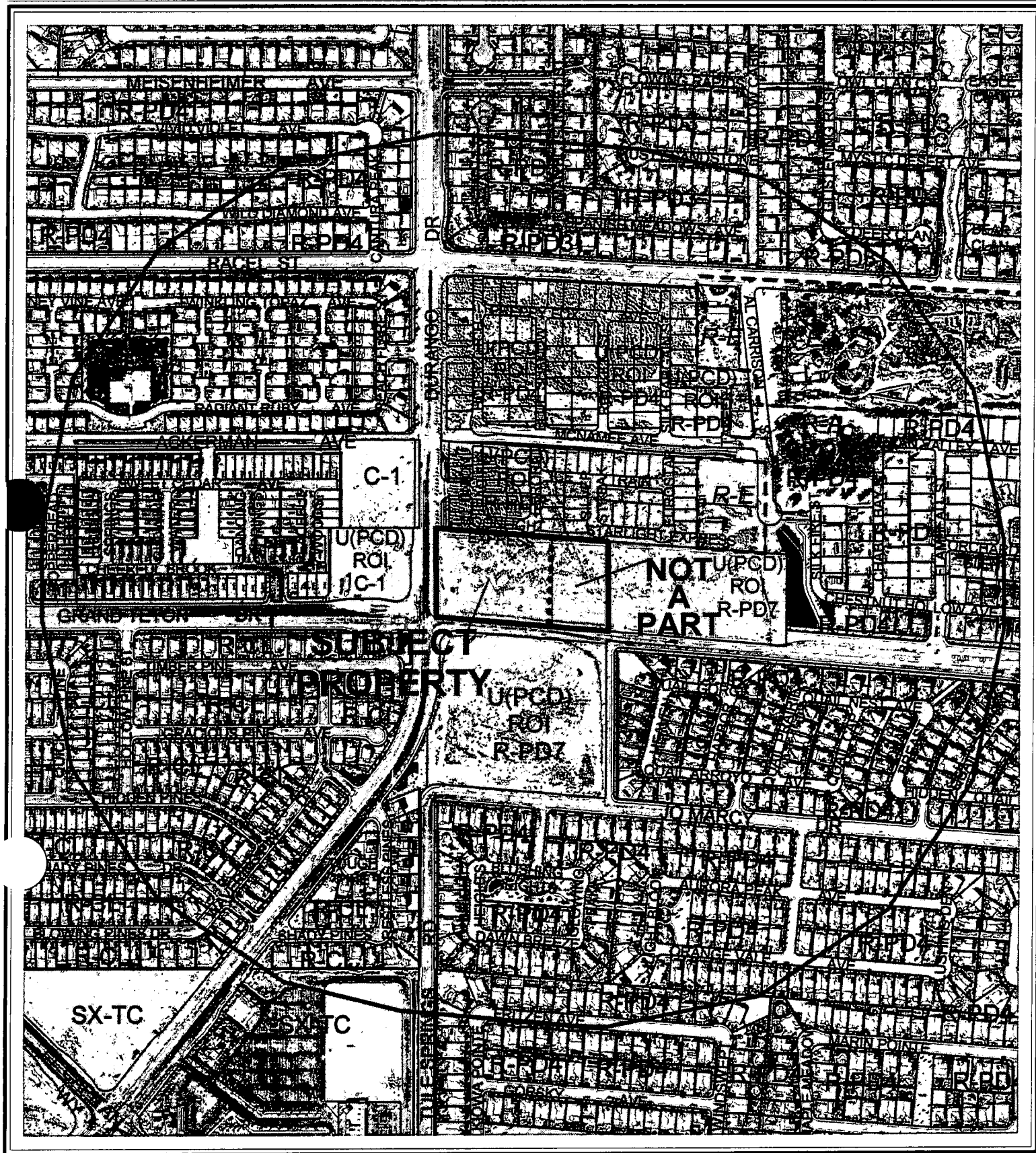
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Liquor Establishment (Tavern) use.
2. Approval of and conformance to the Conditions of Approval for a Variance (VAR-5694) and Site Development Plan Review [(SDR-5689)].

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Special Use Permit (SUP-5691) if approved, supercedes all previously approved Taverns on the subject site.



CASE: SUP-5691

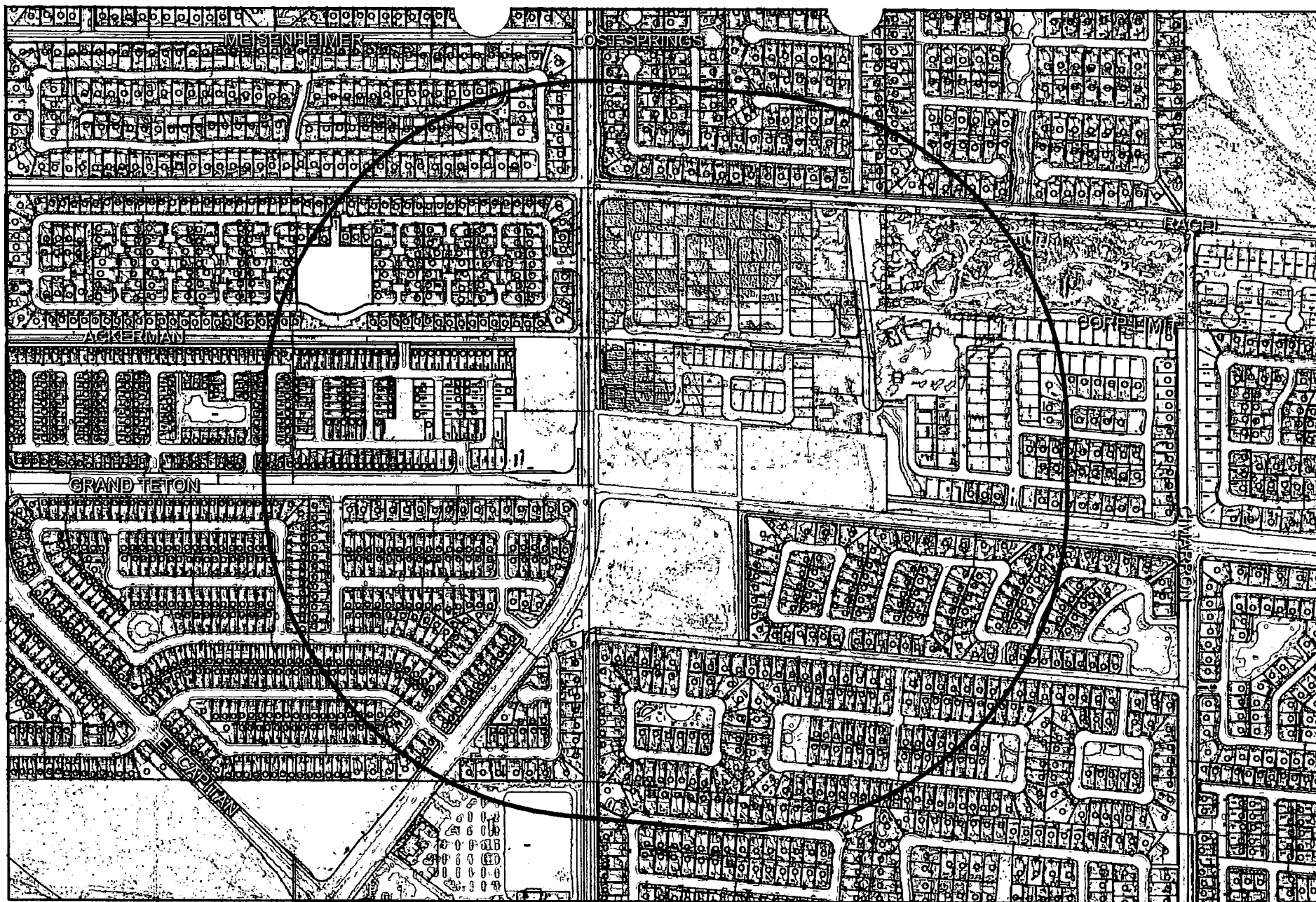
RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

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

0 400 800 Feet





SUP-5691

Taverns

Business Licenses

- Child Care/
Children Facility
- Tavern

- RELIGIOUS
- PARKS
- SCHOOLS

- Subject Property
- 1500 foot buffer

0 487.5 975 1,950 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5691 - APPLICANT: GERALD GARAPICH A.I.A. LLC -
OWNER: A.L.M. CORP.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Liquor Establishment (Tavern) use.
2. Approval of and conformance to the Conditions of Approval for a Variance (VAR-5694) and Site Development Plan Review [(SDR-5689)].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Special Use Permit (SUP-5691) if approved, supercedes all previously approved Taverns on the subject site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a Liquor Establishment (Tavern) on 2.55 acres.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Related Actions

- 03/17/99 The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
- 06/08/99 The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
- 06/21/00 The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
- 07/17/02 The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.
- 01/13/05 The Planning Commission held this item in abeyance to the 02/10/05 Planning Commission Meeting at the request of the applicant.
- 02/10/05 The Planning Commission held this item in abeyance to the 02/10/05 Planning Commission Meeting at the request of the applicant.
- 03/10/05 The Planning Commission recommended approval of companion requests for a Site Development Plan Review (SDR-5689) and Variance (VAR-5694).
- 03/10/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #8/bts).

B) Pre-Application Meeting

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

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.55 acres

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

Trails

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

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

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

A2) Minimum Distance Separation Requirements

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

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

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

B) General Analysis and Discussion

- **Zoning**

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

- **Use**

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

- **Conditions**

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

NOTICES MAILED 765 by City Clerk

APPROVALS 1

PROTESTS 4



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5691 APN: 125-09-401-006
Name of Property Owner: A.L.M. Corporation Grand Teton Lodge Land LLC
Name of Applicant: Architect Gerald Garovich A.I.A.

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

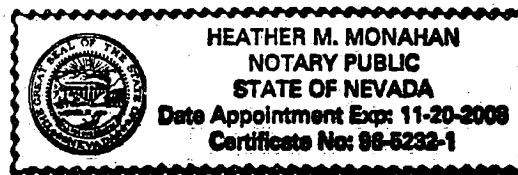
Signature of Property Owner/Authorized Agent: _____

Print Name: STUART APOLLO

Subscribed and sworn before me

This 27th day of November 2004

Heather M. Monahan
Notary Public in and for said County and State



PROJECT DATA:

APPLICATION: ZC-1162-98, ZON-3669

LEGAL DESCRIPTION: THE SOUTH HALF (SH/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 5, TOWNSHIP 18 SOUTH, RANGE 66 EAST, M.D.B. 7 H.

ADJACENT PARCEL NUMBER: 05-95-481-006

AREA AREA: 1875 SF (1.80 ACRES)

CURRENT ZONING: C1 / U

PROPOSED ZONING: C1 / C3

SETBACKS:

FRONT: 25'-0"
SIDES: 15'-0"
REAR: 25'-0"
CORNER: 15'-0"

BUILDING AREA: 16,615 SF.

PAD 'A': 3,500 SF
PAD 'B': 4,800 SF
PAD 'C': 4,200 SF
LODGE / TAVERN: 8,115 SF

LOT COVERAGE: 16.75 %

PARKING CALCULATIONS:

REQUIRED:
TAVERN: 1 SF PUBLIC SEATING
1,200 SF FOR REMAINING GFA

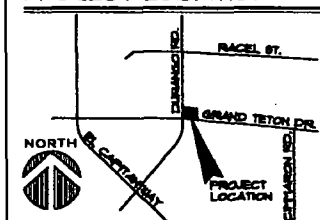
2,000,000 = 60 SPACES
1,200,000 = 36 SPACES
SUBTOTAL = 96 SPACES

RETAIL: 1 SF GFA
1,615,000 = 49 SPACES
TOTAL REQUIRED: 145 SPACES

PROVIDED:
INCLUDING 6 HANDICAP SPACES
(W/ 3 SPACES VAN ACCESSIBLE)

141 SPACES

PROJECT LOCATION:



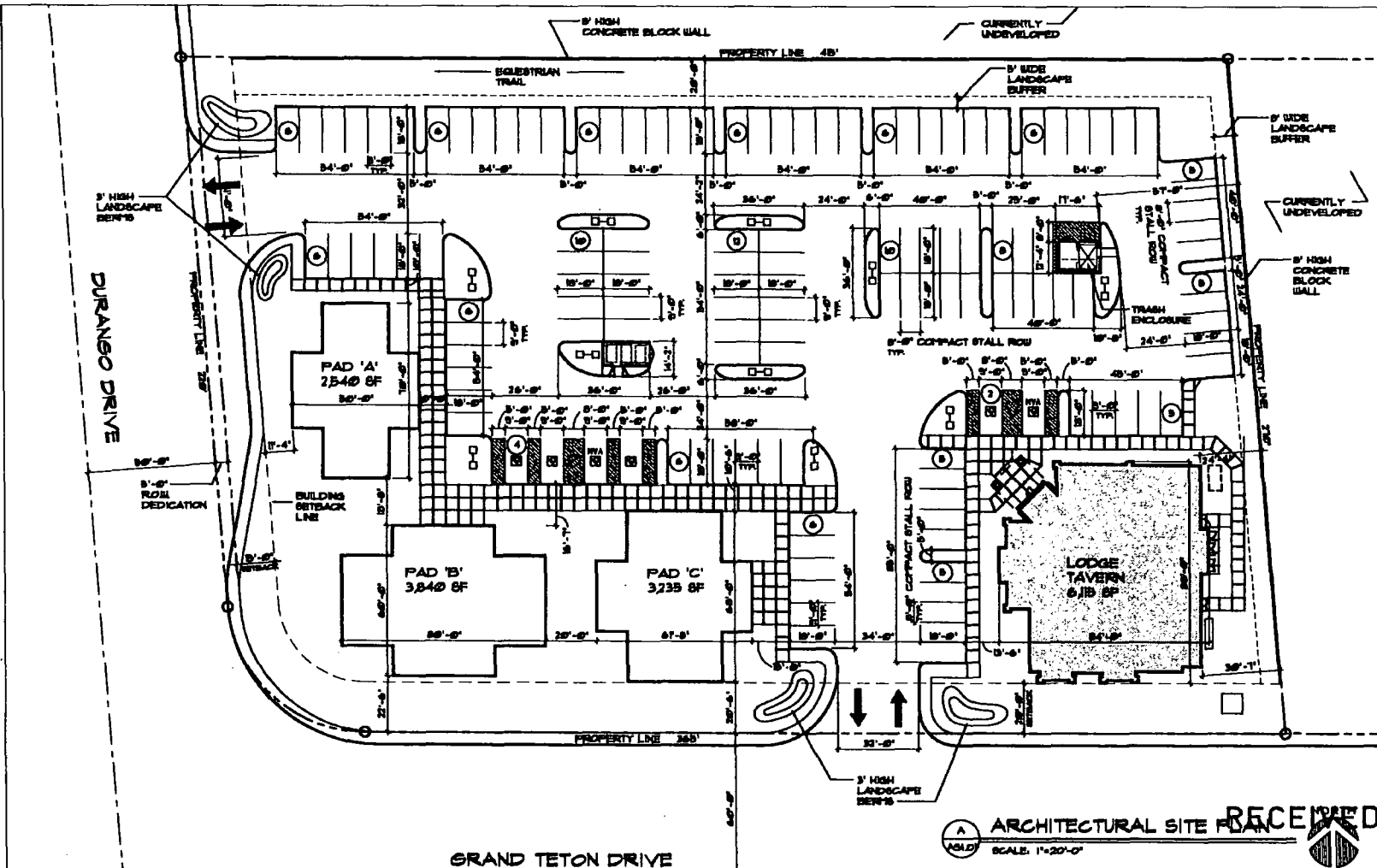
ARCHITECT:
CEDAR CADACHI • AIA • LLC
10 CORNER CHERRY DRIVE
HERNDON, VIRGINIA 20154
(703) 434-1812 FAX (703) 434-1844

PROJECT TITLE:
GRAND TETON AND DURANGO
COMMERCIAL DEVELOPMENT
GRAND TETON DRIVE / DURANGO DRIVE
LAS VEGAS, NEVADA

PRELIMINARY
COMMITMENT
02-02-05

SITE PLAN

RECEIVED
FEB 02 2005
A8101



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

ARCHITECT

GERALD GARAPICH, AIA, LLC.

10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

November 29, 2004

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

Attn: Kyle Walton
Principal Planner

**RE: GRAND TETON & DURANGO COMMERCIAL
JUSTIFICATION LETTER**

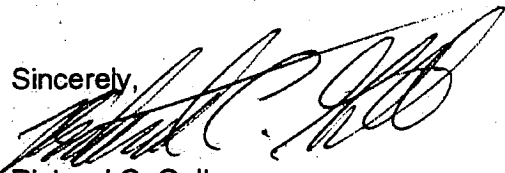
PROJECT NO: 02-171

Dear Mr. Walton,

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

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

Sincerely,



Richard C. Gallegos
Project Director

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

SUP-5691

ATTN: MS. RONEMUS

NOTICE OF PUBLIC HEARING

March 26, 2005

I VOTE NO on

SUP-5691.

Gary R. Kronenberg

KRONENBERG GARY R
8316 BLUSHING HEIGHTS AVE
LAS VEGAS NV 89131-4610

SPECIAL USE PERMIT

RECEIVED
CITY CLERK

2005 MAR 29 A 10:28

MEETING: CITY COUNCIL
DATE: APRIL 6, 2005
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-5691

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

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

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>



Protest

BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE

**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**

NOTICE OF PUBLIC HEARING

I VOTE No

SPECIAL USE PERMIT

ON SPECIAL USE PERMIT

NO. 5691.

Gary R. Kronenberg
GARY R. KRONENBERG

8316 BRUSHING HTS. AVE. JAN. 5, 05

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

SUP-5691

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

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

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



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

SEE LOCATION MAP ON REVERSE SIDE

Telephone Protest/ Approval Log

Meeting Date: 01/13/05

Case Number: SDR 5689 - 8
SUP-5691; VAR 5693 & VAR 5694

Date: 01/05/05
Name: Simon Jordan
Address: 8245 Quail Aurora
89131
Phone: (702) 396-5953
☒ PROTEST ☐ APPROVE

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

Date: 1-6-04
Name: WALTER MARCIA SCHULLER
Address: 7936 QUAIL HARBOR
ST. LV
Phone: 656-9834
☒ PROTEST ☐ APPROVE
Enough drinks w/o adding more bars

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

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 VAR-5694 AND SUP-5691**

SDR-5689 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH, A.I.A., LLC - OWNER: A.L.M. CORP. - Request for a Site Development Plan Review FOR A 6,115 SQUARE-FOOT TAVERN AND A WAIVER OF TRASH ENCLOSURE SEPARATION on 2.55 acres adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN a portion of 125-09-401-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL. [NOTE: Waiver request has been withdrawn]

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 3/10/2005 Planning Commission Meeting Item 9

MOTION:

MACK - APPROVED subject to conditions, amending Condition 10 as read for the record as follows:

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

And the following added conditions as read for the record:

- No roll-up doors or drive-thru windows shall be allowed on this site.
- UNANIMOUS

MINUTES:

NOTE: See Item 113 [VAR-5694] for all related discussion.

(4:51 - 5:06)

6-649

CONDITIONS:

Planning and Development

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

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

2. All development shall be in conformance with the site plan and building elevations, date stamped 02/02/2005 except as amended by conditions herein including the trails as indicated in the Las Vegas 2020 Master Plan Elements.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five gallon shrubs for each tree within provided planters. The revised landscape plan shall include a 10' landscaped common lot in the northern Equestrian Trail.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5%.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

CITY COUNCIL MEETING OF: APRIL 6, 2005**CONDITIONS - Continued:**

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

Public Works

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

16. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

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

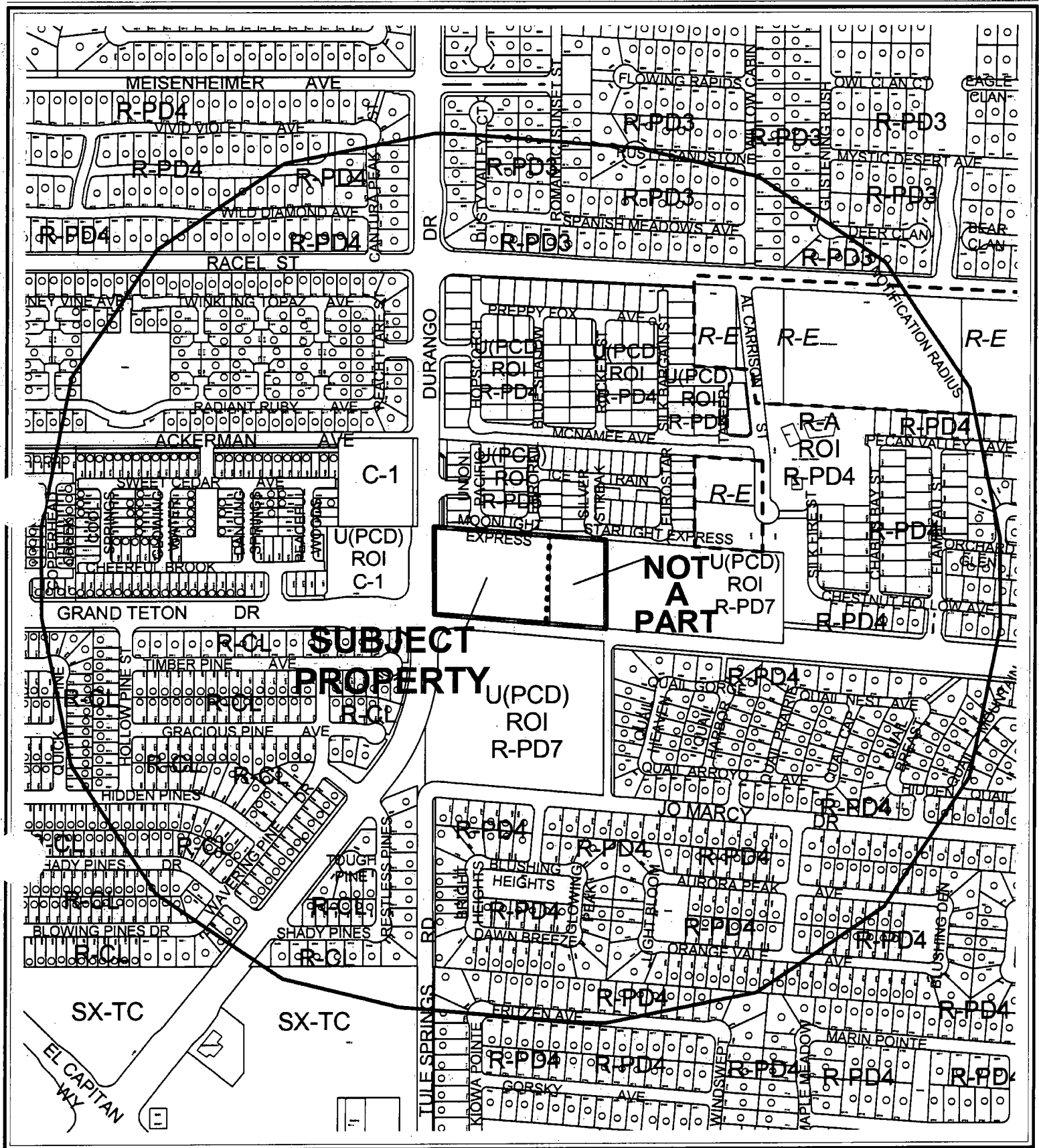
18. In accordance with the intent of a commercial subdivision, all pad sites shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

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

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

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

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



CASE: SDR-5689

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5689 - APPLICANT: GERALD GARAPICH A.I.A. LLC -
OWNER: A.L.M. CORP.

**** CONDITIONS ****

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

Planning and Development

1. A revised site plan including the Multi-Use Transportation Trail located along the western property line shall be re-submitted prior to issuance of civil plans. The revision will delete a 20-foot portion of the eight-foot block wall, located on the northernmost portion of the east property line wall which crosses the Equestrian Trail from east to west.
2. All development shall be in conformance with the site plan and building elevations, date stamped 02/02/2005 except as amended by conditions herein including the trails as indicated in the Las Vegas 2020 Master Plan Elements.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters. The revised landscape plan shall include a 10' landscaped common lot in the northern Equestrian Trail.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

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

Public Works

15. Coordinate with the City Surveyor to determine whether a Parcel Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.
16. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
17. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
18. In accordance with the intent of a commercial subdivision, all pad sites shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.
19. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

20. Site development to comply with all applicable conditions of approval for Zoning Reclassification (ZON-3509) and all other applicable site-related actions.
21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
22. The required multi-use equestrian trail shall be annotated "20-foot wide Multi-Use Equestrian Trail, no above-ground utility vaults that would substantially interfere with the intended use of the trail corridor shall be allowed and no such easement rights shall be granted to the utility companies, nor any other parties". The trail shall also be a separated lot that is to be conveyed to the City of Las Vegas within one year of mapping or occupancy of any portion of this site, whichever occurs first and shall be privately maintained prior to conveyance.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|--|
| 3/17/99 | The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive. |
| 6/08/99 | The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999. |
| 6/21/00 | The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval. |
| 7/17/02 | The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval. |
| 01/13/05 | The Planning Commission held this item in abeyance to the 02/10/05 Planning Commission Meeting at the request of the applicant. |
| 02/10/05 | The Planning Commission held this item in abeyance to the 03/10/05 Planning Commission Meeting at the request of the applicant. |
| 03/10/05 | The Planning Commission recommended approval of companion requests for a Special Use Permit (SUP-5691) and Variance (VAR-5694). |
| 03/10/05 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/bts). |

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.55 acres

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

North: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD6 (Residential Planned Development -6 Units per Acre)

South: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development -7 Units per Acre)

East: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under resolution of intent to R-PD7 (Residential Planned Development -7 Units per Acre)

West: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

E) *General Plan Compliance*

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

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

Trails

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

PROJECT DESCRIPTION

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

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

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

A2) Residential Adjacency Standards

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

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

A3) Parking and Traffic Standards

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

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

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

A4) Landscape and Open Space Standards

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

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

The landscape plan meets the requirements pursuant to Title 19.12.

B) General Analysis and Discussion

- Zoning

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

- Site Plan

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

- Waivers

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

- Landscape Plan

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

- Elevation

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

- Floor Plan

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 786 by Planning Department

APPROVALS 1

PROTESTS 4



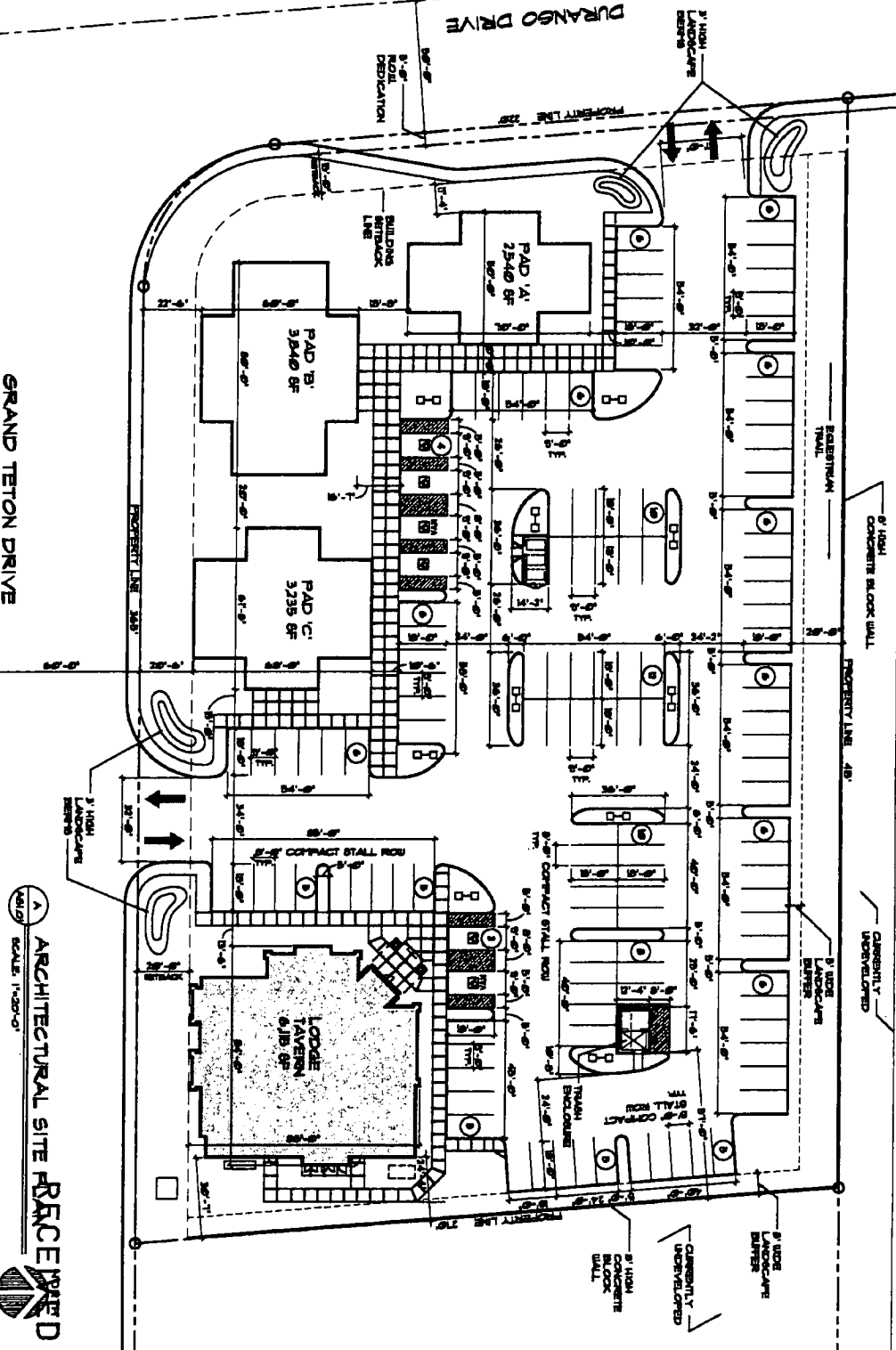
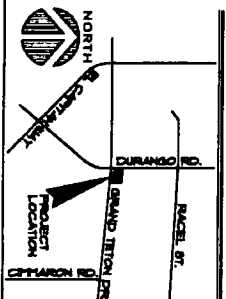
PROJECT DATA:

APPLICATIONS: 20-1769-04, 204-18898
LEGAL DESCRIPTION: THE SOUTH HALF (70.0) OF THE SOUTH-EAST QUARTER (BEING) OF THE
 SECTION 16, TOWNSHIP 16 NORTH, RANGE 80 EAST, PLATS 1 & 2,
 AMADOR COUNTY, CALIFORNIA, NAD 83
DATE AREA: 10/23/04
 12.00 ACRES
CURRENT ZONING: C-1 / C-2
PROPOSED ZONING: C-1 / C-2

REQUIREMENTS:
 MINIMUM LOT AREA: 10.00 ACRES
 MINIMUM LOT WIDTH: 100.00 FT.
 MINIMUM LOT DEPTH: 100.00 FT.
 MINIMUM LOT AREA: 10.00 ACRES
 MINIMUM LOT WIDTH: 100.00 FT.
 MINIMUM LOT DEPTH: 100.00 FT.

PERMITS CALCULATION:
 REQUIRED: 1.000 ACRES
 AVAILABLE: 1.000 ACRES
 TOTAL: 1.000 ACRES
 REQUIRED: 1.000 ACRES
 AVAILABLE: 1.000 ACRES
 TOTAL: 1.000 ACRES
 REQUIRED: 1.000 ACRES
 AVAILABLE: 1.000 ACRES
 TOTAL: 1.000 ACRES

PROJECT LOCATION:



ARCHITECTURAL SITE PLAN
 SCALE: 1"=30'-0"
 FEB 02 2005

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

ARCHITECT
 CEDARD GARADICH • AIA • LLC
 10 COMMERCIAL CENTER DRIVE
 HENDERSON, NEVADA 89014
 (702) 466-9848 FAX: (702) 466-9848

PROJECT TITLE:
 GRAND TETON AND DURANGO
 COMMERCIAL DEVELOPMENT
 GRAND TETON DRIVE DURANGO DRIVE
 LAS VEGAS, NEVADA

PRELIMINARY
 NOT FOR
 CONSTRUCTION
 02-02-05

Sheet Title:
 SITE PLAN
 Sheet No.:
 Date:
 Drawn by:
 Checked by:
 Approved by:
 Title:
 Scale:
 Date:
 Project No.:
 Revision:
 18101

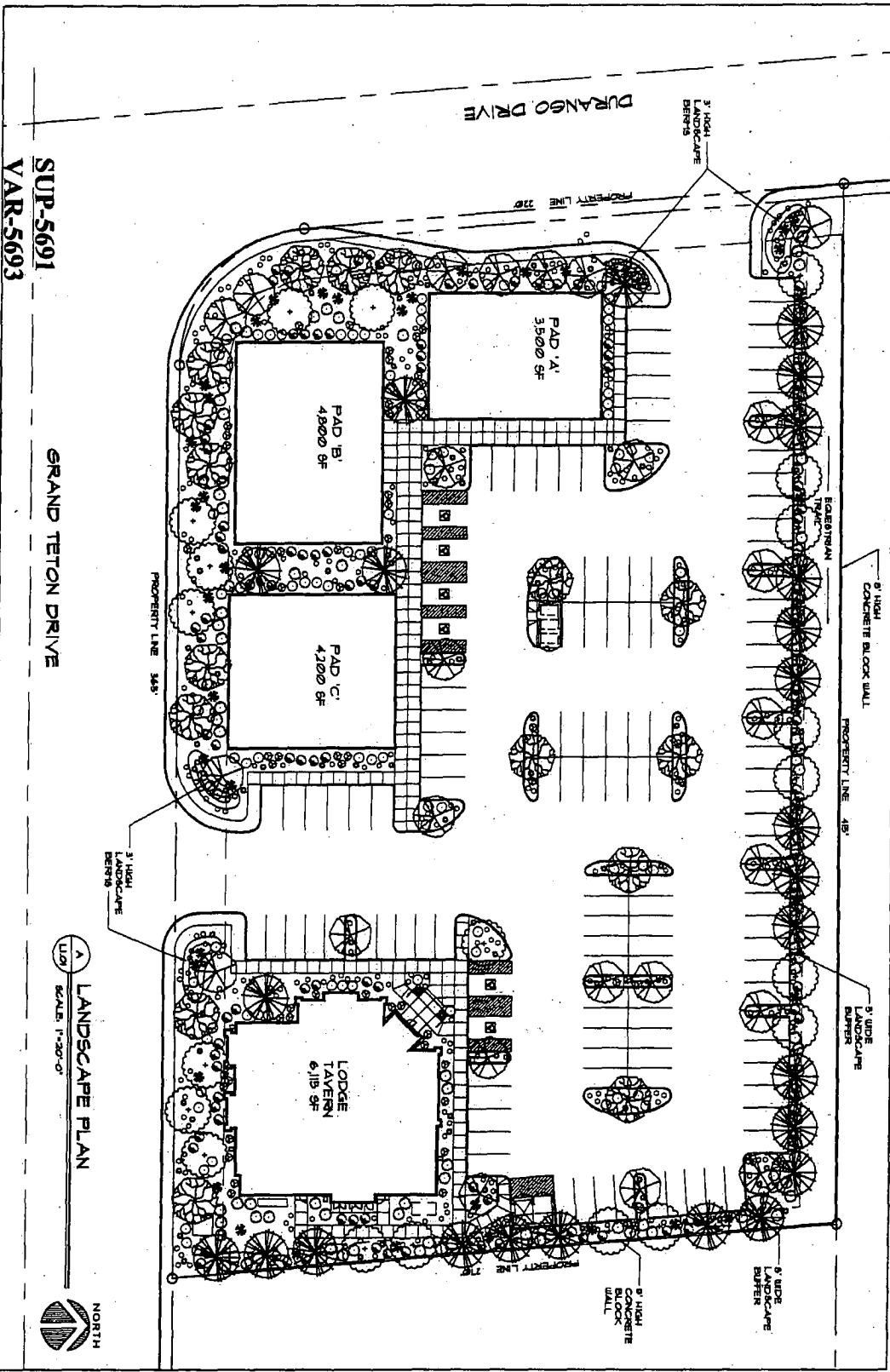
ALL INSTRUMENTS OF SERVICE THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE REPRODUCED OR USED FOR ANY PURPOSE WITHOUT THE ARCHITECT'S WRITTEN CONSENT. COPIES OF THE DRAWINGS AND SPECIFICATIONS RETAINED BY THE CLIENT MAY BE UTILIZED ONLY FOR THEIR USE AND FOR OCCUPANCY OF THE PROJECT FOR WHICH THEY WERE PROVIDED AND NOT FOR CONSTRUCTION OF ANY OTHER PROJECTS. ANY USE OR REPRODUCTION OF THE DRAWING IN WHOLE OR IN PART BY ANY PERSON WHOEVER IS EXPRESSLY PROHIBITED. THESE DOCUMENTS ARE NOT FINAL AND SHALL BE VOID UNLESS THEY ARE SIGNED, SEALED, AND DATED. AIA/CES (S) 200 GRAND GARADICH AND ASSOCIATES © 2005.

Landscape Legend

TREE	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
	PHOENIX ELIOTIANA	MONDEL PINE	24 BOX	25
	PHOENIX VELUTINA	ARIZONA AHI	24 BOX	25
	PHOENIX GLANDULOSA	HONEY HEDGEHOG	24 BOX	16
	PHOENIX LANCEA	AFRICAN BUTAC	24 BOX	25
SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
	BIDENS MICROPHANTHA	JAPANESE DOGWOOD	5 GAL.	161
	NANDINA DOMESTICA	HEAVENLY BAMBUS	5 GAL.	56
	PAVLOVA'S INDICA	INDIA HAZARD	5 GAL.	13
	PERIVERTIS BRACHY	POUNCE GRASS	5 GAL.	46
	XYLOSTOMA CONSERVATI	XYLOSTOMA	5 GAL.	56
GROUNDCOVER & ACCENT				
	HERBERTUS PAVLOVIA	RED YUCCA	1 GAL.	164
	LANTANA TENDENS	LANTANA	1 GAL.	216
	MYRTUS PAVLOVIA	AUSTRALIAN RACER	1 GAL.	116

General Notes

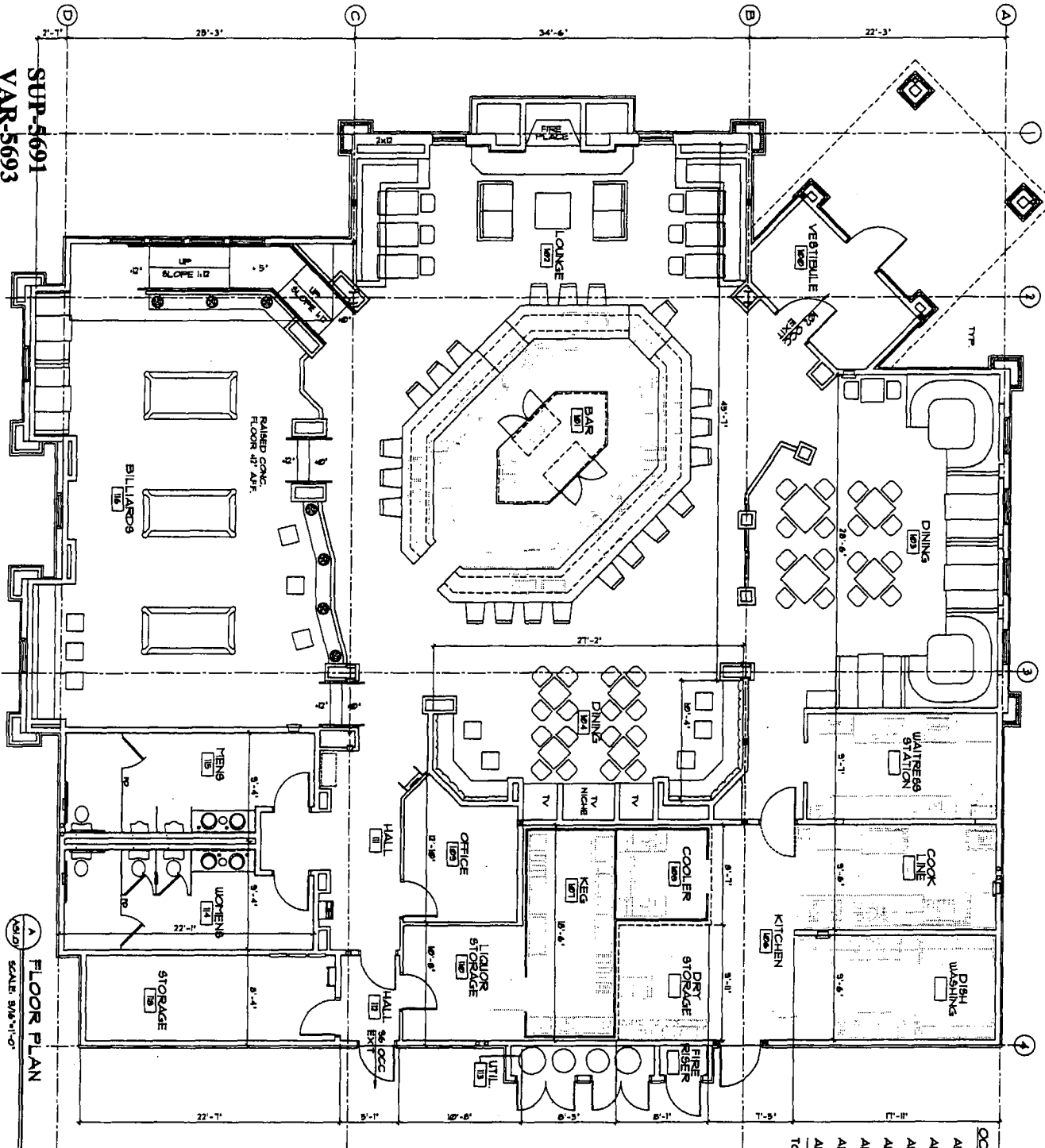
1. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES, SPECIES, AND SIZES TO BE USED IN THE PROJECT.
2. LANDSCAPE ARCHITECT IS TO BE RESPONSIBLE FOR THE MATERIAL PRIOR TO INSTALLATION WITH PROOF NOTICE OF 48 HOURS.
3. PLANT MATERIAL IS TO HAVE IDENTIFICATION TAGS ON THE TOTAL QUANTITY OF EACH SPECIES, SHOWING DATE, SPECIES, VARIETY, ETC.
4. PROVIDE MATCHING SPECIES & FORMS OF LINE SHED SPECIES AS SHOWN ON DRAWINGS.
5. SPECIFICATIVE ROCK COAT ON TO BE SELECTED BY OWNER.
6. SITE PLANTING SHALL BE COMPLETED PER TITLE 30 REQUIREMENTS.
7. ANY TREE WITHIN 10' OF A SIGNAGE SHALL BE PLANTED WITH A ROOT SHIELD DEIGNED TO DIRECT ROOT GROWTH DOWNWARD.



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



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



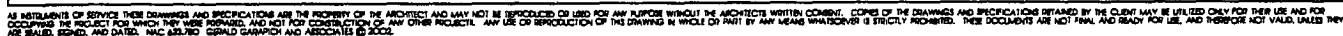
OCCUPANT LOAD FACTORS:

AREA	DESCRIPTION	AREA (SF)	LOAD FACTOR	OCCUPANCY
AREA 1	LOUNGE	145 SF / 750	50 OCC.	
AREA 2	BAR	444 SF / 500	3 OCC.	
AREA 3	DINING	346 SF / 150	63 OCC.	
AREA 4	BILLIARDS	314 SF / 150	63 OCC.	
AREA 5	KITCHEN	776 SF / 1500	4 OCC.	
AREA 6	OFFICE	100 SF / 100	2 OCC.	
AREA 7	STORAGE	453 SF / 3000	3 OCC.	
TOTAL				750 OCC.

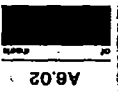
GRANDS FLOOR AREA: 6,215 SF.

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 RETURNED BY THE CLIENT MAY BE USED ONLY FOR THE PROJECT AND NOT FOR ANY OTHER PROJECT. ANY USE OR REPRODUCTION OF THE DRAWING IN WHOLE OR IN PART BY ANY MEANS WHATSOEVER IS STRICTLY PROHIBITED. THESE DOCUMENTS ARE NOT FINAL AND READY FOR USE, AND THEREFORE NOT TO BE USED, UNLESS THEY ARE SIGNED, SEALED, AND DATED. WAC 63-100. GRAND GARABICH AND ASSOCIATES © 2002.

sheet title: FLOOR PLAN drawn by: checked by: approved by: date: scale: notes:	project title: GRAND TETON AND DURANGO COMMERCIAL DEVELOPMENT GRAND TETON DRIVE / DURANGO DRIVE LAS VEGAS, NEVADA	ARCHITECT GERARD GARABICH • AIA • LLC 10 COMMERCE CENTER DRIVE HENDERSON, NEVADA 89014 (702) 454-5842 FAX (702) 454-7842
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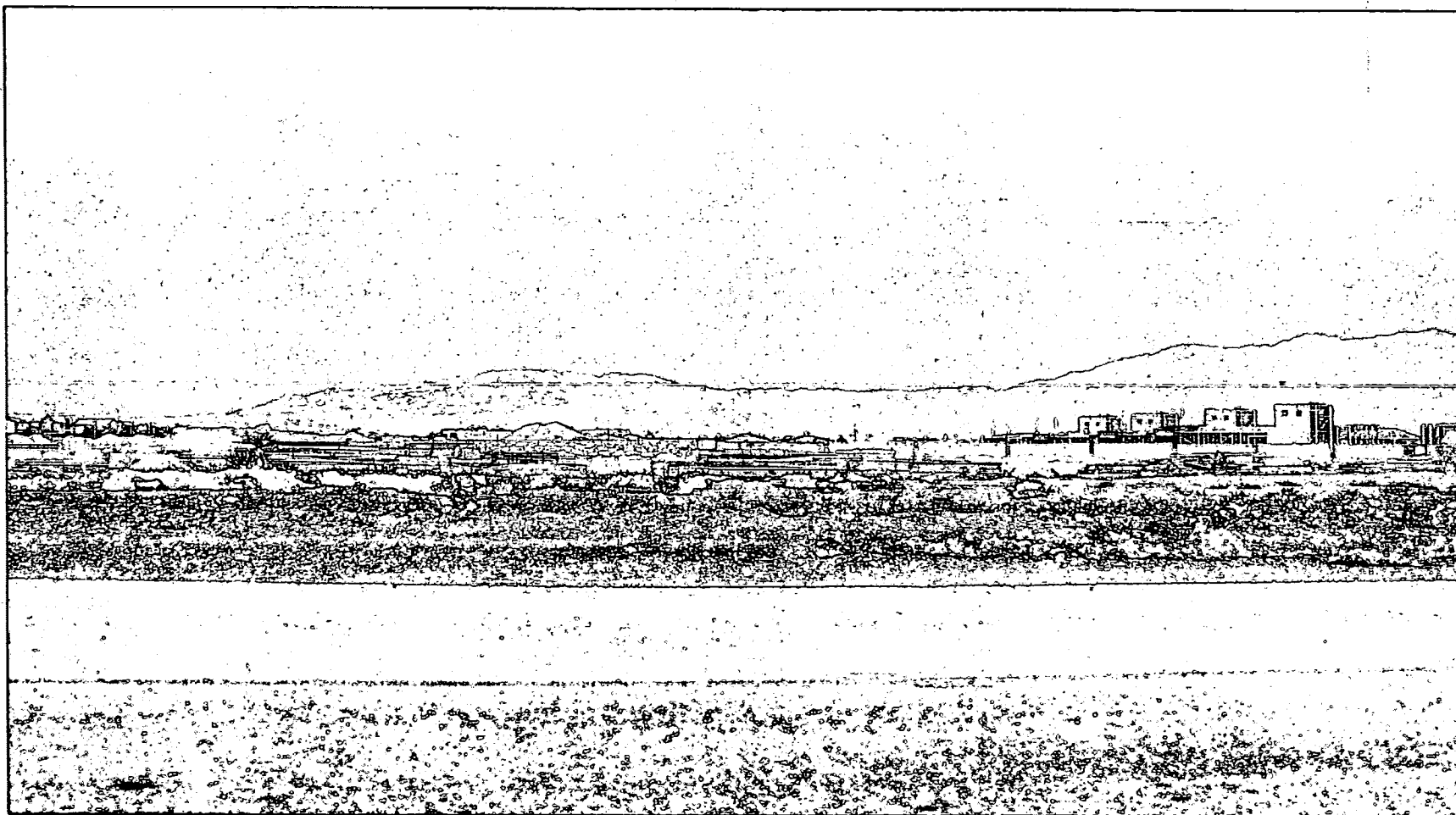


ARCHITECT
GERALD GARAPICH • AIA • LLC
10 COMMERCE CENTER DRIVE
HENDERSON, NEVADA 89014
(702) 454-5842 FAX (702) 454-7842



PRELIMINARY

ARCHITECT
GERALD GARDICH • AIA • LLC
10 COMMERCE CENTER DRIVE
HENDERSON NEVADA 890
(702) 404-0842 FAX (702) 484-7



VAR-5694, SUP-5691 & SDR-5689 - APPLICANT: GERALD GARAPICH A.I.A. LLC - OWNER: A.L.M. CORP.

NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
MARCH 10, 2005 PLANNING COMMISSION

12/23/04

ARCHITECT

GERALD GARAPICH, AIA, LLC.

10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

November 29, 2004

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

Attn: Kyle Walton
Principal Planner

**RE: GRAND TETON & DURANGO COMMERCIAL
JUSTIFICATION LETTER**

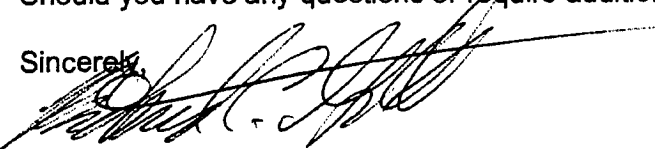
PROJECT NO: 02-171

Dear Mr. Walton,

We respectfully request favorable consideration for a site development review to allow three retail/office pad sites totaling 12,500 sq. ft. and a single story restaurant tavern approximately 6, 115 sq. ft. The pad sites will come before you when the development occurs. The restaurant architecture is residential in style and the future buildings will also be compatible to the restaurant. We are asking for a waiver to allow a trash enclosure to be 8 foot from residential zoned property where 50 feet is required. The trash enclosure will be covered and architecturally match the commercial complex. The location shown is necessary so the enclosure can be close to the service area. The other waiver is to allow the restaurant structure 24' 4" from the east property line where 73 feet is required. The setback area will have intense landscaping and there are no windows which will be facing the residential development. The developer of the residential property to the east is fully aware of our proposed location and will provide a disclosure statement to all homebuyers within his development. The proposed development complies with all other aspects of the ordinance.

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

Sincerely,



Richard C. Gallegos
Project Director

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

SDR-5689

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

December 13, 2004

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

Attn: Ben Sticka

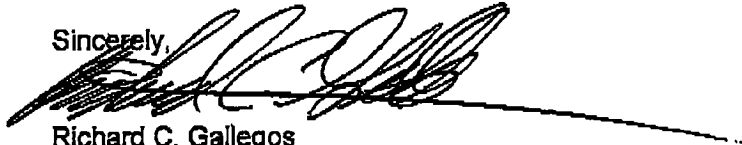
RE: GRAND TETON & DURANGO COMMERCIAL**PROJECT NO: 02-171**~~SDR-5889~~ 5689.

Dear Ben,

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

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

Sincerely,


Richard C. Gallegos
Project Director

CC: 02-171.lt.bensticka.121304

**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**

NOTICE OF PUBLIC HEARING

SITE DEVELOPMENT PLAN REVIEW

I VOTE NO

ON SITE DEV. PLAN REVIEW 5689

Gary R. Kronenberg
GARY R. KRONENBERG
8316 BLUSHING HTS. AVE,
JAN. 5, 05,

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

SDR-5689

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

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

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



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

SEE LOCATION MAP ON REVERSE SIDE

Telephone Protest/ Approval Log

Meeting Date: 01/13/05

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

Date: 01/05/05
Name: Simon Jordan
Address: 8245 Quail Aurora
89131
Phone: (702) 396-5953
☒ PROTEST ☐ APPROVE

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

Date: 1-6-04
Name: WALTER MARCIA SCHULLER
Address: 7936 QUAIL HARBOR
ST. LV
Phone: 656-9834
☒ PROTEST ☐ APPROVE
Enough drinks w/o adding more bars

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 6, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****VARIANCE**

VAR-5952 - PUBLIC HEARING - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST - Request for a Variance to ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT on 4.87 ACRES WHERE 5.00 ACRES IS THE MINIMUM AREA REQUIRED adjacent to the southeast corner of Ann Road and Torrey Pines Drive (APN 125-35-501-001), Ward 6 (Mack). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL

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

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted after final agenda - Protest letter from Rick and Rochelle Rexius for Item 116 [VAR-5952], Item 117 [ZON-5788], Item 118 [WVR-5790], and Item 119 [SDR-5789] filed under Item 116 [VAR-5952]
6. Submitted at City Council - Two petitions totaling 14 signatures in opposition for Item 116 [VAR-5952], Item 117 [ZON-5788], Item 118 [WVR-5790], and Item 119 [SDR-5789] filed under Item 116 [VAR-5952]

MOTION:**MACK - ABEYANCE to 4/20/2005 - UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open on Item 116 [VAR-5952], Item 117 [ZON-5788], Item 118 [WVR-5790] and Item 119 [SDR-5789].

RICHARD MORENO, 300 South 4th Street, appeared on behalf of the applicant and indicated that the request falls within the General Plan. Even though he was not required to, he held a meeting with the adjacent neighbors.

RICK REXIUS, 5500 Mustang Street, objected to all the items and expressed concern about the increase in traffic on Mustang Street, which is a very small cul-de-sac. Currently, there are only seven homes and the proposed 15 homes will impact this neighborhood. It is already difficult to get across Ann Road. He is concerned about the four homes backing the horse properties and the impact it would have on the horses. He suggested that another wall be built to provide a 10-foot barrier in case the horses

CITY COUNCIL MEETING OF: APRIL 6, 2005**MINUTES - Continued:**

kick the wall. Most of the parcels are half acres and the developer should develop the parcels as half-acre parcels.

DR. SCOTT BRADLEY, 5509 Mustang Street, expressed concern about the location of the 15 homes in relation to his house and the effect on his three special needs children. He moved into this area because of the half-acre lots. The proposed project is not consistent with existing residential. Traffic will increase making it difficult for egress and ingress. He suggested locating the egress and ingress on Torrey Pines. He would rather see a development similar to what exists on Torrey Pines and Tenaya Way or a park similar to the one on Cimarron Road and Ann Road or the Polly Gonzalez Memorial Park. He asked that the City Council uphold the Planning Commission's denial recommendation for all the items.

LAWRENCE WELLS, 5505 Mustang Street, expressed concern about the increased traffic and for the children's safety. MAYOR GOODMAN questioned how 15 homes could generate so much traffic. MR. WELLS replied that with 15 homes, two cars per home, gives a total of 30 additional cars. COUNCILMAN MACK asked how many trip loads an hour come from 15 homes. GINA VENGLASS, Public Works Department, did not have any statistics available. COUNCILMAN MACK recognized the residents' concerns and requested that the items be held in abeyance for two weeks to look into the traffic study. He would like to hold a neighborhood meeting to discuss this issue.

REX EWING, III, 5521 North Torrey Pines Drive, stated his one-acre property faces to the west and other adjacent properties are zoned R-E; some are at least half to two and a half acre parcels. This development will be placed in the center of that R-E zone. Traffic is an issue as well. There is no reason why the developer cannot build custom homes. He submitted a petition with 14 signatures opposing the proposed project. He does not object to the homes being built, but they should conform to what already exists. COUNCILMAN MACK reiterated that his office would contact him regarding the neighborhood meeting.

DOLORES GLASS concurred with all the comments made by her neighbors and added her concern about property values.

DAN MARKOFF, 5913 Torrey Pines Drive, stated that developers never accept the character of a neighborhood. They want to take and divide parcels into something smaller. He bought his property because of its rural character and was designated as a Rural Preservation Area. People invested their lives and fortune in that area because of the rural lifestyle they wanted to maintain. He suggested the City Council consider halting divisions of property that ruin the rural character of neighborhoods, which are a precious commodity in the Las Vegas Valley. He hopes the City Council lets the citizens rely upon the designations and zonings that have been given to these properties.

MR. MORENO rebutted that they are asking for five additional homes. An alternative would be for the developer to sell the lots individually, which could be developed into two story homes or other uses. Ann Road is a major thoroughfare with a median. A traffic light and a bus turnout are required at this corner. The developer is committed to developing one-story homes on the entire project. Overall, the proposed project is within the General Plan and the request is reasonable, but he would be happy to agree to the abeyance and discuss this issue further with the neighbors. COUNCILMAN MACK asked

CITY COUNCIL MEETING OF: APRIL 6, 2005

MINUTES - Continued:

MR. MORENO to obtain the names, addresses and phone numbers of the residents so that they can be notified about the neighborhood meeting. He is concerned about the difference between 10 and 15 homes and what impact traffic would have on this type of development.

MAYOR GOODMAN declared the Public Hearing closed on Item 116 [VAR-5952], Item 117 [ZON-5788], Item 118 [WVR-5790] and Item 119 [SDR-5789].

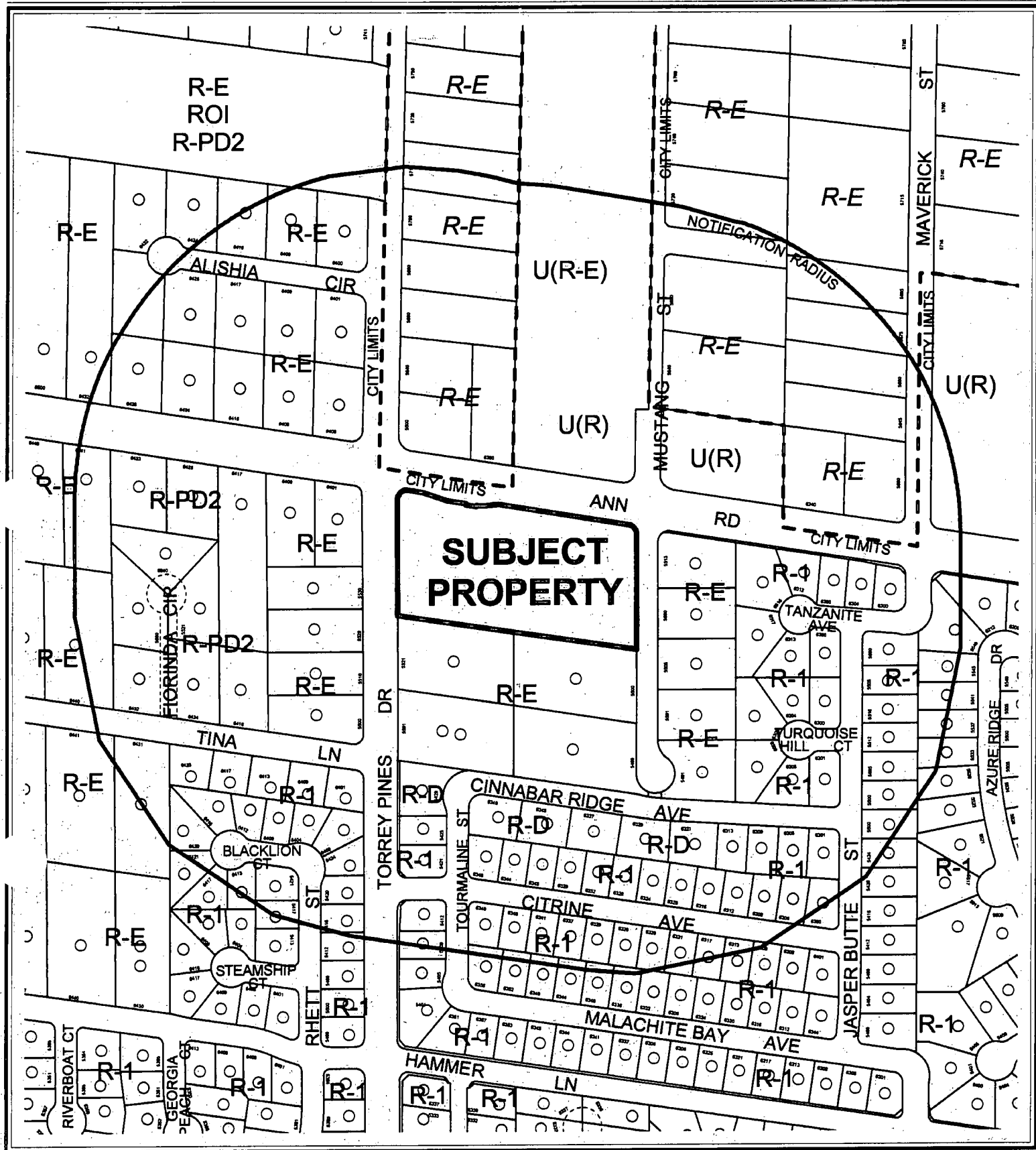
(5:06 - 5:40)

6-1188

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5788), Title 18 Waiver (WVR-5790), and Site Development Plan Review (SDR-5789).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: VAR-5952

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

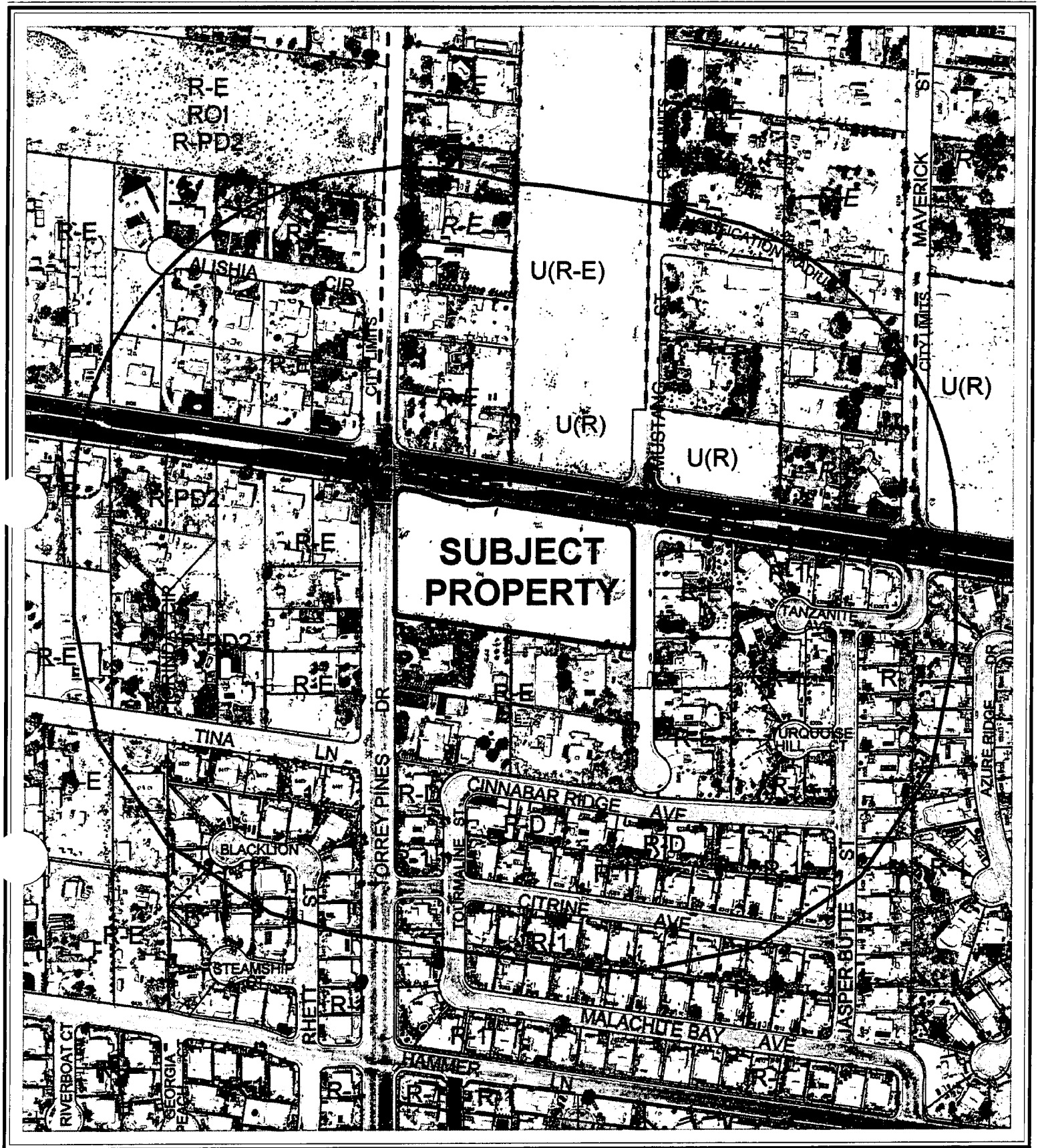
PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 300 600 Feet

116





CASE: VAR-5952

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5952 - APPLICANT: GAUGHAN RICHARDSON
DEVELOPMENT - OWNER: COX FAMILY TRUST

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5788), Title 18 Waiver (WVR-5790), and Site Development Plan Review (SDR-5789).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow Residential Planned Development zoning to be implemented on a 4.87-acre parcel where five acres is the minimum site area required, adjacent to the southeast corner of Ann Road and Torrey Pines Drive.

B) Applicant's Justification

According to the applicant's justification letter, the proposed R-PD development will be similar to other residential developments in the area and will also provide landscaping that conforms to City requirements.

BACKGROUND INFORMATION

A) Related Actions

There are no recent zoning actions on the subject property.

- 12/15/04 The City Council approved a request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from R-E (Rural Estates) to R (Rural Density Residential) on approximately 6.7 acres (GPA-5172), a Rezoning (ZON-5174) from U (Undeveloped) [R (Rural Density Residential) and RE (Rural Estates) General Plan designations] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 10.65 acres, a Waiver of Title 18.12.160 (WVR-5331) to allow a 182-foot separation between intersections where a minimum of 220 feet is required, and a Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road. The Planning Commission recommended approval of all items. Staff recommended denial on all applications.
- 02/10/05 The Planning Commission held this item in abeyance to the 03/10/05 Planning Commission meeting to allow the applicant time to work with staff to redesign the site.
- 03/10/05 The Planning Commission recommended denial of related items ZON-5788, WVR-5790 and SDR-5789 as part of this agenda.
- 03/10/05 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #10/ss).

B) Pre-Application Meeting

- 12/03/04 A pre-application meeting was held and staff made the following recommendations:
1. Right-of-way will need to be dedicated on Ann Road and Torrey Pines. Also a flood study will need to be done.
 2. All off-site half-street improvements, including Mustang will need to be installed. A turn lane along Ann Road may be needed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.87 acres
Net Acres: 3.37 acres

B) Existing Land Use

Subject Property: Vacant
North: Vacant, Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Rural Estates Residential – Clark County Designation)
R-PD3 (Residential Planned Development – 3 Units Per Acre)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified R (Rural Density Residential) land use category. The property is zoned R-E (Residence Estates). The proposed development of 15 single-family lots on 4.87 acres, which generates a density of development of 3.1 dwelling units

per acre, is permitted within the R land use category but not in the present zoning. Therefore, the applicant is requesting approval of an application for Rezoning to R-PD3 (Residential Planned Development – 3 Units per Acre) that would permit up to 3.49 dwelling units per acre. This Variance request is not directly affected by General Plan policies.

ANALYSIS

A) Zoning Code Compliance

A1) Residential Planned Development Standards

Pursuant to Title 19.06.040.A, the minimum site area that is eligible for rezoning to the R-PD category is five acres. As the subject site is 4.87 acres in size, the applicant has requested a Variance from this standard in order to allow the related applications to proceed, in order to develop a 15-unit single-family project on the site. The subject deviation is 2.6%.

B) General Analysis and Discussion

The project as conceived would not readily fit within the parameters of any of the standard residential zoning districts in Title 19. Although the R-D (Single-Family Residential - Restricted) zoning district allows up to the 3.59 units per acre that is the maximum density allowed in the property's existing R (Rural Density Residential) land use designation, the R-D district contains a minimum lot size requirement of 11,000 square feet, minimum width requirement of 90 feet, and front and rear setbacks that would not work with the project as proposed. There are no other standard zoning districts in the Code that would be adequate for a project of this type within the existing allowable density range. The extent of the requested Variance is minor, as the site is approximately three percent smaller than the minimum standard.

FINDINGS

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

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

Additionally, Title 19.18.070.L states:

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

As this is an infill parcel, no additional land is available to develop according to the requirements of a standardized zoning district. There is no alternative design or option that would allow conformance to these specific Title 19 requirements. In view of the limitations imposed by the site's physical characteristics, it is concluded that the applicant's hardship is real, and it is recommended that the Variance be granted.

PLANNING COMMISSION ACTION

Three neighbors spoke in protest at the Planning Commission hearing. The Planning Commission believes the overall project is incompatible with the neighborhood.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

NOTICES MAILED 163 by City Clerk

APPROVALS 0

PROTESTS 3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5952 APN: 125-35-501-001

Name of Property Owner: Cox, Orlo E.

Name of Applicant: William Richardson, Graugher Richardson, Dev.

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

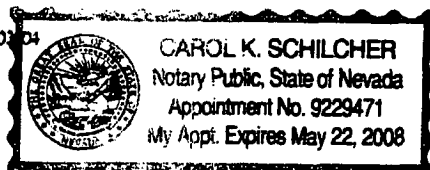
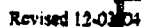
Signature of Property Owner:

Print Name: Orlo E. Cox JR

Subscribed and sworn before me

This 10th day of Jan, 2005

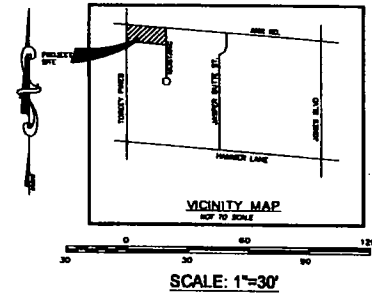
Carol K. Schlicher
Notary Public in and for said County and State



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

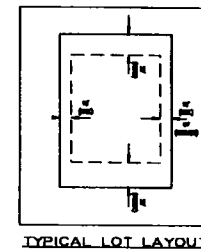
LINE TABLE		
LINE	LENGTH	BEARING
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2	25.00	N 71° 25' 44" E
3	4.00	N 71° 25' 44" E
4	25.00	N 71° 25' 44" E
5	25.00	N 71° 25' 44" E
6	4.00	N 71° 25' 44" E
7	25.00	N 71° 25' 44" E

CURVE			
CURVE	LENGTH	CHORD	DELTA
1	7.25	25.00	2.76
2	7.25	25.00	2.76
3	4.00	25.00	2.76
4	4.00	25.00	2.76
5	4.00	25.00	2.76
6	4.00	25.00	2.76
7	4.00	25.00	2.76
8	4.00	25.00	2.76
9	4.00	25.00	2.76
10	4.00	25.00	2.76
11	4.00	25.00	2.76
12	4.00	25.00	2.76
13	4.00	25.00	2.76
14	4.00	25.00	2.76
15	4.00	25.00	2.76



OWNER:
JPL ENGINEERING INC.
1000 SOUTH EASTERN AVE. SUITE 8
LAS VEGAS, NV 89123
Phone (702) 894-4200 • Fax (702) 894-4047

SITE DATA:
PROPOSED 18 LOT RESIDENTIAL SUBDIVISION
APR. 12-2005
DISTING. RECORD: B-1
PROPOSED EASEMENT: 10'-0" WIDE
LOT AREA (TOTAL): APPROX. 4.47 ACRES
IDENTITY OF THE SUBDIVISION: 4 LOTS/AC



VAR-5952
ZON-5788
WVR-5790
SDR-5789
03-10-05 PC
REVISED 02-22-05

RECEIVED

FEB 23 2005

JPL ENGINEERING INC.

ANN & TORREY PINES

SITEPLAN

JOB #
SHEET NO.
S1
1 OF 1 SHEETS

TORREY PINES DR.

ANN ROAD

MUSTANG ST.

JUDITH K. AMERSON
REX C. EMMING III
5551 N. TORREY PINES DR.
LAS VEGAS, NV 89130-1808

RICHARD BOJAS
5550 MUSTANG ST.
LAS VEGAS, NV 89130-1803

8620 S. Eastern Ave., Suite 8
Las Vegas, NV 89123

January 11, 2005

Current Planning Division
City of Las Vegas
731 south 4th Street
Las Vegas, NV 89101

RE: Variance (5+/- gross acres) located at the northeast corner of Ann Road and Torrey Pines Dr. (APN 125-35-501-001)

The intent of this letter is to request a Variance for the 5-acre minimum for RPD3 development. The subject parcel is 4.87 acres.

The proposed development is 15-lot subdivision located at the northeast corner of Ann Rd. and Torrey Pines Dr. The average lot save is approximately 8300 sq-ft. There are like type developments with similar lot site (R1) to the (east, north, west, and south).

The site will conform to all landscaping requirements and will provide approximately 10,700 square foot of open space amenities and landscape buffer around the perimeter of the site. It is anticipated that future residences on the site will be 1 and 2 story custom homes 2000 to 4000 square feet with landscaped front yards and stucco and rock facade finishes.

We sincerely hope that these requests will be reviewed and considered. Please contact me at 898-6269 if you have any questions or concerns.

Respectfully,



James P. Lopez, P.E.
President
JPL Engineering, Inc.

JPL/JJL

Rick & Rochelle Rexius
5500 Mustang Street
Las Vegas, Nevada 89130
702-658-7881

RECEIVED
CITY CLERK

2005 APR -4 A 11:13

VIA US MAIL

City Clerk
City Counsel Chambers
400 Stewart Ave.
Las Vegas, Nevada

March 31, 2005

RE: **OBJECTION TO VAR 5952; ZON 5788; SDR 5789; WVR-5790**
APN 125-35-501-001
CORNER OF ANN ROAD AND TORREY PINES DRIVE

HEARING DATE: APRIL 6, 2005 1:00 P.M.

Protest

Dear City Council:

We are writing to express out deepest concerns and **objection** to the latest requests for parcel number 125-35-501-001.

This area is zoned RE and all of the homes currently surrounding this 3.73 acre lot are at least ½ acre lots, the remaining over 1 acre.

Objection to VAR 5952

We are objecting to any approval changing the Variance to the RE Zoning which is currently in place for this parcel.

The **usable land** is only 3.73 acres and the minimum area **required is 5.00 acres**. We understand that special “tricks” are used to increase the size of the lot, but even after they measured to the middle of the street, they are still less than 5 acres.

Let’s look at the real size of the lot- 3.73 acres. The average lot size on our street is ½ acre or larger. Squeezing 15 homes on less than 4 acres does not fit the continuity of the neighborhood.

Objection to ZON5788

We object to any changes in zoning for this parcel. It is **zoned RE** and any change will damage the continuity of the small cud-de-sac community.

OBJECTION TO VAR 5952; ZON 5788; SDR 5789; WVR-5790

APN 125-35-501-001

CORNER OF ANN ROAD AND TORREY PINES DRIVE

HEARING DATE: APRIL 6, 2005 1:00 P.M.

Chapter 19.02.040 PURPOSE OF ZONING

R-E Residence Estates District: The purpose of the R-A and the R-E District is to provide for **LOW density** residential units located on large lots and conveying a **rural environment**. These Districts are consistent with the policies of the Desert Rural Density Residential category of the General Plan

The original 4 one acres estate homes developed by Mr. Cox were protected some time ago when the Copper Crest development was built, with five ½ acre lot home sites as a buffer. Mr. Cox and the original neighbors fought to keep the continuity of this neighborhood back then, and we should be able to fight for the same today.

Objection to SDR 5789

We object to allowing 3 units per acre. The homes in this neighborhood are on a minimum of ½ acre. This lot should be developed according to the existing ZONING, landscape and design.

Objection to WVR-5790

We object to the wavier for allowing approximately 190 feet between street intersection where 220 feet is minimum distance separation with conjunction with a proposed 15-lot development. The traffic is heavy and maintaining the minimum 220 feet REQUIREMENT will help prevent accidents.

What Gaughan Richardson Development and the Cox Family Trust are requesting will not work in our neighborhood. 15 homes on less than 4 usable acres does not fit the continuity of our quiet cul-de-sac street.

This section of Mustang Street is a quiet cul-de-sac that has 7 homes. The traffic on Ann Road makes it nearly impossible to cross the street, and with 15 more homes you can only imagine how dangerous it will become.

The safety for the children is at risk. Six out of the 7 homes on our street have children. These families bought homes on this cul-de-sac so their kids could play outside safely. The increased traffic will be a problem. Not to mention increase the exhaust fume and noise.

We have horses and they want to put 4 homes up against our fence line to the North. We are worried about the safety of our horses and of the people who will be right next to them.

OBJECTION TO VAR 5952; ZON 5788; SDR 5789; WVR-5790

APN 125-35-501-001

CORNER OF ANN ROAD AND TORREY PINES DRIVE

HEARING DATE: APRIL 6, 2005 1:00 P.M.

We are requesting you to take a good look at what our neighborhood is, and how damaging it would be to allow 15 homes to be squeezed onto this 3.73 acre lot.

Please keep the continuity of our neighborhood – Please **DO NOT PASS VAR 5952; ZON 5788; SDR 5789; WVR-5790**

We sincerely thank you,

Rick & Rochelle Rexius
5500 Mustang

WE ARE AGAINST VAR-5952 TO CHANGE
ZONING FROM RE TO RPD,

APPLICANT GAUGHAN RICHARDSON DEVELOPMENT
OWNER COX FAMILY TRUST

NAME	ADDRESS	PHONE
Mike Peppley	5500 N. Torrey Pines	656-1918
Debbie Harlin	5500 N. Torrey Pines Ln.	839-9958
Steve Ewing	5520 N. Torrey Pines	279-6691
REX Ewing	5521 N. Torrey Pines	598-2071

Submitted at City Council

Date 4/6/05 Item #116-119

We are against Var-5952 to change
zoning from RE to RPD

Name	address	Phone #
Donnie Crystal Simpson	6425 W Ann Rd L.V.N.V	393-0392
Pam Hansen	6425 W Ann Rd L.V.N.V	401-1928
Linda & Martin Cole	6441 W Ann LU	656-2943
M K MARTIN	6520 W ANN Rd	N/A
Barbara	6666 W ann Rd	N/A
Lisa Cameron	6428 W. Ann Rd	643-1943
Ralph R Spn	6408 W Ann LU	326-3827
Bradford S Davis	6401 W. ANN Rd	289-3265
Steve Bean	5640 N Torrey Pines Dr LV	645-1844
LISA Wiemers	5660 N. Torrey Pines LV	645-5363
STEVE BURNS	5728 N TORREYPINES LUW	645-2383

Submitted at City Council

Date 4/6/05 Item #116-119

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 6, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****REZONING RELATED TO VAR-5952**

ZON-5788 - PUBLIC HEARING - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 4.87 acres adjacent to the southeast corner of Ann Road and Torrey Pines Drive (APN 125-35-501-001), Ward 6 (Mack). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

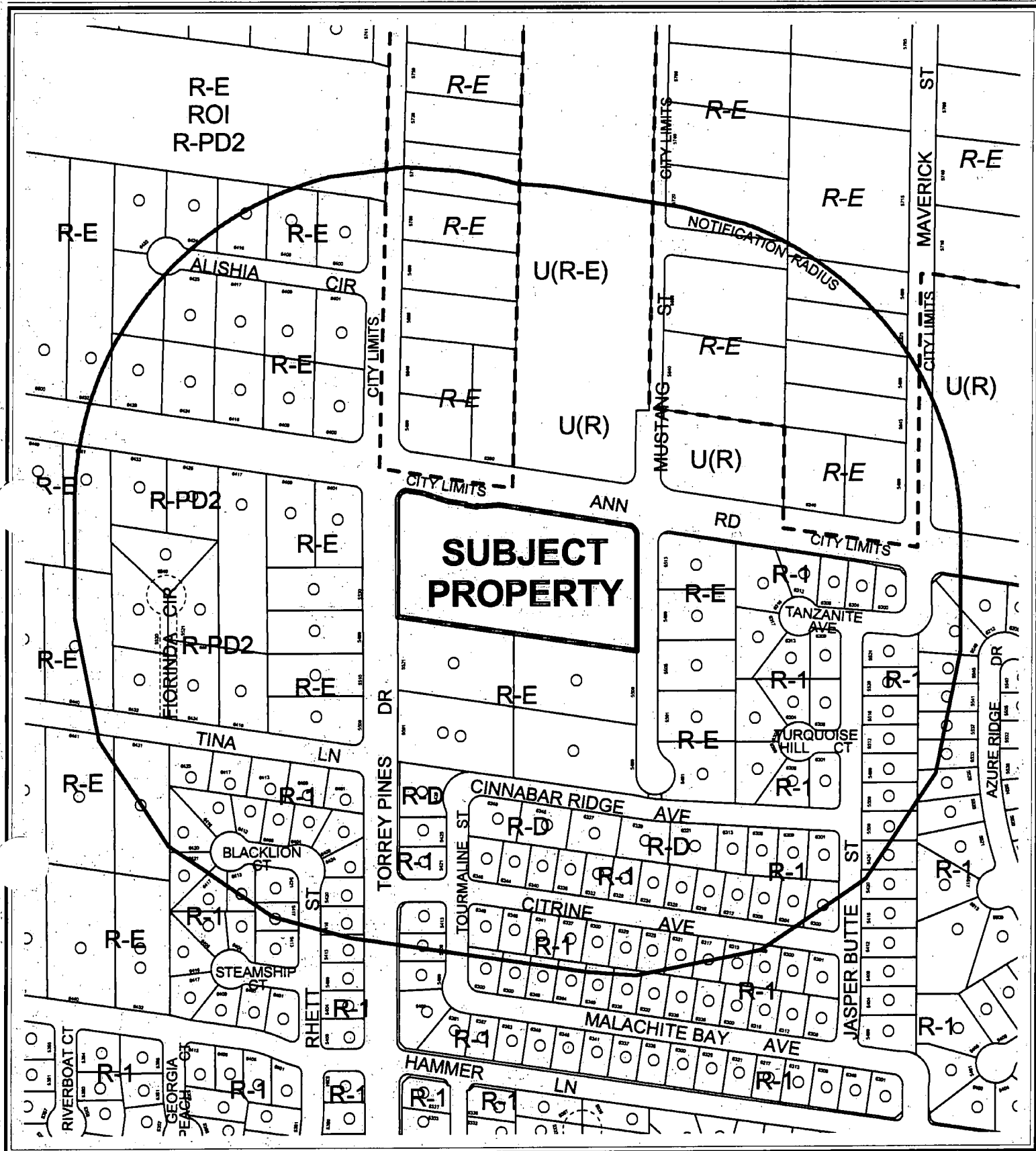
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted after final agenda - Protest letter from Rick and Rochelle Rexius for Item 116 [VAR-5952], Item 117 [ZON-5788], Item 118 [WVR-5790], and Item 119 [SDR-5789] filed under Item 116 [VAR-5952]
6. Submitted at City Council - Two petitions totaling 14 signatures in opposition for Item 116 [VAR-5952], Item 117 [ZON-5788], Item 118 [WVR-5790], and Item 119 [SDR-5789] filed under Item 116 [VAR-5952]

MOTION:**MACK - ABEYANCE to 4/20/2005 - UNANIMOUS****MINUTES:**

NOTE: See Item 116 [VAR-5952] for all related discussion.

(5:06 - 5:40)

6-1188



CASE: ZON-5788

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

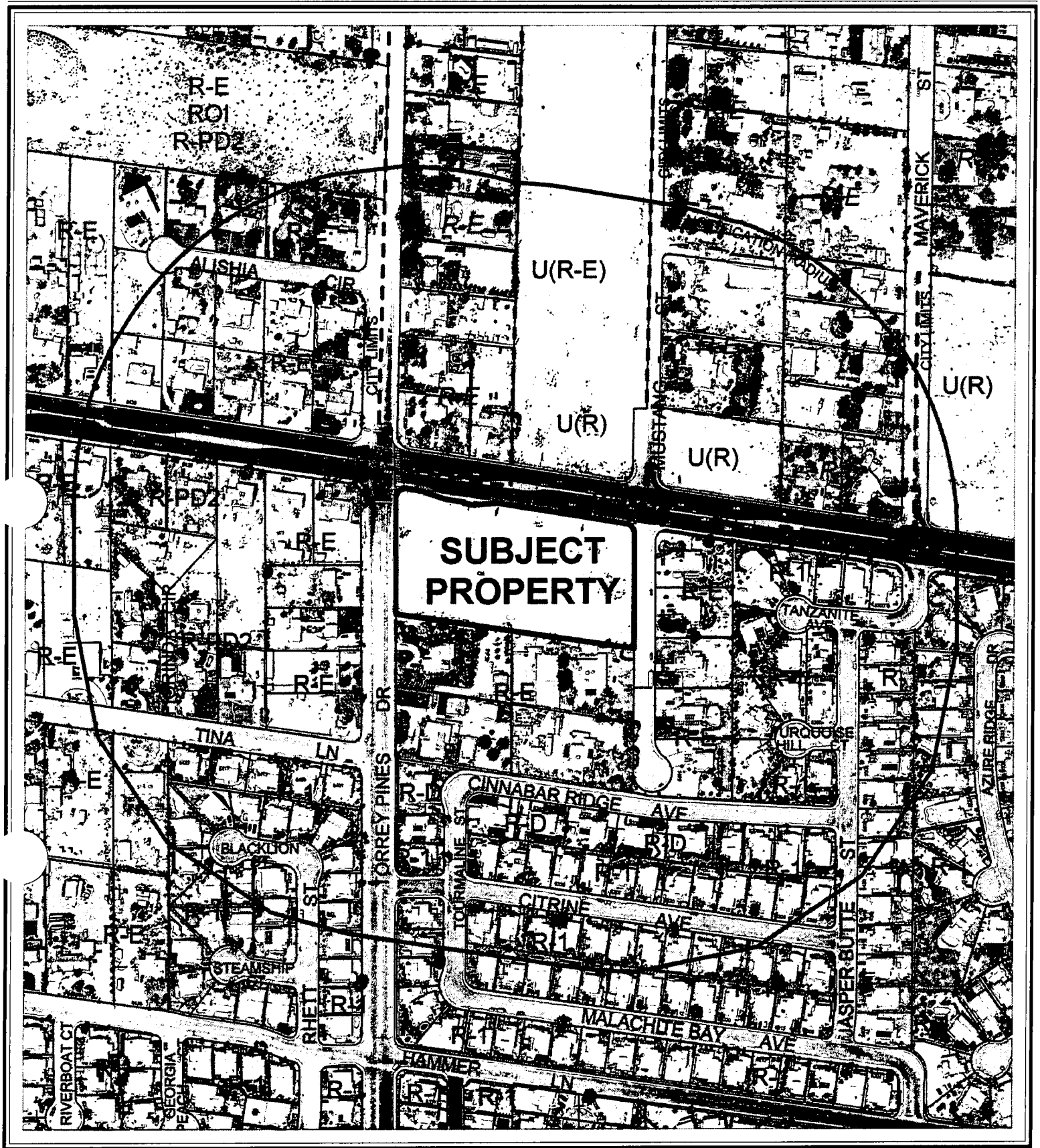
PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 300 600 Feet

117





CASE: ZON-5788

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5788 - APPLICANT: GAUGHAN RICHARDSON
DEVELOPMENT - OWNER: COX FAMILY TRUST

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Approval of Variance (VAR-5952), Title 18 Waiver (WVR-5790), and a Site Development Plan Review (SDR-5789) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southeast corner of Torrey Pines Drive and Ann Road.
4. Remove all substandard public street improvements on Ann Road, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Construct all incomplete half-street improvements on Mustang Street and Torrey Pines Drive, adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. Landscape and maintain all unimproved right(s)-of-way, if any, adjacent to this site.
7. 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.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units per Acre) on 4.87 acres adjacent to the southeast corner of Ann Road and Torrey Pines Drive.

B) Applicant's Justification

The applicant justifies this application by stating that the proposed rezoning is consistent with the overall plan of the area. There are also similar developments in the area.

BACKGROUND INFORMATION

A) Related Actions

There are no recent zoning actions on the subject property.

- | | |
|----------|---|
| 12/15/04 | The City Council approved a request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from R-E (Rural Estates) to R (Rural Density Residential) on approximately 6.7 acres (GPA-5172), a Rezoning (ZON-5174) from U (Undeveloped) [R (Rural Density Residential) and RE (Rural Estates) General Plan designations] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 10.65 acres, a Waiver of Title 18.12.160 (WVR-5331) to allow a 182-foot separation between intersections where a minimum of 220 feet is required, and a Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road. The Planning Commission recommended approval of all items. Staff recommended denial on all applications. |
| 02/10/05 | The Planning Commission held this item in abeyance to the 03/10/05 Planning Commission meeting to allow the applicant time to work with staff to redesign the site. |
| 03/10/05 | The Planning Commission recommended denial of related items VAR-5952, WVR-5790 and SDR-5789 as part of this agenda. |
| 03/10/05 | The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #11/da/ss). |

B) Pre-Application Meeting

- 12/03/04 A pre-application meeting was held and staff made the following recommendations:
1. Right-of-way will need to be dedicated on Ann Road and Torrey Pines. Also a flood study will need to be done.
 2. All off-site half-street improvements, including Mustang will need to be installed. A turn lane along Ann Road may be needed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.87 acres
Net Acres: 3.37 acres

B) Existing Land Use

Subject Property: Vacant
North: Vacant, Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Rural Estates Residential – Clark County Designation)
R-PD3 (Residential Planned Development – 3 Units Per Acre)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified R (Rural Density Residential) land use category. The property is zoned R-E (Residence Estates). The proposed development of 15 single-family lots on 4.87 acres, which generates a density of development of 3.1 dwelling units per acre, is permitted within the R land use category but not in the present zoning. Therefore, the applicant is requesting approval of an application for Rezoning to R-PD3 (Residential Planned Development – 3 Units per Acre) that will permit up to 3.49 dwelling units per acre.

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

No special districts, plans, zones or trails are associated with the subject site.

ANALYSIS

A) General Analysis and Discussion

The proposed Rezoning to R-PD3 (Residential Planned Development – 3 Units per Acre) will allow for a proposed 15-lot single-family residential subdivision on the subject site. The proposed gross density of 3.1 dwelling units per acre conforms to the density range required by the R (Rural Density Residential) General Plan designation, which allows up to 3.59 units per acre. The average size of lots within the development is approximately 8,500 square feet, which is comparable to lots recently approved in the single-family development on the north side of Ann Road. Other existing lots surrounding the subject area are half-acre or larger in size. Access to the site will be from Mustang Street. A Waiver of Title 18 for minimum distance separation with regard to the entrance and the intersection of Ann Road and Mustang Street will be heard concurrently with this application and is supported by staff.

FINDINGS

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

1. “The proposal conforms to the General Plan.”

The proposed Rezoning request to R-PD3 (Residential Planned Development – 3 Units per Acre) conforms to the existing R (Rural Density Residential) General Plan designation for this area.

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

The area surrounding the subject property consists of primarily half-acre rural residential lots, with some smaller lots on the north side of Ann Road. The proposed single-family uses, though slightly higher in density, will be compatible with these surrounding R-E (Residence Estates) and R-PD3 (Residential Planned Development – 3 Units per Acre) zoning districts.

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

The proposed rezoning will allow for development of an infill parcel that is only appropriate for single-family residential uses.

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

The access to the site will be off of Mustang Street which is classified a Collector Street (60') according to the Master Plan of Streets and Highways. Mustang will be sufficient in size to accommodate the increased traffic into the site without affecting neighboring properties. The site will then have access on too Ann Road which is a Primary Thoroughfare (100') according to the Master Plan of Streets and Highways.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

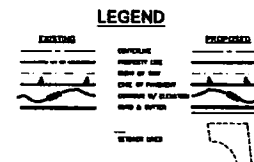
NOTICES MAILED 160 by Planning Department

APPROVALS 0

PROTESTS 3

CAROL K. SCHLIGHER
 Notary Public, State of Nevada
 Appointment No. 92-0471
 My Comm. Expires May 20, 2008

CURVE				
CURVE	LENGTH	RADIUS	TANGENT	DEL TA
C1	7.25	20.00	3.70	14.9320
C2	10.00	20.00	3.70	14.9320
C3	4.00	30.00	4.40	14.9320
C4	8.00	30.00	4.40	14.9320
C5	16.66	40.00	5.00	24.4320
C6	16.76	40.00	5.00	27.1810
C7	16.53	40.00	5.00	27.2520
C8	33.00	40.00	5.00	46.3520
C9	44.38	40.00	5.00	62.4420
C10	11.39	50.00	5.90	26.3720
C11	8.54	50.00	5.90	17.3020
C12	17.7	50.00	5.90	26.3720
C13	17.7	50.00	5.90	26.3720
C14	34.4	50.00	5.90	46.3520



COE FINALLY WROTE SOME LONG
CIN COLLS IN THE
THE AMERICAN ARTIST
LAS VEGAS BY MARY LEE

PROPOSED 19 LOT RESIDENTIAL SUBDIVISION
APR 125-38-801-001
EXISTING ZONING: R-E
PROPOSED ZONING: RFO-3
LOT AREA (GROSS): APPROX. 6.67 ACRES
DENSITY OF THE SUBDIVISION: 4 UNITS/AC



FEB 22 REC'D

INTERPLAN

JOB # _____
SHEET NO.:
S1
1 OF 1 SHEETS

8620 S. Eastern Ave., Suite 8
Las Vegas, NV 89123

December 7, 2004

Clark County Department of Development Services
Current Planning Division
500 S. Grand Central Parkway
Las Vegas, NV 89155-1841

RE: Zone Change from R-E to R-PD3 of (3.73 acres +/-) located at the northwest corner of Ann Road and Torrey Pines Dr. (APN 125-35-501-001)

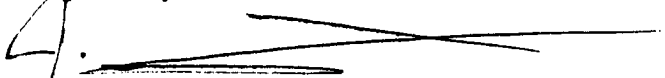
The intent of this letter is to request a conforming zone change for the above referenced site. The proposed development is 15-lot subdivision located at the northwest corner of Ann Rd. and Torrey Pines Dr. The request is inconsistent with current R-E to RPD3 zoning which allows 3.5 units per acre density.

The conforming Zone Change is consistent with the overall plan of the area. The average lot size is approximately 8300 sq-ft. There are like type developments with similar lot size (R1) to the (east, north, west, and south).

The site will conform to all landscaping requirements and will provide approximately 10,700 square foot of open space amenities and landscape buffer around the perimeter of the site. Lots only are proposed at this time but it is anticipated that in the future homes in this development are anticipated to be 1 and 2 story custom homes 2000 to 4000 square feet with landscaped front yards and stucco and rock facade finishes.

We sincerely hope that these requests will be reviewed and considered. Please contact me at 898-6269 if you have any questions or concerns.

Respectfully,



James P. Lopez, P.E.
President
JPL Engineering, Inc.

JPL/JJL

RECEIVED

DEC 14 2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 6, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****WAIVER OF TITLE 18 RELATED TO VAR-5952 AND ZON-5788**

WVR-5790 - PUBLIC HEARING - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 190 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED IN CONJUNCTION WITH A PROPOSED 15-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.87 acres adjacent to the southeast corner of Ann Road and Torrey Pines Drive (APN 125-35-501-001), Ward 6 (Mack). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

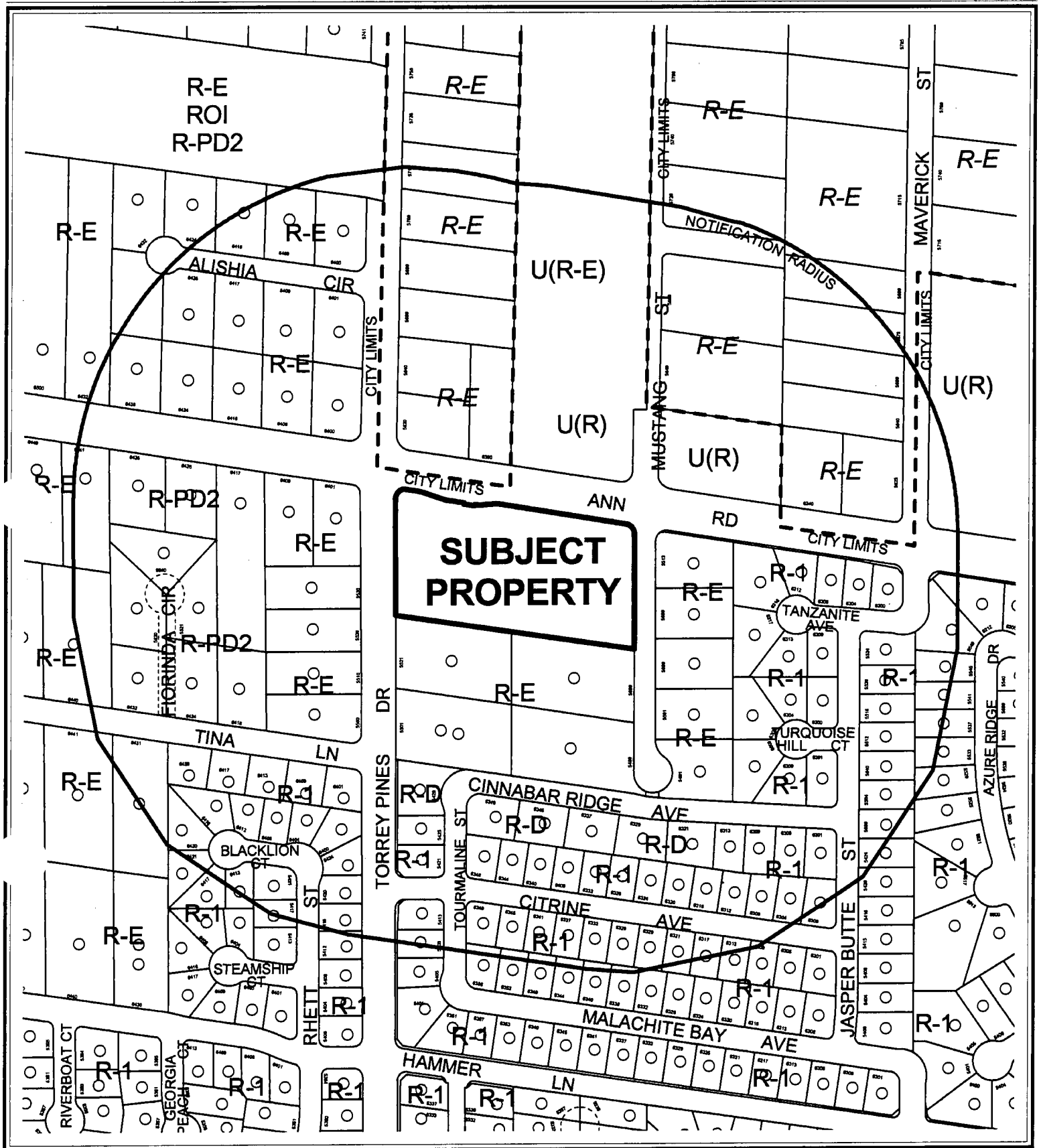
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted after final agenda - Protest letter from Rick and Rochelle Rexius for Item 116 [VAR-5952], Item 117 [ZON-5788], Item 118 [WVR-5790], and Item 119 [SDR-5789] filed under Item 116 [VAR-5952]
6. Submitted at City Council - Two petitions totaling 14 signatures in opposition for Item 116 [VAR-5952], Item 117 [ZON-5788], Item 118 [WVR-5790], and Item 119 [SDR-5789] filed under Item 116 [VAR-5952]

MOTION:**MACK - ABEYANCE to 4/20/2005 - UNANIMOUS****MINUTES:**

NOTE: See Item 116 [VAR-5952] for all related discussion.

(5:06 - 5:40)

6-1188



CASE: WVR-5790

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

118



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-5790 - APPLICANT: GAUGHAN RICHARDSON
DEVELOPMENT - OWNER: COX FAMILY TRUST

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-5952), Rezoning (ZON-5788), and Site Development Plan Review (SDR-5789).
2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Waiver of Title 18.12.160 to allow approximately 196 feet between street intersections where 220 feet is the minimum distance separation required in conjunction with a proposed 15-lot single-family residential development on 4.87 acres adjacent to the southeast corner of Ann Road and Torrey Pines Drive.

B) Applicant's Justification

The applicant's justification pertained to a proposed access from Mustang Street, which had a 190-foot separation from Ann Road. The applicant claimed that no adverse impacts to adjacent properties would result from approval of the waiver, since Mustang Street is built out and existing development along this street is minimal. The site plan has since been revised so that the entrance to the development is on Torrey Pines Drive. The applicant offered no justification for the waiver of intersection separation distance requirements still necessary

BACKGROUND INFORMATION

A) Related Actions

There are no recent zoning actions on the subject property.

12/15/04 The City Council approved a request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from R-E (Rural Estates) to R (Rural Density Residential) on approximately 6.7 acres (GPA-5172), a Rezoning (ZON-5174) from U (Undeveloped) [R (Rural Density Residential) and RE (Rural Estates) General Plan designations] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 10.65 acres, a Waiver of Title 18.12.160 (WVR-5331) to allow a 182-foot separation between intersections where a minimum of 220 feet is required, and a Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road. The Planning Commission recommended approval of all items. Staff recommended denial on all applications.

02/10/05 The Planning Commission held this item in abeyance to the 03/10/05 Planning Commission meeting to allow the applicant time to work with staff to redesign the site.

03/10/05 The Planning Commission recommended denial of related items ZON-5788, VAR-5952 and SDR-5789 as part of this agenda.

03/10/05 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #12/ss).

B) Pre-Application Meeting

12/03/04 A Pre-application meeting was held and staff made the following recommendations:

1. Right-of-way will need to be dedicated on Ann Road and Torrey Pines. Also a flood study will need to be done.
2. All off-site half-street improvements, including Mustang will need to be installed. A turn lane along Ann Road may be needed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.87 acres
Net Acres: 3.73 acres

B) Existing Land Use

Subject Property: Vacant
North: Vacant, Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Rural Estates Residential – Clark County Designation)
R-PD3 (Residential Planned Development – 3 Units Per Acre)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified R (Rural Density Residential) land use category. The property is zoned R-E (Residence Estates). The proposed development of 15 single-family lots on 4.87 acres, which generates a density of development of 3.1 dwelling units per acre, is permitted within the R land use category but not in the present zoning. Therefore,

the applicant is requesting approval of an application for Rezoning to R-PD3 (Residential Planned Development – 3 Units per Acre) that would permit up to 3.49 dwelling units per acre. This Title 18 Waiver request is not directly affected by General Plan policies.

ANALYSIS

A) General Analysis and Discussion

This report seeks to waive the requirements of the Subdivision Code with regard to the minimum distance required between the intersections of streets providing internal access to subdivisions with other streets of 60 feet or more in width. This requirement, found in Title 18.12.160, prescribes this minimum distance as 220 feet.

Specifically, Title 18.12.160 states:

“Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet.”

The applicant is proposing to have the access for a 15-lot subdivision onto Mustang Road, which is classified a Collector Street (60') by the Master Planned Streets & Highways. The proposed entrance for the subdivision will be 195 feet from the centerline of Ann Road to the centerline of the subdivision street. This location of the access to the development, though not the most desirable choice because of the potential increase in traffic to the surrounding neighborhoods, will not affect the integrity of the surrounding neighborhood and will not restrict access to and from the site.

FINDINGS

Due to the location of the entrance on Mustang Street being closer to Ann Road it will help minimize the impact to the other residential properties surrounding the site. Also the access to the site will be unrestricted and will allow better flow onto and from Ann Road.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

NOTICES MAILED 160 by Planning Department

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **WVR-5790** APN: 125-35-501-001

Name of Property Owner: Orlo E. Cox

Name of Applicant: William Richardson, Gaughan Richardson Dev. LLC

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

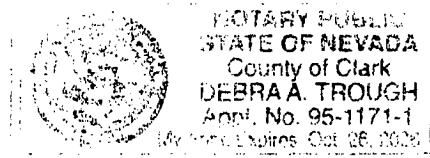
Signature of Property Owner: W. J. Huber

Print Name: William J Richardson

Subscribed and sworn before me

This 13TH day of DECEMBER, 2024

Notary Public in and for said County and State



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-5790 APN: 125-35-561-001

Name of Property Owner: Orlo E. Cox

Name of Applicant: William Richardson, Garyan Richardson Del.

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: ALC E Cox JR.

Subscribed and sworn before me

This 16th day of Dec., 2004

Carol A. Schiller
Notary Public in and for said County and State

Notary Public in and for said County and State

County of Clark
State of Nevada
Revised 12-03-04

Revised 12-03-04

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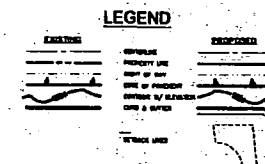
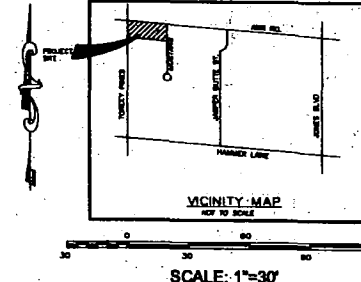
DEC 16 2004

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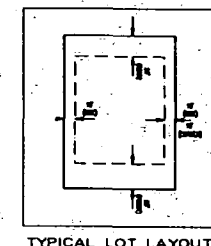
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6	10.00	N00°01'32"E	10.00	01°32"
7	10.00	N00°01'32"E	10.00	01°32"



OWNER:
JPL ENGINEERING INC.
1000 SOUTH EASTERN AVE. SUITE 8
LAS VEGAS, NV 89123
Phone (702) 698-0000 • Fax (702) 698-0007

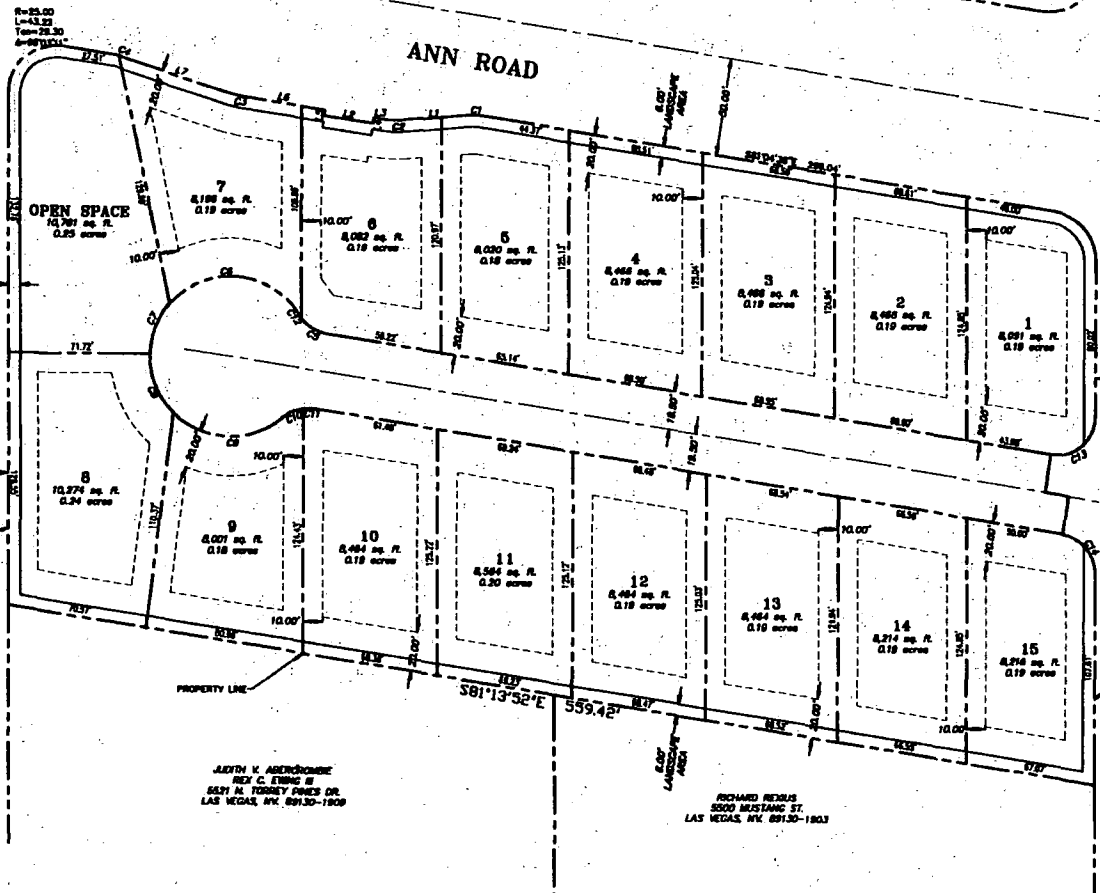
SITE DATA:
PROPOSED 15 LOT RESIDENTIAL SUBDIVISION
APR. 125-32-501-301
EXISTING ZONING: R-1
PROPOSED ZONING: R-1
LOT AREA (CIRCLED) APPROX. 0.19 ACRES
DENSITY OF THE SUBDIVISION: 6 UNITS/AC



TORREY PINES DR.

ANN ROAD

MUSTANG ST.



JARIN V. ABERNETHY
REX C. EMMING
5521 N. TORREY PINES DR.
LAS VEGAS, NV 89130-1809

RICHARD REBUS
5000 MUSTANG ST.
LAS VEGAS, NV 89120-1803

VAR-5952
ZON-5788
WVR-5790
SDR-5789
03-10-05 PC
REVISED 02-22-05

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FEB 23 2005

JPL ENGINEERING INC.

ANN & TORREY PINES

JOB #
SHEET NO.:
S1
1 OF 1 SHEETS

December 14, 2004

Clark County Department of Development Services
Current Planning Division
500 S. Grand Central Parkway
Las Vegas, NV 89155-1841

Re: Waiver of Development Standards for 15-lot subdivision at the northwest corner of Ann Road and Torrey Pines Dr. (APN 125-35-501-001)

The purpose of this letter is to request a waiver of development standards for the proposed 15-lot subdivision located at the northwest corner of Ann Road and Torrey Pines Dr. The requested standards to be waived are: minimum distance separation between center line of Torrey Pines and the site drive entrance and for full off-sites on Mustang Street.

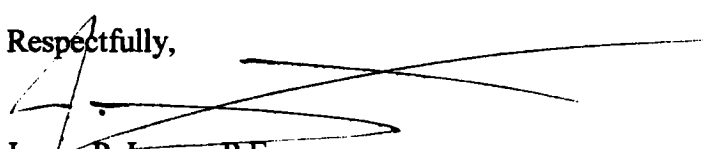
The minimum distance between center line of Torrey Pines to the site entrance drive is 220-feet. The proposed site plan has distance separation is 190-feet.

We are requesting that the standards of providing full off-site improvements for Mustang Street be waived. As an alternative, street improvements will be made in accordance to non-urban standard guidelines for Mustang Street. Non-urban standards for Mustang Estates for this development are in conformance to adjacent parcels and to similar developments in this area.

Mustang is a minor local street servicing fully built out residential property. There are 7 lots currently being accessed on Mustang. These lots are fully developed and no future development is anticipated. Mustang also terminates in a cul-de-sac and all indications are that this will remain this way in perpetuity. The waiver request is similar to those that have been granted in the general area and is consistent with existing improvements on Mustang Street. There will be no adverse impacts to adjacent properties as a result of the waiver of standards and all other standards will be met as required. Because of the minimal existing development on Mustang and because Mustang is currently in full "future built out" condition we feel as this waiver is justifiable and consistent with the land usage in the area.

We sincerely hope that these requests for a waiver of development standards be reviewed and considered. Please feel free to contact me at 702.898.6269, Monday thru Friday, 8 a.m. to 5 p.m., if you have any questions or comments.

Respectfully,



James P. Lopez, P.E.
President
JPL Engineering, Inc.

JPL/JJL

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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 VAR-5952, ZON-5788 AND WVR-5788

SDR-5789 - PUBLIC HEARING - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT - OWNER: COX FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED 15-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.87 acres adjacent to the southeast corner of Ann Road and Torrey Pines Drive (APN 125-35-501-001), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone], Ward 6 (Mack). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted after final agenda - Protest letter from Rick and Rochelle Rexius for Item 116 [VAR-5952], Item 117 [ZON-5788], Item 118 [WVR-5790], and Item 119 [SDR-5789] filed under Item 116 [VAR-5952]
6. Submitted at City Council - Two petitions totaling 14 signatures in opposition for Item 116 [VAR-5952], Item 117 [ZON-5788], Item 118 [WVR-5790], and Item 119 [SDR-5789] filed under Item 116 [VAR-5952]

MOTION:

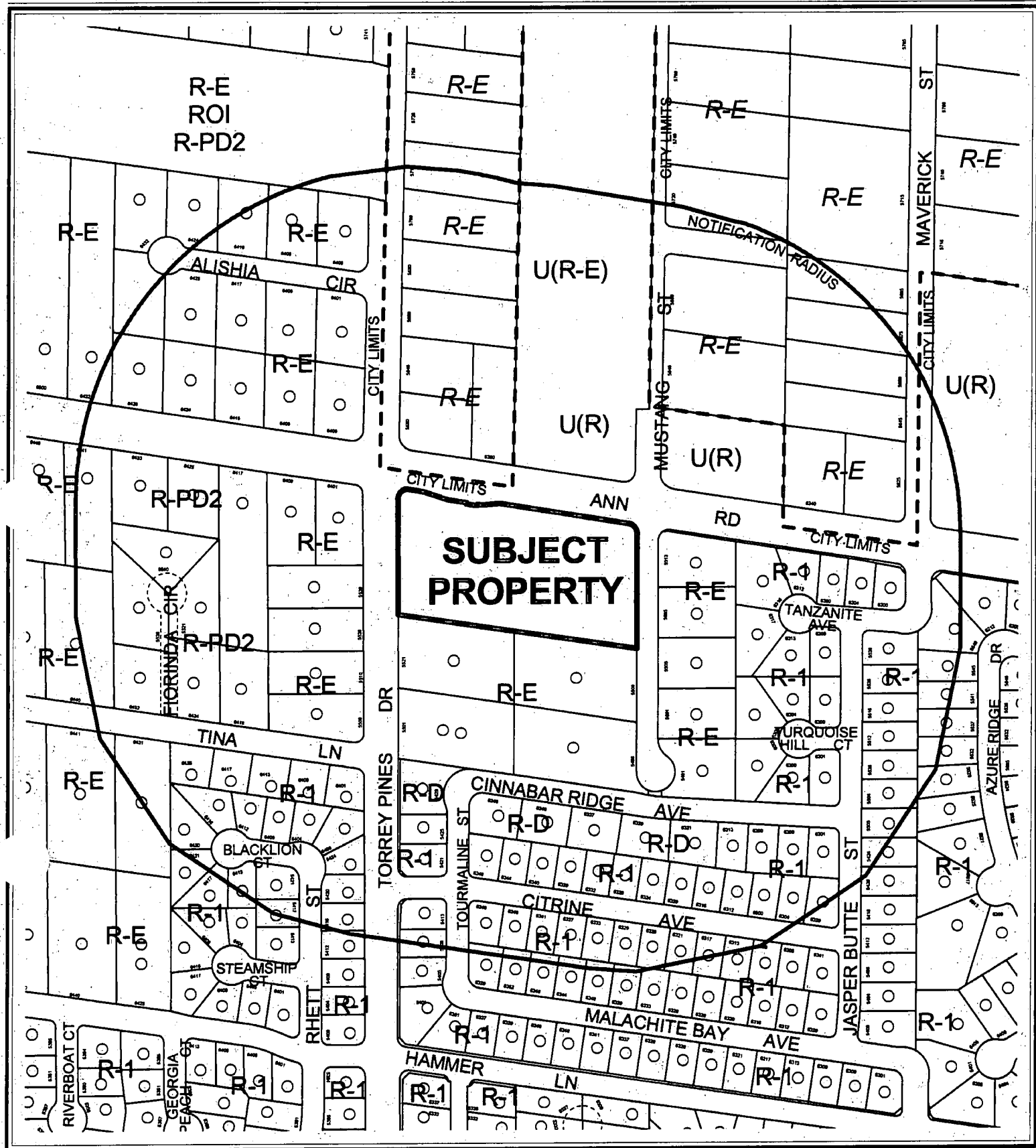
MACK - ABEYANCE to 4/20/2005 - UNANIMOUS

MINUTES:

NOTE: See Item 116 [VAR-5952] for all related discussion.

(5:06 - 5:40)

6-1188



CASE: SDR-5789

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 300 600 Feet

119



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5789 - APPLICANT: GAUGHAN RICHARDSON
DEVELOPMENT - OWNER: COX FAMILY TRUST

**** CONDITIONS ****

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

Planning and Development

1. A Variance (VAR-5952) to allow an R-PD zoning district on less than five acres, a Rezoning (ZON-5788) to a R-PD3 (Residential Planned Development - 3 Units per Acre) Zoning District, and a Waiver of Title 18 (WVR-5790) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 02/22/05, except as amended by conditions herein.
4. All homes within the development shall be single-story homes.
5. The elevations shall be submitted and approved by Planning and Development Department staff prior to the time application is made for a building permit.
6. The setbacks for this development shall be a minimum of 20 feet to the front of the house and face of garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 10 feet on the side, 15 feet on the corner side, and 20 feet in the rear.
7. The 6-foot landscaped strip located on the perimeter of the development must be placed within a common lot element that will be maintained by a homeowners' association.
8. The landscape plan shall be revised to show the required one 24 inch box tree every 30 feet on center be planted along Ann Road and Torrey Pines Drive, with the required four 5-gallon shrubs per tree. The revised landscape plan will also need to call out the number, species and size of the trees and shrubs that is scheduled to be planted. This plan will need to be reviewed and approved by Planning and Development Department staff, prior to the time application is made for a building permit.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones, in this development.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. The proposed 39-foot street shall be private and may not be gated as currently configured.
15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
17. Site development to comply with all applicable conditions of approval for ZON-5788 and all other site-related actions.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

The applicant is requesting approval of a Site Development Plan Review for a proposed 15-lot single family residential subdivision on 4.87 acres located adjacent to the southeast corner of Torrey Pines Road and Ann Road.

B) *Applicant's Justification*

This is a proposed 15 lot subdivision that will conform to the proposed zone change from R-E to R-PD3 that will allow up to 3.49 dwelling units to the acre. Lots sizes will be approximately 8,300 square feet, which conforms to similar developments that are found to the south, northwest and east. The subdivision will conform to title 19 standards for landscaping and buffering with a 6 foot perimeter landscaping buffer and approximately 10,700 square feet of open space. All homes within the subdivision will be a one-story home that will have landscaped front yards and stucco and rock façade finishes.

BACKGROUND INFORMATION

A) *Related Actions*

There are no recent zoning actions on the subject property.

12/15/04 The City Council approved a request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from R-E (Rural Estates) to R (Rural Density Residential) on approximately 6.7 acres (GPA-5172), a Rezoning (ZON-5174) from U (Undeveloped) [R (Rural Density Residential) and RE (Rural Estates) General Plan designations] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 10.65 acres, a Waiver of Title 18.12.160 (WVR-5331) to allow a 182-foot separation between intersections where a minimum of 220 feet is required, and a Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road. The Planning Commission recommended approval of all items. Staff recommended denial on all applications.

02/10/05 The Planning Commission held this item in abeyance to the 03/10/05 Planning Commission meeting to allow the applicant time to work with staff to redesign the site.

03/10/05 The Planning Commission recommended denial of related items ZON-5788, VAR-5952 and WVR-5790 as part of this agenda.

03/10/05 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #13/da).

B) Pre-Application Meeting

12/03/04 A Pre-application meeting was held and staff made the following recommendations:

1. Right-of-way will need to be dedicated on Ann Road and Torrey Pines. Also a flood study will need to be done.
2. All off-site half-street improvements, including Mustang will need to be installed. A turn lane along Ann Road may be needed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.87 acres
Net Acres: 3.73 acres

B) Existing Land Use

Subject Property: Vacant
North: Vacant, Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Rural Estates Residential – Clark County Designation)
R-PD3 (Residential Planned Development – 3 Units Per Acre)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified R (Rural Density Residential) land use category. The property is zoned R-E (Residence Estates). The proposed development of 15 single family lots on 4.87 acres, which generates a density of development of 3.1 dwelling units per acre, is permitted within the Rural land use category but not in the present zoning. Therefore, the applicant is requesting approval of an application for Rezoning to R-PD3 (Residential Planned Development – 3 Units per Acre) that will permit up to 3.49 dwelling units per acre.

PROJECT DESCRIPTION

The proposed project is a 15-unit single family residential subdivision on 4.87 acres located adjacent to the southeast corner of Ann Rd and Torrey Pines Road. The subject site will be accessed from Mustang Street, which is a Collector Street 60-foot as defined and depicted in the Master Plan of Streets and Highways.

The proposed subdivision will consist of lots ranging from approximately 7,965 to 8,500 square feet, which results in a density of 3.1 units per acre. Based on R-PD standards such a density will require 10,500 square feet of open space to be supplied for the purpose of public use or enjoyment. The supplied site plan indicates 10,781 square feet of open space that will be placed on the interior of the project on the west end of the development at the corner intersection of Ann Road and Torrey Pines Drive.

There were no proposed elevations or floor plans submitted with this development. It will be required that all homes within the development are to be single story.

The proposed landscaping substantially complies with the requirements of Title 19. The required six-foot landscape strip along Ann Road and Torrey Pines Drive depicts the proposed trees being planted every 40 feet on center where City Code requires these trees to be planted every 30 feet on center.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.06, Development Standards for an R-PD (Residential Planned Development) zoning district are established at the time of Site Development Plan Review. The applicant is proposing the following development standards:

Standards	Proposed
Min. Lot Size	7,700 sq feet
Min. Lot Width	50 Feet
Min. Setbacks	
• Front	20 Feet
• Side	10 Feet
• Corner	15 Feet
• Rear	20 Feet
Max. Building Height	1 Story / 35 Feet

The proposed lot sizes, setbacks and building height are appropriate for a residential project of this nature.

A3) Parking and Traffic Standards

The applicant is requesting a waiver (WVR-5790) to title 18.12.160 to allow an approximately 195 foot separation of intersection on Mustang Road from Ann Road.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Tree/30 Linear Feet	26 Trees	22 Trees
• Min. Zone Width (Torrey Pines Rd. and Ann Rd.)	6 Feet		6 feet
• Wall height	6 Feet		

The proposed landscaping does not meet the requirements set forth by Title 19.12. The perimeter landscaping adjacent to Ann Road and Torrey Pines Drive is showing the proposed trees only 40 feet apart on center. The landscape plan will be revised to show a minimum of 1 tree every 30 feet on center with the required four 5-gallon shrubs per tree along Ann Road and Torrey Pines Drive.

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

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
4.87 acres	3.1	1.65	4.95%	10,500 SF	5.08 %	10,781 SF

The proposed development does meet the open space requirements for Title 19.

B) General Analysis and Discussion

• **Zoning**

The R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning will allow densities up to 3.49 dwelling units per acre. The proposed site plan is depicting an overall density of 3.1 dwelling units per acre, which is consistent with the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) Zoning.

• **Site Plan**

The proposed development consists of 15 single family residential lots on 3.37 acres. The access for the development will be off of Mustang Road, which will have unrestricted access to and from Ann Road.

- **Waivers**

The applicant is applying for a waiver to title 18.12.160 to allow an approximately 195 foot separation between street intersections where 220 feet is the minimum distance required.

- **Landscape Plan**

The landscaping plan for this project is showing a 6 foot wide landscaped area around the perimeter of the project. The landscaped area is currently being shown as being placed on individual properties rather than in a common element. This landscaping should be placed into a common lot rather than being placed on individual lots. The landscape strip shows 1 tree being placed every 40 feet on center along the north property line adjacent to Ann Road, and along the east property line adjacent to Mustang Street, and along the south property line adjacent to the abutting property owners. Staff will recommend that the Landscape plan be modified to depict the required one 24 inch box tree every 30 feet on center be planted along Ann Road and Torrey Pines Drive, with the required four 5-gallon shrubs per tree. The revised landscape plan will need to call out the number, species and size of the trees and shrubs that are scheduled to be planted.

- **Elevation**

No elevations were provided at this time from the applicant. The homes will be required to be 1 story.

FINDINGS

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

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

The proposed 15-lot single family residential development is located adjacent to other single family residential properties on all sides. The project will tie into the surrounding community with its proposed open space and increased landscaping.

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

The subject site is designated R-E (Residence Estate). The companion rezoning (ZON-5788) will rezone the site to R-PD3 (Residential Planned Development – 3 Dwelling Units Per Acre). The proposed site plan does conform to all Title 19 requirements and design standards.

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

The proposed entrance to the site will be onto Mustang Street which is classified a Collector Street (60') by the Master Plan Streets & Highway. Mustang will be sufficient in size to accommodate the increased traffic that will be generated by the development. Mustang Street will have unrestricted access to and from Ann Road. The companion Waiver (WVR-5790) for the distance separation of an intersection to a major street will not have an adverse affect on this site.

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

The proposed street and landscaping design as well as the proposed residences will provide an aesthetically appropriate environment throughout the site. The proposed open space is internal to the site and provides compliance with the code requirements.

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

No building elevations or floor plans were submitted at this time. The exterior material of the homes will be stucco and stone, which is aesthetically harmonious with this area and will be compatible.

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

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

PLANNING COMMISSION ACTION

Following 3 protesting speakers, the Planning Commission recommended denial of the project due to access and density incompatibility.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

NOTICES MAILED 160 by Planning Department

APPROVALS 0

PROTESTS 3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5789** APN: 125-35-501-001

Name of Property Owner: _____

Name of Applicant: _____

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

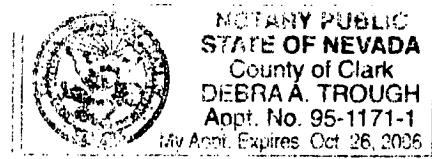
APN: _____

Signature of Property Owner: *William J. Richardson*

Print Name: William J. Richardson

Subscribed and sworn before me

This 13th day of DECEMBER, 2004
Debra A. Trough
Notary Public in and for said County and State



RECEIVED

DEC 14 2004

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5789 APN: 125-35-501-001

Name of Property Owner: Orlo E. Cox

Name of Applicant: William Richardson, Gaughan Richardson Dev.

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

Yes

 X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner:

Print Name: ORLO E Cox JR

Subscribed and sworn before me

This 16th day of Dec., 2009

Carol L. Schulteis
Notary Public in and for said County and State

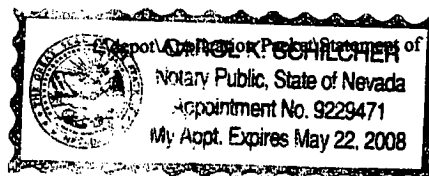
County of Clark

County of Clark
State of Nevada
Revised 12-03-04

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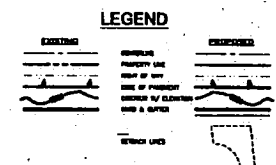
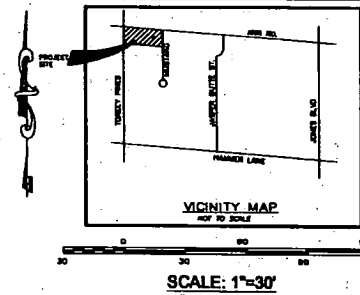
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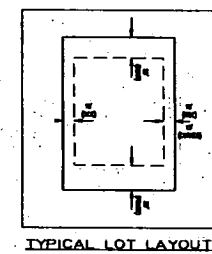
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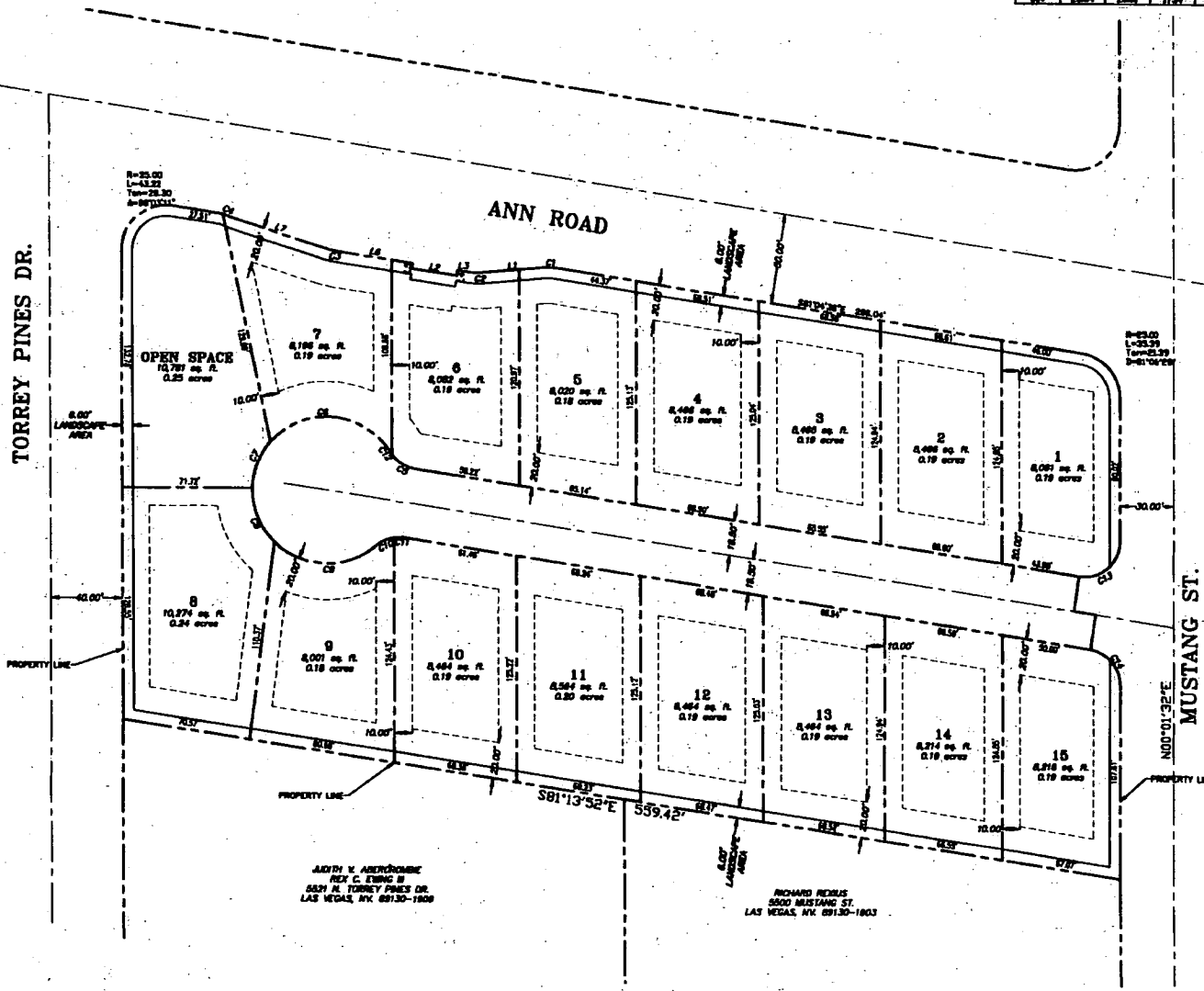


OWNER:
JPL ENGINEERING INC.
100 SOUTH EASTERN AVE, SUITE 8
LAS VEGAS, NV 89123
Phone (702) 886-4288 • Fax (702) 886-0847

SITE DATA:
PROPOSED 15 LOT RESIDENTIAL SUBDIVISION
APR 125-35-001-001
EXISTING ZONING: R-1
PROPOSED ZONING: RPD-3
LOT AREA (GROSS): APPROX. 4.47 ACRES
DENSITY OF THE SUBDIVISION: 4 UNITS/AC



TORREY PINES DR.



VAR-5952
ZON-5788
WVR-5790
SDR-5789
03-10-05 PC
REVISED 02-22-05

RECEIVED
FEB 22 2005

JPL ENGINEERING INC.

ANN & TORREY PINES

JOB #
SHEET NO.:
S1
1 OF 1 SHEETS



VAR-5952, ZON-5788, WVR-5790 & SDR-5789 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT
- OWNER: COX FAMILY TRUST
SOUTHEAST CORNER OF ANN ROAD AND TORREY PINES DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



VAR-5952, ZON-5788, WVR-5790 & SDR-5789 - APPLICANT: GAUGHAN RICHARDSON DEVELOPMENT
- OWNER: COX FAMILY TRUST
SOUTHEAST CORNER OF ANN ROAD AND TORREY PINES DRIVE
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05

8620 S. Eastern Ave., Suite 8
Las Vegas, NV 89123

December 7, 2004

Current Planning Division
City of Las Vegas
731 south 4th Street
Las Vegas, NV 89101

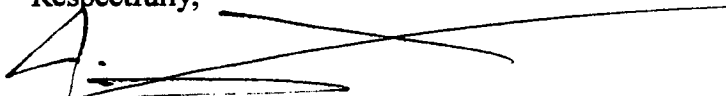
RE: Site Development Plan for parcel (3.73 acres +/-) located at the northwest corner of Ann Road and Torrey Pines Dr. (APN 125-35-501-001)

The intent of this letter is to request a site Development Review for the above referenced site. The proposed development is a 15-lot subdivision located at the northwest corner of Ann Rd. and Torrey Pines Dr. The request is in conjunction with a zone change from R-E to R-PD3 to both of which designates 3.5 units per acre density. Lots sizes are approximately 8300 sq-feet and there are similar type developments (R1) to the south northwest and east. The site will conform to all landscaping requirements including 6-foot landscaping buffer around the perimeter and approximately 10,700 sq-ft of open space.

Lots only are being developed at this time but it is anticipated that the future typical homes in this development are anticipated to be 1 and 2 story homes 2000 to 4000 square feet with landscaped front yards and stucco and rock façade finishes.

We sincerely hope that these requests will be reviewed and considered. Please contact me at 898-6269 if you have any questions or concerns.

Respectfully,



James P. Lopez, P.E.
President
JPL Engineering, Inc.

RECEIVED

DEC 14 2004

JPL/JJL

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-6028 - PUBLIC HEARING - APPLICANT: TIM C. AYALA - OWNER: REYES G. PALACIOS -
Request for a Variance TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE TEN FEET IS
THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION on 0.50 acres at 729
Clarkway Drive (APN 139-28-301-017), R-E (Residence Estates) Zone, Ward 5 (Weekly). Staff
recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - ABEYANCE to 4/20/2005 - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing Open.

The applicant was not present.

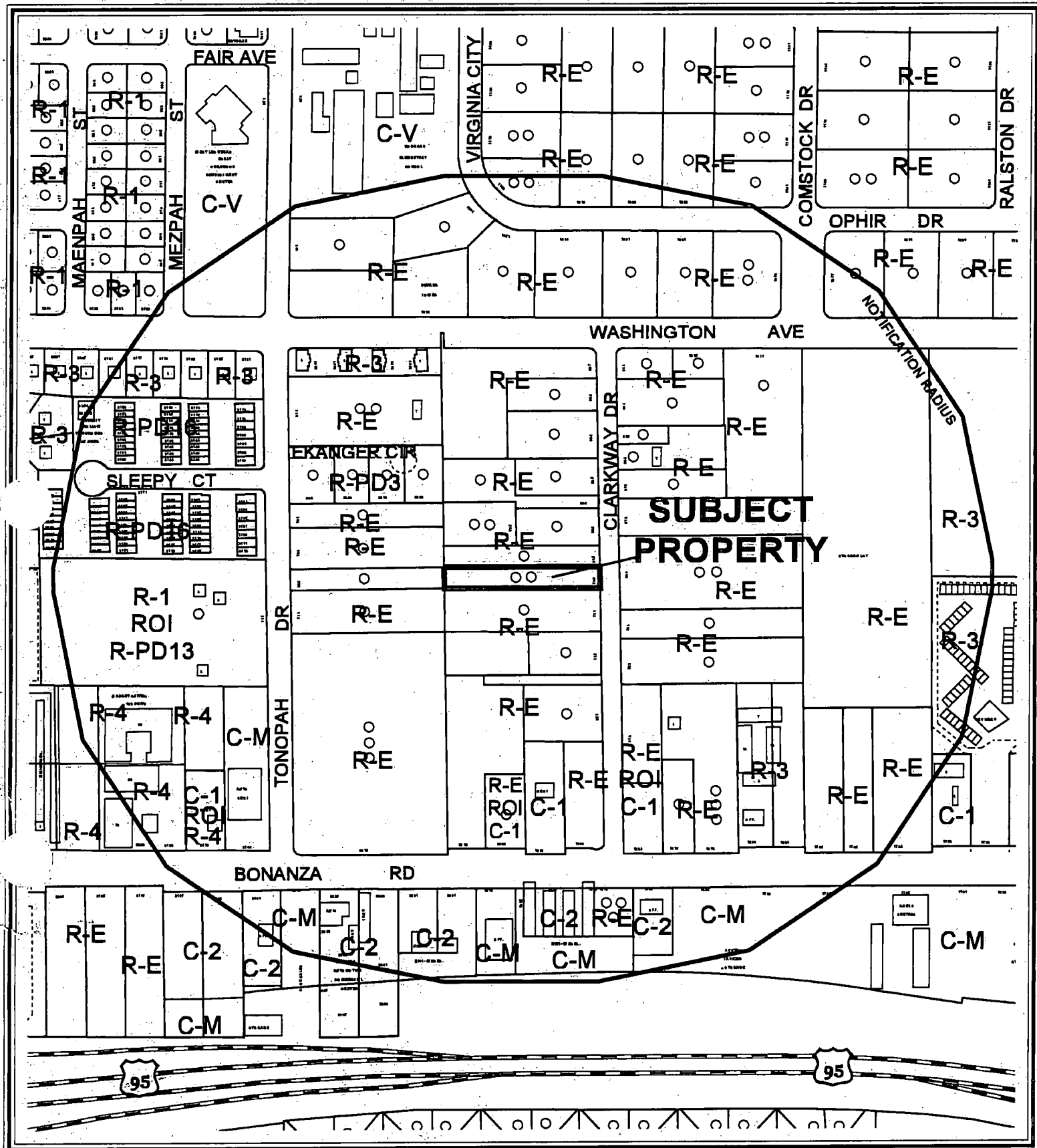
**COUNCILMAN WEEKLY requested an abeyance because he did not get an opportunity to meet with
the applicant to discuss the subject application.**

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(5:40 - 5:41)

6-2220



CASE: **VAR-6028**

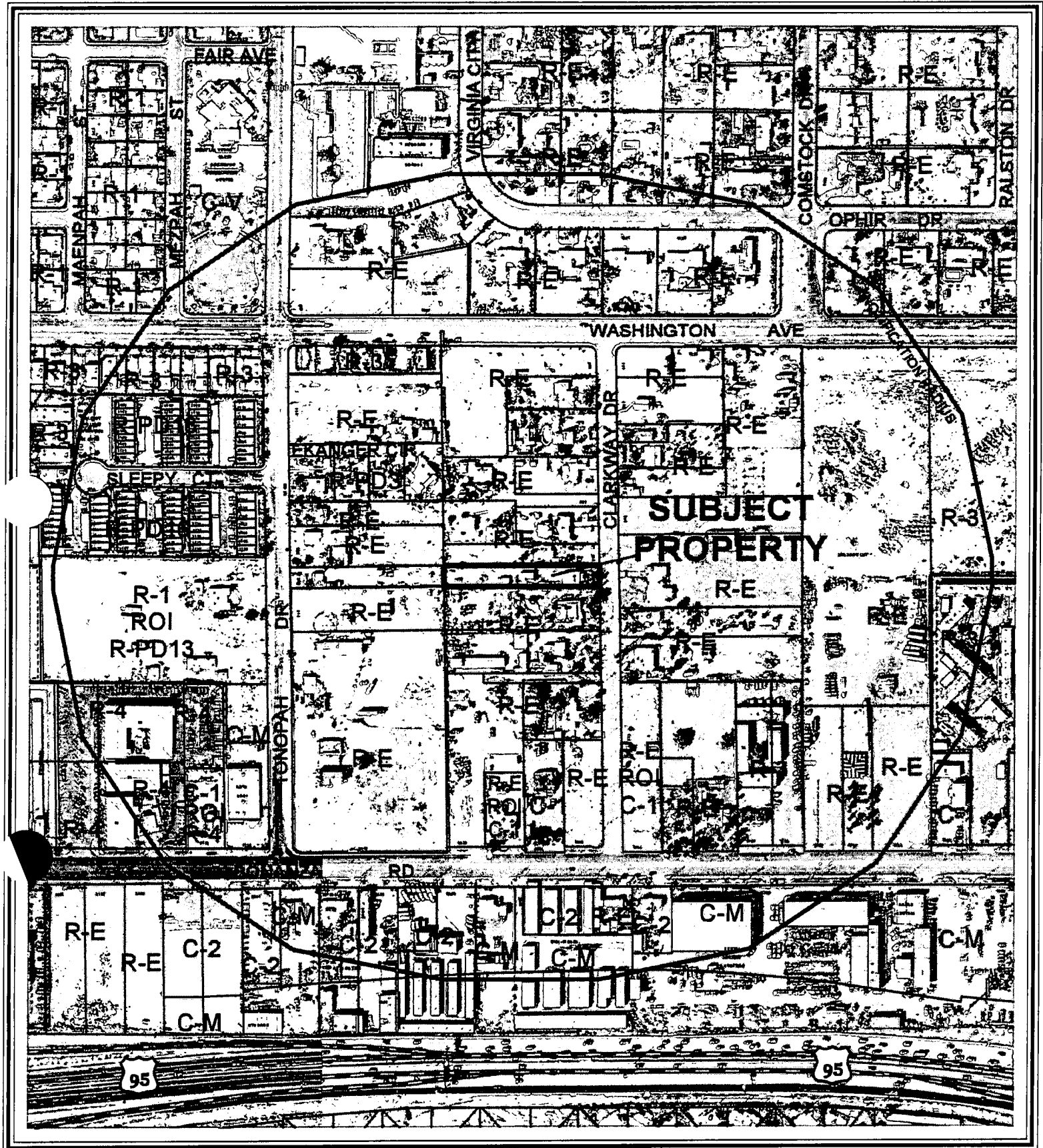
RADIUS: 1000 FT

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

0 300 600 Feet

120

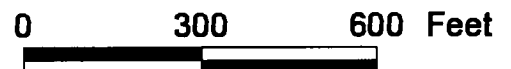




CASE: VAR-6028

RADIUS: 1000 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6028 - APPLICANT: TIM C. AYALA - OWNER: REYES G. PALACIOS

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a five-foot side yard setback where ten feet is the minimum required for a proposed room addition on 0.50 acres at 729 Clarkway Drive.

B) Applicant's Justification

The applicant indicates that the home has been in existence for 40 years and would like to expand their residence.

BACKGROUND INFORMATION

A) Related Actions

There are no related actions related to the subject site.

03/10/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #28/bts).

B) Pre-Application Meeting

- 12/28/04 The following items were discussed at the pre-application meeting:
- Existing home constructed in 1961 is 1,006 square feet.
 - The room addition is 25' x 30' (exceeds 50% of the original building footprint).
 - The existing home is on a non-conforming lot.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.50 acres

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
 North: R-E (Residence Estates)
 South: R-E (Residence Estates)
 East: R-E (Residence Estates)
 West: R-E (Residence Estates)

E) General Plan Compliance

The subject site is currently designated on the Southeast Sector of the General Plan as L (Low Density Residential). The Low Density Residential category allows a maximum of 5.5 dwelling units per acres. This category permits single-family detached homes, mobile homes on individual lots, gardening, home occupations, and family child care facilities. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. This site plan conforms to the companion-zoning district.

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

West Las Vegas Plan

The subject site is located within the West Las Vegas Plan area, which is currently under review. The Plan conforms to the General Plan designation with respect to this site.

Airport Overlay

The subject site is located in the North Las Vegas Airport Overlay, which limits heights in this area to 140 feet without further F.A.A. review. The subject request complies with this provision, since the home is only 12 feet in height.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	20,000 SF	21,780 SF	Y
Min. Lot Width	100 Feet	54 Feet	N
Min. Setbacks			
• Front	50 Feet	30 Feet	N*
• Side (north)	10 Feet	10 Feet	Y
• Corner (south)	10 Feet	5 Feet	N
• Rear	35 Feet	278 Feet	Y
Max. Lot Coverage	N/A	N/A	Y
Max. Building Height	2 Stories / 35 Feet	1 Story / 12 Feet	Y

* A Variance is required for the five-foot side setback from the south property line.

A2) Residential Adjacency Standards

Residential Adjacency Standards do not apply to the subject site.

B) General Analysis and Discussion

The existing 40-year old home and lot are both legal and non-conforming. The home is located five feet from the southern property line. Any proposed changes to the home, which are outside of the Title 19.08 Development Standards, require a Variance. The existing home and proposed expansion are five feet from the southern property line, where ten feet is required in an R-E (Residence Estates) Zone. The proposed 750 square-foot addition will perpetuate this non-conformity, which results in the subject Variance request.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

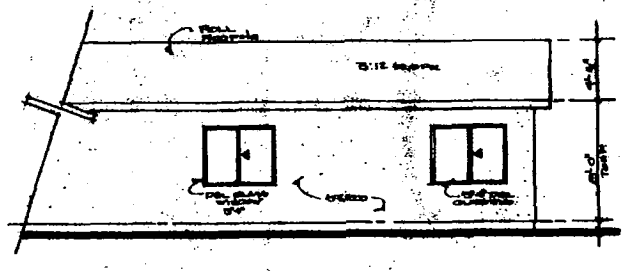
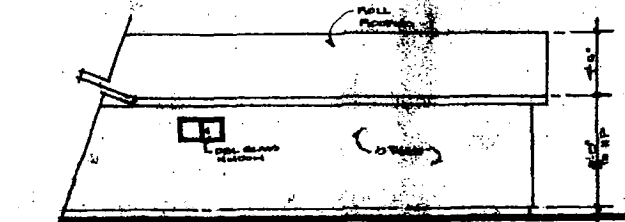
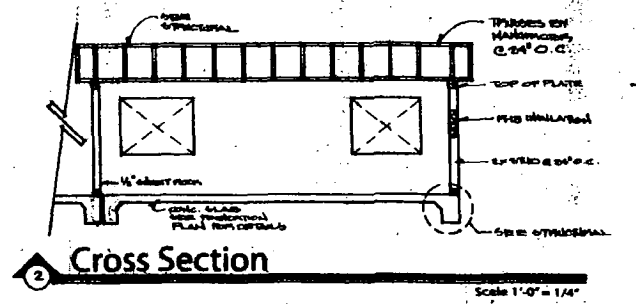
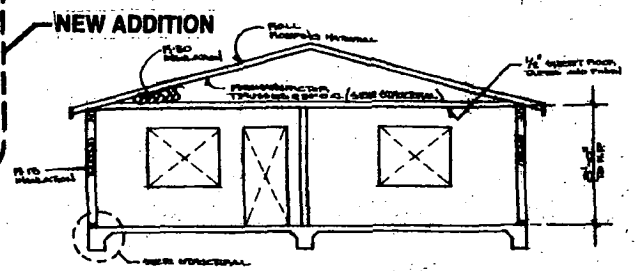
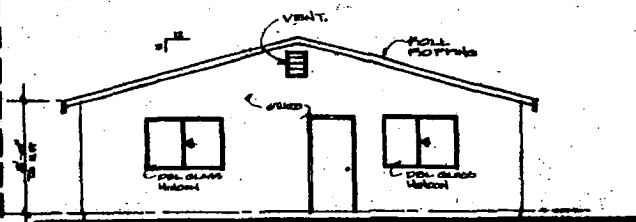
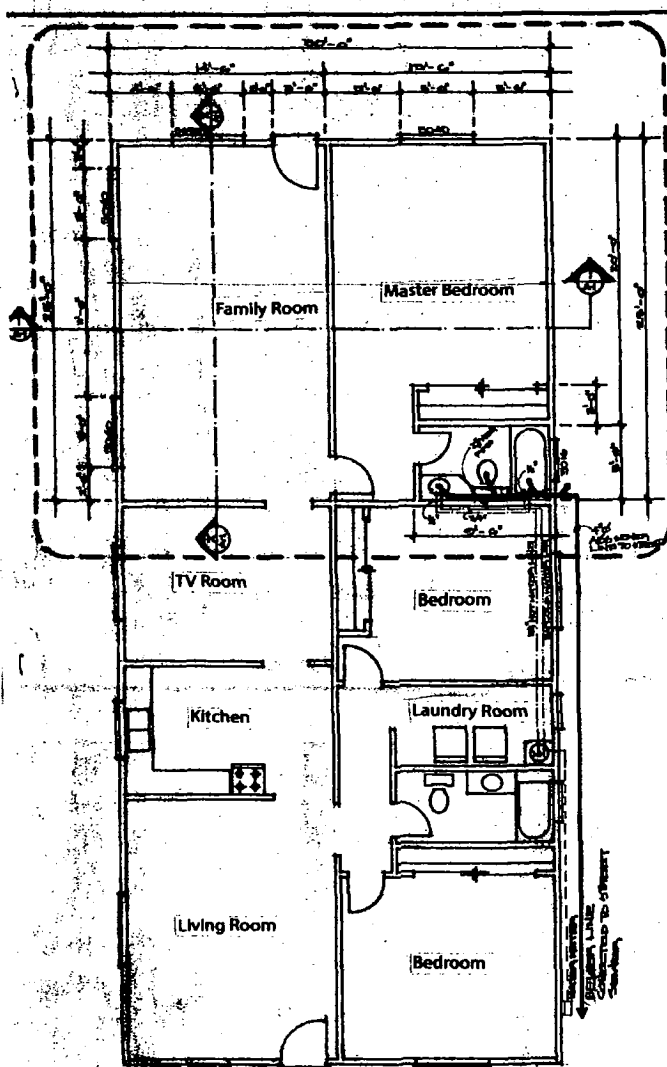
No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to encroach into a side setback and perpetuate a non-conformity, by proposing to add an additional 750 square feet to the existing house. Alternative design utilizing a conforming setback and a smaller building addition would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 220 by City Clerk

APPROVALS 0

PROTESTS 0



Master Bedroom Addition

Nov 24, 2004

Reyes G. Palacios
729 Clark Way Dr.
Las Vegas Nevada

A-1

VAR-6028
03-10-05 PC



SCALE 1'-0" = 1/4"



Scale 1'-0" = 1/4"

ELECTRICAL PANEL CALCULATIONS

(a) General lighting load: 1,600 sq. ft. x 3 Volt-Amperes = 4,800 VA

(b) Small appliance circuit(s) of 1,500 VA each = 3,000 VA

(c) Laundry (wash machine) = 1,500 VA

(d) Subtotal 1(a + b + c) = 9,300 VA

(e) Add 3,000 VA of Subtotal up to 100% = 3,000 VA

(f) Branchcircuit subtotal (9,300 + 3,000 = 12,300) Subtotal (1230) = 3,486 VA

(g) Demand Factor (Table 24) 1230 = 0 VA

Final Circuiting Appliance(s)

From name plate from Table 220-79

_____ = 0 VA

(h) Dryer load 100 VA x _____ GFCI Rating 230-18 = 6,465 VA

(i) Subtotal (e + f + g + h) = 12,992 VA

(j) Heating A/C _____ VA

AC-1 _____ VA

AC-2 _____ VA

_____ VA

_____ VA

_____ VA = 14,800 VA

Final Appliance Use 100%, 84 or more use 75 %

(1) Branch Circuit _____ 1/648 Weather Min.

(2) Branch Comp _____

(3) Microservice _____

(4) Subtotal (1 + 2 + 3) = 2,760 VA

(5) Branchcircuit Breaker Circuit Rating _____ VA

_____ = 25 % LM

Grand Total (h + i + j) = 34,365 VA

Added Volt Amps 34,365 divide by 240 Volts = 143 AMPs

TOTAL DED. AMP CIRCUIT AND CAPACITY RESERVED FOR LARGE APPLS.



SCALE 1"=20'

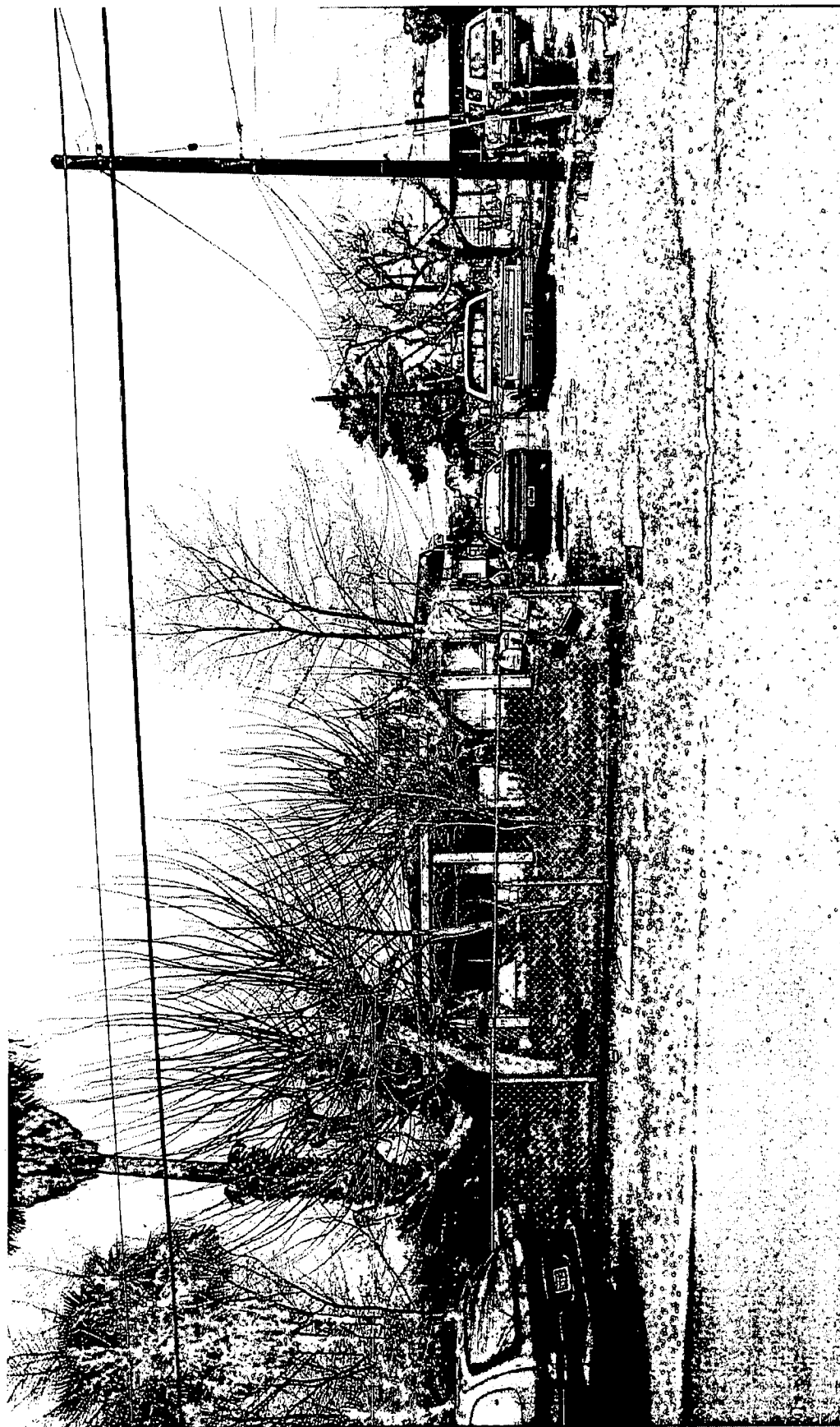
VAR-6028
03-10-05 PC

1,00659 FT

Royce G. Palacios
7720 Clarkway Drive
Las Vegas, Nevada

Mechanical
Electrical Plan

A-2



VAR-6028 - APPLICANT: TIM C. AYALA - OWNER: REYES G. PALACIOS
729 CLARKWAY DRIVE
MARCH 10, 2005 PLANNING COMMISSION

02/22/05

TC Ayala Planning & Development
4600 Sunset Rd. Ste. 148
Henderson, Nevada 89014

City of Las Vegas
Planning Department
Las Vegas, Nevada

December 27, 2004

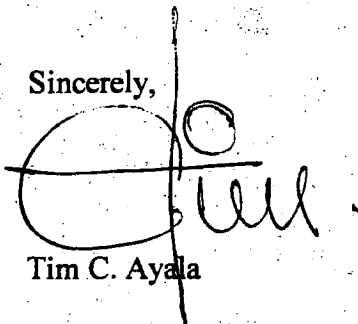
APN. # 139-28-301-017
129 Clarkway Drive

To Whom It May Concern:

I am writing this letter to inform your department of the purpose of our application. My client would like to submit an application for a variance in order to reduce the side setback on the property to 5 feet where 10 feet are required. The parcel is an R-E Residential Zone, according to your guidelines this parcel doesn't meet the R-E criteria and it's a nonconforming parcel. The existing home has been on this property for more than 40 years and now my client needs to expand his residence in order to have a Family Room. This type of adjustment has been granted by the City to other projects and that is why we respectfully ask for your approval of this application.

Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim C. Ayala', is written over a horizontal line. The signature is stylized with a large 'T' and a cursive 'C'.

Tim C. Ayala

VAR-6028

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-6030 - PUBLIC HEARING - APPLICANT: LLOYD BAKER - OWNER: BAKER LAW OFFICES, P.C. - Request for a Variance TO ALLOW 14 PARKING SPACES WHERE 18 SPACES ARE THE MINIMUM NUMBER OF SPACES REQUIRED FOR A PROPOSED OFFICE DEVELOPMENT on 0.25 acres adjacent to the southwest corner of 8th Street and Clark Avenue (APN 139-34-710-048), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS

NOTE: COUNCILMAN WOLFSON disclosed he owns an office building located within the notification radius; however, he does not believe the property value of his property will increase or decrease any differently than anybody else's, therefore he would vote on these items.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 121 [VAR-6030] and Item 122 [SDR-6026].

DEAN BRYAN, 308 South 11th Street, appeared with the applicant, LLOYD BAKER, 333 North Rancho Drive, Suite #830. MR. BRYAN stated that many issues raised were addressed, including being willing to add several trees on the site. MR. BRYAN presented a site plan depicting a brick building with the facade of white stucco cornice element with a pitched roof in the middle with two big columns out front. The aesthetic of the building will add to the neighborhood. Its residential characteristics include shutters around the windows, and will be a positive addition to the neighborhood. Almost every lot at this particular location are owned by other attorney firms.

COUNCILWOMAN TARKANIAN commented that the difference of four parking spaces would not mean so much, but considering the size of the lot, four spaces are a lot. The office is across from the

CITY COUNCIL MEETING OF: APRIL 6, 2005

MINUTES - Continued:

Las Vegas Academy and there are parking problems on that street. She asked if additional parking spaces could be obtained. MR. BRYAN disagreed and stated that the City is planning on making Clark Street a one-way street. Currently, in preparation for that plan, both sides of the street are metered parking. No cars or construction traffic park there because of the meters. Unfortunately, this is a corner lot and access is off of Clark Street. If the ingress and egress were to be off the alley three parking spaces would be lost. MR. BAKER added that the academy has a parking area across from the building.

COUNCILWOMAN TARKANIAN asked what changes have been made to the landscaping. MR. BRYAN replied that at the Planning Commission meeting he agreed to add four additional trees. Additionally, instead of planting 24-inch box trees, 36-inch box trees will be planted on the entire project. It is true that the corner does not have any trees, but adding more mature trees and four additional trees will make the lot more appealing.

MAYOR GOODMAN declared the Public Hearing closed on Item 121 [VAR-6030] and Item 122 [SDR-6026].

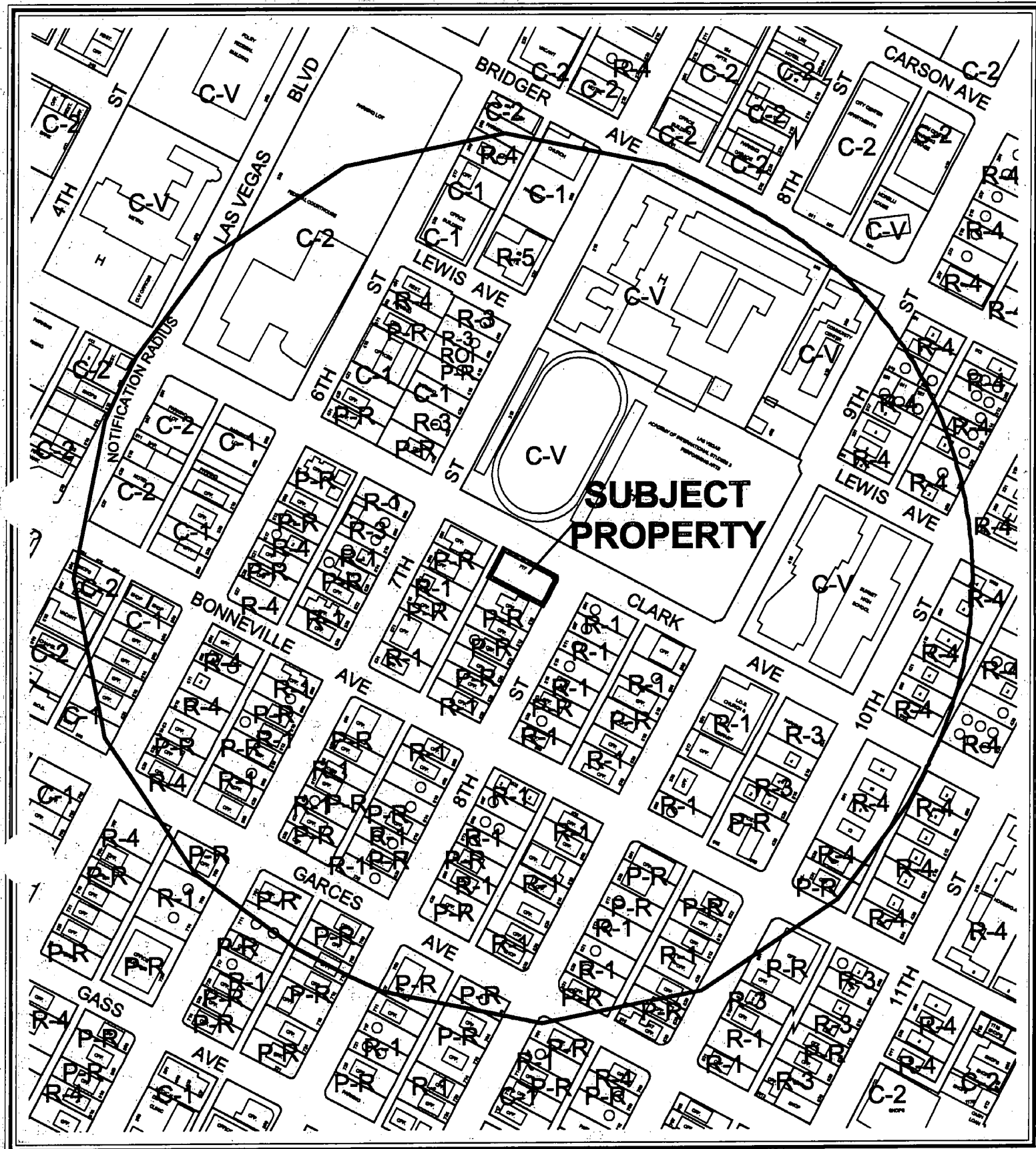
(5:41 - 5:49)

6-2271

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-6026).
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-6030

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO
P-R (PROFESSIONAL OFFICE AND PARKING)

0 300 600 Feet

121



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6030 - APPLICANT: LLOYD BAKER - OWNER: BAKER
LAW OFFICES, P.C.

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-6026).
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 14 parking spaces where 18 spaces minimum are required for a proposed office development on 0.25 acres adjacent to the southwest corner of 8th Street and Clark Avenue.

B) Applicant's Justification

The applicant justifies their request by stating that the law office as proposed is a compatible use for the area.

BACKGROUND INFORMATION

A) Related Actions

- 07/01/86 The Board of Zoning Adjustment approved a request for a Variance (V-0056-86) for a 6-foot high wrought iron fence in the front yard where 4 feet is the maximum height allowed. Staff recommended denial of the subject request.
- 01/19/00 The City Council approved a Rezoning (Z-0070-99) from R-1 (Single-Family Residential) to P-R (Professional Office and Parking) on the subject site. Staff recommended approval. The Planning Commission recommended approval on 12/02/99.
- 03/06/02 The City Council approved an Extension of Time [Z-0070-99(1)] on the approved Rezoning (Z-0070-99) on the subject property. A Condition of Approval set an expiration date two years after the date of approval of the Extension of Time. Staff recommended approval. The Planning Commission recommended approval on 01/24/02.
- 12/19/03 A building permit was issued to demolish the existing house on the property. The site is now vacant.
- 04/07/04 The City Council approved a request for a second Reinstatement and Extension of Time on an approved Rezoning (Z-0070-99) on 0.25 acres at 717 Clark Avenue. The current extension expired on March 6, 2004. Staff recommended approval of the subject request.
- 03/10/05 The Planning Commission recommended approval of a related item (SDR-6026).
- 03/10/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #26/bts).

B) Pre-Application Meeting

- 01/13/05 The following items were discussed at the pre-application conference:
- Foundation landscaping – 6' between the building, sidewalk, and parking area.
 - 15' perimeter buffer at front and corner
 - 8' perimeter buffer at the rear of the building
 - 1 tree is required every six spaces in the parking area
 - Parking is required at 1:300 sf.
 - Traffic: Clark/Bonneville 1-way couplet, radius on driveway, impact fee, and no traffic study
 - Public Works: Reversionary map may be required, radius may be required, bring off sites up to code, and landscape encroachments.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.25

B) Existing Land Use

Subject Property: Undeveloped
North: Performing Arts Building
South: Office
East: Single Family Dwelling
West: Office

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

This site is located within the Las Vegas Redevelopment Plan area. The P-R (Professional Offices and Parking) Zoning designation is in compliance with the Southeast Sector of the General Plan and the Las Vegas Redevelopment Plan.

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

Redevelopment Plan Area

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

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	60 Feet	75 Feet	Y
Min. Setbacks			
• Front	20 Feet	10 Feet	N
• Side	5 Feet	1-Foot	N
• Corner	15 Feet	10 Feet	N
• Rear	15 Feet	74 Feet	Y
Max. Lot Coverage	50 %	49%	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories /40.5 Feet*	Y
Trash Enclosure	50-feet from R Zone	54 feet	Y

* The proposed building meets the maximum building height requirements. The average height level for the gable style roof is measured between the eaves and ridge-line of a gable, hip, or gambrel roof.

* The proposed building fails to meet the front, side, and corner setback standards. The associated Site Development Plan Review (SDR-6026), requests waivers of the setback standards.

A2) Residential Adjacency Standards

The property is located within the boundaries of the Las Vegas Redevelopment Area. Therefore, Residential Adjacency Standards do not apply to the subject site.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office, other than listed	5,362 SF.	1/300 GFA	18	1	14	1

The proposed site is deficient four parking spaces pursuant to Title 19.10 Parking Standards.

Public Works supports present City Code parking requirements; therefore Public Works cannot support the variance request to allow 14 parking spaces where 18 spaces are the minimum allowed for property located on the southwest corner of 8th Street and Clark Avenue.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Space	3 Trees	2 Trees
Buffer:	1 Trees/ 30 Linear Feet	8 Trees	10 Trees
• Min. Trees	15 Feet		8 Feet*
• Min. Zone Width (front)	8 Feet		10 Feet
• Side (east)	8 Feet		0 Feet
• Side (west)	8 Feet		1 Feet
• Rear (south)	8 Feet		6 Feet
• Wall height	8 Feet		

* The proposed site fails to meet all, but one buffer requirement. The minimum zone width required in the front yard is 15 feet. A portion of the front buffer is shown at 8 feet and 0 feet. The associated Site Development Plan Review (SDR-6026) is requesting Waivers of the landscaping standards.

B) General Analysis and Discussion

The applicant is requesting approval of 14 parking spaces where 18 are required. The proposed two-story 5,362 square-foot office building is located on the southwest corner of Clark Avenue and 8th Street. The size of the building is inappropriate for the existing site. A smaller building would eliminate the need for a parking Variance. The site is clearly overbuilt and does not warrant approval of the Variance or the associated Site Development Plan Review and Waivers.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to overbuild a site that is relatively small for the use envisioned. Alternative design utilizing a smaller building footprint would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

PLANNING COMMISSION ACTION

The Planning Commission believes that the number of parking spaces proposed will be adequate for the development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

22

NOTICES MAILED 173 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-6030 APN: 13934710048
Name of Property Owner: Lloyd Baker
Name of Applicant: Lloyd Baker

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: Lloyd W Baker

Print Name: Lloyd W Baker

Subscribed and sworn before me

This 25th day of January, 2005

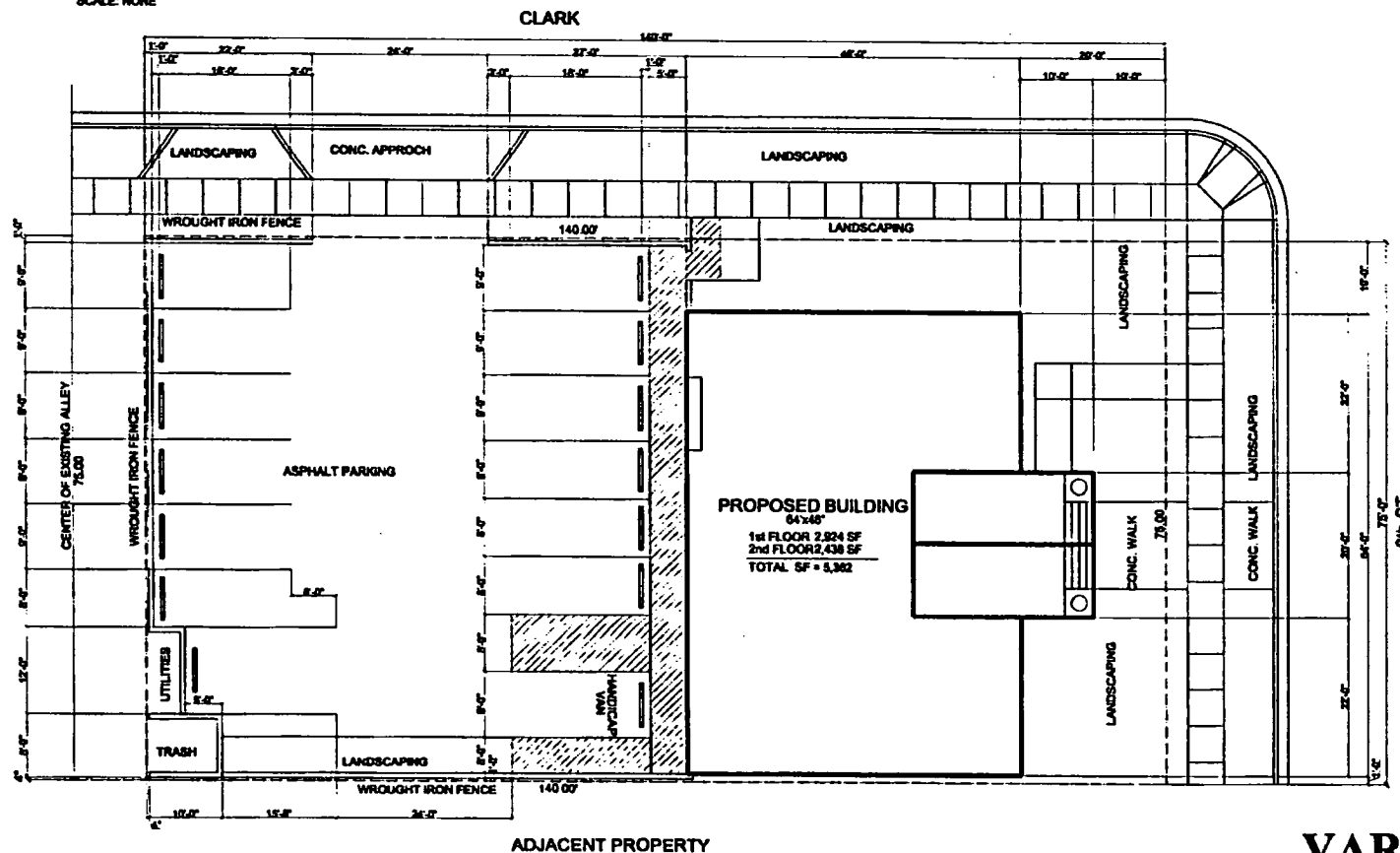
Karen Wilson
Notary Public in and for said County and State





FENCE DETAIL

SCALE: NONE

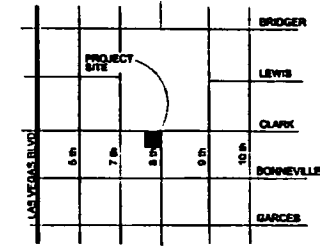


ARCHITECTURAL SITE PLAN

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

PARKING REQUIREMENTS

REQUIRED PARKING:
5,362 SF / 200 = 17.67 OR 18 SPACES
PROVIDED PARKING:
1 HC - VAN SPACE
4 COMPACT SPACES
8 STANDARD SPACES
14 TOTAL SPACES



VICINITY MAP

SCALE: NONE

CODE ANALYSIS ADDITION

OCCUPANCY CLASSIFICATION
TYPE OF CONSTRUCTION
OCCUPANT LOAD

	HEIGHT	STORIES	AREA
ACTUAL:	40'-0" ± 1	2	5,362 SF
ALLOWABLE:	UNLIM.	2	UNLIMITED

EXTS:	
REQUIRED	2
PROVIDED	2

FIRE SPRINKLERS: YES ☐ NO ☒
SPECIAL INSPECTIONS: YES ☐ NO ☒

PARCEL NO.: 13934710048

CODE - TYPE - YEAR: 2003 IBC, 2000 UPC, 2000 UMC,
2002 NEC, SOUTHERN NEVADA AMENDMENTS
AND THE 1993 MODEL ENERGY CODE

CLIMATE & GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD: NONE
WIND SPEED: 90 mph
SEISMIC ZONE: B
WEATHERING: REG.
FROST DEPTH: 12"
TEMPERATURE: MODERATE TO HEAVY
DECAY: NONE
WINTER DESIGN TEMP.: BY BUILDING OFFICIAL
FLOOD HAZARD: BY BUILDING OFFICIAL

VAR-6030
SDR-6026
03-10-05 PC

REVISIONS	BY

BRYAN CONSTRUCTION
STATE LICENSE # 27814
200 S. 11th
LAS VEGAS, NEVADA
(702) 363-7127
Fax: (702) 363-7070

ARCHITECTURAL SITE PLAN
BAKER LAW OFFICE
500 S. 8th STREET
LAS VEGAS, NEVADA

A1



January 25, 2005

Planning & Development
400 East Stewart
Las Vegas, NV 89101

REFERENCE: Baker Law Offices
500 So. 8th Street
Las Vegas, NV 89101
APN: 139-34-710-048

SUBJECT: Variance Letter

Dear Planning & Development Staff:

As stated in our Justification letter regarding the Site Development Plan Review, this neighborhood is full of new and old Law Office Buildings. This proposed 5362 SF building requires 18 parking spaces where 14 have been provided.

Notwithstanding that this similar type of request has been made and granted before, I add another reason for this one, which is not commonly found. We have reduced the depth of the building to allow an additional 6' separating the back up and pull out of the parking cars.

Please waive the Landscaping requirements every 6 stalls. This would eliminate 2 spaces if required.

Please allow this and similar type of downtown parking to be approved.

Should you have any questions or suggestions, please call me at 379-9866 or 362-7127.

Sincerely,

BRYAN CONSTRUCTION, INC.

A handwritten signature in dark ink, appearing to read "R. Dean Bryan", is written over the printed name.

R. Dean Bryan
President

VAR-6030

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 VAR-6030**

SDR-6026 - PUBLIC HEARING - APPLICANT: LLOYD BAKER - OWNER: BAKER LAW OFFICES, P.C. - Request for a Site Development Plan Review FOR A 5,362 SQUARE-FOOT OFFICE DEVELOPMENT AND WAIVERS OF THE SETBACK, LANDSCAPE BUFFER STANDARDS AND PARKING LOT LANDSCAPE STANDARDS on 0.25 acres adjacent to the southwest corner of 8th Street and Clark Avenue (APN 139-34-710-048), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

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

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

BACKUP DOCUMENTATION:

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

MOTION:**TARKANIAN - APPROVED subject to conditions - UNANIMOUS**

NOTE: COUNCILMAN WOLFSON disclosed he owns an office building that is within the notification radius; however, he does not believe the property value of his property will increase or decrease any differently than anybody else's, therefore he would vote on these items.

MINUTES:

NOTE: See Item 121 [VAR-6030] for all related discussion.

(5:41 - 5:49)

6-2271

CONDITIONS:

Planning and Development

1. Waivers of the setback and landscaping standards shall be granted.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. All development shall be in conformance with the site plan and building elevations, date stamped

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

01/25/05 except as amended by conditions herein.

5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the minimum number of trees and minimum number of shrubs to meet code standards.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

Public Works

14. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such mapping is required, it should record prior to the issuance of any building permits for this site.
15. Coordinate with the City Engineer's office to identify and mitigate possible impacts from the proposed Bonneville/Clark Couplet Project.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if

CITY COUNCIL MEETING OF: APRIL 6, 2005

CONDITIONS - Continued:

any, and replace with new improvements meeting current City Standards concurrent with development of this site.

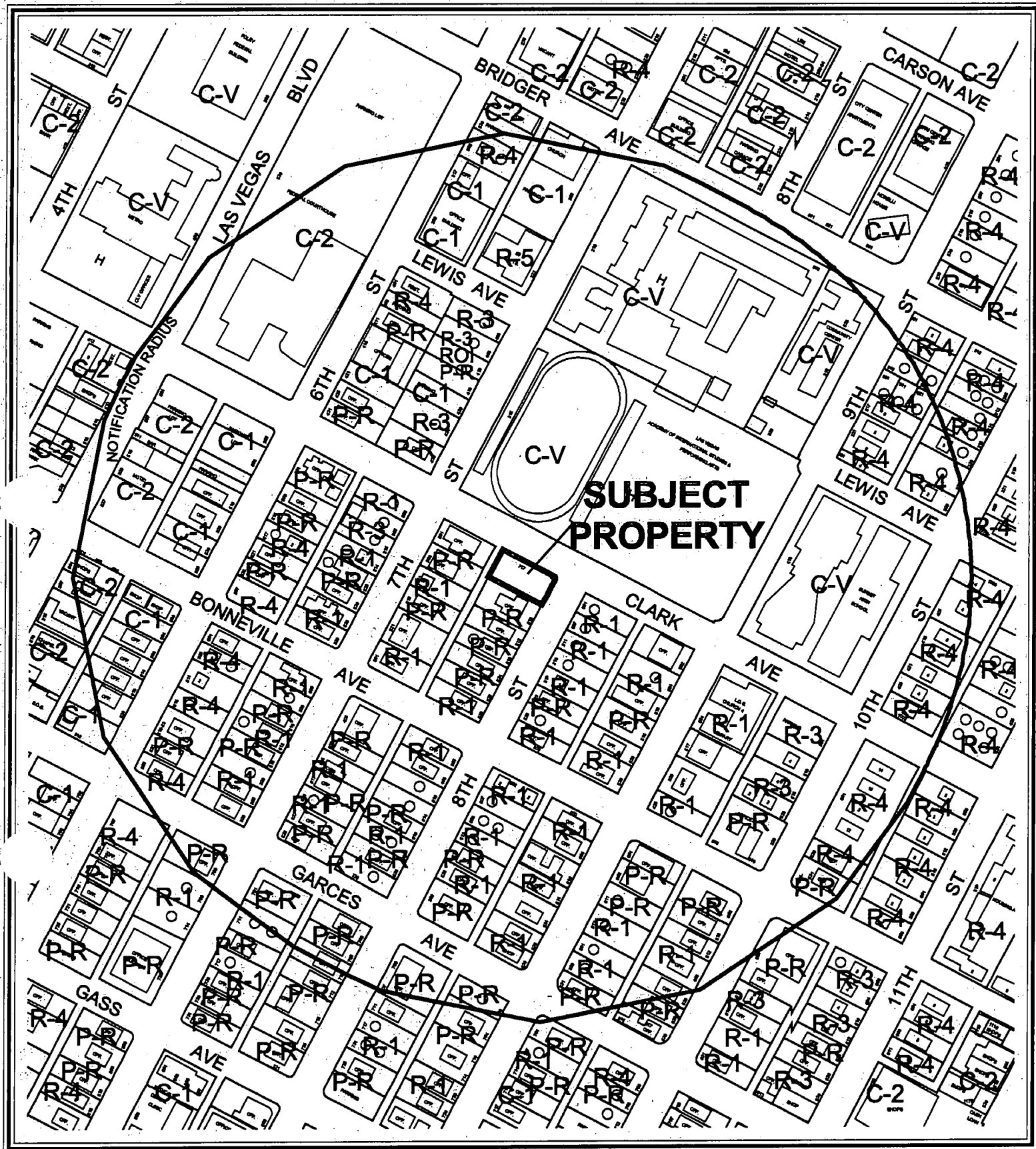
17. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

18. The proposed driveway, if gated, shall remain fully opened during hours of operation.

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

20. Landscape and maintain all unimproved right(s) of way adjacent to this site.

21. 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.



CASE: SDR-6026

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO
P-R (PROFESSIONAL OFFICE AND PARKING)

0 300 600 Feet

122



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6026 - APPLICANT: LLOYD BAKER - OWNER: BAKER
LAW OFFICES, P.C.

**** CONDITIONS ****

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

Planning and Development

1. Waivers of the setback and landscaping standards shall be granted.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. All development shall be in conformance with the site plan and building elevations, date stamped 01/25/05 except as amended by conditions herein.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the minimum number of trees and minimum number of shrubs to meet code standards.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.

11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

Public Works

14. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such mapping is required, it should record prior to the issuance of any building permits for this site.
15. Coordinate with the City Engineer's office to identify and mitigate possible impacts from the proposed Bonneville/Clark Couplet Project.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
17. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
18. The proposed driveway, if gated, shall remain fully opened during hours of operation.
19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
20. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.
21. 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and Waivers of the Setback and Landscaping Standards for a 5,362 square-foot office development on 0.25 acres adjacent to the southwest corner of 8th Street and Clark Avenue.

B) Applicant's Justification

The applicant justifies their request by stating that the law office as proposed is a compatible use for the area.

BACKGROUND INFORMATION

A) Related Actions

- 07/01/86 The Board of Zoning Adjustment approved a request for a Variance (V-0056-86) for a 6-foot high wrought iron fence in the front yard where 4 feet is the maximum height allowed. Staff recommended denial of the subject request.
- 01/19/00 The City Council approved a Rezoning (Z-0070-99) from R-1 (Single-Family Residential) to P-R (Professional Office and Parking) on the subject site. Staff recommended approval. The Planning Commission recommended approval on 12/02/99.
- 03/06/02 The City Council approved an Extension of Time [Z-0070-99(1)] on the approved Rezoning (Z-0070-99) on the subject property. A Condition of Approval set an expiration date two years after the date of approval of the Extension of Time. Staff recommended approval. The Planning Commission recommended approval on 01/24/02.
- 12/19/03 A building permit was issued to demolish the existing house on the property. The site is now vacant.
- 04/07/04 The City Council approved a request for a second Reinstatement and Extension of Time on an approved Rezoning (Z-0070-99) on 0.25 acres at 717 Clark Avenue. The current extension expired on March 6, 2004. Staff recommended approval of the subject request.
- 03/10/05 The Planning Commission recommended approval of a related item (VAR-6030).
- 03/10/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #27).

B) Pre-Application Meeting

01/13/05

The following items were discussed at the pre-application conference:

- Foundation landscaping – 6' between the building, sidewalk, and parking area.
- 15' perimeter buffer at front and corner
- 8' perimeter buffer at the rear of the building
- 1 tree is required every six spaces in the parking area
- Parking is required at 1:300 sf.
- Traffic: Clark/Bonneville 1-way couplet, radius on driveway, impact fee, and no traffic study
- Public Works: Reversionary map may be required, radius may be required, bring off sites up to code, and landscape encroachments.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.25

B) Existing Land Use

Subject Property: Undeveloped
North: Performing Arts Building
South: Office
East: Single Family Residential
West: Office

C) *Planned Land Use*

Subject Property:	MXU (Mixed-Use)
North:	MXU (Mixed-Use)
South:	MXU (Mixed-Use)
East:	MXU (Mixed-Use)
West:	PF (Public Facilities)

D) Existing Zoning

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

North: C-V (Civic)

South: P-R (Professional Office and Parking)

East: R-1 (Single Family Residential)

West: P-R (Professional Office and Parking)

E) General Plan Compliance

This site is located within the Las Vegas Redevelopment Plan area. The P-R (Professional Offices and Parking) Zoning designation is in compliance with the Southeast Sector of the General Plan and the Las Vegas Redevelopment Plan.

PROJECT DESCRIPTION

The proposed office development is located on the corner of 8th Street and Clark Avenue. The proposed two-story building is 40 feet six inches in height and totals 5,362 square feet. The site is accessed from Clark Avenue and provides 14 parking spaces where 18 are required. An associated Variance (VAR-6030) for parking requests this reduction.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	60 Feet	75 Feet	Y
Min. Setbacks			
• Front	20 Feet	10 Feet	N
• Side	5 Feet	1-Foot	N
• Corner	15 Feet	10 Feet	N
• Rear	15 Feet	74 Feet	Y
Max. Lot Coverage	50 %	49%	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories /40.5 Feet*	Y
Trash Enclosure	50-feet from R Zone	54 feet	Y

* The proposed building meets the maximum building height requirements. The average height level is for this gable style roof is measured between the eaves and ridge-line of a gable, hip, or gambrel roof.

* The proposed building fails to meet the front, side, and corner setback standards. The subject Site Development Plan Review (SDR-6026) requests waivers of these setback standards.

A2) Residential Adjacency Standards

The property is located within the boundaries of the Las Vegas Redevelopment Area. Therefore, Residential Adjacency Standards do not apply to the subject site.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office, other than listed	5,362 SF.	1/300 GFA	18	1	14	1

The proposed site is deficient four parking spaces pursuant to Title 19.10 Parking Standards. An associated Variance (VAR-6030) addresses this deficiency.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Space	6 Trees	2 Trees
Buffer:	1 Trees/ 30 Linear Feet	8 Trees	10 Trees
• Min. Trees	15 Feet		8 Feet*
• Min. Zone Width (front)	8 Feet		10 Feet
• Side (east)	8 Feet		0 Feet*
• Side (west)	8 Feet		1 Feet*
• Rear (south)	8 Feet		6 Feet*
• Wall height	8 Feet		

* The proposed site fails to meet all, but one buffer requirement. The minimum zone width required in the front yard is 15 feet. A portion of the front buffer is shown at 8 feet and 0 feet. The applicant is requesting Waivers of the landscaping standards.

B) General Analysis and Discussion

- Zoning

The P-R (Professional Office and Parking) zoning on the site allows for office uses in an area, which is predominantly residential, but because of traffic and other factors is no longer suitable for the continuation of low-density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices. These uses are characterized by a low volume of direct daily client and customer contact. To decrease the impact to adjacent residential uses, single-family structures should be retained or new development in the P-R District should be constructed to maintain a residential character. The P-R District is consistent with the Office category of the General Plan.

- Site Plan

The site plan depicts a two-story 5,362 square-foot office building, located on a 10,890 square-foot lot. Access to the site is provided by one driveway, which is accessed from Clark Avenue.

- **Waivers**

The applicant is requesting Waivers of the landscaping and parking standards. The applicant does not meet the current front and side minimum landscape buffer standards. The site plan does not meet front, side, and corner setback standards. The Waivers of the landscaping and setback standards are not acceptable. The configuration of the site is inappropriate. A more appropriately designed site would eliminate the need for the associated Variance (VAR-6030) and the requested Waivers.

- **Landscape Plan**

The landscape plan depicts 36" box trees and five gallon shrubs. Planting material consists of drought-tolerant trees including African Sumac and Aleppo Pine. Various shrubs and ground cover will be utilized along with boulders and decomposed granite. The landscaping is inadequate for the site as provided. The associated landscape Waivers are inappropriate for the site as it is currently configured.

- **Elevation**

The proposed building is a two-story structure. The exterior of the building consists of brick veneer and a stucco finish. The roof is a standing seam metal roof. Minor architectural features include; shutters around the windows and columns, which are located near the entrance to the building.

- **Floor Plan**

The floor plans consist of a typical arrangement of offices, conference rooms, storage and lavatories.

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 use is incompatible with adjacent development. The proposed development is not compatible with adjacent development, since the site proposes a large building footprint. The site as proposed requires a number of Waivers and an associated parking Variance (VAR-6030).

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

The proposed development is inconsistent with landscape, buffer, and setback standards. The site as proposed fails to meet all but one minimum buffer standards. Additionally, the site fails to meet the landscape standards, which required two parking islands and four additional trees. Finally the front, side, and corner setback standards are inconsistent with Title 19 setback standards.

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

The site is bordered by Clark Avenue and 8th Street. The site is accessed via Clark Avenue, designated a Secondary (80-foot) Collector. The east side of the site is bordered by 8th Street, designated a Secondary (80-foot) Collector. Both Secondary Collectors are designated on the City of Las Vegas Master Plan of Streets and Highways. Both are capable of handling the traffic from this development.

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

The building materials are appropriate for the area of the City, but the landscape materials are inadequate. The Waivers requested on the subject site eliminate the majority of the required landscape materials.

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

The building elevations depict design characteristics that are not unsightly and are harmonious and compatible with development in the area.

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

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

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #6 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

22

NOTICES MAILED 172 by Planning Department

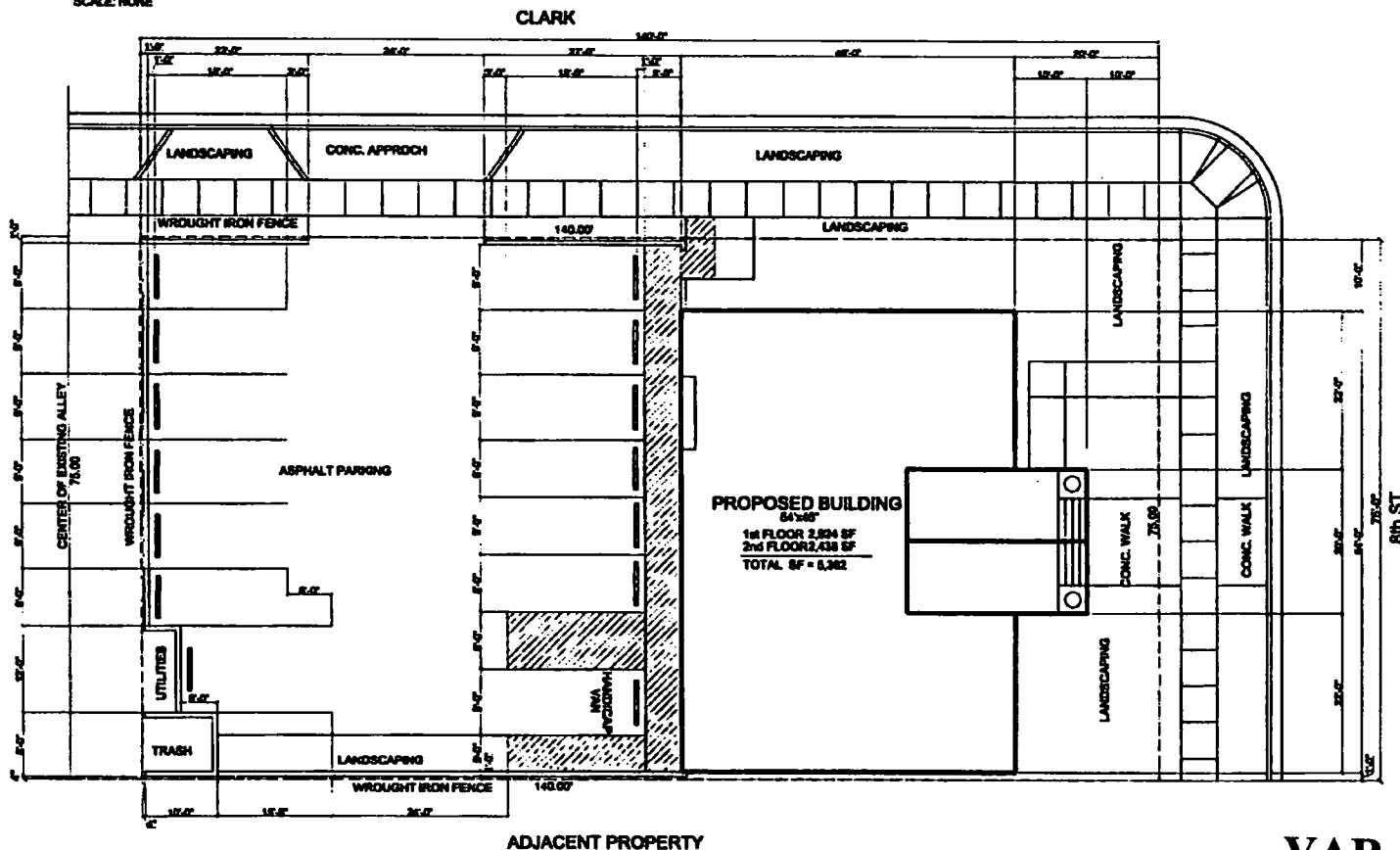
APPROVALS 0

PROTESTS 0





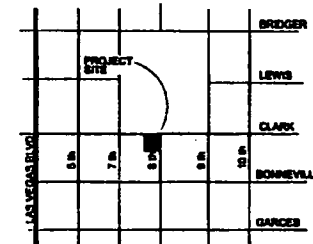
FENCE DETAIL
SCALE: NONE



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

PARKING REQUIREMENTS

REQUIRED PARKING:
6,362 SF / 200 = 17.87 OR 18 SPACES
PROVIDED PARKING:
1 INC. - VAN SPACE
4 COMPACT SPACES
8 STANDARD SPACES
14 TOTAL SPACES



CODE ANALYSIS ADDITION

OCCUPANCY CLASSIFICATION: **B**
TYPE OF CONSTRUCTION: **III**
OCCUPANT LOAD: **20**

	HEIGHT	STORIES	AREA
ACTUAL:	60'-0" ±	2	5,362 SF
ALLOWABLE:	UNLTD.	2	UNLIMITED

EXITS:
REQUIRED: 2
PROVIDED: 2

FIRE SPRINKLERS: YES ☐ NO ☒
SPECIAL INSPECTIONS: YES ☐ NO ☒

PARCEL NO.: 13934710048

CODE - TYPE - YEAR: 2003 IBC, 2003 UPC, 2000 UMC,
2002 NEC, SOUTHERN NEVADA AMENDMENTS
AND THE 1988 MODEL ENERGY CODE

CLIMATE & GEOGRAPHIC DESIGN CRITERIA

GROUND SNOWLOAD: NONE
WIND SPEED: 80 mph
SEISMIC ZONE: 8
WEATHERING: NEG.
FROST DEPTH: 12"
TEMPERATURE: MODERATE TO HEAVY
DECAY: NONE
WINTER DESIGN TEMP.: BY BUILDING OFFICIAL
FLOOD HAZARD: BY BUILDING OFFICIAL

DRAWINGS AND ALL INFORMATION CONTAINED HEREIN ARE THE SOLE PROPERTY OF BRYAN CONSTRUCTION INC. - COPY ONLY BY PERMISSION

ARCHITECTURAL SITE PLAN

BAKER LAW OFFICE
500 S. 8th STREET
LAS VEGAS, NEVADA

BRYAN CONSTRUCTION

STATE LICENSE # 2784

(702) 383-1127

300 S. 11th

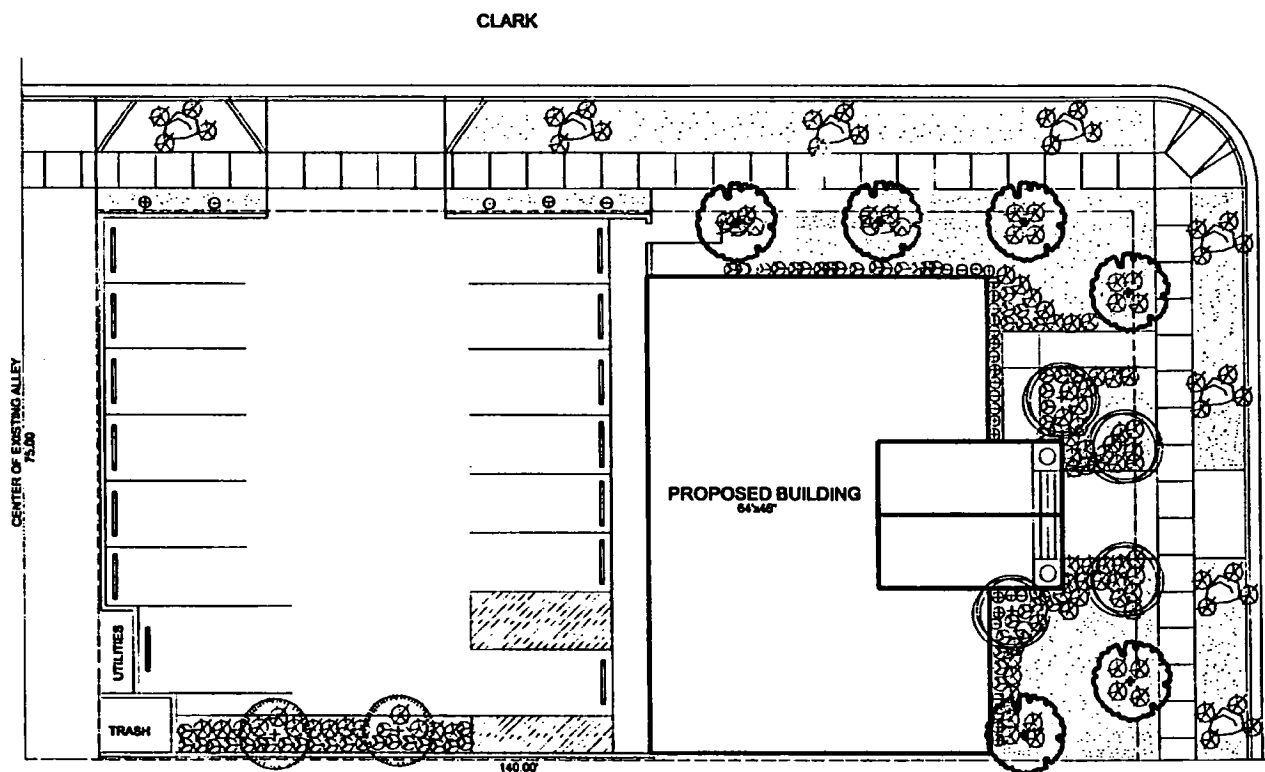
LAS VEGAS, NEVADA

Page (102) 383-1078

1/8" = 1'-0"
12/21/2004
B-DWG
138-204

A1

VAR-6030
SDR-6026
03-10-05 PC



ARCHITECTURAL SITE PLAN

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

ADJACENT PROPERTY

CLARK

PROPOSED BUILDING
64'x48'

8th ST.

PLANT LIST

CONTOUR VIEW	BOTANICAL NAME	SIZE
	AFRICAN ELM	24" BOX
	ALOPECURUS	24" BOX
	BANYAN TREE	24" BOX
	FRASER'S FIR	5 GAL.
	CRAPPE MYRTLE	5 GAL.
	BUSH LANTANA	5 GAL.

HARD SCAPE MATERIAL

REINFORCED COLORED CONCRETE
W/ AGGREGATE FINISH, 12" THICK, 12" WIDE
AT ALL PLANTING EDGES AND JOINTS
BETWEEN PLANTS

BOULDER - 10" DIA.

VAR-6030
SDR-6026
03-10-05 PC

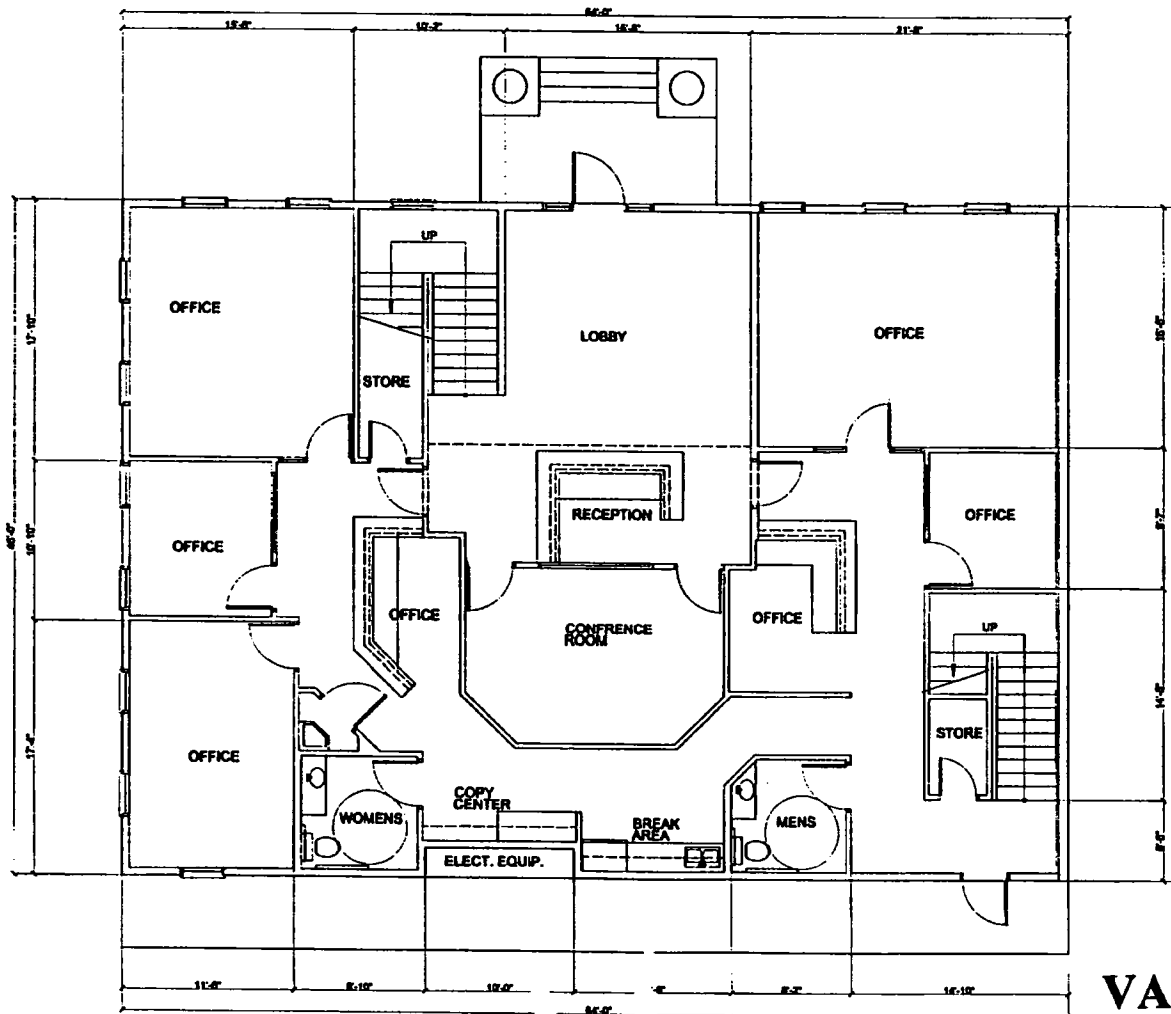
REVISIONS	BY

BRYAN CONSTRUCTION
STATE LICENSE # 27874
308 S. 11th
LAS VEGAS, NEVADA
(702) 362-7127
Fax: (702) 362-7079

LANDSCAPE PLANTING PLAN
BAKER LAW OFFICE
500 S. 8th STREET
LAS VEGAS, NEVADA

12 / 21 / 2004
SHOWN
126-204
1/8"

L1



REV	DATE	BY

BRYAN CONSTRUCTION
STATE LICENSE # 27874
200 S. 11th
LAS VEGAS, NEVADA
(702) 363-7127
Fax (702) 363-7079

1st FLOOR PLAN
BAKER LAW OFFICE
500 S. 8th STREET
LAS VEGAS, NEVADA

A2
12/21/2004
128-294

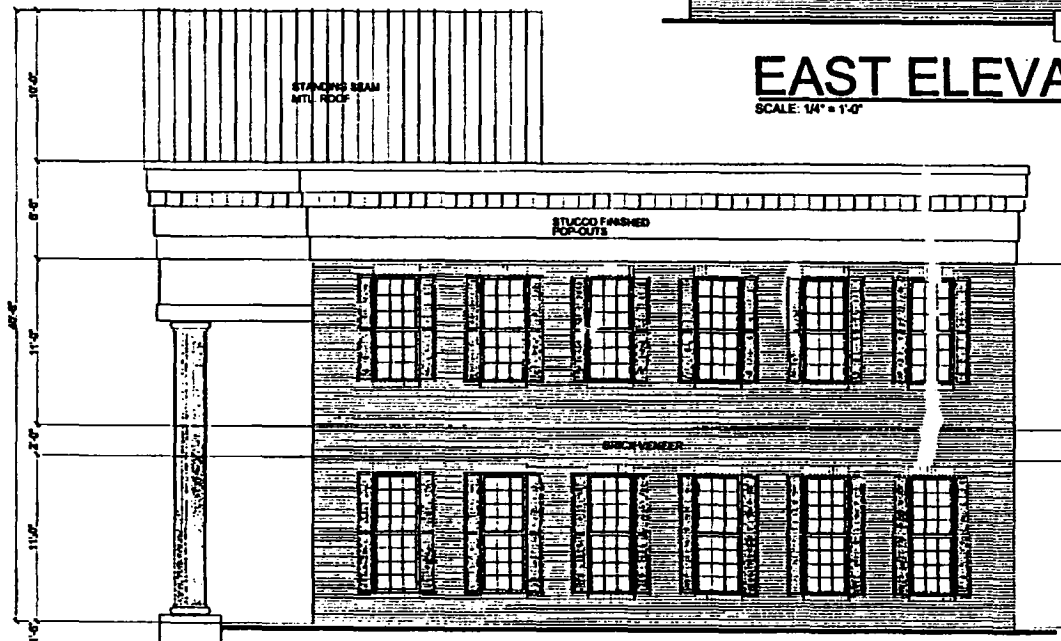


VAR-6030
SDR-6026
03-10-05 PC

A3

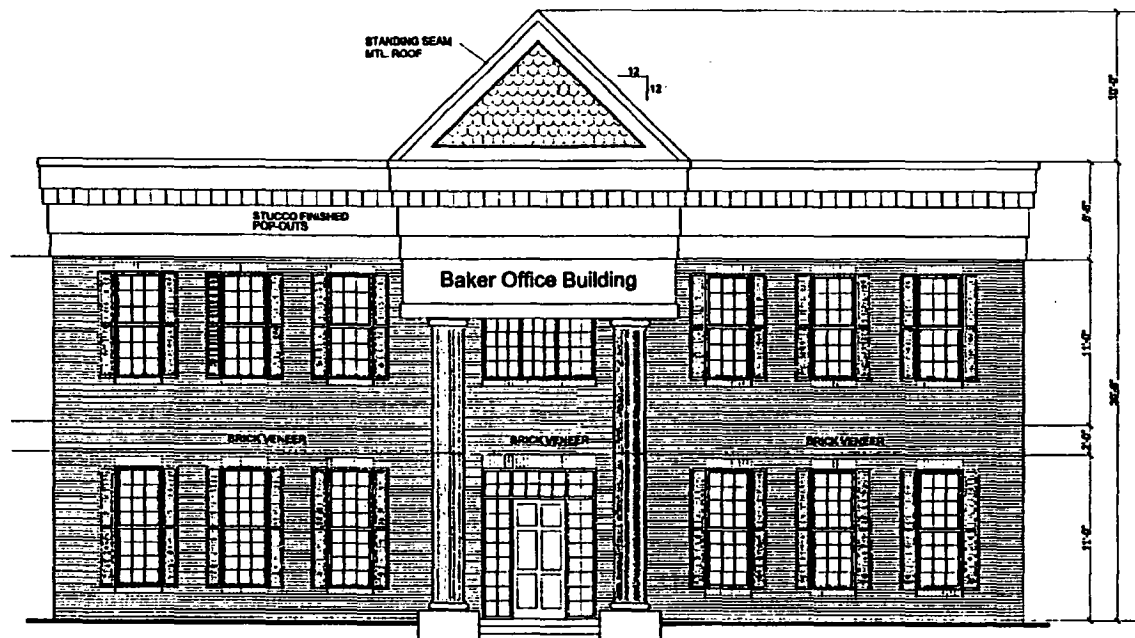
DATE	12/21/2004
BY	NOA
REASON	SHOWING
OR	128-264

[illegible]



NORTH ELEVATION

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



EAST ELEVATION

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

**VAR-6030
SDR-6026
03-10-05 PC**

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EXTERIOR ELEVATIONS

BRYAN CONSTRUCTION

BAKER LAW OFFICE
500 S. 8th STREET
LAS VEGAS, NEVADA

STATE LICENSE # 278744

208 S. 11th

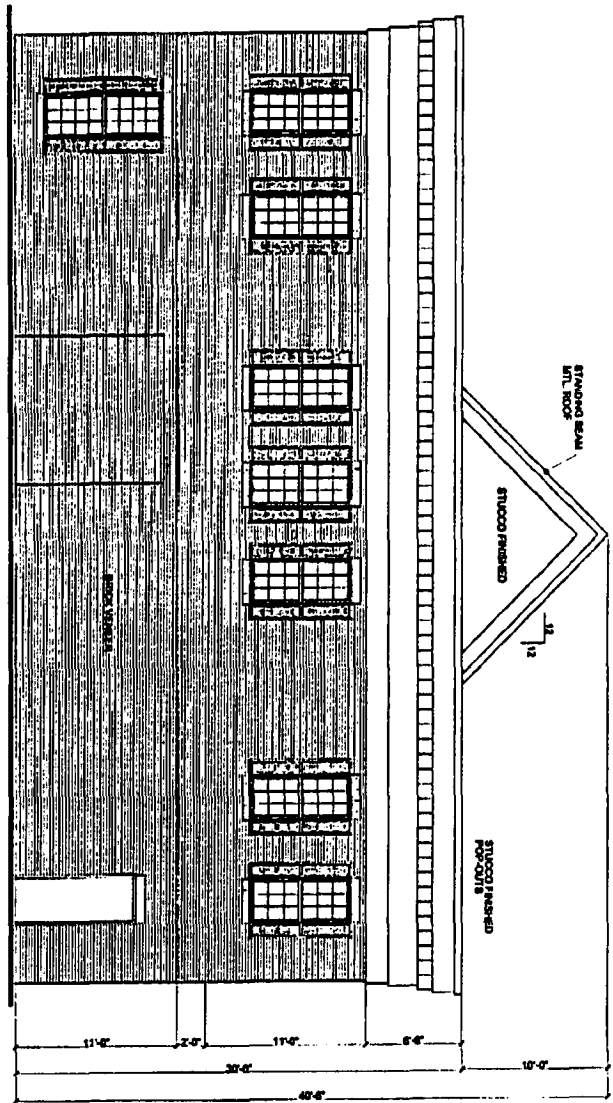
LAS VEGAS, NEVADA

(702) 353-7127

Fax: (702) 353-9078

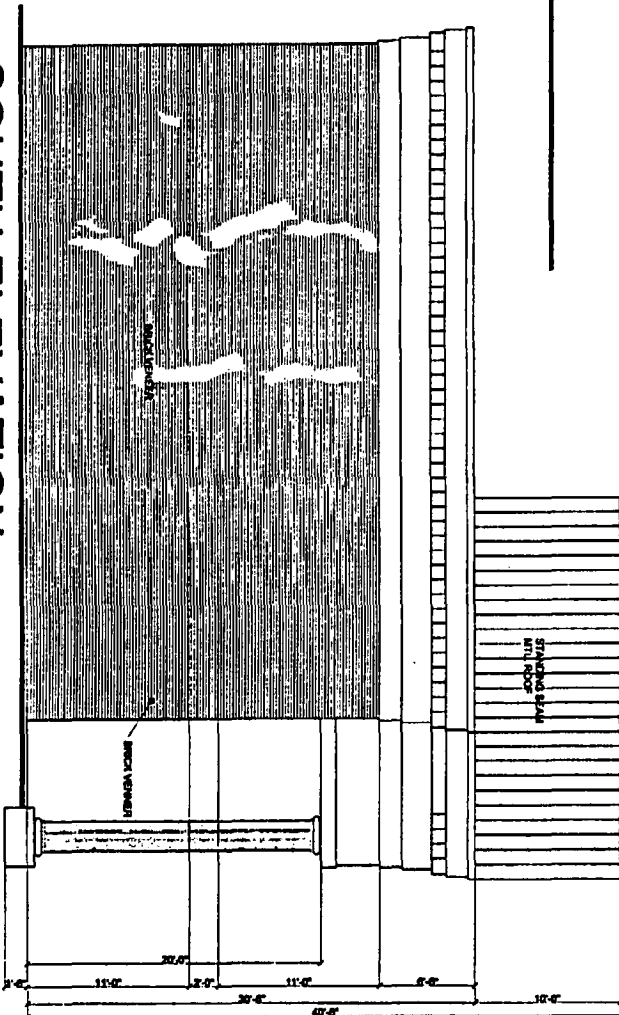
REVISION	BY

12 / 21 / 2004	DATE
SHOWN	SCALE
128-254	SCALE
A4	SCALE



WEST ELEVATION

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



SOUTH ELEVATION

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

VAR-6030
SDR-6026
03-10-05 PC

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EXTERIOR ELEVATIONS

BAKER LAW OFFICE
500 S. 8th STREET
LAS VEGAS, NEVADA

BRYAN CONSTRUCTION

STATE LICENCE # 27874A
308 S. 11th
LAS VEGAS, NEVADA
(702) 363-7127
Fax: (702) 362-7079

NO.	DESCRIPTION	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

A5

DATE	12/27/2004
BY	12/27/2004
CHECKED	12/27/2004
APPROVED	12/27/2004



VAR-6030 & SDR-6026 - APPLICANT: LLOYD BAKER - OWNER: BAKER LAW OFFICES, P.C.
ADJACENT TO THE SOUTHWEST CORNER OF 8TH STREET AND CLARK AVENUE
MARCH 10, 2005 PLANNING COMMISSION

02/22/05



VAR-6030 & SDR-6026 - APPLICANT: LLOYD BAKER - OWNER: BAKER LAW OFFICES, P.C.
ADJACENT TO THE SOUTHWEST CORNER OF 8TH STREET AND CLARK AVENUE
MARCH 10, 2005 PLANNING COMMISSION

02/22/05

January 25, 2005



Planning & Development
400 East Stewart
Las Vegas, NV 89101

REFERENCE: Baker Law Offices
500 So. 8th Street
Las Vegas, NV 89101
APN: 139-34-710-048

SUBJECT: Justification Letter

Dear Planning & Development Staff:

There are a myriad of reasons for justification of a NEW LAW OFFICE BUILDING to be built on the Southwest corner of Clark & 8th Street. This is a downtown lot that is typically being bought and converted or as in this case a new building is to be built.

This area is surrounded by Law Offices. Attorneys own the surrounding properties to this location. Many of the houses, which have not yet been converted to Law Offices, are owned by Attorneys waiting for the day to make the leap onto perhaps their own new buildings.

While Staff and Planning have outlined guidelines to protect new development, the following items are provided as justification to allow waivers, which they request.

This is a corner lot which measures 75' x ±140'. It is a requirement to have the following building setbacks,

A. Front is 20 feet.

- a. As shown on the plans provided. The occupiable portion of the building is behind the set back. We respectfully request your approval to allow the front porch cover to enter the set back area. This should not be intrusive or overpowering because the only part of the building this includes is two columns and its roof.

B. Corner side yard is 15 feet.

- a. We likewise request the side yard set back be approved. These are designed to have similar elevations as the rest of the building. It is colorful and adds to the overall appearance of the structure.

C. Side yard is 5 feet.

- a. We also request the side yard set back be approved. This part of the design does not block the view of ingress and egress to or from Clark Street or Eighth Street. Like wise the intent to keeping the building setback 10' is to continue to allow windows on this side elevation. This up and coming modernization of the downtown a 5' waiver into a 15' set back where no buildings are adjacent to its side should allow reason for approval of this request.

Should you have any questions or suggestions, please call me at 379-9866 or 362-7127.

Sincerely,

BRYAN CONSTRUCTION, INC.

A handwritten signature in dark ink, appearing to read "R. Dean Bryan".
R. Dean Bryan
President

SDR-6026

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT

RQR-5925 - PUBLIC HEARING - APPLICANT/OWNER: CHETAK DEVELOPMENT CORPORATION - Required Two Year Review of an Approved Special Use Permit (SUP-1274) FOR A 55 FOOT TALL, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2236 Paradise Road (APN 162-03-411-011), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (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. City Council approval letter for SUP-1274

MOTION:

REESE - APPROVED subject to conditions - UNANIMOUS with MACK abstaining because his business, Mack Consulting, negotiates contracts for his clients with off-premise advertising companies

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MAYOR GOODMAN wished MAYOR PRO TEM REESE'S wife, CAROL, a Happy Birthday.

ATTORNEY WILL KEMP, 3800 Howard Hughes Parkway, indicated they are not asking any changes with the existing billboard. He agreed with all conditions, including the one-year review.

COUNCILMAN REESE commented that the one-year review is appropriate because there is a lot of development occurring in this particular area.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(5:49 - 5:51)

6-2613

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year at which time the City Council may require

CITY COUNCIL MEETING OF: APRIL 6, 2005

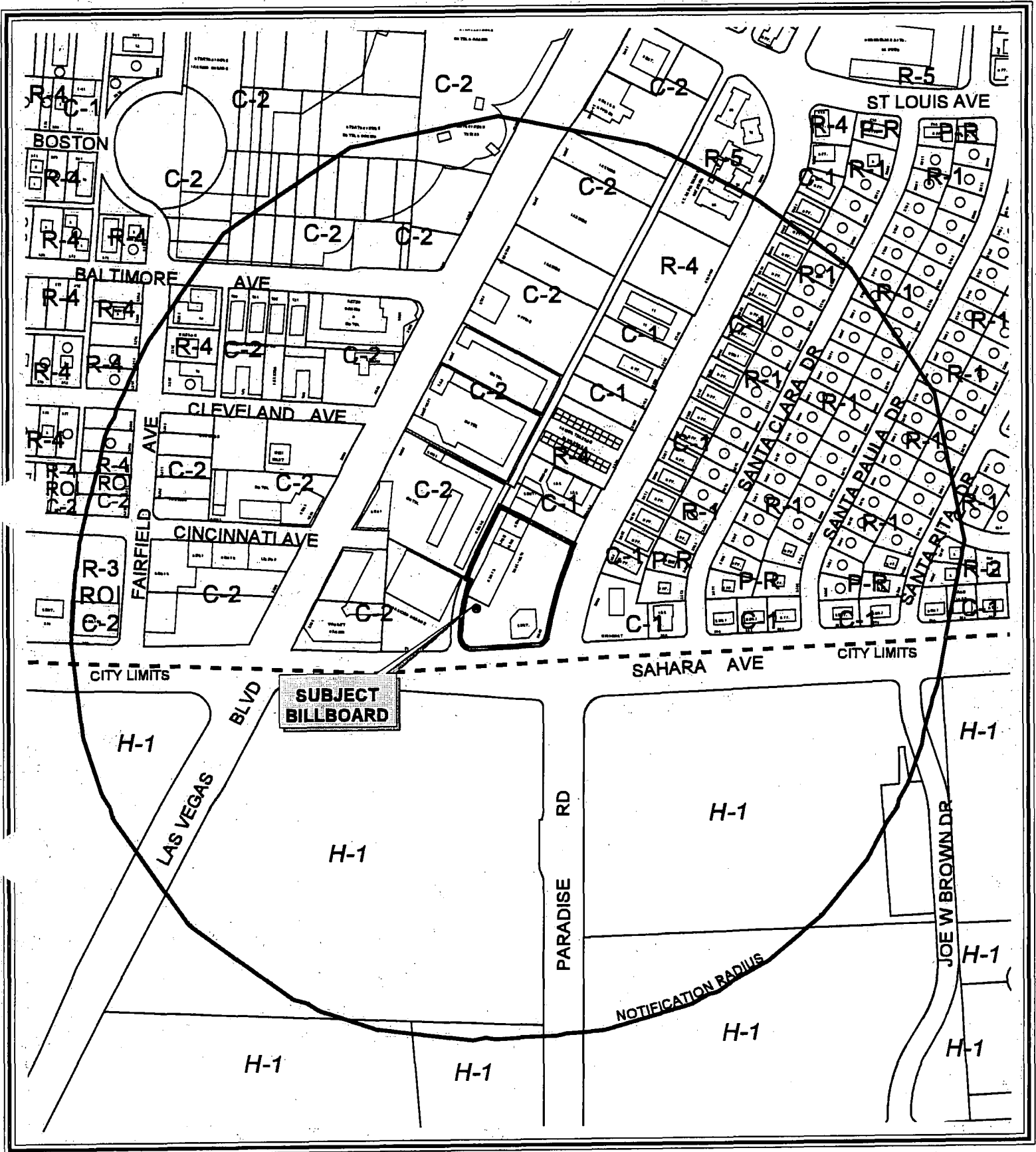
CONDITIONS - Continued:

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 (Billboard) 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.



CASE: **RQR-5925**

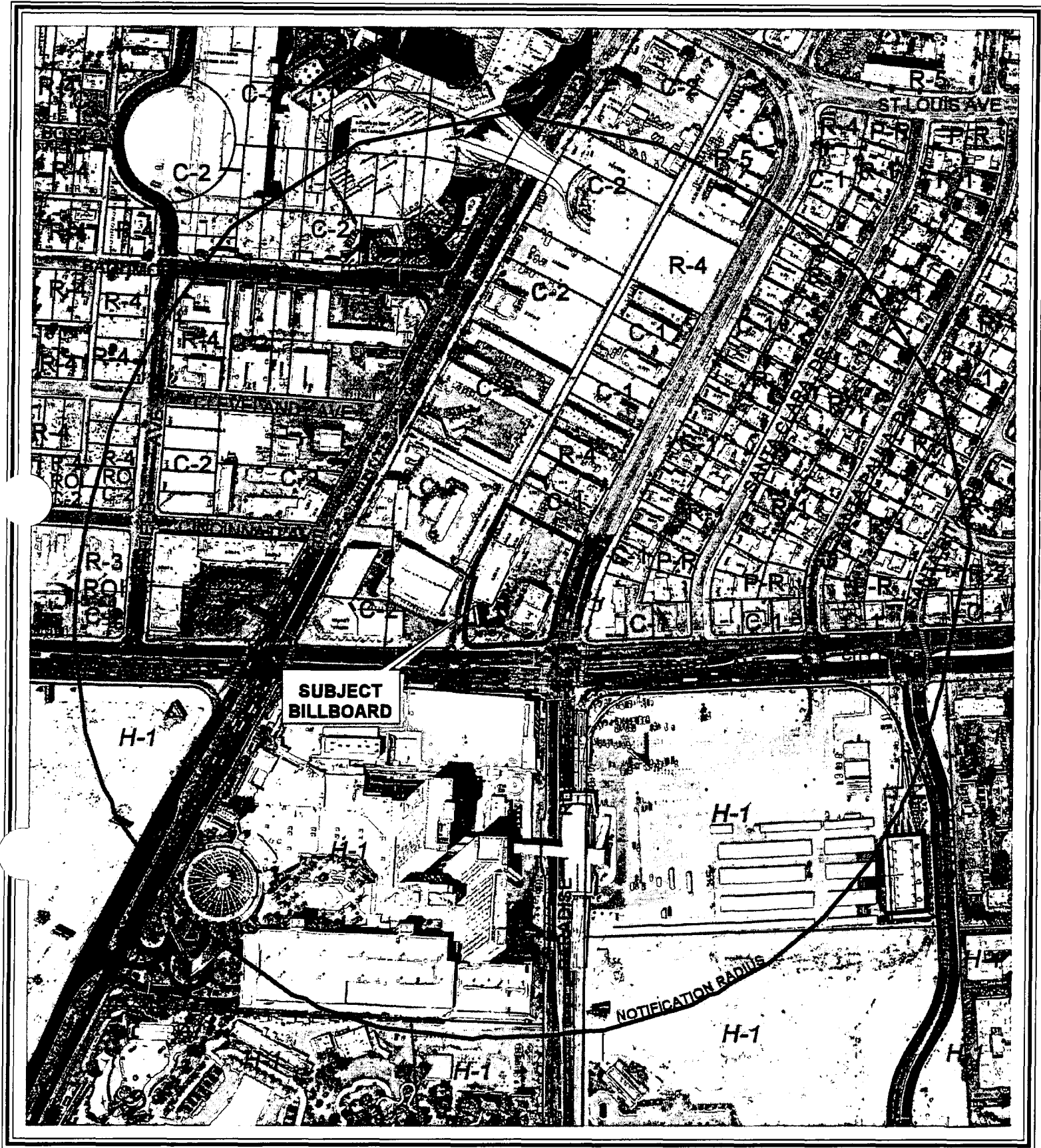
RADIUS: 1000 FT

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

0 300 600 Feet

123





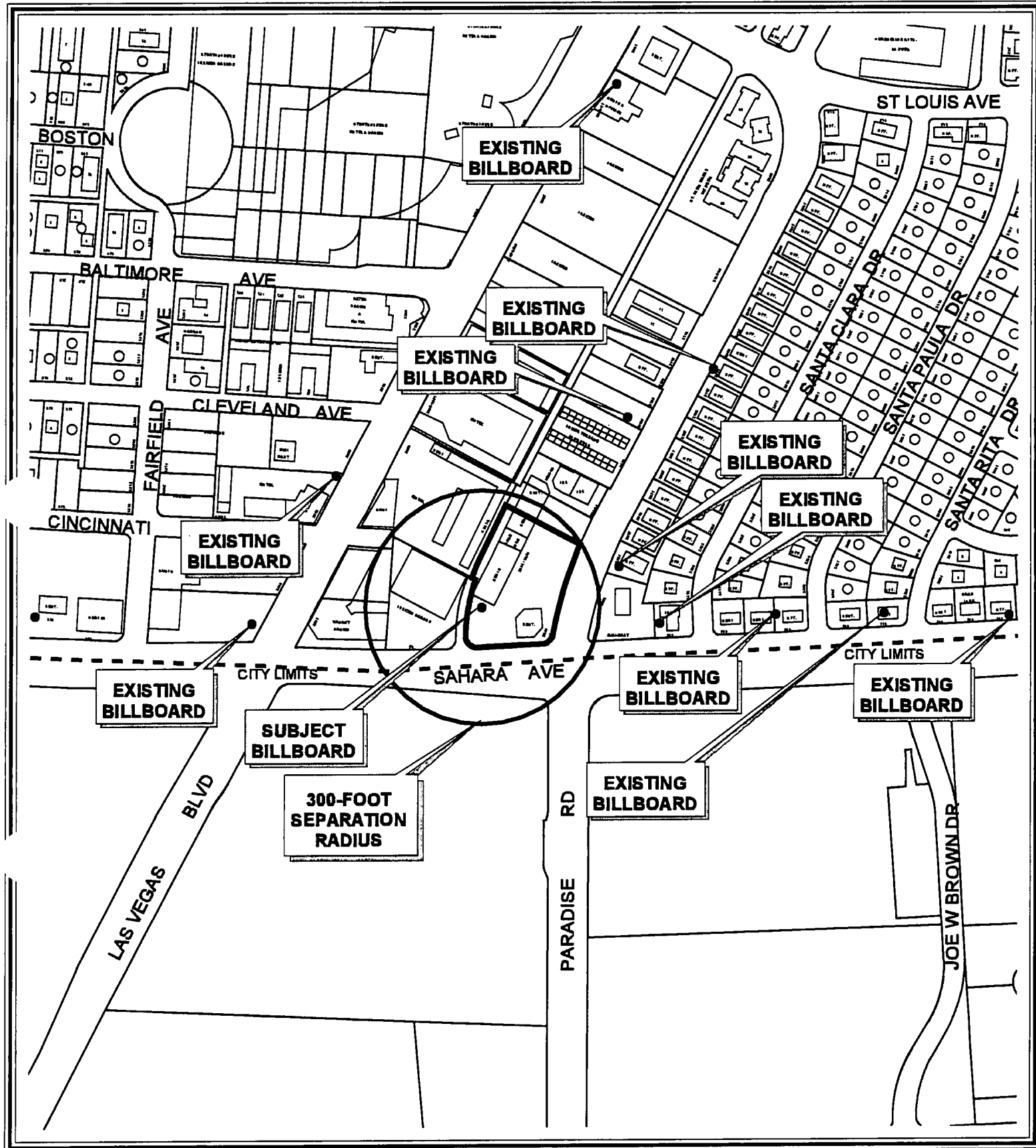
CASE: RQR-5925

RADIUS: 1000 FT

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

0 300 600 Feet

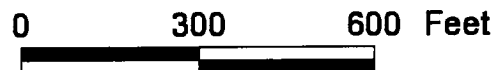


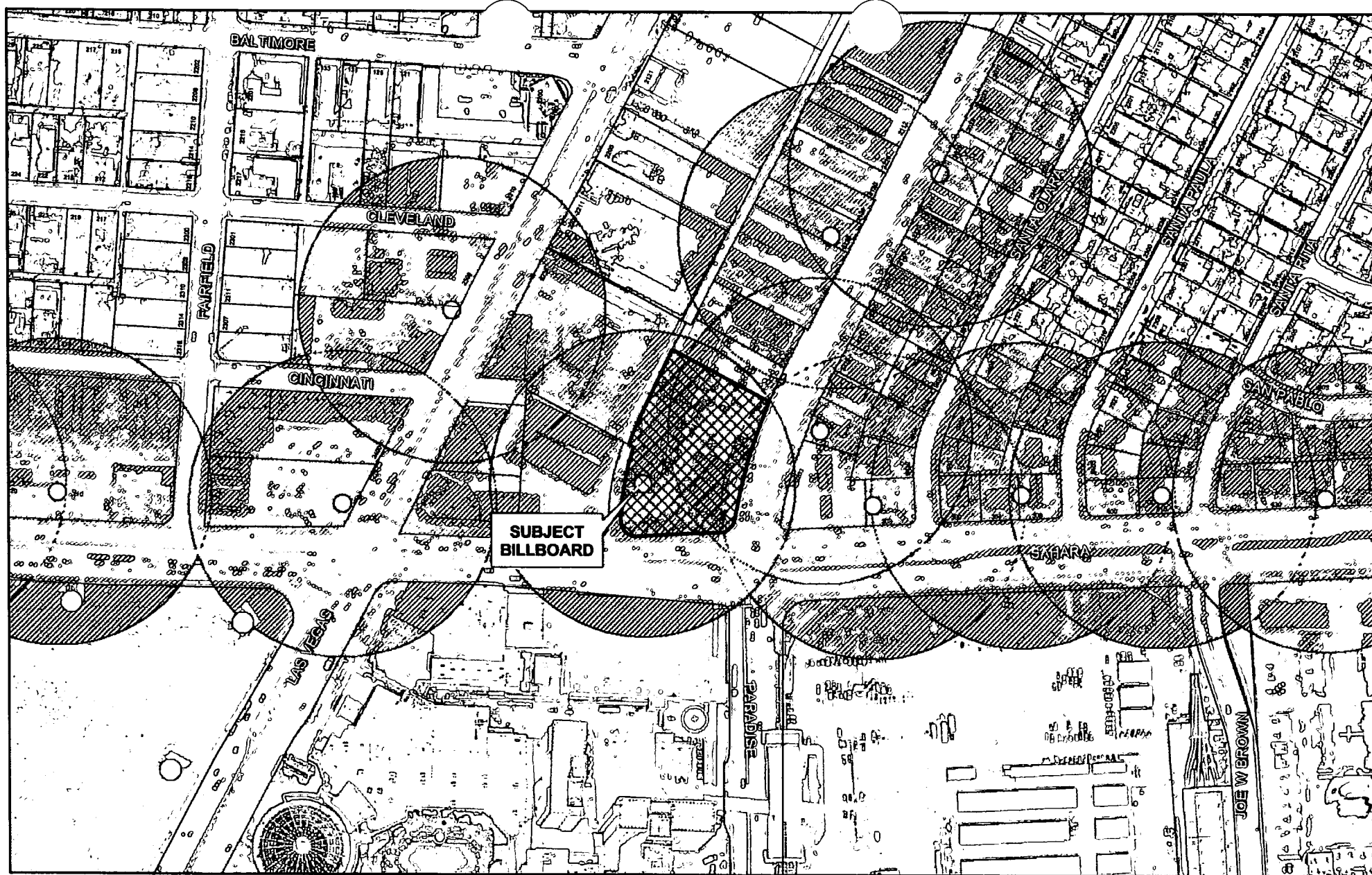


CASE: RQR-5925

SEPARATION RADIUS: 300 FT

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





ROR-5925

City of Las Vegas Billboard Data

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 6, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-5925 - APPLICANT/OWNER: CHETAK DEVELOPMENT CORPORATION

**** CONDITIONS ****

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

Planning and Development

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.
2. If the existing Off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new Off-premise Advertising (Billboard) 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 request is for a Required Two-Year Review of an Approved Special Use Permit (SUP-1274) for a 55 foot tall, 14 foot by 48 foot Off-premise Advertising (Billboard) Sign at 2236 Paradise Road.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Related Actions

01/22/03 The City Council approved the Special Use Permit (SUP-1274) to allow the 14 foot by 48 foot Off-premise Advertising (Billboard) Sign on this site subject to a two-year review. Planning Commission recommended denial on 12/09/02. Staff recommendation was for approval.

02/24/05 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #6/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: 1.67

B) Existing Land Use

Subject Property: Retail Commercial Center
North: Retail Commercial Center
South: Hotel/Casino
East: Convenience Store
West: Parking Garage

C) *Planned Land Use*

Subject Property: C (Commercial)
North: C (Commercial)
South: Unincorporated Clark County
East: C (Commercial)
West: C (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-2 (General Commercial)

E) *General Plan Compliance*

The site is designated as C (Commercial) on the Redevelopment Plan Map of the Southeast Sector of the General Plan. The existing C-1 (Limited Commercial) zoning is in compliance with this land use designation.

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

The Las Vegas Redevelopment Plan designates this site as Commercial.

INTERAGENCY ISSUES

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

1. This is a request for a Special Use Permit within 500 feet of unincorporated Clark County.

An Environmental Impact Assessment questionnaire was circulated as part of the original Special Use Permit to the affected Agencies and Entities for the mandated 15-day period.

There were no significant issues raised as a result of the Environmental Impact Assessment that was routed.

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

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 380 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 460 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. On 11/03/04 the City Council approved a Site Development Plan Review (SDR-5027) for a 73-story, 1,300,000 square-foot mixed use development consisting of 960 condominium units and 25,000 square feet of commercial uses on 2.17 acres at 2423 and 2417 Las Vegas Boulevard, to the west of this request. The recently approved mixed-use development represents a redevelopment effort in the immediate area. The recommendation for this request is approval subject to a review in one year at which time if construction has commenced, removal may be appropriate.

On 02/07/05 a site inspection was conducted and photos were taken. The inspection revealed the support pole for the sign has some graffiti. 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 not appropriate. On 11/03/04 the City Council approved a Site Development Plan Review (SDR-5027) for a 73-story, 1,300,000 square-foot mixed use development consisting of 960 condominium units and 25,000 square feet of commercial uses on 2.17 acres at 2423 and 2417 Las Vegas Boulevard, to the west of this request. The recently approved mixed-use development represents a redevelopment effort in the immediate area. Therefore, the recommendation for this request is approval subject to a review in one year.

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 Paradise Road or Sahara Avenue, both fully developed streets 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.

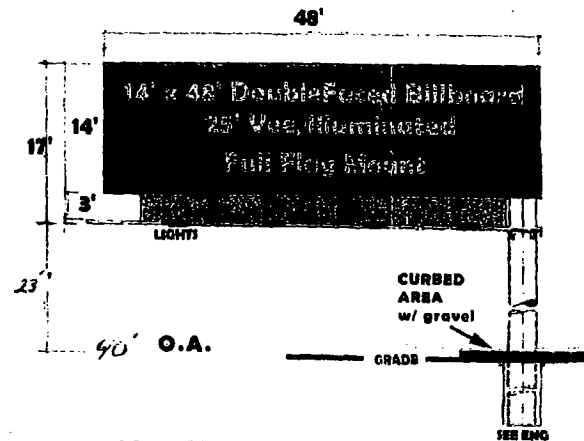
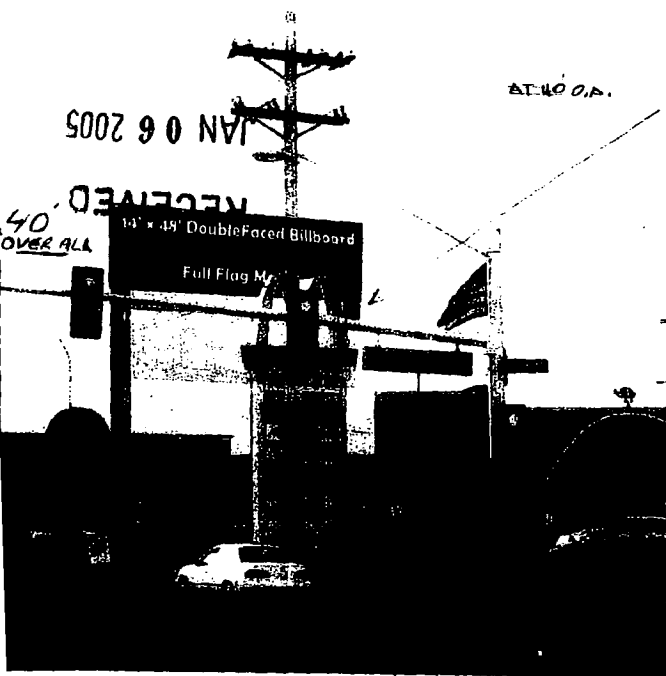
NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

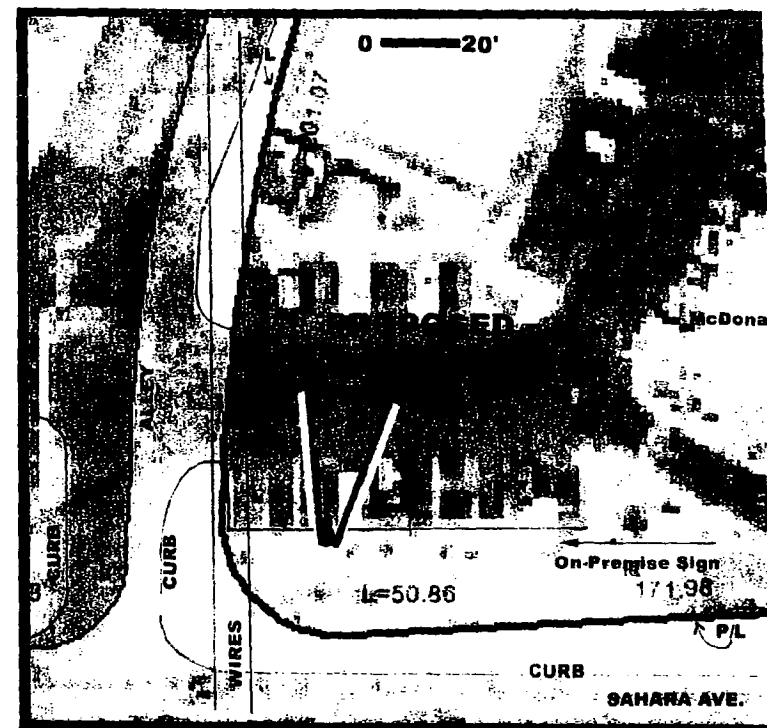
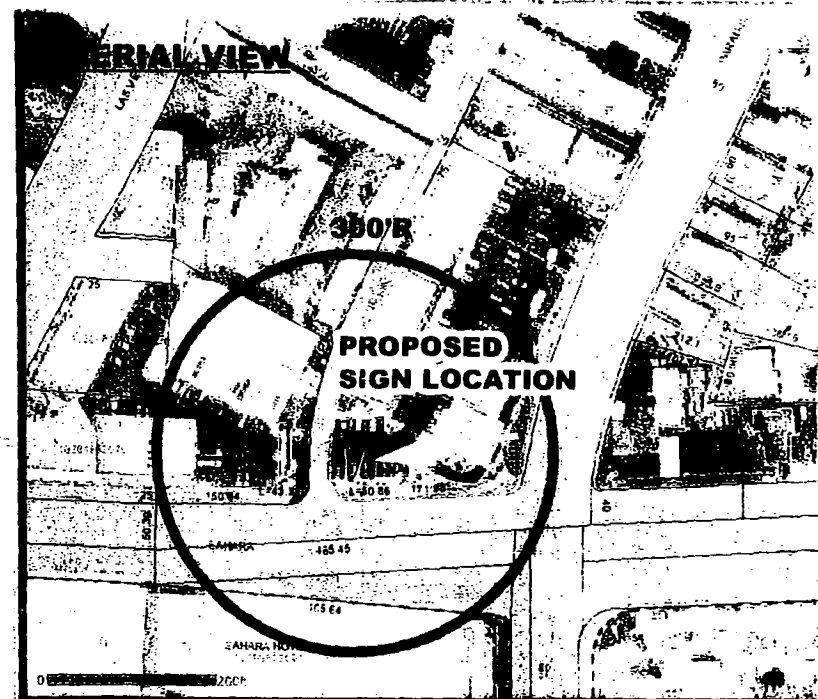
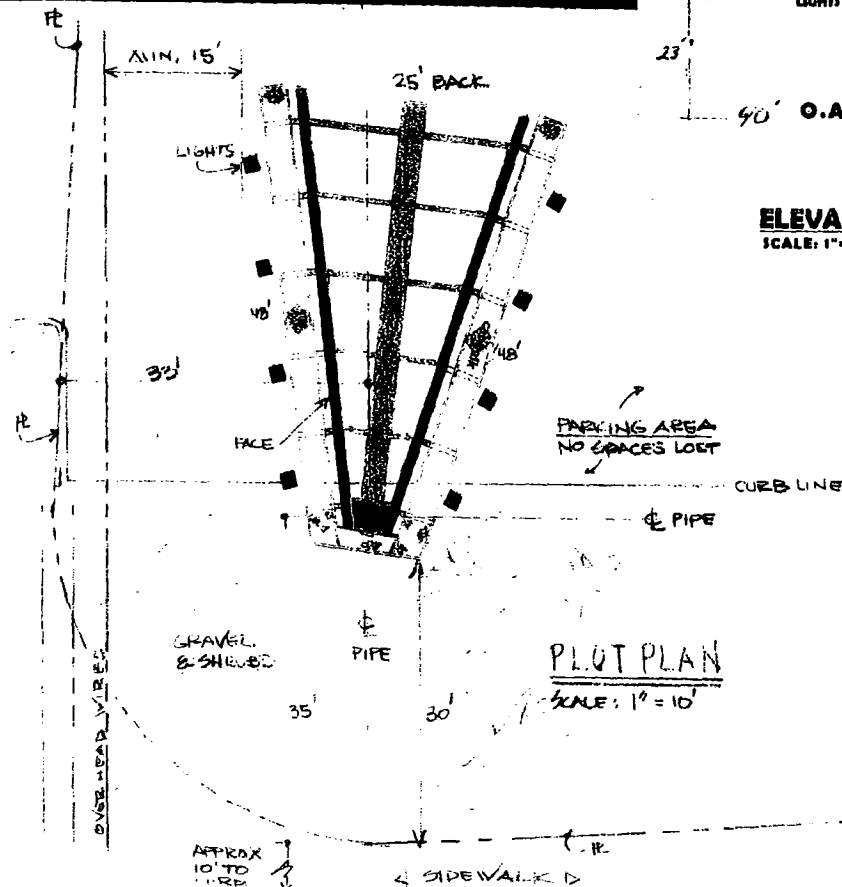
NOTICES MAILED 120 by City Clerk

APPROVALS 0

PROTESTS 0



ELEVATION
SCALE: 1"=10'-0"



JUNCO
4145 W. Teco Ave. / Las Vegas, NV 89103 / 702-645-0092

Client: Chetok Development Corporation
3800 Howard Hughes Pkwy Las Vegas, NV 89109

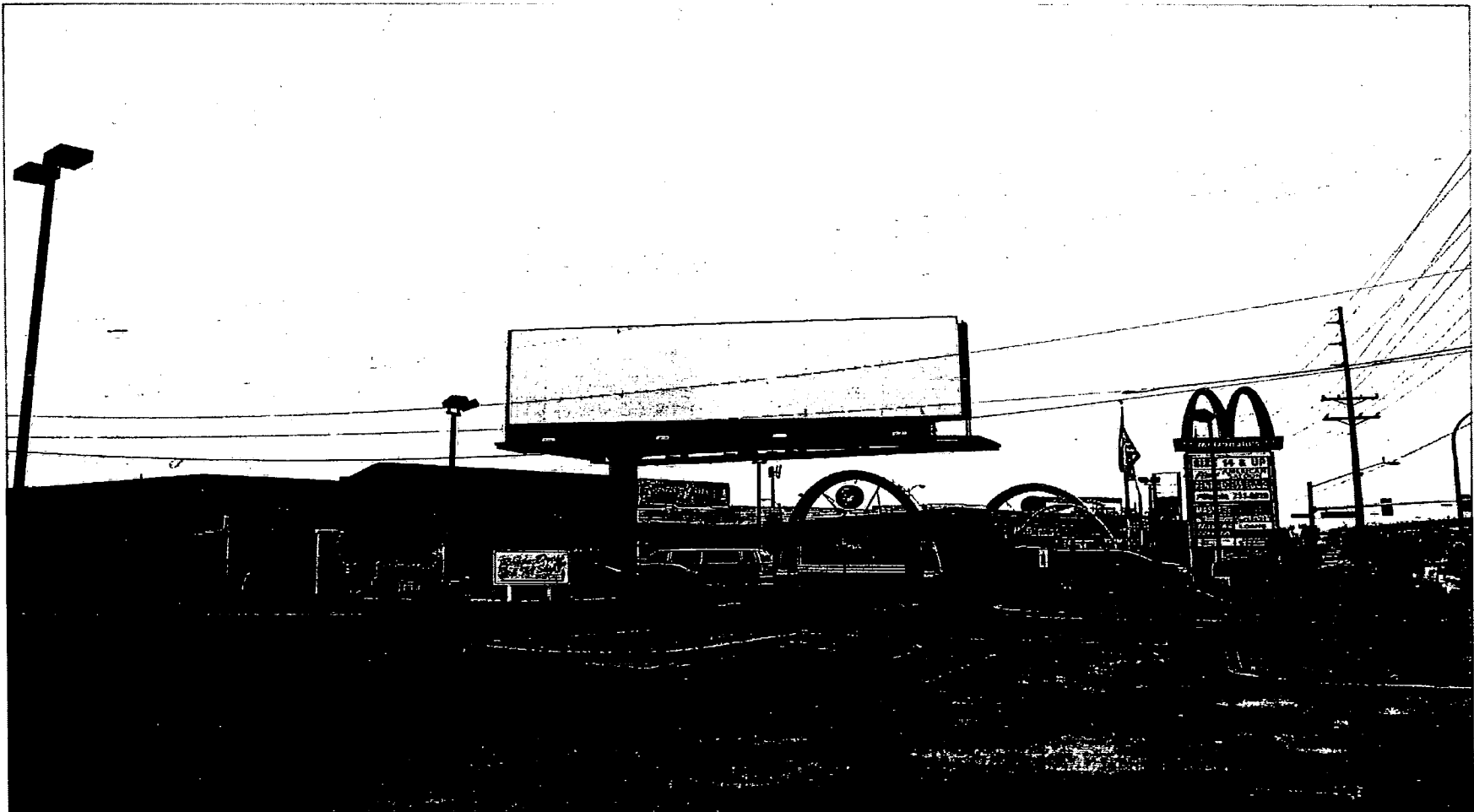
SCALE: NOTED
DATE: 10-31-02
DRAWN BY: LLC
REVISED: 11-14-02

LOCATION: NW corner of Sahara & Paradise
On Sahara approx. 200' W/O Paradise

APN # 162-03-411-011
DRAWING NUMBER 201391-1

RECEIVED
RQR-5925
02/24/05 PC

108
070 A7



RQR-5925 - APPLICANT/OWNER: CHETAK DEVELOPMENT CORPORATION
2236 PARADISE ROAD
FEBRUARY 24, 2005 PLANNING COMMISSION

2/7/05



RQR-5925 - APPLICANT/OWNER: CHETAK DEVELOPMENT CORPORATION
2236 PARADISE ROAD
FEBRUARY 24, 2005 PLANNING COMMISSION

2/7/05



RQR-5925 - APPLICANT/OWNER: CHETAK DEVELOPMENT CORPORATION
2236 PARADISE ROAD
FEBRUARY 24, 2005 PLANNING COMMISSION

2/7/05



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
MICHAEL J. McDONALD
LARRY BROWN
VETTE B. McDONALD
WRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
DOUGLAS A. SELBY

January 23, 2003

Mr. Will Kemp
Chetak Development Corporation
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89109

RE: SUP-1274 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF JANUARY 22, 2003

Dear Mr. Kemp:

The City Council at a regular meeting held January 22, 2003 considered the Appeal filed by Chetak Development Corporation from the Denial by the Planning Commission on a request for a Special Use Permit FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE 55 FEET TALL WHERE 40 FEET TALL IS THE MAXIMUM ALLOWED adjacent to the northwest corner of Sahara Avenue and Paradise Road (APN: 162-03-411-011), C-1 (Limited Commercial) Zone.

The City Council granted the appeal; thereby APPROVING the Special Use Permit. The Notice of Final Action was filed with the Las Vegas City Clerk on January 23, 2003. This approval is subject to:

Planning and Development

1. The height of the off-premise advertising (billboard) sign shall be limited to 40 feet.
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. 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.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

Mr. Will Kemp
SUP-1274 – Page Two
January 23, 2003

4. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

Sincerely,



Doreen Araujo
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Tom Jones
Jones Media
1143 West Teco
Las Vegas, Nevada 89118