Agenda City of Las Vegas

PLANNING COMMISSION MEETING

APRIL 14, 2005

Council Chambers 400 Stewart Avenue
Phone 229-6301 TDD 386-9108 http://www.lasvegasnevada.gov

Las Vegas City Council

Mayor Oscar B. Goodman
Mayor Pro-Tem Gary Reese, Ward 3
Councilman Larry Brown, Ward 4
Councilman Lawrence Weekly, Ward 5
Councilman Michael Mack, Ward 6
Councilman Steve Wolfson, Ward 2
Councilwoman Lois Tarkanian, Ward 1
Douglas Selby, City Manager

Commissioners

Todd Nigro, Chairman
Richard Truesdell, Vice-Chairman
Byron Goynes
Laura McSwain
Steven Evans
Leo Davenport
David Steinman

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE. UNLESS OTHERWISE STATED, ITEMS MAY BE TAKEN OUT OF THE ORDER PRESENTED AT THE DISCRETION OF THE CHAIRPERSON.

COMMISSIONERS BRIEFING: 5:15 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

It is the intent of the Planning Commission to be briefed by staff and that all items on the agenda shall be available for open discussion during the briefing session. Applicants and other interested parties may be asked for information or presentations by the Planning Commission. Applicants may not participate in the discussion unless at the specific request of the Commission. All interested parties are invited to attend.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ROLL CALL:

ANNOUNCEMENT: Compliance with the Open Meeting Law

NOTICE: This meeting has been properly noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Clark County Government Center, 500 South Grand Central Parkway
Las Vegas Library, 833 Las Vegas Boulevard North
Grant Sawyer Building, 555 East Washington Avenue
Court Clerk's Office Bulletin Board, City Hall Plaza

MINUTES: Approval of the March 10, 2005 Planning Commission Meeting minutes by reference (____vote)

ACTIONS: ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT:

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.

2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.

3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.

4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.

5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.

6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.

7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

1. **TMP-6089 - TENTATIVE MAP - CANYON LAKE (A CONDOMINIUM SUBDIVISION) - APPLICANT: AZTEC ENGINEERING - OWNER: EDWARD B. FRANKEL FAMILY TRUST** - Request for a Tentative Map FOR A 504 UNIT RESIDENTIAL CONDOMINIUM SUBDIVISION 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).

2. **TMP-6134 - TENTATIVE MAP - FREEMONT STREET LOFT HOMES - APPLICANT: LARRY S. DAVID & ASSOCIATES - OWNER: URBAN LAND ACQUISITION INC.** - Request for a Tentative Map for a 71-UNIT LIVE/WORK DEVELOPMENT on 4.24 acres at 1980 Freemont Street (APN 139-35-803-010), C-2 (General Commercial) Zone, Ward 3 (Reese).

3. **TMP-6213 - TENTATIVE MAP - STONEWATER - APPLICANT: STAR LIVING TRUST ET AL - OWNER: MATRIX DEVELOPMENT CORPORATION** - Request FOR A 32 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 10.69 acres adjacent to the northwest and northeast corner of Mustang Road and Ann Road (APN 125-26-801-012 and 125-26-802-014), RPD-3 (Residential Planned Development - 3 Units Per Acre) Zone, Ward 6 (Mack).

4. **TMP-6214 - TENTATIVE MAP - ANN RAINBOW - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE LLC** - Request for a Tentative Map FOR A 58-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION ON 6.86 ACRES at the northwest corner of Ann Road and Rainbow Boulevard (APN 125-27-803-008), RPD-8 (Residential Planned Development - 8 Units Per Acre) Zone, Ward 6 (Mack).

5. **TMP-6215 - TENTATIVE MAP - TOSCANA - APPLICANT: RCD HOLDING INC - OWNER: CREATIVE DREAM CATCHERS LLC** - Request for a Tentative Map FOR A 90 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 10.72 acres adjacent to the northwest corner of Ann Road and Balsam Street (APN 125-27-802-002 through 005, 008, 009, 012 and 014), U(Undeveloped) Zone [O (Office) General Plan Designation] and R-E (Residence Estates) Under Resolution of Intent to 0 (Office) Under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone, Ward 6 (Mack).

6. ANX-6173 - ANNEXATION - APPLICANT/OWNER: THE PHYLLIS M. FRIAS MANAGEMENT TRUST U/A DATED JANUARY 28,1998 - Petition to Annex property located adjacent to the east side of Kevin Street, approximately 340 feet north of Centennial Hills Parkway (APN 125-20-402-015), containing approximately 1.31 acres, Ward 6 (Mack).

7. ANX-6175 - ANNEXATION - APPLICANT/OWNER: ENGLAND, LLC - Petition to Annex property adjacent to the south side of Rome Boulevard, approximately 340 feet east of Shaumber Road. (APN 126-24-401-006), containing 5 acres, Ward 6 (Mack).

ONE MOTION – ONE VOTE:

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE NON-PUBLIC AND PUBLIC HEARING ITEMS THAT HAVE NO PROTESTS, WAIVERS FROM THE CODE OR CONDITION CHANGES BY THE APPLICANT OR STAFF. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARINGS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION OR A MEMBER OF THE PUBLIC OR A MEMBER OF THE PLANNING COMMISSION NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF, SHOULD REQUEST TO HAVE THAT ITEM REMOVED FROM THIS PART OF THE AGENDA.

8. VAC-6163 - VACATION - PUBLIC HEARING - APPLICANT: LAND DEVELOPMENT AND INVESTMENT DIVISION - OWNER: MAPLE DEVELOPMENT LLC - Petition to Vacate a portion of Florine Avenue and Park Street and U.S. Government Patent Easements generally located on north side of Alexander Road and east of Grand Canyon Drive, Ward 4 (Brown).

9. VAC-6184 - VACATION - PUBLIC HEARING - APPLICANT: GRIGOR GEVORKIAN - OWNER: CHARLESTON PARK MANAGEMENT LLC - Petition to Vacate a portion of a 20-foot easement at 2909 West Charleston Boulevard, Ward 1 (Tarkanian).

10. VAC-6196 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: KB HOME NEVADA INC. - Petition to Vacate U.S. Government Patent Easements generally located along the west side of Shaumber Road, between Farm Road and Severence Lane, Ward 6 (Mack).

11. **VAC-6202 - VACATION - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF HOMES - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE LLC** - Petition to Vacate U.S. Government Patent Easements generally located west of Egan Crest Way, south of Elkhorn Road, Ward 6 (Mack).

12. **VAC-6203 - VACATION - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF HOMES - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE LLC** - Petition to Vacate portions of Grinnell Avenue, Alpine Ridge Way, Deer Springs way, Michelli Crest Way and Bath Drive; and U.S. Government Patent Easements generally located west of Egan Crest Way, north of Bath Drive, Ward 6 (Mack).

13. **RQR-6152 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: O'ROURKE FAMILY, LP** - Required Two Year Review of an approved two year review (RQR-1708) WHICH ALLOWED A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN AT A HEIGHT OF 65 FEET, WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED AND TO ALLOW THE SIGN TO BE 730 FEET FROM ANOTHER OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 750 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at 1716 South Highland Avenue (APN 162-04-301-002), M (Industrial) Zone, Ward 1 (Tarkanian).

14. **RQR-6148 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: VIACOM OUTDOOR - OWNER: JACQUES AND MICHELLE ARCHIARDI** - Required One Year Review of an approved one year review (RQR-1689) WHICH ALLOWED A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the west side of Rancho Drive, approximately 250 feet south of Alexander Road (APN: 138-02-803-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

PUBLIC HEARING ITEMS:

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

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

17. **ABEYANCE - VAR-6118 - VARIANCE RELATED TO ZON-6116 AND WVR-6229 - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP** - Request for a Variance TO ALLOW 21,270 SQUARE FEET OF OPEN SPACE WHERE 48,874 SQUARE FEET IS THE MINIMUM REQUIRED on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), R-E (Residence Estates) Zone [PROPOSED: R-PD7 (Residential Planned Development - 7 units per acre)], Ward 6 (Mack).

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

19. **ABEYANCE - VAR-5878 – VARIANCE – APPLICANT: PARKWAY CENTER LLC – OWNER: CITY PARKWAY IV A INC.** – Request for a Variance FROM THE 750-FOOT SEPARATION REQUIREMENT AND THE 10-FOOT FREEWAY RIGHT-OF-WAY SETBACK REQUIREMENT FOR AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 City Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Weekly).

20. **VAR-6355 - VARIANCE - PUBLIC HEARING - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A, INC.** - Request for a Variance TO ALLOW A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE ATTACHED TO THE BUILDING WHERE SUCH IS NOT ALLOWED, AT A HEIGHT OF 85 FEET WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED, on 2.55 acres at 110 City Parkway (APN 139-27-410-008), P-D (Planned Development) Zone, Ward 5 (Weekly).

21. **ABEYANCE - RENOTIFICATION - SUP-5877 – SPECIAL USE PERMIT RELATED TO VAR-5878 AND VAR-6355 – PUBLIC HEARING – APPLICANT: PARKWAY CENTER LLC – OWNER: CITY PARKWAY IV A INC.** – Request for a Special Use Permit FOR A PROPOSED 71-FOOT HIGH, 14-FOOT x 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 City Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Weekly).

22. **ABEYANCE - SDR-5876 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5878, VAR-6355 AND SUP-5877 - PUBLIC HEARING - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.** - Request for a Site Development Plan Review FOR A 15-STORY, 250,000 SQUARE FOOT OFFICE AND COMMERCIAL DEVELOPMENT AND WAIVERS FROM THE PARKWAY CENTER STREETSCAPE REQUIREMENTS, BUILD-TO LINE, AND EXTERIOR MATERIALS REQUIREMENTS on 2.55 acres at 110 City Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Weekly).

23. **ABEYANCE - VAR-5949 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION** - Request for a Variance TO ALLOW 824 PARKING SPACES WHERE 1,065 IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN 125-17-702-003), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Land Use Designation], Ward 6 (Mack).

24. **ABEYANCE - WVR-6153 - WAIVER RELATED TO VAR-5949 - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION** - Request for a Waiver of Title 18.12.100 TO ALLOW 24-FOOT PRIVATE STREET WIDTH AT INTERSECTIONS WHERE 37 FEET IS THE MINIMUM WIDTH REQUIRED on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

25. **ABEYANCE - SDR-5948 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5949 AND WVR-6153 - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION** - Request for Revisions to an approved Site Development Plan Review FOR A PROPOSED MIXED-USE DEVELOPMENT on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN 125-17-702-003), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

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

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

28. **ABEYANCE - SUP-5894 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC.** - Request for a Special Use Permit FOR A PROPOSED CONVENIENCE STORE WITH FUEL PUMPS adjacent to the southwest corner of Tenaya Drive and Azure Way (APN 125-27-222-006), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

29. **ABEYANCE - SDR-5893 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5894 - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH INC.** - Request for a Site Development Plan Review FOR A PROPOSED 3,500 SQUARE FOOT CONVENIENCE STORE WITH FUEL PUMPS AND WAIVERS OF THE 70% GLAZING AND THE 330 FOOT SEPARATION REQUIREMENTS on 1.43 acres adjacent to the southwest corner of Tenaya Way and Azure Drive (APN 125-27-222-006), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

30. **ABEYANCE - SUP-5984 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: FREMONT BRUCE, LLC** - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the southeast corner of Bruce Street and Fremont Street (APN 139-35-803-001), C-2 (General Commercial) Zone, Ward 3 (Reese).

31. **ABEYANCE - SDR-5942 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5984 - PUBLIC HEARING - APPLICANT/ OWNER: FREMONT BRUCE, LLC** - Request for a Site Development Plan Review FOR A FOUR-STORY, 152 RESIDENTIAL UNIT, 21,000 SQUARE-FOOT MIXED-USE DEVELOPMENT on 2.76 acres adjacent to the southeast corner of Bruce Street and Fremont Street (APN 139-35-803-001), C-2 (General Commercial) Zone, Ward 3 (Reese).

32. **ABEYANCE - RENOTIFICATION - SDR-6111 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: CHARLESTON-3RD, LLC, ET AL** - Request for a Site Development Plan Review FOR A PROPOSED 28 STORY MIXED USE DEVELOPMENT CONSISTING OF 159 RESIDENTIAL CONDOMINIUM UNITS AND 7,000 SQUARE FEET OF COMMERCIAL/RETAIL SPACE, WITH WAIVERS FROM THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE, BUILD-TO-LINE AND BUILDING STEPBACK REQUIREMENTS on 0.44 acres at 1026 and 1036 South Third Street (APNs 139-34-410-091 and 092), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

33. **GPA-6191 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: B & B ASSET MANAGEMENT LLC - OWNER: RONALD J. RICHARDSON** - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 3.29 acres adjacent to the northwest corner of Lamb Boulevard and Harris Street (APN 140-30-701-009 AND 140-30-701-010), Ward 3 (Reese).

34. **ZON-6192 - REZONING RELATED TO GPA-6191 - PUBLIC HEARING - APPLICANT: B & B ASSET MANAGEMENT LLC - OWNER: RONALD J. RICHARDSON** - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) AND R-MHP (RESIDENTIAL MOBLIE/MANUFACTURED HOME PARK) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 3.29 acres adjacent to the northwest corner of Lamb Boulevard and Harris Street (APN 140-30-701-009 and 140-30-701-010), Ward 3 (Reese).

35. **SDR-6193 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6191 AND ZON-6192 - PUBLIC HEARING - APPLICANT: B & B ASSET MANAGEMENT LLC - OWNER: RONALD J. RICHARDSON** - Request for a Site Development Plan Review FOR A 60-UNIT CONDOMINIUM PROJECT on 3.29 acres adjacent to the northwest corner of Lamb Boulevard and Harris Street (APN 140-30-701-009 and 140-30-701-010), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

36. **GPA-6199 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: PECCOLE NEVADA CORP. - OWNER: WILLIAM PECCOLE AND WANDA PECCOLE 1991 TRUST** - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: PF (PUBLIC FACILITIES) TO: SC (SERVICE COMMERCIAL) on 4.90 acres adjacent to the northeast corner of Alta Drive and Hualapai Way (APN 138-31-210-004 and -009), Ward 2 (Wolfson).

37. **ZON-6222 - REZONING RELATED TO GPA-6199 - PUBLIC HEARING - APPLICANT: PECCOLE NEVADA CORP. - OWNER: WILLIAM PECCOLE AND WANDA PECCOLE 1991 TRUST** - Request for a Rezoning FROM: C-V (CIVIC) TO: C-1 (LIMITED COMMERCIAL) on 4.90 acres adjacent to the northeast corner of Hualapai way and Alta Drive (APN 138-31-210-004 and -009), Ward 2 (Wolfson).

38. **GPA-6352 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: ADVANCED ACCIDENT CHIROPRACTIC CARE - OWNER: I & K HOLDINGS, LLC** - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) AND ML (MEDIUM LOW DENSITY RESIDENTIAL TO: O (OFFICE) on .32 acres at 2111 South Maryland Parkway and 1205 Exley Avenue(162-02-410-071 and 072), Ward 3 (Reese).

39. **ZON-6353 - REZONING RELATED TO GPA-6352 - PUBLIC HEARING - APPLICANT: ADVANCED ACCIDENT CHIROPRACTIC CARE - OWNER: I & K HOLDINGS, LLC** - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) AND R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on .32 acres at 2111 South Maryland Parkway and 1205 Exley Avenue (APN 162-02-410-071 and 072), Ward 3 (Reese).

40. **GPA-6221 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: SCHLOSSER CONSTELLATION, INC. - OWNER: GGP MEADOWS MALL L.L.C.** - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 10.38 acres adjacent to the northwest corner of Valley View Boulevard and Meadows Lane (A portion of APN 139-31-111-006 and a portion of APN 139-31-510-019), Ward 1 (Tarkanian).

41. **ZON-6157 - REZONING - PUBLIC HEARING - APPLICANT/ OWNER: KENRIC, LLC** - Request for a Rezoning FROM: R-2 (MEDIUM -LOW DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 0.13 acres at 1400 Carson Avenue (APN 139-35-313-001), Ward 5 (Weekly).

42. **VAR-6349 - VARIANCE RELATED TO ZON-6157 - PUBLIC HEARING - APPLICANT/OWNER: KENRIC, LLC.** - Request for a Variance TO ALLOW A 5,510 SQUARE-FOOT LOT WHERE 7,000 SQUARE FEET IS REQUIRED FOR PROPOSED R-5 ZONING on 0.13 acres at 1400 Carson Avenue (APN 139-35-313-001), R-2 (Medium-Low Density Residential) Zone [PROPOSED: R-5 (Apartment)], Ward 5 (Weekly).

43. **VAR-6158 - VARIANCE RELATED TO ZON-6157 AND VAR-6349 - PUBLIC HEARING - APPLICANT/OWNER: KENRIC, LLC** - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SEPARATION OF FIVE FEET AND 20 FEET WHERE 133.5 FEET IS THE MINIMUM SEPARATION REQUIRED FOR A PROPOSED RESIDENTIAL CONDOMINIUM DEVELOPMENT on 0.13 acres at 1400 Carson Avenue (APN 139-35-313-001), R-2 (MEDIUM -LOW DENSITY RESIDENTIAL) Zone, Ward 5 (Weekly).

44. **VAR-6407 – VARIANCE RELATED TO ZON-6157, VAR-6349 AND VAR-6158 - PUBLIC HEARING - APPLICANT/OWNER: KENRIC, LLC** - Request for a Variance Request for a Variance TO ALLOW A TRASH ENCLOSURE TO BE 42 FEET FROM A PROTECTED RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 50 FEET FOR A PROPOSED CONDOMINIUM DEVELOPMENT on 0.13 acres at 1400 Carson Avenue (APN 139-35-313-001), R-2 (Medium-Low Density Residential) Zone [PROPOSED: R-5 (Apartment)], Ward 5 (Weekly).

45. **SDR-6155 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6157 AND VAR-6158 - PUBLIC HEARING - APPLICANT/OWNER: KENRIC, LLC** - Request for a Site Development Plan Review FOR A THREE STORY, FOUR UNIT CONDOMINIUM DEVELOPMENT AND WAIVERS OF THE PERIMETER, BUFFER, AND FOUNDATION LANDSCAPING REQUIREMENTS on 0.13 acres at 1400 Carson Avenue (APN 139-35-313-001), R-2 (Medium-Low Density Residential) Zone [PROPOSED: R-5 (Apartment)], Ward 5 (Weekly).

46. **SDR-6208 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: ALAN GETTINGER** - Request for a Site Development Plan Review FOR A 1,500 SQUARE-FOOT OFFICE DEVELOPMENT on 0.22 acres adjacent to the southeast corner of Eastern Avenue and Houston Drive (APN 162-01-210-009 and 162-01-110-025), P-R (Professional Office and Parking) Zone, Ward 3 (Reese).

47. **VAR-6137 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RANDY MC DONALD** - Request for a Variance TO ALLOW A FIVE FOOT FRONT YARD WALL WHERE FOUR FEET IS THE MAXIMUM ALLOWED on 1.13 acres at 808 Shetland Road (APN 139-32-801-004), R-E (Residence Estates) Zone, Ward 1 (Tarkanian).

48. **VAR-6180 - VARIANCE - PUBLIC HEARING - APPLICANT: CREATIVE DESIGN ARCHITECTURE, INC. - OWNER: JAMES E. SAYCICH AND ROSANNE C. SAYCICH** - Request for a Variance TO ALLOW A 2.75 FOOT SIDE YARD SETBACK WHERE TEN FEET IS THE MINIMUM REQUIRED on 1.25 acres at 1301 Rosanna Street (APN 163-03-503-011), R-E (Residence Estates) Zone, Ward 1 (Tarkanian).

49. **SUP-6198 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: KENAVO, LLC** - Request for a Special Use Permit FOR A LIVE/WORK UNIT WITHIN AN EXISTING BUILDING at 815 and 817 South Main Street (APN 139-34-410-001), C-M (Commercial/Industrial) Zone, Ward 1 (Tarkanian).

50. **SDR-6200 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6198 - PUBLIC HEARING - APPLICANT/OWNER: KENAVO, LLC** - Request for a Site Development Plan Review FOR A LIVE/WORK DEVELOPMENT WITHIN AN EXISTING BUILDING CONSISTING OF ONE RESIDENTIAL UNIT AND 10,678 SQUARE FEET OF COMMERCIAL SPACE WITH A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE REQUIREMENTS at 815 and 817 South Main Street (APN 139-34-410-001), C-M (Commercial/Industrial) Zone, Ward 1 (Tarkanian).

51. **SUP-6219 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JLM REALTY, INC - OWNER: TLC GAMING, INC** - Request for a Special Use Permit FOR A PROPOSED MIXED USE DEVELOPMENT at 3190 West Sahara Avenue (APN 162-05-403-001 through 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

52. **SDR-6220 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6219 - PUBLIC HEARING - APPLICANT: JLM REALTY, INC - OWNER: TLC GAMING, INC** - Request for a Site Development Plan Review FOR A SEVEN-STORY MIXED USE DEVELOPMENT INCLUDING; 303 RESIDENTIAL UNITS AND 20,250 SQUARE FOOT OF OFFICE SPACE AND A WAIVER FROM THE REQUIRED MINIMUM 15 FOOT SETBACK TO THE REAR PROPERTY LINE on 7.80 acres at 3190 West Sahara Avenue (APN 162-05-403-001 through 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

53. **SUP-6160 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP** - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION SPECIFIED AND A WAIVER OF THE 200 FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE at the northwest corner of Durango Drive and El Capitan Way (APN 125-17-601-011), T-C (Town Center) Zone, Ward 6 (Mack).

54. **SUP-6194 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TERRIBLE HERBST OIL CO.** - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION, BEER AND WINE) on 1.62 acres adjacent to the north side of Charleston Boulevard, approximately 660 feet west of Pavilion Center Drive (APN 137-35-812-006), P-C (Planned Community) Zone, Ward 2 (Wolfson).

55. **SUP-6204 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MULVANNYG2 ARCHITECTURE - OWNER: SHADOW MOUNTAIN MARKETPLACE, LLC** - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION, PACKAGE LIQUOR) at 6555 North Decatur Boulevard (APN 125-24-802-001 through -004, 007, 010, and 011), C-1 (Limit Commercial) Zone, Ward 6 (Mack).

56. **SDR-6188 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SAUCY STRATEGIC PLANNING, LLC** - Request for a Site Development Plan Review FOR A 38-STORY MIXED-USE DEVELOPMENT CONSISTING OF 278 RESIDENTIAL UNITS AND 9,300 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEP BACK AND STREETSCAPE REQUIREMENTS on 0.44 acres adjacent to the southeast corner of Charleston Boulevard and Casino Center Boulevard (APN 162-03-110-039 and 162-03-110-040), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

57. **SDR-6197 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: VALLEY HEALTH SYSTEM, INC.** - Request for a Site Development Plan Review FOR A 104,000 SQUARE-FOOT BUILDING ADDITION AND WAIVERS OF THE PARKING LOT LANDSCAPE FINGERS on 6.06 acres at 620 Shadow Lane (APN 139-33-303-024), PD (Planned Development) Zone, Ward 5 (Weekly).

58. **SDR-6201 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC REVIEW - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE, LLC** - Request for a Site Development Plan Review FOR A 211 LOT SINGLE-FAMILY SUBDIVISION DEVELOPMENT on 57.40 acres adjacent to the southwest corner of Egan Crest Way and Dorrell Lane (APN 126-24-610-001 and 002; 126-24-510-001; and 126-24-701-002 and 003), PD (Planned Development) Zone [L (Low Density Residential) Cliffs Edge Special Land Use Designation], Ward 6 (Mack).

59. **SDR-6211 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: HY-RAY LLC - OWNER: BOX CANYON PROFESSIONAL PARK PHASE II, LLC** - Request for a Site Development Plan Review FOR A 27,600 SQUARE FOOT MEDICAL OFFICE DEVELOPMENT AND WAIVERS OF PERIMETER AND FOUNDATION LANDSCAPING REQUIREMENTS on 2.45 acres located on the west side of Box Canyon Drive, approximately 700 feet east of Tenaya Way (APN 138-15-810-019), C-PB (Planned Business Park) Zone, Ward 4 (Brown).

60. **SDR-6217 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLCANT/OWNER: CORNERSTONE COMPANY** - Request for a Site Development Plan Review FOR A 40-STORY MIXED-USE DEVELOPMENT CONSISTING OF 89 RESIDENTIAL UNITS AND 3,257 SQUARE FEET OF COMMERCIAL SPACE, WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEP BACK AND STREETSCAPE REQUIREMENTS on 1.35 acres at 1211 South Third Street (APN 162-03-110-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

DIRECTOR'S BUSINESS:

61. **ABEYANCE - TXT-5773 – TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.06 of the Las Vegas Zoning Code in order to adopt regulations and define the boundaries of the Rural Preservation Overlay District.

62. **TXT-6421 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.16.040 relating to standards for the Expansion of a Nonconforming Use in a Conforming Building.

Agenda

City of Las Vegas

PLANNING COMMISSION MEETING

APRIL 14, 2005

Council Chambers 400 Stewart Avenue
Phone 229-6301 TDD 386-9108 http://www.lasvegasnevada.gov

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION NO SUBJECT MAY BE ACTED UPON BY THE PLANNING COMMISSION UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED.

Facilities are provided throughout City Hall for the convenience of disabled persons. Special equipment for the hearing impaired is available for use at meetings. If you need an accommodation to attend and participate in this meeting, please call the DEPARTMENT DESIGNEE at 229-6301 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

I **Carole Combs**, an employee of the Planning and Development Department of the City of Las Vegas, being first duly sworn, deposes and says that on the **8th** day of **April, 2005**, a copy of the **April 14, 2005** Planning Commission Agenda, the attached of which is a true and correct copy, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Department of Planning and Development, Current Planning Division.

Carole Combs

SIGNATURE

Planning and Development Department

Subscribed and sworn to before me this

8 day of April, 2005

Kathryn M. McDonald

NOTARY PUBLIC in and for said County and State

KATHRYN M. McDONALD
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 99-56749-1
MY APPT. EXPIRES JUNE 14, 2007

AFFIDAVIT OF POSTING

(Posting required under the provision of NRS 241, Sec. 1.3 and 1.5)

State of Nevada)
)
County of Clark)
)
City of Las Vegas)

I Tom Holliway, an employee of the Planning and Development Department of the City of Las Vegas, being first duly sworn, deposes and says that on the 8th day of April, 2005, at the hour of 1:30, there were posted copies of the April 14, 2005 Planning Commission Agenda, the attached of which is a true and correct copy, at the following locations:

1. In the Clark County Government Center
   500 South Grand Central Parkway

2. In the Las Vegas Library
   833 Las Vegas Boulevard North

3. In the Grant Sawyer Building
   555 East Washington Boulevard

4. City Clerk's Bulletin Board
   400 Stewart Avenue, 2nd Floor Skybridge
   (In the walkway area next to the entrance to Human Resources)

5. On the Public Bulletin Board at the Plaza Level to the City Hall
   400 Stewart Avenue
   (Near the entrance to the Court Clerk's Office)

Tom Holliway
(Signature)

Planning and Development Department

Subscribed and sworn to before me

This 8th day of April, 2005.

Kathryn M. McDonald
Notary Public in and for said County and State

KATHRYN M. McDONALD
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 99-56749-1
MY APPT. EXPIRES JUNE 14, 2007

Agenda City of Las Vegas

PLANNING COMMISSION MEETING

APRIL 14, 2005

Council Chambers 400 Stewart Avenue
Phone 229-6301 TDD 386-9108 http://www.lasvegasnevada.gov

Las Vegas City Council

Mayor Oscar B. Goodman
Mayor Pro-Tem Gary Reese, Ward 3
Councilman Larry Brown, Ward 4
Councilman Lawrence Weekly, Ward 5
Councilman Michael Mack, Ward 6
Councilman Steve Wolfson, Ward 2
Councilwoman Lois Tarkanian, Ward 1
Douglas Selby, City Manager

Commissioners

Todd Nigro, Chairman
Richard Truesdell, Vice-Chairman
Byron Goynes
Laura McSwain
Steven Evans
Leo Davenport
David Steinman

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE. UNLESS OTHERWISE STATED, ITEMS MAY BE TAKEN OUT OF THE ORDER PRESENTED AT THE DISCRETION OF THE CHAIRPERSON.

COMMISSIONERS BRIEFING: 5:15 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

It is the intent of the Planning Commission to be briefed by staff and that all items on the agenda shall be available for open discussion during the briefing session. Applicants and other interested parties may be asked for information or presentations by the Planning Commission. Applicants may not participate in the discussion unless at the specific request of the Commission. All interested parties are invited to attend.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ROLL CALL:

ANNOUNCEMENT: Compliance with the Open Meeting Law

NOTICE: This meeting has been properly noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Clark County Government Center, 500 South Grand Central Parkway
Las Vegas Library, 833 Las Vegas Boulevard North
Grant Sawyer Building, 555 East Washington Avenue
Court Clerk's Office Bulletin Board, City Hall Plaza

MINUTES: Approval of the March 10, 2005 Planning Commission Meeting minutes by reference (____vote)

ACTIONS: ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT:

1. **Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.**

2. **The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.**

3. **If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.**

4. **Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.**

5. **Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.**

6. **After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.**

7. **Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.**

8. **Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.**

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

1. **TMP-6089 - TENTATIVE MAP - CANYON LAKE (A CONDOMINIUM SUBDIVISION) - APPLICANT: AZTEC ENGINEERING - OWNER: EDWARD B. FRANKEL FAMILY TRUST** - Request for a Tentative Map FOR A 504 UNIT RESIDENTIAL CONDOMINIUM SUBDIVISION 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).

2. **TMP-6134 - TENTATIVE MAP - FREEMONT STREET LOFT HOMES - APPLICANT: LARRY S. DAVID & ASSOCIATES - OWNER: URBAN LAND ACQUISITION INC.** - Request for a Tentative Map for a 71-UNIT LIVE/WORK DEVELOPMENT on 4.24 acres at 1980 Freemont Street (APN 139-35-803-010), C-2 (General Commercial) Zone, Ward 3 (Reese).

3. **TMP-6213 - TENTATIVE MAP - STONEWATER - APPLICANT: STAR LIVING TRUST ET AL - OWNER: MATRIX DEVELOPMENT CORPORATION** - Request FOR A 32 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 10.69 acres adjacent to the northwest and northeast corner of Mustang Road and Ann Road (APN 125-26-801-012 and 125-26-802-014), RPD-3 (Residential Planned Development - 3 Units Per Acre) Zone, Ward 6 (Mack).

4. **TMP-6214 - TENTATIVE MAP - ANN RAINBOW - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE LLC** - Request for a Tentative Map FOR A 58-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION ON 6.86 ACRES at the northwest corner of Ann Road and Rainbow Boulevard (APN 125-27-803-008), RPD-8 (Residential Planned Development - 8 Units Per Acre) Zone, Ward 6 (Mack).

5. **TMP-6215 - TENTATIVE MAP - TOSCANA - APPLICANT: RCD HOLDING INC - OWNER: CREATIVE DREAM CATCHERS LLC** - Request for a Tentative Map FOR A 90 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 10.72 acres adjacent to the northwest corner of Ann Road and Balsam Street (APN 125-27-802-002 through 005, 008, 009, 012 and 014), U(Undeveloped) Zone [O (Office) General Plan Designation] and R-E (Residence Estates) Under Resolution of Intent to 0 (Office) Under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone, Ward 6 (Mack).

6. ANX-6173 - ANNEXATION - APPLICANT/OWNER: THE PHYLLIS M. FRIAS MANAGEMENT TRUST U/A DATED JANUARY 28,1998 - Petition to Annex property located adjacent to the east side of Kevin Street, approximately 340 feet north of Centennial Hills Parkway (APN 125-20-402-015), containing approximately 1.31 acres, Ward 6 (Mack).

7. ANX-6175 - ANNEXATION - APPLICANT/OWNER: ENGLAND, LLC - Petition to Annex property adjacent to the south side of Rome Boulevard, approximately 340 feet east of Shaumber Road. (APN 126-24-401-006), containing 5 acres, Ward 6 (Mack).

ONE MOTION – ONE VOTE:

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE NON-PUBLIC AND PUBLIC HEARING ITEMS THAT HAVE NO PROTESTS, WAIVERS FROM THE CODE OR CONDITION CHANGES BY THE APPLICANT OR STAFF. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARINGS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION OR A MEMBER OF THE PUBLIC OR A MEMBER OF THE PLANNING COMMISSION NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF, SHOULD REQUEST TO HAVE THAT ITEM REMOVED FROM THIS PART OF THE AGENDA.

8. VAC-6163 - VACATION - PUBLIC HEARING - APPLICANT: LAND DEVELOPMENT AND INVESTMENT DIVISION - OWNER: MAPLE DEVELOPMENT LLC - Petition to Vacate a portion of Florine Avenue and Park Street and U.S. Government Patent Easements generally located on north side of Alexander Road and east of Grand Canyon Drive, Ward 4 (Brown).

9. VAC-6184 - VACATION - PUBLIC HEARING - APPLICANT: GRIGOR GEVORKIAN - OWNER: CHARLESTON PARK MANAGEMENT LLC - Petition to Vacate a portion of a 20-foot easement at 2909 West Charleston Boulevard, Ward 1 (Tarkanian).

10. VAC-6196 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: KB HOME NEVADA INC. - Petition to Vacate U.S. Government Patent Easements generally located along the west side of Shaumber Road, between Farm Road and Severence Lane, Ward 6 (Mack).

11. **VAC-6202 - VACATION - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF HOMES - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE LLC** - Petition to Vacate U.S. Government Patent Easements generally located west of Egan Crest Way, south of Elkhorn Road, Ward 6 (Mack).

12. **VAC-6203 - VACATION - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF HOMES - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE LLC** - Petition to Vacate portions of Grinnell Avenue, Alpine Ridge Way, Deer Springs way, Michelli Crest Way and Bath Drive; and U.S. Government Patent Easements generally located west of Egan Crest Way, north of Bath Drive, Ward 6 (Mack).

13. **RQR-6152 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: O'ROURKE FAMILY, LP** - Required Two Year Review of an approved two year review (RQR-1708) WHICH ALLOWED A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN AT A HEIGHT OF 65 FEET, WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED AND TO ALLOW THE SIGN TO BE 730 FEET FROM ANOTHER OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 750 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at 1716 South Highland Avenue (APN 162-04-301-002), M (Industrial) Zone, Ward 1 (Tarkanian).

14. **RQR-6148 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: VIACOM OUTDOOR - OWNER: JACQUES AND MICHELLE ARCHIARDI** - Required One Year Review of an approved one year review (RQR-1689) WHICH ALLOWED A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the west side of Rancho Drive, approximately 250 feet south of Alexander Road (APN: 138-02-803-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

PUBLIC HEARING ITEMS:

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

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

17. **ABEYANCE - VAR-6118 - VARIANCE RELATED TO ZON-6116 AND WVR-6229 - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP** - Request for a Variance TO ALLOW 21,270 SQUARE FEET OF OPEN SPACE WHERE 48,874 SQUARE FEET IS THE MINIMUM REQUIRED on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), R-E (Residence Estates) Zone [PROPOSED: R-PD7 (Residential Planned Development - 7 units per acre)], Ward 6 (Mack).

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

19. **ABEYANCE - VAR-5878 – VARIANCE – APPLICANT: PARKWAY CENTER LLC – OWNER: CITY PARKWAY IV A INC.** – Request for a Variance FROM THE 750-FOOT SEPARATION REQUIREMENT AND THE 10-FOOT FREEWAY RIGHT-OF-WAY SETBACK REQUIREMENT FOR AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 City Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Weekly).

20. **VAR-6355 - VARIANCE - PUBLIC HEARING - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A, INC.** - Request for a Variance TO ALLOW A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE ATTACHED TO THE BUILDING WHERE SUCH IS NOT ALLOWED, AT A HEIGHT OF 85 FEET WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED, on 2.55 acres at 110 City Parkway (APN 139-27-410-008), P-D (Planned Development) Zone, Ward 5 (Weekly).

21. **ABEYANCE - RENOTIFICATION - SUP-5877 – SPECIAL USE PERMIT RELATED TO VAR-5878 AND VAR-6355 – PUBLIC HEARING – APPLICANT: PARKWAY CENTER LLC – OWNER: CITY PARKWAY IV A INC.** – Request for a Special Use Permit FOR A PROPOSED 71-FOOT HIGH, 14-FOOT x 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 City Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Weekly).

22. **ABEYANCE - SDR-5876 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5878, VAR-6355 AND SUP-5877 - PUBLIC HEARING - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.** - Request for a Site Development Plan Review FOR A 15-STORY, 250,000 SQUARE FOOT OFFICE AND COMMERCIAL DEVELOPMENT AND WAIVERS FROM THE PARKWAY CENTER STREETSCAPE REQUIREMENTS, BUILD-TO LINE, AND EXTERIOR MATERIALS REQUIREMENTS on 2.55 acres at 110 City Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Weekly).

23. **ABEYANCE - VAR-5949 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION** - Request for a Variance TO ALLOW 824 PARKING SPACES WHERE 1,065 IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN 125-17-702-003), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Land Use Designation], Ward 6 (Mack).

24. **ABEYANCE - WVR-6153 - WAIVER RELATED TO VAR-5949 - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION** - Request for a Waiver of Title 18.12.100 TO ALLOW 24-FOOT PRIVATE STREET WIDTH AT INTERSECTIONS WHERE 37 FEET IS THE MINIMUM WIDTH REQUIRED on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

25. **ABEYANCE - SDR-5948 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5949 AND WVR-6153 - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION** - Request for Revisions to an approved Site Development Plan Review FOR A PROPOSED MIXED-USE DEVELOPMENT on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN 125-17-702-003), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

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

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

28. **ABEYANCE - SUP-5894 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC.** - Request for a Special Use Permit FOR A PROPOSED CONVENIENCE STORE WITH FUEL PUMPS adjacent to the southwest corner of Tenaya Drive and Azure Way (APN 125-27-222-006), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

29. **ABEYANCE - SDR-5893 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5894 - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH INC.** - Request for a Site Development Plan Review FOR A PROPOSED 3,500 SQUARE FOOT CONVENIENCE STORE WITH FUEL PUMPS AND WAIVERS OF THE 70% GLAZING AND THE 330 FOOT SEPARATION REQUIREMENTS on 1.43 acres adjacent to the southwest corner of Tenaya Way and Azure Drive (APN 125-27-222-006), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

30. **ABEYANCE - SUP-5984 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: FREMONT BRUCE, LLC** - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the southeast corner of Bruce Street and Fremont Street (APN 139-35-803-001), C-2 (General Commercial) Zone, Ward 3 (Reese).

31. **ABEYANCE - SDR-5942 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5984 - PUBLIC HEARING - APPLICANT/ OWNER: FREMONT BRUCE, LLC** - Request for a Site Development Plan Review FOR A FOUR-STORY, 152 RESIDENTIAL UNIT, 21,000 SQUARE-FOOT MIXED-USE DEVELOPMENT on 2.76 acres adjacent to the southeast corner of Bruce Street and Fremont Street (APN 139-35-803-001), C-2 (General Commercial) Zone, Ward 3 (Reese).

32. **ABEYANCE - RENOTIFICATION - SDR-6111 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: CHARLESTON-3RD, LLC, ET AL** - Request for a Site Development Plan Review FOR A PROPOSED 28 STORY MIXED USE DEVELOPMENT CONSISTING OF 159 RESIDENTIAL CONDOMINIUM UNITS AND 7,000 SQUARE FEET OF COMMERCIAL/RETAIL SPACE, WITH WAIVERS FROM THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE, BUILD-TO-LINE AND BUILDING STEPBACK REQUIREMENTS on 0.44 acres at 1026 and 1036 South Third Street (APNs 139-34-410-091 and 092), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

33. **GPA-6191 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: B & B ASSET MANAGEMENT LLC - OWNER: RONALD J. RICHARDSON** - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 3.29 acres adjacent to the northwest corner of Lamb Boulevard and Harris Street (APN 140-30-701-009 AND 140-30-701-010), Ward 3 (Reese).

34. **ZON-6192 - REZONING RELATED TO GPA-6191 - PUBLIC HEARING - APPLICANT: B & B ASSET MANAGEMENT LLC - OWNER: RONALD J. RICHARDSON** - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) AND R-MHP (RESIDENTIAL MOBLIE/MANUFACTURED HOME PARK) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 3.29 acres adjacent to the northwest corner of Lamb Boulevard and Harris Street (APN 140-30-701-009 and 140-30-701-010), Ward 3 (Reese).

35. **SDR-6193 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6191 AND ZON-6192 - PUBLIC HEARING - APPLICANT: B & B ASSET MANAGEMENT LLC - OWNER: RONALD J. RICHARDSON** - Request for a Site Development Plan Review FOR A 60-UNIT CONDOMINIUM PROJECT on 3.29 acres adjacent to the northwest corner of Lamb Boulevard and Harris Street (APN 140-30-701-009 and 140-30-701-010), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

36. **GPA-6199 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: PECCOLE NEVADA CORP. - OWNER: WILLIAM PECCOLE AND WANDA PECCOLE 1991 TRUST** - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: PF (PUBLIC FACILITIES) TO: SC (SERVICE COMMERCIAL) on 4.90 acres adjacent to the northeast corner of Alta Drive and Hualapai Way (APN 138-31-210-004 and -009), Ward 2 (Wolfson).

37. **ZON-6222 - REZONING RELATED TO GPA-6199 - PUBLIC HEARING - APPLICANT: PECCOLE NEVADA CORP. - OWNER: WILLIAM PECCOLE AND WANDA PECCOLE 1991 TRUST** - Request for a Rezoning FROM: C-V (CIVIC) TO: C-1 (LIMITED COMMERCIAL) on 4.90 acres adjacent to the northeast corner of Hualapai way and Alta Drive (APN 138-31-210-004 and -009), Ward 2 (Wolfson).

38. **GPA-6352 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: ADVANCED ACCIDENT CHIROPRACTIC CARE - OWNER: I & K HOLDINGS, LLC** - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) AND ML (MEDIUM LOW DENSITY RESIDENTIAL TO: O (OFFICE) on .32 acres at 2111 South Maryland Parkway and 1205 Exley Avenue(162-02-410-071 and 072), Ward 3 (Reese).

39. **ZON-6353 - REZONING RELATED TO GPA-6352 - PUBLIC HEARING - APPLICANT: ADVANCED ACCIDENT CHIROPRACTIC CARE - OWNER: I & K HOLDINGS, LLC** - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) AND R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on .32 acres at 2111 South Maryland Parkway and 1205 Exley Avenue (APN 162-02-410-071 and 072), Ward 3 (Reese).

40. **GPA-6221 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: SCHLOSSER CONSTELLATION, INC. - OWNER: GGP MEADOWS MALL L.L.C.** - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 10.38 acres adjacent to the northwest corner of Valley View Boulevard and Meadows Lane (A portion of APN 139-31-111-006 and a portion of APN 139-31-510-019), Ward 1 (Tarkanian).

41. **ZON-6157 - REZONING - PUBLIC HEARING - APPLICANT/ OWNER: KENRIC, LLC** - Request for a Rezoning FROM: R-2 (MEDIUM -LOW DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 0.13 acres at 1400 Carson Avenue (APN 139-35-313-001), Ward 5 (Weekly).

42. **VAR-6349 - VARIANCE RELATED TO ZON-6157 - PUBLIC HEARING - APPLICANT/OWNER: KENRIC, LLC.** - Request for a Variance TO ALLOW A 5,510 SQUARE-FOOT LOT WHERE 7,000 SQUARE FEET IS REQUIRED FOR PROPOSED R-5 ZONING on 0.13 acres at 1400 Carson Avenue (APN 139-35-313-001), R-2 (Medium-Low Density Residential) Zone [PROPOSED: R-5 (Apartment)], Ward 5 (Weekly).

43. **VAR-6158 - VARIANCE RELATED TO ZON-6157 AND VAR-6349 - PUBLIC HEARING - APPLICANT/OWNER: KENRIC, LLC** - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SEPARATION OF FIVE FEET AND 20 FEET WHERE 133.5 FEET IS THE MINIMUM SEPARATION REQUIRED FOR A PROPOSED RESIDENTIAL CONDOMINIUM DEVELOPMENT on 0.13 acres at 1400 Carson Avenue (APN 139-35-313-001), R-2 (MEDIUM -LOW DENSITY RESIDENTIAL) Zone, Ward 5 (Weekly).

44. **VAR-6407 – VARIANCE RELATED TO ZON-6157, VAR-6349 AND VAR-6158 - PUBLIC HEARING - APPLICANT/OWNER: KENRIC, LLC** - Request for a Variance Request for a Variance TO ALLOW A TRASH ENCLOSURE TO BE 42 FEET FROM A PROTECTED RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 50 FEET FOR A PROPOSED CONDOMINIUM DEVELOPMENT on 0.13 acres at 1400 Carson Avenue (APN 139-35-313-001), R-2 (Medium-Low Density Residential) Zone [PROPOSED: R-5 (Apartment)], Ward 5 (Weekly).

45. **SDR-6155 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6157 AND VAR-6158 - PUBLIC HEARING - APPLICANT/OWNER: KENRIC, LLC** - Request for a Site Development Plan Review FOR A THREE STORY, FOUR UNIT CONDOMINIUM DEVELOPMENT AND WAIVERS OF THE PERIMETER, BUFFER, AND FOUNDATION LANDSCAPING REQUIREMENTS on 0.13 acres at 1400 Carson Avenue (APN 139-35-313-001), R-2 (Medium-Low Density Residential) Zone [PROPOSED: R-5 (Apartment)], Ward 5 (Weekly).

46. **SDR-6208 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: ALAN GETTINGER** - Request for a Site Development Plan Review FOR A 1,500 SQUARE-FOOT OFFICE DEVELOPMENT on 0.22 acres adjacent to the southeast corner of Eastern Avenue and Houston Drive (APN 162-01-210-009 and 162-01-110-025), P-R (Professional Office and Parking) Zone, Ward 3 (Reese).

47. **VAR-6137 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RANDY MC DONALD** - Request for a Variance TO ALLOW A FIVE FOOT FRONT YARD WALL WHERE FOUR FEET IS THE MAXIMUM ALLOWED on 1.13 acres at 808 Shetland Road (APN 139-32-801-004), R-E (Residence Estates) Zone, Ward 1 (Tarkanian).

48. **VAR-6180 - VARIANCE - PUBLIC HEARING - APPLICANT: CREATIVE DESIGN ARCHITECTURE, INC. - OWNER: JAMES E. SAYCICH AND ROSANNE C. SAYCICH** - Request for a Variance TO ALLOW A 2.75 FOOT SIDE YARD SETBACK WHERE TEN FEET IS THE MINIMUM REQUIRED on 1.25 acres at 1301 Rosanna Street (APN 163-03-503-011), R-E (Residence Estates) Zone, Ward 1 (Tarkanian).

49. **SUP-6198 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: KENAVO, LLC** - Request for a Special Use Permit FOR A LIVE/WORK UNIT WITHIN AN EXISTING BUILDING at 815 and 817 South Main Street (APN 139-34-410-001), C-M (Commercial/Industrial) Zone, Ward 1 (Tarkanian).

50. **SDR-6200 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6198 - PUBLIC HEARING - APPLICANT/OWNER: KENAVO, LLC** - Request for a Site Development Plan Review FOR A LIVE/WORK DEVELOPMENT WITHIN AN EXISTING BUILDING CONSISTING OF ONE RESIDENTIAL UNIT AND 10,678 SQUARE FEET OF COMMERCIAL SPACE WITH A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE REQUIREMENTS at 815 and 817 South Main Street (APN 139-34-410-001), C-M (Commercial/Industrial) Zone, Ward 1 (Tarkanian).

51. **SUP-6219 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JLM REALTY, INC - OWNER: TLC GAMING, INC** - Request for a Special Use Permit FOR A PROPOSED MIXED USE DEVELOPMENT at 3190 West Sahara Avenue (APN 162-05-403-001 through 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

52. **SDR-6220 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6219 - PUBLIC HEARING - APPLICANT: JLM REALTY, INC - OWNER: TLC GAMING, INC** - Request for a Site Development Plan Review FOR A SEVEN-STORY MIXED USE DEVELOPMENT INCLUDING; 303 RESIDENTIAL UNITS AND 20,250 SQUARE FOOT OF OFFICE SPACE AND A WAIVER FROM THE REQUIRED MINIMUM 15 FOOT SETBACK TO THE REAR PROPERTY LINE on 7.80 acres at 3190 West Sahara Avenue (APN 162-05-403-001 through 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

53. **SUP-6160 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP** - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION SPECIFIED AND A WAIVER OF THE 200 FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE at the northwest corner of Durango Drive and El Capitan Way (APN 125-17-601-011), T-C (Town Center) Zone, Ward 6 (Mack).

54. **SUP-6194 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TERRIBLE HERBST OIL CO.** - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION, BEER AND WINE) on 1.62 acres adjacent to the north side of Charleston Boulevard, approximately 660 feet west of Pavilion Center Drive (APN 137-35-812-006), P-C (Planned Community) Zone, Ward 2 (Wolfson).

55. **SUP-6204 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MULVANNYG2 ARCHITECTURE - OWNER: SHADOW MOUNTAIN MARKETPLACE, LLC** - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION, PACKAGE LIQUOR) at 6555 North Decatur Boulevard (APN 125-24-802-001 through -004, 007, 010, and 011), C-1 (Limit Commercial) Zone, Ward 6 (Mack).

56. **SDR-6188 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SAUCY STRATEGIC PLANNING, LLC** - Request for a Site Development Plan Review FOR A 38-STORY MIXED-USE DEVELOPMENT CONSISTING OF 278 RESIDENTIAL UNITS AND 9,300 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEP BACK AND STREETSCAPE REQUIREMENTS on 0.44 acres adjacent to the southeast corner of Charleston Boulevard and Casino Center Boulevard (APN 162-03-110-039 and 162-03-110-040), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

57. **SDR-6197 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: VALLEY HEALTH SYSTEM, INC.** - Request for a Site Development Plan Review FOR A 104,000 SQUARE-FOOT BUILDING ADDITION AND WAIVERS OF THE PARKING LOT LANDSCAPE FINGERS on 6.06 acres at 620 Shadow Lane (APN 139-33-303-024), PD (Planned Development) Zone, Ward 5 (Weekly).

58. **SDR-6201 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC REVIEW - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE, LLC** - Request for a Site Development Plan Review FOR A 211 LOT SINGLE-FAMILY SUBDIVISION DEVELOPMENT on 57.40 acres adjacent to the southwest corner of Egan Crest Way and Dorrell Lane (APN 126-24-610-001 and 002; 126-24-510-001; and 126-24-701-002 and 003), PD (Planned Development) Zone [L (Low Density Residential) Cliffs Edge Special Land Use Designation], Ward 6 (Mack).

59. **SDR-6211 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: HY-RAY LLC - OWNER: BOX CANYON PROFESSIONAL PARK PHASE II, LLC** - Request for a Site Development Plan Review FOR A 27,600 SQUARE FOOT MEDICAL OFFICE DEVELOPMENT AND WAIVERS OF PERIMETER AND FOUNDATION LANDSCAPING REQUIREMENTS on 2.45 acres located on the west side of Box Canyon Drive, approximately 700 feet east of Tenaya Way (APN 138-15-810-019), C-PB (Planned Business Park) Zone, Ward 4 (Brown).

60. **SDR-6217 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLCANT/OWNER: CORNERSTONE COMPANY** - Request for a Site Development Plan Review FOR A 40-STORY MIXED-USE DEVELOPMENT CONSISTING OF 89 RESIDENTIAL UNITS AND 3,257 SQUARE FEET OF COMMERCIAL SPACE, WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEP BACK AND STREETSCAPE REQUIREMENTS on 1.35 acres at 1211 South Third Street (APN 162-03-110-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

DIRECTOR'S BUSINESS:

61. **ABEYANCE - TXT-5773 – TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.06 of the Las Vegas Zoning Code in order to adopt regulations and define the boundaries of the Rural Preservation Overlay District.

62. **TXT-6421 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.16.040 relating to standards for the Expansion of a Nonconforming Use in a Conforming Building.

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION NO SUBJECT MAY BE ACTED UPON BY THE PLANNING COMMISSION UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED.

Facilities are provided throughout City Hall for the convenience of disabled persons. Special equipment for the hearing impaired is available for use at meetings. If you need an accommodation to attend and participate in this meeting, please call the DEPARTMENT DESIGNEE at 229-6301 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: APRIL 14, 2005

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by FLINN FAGG.

CALL TO ORDER: 5:58 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN TODD NIGRO, VICE CHAIRMAN RICHARD TRUESDELL, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., FLINN FAGG, PLANNING & DEVELOPMENT DEPARTMENT, DOUG RANKIN – PLANNING & DEVELOPMENT DEPT., DEREK ALLEN – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, YONGYAO LOU – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ANGELA CROLLI – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

MARGO WHEELER, Director, Planning and Development Department, introduced DEREK ALLEN, Planner II, to the Commissioners. She also announced that FLINN FAGG had been promoted to the position of Manager of the Current Planning Division. CHAIRMAN NIGRO congratulated MR. FAGG and welcomed MR. ALLEN.

DOUG RANKIN, Planning and Development Department, stated that the applicants for the following items requested the items be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 8 [VAC-6163]	Abeyance to 04/28/2005 Planning Commission Meeting
Item 17 [VAR-6118]	Withdrawn Without Prejudice
Item 26 [VAR-6228]	Abeyance to 04/28/2005 Planning Commission Meeting

Item 27 [SDR-6105]	Abeyance to 04/28/2005 Planning Commission Meeting
Item 30 [SUP-5984]	Abeyance to 05/12/2005 Planning Commission Meeting
Item 31 [SDR-5942]	Abeyance to 05/12/2005 Planning Commission Meeting
Item 40 [GPA-6221]	Abeyance to 05/12/2005 Planning Commission Meeting

Regarding Item 17 [VAR-6118], MR. RANKIN indicated the application is no longer needed.

MR. RANKIN also indicated that staff requested the following items be held in abeyance, tabled or withdrawn without prejudice.

Item 28 [SUP-5894]	Tabled
Item 29 [SDR-5893]	Tabled
Item 62 [TXT-6421]	Abeyance to 04/28/2005 Planning Commission Meeting

Regarding Item 28 [SUP-5894] and Item 29 [SDR-5893], MR. RANKIN initially stated the items would be stricken. CHRIS KAEMPFER, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and requested that the items be tabled instead of stricken. MS. WHEELER informed the Commission that tabling the items would be appropriate. ATTORNEY KAEMPFER acknowledged that the items would have to be re-noticed in the future.

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 8 [VAC-6163], Item 26 [VAR-6228], Item 27 [SDR-6105] and Item 62 [TXT-6421] to the 04/28/2005 Planning Commission Meeting; Item 30 [SUP-5984], Item 31 [SDR-5942] and Item 40 [GPA-6221] to the 05/12/2005 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 17 [VAR-6118] and TABLE Item 28 [SUP-5894] and Item 29 [SDR-5893] – UNANIMOUS

NOTE: COMMISSIONER McSWAIN indicated she would vote to table Item 28 [SUP-5894] and Item 29 [SDR-5893]; however, when the items are heard before the Commission again, she would abstain because the applicant involves Rebel, a vendor of her company, Terra Contracting.

NOTE: VICE CHAIRMAN TRUESDELL indicated he would vote on the abeyance of Item 26 [VAR-6228] and Item 27 [SDR-6105]; however, when the items are heard before the Commission again, he would abstain because one of his agents represents a property in the notice area.

(6:01 – 6:05)

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 14, 2005

SUBJECT:
Approval of the minutes of the March 10, 2005 Planning Commission Meeting

MOTION:
TRUESDELL - APPROVED - UNANIMOUS

MINUTES:
There was no discussion.

(6:00 – 6:00)
1-60

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 14, 2005

CHAIRMAN NIGRO announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:
ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN NIGRO read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 14, 2005

CHAIRMAN NIGRO noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.

2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.

3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.

4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.

5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.

6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.

7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

City of Las Vegas

Agenda Item No.: 1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
TMP-6089 - TENTATIVE MAP - CANYON LAKE (A CONDOMINIUM SUBDIVISION) - APPLICANT: AZTEC ENGINEERING - OWNER: EDWARD B. FRANKEL FAMILY TRUST - Request for a Tentative Map FOR A 504 UNIT RESIDENTIAL CONDOMINIUM SUBDIVISION 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).

P.C. FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions Consent Item 1 [TMP-6089], Item 2 [TMP-6134], Item 3 [TMP-6213], Item 4 [TMP-6214], Item 5 [TMP-6215] and APPROVED Item 6 [ANX-6173] and Item 7 [ANX-6175] – UNANIMOUS with McSWAIN abstaining on Item 4 [TMP-6214] because her company, Terra Contracting, is under contract with Richmond American Homes

This is Final Action

MINUTES:
CHAIRMAN NIGRO stated this is a Consent item.

(6:05 – 6:06)

1-227

CONDITIONS:
Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 1 – TMP-6089

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-6017).

3. Street names must be provided in accord with the City's Street Naming Regulations.

4 All development is subject to the conditions of City Departments and State Subdivision Statutes.

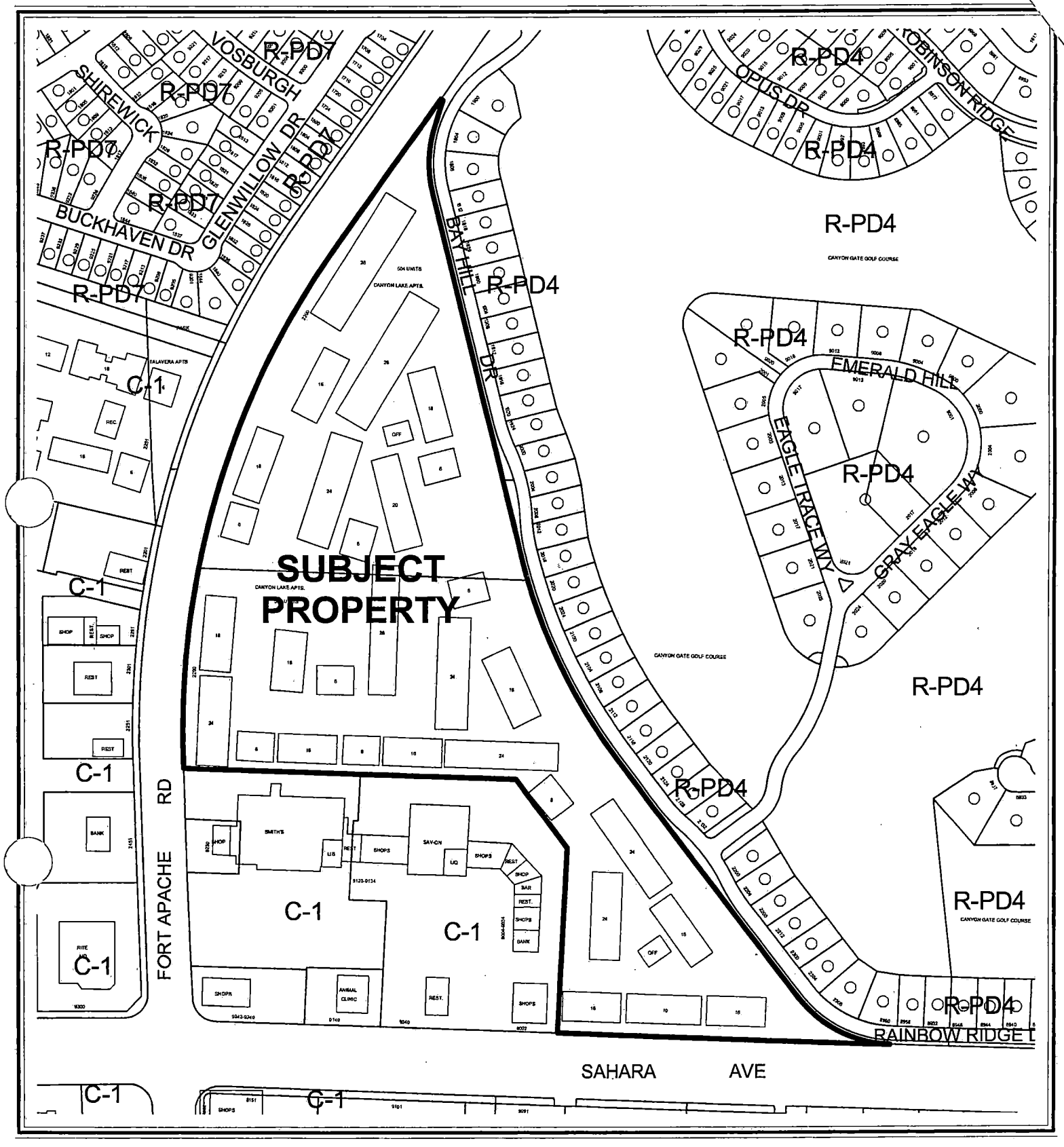
5. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

Public Works

6. Include the following note on the Final Map: Any area not occupied by a building shall be a public drainage easement to be privately maintained by the Homeowner's Association.

7. Site development to comply with all applicable conditions of approval for SDR-6017 and all other subsequent site-related actions.

8. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

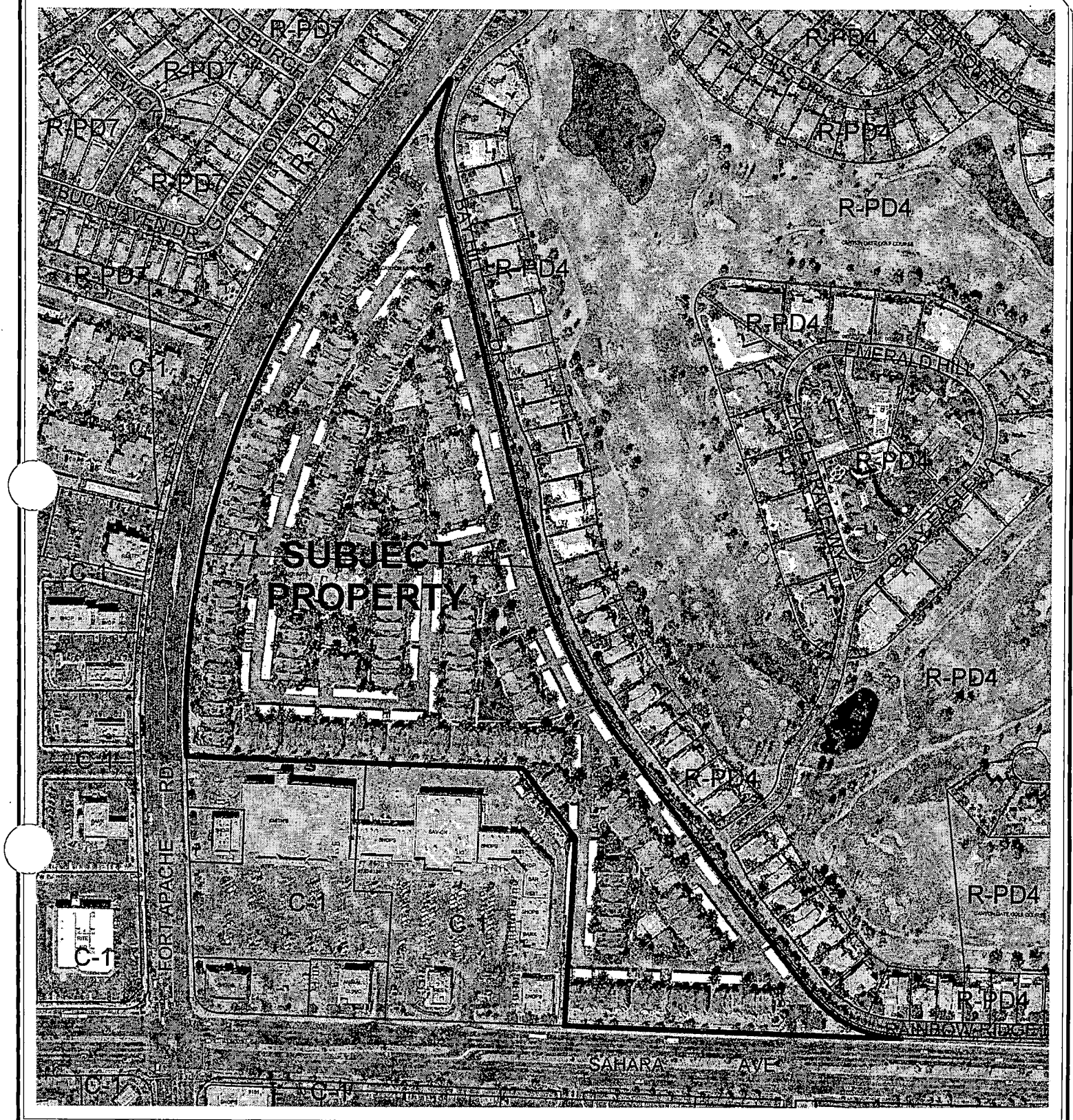


0 300 600 Feet

CASE: TMP-6089

ZONING OF SUBJECT PROPERTY:
R-PD18 (RESIDENTIAL PLANNED DEVELOPMENT - 18 UNITS PER ACRE)

N



0 300 600 Feet

CASE: **TMP-6089**

ZONING OF SUBJECT PROPERTY:
R-PD18 (RESIDENTIAL PLANNED DEVELOPMENT - 18 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TMP-6089 - CANYON LAKE (A CONDOMINIUM SUBDIVISION) - APPLICANT: AZTEC ENGINEERING - OWNER: EDWARD B. FRANKEL FAMILY TRUST

** CONDITIONS **

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

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

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DA

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DA

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Tentative Map 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

A justification letter is not required for this type of application.

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.
04/06/05	The City Council will be hearing the Site Development Plan Review (SDR-6017) for the Conversion of the 504-unit apartment complex to condominiums. The Planning Commission recommended Approval on March 10, 2005. Staff recommended Denial.

B) Pre-Application Meeting

A pre-application meeting was held where the following items were discussed:

1. The Site Development Plan Review (SDR-6017) will be heard at the 03/10/05 Planning Commission meeting and possibly at the 04/06/05 City Council.
2. The applicant will need to provide 24 folded and 1 rolled tentative map as well as 7 copies of cross sections with perimeter wall detail and elevations.
3. 504 units will require a DINA

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) 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)

D) 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.

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

DA

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

- R-PD ONLY

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

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
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.

B) General Analysis Discussion

- General information

This request is for a Tentative Map for the conversion of a 504-unit apartment development to condominiums. The Planning Commission recommended approval of the Site Development Plan Review on March 10, 2005. 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 also 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.

- Cross Section

  The submitted cross sections depict maximum natural grade between 0% and 2% across this site. Per Table A Subdivision Code 18.08.110 a development with natural slope between 0% to 2%, is allowed a maximum 4-foot retaining wall. The cross sections do not indicate any retaining walls and none are anticipated since this is a conversion of existing apartments to a condominium development.

- Trails

  There are no trails proposed to be located adjacent to this site.

- Special Conditions of Approval (from Zoning or SDPR)

  No special conditions applied to SDR-6017 would need to be addressed here.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DA

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-6089 APN: 163-05-410-001, 163-05-315-045

Name of Property Owner: Frankel Family Trust, Edward B. Frankel TRS

Name of Applicant: Aztec Engineering

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

_____Yes __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: DAVID Hunt

Subscribed and sworn before me

This 21 day of JANUARY, 2005

_____

Notary Public in and for said County and State

YIZHAK TOLEDANO
Notary Public, State of Florida
My comm. exp. Sept. 17, 2006
Comm. No. DD 150413

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **TMP-6089** APN: 163-05-410-001, 163-05-315-045

Name of Property Owner: Sky Rise Development Group c/o Mordechai Boaziz

Name of Applicant: Aztec Engineering

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

_____Yes _____No

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City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Mordechai Boaziz

Subscribed and sworn before me

This 3 day of February, 20 05

YIZHAK TOLEDANO
Notary Public, State of Florida
My Comm. exp. Sept. 17, 2006
Comm. No. DD 250413

_____
Notary Public in and for said County and State

Revised 2/12/02

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

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

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City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Mordechai Boaziz

Subscribed and sworn before me

This 3 day of FEBRUARY 2005

_____

Notary Public in and for said County and State

YIZHAK TOLEDANO
Notary Public, State of Florida
My comm. exp. [illegible]
Comm. No. DD 150411

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

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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: Edward B Frankel Trustee

Print Name: EDWARD B. FRANKEL, TRUSTEE

Subscribed and sworn before me

This _____ day of _____, 20__ see attachment

_____

Notary Public in and for said County and State

CALIFORNIA JURAT WITH AFFIANT STATEMENT

State of California

County of Orange } ss.

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

Subscribed and sworn to (or affirmed) before me on this

4 day of February, 2005, by
Date Month Year

(1) Edward B. Frankel,
Name of Signer

☑ Personally known to me
☐ Proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____,
Name of Signer

☐ Personally known to me
☐ Proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Keri Carey
Signature of Notary Public

KERI CAREY
Commission # 1493981
Notary Public - California
Orange County
My Comm. Expires Jun 8, 2008

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Statement of Financial Interest

Document Date: — Number of Pages: 1

Signer(s) Other Than Named Above: —

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

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TENTATIVE MAP
FOR
CANYON LAKE
A CONDOMINIUM SUBDIVISION

THAT PORTION OF THE WEST HALF (W1/2) OF SECTION 5,
TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.,
CITY OF LAS VEGAS,
CLARK COUNTY, NEVADA

LEGAL DESCRIPTION

PER TITLE REPORT

LOTS "O" AND "P" OF THE AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 3 AS SHOWN BY MAP THEREOF ON FILE IN BOOK 44 OF PLATS, PAGE 12, AND AMENDED BY CERTIFICATE OF AMENDMENT RECORDED MARCH 15, 1990 IN BOOK 900315 AS DOCUMENT NO. 00544, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PER SURVEYOR (METES AND BOUNDS DESCRIPTION)

THAT PORTION OF THE WEST HALF (W1/2) OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 5; THENCE NORTH 02°01'37" WEST, A DISTANCE OF 658.33 FEET; THENCE NORTH 87°58'23" EAST, A DISTANCE OF 50.00 FEET TO A POINT OF CURVATURE ON THE EASTERLY RIGHT OF WAY OF FORT APACHE ROAD AND THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT OF WAY AND SAID CURVE THAT IS CONCAVE NORTHERLY HAVING A RADIUS OF 1948.37 FEET AND A CENTRAL ANGLE OF 37°06'04" FOR AN ARC LENGTH OF 1261.64 FEET TO THE POINT OF TANGENCY; THENCE ALONG SAID RIGHT OF WAY NORTH 35°04'27" EAST, A DISTANCE OF 398.25 FEET; THENCE DEPARTING SAID RIGHT OF WAY SOUTH 54°55'33" EAST, A DISTANCE OF 5.00 FEET TO A POINT ALONG THE RIGHT OF WAY ON BAY HILL DRIVE; THENCE ALONG SAID RIGHT OF WAY SOUTH 16°02'25" WEST, A DISTANCE OF 66.72 FEET TO A POINT OF CURVATURE; THENCE ALONG SAID RIGHT OF WAY AND SAID CURVE THAT IS CONCAVE TO THE NORTH HAVING A RADIUS OF 258.00 FEET A CENTRAL ANGLE OF 33°57'46" FOR AN ARC LENGTH OF 149.57 FEET TO A POINT OF TANGENCY; THENCE ALONG SAID RIGHT OF WAY SOUTH 13°55'13" EAST, A DISTANCE OF 847.71 FEET TO A POINT OF CURVATURE; THENCE ALONG SAID RIGHT OF WAY AND SAID CURVE THAT IS CONCAVE TO THE NORTH HAVING A RADIUS OF 1280.00 FEET A CENTRAL ANGLE OF 12°53'15" FOR AN ARC LENGTH OF 913.61 FEET TO A POINT OF TANGENCY; THENCE ALONG SAID RIGHT OF WAY SOUTH 34°54'28" EAST, A DISTANCE OF 688.26 FEET TO A POINT OF CURVATURE; THENCE ALONG SAID RIGHT OF WAY AND SAID CURVE THAT IS CONCAVE TO THE NORTHWESTERLY HAVING A RADIUS OF 226.00 FEET A CENTRAL ANGLE OF 51°20'00" FOR AN ARC LENGTH OF 243.67 FEET TO A POINT OF TANGENCY ON THE NORTHERLY RIGHT OF WAY OF SAHARA AVENUE; THENCE ALONG SAID RIGHT OF WAY NORTH 87°45'38" WEST, A DISTANCE OF 772.01 FEET; THENCE DEPARTING SAID RIGHT OF WAY NORTH 02°00'22" EAST, A DISTANCE OF 431.42 FEET; THENCE NORTH 34°54'38" WEST, A DISTANCE OF 197.82 FEET; THENCE NORTH 87°54'38" WEST, A DISTANCE OF 735.28 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF FORT APACHE ROAD; THENCE ALONG SAID RIGHT OF WAY NORTH 02°02'30" WEST 11.91 FEET TO THE POINT OF BEGINNING.

AREA CONTAINING: 1,078,854.05 SQ.FT.
24.76 ACRES±
MORE OR LESS

OWNER / DEVELOPER

CURRENT OWNER
FRANKEL FAMILY TRUST
FRANKEL EDWARD B TRS
434 S. EUCLID
ANAHEIM, CA 92802-1247
PHONE NUMBER (714) 520-5432 EX. 214

DEVELOPER
SKY RISE DEVELOPMENT GROUP INC.
2875 NE 191ST STREET SUITE 901
AVENTURA, FL 33180
PHONE NUMBER (305) 931-9935

BASIS OF BEARINGS

THE WEST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 60 EAST M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA AS SHOWN ON FILE, IN THE OFFICE OF THE CLARK COUNTY RECORDER, IN FILE 44, OF PARCEL MAPS, PAGE 12, SAID LINE BEARS NORTH 02°01'37" WEST

BENCHMARK

CITY OF LAS VEGAS BENCHMARK - 11VLD 55WS - 2789.04'
RIVET AND SQUARE ALUMINUM PLATE IN TOP OF CURB AT THE NORTHEAST CORNER @ SAHARA AVENUE AND FORT APACHE ROAD

UTILITIES SERVICED BY

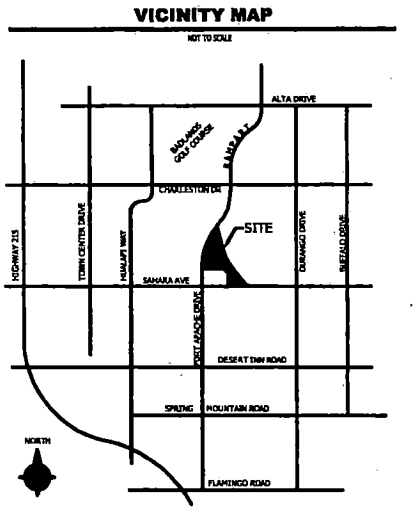
LAS VEGAS VALLEY WATER DISTRICT
CLARK COUNTY WATER RECLAMATION DISTRICT
REPUBLIC SERVICES OF SOUTHERN NEVADA
NEVADA POWER COMPANY
SPRINT TELEPHONE COMPANY
SOUTHWEST GAS CORPORATION
COX COMMUNICATIONS

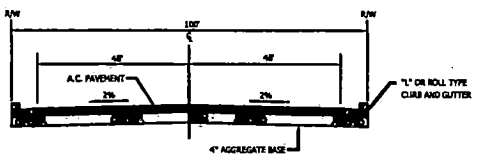
UTILITIES NOTE:

THE UNDERGROUND UTILITIES AS SHOWN HEREON HAVE BEEN LOCATED FROM OBSERVED FIELD SURVEY EVIDENCE AND EXISTING DRAWINGS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: PLANS PROVIDED BY THE CLIENT, UTILITY COMPANIES, AND MUNICIPAL AGENCIES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

VICINITY MAP

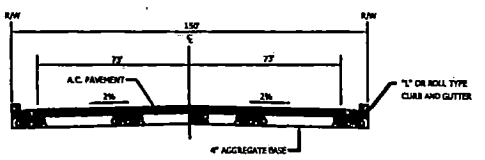
NOT TO SCALE





FORT APACHE ROAD SECTION

NOT TO SCALE NOTHING COULD BE



SAHARA AVENUE SECTION

NOT TO SCALE NOTHING COULD BE

SHEET INDEX

T-1 COVER SHEET
T-2 SITE PLAN
T-3 BUILDING PLANS
T-4 SITE PROFILES AND DETAIL SHEET

SITE DATA

APN: 163-05-315-045 AND 163-05-410-001

GROSS ACREAGE: 24.76 ACRES

CURRENT OWNER: FRANKEL FAMILY TRUST
FRANKEL EDWARD B TRS
434 S. EUCLID
ANAHEIM, CA 92802-1247
PHONE NUMBER (714) 520-5432 EX. 214

CURRENT ZONING: RESIDENTIAL PLANNED DEVELOPMENT DISTRICT (R-PD18)
PROPOSED ZONING: RESIDENTIAL PLANNED DEVELOPMENT DISTRICT (R-PD18)
PROPOSED NO. OF LOTS: 504
PROPOSED DENSITY: 20.4 UNITS / ACRE
PROPOSED PARKING: 834

LOT DATA

FLOOD ZONE INFORMATION:
FLOOD HAZARD REPORT FOR: APN 163-05-315-045 AND APN 163-05-410-001
ADDRESS: 2200 FORT APACHE ROAD

THIS PROPERTY DOES NOT LIE WITHIN THE SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100 YEAR FLOOD AS ESTABLISHED BY THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP)/FLOOD INSURANCE RATE MAP NUMBER 32003C2145 E DATED SEPTEMBER 27, 2002, PROPERTY IS IN FLOOD ZONE X.

AREA
TOTAL AREA = 1,078,854 SQUARE FEET / 24.76 ACRES
TOTAL UNITS/ACRE = 20.4
TOTAL COMMON ELEMENTS = 1

BUILDING INFORMATION
BUILDING TYPE 1 (ONE BEDROOM UNITS = 0)
BUILDING TYPE 3 (ONE BEDROOM UNITS = 16)
BUILDING TYPE 3 (ONE BEDROOM UNITS = 24)
BUILDING TYPE 4 (TWO BEDROOM UNITS = 0)
BUILDING TYPE 5 (TWO BEDROOM UNITS = 16)
BUILDING TYPE 6 (TWO BEDROOM UNITS = 30)
BUILDING TYPE 7 (TWO BEDROOM UNITS = 24)
BUILDING TYPE 8 (TWO BEDROOM UNITS = 28)
BUILDING TYPE 9 (THREE BEDROOM UNITS = 0)
BUILDING TYPE 10 (THREE BEDROOM UNITS = 24)
BUILDING TYPE 11 (THREE BEDROOM UNITS = 28)

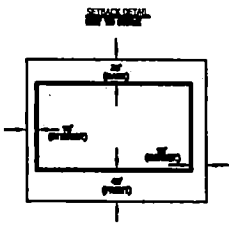
PARKING INFORMATION
REQUIRED PARKING:
1BR = 1.25/UNIT (170 REQUIRED)
2BR = 1.75/UNIT (476 REQUIRED)
3BR = 2/UNIT (192 REQUIRED)
VISITOR PARKING = 1/6 UNITS (106 REQUIRED)
TOTAL REQUIRED PARKING SPACES = 930

AVAILABLE PARKING:
HANDICAPPED SPACES = 6
COVERED SPACES = 905
TOTAL PARKING SPACES = 834

TOTAL NUMBER OF ONE BEDROOM UNITS = 136
TOTAL NUMBER OF TWO BEDROOM UNITS = 272
TOTAL NUMBER OF THREE BEDROOM UNITS = 96
TOTAL NUMBER OF BUILDINGS = 34
TOTAL NUMBER OF UNITS / LOTS = 504

SETBACK REQUIREMENTS:
SETBACKS ARE AS STIPULATED LAS VEGAS DEVELOPMENT CODE (TITLE 19.08), AS PER RESIDENTIAL PLANNED DEVELOPMENT DISTRICT (A-PD18) THE SETBACK REQUIREMENTS ARE PART OF THE INITIAL DESIGN REVIEW. SINCE THIS DEVELOPMENT IS EXISTING THERE ARE NO SETBACK REQUIREMENTS.

SETBACK DETAIL
NOT TO SCALE



NOTES

1. FUTURE LANDSCAPING SHALL BE DESIGNED AND MAINTAINED PER TITLE 30, EXISTING LANDSCAPING SHALL BE MAINTAINED PER TITLE 30.
2. INFORMATION DEPICTED, ALSO CONSTITUTES THE DEVELOPMENT PLAN FOR THE ENTIRE SITE, INCLUDING PROJECT PHASING.
3. COVENANTS CONDITIONS AND RESTRICTIONS (CC&RS) THE DEVELOPERS SHALL FORMULATE AND RECORD PROTECTIVE COVENANTS AND DEED RESTRICTIONS FOR ENFORCEMENT COLLECTIVELY REQUIRED BY EACH LOT OWNER.
4. GROUND WATER WAS LOCATED APPROXIMATELY 20 FEET BELOW THE SURFACE.
5. THERE ARE NO KNOWN FAULTS WITHIN THE PROJECT.
6. THIS SUBDIVISION IS NOT A PART OF A MASTER PLAN.
7. THERE ARE NO PROPOSED STORM DRAIN SYSTEMS.
8. THERE ARE NO PROPOSED RESERVATIONS OF DEDICATIONS FOR PARKS, SCHOOLS, OR OTHER PUBLIC OR QUASI-PUBLIC USES.

TMP-6089
03/24/05 PC

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FEB 07 2005

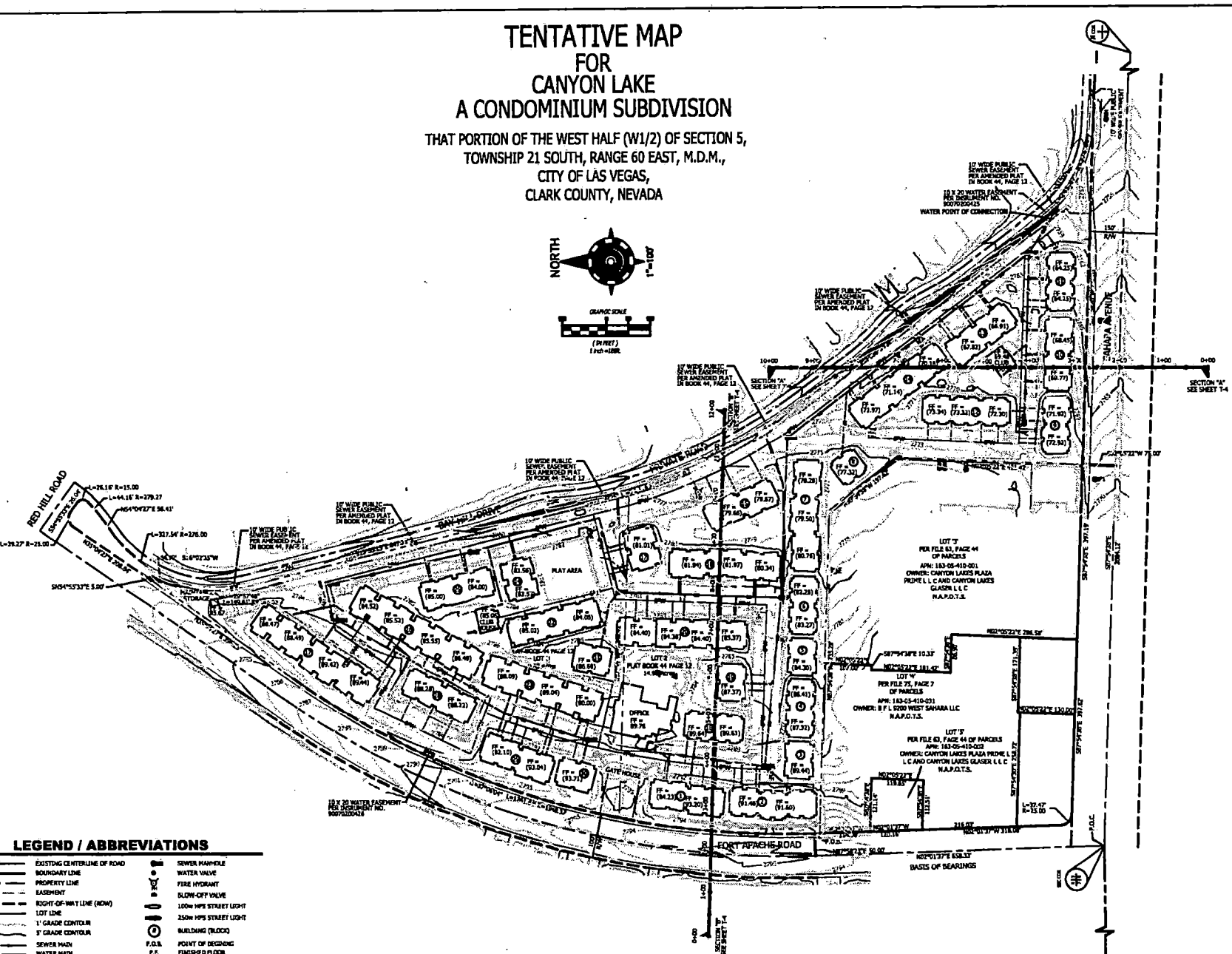
AZTEC

CANYON LAKE
TENTATIVE MAP
COVER SHEET

SHEET
T-1
1 OF 4 SHTS
PROJECT ID

TENTATIVE MAP
FOR
CANYON LAKE
A CONDOMINIUM SUBDIVISION

THAT PORTION OF THE WEST HALF (W1/2) OF SECTION 5,
TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.,
CITY OF LAS VEGAS,
CLARK COUNTY, NEVADA



LEGEND / ABBREVIATIONS

	EXISTING CENTERLINE OF ROAD		SEWER MANHOLE
	BOUNDARY LINE		WATER VALVE
	PROPERTY LINE		FIRE HYDRANT
	EASEMENT		BLOW-OFF VALVE
	RIGHT-OF-WAY LINE (ROW)		100w HPS STREET LIGHT
	LOT LINE		250w HPS STREET LIGHT
	1' GRADE CONTOUR		BUILDING (BLOCK)
	5' GRADE CONTOUR	P.O.B.	POINT OF BEGINNING
8" SS	SEWER MAIN	F.F.	FINISHED FLOOR
8"W	WATER MAIN	N.A.P.O.T.S.	NOT A PART OF THIS SURVEY

AZTEC

CANYON LAKE
TENTATIVE MAP
SITE PLAN

SHEET
T-2
2 OF 4 SHTS
PROJECT ID
A20-00000

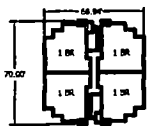
TMP-6089

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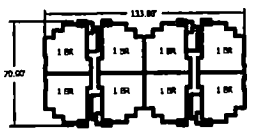
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TENTATIVE MAP
FOR
CANYON LAKE
A CONDOMINIUM SUBDIVISION

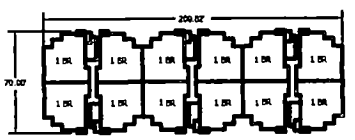
THAT PORTION OF THE WEST HALF (W1/2) OF SECTION 5,
TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.,
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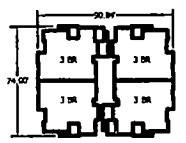
UNIT A, BUILDING TYPE 1
8 PLEX 5,104 SQ. FT. *SCALE: 1"=40'*



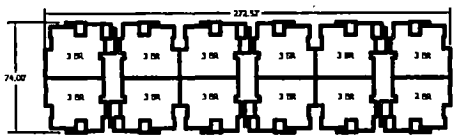
UNIT A, BUILDING TYPE 2
16 PLEX 10,208 SQ. FT. *SCALE: 1"=40'*



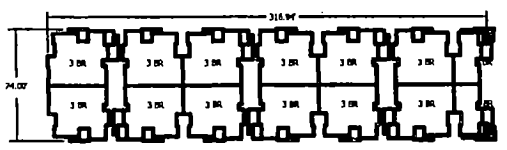
UNIT A, BUILDING TYPE 3
24 PLEX 15,312 SQ. FT. *SCALE: 1"=40'*



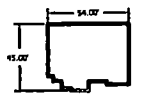
UNIT C, BUILDING TYPE 9
8 PLEX 9,992 sq.ft. *SCALE: 1"=40'*



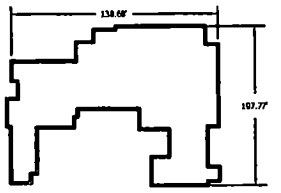
UNIT C, BUILDING TYPE 10
24 PLEX 29,976 sq.ft. *SCALE: 1"=40'*



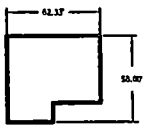
UNIT C, BUILDING TYPE 11
28 PLEX 34,972 sq.ft. *SCALE: 1"=40'*



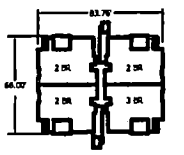
RECREATION BUILDING
2,218 SQ. FT. *SCALE: 1"=40'*



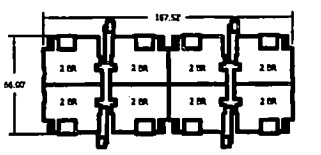
OFFICE/RECREATION BUILDING
9,653 SQ. FT. *SCALE: 1"=40'*



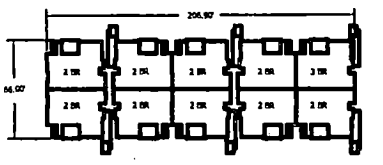
OFFICE/RECREATION BUILDING
BASEMENT LEVEL 3,199 sq.ft. *SCALE: 1"=40'*



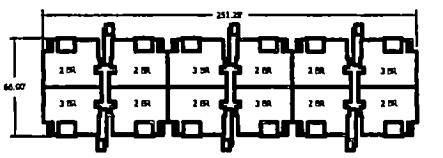
UNIT B, BUILDING TYPE 4
8 PLEX 8,528 sq.ft. *SCALE: 1"=40'*



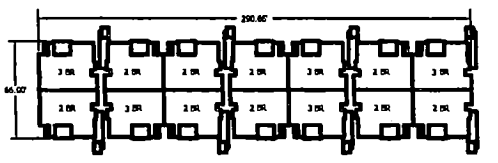
UNIT B, BUILDING TYPE 5
16 PLEX 17,056 sq.ft. *SCALE: 1"=40'*



UNIT B, BUILDING TYPE 6
20 PLEX 21,320 sq.ft. *SCALE: 1"=40'*



UNIT B, BUILDING TYPE 7
24 PLEX 25,584 sq.ft. *SCALE: 1"=40'*



UNIT B, BUILDING TYPE 8
28 PLEX 29,848 sq.ft. *SCALE: 1"=40'*

CANYON LAKE
TENTATIVE MAP
BUILDING TYPES

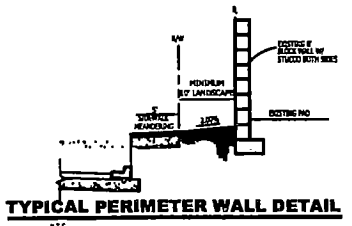
SHEET
T-3

TMP-6089
03/24/05 PC

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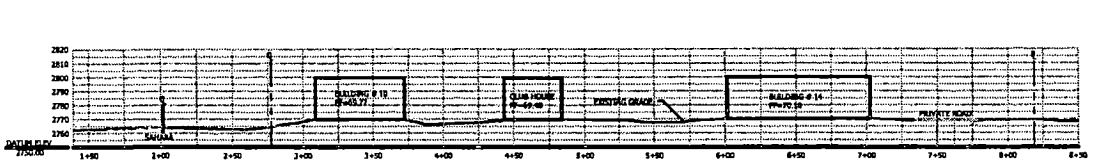
TENTATIVE MAP
FOR
CANYON LAKE
A CONDOMINIUM SUBDIVISION

THAT PORTION OF THE WEST HALF (W1/2) OF SECTION 5,
TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.,
CITY OF LAS VEGAS,
CLARK COUNTY, NEVADA

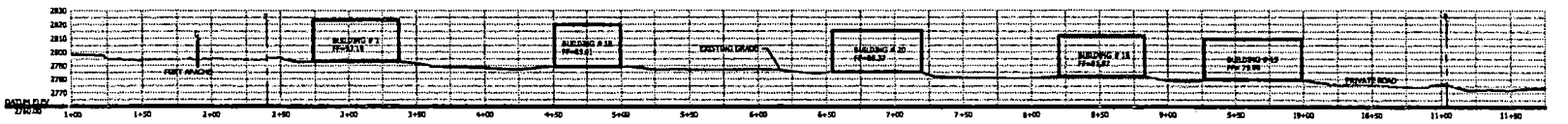


TYPICAL PERIMETER WALL DETAIL

N.T.S.



SECTION "A"



SECTION "B"

CANYON LAKE
TENTATIVE MAP
SITE PROFILES AND DETAILS

SHEET T-4

TMP-6089
03/24/05 PC

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FEB 07 2005



TMP-6089 - APPLICANT: AZTEC ENGINEERING - OWNER: EDWARD B. FRANKEL FAMILY TRUST -
2200 SOUTH FORT APACHE ROAD
APRIL 14, 2005 PLANNING COMMISSION

02/22/05

City of Las Vegas

Agenda Item No.: 2

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
TMP-6134 - TENTATIVE MAP - FREEMONT STREET LOFT HOMES - APPLICANT: LARRY S. DAVID & ASSOCIATES - OWNER: URBAN LAND ACQUISITION INC. - Request for a Tentative Map for a 71-UNIT LIVE/WORK DEVELOPMENT on 4.24 acres at 1980 Freemont Street (APN 139-35-803-010), C-2 (General Commercial) Zone, Ward 3 (Reese).

P.C. FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions Consent Item 1 [TMP-6089], Item 2 [TMP-6134], Item 3 [TMP-6213], Item 4 [TMP-6214], Item 5 [TMP-6215] and APPROVED Item 6 [ANX-6173] and Item 7 [ANX-6175] – UNANIMOUS with McSWAIN abstaining on Item 4 [TMP-6214] because her company, Terra Contracting, is under contract with Richmond American Homes

This is Final Action

MINUTES:
CHAIRMAN NIGRO stated this is a Consent item.

(6:05 – 6:06)

CONDITIONS:
Planning and Development
1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF MARCH 10, 2005
Planning and Development Department
Item 2 – TMP-6134

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Variance (VAR-5288), Site Development Plan Review (SDR-5286), Special Use Permit (SUP-5287), and a Waiver (WVR-5289) of the Downtown Centennial and Redevelopment Plan Development Standards.

3. Street names must be provided in accord with the City's Street Naming Regulations.

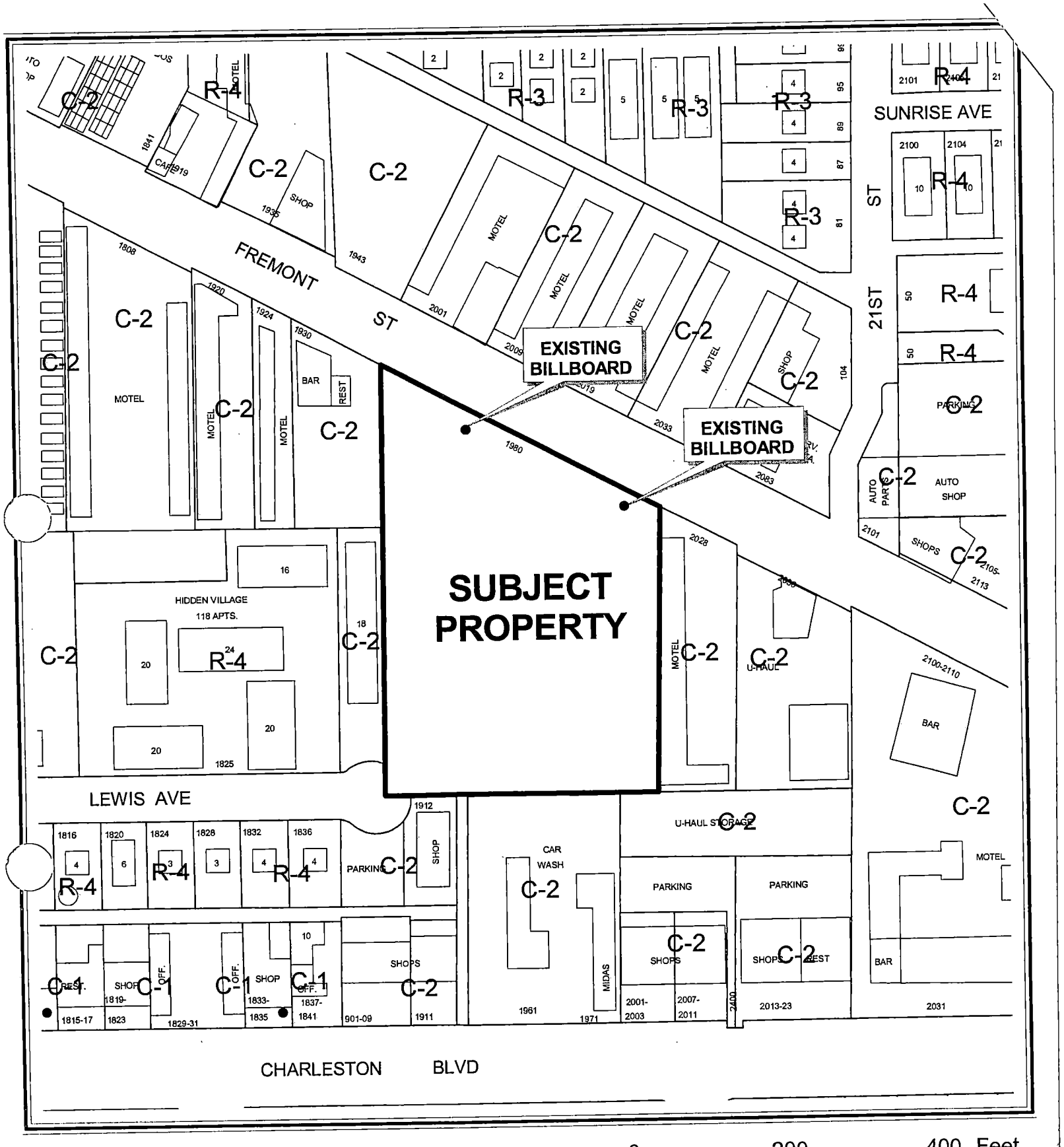
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

Public Works

6. Site development to comply with all applicable conditions of approval for SDR-5286 and all other applicable site-related actions.

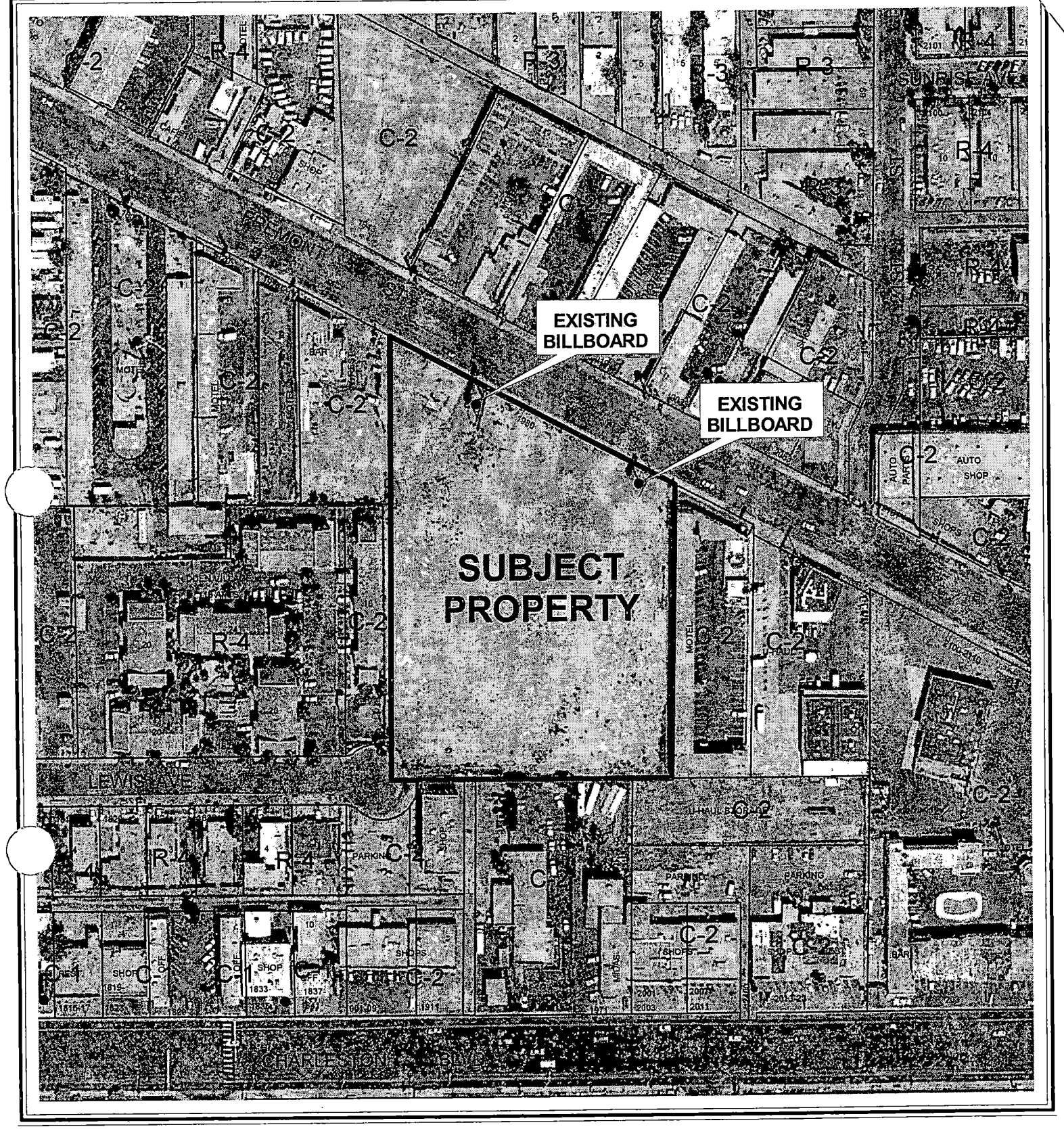
7. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.



CASE: TMP-6134

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

N



0 200 400 Feet

CASE: TMP-6134

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TMP-6134 - FREMONT STREET LOFT HOMES - APPLICANT: LARRY S. DAVID & ASSOCIATES - OWNER: URBAN LAND ACQUISITION INC.

** CONDITIONS **

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

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Variance (VAR-5288), Site Development Plan Review (SDR-5286), Special Use Permit (SUP-5287), and a Waiver (WVR-5289) of the Downtown Centennial and Redevelopment Plan Development Standards.

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

Public Works

6. Site development to comply with all applicable conditions of approval for SDR-5286 and all other applicable site-related actions.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Tentative Map for a 71-unit Live/Work development on 4.24 acres at 1980 Freemont Street.

B) Applicant's Justification

The applicant indicates that the proposed Tentative Map complies with the approved Site Development Plan Review (SDR-5286).

BACKGROUND INFORMATION

A) Related Actions

12/01/04 The City Council approved a Site Development Plan Review (SDR-5286) and a Waiver of streetscape and build-to requirements for a 71-unit Live/Work development. A Variance (VAR-5288) to allow 78 percent of the total floor area of a live/work unit to be used for residential purposes where 50 percent is the maximum allow was also approved by City Council. A Special Use Permit (SUP-5287) for a proposed 71-unit live/work development was also approved. A Waiver (WVR-5289) of Title 18.12.100 to allow 32-foot private streets where 39 feet is the minimum width required was also approved. The Planning Commission and staff recommended approval of the above-mentioned cases.

B) Pre-Application Meeting

02/10/05 The following items were discussed at the pre-application meeting:

- The plans needed to be stamped by an engineer.
- Five-foot retaining walls are indicated on Section B.
- Entrance to the site from Fremont Street and Lewis Avenue.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	4.24
Net Acres:	3.79

B) Existing Land Use

Subject Property:	Undeveloped
North:	Motel Use
South:	Car Wash Use
	Truck Rental Use
East:	Motel Use
West:	Multi-family Residential Use
	Tavern Use

C) Planned Land Use

Subject Property:	MXU (Mixed Use)
North:	MXU (Mixed Use)
South:	MXU (Mixed Use)
East:	MXU (Mixed Use)
West:	MXU (Mixed Use)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	

E) General Plan Compliance

The property is located within the boundaries of the Las Vegas Redevelopment District, and has a Mixed-Use land use designation. The Mixed-Use designation allows uses comparable to the following land use categories: L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), GC (General Commercial), and PF (Public Facilities). The proposed uses are in compliance with the land use designation.

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

Redevelopment Plan Area
As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan
The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the East Fremont District. New commercial development and the integration of mixed-income residential neighborhoods are encouraged for this area, along with the provision of open space to serve residents of the area.

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	4.24 Acres	N/A
Min. Lot Width	N/A	355 Feet	N/A
Min. Setbacks • Front (Fremont) • Side • Rear	 0 Feet N/A N/A	 5 Feet 5 Feet 7 Feet	 N N/A Y
Max. Lot Coverage	Up to 100%	41%	Y
Max. Building Height	N/A	39 Feet	N/A
Trash Enclosure	Walled/roofed	In Unit	Y
Mech. Equipment	Screened	Not indicated	Not indicated

The proposed project complies with the Centennial Plan development standards, with the approval of the Waivers associated with Site Development Plan Review (SDR-5286).

B) General Analysis Discussion

- General information

The development proposal entails the construction of 71 live/work units on the site, with access to the site from Fremont Street and Lewis Avenue. Each unit will be three stories in height, and will have an enclosed two-car garage. The bottom floor of each unit will accommodate a work-space; residents will be allowed to operate general office or arts-related uses from the units.

- Cross Section

  The submitted north/south and east/west cross section depicts maximum natural grade between 0% and 2% across this site. Per Table A Subdivision Code 18.08.110 a development with natural slope between 0% to 2%, is allowed a maximum 4-foot retaining wall. None of the retaining walls shown are greater than 4-foot in height therefore complying with Title 18. However, we note that the total vertical wall height adjacent to Fremont Street and the southern boundary appears to be 8-feet.

- Trails

  There are no trails adjacent to the subject site.

- Special Conditions of Approval (from Zoning or SDPR)

  1. A Text Amendment (TXT-4602) approved by City Council to expand the boundaries of the Live/Work Overlay District to include the subject property.

  2. A Waiver from the Downtown Centennial Plan build-to requirement is hereby approved, in order to allow a front yard setback of five feet along Fremont Street.

  3. A Waiver from the Downtown Centennial Plan streetscape requirement is hereby approved, in order to allow a 9-1/2 foot sidewalk where 11 feet is required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-4134 APN: 139-35-803-010

Name of Property Owner: URBAN LAND ACQUISITION, INC.

Name of Applicant: Larry S. Davis & Associates

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

____ Yes X No

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner/Authorized Agent: [signature]

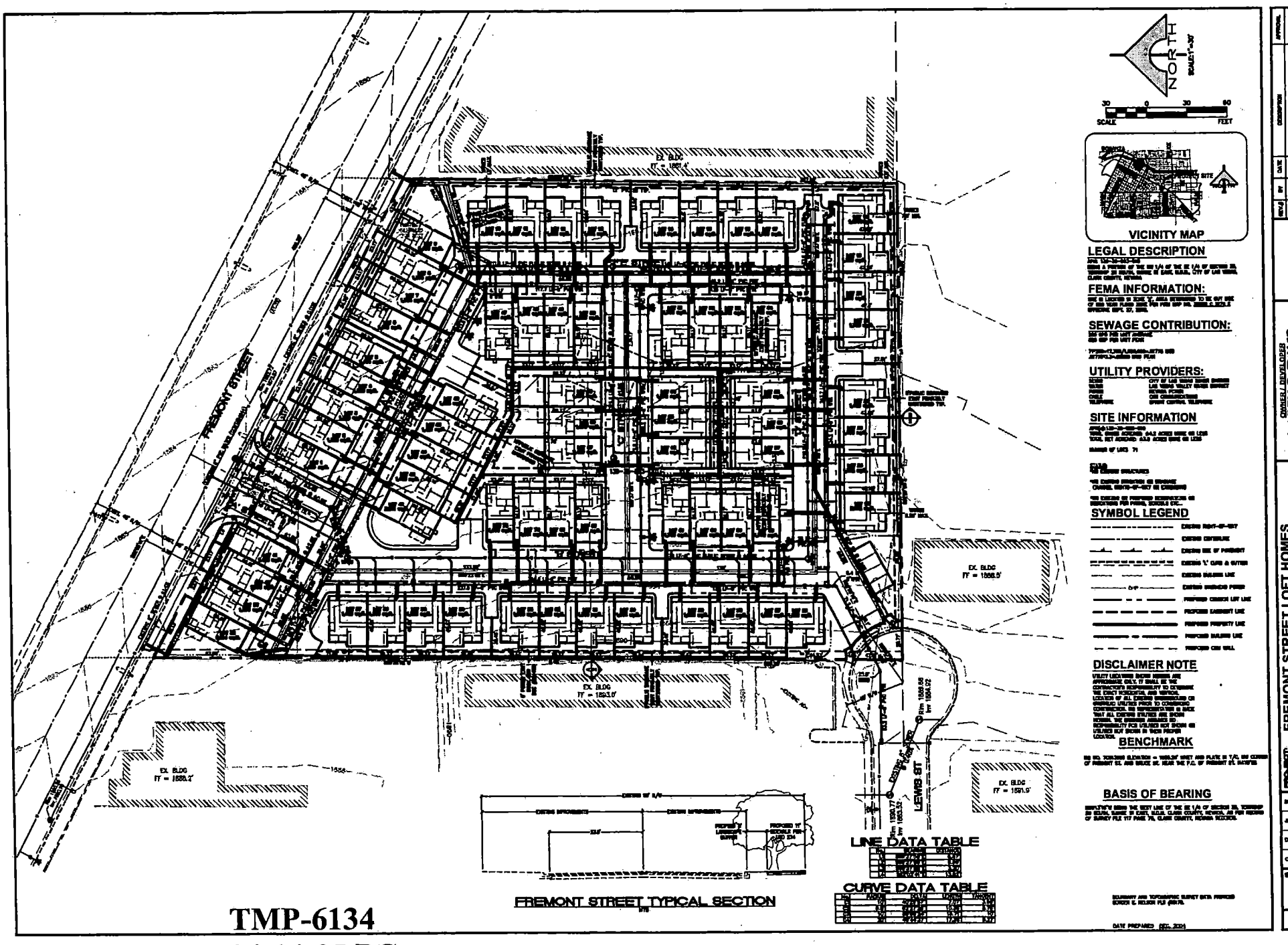
Print Name: LARRY S. DAVIS

Subscribed and sworn before me

This 24 day of AUGUST, 2004

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

LINDA I. BLAIR
Notary Public, State of Texas
My Commission Expires
May 08, 2008



OWNER / DEVELOPER
LARRY S. DAVIS and ASSOCIATES
4313 MONTROSE
HOUSTON, TEXAS 77006
(713) 522-5441
FAX (713) 529-3124

CHAD VELLINGA, P.E.
CML ENGINEER, LLC.
3445 S. VALLEY VIEW BLVD.
LAS VEGAS, NV 89102
(702) 646-2800
FAX (702) 646-2801

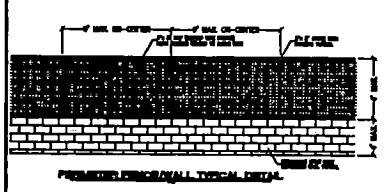
APPROVAL	DESCRIPTION	DATE	BY	REVISIONS

PROJECT: FREMONT STREET LOFT HOMES AT 1980 FREMONT STREET

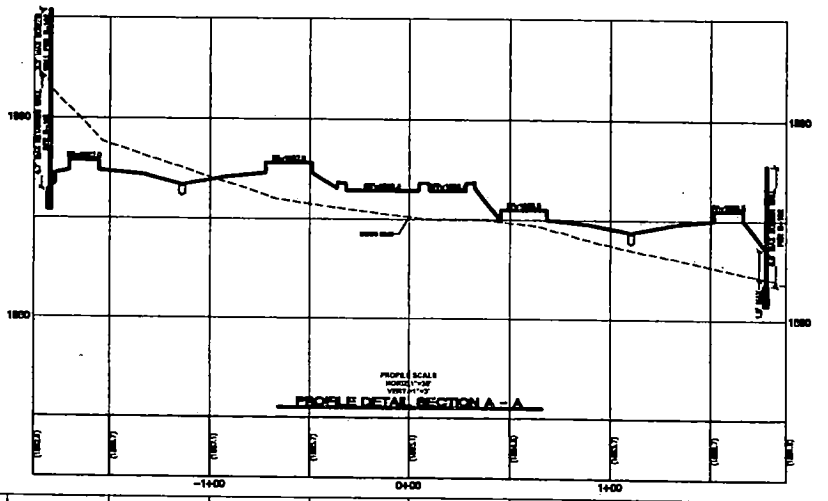
SHEET TITLE: TENTATIVE MAP

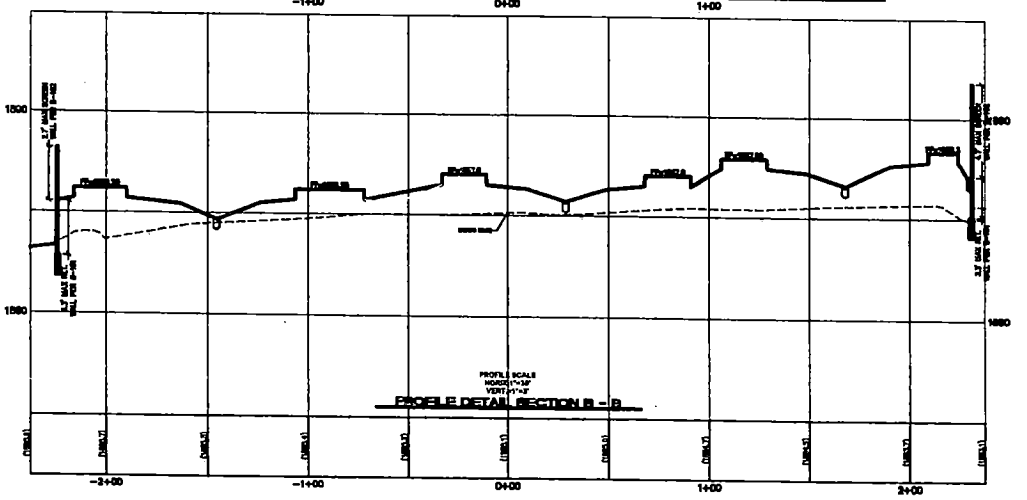
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JOB NO.: —
DRAWN BY: MRA
CHECKED BY: CCV
SHEET NO: TM-1
1 OF 2 SHEETS
CLV-

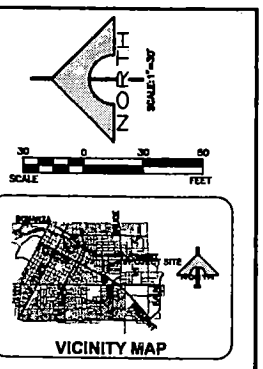
TMP-6134
04-14-05 PC



PROPOSED CONCRETE WALL TYPICAL DETAIL







BENCHMARK

BM NO. [illegible] ELEVATION = [illegible] SPIKE AND PLATE @ T/C AT CORNER OF FREMONT ST. AND SPENCE ST. NEAR THE P.C. OF FREMONT ST. RAMP.

BASIS OF BEARING

[illegible] BEING THE WEST LINE OF THE SE 1/4 OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B.&M. CLARK COUNTY, NEVADA, AS PER RECORD OF SURVEY FILE 117 PAGE 75, CLARK COUNTY, NEVADA RECORDS.

BOUNDARY AND TOPOGRAPHIC SURVEY DATA PROVIDED BY [illegible] P.L.S. [illegible]

DATE PREPARED DEC. 2004

OWNER / DEVELOPER
LARRY S. DAVIS and ASSOCIATES
4310 MONTROSE
HOUSTON, TEXAS 77006
(713) 523-4454
FAX (713) 523-4125

CIVIL ENGINEER
CHAD VELLINGA, P.E.
CIVIL ENGINEER L.L.C.
3445 E. VALLEY VIEW BLVD.
LAS VEGAS, NV 89103
(702) 948-2900
FAX (702) 948-2901

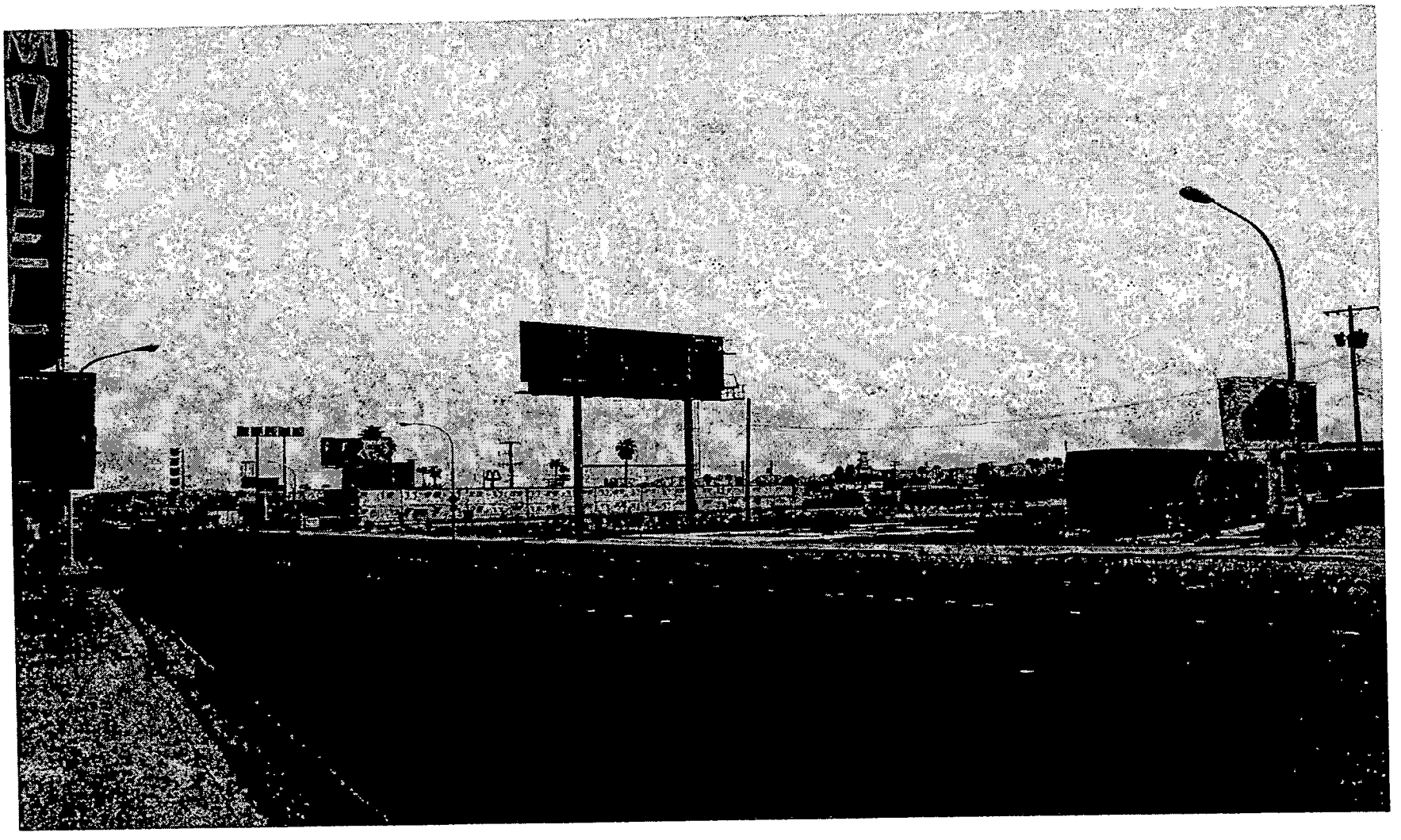
REV #	BY	DATE	DESCRIPTION	APPROVAL

PROJECT: FREMONT STREET LOFT HOMES AT 1980 FREMONT STREET

SHEET TITLE: TENTATIVE MAP

SCALE:	1" = 30'
JOB NO.	----
DRAWN BY:	MRA
CHECKED BY:	CCV
SHEET NO:	TM-2
	2 OF 2 SHEETS
	CLV-

TMP-6134
04-14-05 PC



TMP-6134 - APPLICANT: LARRY S. DAVID & ASSOCIATES - OWNER: URBAN LAND ACQUISITION INC
1980 FREEMONT STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

City of Las Vegas

Agenda Item No.: 3

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

TMP-6213 - TENTATIVE MAP - STONEWATER - APPLICANT: STAR LIVING TRUST ET AL - OWNER: MATRIX DEVELOPMENT CORPORATION - Request FOR A 32 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 10.69 acres adjacent to the northwest and northeast corner of Mustang Road and Ann Road (APN 125-26-801-012 and 125-26-802-014), RPD-3 (Residential Planned Development - 3 Units Per Acre) Zone, Ward 6 (Mack).

P.C. FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions Consent Item 1 [TMP-6089], Item 2 [TMP-6134], Item 3 [TMP-6213], Item 4 [TMP-6214], Item 5 [TMP-6215] and APPROVED Item 6 [ANX-6173] and Item 7 [ANX-6175] – UNANIMOUS with McSWAIN abstaining on Item 4 [TMP-6214] because her company, Terra Contracting, is under contract with Richmond American Homes

This is Final Action

MINUTES:
CHAIRMAN NIGRO stated this is a Consent item.

(6:05 – 6:06)

1-227

CONDITIONS:
Planning and Development
1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Rezoning ZON-5174, Waiver WVR-5331, and Site Development Plan Review SDR-5175.

3. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

4. Street names must be provided in accord with the City's Street Naming Regulations.

5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

6. Obtain an Encroachment Agreement for all landscaping and private improvements, if any, in the public rights-of-way adjacent to this site.

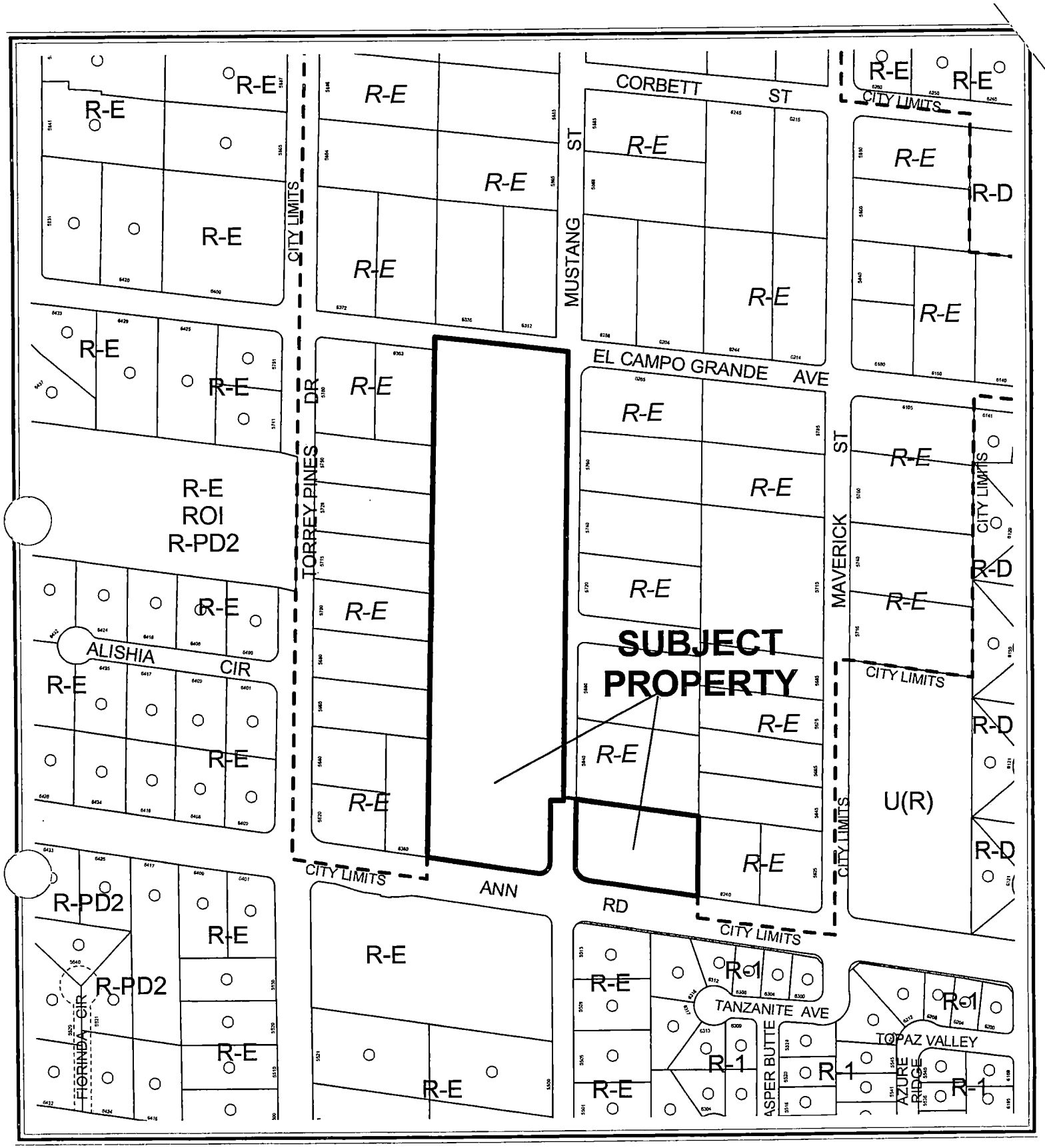
7. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site concurrent with development of this site.

8. Site development to comply with all applicable conditions of approval for ZON-5174, SDR-5175 and all other applicable site-related actions.

9. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such

CONDITIONS – Continued:

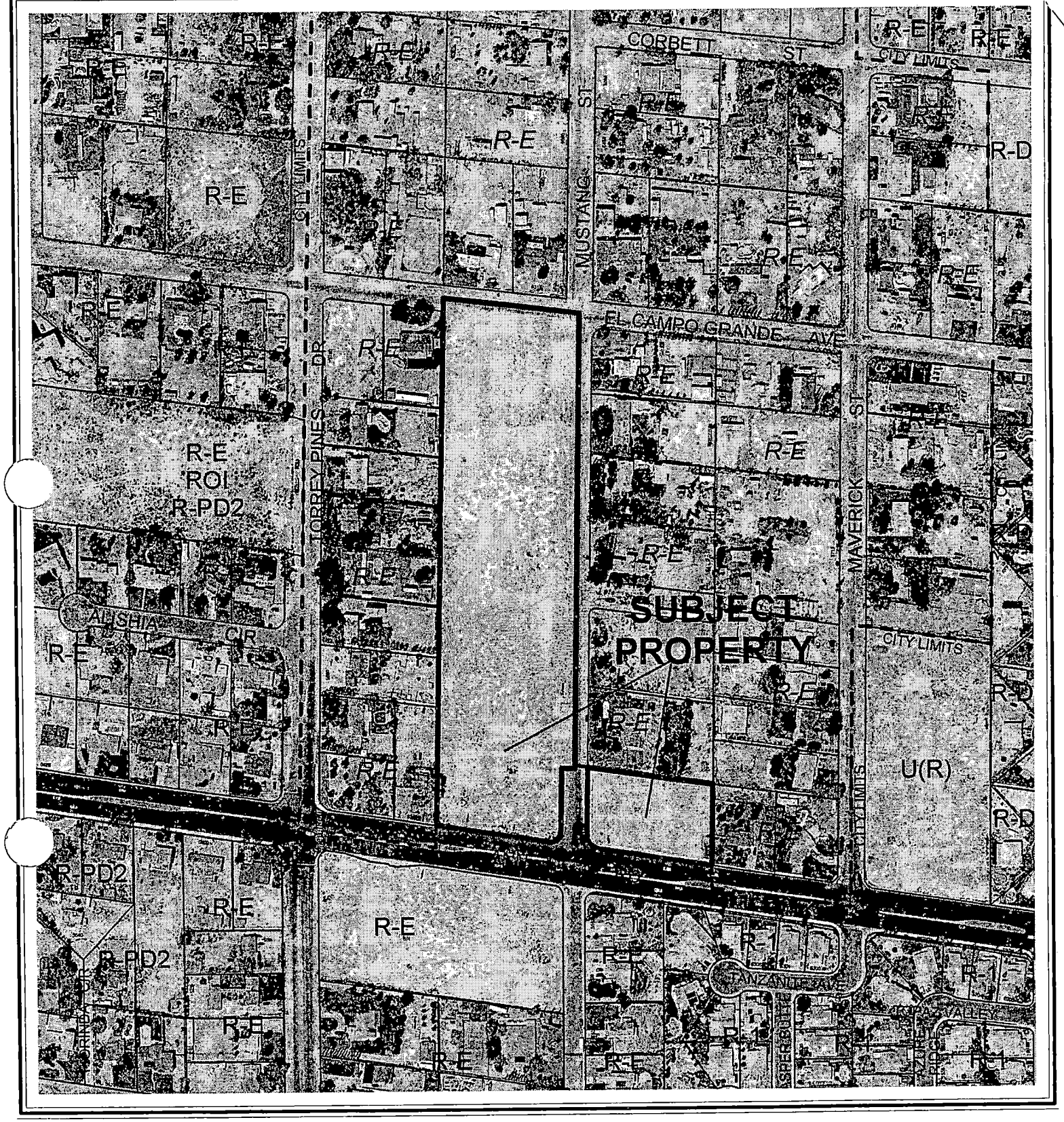
approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.



CASE: TMP-6213

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: TMP-6213

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)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TMP-6213 - STONEWATER - APPLICANT: STAR LIVING TRUST ET AL - OWNER: MATRIX DEVELOPMENT CORPORATION

** CONDITIONS **

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

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

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3. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

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5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

6. Obtain an Encroachment Agreement for all landscaping and private improvements, if any, in the public rights-of-way adjacent to this site.

7. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site concurrent with development of this site.

8. Site development to comply with all applicable conditions of approval for ZON-5174, SDR-5175 and all other applicable site-related actions.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a 32 lot single-family residential subdivision on 10.65 acres adjacent to the northwest and northeast corner of Mustang Road and Ann Road.

B) Applicant's Justification

A justification letter is not required for this type of application.

BACKGROUND INFORMATION

A) Related Actions

11/03/04 The City Council approved a Petition to annex (ANX-4957) property generally located on the north side of Ann Road, east and west of Mustang Road, containing approximately 9.72 acres. The effective date of the annexation was 11/12/04.

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 (GPA-5172) from: RE (Rural Estates) to: R (Rural Density Residential) on approximately 6.7 acres; 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); 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 when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more 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, staff recommended denial.

B) Pre-Application Meeting

01/13/05 The elements of a complete application were discussed with the applicant during a pre-application conference.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.65

B) Existing Land Use

Subject Property	Undeveloped
North	Single Family Residential
South	Undeveloped Single Family Residential
East	Single Family Residential
West	Single Family Residential

C) Planned Land Use

Subject Property	R (Rural Density Residential)
North	RNP (Rural Neighborhood Preservation)
South	R (Rural Density Residential) L (Low Density Residential)
East	RNP (Rural Neighborhood Preservation) R (Rural Density Residential)
West	RNP (Rural Neighborhood Preservation) R (Rural Density Residential)

D) Existing Zoning

Subject Property	U (Undeveloped) Under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre)
North	Clark County
South	R-E (Residence Estates) R-1 (Single Family Residential)
East	Clark County
West	Clark County

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with an R (Rural Density Residential) land use designation. The R (Rural Density Residential) allows residential development with up to 3.5 Units Per Acre. The proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning district is consistent with the proposed General Plan designation.

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Provided
Min. Lot Size	8,645 SF
Min. Lot Width	65 Feet
Min. Setbacks	
• Front	20 Feet
• Side	9 Feet
• Corner	14 Feet
• Rear	20 Feet

- R-PD ONLY

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

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
10.65 acres	3 DUA	1.65	4.95 %	22,942 SF	4.96 %	22,994

The proposal exceeds Title 19 Open Space requirements.

B) General Analysis Discussion

- General information

The development is proposed to consist of 32 single-family homes on 10.69 acres, a density of approximately 3.0 dwelling units per acre. The site has been designed with 22,994 square feet of open space. Lots are accessed from 37-foot private streets. Site access is provided from Mustang Road and Ann Road, a Primary (100-foot) Arterial as indicated on the Master Plan of Streets and Highways.

- Trails

There are no trails that need to be incorporated in the plan.

- Special Conditions of Approval (from Zoning or SDPR)

The applicant agrees to incorporate the following changes into the development, as to be reflected on a revised site plan:

a) On lots 29 & 31 adjacent to APN: 125-26-802-011:
   i) Single-story homes shall be constructed on lots 29 & 31 with a minimum nineteen feet (19') side setback to the existing lot to the north.

   ii) Eight-foot (8' Wall) along the boundary with the lot to the north (APN: 125-26-802-011).

   iii) Trees 24" box trees shall be planted on the proposed lots 29 & 32 spaced 30' on center. Said trees shall be placed in the front side yards of the proposed lots providing additional buffer adjacent to the eight (8) foot high wall to be constructed at the common property line.

b) Along the western boundary of Proposed Development:
   i) Single-story homes shall be constructed on the following lots in the proposed development.
      1) Lot Numbers: 9-12, 14, 16-19, 29 and 31 as shown on the revised site plan.
   ii) Six-foot (6') High Screen Wall at the common property line with the following existing lots:
      1) APN: 125-26-801-011 and APN: 125-26-801-002
   iii) Eight-foot (8') High Screen Wall along the following existing lots:
      1) APN: 125-26-801-003, 125-26-801-004, 125-26-801-005, 125-26-801-006, 125-26-801-007, and 125-26-801-008
   iv) Trees 24" Box Trees shall be provided on adjacent parcel 125-26-801-011 spaced 30' on center adjacent to proposed lots 18 and 19 providing an additional buffer adjacent to the six (6) foot high sections of the wall to be constructed at the common property line.
   v) Trees 24" Box Trees shall be provided on adjacent parcel 125-26-801-002 spaced 30' on center adjacent to proposed lots 10 and 11 providing an additional buffer adjacent to the six (6) foot high sections of the wall to be constructed at the common property line.
   vi) Declarant shall provide access through the proposed development Open Space tract for purposes of servicing the existing well located at the rear of APN: 125-26-801-003. Access is to be granted to the owners who benefit from the use of said community well as shown on the revised proposed site plan.

c) Single level home to be constructed on the lot number five (5) of the proposed development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-6213 APN: _____

Name of Property Owner: Matriy Development Corp.

Name of Applicant: Legend 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: David Deinzer

Subscribed and sworn before me

This 30 day of December, 2004

Nancy L. Stephenson

Notary Public in and for said County and State

Washington County, State of Oregon

OFFICIAL SEAL
NANCY L. STEPHENSON
NOTARY PUBLIC-OREGON
COMMISSION NO. 381047
MY COMMISSION EXPIRES JUNE 11, 2008

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-6213 APN: 125-26-801-012

Name of Property Owner: Star Living Trust

Name of Applicant: legend 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: X _____

Print Name: Fred Sadri

Subscribed and sworn before me

This 30th day of December, 2004

_____
Notary Public in and for said County and State

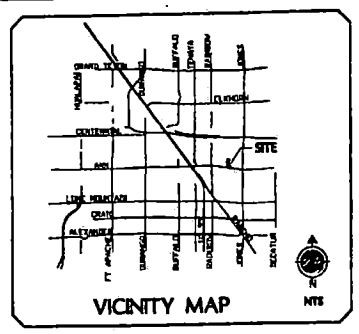
TERESE A. LIVENSOOD
Notary Public - State of Nevada
Appointment Recorded in Clark County
No: 97-3882-1 - Expires September 10, 2005

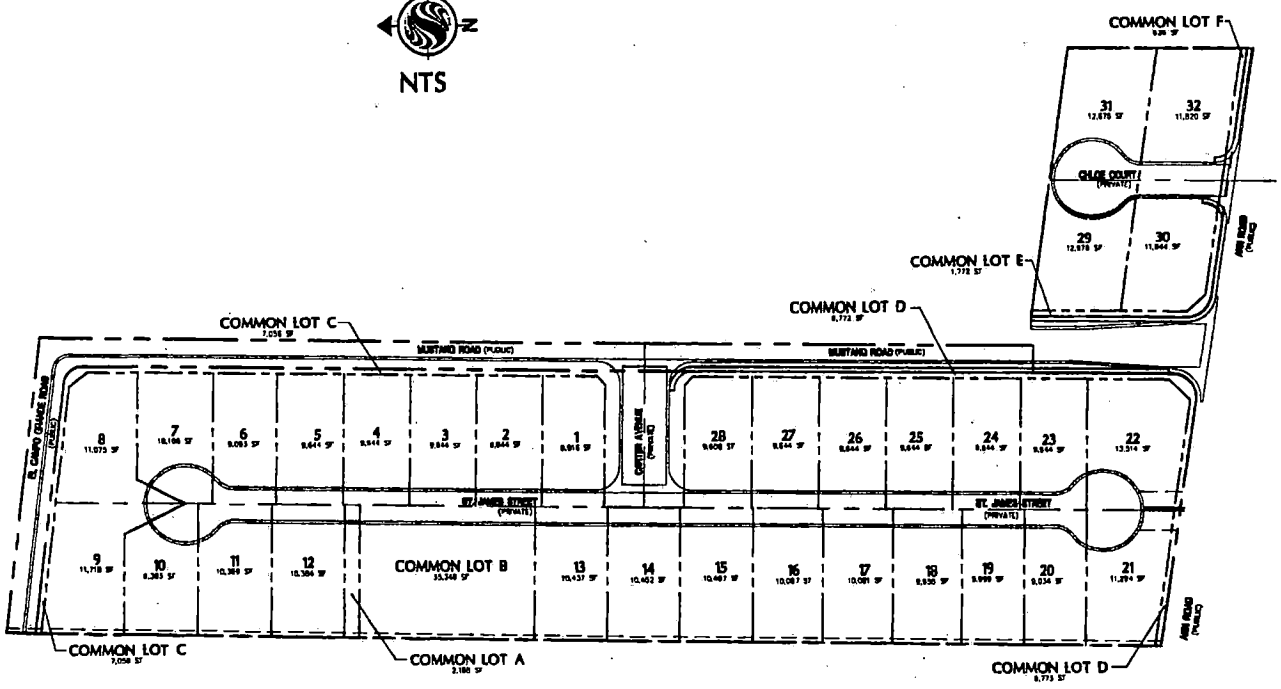
STONEWATER

TENTATIVE MAP
(RESIDENTIAL SUBDIVISION)

N

NTS





CITY OF LAS VEGAS
STATE OF NEVADA
PROJECT NUMBER:181200610

TMP-6213
04-14-05 PC

BASIS OF BEARINGS

SOUTH 89°37'10" EAST BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA AS SHOWN ON THAT CERTAIN MAP ON FILE IN THE CLARK COUNTY RECORDER'S OFFICE IN FILE 119, PAGE 34 OF SURVEYS.

BENCHMARK

CITY OF LAS VEGAS BENCHMARK STATION – BLVDC 8630

A SPIKE AND BRASS ALUMINUM DISC IS CONCRETE AT THE NORTHWEST CORNER OF TORREY PINES DRIVE AND EL CAMPO GRANDE AVENUE 1.5 FEET EAST OF WOODEN UTILITY POLE.

ELEVATION = 2212.39 (AS SURVEY FEET)
POLE#37 (METERS CALCULATED)

ASSESSOR PARCEL NO'S.

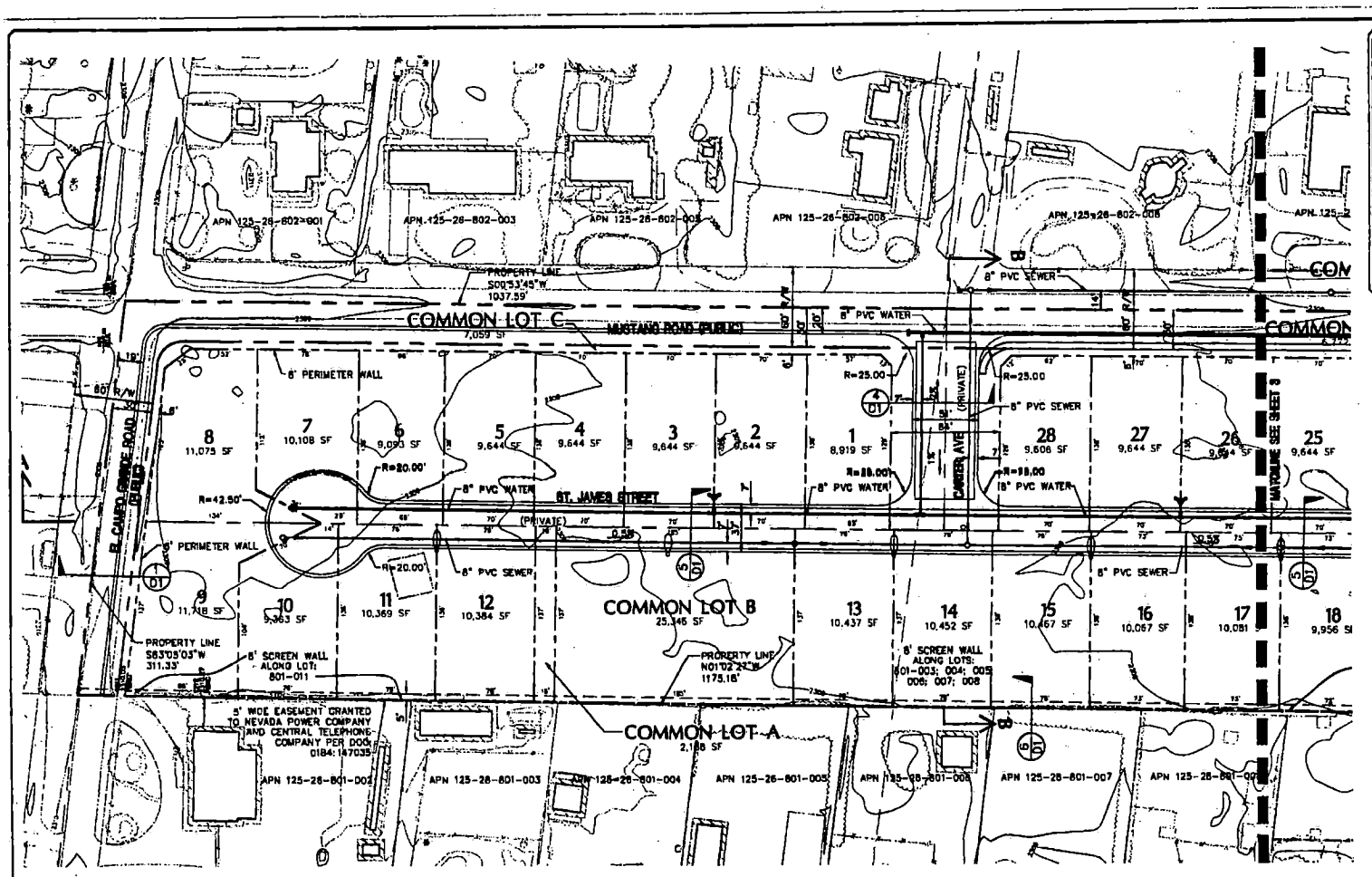
APNs: 138-36-801-012,
138-36-803-014

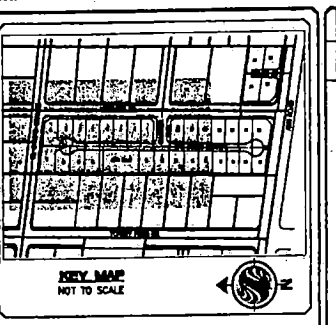
INDEX OF DRAWINGS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	TENTATIVE MAP
3	GRADING DETAILS
4	CROSS SECTIONS

MATRIX DEVELOPMENT CORPORATION
STONEWATER
TENTATIVE MAP
COVER SHEET

SHEET 1





LEGEND

110	LOT NUMBER
	PROPOSED FIRE HYDRANT
	SEWER LINE WITH MANHOLE
	WATER LINE
	PROPOSED STREET LIGHT
	BOUNDARY OF TENTATIVE MAP
	LOT LINE
	EXISTING STORM DRAIN
	EXISTING SEWER LINE
	FORCE SEWER MAIN
	EXISTING WATER LINE
	MATCHLINE

LAND USE TABULATION

PROPOSED ZONING	R-PD3
TOTAL ACREAGE	±10.66 AC
TOTAL LOTS	22
COMMON LOTS	1
MAX ALLOWED DENSITY	8.0 DU/AC
ACTUAL DENSITY	3.00 DU/AC

GENERAL NOTES

1. ALL STREETS ARE PRIVATE.
2. UTILITY SERVICES TO BE PROVIDED BY: LAS VEGAS VALLEY WATER DISTRICT, LAS VEGAS SANITATION DISTRICT, SPRINT TELEPHONE, INTERMIX SERVICES, SOUTHWEST GAS COMPANY, NEVADA POWER COMPANY, AND COX COMMUNICATIONS.
3. ALL IMPROVEMENTS SHALL CONFORM TO CLARK COUNTY STANDARDS.

BASIS OF BEARINGS

SOUTH 89°30'19" EAST BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA AS SHOWN ON THAT CERTAIN MAP ON FILE IN THE CLARK COUNTY RECORDER'S OFFICE IN FILE 113, PAGE 24 OF SURVEYS.

BENCHMARK

CITY OF LAS VEGAS BENCHMARK STATION - ELVIO 2003

A BRASS AND ROUND ALUMINUM CAP IN CONCRETE AT THE NORTHWEST CORNER OF TORREY PINES DRIVE AND S. CAMINO RANCH AVENUE 1.0 FEET EAST OF WESTERN UTILITY POLE.

ELEVATION = 2315.39 (US SURVEY FEET)
704.807 (METERS CALCULATED)

OWNER/DEVELOPER

MATRIX DEVELOPMENT CORPORATION
12700 SW 69TH AVENUE #140
PORTLAND, OREGON 97223
UNITED STATES OF AMERICA

ENGINEER

STANTEC CONSULTING INC.
7251 W. CHARLESTON BLVD.
LAS VEGAS, NEVADA 89117
PH: (702) 258-3115 FAX:
(702) 258-3266
www.stantec.com

SEWAGE CONTRIBUTION

SINGLE FAMILY UNITS (22 TOTAL)
AVERAGE DAILY FLOW = 0.008 MGD
PEAK HOUR FLOW = 0.02 MGD

EXISTING ZONING

RE

OPEN SPACE

COMMON USEABLE OPEN SPACE PROVIDED 25,346 SF

LEGAL DESCRIPTION

THE EAST HALF (E1/2) OF THE WEST HALF (W1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

EXCEPTING THEREFROM THE SOUTHERLY FIFTY (50.00') FEET AS CONVEYED TO CLARK COUNTY BY DEED RECORDED JUNE 23, 1994, BOOK 940 AS INSTRUMENT NO. 442093, OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO CLARK COUNTY BY DEED RECORDED APRIL 12, 2001 IN BOOK 20010417 AS INSTRUMENT NO. 01868, OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

DAILY PORTION OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M. DESCRIBED AS FOLLOWS:

LOT THREE (3) OF THAT CERTAIN PARCEL MAP ON FILE IN FILE 113 OF PARCEL MAPS, PAGE 24, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

REVISIONS

ACTION	DATE

APPROVAL BY C.L.V. PLANNING COMMISSION

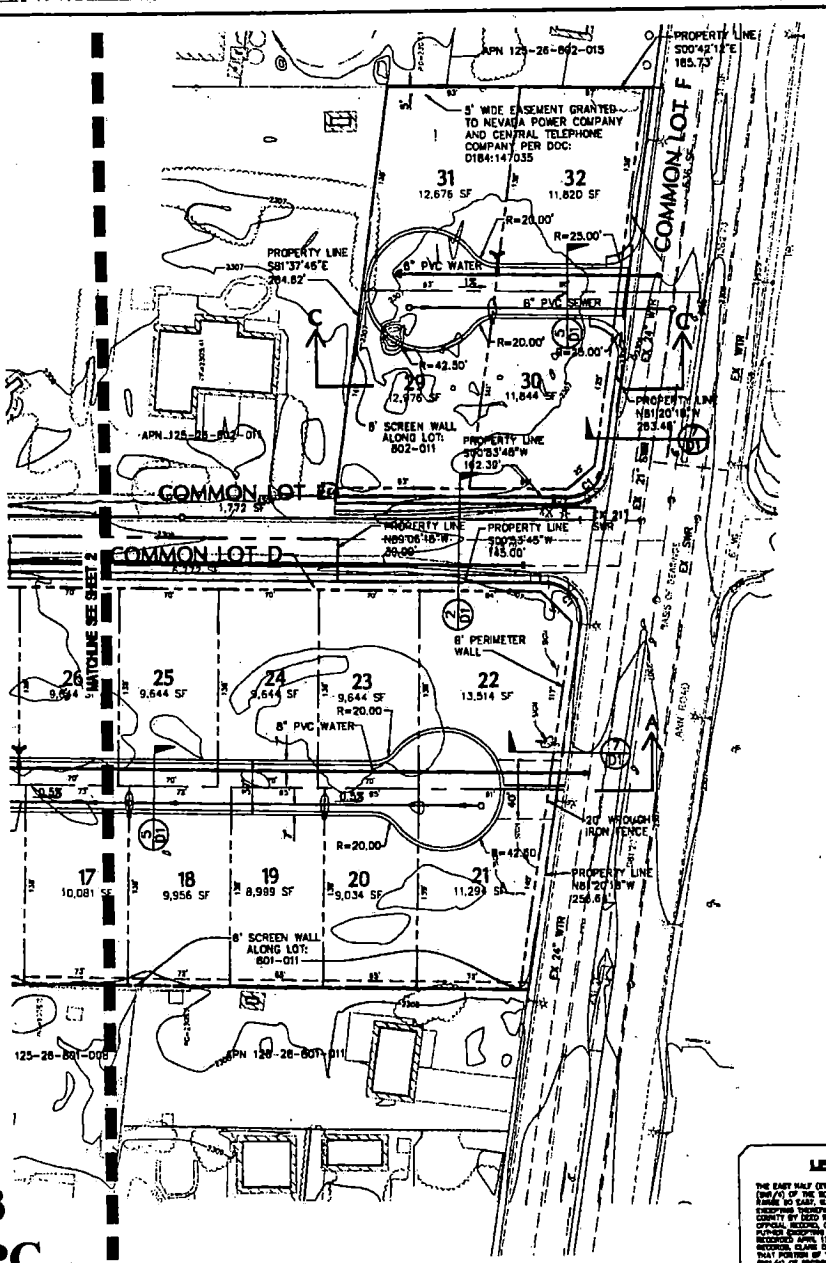
TMP-6213
04-14-05 PC

Call before you dig Underground
Call before you dig Overhead
1-702-227-2600 1-800-227-2600

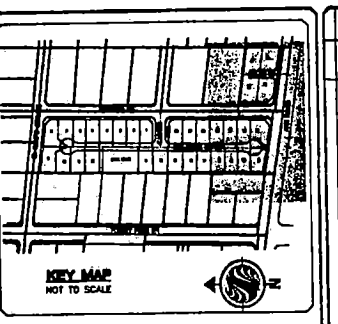
MATRIX DEVELOPMENT CORPORATION
STONEWATER
TENTATIVE MAP
GRADING PLAN 1

ROBERT S. MASON
No. 12524
STATE OF NEVADA
REGISTERED ENGINEER

SHEET 2
C.L.V. PROJ.







CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
C1	[illegible]	[illegible]	[illegible]	[illegible]

LEGEND

110	LOT NUMBER
	PROPOSED FIRE HYDRANT
S.S.	SEWER LINE WITH MANHOLE
W.L.	WATER LINE
	PROPOSED STREET LIGHT
	BOUNDARY OF TENTATIVE MAP
	LOT LINE
D.S.D.	EXISTING STORM DRAIN
D.C.P.	EXISTING SEWER LINE
F.M.	FORCE SEWER MAIN
D.C.W.	EXISTING WATER LINE
	MATCHLINE

LAND USE TABULATION

PROPOSED ZONING	R-PD3
TOTAL ACREAGE	676.65 AC
TOTAL LOTS	33
COMMON LOTS	1
MAX ALLOWED DENSITY / ACTUAL DENSITY	8.0 DU/AC / 3.00 DU/AC

OWNER/DEVELOPER

MATRIX DEVELOPMENT CORPORATION
12755 SW 69TH AVENUE, #200
PORTLAND, OREGON 97223
UNITED STATES OF AMERICA

ENGINEER

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7251 W. CHARLESTON BLVD.
LAS VEGAS, NEVADA 89117
PH: (702) 255-4315 FAX
(702) 255-4439
www.stantec.com

EXISTING ZONING

RE

OPEN SPACE

COMMON USABLE OPEN SPACE PROVIDED: 33,894 SF

GENERAL NOTES

1. ALL STREETS ARE PRIVATE.
2. UTILITY SERVICES TO BE PROVIDED BY: LAS VEGAS VALLEY WATER DISTRICT, LAS VEGAS SANITATION DISTRICT, SPRINT TELEPHONE, REPUBLIC SERVICES, SOUTHWEST GAS COMPANY, NEVADA POWER COMPANY, AND COX COMMUNICATIONS.
3. ALL IMPROVEMENT SHALL CONFORM TO CLARK COUNTY IMPROVEMENT STANDARDS.

BASIS OF BEARINGS

SOUTH 89°32'19" EAST BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA AS SHOWN ON THAT CERTAIN MAP ON FILE IN THE CLARK COUNTY RECORDER'S OFFICE IN FILE 110, PAGE 34 OF SURVEYS.

BENCHMARK

CITY OF LAS VEGAS BENCHMARK STATION – ELWD 5938

A RIVET AND BOLHD ALUMINUM DISK IN CONCRETE AT THE SOUTHWEST CORNER OF TORREY PINES DRIVE AND EL CAMPO GRANDE AVENUE 1.8 FEET EAST OF WOODEN UTILITY POLE.

ELEVATION = 3,212.26 (US SURVEY FEET)
704.827 (METERS CALCULATED)

LEGAL DESCRIPTION

THE EAST HALF (E1/2) OF THE WEST HALF (W1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

EXCEPTING THEREFROM THE SOUTHERLY FIFTY (50.00) FEET AS CONVEYED TO CLARK COUNTY BY DEED RECORDED JUNE 23, 1964, BOOK 640 AS INSTRUMENT NO. 642060, OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO CLARK COUNTY BY DEED RECORDED APRIL 17, 2003 IN BOOK 20030417 AS INSTRUMENT NO. 01804, OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

THAT PORTION OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M. RECORDED AS FOLLOWS:

LOT THREE (3) OF THAT CERTAIN PARCEL MAP ON FILE IN FILE 19 OF PARCEL MAPS, PAGE 90, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

REVISIONS

ACTION	DATE
APPROVAL BY C.L.V. PLANNING COMMISSION	

Call Before You Dig
Underground
1-702-486-7911
1-702-256-9611
Call before you dig Overhead
1-702-227-2929
Call before you dig
1-800-227-2600

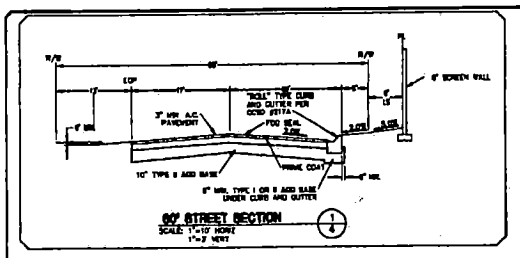
TMP-6213
04-14-05 PC

Stantec Consulting Inc.
7251 W. Charleston Blvd.
Las Vegas NV 89117
Ph. 702.255.4315
Fx. 702.255.4439
www.stantec.com
Stantec

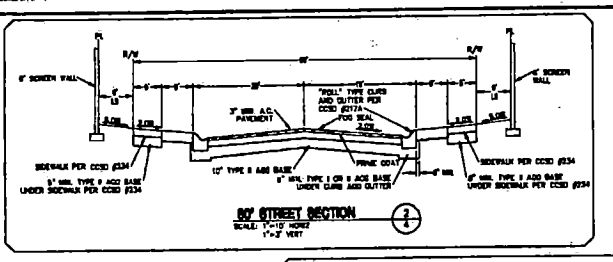
MATRIX DEVELOPMENT CORPORATION
STONEWATER
TENTATIVE MAP
GRADING PLAN 2

ROBERT S. KUHN
No. 10400
STATE OF NEVADA
PROFESSIONAL ENGINEER

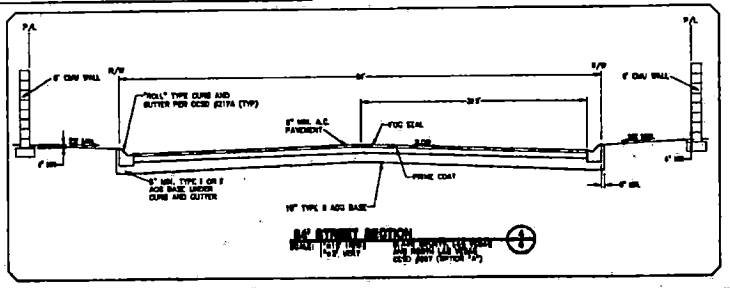
SHEET 3
C.L.V. [illegible]



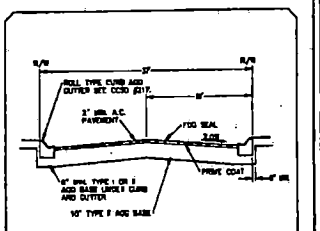
60' STREET SECTION
SCALE: 1"=10' HORIZ
1"=2' VERT
1/6



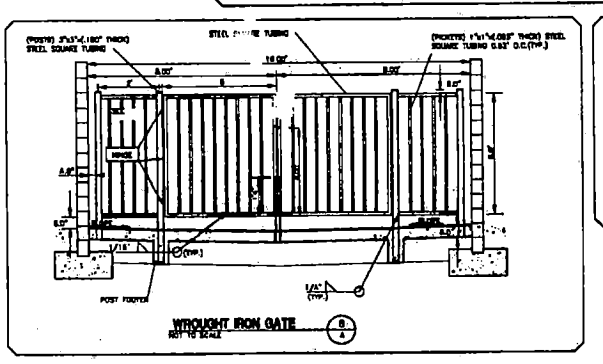
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1"=2' VERT
2/6



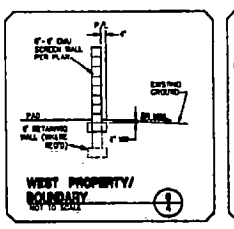
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SCALE: 1"=10' HORIZ
1"=2' VERT
3/6



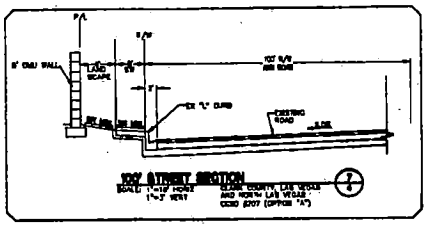
60' STREET SECTION
SCALE: 1"=10' HORIZ
1"=2' VERT
4/6



WROUGHT IRON GATE
NOT TO SCALE
6/A



WEST PROPERTY/ BOUNDARY
NOT TO SCALE
7/



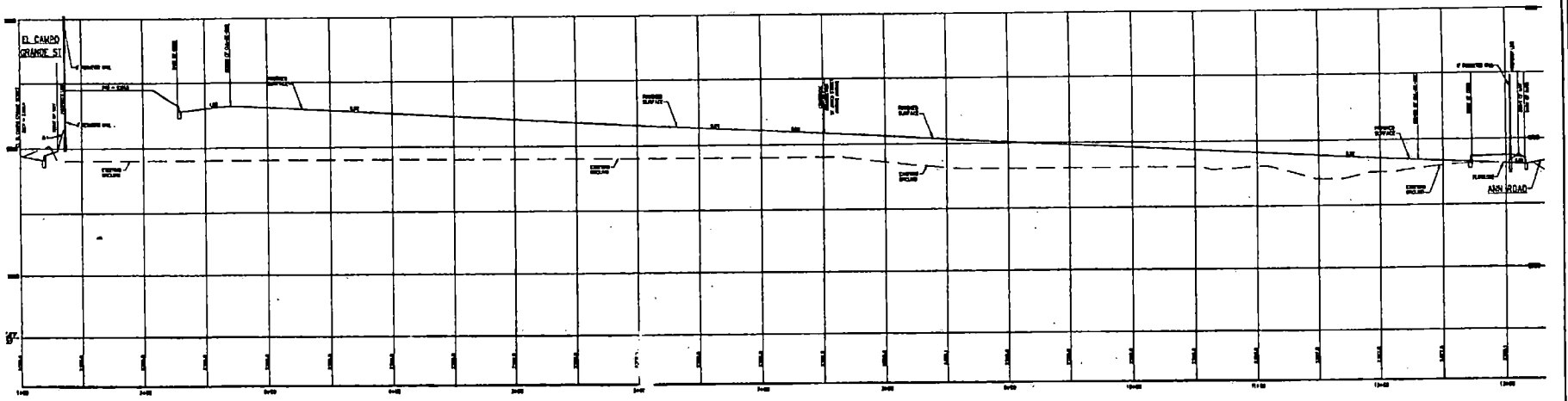
100' STREET SECTION
SCALE: 1"=10' HORIZ
1"=2' VERT
7/

TMP-6213
04-14-05 PC

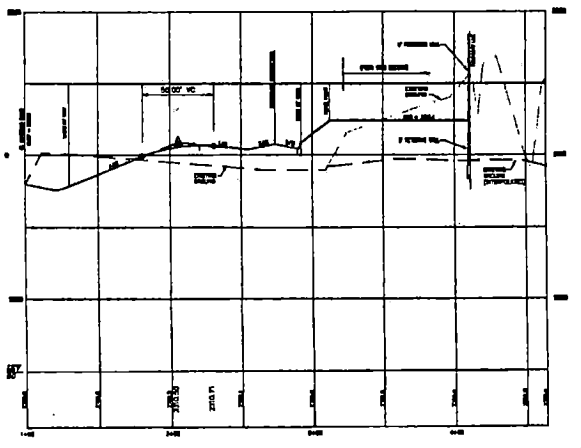
MATRIX DEVELOPMENT CORPORATION
STONEWATER
TENTATIVE MAP
DETAIL SHEET

DATE: 3/1/2005
BY:
CHECKED BY:
JOB NO.: 03-0001.0

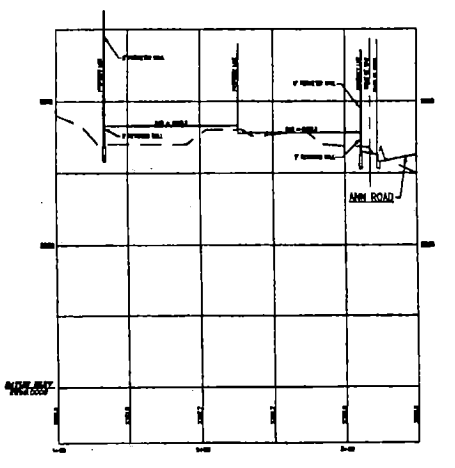
SHEET 4



SECTION A-A
SCALE: 1"=40' HORZ
1"=4' VERT



SECTION B-B
SCALE: 1"=40' HORZ
1"=4' VERT



SECTION C-C
SCALE: 1"=40' HORZ
1"=4' VERT

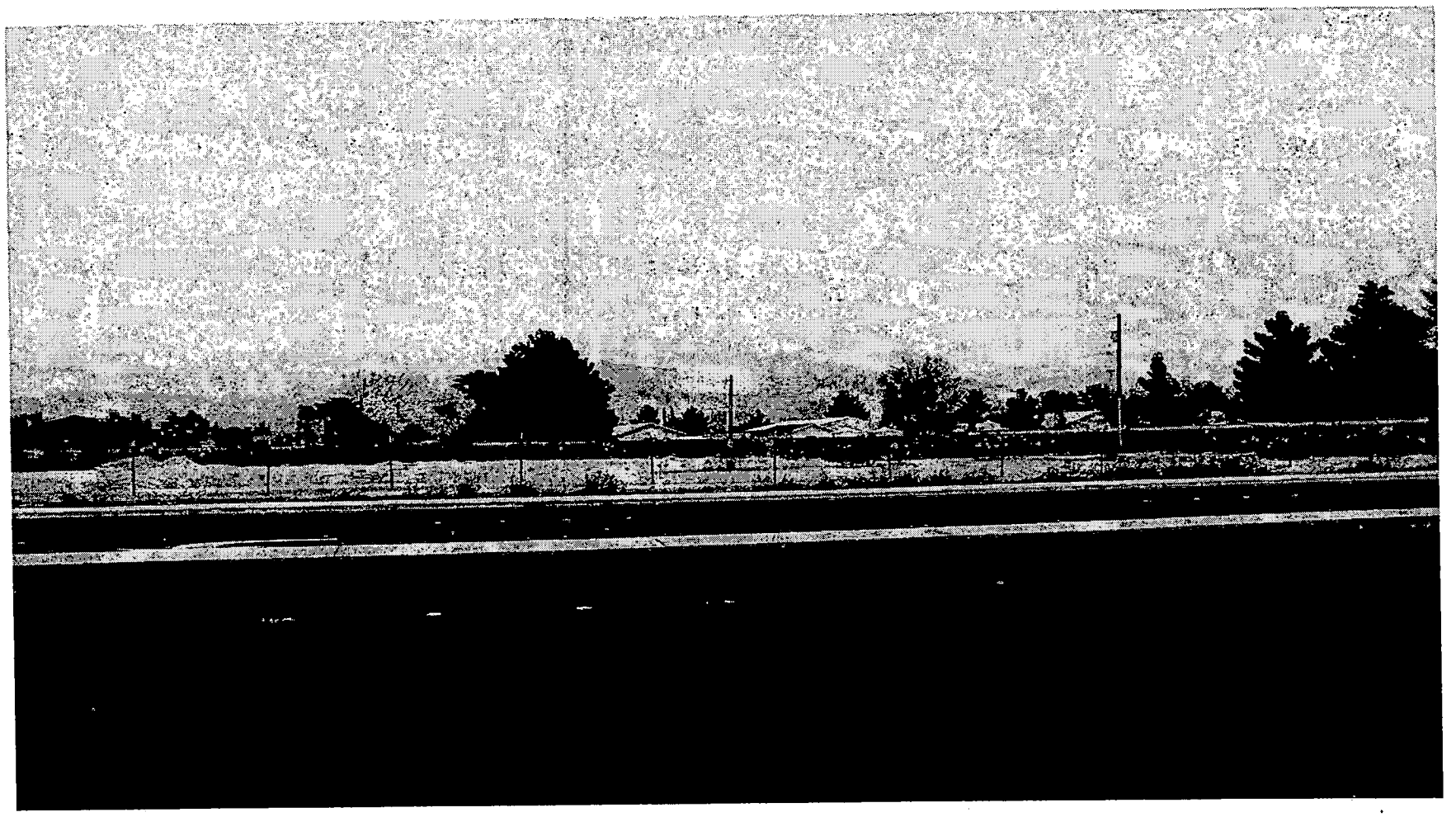
TMP-6213
04-14-05 PC

DATE : 3/1/2005
BY :
DRAWN BY :
DESIGNED BY :
CHECKED BY :
QA CHECKED :
JOB NO. : 1013.0070

Stantec Consulting Inc.
7251 W. Chandler Blvd.
Las Vegas NV U.S.A.
89117
Tel. 702.255.0115
Fax. 702.256.4859
www.stantec.com
Stantec

MATRIX DEVELOPMENT CORPORATION
STONEWATER
TENTATIVE MAP
CROSS SECTION SHEET

SHEET
5



TMP-6213 - APPLICANT: STAR LIVING TRUST ET AL - OWNER: MATRIX DEVELOPMENT CORPORATION
ADJACENT TO THE NORTHWEST AND NORTHEAST CORNER OF MUSTANG ROAD AND ANN ROAD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

City of Las Vegas

Agenda Item No.: 4

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

TMP-6214 - TENTATIVE MAP - ANN RAINBOW - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE LLC - Request for a Tentative Map FOR A 58-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION ON 6.86 ACRES at the northwest corner of Ann Road and Rainbow Boulevard (APN 125-27-803-008), RPD-8 (Residential Planned Development - 8 Units Per Acre) Zone, Ward 6 (Mack).

P.C. FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions Consent Item 1 [TMP-6089], Item 2 [TMP-6134], Item 3 [TMP-6213], Item 4 [TMP-6214], Item 5 [TMP-6215] and APPROVED Item 6 [ANX-6173] and Item 7 [ANX-6175] – UNANIMOUS with McSWAIN abstaining on Item 4 [TMP-6214] because her company, Terra Contracting, is under contract with Richmond American Homes

This is Final Action

MINUTES:
CHAIRMAN NIGRO stated this is a Consent item.

(6:05 – 6:06)

1-227

CONDITIONS:
Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Rezoning ZON-5809, Variance VAR-5810, and Site Development Plan Review SDR-5807.

3. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

4. Street names must be provided in accord with the City's Street Naming Regulations.

5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

6. 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.

Public Works

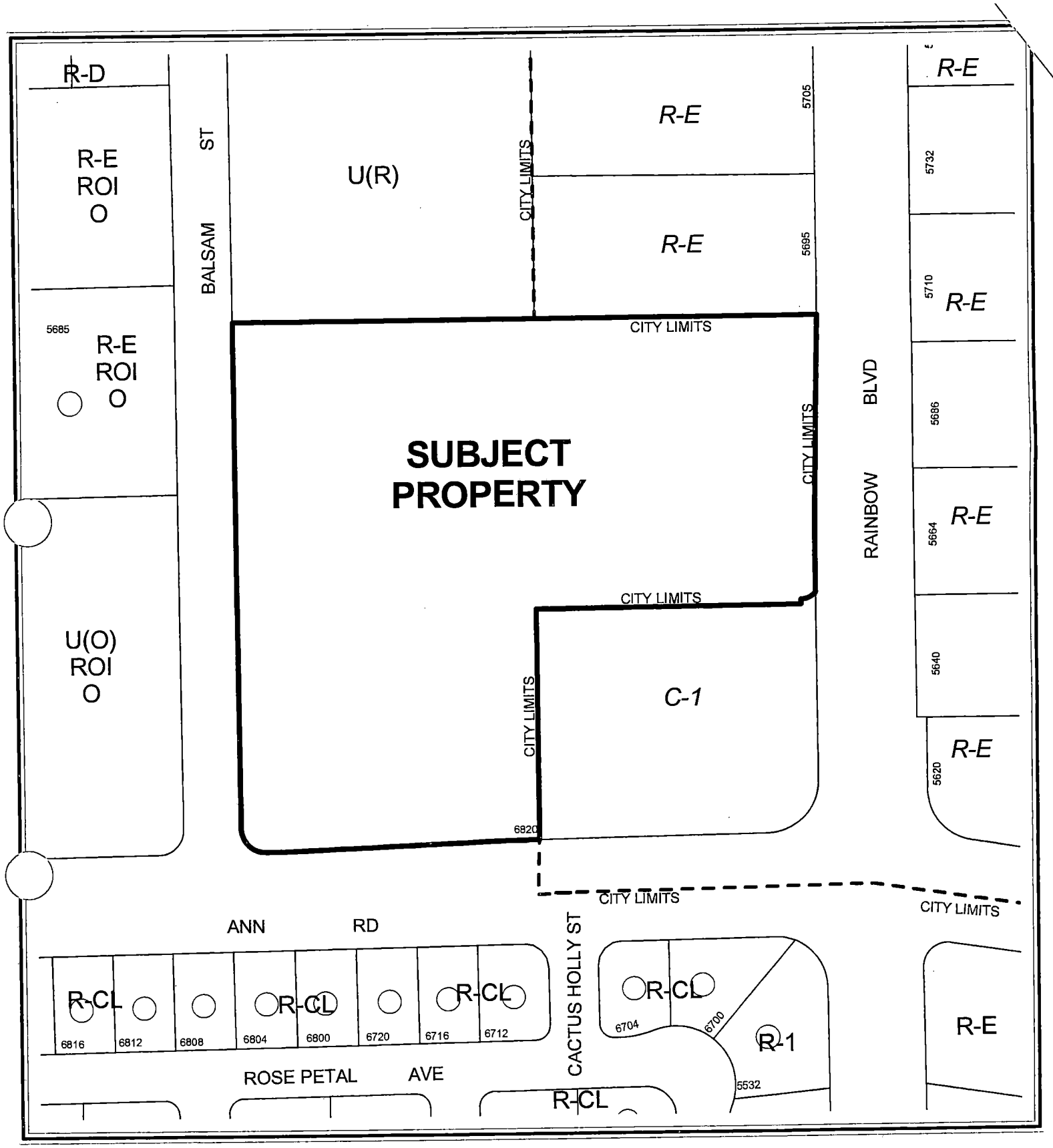
7. On the Final Map for this site, label the Multi-Use Transportation Trail adjacent to this site along Ann Road as "10-foot wide Multi-Use Trail Easement to be privately maintained by the Homeowner's Association". In addition, per Title 18 Appendix E, the Owner's Certificate shall include the following paragraph, "Provided, however, that no above-ground utility vaults that would substantially interfere with the intended use of the trail corridor shall be allowed within any easements, corridors, or common lots designated as public multi-use trail easement areas, and no such easement rights shall be granted to the above listed utility companies, nor any other parties, in conflict with this statement."

CONDITIONS – Continued:

8. Grant an appropriate public sewer easement adjacent to the north edge of lot proposed as 45 on the map submitted 03/01/2005. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

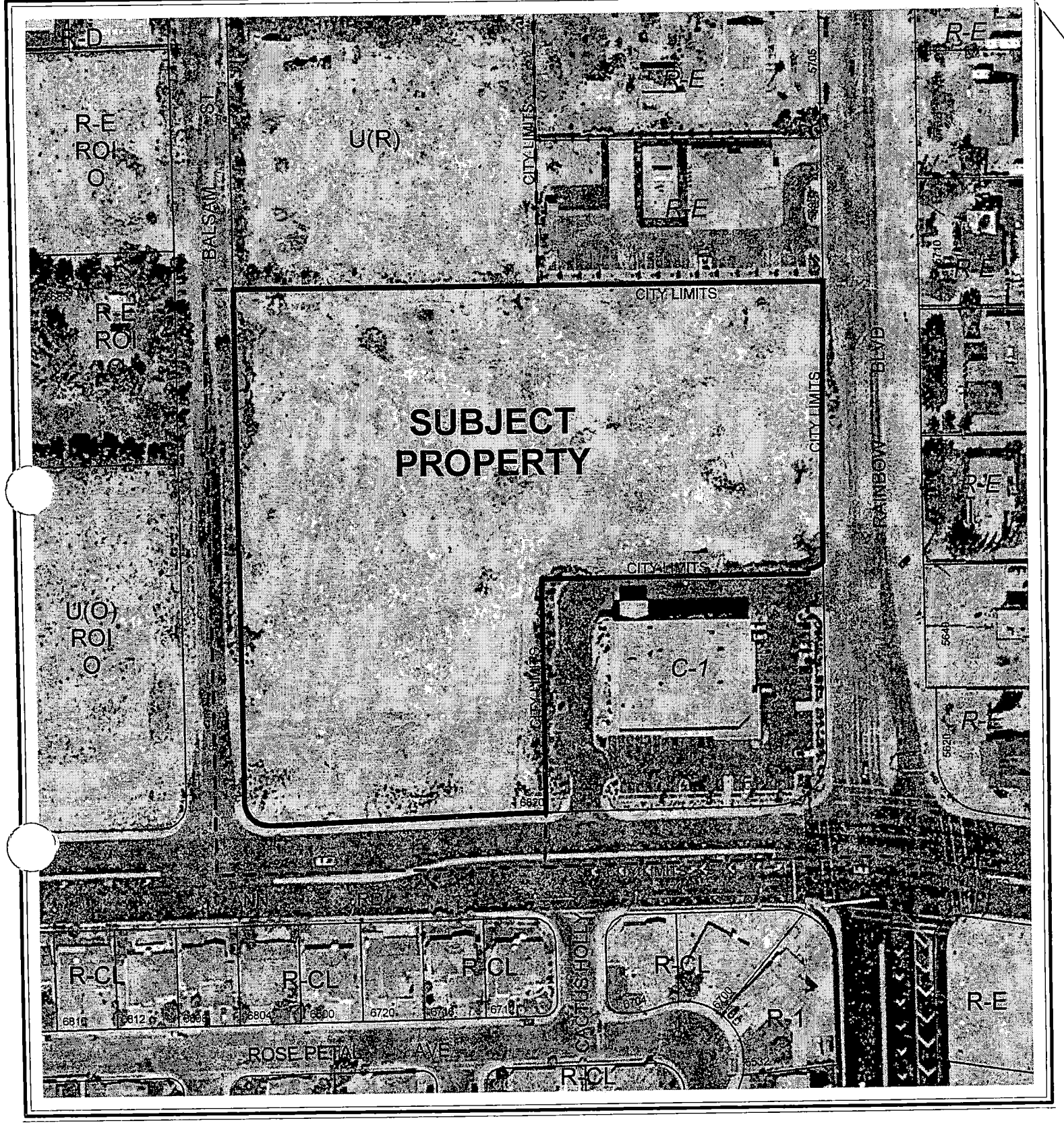
9. Site development to comply with all applicable conditions of approval for ZON-5809, SDR-5807 and all other applicable site-related actions.

10. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.



CASE: TMP-6214

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)



0 100 200 Feet

CASE: TMP-6214

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TMP-6214 - ANN RAINBOW - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE LLC

** CONDITIONS **

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

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Rezoning ZON-5809, Variance VAR-5810, and Site Development Plan Review SDR-5807.

3. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

4. Street names must be provided in accord with the City's Street Naming Regulations.

5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

6. 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.

KCW

Public Works

7. On the Final Map for this site, label the Multi-Use Transportation Trail adjacent to this site along Ann Road as "10-foot wide Multi-Use Trail Easement to be privately maintained by the Homeowner's Association". In addition, per Title 18 Appendix E, the Owner's Certificate shall include the following paragraph, "Provided, however, that no above-ground utility vaults that would substantially interfere with the intended use of the trail corridor shall be allowed within any easements, corridors, or common lots designated as public multi-use trail easement areas, and no such easement rights shall be granted to the above listed utility companies, nor any other parties, in conflict with this statement."

8. Grant an appropriate public sewer easement adjacent to the north edge of lot proposed as 45 on the map submitted 03/01/2005. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

9. Site development to comply with all applicable conditions of approval for ZON-5809, SDR-5807 and all other applicable site-related actions.

10. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

KCW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Tentative Map for a 58-lot subdivision on 6.86 acres at the northeast corner of Ann Road and Balsam Street.

B) Applicant's Justification

A justification letter is not required for this type of application.

BACKGROUND INFORMATION

A) Related Actions

02/16/05 Petition to Annex (ANX-5586) property generally located on the northeast corner of Ann Road and Balsam Street. The effective date of the annexation was 02/25/05.

03/02/05 The City Council approved a request to amend (GPA-5804) a portion of the Centennial Hills Sector Plan from: R (Rural Density Residential) to: MLA (Medium-Low Attached density residential) on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard. The Planning Commission recommended approval, staff recommended denial.

03/16/05 The City Council approved a request for a Rezoning (ZON-5809) from: U (Undeveloped) [R (Rural Density Residential) general plan designation] to: R-PD10 (Residential Planned Development - 10 Units per Acre); a Variance (VAR-5810) to allow 0.51 acres of open space where 1.09 acres is the minimum amount required and a Site Development Plan Review (SDR-5807) for a proposed 66-lot single-family residential development on 6.86 acres adjacent to the north side of Ann Road. The Planning Commission recommended approval, staff recommended denial.

B) Pre-Application Meeting

02/09/05 The elements of a complete application were discussed with the applicant during a pre-application submittal conference.

KCW

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 6.86

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Residential
	Undeveloped
South:	Drug Store
	Single Family Residential
East:	Single Family Residential
West:	Single Family Residential
	Undeveloped

C) Planned Land Use

Subject Property:	ML (Medium Low Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential)
	ML (Medium-Low Density Residential)
East:	RE (Rural Estates Residential)
West:	O (Office)

D) Existing Zoning

Subject Property:	U (Undeveloped) [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD10 (Residential Planned Development - 10 units per acre)
North:	U (Undeveloped) [R (Rural Density Residential) General Plan Designation]
	Clark County
South:	R-CL (Single-Family Compact -Lot)
	Clark County
East:	Clark County
West:	U (Undeveloped) [O (Office) General Plan designation] under Resolution of Intent to O (Office)
	R-E (Residence Estates) under Resolution of Intent to O (Office)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with an R (Rural Density Residential) land use designation. The proposed zoning for this site is R-PD10 (Residential Planned Development - 10 Units Per Acre), which will be in compliance with the General Plan designation of ML (Medium-Low Density) residential.

KCW

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

Trails – A Multi-use Transportation Trail is required adjacent to the north side of Ann Road.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	**Provided**
Min. Lot Size	2,520 Feet
Min. Lot Width	35 Feet
Min. Setbacks	
• Front	10 Feet
• Front (Garage)	18 Feet
• Side	3.5 Feet
• Corner	3.5 Feet
• Rear	10 Feet

- R-PD ONLY

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

Total Acreage	Density	**Required**			**Provided**	
		Ratio	Percent	Area	Percent	Area
6.86 acres	8.4	1.65	13.86 %	0.95 Acres (44,279 SF)	9%	0.65 Acres (28,189 SF)

The proposal does not meet open space requirements and a Variance (VAR-5810) was approved to provide relief of this requirement.

KCW

B) General Analysis Discussion

- General information (Residential/Commercial)

  The development is proposed to consist of 58 single-family homes on 6.86 acres, a density of approximately 8.4 dwelling units per acre. The site has been designed with 28,189 square feet of open space. Lots are accessed from 37-foot private streets. Site access is provided from Balsam Street.

- Cross Section

  The submitted north/south cross section depicts maximum natural grade between 0% and 2% across this site. Per Table A Subdivision Code 18.08.110 a development with natural slope between 0% to 2%, is allowed a maximum 4-foot retaining wall. None of the retaining walls shown are greater than 4-foot in height therefore complying with Title 18. However, we note that the total vertical wall height adjacent to the northern property boundary appears to be 8-feet.

  The submitted east/west cross sections depict maximum natural grade between 2% and 4% across this site. Per Table A Subdivision Code 18.08.110 a development with natural slope between 2% to 4%, is allowed a maximum 6-foot retaining wall. None of the proposed retaining walls are greater than 4-foot in height therefore complying with Title 18.

- Trails

  A 10-foot Public Transportation Trail Path is required along the south property line pursuant to the Transportation Trails Element of the Las Vegas 2020 Master Plan. The Equestrian Trail shall include 10 feet of Portland Cement concrete.

- Special Conditions of Approval (from Zoning or SDPR)

  - City Council approval of a General Plan Amendment (GPA-5804) to a ML (Medium Low Residential) designation, Rezoning (ZON-5809) to a R-3 (Medium Density Residential) Zoning District, and a Variance (VAR-5810) for a reduction of required open space.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-6214 APN: 125-27-803-008

Name of Property Owner: REGAL VILLAGE LLC % V KAMDAR

Name of Applicant: RICHMOND AMERICAN HOMES

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: V. Kamdar

Print Name: V. KAMDAR

Subscribed and sworn before me April Cox

This 2 day of November, 2004

Notary Public in and for said County and State

State of Utah

County of Utah

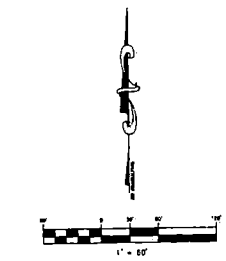
NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
March 18, 2007
APRIL COX
1376 North State
Orem, Utah 84059

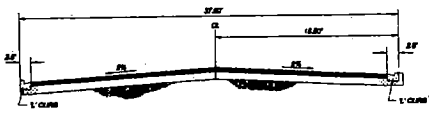
Revised 2/12/02

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

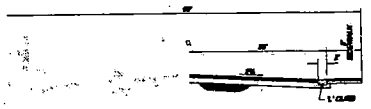
ANN / RAINBOW

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT
BY RICHMOND AMERICAN HOMES





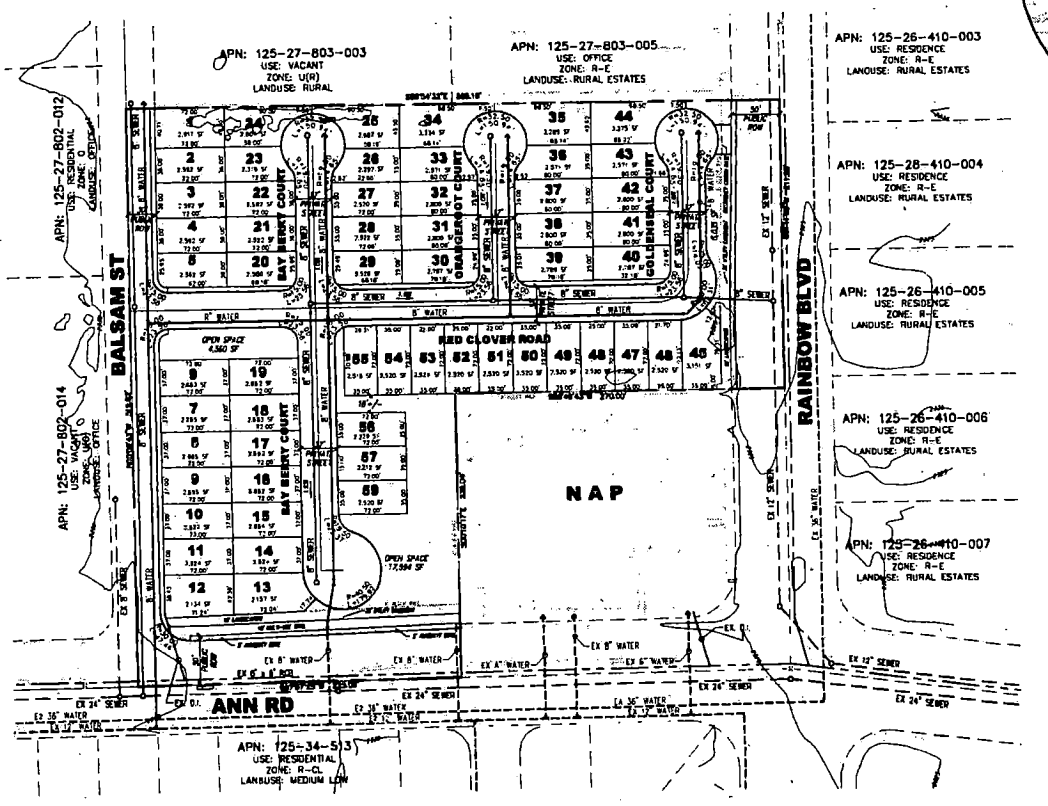
37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE

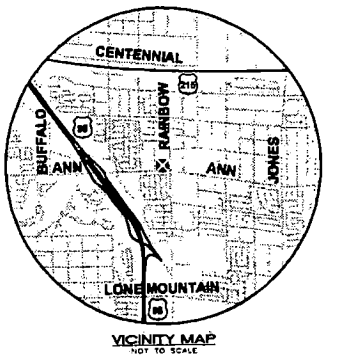


60' PUBLIC STREET HALF-SECTION (BALSAM ST.)
NOT TO SCALE

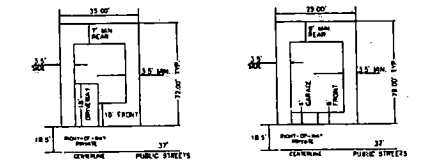


100' PUBLIC STREET HALF-SECTION (ANN RD. / RAINBOW BLVD.)
NOT TO SCALE





VICINITY MAP
NOT TO SCALE



LOT DETAIL (TYPICAL)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT. +/-)

LOT DETAIL (CUL-DE-SAC)
NOT TO SCALE
(TYPICAL LOT SIZE 2,520 SQ FT. +/-)

LEGEND:

- EXISTING SEWER LINE AND MANHOLE
- EXISTING WATER LINE
- PROPOSED WATER LINE
- PROPOSED SEWER LINE AND MANHOLE
- EXISTING STORM DRAIN
- FIRE HYDRANT
- 2 — LOT NUMBER
- BOUNDARY LINE
- LOT LINE
- STREET CENTERLINE
- RIGHT-OF-WAY
- 2330 — PRESSURE ZONE WATER
- PRESSURE ZONE BOUNDARY
- 2675 — EXISTING GROUND CONTOUR LINE

1. 32.5' R. CUL-DE-SACS
2. MODIFIED KNUCKLE

**APPROVED 3/22/2005

DEVELOPER
RICHMOND AMERICAN HOMES
2290 WEST PEAK AVE
SUITE 212
LAS VEGAS, NEVADA 89128
(702) 240-5600

OWNERS
REGAL VILLAGE LLC
10 S. STATE ST
LYNDON, UT 84042

ENGINEER
THOMASON CONSULTING ENGINEERS
3161 E. WARM SPRINGS RD
SUITE 200
LAS VEGAS, NEVADA 89120
(702) 932-8125

ASSESSORS PARCEL NUMBER:
125-27-803-008

LEGAL DESCRIPTION
THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 27 TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA

OVERALL TABULATIONS

EXISTING ZONING	C-1
PROPOSED ZONING	R-PCD
EXISTING LAND USE	RURAL
PROPOSED LAND USE	MEDIUM-LOW
# OF UNITS	58
GROSS ACREAGE	9.66 ACRES +/-
DENSITY	6.0 D.U.A.
OPEN SPACE REQUIRED	92 AC (41,382 SF)
OPEN SPACE PROVIDED - 32% REDUCTION IN OS	64 AC (28,189 SF)

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE
2. ALL INTERIOR STREETS ARE 37' PRIVATELY MAINTAINED RIGHTS-OF-WAY
3. THE BOUNDARY SHOWN HEREON IS FROM AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED
5. THE PARKING ANALYSIS REQUIREMENTS WILL BE MET BY TWO CAR GARAGES, DRIVEWAYS AND AVAILABLE ON-STREET PARKING
6. THERE ARE NO KNOWN FAULTS OR FISSURES LOCATED ON-SITE
7. GROUNDWATER DEPTHS HAVE NOT BEEN LOCATED WITHIN 20' OF THE EXISTING GROUND SURFACE
8. AT THIS TIME 5 CAR'S ARE ANTICIPATED FOR THIS DEVELOPMENT
9. LANDSCAPE EASEMENT AREAS TO BE MAINTAINED BY THE LMA OR HOA PER TITLE 30
10. THIS SITE IS NOT A PART OF A MASTER PLAN DEVELOPMENT
11. THIS SITE IS NOT LOCATED WITHIN A FLOOD ZONE AND IS LOCATED IN ZONE "X"
12. ESTIMATED SEWER CONTRIBUTION (0.0004 MGD x 58 LOTS) = 0.02 M.G.D.
13. NO RESERVATIONS FOR PARKS, SCHOOLS OR OTHER PUBLIC USE FACILITIES ADJACENT TO THIS SITE.
14. ABOVE GROUND UTILITY BOXES SHALL NOT BE PLACED WITHIN TRAIL CORRIDORS
15. THERE ARE NO EXISTING OR PROPOSED IRRIGATION OR DRAINAGE EASEMENTS ON THIS SITE.

ALL IMPROVEMENTS SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE CLARK COUNTY AREA WIDE STANDARDS

UTILITY SERVICES PROVIDED AS FOLLOWS:

WATER	LAS VEGAS VALLEY WATER DISTRICT
ELECTRIC	NEVADA POWER COMPANY
GAS	SOUTHWEST GAS CORPORATION
SEWER	CLARK COUNTY RECLAMATION DISTRICT
SOLID WASTE DISPOSAL	REPUBLIC SERVICES OF SOUTHERN NEVADA
TELEPHONE	SPRINT CENTRAL - NEVADA
CABLE	COX COMMUNICATIONS

DEVELOPER: RICHMOND AMERICAN HOMES
2290 WEST PEAK AVE #212
LAS VEGAS, NEVADA
(702) 240-5600

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7125 Hickam Avenue Las Vegas, NV 89128 Office: 702.364.7701 Fax: 702.364.7702

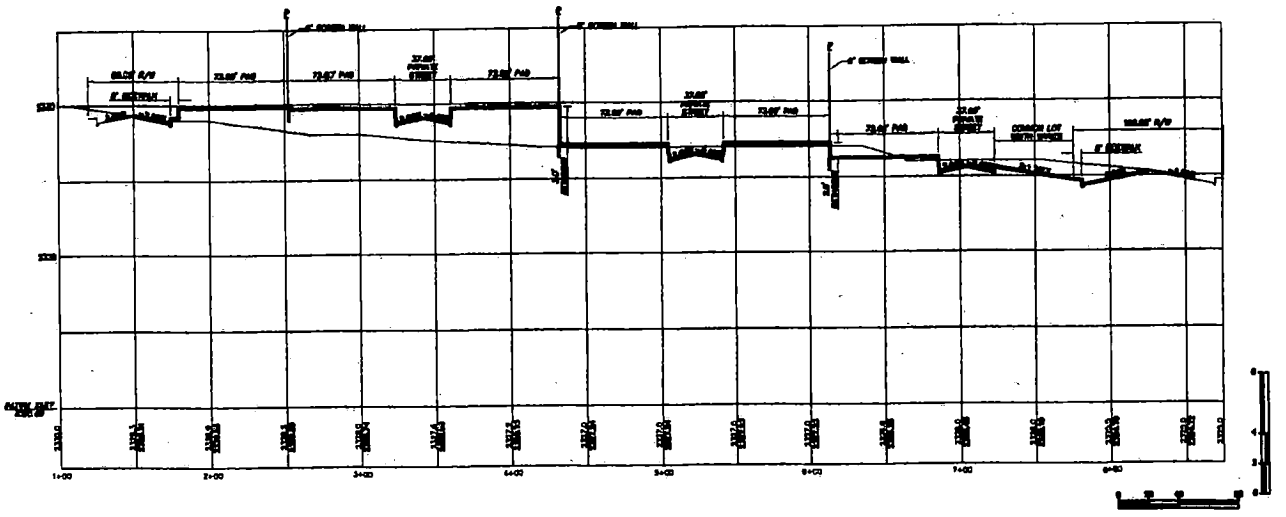
SHEET: TENTATIVE MAP
TITLE: ANN / RAINBOW
CITY OF LAS VEGAS, NEVADA

DATE: FEBRUARY 23 2005
DRAWN BY: BSAYLOR
DESIGNED BY: K SHUE
CHECKED BY: K SHUE
SCALE: 1" = 60'
PROJECT NO: RA-0085
ENGINEERING SCAL

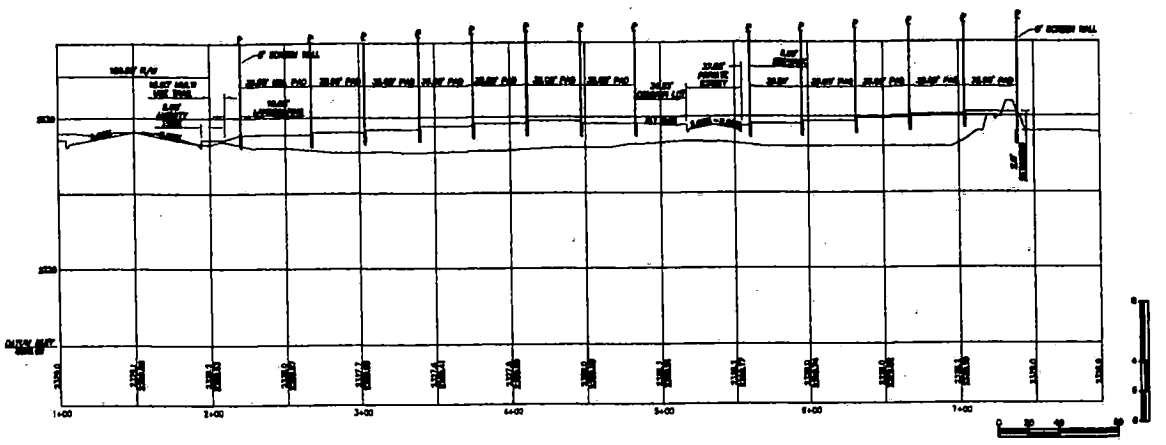
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OF 2
DRAWING NO:
0085 TRAP 3-23-05

TMP-6214
04-14-05 PC

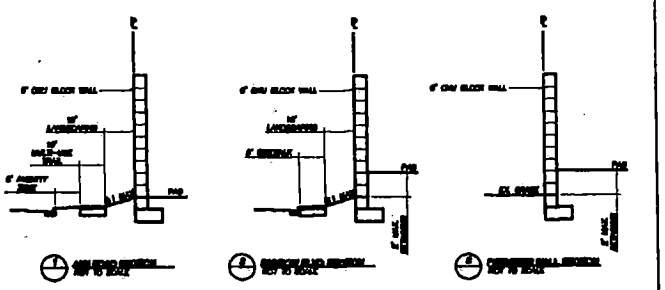
RECEIVED
MAR 0 1 2005



TMAP SECTION EAST-WEST



TMAP SECTION NORTH-SOUTH



TMP-6214
04-14-05 PC

RECEIVED
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CLIENT
RICHMOND AMERICAN HOMES
2390 CORPORATE CIRC. SUITE 210
LAS VEGAS, NEVADA
(702) 240-5600

CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
5125 MCCRAN AVENUE · LAS VEGAS NEVADA

SHEET
TENTATIVE MAP
CROSS SECTIONS

TITLE
ANN / RAINBOW
CITY OF LAS VEGAS, NEVADA

DATE
DRAWN BY
S. TAYLOR
DESIGNED BY
S. TAYLOR
CHECKED BY
R. BARE
SCALE
PROJECT NO.
RA-XXXX
ENGINEERING SEAL

SHEET
1
OF
1
DRAWING NO.
1



TMP-6214 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE LLC
THE NORTHWEST CORNER OF ANN ROAD AND RAINBOW BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

City of Las Vegas

Agenda Item No.: 5

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
TMP-6215 - TENTATIVE MAP - TOSCANA - APPLICANT: RCD HOLDING INC - OWNER: CREATIVE DREAM CATCHERS LLC - Request for a Tentative Map FOR A 90 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 10.72 acres adjacent to the northwest corner of Ann Road and Balsam Street (APN 125-27-802-002 through 005, 008, 009, 012 and 014), U(Undeveloped) Zone [O (Office) General Plan Designation] and R-E (Residence Estates) Under Resolution of Intent to 0 (Office) Under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone, Ward 6 (Mack).

P.C. FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions Consent Item 1 [TMP-6089], Item 2 [TMP-6134], Item 3 [TMP-6213], Item 4 [TMP-6214], Item 5 [TMP-6215] and APPROVED Item 6 [ANX-6173] and Item 7 [ANX-6175] – UNANIMOUS with McSWAIN abstaining on Item 4 [TMP-6214] because her company, Terra Contracting, is under contract with Richmond American Homes

This is Final Action

MINUTES:
CHAIRMAN NIGRO stated this is a Consent item.

(6:05 – 6:06)

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 5 – TMP-6215

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Rezoning (ZON-5880), Site Development Plan Review (SDR-5881), and General Plan Amendment (GPA-5820).

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

6. 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.

Public Works

7. On the Final Map for this site, label the Multi-Use Transportation Trail adjacent to this site along Ann Road as "10-foot wide Multi-Use Trail Easement to be privately maintained by the Homeowner's Association". In addition, per Title 18 Appendix E, the Owner's Certificate shall include the following paragraph, "Provided, however, that no

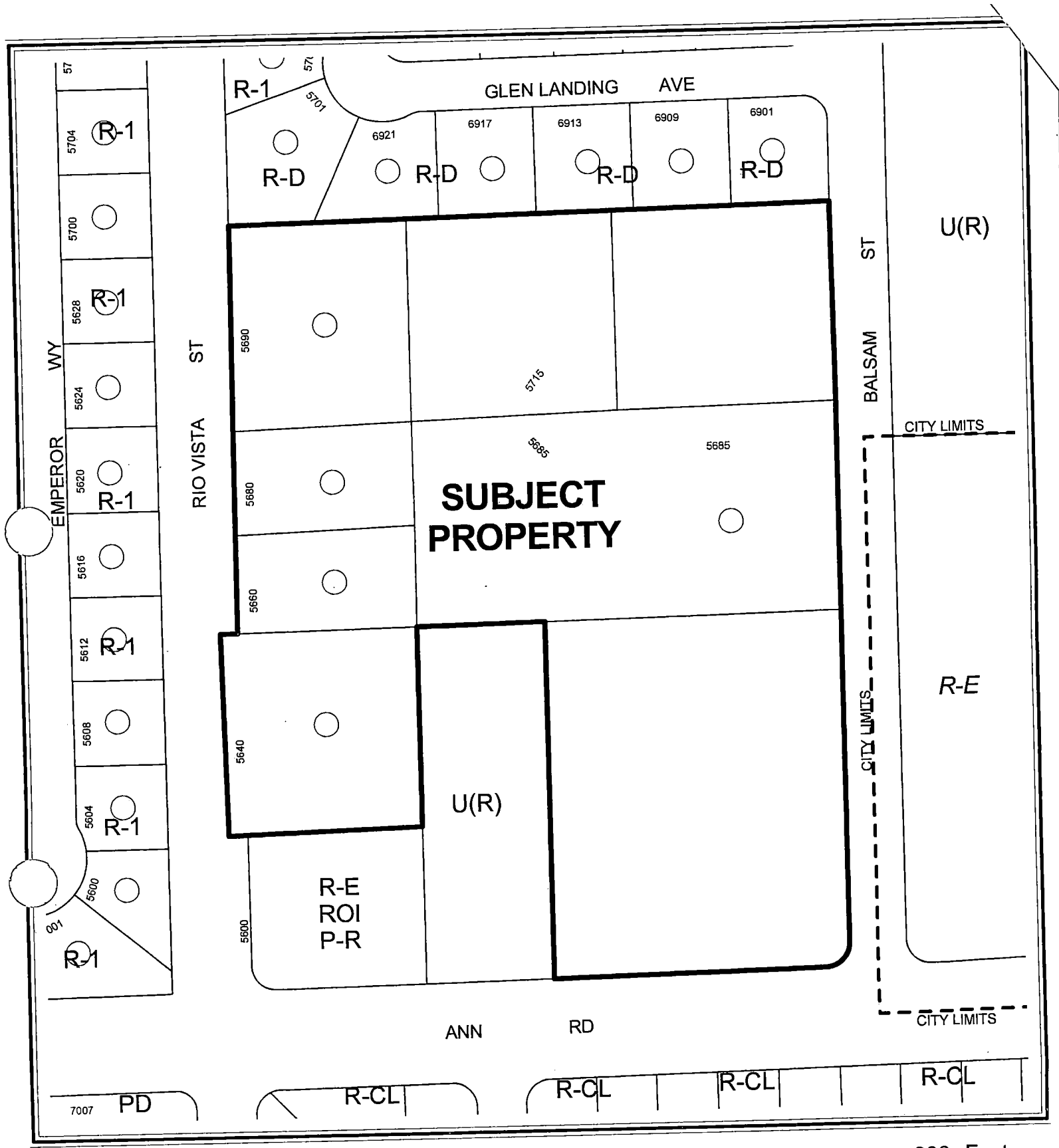
CONDITIONS – Continued:

above-ground utility vaults that would substantially interfere with the intended use of the trail corridor shall be allowed within any easements, corridors, or common lots designated as public multi-use trail easement areas, and no such easement rights shall be granted to the above listed utility companies, nor any other parties, in conflict with this statement."

8. The Final Map for this site shall be a "Merger and Resubdivision" map as required by the City of Las Vegas City Surveyor.

9. Site development to comply with all applicable conditions of approval for ZON-5880, SDR-5881 and all other applicable site-related actions.

10. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.



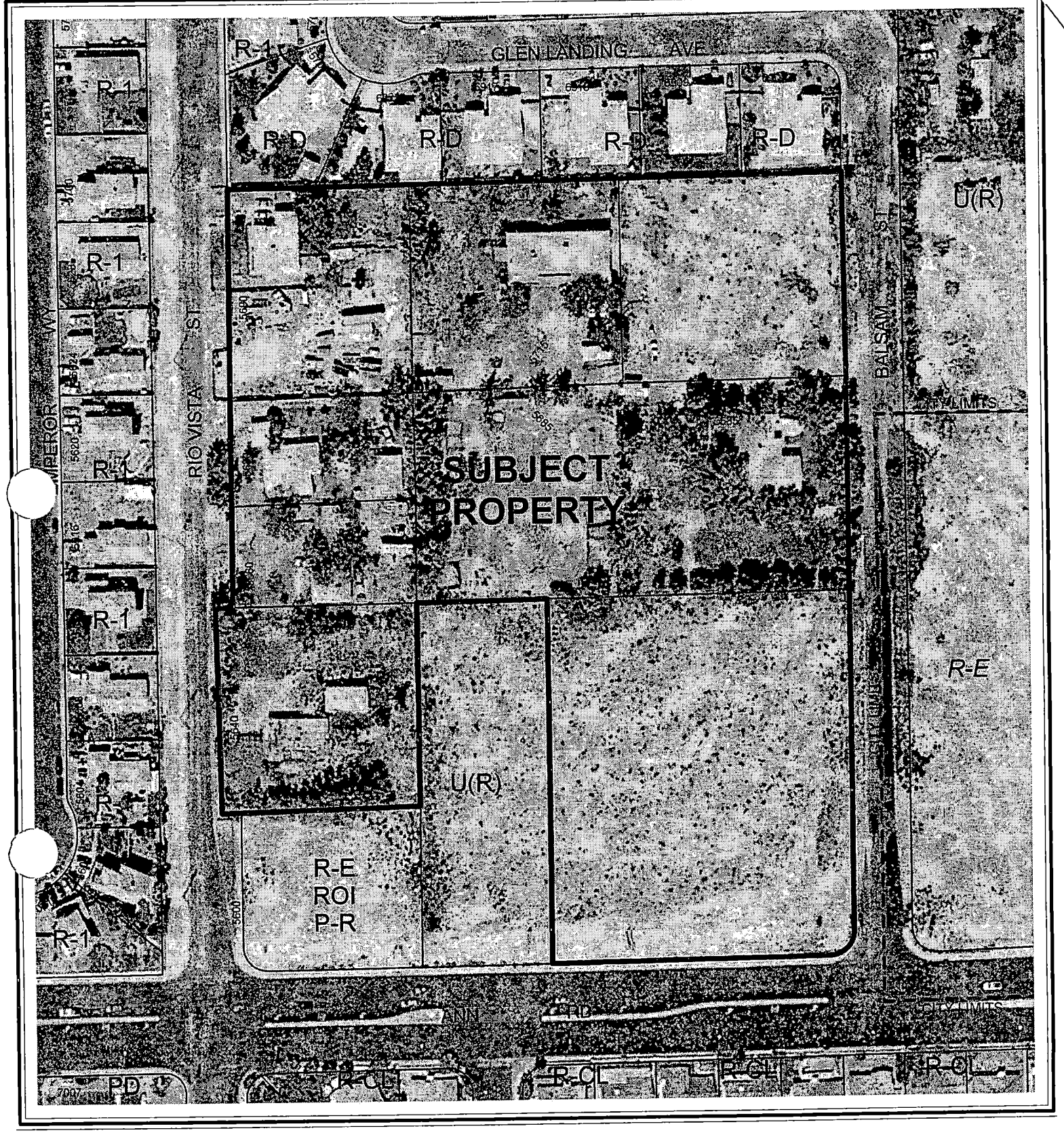
0 100 200 Feet

CASE: TMP-6215

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO O (OFFICE) UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

N



0 100 200 Feet

CASE: TMP-6215

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO O (OFFICE) UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TMP-6215 - TOSCANA - APPLICANT: RCD HOLDING INC - OWNER: CREATIVE DREAM CATCHERS LLC

** CONDITIONS **

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

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Rezoning (ZON-5880), Site Development Plan Review (SDR-5881), and General Plan Amendment (GPA-5820).

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

6. 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.

Public Works

7. On the Final Map for this site, label the Multi-Use Transportation Trail adjacent to this site along Ann Road as "10-foot wide Multi-Use Trail Easement to be privately maintained by the Homeowner's Association". In addition, per Title 18 Appendix E, the Owner's Certificate shall include the following paragraph, "Provided, however, that no above-ground utility vaults that would substantially interfere with the intended use of the trail corridor shall be allowed within any easements, corridors, or common lots designated as public multi-use trail easement areas, and no such easement rights shall be granted to the above listed utility companies, nor any other parties, in conflict with this statement."

8. The Final Map for this site shall be a "Merger and Resubdivision" map as required by the City of Las Vegas City Surveyor.

9. Site development to comply with all applicable conditions of approval for ZON-5880, SDR-5881 and all other applicable site-related actions.

10. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Tentative Map for a 90-lot residential subdivision on 10.72 acres adjacent to the northwest corner of Ann Road and Balsam Street.

B) Applicant's Justification

A justification letter is not required for Tentative Map applications.

BACKGROUND INFORMATION

A) Related Actions

02/19/03 The City Council approved an Annexation (A-0037-02) to annex property generally located on the east side of Rio Vista Street, 170 feet north of Ann Road, containing approximately 6.8 acres, APNs: 125-27-802-002, 003, 004, 005, 008, 009, & 012. The Planning Commission and staff recommended approval on October 10, 2002. The effective date was February 28, 2003.

06/18/03 The City Council approved a Rezoning (ZON-1987) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] [Proposed: O (Office) General Plan Designation] and R-E (Residence Estates) to O (Office) on 9.39 acres adjacent to the northwest corner of Ann Road and Balsam Street. The City Council also approved a General Plan Amendment from R (Rural Density Residential) to O (Office). The Planning Commission and staff recommended denial on May 22, 2003.

03/16/05 The City Council approved General Plan Amendment to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) to ML (Medium-Low Density Residential); a Rezoning (ZON-5880) from U (Undeveloped) [O (Office) General Plan designation] under Resolution Of Intent to O (Office) and R-E (Residence Estates) Under Resolution Of Intent to O (Office) TO: R-PD8 (Residential Planned Development - 8 Units Per Acre) and a Site Development Plan Review (SDR-5881) for a 93-lot single-family residential development. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

02/09/05 The elements of a Tentative Map application were discussed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	10.72

B) Existing Land Use

Subject Property:	Single Family Dwellings and Undeveloped
North:	Single Family Dwellings
South:	Single Family Dwellings and Undeveloped
East:	Undeveloped
West:	Single Family Dwellings

C) Proposed Land Use

Subject Property:	O (Office)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential) and ML (Medium-Low Density Residential)
East:	R (Rural Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone O [Office) General Plan Designation] under Resolution of Intent to O (Office) and R-E (Residence Estates) under Resolution of Intent to O (Office)
North:	R-D (Single Family Residential-Restricted)
South:	R-CL (Single Family Compact-Lot)
East:	U (Undeveloped) Zone R [(Rural Density Residential) General Plan Designation]
West:	R-1 (Single Family Residential)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified O (Office) land use category. The property is zoned U (Undeveloped) Zone O [Office) General Plan Designation] under Resolution of Intent to O (Office) and R-E (Residence Estates) under Resolution of Intent to O (Office). The proposed development of 90 single-family lots on 10.72 acres, which generates a density of development of 8.4 units per acre, is permitted within the ML land use category but not in the present zoning. Therefore, the applicant is requesting approval of an application for Rezoning to R-PD8 (Residential Planned Development – 8 Units per Acre) that would permit up to 8.49 units per acre.

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

A Multi-Use Transportation Trail is identified along the north side of Ann Road, on the southern edge of the subject site. The developer will be required to include this trail as part of the companion Site Development Plan review (SDR-5881) and to develop that segment of the trail as part of this development.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD zoned project are set out on the site plan. In the case of the subject proposal, the standards are as follows:

Standards	**Proposed**
Average Lot Size	3,327 s.f.
Min. Lot Width	36 Feet
Min. Setbacks • Front - to house • Side • Corner • Rear	 5 Feet 3 Feet Not indicated 10 Feet
Max. Lot Coverage	Not indicated
Max. Building Height	2 Story / 31 Feet

B) General Analysis Discussion

- General information (Residential/Commercial)

The project consists of 90 single-family residential homes on 10.72 acres. The original site plan was inconsistent with the adjacent development to the east. The revised site plan indicates lots located along Balsam, which is consistent with the proposed neighborhood to the east. The homes within the development are accessed from Balsam Street and Rio Vista Street. It should be noted that Site Development Plan Review (SDR-5881), indicated access from Ann Road, Rio Vista Street, and Balsam Street. The revised site paln indicates access from Balsam Street and Rio Vista Street only. The homes, which front Balsam Street are accessed directly from Balsam. The organization of these lots is harmonious with the overall character of the area.

- Cross Section

  The submitted north/south cross section depicts maximum natural grade between 0% and 2% across this site. Per Table A Title 18.08.110 a development with natural slope between 0% to 2%, is allowed a maximum 4-foot retaining wall. None of the retaining walls shown are greater than 4-foot in height therefore complying with Title 18. However, we note that the total vertical wall height adjacent to Ann Road appears to be 8-feet.

  The submitted east/west cross sections depict maximum natural grade between 2% and 4% across this site. Per Table A Title 18.08.110 a development with natural slope between 2% to 4%, is allowed a maximum 6-foot retaining wall. None of the proposed retaining walls are greater than 4-foot in height therefore complying with Title 18. However, the total vertical wall face adjacent to Balsam Street appears to be 10-feet.

  Public Works notes that there is a multi-use transportation trail adjacent to this site along Ann Road.

- Trails

  A twenty-foot Multi-use Transportation Trail is required along the north side of Ann Road, which is the south side of the development.

- Special Conditions of Approval (from Zoning or SDPR)

  The setbacks for this development shall be a minimum of five feet to the front of the house, three feet on the side, three feet on the corner side, and 10 feet in the rear.

  A revised site plan including a Multi-Use Non-Equestrian Trail located on the southern property shall be included prior to issuance of civil plans.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-6215 APN: 12 -27-302-005,008

Name of Property Owner: CREATIVE DREAM CAT HERB LLC

Name of Applicant: RCD HOLDINGS INC

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Kathleen Cunningham Jil Windsor

Print Name: Kathleen Cunningham
JIL WINDSOR

Subscribed and sworn before me

This 19 day of Feb, 2005

Notary Public in and for said County and State
San Diego, CA

JACLYN M. CAIN
COMM. #1353470
NOTARY PUBLIC-CALIFORNIA
SAN DIEGO COUNTY
My Comm. Expires April 25, 2006

Revised 2/12/02

P:\pcr\Application Packet\Statement of Financial Interest.doc

State of Florida
County of Walton
As Witness to Jil Windsor
Heather E. Jeanneret

HEATHER E. JEANNERET
My Commission DD 146605
EXPIRES: Nov. 14, 2005
Bonded through Old Republic Surety Company

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-6215 APN: 125-27-802-012

Name of Property Owner: JUDIE K COLLINS TRUST

Name of Applicant: RCD HOLDINGS INC

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Judie K Collins

Print Name: JUDIE K COLLINS

Subscribed and sworn before me

This 22 day of FEBRUARY, 20 05

Lynne Cooper

Notary Public in and for said County and State

LYNNE COOPER
Notary Public, State of Nevada
Appointment No. 03815981
My Appt. Expires April 22, 2007

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-6215 125 27 802 009 APN: 125-27-802-009

Name of Property Owner: PRINCE FAMILY LP

Name of Applicant: RCD HOLDINGS INC

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Mary Susan Steele

Print Name: MARY SUSAN STEELE, for Prince Family LP

Subscribed and sworn before me

This 20th day of February, 2005

WALTER N. PRINCE, Notary Public

Notary Public in and for said County and State

WALTER N. PRINCE
Comm. # 1332558
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires Nov. 30, 2005

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-6215 APN: 125-27-802-002

Name of Property Owner: SUSAN SHELLENBARGER SEP PPTY TR
SUSAN SHELLENBARGER APATHY TRS

Name of Applicant: RCD HOLDINGS INC

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

_____ Yes _X_ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Susan A Shellenbarger

Print Name: Susan A Shellenbarger

Subscribed and sworn before me

This 23 day of February, 2005

Lynne Cooper
Notary Public in and for said County and State

LYNNE COOPER
Notary Public, State of Nevada
Appointment No. 03815981
My Appt. Expires April 22, 2007

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-6215 APN: 125-27-802-004

Name of Property Owner: LES & JOAN LLC % M SINGER LTD

Name of Applicant: RCD HOLDINGS INC

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Lawrence Powers

Subscribed and sworn before me

This 25TH day of FEB, 2005

Marie E. Borkowski

Notary Public in and for said County and State

Marie E Borkowski
Notary Public
State of Nevada
Date Appointment Exp: 01-31-2009
Certificate No: 97-0442-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-6215 APN: 125-27-302-003

Name of Property Owner: GONZALEZ FAMILY TRUST AND JAMIE GONZALEZ TRS

Name of Applicant: RCD HOLDINGS INC

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: JAIME GONZALEZ

Subscribed and sworn before me

This 17 day of February, 2005

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

LYNDA SALADINO
Notary Public – State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Sept. 06, 2008
92-3293-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-6215 APN: 125-27-802-014

Name of Property Owner: BOBACK GROUP INC

Name of Applicant: RCD HOLDINGS INC

To the best of your knowledge does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, this 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: Donald O. Boback

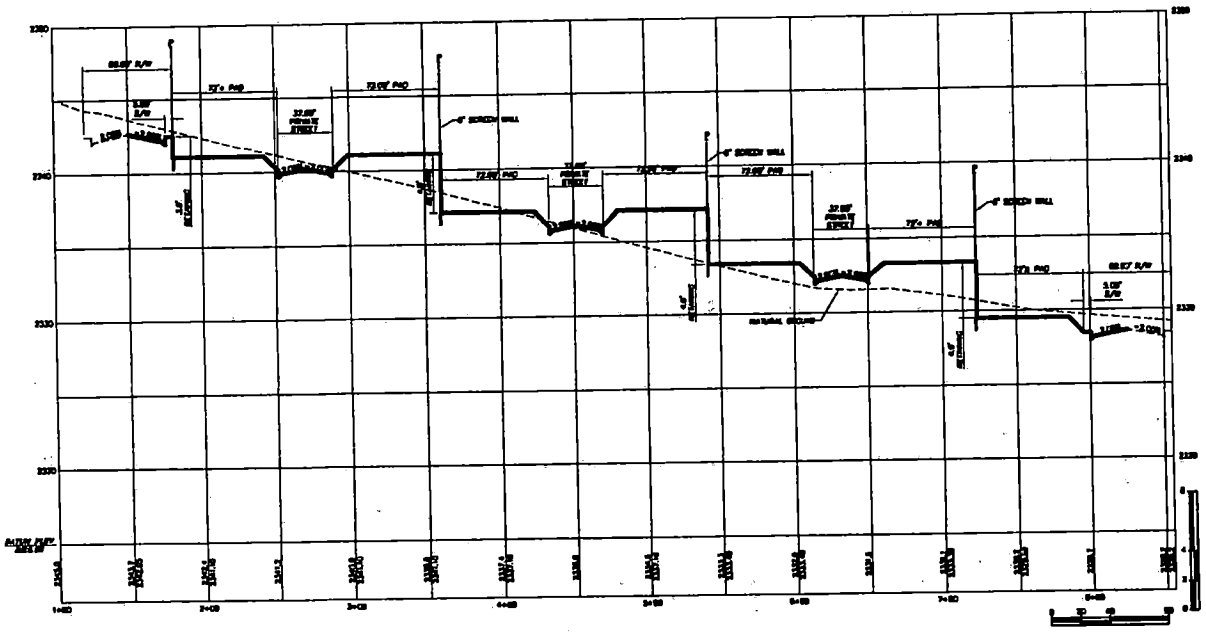
Subscribed and sworn before me

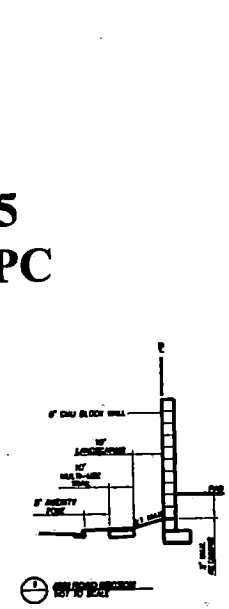
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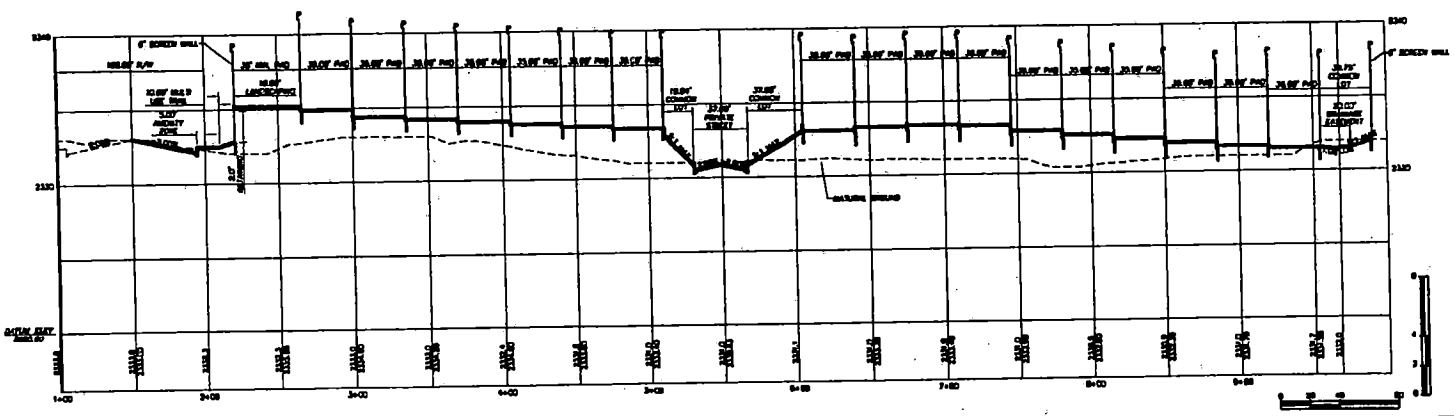
[signature]
Notary Public in and for said County and State

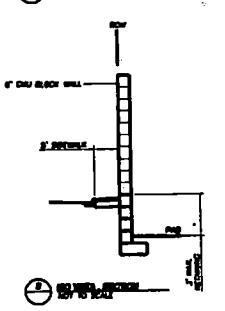
Notary Public - State of Nevada
COUNTY OF CLARK
AUDREY J. CARRIZZO
No. 96-3466-1 My Appointment Expires July 17, 2008

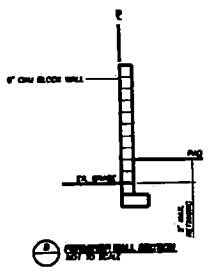
Revised 2/12/02











TMP-6215
04-14-05 PC

CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7525 MICCAM AVENUE - LAS VEGAS, NEVADA

TENTATIVE MAP
CROSS SECTIONS

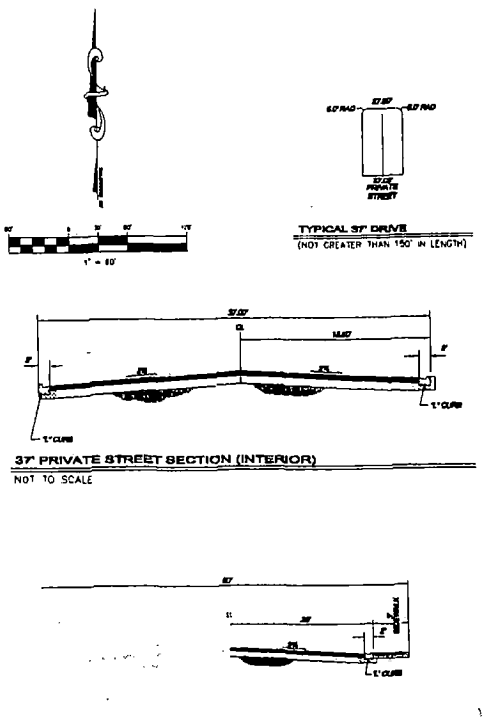
TOSCANA
CITY OF LAS VEGAS, NEVADA

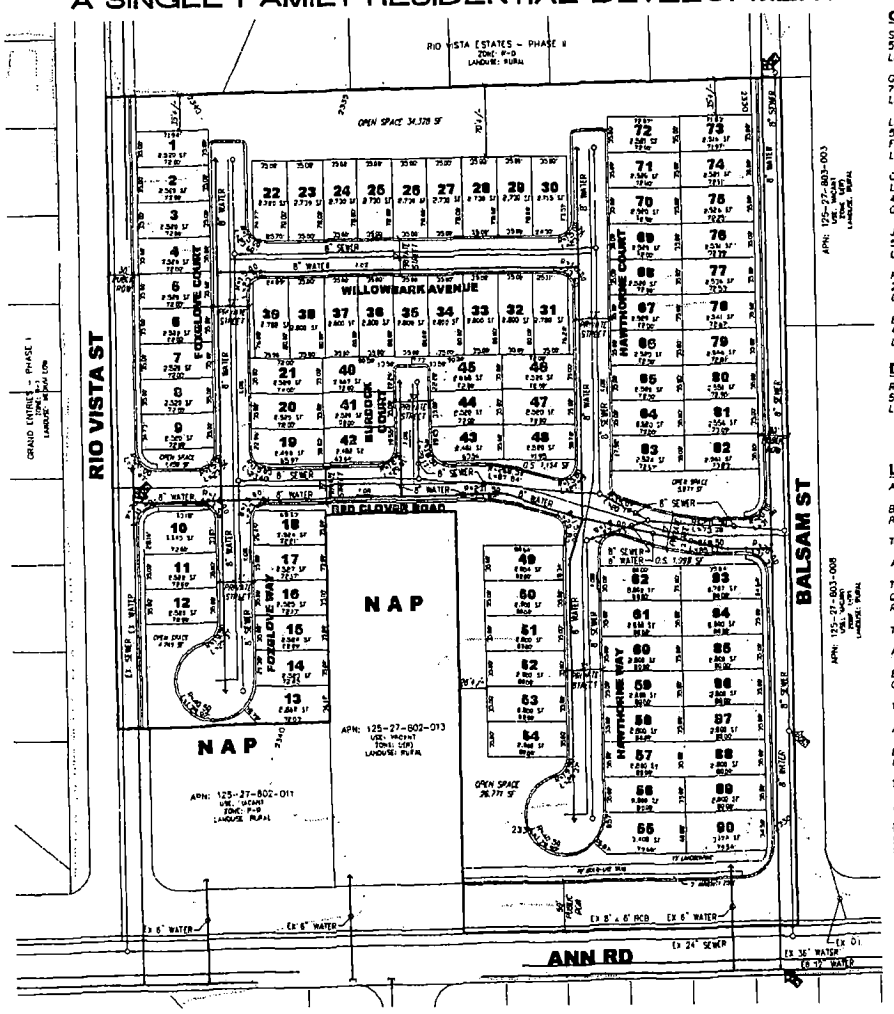
DATE: FEB. 21-05
DRAWN BY:
DLS
DESIGNED BY:
DLS
CHECKED BY:
R. SHAW
SCALED:
AS NOTED
PROJECT NO.
JC-0001
ENGINEERING SEAL

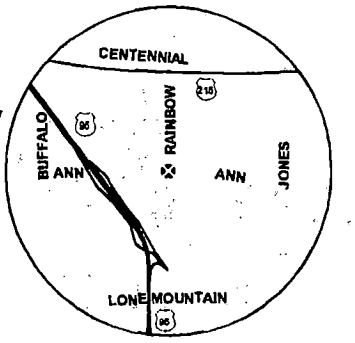
SHEET
TM-2
OF 12
DRAWING NO.

TOSCANA

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT







OWNERS

SUSAN SHELLENBARGER TRUST
5690 RIO VISTA ST
LAS VEGAS, NV 89130

GONZALEZ FAMILY TRUST
7405 W. GILMORE
LAS VEGAS, NV 89129

LES & JOAN LLP
520 S. 4TH STREET - 2ND FLOOR
LAS VEGAS, NV 89101

CREATIVE DREAM CATCHERS LLC
4839 W. DESERT HOLLOW
GLENDALE, AZ 35310

JUDIE COLLINS TRUST
5686 BALSAM ST
LAS VEGAS, NV 89130

PRINCE FAMILY TRUST
202 N. CURRY ST #214
CARSON CITY, NV 89703

BORSACK GROUP
4397 W. SUNSET RD #8
LAS VEGAS, NV 89118

DEVELOPER

RCD HOLDINGS
5685 BALSAM STREET
LAS VEGAS, NV 89130

ENGINEER

THOMASON CONSULTING ENGINEERS
3181 E. WARM SPRINGS RD
SUITE 200
LAS VEGAS, NEVADA 89120
(702)932-6125

ASSESSORS PARCEL NUMBERS:

125-27-802-002, 003, 004, 005, 006, 009, 012, 014

LEGAL DESCRIPTION

ASSESSOR PARCEL: 125-27-802-014

BEING LOT TWO (2) OF PARCEL MAP, FILE 102, PAGE 29 IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

TOGETHER WITH:

ASSESSOR PARCEL: 125-27-802-009

THE WEST 210 FEET OF THE NORTH 210 FEET OF THE SOUTH 420 FEET OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. & M.

TOGETHER WITH:

ASSESSOR PARCEL: 125-27-802-005,008

BEING LOT ONE (1) AND LOT TWO (2) OF PARCEL MAP, FILE 49, PAGE 25 IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

TOGETHER WITH:

ASSESSOR PARCEL: 125-27-802-003,004,012

BEING LOT ONE (1), LOT TWO (2), LOT THREE (3) AND LOT (4) OF PARCEL MAP, FILE 5, PAGE 39 IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA

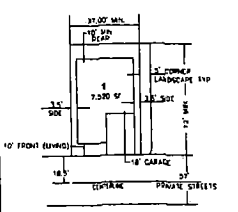
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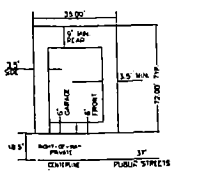
ASSESSOR PARCEL: 125-27-802-002

THE WESTERLY 210 FEET OF THE NORTHERLY 210 FEET OF THE SOUTHERLY 840 FEET OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. & M

OVERALL TABULATIONS

EXISTING ZONING	O
PROPOSED ZONING	R-PDB
EXISTING LAND USE	RURAL
PROPOSED LAND USE	MEDIUM-LOW
# OF UNITS	90
GROSS ACREAGE	10.72 ACRES +/-
DENSITY	8.40 D.U.A.
OPEN SPACE REQUIRED	1.50 AC (65,405 SF)
OPEN SPACE PROVIDED	1.72 AC (75,175 SF)





LEGEND:

- EXISTING SEWER LINE AND MANHOLE
- PROPOSED SEWER LINE AND MANHOLE
- EXISTING WATER LINE
- PROPOSED WATER LINE
- FIRE HYDRANT
- 2 LOT NUMBER
- BOUNDARY LINE
- LOT LINE
- BACK OF CURB
- STREET CENTERLINE
- 2330 PRESSURE ZONE WATER
- PRESSURE ZONE BOUNDARY
- 2675 EXISTING GROUND CONTOUR LINE

GENERAL NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL INTERIOR STREETS ARE 37' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREON IS FROM AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.
5. THE PARKING ANALYSIS REQUIREMENTS WILL BE MET BY TWO CAR GARAGES, DRIVEWAYS AND AVAILABLE ON-STREET PARKING.
6. THERE ARE NO KNOWN FAULTS OR FISSURES LOCATED ON-SITE.
7. GROUNDWATER DEPTHS HAVE NOT BEEN LOCATED WITHIN 20' OF THE EXISTING GROUND SURFACE.
8. AT THIS TIME CC&R'S ARE ANTICIPATED FOR THIS DEVELOPMENT.
9. LANDSCAPE EASEMENT AREAS TO BE MAINTAINED BY THE LMA OR HOA PER TITLE 30
10. THIS SITE IS NOT A PART OF A MASTER PLAN DEVELOPMENT.
11. THIS SITE IS NOT LOCATED WITHIN A FLOOD ZONE AND IS LOCATED IN ZONE "X".
12. ESTIMATED SEWER CONTRIBUTION (0.0004 MCD x 90 LOTS) = 0.04 M.G.D.
13. NO RESERVATIONS FOR PARKS, SCHOOLS OR OTHER PUBLIC USE FACILITIES ADJACENT TO THIS SITE.
14. ABOVE GROUND UTILITY BOXES SHALL NOT BE PLACED WITHIN TRAIL CORRIDORS.
15. THERE ARE NO EXISTING OR PROPOSED IRRIGATION OR DRAINAGE EASEMENTS ON THIS SITE.

ALL IMPROVEMENTS SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE CLARK COUNTY AREA WIDE STANDARDS.
UTILITY SERVICES PROVIDED AS FOLLOWS:

WATER	LAS VEGAS VALLEY WATER DISTRICT
ELECTRIC	NEVADA POWER COMPANY
GAS	SOUTHWEST GAS CORPORATION
SEWER	CLARK COUNTY RECLAMATION DISTRICT
SOLID WASTE DISPOSAL	REPUBLIC SERVICES OF SOUTHERN NEVADA
TELEPHONE	SPRINT CENTRAL - NEVADA
CABLE	COX COMMUNICATIONS

TMP-6215
04-14-05 PC

DEVELOPER
RCD HOLDINGS
5685 BALSAM STREET
LAS VEGAS, NEVADA 89130

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7325 Hidden Terrace Las Vegas, NV 89139 (702) 364-7701 Fax: 702.364.7702

SHEET: TENTATIVE MAP
TITLE: TOSCANA
CITY OF LAS VEGAS, NEVADA

DATE: FEBRUARY 24, 2005
DRAWN BY: B. GAYLOR
DESIGNED BY: P. SHUE
CHECKED BY: P. SHUE
SCALE: 1" = 60'
PROJECT NO: JC-0001
ENGINEERING SEAL

SHEET: TM-1 OF 2
DRAWING NO.



TMP-6215 - APPLICANT: RCD HOLDING INC - OWNER: CREATIVE DREAM CATCHERS LLC
THE NORTHWEST CORNER OF ANN ROAD AND BALSAM STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

City of Las Vegas

Agenda Item No.: 6

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
ANX-6173 - ANNEXATION - APPLICANT/OWNER: THE PHYLLIS M. FRIAS MANAGEMENT TRUST U/A DATED JANUARY 28,1998 - Petition to Annex property located adjacent to the east side of Kevin Street, approximately 340 feet north of Centennial Hills Parkway (APN 125-20402-015), containing approximately 1.31 acres, Ward 6 (Mack).

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL

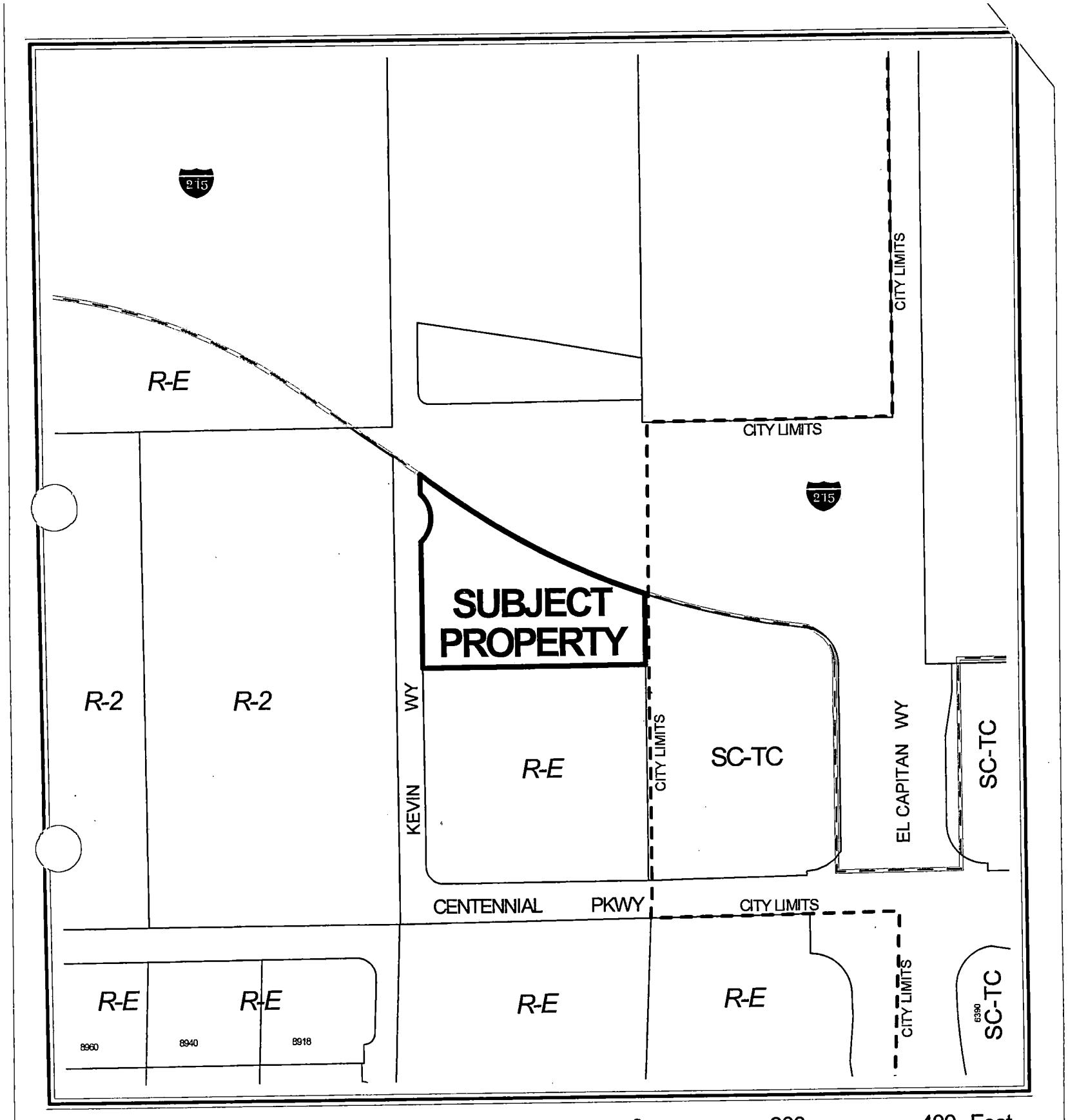
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
TRUESDELL – APPROVED subject to conditions Consent Item 1 [TMP-6089], Item 2 [TMP-6134], Item 3 [TMP-6213], Item 4 [TMP-6214], Item 5 [TMP-6215] and APPROVED Item 6 [ANX-6173] and Item 7 [ANX-6175] – UNANIMOUS with McSWAIN abstaining on Item 4 [TMP-6214] because her company, Terra Contracting, is under contract with Richmond American Homes

To be forwarded to City Council in Ordinance form

MINUTES:
CHAIRMAN NIGRO stated this is a Consent item.

(6:05 – 6:06)



CASE: ANX-6173

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ANX-6173 - APPLICANT/OWNER: THE PHYLLIS M. FRIAS MANAGEMENT TRUST U/A DATED JANUARY 28,1998

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL**

** STAFF REPORT **

APPLICATION REQUEST

This request is intended to annex one parcel of land containing approximately 1.31 acres. The property is located adjacent to the east side of Kevin Way, approximately 340 feet north of Centennial Hills Parkway.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.31

B) Existing Land Use

Subject Property:	Undeveloped
North:	Beltway 215
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Existing Zoning

Subject Property:	R-E (Rural Estates – Clark County Designation)
North:	Beltway 215
South:	U (Undeveloped) zone [TC (Town Center) General Plan Designation]
East:	T-C (Town Center)
West:	R-2 (Medium Density Residential – Clark County Designation)

D) Special Districts/Zones

The subject parcel is located within the Town Center area of the Centennial Hills Interlocal Plan.

E) Rural Preservation Neighborhood:

The subject parcel is not located within a Rural Preservation Neighborhood

F) Excepted Area of Interlocal Agreement:

The subject parcel is located within the Excepted Area of the Interlocal Agreement. However, this annexation is at the request of the property owner and can therefore be processed.

FS

ANALYIS &FINDINGS

The subject parcel is currently undeveloped and the applicant has not yet indicated the proposed use for the site. The current General Plan designation is TC (Town Center). This parcel is in an area of the city considered to be appropriate for annexation in that it meets the requirements of NRS 268.580 No. 2 (b), which states, "Not less than one-eighth of the aggregate external boundaries must be contiguous with the boundaries of the annexing city." The current county zoning on the site is R-E (Rural Estates). The city's zoning equivalent is U (Undeveloped) zone [TC (Town Center) General Plan designation] for the undeveloped parcel.

Upon development appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ANX-0173 APN: 125-20-402-015

Name of Property Owner: PHYLLIS M. FRIAS MANAGEMENT TRUST U/A DATED JAN. 28, 1998

Name of Applicant: SAME

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____ #

Signature of Property Owner: Phyllis M. Frias

Print Name: Phyllis M FRIAS

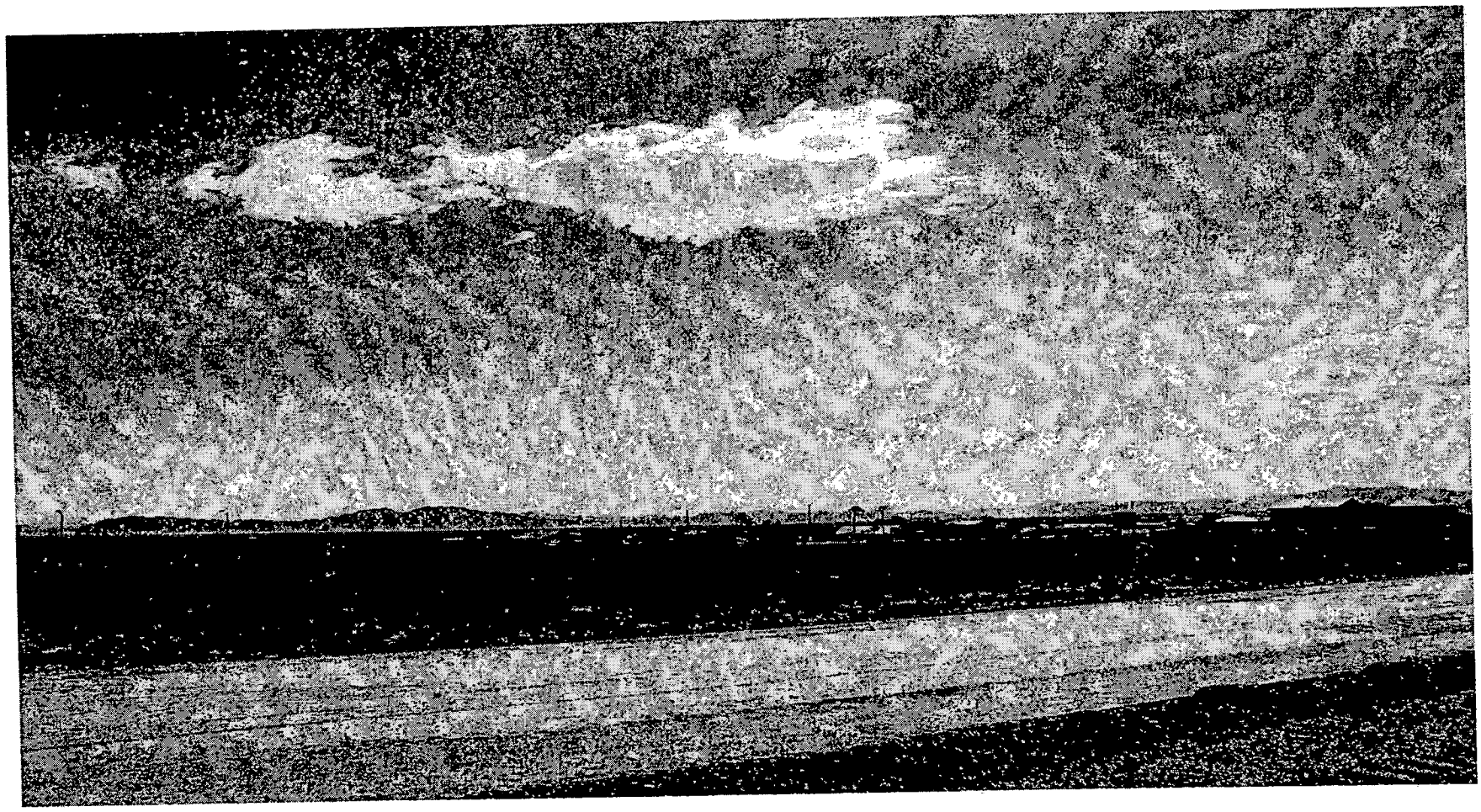
Subscribed and sworn before me

This 17th day of February, 2005

Myrna S. Wang

Notary Public in and for said County and State

MYRNA S. WANG
Notary Public, State of Nevada
Appointment No. 93-1347-1
My Appt. Expires May 22, 2005



ANX-6173 - APPLICANT/OWNER: THE PHYLLIS M. FRIAS MANAGEMENT TRUST U/A DATED JANUARY 28,1998
ADJACENT TO THE EAST SIDE OF KEVIN STREET, APPROXIMATELY 340 FEET NORTH OF CENTENNIAL HILLS PARKWAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

City of Las Vegas

Agenda Item No.: 7

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
ANX-6175 - ANNEXATION - APPLICANT/OWNER: ENGLAND, LLC - Petition to Annex property adjacent to the south side of Rome Boulevard, approximately 340 feet east of Shaumber Road. (APN 126-24-401-006), containing 5 acres, Ward 6 (Mack).

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL

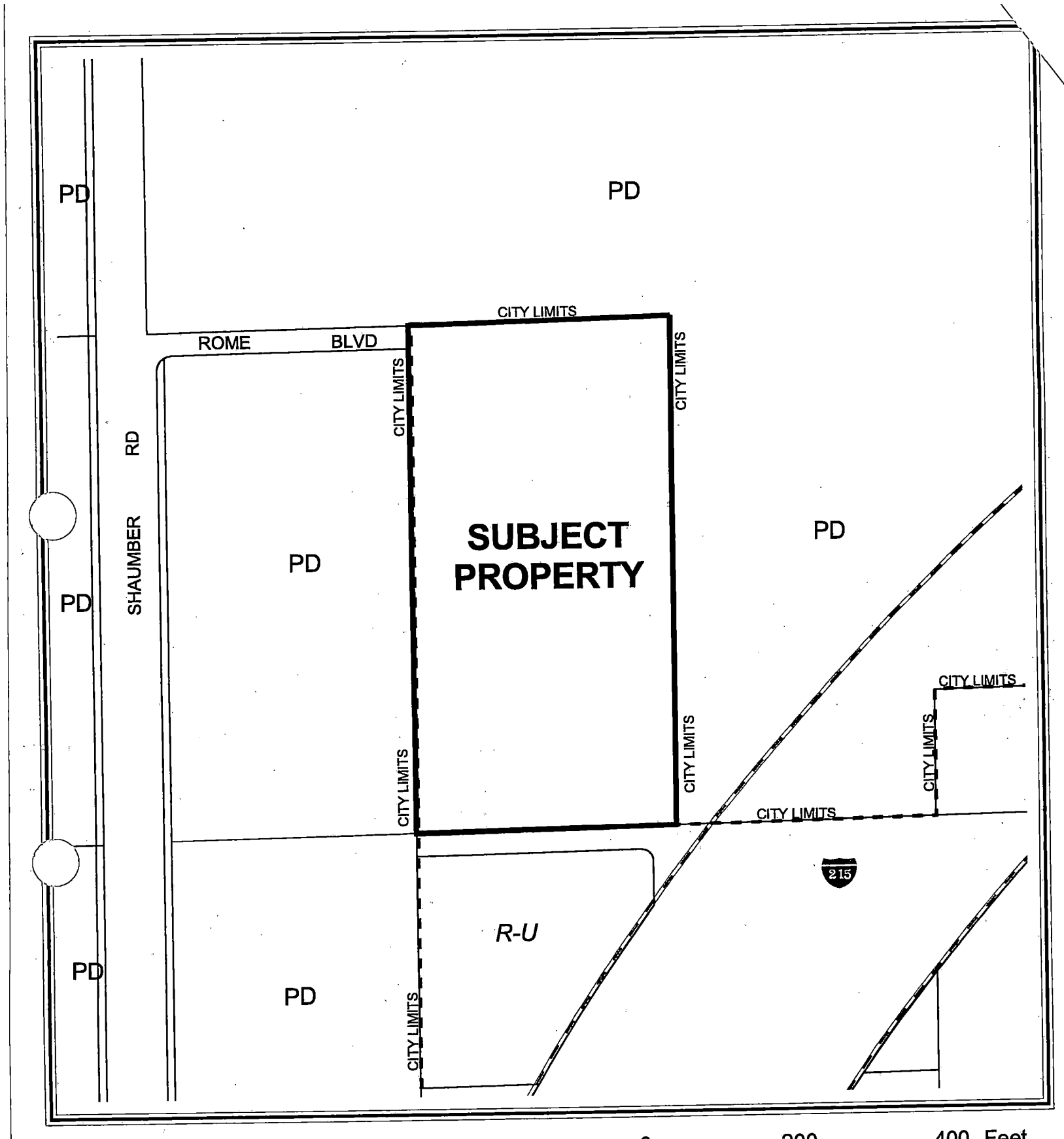
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
TRUESDELL – APPROVED subject to conditions Consent Item 1 [TMP-6089], Item 2 [TMP-6134], Item 3 [TMP-6213], Item 4 [TMP-6214], Item 5 [TMP-6215] and APPROVED Item 6 [ANX-6173] and Item 7 [ANX-6175] – UNANIMOUS with McSWAIN abstaining on Item 4 [TMP-6214] because her company, Terra Contracting, is under contract with Richmond American Homes

To be forwarded to City Council in Ordinance form

MINUTES:
CHAIRMAN NIGRO stated this is a Consent item.

(6:05 – 6:06)



CASE: ANX-6175

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ANX-6175 - APPLICANT/OWNER: ENGLAND, LLC

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL**

** STAFF REPORT **

APPLICATION REQUEST

This request is intended to annex one parcel of land containing approximately 5.22 acres. The property is located adjacent to the south side of Rome Boulevard, approximately 340 feet east of Shaumber Road.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.22

B) Existing Land Use

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

C) Existing Zoning

Subject Property:	R-U (Rural Open Land – Clark County Designation)
North:	PD (Planned Development)
South:	R-U (Rural Open Land – Clark County Designation)
East:	PD (Planned Development)
West:	PD (Planned Development)

D) Special Districts/Zones

The subject parcel is located within the Cliff's Edge Master Plan Area.

E) Rural Preservation Neighborhood:

The subject parcel is not within a Rural Preservation Neighborhood

F) Excepted Area of Interlocal Agreement:

The subject parcel is not within the Excepted Area of the Interlocal Agreement.

ANALYIS &FINDINGS

The subject parcel is currently undeveloped and the applicant has not yet indicated the proposed use for the site. The current General Plan designation is PCD (Planned Community Development). The parcel is in an area of the city considered to be appropriate for annexation in that it meets the requirements of NRS 268.580 No. 2 (b), which states, "Not less than one-eighth of the aggregate external boundaries must be contiguous with the boundaries of the annexing city." The current county zoning on the site is R-U (Rural Open Land). The city's zoning equivalent is U (Undeveloped) zone [PCD (Planned Community Development) General Plan designation] for the undeveloped parcel.

Upon development appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ANX-6175 APN: 126-24-401-006

Name of Property Owner: England LLC

Name of Applicant: England LLC

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Sonja Brooksby

Print Name: Sonja Brooksby

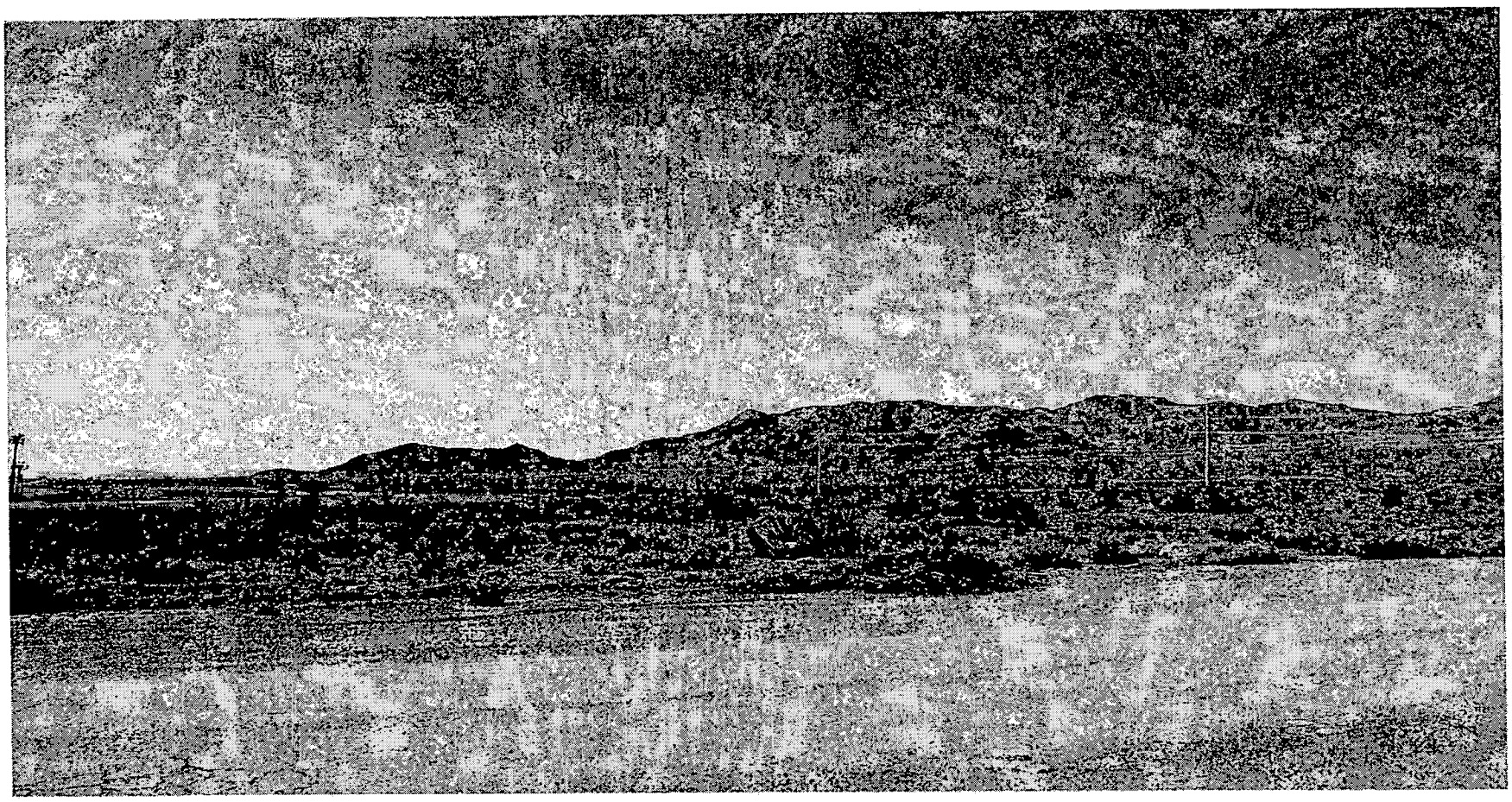
Subscribed and sworn before me

This 18th day of Feb., 2005

Donna Thornton

Notary Public in and for said County and State

DONNA THORNTON
Notary Public, State of Nevada
Appointment No. 02781101
My Appt. Expires Oct. 3, 2006



ANX-6175 - APPLICANT/OWNER: ENGLAND, LLC
ADJACENT TO THE SOUTH SIDE OF ROME BOULEVARD, APPROXIMATELY 340 FEET EAST OF SHAUMBER ROAD.
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

City of Las Vegas

Agenda Item No.: 8

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
VAC-6163 - VACATION - PUBLIC HEARING - APPLICANT: LAND DEVELOPMENT AND INVESTMENT DIVISION - OWNER: MAPLE DEVELOPMENT LLC - Petition to Vacate a portion of Florine Avenue and Park Street and U.S. Government Patent Easements generally located on north side of Alexander Road and east of Grand Canyon Drive, Ward 4 (Brown).

SET DATE: 05/04/05 C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

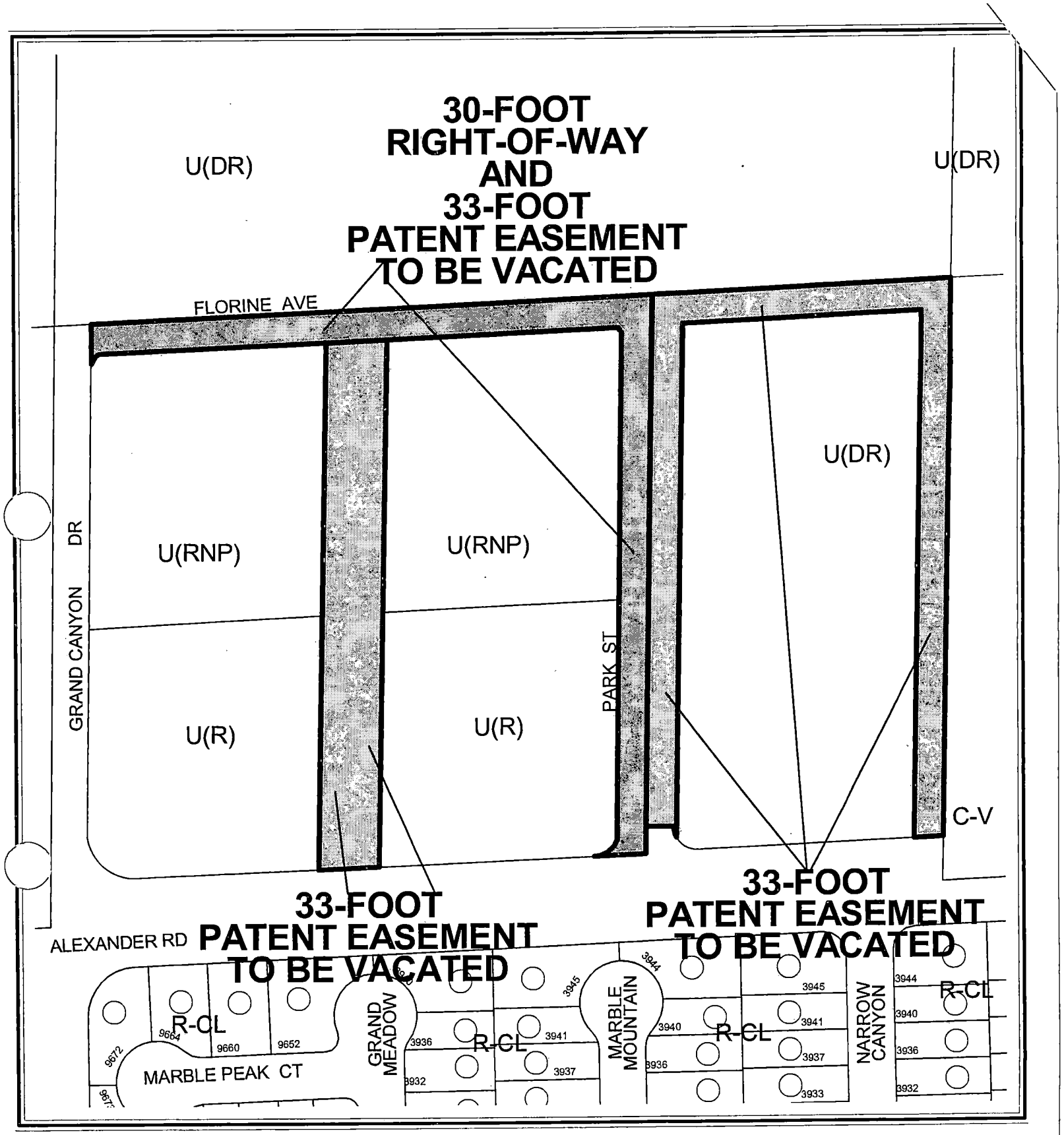
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 8 [VAC-6163], Item 26 [VAR-6228], Item 27 [SDR-6105] and Item 62 [TXT-6421] to the 04/28/2005 Planning Commission Meeting; Item 30 [SUP-5984], Item 31 [SDR-5942] and Item 40 [GPA-6221] to the 05/12/2005 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 17 [VAR-6118] and TABLE Item 28 [SUP-5894] and Item 29 [SDR-5893] – UNANIMOUS

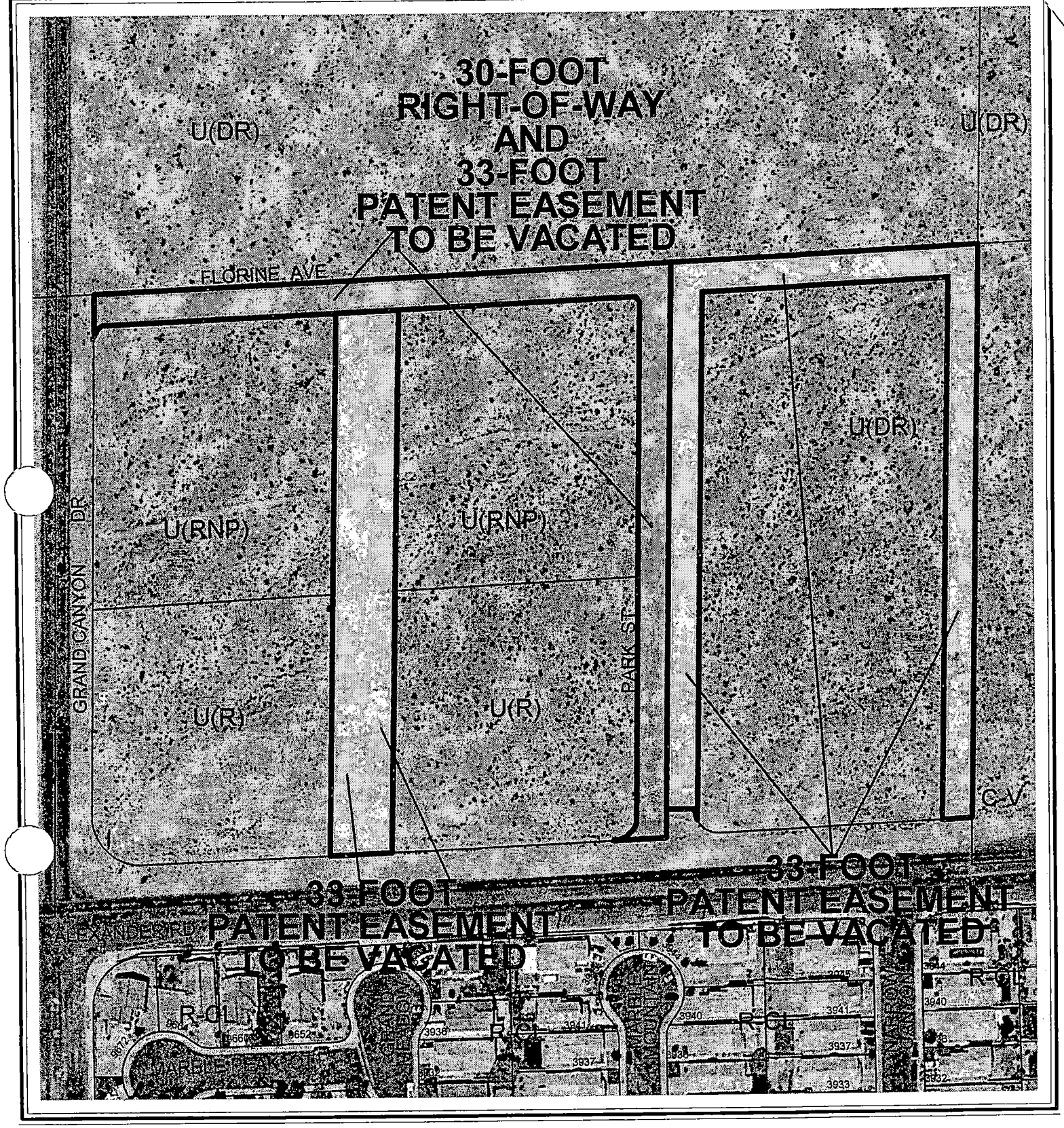
MINUTES

There was no discussion.

(6:01 – 6:05)



CASE: **VAC-6163**



0 100 200 Feet

CASE: VAC-6163

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-6163 - APPLICANT: LAND DEVELOPMENT AND INVESTMENT DIVISION - OWNER: MAPLE DEVELOPMENT LLC

** CONDITIONS **

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

1. This Vacation Application shall be modified to retain all rights-of-way within the Flourine Avenue alignment as public rights-of-way and retain all public interest within the north 30 feet of the patent easements, and any area needed for spandrels, within the Flourine Avenue alignment along the northern perimeter of Assessor's Parcel Number 138-06-801-002.

   Also the applicant must comply with either of the following "A" or "B" alternatives;

   A) This Vacation Application shall be modified to retain all rights-of-way within the Park Street alignment as public rights-of-way and all interest within the west 30 feet of the patent easements, and any area needed for spandrels, along the western perimeter of Assessor's Parcel Number 138-06-801-002 for all available public uses

   OR

   B) This Vacation Application shall be modified to retain all public interest within the east 30 feet of the patent easements, and any area needed for spandrels, along the eastern perimeter of Assessor's Parcel Number 138-06-801-002 for all available public uses and the applicant must obtain right-of-way/patent easement rights for the west 30 feet along the western perimeter of Assessor's Parcel Number 138-06-801-009 for public uses adjacent to this site.

2. 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 and the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

3. 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 or the Order of Vacation.

4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

DA

5. All development shall be in conformance with code requirements and design standards of all City Departments.

6. The Order of Vacation and 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.

8. If the Order of Vacation and 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.

DA

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This a petition to vacate a portion of Florine Avenue and Park Street; and U.S. Government Patent Easements generally located on Alexander Road and Grand Canyon Drive

B) Applicant's Justification

The applicant has justified this vacation by stating that, "We are proposing to develop a residential subdivision with local residential internal streets. With the subdivision we intend on constructing the half street of Grand Canyon Drive. Alexander Road is being improved by a City/County SID and we will access our site from Alexander Road."

BACKGROUND INFORMATION

A) Related Actions

02/05/97 The City Council approved the request to Annex [A-0013-96(A)] the property on the north east corner of Alexander Road and Park Street. The Planning Commission recommended approval on October 24, 1996. Staff recommended approval of this application.

09/03/03 The City Council approved an Annexation (ANX-2172) of 3.9 acres in the area generally located on the north side of Alexander Road, and 600 feet east of Grand Canyon Drive. The Planning Commission recommended approval on May 22, 2003. The effective date of this annexation is September 12, 2003. Staff recommended approval of this application.

02/16/05 The City Council approved an Annexation (ANX-5514) of 3.85 acres in the area generally located on the northeast corner of Alexander Road and Grand Canyon Drive. The Planning Commission recommended approval on December 16, 2004. The effective date of this annexation is February 25 2005. Staff recommended approval of this application.

DETAILS OF APPLICATION REQUEST

The following Right-of-Way and U.S. Government Patent Easements are proposed to be vacated:

Right-of-way:

The north and east thirty feet (30') of the southwest quarter (SW 1/4) of the southwest quarter (SW 1/4) of the southeast quarter (SE 1/4) of section 6, township 20 south, range 60 east, M.D.B.& M.

Patent easements:

The north and east thirty-three feet (33') of the west half (W 1/2) of the southwest quarter (SW 1/4) of the southwest quarter (SW 1/4) of the southeast quarter (SE 1/4) of section 6, township 20 south, range 60 east, M.D.B.& M.

The west, north and east thirty-three feet (33') of the east half (E 1/2) of the southwest quarter (SW 1/4) of the southwest quarter (SW 1/4) of the southeast quarter (SE 1/4) of section 6, township 20 south, range 60 east, M.D.B.& M.

The west, north and east thirty-three feet (33') of the west half (W 1/2) of the southeast quarter (SE 1/4) of the southwest quarter (SW 1/4) of the southeast quarter (SE 1/4) of section 6, township 20 south, range 60 east, M.D.B.& M.

ANALYSIS

A) Planning discussion

The proposed vacation of the Government Patent Easements and the vacation of Florine Avenue and Park Street will allow for the future development of a single family residential development. This request is appropriate, as the subject properties will no longer need the easements or right-of-way.

B) Public Works discussion

Public Works has no objection to a portion of the vacation application request to vacate U.S. Government Patent Reservations and rights-of-way generally located north of Alexander Road and east of Grand Canyon Drive.

A. Does this vacation request result in uniform or non-uniform right-of-way widths? As submitted, it would be uniform widths.

DA

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? Not if the public interests that have been described within the "If approved conditions" are retained.

C. Does it appear that the vacation request involves only excess right-of-way? No, some rights of way and patent easements are expected to needed for circulation and access to a public school planned to the north.

D. Does this vacation request coincide with development plans of the adjacent parcels? Not at this time.

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? Not if the "If approved conditions" are retained and complied with.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED 5

APPROVALS 0

PROTESTS 0

DA

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-61163 APN: 138-06-802-001, 002, 003, 004
138-06-801-002

Name of Property Owner: Maple Development

Name of Applicant: Land Development Investment Diversification

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

_____Yes ___xx___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Craig O Brooksby

Print Name: Craig O Brooksby

Subscribed and sworn before me

This 19th day of Jan, 2005

Donna Thornton
Notary Public in and for said County and State

DONNA THORNTON
Notary Public, State of Nevada
Appointment No. 02781101
My Appt. Expires Oct. 3, 2006



VAC-6163 - APPLICANT: LAND DEVELOPMENT AND INVESTMENT DIVISION - OWNER: MAPLE DEVELOPMENT LLC
NORTH SIDE OF ALEXANDER ROAD AND EAST OF GRAND CANYON DRIVE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

INTEGRITY
ENGINEERING

TIM S. MORENO, P.E.
ERNEST FREGGIARO, P.E.
LLOYD BREEDEN III, P.L.S.

MOUNTAIN HILLS (APN 138-06-801-002, 138-06-802-001, 2, 3, 4)
JUSTIFICATION LETTER FOR PATENT EASEMENT ABANDONMENT

ITEM: Abandonment of Patent Easements

ASSESSOR'S PARCEL NUMBER: 138-06-801-002, 138-06-802-001, 2, 3,4

BACKGROUND: We are proposing to develop a residential subdivision with local residential internal streets. With the subdivision we intend on constructing the half street of Grand Canyon Drive. Alexander Road is being improved by a City/County SID and we will access our site from Alexander Road.

Respectfully submitted:

Integrity Engineering
2480 E. Tompkins Ave. #232
Las Vegas, NV 89121

G:\PROJECTS\64\64-104\Documents\Letters\Justification Ltr patent easements.doc

VAC-61163

2480 E. TOMPKINS AVE. #232 • LAS VEGAS, NEVADA 89121 • (702) 456-4664 • FAX (702) 456-4919
EMAIL: IE@INTEGRITY-ENGINEERING.NET

City of Las Vegas

Agenda Item No.: 9

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
VAC-6184 - VACATION - PUBLIC HEARING - APPLICANT: GRIGOR GEVORKIAN - OWNER: CHARLESTON PARK MANAGEMENT LLC - Petition to Vacate a portion of a 20-foot easement at 2909 West Charleston Boulevard, Ward 1 (Tarkanian).

SET DATE: 05/04/05 C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions on Item 9 [VAC-6184], Item 10 [VAC-6196], Item 11 [VAC-6202] and Item 13 [RQR-6152] – UNANIMOUS with McSWAIN abstaining on Item 10 [VAC-6196] because her company, Terra Contracting, is under contract with KB Homes and on Item 11 [VAC-6202] because Terra Contracting has recently been added to the Pardee Homes bid list

To be heard by the City Council on 5/18/2005

MINUTES:
CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 9 [VAC-6184], Item 10 [VAC-6196], Item 11 [VAC-6202] and Item 13 [RQR-6152].

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, indicated the applicant for Item 12 [VAC-6203] requested the item be pulled from the One Motion One Vote portion of the agenda.

COMMISSIONER STEINMAN requested that Item 14 [RQR-6148] be pulled from the One Motion One Vote portion of the agenda.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 9 [VAC-6184], Item 10 [VAC-6196], Item 11 [VAC-6202] and Item 13 [RQR-6152].

(6:06 – 6:12)

1-332

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. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required

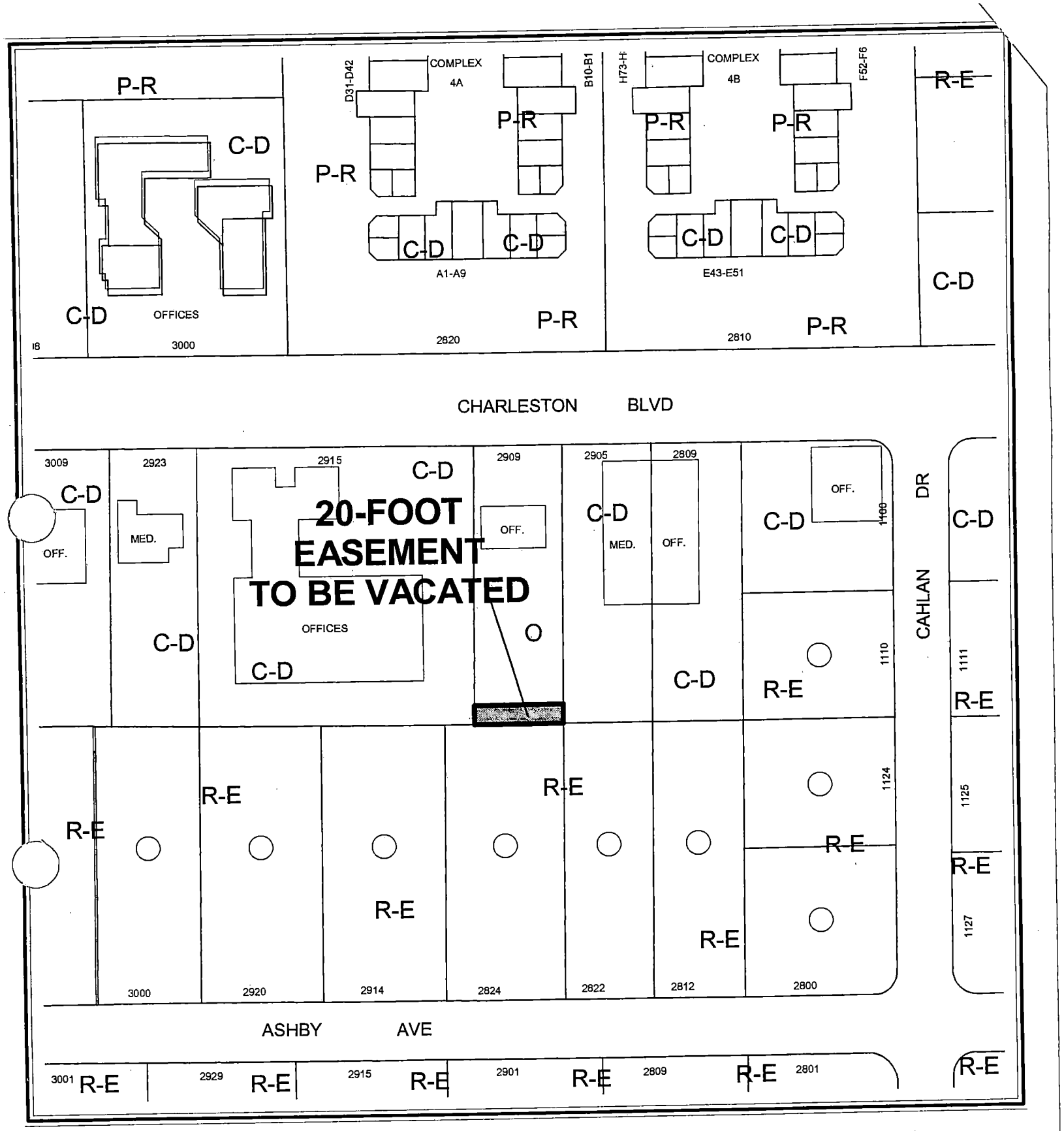
3. All development shall be in conformance with code requirements and design standards of all City Departments.

4. The Order of Vacation shall not be recorded until all of the 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.

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 9 – VAC-6184

CONDITIONS – Continued:

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.



CASE: VAC-6184

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-6184 - APPLICANT: GRIGOR GEVORKIAN - OWNER: CHARLESTON PARK MANAGEMENT LLC

** CONDITIONS **

STAFF RECOMMENDATION: **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. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required

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 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.

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.

DA

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a petition to vacate a portion of a 20-foot easement at 2909 West Charleston Boulevard.

B) Applicant's Justification

The applicant has justified this request by stating, "This area is not being used by the city and since the neighboring property owners had claimed it back I also would like to have the same privileges as my neighboring property owner; therefore, I would like to claim the easement to be removed from my property for my near future development purposes."

BACKGROUND INFORMATION

A) Related Actions

01/17/01 The City Council approved a request for a Rezoning (Z-0098-00) from C-D (Design Commercial) Zone [SC (Service Commercial) General Plan Designation] to O (Office) Zone on 0.58 acres located at 2909 West Charleston Boulevard. The Planning Commission and staff recommended Denial on December 7, 2000.

01/17/01 The City Council approved a request for a Special Use Permit (U-0183-00) to allow a Business School to be located at 2909 West Charleston Boulevard. The Planning Commission and staff recommended Denial on December 7, 2000.

06/19/02 The City Council approved an amendment to the Land Use Designation for multiple sites to O (Office) [GPA-0047-01]. The Planning Commission and Staff both recommended Denial on March 06, 2002.

DETAILS OF APPLICATION REQUEST

A portion of the northeast quarter (NE 1/4) of the northwest quarter (NW 1/4) of the northeast quarter (NE 1/4) of section 5, township 21 south, range 61 east, M.D.M.

DA

ANALYSIS

A) Planning discussion

The 20 foot wide easement at the back of the property is no longer needed in its current state. The surrounding properties do not have easements that abut this property; therefore this particular easement no longer is needed in its current state and planning supports the vacation of the easement.

B) Public Works discussion

This Vacation application proposes to vacate City of Las Vegas roadway easements only. As this is a historic easement and has been mapped as a separate parcel on the Clark County Assessor's Parcel Maps it would be prudent to send this vacation request to the utility companies and franchise holders. Only City of Las Vegas roadway easements are known to be involved however, utility interests may be affected.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 5

APPROVALS 0

PROTESTS 0

DA

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-6184 APN: 162-05-510-003

Name of Property Owner: CHARLESTON PARK MANAGEMENT LLC

Name of Applicant: GRIGOR GEVORKIAN

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: GRIGOR GEVORKIAN

Subscribed and sworn before me

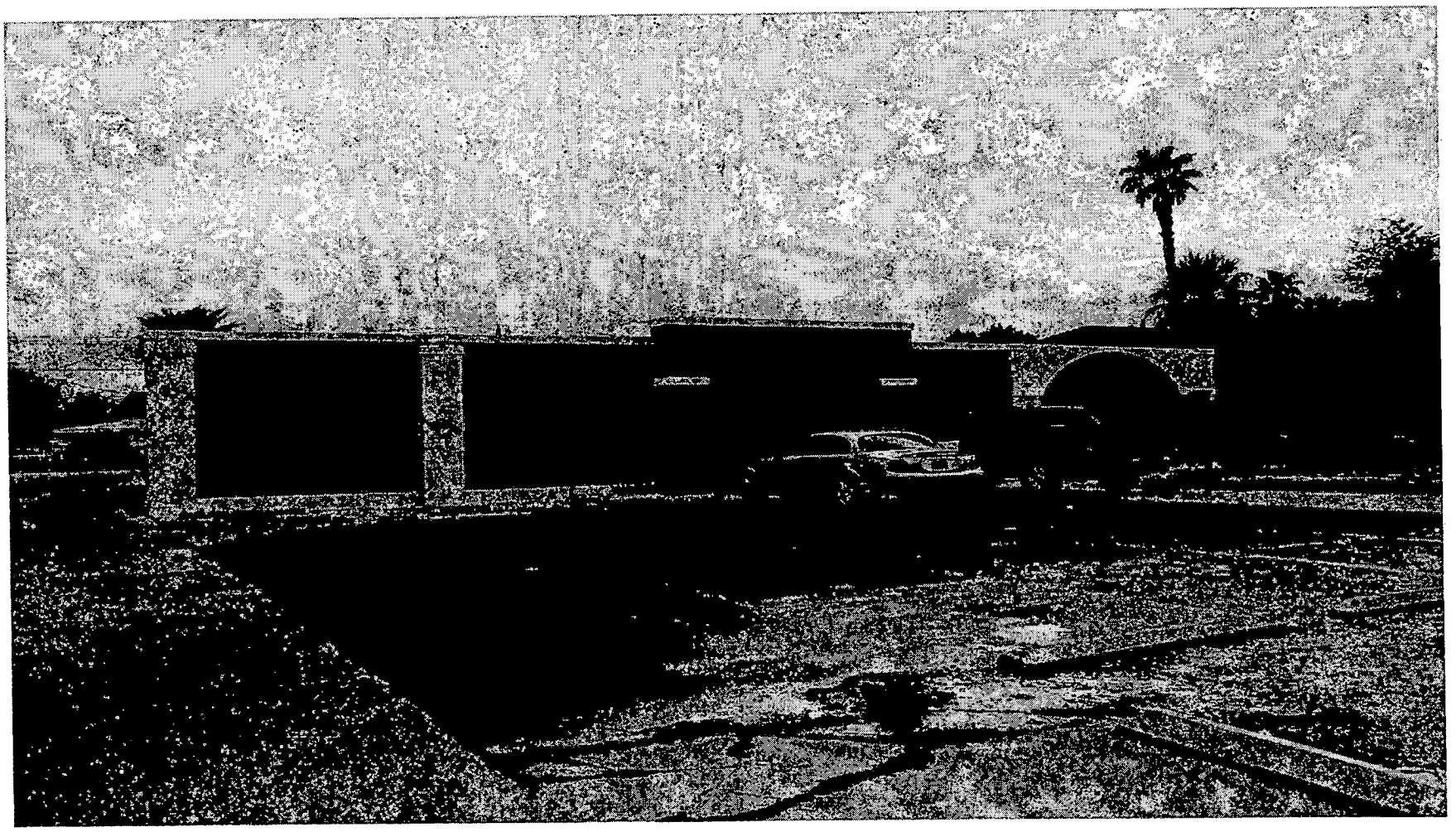
This 10th day of January, 2005

_____

Notary Public in and for said County and State

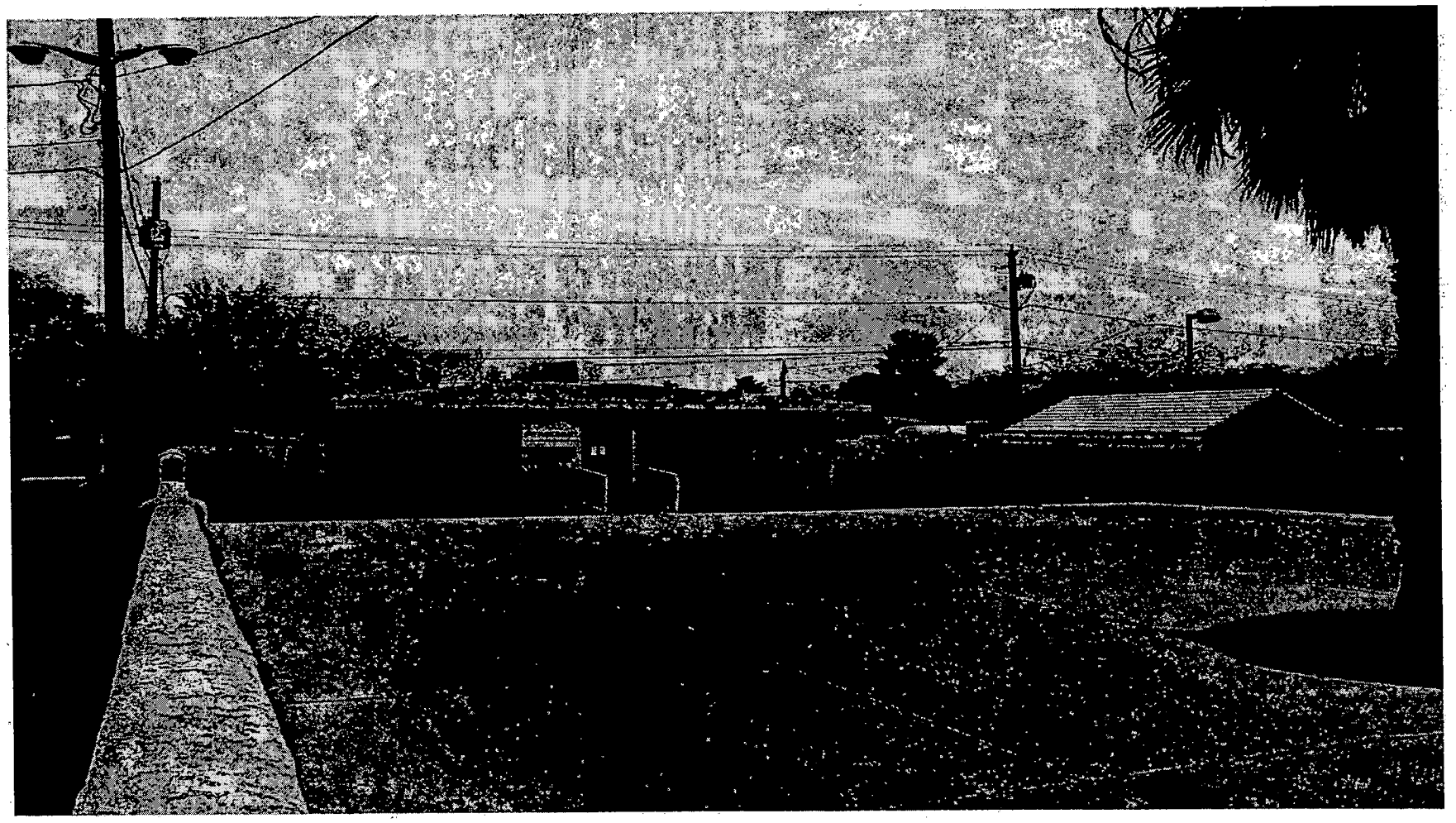
Notary Public - State of Nevada
COUNTY OF CLARK
JASON ALLSWANG
No. 03-90560-1 My Appointment Expires Feb. 27, 2007

FEB 28 2005



VAC-6184 - APPLICANT: GRIGOR GEVORKIAN - OWNER: CHARLESTON PARK MANAGEMENT LLC
2909 WEST CHARLESTON BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



VAC-6184 - APPLICANT: GRIGOR GEVORKIAN - OWNER: CHARLESTON PARK MANAGEMENT LLC
2909 WEST CHARLESTON BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

CHARLESTON PARK MANANGEMENT LLC
2909 W. CHARLESTON
LAS VEGAS NV., 89102

CITY OF LAS VEGAS PLANNING DEPT
731 S. 4TH STREET
LAS VEGAS Nevada

Ref: Easement on 2909 W. Charleston Blvd. LV. NV 89102

I, Grigor Gevorkian, manager of Charleston Park Management LLC, request to vacate the easement area described attached. This area is not being used by the city and since the neighboring property owners had claimed it back I also would like to have the same privileges as my neighboring property owners; therefore, I would like to claim the easement to be removed from my property for my near future development purposes.

If you have any further questions I could be reached at (702)296-8524.

Thank you,

Grigor Gevorkian

FEB 2 8 2005

VAC-6184

City of Las Vegas

Agenda Item No.: 10

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
VAC-6196 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: KB HOME NEVADA INC. - Petition to Vacate U.S. Government Patent Easements generally located along the west side of Shaumber Road, between Farm Road and Severence Lane, Ward 6 (Mack).

SET DATE: 05/04/05 C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions on Item 9 [VAC-6184], Item 10 [VAC-6196], Item 11 [VAC-6202] and Item 13 [RQR-6152] – UNANIMOUS with McSWAIN abstaining on Item 10 [VAC-6196] because her company, Terra Contracting, is under contract with KB Homes and Item 11 [VAC-6202] because Terra Contracting has recently been added to the Pardee Homes bid list

To be heard by the City Council on 5/18/2005

MINUTES:
CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 9 [VAC-6184], Item 10 [VAC-6196], Item 11 [VAC-6202] and Item 13 [RQR-6152].

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, indicated the applicant for Item 12 [VAC-6203] requested the item be pulled from the One Motion One Vote portion of the agenda.

COMMISSIONER STEINMAN requested that Item 14 [RQR-6148] be pulled from the One Motion One Vote portion of the agenda.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 9 [VAC-6184], Item 10 [VAC-6196], Item 11 [VAC-6202] and Item 13 [RQR-6152].

(6:06 – 6:12)

1-332

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 the Tentative Map for Manchester Park at Providence subdivision (TMP-5710) 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.

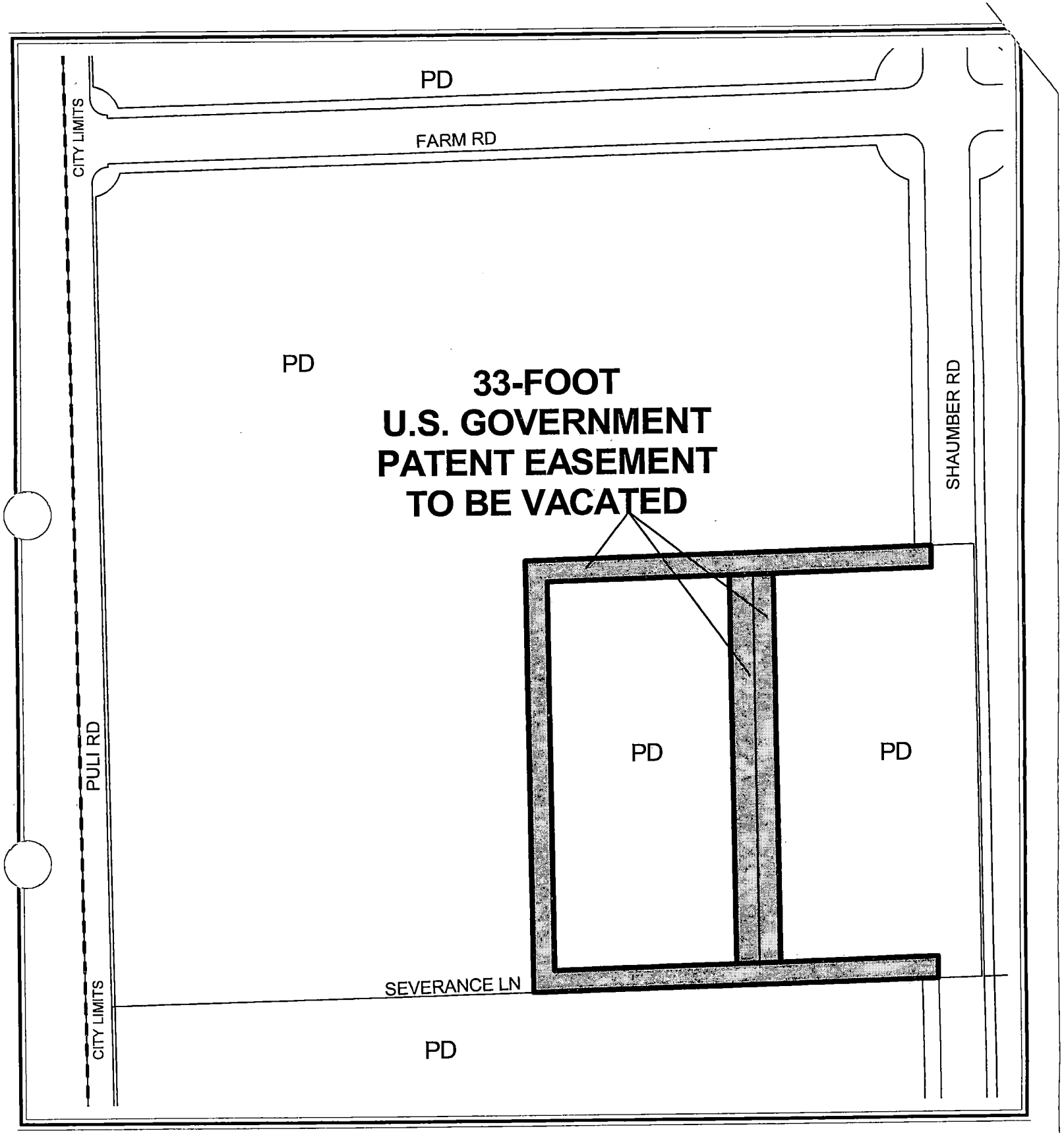
3. All development shall be in conformance with code requirements and design standards of all City Departments.

4. 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

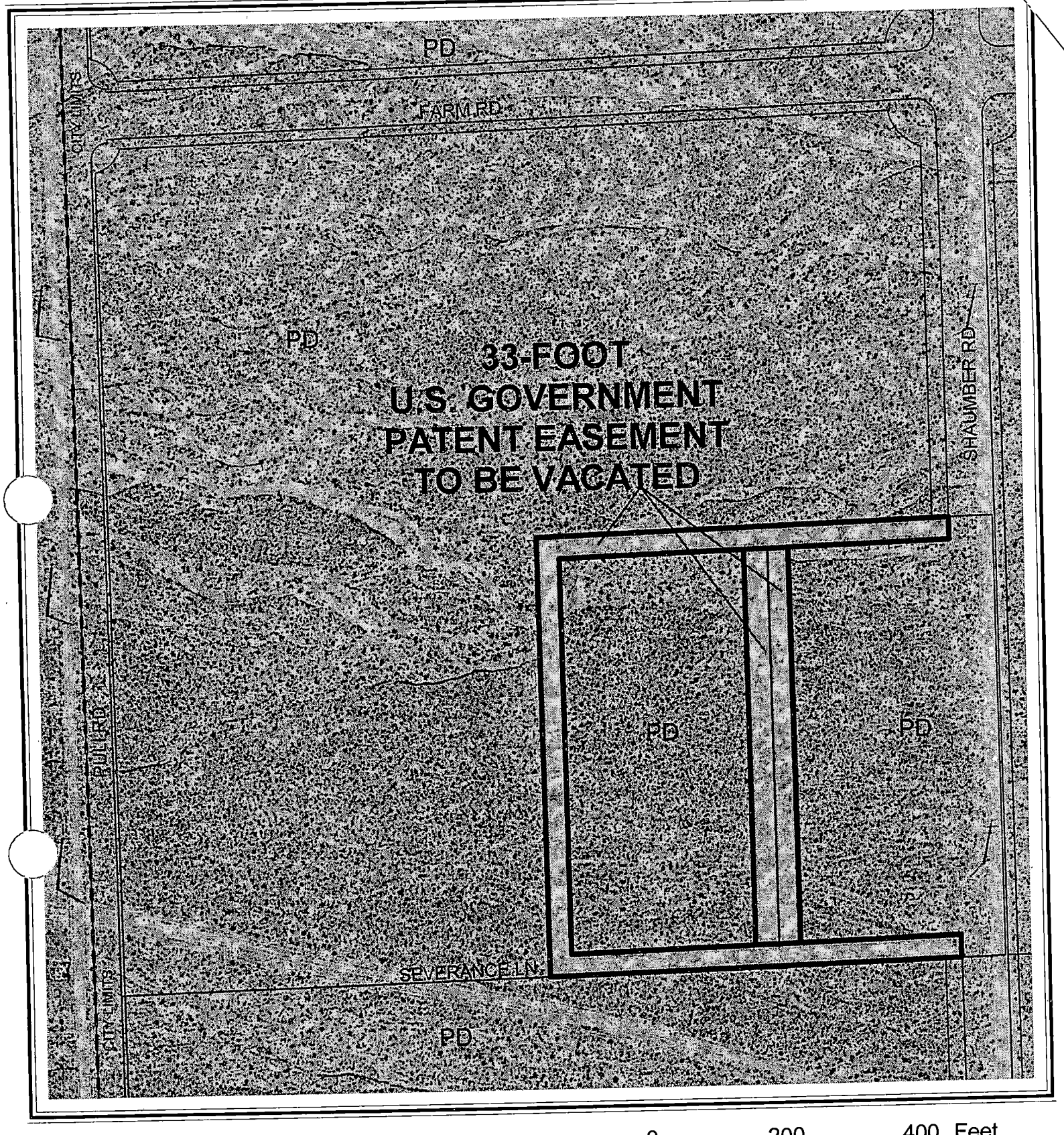
CONDITIONS – Continued:

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 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.



CASE: VAC-6196



0 200 400 Feet

CASE: VAC-6196

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-6196 - APPLICANT/OWNER: KB HOME NEVADA INC.

** CONDITIONS **

STAFF RECOMMENDATION: **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 the Tentative Map for Manchester Park at Providence subdivision (TMP-5710) 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. All development shall be in conformance with code requirements and design standards of all City Departments.

4. 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.

5. 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.

DA

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a petition to Vacate U.S. Government Patent Easements generally located along the west side of Shaumber Road, between Farm Road and Severence Lane

B) Applicant's Justification

The applicant has justified this request by stating that. "This vacation of Patent Easements is necessary to vacate all patent easements that do not fall within future planned roadways." Also this site is being developed for single family residential homes.

BACKGROUND INFORMATION

A) Related Actions

02/05/03 The City Council approved an Annexation (A-0035-02) of over 1,056 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. The Planning Commission recommended approval on September 26, 2002. The effective date of this annexation was February 14, 2003. Staff had recommended approval of this application.

04/16/03 The City Council approved a request for a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff 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 June 12, 2003.

DA

12/04/03 A Minor Modification (MOD-3189) to the Cliff's Edge Master Development Plan and Design Guidelines was administratively approved by the Planning and Development Department, subject to a number of conditions.

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 and staff recommended approval on January 8, 2004.

07/07/04 The City Council approved a request for a Rezoning (ZON-4241) from U (Undeveloped) zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on 20 acres located south of Grand Teton Drive between Hualapai Way and Puli Road The Planning Commission and staff recommended approval on May 27, 2004.

DETAILS OF APPLICATION REQUEST

The following U.S. Government Patent Easements are proposed to be vacated:

The south, north, east and west thirty-three feet (33') of the west half (W 1/2) of the southeast (SE 1/4) of the northwest quarter (NW 1/4) of the southwest quarter (SW 1/4) of section 13, township 19 south, range 59 east, M.D.M.

The south, north, and west thirty-three feet (33') of the east half (E 1/2) of the southeast (SE 1/4) of the northwest quarter (NW 1/4) of the southwest quarter (SW 1/4) of section 13, township 19 south, range 59 east, M.D.M.

ANALYSIS

A) Planning discussion

The proposed vacations of the Government Patent Easements for this site will allow for the future development of a 286 lot single family residential subdivision. These easements are no longer needed in their current configuration of the subdivision; therefore this request is appropriate, as it will not affect access to the site.

B) Public Works discussion

Public Works has no objection to the vacation application request for U.S. Government Patent Reservations generally located along the west side of Shaumber Road, between Farm Road and Severance Lane.

DA

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0

DA

VAC

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-6196 APN: 126-13-310-001, 126-13-301-005, 006

Name of Property Owner: KB Home Nevada Inc.

Name of Applicant: KB Home Nevada Inc

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

_____ Yes __X__ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the names(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: Randall J. Tarr

Print Name: Randall J. Tarr, S.V.P Forward Planning
KB Home Nevada, Inc.
Attorney-In-Fact

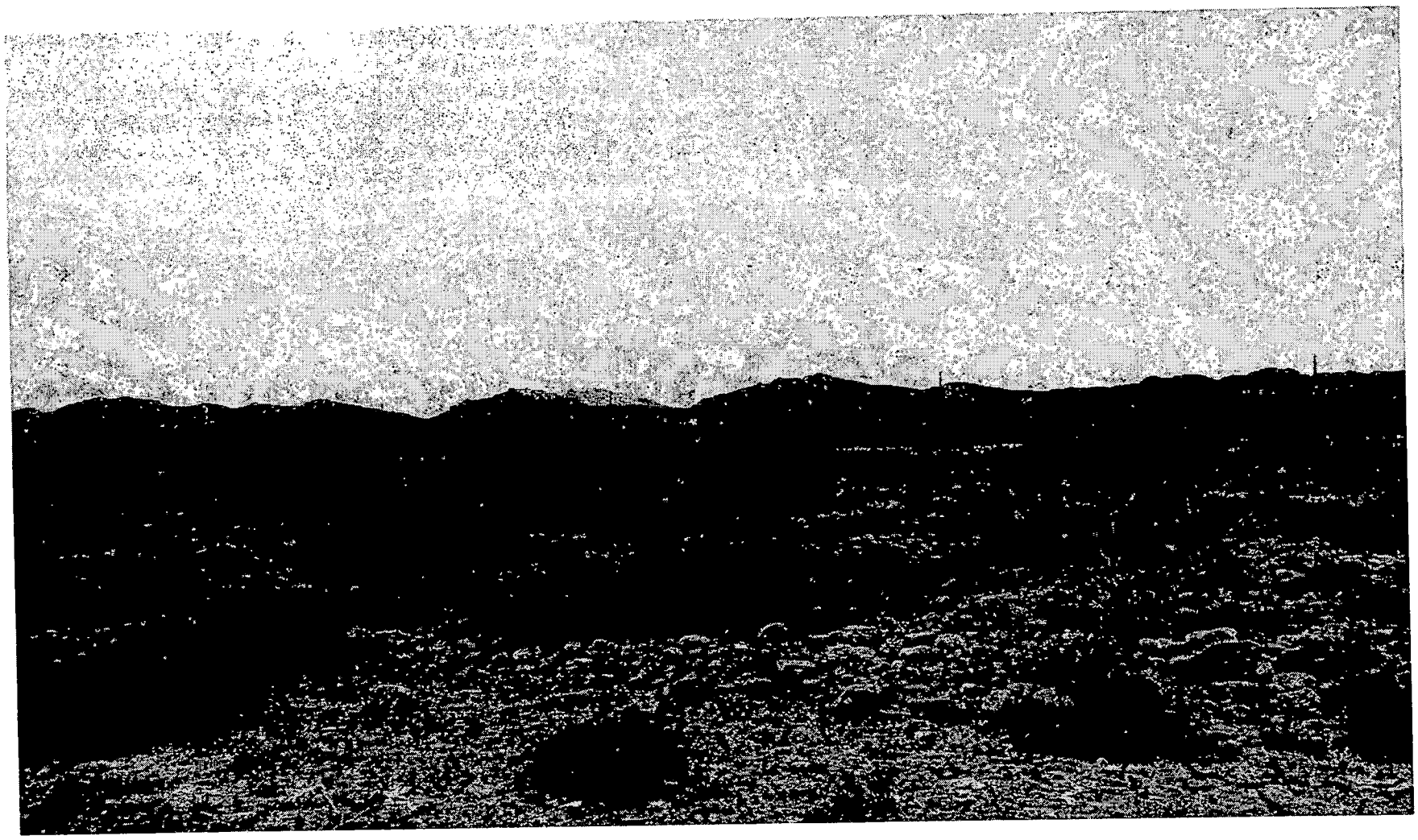
Subscribed and sworn before me

This 7th day of February ,2005

Janet E. Clark
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JANET E. CLARK
Appt. No. 04-88128-1
My Appt. Expires March 30, 2008

MAR 1 2005



VAC-6196 - APPLICANT/OWNER: KB HOME NEVADA INC.
WEST SIDE OF SHAUMBER ROAD, BETWEEN FARM ROAD AND SEVERENCE LANE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

nevada

CONSULTING ENGINEERS • PLANNERS • SURVEYORS
PROVIDING QUALITY PROFESSIONAL
SERVICES SINCE 1960

February 25, 2005

W.O. 6350

Clark County Comprehensive Planning
Current Planning Division
500 S. Grand Central Parkway
Las Vegas, NV 89155

Re: Patent Easement Vacation
APN No.: 126-13-301-001, 005, 006

On behalf of our client KB Home, please consider the attached application to vacate these Patent Easements. This vacation of Patent Easements is necessary to vacate all patent easements that do not fall within future planned roadways.

This site is located northwesterly of Severance Land and Shaumber Road. It is currently being designed for single-family residential development.

PARCEL "A"
BEING THE SOUTH 33.00 FEET THE NORTH 33.00 FEET, THE EAST 33.00 FEET, AND THE WEST 33.00 FEET OF THE WEST HALF (W ½) OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 13, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN ON GOVERNMENT PATENT NO. 1200163, RECORDED DECEMBER 8, 1959 IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA, IN BOOK 224 OF OFFICIAL RECORDS, AS INSTRUMENT NO. 182098, document attached;

PARCEL "B"
BEING A PORTIOIN OF THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SWA ¼) OF SECTION 13, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN ON GOVERNMENT PATENT NUMBER 1186498, RECORDED NOVEMBER 4, 1959 IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA, IN BOOK 220 OF OFFICIAL RECORDS, AS INSTRUMENT NO. 178749, document attached.

Separate legal description and exhibit are attached for your convenience.

We appreciate your consideration of this application. Should you have any questions please don't hesitate to contact me.

Sincerely,

VTN NEVADA
Marilyn Smith

Marilyn Smith

Attachments

2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148
TEL. (702) 873-7550 FAX: 362-2597

VAC-61964

City of Las Vegas

Agenda Item No.: 11

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
VAC-6202 - VACATION - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF HOMES - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE LLC - Petition to Vacate U.S. Government Patent Easements generally located west of Egan Crest Way, south of Elkhorn Road, Ward 6 (Mack).

SET DATE: 05/04/05 C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions on Item 9 [VAC-6184], Item 10 [VAC-6196], Item 11 [VAC-6202] and Item 13 [RQR-6152] – UNANIMOUS with McSWAIN abstaining on Item 10 [VAC-6196] because her company, Terra Contracting, is under contract with KB Homes and Item 11 [VAC-6202] because Terra Contracting has recently been added to the Pardee Homes bid list

To be heard by the City Council on 5/18/2005

MINUTES:
CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

MINUTES – Continued:

CHAIRMAN NIGRO declared the Public Hearing open on Item 9 [VAC-6184], Item 10 [VAC-6196], Item 11 [VAC-6202] and Item 13 [RQR-6152].

DOUG RANKIN, Planning and Development Department, indicated the applicant for Item 12 [VAC-6203] requested the item be pulled from the One Motion One Vote portion of the agenda.

COMMISSIONER STEINMAN requested that Item 14 [RQR-6148] be pulled from the One Motion One Vote portion of the agenda.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 9 [VAC-6184], Item 10 [VAC-6196], Item 11 [VAC-6202] and Item 13 [RQR-6152].

(6:06 – 6:12)

1-332

CONDITIONS:

1. The Order of Relinquishment of Interest shall be revised to retain the existing 35-foot City of Las Vegas Sewer Easement, Public Drainage Easement, Private Trail/Landscape Easement and Public Access Easement.

2. 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 the Sight Development Plan Review for SDR-6201 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

3. 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.

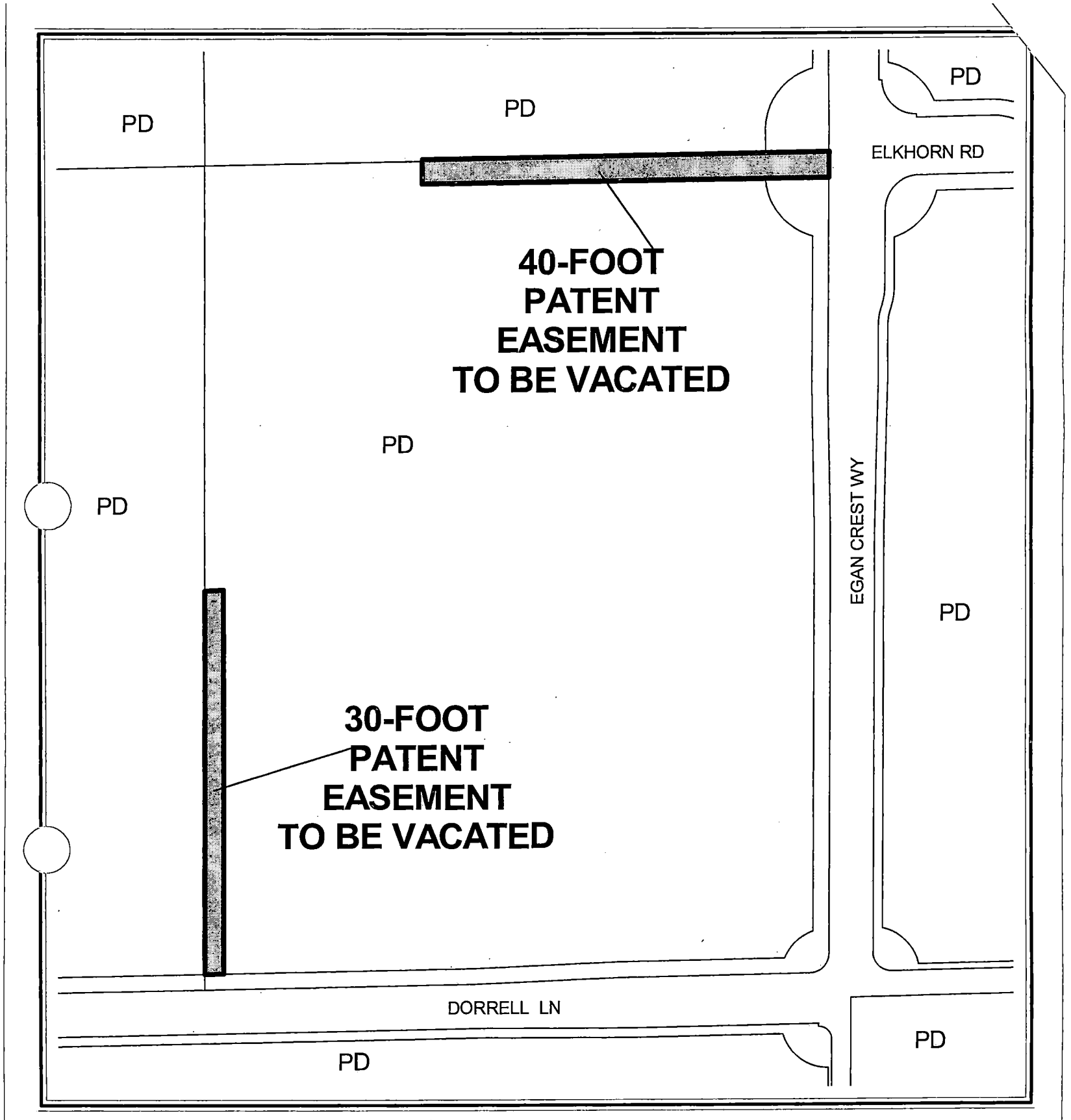
4. All development shall be in conformance with code requirements and design standards of all City departments.

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

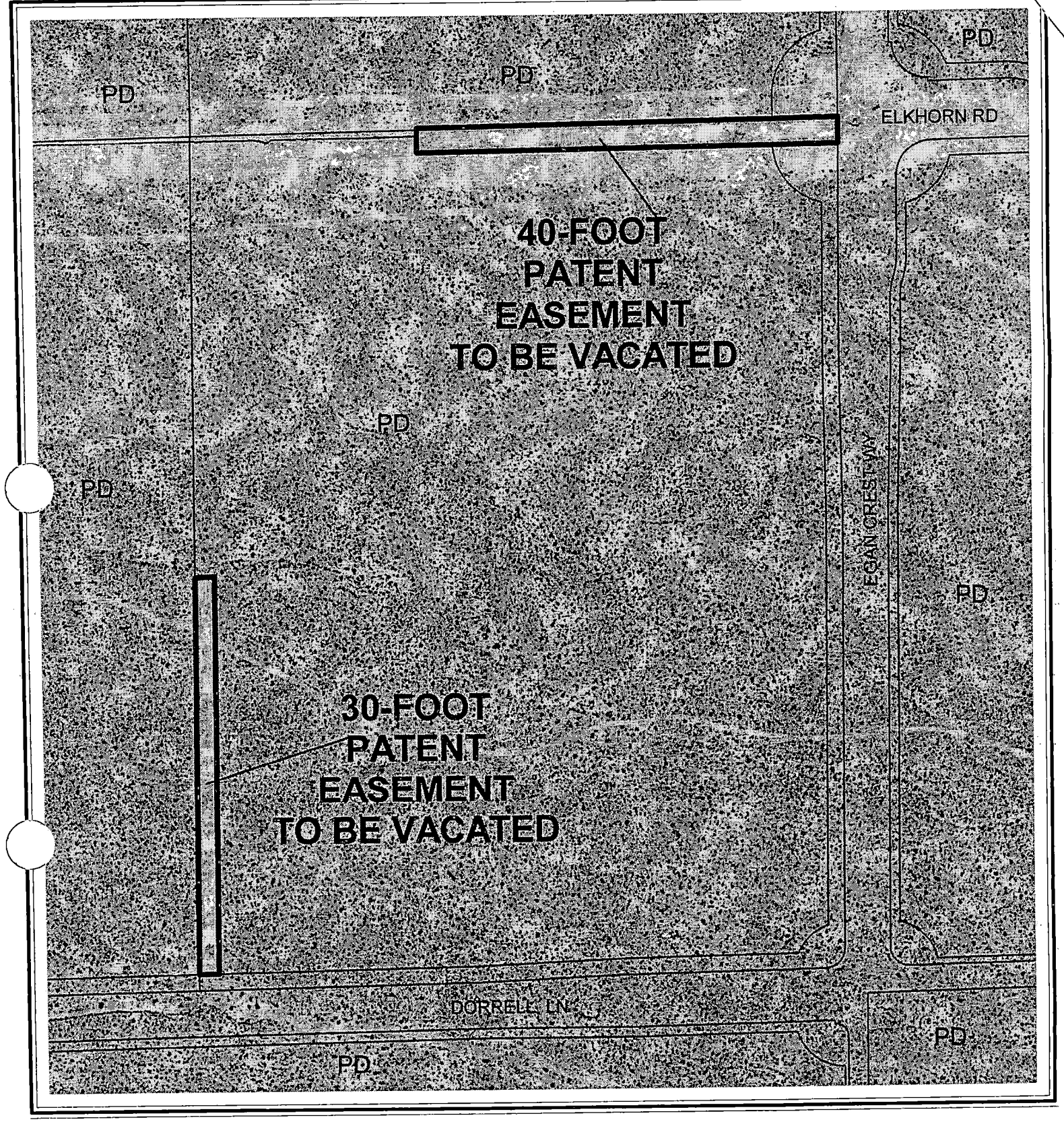
CONDITIONS – Continued:

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.



CASE: **VAC-6202**



0 200 400 Feet

CASE: **VAC-6202**

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-6202 - APPLICANT: PARDEE HOMES OF HOMES - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE LLC

** CONDITIONS **

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

1. The Order of Relinquishment of Interest shall be revised to retain the existing 35-foot City of Las Vegas Sewer Easement, Public Drainage Easement, Private Trail/Landscape Easement and Public Access Easement.

2. 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 the Sight Development Plan Review for SDR-6201 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

3. 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.

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.

DA

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a petition to Vacate U.S. Government Patent Easements generally located west of Egan Crest Way, south of Elkhorn Road.

B) Applicant's Justification

The applicant justifies this application by stating, "The patent easements to be vacated are in conflict with the site plan and need to be vacated and abandoned to conform to the proposed site plan."

BACKGROUND INFORMATION

A) Related Actions

02/05/03 The City Council approved an Annexation (A-0035-02) of over 1,056 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. The Planning Commission recommended approval on September 26, 2002. The effective date of this annexation was February 14, 2003. Staff had recommended approval of this application.

04/16/03 The City Council approved a request for a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff 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 June 12, 2003.

12/04/03 A Minor Modification (MOD-3189) to the Cliff's Edge Master Development Plan and Design Guidelines was administratively approved by the Planning and Development Department, subject to a number of conditions.

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 and staff recommended approval on January 8, 2004.

DETAILS OF APPLICATION REQUEST

The following U.S. Government Patent Easements are described as follows:

The north forty feet (40'), excepting the east forty feet (40'), of the northeast quarter (NE 1/4) of the northwest quarter (NW 1/4) of the northeast quarter (NE 1/4) of section 24, township 19 south, range 59 east, M.D.M.

The west thirty feet (30'), excepting the south sixty feet (60'), of the east half (E 1/2) of the southwest quarter (SW 1/4) of the northwest quarter (NW 1/4) of the northeast quarter (NE 1/4) of section 24, township 19 south, range 59 east, M.D.M.

ANALYSIS

A) Planning discussion

The proposed vacation of the Government Patent Easements for the subject site will allow for the future development of a medium low-density residential development. These particular easements in their current configuration are no longer needed to provide sufficient access to the site and will allow for a more creative design on the site.

B) Public Works discussion

Public Works has no objection to the vacation application request for U.S. Government Patent Reservations generally located west of Egan Crest Way, south of Elkhorn Road.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED 3

APPROVALS 0

PROTESTS 0

DA

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC. 6202 APN: 126-24-610-001, 501-001

Name of Property Owner: Cliffs Edge LLC

Name of Applicant: Pardee Homes of Nevada

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: _____

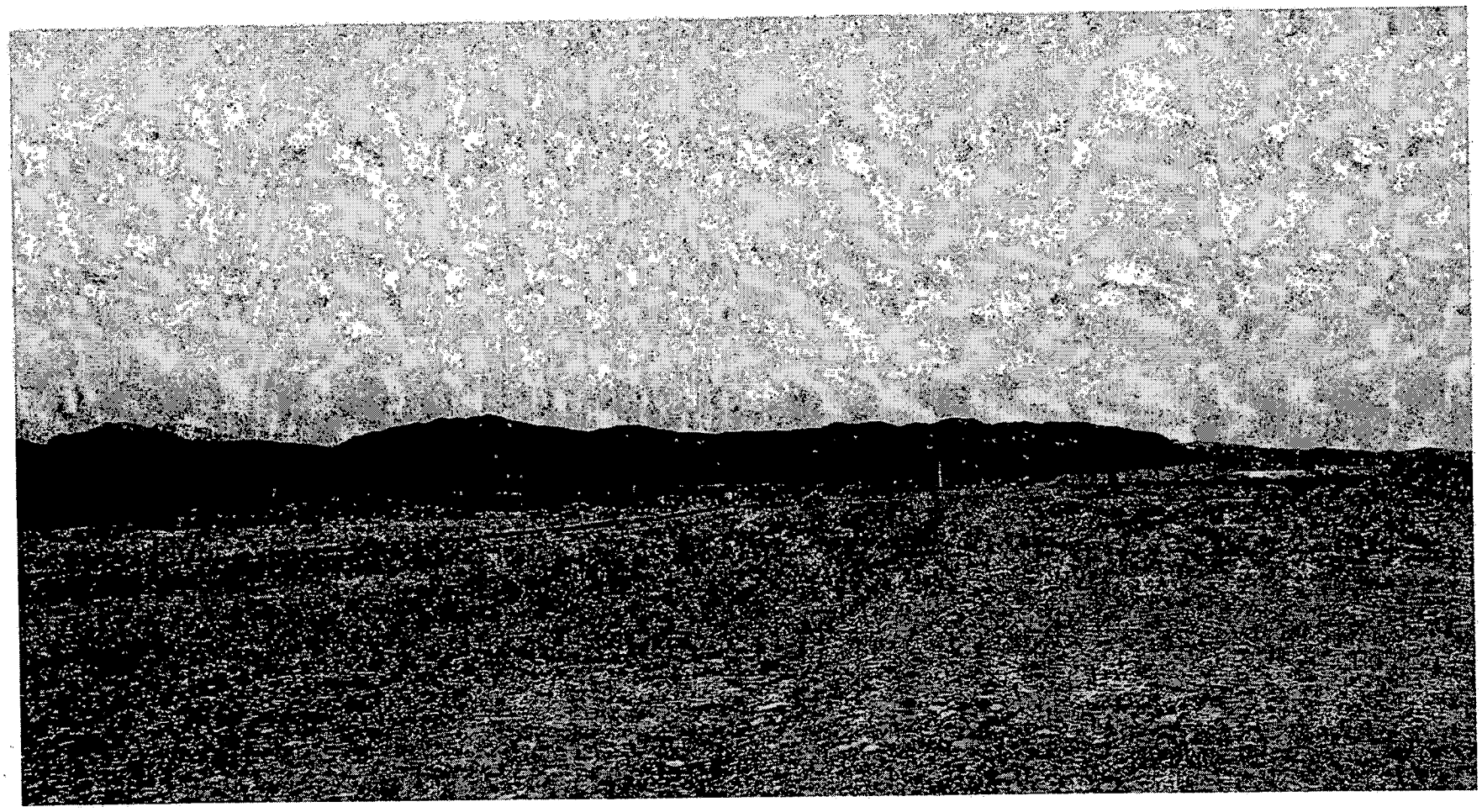
Print Name: LARRY BROSS

Subscribed and sworn before me

This 28TH day of FEBRUARY, 2005

SHAUNA L. MOORE
Notary Public State of Nevada
No.97-2638-1
My appt. exp. June 19, 2005

Shauna L. Moore
Notary Public in and for said County and State



VAC-6202 - APPLICANT: PARDEE HOMES OF HOMES - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE LLC
WEST OF EGAN CREST WAY, SOUTH OF ELKHORN ROAD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS

PAR0401.002

February 28, 2005

Mr. Gary Leobold, Senior Planner
City of Las Vegas Development Services Center
Current Planning Division
731 S. Fourth Street
Las Vegas, NV 89101

Subject: Pardee Homes of Nevada Providence (Cliff's Edge) Pod 118
Vacation and abandonment of Patent Easement

Dear Gary:

On behalf of our client, Pardee Homes of Nevada, we respectfully request approval of the following application, a Vacation and abandonment of Patent Easement to allow a residential community within the City of Las Vegas Providence (Cliff's Edge) development area.

We are submitting a Vacation and abandonment of Patent Easements application for parcel 126-24-510-001. The project development is approximately 31.34 gross acres with 189 residential lots. The gross density is 6.03 dwellings per acre.

The Site Development Plan has been reviewed and approved by the Master Developer's Design Review Committee to be in conformance with the Cliff's Edge Design Guidelines (approved by CLV on February 25, 1997).

The patent easements to be vacated are in conflict with the site plan and need to be vacated and abandoned to conform to the proposed site plan.

The Vacation and abandonment of Patent Easements is being requested to be heard at the April 14, 2005 Planning Commission meeting. Attached herewith is a transmittal, which describes the supporting documents for these applications.

We appreciate your assistance with this matter.

Very truly yours,

David M. Bennett, E.I.

CC: Todd Steadham, P.E., SHG, Dan Hale, Pardee Homes

VAC-6202

5740 S. Arville Street #216, Las Vegas, NV 89118 ph (702) 284-5300 fax (702) 284-5399

City of Las Vegas

Agenda Item No.: 12

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
VAC-6203 - VACATION - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF HOMES - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE LLC - Petition to Vacate portions of Grinnell Avenue, Alpine Ridge Way, Deer Springs way, Michelli Crest Way and Bath Drive; and U.S. Government Patent Easements generally located west of Egan Crest Way, north of Bath Drive, Ward 6 (Mack).

SET DATE: 05/04/05 C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions and amending the following condition:

2. Submit signed affidavits prior to recordation of the Order of Vacation acceptable to the City Engineer, *from all property owners adjacent to the right-of-way being vacated,* in which the affidavit clearly states that the owners understand the impacts of the vacation of Grinnell Street, Deer Springs Way, and Alpine Ridge Way abutting their existing subdivision and agree to it nonetheless. If such affidavits cannot be provided, then this Petition of Vacation will be revised to exclude those portions of Grinnell Street, Deer Springs Way, and Alpine Ridge Way.

– UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is involved in bidding work for Pardee Homes

To be heard by the City Council on 5/18/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open on Item 12 [VAC-6203] and Item 58 [SDR-6201].

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, explained the applicant requested this item be pulled from the One Motion One Vote portion of the agenda due to concerns on a Public Works condition.

CHRIS KAEMPFER, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and stated representatives from Focus Group and Pardee Homes were in the audience if needed. He informed the Commission that Item 58 [SDR-6201] was related and that it might be of interest to the neighbors present to hear both items together. CHAIRMAN NIGRO agreed and read the additional item into the record.

Regarding Item 58 [SDR-6201], DEREK ALLEN, Planning and Development Department, explained the application was for a 211 lot, single-family subdivision on 57.4 acres. The subdivision is located adjacent to existing residential properties located within the County. Cliffs Edge, LLC., has requested the item be heard as a Site Development Review. A portion of the right-of-way along Deer Springs Way, Grinnell Avenue and Alpine Ridge Way will be vacated with Item 12 [VAC-6203]. That action would eliminate the existing, dedicated cul-de-sacs. The vacated streets would be dedicated to the adjacent property owners. The vacation would also provide a more sufficient means for subdividing the proposed development. He also explained the Cliffs Edge front yard landscaping requirements.

ATTORNEY KAEMPFER oriented the Commissioners to the site. The property is planned for 5.5 units per acre and provided specifically for some ½-acre lots in two areas. There were concerns from the neighbors about the view corridor and to address that issue, the applicant has situated the single-story homes to preserve that corridor to the south and the east. He noted the lot numbers for the record; however, MARGO WHEELER, Planning and Development Department, pointed out that the lot numbers being referenced did not match the lot numbers as shown in the Commissioner's back up. The item was trailed to allow ATTORNEY KAEMPFER time to mark up a map to submit for the record that would indicate the proper lots for single-story homes. Upon return, ATTORNEY KAEMPFER submitted a map to Planning and Development staff with the single story lots marked in blue.

ATTORNEY KAEMPFER had additional conditions he wanted noted on the record. The applicant agreed to the additional conditions to satisfy the concerns of the adjacent homeowners. He thanked those homeowners for working so hard to try and reach an agreement regarding the proposed development. The first condition was that Deer Springs Way would be vacated. As a consequence of that vacation, the existing wall will be relocated 20 feet to the south. The applicant will build the new wall along the new alignment. Also, the same scenario will occur with the property owners north of the site. The applicant will rebuild the wall there as well. A pedestrian element along Deer Springs Way that will connect to the school will be

MINUTES – Continued:

relocated to the north of Grinnell Street. The residents did not want standard streetlights so the applicant will provide lamplights in the front of the homes in lieu of streetlights. ATTORNEY KAEMPFER also expressed the resident's wishes for the City not to install any traffic signals along the northern property line. Staff will determine if one is necessary; however, the residents are opposed to such action and asked the applicant to support them on this issue.

ATTORNEY KAEMPFER concluded his presentation by indicating the neighbors had paid to have Deer Springs Way paved back to their homes and if they are able to provide evidence that they paid for that work, the applicant will reimburse them for their expenses because of the vacation.

SHAWN ANDERSON, Attorney, 400 South 4th Street, appeared on behalf of RANDY McCARTHY, the owner of a nearby parcel, to oppose the vacation application. He was unaware of the discussions the applicant had with adjacent residents. MR. McCARTHY also participated in the payments necessary to pave Deer Springs Way and he is unaware of an agreement to be reimbursed. ATTORNEY ANDERSON was unable to speak on behalf of his client about reimbursement being acceptable. He asked for any additional information available regarding Item 12 [VAC-6203].

JOHN MARIANO, 6820 Antler Court, was the first resident to live in the eight home subdivision this proposed development would abut. He clarified that the cost of the road was put on the cost of the lots and that cost was split with the County. He suggested MR. GRINNELL would be able to provide the necessary information regarding that issue. MR. MARIANO did not feel that MR. McCARTHY paid into the paving of Deer Springs Way or Michelli Crest.

RUSSELL COOK, also owns property in the eight-home subdivision. He was happy with the results everyone agreed to. He felt if MR. McCARTHY had paid into the street or utilities, he should be entitled to a reimbursement like everyone else. He confirmed ATTORNEY KAEMPFER'S comments regarding the additional conditions the applicant and the eight homeowners agreed to.

ATTORNEY KAEMPFER explained that a condition of the vacation was that all property owners in the eight-lot subdivision sign off on a release. Since MR. MARIANO and MR. COOK spoke on behalf of the other residents, ATTORNEY KAEMPFER asked if the condition could be removed. DAVID GUERRA, Public Works Department, replied that the condition could be revised so that only the people adjacent to the areas being vacated would be required to submit approval in writing. Public Works staff were concerned that the individuals did not understand the responsibility of maintaining the easements. Amended language was drafted and ATTORNEY KAEMPFER agreed to the revised condition.

MINUTES – Continued:

CHAIRMAN NIGRO thanked the applicant and the neighbors for working hard to resolve the issues involved with this project before it was heard by the Board.

DEPUTY CITY ATTORNEY BRYAN SCOTT wanted to clarify that with the exception of the single-story units being placed to preserve the view corridor, the conditions the applicant agreed upon with the adjacent neighbors were not enforceable by the City. MS. WHEELER acknowledged that items such as the streetlights, would be resolved through the Cliffs Edge Master Plan and the other items, except the restriction on the single story homes, would be private agreements. ATTORNEY KAEMPFER confirmed that the only reason he described the additional conditions to the Commission was to make a record of them.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 12 [VAC-6203] and Item 58 [SDR-6201]

(6:12 - 6:22/6:37 – 6:56)
1-456/1-1305

CONDITIONS:

1. The boundaries of this Petition of Vacation of right-of-way shall be the south 40-feet of Deer Springs Way starting at the Michelli Crest Way alignment, eastbound approximately 220 feet, the east 30-feet of Michelli Crest Way between Deer Springs Way and Bath Drive, and the north 30-feet of Bath Drive starting at the Michelli Crest Way alignment, eastbound approximately 220 feet. In addition, if portions of Grinnell Street, Deer Springs Way and Alpine Ridge Way are vacated in accordance with other Conditions of Approval, then the boundaries of this Petition of Vacation shall also include the north 40-feet of Deer Springs Way east of Alpine Ridge Way, including the cul-de-sac, the eastern most 10-feet of Alpine Ridge Way and 60-feet of Grinnell Street east of Alpine Ridge Way, including the cul-de-sac.

2. Submit signed affidavits prior to recordation of the Order of Vacation acceptable to the City Engineer, from all eight property owners between Grinnell Street and Deer Springs Way, east of Alpine Ridge Way, in which the affidavit clearly states that the owners understand the impacts of the vacation of Grinnell Street, Deer Springs Way, and Alpine Ridge Way abutting their existing subdivision and agree to it nonetheless. If such affidavits cannot be provided, then this Petition of Vacation will be revised to exclude those portions of Grinnell Street, Deer Springs Way, and Alpine Ridge Way.

CONDITIONS – Continued:

3. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including those properties not controlled by the applicant, so that an unmaintained "no-man's land" area is not produced by this action. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation.

4. This Petition of Vacation and Order of Relinquishment of Interest shall be revised to retain a public sewer easement in Deer Springs Way from Alpine Ridge Way to Egan Crest Drive.

5. 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 and 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 for SDR-6201 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

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 Relinquishment of Interest or the Order of Vacation.

7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

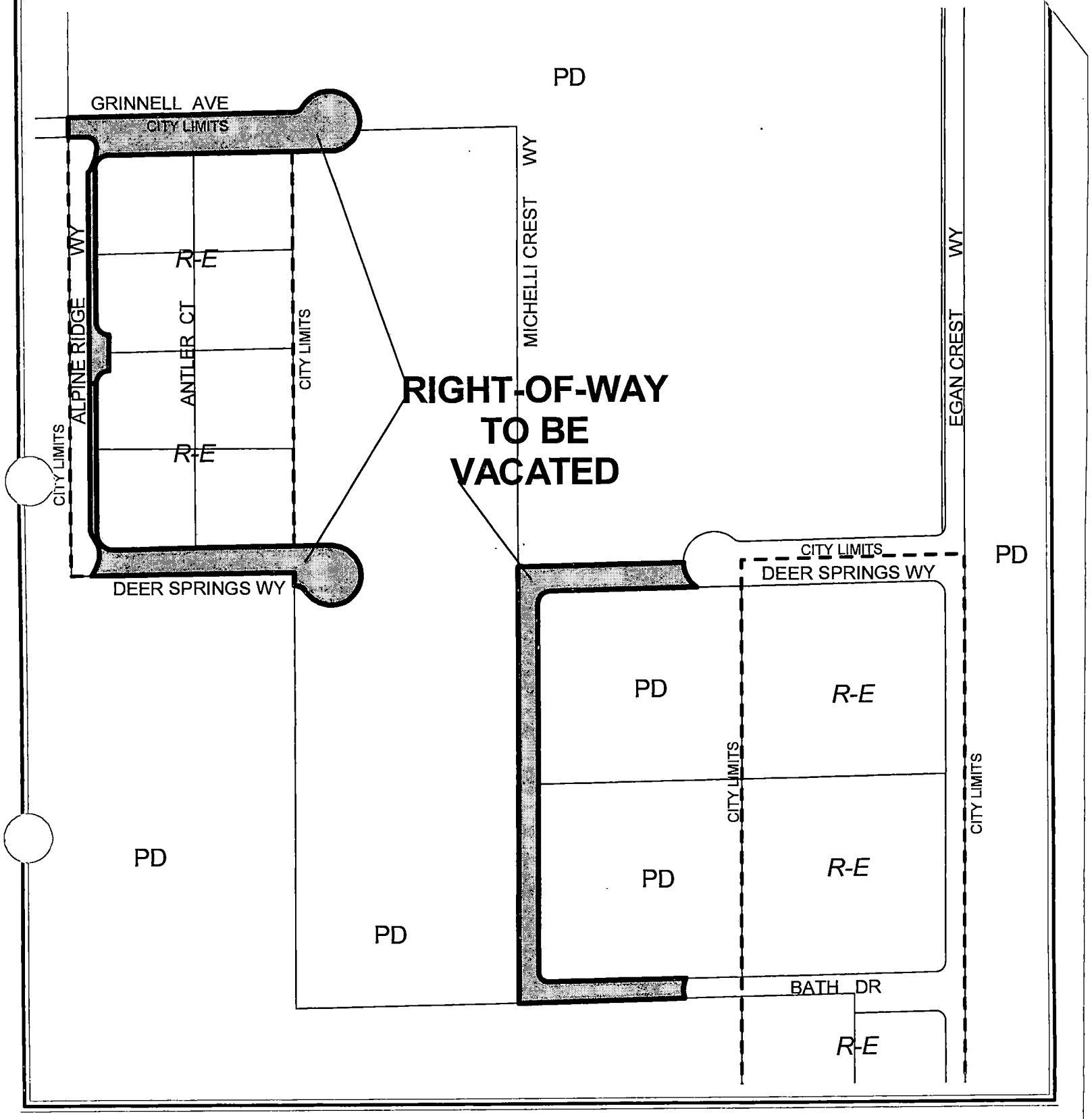
8. All development shall be in conformance with code requirements and design standards of all City Departments.

9. The Order of Relinquishment of Interest and Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that 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

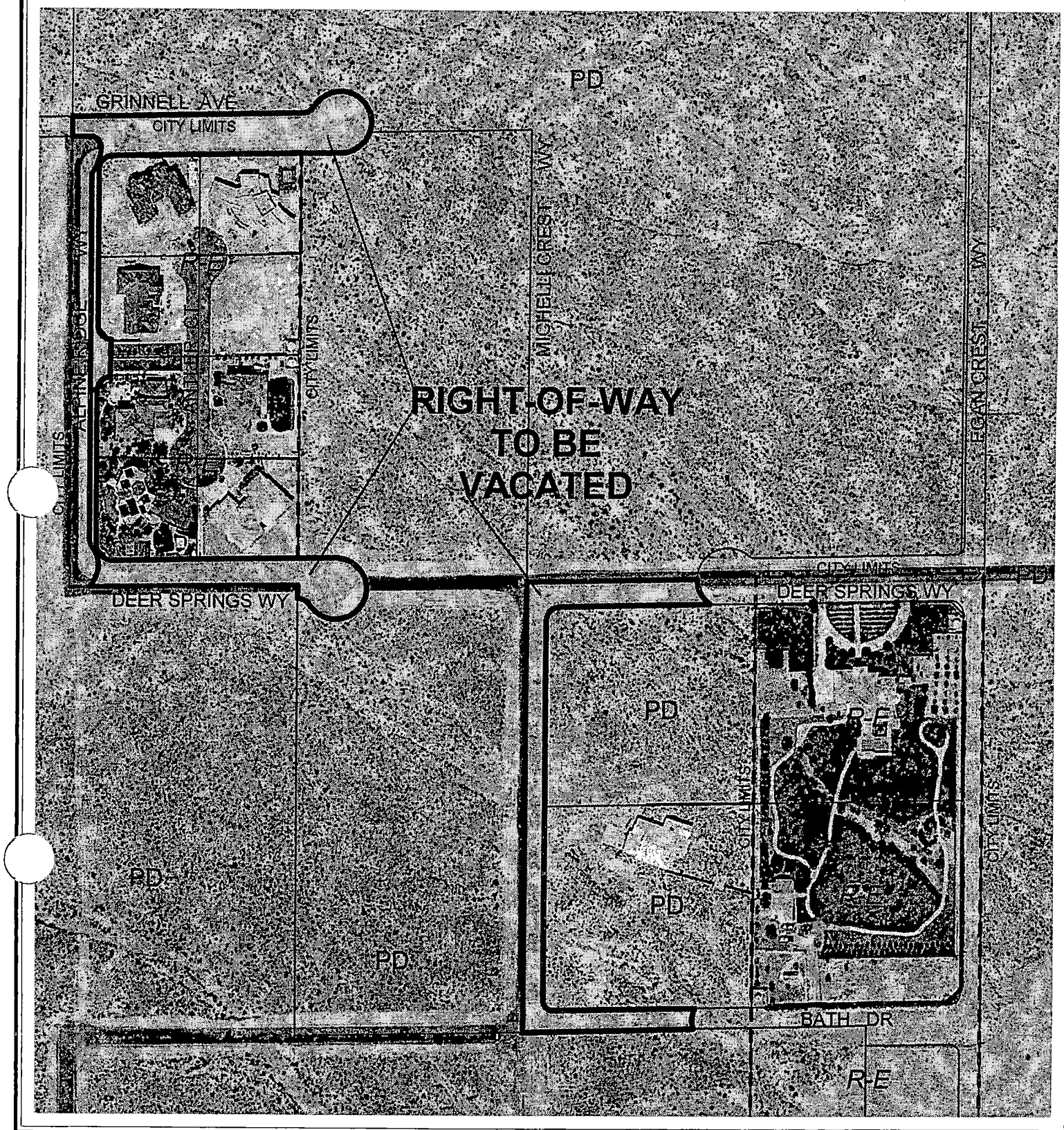
CONDITIONS – Continued:

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.

10. If the Order of Vacation and 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.



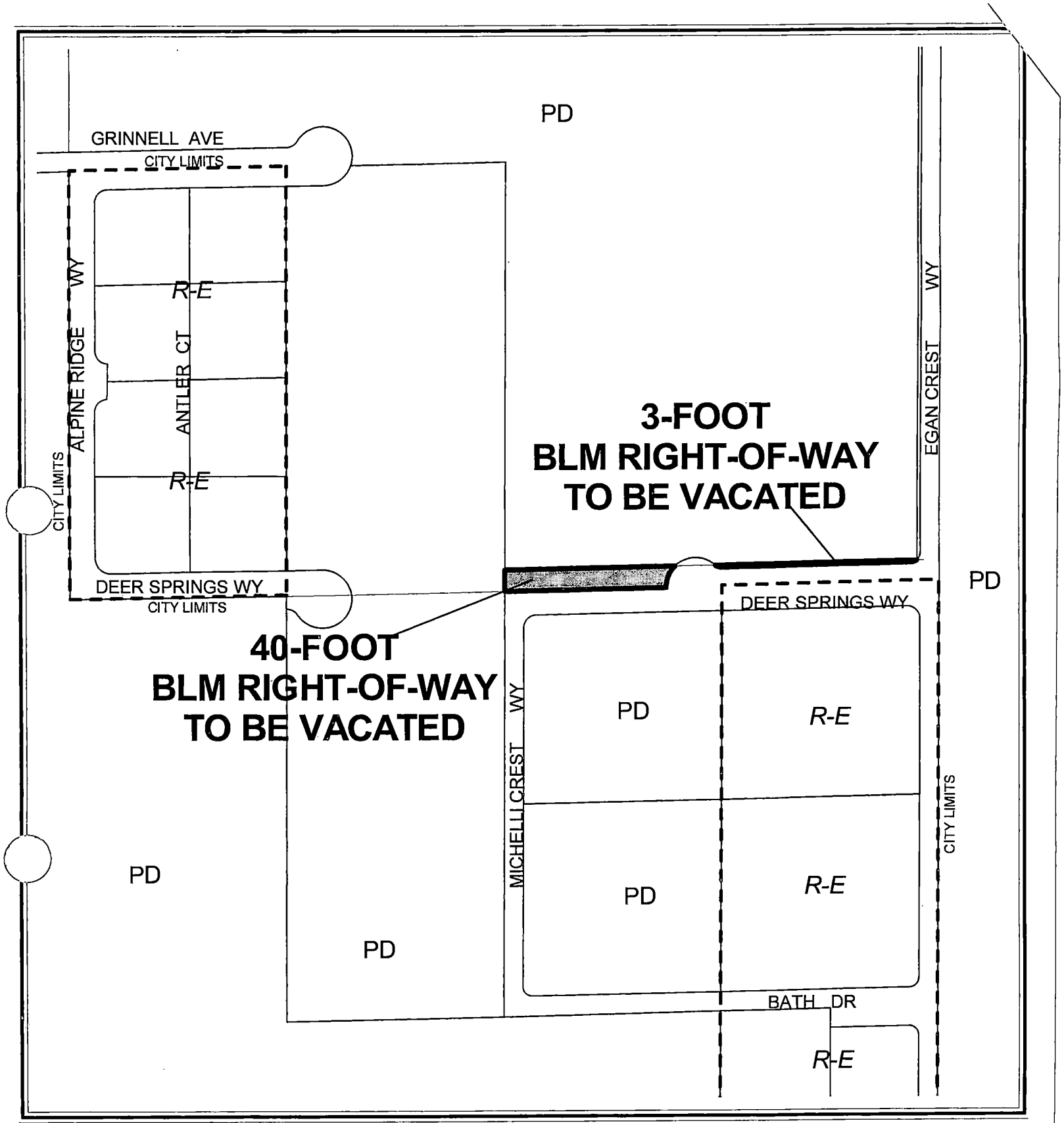
CASE: VAC-6203
RIGHT-OF-WAY VACATIONS



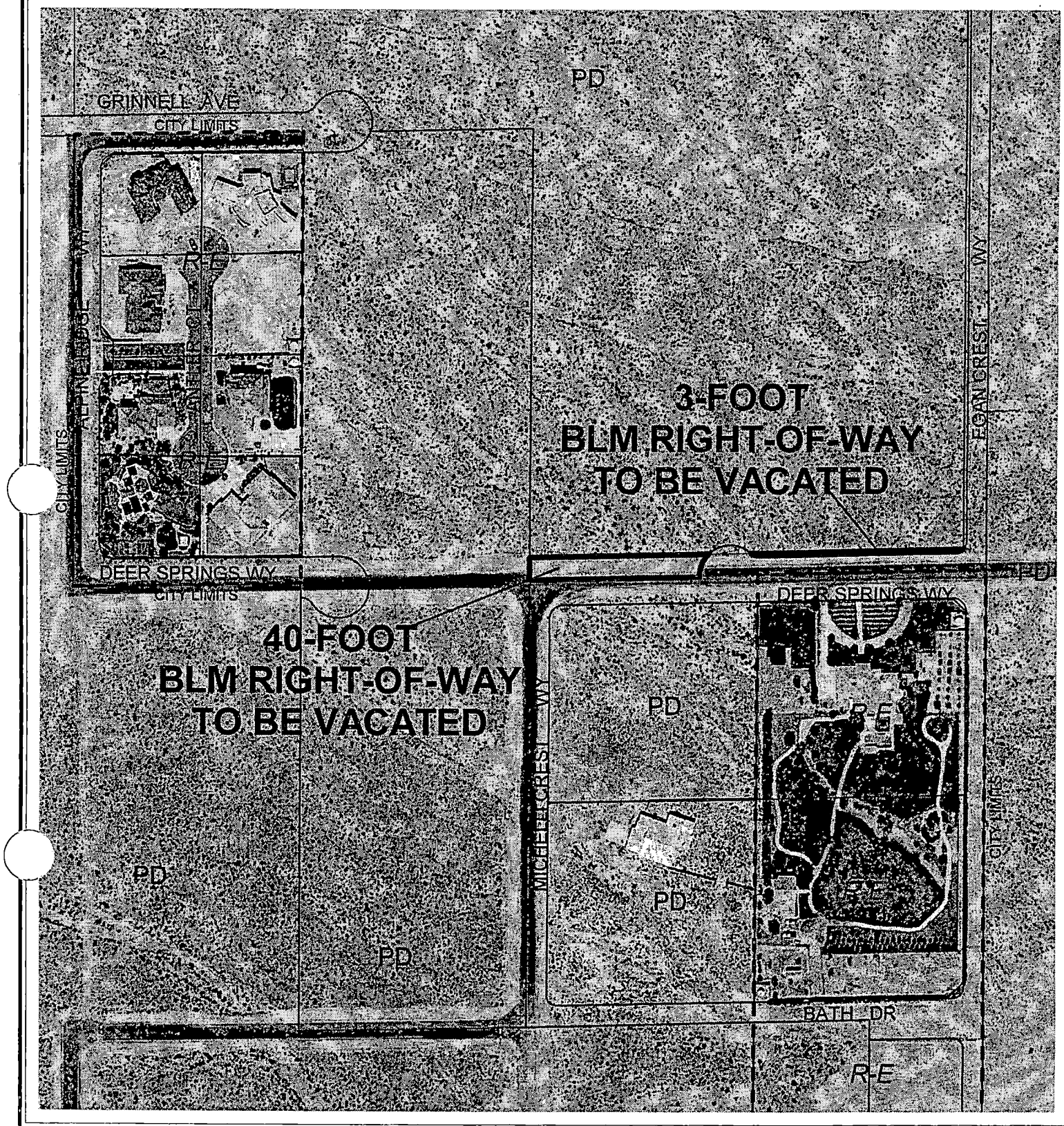
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CASE: VAC-6203
RIGHT-OF-WAY VACATIONS

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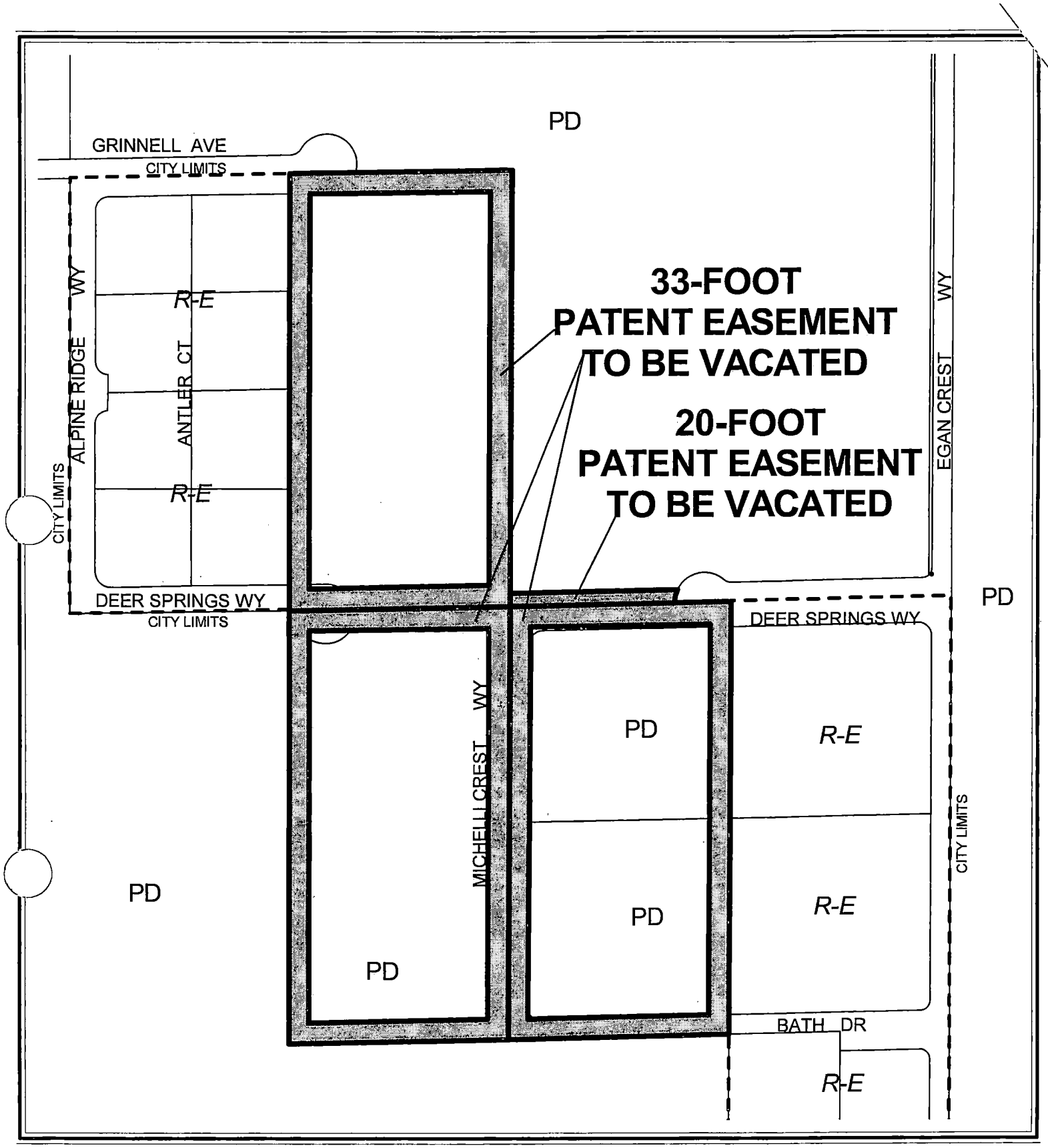
CASE: VAC-6203
BLM RIGHT-OF-WAY VACATIONS



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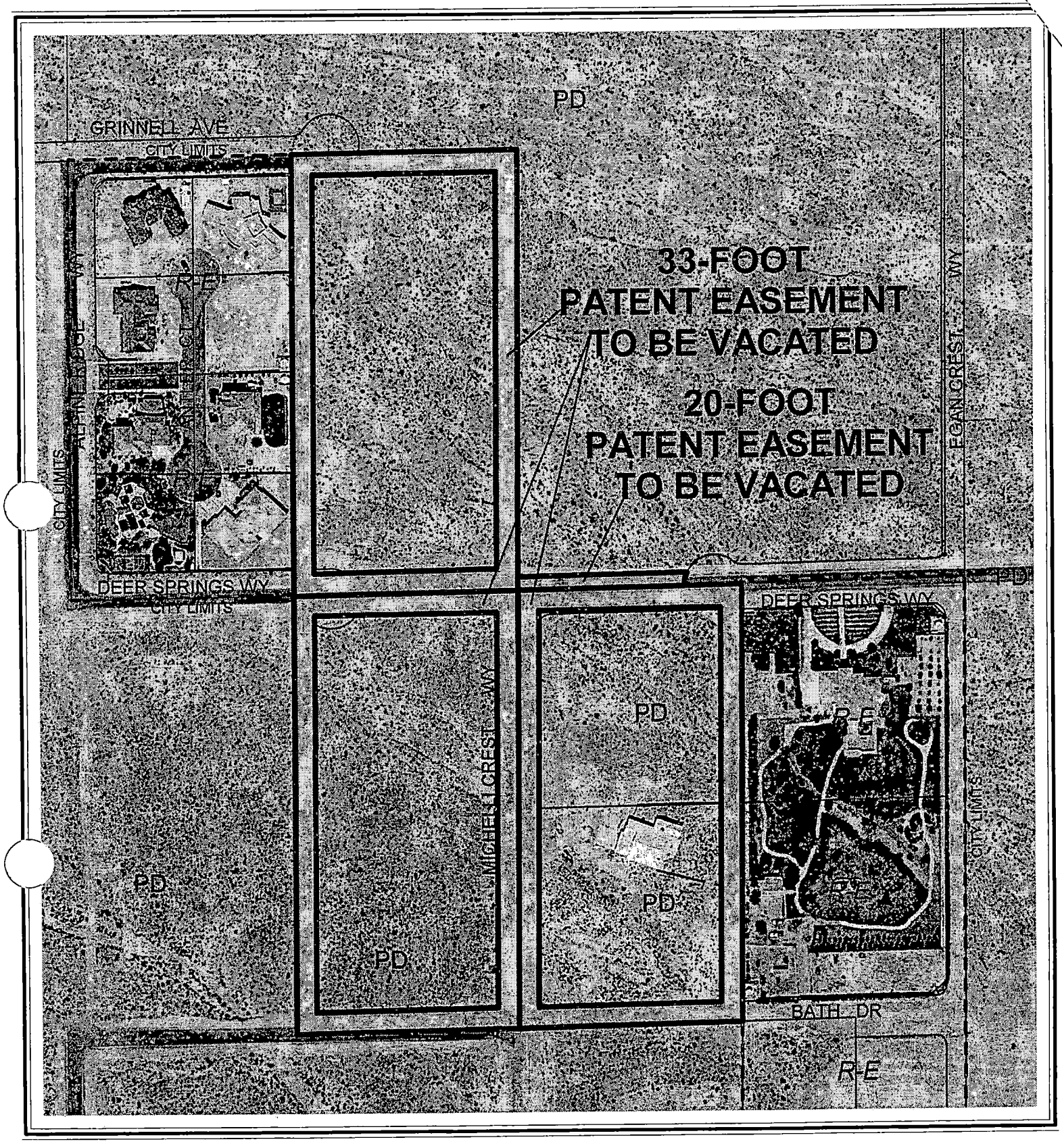
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BLM RIGHT-OF-WAY VACATIONS

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CASE: VAC-6203
PATENT EASEMENT VACATIONS

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CASE: VAC-6203
PATENT EASEMENT VACATIONS

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-6203 - APPLICANT: PARDEE HOMES OF HOMES - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE LLC

** CONDITIONS **

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

1. The boundaries of this Petition of Vacation of right-of-way shall be the south 40-feet of Deer Springs Way starting at the Michelli Crest Way alignment, eastbound approximately 220 feet, the east 30-feet of Michelli Crest Way between Deer Springs Way and Bath Drive, and the north 30-feet of Bath Drive starting at the Michelli Crest Way alignment, eastbound approximately 220 feet. In addition, if portions of Grinnell Street, Deer Springs Way and Alpine Ridge Way are vacated in accordance with other Conditions of Approval, then the boundaries of this Petition of Vacation shall also include the north 40-feet of Deer Springs Way east of Alpine Ridge Way, including the cul-de-sac, the eastern most 10-feet of Alpine Ridge Way and 60-feet of Grinnell Street east of Alpine Ridge Way, including the cul-de-sac.

2. Submit signed affidavits prior to recordation of the Order of Vacation acceptable to the City Engineer, from all eight property owners between Grinnell Street and Deer Springs Way, east of Alpine Ridge Way, in which the affidavit clearly states that the owners understand the impacts of the vacation of Grinnell Street, Deer Springs Way, and Alpine Ridge Way abutting their existing subdivision and agree to it nonetheless. If such affidavits cannot be provided, then this Petition of Vacation will be revised to exclude those portions of Grinnell Street, Deer Springs Way, and Alpine Ridge Way.

3. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including those properties not controlled by the applicant, so that an unmaintained "no-man's land" area is not produced by this action. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation.

4. This Petition of Vacation and Order of Relinquishment of Interest shall be revised to retain a public sewer easement in Deer Springs Way from Alpine Ridge Way to Egan Crest Drive.

5. 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 and 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 for SDR-6201 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

DA

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 Relinquishment of Interest or the Order of Vacation.

7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

8. All development shall be in conformance with code requirements and design standards of all City Departments.

9. The Order of Relinquishment of Interest and Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that 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.

10. If the Order of Vacation and 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.

DA

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a petition to vacate portions of Grinnell Avenue, Alpine Ridge Way, Deer Springs Way, Michelli Crest Way and Bath Drive; and U.S. Government Patent Easements generally located west of Egan Crest Way, north of Bath Drive

B) Applicant's Justification

The applicant has justified this request by stating: "The vacation and abandonment of the existing public right-of-way along Alpine Ridge Way, Grinnell Avenue, and Deer Springs is deemed necessary because the cul-de-sacs stubbing to the east beyond alpine ridge way do not serve any lots. Alpine Ridge Way half street is requested that the street be reduced from 40 feet to 30 feet, to be consistent with Grinnell Avenue and Deer Springs Way that connect into Alpine Ridge. The patent easements to be vacated are in conflict with the site plan and need to be vacated and abandoned to conform to the proposed site plan."

BACKGROUND INFORMATION

A) Related Actions

02/05/03 The City Council approved an Annexation (A-0035-02) of over 1,056 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. The Planning Commission recommended approval on September 26, 2002. The effective date of this annexation was February 14, 2003. Staff had recommended approval of this application.

04/16/03 The City Council approved a request for a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval on February 13, 2003.

DA

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 June 12, 2003.

12/04/03 A Minor Modification (MOD-3189) to the Cliff's Edge Master Development Plan and Design Guidelines was administratively approved by the Planning and Development Department, subject to a number of conditions.

12/17/03 The City Council approved an Annexation (ANX-3087) of 27.5 acres in the area bounded by Centennial Pkwy on the south, Puli Dr. on the west, Grand Teton Dr. on the north, and Hualapai Wy. on the east. The Planning Commission recommended approval on October 23, 2003. The effective date of this annexation was December 26, 2003. Staff recommended approval of this application.

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 and staff recommended approval on January 8, 2004.

05/19/04 The City Council approved a request for a Rezoning (ZON-4013) from U (Undeveloped) zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on 2.5 acres located adjacent to the northeast corner of Bath Dr. and Michelli Crest Way. The Planning Commission and staff recommended approval on April 22, 2004.

DETAILS OF APPLICATION REQUEST

The following right-of-ways and U.S. Government patent easements are proposed to be vacated;

Patent Easements:

The north, east, south and west thirty-three feet (33') of the east half (E 1/2) of the southwest quarter (SW 1/4) of the southwest quarter (SW 1/4) of the northeast quarter (NE 1/4) of section 24, township 19 south, range 59 east, M.D.M.

The north, east, south and west thirty-three feet (33') of the east half (E 1/2) of the northwest quarter (NW 1/4) of the northwest quarter (NW 1/4) of the southeast quarter (SE 1/4) of section 24, township 19 south, range 59 east, M.D.M.

DA

The north, east, south and west thirty-three feet (33') of the west half (W 1/2) of the northeast quarter (NE 1/4) of the northwest quarter (NW 1/4) of the southeast quarter (SE 1/4) of section 24, township 19 south, range 59 east, M.D.M.

The south forty feet (40'), excepting the east thirty-five feet (35'), of the southeast quarter (SE 1/4) of the northeast quarter (NE 1/4) of the northeast quarter (NE 1/4) of section 24, township 19 south, range 59 east, M.D.M.

Right-of-Way:

The south and west thirty feet (30') and the north forty feet (40') of the of the west half (w 1/2) of the northeast quarter (NE 1/4) of the northwest quarter (NW 1/4) of the southeast quarter (se 1/4) of section 24, township 19 south, range 59 east, M.D.M.

A portion of Grinnell Avenue located in the southwest quarter (SW 1/4) of the northeast quarter (NE 1/4) of section 24, township 19 south, range 59 east, M.D.M.

A portion of Alpine Ridge Way located in the southwest quarter (SW1/4) of the northeast quarter (NE 1/4) of section 24, township 19 south, range 59 east, M.D.M.

A portion of Deer Springs Way located in the southwest quarter (SW 1/4) of the northeast quarter (NE 1/4) of section 24, township 19 south, range 59 east, M.D.M.

ANALYSIS

A) Planning discussion

The proposed vacation of the existing right-of-ways is to allow for the development of a new single family residential development which is to be located on the surrounding properties. The vacated right-of-ways will be dedicated back those adjacent property owners which will provide for larger buffer from the existing developed properties to the new lots. Staff does not have any objections to the vacation of these right-of-ways, as it will provide for a better design of the proposed subdivision.

The U.S. Government Patent easements that will be vacated are no longer needed in their current configurations, as a 211 lot single family subdivision is planned is proposed to be constructed on the site. This request is appropriate, as the subject easement is no longer needed and will not result in the reduction of access to the proposed development.

B) Public Works discussion

Public Works has no objection to the vacation application request to vacate U.S. Government Patent Reservations generally located west of Egan Crest Drive and south of Dorrell Lane. However, we present the following information for the proposed right-of-way vacation.

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *As submitted, it would be uniform widths.*

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? No, it is to vacate rights-of-way that the developer intends to incorporate into their subdivision.

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, SDR-6201.*

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? *Yes, we recommend **DENIAL** for the portion of this vacation adjacent to the existing eight lot residential subdivision unless signed documents are provided from all eight property owners acknowledging and agreeing to the vacation of Grinnell Street, Deer Springs Way, and Alpine Ridge Way. These homeowners did not agree to a Vacation at the time of approval of the Parent Map for Providence (Cliffs Edge).*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED 12

APPROVALS 0

PROTESTS 0

DA

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC · 6203 APN: 126-24-610-001, 501-001

Name of Property Owner: Cliffs Edge LLC

Name of Applicant: Pardee Homes of Nevada

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: LARRY GROSS

Subscribed and sworn before me

This 28TH day of FEBRUARY, 2005

SHAUNA L. MOORE
Notary Public State of Nevada
No.97-2638-1
My appt. exp. June 19, 2005

Shauna L. Moore
Notary Public in and for said County and State

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-6203 APN: 126-24-701-002,003;126-24-610-002

Name of Property Owner: Pardee Homes of Nevada

Name of Applicant: Pardee Homes of Nevada

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: Dan Hale

Print Name: Dan Hale

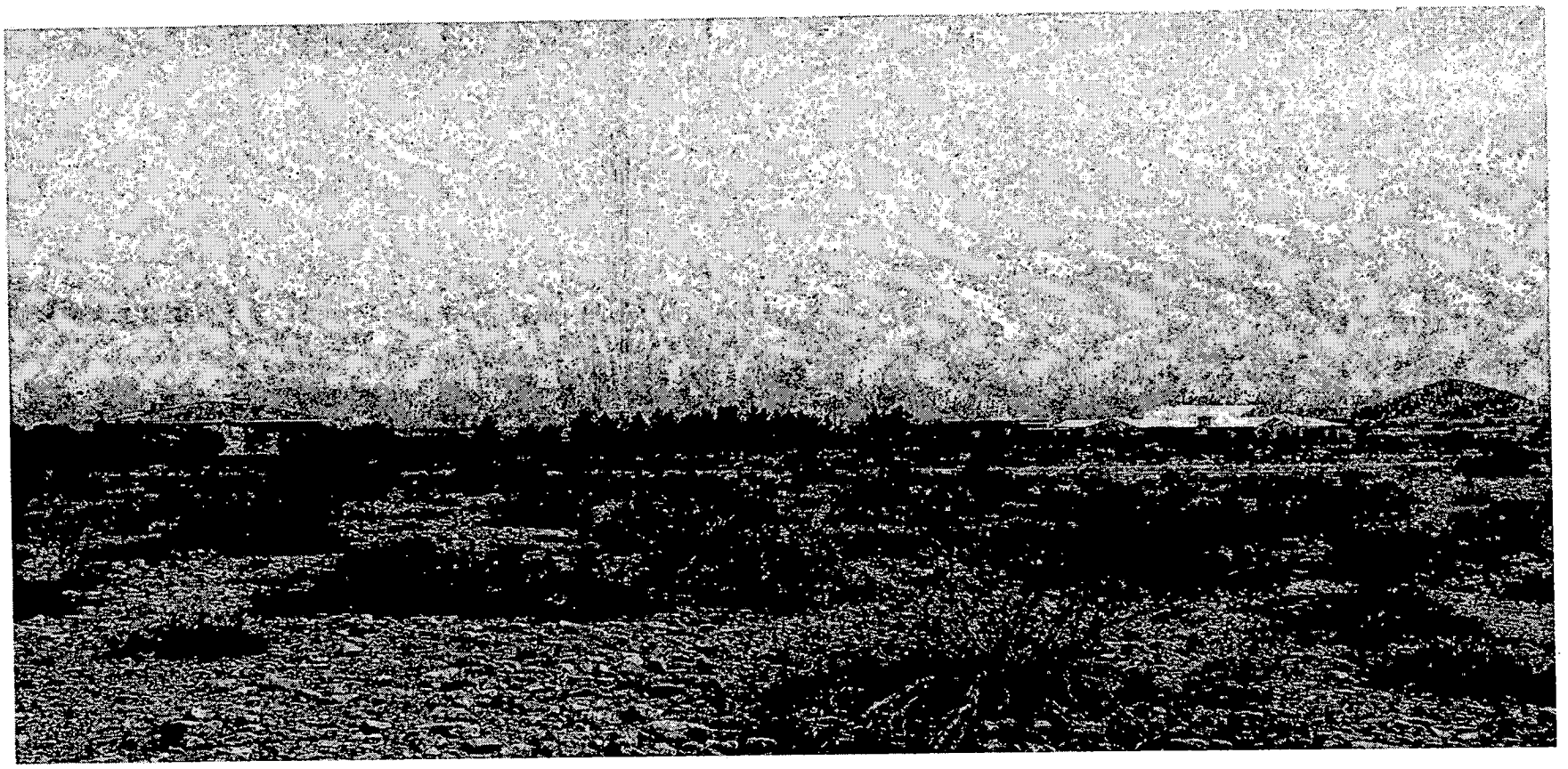
Subscribed and sworn before me

This 17 day of February, 2005

Kathleen Fallon

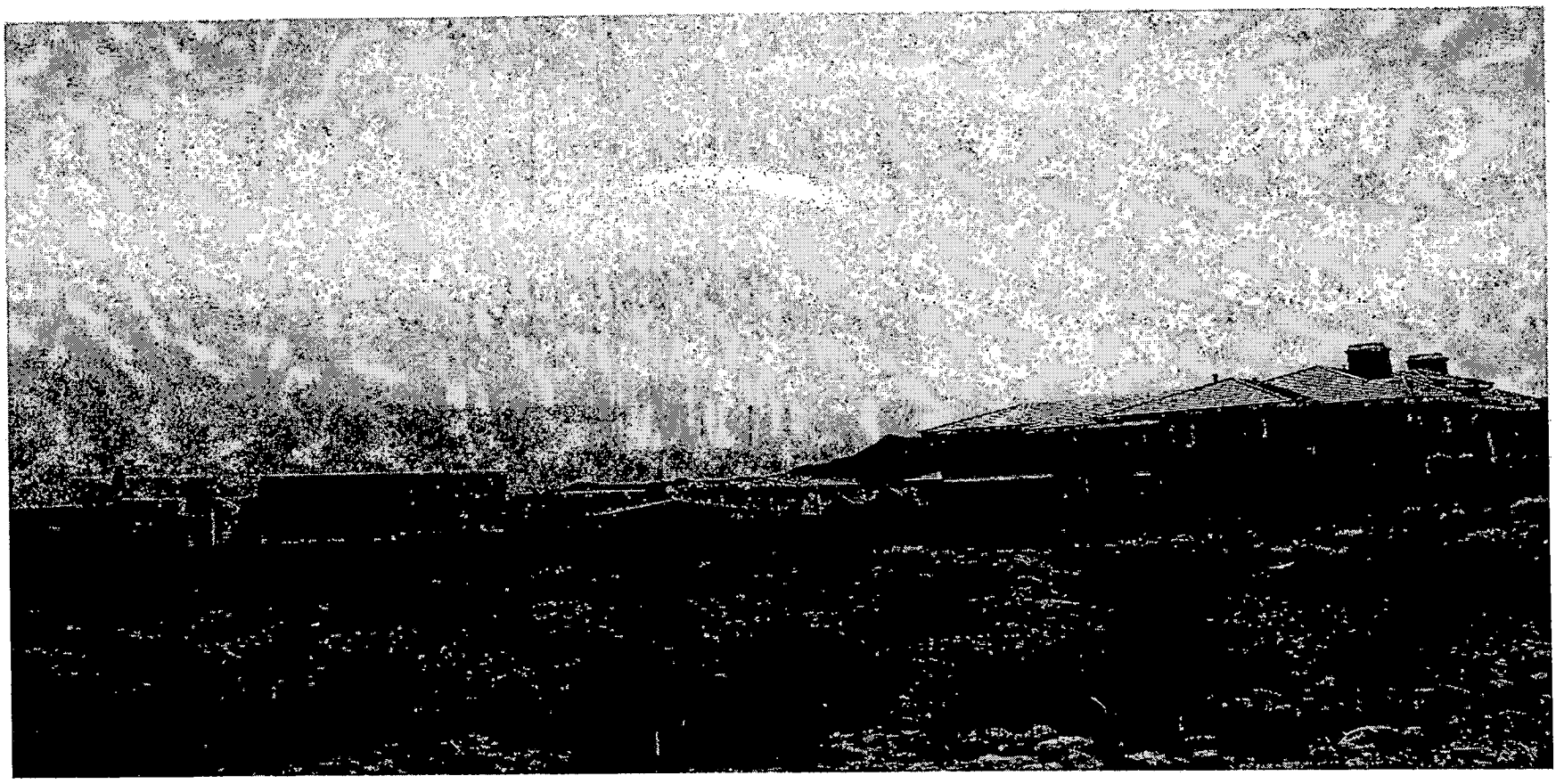
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KATHLEEN FALLON
Appt. No. 98-49629-1
My Appt. Expires Nov. 5, 2006



VAC-6203 - APPLICANT: PARDEE HOMES OF HOMES - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE LLC
PORTIONS OF GRINNELL AVENUE, ALPINE RIDGE WAY, DEER SPRINGS WAY, MICHELLI CREST WAY AND BATH DRIVE; AND U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED WEST OF EGAN CREST WAY, NORTH OF BATH DRIVE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



VAC-6203 - APPLICANT: PARDEE HOMES OF HOMES - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE LLC
PORTIONS OF GRINNELL AVENUE, ALPINE RIDGE WAY, DEER SPRINGS WAY, MICHELLI CREST WAY AND BATH DRIVE; AND U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED WEST OF EGAN CREST WAY, NORTH OF BATH DRIVE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



VAC-6203 - APPLICANT: PARDEE HOMES OF HOMES - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE LLC
PORTIONS OF GRINNELL AVENUE, ALPINE RIDGE WAY, DEER SPRINGS WAY, MICHELLI CREST WAY AND BATH DRIVE; AND U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED WEST OF EGAN CREST WAY, NORTH OF BATH DRIVE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS

PAR0401.001

March 1, 2005

Mr. Gary Leobold, Senior Planner
City of Las Vegas Development Services Center
Current Planning Division
731 S. Fourth Street
Las Vegas, NV 89101

Subject: Pardee Homes of Nevada Providence (Cliff's Edge) Pod 123 & 123A
Site Development Plan Review / Vacation and abandonment of Patent Easement and Public R.O.W.

Dear Gary:

On behalf of our client, Pardee Homes of Nevada, we respectfully request approval of the following applications, a Site Development Plan Review and Vacation to allow a residential community within the City of Las Vegas Providence (Cliff's Edge) development area.

We are submitting a Site Development Plan Review and Vacation application for the parcels 126-24-610-001, 126-24-610-002, 126-24-701-002 and 126-24-701-003. The project development is approximately 57.40 gross acres with 211 residential lots. The gross density is 3.67 dwellings per acre.

The Site Development Plan has been reviewed and approved by the Master Developer's Design Review Committee to be in conformance with the Cliff's Edge Design Guidelines (approved by CLV on February 25, 1997). Although Site Development Plans in Cliff's Edge are not typically heard at a public hearing, the CLV requested that this Pod be taken to Planning Commission and City Council due to the proximity to adjacent property owners. This will allow adjacent home owners the opportunity to be heard.

The Vacation and abandonment of the existing public right-of-way along Alpine Ridge Way, Grinnell, and Deer Springs is deemed necessary because the cul-de-sacs stubbing to the east beyond Alpine Ridge Way do not serve any lots. Alpine Ridge Way half street is requested that the street be reduced from 40 feet to 30 feet, to be consistent with Grinnell and Deer Springs which connect into Alpine Ridge. The patent easements to be vacated are in conflict with the site plan and need to be vacated and abandoned to conform to the proposed site plan.

VAC-6203

5740 S. Arville Street #216, Las Vegas, NV 89118 ph (702) 284-5300 fax (702) 284-5399

The Site Development Plan Review and Vacation are being requested to be heard at the April 14, 2005 Planning Commission meeting.
Attached herewith is a transmittal, which describes the supporting documents for these applications.

We appreciate your assistance with this matter.

Very truly yours,

David M. Bennett, E.I.

CC: Todd Steadham, P.E., SHG
Dan Hale, Pardee Homes

5740 S. Arville Street #216, Las Vegas, NV 89118 ph (702) 284-5300 fax (702) 284-5399

City of Las Vegas

Agenda Item No.: 13

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

RQR-6152 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: O'ROURKE FAMILY, LP - Required Two Year Review of an approved two year review (RQR-1708) WHICH ALLOWED A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN AT A HEIGHT OF 65 FEET, WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED AND TO ALLOW THE SIGN TO BE 730 FEET FROM ANOTHER OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 750 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at 1716 South Highland Avenue (APN 162-04-301-002), M (Industrial) Zone, Ward 1 (Tarkanian).

C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions on Item 9 [VAC-6184], Item 10 [VAC-6196], Item 11 [VAC-6202] and Item 13 [RQR-6152] – UNANIMOUS with McSWAIN abstaining on Item 10 [VAC-6196] because her company, Terra Contracting, is under contract with KB Homes and Item 11 [VAC-6202] because Terra Contracting has recently been added to the Pardee Homes bid list

To be heard by the City Council on 5/18/2005

MINUTES:
CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

MINUTES – Continued:
CHAIRMAN NIGRO declared the Public Hearing open on Item 9 [VAC-6184], Item 10 [VAC-6196], Item 11 [VAC-6202] and Item 13 [RQR-6152].

DOUG RANKIN, Planning and Development Department, indicated the applicant for Item 12 [VAC-6203] requested the item be pulled from the One Motion One Vote portion of the agenda.

COMMISSIONER STEINMAN requested that Item 14 [RQR-6148] be pulled from the One Motion One Vote portion of the agenda.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 9 [VAC-6184], Item 10 [VAC-6196], Item 11 [VAC-6202] and Item 13 [RQR-6152].

(6:06 – 6:12)

1-332

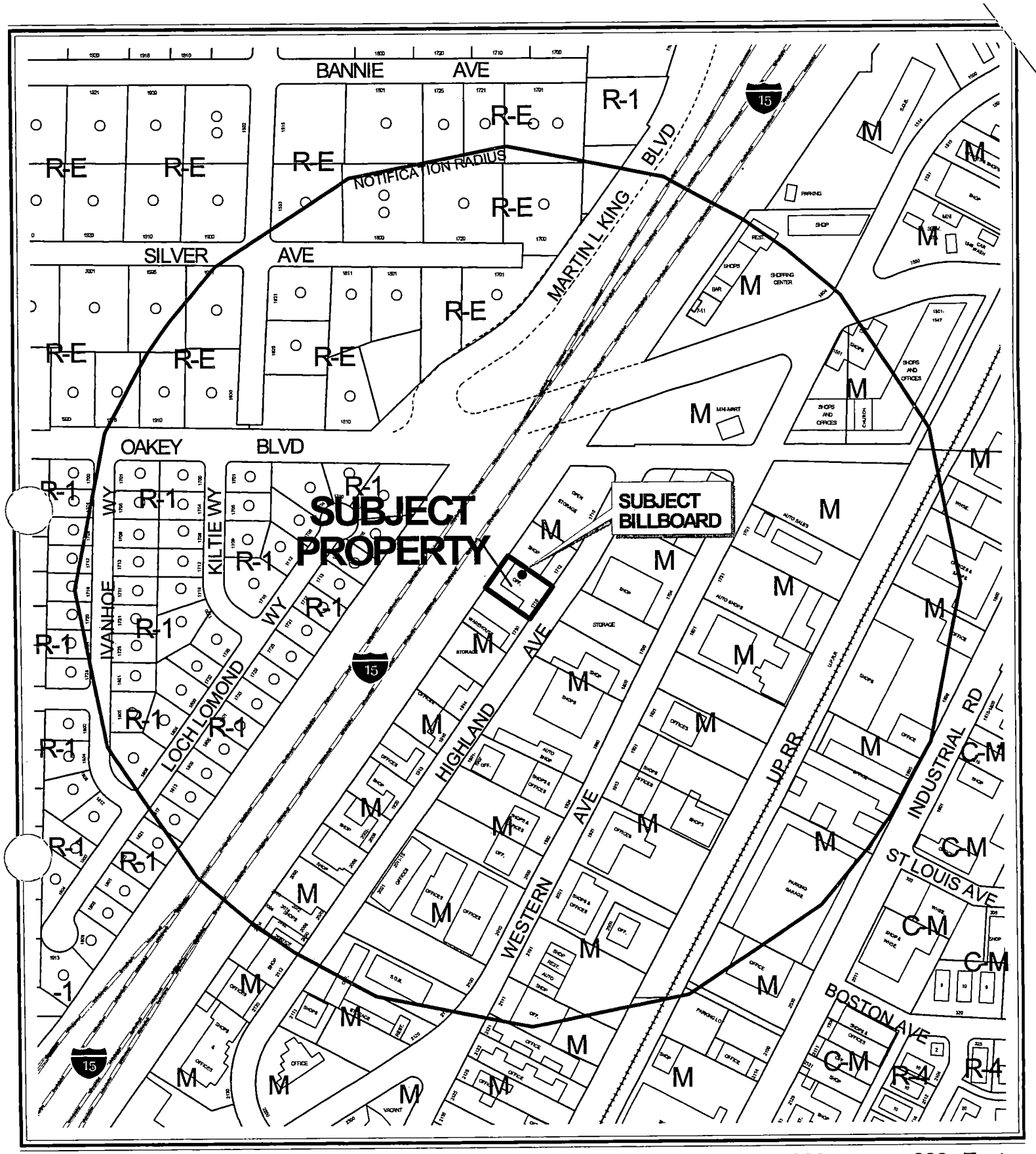
CONDITIONS:
Planning and Development

1. The Variance 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.

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

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

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

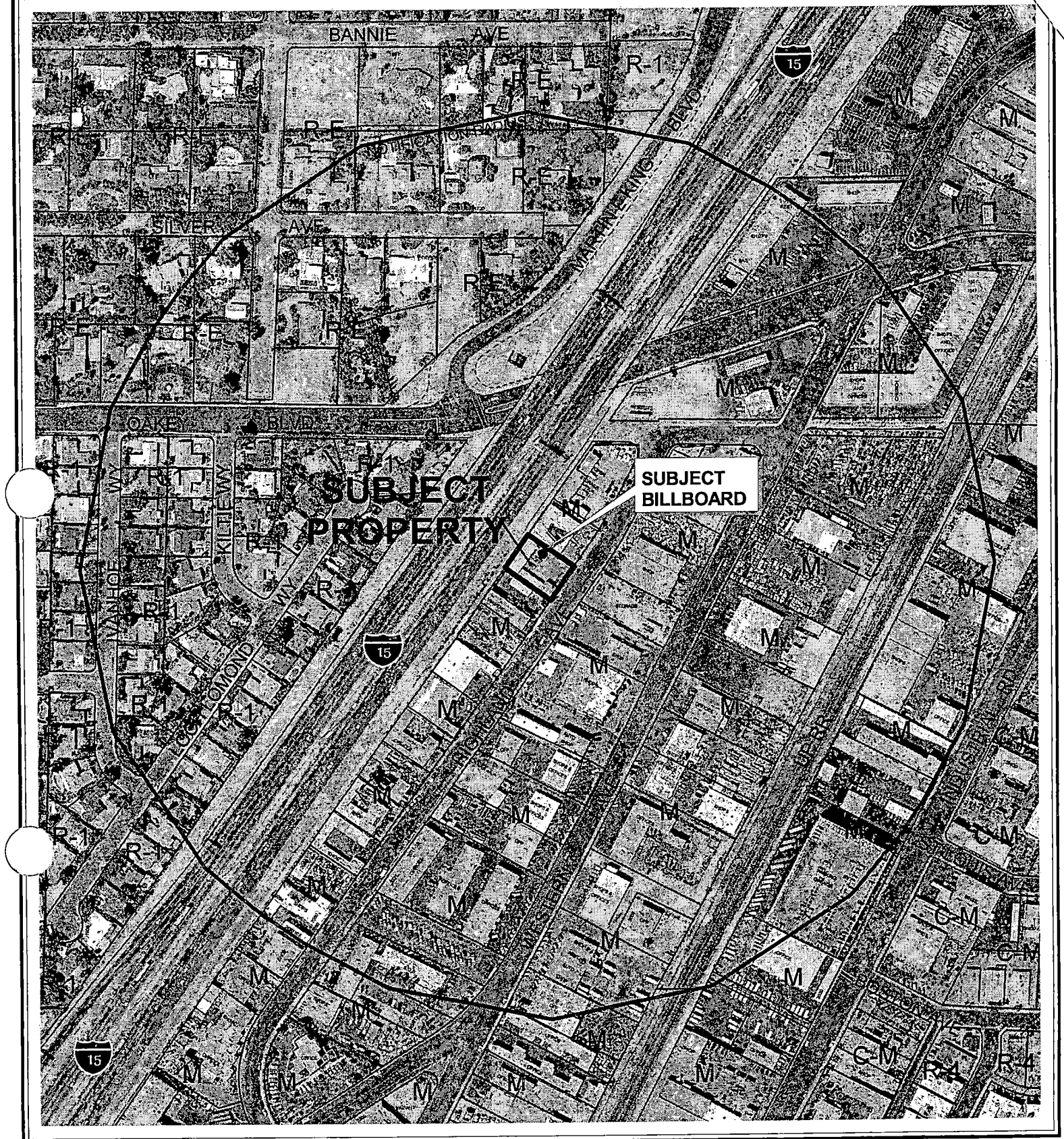


CASE: **RQR-6152**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



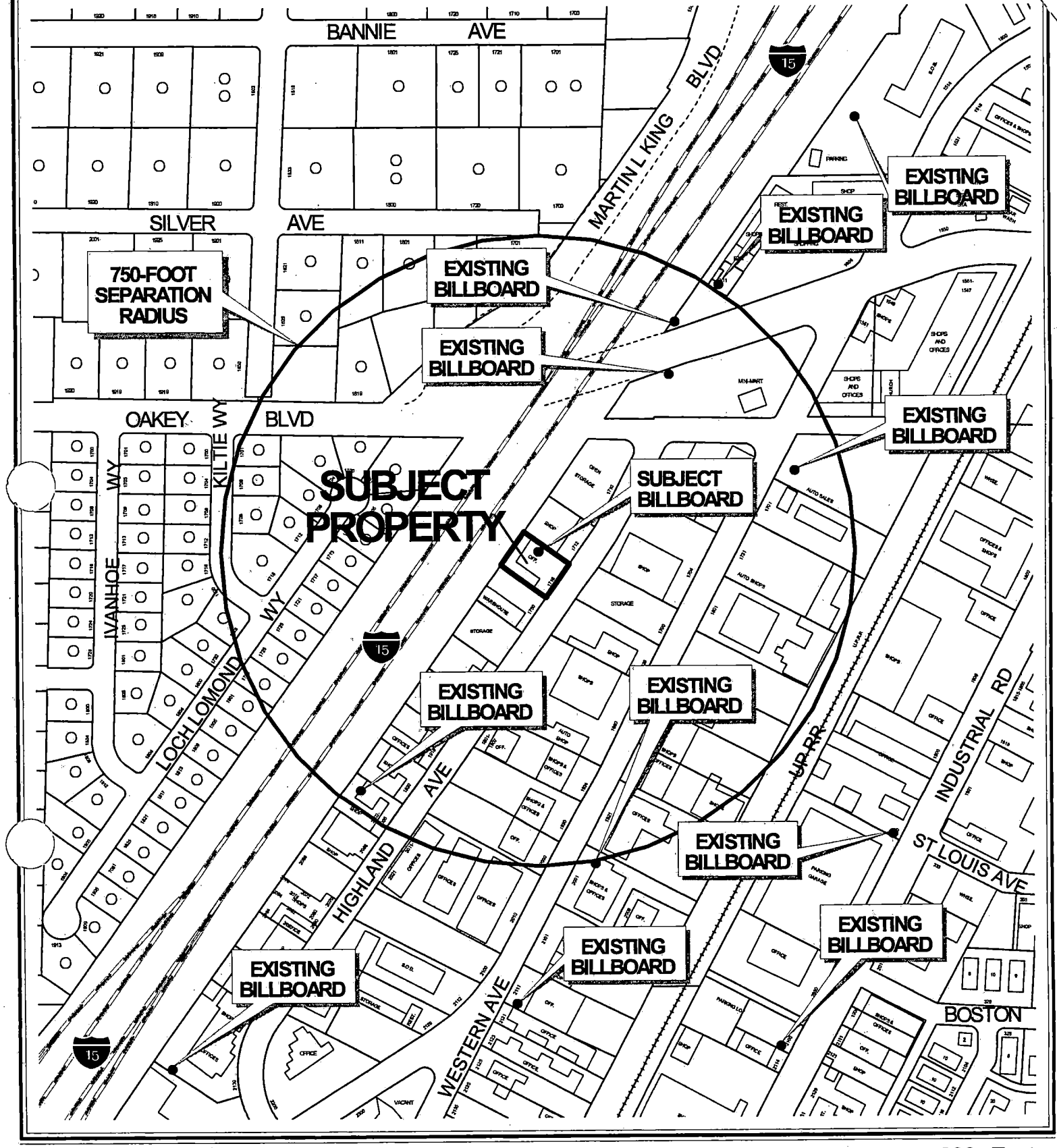
0 300 600 Feet

CASE: **RQR-6152**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

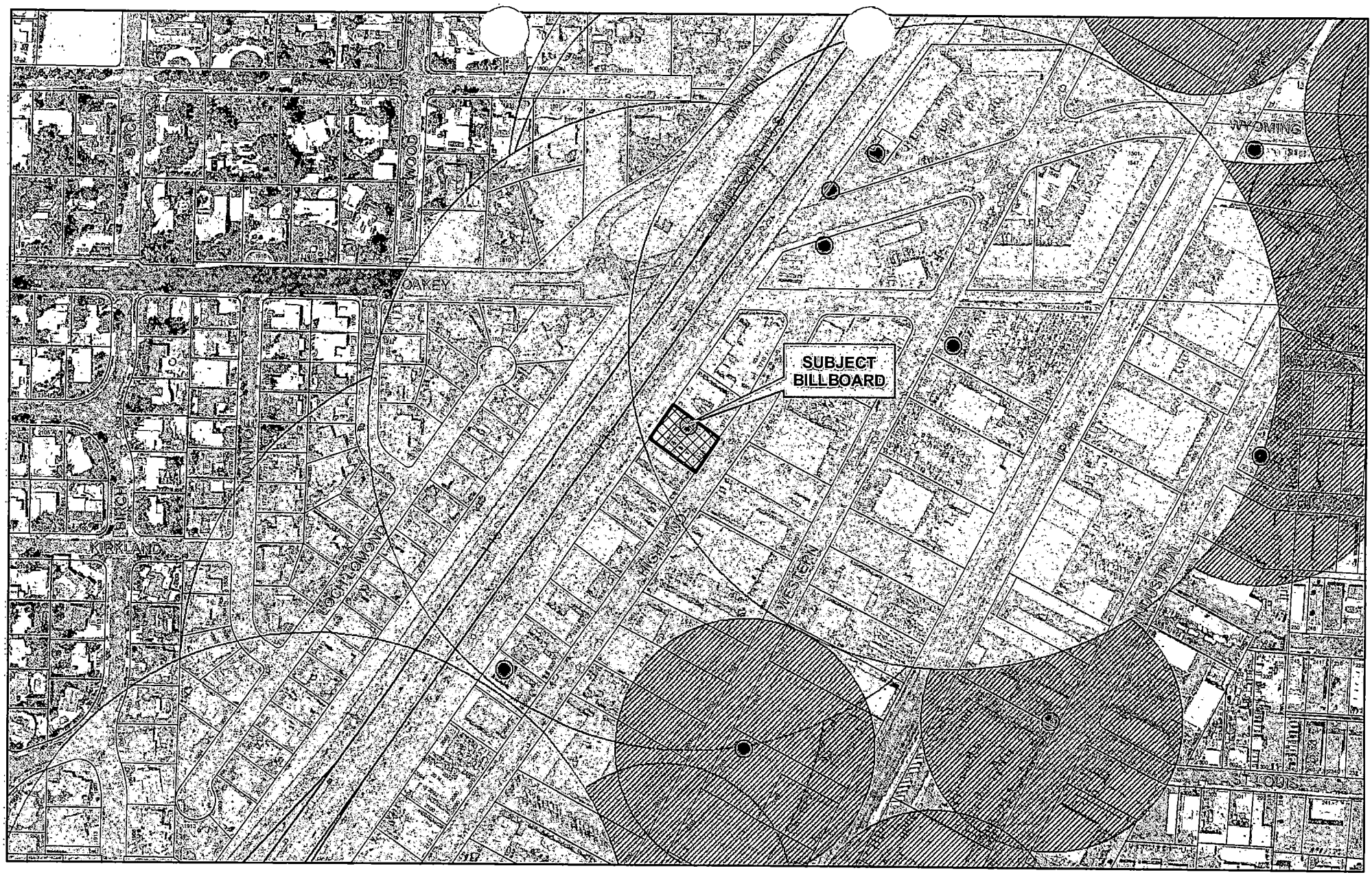


CASE: **RQR-6152**

SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



RQR-6152

City of Las Vegas Billboard Data

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-6152 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: O'ROURKE FAMILY, LP

** CONDITIONS **

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

Planning and Development

1. The Variance 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.

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

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

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

MP

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Required Two Year Review of an approved two year review (RQR-1708) of an approved Variance (V-0024-88) which allowed a 14-Foot X 48-Foot Off-Premise Advertising (Billboard) Sign at a height of 65 feet, where 40 feet is the maximum height allowed and to allow the sign to be 730 feet from another off-premise advertising (billboard) sign where 750 feet is the minimum distance separation required at 1716 Highland Avenue.

B) Applicant's Justification

A justification letter is not required for this type of application.

BACKGROUND INFORMATION

A) Related Actions

06/15/88 The City Council approved a Variance (V-0024-88) which allowed a 65-foot high, 14-foot x 48-foot off-premise advertising (billboard) sign where 40-feet was the maximum height allowed and to allow the sign to be 730 feet from another off-premise advertising sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended denial on 05/26/88.

07/21/93 The City Council approved a Required Review [V-0024-88(1)] of an approved Variance which allowed a 65-foot high, 14-foot x 48-foot off-premise advertising (billboard) sign where 40-feet was the maximum height allowed and to allow the sign to be 730 feet from another off-premise advertising sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended approval on 06/22/03.

07/27/98 The City Council approved a Required Review [V-0024-88(2)] of an approved Variance which allowed a 65-foot high, 14-foot x 48-foot off-premise advertising (billboard) sign where 40-feet was the maximum height allowed and to allow the sign to be 730 feet from another off-premise advertising sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended approval on 07/07/98.

MP

04/16/03 The City Council approved a Required Review (RQR-1708) of an approved Variance (V-0024-88) which allowed a 65-foot high, 14-foot x 48-foot off-premise advertising (billboard) sign where 40-feet was the maximum height allowed and to allow the sign to be 730 feet from another off-premise advertising sign on this site, subject to a five-year review. The Planning Commission recommended approval on 02/27/03. Staff recommendation was for denial.

B) Pre-Application Meeting

A pre-application meeting is not required for this type of application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.30

B) Existing Land Use

Subject Property:	Industrial Shop
North:	Industrial Shop
South:	Warehouse
East:	Industrial shops and Storage
West:	Interstate 15 and Single Family Residences (on the west side of Interstate 15)

C) Planned Land Use

Subject Property:	LI/R (Light Industry/Research)
North:	LI/R (Light Industry/Research)
South:	LI/R (Light Industry/Research)
East:	LI/R (Light Industry/Research)
West:	L (Low Density Residential) and ROW (Right-of-Way)

D) Existing Zoning

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

E) General Plan Compliance

This site is designated as LI/R (Light Industry/Research) on the Southeast Sector of the General Plan. The existing M (Industrial) zoning is compatible with this land use 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

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

ANALYSIS

A) Zoning Code Compliance

Pursuant to Title 19.14, off-premise advertising signs (billboards) shall not be allowed within 300 feet from the nearest property line of a lot in any "R" (Residential) zoning district. The subject off-premise advertising (billboard) sign is located approximately 267 feet from R-1 (Single-Family Residential) zoned property to the west. When the original Variance was approved this separation requirement did not exist.

B) General Analysis and Discussion

Title 19.14.of the Las Vegas Municipal Code 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 established in Title 19.18.060(L). The continued use of the off-premise advertising (billboard) sign on the subject site is appropriate, in that the area has not changed significantly in the past two years. Therefore, the recommendation for this request is approval subject to another two-year review.

On March 17, 2005 a site inspection was conducted and photos were taken. The inspection revealed the sign is in good condition and free of graffiti. A condition has been included that requires the sign to be maintained and kept free of graffiti and clean at all times.

MP

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

The City Council found in approving the original Variance evidence of a unique or extraordinary circumstance existed and the billboard was acceptable at this location.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 115

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-6152 APN: 162 04 301 002

Name of Property Owner: O'ROURKE FAMILY LP

Name of Applicant: CLEAR CHANNEL OUTDOOR

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

____ Yes 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: 162 04 301 002

Signature of Property Owner: Mary Jane O'Rourke

Print Name: Mary Jane O'Rourke

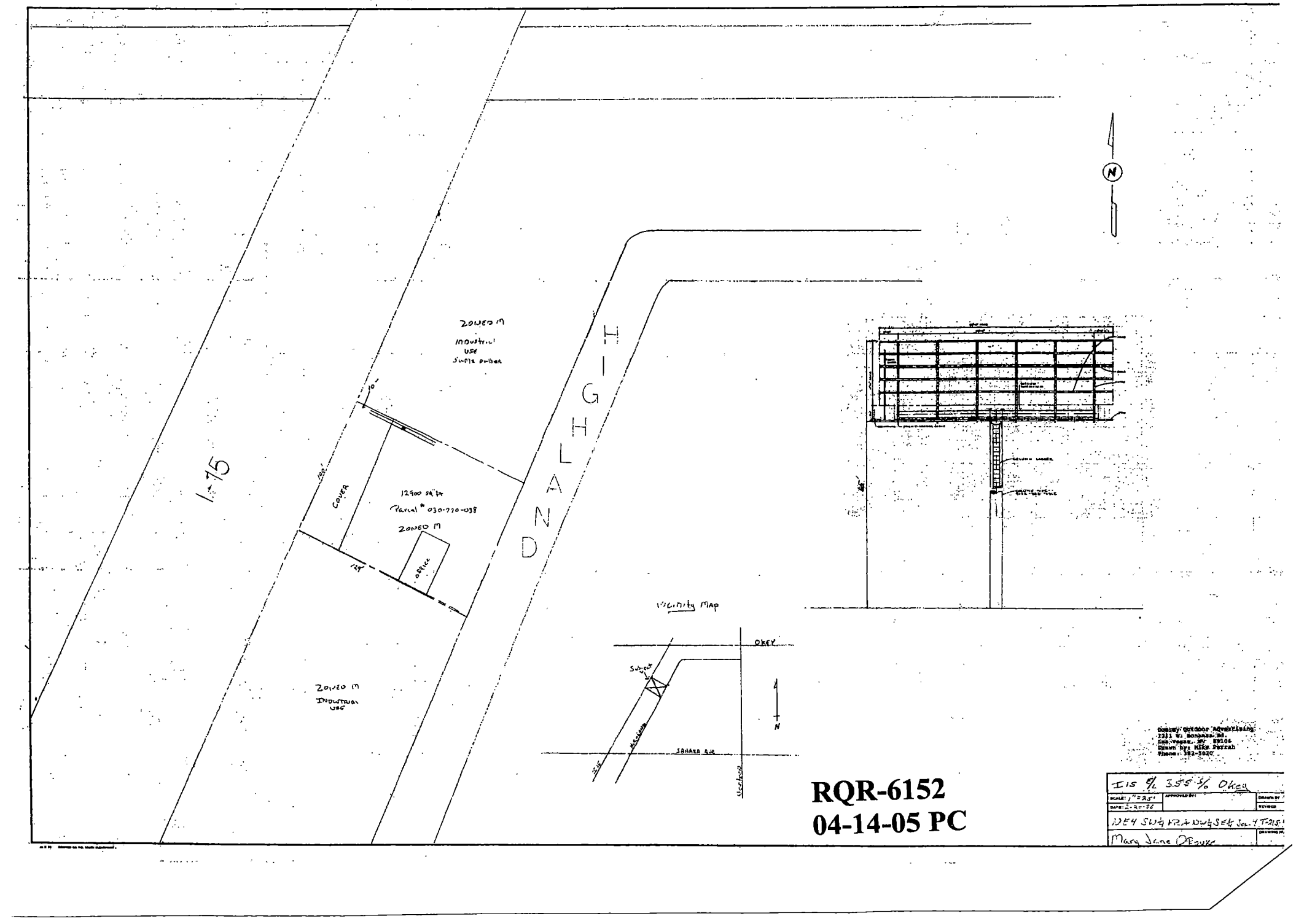
Subscribed and sworn before me

This 8th day of Feb., 2005

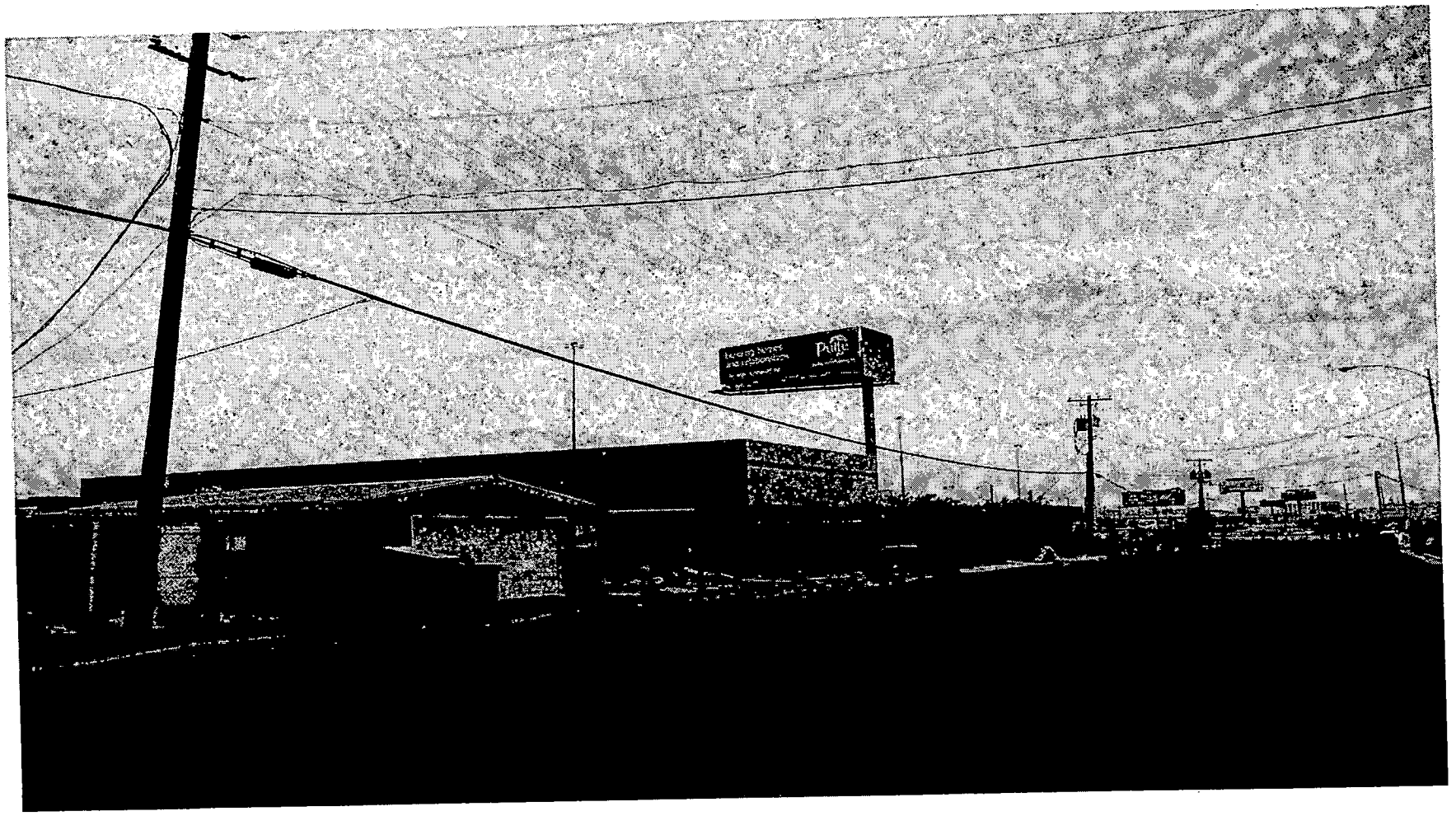
Pauline Dabbs

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PAULINE DABBS
No. 00-12411-1
My Appointment Expires Jan. 18, 2008



RQR-6152
04-14-05 PC



RQR-6152 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: O'ROURKE FAMILY, LP
1716 SOUTH HIGHLAND AVENUE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



RQR-6152 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: O'ROURKE FAMILY, LP
1716 SOUTH HIGHLAND AVENUE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

CLEAR CHANNEL OUTDOOR

February 9, 2004

Planning and Development
City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89101

RE: Justification Letter for ***RQR-1708***

APN# 162-04-301-002

Clear Channel Outdoor is requesting the above said **Required Review –1708** to be approved at the scheduled Planning Commission Meeting on May 26, 2005 and for Final Approval at City Council on a latter date. This location meets all of the requirements set forth by Title 19A which governs all Off-Premise Advertising "Billboard" Sign. Therefore we humbly request your approval for the continuation of our Special Use Permit.

Sincerely,
Clear Channel Outdoor

Rod Carter
Senior Real Estate Representative

RQR-6152

ClearChannel Outdoor
2880-B Mead Avenue ◦ Suite 350 ◦ Las Vegas, NV 89102 ◦ www.clearchanneloutdoor.com
702 382 ◦ 5020 Tel
382 ◦ 7088 Fax

City of Las Vegas

Agenda Item No.: 14

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
RQR-6148 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: VIACOM OUTDOOR - OWNER: JACQUES AND MICHELLE ARCHIARDI - Required One Year Review of an approved one year review (RQR-1689) WHICH ALLOWED A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the west side of Rancho Drive, approximately 250 feet south of Alexander Road (APN: 138-02-803-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 5/18/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, explained that the application was for a review of an existing billboard. Staff recommended approval because there has been no significant change in the surrounding area. Staff does recognize the potential for new development along Rancho Drive and has therefore imposed a condition requiring the subject billboard be removed should any new development occur on the site.

RYAN ARNOLD, 3225-V South Rainbow Boulevard, appeared on behalf of the applicant and concurred with all conditions.

MINUTES – Continued:

COMMISSIONER STEINMAN questioned staff about whether there were any plans to limit the number of signs located within the Rancho Corridor. MR. RANKIN indicated there were not any plans to limit signs in that location other than the regular distance requirements. COMMISSIONER STEINMAN thought the subject sign had an illegal overlap with an adjacent sign. MR. RANKIN explained that one of the signs was brought into the City with an annexation from the County and after that happened, the subject sign was brought in through City processes.

COMMISSIONER STEINMAN wanted to be sure the record reflected the fact that if any development occurs on the site, the billboard would come down.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:22 – 6:25)

CONDITIONS:

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.

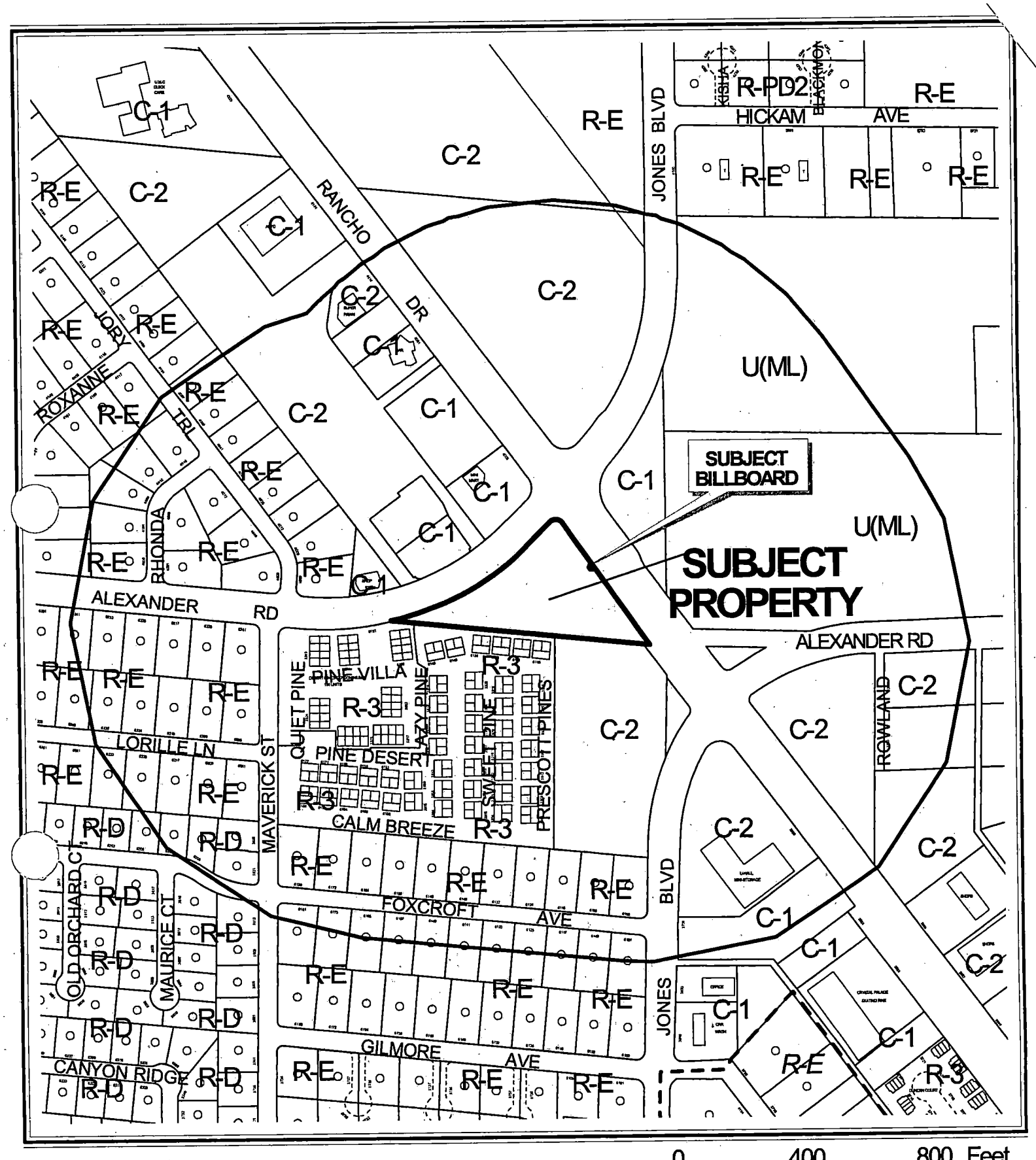
2. The Off-Premise Advertising (Billboard) Sign shall be removed upon the commencement of any new development on this site.

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

4. 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.

CONDITIONS – Continued:

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

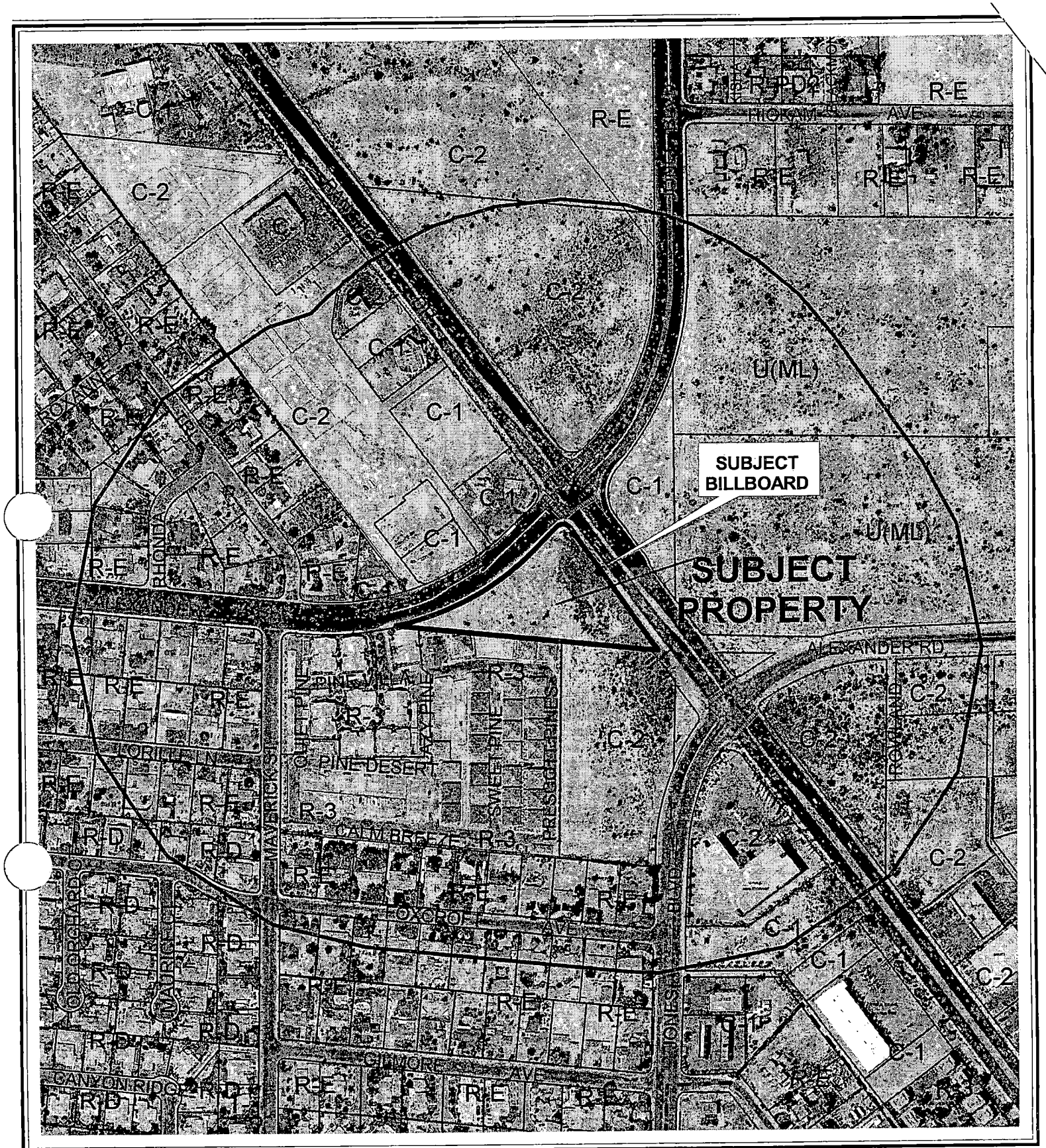


CASE: RQR-6148

RADIUS: 1000 FT

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

N



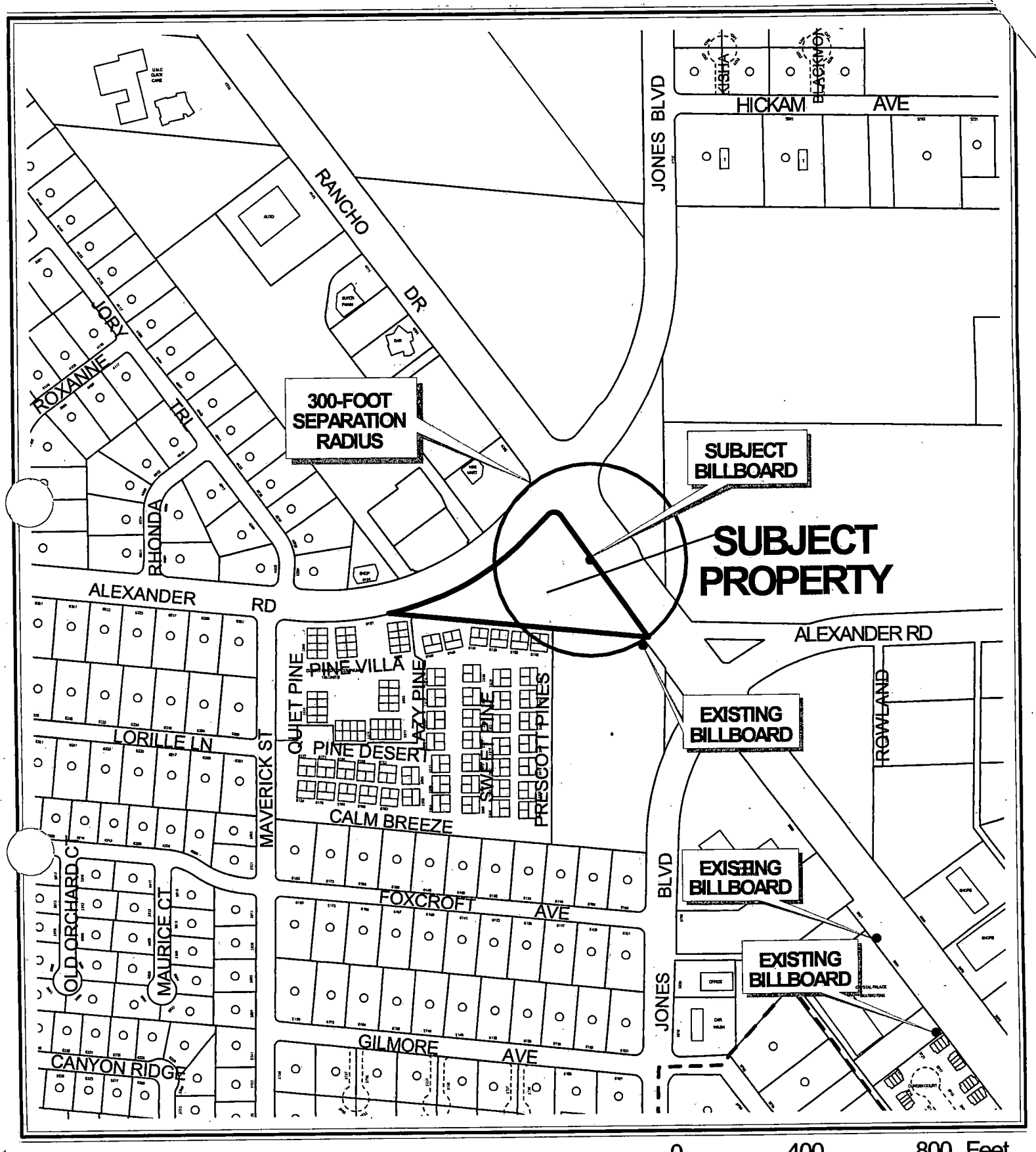
0 400 800 Feet

CASE: **RQR-6148**

RADIUS: 1000 FT

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

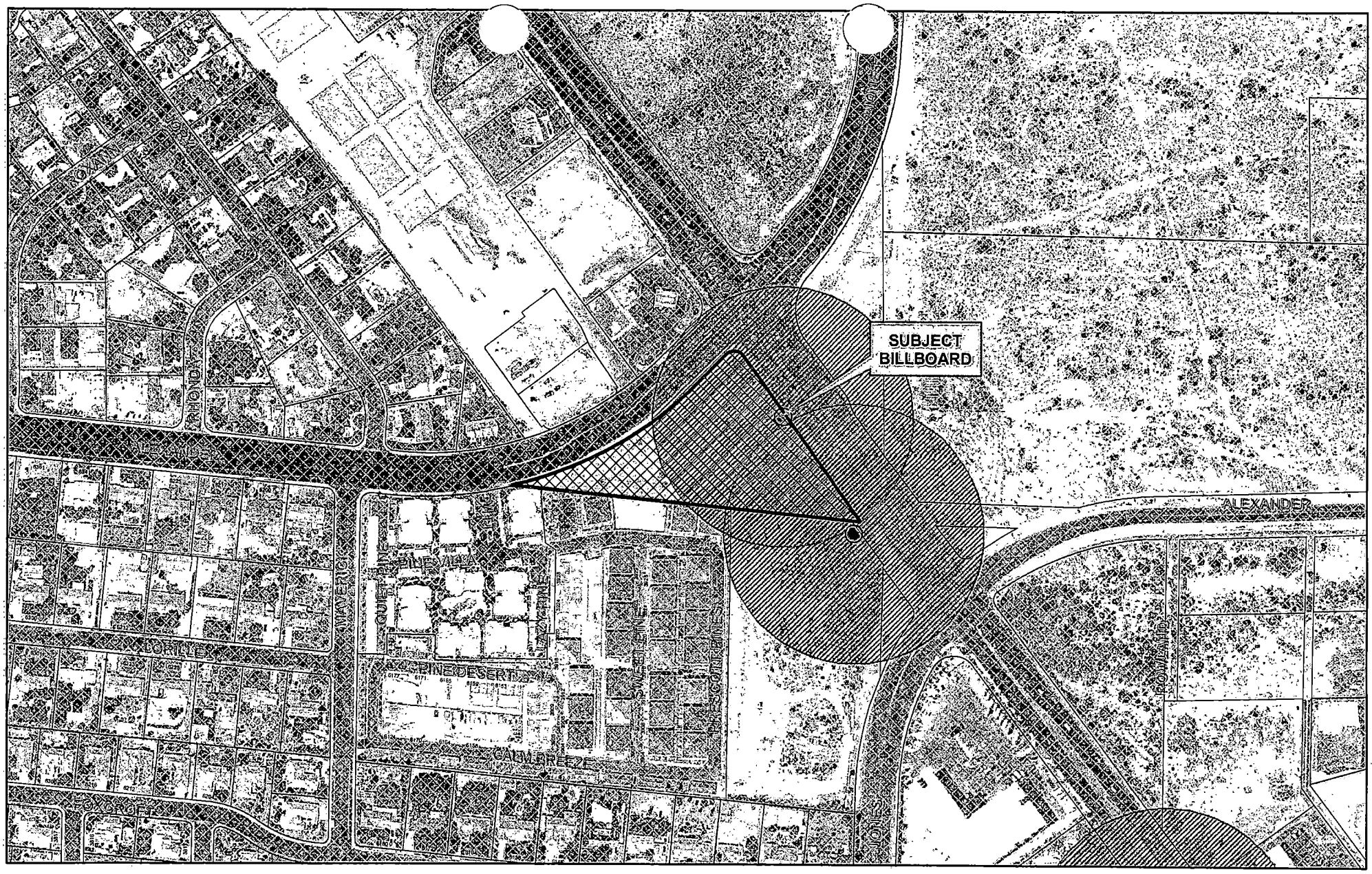
N



CASE: RQR-6148

SEPARATION RADIUS: 300 FT

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



RQR-6148

City of Las Vegas Billboard Data

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-6148 - APPLICANT: VIACOM OUTDOOR - OWNER: JACQUES AND MICHELLE ARCHIARDI

** CONDITIONS **

STAFF RECOMMENDATION: **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. The Off-Premise Advertising (Billboard) Sign shall be removed upon the commencement of any new development on this site.

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

4. 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.

5. 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 One Year Review of an approved one year review (RQR-1689) of an approved Special Use Permit (U-0025-96) which allowed a 40-Foot Tall, 12-Foot X 24-Foot Off-Premise Advertising (Billboard) Sign adjacent to the west side of Rancho Drive, approximately 250 feet south of Alexander Road.

B) Applicant's Justification

A justification letter is not required for this type of application.

BACKGROUND INFORMATION

A) Related Actions

05/15/96 The City Council approved a Special Use Permit (U-0025-96) for one 14-foot by 24-foot (336 square- foot), 40-foot high off-premise advertising (billboard) sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended approval on 04/23/96.

01/16/02 The City Council approved a Required One Year Review for the Special Use Permit [U-0025-96(1)], which allowed the 14-foot x 48-foot off-premise advertising (billboard) sign on this site subject to a five-year review. The Planning Commission recommended denial (due to a tie vote) of the request. Staff recommendation was for approval.

04/16/03 The City Council approved a Required One Year Review (RQR-1689) for the Special Use Permit (U-0025-96), which allowed the 14-foot x 48-foot off-premise advertising (billboard) sign on this site subject to a one-year review. The Planning Commission and staff recommended denial on 02/27/03.

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: 3.12

B) Existing Land Use

Subject Property:	Undeveloped
North:	Commercial
South:	Undeveloped and Condominiums
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	R-3 (Medium Density Residential) and C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector Map of the General Plan and is Designated as GC (General Commercial). The existing C-2 (General Commercial) zoning is in compliance with this General Plan designation.

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

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

ANALYSIS

A) Zoning Code Compliance

Minimum Distance Separation Requirements

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 320 feet to another Off Premise Sign
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	NO 240 feet from "R" zoned property to the southwest.

This billboard does not meet the minimum distance separation requirements from an "R" zoned property to the southwest. However, the sign was approved prior to the addition of this requirement of the code.

B) General Analysis and Discussion

- Zoning

  The existing off-premise advertising (billboard) sign is allowed in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

- Use

  Title 19.14.of the Las Vegas Municipal Code 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 established in Title 19.18.060(L). The continued use of the off-premise advertising (billboard) sign on the subject site is appropriate, in that the area has not changed significantly in the past year. However, the potential for new development exists along this segment of Rancho Drive. A condition has been added requiring the subject billboard to be removed when any new development on this site occurs. Therefore, the recommendation for this request is approval subject to another one year review.

  On March 17, 2005 a site inspection was conducted and photos were taken. The inspection revealed the sign is in good condition and free of 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."**

   The continued use of the off-premise advertising (billboard) sign on the subject site is appropriate, in that the area has not changed significantly in the past year. However, the potential for new development exists along this segment of Rancho Drive. A condition has been added requiring the subject billboard to be removed when any new development on this site occurs.

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 affect Rancho Drive, a fully developed street adjacent to this request.

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

   The off-premise advertising (billboard) sign will be subject to regular inspections and will not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 228

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-6148 APN: 138-03-803-001

Name of Property Owner: _____

Name of Applicant: Viacom Outdoor

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

_____Yes 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: Michelle Achiardi

Print Name: MICHELLE ACHIARDI

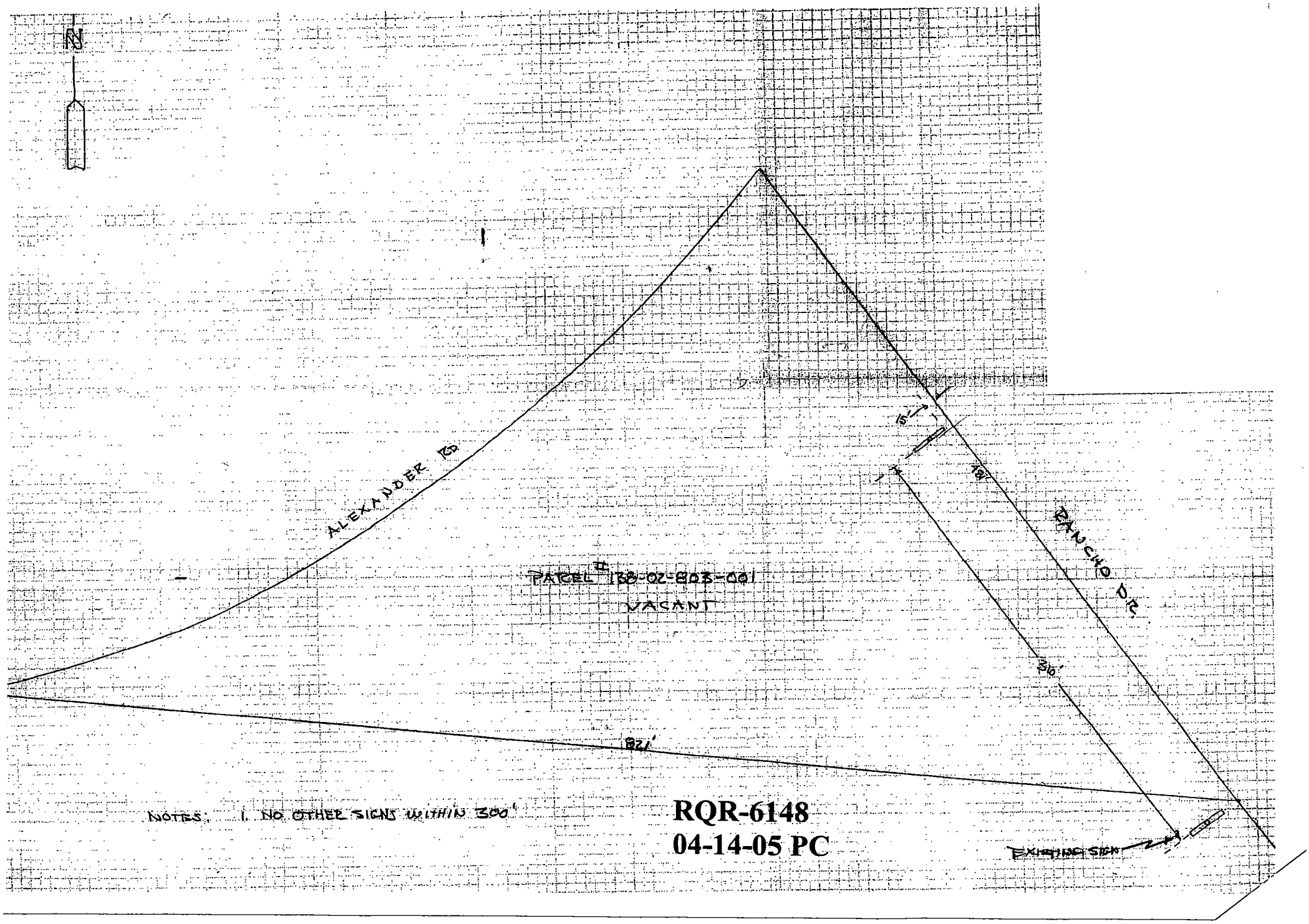
Subscribed and sworn before me

This 15 day of February, 2005

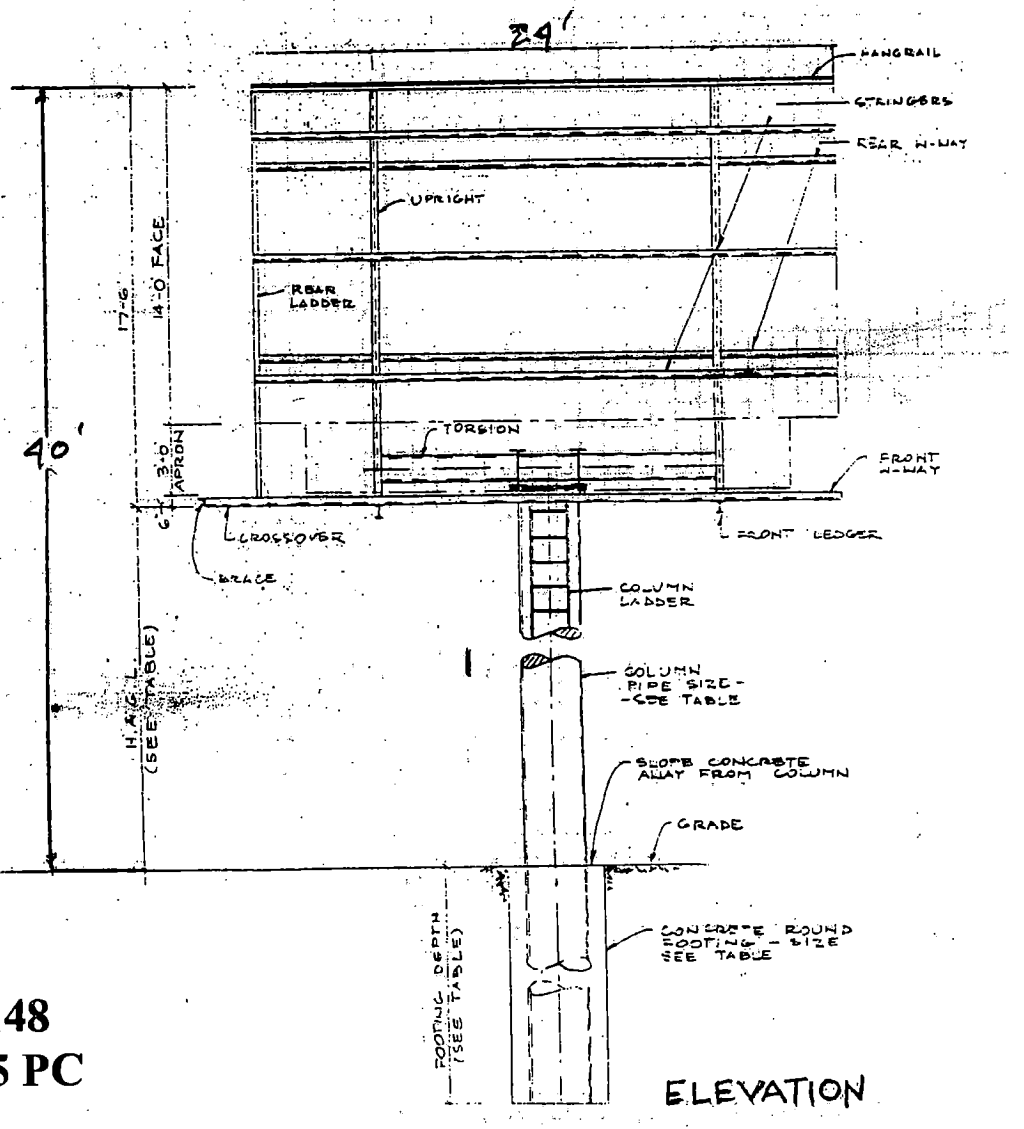
Regine C Skancke

Notary Public in and for said County and State

REGINE C. SKANCKE
Notary Public State of Nevada
No. 99-51264-1
My uppt. exp. Feb. 21, 2007

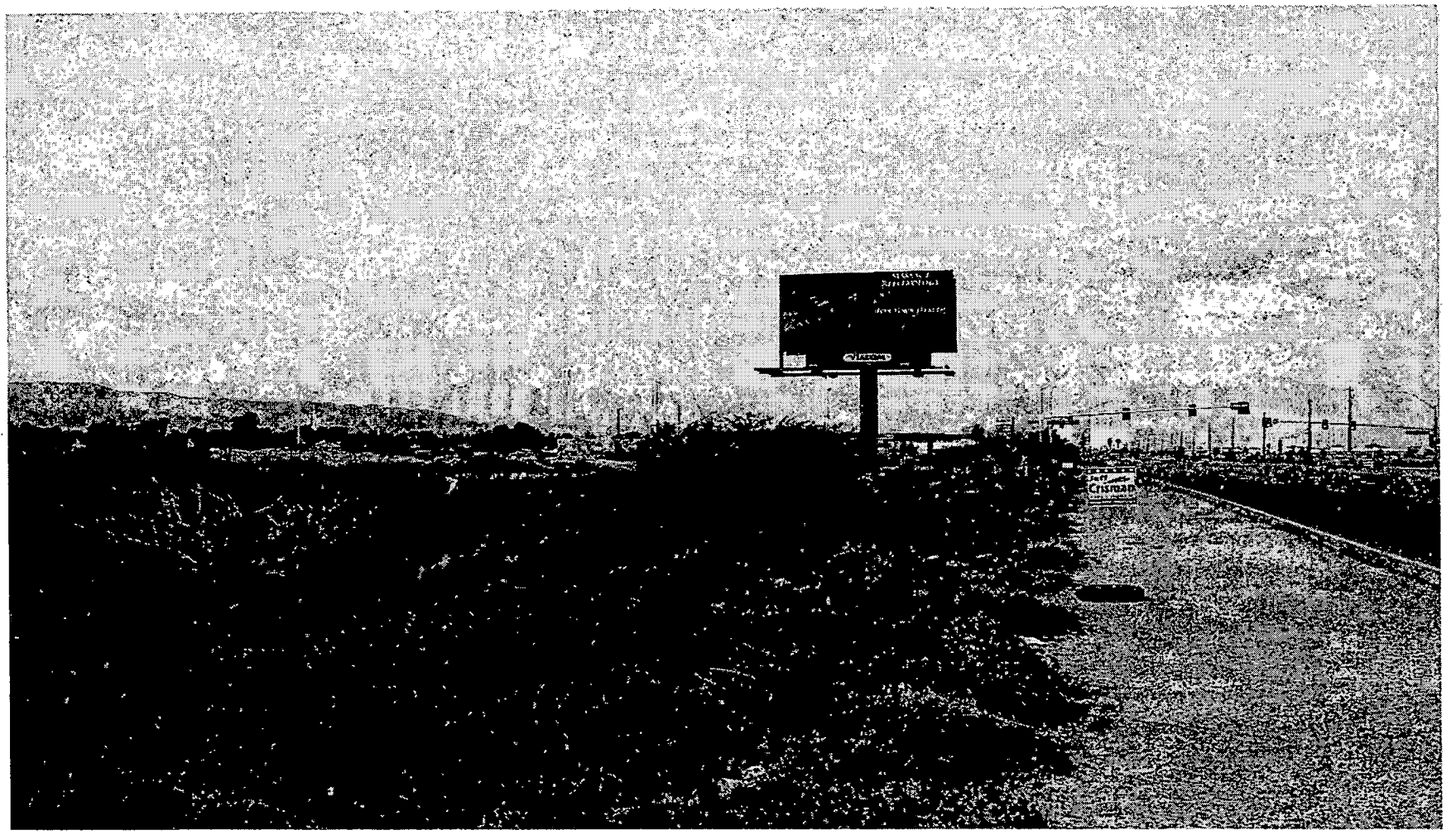


RQR-6148
04-14-05 PC



RQR-6148
04-14-05 PC

ELEVATION



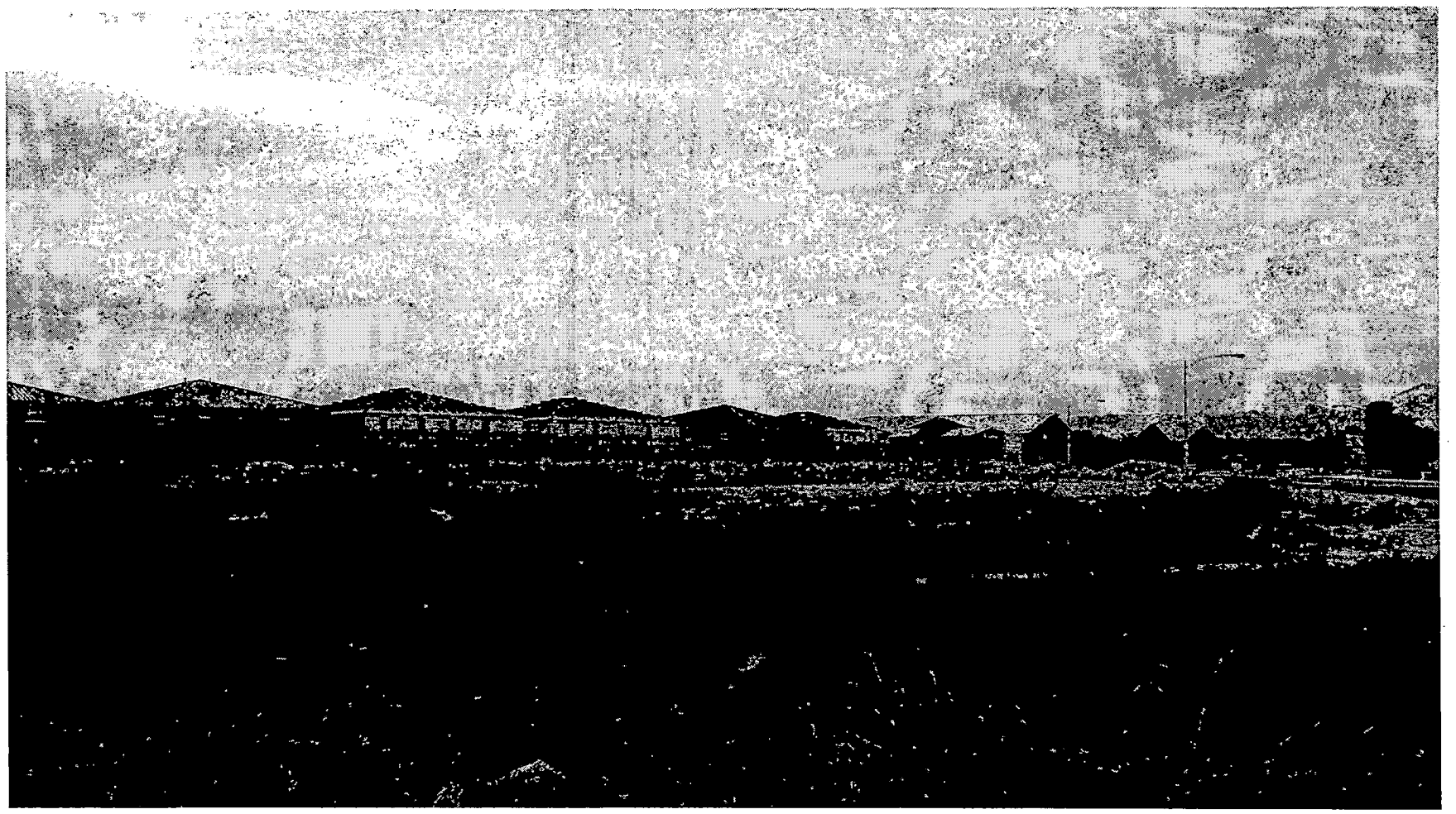
RQR-6148 - APPLICANT: VIACOM OUTDOOR - OWNER: JACQUES AND MICHELLE ARCHIARDI
THE WEST SIDE OF RANCHO DRIVE, APPROXIMATELY 250 FEET SOUTH OF ALEXANDER ROAD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



RQR-6148 - APPLICANT: VIACOM OUTDOOR - OWNER: JACQUES AND MICHELLE ARCHIARDI
THE WEST SIDE OF RANCHO DRIVE, APPROXIMATELY 250 FEET SOUTH OF ALEXANDER ROAD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



RQR-6148 - APPLICANT: VIACOM OUTDOOR - OWNER: JACQUES AND MICHELLE ARCHIARDI
THE WEST SIDE OF RANCHO DRIVE, APPROXIMATELY 250 FEET SOUTH OF ALEXANDER ROAD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

The Skancke Company

February 17, 2005

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

RE: RQR-1689

To Whom It May Concern:

On behalf of my client, Viacom Outdoor, please consider this our letter of justification for the continued use of a billboard at Rancho and Alexander.

In May of 1996, the City Council granted approval for the placement of a 14' x 24' billboard on the west side of Rancho just south of Alexander with a five year review. Upon the expiration of this term, the use was approved in January of 2002 for an additional 1 year term. This was followed by approval of a 2 year review in April of 2003. Due to the unchanged nature of this parcel, we feel the use is still appropriate for this area.

If you should have any questions, please feel free to contact me at 702.870.7068.

Sincerely,

Ryan C. Arnold
Vice President

702.870.7068

3225-B South Rainbow Blvd.
Suite 204
Las Vegas, Nevada 89146
Fax 702.474.4606

RQR-6148

City of Las Vegas

Agenda Item No.: 15

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

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

C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because his office has dealings with MARK LEFKOWITZ, the applicant's representative

To be heard by the City Council on 5/18/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open on Item 15 [ZON-6116], Item 16 [WVR-6229], Item 17 [VAR-6118] and Item 18 [SDR-6117].

DOUG RANKIN, Planning and Development, gave a brief overview of the applications, which were held from the previous Planning Commission meeting to allow the applicant time to redesign the project to provide for more open space. The new design exceeds the open space requirement and the waiver, which was part of the original application, is no longer needed and that request was withdrawn. The new design reduces the number of lots to 66 on 6.6 acres. The development is compatible with adjacent developments.

MINUTES – Continued:

TABITHA KEETCH, Attorney, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and confirmed MR. RANKIN'S comments. She concurred with all conditions and requested approval. MARGO WHEELER, Planning and Development Department, indicated ATTORNEY KEETCH was with the firm of Kummer Kaempfer Bonner & Renshaw and that the plans were received ahead of schedule for the revisions.

DICK LINSMEIER, 5017 Elkin Creek Avenue, commended the developer on their efforts in attaining proper open space. Although MR. LINSMEIER did not live on adjacent property, he was concerned for the existing neighbors who reside to the north and west of the proposed development. He did not feel the development was as supportive of the existing neighborhood as it should be. He asked that the lots along the north and west side of the development be restricted to single-story products. Doing so would alleviate a situation of having a two-story home being placed on a 90-foot lot with a 15-foot rear yard. COMMISSIONER EVANS noted that there were no speakers present from the areas adjacent to the subject site. The Commissioner would give more weight to MR. LINSMEIER'S comments on behalf of the residents if they had come to speak in opposition as well.

ATTORNEY KEETCH explained that the developer understands the concerns of the residents and will respect them. The proposed development will be a quality project. All Code standards will be met and it should be consistent with surrounding development.

COMMISSIONER McSWAIN thanked the applicant for redesigning the lot. She asked if Lot 16 could be used for open space and if a home could be built on the common lot shown at the northeast corner. ATTORNEY KEETCH responded that this could not be accomplished because the current lot showing as open space is for a power line easement, so that portion of the site could not be used for a lot. She suggested increasing the side yard setback on Lot 16.

MARK LEFKOWITZ, Power Realty, stated he had new plans and could review the smallest footprint to see if it would allow for a larger side yard setback or for a landscape buffer in that area. He understood COMMISSIONER McSWAIN'S concern and assured her it would be addressed. COMMISSIONER EVANS thanked the applicant for revising the plans to incorporate an open space feature into the dense development.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 15 [ZON-6116], Item 16 [WVR-6229], Item 17 [VAR-6118] and Item 18 [SDR-6117].

(6:25 – 6:37)

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 15 – ZON-6116

CONDITIONS:

Planning and Development

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

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

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 60 feet on Grand Teton Drive adjacent to this site and dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Grand Teton Drive and Decatur Boulevard. Additional dedications in accordance with Standard Drawing #201.1 and #234.1 or #234.3 for a bus stop turn out shall also be provided unless otherwise allowed by the City Traffic Engineer.

4. Construct all incomplete half-street improvements on Grand Teton Drive and half street improvements on Decatur Boulevard, including the full width of the median island and appropriate overpaving, adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

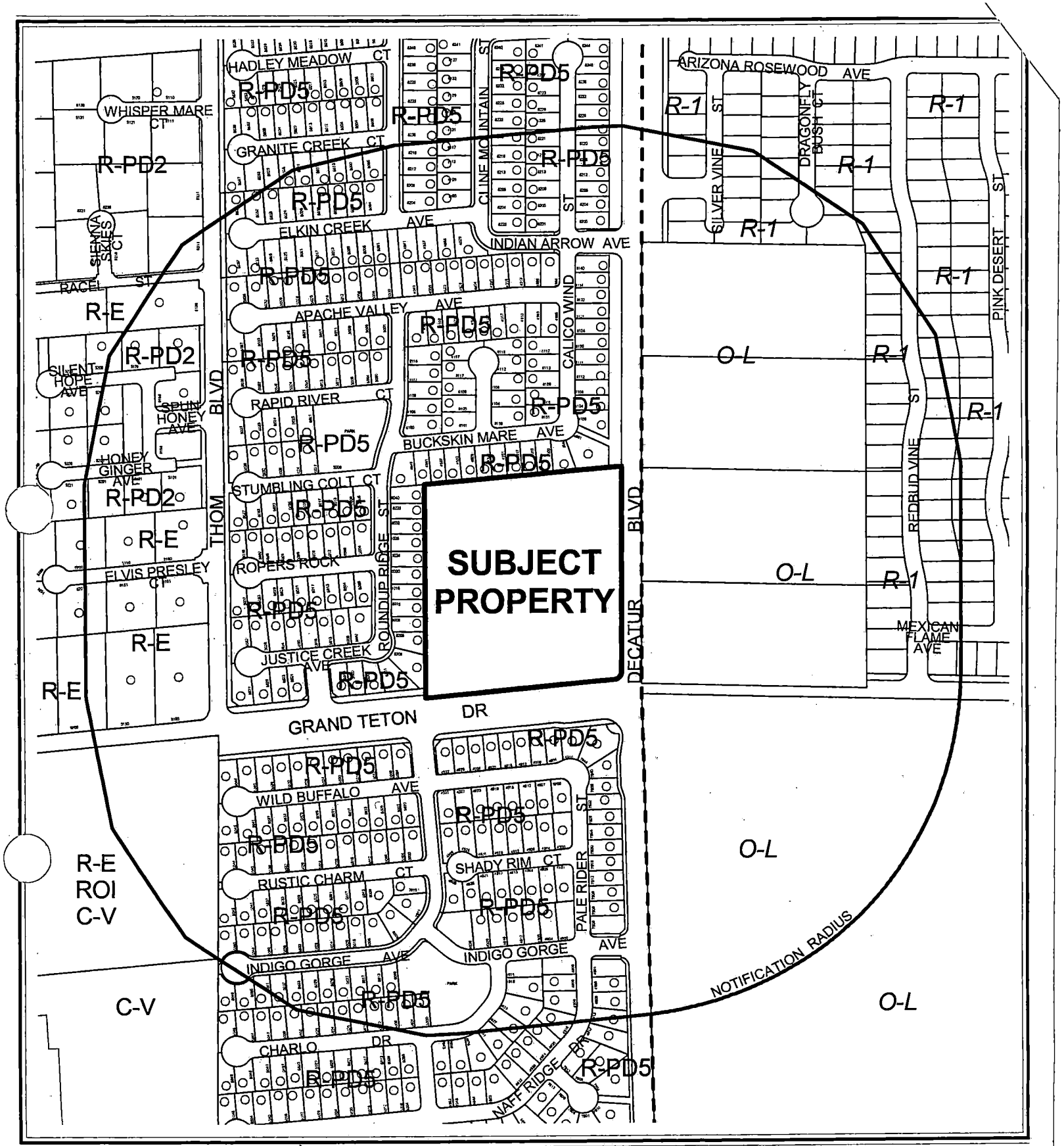
5. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site.

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

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

CONDITIONS – Continued:

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



CASE: **ZON-6116**

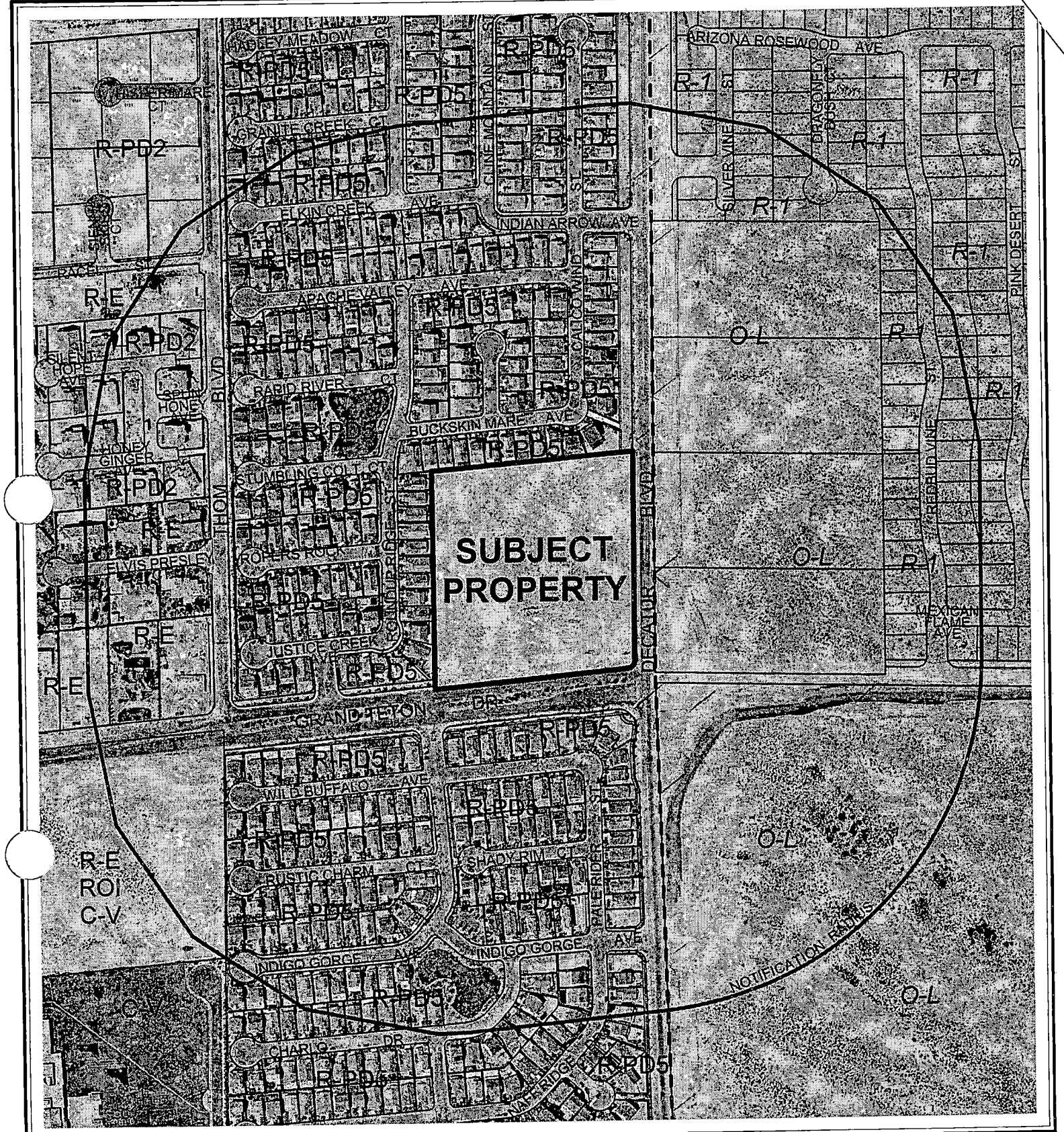
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)



0 400 800 Feet

CASE: **ZON-6116**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6116 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y, LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

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

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

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 60 feet on Grand Teton Drive adjacent to this site and dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Grand Teton Drive and Decatur Boulevard. Additional dedications in accordance with Standard Drawing #201.1 and #234.1 or #234.3 for a bus stop turn out shall also be provided unless otherwise allowed by the City Traffic Engineer.

4. Construct all incomplete half-street improvements on Grand Teton Drive and half street improvements on Decatur Boulevard, including the full width of the median island and appropriate overpaving, adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

5. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

A letter was submitted with the application to explain that the subject request is being made for a proposed 66-lot single-family residential development. It further states that the addition of single-family homes at this location will increase traffic slightly, but any traffic concerns will be addressed either by submittal of a traffic study or through a traffic mitigation agreement.

BACKGROUND INFORMATION

A) Related Actions

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

03/24/05 The Planning Commission held this item in abeyance to the 04/14/05 Planning Commission Meeting to allow the applicant time to redesign the overall project to include additional open space.

04/14/05 The Planning Commission is scheduled to review accompanying applications for a Waiver (WVR-6229) of Title 18 requirements in the separation of off-setting intersections and for a Site Development Plan Review (SDR-6116) for a proposed single-family residential development on the subject property.

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	9.91
Net Acres:	8.31

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

B) General Analysis and Discussion

This application is for a Rezoning from R-E (Residence Estates) to R-PD7 (Residential Planned Development - 7 units per acre) on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard. A total of 66 lots are proposed for an overall density of 6.66 dwelling units per acre. The subject property is located in the Centennial Hills Sector of the General Plan and is classified in the ML (Medium-Low Density Residential) land use category that permits up to eight dwelling units per acre. Since the R-PD7 zoning district permits up to 7.49 dwelling units per acre, the proposed density is well within the maximum density allowed in the ML (Medium-Low Density Residential) land use classification.

In conjunction with this application, are applications for a Site Development Plan Review (SDR-6117) and a Waiver of a Title 18 standard (WVR-6229).

FINDINGS

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

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

   The subject property is presently classified the ML (Medium Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 66 single-family lots on 9.91 acres generates a density of development of 6.66 dwelling units per acre and conforms to the General Plan.

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

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

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Lee Arnold 10

Name of Applicant: Power Realty

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

_____Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Raymond W Lin / Arnold A Lee

Print Name: Raymond W Lin / ARNOLD A LEE

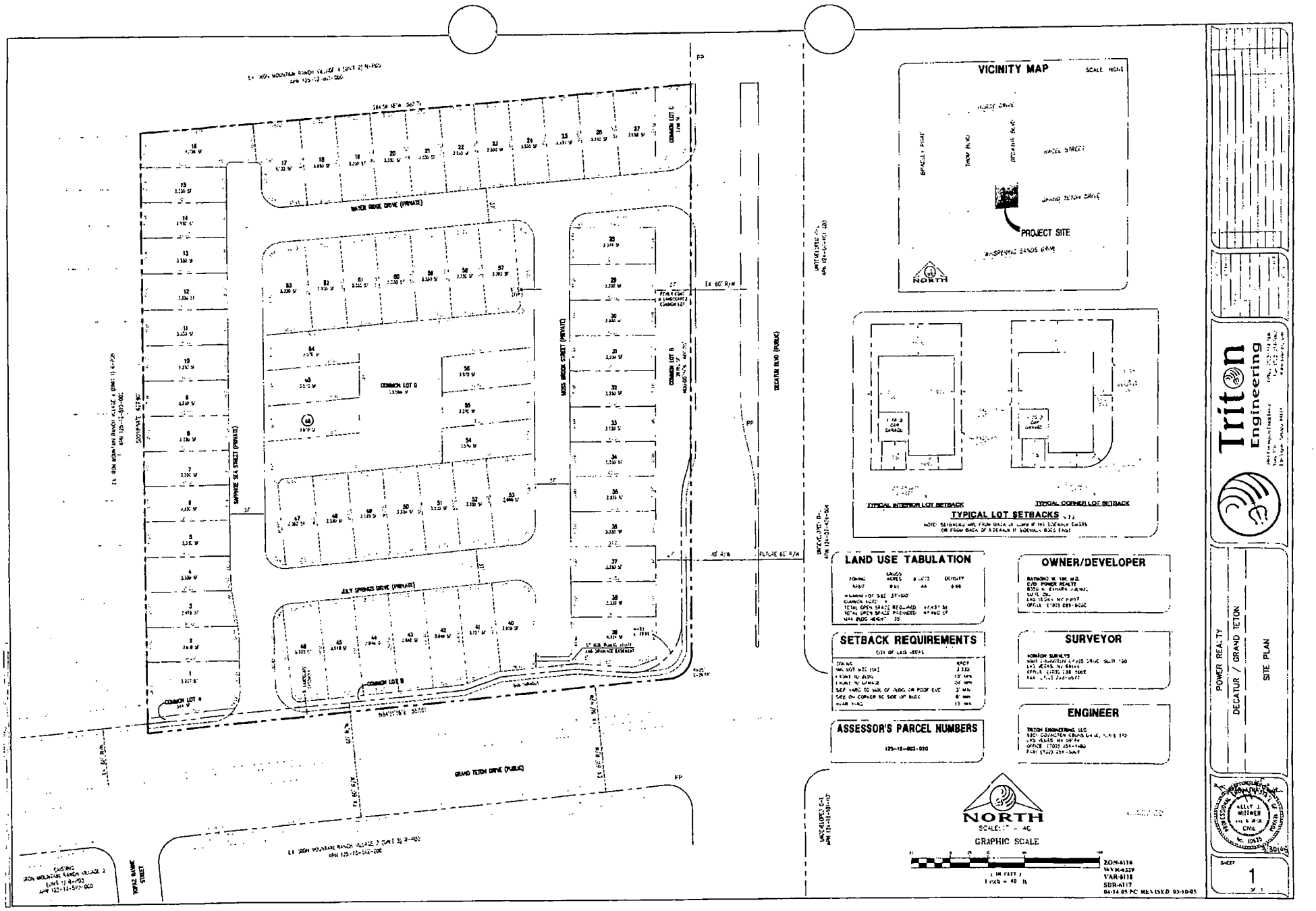
Subscribed and sworn before me

This 12 day of JUNE, 2005

Dawn Giordano

Notary Public in and for said County and State

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



ZON-6116
WVR-6229
VAR-6118
SDR-6117
04-14-05 PC REVISED 03-30-05

Triton
Engineering

February 8, 2005

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

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

To Whom It May Concern:

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

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

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

Sincerely,

Stacey Medina

Stacey Medina
Project Coordinator

ZON-0116

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

City of Las Vegas

Agenda Item No.: 16

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

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

C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because his office has dealings with MARK LEFKOWITZ, the applicant's representative

To be heard by the City Council on 5/18/2005

MINUTES:
See Item 15 [ZON-6116] for related discussion on Item 15 [ZON-6116], Item 16 [WVR-6229] and Item 18 [SDR-6117].

(6:25 – 6:37)

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 16 – WVR-6229

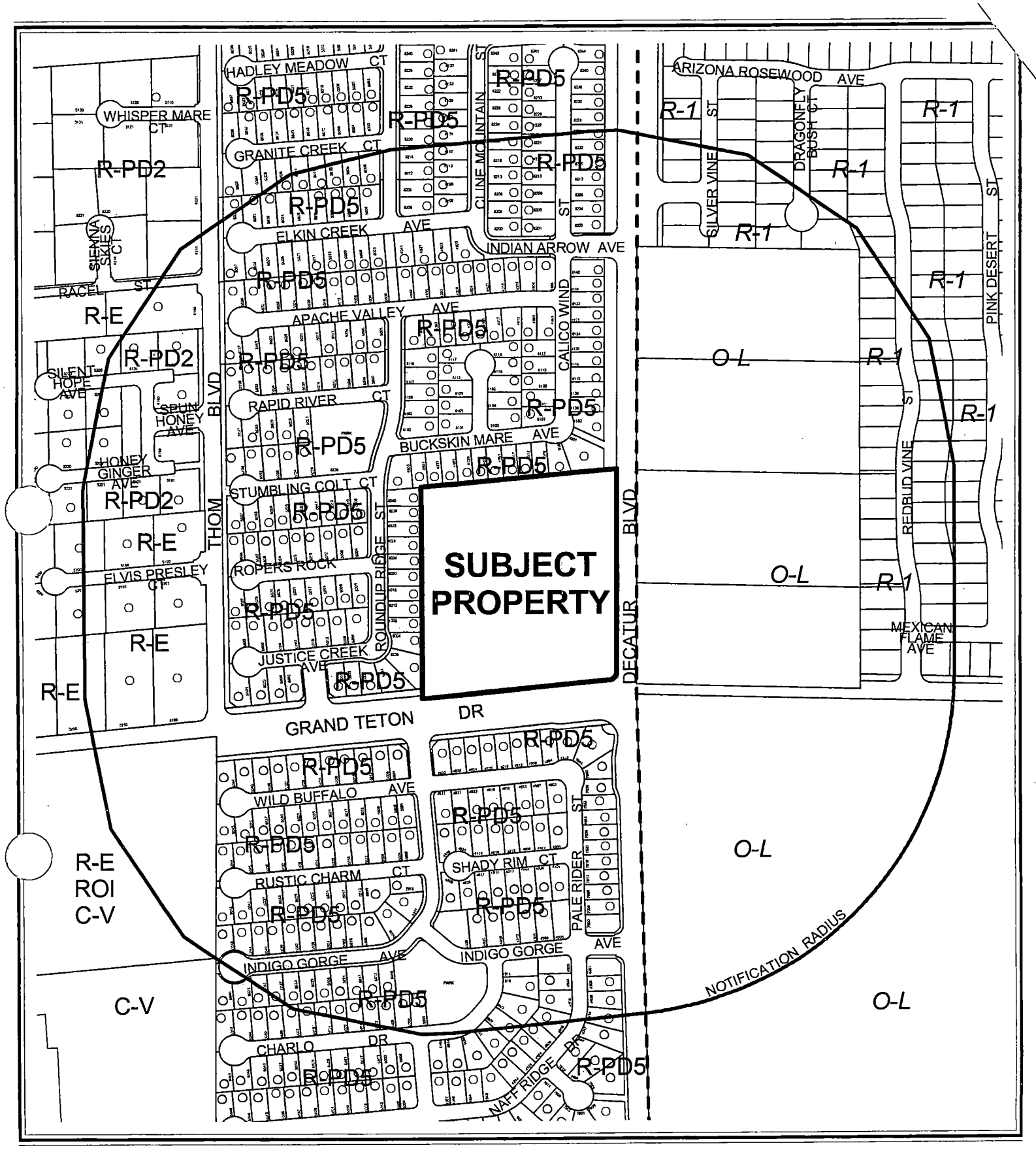
CONDITIONS:

Planning and Development

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

2. All City code requirements and all City departments design standards shall be met, other than those waived or varied through this and companion applications.

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



0 400 800 Feet

CASE: **WVR-6229**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-6229 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

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

2. All City code requirements and all City departments design standards shall be met, other than those waived or varied through this and companion applications.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Related Actions

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

03/24/05 The Planning Commission held this item in abeyance to the 04/14/05 Planning Commission Meeting to allow the applicant time to redesign the overall project to include additional open space.

04/14/05 The Planning Commission is scheduled to review accompanying applications for Rezoning (ZON-6116) and for a Site Development Plan Review (SDR-6117) for a proposed single-family residential development on the subject property.

B) Pre-Application Meeting

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

C) Neighborhood Meetings

No neighborhood meeting was required or held.

DDS

DETAILS OF APPLICATION REQUEST

A) ***Site Area***

Gross Acres:	9.91
Net Acres:	8.31

B) ***Existing Land Use***

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

C) ***Planned Land Use***

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

D) ***Existing Zoning***

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

PROJECT DESCRIPTION

A 66 lot single-family residential subdivision is proposed on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard. The property fronts on two Parkway Arterial streets that, according to the Master Plan of Streets and Highways, are designed for a right-of-way width of 120 feet. Access to the development is proposed from both arterial streets.

ANALYSIS

A) ***Subdivision Code Compliance***

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

DDS

> "Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet."

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

FINDINGS

The proposed design does not appear to present turn conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project. In conjunction with this application, are applications for Rezoning (ZON-6116) and a Site Development Plan Review (SDR-6117). It is recommended that this application be approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

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

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Lee Arnold 10

Name of Applicant: Power Realty

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

_____Yes __X____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Raymond Yin / Arnold Lee

Print Name: Raymond W. Yin / ARNOLD A. LEE

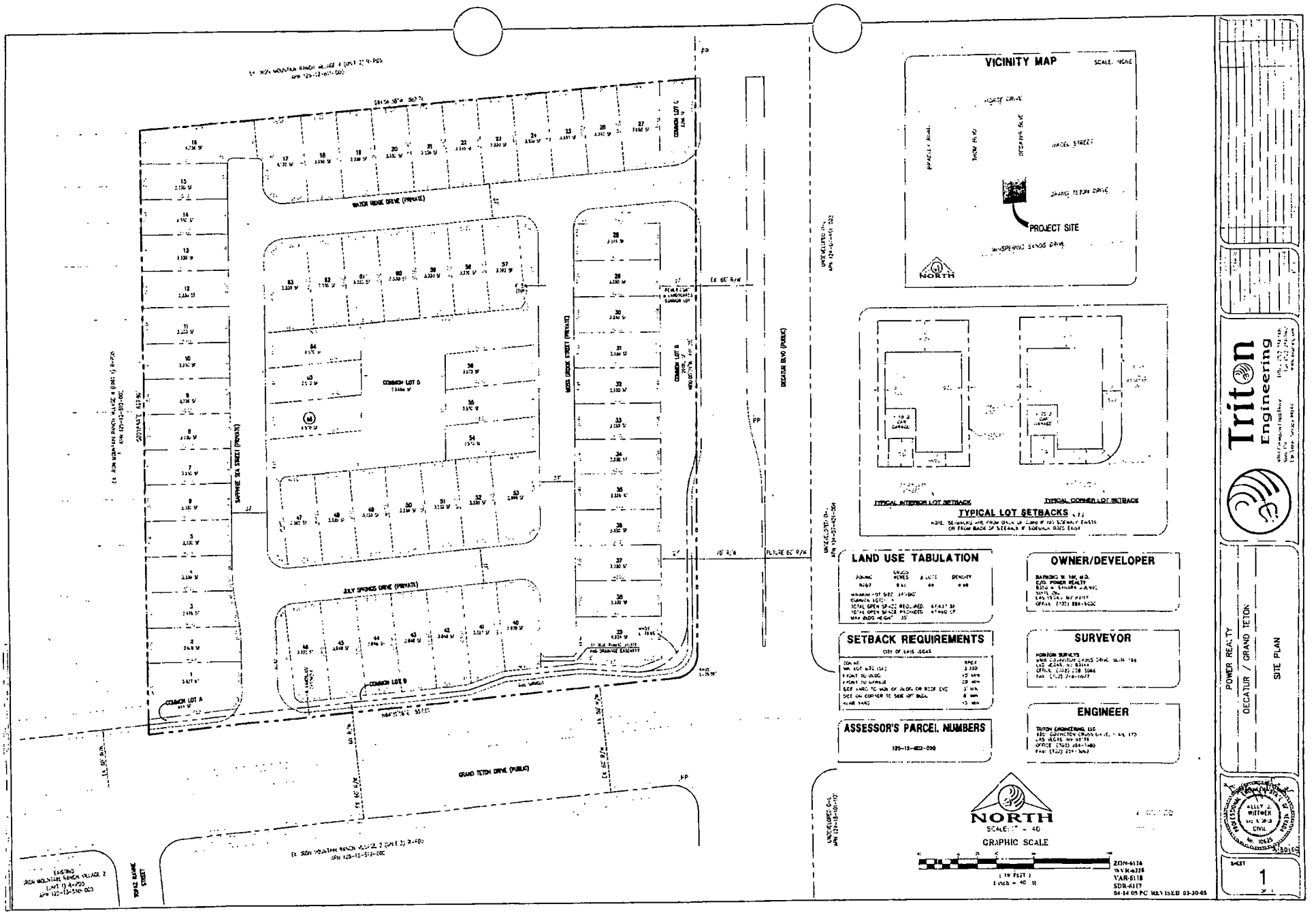
Subscribed and sworn before me

This 12 day of Jan, 2005

Dawn Giordano

Notary Public in and for said County and State

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



ZON-6116
WVR-6229
VAR-6118
SDR-6117
04-14-05 PC REVISED 03-30-05

Triton
Engineering

March 3, 2005

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

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

To Whom It May Concern:

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

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

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

Sincerely,

Kris Givant
Project Coordinator

WVR-42229

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

City of Las Vegas

Agenda Item No.: 17

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
ABEYANCE - VAR-6118 - VARIANCE RELATED TO ZON-6116 AND WVR-6229 - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP - Request for a Variance TO ALLOW 21,270 SQUARE FEET OF OPEN SPACE WHERE 48,874 SQUARE FEET IS THE MINIMUM REQUIRED on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), R-E (Residence Estates) Zone [PROPOSED: R-PD7 (Residential Planned Development - 7 units per acre)], Ward 6 (Mack).

WITHDRAWAL WITHOUT PREJUDICE

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

RECOMMENDATION:
Staff recommends WITHDRAWAL WITHOUT PREJUDICE

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 8 [VAC-6163], Item 26 [VAR-6228], Item 27 [SDR-6105] and Item 62 [TXT-6421] to the 04/28/2005 Planning Commission Meeting; Item 30 [SUP-5984], Item 31 [SDR-5942] and Item 40 [GPA-6221] to the 05/12/2005 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 17 [VAR-6118] and TABLE Item 28 [SUP-5894] and Item 29 [SDR-5893] – UNANIMOUS

MINUTES:
There was no discussion.

(6:01 – 6:05)

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

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

8600 Technology Way
Suite 104
Reno, NV 89521-5941
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

ROBERT J. GRONAUER
rgronauer@kkbr.com

April 8, 2005

VIA FACSIMILE
385-7268

Doug Rankin
City of Las Vegas Planning Dept.
731 South Fourth Street
Las Vegas, NV 89101

Re: VAR-6118
Decatur/Grand Teton

Dear Mr. Rankin:

Our office represents Power Realty on the above-referenced matter. Pursuant to our revised plans submitted to you, the variance to reduce the open space requirements is no longer needed. Therefore, we respectfully request to withdraw this zoning application without prejudice.

Thank you for your assistance. Please let me know if you have any questions or need anything further.

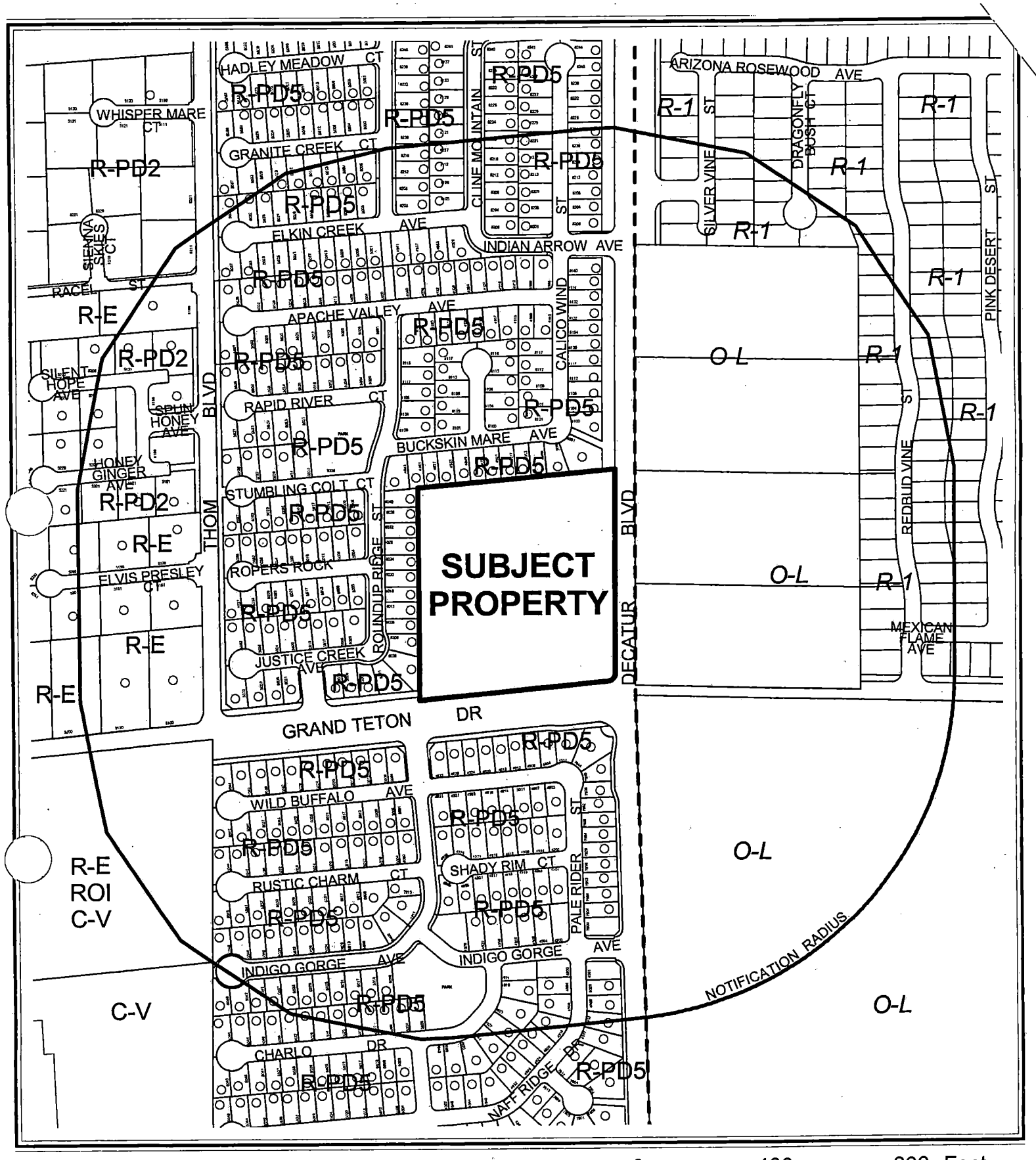
Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Robert J. Gronauer

RJG/mlt

cc: Mark Lefkowitz (via fax: 364-5555)



CASE: **VAR-6118**

RADIUS: 1000 FT

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

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6118 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y, LIMITED PARTNERSHIP

THE APPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE.

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Lee Arnold 10

Name of Applicant: Power Realty

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Raymond W Yin / Arnold A Lee

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

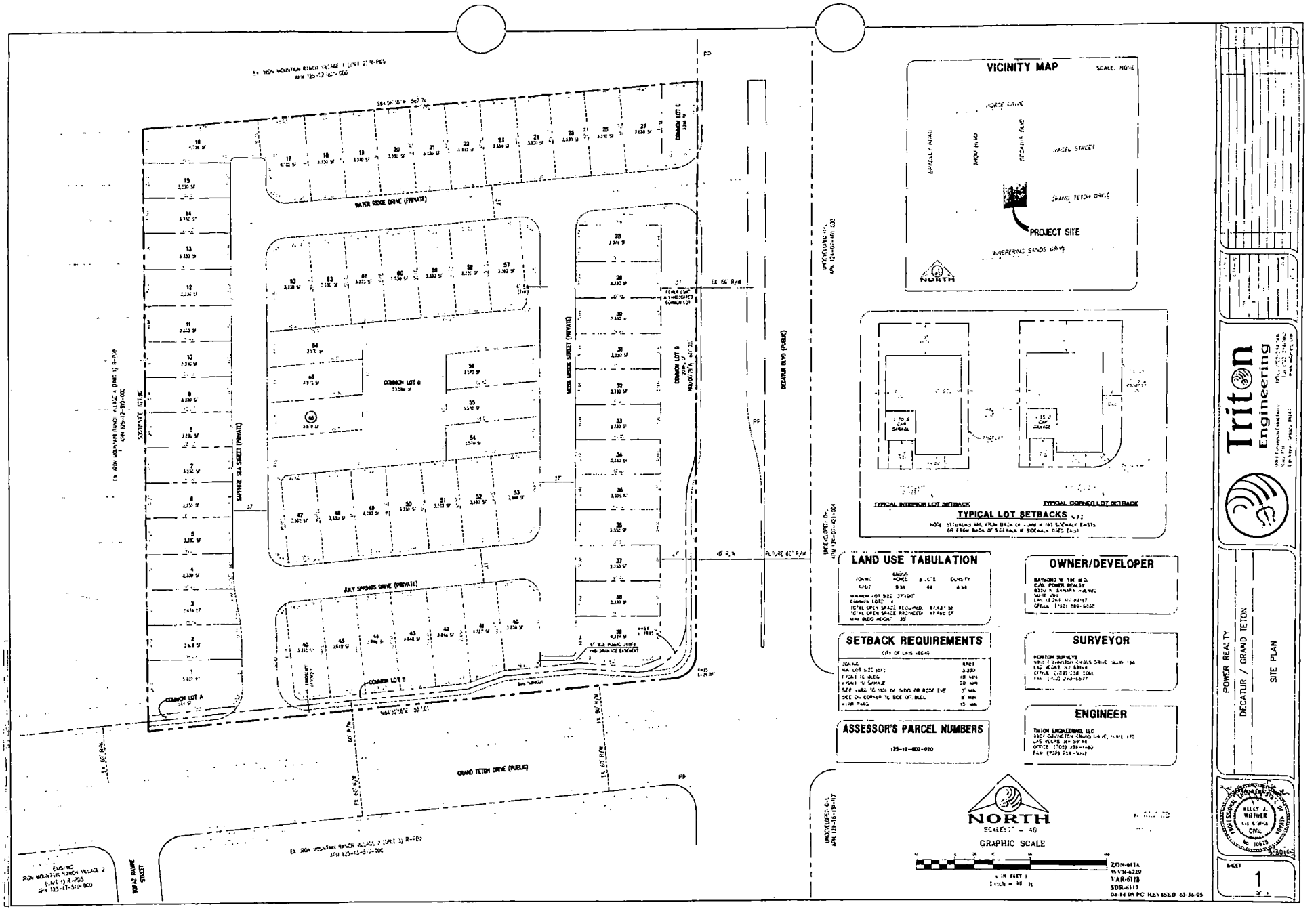
Subscribed and sworn before me

This 12 day of Jan, 2005

Dawn Giordano

Notary Public in and for said County and State

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



ZON-6116
WVR-6229
VAR-6118
SDR-6117
04-14-05 PC REVISED 03-30-05

Triton
Engineering

February 8, 2005

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

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

To Whom It May Concern:

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

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

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

Sincerely,

Stacey Medina

Stacey Medina
Project Coordinator

VAR-6118

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

City of Las Vegas

Agenda Item No.: 18

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

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

C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions and amending the following condition:

3. All development shall be in conformance with the site plan and building elevations date stamped 03/30/05 for a maximum of 66 single-family lots, except as amended by conditions herein. ***The northwestern most lot, currently labeled Lot 16, shall be developed with a single story home and have a 5-foot side setback on the north.***

– UNANIMOUS with TRUESDELL abstaining because his office has dealings with MARK LEFKOWITZ, the applicant's representative

To be heard by the City Council on 5/18/2005

MINUTES:
See Item 15 [ZON-6116] for related discussion on Item 15 [ZON-6116], Item 16 [WVR-6229] and Item 18 [SDR-6117].

(6:25 – 6:37)

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 18 – SDR-6117

CONDITIONS:

Planning and Development

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

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

3. All development shall be in conformance with the site plan and building elevations date stamped 03/30/05 for a maximum of 66 single-family lots, except as amended by conditions herein.

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

Standards	Provided
Min. Lot Size	3,330 square feet
Min. Setbacks	
Front to building	10 feet
Front to garage	20 feet
Side	3 feet
Corner	8 feet
Rear	15 feet
Min. Between buildings	6 feet
Max. Building Height	35 feet

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

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

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

CONDITIONS – Continued:

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

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

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

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

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

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

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

Public Works

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

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

17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or

CONDITIONS – Continued:

construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6117 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y, LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

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

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

3. All development shall be in conformance with the site plan and building elevations date stamped 03/30/05 for a maximum of 66 single-family lots, except as amended by conditions herein.

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

Standards	Provided
Min. Lot Size	3,330 square feet
Min. Setbacks • Front to building • Front to garage • Side • Corner • Rear Min. Between buildings	 10 feet 20 feet 3 feet 8 feet 15 feet 6 feet
Max. Building Height	35 feet

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

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

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

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

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

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

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

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

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

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

Public Works

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

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

17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

A letter was submitted with the application to explain that the subject request is being made for a proposed 66-lot single-family residential development. The letter requests approval of 37-foot wide private streets with a sidewalk on one side.

BACKGROUND INFORMATION

A) Related Actions

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

03/24/05 The Planning Commission held this item in abeyance to the 04/14/05 Planning Commission Meeting to allow the applicant time to redesign the overall project to include additional open space.

04/14/05 The Planning Commission is scheduled to review accompanying applications for Rezoning (ZON-6116) the subject property to R-PD7 (Residential Planned Development - 7 units per acre) and for a Waiver (WVR-6229) of Title 18 requirements in the separation of offsetting intersections.

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	9.91
Net Acres:	8.31

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

DDS

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 66 lot single-family residential development on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	**Provided**
Min. Lot Size	3,330 square feet
Min. Setbacks	
• Front to building	10 feet
• Front to garage	20 feet
• Side	3 feet
• Corner	8 feet
• Rear	15 feet
Min. Between buildings	6 feet
Max. Building Height	35 feet

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

A2) Landscape and Open Space Standards

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

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

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

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

Total Acreage	**Density** (du/a)	**Required**			**Provided**	
		Ratio	Percent	Area	Percent	Area
9.91 acres	6.66	1.65	10.98	47,437 sq. ft.	10.99	47,460 sq. ft.

The proposal conforms to the open space standards pursuant Title 19.06 for a R-PD development.

B) General Analysis and Discussion

- Zoning

The present zoning of the site is R-E (Residence Estates). An application has been submitted to Rezone (ZON-6116) the subject property to R-PD7 (Residential Planned Development - 7 units per acre). The proposed development is consistent with the R-PD7 (Residential Planned Development - 7 units per acre)zoning district. The development is consistent with Title 19 regulations.

- Site Plan

The site plan illustrates 66 single-family lots on a 9.91 acre tract located adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard. The development would have access to both streets. The two access points connect to private streets proposed for the development. A 37-foot wide power easement is located along Decatur Boulevard. Open space is a centrally located common lot accessed from the two north/ south interior streets. The lots are to be a minimum of 3,330 square feet in size.

- Waivers

  No waivers are requested.

- Landscape Plan

  A conceptual landscape plan has been submitted that shows compliance with the City Landscape, Wall, and Buffer Guidelines for perimeter landscaping. The required number of trees along the perimeter of the development has been provided. Plans with cross-sections have been submitted showing the location of proposed walls along Grand Teton Drive and Decatur Boulevard with cross-sections; however, there is no indication of the materials being used for the walls or their design. The wall is to be a decorative wall in compliance with Title 19 requirements, and a condition of approval addressing this requirement is included with this report. A retaining wall is proposed along Grand Teton Drive, and the total height of the "garden" wall and retaining wall is not expected to exceed a height of nine feet. Existing walls of concrete masonry units are located along the north and west sides of the property.

- Elevation

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

- Floor Plan

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

FINDINGS

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

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

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

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

The subject property is presently classified the ML (Medium-Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 68 single-family lots on 9.91 acres generates a density of development of 6.9 dwelling units per acre and conforms to the General Plan. The proposed development is consistent with other City plans, policies and standards.

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

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

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Lee Arnold 10

Name of Applicant: Power Realty

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

_____Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Raymond W. Yin / Arnold A. Lee

Print Name: Raymond W. Yin / ARNOLD A. LEE

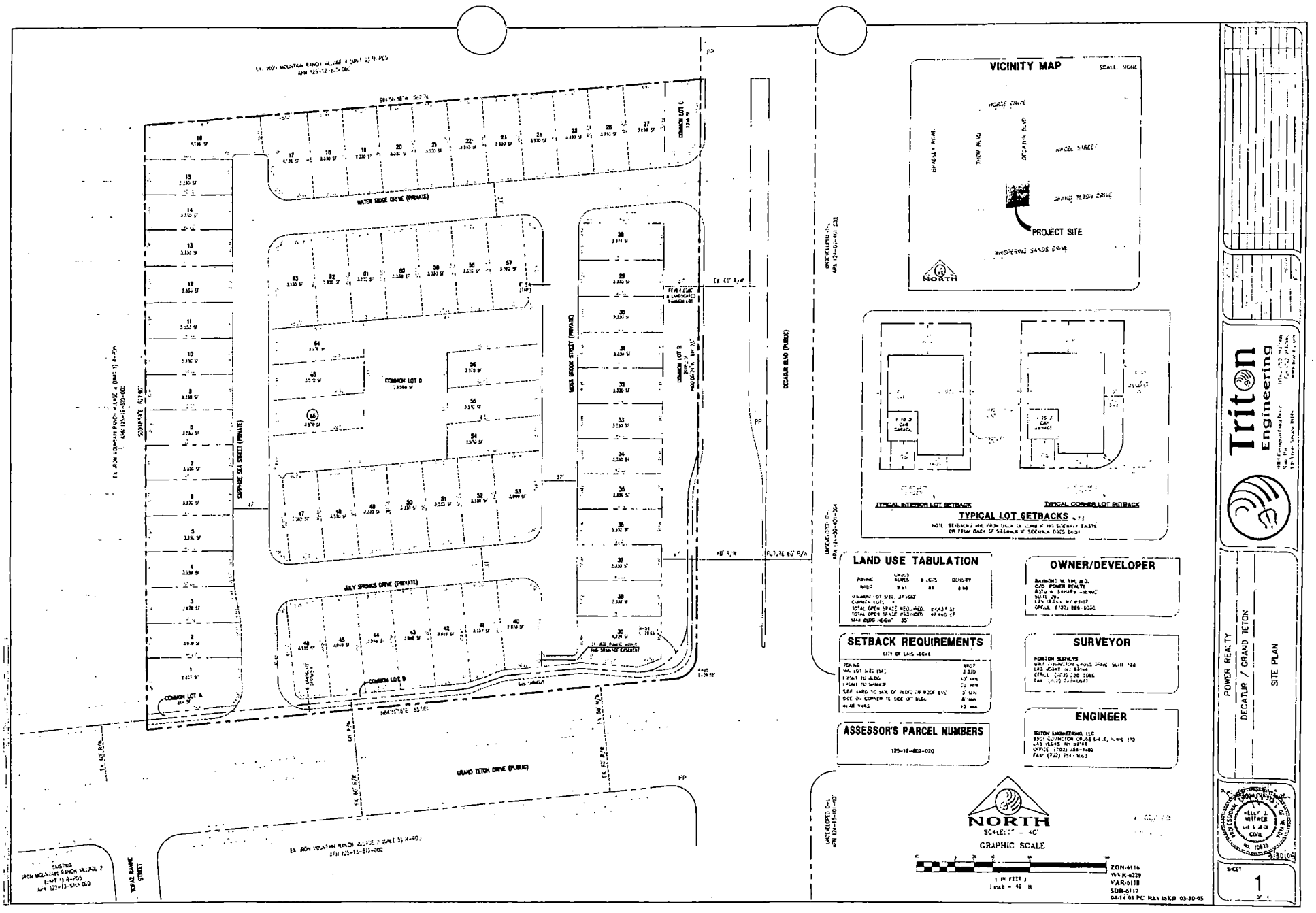
Subscribed and sworn before me

This 12 day of Jan, 2005

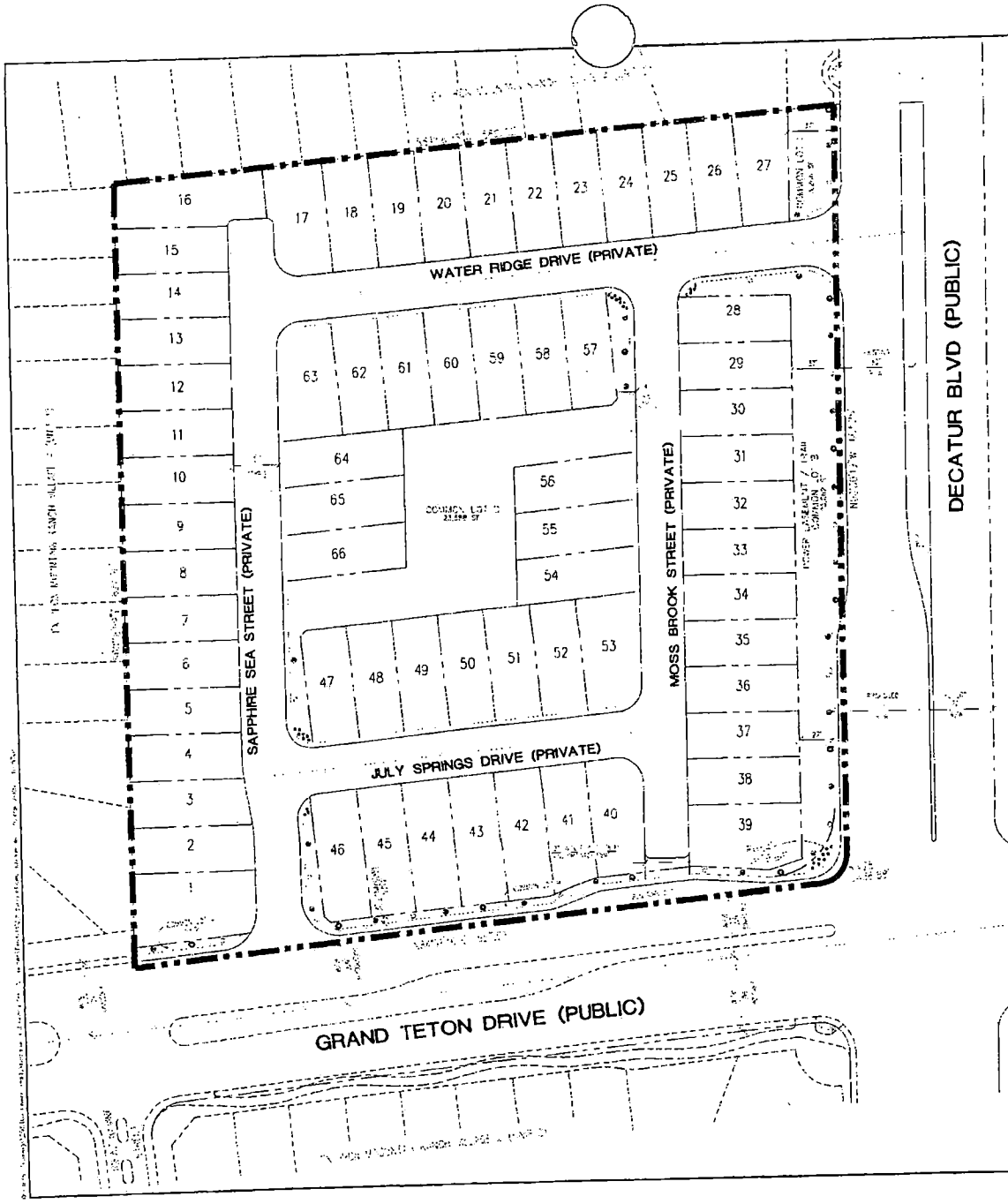
Dawn Giordano

Notary Public in and for said County and State

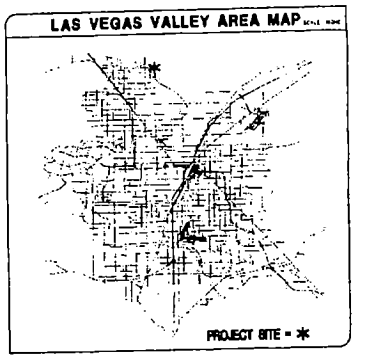
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DAWN GIORDANO
No: 00-66244-1
My Appointment Expires Jan. 1, 2009



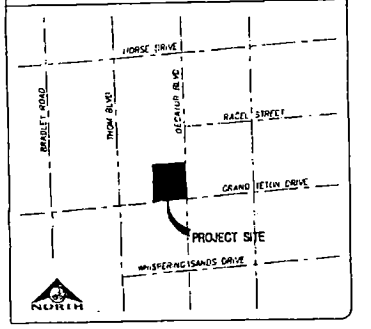
ZON-6116
WVR-6229
VAR-6118
SDR-6117
04-14-05 PC REVISED 03-30-05



LAS VEGAS VALLEY AREA MAP



VICINITY MAP SCALE: NONE



LEGEND

PROPERTY BOUNDARY

PUBLIC/PRIVATE STREET CENTERLINE

LOT LINE

16 — LOT NUMBER

18,780 SF — COMMON LOT SQUARE FOOTAGE

NORTH

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

LANDSCAPE SCHEDULE

SYMBOL	QTY.	SPECIES	COMMON NAME	SIZE	SPACING
	11	FRAXINUS V. RAYWOOD	ARIZONA ASH	24" BOX	VARIES
	32	PINUS ELDARICA	MONDELL PINE	24" BOX	VARIES
	12	QUERCUS V. HERITAGE	LIVE OAK	24" BOX	VARIES
	19	BERBERIS THUNBERGII	BARBERRY	5-GAL	RANDOM 5' TO 8'
	14	CASSIA PHILODENIA	GLORY CASSIA	5-GAL	RANDOM 5' TO 8'

RECEIVED
SEP 16 2005

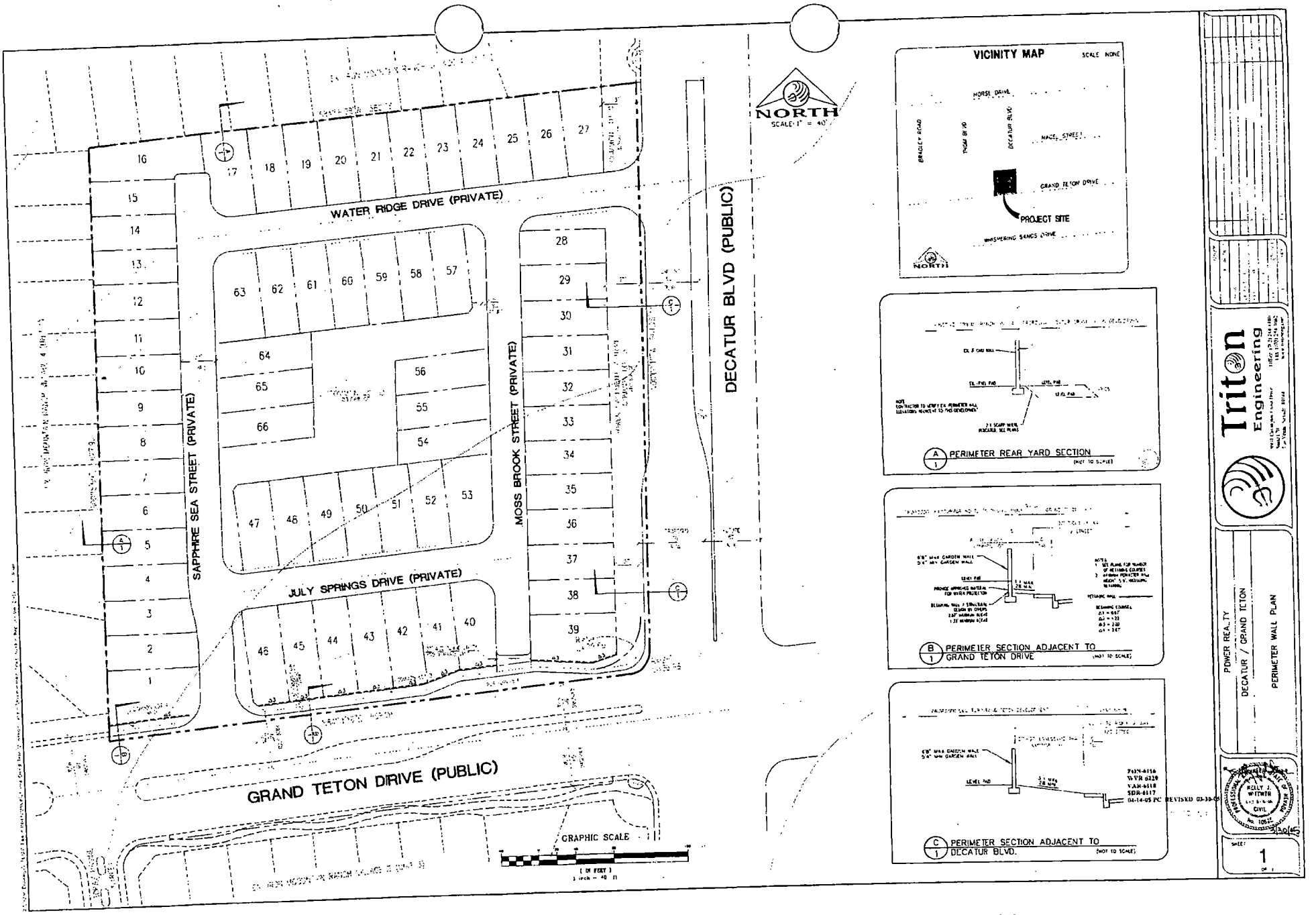
ZON-6116
WVR-6229
VAR-6118
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04-14-05 PC REVISED 03-30-05

Triton Engineering

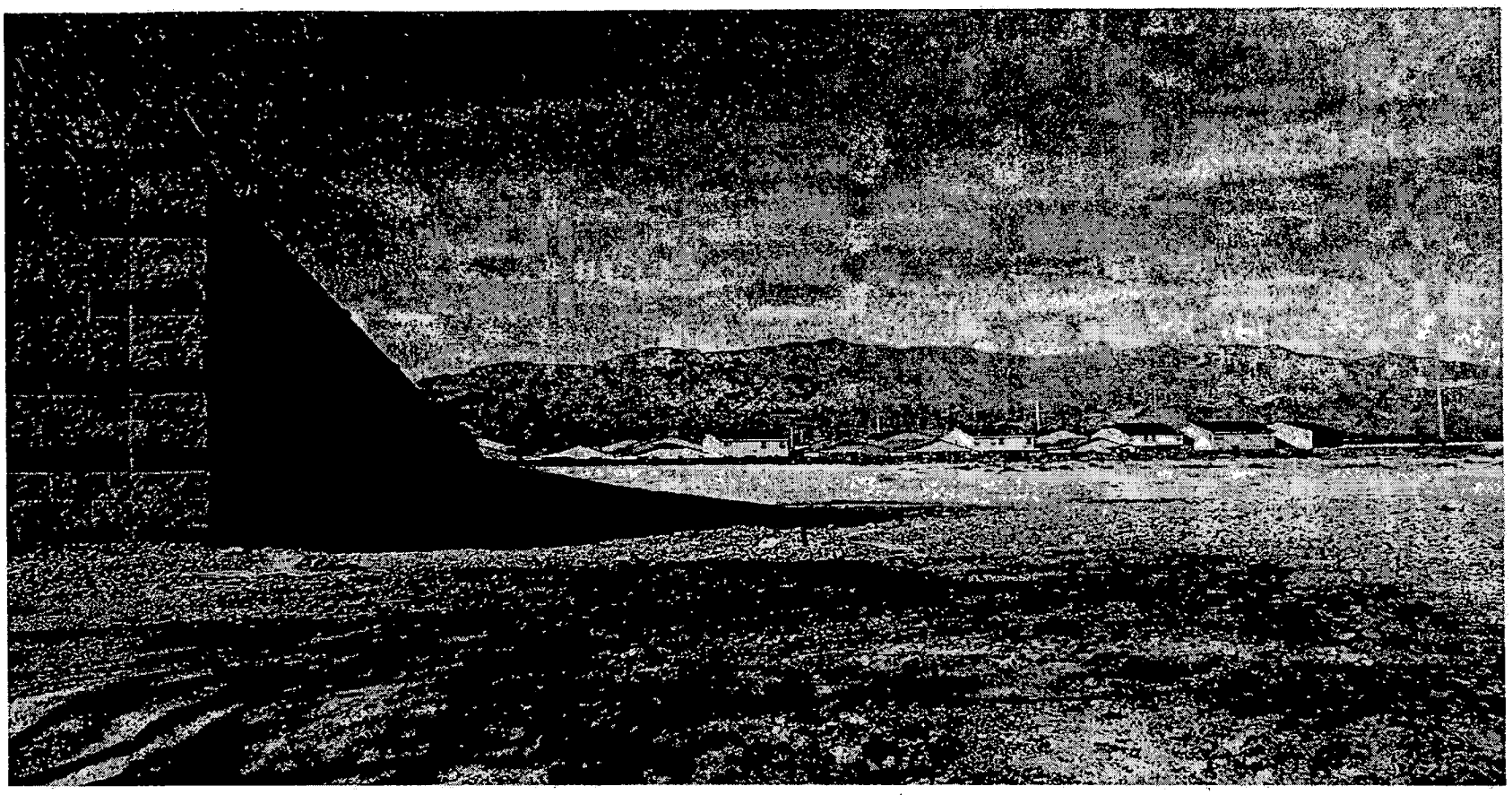
POWER REALTY
DECATUR / GRAND TETON
LANDSCAPE PLAN

SHEET 1

ZON-6116
WVR-6229
VAR-6118
SDR-6117
04-14-05 PC REVISED 03-30-05



ZON-6116
WVR-6229
VAR-6118
SDR-6117
04-14-05 PC REVISED 03-30-05



ZON-6116, WVR-6229, VAR-6118 AND SDR-6117 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD, R W Y LIMITED PARTNERSHIP
NORTHWEST CORNER OF GRAND TETON DRIVE AND DECATUR BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

3/3/05



ZON-6116, WVR-6229, VAR-6118 AND SDR-6117 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD, R W Y LIMITED PARTNERSHIP
NORTHWEST CORNER OF GRAND TETON DRIVE AND DECATUR BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

3/3/05

Triton
Engineering

February 8, 2005

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

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

To Whom It May Concern:

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

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

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

Sincerely,

Stacey Medina

Stacey Medina
Project Coordinator

SDR-6117

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

City of Las Vegas

Agenda Item No.: 19

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

ABEYANCE - VAR-5878 – VARIANCE – APPLICANT: PARKWAY CENTER LLC – OWNER: CITY PARKWAY IV A INC. – Request for a Variance FROM THE 750-FOOT SEPARATION REQUIREMENT AND THE 10-FOOT FREEWAY RIGHT-OF-WAY SETBACK REQUIREMENT FOR AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 City Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Weekly).

C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
EVANS – APPROVED subject to conditions and adding the following condition:
- ***The approval is pursuant to the Site Plan and Elevations dated 4/12/2005.***

– UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is involved with the Molasky family

To be heard by the City Council on 5/18/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open on Item 19 [VAR-5878], Item 20 [VAR-6355], Item 21 [SUP-5877] and Item 22 [SDR-5876].

DOUG RANKIN, Planning and Development, stated the variances and the special use permit all relate to a billboard. The applicant had originally proposed to place a billboard on the top of the parking garage. The applicant then revised the billboard to be relocated directly onto the side of the parking garage. A Variance is being requested for the 750-foot distance separation but the

MINUTES – Continued:

right-of-way Variance is no longer needed because the billboard, as proposed, would be setback 24 feet from the freeway. Staff cannot support the Variance for the billboard height to exceed 40 feet. The proposal is 51 feet tall where 40 feet is allowed and there is no evidence of a hardship. The requested special use permit is a result of a condition of RQR-1974, which stated that if the billboard were to be relocated, it must comply with all Title 19 standards. The proposal does not comply and that is why there are two companion Variance applications. If the item was to be approved, staff suggested some condition changes.

Regarding the Site Development Plan review, staff is recommending denial solely because the billboard is attached to the garage. The building will be compatible and harmonious with other development in the area. It will be 15 stories in height with retail space located on the ground floor. Staff supports the waivers of the building including a 75 percent built to requirement and approves of the streetscape as proposed. The applicant will provide more trees than is required by Code. The waiver for the reflective glazing will have to be heard by the PCARC (Parkway Center Architectural Review Committee) for final review and a condition has been written to address that. The exterior material waiver should go before the PCARC as well because it is not in conformance to the Parkway Center Standards.

CHRIS KAEMPFER, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant with SUZANNE SANDERS of the Molasky Companies. He explained that the applicant had several choices of how to redesign the billboard and decided on the present, very creative proposal. The billboard is now incorporated into the parking structure of the building; in essence, the structure is acting as the pole. He asked that the Commission approve the Site Plan because the staff recommendation of denial is based on the fact that the billboard is mounted on the building.

ATTORNEY KAEMPFER stated that the previous sign had two faces and although the rendering only showed one face, the applicant would be coming forward with a proposal to have another sign on the opposite side of the building with the second face on it. He acknowledged that the second face was not up for consideration but he did want the Commissioners to know that a request for that would be heard in the future. MS. WHEELER indicated that if the Commission did want to hear both faces, they could because the original application was for two faces and also, because the second face would be identical in size and finish. She confirmed with MR. RANKIN that the second face would fall within the distance separation of the first face. He also indicated the new proposed size of 35 feet by 34 feet would exceed the limitation of 672 square feet. To approve the billboard at the proposed size, an additional Variance would be required. MS. WHEELER informed the applicant that the Commission could not consider the new size because it exceeded the size that was noticed to the public. ATTORNEY KAEMPFER

MINUTES – Continued:

understood that a size greater than that which was applied for could not be considered. He suggested approval subject to reducing the sign to 18 feet by 38 feet or condition that it come back for a Variance for the new size. The increase was necessary to retain the view that would have been reached by the original sign dimension.

DEPUTY CITY ATTORNEY BRYAN SCOTT advised that the second sign face should come back before the Board as a separate item. ATTORNEY KAEMPFER referenced the previously proposed sign and pointed out they had separate view corridors in the same fashion as the new proposal did. DEPUTY CITY ATTORNEY SCOTT understood his comments but felt the distance between the two faces on the new proposal created an issue.

VICE CHAIRMAN TRUESDELL said he did have a problem with the original configuration. He now found the building to be attractive and acknowledged that the developer will spend a lot of money on the project. He found the new proposal acceptable. It is architecturally better and will raise the bar in the community. He could support the two faces of the billboard separated by the length of the building finding the current design less intrusive and more compatible with the area.

COMMISSIONER STEINMAN said he was also opposed to the original sign and he found the new suggestion acceptable. He confirmed with MS. SANDERS that the sign faces would not be electronic and would be backlit. The Commissioner questioned the current square footage of both faces of the existing sign. MR. RANKIN replied they are 1,354 square feet. The new proposal would request each face be 900 square feet in dimension. COMMISSIONER STEINMAN thought the request for the larger size to be inappropriate. ATTORNEY KAEMPFER reminded him that the Board could not approve the application at the larger size. The applicant would have to come back and request a Variance for the larger size and the Board could choose at that time to not grant approval and the sign would have to be redesigned smaller. CHAIRMAN NIGRO clarified that the Commission would not be approving signs in excess of what is being required by staff.

COMMISSIONER STEINMAN was hesitant to vote on the proposal unless the conditions established the specific location of the sign face on the building. MR. RANKIN indicated that would be taken care of. ATTORNEY KAEMPFER said the site plan submitted showed a sign face on each side of the building so the location would not be questioned.

COMMISSIONER STEINMAN wanted the record to reflect why the streetscape requirements were being waived. FLINN FAGG, Planning & Development Department, stated that the specific conditions relative to the site include an overpass and a depression in front of the property. Because of this, the recommendation of approval for the waivers is based on site

MINUTES – Continued:
conditions. The developer is not scrimping in terms of the amount of landscaping provided, but the waiver is required to deal with the conditions adjacent to the site.

COMMISSIONER EVANS had no problem with the proposal. He liked the design and thought the signage worked in this situation. MS. WHEELER assisted the Commissioner in various condition additions that ATTORNEY KAEMPFER and MS. SANDERS concurred with. On Item 22 [SDR-5876], ATTORNEY KAEMPFER asked that Condition 25 be amended so that the word "adjacent" was replaced with the word "contiguous". DAVID GUERRA, Public Works Department, stated the amendment was acceptable to his department.

COMMISSIONER DAVENPORT asked about the reflective glass on the building. MS. SANDERS indicated that she tried to retain the right to bring that issue back to PCARC if the building needs it to get a LEED (Leadership in Energy and Environmental Design) rating. She did not intend to use reflective glass but might need it to get the proper energy calculations. There is an agreement between the developer and PCARC that if it does come back for a waiver, MS. SANDERS will have to supplement with enough engineering criteria to substantiate it.

ATTORNEY KAEMPFER thanked the Commissioners for their time and support.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 19 [VAR-5878], Item 20 [VAR-6355], Item 21 [SUP-5877] and Item 22 [SDR-5876].

(6:57 – 7:29)

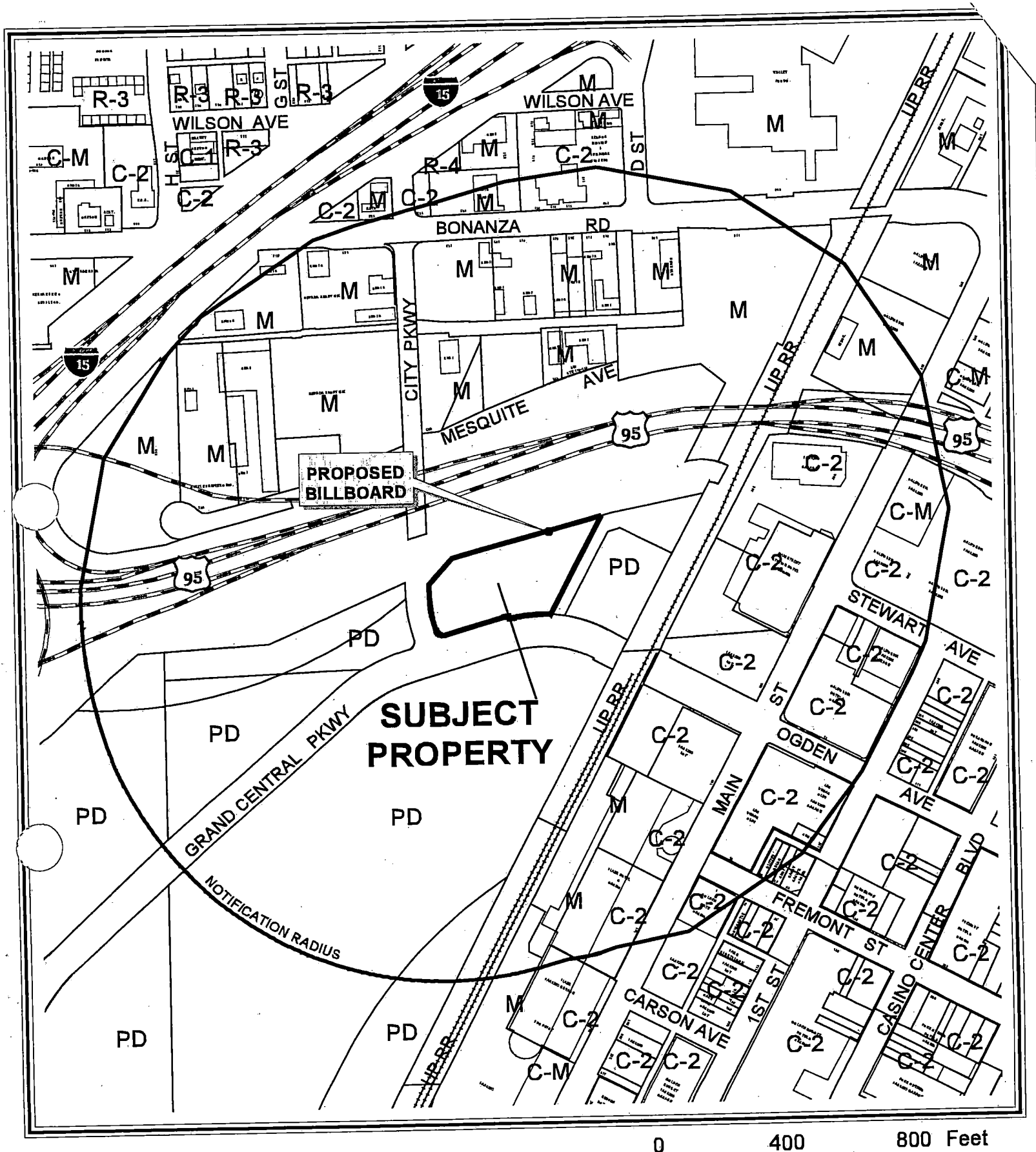
1-2094

CONDITIONS:
Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5876 and Variance SUP-5877.

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

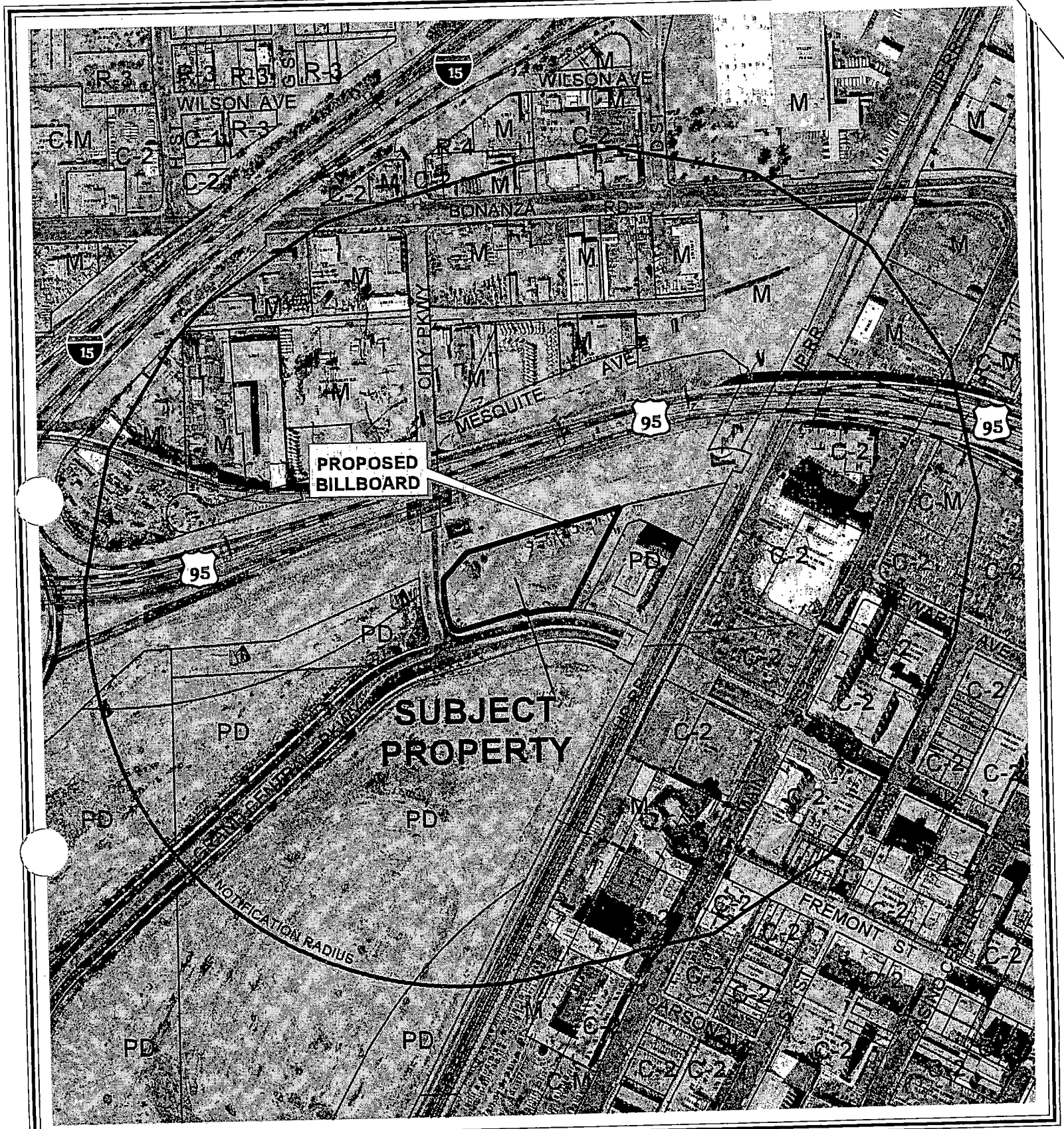
3. Acquire all necessary permits from the Department of Building and Safety.



CASE: **VAR-5878**

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



0 400 800 Feet

CASE: VAR-5878

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5878 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5876 and Variance SUP-5877.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Request for a Variance for the to allow a proposed 510-foot Minimum Separation Distance between Off-Premise (Billboard) Signs where 750 feet is the minimum allowed for billboard signs along a freeway and on the same side of the highway and to allow a proposed zero foot right-of-way setback where 10 feet is the minimum allowed on 2.55 Acres at 110 City Parkway.

B) Applicant's Justification

The applicant has justified the request by stating the sign will be harmonious and compatible with the area. Removal of the pole structure in favor of a more visually appealing structure affixed to the parking structure will enhance the area. The sign will be maintained by the owner of the Parkway Center so the sign will be kept in good condition so as to not detract from the attractiveness of the overall office and retail complex.

BACKGROUND INFORMATION

A) Related Actions

11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject site as part of a larger request. The Planning Commission recommended approval. Included in that approval was the ability to maintain the existing Off-Premise (Billboard) Signs.

01/02/02 The City Council adopted a general development plan and development standards for the Parkway Center as a discussion item on the Business Development portion of the agenda.

04/24/03 The Planning Commission approved a Site Development Plan Review (SDR-2037) to allow a 84,201 square-foot office building on a portion of the subject property. The project was reviewed and approved by the PC-ARC (Parkway Center—Architecture Review Committee) on 03/05/03. Staff recommended approval.

05/21/03 The City Council approved a Required Review (RQR-1974) for 12 Off-Premise (Billboard) Signs; one of the reviewed signs is located on the subject site. The Planning Commission and Staff recommended approval.

10/21/04 The Planning Commission approved a Review of Condition (ROC-5347) relative to the previously-approved Site Development Plan Review to allow for temporary off-site parking and landscaping to be installed upon a later phase of the development. Staff recommended approval.

01/18/05 The Parkway Center-Architecture Review Committee (PC-ARC) recommended approval of the proposed development and the requested Waivers.

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.

02/24/05 The Planning Commission is scheduled to consider a Required Review (RQR-5683) for eight Off-Premise (Billboard) Signs, one of which is the subject of this application.

03/10/05 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.

04/14/05 The Planning Commission is scheduled to consider an associated (SUP-5877) to allow the relocation of the existing Off-Premise (Billboard) Sign on the site, as well as a Site Development Plan Review (SDR-5876) for the construction of 250,000 square-foot office building on the site.

B) Pre-Application Meeting

12/14/04 At the pre-application conference, issues were discussed relative to the conditions of the previous Required Review (RQR-1974) for the Off-Premise (Billboard) Sign, as well as setback and construction issues.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.55 (A portion of a larger 5.1 acre parcel)

B) Existing Land Use

Subject Property:	Undeveloped
North:	US 95 Right-of-Way
South:	Undeveloped
East:	Office Use
West:	Undeveloped

C) Planned Land Use

Subject Property:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)
North:	US 95 Right-of-Way
South:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)
East:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)
West:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)

D) Existing Zoning

Subject Property:	PD (Planned Development)
North:	US 95 Right-of-Way
South:	PD (Planned Development)
East:	PD (Planned Development)
West:	PD (Planned Development)

E) General Plan Compliance

The subject property is located within the boundaries of the Downtown City of Las Vegas Redevelopment plan area, and has a Mixed-Use land use designation. The Mixed-Use designation allows uses comparable to the following land use categories: L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), GC (General Commercial), and PF (Public Facilities).

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Downtown City of Las Vegas Redevelopment Plan Area	X	
Special Overlay District	X	
Airport Overlay District	X	
Trails		X

Rural Preservation Neighborhood		**X**
Development Impact Notification Assessment		**X**
Project of Regional Significance		**X**

Downtown City of Las Vegas Redevelopment Plan Area
The parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use land use designation. There are no policies of the Downtown City of Las Vegas Redevelopment Plan that pertain to the subject request.

Downtown Centennial Plan
The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Parkway Center District. The district is intended to accommodate a wide variety of commercial, public and residential uses within vertically or horizontally mixed-use configuration. Existing Off-Premise (Billboard) Sign signs that are removed may be replaced if the sign is incorporated in the new development and approved by a new special use permit.

Airport Overlay District
The parcel is located within the Airport Overlay District; Federal Aviation Administration (FAA) review is required for any building over 175 feet in height, based on the location of the property.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Setbacks- Right- of-way	10 Feet	0 Feet	N
Min. Separation along the same side of a freeway	750 Feet	510 Feet	N
Min. Separation in all directions	300 Feet	492 Feet	Y
Max. Sign Area	672 Square feet	672 Square Feet	Y
Max. Sign Height: Option 1	30 feet above elevated freeway	50 Feet	Y
Max. Sign Height: Option 2	55 Feet	50 Feet	Y

Street Intersection Separation	50 Feet	N/A	N/A
Separation from a Residential District	300 feet	N/A	N/A

The subject application for a Variance to setback and separation between signs is required to relocate the sign to it's planned location.

B) General Analysis and Discussion

The applicant's request for this Variance is the result of the plan to relocate the existing sign to the roof of a parking structure that is planned to cover the location of the existing sign. The existing sign is located at the proper setback of 10 feet but when the replacement is installed on the roof of building the sign will be located up to the setback. The separation of 510 feet to the closest similar sign on the same side of US 95 is the current condition thus making the existing sign non-conforming.

The setback of zero feet is not justified. The relocation of the sign to the top of the parking structure cannot be supported because the proposal is not consistent with the conditions of approval for RQR-1974. Condition 7 of RQR-1974 states that Off-Premise (Billboard) signs, once removed, can be relocated on the Parkway Center property if the replacement signs are conforming to Title 19. The proposed location of the subject sign is not consistent with the standards that require a billboard to be freestanding (not attached to a building) and ground mounted (not located on the top of a parking structure).

As to the separation between signs, once the nonconforming sign is removed it should be located so it conforms to Title 19. The relocation of the sign that is not in harmony with Title 19 and therefore, cannot be supported.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented. The applicant has created a self-imposed hardship by designing the location of the sign on the top of the parking structure to close the freeway. An alternative position on the top of the building would allow conformance to the Title 19 setback 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 22

NOTICES MAILED 35 – Mailed with SUP-5877 and SDR-5876

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5878 APN: 139-27-410-008

Name of Property Owner: City Parkway IV A Inc.

Name of Applicant: Parkway Center LLC

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Douglas Selby

Print Name: Douglas Selby

Subscribed and sworn before me

This 22nd day of December, 2004

Cecili C. Green

Notary Public in and for said County and State

Notary Public-State of Nevada
COUNTY OF CLARK
CECELI C. GREEN
My Appointment Expires
March 7, 2008

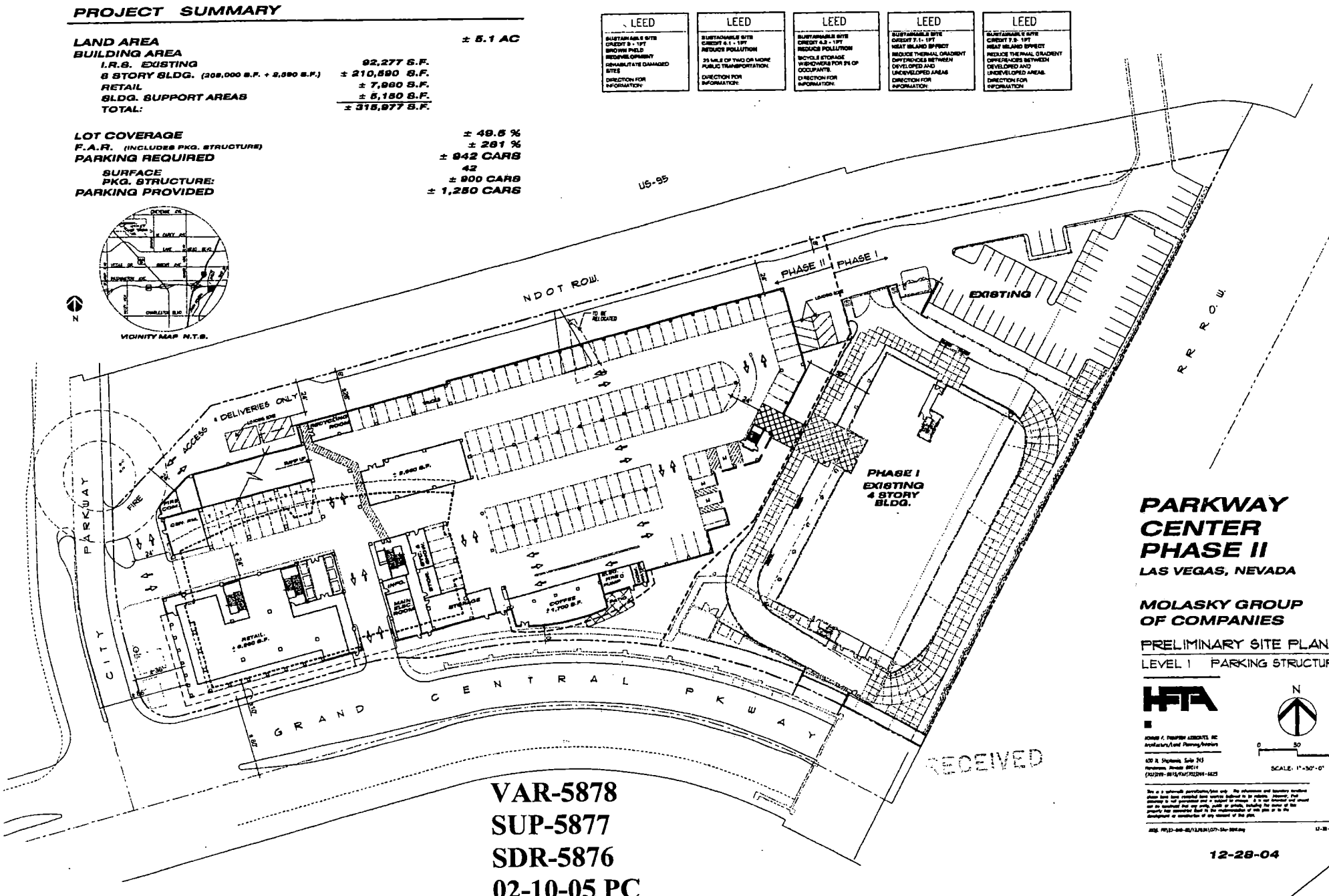
PROJECT SUMMARY

LAND AREA		± 5.1 AC
BUILDING AREA		
I.R.S. EXISTING	92,277 S.F.	
8 STORY BLDG. (208,000 S.F. + 2,590 S.F.)	± 210,590 S.F.	
RETAIL	± 7,980 S.F.	
BLDG. SUPPORT AREAS	± 5,150 S.F.	
TOTAL:	± 315,977 S.F.	
LOT COVERAGE		± 49.5 %
F.A.R. (INCLUDES PKG. STRUCTURE)		± 2.81 %
PARKING REQUIRED		± 942 CARS
SURFACE		42
PKG. STRUCTURE:		± 900 CARS
PARKING PROVIDED		± 1,250 CARS

LEED	LEED	LEED	LEED	LEED
SUSTAINABLE SITE CREDIT 9 - 1PT BROWN FIELD REDEVELOPMENT REHABILITATE DAMAGED SITES DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 4.1 - 1PT REDUCE POLLUTION 35 MILE OF TWO OR MORE PUBLIC TRANSPORTATION. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 4.2 - 1PT REDUCE POLLUTION BICYCLE STORAGE W/SHOWERS FOR 5% OF OCCUPANTS. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 7.1- 1PT HEAT ISLAND EFFECT REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 7.1- 1PT HEAT ISLAND EFFECT REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS. DIRECTION FOR INFORMATION

VICINITY MAP N.T.S.

N



RECEIVED

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY SITE PLAN

LEVEL 1 PARKING STRUCTURE

HFA

HOWARD F. HAUPMAN ASSOCIATES, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)270-8815/FAX(702)944-6625

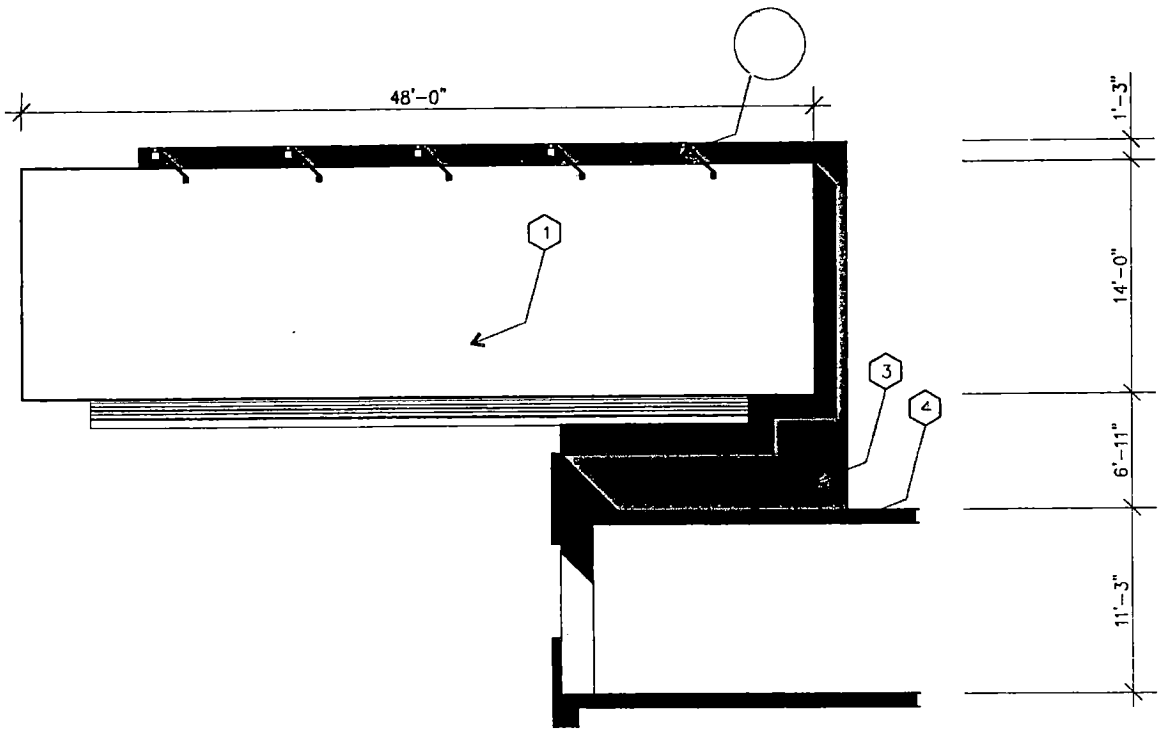
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0 30 60

SCALE: 1"=30'-0"

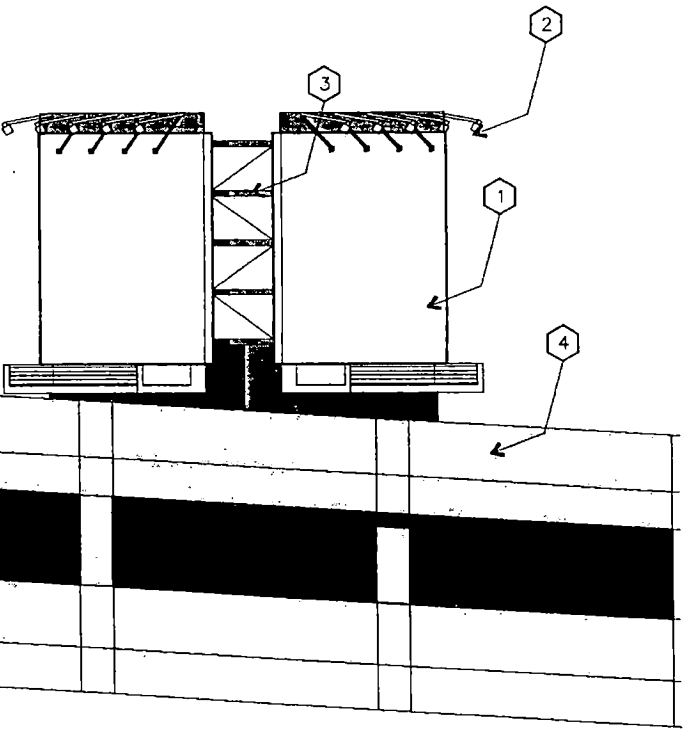
This is a schematic representation only. The information and boundary conditions have been compiled from various sources believed to be reliable. However, that information is not guaranteed and is subject to revision. It is the responsibility of the purchaser to independently investigate and verify all information set forth herein. Neither the owner of the property nor representatives thereof is responsible for any of the costs of the development or construction of any element of this plan.

12-28-04



MATERIAL LEGEND

1. SIGN BOARD
2. LIGHTS
3. SUPPORT
4. PARKING STRUCTURE



NORTH ELEVATION

WEST ELEVATION

PROPOSED SIGNAGE

HOWARD F. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors
420 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6615/FAX(702)269-6625

0 4' 8'
1/8"=1'-0"

JOB#: F:\PR\23-049-00/12-28-04/SIGN-ELEVATIONS.DWG DATE: 12-22-04

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

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

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

8600 Technology Way
Suite 104
Reno, NV 89521-5941
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kkbr.com

December 27, 2004

VIA HAND DELIVERY

Mr. Flynn Fagg
CITY OF LAS VEGAS
DEPT. OF PLANNING & DEVELOPMENT
City of Las Vegas Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Re: Justification Letter
Off-Premise Sign – Parkway Center
APN: 139-27-410-008

Dear Mr. Fagg:

Please be advised, this office represents the applicant with respect to the development of Phase II of Parkway Center which will consist of a multi-story office building and retail component. The applicant is filing a site plan review for Phase II of the Parkway Center concurrent with this request for a special use permit and variance for an off-premise sign.

The off-premise sign (the "Sign") is an existing pole structure with advertisements that face towards both directions of the 95 freeway. As part of the site plan review for the Phase II of Parkway Center, the applicant is requesting to remove the standard pole structure and instead affix the Sign onto the parking garage. The parking garage will service the retail businesses, IRS building and tenants and visitors of Phase II of Parkway Center.

The applicant is seeking a special use permit and a variance for the Sign. The variance is necessary to waive the distance restrictions imposed by 19.14.100(C)(5) between off-premise signs located on the same side of a freeway. The Sign will be elevated approximately 50 feet above the freeway. The existing off-premises signs located along this corridor have been in existence for several years and precede the code requirement cited above. A review of these off-premise signs was approved by the City of Las Vegas City Council on May 21, 2003 (RQR-1974). Condition number 7 of RQR-1974 allows an applicant to seek a special use permit for the new structure and a variance to the applicable standards of Title 19.

LAW FIRMS WORLDWIDE MERITAS

VAR-5878

Since the Sign will be located in the core of Las Vegas and adjacent to a major freeway where other off-premise signs currently exist, erection of the Sign on the parking structure will be harmonious and compatible with the area. Additionally, removal of the pole structure in favor of a more visually appealing structure affixed to the parking garage will enhance the area. Finally, the Sign will be maintained by the owner of the Parkway Center so the Sign will be kept in good condition so as to not detract from the attractiveness of the overall office and retail complex.

If you have any questions, please do not hesitate to contact me.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jennifer Lazovich

JJL/dmf
Encl.

VAR-5878

City of Las Vegas

Agenda Item No.: 20

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
VAR-6355 - VARIANCE - PUBLIC HEARING - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A, INC. - Request for a Variance TO ALLOW A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE ATTACHED TO THE BUILDING WHERE SUCH IS NOT ALLOWED, AT A HEIGHT OF 85 FEET WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED, on 2.55 acres at 110 City Parkway (APN 139-27-410-008), P-D (Planned Development) Zone, Ward 5 (Weekly).

C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
EVANS – APPROVED subject to conditions and adding the following conditions:
- ***The approval is pursuant to the Site Plan and Elevations dated 4/12/2005 for the flush mounted sign face.***
- ***The maximum height shall be 71 feet.***
- ***The maximum square footage, per sign face, is 672 square feet.***
- ***Each sign face shall have only one advertisement.***

– UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is involved with the Molasky family

To be heard by the City Council on 5/18/2005

MINUTES:
See Item 19 [VAR-5878] for related discussion on Item 19 [VAR-5878], Item 20 [VAR-6355], Item 21 [SUP-5877] and Item 22 [SDR-5876].

(6:57 – 7:29)

City of Las Vegas

Agenda Item No.: 20

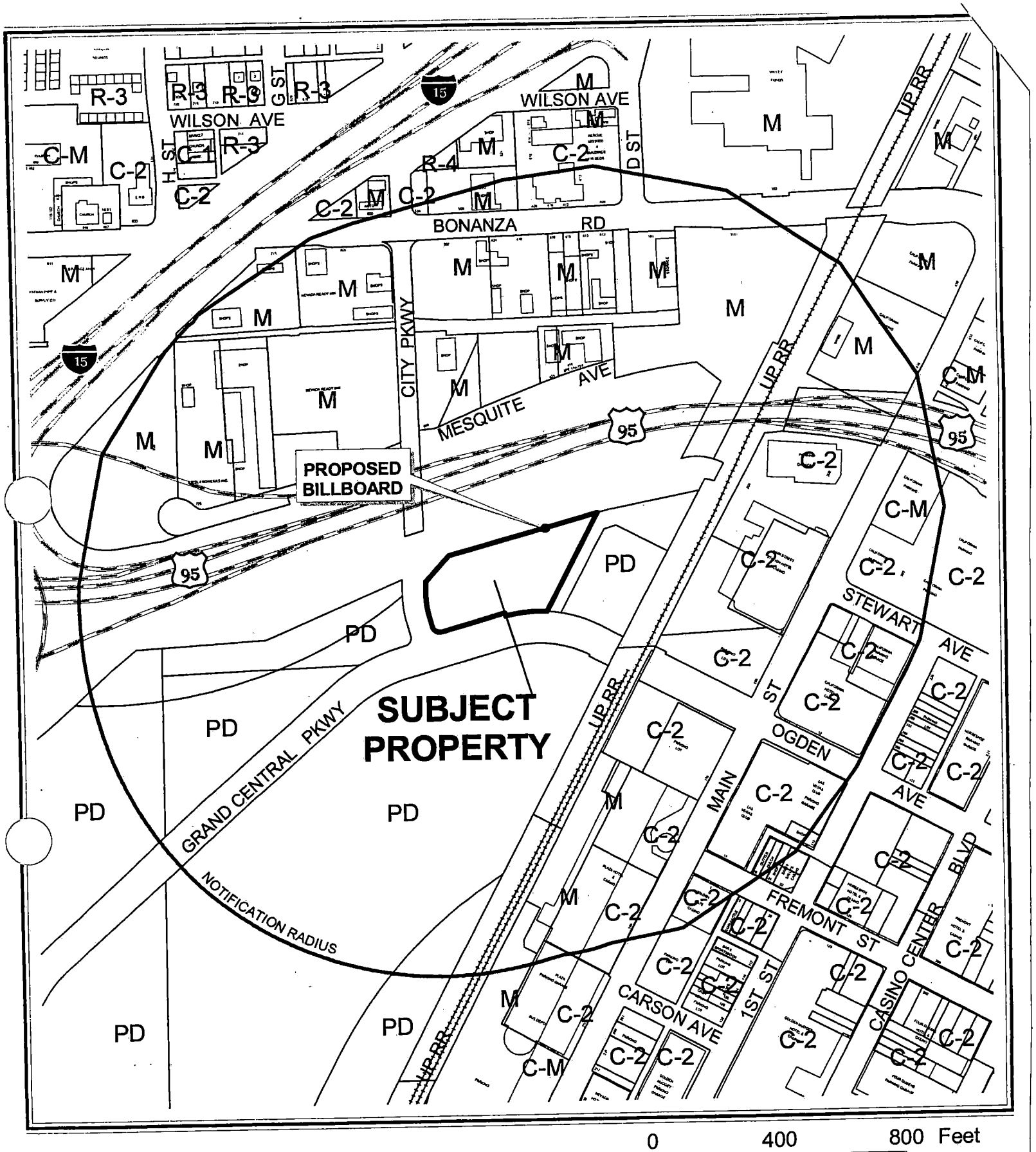
PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 20 – VAR-6355

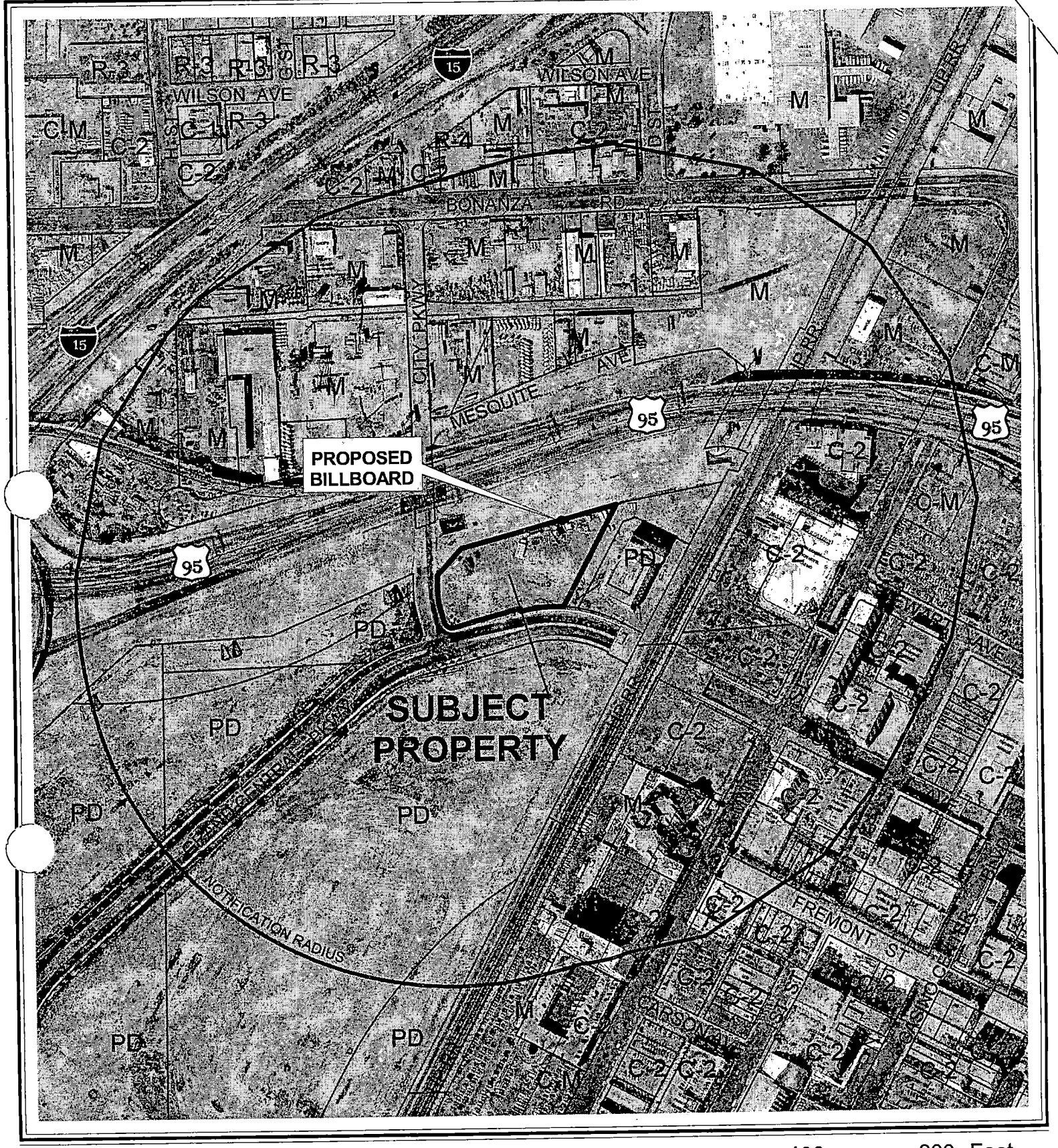
CONDITIONS:
Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5876, Special Use Permit SUP-5877, and Variance VAR-5878.

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

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


R-3
R-3
R-3
R-3
WILSON AVE
WILSON AVE
G ST
H ST
C-M
C-2
C-1
R-3
C-2
C-2
C-2
M
C-2
R-4
M
C-2
M
M
C-2
D ST
UP RR
M
BONANZA RD
M
M
M



0 400 800 Feet

CASE: **VAR-6355**

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6355 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A, INC.

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5876, Special Use Permit SUP-5877, and Variance VAR-5878.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign to be attached to a building where such is not allowed, at a height of 85 feet where 40 feet is the maximum height allowed, on 2.55 acres at 110 City Parkway.

B) Applicant's Justification

The proposed variance will facilitate the rehabilitation of the existing sign and will ultimately result in a more appealing off-premise advertising sign.

BACKGROUND INFORMATION

A) Related Actions

11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject site as part of a larger request. The Planning Commission recommended approval. Included in that approval was the ability to maintain the existing Off-Premise Advertising (Billboard) Signs.

01/02/02 The City Council adopted a general development plan and development standards for the Parkway Center as a discussion item on the Business Development portion of the agenda.

04/24/03 The Planning Commission approved a Site Development Plan Review (SDR-2037) to allow a 84,201 square-foot office building on a portion of the subject property. The project was reviewed and approved by the PC-ARC (Parkway Center—Architecture Review Committee) on 03/05/03.

05/21/03 The City Council approved a Required Review (RQR-1974) for 12 Off-Premise Advertising (Billboard) Signs; one of the reviewed signs is located on the subject site.

10/21/04 The Planning Commission approved a Review of Condition (ROC-5347) relative to the previously approved Site Development Plan Review to allow for temporary off-site parking and landscaping to be installed upon a later phase of the development.

KCW

01/18/05 The Parkway Center-Architecture Review Committee (PC-ARC) recommended approval of the proposed development and the requested Waivers.

04/14/05 The Planning Commission is scheduled to consider an associated Site Development Plan Review (SDR-5876), Special Use Permit (SUP-5877), and Variance (VAR-5878) to allow the relocation of the existing Off-Premise Advertising (Billboard) Sign on the site.

04/20/05 The City Council is scheduled to consider Required Reviews (RQR-5683 and RQR-6003) for eight Off-Premise Advertising (Billboard) Signs, one of which is located on the subject property. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

03/16/05 The elements of a complete Variance application were discussed with the applicant during a pre-application submittal conference.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.55 (A portion of a larger 5.1 acre parcel)

B) Existing Land Use

Subject Property:	Undeveloped
North:	US 95 / I-515 Freeway
South:	Undeveloped
East:	Office Use
West:	Undeveloped

C) Planned Land Use

Subject Property:	MXU (Mixed-Use)
North:	ROW (Right-of-Way)
South:	MXU (Mixed-Use)
East:	MXU (Mixed-Use)
West:	MXU (Mixed-Use)

D) Existing Zoning

Subject Property:	PD (Planned Development)
North:	US 95 / I-515 Freeway
South:	PD (Planned Development)
East:	PD (Planned Development)
West:	PD (Planned Development)

KCW

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a Mixed-Use land use designation. The Mixed-Use designation allows uses comparable to the following land use categories: L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), GC (General Commercial), and PF (Public Facilities). An Off-Premise Advertising (Billboard) Sign is a permitted use in some of these land use designations, but the Las Vegas Redevelopment Plan does not support billboard development.

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

Redevelopment Plan Area
The parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use land use designation. The use does not support the Redevelopment Plan as it will not strengthen retail, office, and residential functions in the downtown. It will not stimulate new commercial expansion, employment, and economic growth.

Downtown Centennial Plan
The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Parkway Center District. The district is intended to accommodate a wide variety of commercial, public and residential uses within vertically or horizontally mixed-use configuration. The sign is not the "quality, top notch" development envisioned in the Parkway Center, a key part of Downtown Centennial Plan area.

Airport Overlay District
The parcel is located within the Airport Overlay District; Federal Aviation Administration (FAA) review is required for any building over 175 feet in height, based on the location of the property.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Maximum Height	40 Feet	85 Feet	N
Location	All off-premise signs shall be detached and permanently secured to the ground	Building mounted	N

The proposal needs a Variance from the requirements of Title 19.14, as the height of the sign will exceed the maximum allowed height for a billboard by 45 feet. The applicant proposes to attach the sign to the parking structure where such a location of a billboard is not allowed.

B) General Analysis and Discussion

The elevations depict the proposed location to be the same as the existing sign. However, as part of the development of the property, the applicant proposes to relocate the sign by attaching the sign to the north elevation wall of the parking structure that will be built where the sign now stands. The sign will project horizontally from the parking structure wall towards the travel lanes of the US95/ I-515 freeway immediately to the north of the sign. The requested height is based on the height of the top of the parking structure to which the sign will be attached plus the height of the sign.

The applicant has not provided the requisite justification based on hardship that would support the location and height of the sign. The companion variance application VAR-5878 is a request to allow the sign to be closer than 750 from another sign on the same side of the freeway and also reduces the setback requirements. There is sufficient land west of the parking structure for the sign to be located off of the building (thereby making it freestanding) and at the proper height.

The attachment of the billboard to the parking structure is not justified. The relocation of the sign to the top of the parking structure cannot be supported because the proposal is not consistent with the conditions of approval for RQR-1974. Condition 7 of RQR-1974 states that Off-Premise (Billboard) signs, once removed, can be relocated on the Parkway Center property if the replacement signs are conforming to Title 19. The proposed location of the subject sign is not consistent with the standards that require a billboard to be freestanding (not attached to a building) and ground mounted (not located on the top of a parking structure).

KCW

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 locate a sign in a manner not allowed in Title 19 and at a height that is not justifiable.

An alternative location on the property and shortening of the sign 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 22

NOTICES MAILED 35 – Mailed with SUP-5877

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-050505 APN: 139-27-410-008

Name of Property Owner: City Parkway IV A Inc.

Name of Applicant: Parkway Center 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: Douglas A. Selby

Print Name: Douglas A. Selby, President

Subscribed and sworn before me

This 18th day of MARCH, 2005

Carolyn Marinello

Notary Public in and for said County and State

Notary Public-State of Nevada
COUNTY OF CLARK
CAROLYN MARINELLO
My Appointment Expires
February 11, 2008
No. 94-0918-1

PROJECT SUMMARY

LAND AREA		± 5.1 AC
BUILDING AREA		
I.R.S. EXISTING	92,277 S.F.	
8 STORY BLDG. (208,000 S.F. + 2,690 S.F.)	± 210,590 S.F.	
RETAIL	± 7,960 S.F.	
BLDG. SUPPORT AREAS	± 5,150 S.F.	
TOTAL:	± 315,977 S.F.	
LOT COVERAGE		± 49.5 %
F.A.R. (INCLUDES PKG. STRUCTURE)		± 281 %
PARKING REQUIRED		± 942 CARS
SURFACE		42
PKG. STRUCTURE:		± 900 CARS
PARKING PROVIDED		± 1,250 CARS

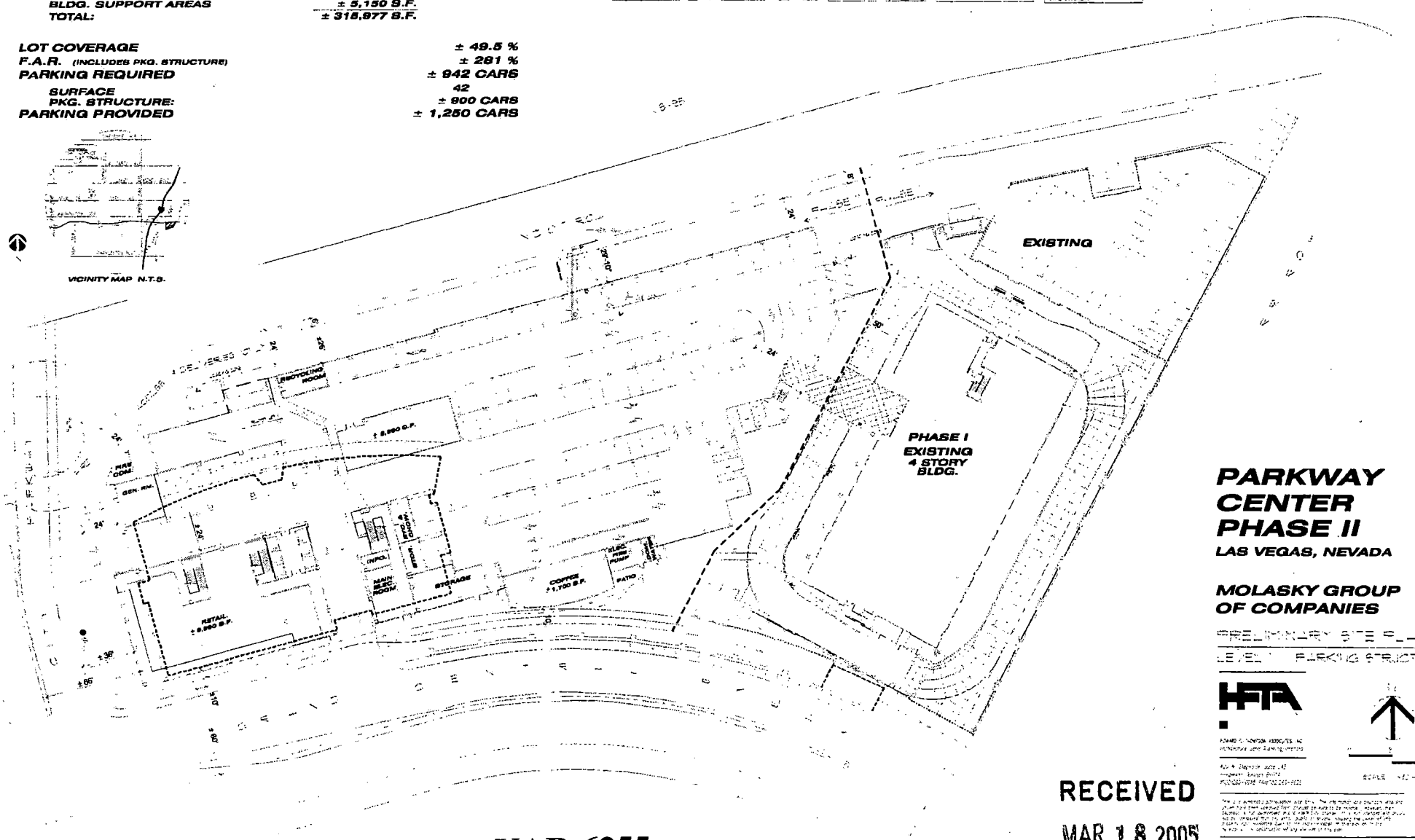
LEED
SUSTAINABLE SITE
CREDIT 5 - 1PT
BROWN FIELD
REDEVELOPMENT
REHABILITATE DAMAGED SITES
DIRECTION FOR INFORMATION:

LEED
SUSTAINABLE SITE
CREDIT 4.1 - 1PT
REDUCE POLLUTION
.25 MILE OF TWO OR MORE PUBLIC TRANSPORTATION.
DIRECTION FOR INFORMATION

LEED
SUSTAINABLE SITE
CREDIT 4.2 - 1PT
REDUCE POLLUTION
BICYCLE STORAGE W/SHOWERS FOR 5% OF OCCUPANTS.
DIRECTION FOR INFORMATION:

LEED
SUSTAINABLE SITE
CREDIT 7.1- 1PT
HEAT ISLAND EFFECT
REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS.
DIRECTION FOR INFORMATION

LEED
SUSTAINABLE SITE
CREDIT 7.2- 1PT
HEAT ISLAND EFFECT
REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS.
DIRECTION FOR INFORMATION:



PARKWAY CENTER PHASE II
LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

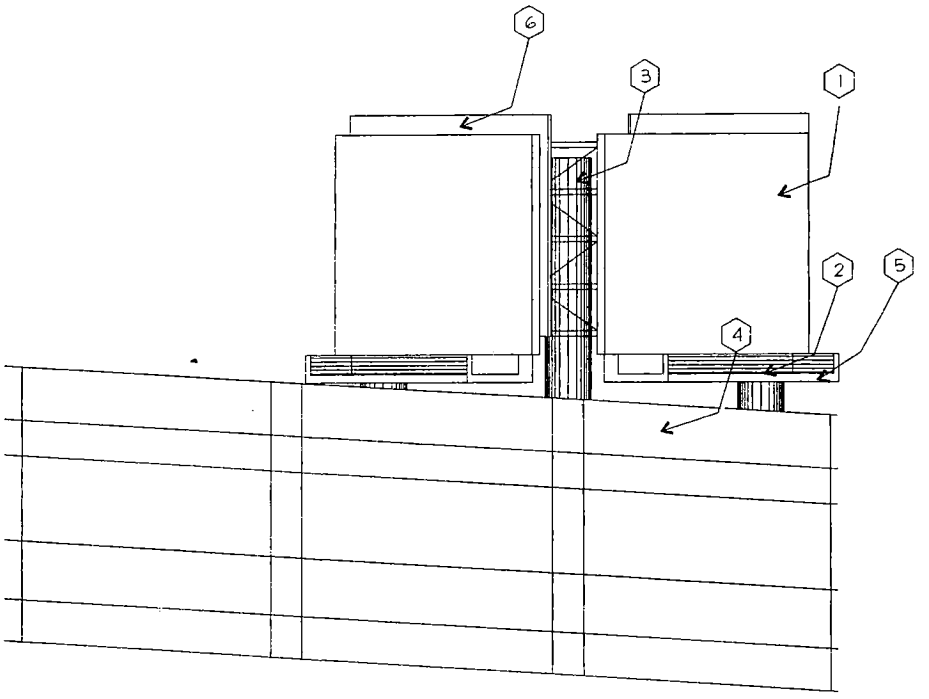
PRELIMINARY SITE PLAN
LEVEL 1 PARKING STRUCTURE

HFA

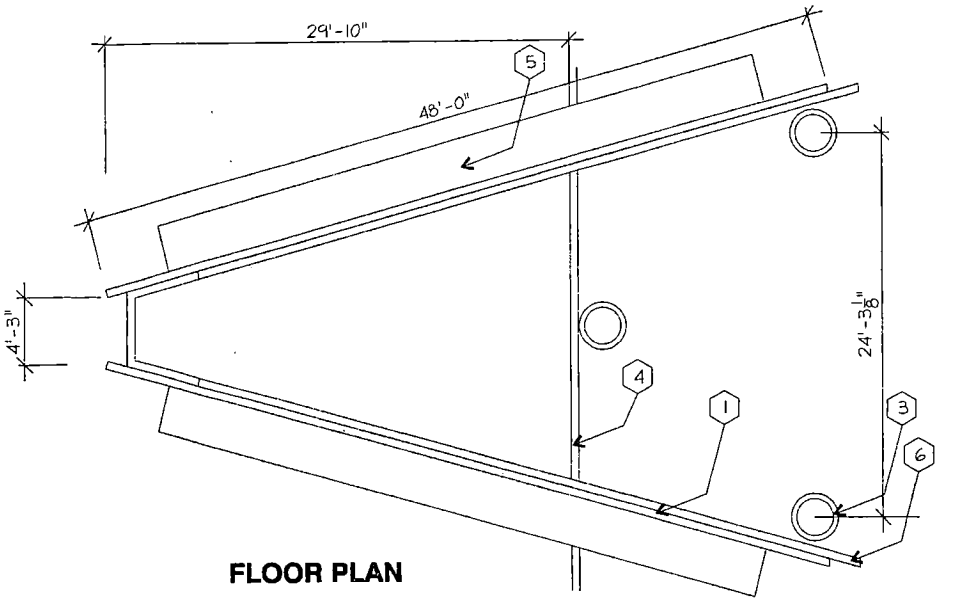
03-16-05

RECEIVED
MAR 18 2005

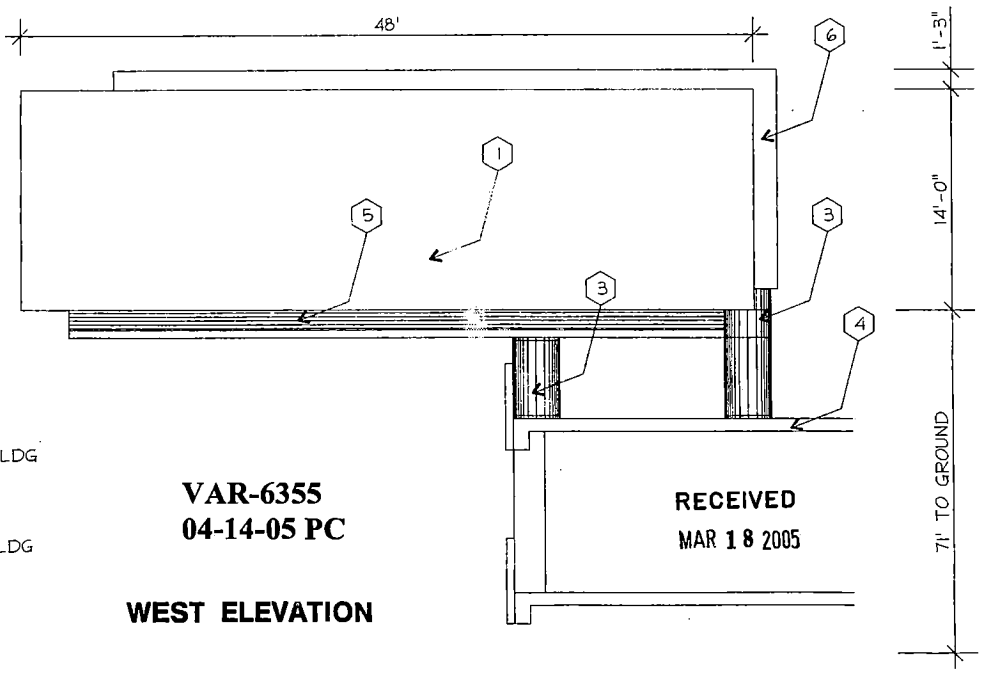
VAR-6355
04-14-05 PC



NORTH ELEVATION



FLOOR PLAN



WEST ELEVATION

PROPOSED SIGNAGE

HOWARD F. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6615/FAX(702)269-6625

0 4' 8'
1/8"=1'-0"

JOB#: F:\PR\23-049-00/Sign\3.16.05\SIGN-ELEVATIONS.DWG DATE: 3-16-05

03-16-05

MATERIAL LEGEND

1. SIGN BOARD
2. FUTURE LIGHTS
3. ALUMINUM COLUMN COVER MATCH OFFICE BLDG
4. PARKING STRUCTURE
5. METAL TRIM PAINTED TO MATCH OFFICE BLDG
6. BACK BOARD

VAR-6355
04-14-05 PC

RECEIVED
MAR 18 2005

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

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

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

LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

March 18, 2005

Doug Rankin
CITY OF LAS VEGAS PLANNING & DEVELOPMENT
400 E. Stewart
10th Floor
Las Vegas, NV 89101

Re: Justification Letter – Variance Request – Off-Premise Sign
APN #139-27-410-008 Paradise Development

Dear Doug:

Please be advised this office represents the applicant in the above referenced matter. This request is for variances with respect to an off-premise sign located on approximately 2.55 acres at 110 City Parkway. The applicant has plans to construct a multi-story office building on the proposed site ("Parkway Center Phase II").

The elevations depict the proposed off-premise sign in the same location as the existing off-premise sign. However, as part of the development of the property, the applicant proposes to eliminate the existing off-premise sign pole and attach the sign face to the parking structure. Consequently, the applicant requests a variance to allow the sign face to attach to the building as well as a variance to allow for increased sign height.

The proposed variances will facilitate the rehabilitation of the existing sign and will ultimately result in a more appealing off-premise advertising sign.

Thank you for your kind consideration of this matter. Please contact this office should you have any questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha F. Keetch

TFK/lsm

LAW FIRMS WORLDWIDE MERITAS

VAR-60355

City of Las Vegas

Agenda Item No.: 21

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-5877 – SPECIAL USE PERMIT RELATED TO VAR-5878 AND VAR-6355 – PUBLIC HEARING – APPLICANT: PARKWAY CENTER LLC – OWNER: CITY PARKWAY IV A INC. – Request for a Special Use Permit FOR A PROPOSED 71-FOOT HIGH, 14-FOOT x 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 City Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Weekly).

C.C.: 05/18/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions and adding the following conditions:

- ***The approval is pursuant to the Site Plan and Elevations dated 4/12/2005 for the flush mounted sign face.***
- ***The maximum square footage, per sign face, is 672 square feet.***
- ***Each sign face shall have only one advertisement.***

– UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is involved with the Molasky family

To be heard by the City Council on 5/18/2005

MINUTES:

See Item 19 [VAR-5878] for related discussion on Item 19 [VAR-5878], Item 20 [VAR-6355], Item 21 [SUP-5877] and Item 22 [SDR-5876].

(6:57 – 7:29)

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 21 – SUP-5877

CONDITIONS:

Planning and Development

1. The use shall be subject to the conditions of approval of RQR-1974 and RQR-5683.

2. Approval of SDR-5876 and VAR-5878 by the City Council.

3. Signs shall conform to the elevations and site plan, date stamped December 27, 2004, except as amended herein.

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

5. 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 (Billboard) Sign be removed.

6. If a Site Development Plan Review for new development includes property in which an Off-Premise (Billboard) Sign is located the billboard(s) shall be reviewed for compatibility with the proposed development. Conditions of approval may be imposed that require the removal or redesign of some or all of the Off-Premise (Billboard) Signs.

7. If the proposed Off-Premise Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 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.

8. The Off-Premise (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 (Billboard) Sign.

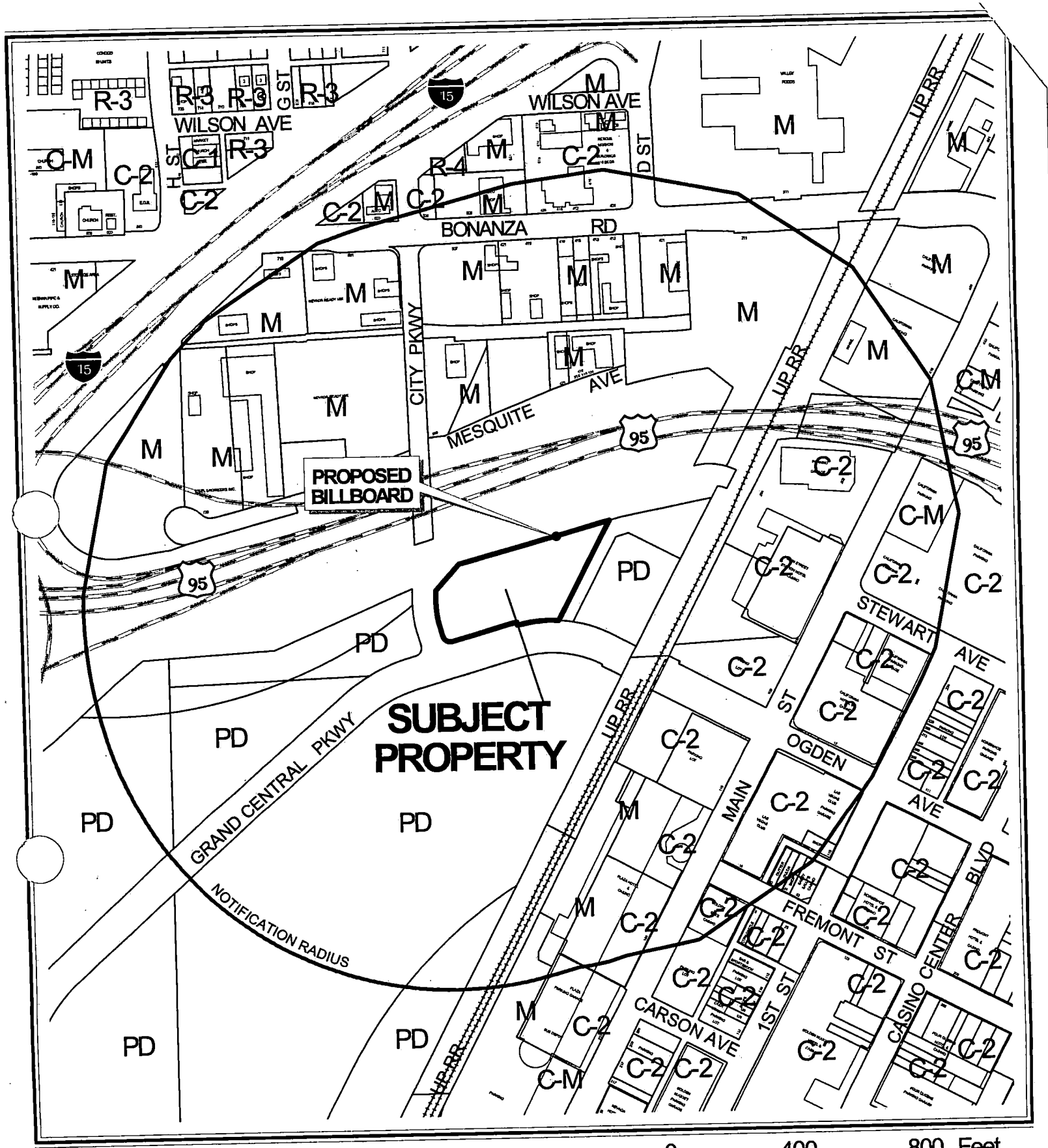
9. Only one advertising sign is permitted per sign face.

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

CONDITIONS – Continued:

Public Works

11. The proposed Off-Premise (Billboard) Sign shall not be located within the public right-of–way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

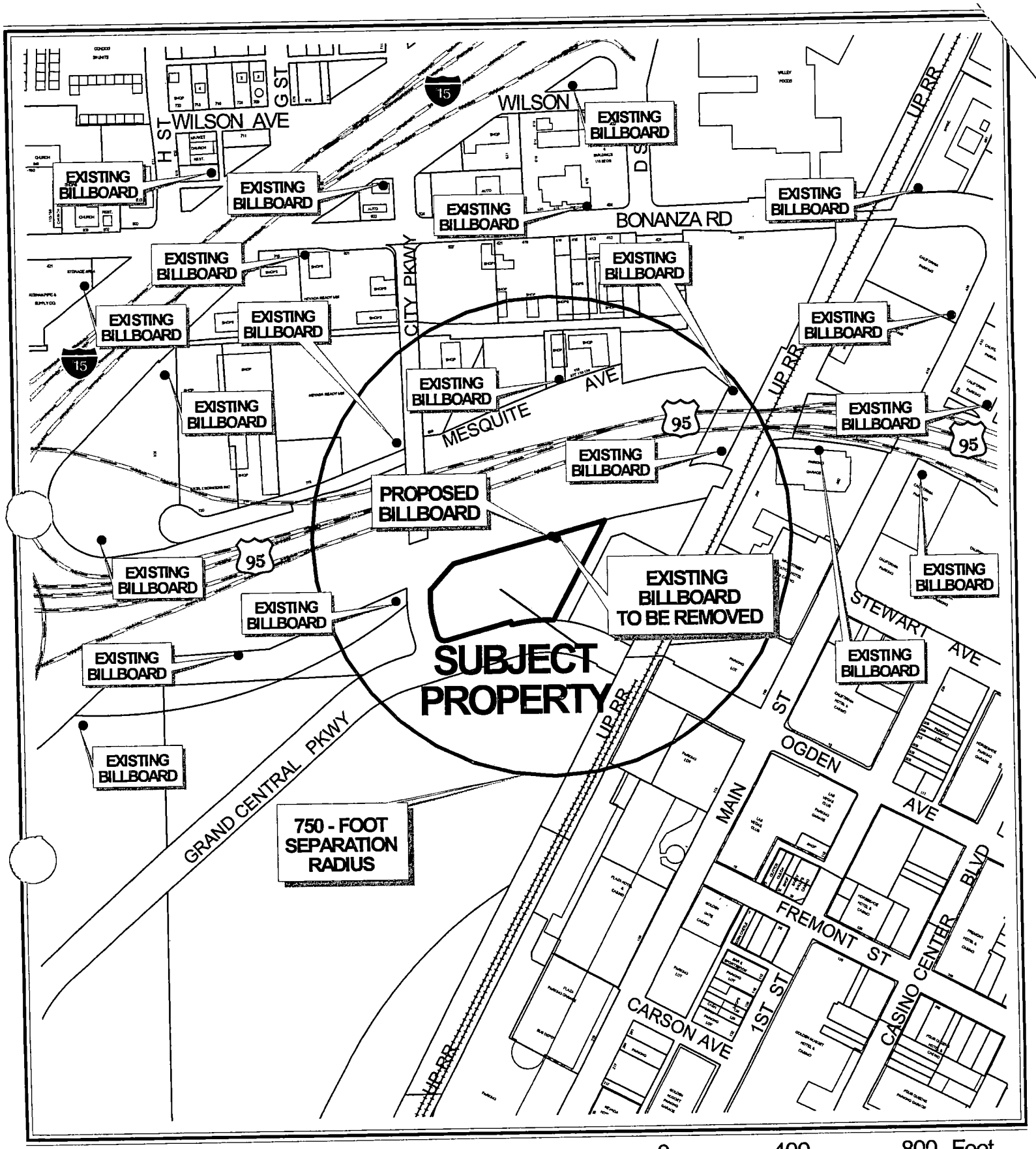


CASE: **SUP-5877**

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

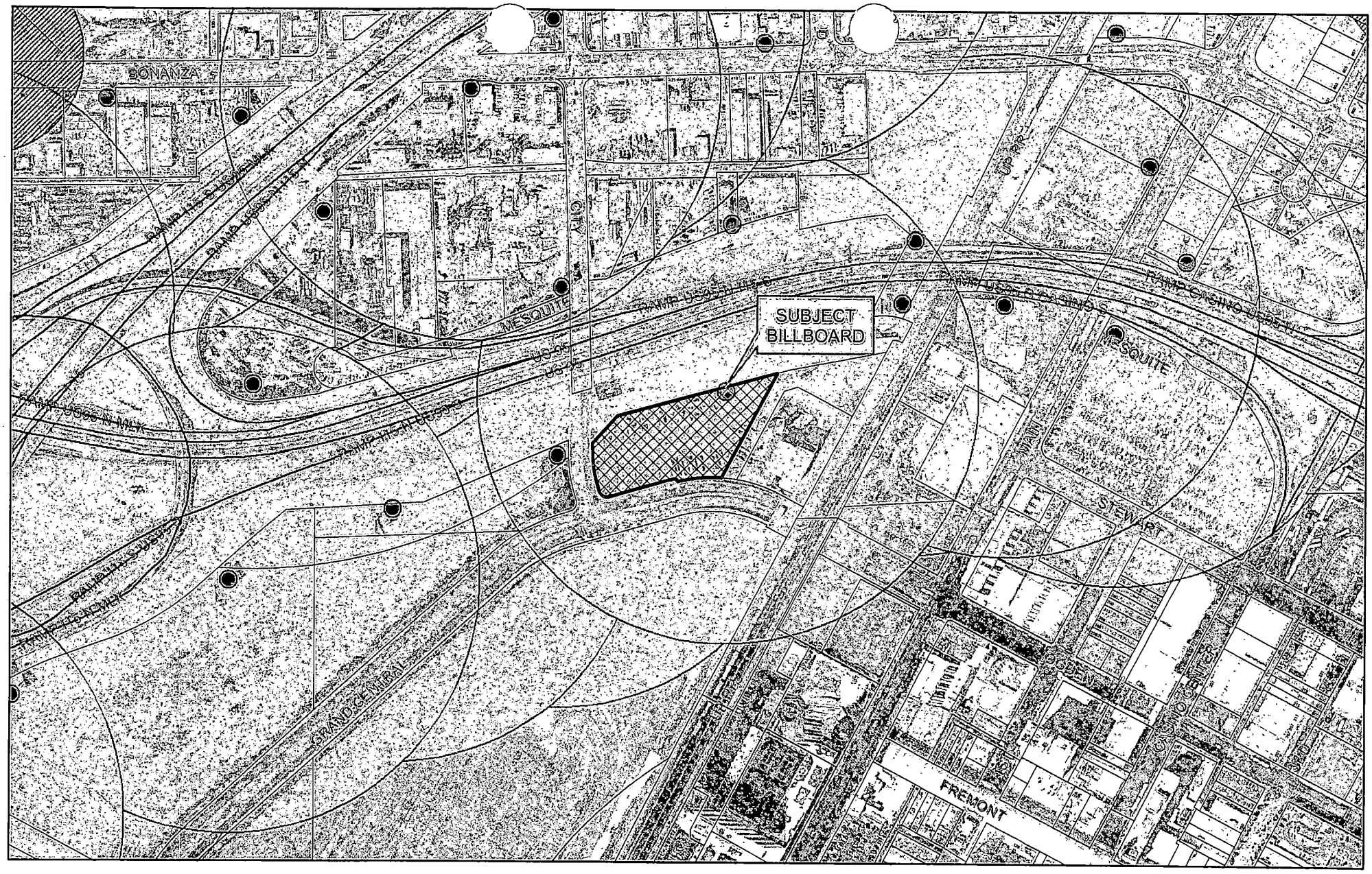


CASE: **SUP-5877**

SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



SUP-5877

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

City of Las Vegas Billboard Data

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5877 – APPLICANT: PARKWAY CENTER LLC -- OWNER: CITY PARKWAY IV A INC.

** CONDITIONS **

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

Planning and Development

1. The use shall be subject to the conditions of approval of RQR-1974 and RQR-5683.

2. Approval of SDR-5876 and VAR-5878 by the City Council.

3. Signs shall conform to the elevations and site plan, date stamped December 27, 2004, except as amended herein.

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

5. 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 (Billboard) Sign be removed.

6. If a Site Development Plan Review for new development includes property in which an Off-Premise (Billboard) Sign is located the billboard(s) shall be reviewed for compatibility with the proposed development. Conditions of approval may be imposed that require the removal or redesign of some or all of the Off-Premise (Billboard) Signs.

7. If the proposed Off-Premise Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 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.

8. The Off-Premise (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 (Billboard) Sign.

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

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

Public Works

11. The proposed Off-Premise (Billboard) Sign shall not be located within the public right-of–way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for the removal and reinstallation of an existing 50-foot high, 14-foot x 48-foot Off-Premise (Billboard) Sign.

B) Applicant's Justification

The applicant has justified the request by stating that the sign will be located adjacent to a major freeway where other Off-Premise Signs currently exist, and erection of the sign on the parking structure will be harmonious and compatible with area. In addition, the removal of the pole structure in favor of a more visually appealing structure affixed to the garage will enhance the area.

BACKGROUND INFORMATION

A) Related Actions

11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject site as part of a larger request. The Planning Commission recommended approval. Included in that approval was the ability to maintain the existing Off-Premise (Billboard) Signs.

04/30/99 The Signboard Site License was entered into between Union Pacific Railroad Company and DR Partners, doing business as Donrey Outdoor Advertising, for the existing sign.

01/02/02 The City Council adopted a general development plan and development standards for the Parkway Center as a discussion item on the Business Development portion of the agenda.

04/24/03 The Planning Commission approved a Site Development Plan Review (SDR-2037) to allow an 84,201 square-foot office building on a portion of the subject property. The project was reviewed and approved by the PC-ARC (Parkway Center—Architecture Review Committee) on 03/05/03. Staff recommended approval.

05/21/03 The City Council approved a Required Review (RQR-1974) for 12 Off-Premise (Billboard) Signs; one of the reviewed signs is located on the subject site. The Planning Commission and Staff recommended approval.

10/21/04 The Planning Commission approved a Review of Condition (ROC-5347) relative to the previously approved Site Development Plan Review to allow for temporary off-site parking and landscaping to be installed upon a later phase of the development. Staff recommended approval.

01/18/05 The Parkway Center-Architecture Review Committee (PC-ARC) recommended approval of the proposed development and the requested Waivers.

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.

02/24/05 The Planning Commission is scheduled to consider a Required Review (RQR-5683) for eight Off-Premise (Billboard) Signs, one of which is the subject of this application.

03/10/05 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.

04/14/05 The Planning Commission is scheduled to consider an associated (VAR-5878) to allow the relocation of the existing Off-Premise (Billboard) Sign on the site, as well as a Site Development Plan Review (SDR-5876) for the construction of 250,000 square-foot office building on the site.

B) Pre-Application Meeting

12/14/04 At the pre-application conference, issues were discussed relative to the conditions of the previous Required Review (RQR-1974) for the Off-Premise (Billboard) Sign, as well as setback and construction issues.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.55 (A portion of a larger 5.1 acre parcel)

B) Existing Land Use

Subject Property:	Undeveloped
North:	US 95 Right-of-Way
South:	Undeveloped
East:	Office Use
West:	Undeveloped

C) Planned Land Use

Subject Property:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)
North:	US 95 Right-of-Way
South:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)
East:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)
West:	DTR-MXU (Downtown City of Las Vegas Redevelopment Plan-Mixed-Use)

D) Existing Zoning

Subject Property:	PD (Planned Development)
North:	US 95 Right-of-Way
South:	PD (Planned Development)
East:	PD (Planned Development)
West:	PD (Planned Development)

E) General Plan Compliance

The subject property is located within the boundaries of the Downtown City of Las Vegas Redevelopment Plan area, and has a Mixed-Use land use designation. The Mixed-Use designation allows uses comparable to the following land use categories: L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), GC (General Commercial), and PF (Public Facilities). There are no General Plan policies that pertain to the this Special Use Permit request.

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

Downtown City of Las Vegas Redevelopment Plan Area
The parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use land use designation. There are no policies of the Downtown City of Las Vegas Redevelopment Plan that pertain to the subject request.

Downtown Centennial Plan
The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Parkway Center District. The district is intended to accommodate a wide variety of commercial, public and residential uses within vertically or horizontally mixed-use configuration. Existing Off-Premise (Billboard) Signs that are removed may be replaced if the sign is incorporated in the new development and approved by a new special use permit.

Airport Overlay District
The parcel is located within the Airport Overlay District; Federal Aviation Administration (FAA) review is required for any building over 175 feet in height, based on the location of the property.

ANALYSIS

An existing Off-Premise (Billboard) Sign is located on the subject property, and the applicant has requested to relocate the sign in order to allow the construction of a new 250,000 square-foot commercial building on the site. The footprint of the proposed building and location of a perimeter access drive requires the sign to be mounted on top of the proposed parking structure, and will be approximately 15 feet northwest of its current location. The sign will not have any support pole, but will be cantilevered over the perimeter driveway. The cantilevered support structure will be decorative and will utilize similar materials and colors as the principal building.

The Las Vegas Downtown Centennial Plan permits the existing signs to remain as they are. If the signs are to be removed, the Downtown Centennial Plan allows new signs at the existing locations provided the signs are designed in a manner that is architecturally similar to the existing development. An example is the Off-premise (Billboard) Signs is located on the Las Vegas Premium Outlets Mall.

The subject sign falls under the same umbrella as described above except the agreement between Union Pacific and Donrey Outdoor stipulates that the subject sign can only be moved and replaced just once.

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The proposed Off-Premise (Billboard) Sign will not generate a requirement for additional parking on the site.

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.14, the following separation requirements apply to the subject proposal:

Standards	Code Requirement	Provided
Off-Premise (Billboard) Sign	750' separation from other Off-Premise (Billboard) Signs oriented towards freeway	N
	300' separation from any other Off-Premise (Billboard) Sign	Y
	300' separation from any U or R zoning district	Y

The proposed sign will be located within 750 feet of another Off-Premise (Billboard) Sign. Based on the Conditions of Approval of Required Review RQR-1974, the sign is allowed to be replaced provided a Special Use Permit and Variance are approved by City Council.

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

Standards	Code Requirement	Provided
Height	30' above elevation of highway or 55' maximum	50'
Maximum Area	672 SF	672 SF
Setback from Right-of-Way	10'	0'
Setback from Intersection	50'	420'
	The sign is freestanding and ground mounted	Not freestanding or ground mounted

The proposed sign will comply with the height, area, and intersection setback requirements. The sign will not conform to the required 10-foot setback from the freeway right-of-way. A Variance (VAR-5878) application has been filed to address this issue.

The proposal is in conflict with the condition of approval of RQR-1974 that states that relocated signs must conform to the locational requirements of Title 19. One of the locational requirements of Off-Premise (Billboard) Signs is the sign shall be freestanding (not attached to a building) and ground mounted (not attached to the roof of a building).

It is the Variance, noncompliance to the conditions of RQR-1974, and the location of the sign in a manner that is inconsistent with Title 19 that is the basis for the denial of this Special Use Permit request.

B) General Analysis and Discussion

- Zoning

The subject property is zoned PD (Planned Development) and Off-Premise (Billboard) Signs are not a permitted use in PD zoned areas. The Conditions of Approval of the Rezoning (Z-0100-97) state that no new Off-Premise (Billboard) Signs are allowed; however, the pre-existing signs may remain subject to review. As noted above, the Conditions of Approval of the Required Review (RQR-1974) requires that relocated signs must conform to locational requirements Title 19. A roof mounted Off-Premise (Billboard) Sign does not conform to Title19.14.

- Use

The use and relocation of the use is permitted in the Downtown Centennial Plan area if the sign is incorporated in the new development. But, as the request can not be supported because of conflict with Title 19 and prior conditions of approval the use is not appropriate as proposed.

- Conditions

In accordance with the Rezoning (Z-0100-97) for the property, the sign shall be subject to review by City Council, giving consideration to changing conditions in the area and whether or not the use can continue to be conducted in a manner that is compatible with surrounding land uses.

FINDINGS

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

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

   The proposed use will not be harmonious with the existing billboard signs as the new sign would be the first roof mounted sign and all of the other signs are freestanding and ground mounted.

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

   As the proposed layout of the building and vehicular circulation areas for the site eliminate most locations for the support pole of the sign, the sign will be attached to the parking structure. The cantilevered sign will extend to the rear property line along the freeway.

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

   This use does not generate traffic, and will not negatively impact the use of surrounding roadways.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 35 – Mailed with VAR-6355

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5877 APN: 139-27-410-008

Name of Property Owner: City Parkway IV A Inc.

Name of Applicant: Parkway Center LLC

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

_____ Yes ___X___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Douglas Selby

Print Name: Douglas Selby

Subscribed and sworn before me

This 22nd day of December, 2004

Cecili C. Green

Notary Public in and for said County and State

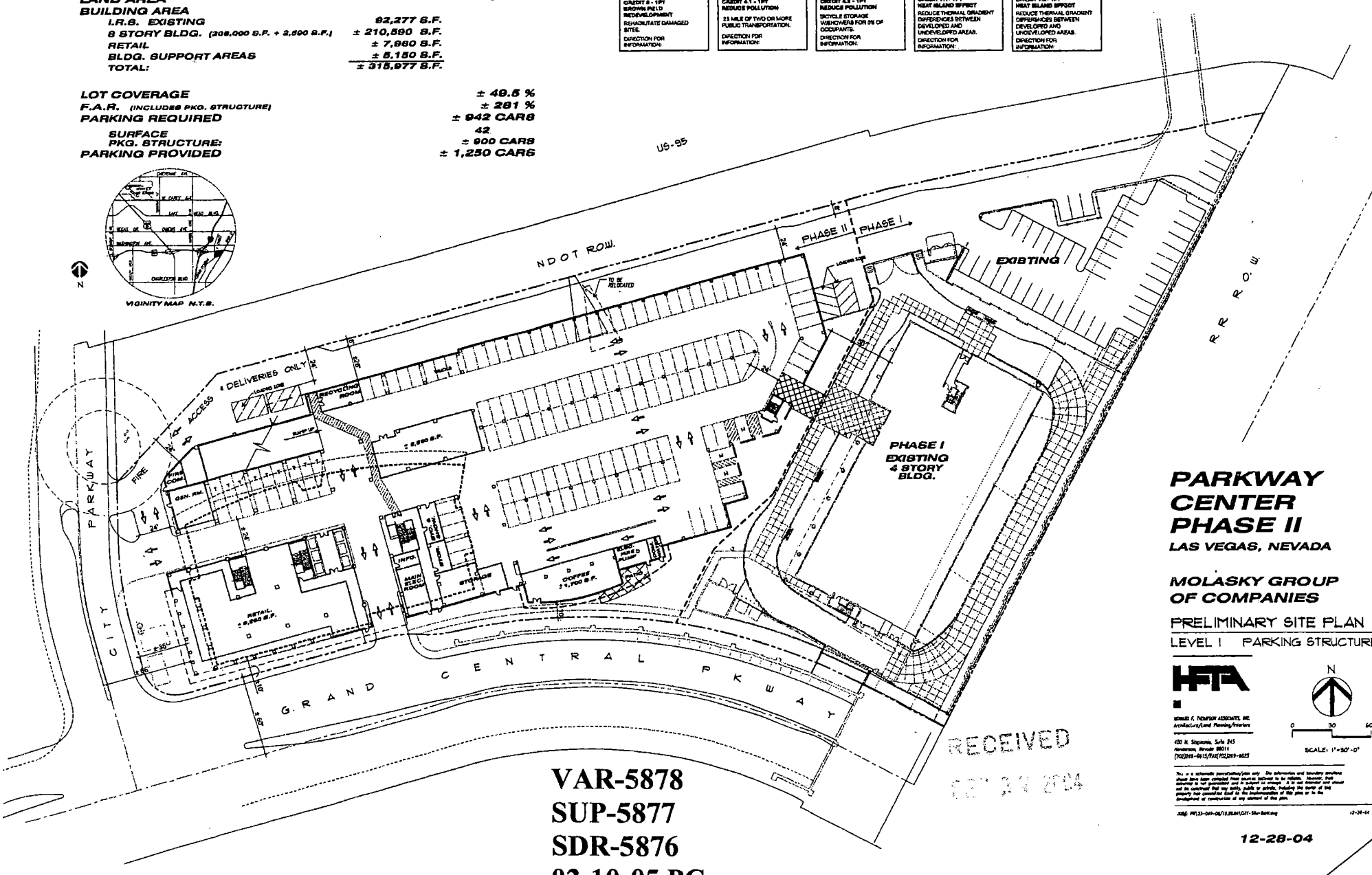
Notary Public-State of Nevada
COUNTY OF CLARK
CECELI C. GREEN
My Appointment Expires
March 7, 2008
No. 96-1693-1

PROJECT SUMMARY

LAND AREA		± 5.1 AC
BUILDING AREA		
I.R.S. EXISTING	92,277 S.F.	
8 STORY BLDG. (208,000 S.F. + 2,500 S.F.)	± 210,590 S.F.	
RETAIL	± 7,960 S.F.	
BLDG. SUPPORT AREAS	± 5,150 S.F.	
TOTAL:	± 315,977 S.F.	
LOT COVERAGE		± 49.5 %
F.A.R. (INCLUDES PKG. STRUCTURE)		± 281 %
PARKING REQUIRED		± 942 CARS
SURFACE		42
PKG. STRUCTURE:		± 900 CARS
PARKING PROVIDED		± 1,250 CARS

LEED	LEED	LEED	LEED	LEED
SUSTAINABLE SITE CREDIT 3 - 1PT BROWN FIELD REDEVELOPMENT REHABILITATE DAMAGED SITES. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 4.1 - 1PT REDUCE POLLUTION ½ MILE OF TWO OR MORE PUBLIC TRANSPORTATION. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 4.2 - 1PT REDUCE POLLUTION BICYCLE STORAGE W/SHOWERS FOR 5% OF OCCUPANTS. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 7.1- 1PT HEAT ISLAND EFFECT REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 7.2- 1PT HEAT ISLAND EFFECT REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS. DIRECTION FOR INFORMATION:

VICINITY MAP N.T.S.



PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY SITE PLAN

LEVEL 1 PARKING STRUCTURE

HFTA

HOWARD F. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors

420 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)293-6615/FAX(702)269-6625

N

0 30 60

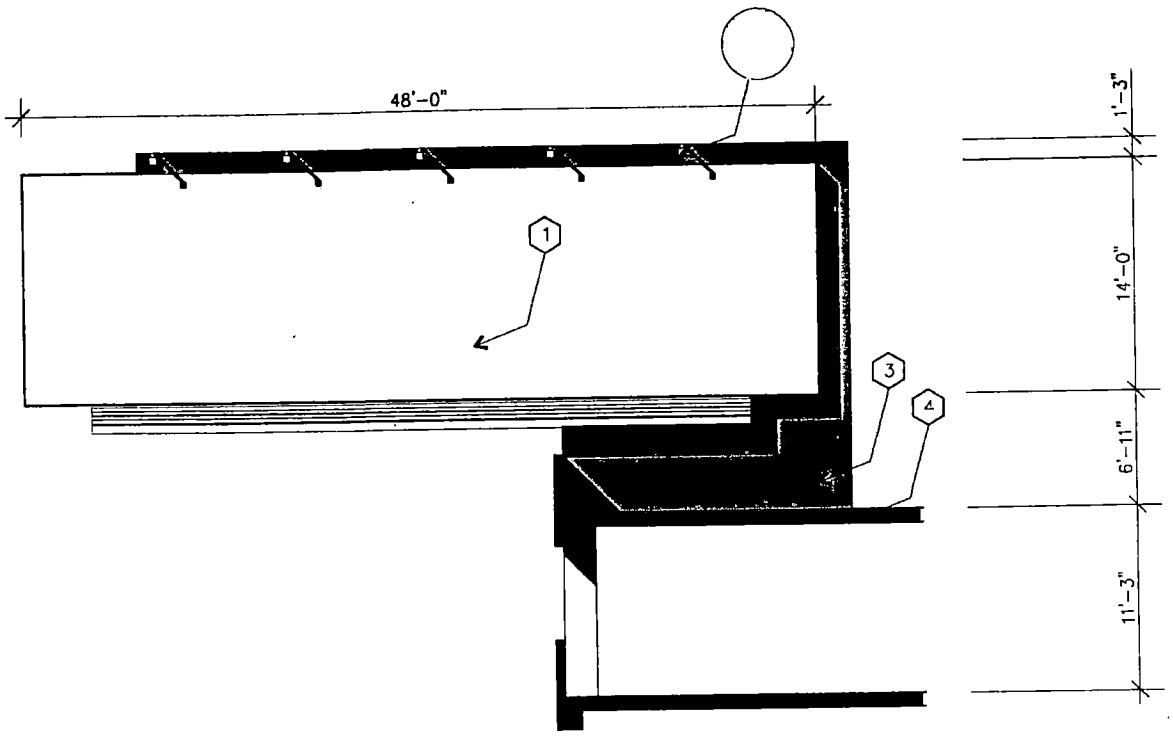
SCALE: 1"=30'-0"

This is a schematic representation only. Its dimensions and boundary positions shown have been compiled from sources believed to be reliable. However, they cannot be fully guaranteed and are subject to change. It is not intended and should not be construed that any public, public or private, holding the owner of this property has committed itself to the implementation of the plan or to its development or construction of any element of the plan.

12-28-04

RECEIVED
DEC 31 2004

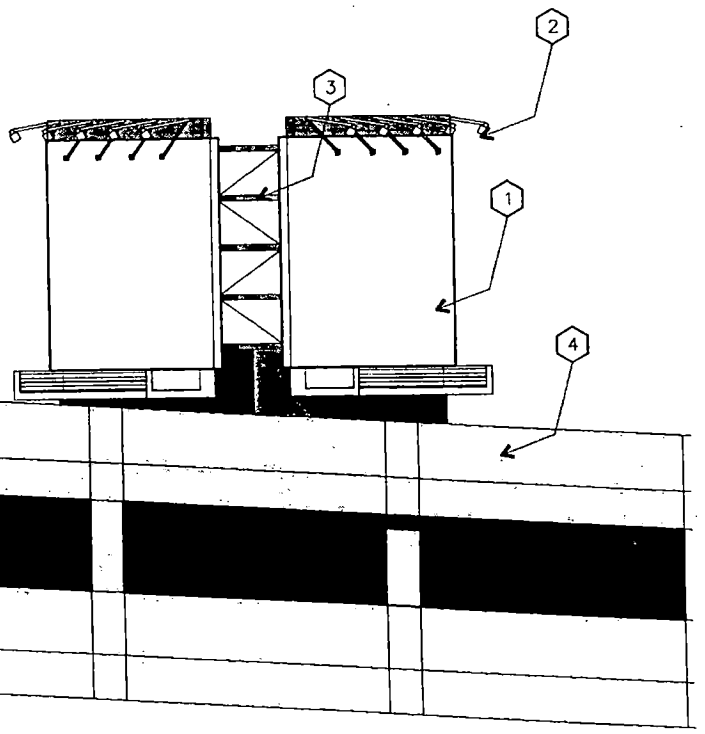
VAR-5878
SUP-5877
SDR-5876
02-10-05 PC



WEST ELEVATION

MATERIAL LEGEND

1. SIGN BOARD
2. LIGHTS
3. SUPPORT
4. PARKING STRUCTURE



NORTH ELEVATION

PROPOSED SIGNAGE

HOWARD F. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6615/FAX(702)269-6615

0 4' 8'
1/8"=1'-0"

JOB#: F:\PR\23-049-00/12-28-04/SIGN-ELEVATIONS.DWG DATE: 12-22-04

RECEIVED
DEC 27 2004

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

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

3800 Howard Hughes Parkway
Seventh Floor
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Tel: 702.792.7000
Fax: 702.796.7181

8600 Technology Way
Suite 104
Reno, NV 89521-5941
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kkbr.com

December 27, 2004

VIA HAND DELIVERY

Mr. Flynn Fagg
CITY OF LAS VEGAS
DEPT. OF PLANNING & DEVELOPMENT
City of Las Vegas Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Re: Justification Letter
Off-Premise Sign – Parkway Center
APN: 139-27-410-008

Dear Mr. Fagg:

Please be advised, this office represents the applicant with respect to the development of Phase II of Parkway Center which will consist of a multi-story office building and retail component. The applicant is filing a site plan review for Phase II of the Parkway Center concurrent with this request for a special use permit and variance for an off-premise sign.

The off-premise sign (the "Sign") is an existing pole structure with advertisements that face towards both directions of the 95 freeway. As part of the site plan review for the Phase II of Parkway Center, the applicant is requesting to remove the standard pole structure and instead affix the Sign onto the parking garage. The parking garage will service the retail businesses, IRS building and tenants and visitors of Phase II of Parkway Center.

The applicant is seeking a special use permit and a variance for the Sign. The variance is necessary to waive the distance restrictions imposed by 19.14.100(C)(5) between off-premise signs located on the same side of a freeway. The Sign will be elevated approximately 50 feet above the freeway. The existing off-premises signs located along this corridor have been in existence for several years and precede the code requirement cited above. A review of these off-premise signs was approved by the City of Las Vegas City Council on May 21, 2003 (RQR-1974). Condition number 7 of RQR-1974 allows an applicant to seek a special use permit for the new structure and a variance to the applicable standards of Title 19.

Since the Sign will be located in the core of Las Vegas and adjacent to a major freeway where other off-premise signs currently exist, erection of the Sign on the parking structure will be harmonious and compatible with the area. Additionally, removal of the pole structure in favor of a more visually appealing structure affixed to the parking garage will enhance the area. Finally, the Sign will be maintained by the owner of the Parkway Center so the Sign will be kept in good condition so as to not detract from the attractiveness of the overall office and retail complex.

If you have any questions, please do not hesitate to contact me.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jennifer Lazovich

JJL/dmf
Encl.

SUP-5877

City of Las Vegas

Agenda Item No.: 22

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
ABEYANCE - SDR-5876 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5878, VAR-6355 AND SUP-5877 - PUBLIC HEARING - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC. - Request for a Site Development Plan Review FOR A 15-STORY, 250,000 SQUARE FOOT OFFICE AND COMMERCIAL DEVELOPMENT AND WAIVERS FROM THE PARKWAY CENTER STREETSCAPE REQUIREMENTS, BUILD-TO LINE, AND EXTERIOR MATERIALS REQUIREMENTS on 2.55 acres at 110 City Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Weekly).

C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
EVANS – APPROVED subject to conditions and amending the following conditions:
3. All development shall be in conformance with the site plan and building elevations, dated *4/12/05 for the flush mounted billboard* and the perspective drawings, dated 1/20/05, except as amended by conditions herein.
25. Landscape and maintain all unimproved right(s)-of-way *contiguous* to this site.
– UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is involved with the Molasky family

To be heard by the City Council on 5/18/2005

MINUTES:
See Item 19 [VAR-5878] for related discussion on Item 19 [VAR-5878], Item 20 [VAR-6355],

MINUTES – Continued:
Item 21 [SUP-5877] and Item 22 [SDR-5876].
(6:57 – 7:29)
1-2094

CONDITIONS:
Planning and Development

1. Approval of VAR-5878 and SUP-5877 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, dated 12/27/04, and the perspective drawings, dated 1/20/05, except as amended by conditions herein.

4. The Waiver from the Parkway Center Standards build-to requirement is hereby approved, due to existing conditions of the public right-of-way.

5. The Waiver from the Parkway Center streetscape requirements is hereby approved, based on the continuation of the existing landscape palette and sidewalk width. Sidewalk paving materials shall comply with Parkway Center requirements.

6. The Waiver from the Parkway Center perimeter landscape standards is hereby approved, provided the number of trees in the buffer areas meets or exceeds Code requirements.

7. The Waiver from the Parkway Center exterior materials requirement is hereby approved to allow the use of pre-cast concrete on the lower levels of the building. The use of any other non-conforming materials shall be subject to the final review and approval of the PC-ARC (Parkway Center-Architecture Review Committee).

8. Glazing shall comply with Parkway Center Standards. Any variation from the Parkway Center Standards shall be subject to the final review and approval of the PC-ARC (Parkway Center-Architecture Review Committee).

9. All required landscaping and a permanent irrigation 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 irrigation systems shall be cause for revocation of a business license.

CONDITIONS – Continued:

10. Parking spaces within the parking structure may be reduced in width, subject to the requirements of Title 19.10.010(J)(2c).

11. Handicap parking spaces shall be provided in accordance with Title 19.10.

12. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.

13. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with the Parkway Center Development Standards. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building. Trash enclosure shall have walls and a roof. Any variation in the screening of mechanical equipment from Code requirements shall be subject to the final review and approval of the PC-ARC (Parkway Center-Architecture Review Committee).

14. 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.

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

16. 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.

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

CONDITIONS – Continued:

Public Works

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

20. 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.

21. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

22. Access driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

23. In accordance with the intent of a commercial subdivision, all pad sites comprising this overall site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

24. 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.

25. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.

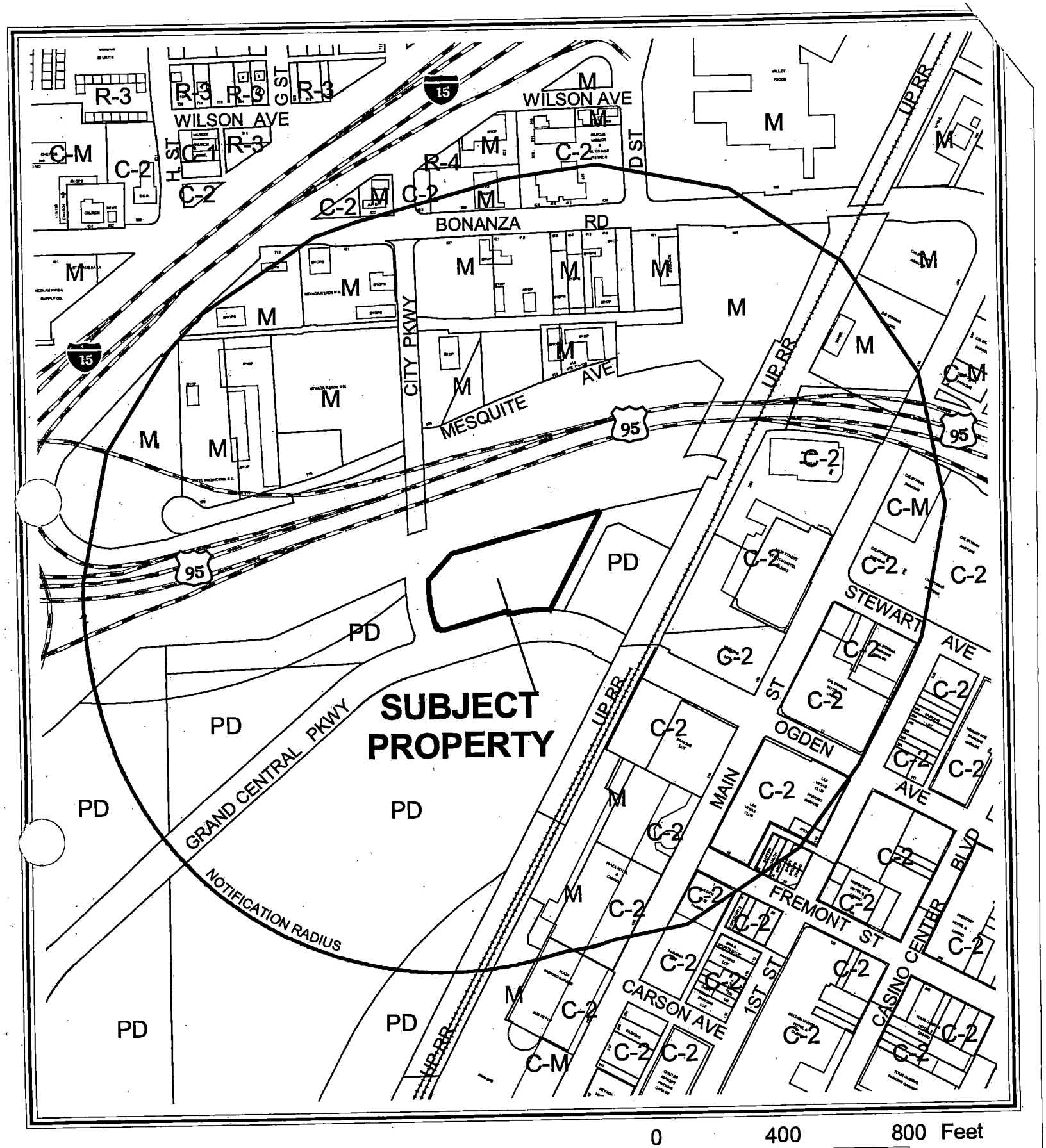
26. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

27. 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

CONDITIONS – Continued:

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.

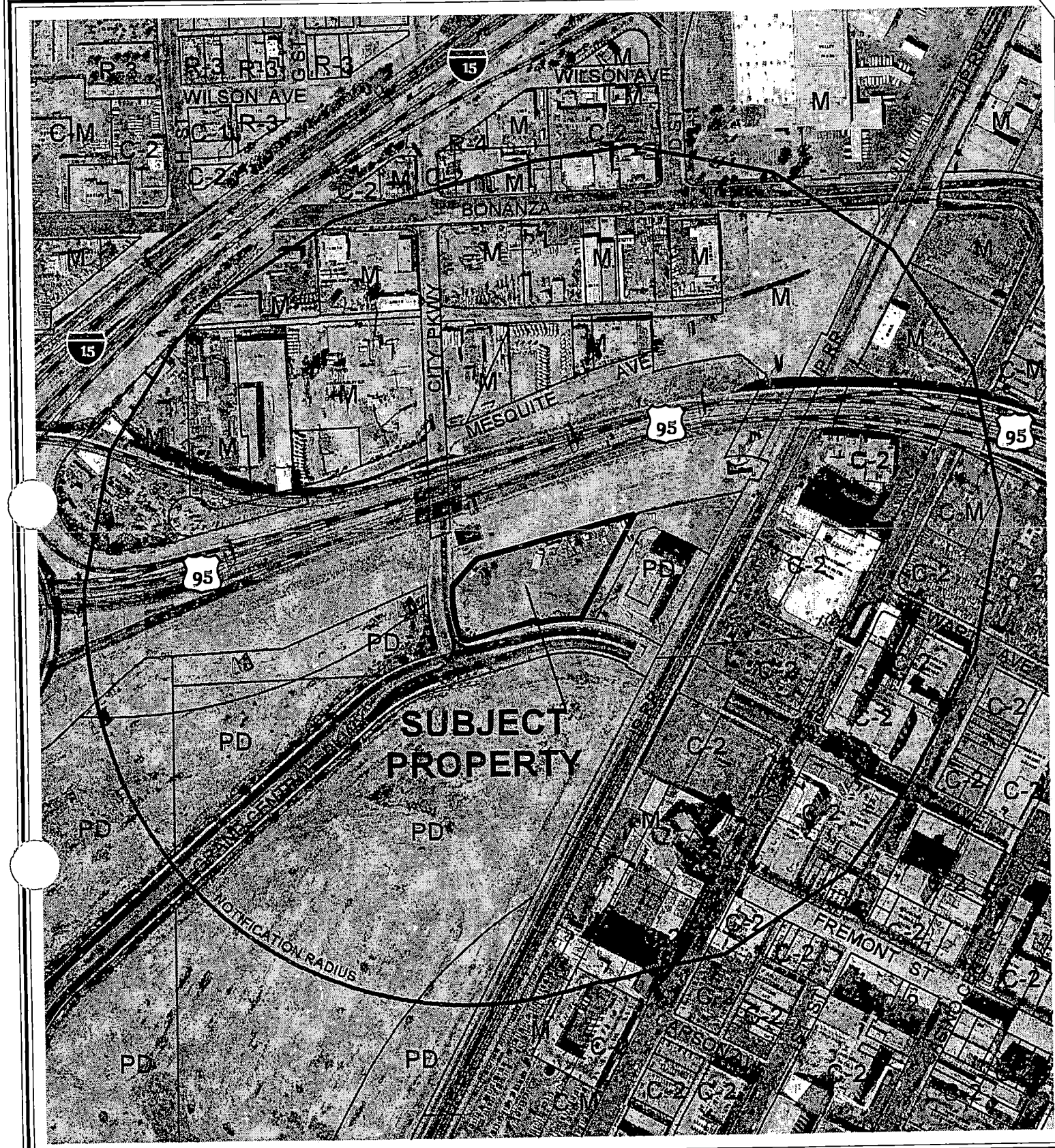
28. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.



CASE: **SDR-5876**

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



0 400 800 Feet

CASE: **SDR-5876**

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5876 – APPLICANT: PARKWAY CENTER LLC – OWNER: CITY PARKWAY IV A INC.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL,** subject to:

Planning and Development

1. Approval of VAR-5878 and SUP-5877 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, dated 12/27/04, and the perspective drawings, dated 1/20/05, except as amended by conditions herein.

4. The Waiver from the Parkway Center Standards build-to requirement is hereby approved, due to existing conditions of the public right-of-way.

5. The Waiver from the Parkway Center streetscape requirements is hereby approved, based on the continuation of the existing landscape palette and sidewalk width. Sidewalk paving materials shall comply with Parkway Center requirements.

6. The Waiver from the Parkway Center perimeter landscape standards is hereby approved, provided the number of trees in the buffer areas meets or exceeds Code requirements.

7. The Waiver from the Parkway Center exterior materials requirement is hereby approved to allow the use of pre-cast concrete on the lower levels of the building. The use of any other non-conforming materials shall be subject to the final review and approval of the PC-ARC (Parkway Center-Architecture Review Committee).

8. Glazing shall comply with Parkway Center Standards. Any variation from the Parkway Center Standards shall be subject to the final review and approval of the PC-ARC (Parkway Center-Architecture Review Committee).

9. All required landscaping and a permanent irrigation 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 irrigation systems shall be cause for revocation of a business license.

10. Parking spaces within the parking structure may be reduced in width, subject to the requirements of Title 19.10.010(J)(2c).

11. Handicap parking spaces shall be provided in accordance with Title 19.10.

12. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.

13. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with the Parkway Center Development Standards. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building. Trash enclosure shall have walls and a roof. Any variation in the screening of mechanical equipment from Code requirements shall be subject to the final review and approval of the PC-ARC (Parkway Center-Architecture Review Committee).

14. 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.

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

16. 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.

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

Public Works

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

20. 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.

21. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

22. Access driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

23. In accordance with the intent of a commercial subdivision, all pad sites comprising this overall site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

24. 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.

25. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.

26. 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.

27. 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.

28. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for a 15-story, 250,000 square-foot office and commercial development and Waivers of the Parkway Center streetscape requirements, build-to line, and exterior materials requirements on 2.55 acres at 110 City Parkway. An associated Special Use Permit application (SUP-5877) and Variance (VAR-5878) for an off-premise sign on the property will be considered concurrently.

B) Applicant's Justification

The applicant states that the building will be designed and built as a LEED (Leadership in Energy and Environmental Design) structure, and that the requested Waivers will not be detrimental to the surrounding area and that the project will enhance the Parkway Center.

BACKGROUND INFORMATION

A) Related Actions

11/23/98	The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject site as part of a larger request. The Planning Commission recommended approval. Included in that approval was the ability to maintain the existing Off-Premise Advertising (Billboard) Signs.
01/02/02	The City Council adopted a general development plan and development standards for the Parkway Center as a discussion item on the Business Development portion of the agenda.
04/24/03	The Planning Commission approved a Site Development Plan Review (SDR-2037) to allow a 84,201 square-foot office building on a portion of the subject property. The project was reviewed and approved by the PC-ARC (Parkway Center—Architecture Review Committee) on 03/05/03.
05/21/03	The City Council approved a Required Review (RQR-1974) for 12 Off-Premise Advertising (Billboard) Signs; one of the reviewed signs is located on the subject site.

FF

10/21/04 The Planning Commission approved a Review of Condition (ROC-5347) relative to the previously-approved Site Development Plan Review to allow for temporary off-site parking and landscaping to be installed upon a later phase of the development.

01/18/05 The Parkway Center-Architecture Review Committee (PC-ARC) recommended approval of the proposed development and the requested Waivers.

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.

02/24/05 The Planning Commission is scheduled to consider a Required Review (RQR-5683) for eight Off-Premise Advertising (Billboard) Signs, one of which is located on the subject property.

03/10/05 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.

04/14/05 The Planning Commission is scheduled to consider an associated Special Use Permit (SUP-5877) and Variance (VAR-5878) to allow the relocation of the existing Off-Premise Advertising (Billboard) Sign on the site.

B) Pre-Application Meeting

12/14/04 At the pre-application conference, it was noted that the Parkway Center development standards would apply to the project, and that waivers would be needed from the build-to line requirement and landscaping standards.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.55 (A portion of a larger 5.1 acre parcel)

B) Existing Land Use

Subject Property:	Undeveloped
North:	US 95 Right-of-Way
South:	Undeveloped
East:	Office Use
West:	Undeveloped

C) Planned Land Use

Subject Property:	MXU (Mixed-Use)
North:	US 95 Right-of-Way
South:	MXU (Mixed-Use)
East:	MXU (Mixed-Use)
West:	MXU (Mixed-Use)

D) Existing Zoning

Subject Property:	PD (Planned Development)
North:	US 95 Right-of-Way
South:	PD (Planned Development)
East:	PD (Planned Development)
West:	PD (Planned Development)

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a Mixed-Use land use designation. The Mixed-Use designation allows uses comparable to the following land use categories: L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), GC (General Commercial), and PF (Public Facilities). The proposed office and commercial uses are in conformance with the Mixed-Use designation.

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

Redevelopment Plan Area
The parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan
The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Parkway Center District. The district is intended to accommodate a wide variety of commercial, public and residential uses within vertically or horizontally mixed-use configuration. The proposed project is generally consistent with the goals and objectives of the Downtown Centennial Plan.

Airport Overlay District
The parcel is located within the Airport Overlay District; Federal Aviation Administration (FAA) review is required for any building over 175 feet in height, based on the location of the property.

PROJECT DESCRIPTION

The proposed project entails the development of a 250,000 square-foot office and retail building, incorporating an integral parking structure that will serve the proposed building and the previously-approved office building under construction on the eastern portion of the site. The building will be 15 stories in height, with retail space located on the ground floor of the building facing Grand Central Parkway, and the office portion of the structure occupying the upper eight stories of the building. The parking structure will occupy the intermediate levels of the building, with entrances from Grand Central Parkway and City Parkway.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Parkway Center Development Standards Manual addresses certain site development standards, which are detailed below:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	2.55 Acres	N/A
Min. Lot Width	N/A	225 Feet	N/A
Min. Setbacks			
• Front	0 Feet	10 Feet	N
• Corner	0 Feet	36 Feet	N
• Rear	N/A Feet	24 Feet	N/A
Build-to Line	75% of frontage line	80%	N
Max. Lot Coverage	Up to 100%	49.5%	Y

FF

Max. Building Height	N/A	15 stories	N/A
Min. Building Height	4 stories	15 stories	Y
F.A.R.	1.5	2.81	Y
Trash Enclosure	Walled/roofed	Interior	Y
Mech. Equipment	Screened	Screened	Y

The proposed building will be located approximately ten feet behind the front property line and 36 feet from the corner side yard property line, instead of being located directly at the property line. The Parkway Center Standards require that the building be located at the frontage line for a minimum of 75% of the building width. The structure will comply with all other development standards.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards. The parcel is located over 1,800 feet from the nearest single-family residence.

A3) Parking and Traffic Standards

Pursuant to Section 4.12 of the Parkway Center Development Standards, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Parking Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Office	302,867	3 spaces per 1,000 SF	909			
Retail	7,960	2 spaces per 1,000 SF	16			
Total			925	19	1,250	Not indicated

The parking calculations listed above include the square footage of both the Phase I and Phase II buildings, as both will share the parking structure. The development will provide parking spaces in excess of Parkway Center requirements; handicap spaces will need to be provided in accordance with Code requirements. The applicant has requested approval for a reduction in the size of the parking spaces within the parking structure, in accordance with Title 19.10.010(J)(2-c), which may be approved administratively by the Planning and Development Director, provided that none of the spaces are less than 8-1/2 feet in width.

A4) Landscape and Open Space Standards

The property is subject to the landscape and streetscape standards of the Downtown Centennial Plan as listed below:

Standards	**Required** Ratio	Trees	**Provided**
Perimeter Buffer: • Front: 5' • Rear: 20'	 1 Tree/30' o.c. max. 1 Tree/30' o.c. max.	 14 Trees 29 Trees	 10'/14 Trees 0'-8'/48 Trees
Streetscape Treatment East/West Street	1 Shade Tree/30' o.c. max. (min. 24" box)	13 Trees	17 Palm Trees
Sidewalk	11' Sidewalk		6' Sidewalk

The number of trees provided in all buffer and streetscape amenity zones exceeds the amount required by Code. The front perimeter buffer area exceeds the required depth, but the rear landscape buffer does not conform to Code requirements. The sidewalk width, amenity zone, and the type of provided street trees do not conform to the Parkway Center streetscape standard.

A5) Sign Standards

No signage information has been provided on the submitted elevations or site plan. All signage shall be subject to the requirements listed in the Parkway Center Development Standards.

B) General Analysis and Discussion

- Zoning

The proposed office and retail uses are permitted by the Parkway Center Development Standards. The structure is not located directly at the front property line as stipulated in the Parkway Center Standards, due to right-of-way conditions at the Grand Central Parkway underpass. Despite this condition, the building is located as far towards the front of the property as possible, and the proposed retail spaces will have direct access from the public sidewalk as required by the Parkway Center Standards.

- Site Plan

The site plan depicts the retail spaces and a vehicular entrance at the front of the property facing Grand Central Parkway, with additional driveways for the parking structure and a perimeter access drive located on City Parkway. The site is shared with a four-story office structure (Phase I) that is already under construction; the parking structure will be utilized by both buildings. Landscape areas will be provided along the Grand Central Parkway and City Parkway frontages; a perimeter buffer will be provided along the majority of the rear property line adjacent to the freeway.

- Waivers

The project requires the following Waivers:

1. 75% Build-to requirement. The building maintains a nearly continuous 10-foot setback along the front of the property, rather than being located directly at the property line as required by the Parkway Center standards. This setback is due to the right-of-way condition and location of the retaining wall at the Grand Central Parkway underpass. In addition, the building is set back 36 feet from the City Parkway frontage line, due to the location of utilities at the front of the property and future plans to provide freeway access from City Parkway. Staff recommends approval of the Waiver due to the fact that the retail spaces have direct access to the public sidewalk on Grand Central Parkway as required and that the building maintains a continuous frontage along both streets.

2. Streetscape treatment. The applicant is proposing to utilize palm trees instead of the required shade trees in the right-of-way, and is utilizing the existing six-foot wide sidewalk instead of the 11-foot wide sidewalk that is required. The use of palm trees along the northern portion of Grand Central Parkway is appropriate, due to the curvilinear nature of the street and the existing palette of materials that is already in place. In addition, the reduced sidewalk width is also acceptable due to the constraints of the right-of-way and existing conditions.

3. Perimeter landscape buffers. The rear landscape buffer does not conform to the required 20-foot buffer depth; the applicant argues that the freeway right-of-way contributes to the buffer area. Even with the limited buffer depth, the applicant will be providing more trees than would be required by Code in the buffer area; consequently, staff would recommend approval of the Waiver.

4. Reflective glazing. The applicant has requested the ability to use reflective glazing as one of the elements of complying with the LEED certification, and would like flexibility in selecting the glazing as they are still in the process of investigating materials. The Parkway Center standard limits reflective or tinted glass to 60% of the façade area, and glazing shall not exceed 15% reflectivity; in addition, windows at the ground floor shall be clear glass or have a minimum light transmittance of 60%. It is recommended that applicant comply with the Parkway Center requirement, and that any need for a Waiver be presented to the PC-ARC (Parkway Center—Architecture Review Committee) for final review and approval.

5. Exterior materials. The Parkway Center Standards require stone cladding up to the third story of a building; the applicant is proposing to use pre-cast concrete panels on the ground floor and on all elevations of the parking structure portion of the building. As the cladding and colors are generally consistent with the adjacent Phase I building, staff recommends approval of the Waiver. As the applicant is still in the process of investigating exterior materials that comply with LEED standards, any request for changes from the materials indicated in the submitted plans shall be subject to review and approval by the PC-ARC (Parkway Center—Architecture Review Committee).

- Landscape Plan

  As previously noted, the applicant has requested a Waiver from the streetscape and perimeter landscape requirements; however, the number of trees provided in the landscape areas exceed Code requirements. All other landscaping is in conformance with the Parkway Center Standards.

- Elevations

  The elevations depict the use of pre-cast concrete panels on the ground floor and parking structure, with glazing, spandrel glass, and metal panels on the office portion of the structure. The applicant has requested a Waiver for the use of pre-cast concrete rather than stone veneer, as described above; the other proposed materials are permitted by the Parkway Center Standards. The building will generally be compatible with the design and materials of the Phase I building that is currently under construction on the site.

  Section 4.10 of the Parkway Center Standards requires that the exterior walls of all parking structures be compatible with the color, texture, architectural features, and articulation of the main building. While the detailing of the parking structure portion of the building is minimal, decorative metal shade structures and the pattern of score lines in the pre-cast concrete panels assist in adding interest and shadow to those portions of the facades.

- Floor Plan

  The ground floor plan of the building depicts the retail spaces fronting Grand Central Parkway, with the principal entrance to the spaces directly accessible from the public sidewalk. Access to the office levels of the building will be from elevators on each floor of the parking structure; the principal lobby entrance to the office building will from the top deck of the parking structure, facing a roof-top landscaped terrace.

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 generally consistent with adjacent development and the development that is proposed for the area.

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

   The proposed development is consistent with the General Plan and Title 19. The development requires a number of Waivers from the Parkway Center Standards, but is generally consistent with the overall goals and objectives of the Downtown Centennial Plan.

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

   The development will have access from Grand Central Parkway and City Parkway, and will not negatively impact adjacent roadways or traffic in the immediate vicinity of the project.

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

   The proposed building materials and landscape materials are appropriate for the City, and will conform with LEED standards.

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

   The design of the building will be compatible with the adjacent Phase I development, and will assist in creating an orderly and aesthetically pleasing environment.

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

   The development will be subject to inspections, and appropriate measures will be taken to secure and protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 35 – Mailed with VAR-5878 and SUP-5877

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5876 APN: 139-27-410-008

Name of Property Owner: City Parkway IV A Inc.

Name of Applicant: Parkway Center LLC

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Douglas Selby

Print Name: Douglas Selby

Subscribed and sworn before me

This 22nd day of December 2004

Cecili C. Green

Notary Public in and for said County and State

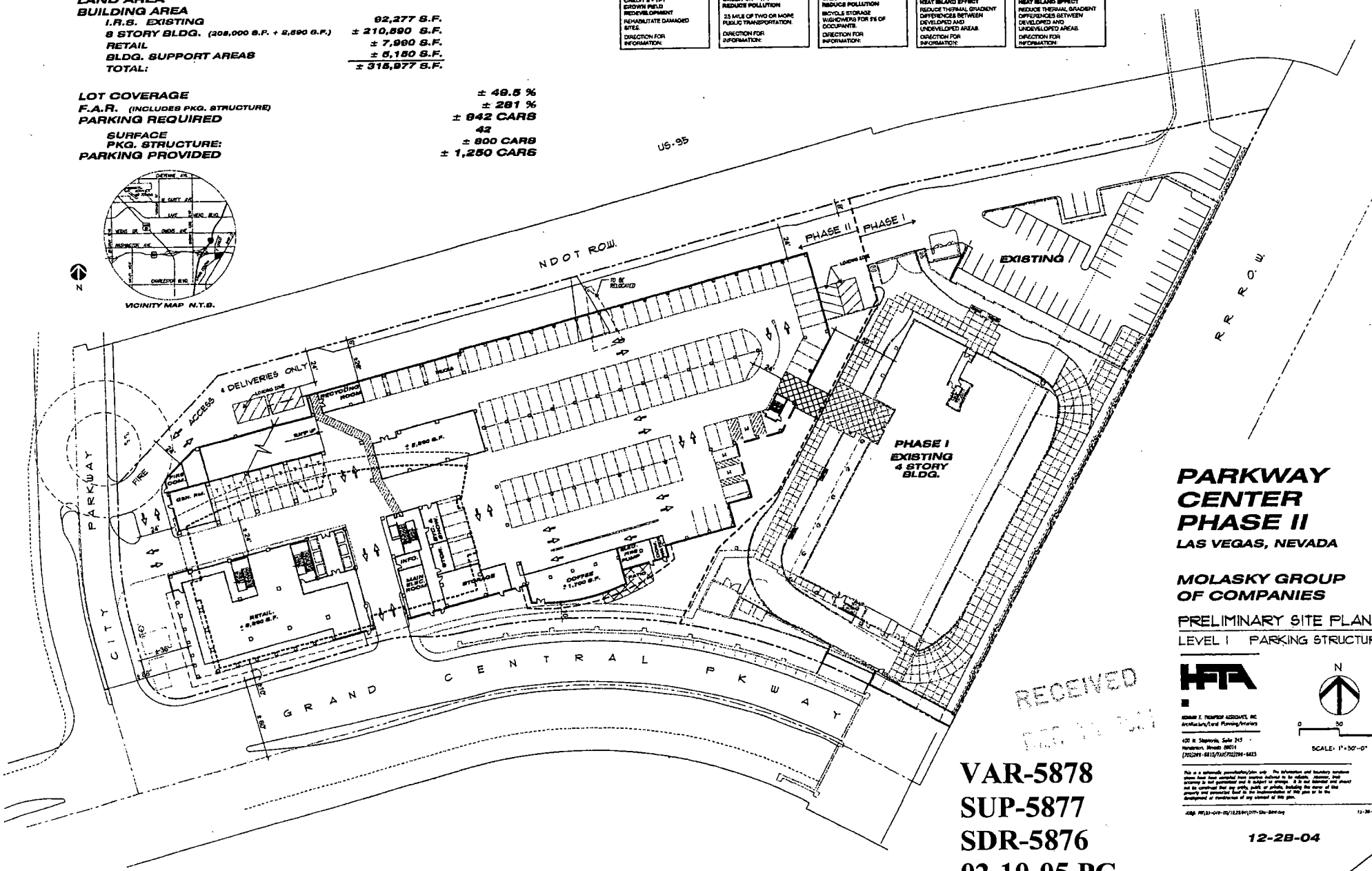
Notary Public-State of Nevada
COUNTY OF CLARK
CECELI C. GREEN
My Appointment Expires
March 7, 2008
No. 96-1693-1

PROJECT SUMMARY

LAND AREA		± 5.1 AC
BUILDING AREA		
I.R.S. EXISTING	92,277 S.F.	
8 STORY BLDG. (208,000 S.F. + 2,590 S.F.)	± 210,590 S.F.	
RETAIL	± 7,990 S.F.	
BLDG. SUPPORT AREAS	± 5,150 S.F.	
TOTAL:	± 315,977 S.F.	
LOT COVERAGE		± 49.5 %
F.A.R. (INCLUDES PKG. STRUCTURE)		± 281 %
PARKING REQUIRED		± 842 CARS
SURFACE		42
PKG. STRUCTURE:		± 800 CARS
PARKING PROVIDED		± 1,250 CARS

LEED	LEED	LEED	LEED	LEED
SUSTAINABLE SITE CREDIT 5 - 1PT BROWN FIELD REDEVELOPMENT REHABILITATE DAMAGED SITES: DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 4.1 - 1PT REDUCE POLLUTION 25 MILE OF TWO OR MORE PUBLIC TRANSPORTATION. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 4.2 - 1PT REDUCE POLLUTION BICYCLE STORAGE W&SHOWERS FOR 5% OF OCCUPANTS. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 7.1- 1PT HEAT ISLAND EFFECT REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS. DIRECTION FOR INFORMATION:	SUSTAINABLE SITE CREDIT 7.2- 1PT HEAT ISLAND EFFECT REDUCE THERMAL GRADIENT DIFFERENCES BETWEEN DEVELOPED AND UNDEVELOPED AREAS. DIRECTION FOR INFORMATION:

VICINITY MAP N.T.S.



PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY SITE PLAN

LEVEL 1 PARKING STRUCTURE

HTA

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(702)294-6815/FAX(702)294-6825

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SCALE: 1"=30'-0"

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12-28-04

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VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

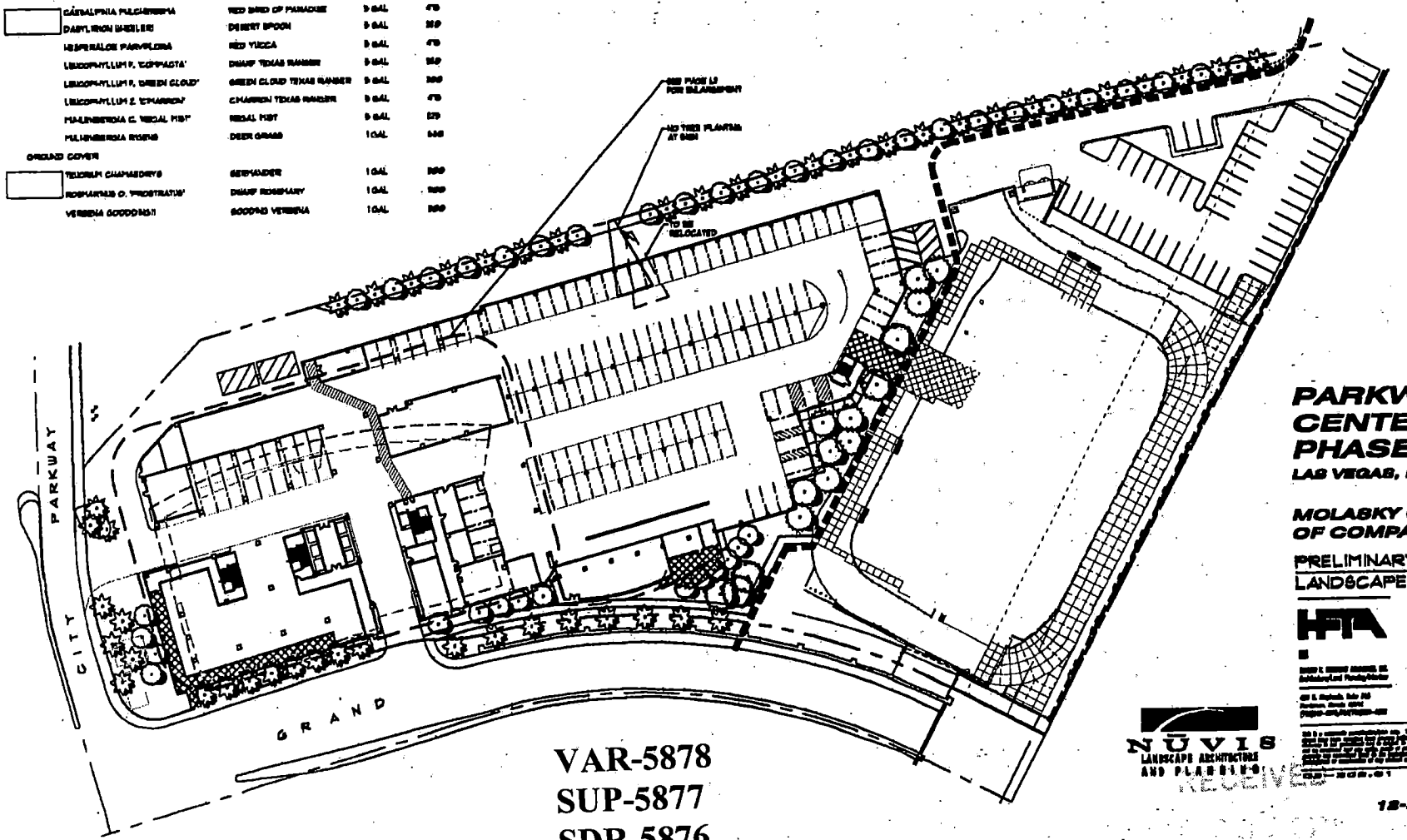
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PLANTING LEGEND

	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
TREES				
	CHILOPSIS LINEARIS	DESERT WILLOW	36" BOX	26
	PINUS ELDARICA	MONDEL PINE	24" BOX	19
	ULMUS LANCEA	AFRICAN EUPACI	36" BOX	9
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	36" BOX	49
SHRUBS				
	CAESALPINIA PULCHERRIMA	RED BIRD OF PARADISE	5 GAL	478
	DASYLIRION WHEELERI	DESERT SPOON	5 GAL	369
	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL	478
	LEUCOPHYLLUM F. 'COMPACTA'	DWARF TEXAS RANGER	5 GAL	369
	LEUCOPHYLLUM F. 'GREEN CLOUD'	GREEN CLOUD TEXAS RANGER	5 GAL	369
	LEUCOPHYLLUM Z. 'CHARRON'	CHARRON TEXAS RANGER	5 GAL	478
	MUHLENBERGIA C. 'REGAL MIST'	REGAL MIST	5 GAL	579
	MUHLENBERGIA RIGENS	DEER GRASS	1 GAL	648
GROUND COVER				
	TEUCRIUM CHAMAEDRYS	GERMANDER	1 GAL	369
	ROSMARINUS O. 'PROSTRATUS'	DWARF ROSEMARY	1 GAL	369
	VERBENA GOODDINGII	GOODING VERBENA	1GAL	369

LEED

WATER EFFICIENCY
CREDIT 1 - 1 PT
WATER EFFICIENT
LANDSCAPING
1 PT OR ELIMINATE THE
USE OF POTABLE WATER
DIRECTION FOR IRRIGATION



VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY
LANDSCAPE PLAN

HFA

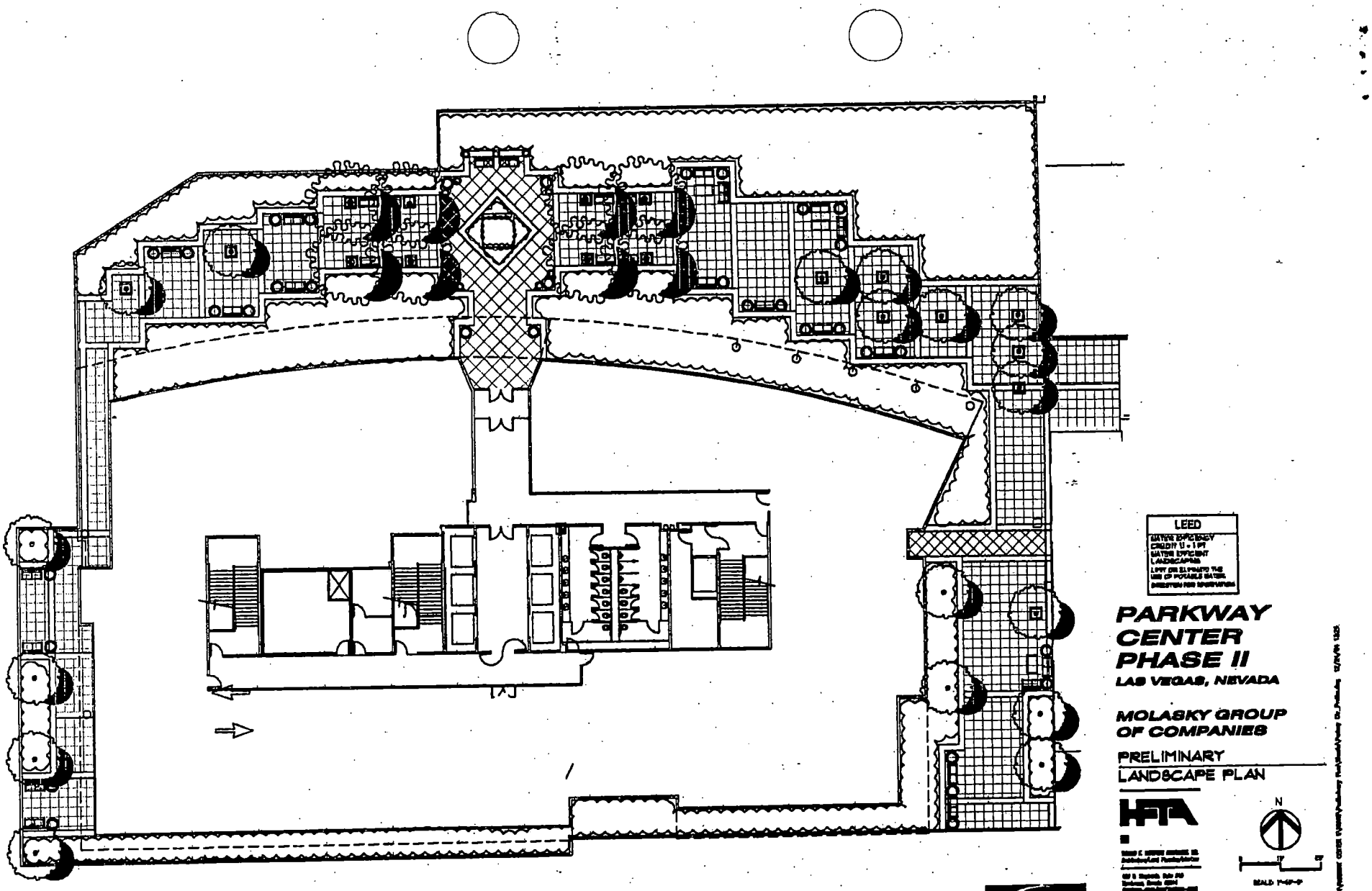
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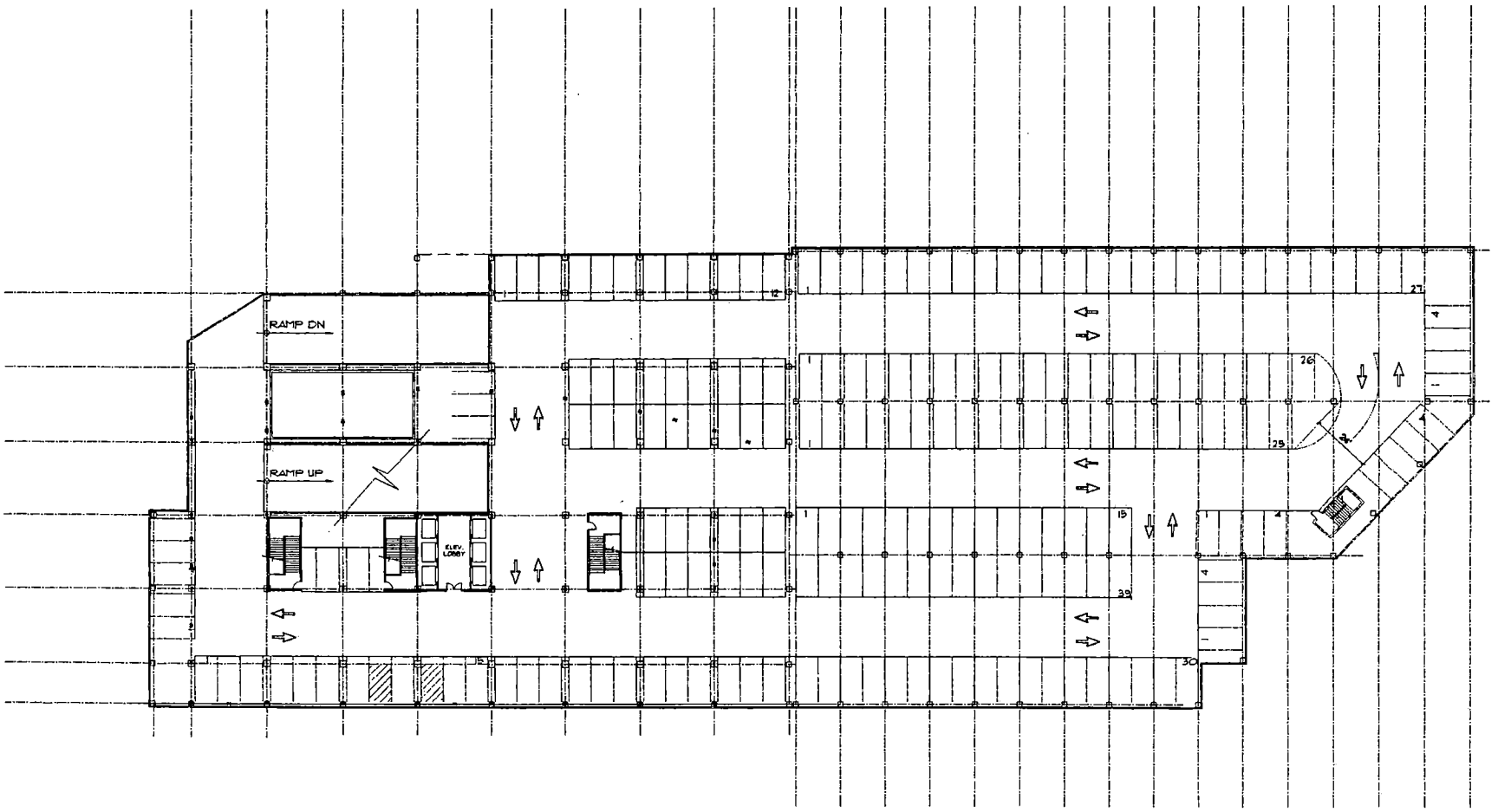
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SUP-5877
SDR-5876
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PARKWAY CENTER PHASE II
LAS VEGAS, NEVAD

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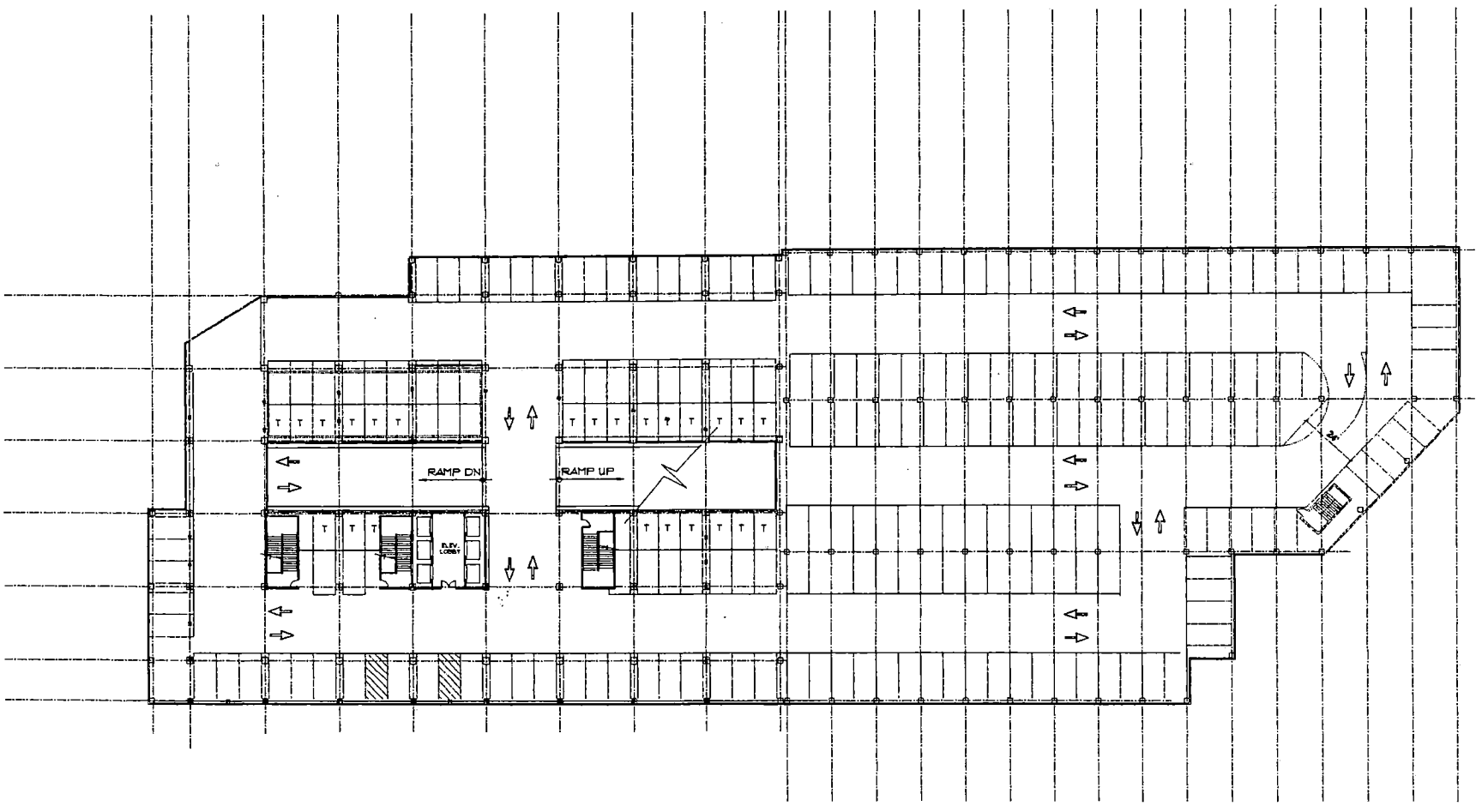
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LEVEL 2 FLOOR PL

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PARKWAY CENTER PHASE II

LAS VEGAS, NEVAD

MOLASKY GROU OF COMPANIES

PRELIMINARY PARKING STRUCTUR

LEVEL 3 FLOOR FL

HFA

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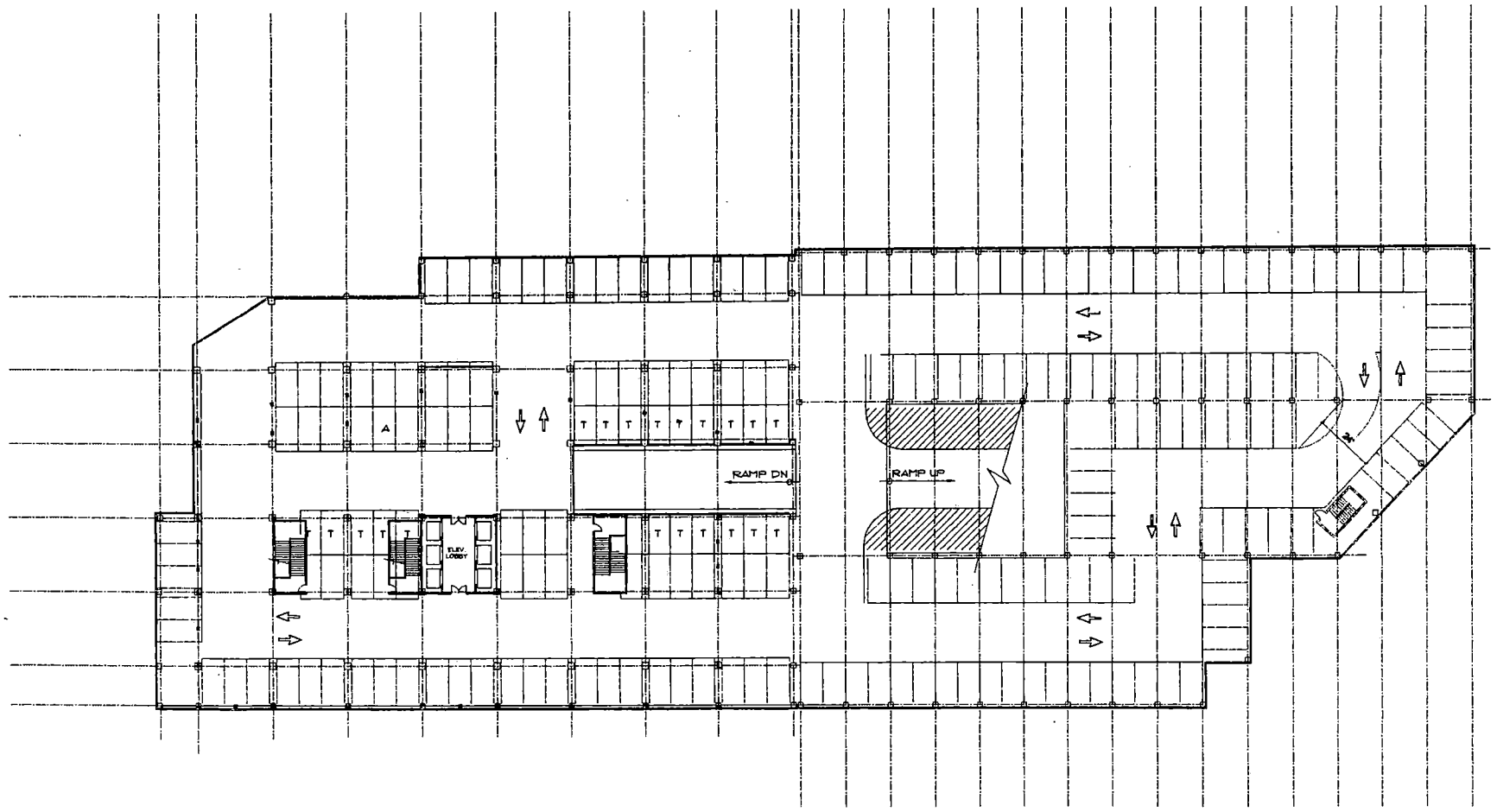
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VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

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PARKWAY CENTER PHASE II
LAS VEGAS, NEVAD

MOLASKY GROU OF COMPANIES

PRELIMINARY
PARKING STRUCTUR
LEVEL 4 FLOOR PL

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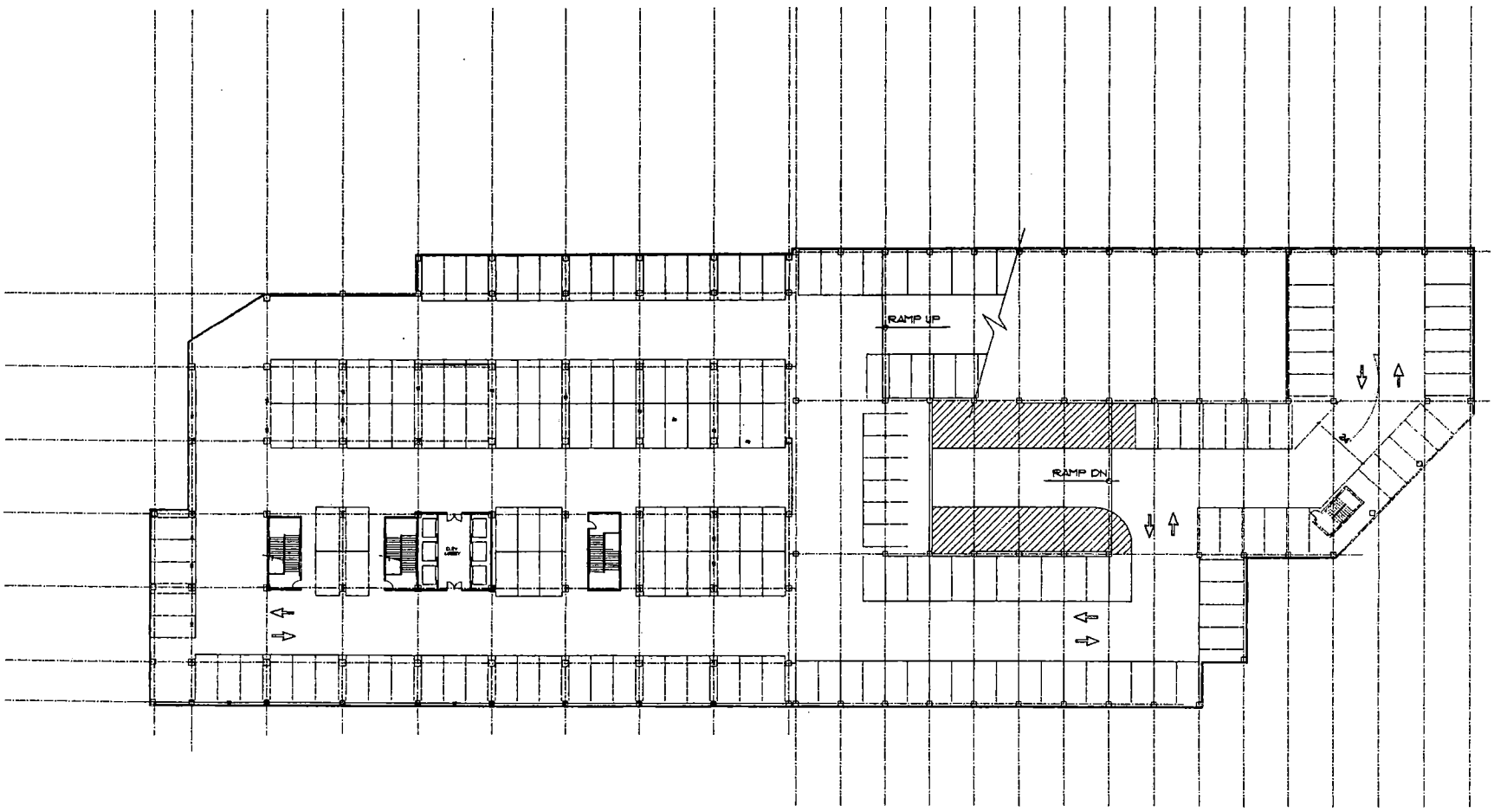
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12-28-04

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SUP-5877
SDR-5876
02-10-05 PC

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PARKWAY CENTER PHASE II
LAS VEGAS, NEVAD

MOLASKY GROU OF COMPANIES

PRELIMINARY PARKING STRUCTUR
LEVEL 5 FLOOR PL

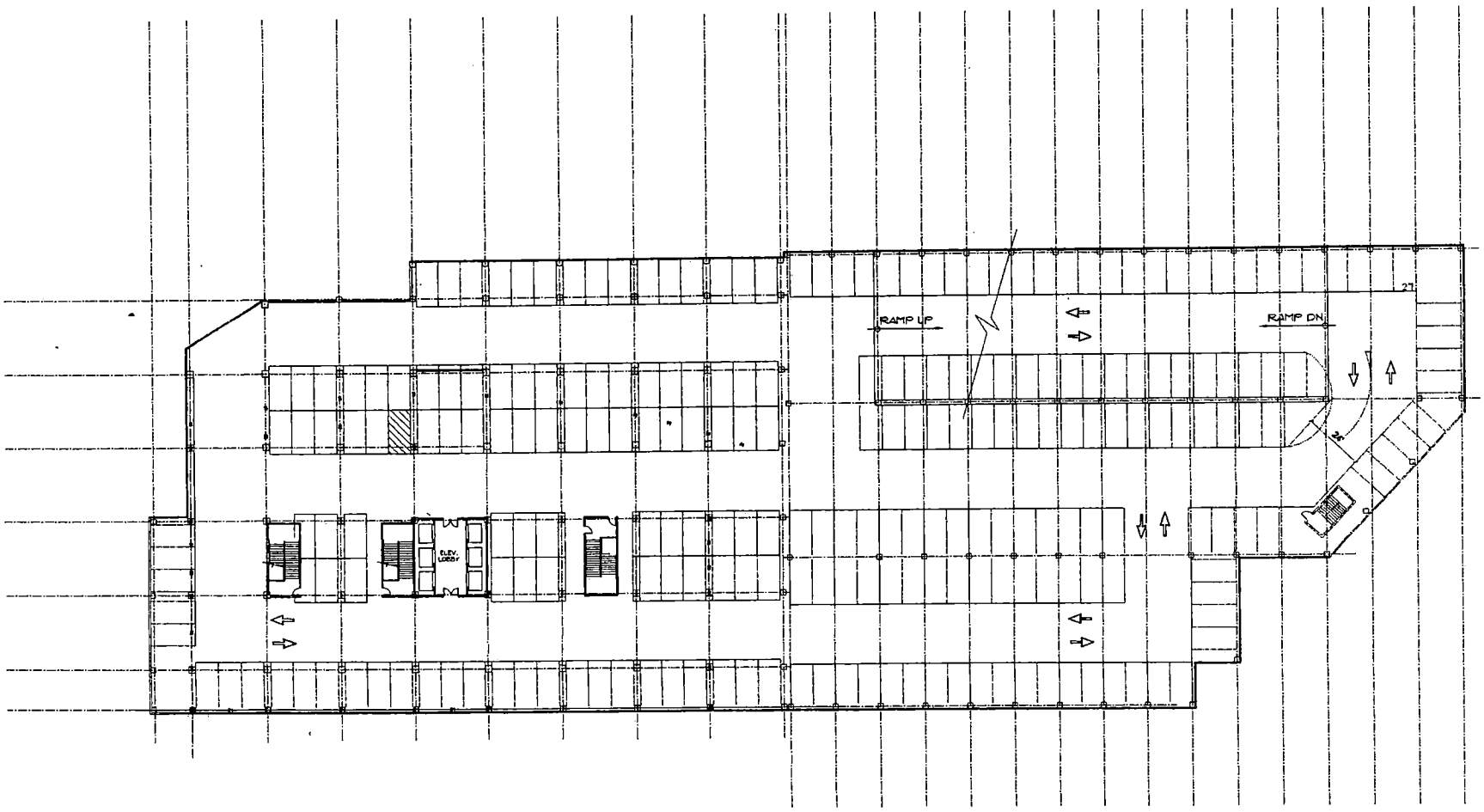
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PARKWAY CENTER PHASE II
LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY
PARKING STRUCTURE
LEVEL 6 FLOOR PLAN

HFTA

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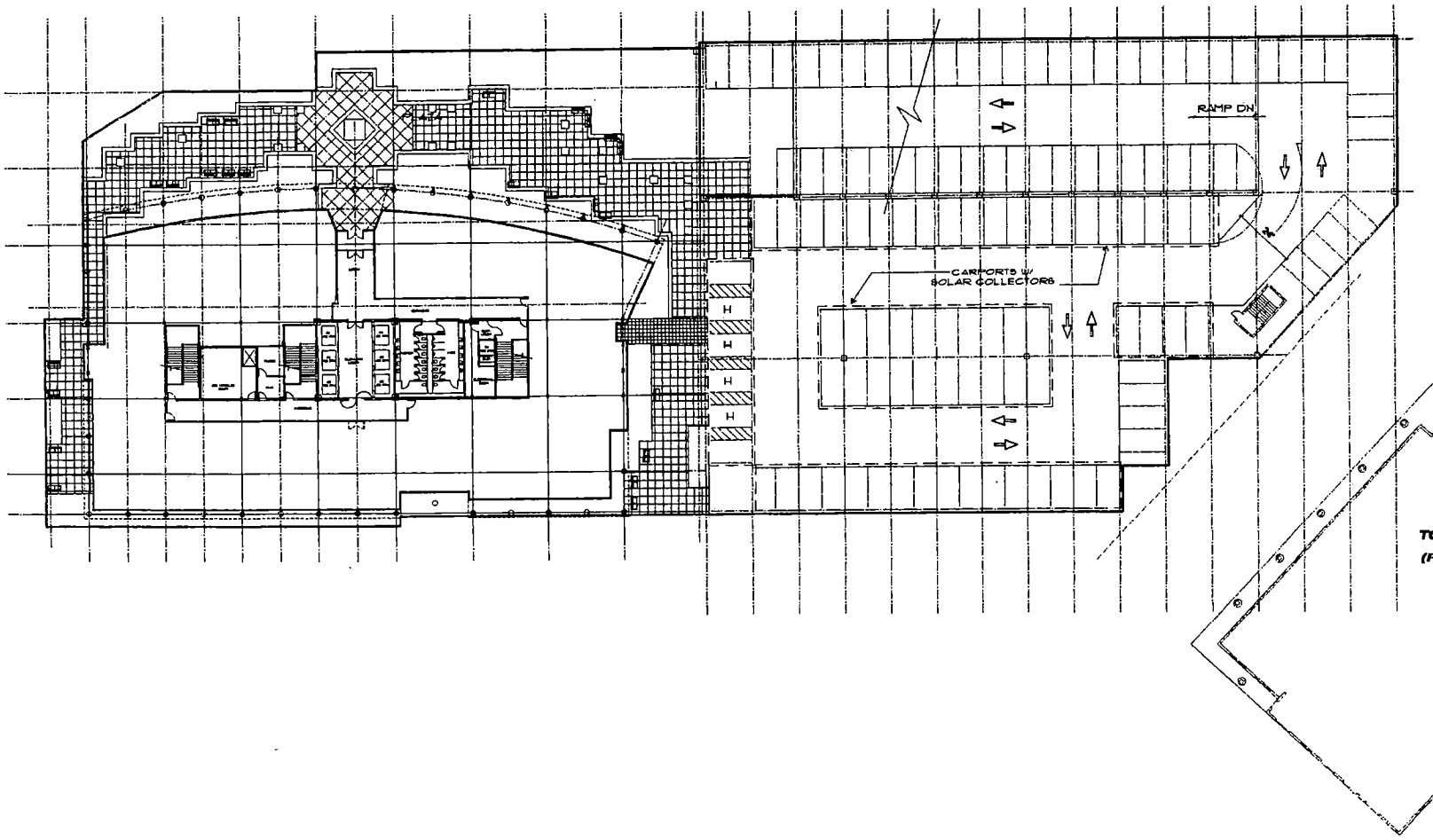
This is a schematic parcel/subdivision plan. The information and boundaries shown have been compiled from sources believed to be reliable. However, accuracy is not guaranteed and is subject to change. It is not intended to be construed that any public, quasi, or private improvements shown hereon are permitted. Refer to the implementation of this plan or to the development or construction of any element of this plan.

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12-28-04

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02-10-05 PC



PARKWAY CENTER PHASE II
LAS VEGAS, NEVA

MOLASKY GRO
OF COMPANIES

PRELIMINARY
PARKING STRUCTU

LEVEL 1 FLOOR PL

HFA

HOWARD F. THOMSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors

400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-4610/FAX(702)269-4623

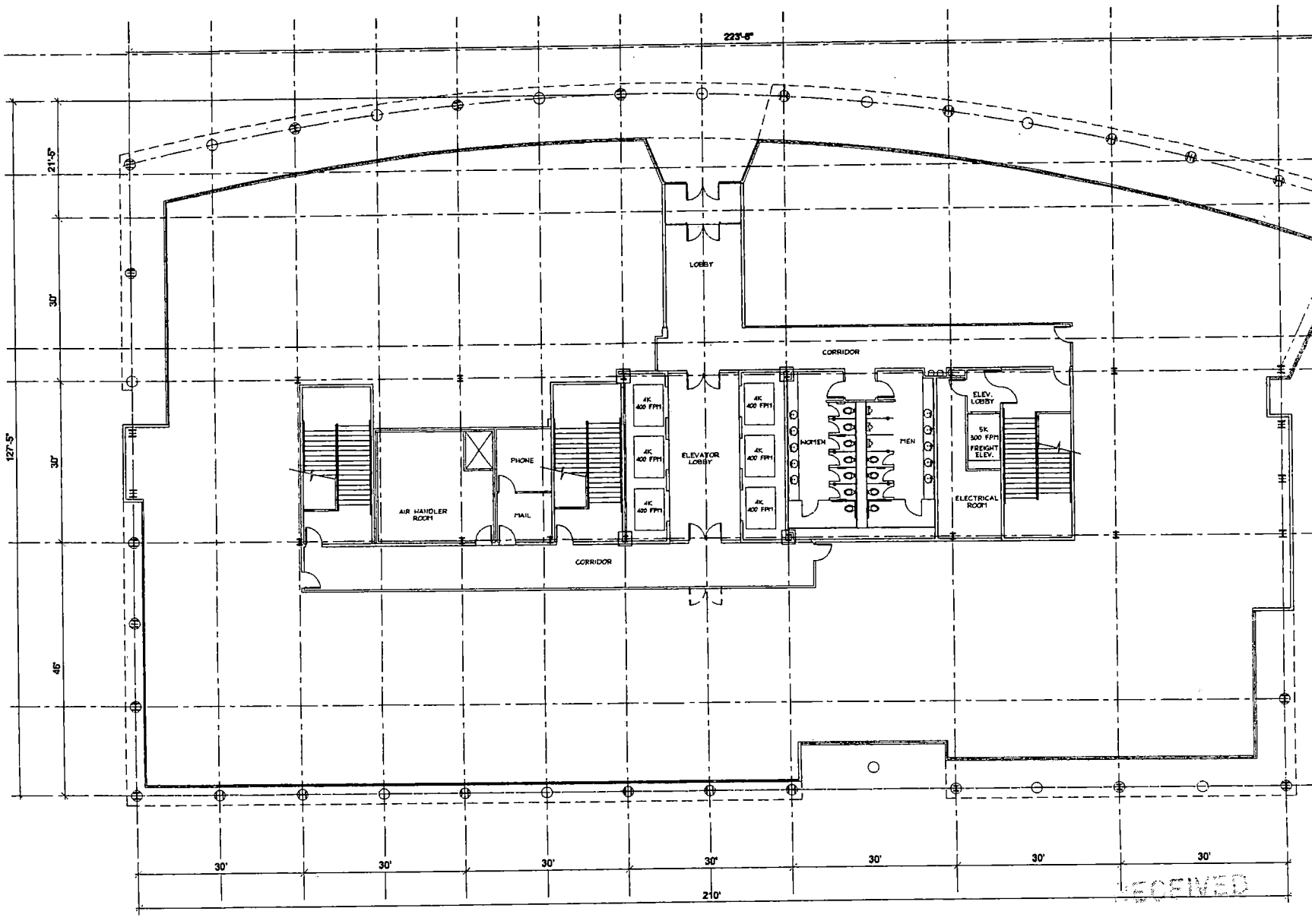
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This is a schematic space/plan only. The information and [illegible] shown have been compiled from sources believed to be reliable, [illegible] accuracy is not guaranteed and is subject to change. It is not [illegible] be construed that any units, suites or parcels including the [illegible] property has submitted itself for the implementation of this plan or its development or construction of any portion of this plan.

12-28-04

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VAR-5878
SUP-5877
SDR-5876
02-10-05 PC



LEED

WATER USE REDUCTION
CREDIT 5.2 - 5 PT
WATER USE REDUCTION: 50%

MAXIMIZE WATER EFFICIENCY WITHIN BUILDINGS.

DIRECTION FOR INFORMATION

LEED

MATERIALS & RESOURCES
PERSONNAIRE
STORAGE & COLLECTION OF RECYCLABLES
REDUCTION OF WASTE DESIGNATED FOR LANDFILLS.

PARKWAY CENTER PHASE II

LAS VEGAS, NEVAD.

MOLASKY GROU OF COMPANIES

PRELIMINARY

FIRST FLOOR PLAN

HFA

RONALD E. HOUSTON ASSOCIATES, INC.
Architecture, Land Planning, Interiors

450 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6815/FAX(702)269-6825

N

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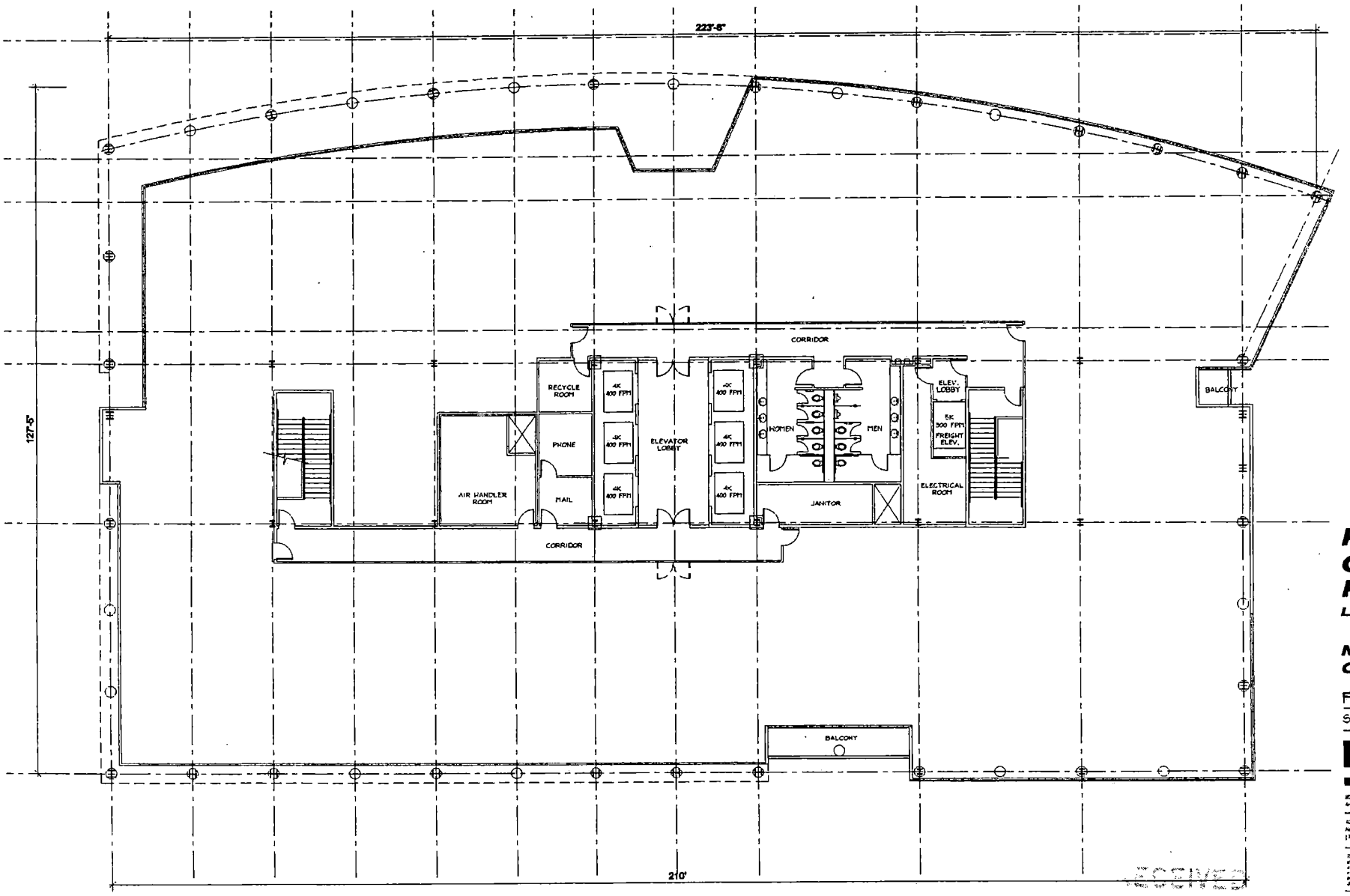
1/8"=

This is a schematic representation only. The only motion and direction shown here that is valid for these drawings is for the project. Whatever is not specifically and is subject to change. It is not intended to be construed that any entity, public or private, including the owner of the property has committed itself to the implementation of this plan or to the development or construction of any element of this plan.

RECEIVED

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

12-28-04



LEED

WATER USE REDUCTION
CREDIT 5.3 - 2 PT
WATER USE REDUCTION: 30%

MAXIMIZE WATER EFFICIENCY WITHIN BUILDINGS.

DIRECTION FOR INFORMATION

LEED

MATERIALS & RESOURCES
INTERGRATE A COLLECTION OF RECYCLABLES
REDUCTION OF WASTE DESIGNATED FOR LANDFILLS.

PARKWAY CENTER PHASE II

LAS VEGAS, NEVAD

MOLASKY GROU OF COMPANIES

PRELIMINARY

SECOND FLOOR PLAN

HFA

HOWARD F. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors

400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-5515 FAX(702)269-8825

N

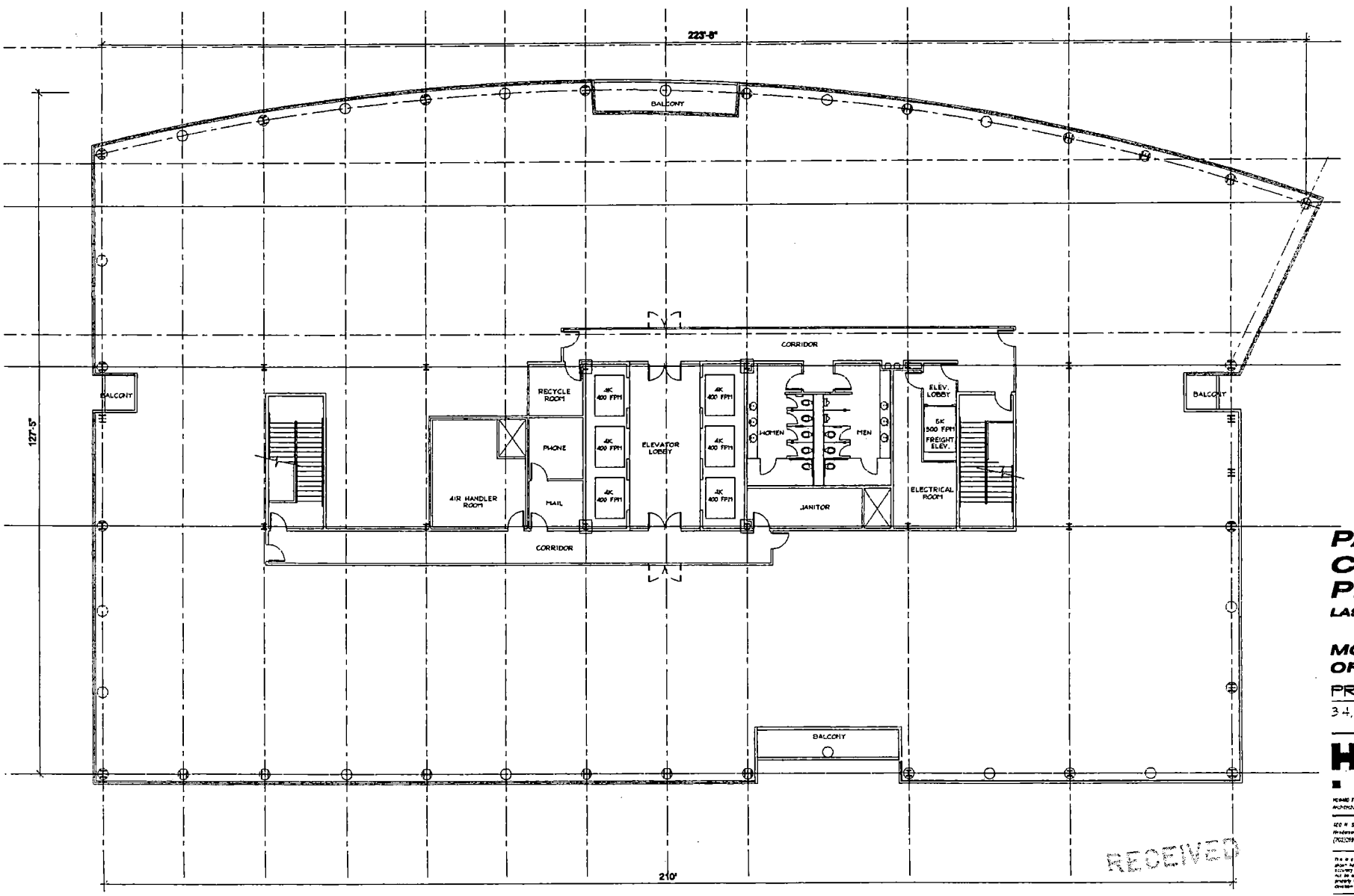
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This is a preliminary representation only. The information and design shown have been compiled from sources deemed to be reliable. However, accuracy is not guaranteed and is subject to change. It is not intended to be construed that any public, quasi, or private approval of this project has occurred to date in the implementation of the plan or in the development or construction of any element of this plan.

12-28-04

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC



LEED

WATER USE REDUCTION
CREDIT 3.4 - 6 PT
WATER USE REDUCTION: 30%

MAXIMIZE WATER EFFICIENCY WITHIN BUILDINGS.
DIRECTION FOR INFORMATION:

LEED

MATERIALS & RESOURCES
PREREQUISITE
STORAGE & COLLECTION OF RECYCLABLES
REDUCTION OF WASTE DESIGNATED FOR LANDFILLS.

PARKWAY CENTER PHASE II

LAS VEGAS, NEVAD

MOLASKY GROU OF COMPANIES

PRELIMINARY

3 4, 5, 6, 7 FLOOR PLA

HFA

HOWARD F. HOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors

320 N. Sherbrooke, Suite 245
Henderson, Nevada 89014
(702)269-4515/FAX(702)269-4525

0 8'

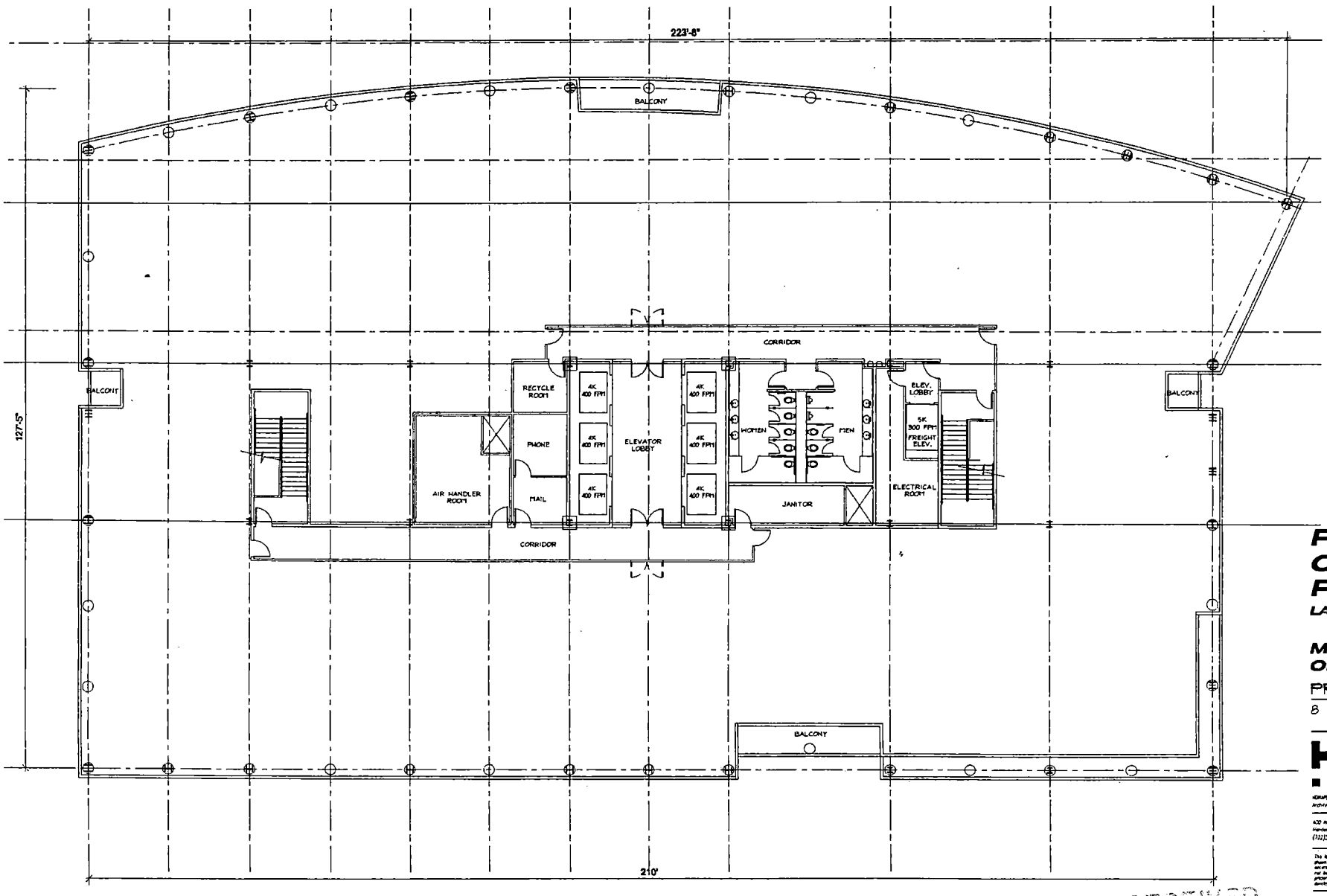
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RECEIVED

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SUP-5877
SDR-5876
02-10-05 PC

12-28-04 **1**



LEED

WATER USE REDUCTION
CREDIT 3.2 - 2 PT
WATER USE REDUCTION: 50%

MAXIMIZE WATER EFFICIENCY WITHIN BUILDINGS.
DIRECTION FOR INFORMATION

LEED

MATERIALS & RESOURCES
PREREQUISITE
STORAGE & COLLECTION OF RECYCLABLES
REDUCTION OF WASTE DESIGNATED FOR LANDFILLS.

PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PRELIMINARY

8 FLOOR PLAN

HFA

HOWARD F. HOOPER ASSOCIATES, INC.
Architecture/Land Planning/Interiors

420 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)259-6615/FAX(702)259-6525

N

0 8' 16'

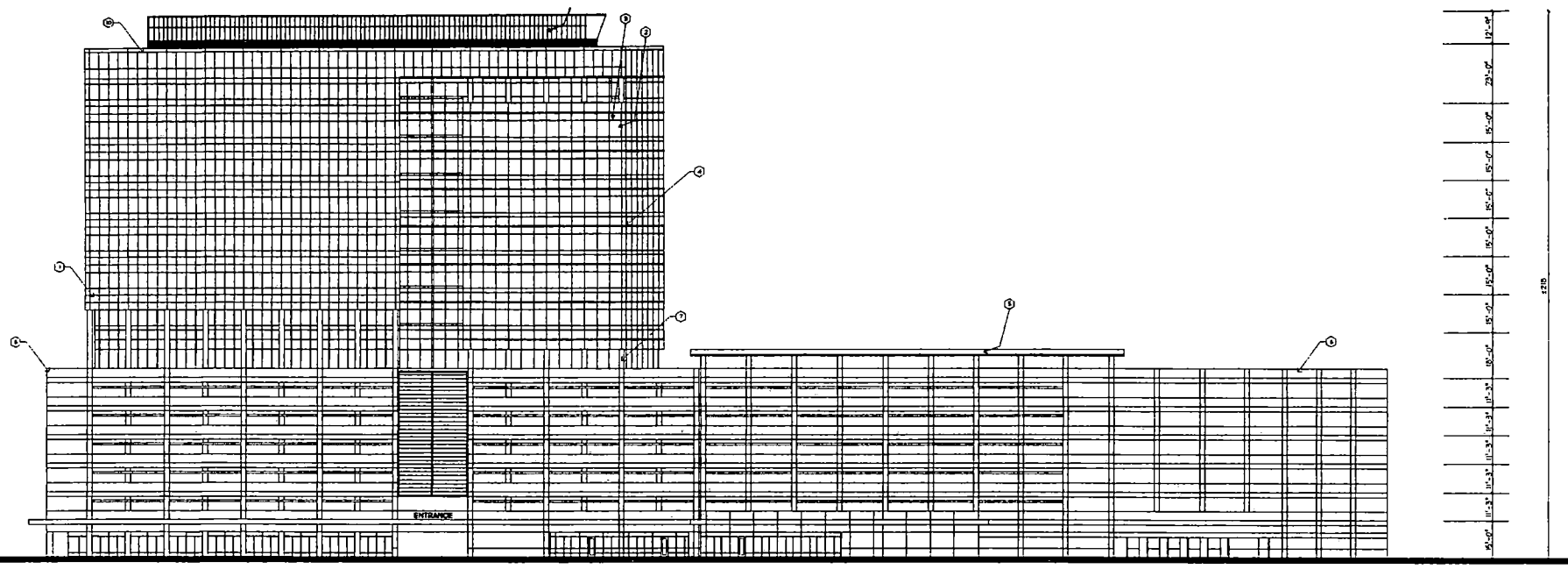
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This is a preliminary representation only. The information and boundary conditions shown here have compiled from sources believed to be accurate. However, they are not guaranteed and is subject to change. It is not intended and should not be construed to be any artistic, public or private, regarding the extent of the property, and committed itself to the implementation of this plan as to any development or construction of any element of this plan.

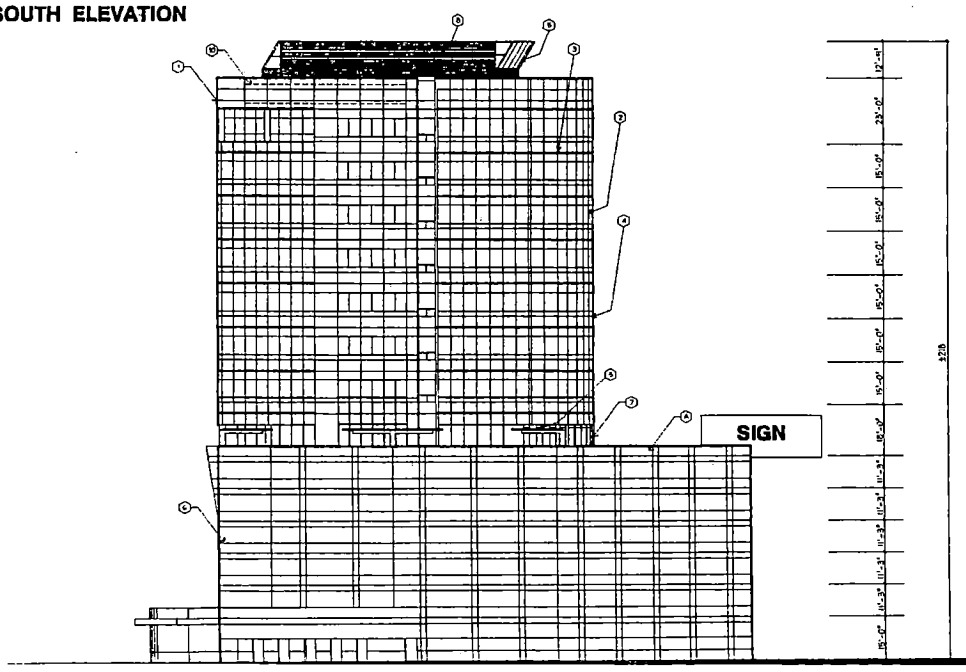
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02-10-05 PC



SOUTH ELEVATION



EAST ELEVATION

MATERIAL LEGEND

1. METAL PANEL
2. VISION GLASS
3. SPANDREL GLASS
4. ALUMINUM CURTAIN WALL SYSTEM
5. SOLAR PANELS
6. PRECAST CONCRETE PANEL
7. ROUND ALUMINUM COLUMN COVER
8. METAL LOUVER
9. METAL TRELLIS
10. SIGN BY OTHERS

VAR-5878
SUP-5877
SDR-5876
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PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

PROPOSED OFFICE BUILDING

HFA

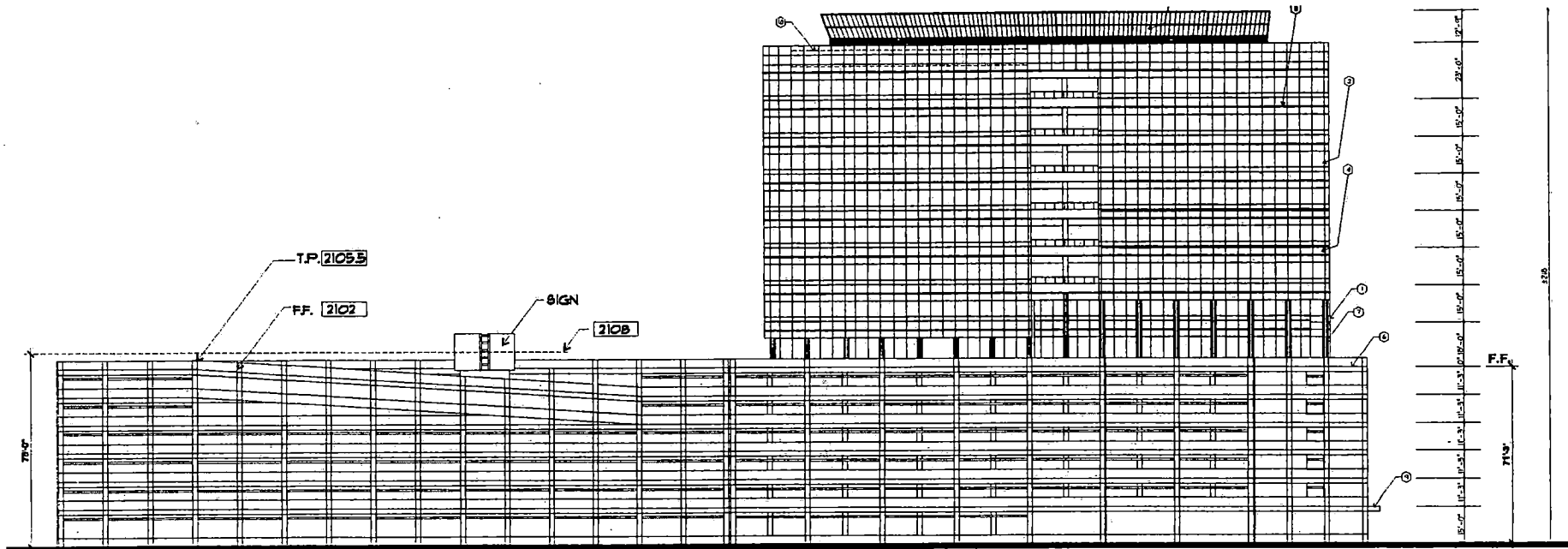
HOWARD F. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 215
Henderson, Nevada 89014
(702)269-4613/FAX(702)269-4623

0' 20' 40'
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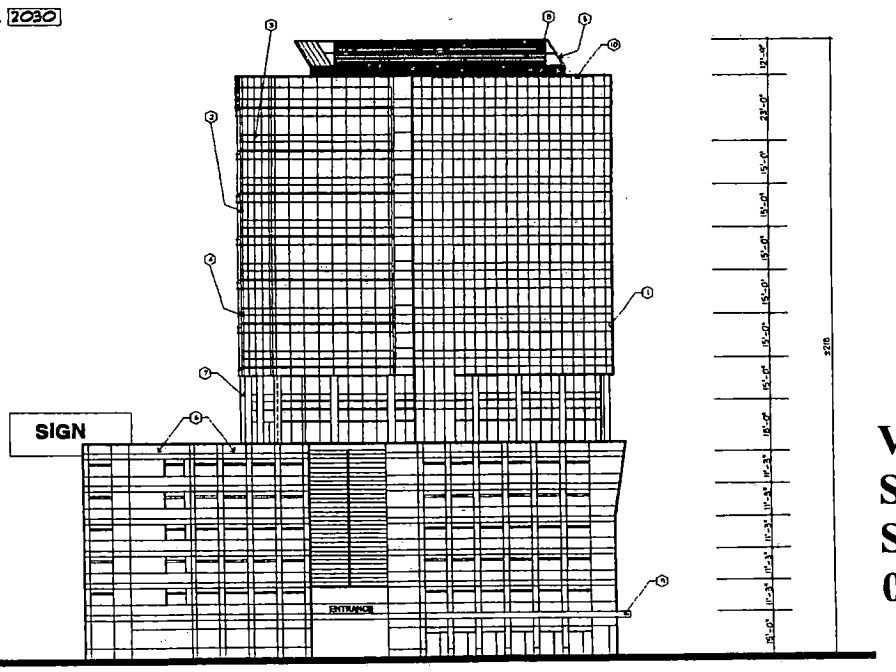
This is a schematic representation only. The information and boundary locations shown here were compiled from sources believed to be reliable. However, our services do not constitute and we expressly disclaim any warranty or guarantee and should not be construed that any party, public or private, including the owners of the property has completed a field or title examination of this plan or the development or construction of any improvements on this plan.

JOB# 98123-041-02/12.28.04(CIT-Revision-1.dwg 12-28-04

12-28-04 **12**



NORTH ELEVATION



WEST ELEVATION

MATERIAL LEGEND

1. METAL PANEL
2. VISION GLASS
3. SPANDREL GLASS
4. ALUMINUM CURTAIN WALL SYSTEM
5. SOLAR PANELS
6. PRECAST CONCRETE PANEL
7. ROOF ALUMINUM COPING COVER
8. METAL LOUVER
9. METAL TRELLIS
10. SIGN BY OTHERS

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

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PARKWAY CENTER PHASE II

LAS VEGAS, NEVADA

MOLASKY GROUP OF COMPANIES

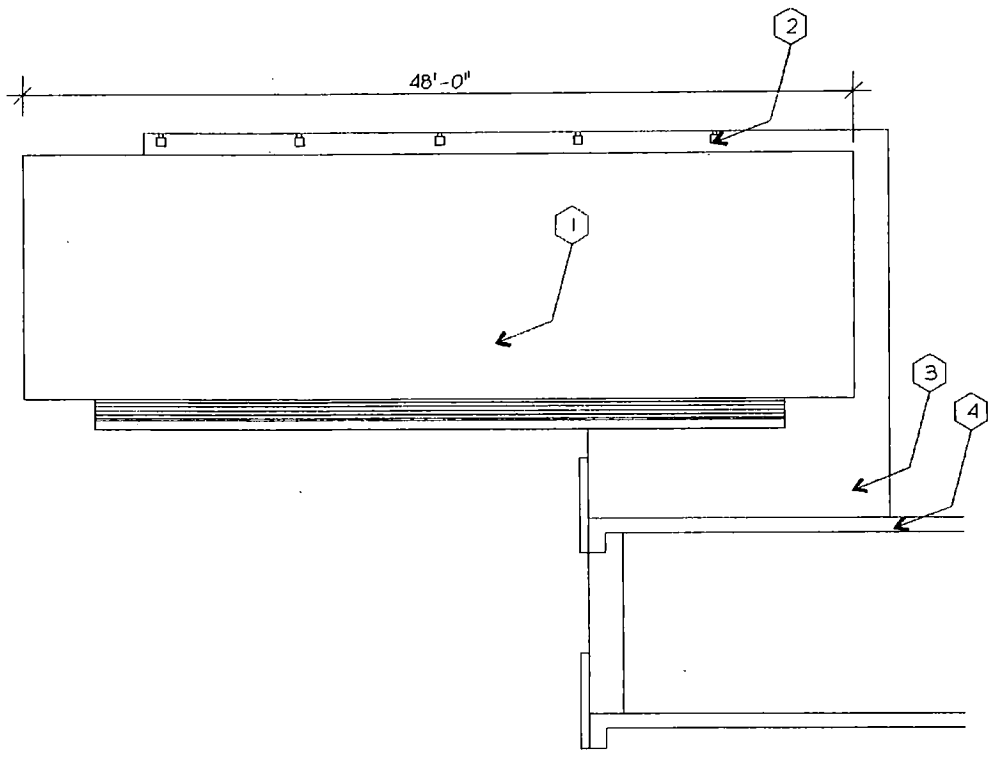
PROPOSED OFFICE BUILDING

HOWARD T. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)565-6815/FAX(702)450-6625

0' 20' 40'
SCALE: 1"=20'-0"

This is a schematic presentation/plan only. The information and boundary lines shown have been compiled from sources believed to be reliable. However, this property is not guaranteed and is subject to change. It is not intended and should not be interpreted that any public, public or private, beyond the scope of this property has committed itself to the implementation of this plan or to the development or construction of any element of the plan.

12-28-04

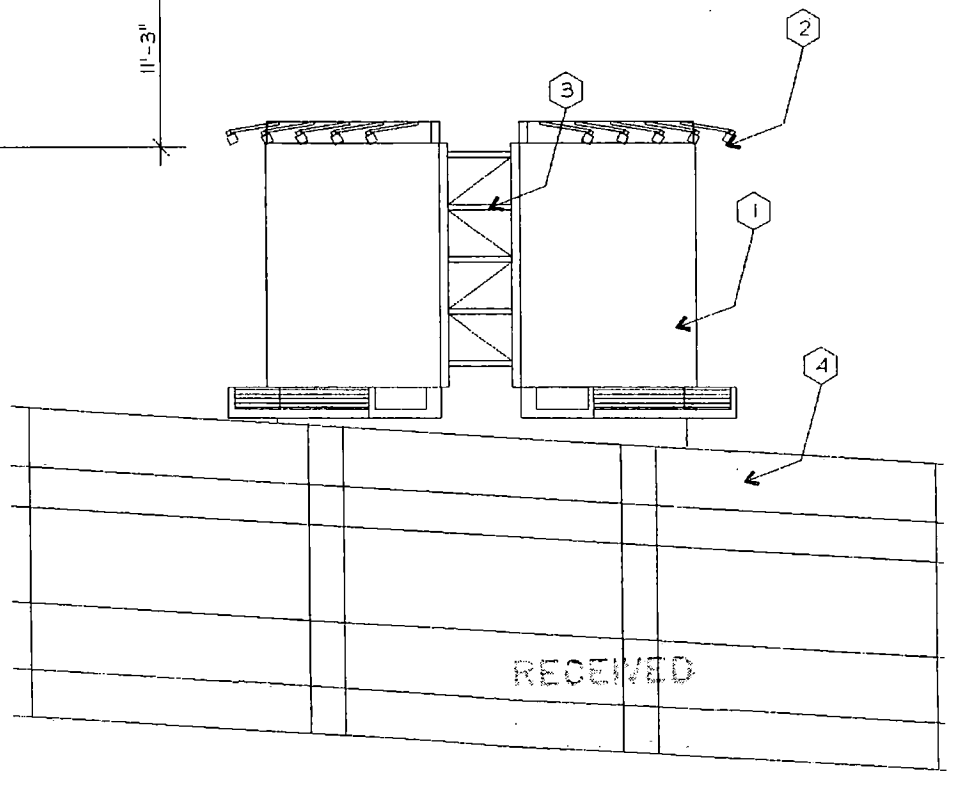


MATERIAL LEGEND

1. SIGN BOARD
2. LIGHTS
3. SUPPORT
4. PARKING STRUCTURE

WEST ELEVATION

PROPOSED SIGNAGE



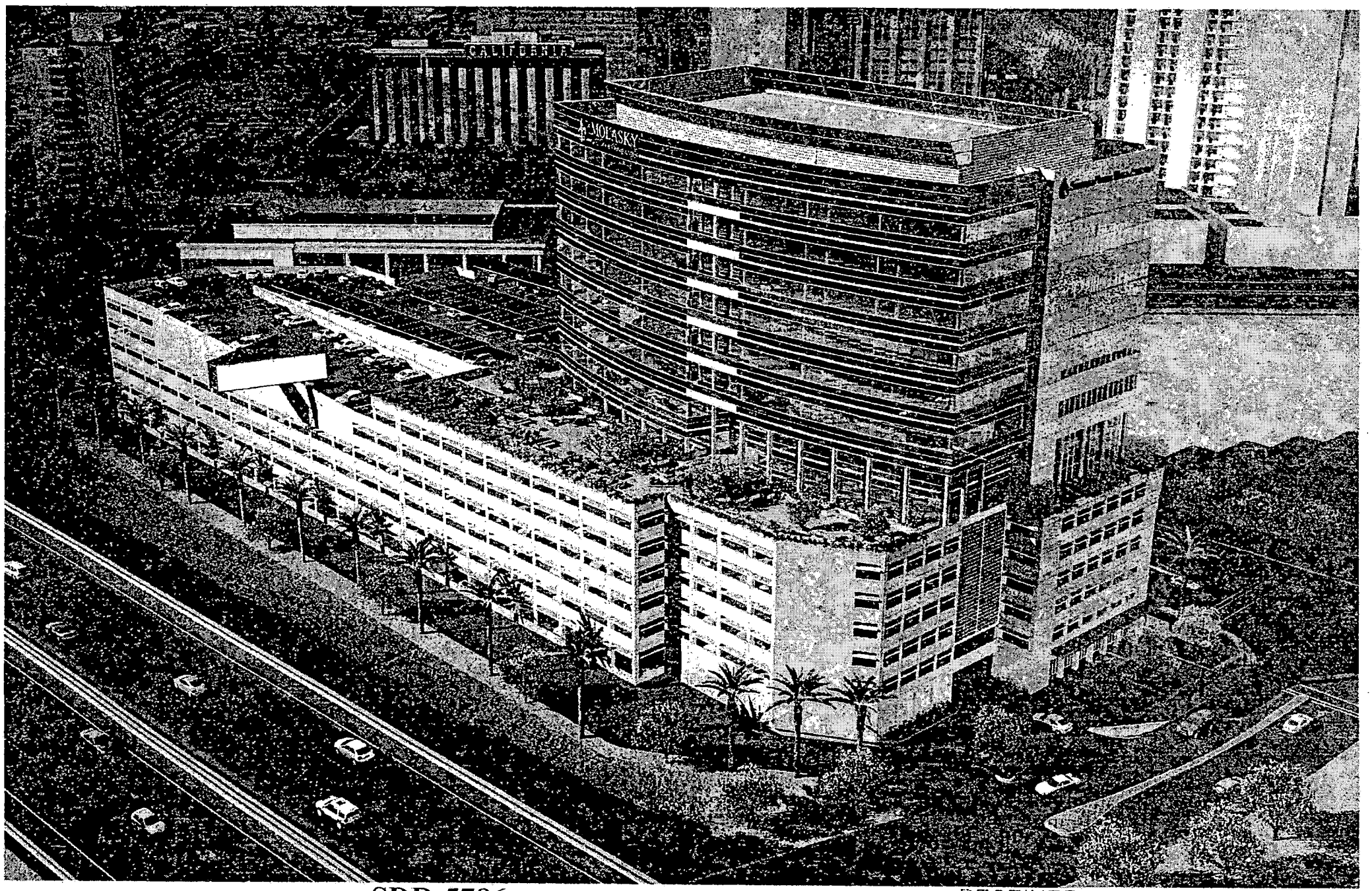
NORTH ELEVATION

VAR-5878
SUP-5877
SDR-5876
02-10-05 PC

HOWARD E. THOMPSON ASSOCIATES, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6615/FAX(702)269-6625

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JOB#: F:\FPR\23-049-00/12-28-04/SIGN-ELLVATIONS.DWG DATE: 12-22-04



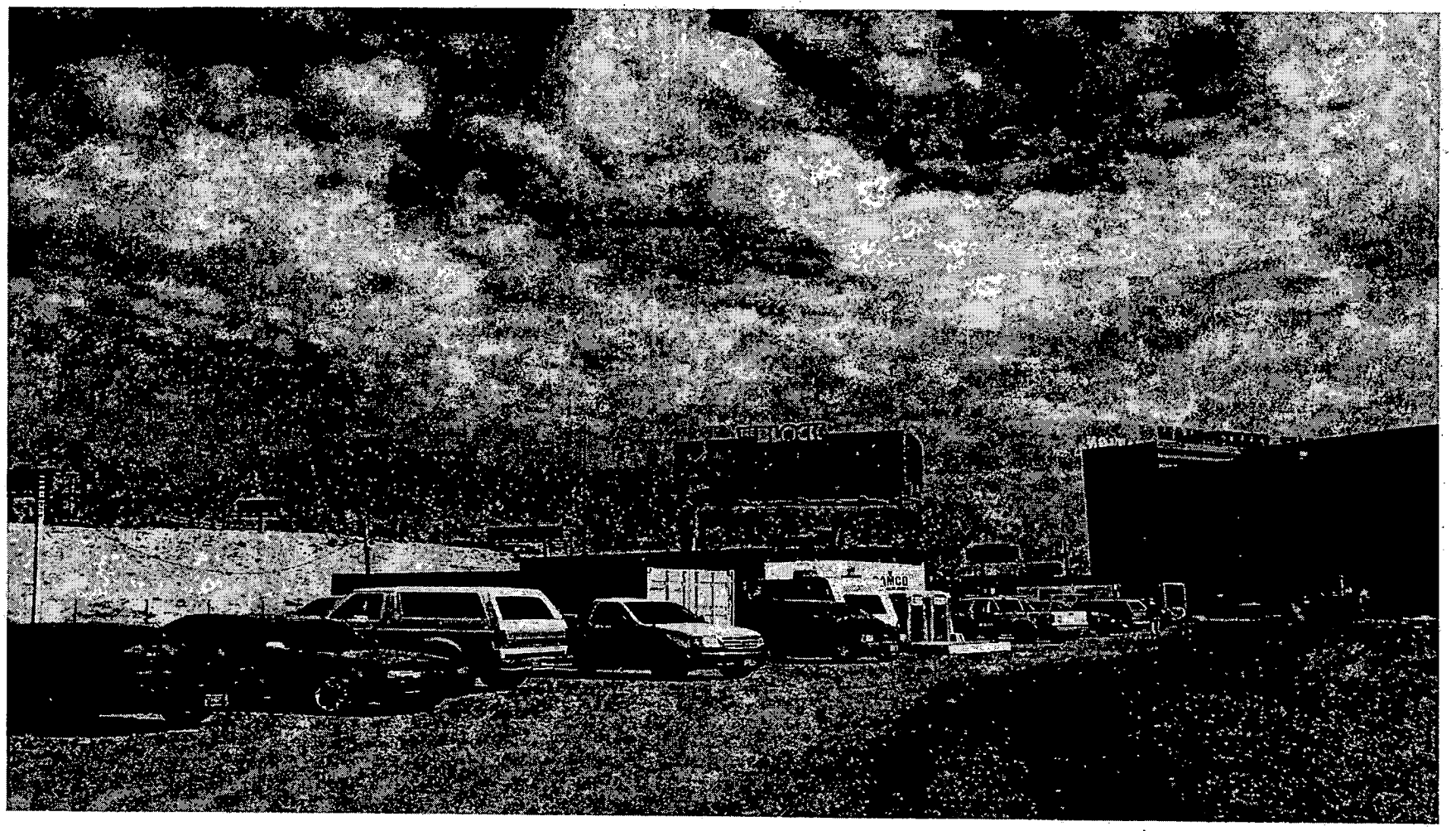
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VAR-5878, VAR-6355, SUP-5877 & SDR-5876 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.
110 CITY PARKWAY
APRIL 14, 2005 PLANNING COMMISSION

01/21/05



VAR-5878, VAR-6355, SUP-5877 & SDR-5876 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.
110 CITY PARKWAY
APRIL 14, 2005 PLANNING COMMISSION

01/21/05



VAR-5878, VAR-6355, SUP-5877 & SDR-5876 - APPLICANT: PARKWAY CENTER LLC - OWNER: CITY PARKWAY IV A INC.
110 CITY PARKWAY
APRIL 14, 2005 PLANNING COMMISSION

01/21/05

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

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Seventh Floor
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Tel: 702.792.7000
Fax: 702.796.7181

8600 Technology Way
Suite 104
Reno, NV 89521-5941
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Fax: 775.852.3982

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kkbr.com

January 26, 2005

VIA FACSIMILE (702) 385-7268

Mr. Flynn Fagg
CITY OF LAS VEGAS
DEPT. OF PLANNING & DEVELOPMENT
City of Las Vegas Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Re: REVISED Justification Letter
Parkway Center – Site Plan Review

Dear Mr. Fagg:

Please be advised, this office represents the applicant in the above referenced matter. The applicant will be constructing Phase II of Parkway Center which will consist of a **fifteen (15) story building with approximately 250,000 square feet of office space and multi-level garage** with retail uses on the ground level (the "Project"). **Combined, the garage and office building will be fifteen stories in height.** Phase I is under construction and will contain the office space for the Internal Revenue Service upon completion. The applicant is also submitting a special use permit and variance for an off-premise sign. These applications should run concurrently with the site plan review of the Project.

The Project is subject to the guidelines required by the Parkway Center Development Standards and Title 19. The Project will be designed and built as a LEED (Leadership in Energy and Environmental Design) structure. In conjunction with the site plan review, there are certain waivers of the Parkway Center Development Standards and Title 19 that must be requested. Following is a list of these waivers:

Parkway Center Development Standards

2.2 Building entry faces the street.

- The parking structure precludes direct access into the building from the street. The best alternative is to take advantage of the Freeway exposure. While the entrance doors to the office building are technically located on the north side of the Project, the primary entrance into the building will be the use of the elevator in the parking garage with access from Grand Central Parkway.

3.3 East-West streets shall use primarily shade trees

- The applicant is proposing to use palm trees to mitigate the parking structure elevation along Grand Central Parkway.

4.8 10 foot setback for parking structure.

- The retail uses on the ground floor will allow for a reduced setback. The applicant is seeking the ability to integrate the hardscape/landscape feature for the retail area with the required sidewalk and reduced street landscape.

5.4 Reflective (15% coefficient) or tinted glass

- Because this building is a LEED structure, the applicant would like the flexibility to use the latest available technology in building glazing which includes alternative glazing systems. The applicant is seeking this waiver subject to a condition requiring staff's approval of the proposed materials at plans review.

5.7 Stone to be used on the elevations.

- The applicant is seeking the ability to use aesthetically pleasing alternative materials due to the location of the office tower on top of the parking structure. The retail area will be appropriately addressed with materials conducive to pedestrian viewing. Because it is a LEED project, the applicant is also seeking the flexibility to modify colors and materials as the project evolves, subject to staff approval.

5.10 Articulated roof line,

- The roof equipment screen has been designed to accomplish a level of detail that makes the cornice unnecessary.

6.2 Minimum landscape areas

- There is a 10 foot utility easement and deceleration lane on Parkway Center so a waiver is necessary in this area.

Title 19 of the City of Las Vegas (On-Site Parking Standards)

19A.10.010.K.2.a Compact Spaces Permitted
- Up to 30 % of spaces provided

19A.10.010.K.2.c. Size Adjustments
- Standard stall size in parking structure to be 8.5' wide

19A.10.010.K.8 Tandem Parking
- Will be utilized during high use periods (i.e. tax season – approximately January through April) and with valet service.

Landscape, Wall & Buffer Standards

- Rear yard landscaping along the freeway right-of-way will have a 6 foot planter and no landscaping for the first +/- 180'. The freeway is elevated at this point, so the existing slope will provide the visual relief intended by the code.

A conceptual Materials and Conceptual Landscape Plan will be provided at the time the site plan review application is filed. However, we respectfully request that a condition be added to allow the applicant the ability to work with staff on possible modifications to the materials or landscaping due to the evolving design and compliance with LEED requirements. Given the developer's desire to be a leader in the community by building an environmentally sensitive structure that will conserve resources, we believe this condition would be appropriate. Finally, the requested waivers will not be detrimental to the surrounding area and the Project will enhance the area.

Please do not hesitate to contact me if you have any questions.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jennifer Lazovich

JJL/dmf
Encl.

cc: Suzanne Sanders
Daniela Kennedy

City of Las Vegas

Agenda Item No.: 23

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

ABEYANCE - VAR-5949 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION - Request for a Variance TO ALLOW 824 PARKING SPACES WHERE 1,065 IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN 125-17-702-003), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Land Use Designation], Ward 6 (Mack).

C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions and amending the following condition:
1. **Uses shall be limited to *those identified in SDR-5948.* Any other uses that have a more intense parking requirement as per Title 19.10 shall submit additional applications as required by the Department of Planning and Development.**

– UNANIMOUS with McSWAIN abstaining as her company, Terra Contracting, is bidding on a portion of the project

To be heard by the City Council on 5/18/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open on Item 23 [VAR-5949], Item 24 [WVR-6153] and Item 25 [SDR-5948].

DOUG RANKIN, Planning and Development, gave a brief overview of the applications. He pointed out that this project was originally part of SDR-4290. Since then, there have been changes to the project, and the applicant has submitted a revised Site Plan.

MINUTES – Continued:

Regarding the parking variance, the request is for 824 parking spaces where 1,061 are required. Staff supports the parking variance, as the proposed project would conform to the goal of having a mixed-use, live/work type environment. MR. RANKIN also noted that staff requested an amendment to Condition 1 on Item 23 [VAR-5949] relative to the parking, and he read the amendment into the record.

In addition, staff supports the Waiver request, as it encourages pedestrian walking in the subject area. Because the constrictions will be limited to only the intersections, the proposed design does not appear to present flow problems that hinder traffic within the residential area.

Regarding the Site Plan, the project consists of 210 residential units on 24.07 acres of land for a proposed density of 8.72 dwelling units per acre. The commercial portion will be 16.95 acres in size including 16 buildings varying in size between 2,883 to 29,400 square feet.

In closing, MR. RANKIN stated that the proposed single and multi-family residential, commercial, retail, office, live/work, and neighborhood service development is a true residential/ commercial mixed development. The development conforms to landscaping, open space, and development standards of the Town Center zoning.

REBECCA RALSTON, Carina Corporation, 1050 Indigo Drive, appeared on behalf of the applicant and agreed to staff's conditions. She pointed out that the applicant is proposing to use monument signage at the corner of Farm Road and Tule Springs Road, and the applicant had identified this request in the proposed Site Plan. MR. RANKIN informed CHAIRMAN NIGRO that the applicant does not have a waiver request for the sign, and it is not part of this application. The location of the sign is acceptable, but it is not up to the standards of Town Center. MS. RALSTON responded that in the pre-application conference, there was a discrepancy from the original Site Development Plan Review regarding the Town Center criteria and actual location of the Gateway signage. The Town Center standards reference the location of the signage at the intersection of Durango Drive and I-95. The intersection is actually Farm Road and Tule Springs Road. As a result, the City directed the applicant to do a review of condition, in which the applicant was under the impression that this could be addressed at this meeting.

MR. RANKIN confirmed for MARGO WHEELER, Planning and Development, that the sign has not been approved and would require approval by the Town Center Architectural Review Committee. MS. WHEELER added that if a Waiver is required, then a separate application would have to be done. MS. RALSTON stated that a representative from the Centennial Hills Architectural Review Committee (CHARC) reviewed the sign and the question that arose was whether or not this was intended to be a gateway. The neighboring shopping center to the north

MINUTES – Continued:

of the subject site does not reflect the standards of the Gateway signage. COMMISSIONER STEINMAN recalled that the previous vote at the CHARC meeting for this signage was for the location at Tule Springs Road and Farm Road. MS. RALSTON clarified that everything was approved with the exception of the corner signage.

FLINN FAGG, Planning and Development, stated that the CHARC committee has no authority to remove conditions from a Site Development Plan Review. The language that is in the Site Development Plan Review application must be addressed as such and cannot be addressed by the CHARC committee. CHAIRMAN NIGRO then added that the Commission could not hear any issues relative to this particular sign, as an application for a Waiver would need to be done first.

MS. RALSTON reiterated that this discussion took place during the pre-application conference. MS. WHEELER responded that Condition 1 on Item 23 [VAR-5949] could be amended so that a review of condition would not be necessary.

MS. RALSTON added that the applicant is proposing a more traditional gas lamp fixture, which is less than 30 feet and has a cap on top to avoid any nuisance lighting.

MR. RANKIN explained to VICE CHAIRMAN TRUESDELL that if the applicant proposed restaurants totaling over 10,000 square feet, then it would be more of an intense use and would require additional parking. In addition, the proposed total retail square footage is 127,034, with one and two-story structures. VICE CHAIRMAN TRUESDELL commented that the project is great; however, he felt that realistically there would be other variance requests as the project develops given that some of the spaces have not been leased out yet. MS. RALSTON responded that leasing of the spaces have begun, and every effort is made to keep everyone informed as the project develops.

MS. RALSTON informed COMMISSIONER STEINMAN that the street width in the residential area is 37 feet. In addition, there will be on street parking in all of the residential areas and there will be two-car garages with minimum 20-foot driveways. COMMISSIONER STEINMAN asked why the parking would be sufficient in this type of mixed-use project. MS. RALSTON replied that the mixed-use area on the site plan is situated specifically where the parking is shared, which is comprised of residential, restaurant and office components. In terms of square footage, there is heavier retail than office use. COMMISSIONER STEINMAN then asked when events are held in the community area of the subject site, how will the parking be held with respect to the residents. MS. RALSTON referenced similar urban sub centers where parking is not provided for the residents yet the community still survives. When events are held on the subject site, accommodations have been made to allow for parallel parking. MS. RALSTON

MINUTES – Continued:
then confirmed with CHAIRMAN NIGRO that the applicant concurred with the amended conditions.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 23 [VAR-5949], Item 24 [WVR-6153] and Item 25 [SDR-5948].

(7:29 – 7:52)

2-114

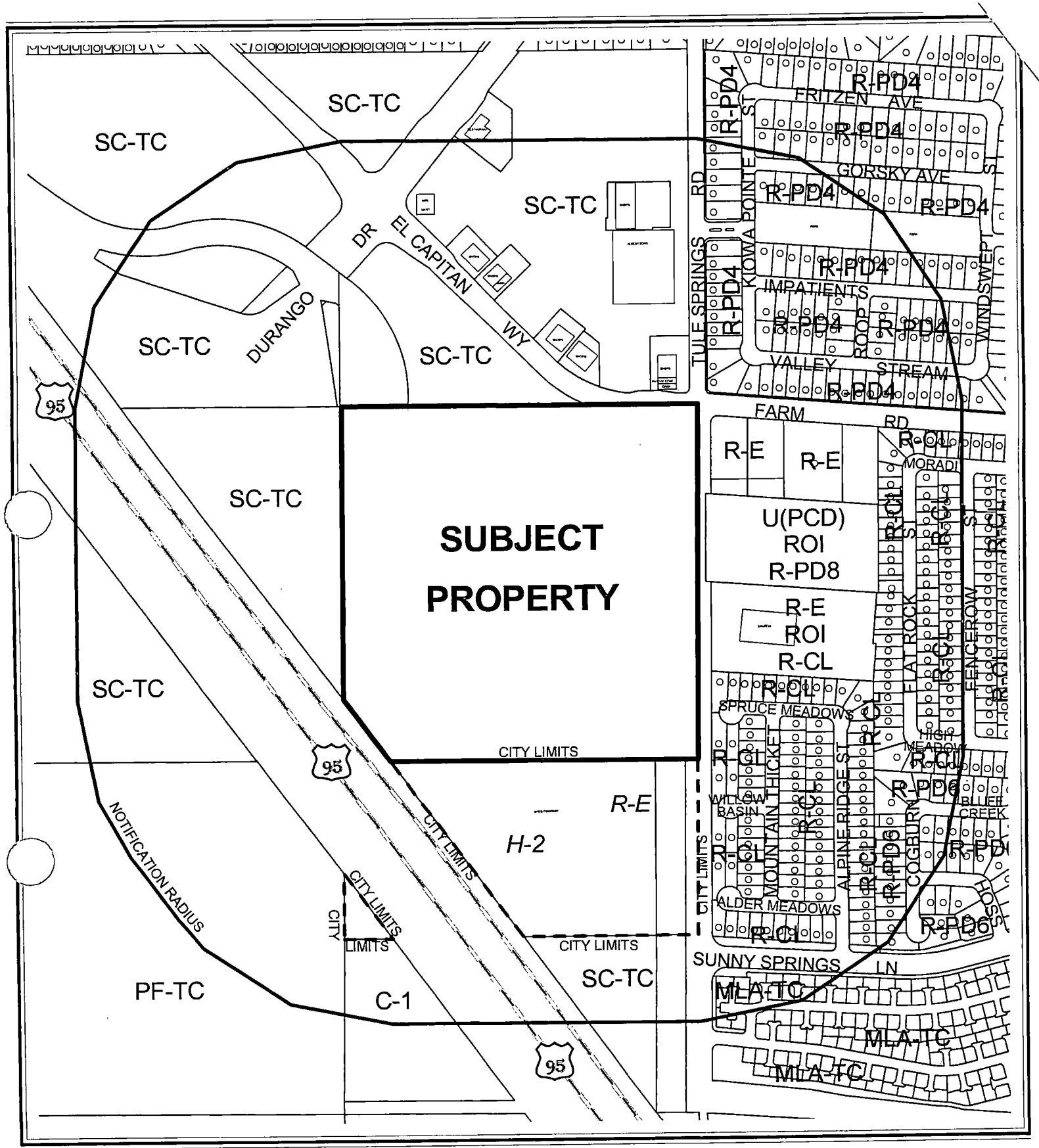
CONDITIONS:
Planning and Development

1. Uses shall be limited to General Commercial and Office. Any other uses that have a more intense parking requirement as per Title 19.10 shall submit additional applications as required by the Department of Planning and Development.

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

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

4. Conformance to the Conditions of Approval for VAC-5954, Site Development Plan Review SDR-5948 and Waiver WVR-6153.



0 500 1000 Feet

CASE: **VAR-5949**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5949 - VARIANCE - PUBLIC HEARING -
APPLICANT/OWNER: CARINA CORPORATION

** CONDITIONS **

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

Planning and Development

1. Uses shall be limited to General Commercial and Office. Any other uses that have a more intense parking requirement as per Title 19.10 shall submit additional applications as required by the Department of Planning and Development.

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

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

4. Conformance to the Conditions of Approval for VAC-5954, Site Development Plan Review SDR-5948 and Waiver WVR-6153.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Request for a Variance to allow 824 parking spaces where 1,061 is the minimum required in conjunction with a proposed mixed-use development on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road.

B) Applicant's Justification

As a mixed-use destination the Village of Centennial Springs development recognizes that within the project's commercial district there exist several buildings types with alternate peak hours activity including office, retail, restaurant, and loft space. As a result shared parking shall be employed throughout the development allowing those spaces provided to remain full in lieu of developing a sea of asphalt that sits vacant during non-peak hours of opposing uses.

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

KCW

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 held this item in abeyance to the 04/14/05 PC Meeting at the request of the applicant.

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

KCW

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 41.02

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped, Commercial
South:	Undeveloped
East:	Undeveloped, Church, Residential
West:	Undeveloped

C) Planned Land Use

Subject Property:	SX-TC (Suburban Mixed-Use - Town Center)
North:	SC-TC (Service Commercial - Town Center)
South:	SC-TC (Service Commercial - Town Center)
East:	PCD (Planned Community Development)
West:	SC-TC (Service Commercial - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	Clark County
East:	R-E (Residence Estates) R-E (Residence Estates) Under Resolution of Intent to R-CL (Residential Compact Lot) U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD8 (Residential planned Development- 8 Units per Acre) R-E (Residence Estates) Under Resolution of Intent to R-PD8 (Residential planned Development- 8 Units per Acre)
West:	T-C (Town Center)

E) General Plan Compliance

The existing T-C (Town Center) zoning is in conformance with the General Plan, which designates the area as SX-TC (Suburban Mixed Use - Town Center), as part of the Town Center Master Plan. The intent of the SX-TC designation is to create a neighborhood that generates a sense of place, a feeling of being in a unique business / urban environment.

KCW

The designation calls for an intensive pedestrian orientation, buildings with a minimum height of two stories, and a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor and similar uses and/or medium to high density residential on the upper floors. The object of this district is to provide amenities that are conducive to attracting pedestrian activity rather than automotive access. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district.

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

Centennial Hills Town Center- The Centennial Hills Town Center category of the Centennial Hills General Plan is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; low to high density residential uses; planned business; office and industrial parks; and recreational uses.

Trails - Map 6 of the Recreational Trails Element, "Town Center Multi-use Trail Alignments," shows a Multi-Use Transportation Trail along the west side of Tule Springs Road. A condition of approval of the Village of Centennial Springs development (SDR-4290) requires the developer to include this trail within the improvements for the west side of Tule Springs Road.

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 Parking Ratio	Required Parking Regular	Required Parking Handicap	Provided Parking Regular	Provided Parking Handicap
Retail	67,632 SF.	1/250 GFA	271			
Commercial and personal Services	13,482 SF.	1/200 GFA	68			
General Office	36,620 SF.	1/300 GFA	122			
Restaurant	9,300 SF.	1/50 Seating and Waiting; 1/200 Remaining; 60/40	5580/50= 112 3720/200 = 19			
Commercial Subtotal			592		437	
Residential-Single Family		2 Spaces/ Dwelling	231 Units x 2= 462		379	
2 bedroom Multi-family		1.75 Spaces per Unit 1 Guest space per 6 Units	7 Units x 1.75= 5 7/6= 2		8	
Residential Subtotal			469		824	
Total			1061			
Total w/ Handicap			1039	22	807	17

The proposal does not meet the parking requirements for standard development. The proposal though is consistent with the philosophy of the live-work nature of a true mixed-use development in Town Center. With residential supportive commercial and the employment opportunities that go with it within close walking distances of each other, particularly in a self-contained development such as is the subject of this proposal, it is likely that the parking standards of Title 19 expect more than is truly needed. This would be particularly the case as, with a proper mix of uses, the parking set aside for 8 to 5 uses can be used by uses that are focused on the evening and night hours.

KCW

B) General Analysis and Discussion

The Centennial Hills Town Center category of the Centennial Hills General Plan is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: shopping centers and other retail facilities; low to high density residential uses; planned business; offices; and recreational uses.

The subject development is located on a square, 41.02-acre lot. The site is part of the commercial development at the interchange of US95 and Durango Drive. The site plan indicates the single/ multi- family/ office/ commercial development is located at the southwest corner of Farm Road and Tule Springs Road. 16.95 acres of the site, adjacent to the intersection of Farm and Tule Springs, will be developed as commercial/ office/ retail/ multi-family. The remaining 24.07 acres will be single family and live work units. Consistent with the Town Development Standards the commercial buildings are up against the streets with the parking for the commercial buildings will be at the rear of the buildings away from the streets.

All of the residential is in easy walking distance to the employment/ commercial/ services uses on site and the adjacent commercial to the north, northeast, and planned commercial to the northwest.

FINDINGS

The applicant's request can be supported as it is consistent with the live/work philosophy of the mixed-use developments conceived in the Centennial Hills Sector Plan. The Town Center of Centennial Hills was to be an urbanized heart of Centennial Hills where people would be able live, work and play. A less strict view of the parking standards is supportive of the idea that in a mixed use development people would have a lesser need to travel for goods and service by vehicle.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 295 – Mailed with WVR-6153 and SDR-5948

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-5949** 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: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Scott Shade

Subscribed and sworn before me

This 11 day of January ,20 05

[signature]

Notary Public in and for said County and State

JESSICA A. EYLAR
Notary Public, State of Nevada
Appointment No. 04-90411-1
My Appt. Expires Jul 27, 2008

THE VILLAGE OF
CENTENNIAL SPRINGS
CARINA HOMES
APN 125-17-702-002



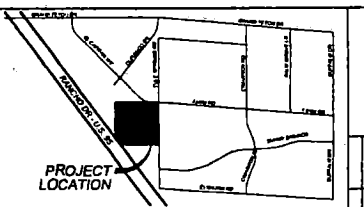
BUILDING DATA

BUILDING No.	SQ. FT.
1	[illegible]
2	(1) [illegible]
3	(1) 4303
4	3781
A	7 TOWNHOMES
B	7 TOWNHOMES
C	7 TOWNHOMES
6	3808
7	12660
8	16160
9	4800
10	27400
11	9380
12	7217
13	6708
14	7302
15	3983
16	3512
17 (COMMUNITY)	3080
LIVE WORK	(7) 3780
TOTAL	137634

(1) SUB DRIVE CONTAINS RESIDENTIAL CONDO UNITS ON THE SECOND FLOOR
4 UNITS FOR BUILDING 2
3 UNITS FOR BUILDING 3
(7) LIVE / WORK AND 97 OFFICE PER UNIT 6 UNITS)

LEGEND

- PROPERTY LINE / STREET CENTERLINE
- EXISTING CONTOUR
- PROPOSED BUILDING / EXISTING BUILDING
- PROPOSED CURB & GUTTER
- PROPOSED CURB
- EX. CURB & GUTTER
- EX. CURB
- ACCESSIBLE ROUTE



VICINITY MAP
N.T.S.

NORTH

GRAPHIC SCALE
(IN FEET)
1 inch = 80 ft.

ACCESSIBILITY NOTES:

NOTE: ALL ADA ACCESS SHALL CONFORM TO ADA STANDARDS IN BOTH THE COMMERCIAL AND RESIDENTIAL SITES

1. MAXIMUM SLOPE ON THE ACCESSIBLE ROUTE IS 5.0% IN THE DIRECTION OF TRAVEL, 2.0% CROSS SLOPE. MAXIMUM SLOPE IN ACCESSIBLE PARKING STALL / LOADING AISLE IS 2.0% IN ANY DIRECTION.
2. PROVIDE ACCESSIBLE PARKING STALL SIGNAGE FOR HANDICAP AND VAN ACCESSIBLE STALLS PER MUNI 484.106
3. HANDICAP 2 STALLS SHALL BE 9'-0" WIDE x 10'-0" LONG (18'-0" WITH PERMITTED OVERHANG)
4. HANDICAP STALL / LOADING AISLES ARE 8'-0" WIDE, THE ENTIRE LENGTH OF THE PARKING STALL (8'-0" WIDE FOR VAN ACCESSIBLE SPACES)

PROJECT DATA

GROSS ACREAGE 41.02 ACRES
81 SIDEWALK 24.91 ACRES

TOTAL NO OF UNITS 210
MODEL A 40
MODEL B 88
MODEL C 74
LIVE/WORK (LIVE PORTION) 8
DENSITY 5.12 UNITS/ACRE
MINIMUM LOT SIZE 2142 SF
MAXIMUM LOT SIZE 3400 SF
AVERAGE LOT SIZE 3088 SF
PARKING REQUIRED 2 PER UNIT = 420
PARKING PROVIDED = 357

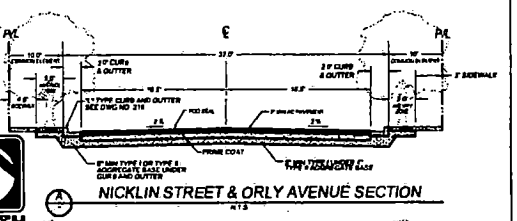
BROWNSTONES
37 DWELLING UNITS X 2 PER UNIT REQ'D = 74
PARKING PROVIDED = 37

LOFT RESIDENTIAL
BUILDING #2 AND #3
7 UNITS X 1.5 PER UNIT REQ'D = 2
1 PER 6 GUEST REQ'D = 2
TOTAL PARKING REQ'D = 11
PARKING PROVIDED = 8

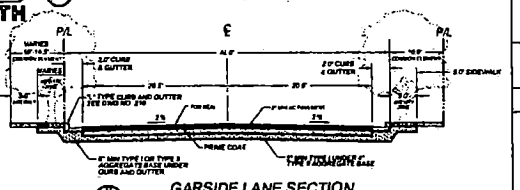
LIVE/WORK
8 OFFICE UNITS (400 S.F. PER UNIT)
INCLUDED WITH OFFICE BELOW

COMMERCIAL
ACTUAL 6,633 SF 1/250
RESTAURANT 4,300 SF 1/50 - 1000 = 86
R&GC 12,483 SF 1/250
OFFICE 36,820 SF 1/300

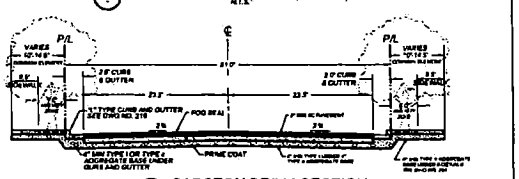
TOTAL ON-SITE SPACES PROVIDED = 437
TOTAL OFF-SITE SPACES PROVIDED = 178
TOTAL PARKING REQ'D = 581
TOTAL PARKING PROVIDED = 615 (NOT INC OFF-SITE)
TOTAL INCLUDING OFF-SITE = 615



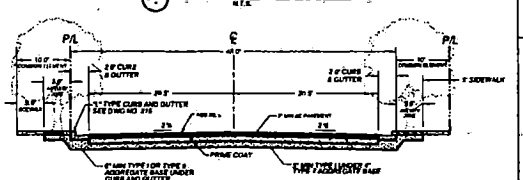
NICKLIN STREET & ORLY AVENUE SECTION
A N.T.S.



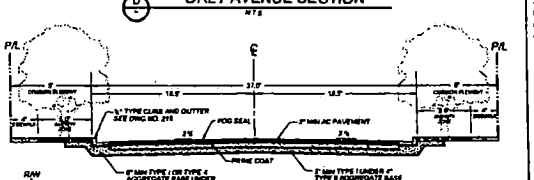
GARSIDE LANE SECTION
B N.T.S.



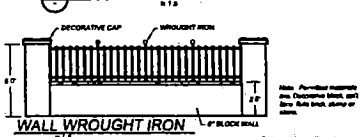
CARSTON DRIVE SECTION
C N.T.S.



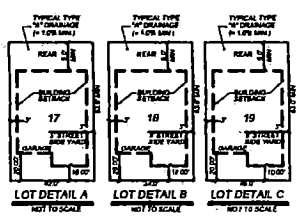
ORLY AVENUE SECTION
D N.T.S.



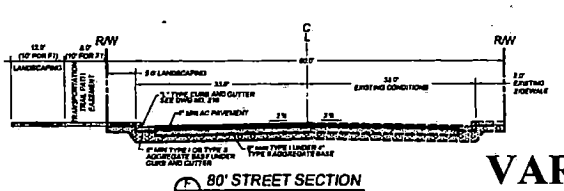
INTERIOR STREET SECTION
E N.T.S.



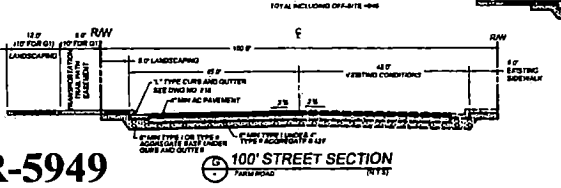
WALL WROUGHT IRON
N.T.S.



LOT DETAIL A — NOT TO SCALE
LOT DETAIL B — NOT TO SCALE
LOT DETAIL C — NOT TO SCALE



80' STREET SECTION
F TULE SPRINGS ROAD N.T.S.



100' STREET SECTION
G FARM ROAD N.T.S.

VAR-5949
SUP-6068
SDR-5828

RECEIVED
FEB 4 2005

The Keith Companies
TKC

CARINA CORPORATION
THE VILLAGE OF CENTENNIAL SPRINGS
SITE PLAN

JOB #
SHEET NO.: SP-1
1 OF 1 SHEETS
SITE #

carina

January 11, 2005

Planning and Development Department
City of Las Vegas
731 South 4th Street
Las Vegas, NV 89101

RE: Justification Letter to support the request for an Amended Site Development Plan Review, Special Use Permit, and Parking Variance.

Attention Current Planning Staff:

Carina Homes, Nevada's leading builder of Traditional New Home Neighborhoods is pleased to present the Urban Village of Centennial Springs. Located at the southwest corner of Farm Road and Tule Springs Road, adjacent to the Interstate 95 corridor, Centennial Springs shall feature a combination of retail, restaurant and office uses. Organized around a private landscaped boulevard, Centennial Springs seeks to create a "main-street" experience of the highest quality providing shopping and employment opportunities for the community. Greater dynamic is added to the business district by introducing a residential component which provides lifestyle opportunities ranging from the more traditional to the more progressive, culminating in the Urban Village of Centennial Springs.

Since the approval of the original Site Development Plan Review Package by the Las Vegas City Council in May of 2004 Carina has had an opportunity to continue the design development, and engineering of the master plan. As a result we are prepared to submit an amended Site Development Plan Review package illustrative of the actual development plan. We have also included with this package a Special Use Permit, Parking Variance and corresponding justification which shall be required to support the ultimate build out of the Centennial Springs Master Plan.

Site Development Plan Review (SX-TC):

Designed as a suburban, mixed-use destination, Main Street Centennial Springs draws upon an almost historic precedent translating traditional materials and textures into a modern day experience. The two building edges which flank both sides of Main Street are rich with texture and color including brick and stone veneer, siding, canopies, tracery,

VAR-5949
REVISED
1.13.05

1050 Indigo Drive | Las Vegas NV 89145 | T 702.228.6376 | F 702.228.6002 | www.carinacorp.com

and other embellishments to enhance the pedestrian scale experience while the second floors of the buildings along Main Street have been designed to support a combination of residential flats and offices.

Great attention to detail has been employed throughout the master planning efforts of Centennial Springs; from the carefully executed signage, to the tree grates, gas lamps, and hand selected trees along Main Street. To that end a cohesive sign package has been generated identifying sign type, design, and location throughout the development. The most prominent of these signs remain those at the intersection of Farm Road and Tule Springs Road. In this location a decorative stone monument sign will exist identifying the Village of Centennial Springs with prescribed fonts and stone veneer selected as project identifiers. Furthermore to reinforce the "old-town" or "home-town" aesthetic two lamp posts have been located beyond the sign in the backdrop where a more permanent banner may display main street or urban village events, Shakespeare in the Park, the Centennial Springs Farmers Market, the Kite Festival, etcetera.

Because the Village of Centennial Springs has been so carefully themed and executed a seven foot trail has been proposed along Tule Springs and Farm Road where 10'-0" would normally be required. Again, as with any urban main-street destination the activity that occurs within the Village of Centennial Springs occurs along the main street adjacent to the shops. Furthermore, reducing the expanse of concrete by only 2'-0" affords the opportunity to greatly enhance the landscape along both Farm and Tule Springs without compromising the integrity of the trail.

Parking Variance:

As a mixed-use destination the Village of Centennial Springs recognizes that within the commercial district there exist several building types with alternate peak hour activity including office, retail, restaurant and loft space. As a result shared parking shall be employed throughout the development allowing those spaces provided to remain full in lieu of developing a sea of asphalt that sits vacant during non-peak hours of opposing uses. The Village of Centennial Springs has been designed and developed as a suburban mixed-use destination providing retail and restaurant opportunities for the area while still providing a self sustained live, work, play community of its own.

Special Use Permit:

The Special Use Permit shall simply be necessary to support a pad with drive-through opportunity as identified by building 16 on the attached Site Plan. The drive through at that location allows either a financial institution, coffee house, drug store or restaurant to occupy the ideal corner location and still better serve their clientele.

The Urban Village of Centennial Springs strikes an appropriate balance of retail, restaurant, professional office, residential, and recreation to successfully achieve an environment that may truly be described as live, work, play. Pockets of activities and services have been strategically located throughout the site breaking down large areas of parking to create a dynamic, high quality retail, restaurant, office and residential environment. Carina Corporation continues to look forward to the realization of the Urban Village of Centennial Springs and remains confident that the development shall serve as a precedent for future mixed-use developments not only in Las Vegas but across the country.

Please contact me if you should have any additional questions upon your review of the attached application materials.

Sincerely,
CARINA LAND COMPANY, LLC

Rebecca Ralston
President

City of Las Vegas

Agenda Item No.: 24

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
ABEYANCE - WVR-6153 - WAIVER RELATED TO VAR-5949 - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION - Request for a Waiver of Title 18.12.100 TO ALLOW 24-FOOT PRIVATE STREET WIDTH AT INTERSECTIONS WHERE 37 FEET IS THE MINIMUM WIDTH REQUIRED on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her company, Terra Contracting, is bidding on a portion of the project

To be heard by the City Council on 5/18/2005

MINUTES:
See Item 23 [VAR-5949] for related discussion on Item 23 [VAR-5949] and Item 24 [WVR-6153].

(7:29 – 7:52)
2-114

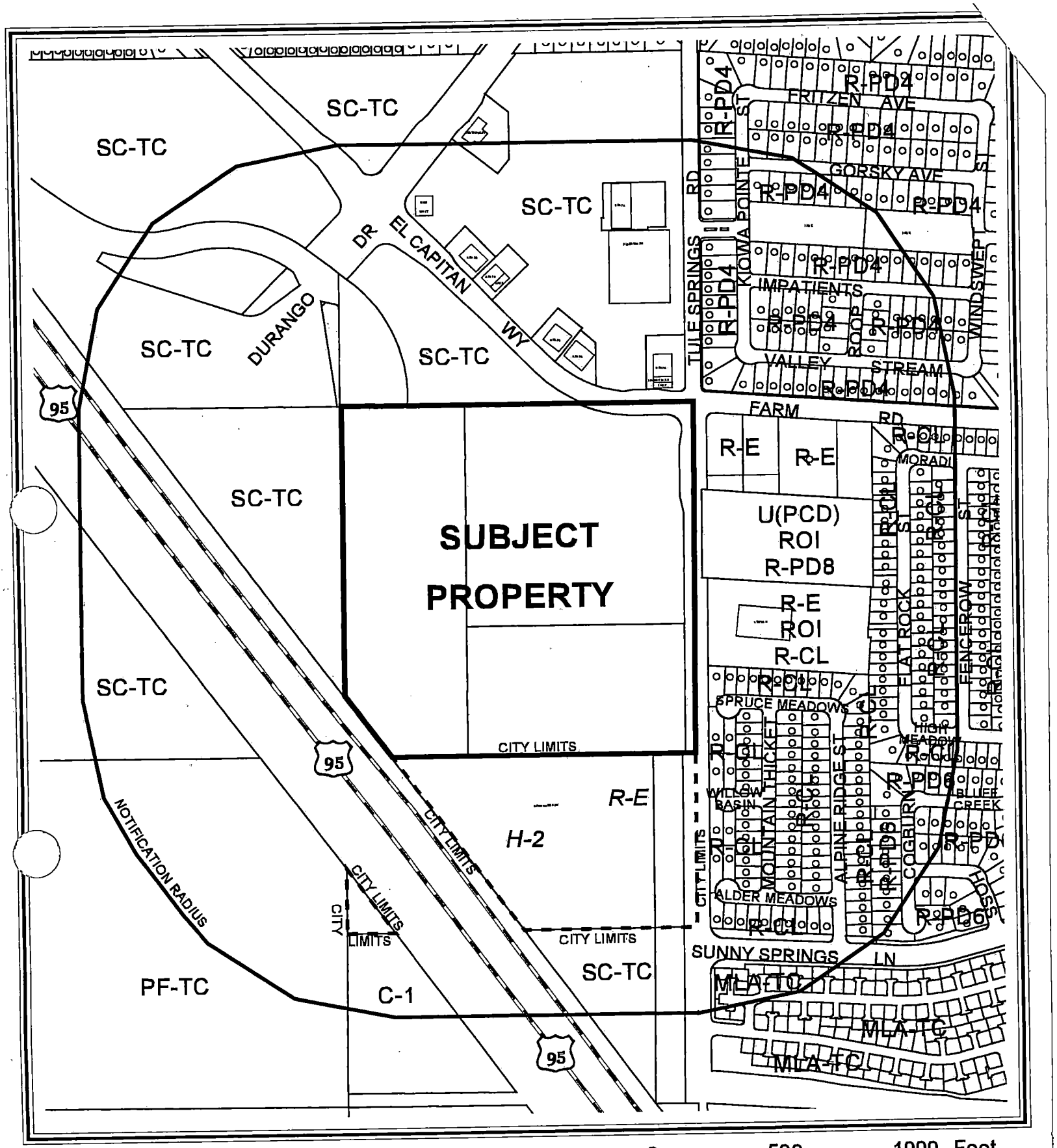
CONDITIONS:
Planning and Development
1. Conformance to the Conditions of Approval for VAR-4330, SUP-4299, and SDR-4290.

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 24 – WVR-6153

CONDITIONS – Continued:

2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

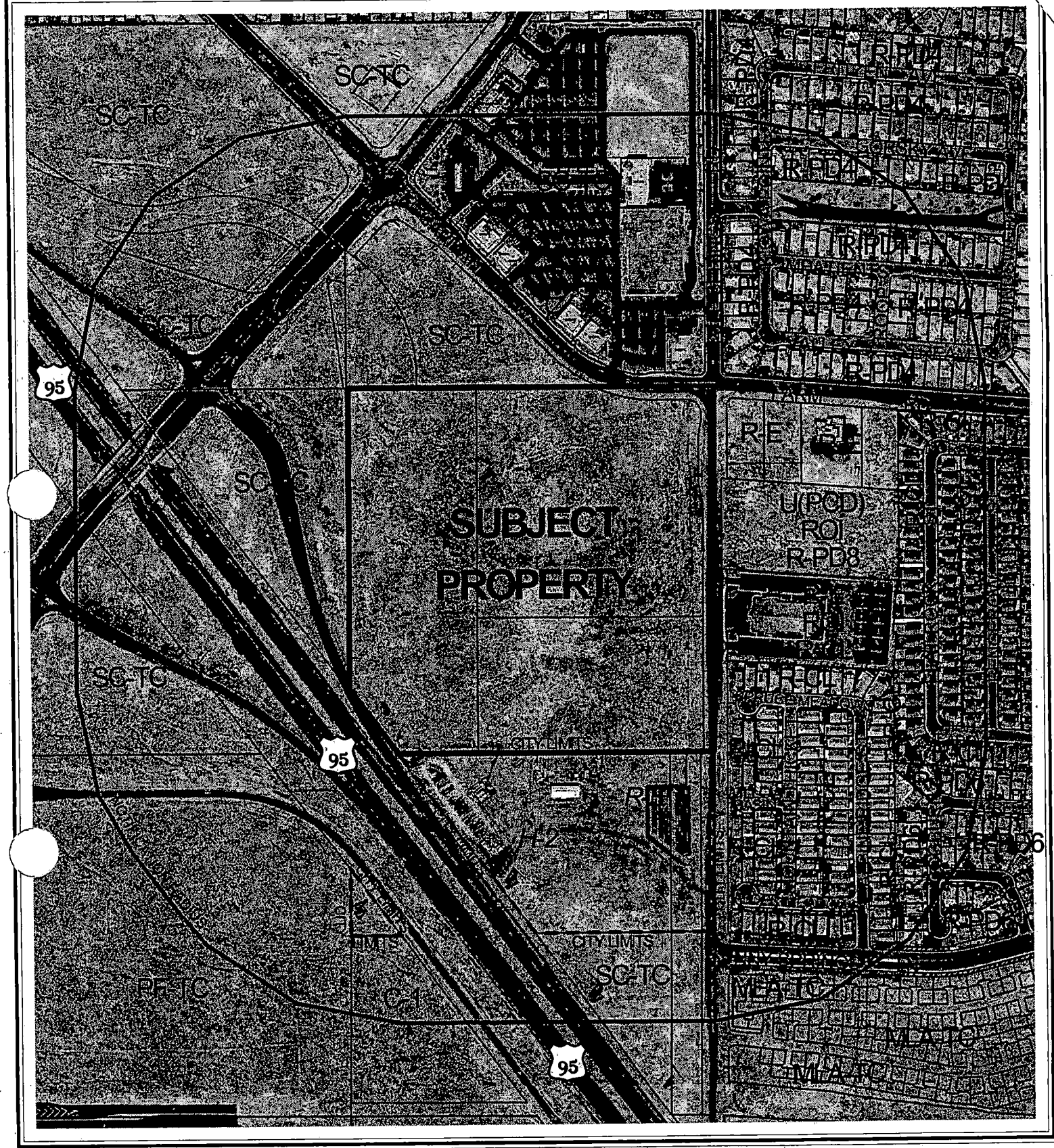
3. A Variance for Parking (VAR-5949) and Site Development Plan Review (SDR-5948) approved by the City Council.



CASE: **WVR-6153**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]


SC-TC
SC-TC
SC-TC

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-6153 - APPLICANT/OWNER: CARINA CORPORATION

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL**, Subject to:

Planning and Development

1. Conformance to the Conditions of Approval for VAR-4330, SUP-4299, and SDR-4290.

2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

3. A Variance for Parking (VAR-5949) and Site Development Plan Review (SDR-5948) approved by the City Council.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Waiver of Title 18.12.100 to allow a 24-foot private street width where 37 feet back of curb to back of curb is required.

B) Applicant's Justification

The reduced street widths are integrated into the development to achieve a non "cookie cutter" design feature. The uniqueness of the project's site plan adds tremendous value to the overall community. From residential elevations to the street design it was felt that the word monotonous would not be associated with any part of the development. It is believed that the development meets the intent, principles and guidelines of the design guidelines and standards of the city.

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 held this item in abeyance to the 04/14/05 PC Meeting at the request of the applicant.

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area
Gross Acres: 41.02

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped, Commercial
South:	Undeveloped
East:	Undeveloped, Church, And Residential
West:	Undeveloped

C) Planned Land Use

Subject Property:	SX-TC (Suburban Mixed-Use - Town Center)
North:	SC-TC (Service Commercial - Town Center)
South:	SC-TC (Service Commercial - Town Center)
East:	PCD (Planned Community Development)
West:	SC-TC (Service Commercial - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	Clark County
East:	R-E (Residence Estates) R-E (Residence Estates) Under Resolution of Intent to R-CL (Residential Compact Lot) U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD8 (Residential planned Development- 8 Units per Acre) R-E (Residence Estates) Under Resolution of Intent to R-PD8 (Residential planned Development- 8 Units per Acre)
West:	T-C (Town Center)

E) General Plan Compliance

The existing T-C (Town Center) zoning is in conformance with the General Plan, which designates the area as SX-TC (Suburban Mixed Use - Town Center), as part of the Town Center Master Plan. The intent of the SX-TC designation is to create a neighborhood that generates a sense of place, a feeling of being in a unique business / urban environment.

The designation calls for an intensive pedestrian orientation, buildings with a minimum height of two stories, and a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor and similar uses and/or medium to high density residential on the upper floors. The object of this district is to provide amenities that are conducive to attracting pedestrian activity rather than automotive access. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district.

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

Centennial Hills Town Center- The Centennial Hills Town Center category of the Centennial Hills General Plan is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; low to high density residential uses; planned business; office and industrial parks; and recreational uses.

Trails - Map 6 of the Recreational Trails Element, "Town Center Multi-use Trail Alignments," shows a Multi-Use Transportation Trail along the west side of Tule Springs Road. A condition of approval of the Village of Centennial Springs development (SDR-4290) requires the developer to include this trail within the improvements for the west side of Tule Springs Road.

B) Project Description General Analysis and Discussion

The subject project is a proposed 210-lot single-family development a portion of the 41.02 acre development at Farm and Tule Springs. The proposed streets serving the lots of the single family development will be 37 feet in width except at the intersections. The 37 feet is in conformance with Title 18 standards but the intersection are proposed to be reduced to 24 feet at the narrowest which will narrow the pedestrian walking distance at the intersections as a matter of public safety.

General Analysis and Discussion

This request seeks to waive the requirements of the Subdivision Code with regard to the minimum street widths for private streets from the required 37 feet to 24 feet. This requirement, found in Title 18.12.100, states:

> "Private streets shall have a minimum width of 37 feet from back of curb to back of curb."

The applicant is proposing to reduce the walking distance at intersections to minimize the time pedestrians are within the path of vehicles. The narrower width of 24 feet will be limited only to the intersections. The private streets will expand out to the 37 feet between the intersections allowing the free flow of traffic envisioned with the 37-foot street cross section design.

FINDINGS

Because the constrictions will be limited to only the intersections, the proposed design does not appear to present flow problems that hinder traffic within the residential area. Therefore this waiver can be supported.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 295 – Mailed with VAR-5949 and SDR-5948

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-6153 APN: 125-17-702-003, 004, 005

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: _____

Signature of Property Owner/Authorized Agent: Bernadette Womack

Print Name: Bernadette Womack

Subscribed and sworn before me

This 17 day of February, 2005

MICHAEL BRADSHAW
Notary Public State of Nevada
No. 02-73408-1
My appt. exp. Jan. 1, 2006

Notary Public in and for said County and State

carina

February 17, 2005

Planning and Development Department
City of Las Vegas
731 South 4th Street
Las Vegas, NV 89101

RE: Waiver of Private Street Standards

Attention Current Planning Staff:

This is a request for a Waiver of Private Street Standards per Section 18.12.100 of the Subdivision Ordinance.

The reduced street widths are integrated into this development to achieve a non "cookie-cutter" design feature. The uniqueness of this project's site plan adds tremendous value to the overall community. From residential elevations to our street design, Carina felt that the word "monotonous" would not be associated with any part of this development.

The design element of The Village at Centennial Springs is something Carina takes great pride in and believes that this development as submitted meets the intent, principles and guidelines of the Design Guidelines and Standards of the city of Las Vegas.

Sincerely,
CARINA LAND COMPANY, LLC

Michael Bradshaw
Director of Entitlements

WVR-6153

1050 Indigo Drive | Las Vegas NV 89145 | T 702.228.6376 | F 702.228.6002 | www.carinacorp.com

City of Las Vegas

Agenda Item No.: 25

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
ABEYANCE - SDR-5948 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5949 AND WVR-6153 - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION - Request for Revisions to an approved Site Development Plan Review FOR A PROPOSED MIXED-USE DEVELOPMENT on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN 125-17-702-003), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C. 05/18/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions and amending the following conditions:

1. A General Plan Amendment (GPA-6362) shall be approved. If denied, a modified site plan showing a ten-foot wide trail path along Tule Springs Road *shall be provided.*

12. Parking lot lighting standards shall be no more than 30 feet in height. Any wall pack lighting shall be 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.

– UNANIMOUS with McSWAIN abstaining as her company, Terra Contracting, is bidding on a portion of the project

To be heard by the City Council on 5/18/2005

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 25 – SDR-5948

MINUTES – Continued:
See Item 23 [VAR-5949] for related discussion on Item 23 [VAR-5949] and Item 24 [WVR-6153].

(7:29 – 7:52)
2-114

CONDITIONS:
Planning and Development

1. A General Plan Amendment (GPA-6362) shall be approved. If denied, a modified site plan showing a ten-foot wide trail path along Tule Springs Road and the Automotive Gateway located at the southwest corner of Tule Springs and Farm Road per Town Center standards shall be submitted to the Planning and Development Department prior to the issue of building permits.

2. A Variance application for parking (VAR-5949) and a Waiver of Private Street Width (WVR-6153) approved by the City Council.

3. Conformance to the Conditions of Approval for VAR-4300, SUP-4299, and SDR-4290.

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

5. All development shall be in conformance with the site plan and building elevations date stamped 01/11/05 for a maximum of 127,034 square-feet, except as amended by conditions herein. In addition building number 16 as indicated on the site plan shall be limited to General Retail Store only as defined per Title 19 Chapter 19.10 Table One Parking Requirements.

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

CONDITIONS – Continued:

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

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 within the amenity zones of this development.

11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and parking areas in accordance with the Town Center Development Standards.

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.

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 25 – SDR-5948

CONDITIONS – Continued:

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

Public Works

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

17. Provide a public sewer stub to the west of this site at a depth and location acceptable to the City Engineer. All required public sewer easements necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any offsite permits.

18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site for bus turn-outs, 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. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study

CONDITIONS – Continued:

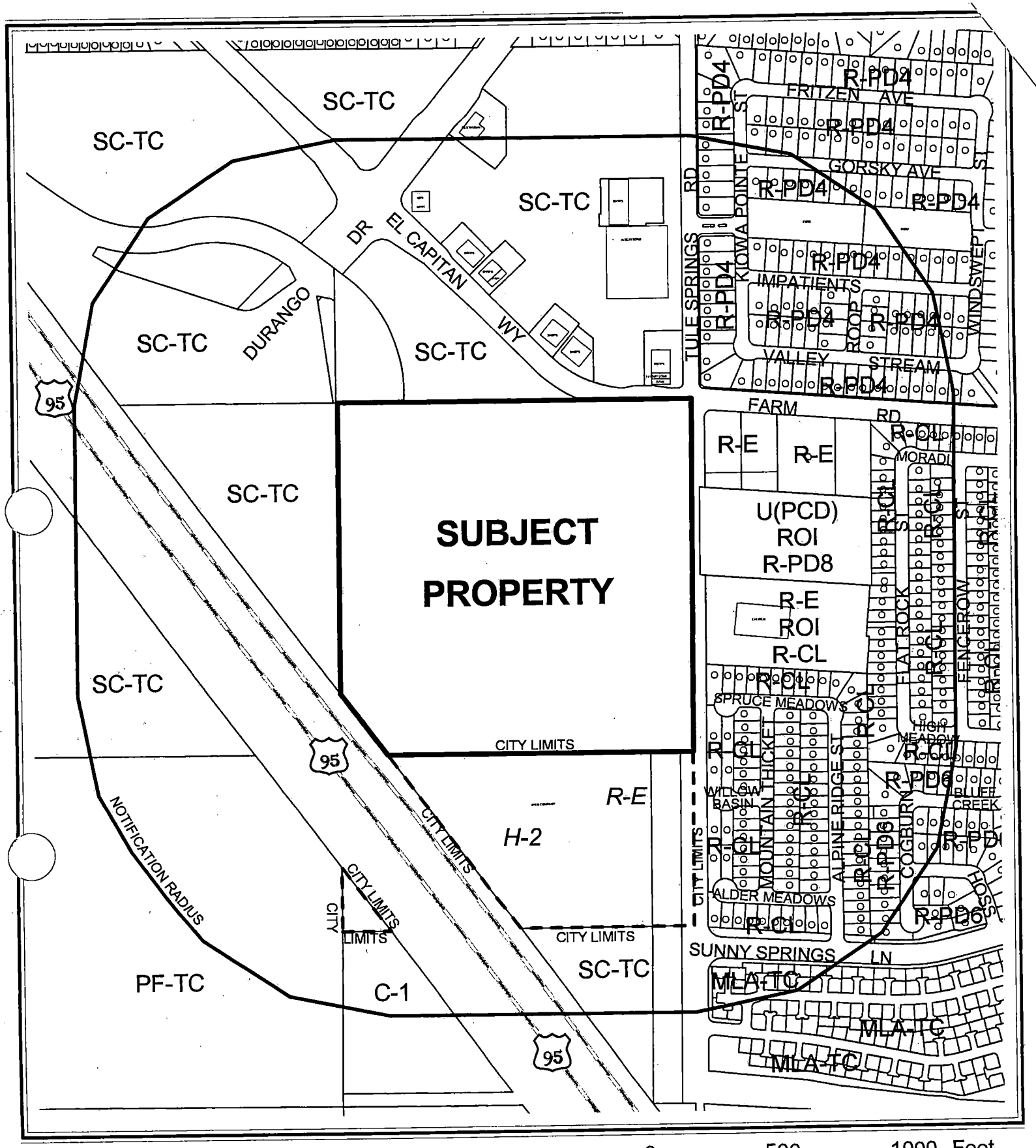
concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and 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.

20. Provide documentation to the City of Las Vegas showing that the Nevada Department of Transportation (N.D.O.T.) easement that crosses this site has been abandoned prior to the issuance of any permits or the recordation of a Final Map for this site, whichever may occur first.

21. Landscape and maintain all unimproved rights-of-way, if any, on Farm Road and Tule Springs Road adjacent to this site.

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

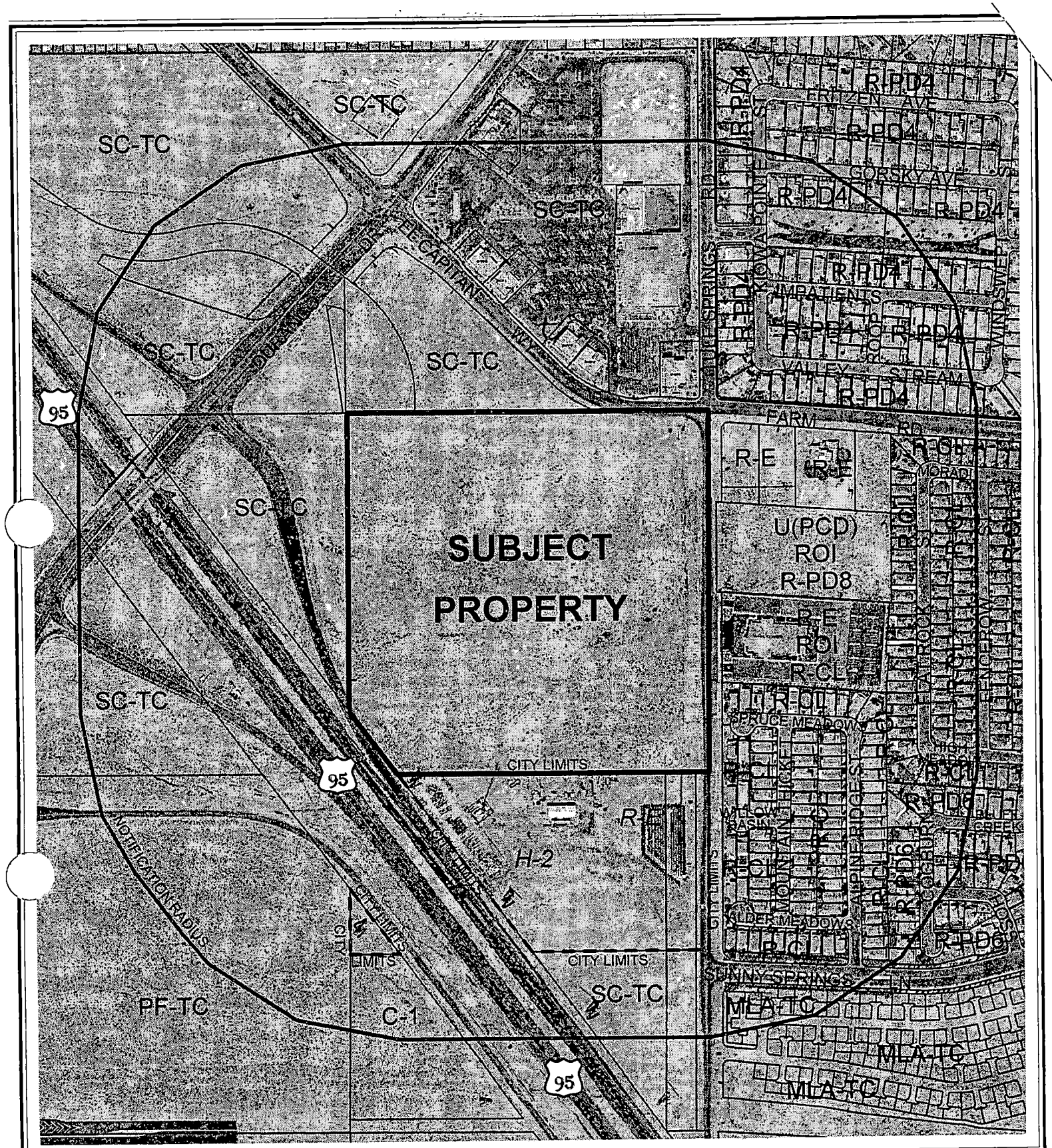
23. Site development to comply with all applicable conditions of approval for Z-76-98 and all other applicable site-related actions.



CASE: **SDR-5948**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]


SC-TC
SC-TC
SC-TC
SC-TC
SC-TC
SC-TC
SC-TC
SUBJECT
PROPERTY
R-PD4
R-PD4
R-PD4

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5948 - APPLICANT/OWNER: CARINA CORPORATION

** CONDITIONS **

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

Planning and Development

1. A General Plan Amendment (GPA-6362) shall be approved. If denied, a modified site plan showing a ten-foot wide trail path along Tule Springs Road and the Automotive Gateway located at the southwest corner of Tule Springs and Farm Road per Town Center standards shall be submitted to the Planning and Development Department prior to the issue of building permits.

2. A Variance application for parking (VAR-5949) and a Waiver of Private Street Width (WVR-6153) approved by the City Council.

3. Conformance to the Conditions of Approval for VAR-4300, SUP-4299, and SDR-4290.

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

5. All development shall be in conformance with the site plan and building elevations date stamped 01/11/05 for a maximum of 127,034 square-feet, except as amended by conditions herein. In addition building number 16 as indicated on the site plan shall be limited to General Retail Store only as defined per Title 19 Chapter 19.10 Table One Parking Requirements.

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

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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.

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

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

Public Works

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

17. Provide a public sewer stub to the west of this site at a depth and location acceptable to the City Engineer. All required public sewer easements necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any offsite permits.

18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site for bus turn-outs, 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. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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20. Provide documentation to the City of Las Vegas showing that the Nevada Department of Transportation (N.D.O.T.) easement that crosses this site has been abandoned prior to the issuance of any permits or the recordation of a Final Map for this site, whichever may occur first.

21. Landscape and maintain all unimproved rights-of-way, if any, on Farm Road and Tule Springs Road adjacent to this site.

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

23. Site development to comply with all applicable conditions of approval for Z-76-98 and all other applicable site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Request for Revisions to an approved Site Development Plan Review (SDR-4290) for a proposed mixed-use development on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road.

B) Applicant's Justification

Since the approval of the original Site Development Plan Review by the City Council in May of 2004 Carina has had an opportunity to continue the design development and engineering of the master plan. This subject request is amendment of the original plan that will be illustrative of the actual development plan and will support the ultimate buildout of the Centennial Springs Master plan.

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.

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KCW

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 held this item in abeyance to the 04/14/05 PC Meeting at the request of the applicant.

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 41.02

KCW

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped, Commercial
South:	Undeveloped
East:	Undeveloped, Church, And Residential
West:	Undeveloped

C) Planned Land Use

Subject Property:	SX-TC (Suburban Mixed-Use - Town Center)
North:	SC-TC (Service Commercial - Town Center)
South:	SC-TC (Service Commercial - Town Center)
East:	PCD (Planned Community Development)
West:	SC-TC (Service Commercial - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	Clark County
East:	R-E (Residence Estates) R-E (Residence Estates) Under Resolution of Intent to R-CL (Residential Compact Lot) U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD8 (Residential planned Development- 8 Units per Acre) R-E (Residence Estates) Under Resolution of Intent to R-PD8 (Residential planned Development- 8 Units per Acre)
West:	T-C (Town Center)

E) General Plan Compliance

The existing T-C (Town Center) zoning is in conformance with the General Plan, which designates the area as SX-TC (Suburban Mixed Use - Town Center), as part of the Town Center Master Plan. The intent of the SX-TC designation is to create a neighborhood that generates a sense of place, a feeling of being in a unique business / urban environment.

The designation calls for an intensive pedestrian orientation, buildings with a minimum height of two stories, and a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor and similar uses and/or medium to high density residential on the upper floors. The object of this district is to provide amenities that are conducive to attracting pedestrian activity rather than automotive access. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district.

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

Centennial Hills Town Center- The Centennial Hills Town Center category of the Centennial Hills General Plan is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; low to high density residential uses; planned business; office and industrial parks; and recreational uses.

Trails - Map 6 of the Recreational Trails Element, "Town Center Multi-use Trail Alignments," shows a Multi-Use Transportation Trail along the west side of Tule Springs Road. A condition of approval of the Village of Centennial Springs development (SDR-4290) requires the developer to include this trail within the improvements for the west side of Tule Springs Road. The site plan shows that the width of the path as eight feet. A condition has been added to require that the site plan be modified to show the correct width of ten feet.

PROJECT DESCRIPTION

The proposed development is a mixed use project located at the southwest corner of Farm Road and Tule Springs Road. It will be 41.02 acres of a mix of single and multi-family residential, retail, offices, neighborhood services, entertainment, public facilities, and live-work units along tree lined streets. Little more than half of the site will residential, with the commercial predominately at the intersection of Farm and Tule Springs.

The project consists of 210 residential units on 24.07 acres of land for a proposed density of 8.72 dwelling units per acre. The commercial portion will be 16.95 acres in size including 16 buildings varying in size between 2,883 to 29,400 square-feet in size for a total of 127,034 square-feet. The two areas are connected by a diagonal main street that ends at a public park in the approximate center of the development. Vehicular access to the site is from Farm Road and Tule Springs Road.

The Tule Springs accesses will be the primary entrance to the residential portion of the development. The commercial portion will be accessed from Farm and Tule Springs with the primary access from Farm Road. The interior streets of the residential portion will be 37 feet in width and privately maintained. The primary street in the commercial is to be 51 feet in width.

KCW

The exteriors are the typical single, two, and three-story design with tile roofs and stuccoed exterior walls.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

In a manner like Title 19.06 for R-PD development, the following Development Standards apply to the subject proposal:

Standards	**Provided**	**Compliance with Title 19**
Min. Lot Size	2,142 sq ft	Y
Min. Lot Width	34 ft	Y
Min. Setbacks		
• Front	10 ft	Y
• Side	3 ft	Y
• Corner side	5 ft	Y
• Rear	5 ft	Y
Max. Building Height	3 Stories	Y

The proposal meets the requirements of Title 19 and the Town Center Development Standards.

A2) Residential Adjacency Standards

The Residential Adjacency Standards do not apply to the subject proposal.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Retail	67,632 SF.	1/250 GFA	271			
Commercial and personal Services	13,482 SF.	1/200 GFA	68			

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General Office	36,620 SF.	1/300 GFA	122			
Restaurant	9,300 SF.	1/50 Seating and Waiting; 1/200 Remaining; 60/40	5580/50= 112 3720/200 = 19			
Commercial Subtotal			592		437	
Residential-Single Family		2 Spaces/ Dwelling	231 Units x 2= 462		379	
2 bedroom Multi-family		1.75 Spaces per Unit 1 Guest space per 6 Units	7 Units x 1.75= 5 7/6= 2		8	
Residential Subtotal			469		824	
Total			1061			
Total w/ Handicap			1039	22	807	17

The proposal does not meet the parking requirements for standard development. The proposal though is consistent with the philosophy of the live-work nature of a true mixed-use development in Town Center. With residential supportive commercial and the employment opportunities that go with it within close walking distances of each other, particularly in a self-contained development such as is the subject of this proposal, it is likely that the parking standards of Title 19 expect more than is truly needed. This would be particularly the case as, with a proper mix of uses, the parking set aside for 8 to 5 uses can be used by uses that are focused on the evening and night hours.

A Wavier is required for Title 18.12.100 to accommodate the proposed 24-foot private street width at intersections. A proposed multi-use transportation trail is adjacent to this site.

A4) Landscape and Open Space Standards

Landscaping

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

Standards	Required		Provided
	Ratio	Trees	
5 foot Wide Parking Area Fingers	1 24 Inch Box Tree/ 6 Spaces	824/6= 138 Trees	170
• Street Trees- Farm Road and Tule Springs Road	1 Tree/ 20 Linear Feet along the streets	1690/20= 85 Trees	85
• Street buffer Width	15 Feet Along Streets		18

The proposal meets the requirements of Title 19 for landscaping.

Open Space

Section E (G) of the Town Center Development Standards Manual outlines requirements for communities with private streets. Because private streets are less wide and do not include the amenity zones that are requisite for Town Center Streets, development that utilizes private streets are expected to meet a higher open space standard based on the R-PD open space standards. The calculation used to determine the required amount of open space is as follows:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
24.1 acres of Residential	8.72	1.65	14.5 %	3.5 acres	10.2 %	2.46 acres

The proposal is deficient by 1.04 acres in the required amount of open space. A related Variance application (VAR-4300) was approved to address this issue.

A5) Sign Standards

Pursuant to Title 19 and the Town Center Development Standards, all signage will be reviewed by a separate application by the Centennial Hills Architectural Review Committee.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) with a SX-TC (Suburban Center Mixed Use – Town Center) General Plan designation.

The proposed single and multi-family residential, commercial, retail, office, live-work, and neighborhood service development is a true residential/ commercial mixed development. The development conforms to landscaping, open space, and development standards of the Town Center zoning.

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- Site Plan

  The project consists of 210 residential units on 24.07 acres of land for a proposed density of 8.72 dwelling units per acre. The commercial portion will be 16.95 acres in size including 16 buildings varying in size between 2,883 to 29,400 square feet in size.

  Vehicular access to the site is from Farm Road and Tule Springs Road. The Tule Springs accesses will be the primary entrances to the residential portion of the development. The commercial portion will be accessed from Farm and Tule Springs with the primary access from Farm Road. The interior streets of the residential portion will be 37 feet in width and privately maintained. The primary street in the commercial is to be 51 feet in width.

  The smallest typical house lot size is 34 feet by 63 feet (2,142 square feet).

- Waivers

  There are no waivers requested by the applicant.

- Landscape Plan

  The landscaping proposed is in conformance with the standards for parking lots. The number of trees shown along the streets Farm Road and Tule Springs Road is in conformance with the standards for street buffers.

- Elevation

  The exteriors are the typical single, two, and three-story design with tile roofs and stuccoed exterior walls.

- Floor Plan

  The proposed floor plans are typical of development around the site.

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;"**

KCW

The single family detached portion of the development is compatible with the existing residential development to the east of the site. The commercial section is compatible with the commercial to the north and the planned commercial to the northwest.

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 intent of the SX-TC designation is to create a neighborhood that generates a sense of place, a feeling of being in a unique business district. The designation also calls for an intensive pedestrian orientation, a minimum height of two stories, and a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor and similar uses and/or medium to high density residential on the upper floors. The proposed plan is conformance with this philosophy.

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

The site is bordered by Tule Springs to the east, which is designated as a Town Center (80-foot) Collector on Map 4A of the Town Center Development Standards Manual and Farm Road to the north, a Town Center 80 foot Arterial. Primary access will be from Tule Springs Road. When completed, these roadways will provide adequate access to the subject site.

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

The building materials proposed meet the design guidelines. The landscaping as proposed does not meet the landscaping standards required as part of the street cross-sections and the street buffers.

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 project as proposed is aesthetically pleasing and represents an attractive development. The proposed project is consistent with the objectives of the SX-TC designation.

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 City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

KCW

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 295 – Mailed with VAR-5949 and WVR-6153

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5948** 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: _____

Signature of Property Owner/Authorized Agent: RH McCarty

Print Name: RH McCarty

Subscribed and sworn before me

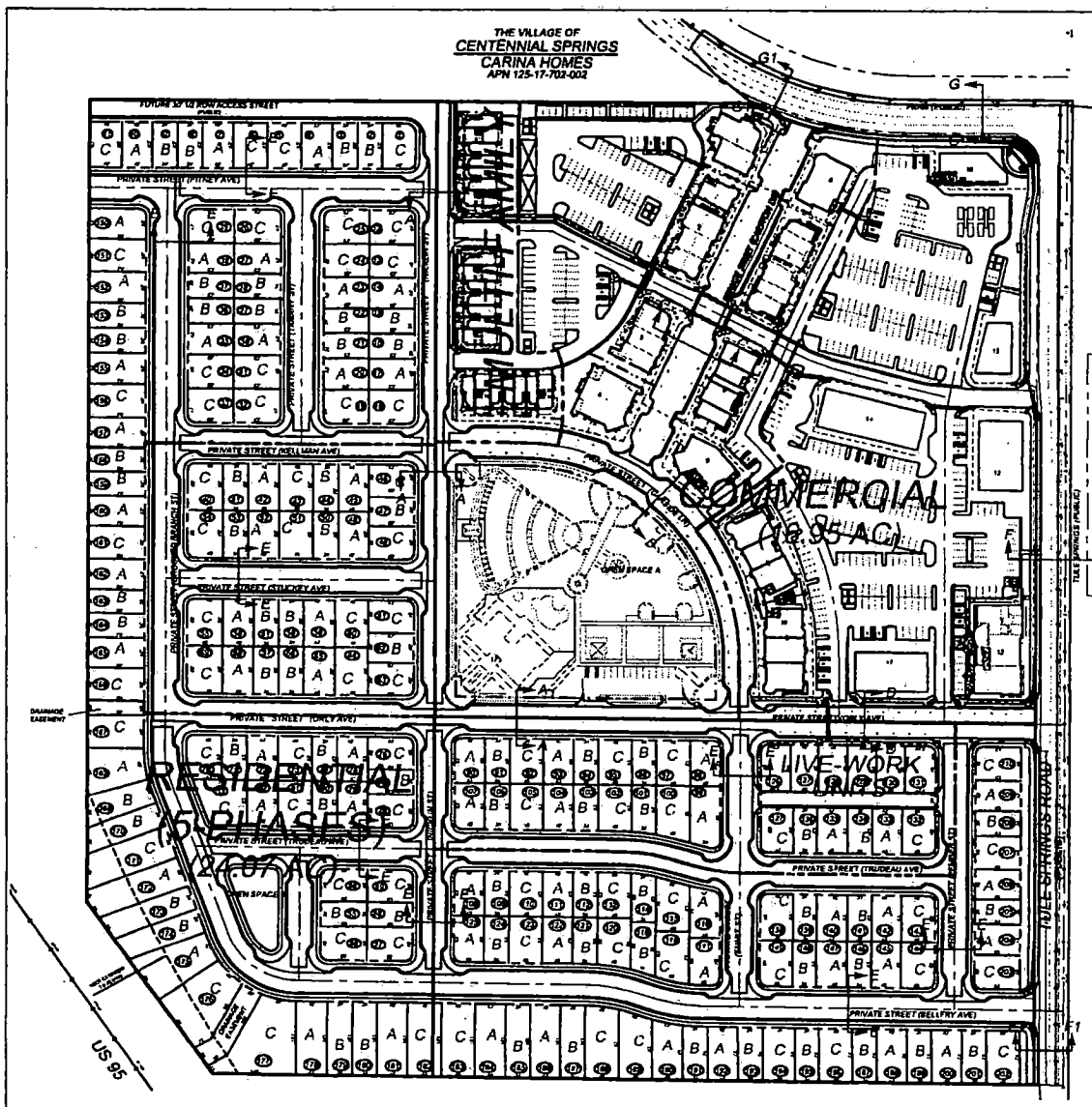
This 23rd day of December ,20 04

Jessica A. Eylar

Notary Public in and for said County and State

JESSICA A. EYLAR
Notary Public, State of Nevada
Appointment No. 04-90411-1
My Appt. Expires Jul 27, 2008

THE VILLAGE OF
CENTENNIAL SPRINGS
CARINA HOMES
APN 125-17-703-002



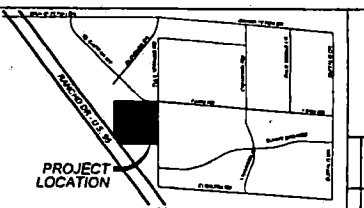
BUILDING DATA

BUILDING No.	SQ. FT.
1	4400
2	(1) 6888
3	(1) 4303
4	6781
A	7 TOWNHOMES
B	7 TOWNHOMES
C	7 TOWNHOMES
6	3288
7	12000
8	18195
9	4828
10	20400
11	6387
12	7317
13	6700
14	7537
15	3843
16	3312
17 (COMMUNITY)	3000
LIVE WORK	(3) 2160
TOTAL	127034

(1) SUE DRIDE CONTAINS (2) SERVICE CONDO UNITS ON THE SECOND FLOOR
4 UNITS PER BUILDING 1
3 UNITS PER SUE DRIDE 3
(3) LIVE WORK AND 30 OFFICES PER UNIT 6 UNITS)

LEGEND

- PROPERTY LINE / STREET CENTERLINE
- EXISTING CONTOUR
- PROPOSED BUILDING / EXISTING BUILDING
- PROPOSED CURB & GUTTER / PROPOSED CURB
- EX. CURB & GUTTER / EX. CURB
- ACCESIBLE ROUTE



VICINITY MAP
N.T.S.

NORTH

GRAPHIC SCALE
(IN FEET)
1 inch = 80 ft.

ACCESSIBILITY NOTES:

NOTE: ALL ADA ACCESSIBLE SHALL CONFORM TO ADA STANDARDS IN BOTH THE COMMERCIAL AND RESIDENTIAL SITES

1 MAXIMUM SLOPE ON THE ACCESSIBLE ROUTE IS 5.0% IN THE DIRECTION OF TRAVEL, 2.0% CROSS SLOPE. MAXIMUM SLOPE IN ACCESSIBLE PARKING STALL LOADING AREA IS 2.0% IN ANY DIRECTION

2 PROVIDE ACCESSIBLE PARKING STALL SIGNAGE FOR HANDICAP AND VAN ACCESSIBLE. 2 STALLS PER ARE 484 405

3 HANDICAP 2 STALLS SHALL BE 9'-0" WIDE + 11'-0" LONG (10'-0" WITH INTERSTICED OVERHANG)

4 HANDICAP STALL LOADING AISLE'S ARE 5'-0" WIDE THE LENGTH OF THE PARKING STALL (9'-0" WIDE FOR VAN ACCESSIBLE SPACES)

PROJECT DATA

GROSS ACREAGE 41.02 ACRES

TOTAL NO. OF UNITS 616
MODEL A 42
MODEL B 84
MODEL C 74
LIVE/WORK 6 (IN 3 FLOORS)
DENSITY 8.72 UNITS/AC (G)
MINIMUM LOT SIZE 2142 SF
MAXIMUM LOT SIZE 6426 SF
AVERAGE LOT SIZE 3000 SF
PARKING REQUIRED 2 PER UNIT = 420
PARKING PROVIDED = 433

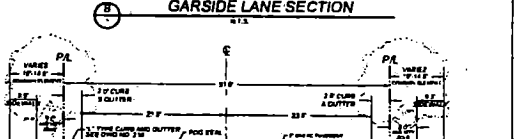
BROWNSTONES
77 DUPLEX UNITS (154 UNITS) PER UNIT NEEDED = 42
PARKING PROVIDED = 21

LOFT RESIDENTIAL
BUILDING 40 (MIXED)
7 UNITS X 1.1 = 8 PER UNIT REQ'D = 8
1 PER 5 GUEST REQ'D = 2
TOTAL PARKING REQ'D = 11
PARKING PROVIDED = 8

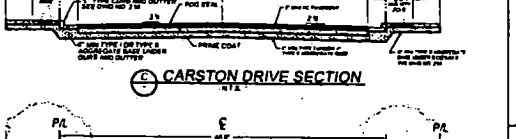
LIVE/WORK
6 DUPLEX UNITS (ARE 3 F. PER UNIT)
INCLUDED WITH OFFICE BELOW

COMMERCIAL
RETAIL 37,537 SF 1/250
RESTAURANT 6,000 SF 1/40 - 1/200 (75%)
BANK 13,462 SF 1/250
OFFICE 36,400 SF 1/300

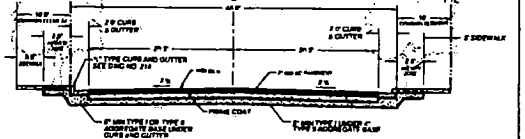
TOTAL ON-SITE SPACES PROVIDED = 437
TOTAL OFF-SITE SPACES PROVIDED = 129
TOTAL PARKING REQ'D = 1851
TOTAL PARKING PROVIDED = 624 (NOT INC OFF-SITE)
TOTAL INCLUDING OFF-SITE 1946



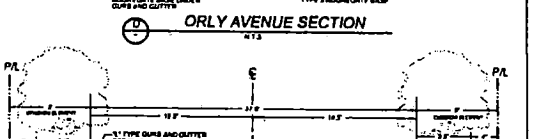
NICKLIN STREET & ORLY AVENUE SECTION.
A
N.T.S.



GARSIDE LANE SECTION
B
N.T.S.



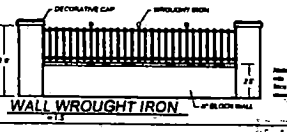
CARSTON DRIVE SECTION
C
N.T.S.



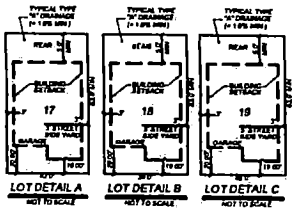
ORLY AVENUE SECTION
D
N.T.S.



INTERIOR STREET SECTION
E
N.T.S.



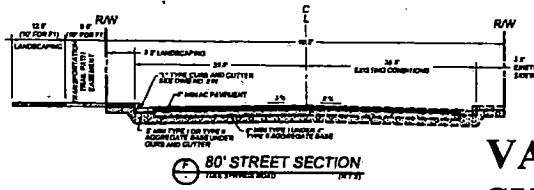
WALL WROUGHT IRON
N.T.S.



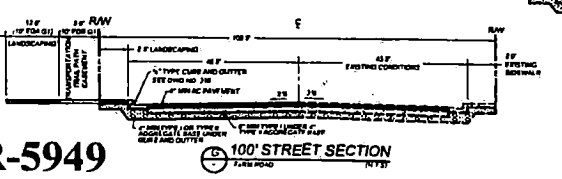
LOT DETAIL A
NOT TO SCALE

LOT DETAIL B
NOT TO SCALE

LOT DETAIL C
NOT TO SCALE



80' STREET SECTION
F
TULE SPRINGS ROAD
N.T.S.



100' STREET SECTION
G
TULE SPRINGS ROAD
N.T.S.

VAR-5949
~~**SUP-6068**~~
SDR-5828

RECEIVED
CITY 4 2005

The Keith Companies
TKC

CARINA CORPORATION
THE VILLAGE OF CENTENNIAL SPRINGS
SITE PLAN

JOB #
SHEET NO.:
SP-1
1 OF 1 SHEETS
NTE #



VAR-5949, WVR-6153 & SDR-5948 - APPLICANT/OWNER: CARINA CORPORATION
ADJACENT TO THE SOUTHWEST CORNER OF FARM ROAD AND TULE SPRINGS ROAD
APRIL 14, 2005 PLANNING COMMISSION

02/22/05

carina

January 11, 2005

Planning and Development Department
City of Las Vegas
731 South 4th Street
Las Vegas, NV 89101

RE: Justification Letter to support the request for an Amended Site Development Plan Review, Special Use Permit, and Parking Variance.

Attention Current Planning Staff:

Carina Homes, Nevada's leading builder of Traditional New Home Neighborhoods is pleased to present the Urban Village of Centennial Springs. Located at the southwest corner of Farm Road and Tule Springs Road, adjacent to the Interstate 95 corridor, Centennial Springs shall feature a combination of retail, restaurant and office uses. Organized around a private landscaped boulevard, Centennial Springs seeks to create a "main-street" experience of the highest quality providing shopping and employment opportunities for the community. Greater dynamic is added to the business district by introducing a residential component which provides lifestyle opportunities ranging from the more traditional to the more progressive, culminating in the Urban Village of Centennial Springs.

Since the approval of the original Site Development Plan Review Package by the Las Vegas City Council in May of 2004 Carina has had an opportunity to continue the design development, and engineering of the master plan. As a result we are prepared to submit an amended Site Development Plan Review package illustrative of the actual development plan. We have also included with this package a Special Use Permit, Parking Variance and corresponding justification which shall be required to support the ultimate build out of the Centennial Springs Master Plan.

Site Development Plan Review (SX-TC):

Designed as a suburban, mixed-use destination, Main Street Centennial Springs draws upon an almost historic precedent translating traditional materials and textures into a modern day experience. The two building edges which flank both sides of Main Street are rich with texture and color including brick and stone veneer, siding, canopies, tracery,

VAR-5949

REVISED
1.13.05

1050 Indigo Drive | Las Vegas NV 89145 | T 702.228.6376 | F 702.228.6002 | www.carinacorp.com

and other embellishments to enhance the pedestrian scale experience while the second floors of the buildings along Main Street have been designed to support a combination of residential flats and offices.

Great attention to detail has been employed throughout the master planning efforts of Centennial Springs; from the carefully executed signage, to the tree grates, gas lamps, and hand selected trees along Main Street. To that end a cohesive sign package has been generated identifying sign type, design, and location throughout the development. The most prominent of these signs remain those at the intersection of Farm Road and Tule Springs Road. In this location a decorative stone monument sign will exist identifying the Village of Centennial Springs with prescribed fonts and stone veneer selected as project identifiers. Furthermore to reinforce the "old-town" or "home-town" aesthetic two lamp posts have been located beyond the sign in the backdrop where a more permanent banner may display main street or urban village events, Shakespeare in the Park, the Centennial Springs Farmers Market, the Kite Festival, etcetera.

Because the Village of Centennial Springs has been so carefully themed and executed a seven foot trail has been proposed along Tule Springs and Farm Road where 10'-0" would normally be required. Again, as with any urban main-street destination the activity that occurs within the Village of Centennial Springs occurs along the main street adjacent to the shops. Furthermore, reducing the expanse of concrete by only 2'-0" affords the opportunity to greatly enhance the landscape along both Farm and Tule Springs without compromising the integrity of the trail.

Parking Variance:

As a mixed-use destination the Village of Centennial Springs recognizes that within the commercial district there exist several building types with alternate peak hour activity including office, retail, restaurant and loft space. As a result shared parking shall be employed throughout the development allowing those spaces provided to remain full in lieu of developing a sea of asphalt that sits vacant during non-peak hours of opposing uses. The Village of Centennial Springs has been designed and developed as a suburban mixed-use destination providing retail and restaurant opportunities for the area while still providing a self sustained live, work, play community of its own.

Special Use Permit:

The Special Use Permit shall simply be necessary to support a pad with drive-through opportunity as identified by building 16 on the attached Site Plan. The drive through at that location allows either a financial institution, coffee house, drug store or restaurant to occupy the ideal corner location and still better serve their clientele.

The Urban Village of Centennial Springs strikes an appropriate balance of retail, restaurant, professional office, residential, and recreation to successfully achieve an environment that may truly be described as live, work, play. Pockets of activities and services have been strategically located throughout the site breaking down large areas of parking to create a dynamic, high quality retail, restaurant, office and residential environment. Carina Corporation continues to look forward to the realization of the Urban Village of Centennial Springs and remains confident that the development shall serve as a precedent for future mixed-use developments not only in Las Vegas but across the country.

Please contact me if you should have any additional questions upon your review of the attached application materials.

Sincerely,
CARINA LAND COMPANY, LLC

Rebecca Ralston
President

City of Las Vegas

Agenda Item No.: 26

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

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

ABEYANCE TO THE APRIL 28, 2005 PLANNING COMMISSION MEETING

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

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

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

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 8 [VAC-6163], Item 26 [VAR-6228], Item 27 [SDR-6105] and Item 62 [TXT-6421] to the 04/28/2005 Planning Commission Meeting; Item 30 [SUP-5984], Item 31 [SDR-5942] and Item 40 [GPA-6221] to the 05/12/2005 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 17 [VAR-6118] and TABLE Item 28 [SUP-5894] and Item 29 [SDR-5893] – UNANIMOUS

NOTE: VICE CHAIRMAN TRUESDELL indicated he would vote on the abeyance of Item 26 [VAR-6228] and Item 27 [SDR-6105]; however, when the items are heard before the Commission again, he would abstain because one of his agents represents a property in the notice area.

MINUTES

There was no discussion.

(6:01 – 6:05)

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

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

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

LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

April 4, 2005

VIA FACSIMILE – 385-7268

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

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

Dear Doug:

Please be advised that our office represents the applicant in the above-referenced matters which are currently scheduled to be heard before the City of Las Vegas Planning Commission on April 14, 2005. We respectfully request that both SDR-6105 and VAR-6228 be held until the April 28 Planning Commission meeting so that Staff has the opportunity to review revisions to the site plan. Should you approve the hold, we respectfully request that these items remain on the Las Vegas City Council agenda for May 18, 2005.

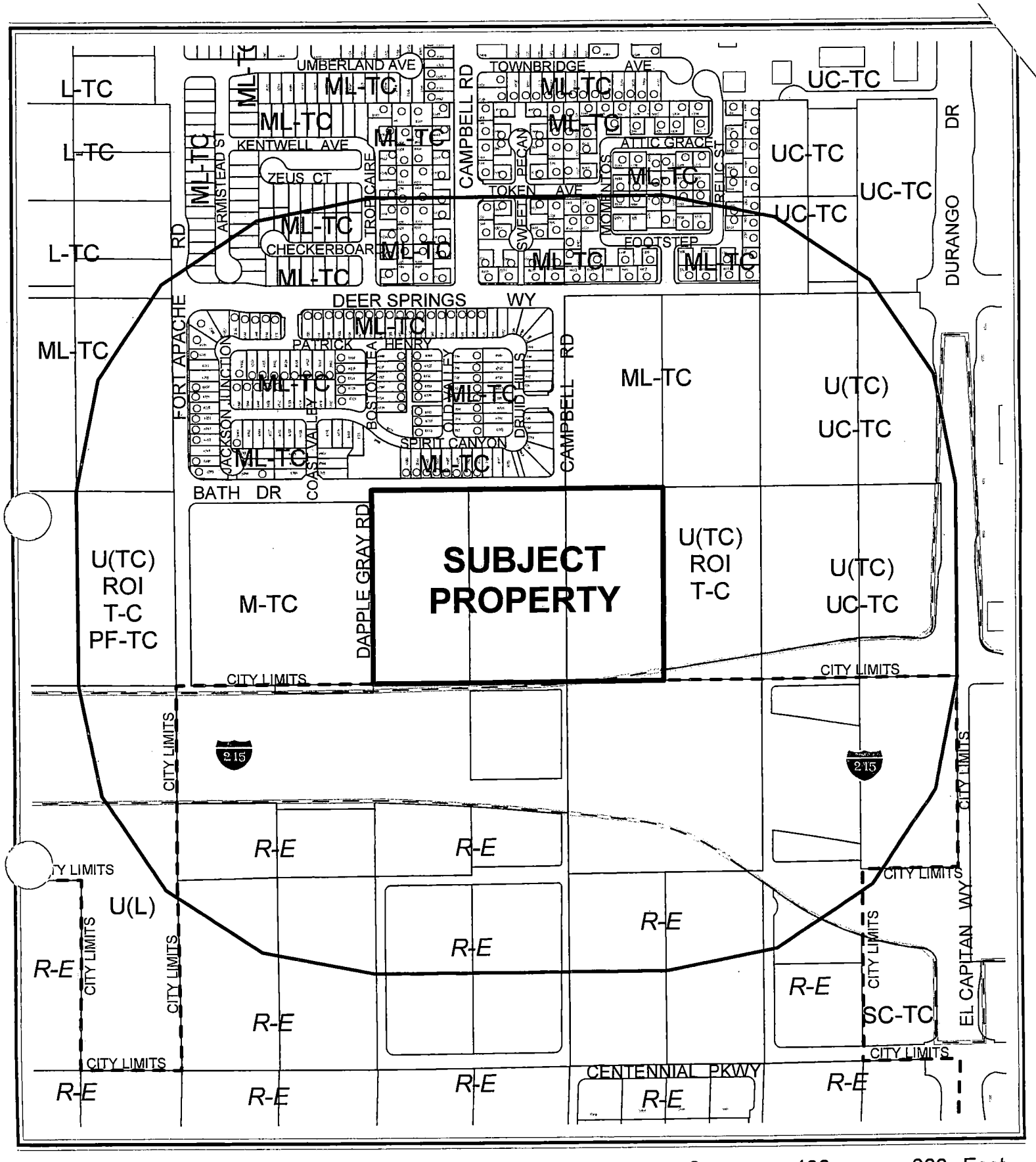
Thank you for your kind consideration of this request. Please contact me if you have questions.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha F. Keetch

TFK/lsm



CASE: **VAR-6228**

RADIUS: 1000 FT

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

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6228 - APPLICANT/OWNER: TOWNE VISTAS, LLC

ON APRIL 4, 2005 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE ARPIL 28, 2005 PLANNING COMMISSION MEETING.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: TOWNE VISTAS, LLC

Name of Applicant: TOWNE VISTAS, LLC

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

_____ Yes _____ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: Stephen B. Haizenberg

Print Name: Stephen B. HAIZENBERG

Subscribed and sworn before me

This 4th day of March, 2005

J. Rosanna Eitniear

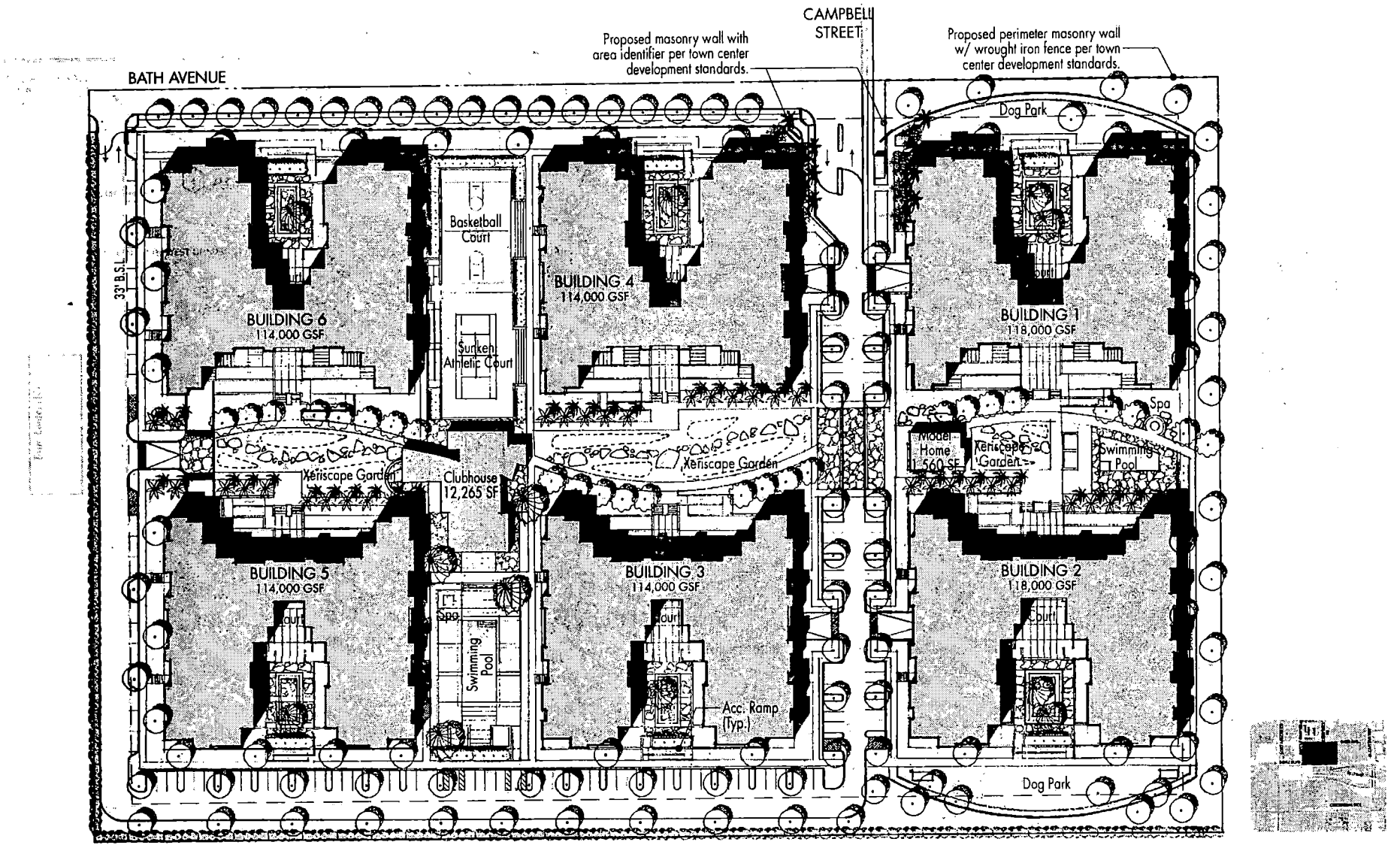
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
Appointment Exp: Aug. 4, 2007
Certificate No: 03-83605-1

FITNEAR
4, 2007

Revised 12-03-04

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



studioneleven
at Perkowitz+Ruth Architects

TOWNE VISTAS

SPINNAKER HOMES

DATE 02-08-05

SITE PLAN 2

scale : 1" = 80'-0"

VAR-6228
03/24/05 PC

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ATTORNEYS AT LAW
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Reno, NV 89502-6000
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

March 3, 2005

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

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

To Whom It May Concern:

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

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

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

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha F. Keetch

TFK/lsm

LAW FIRMS WORLDWIDE MERITAS

154756_1

VAR-60228

Carman Burney

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

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

Dear Sir,

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

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

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

Please oppose this request for varience. VAR-6228

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

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

City of Las Vegas

Agenda Item No.: 27

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

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

ABEYANCE TO THE APRIL 28, 2005 PLANNING COMMISSION MEETING

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

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

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

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 8 [VAC-6163], Item 26 [VAR-6228], Item 27 [SDR-6105] and Item 62 [TXT-6421] to the 04/28/2005 Planning Commission Meeting; Item 30 [SUP-5984], Item 31 [SDR-5942] and Item 40 [GPA-6221] to the 05/12/2005 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 17 [VAR-6118] and TABLE Item 28 [SUP-5894] and Item 29 [SDR-5893] – UNANIMOUS

NOTE: VICE CHAIRMAN TRUESDELL indicated he would vote on the abeyance of Item 26 [VAR-6228] and Item 27 [SDR-6105]; however, when the items are heard before the Commission again, he would abstain because one of his agents represents a property in the notice area.

MINUTES:

There was no discussion.

(6:01 – 6:05)

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW
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LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

April 4, 2005

VIA FACSIMILE – 385-7268

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

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

Dear Doug:

Please be advised that our office represents the applicant in the above-referenced matters which are currently scheduled to be heard before the City of Las Vegas Planning Commission on April 14, 2005. We respectfully request that both SDR-6105 and VAR-6228 be held until the April 28 Planning Commission meeting so that Staff has the opportunity to review revisions to the site plan. Should you approve the hold, we respectfully request that these items remain on the Las Vegas City Council agenda for May 18, 2005.

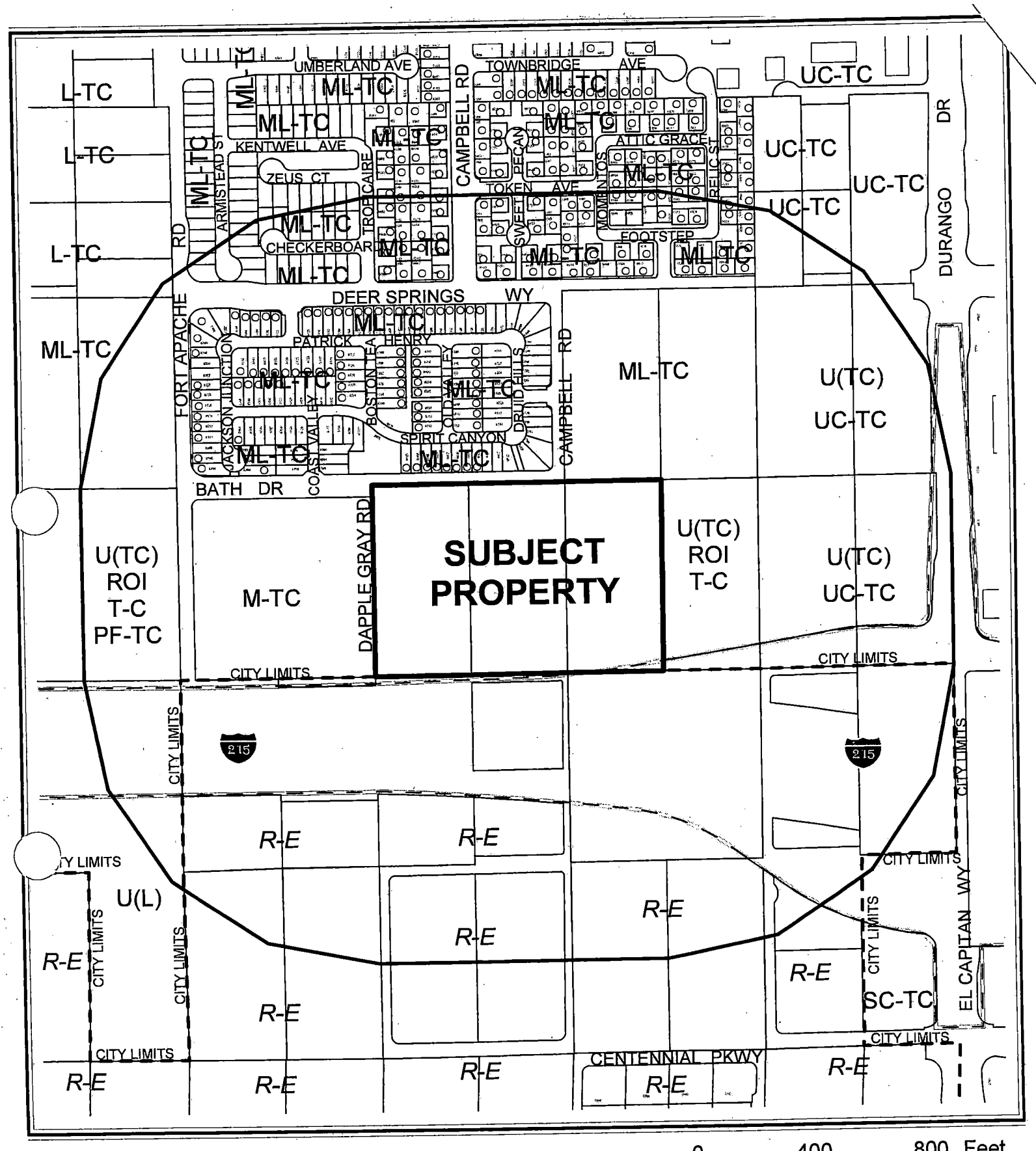
Thank you for your kind consideration of this request. Please contact me if you have questions.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha F. Keetch

TFK/lsm



CASE: **SDR-6105**

RADIUS: 1000 FT

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

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6105 - APPLICANT/OWNER: TOWNE VISTAS, LLC

ON APRIL 4, 2005 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE ARPIL 28, 2005 PLANNING COMMISSION MEETING.

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Towne Vistas, LLC

Name of Applicant: Towne Vistas, LLC

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

_____ Yes _____N_____ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: Stephen B. Aizenberg, President

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

Subscribed and sworn before me

This 2nd day of February, 20 05

_____
Notary Public in and for said County and State

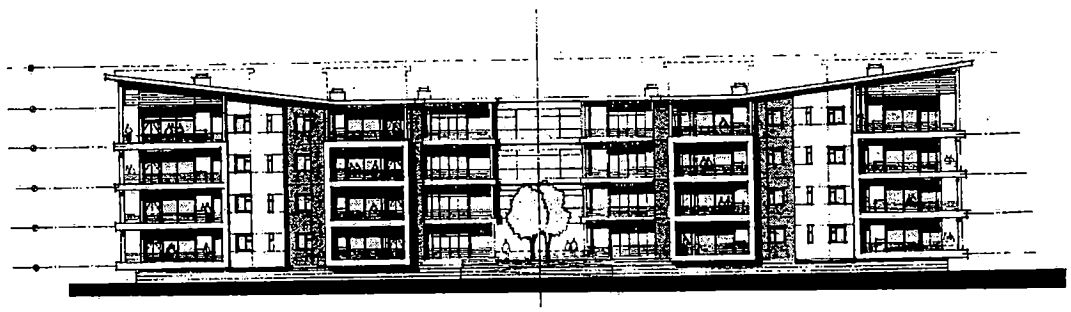
STATE: NEVADA
COUNTY: CLARK

NOTARY PUBLIC
STATE OF NEVADA

TOWNE VISTAS

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

SPINNAKER HOMES
BY ROYAL CONSTRUCTION COMPANY



PROGRAM SUMMARY

DESCRIPTION

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

SITE SUMMARY

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

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

Open Space

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

* Per Town Center Development Standards, page 125

BUILDING SUMMARIES

PROGRAM TOTALS

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

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

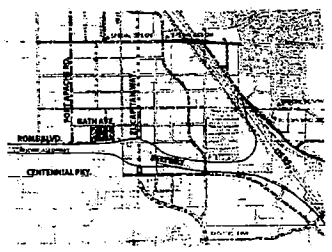
CLUBHOUSE (2 levels) Refer to page 11 for Program Summary

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

SHEET INDEX

TITLE SUMMARY SHEET	1
SITE	
Site Plan	2
Landscape Plan	3
Site Parking Plan	4
Town Center Standard Details & Preliminary Code Analysis	5
RESIDENTIAL BUILDING	
Ground + Typical Floor Plans	6
4th Floor	7
Elevations	8
Elevations	9
Elevations	10
CLUBHDUSE BUILDING	
Floor Plans	11
Elevations	12
Elevations	13
MODEL HOUSE BUILDING	
Floor Plan + Elevations	14
UNIT PLANS	
Unit Type A1	15
Unit Type B1	16
Unit Type B2	17
Unit Type B3	18
Unit Type B4	19
Unit Type C1	20
Unit Type C2	21
Unit Type C3	22
Unit Type D1	23
MATERIALS BOARD	24

VICINITY MAP



PROJECT TEAM

OWNER

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

ARCHITECT

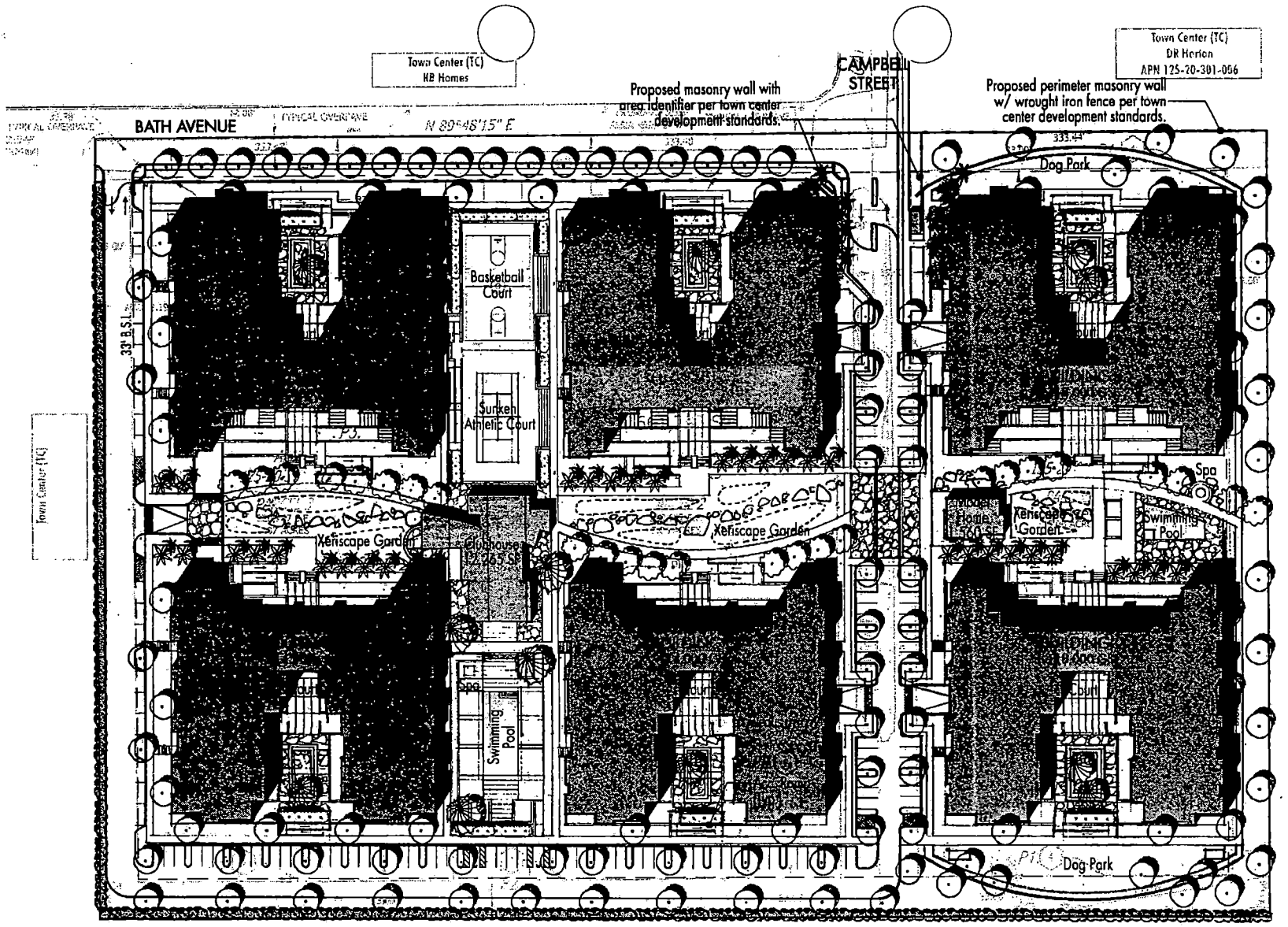
STUDIO ONE ELEVEN
Perkowitz + Ruth Architects
111 W. Ocean Avenue
Long Beach, CA 90802

studioneleven
at Perkowitz+Ruth Architects

02-08-05 rev 2

SDR-6105
03/24/05 PC

RECEIVED
FEB 08 2005



TOWNE VISTAS

SPINNAKER HOMES
04830-11
DATE 02-08-05

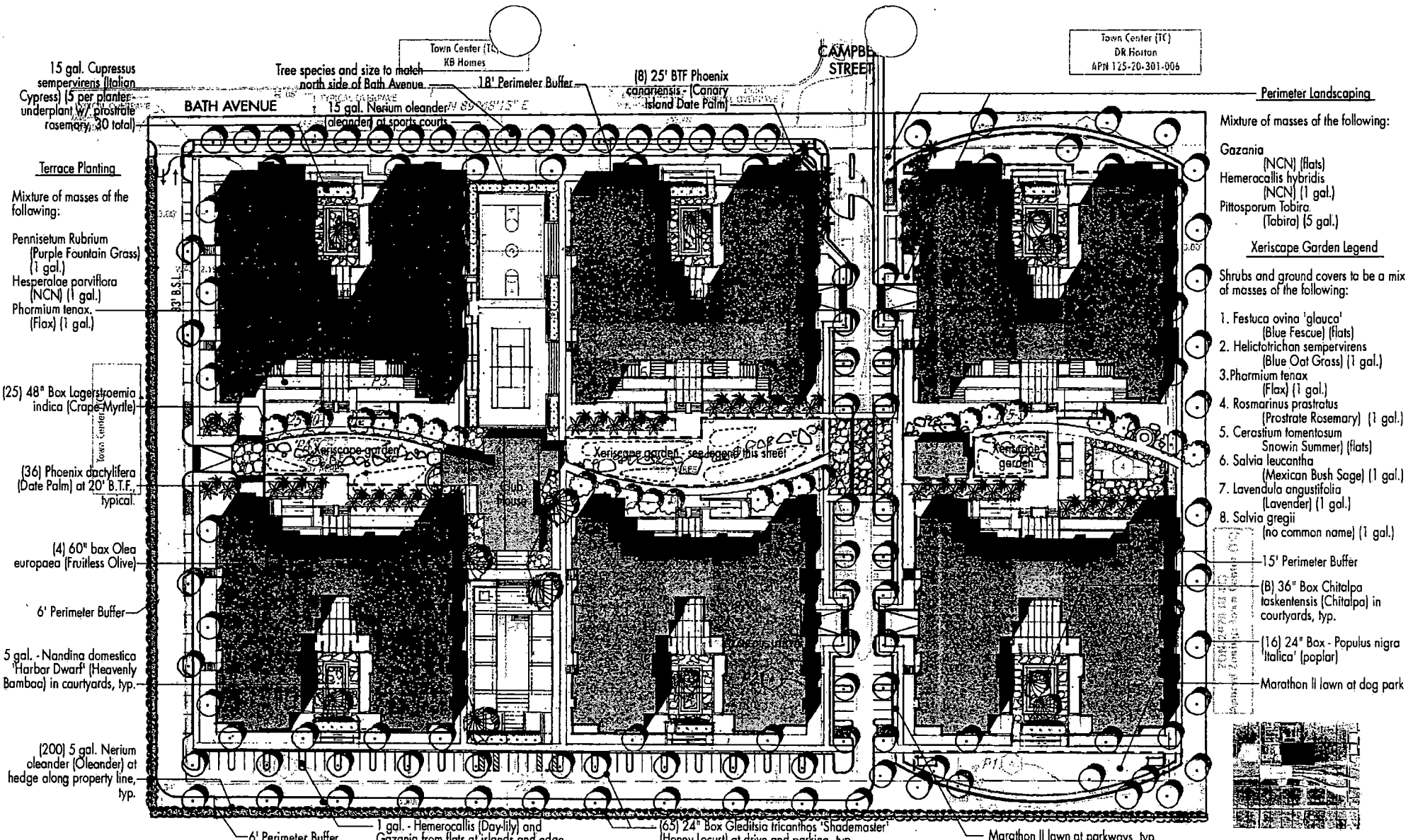
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at Perkowitz+Ruth Architects

SITE PLAN 2

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

SDR-6105
03/24/05 PC

RECEIVED
FEB 08 2005



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at Perkowitz+Ruth Architects

TOWNE VISTAS

SPINNAKER HOMES
04830-11
DATE 02-08-05

SITE LANDSCAPE PLAN 3

N
scale : 1" = 80'-0"

SDR-6105
03/24/05 PC

RECEIVED
FEB 2 8 2005

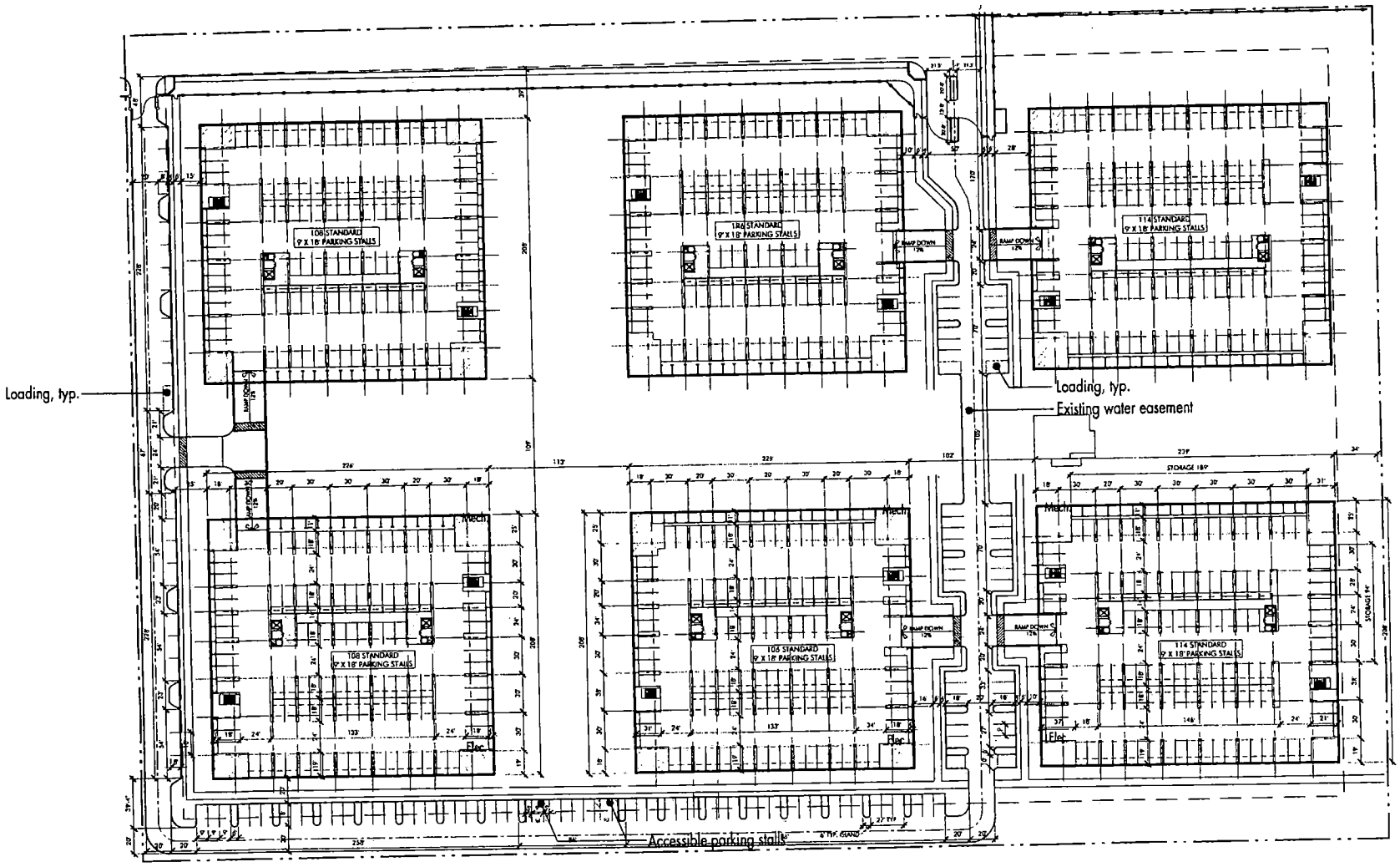
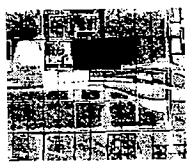


Table 1004.1.2

OCCUPANT LOAD - Parking Podium	SF	SF/OCCP
SPACE		
Parking	44,458	200
Mechanical	700	300
Electrical	500	300
Storage Areas	500	300
TOTAL OCCUPANT LOAD		228

PARKING SUMMARY

Parking Required	(1/6 Units)	Ratio/Units	Total Units	
Visitor (Surface Parking)		0.17	312	53 stalls
1BR Residential (Below Ground)		1.25	12	15 stalls
2BR Residential (Below Ground)		1.75	168	294 stalls
3BR Residential (Below Ground)		2.00	132	264 stalls
Total				626 parking stalls
Parking Provided				
Visitor (Surface Parking)				108 stalls
Building 4 (Below Ground)				656 stalls
Total				764 parking stalls



studioneleven
at Perkowitz+Ruth Architects

TOWNE VISTAS

SPINNAKER HOMES
04830-11
DATE 02-08-05

SITE PARKING PLAN 4

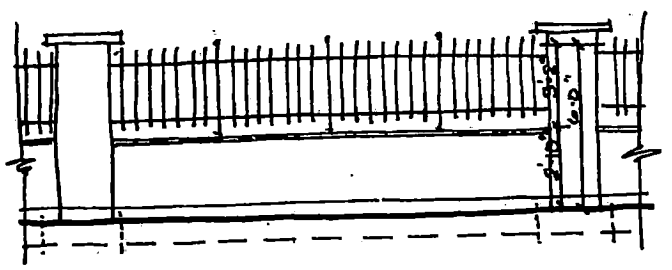
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SDR-6105
03/24/05 PC

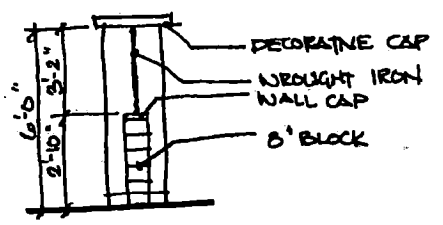
RECEIVED
FEB

Perimeter Wall Detail*

*Per Town Center Standards

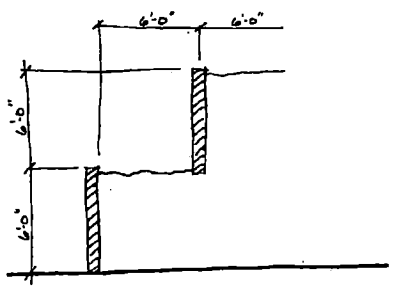


Wall With Wrought Iron Scale=N.T.S.



Wall Detail Scale=N.T.S.

Retaining Wall Detail*



Scale=N.T.S.

CODE ANALYSIS (Preliminary)

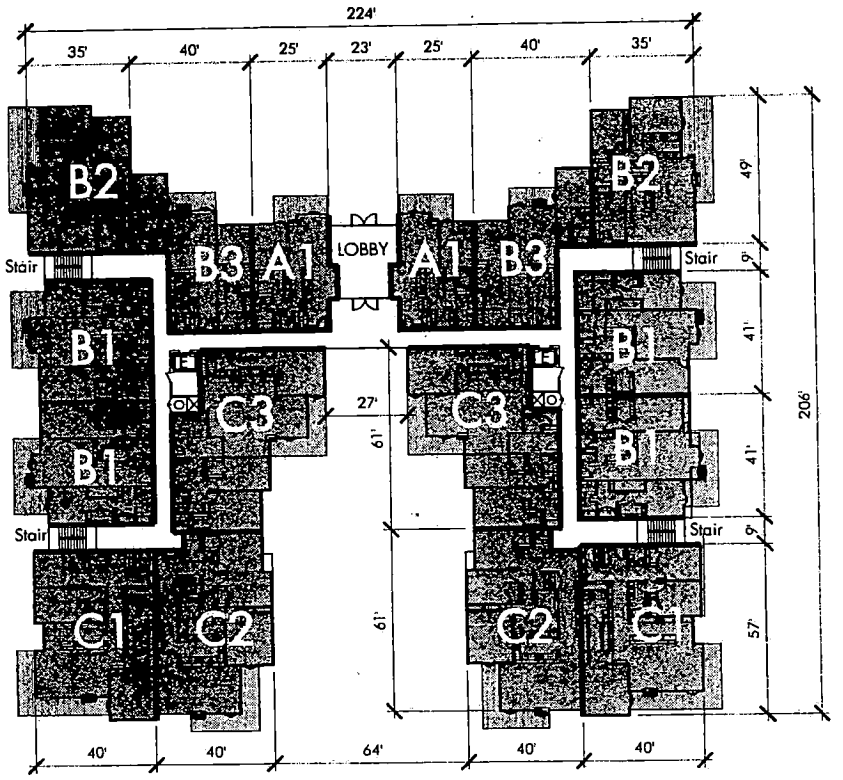
Applicable Codes

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

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

VAR-6228
SDR-6105
04-14-05 PC

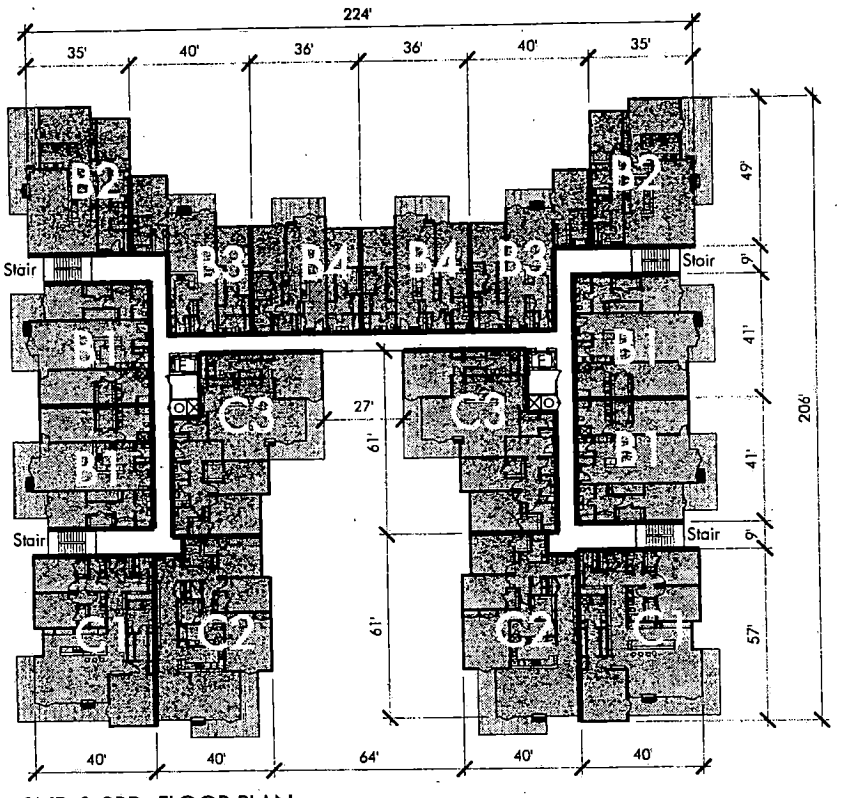
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GROUND FLOOR PLAN

OCCUPANT LOAD - Ground Floor — Table 1004.1.2

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



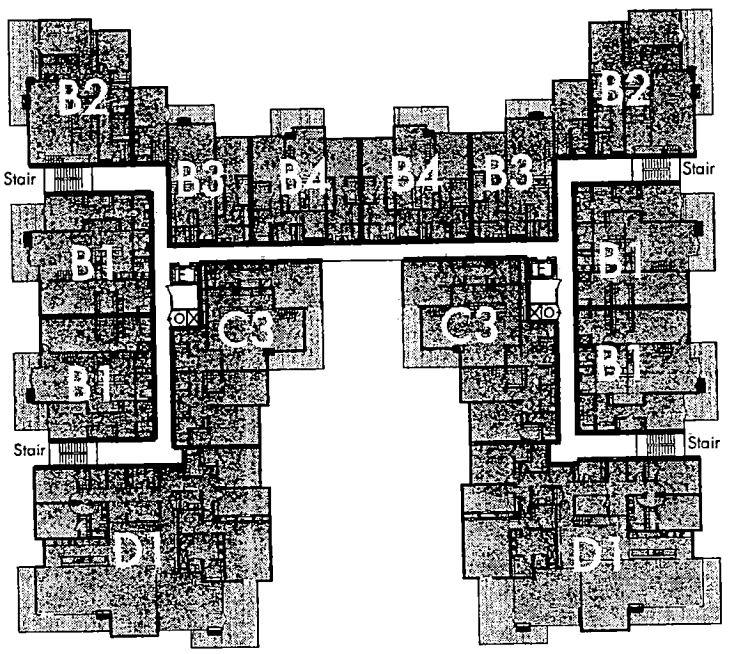
2ND & 3RD FLOOR PLAN

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

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

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

OCCUPANT LOAD - 4th Floor — Table 1004.1.2

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

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

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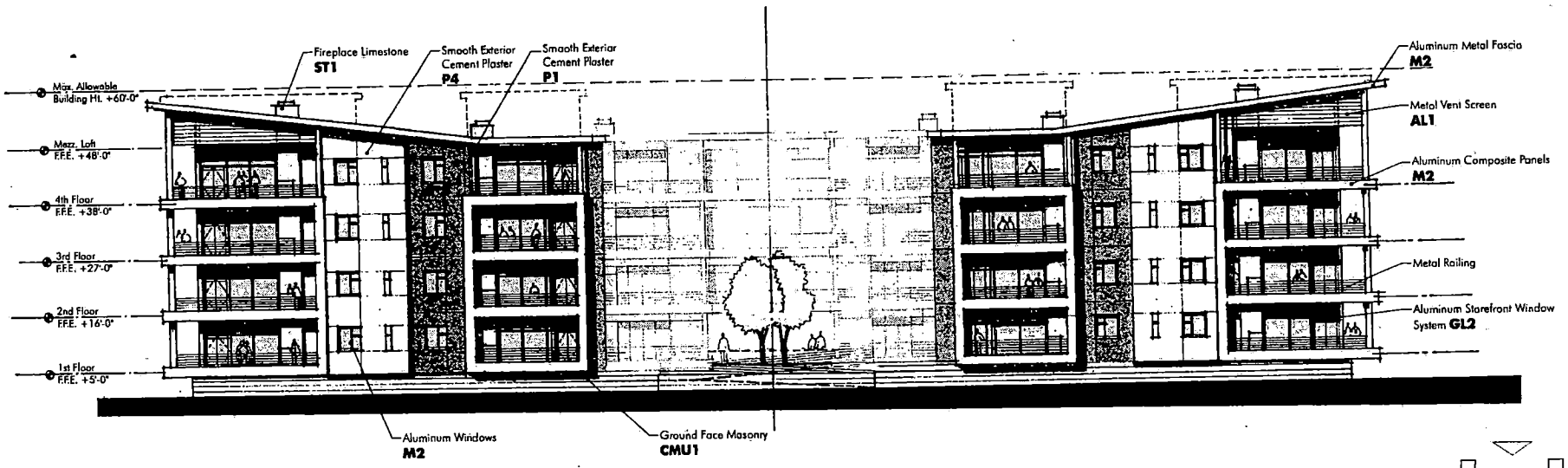
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04830-11
DATE 02-08-05

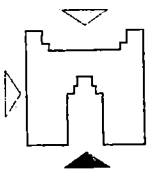
FLOOR PLAN 7

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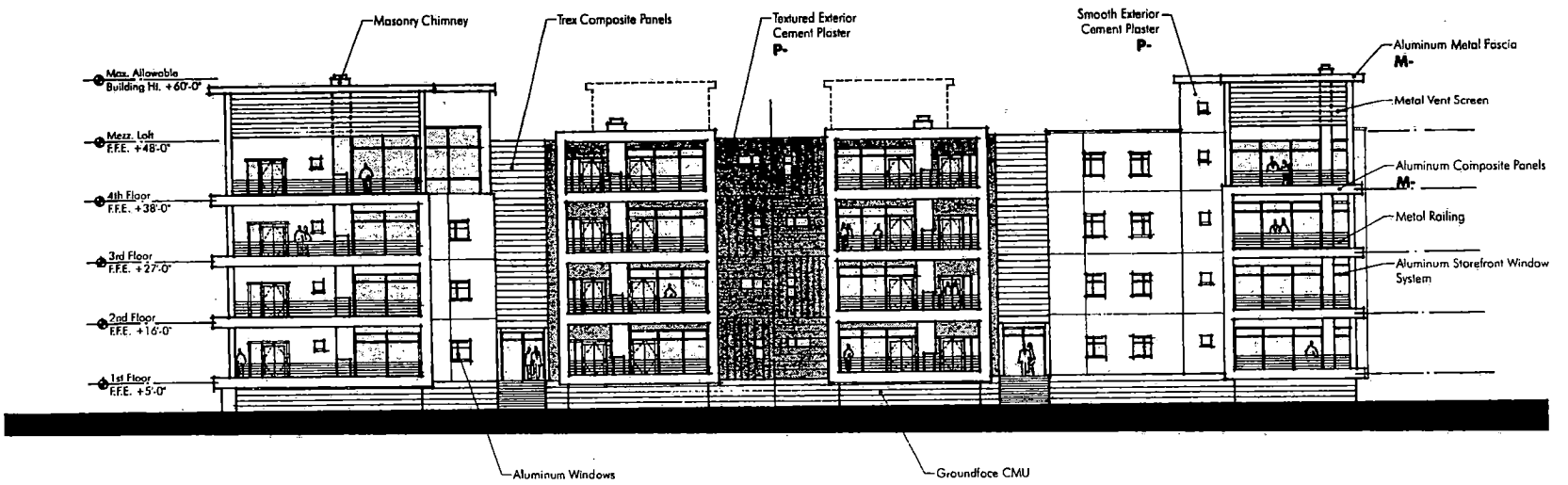
ELEVATION 8

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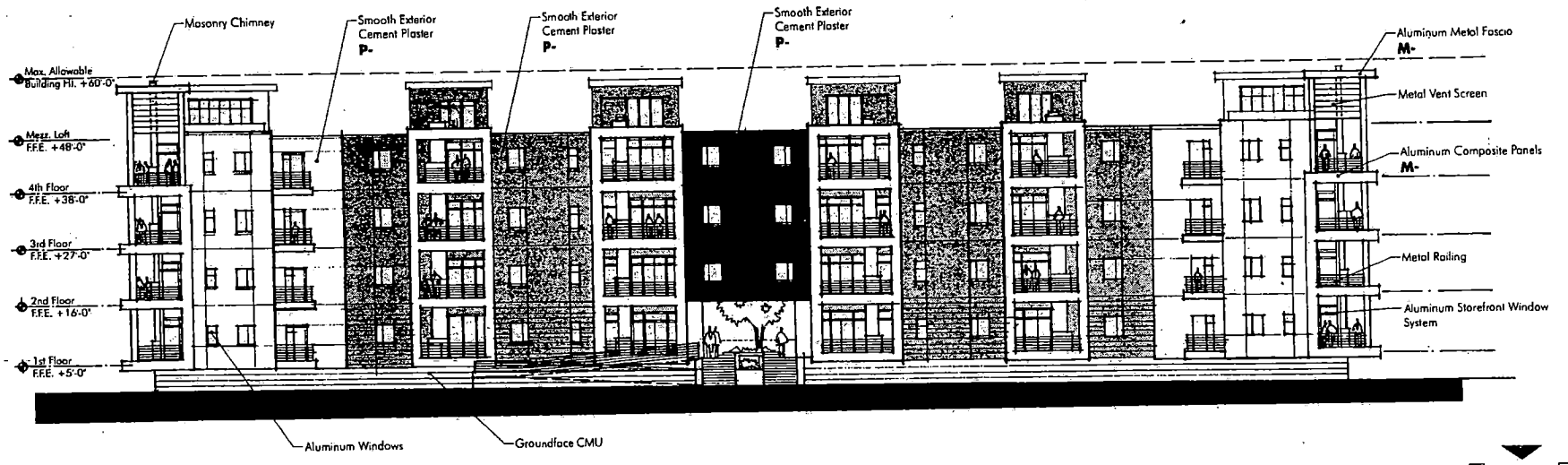
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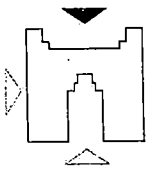
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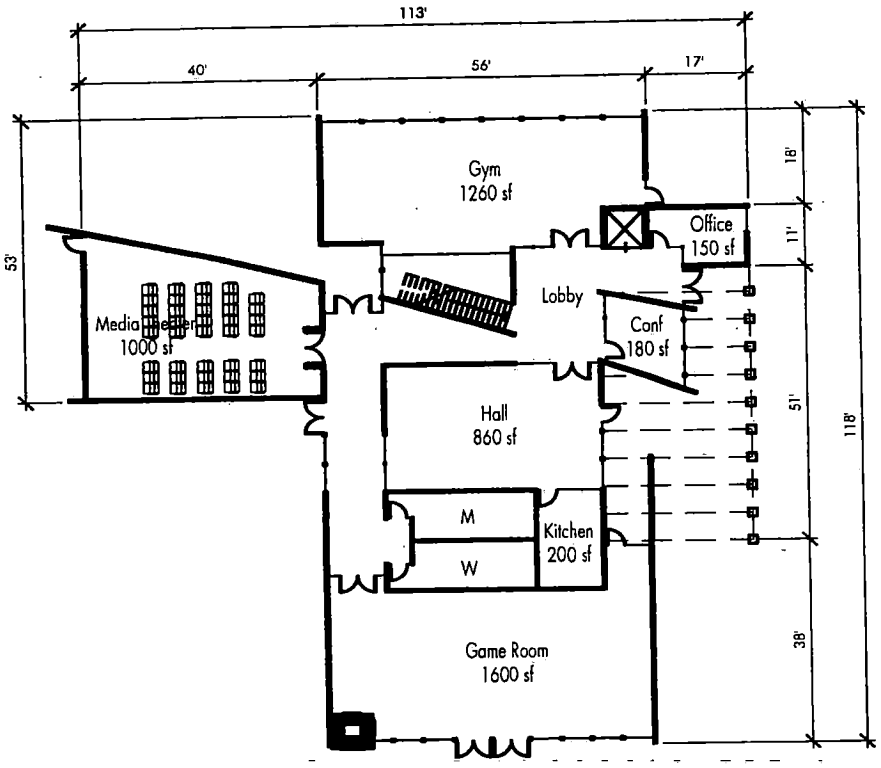
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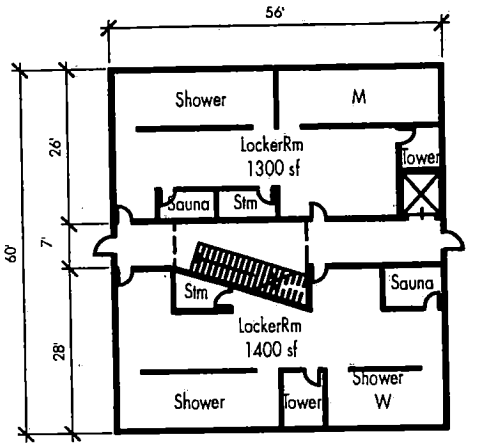
ELEVATION 10

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SDR-6105
04-14-05 PC

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GROUND FLOOR PLAN



SUB-LEVEL FLOOR PLAN

OCCUPANT LOAD - Club House — Table 1004.1.2

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

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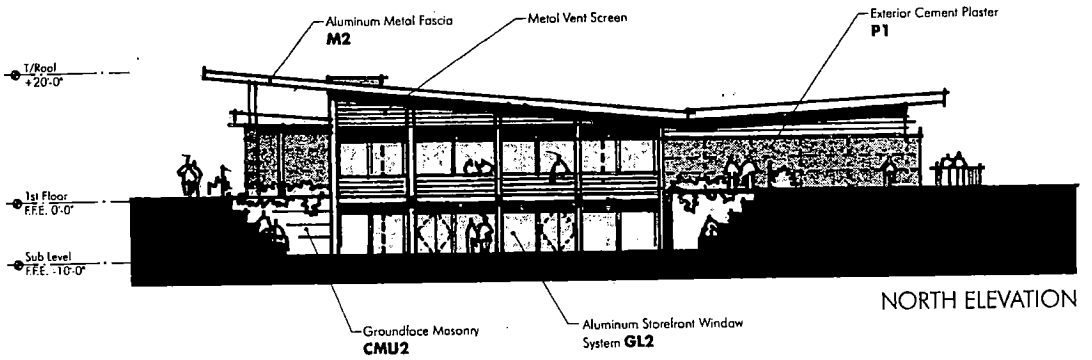
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04830-11
DATE 02-08-05

CLUBHOUSE FLOOR PLANS 11

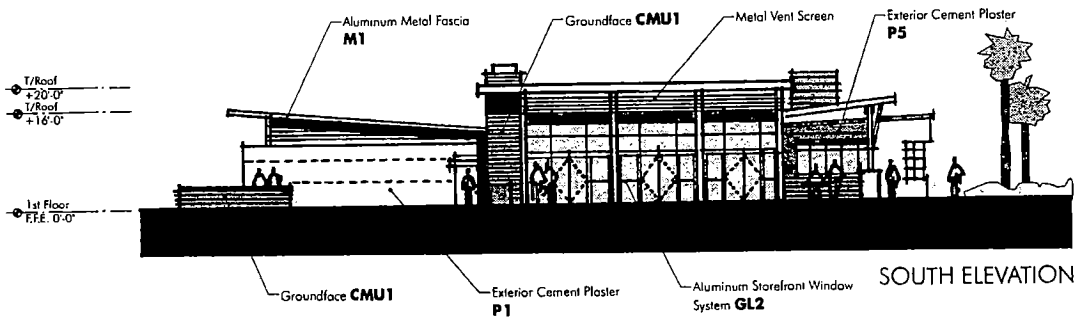
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NORTH ELEVATION



SOUTH ELEVATION

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TOWNE VISTAS

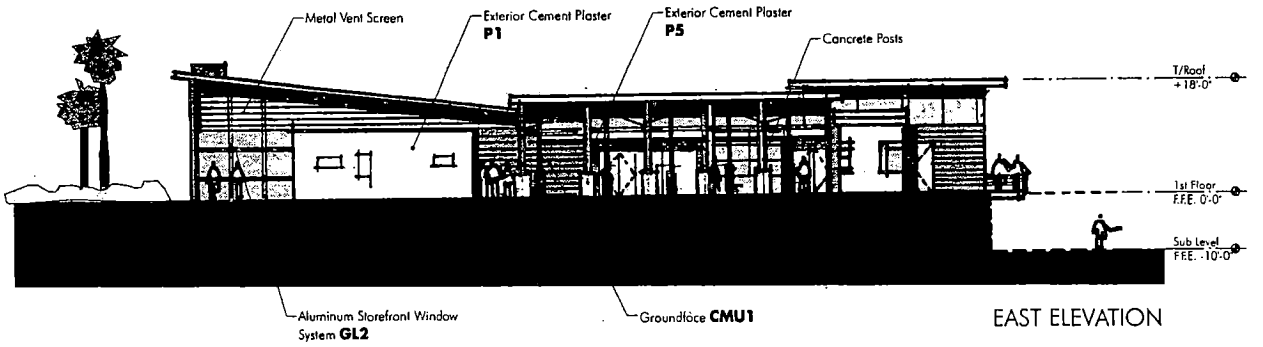
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DATE 02.08.05

CLUBHOUSE ELEVATIONS 12

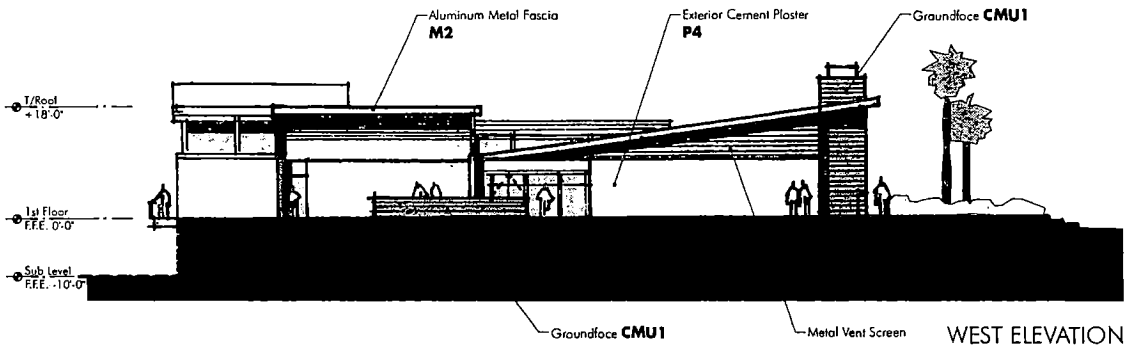
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EAST ELEVATION



WEST ELEVATION

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TOWNE VISTAS

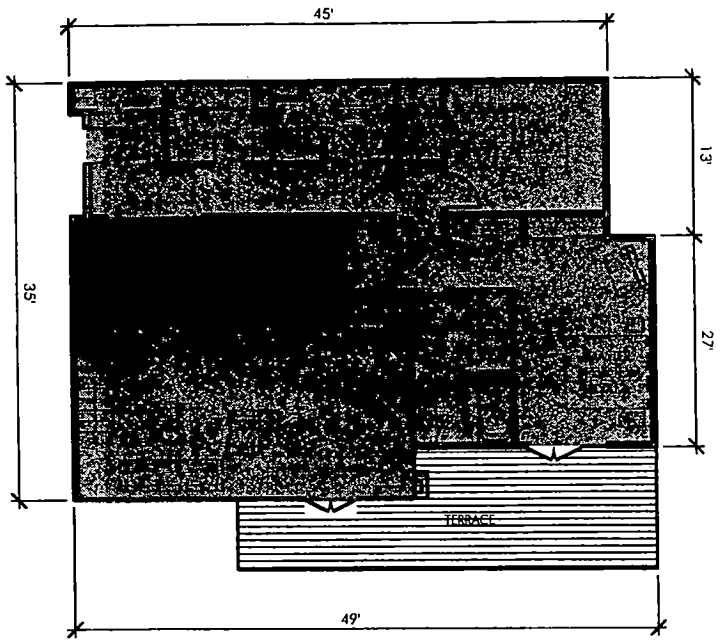
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DATE 02-08-05

CLUBHOUSE ELEVATIONS 13

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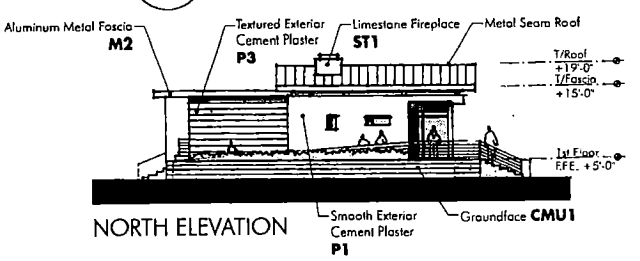


FLOOR PLAN
(BASED ON UNIT PLAN B-2)

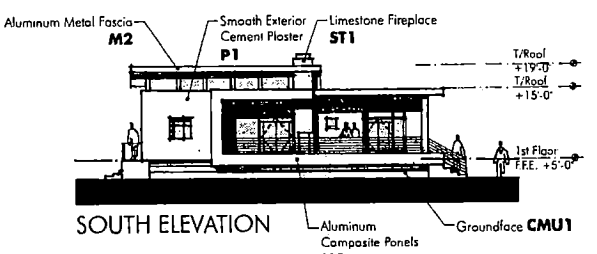
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OCCUPANT LOAD - Model House — Table 1004.1.2

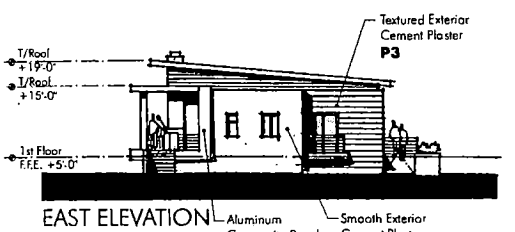
SPACE	SF	SF/OCCP	TOTAL
Office (Great Room)	590	100	6
Office (Mstr Bedrm)	204	100	2
Office (Bedrm)	145	100	1
Storage (Closets)	114	300	1
TOTAL OCCUPANT LOAD			10



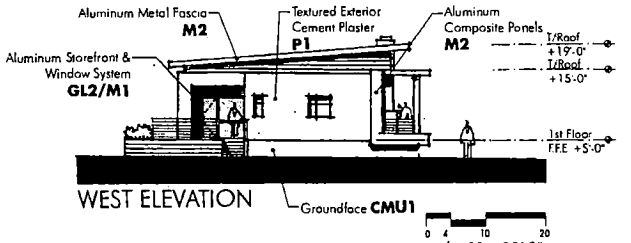
NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

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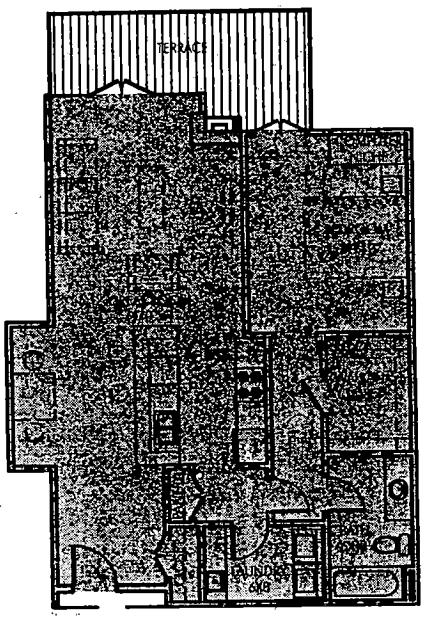
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MODEL HOUSE 14

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

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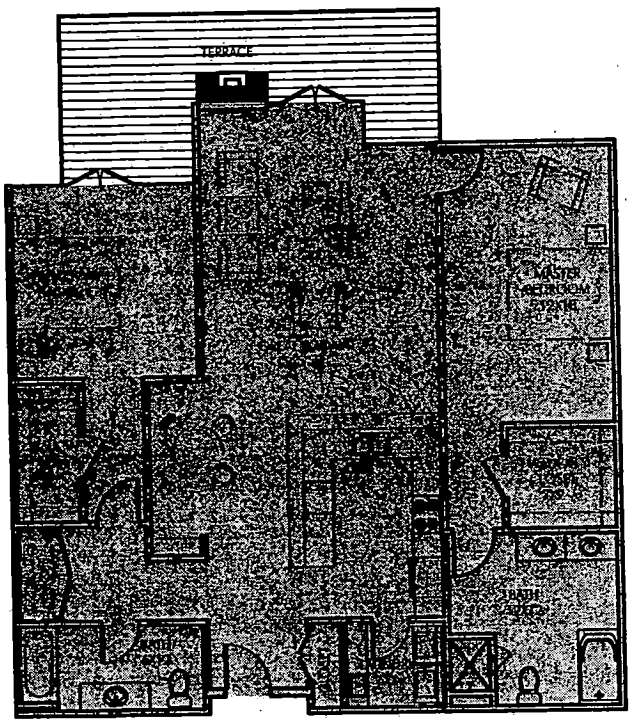
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UNIT PLAN A1 15

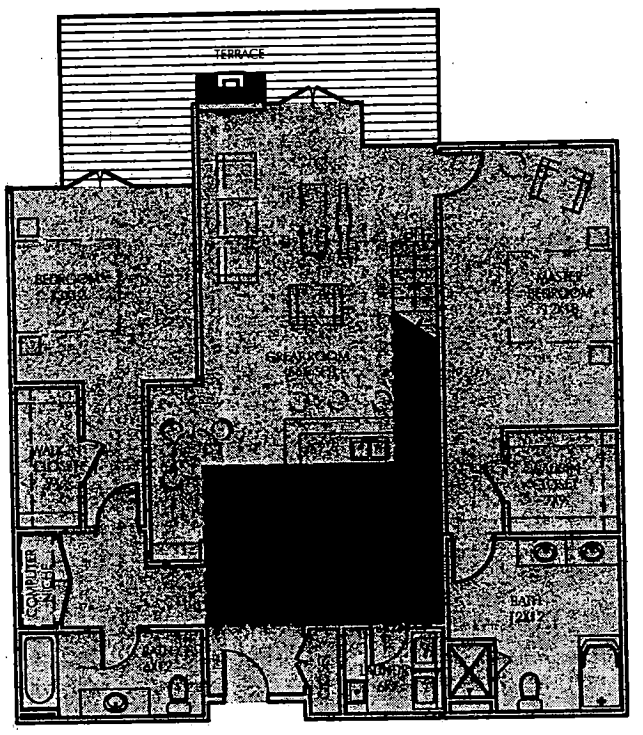
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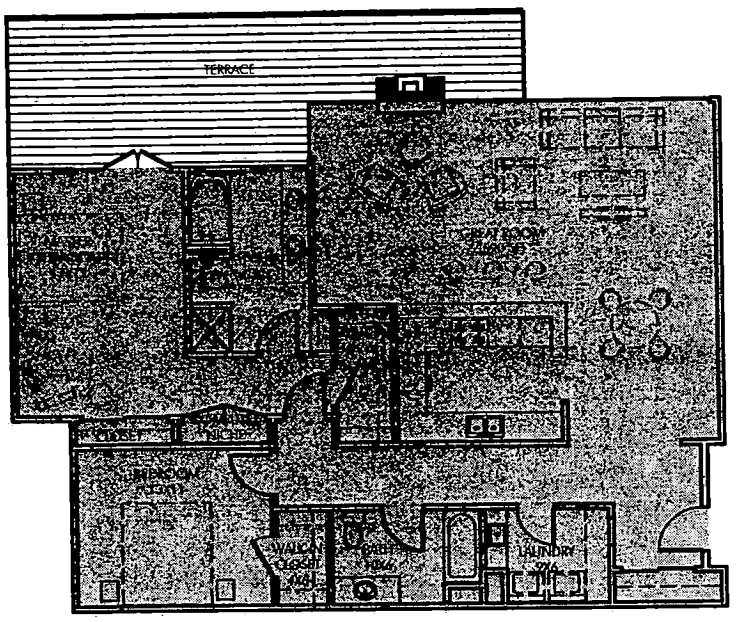
TYPICAL UNIT PLAN B1
2BD/2BA (1,550 SF)



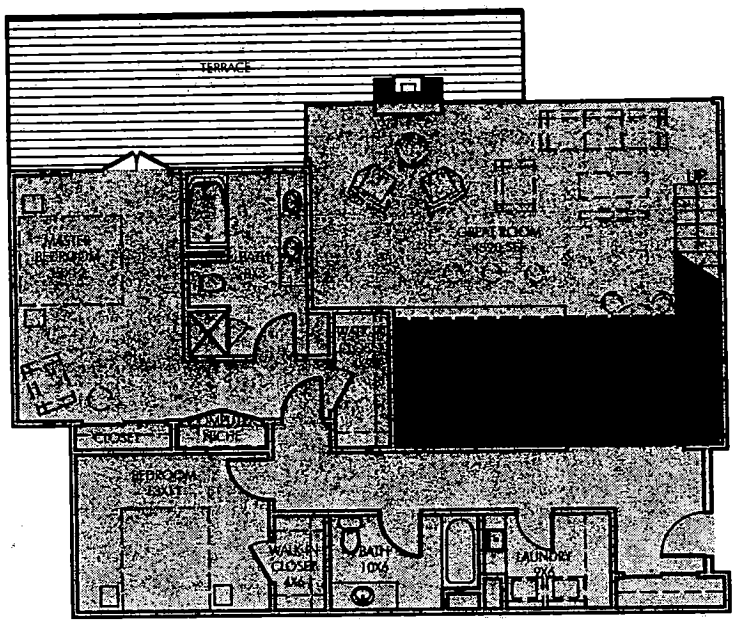
UNIT PLAN B1 - VILLA OPTION
2BD/2BA WITH MEZZANINE LOFT (1,720 SF)

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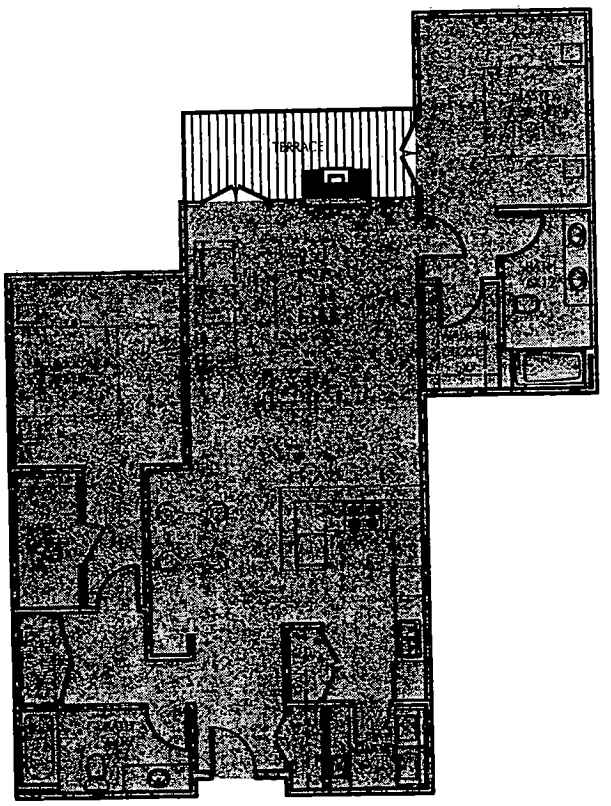


TYPICAL UNIT PLAN B2
2BD/2BA (1,560 SF)

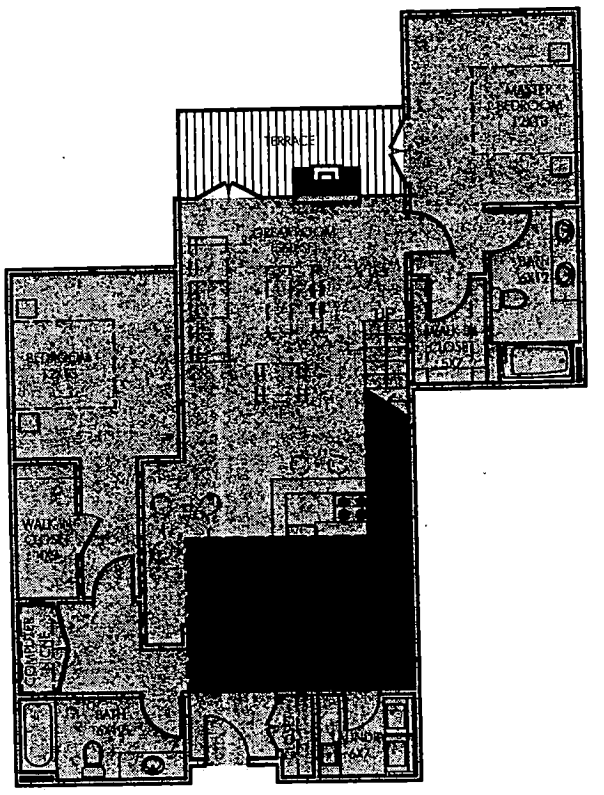


UNIT PLAN B2 - VILLA OPTION
2BD/2BA WITH MEZZANINE LOFT (1,737 SF)

VAR-6228
SDR-6105
04-14-05 PC



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



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

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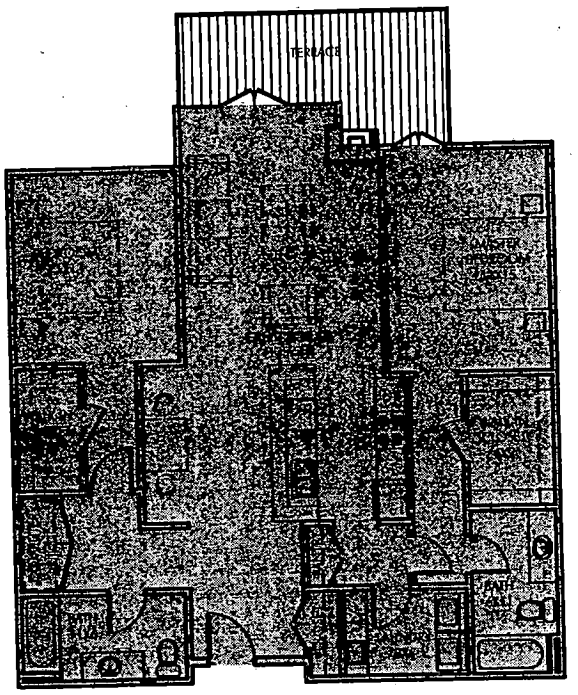
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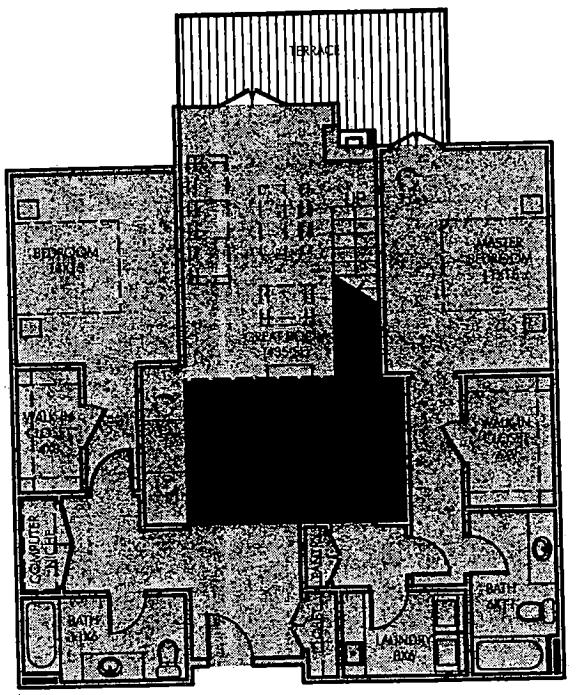
UNIT PLAN B3 18

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04-14-05 PC

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



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

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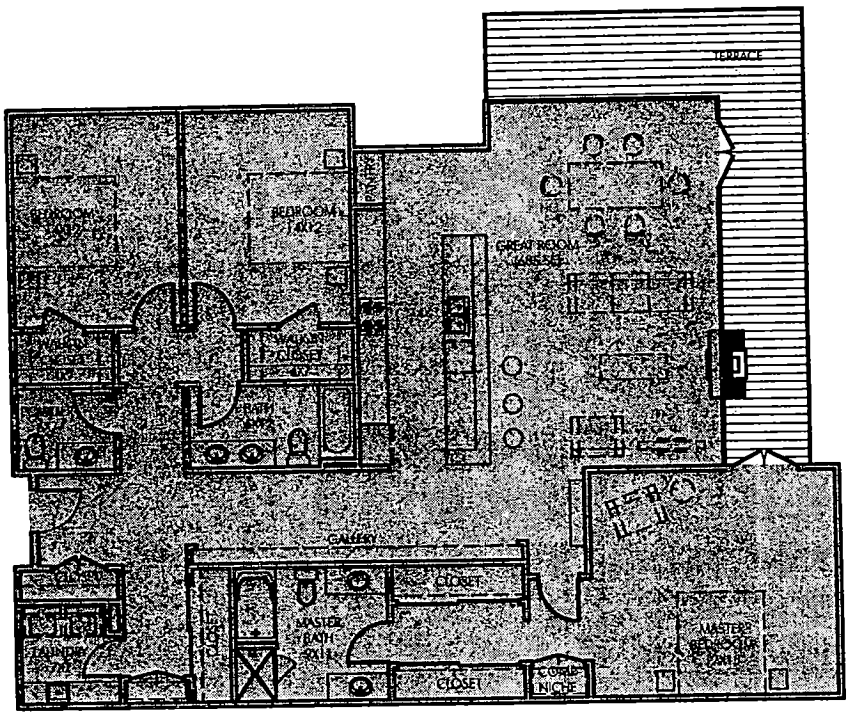
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SPINNAKER HOMES
04830-11
DATE 02-08-05

UNIT PLAN B4 19

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SDR-6105
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TYPICAL UNIT PLAN C1
2BD/2.5BA (2,100 SF)

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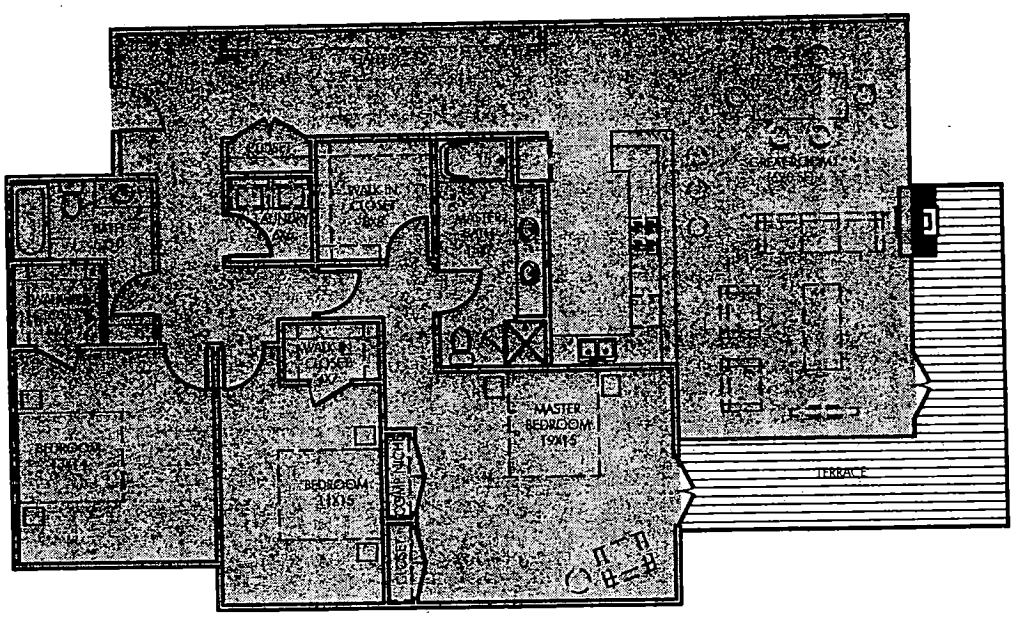
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SPINNAKER HOMES
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DATE 02-08-05

UNIT PLAN C1 20

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

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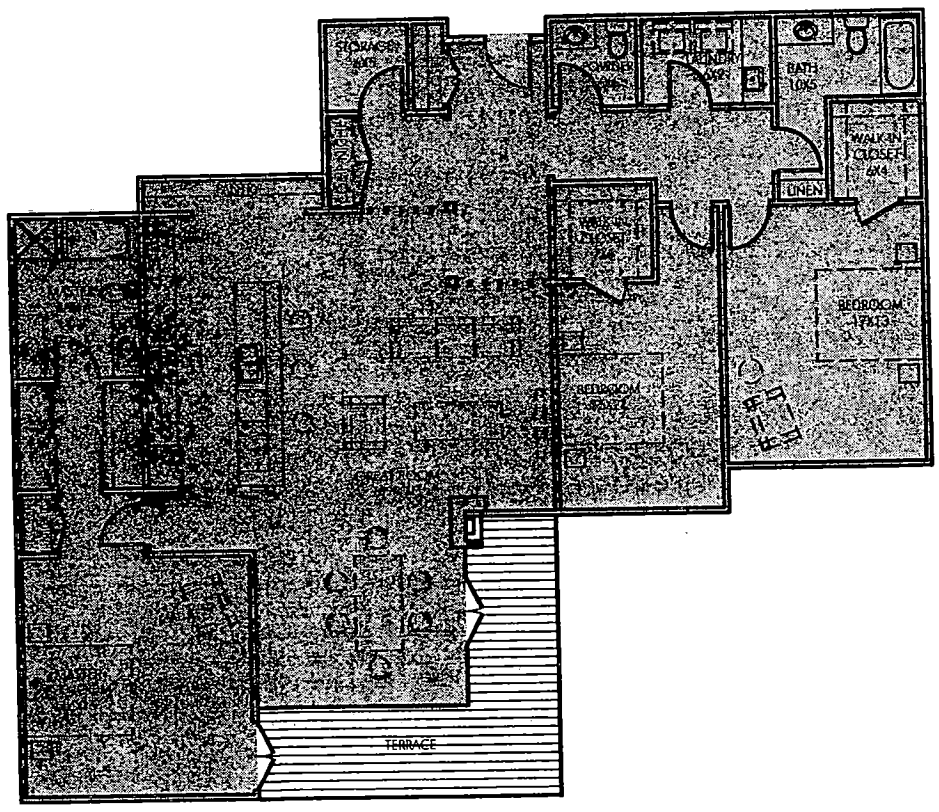
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DATE 02-08-05

UNIT PLAN C2 21

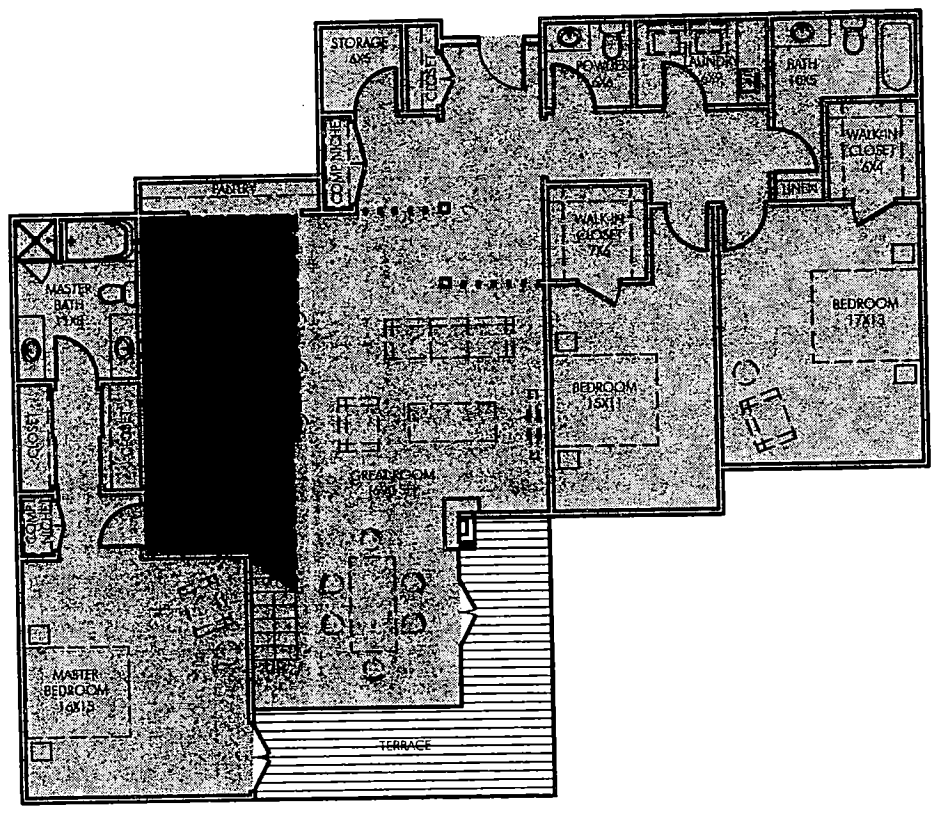
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TYPICAL UNIT PLAN C3
2BD/2.5BA (2,200 SF)



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

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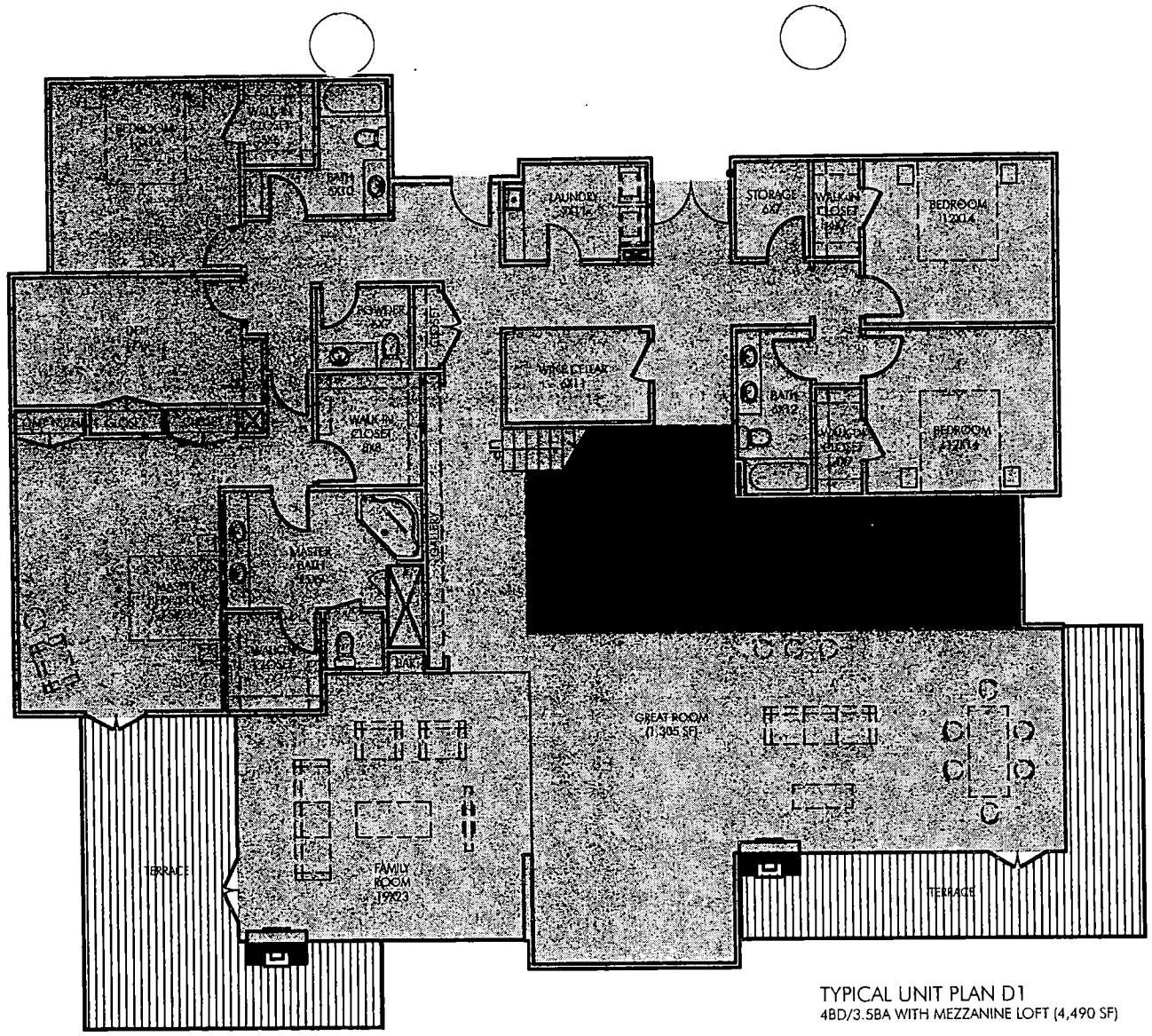
SPINNAKER HOMES
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DATE 02-08-05

UNIT PLAN C3 22

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04-14-05 PC

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

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SPINNAKER HOMES
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DATE 02-08-05

UNIT PLAN D1

N

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

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SDR-6105
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ZON-6103, VAR-6228 AND SDR-6105 - APPLICANT/OWNER: TOWNE VISTAS, LLC
SOUTHEAST CORNER OF BATH DRIVE AND DAPPLE GRAY ROAD
APRIL 14, 2005 PLANNING COMMISSION

2/28/05



ZON-6103, VAR-6228 AND SDR-6105 - APPLICANT/OWNER: TOWNE VISTAS, LLC
SOUTHEAST CORNER OF BATH DRIVE AND DAPPLE GRAY ROAD
APRIL 14, 2005 PLANNING COMMISSION

2/28/05

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

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Tel: 702.792.7000
Fax: 702.796.7181

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

LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

February 8, 2005

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

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

To Whom It May Concern:

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

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

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

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha F. Keetch

TFK/lsm

LAW FIRMS WORLDWIDE MERITAS

152095_1

SDR-10105

City of Las Vegas

Agenda Item No.: 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
ABEYANCE - SUP-5894 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC. - Request for a Special Use Permit FOR A PROPOSED CONVENIENCE STORE WITH FUEL PUMPS adjacent to the southwest corner of Tenaya Drive and Azure Way (APN 125-27-222-006), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 05/18/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 8 [VAC-6163], Item 26 [VAR-6228], Item 27 [SDR-6105] and Item 62 [TXT-6421] to the 04/28/2005 Planning Commission Meeting; Item 30 [SUP-5984], Item 31 [SDR-5942] and Item 40 [GPA-6221] to the 05/12/2005 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 17 [VAR-6118] and TABLE Item 28 [SUP-5894] and Item 29 [SDR-5893] – UNANIMOUS

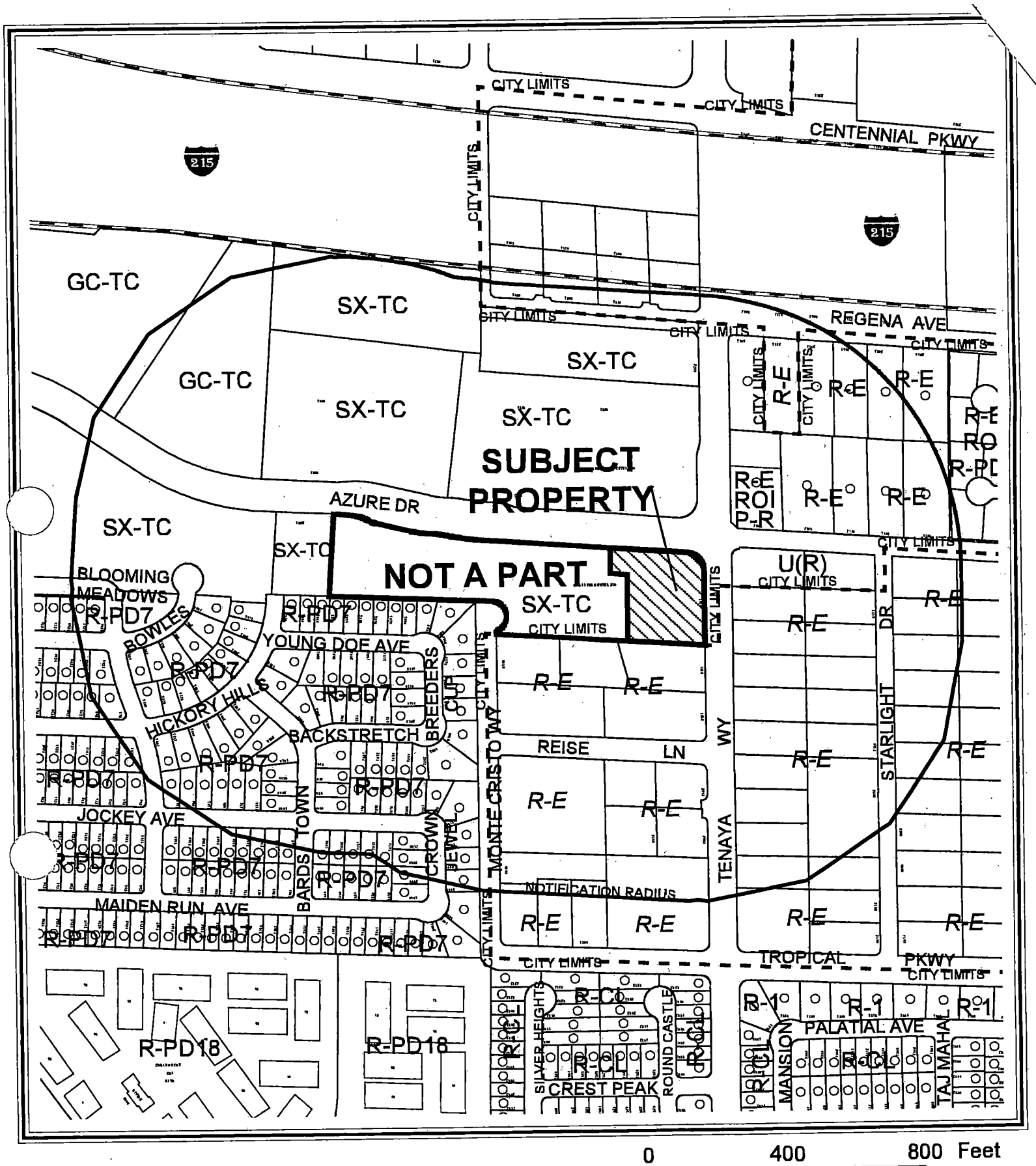
NOTE: COMMISSIONER McSWAIN indicated she would vote to table Item 28 [SUP-5894] and Item 29 [SDR-5893]; however, when the items are heard before the Commission again, she would abstain because the applicant involves Rebel, a vendor of her company, Terra Contracting.

MINUTES:
Regarding Item 28 [SUP-5894] and Item 29 [SDR-5893], MR. RANKIN initially stated the items would be stricken. CHRIS KAEMPFER, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and requested that

MINUTES – Continued:

the items be tabled instead of stricken. MARGO WHEELER, Director, Planning and Development Department, informed the Commission that tabling the items would be appropriate. ATTORNEY KAEMPFER acknowledged that the items would have to be re-noticed in the future.

(6:01 – 6:05)



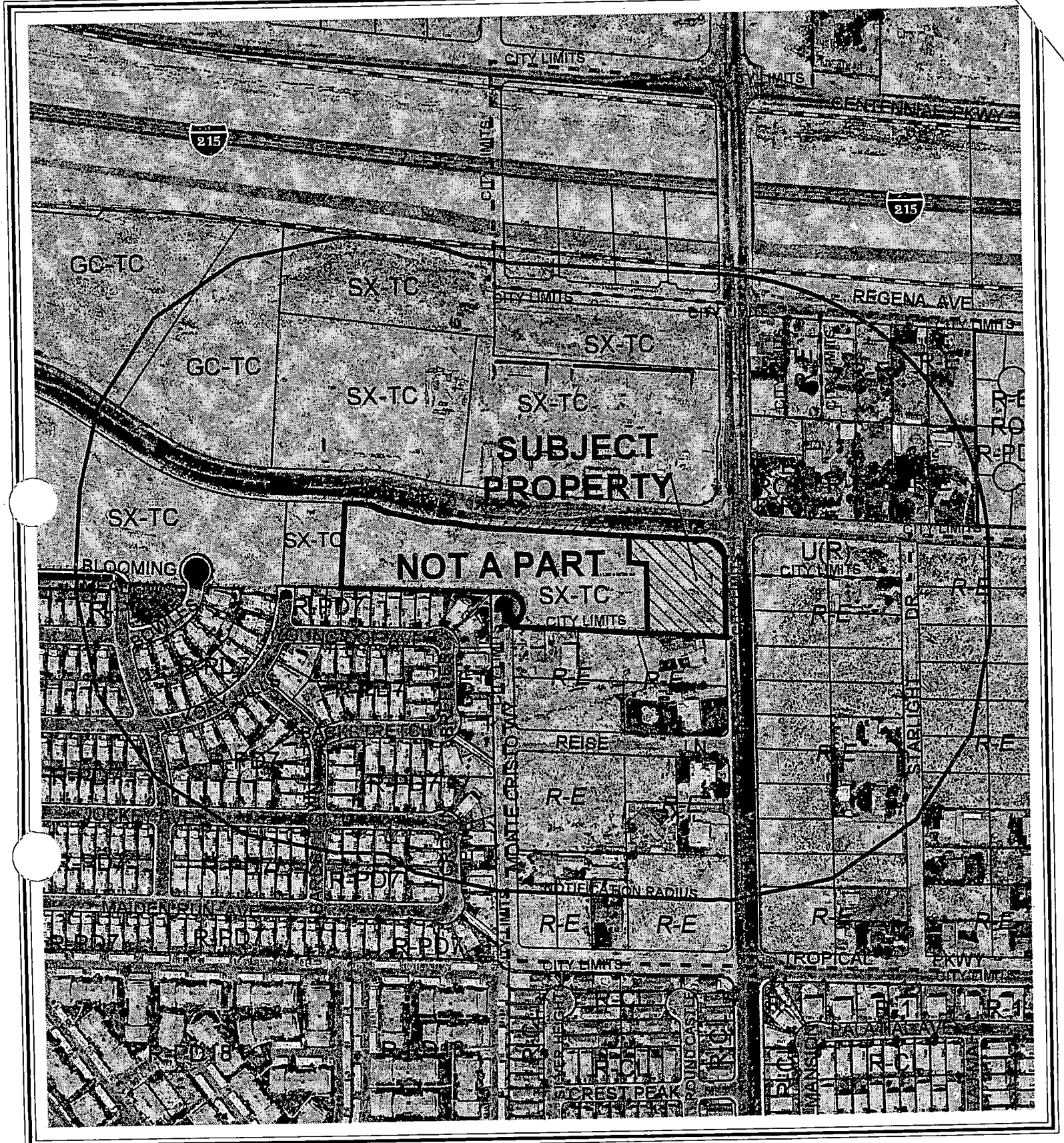
0 400 800 Feet

CASE: **SUP-5894**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE[SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N



0 400 800 Feet

CASE: **SUP-5894**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE[SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SUP-5894 - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC.

** CONDITIONS **

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

Planning and Development

1. Approval of the Conditions of Approval for Site Development Plan Review SDR-5893 and conformance to the conditions of Z-0076-98 (20).

2. Use of a public address system is prohibited.

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Convenience Store with Fuel Pumps, where such is not allowed by condition of approval of Z-0076-98(20), adjacent to the southwest corner of Tenaya Way and Azure Drive. This application will be heard in conjunction with an associated Site Development Plan Review (SDR-5983) for a proposed 3,500 square-foot Convenience Store with Fuel Pumps, where such is not allowed by condition [Z-0076-98(20)], and waivers of the 70% glazing and the 330-foot separation requirements on a 1.43 acres adjacent to the southwest corner of Azure Drive and Tenaya Way.

B) Applicant's Justification

The design of this project is proposed to tie in architecturally with the approved Site development Review for Montecito East (SDR-2399) revised 06/23/03. The conceptual elevation of the building is proposed to match closely to the elevations of the current phase of Tenaya Way that is under construction.

The proposed Convenience Store Use with Fuel Pumps will provide a much needed facility that is lacking in the Town Center area.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 — The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission and Staff had recommended approval.

04/05/01 — The City Council approved a Site Development Plan Review [Z-0076-98(20)] for a proposed 110,000 square-foot commercial development on 16.66 acres on the south side of Azure Drive between Tenaya Way and approximately 520 feet east of Rancho Drive/ US 95. The Planning Commission and Staff had recommended approval. One of the conditions of approval prohibited 24-hour uses and convenience stores at the subject location.

PL

04/04/01 The City Council approved a Special Use Permit (U-0013-01) for a Supper Club located on the south side of Azure Drive approximately 1,500 feet west of Tenaya Way. Planning Commission recommended denial and Staff recommended approval.

04/04/01 The City Council approved a Special Use Permit (U-0022-01) for a Restaurant Service Bar located on the northwest corner of the intersection of Tenaya Way and Azure Drive. Planning Commission recommended denial and staff recommended approval.

06/18/03 The City Council approved an Extension of Time for the approved Site Development Plan Review (EOT-2152) for the site. The Council also approved related Extensions of Time for approved Special Use Permits (EOT-2153, EOT-2154, EOT-2155, EOT-2156, EOT-2157, EOT-2158, EOT-2159, EOT-2160, EOT-2162, EOT-2163, EOT-2164, and EOT-2165) for seven supper clubs, one restaurant with drive-up, two restricted gaming locations, one restaurant service bar, and two requests for the sale of packaged liquor on the subject site. The Planning Commission and Staff recommended approval.

08/06/03 The City Council approved a Site Development Plan Review (SDR-2399) for a proposed 51,000 square-foot retail center and a 90,900 square-foot mini-storage facility; and to allow for a reduction in the amount of perimeter and parking lot landscaping on 10.61 acres adjacent to the northwest corner of Azure Drive and North Tenaya Way. The Planning Commission and Staff recommended approval.

03/17/04 The City Council approved a Site Development Plan Review (SDR-3648) and a Waiver of the perimeter and buffering landscaping requirements for a 7,852 square-foot Auto Parts (New and Rebuilt) (Accessory Sales and Service) store on a 0.92 acre portion of 7.24 acres adjacent to the south side of Azure Drive, approximately 1,100 feet west of Tenaya Way. Planning Commission recommended denial and Staff recommended denial.

03/24/05 The Planning Commission held this item in abeyance to the 04/14/05 PC Meeting to allow the applicant time to address the notification requirements of the Town Center Development Standards Manual.

PL

04/06/05 The City Council Approved a Review of Condition (RQR-6074) Number 22 of an approved Site Development Plan Review [Z-0076-98(20)], which prohibited certain uses, to eliminate the condition entirely for an approved commercial development on property located adjacent to the southwest corner of Tenaya Way and Azure Drive. Staff recommended denial.

04/14/05 The Planning Commission will consider a request for a Site Development Plan Review (SDR-5893) for a proposed 3,500 square-foot Convenience Store with Fuel Pumps and waivers of the 70% glazing and the 330-foot separation requirements on a 1.43 acres adjacent to the southwest corner of Azure Drive and Tenaya Way.. This application was held in abeyance from the 02/10/05 Planning Commission meeting at the request of the applicant. Staff is recommending denial.

B) Pre-Application Meeting

12/14/04 The submittals of a complete Special Use Permit application were discussed at a pre-application conference with the applicant.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.43

B) Existing Land Use

Subject Property:	Undeveloped
North:	Under development - Commercial
South:	Single Family Dwellings
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	SX-TC (Suburban Mixed Use- Town Center)
North:	SX-TC (Suburban Mixed Use- Town Center)
South:	ML (Medium-Low Density Residential)
East:	R (Rural Density Residential)
West:	SX-TC (Suburban Mixed Use - Town Center)

PL

D) Existing Zoning

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

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Interlocal Land Use Plan map is TC (Town Center). The site is designated as SX-TC (Suburban Mixed Use - Town Center) on the Town Center Land Use Plan, Map 4 of the Centennial Hills Sector Plan. The SX-TC (Suburban Mixed Use - Town Center) implements the TC land use of the Centennial Hills Interlocal Land Use Plan and is consistent with the land use. The proposed use is allowed in the SX-TC (Suburban Mixed Use - Town Center) district by approval of a Special Use Permit. The proposed development, though, is not consistent with the Town Center Land Use Plan.

The Town Center Land Use Plan requires single story offices as buffers when SX-TC (Suburban Mixed Use - Town Center) is adjacent to single family development. A landscaped corridor with a 2.5 foot high landscaped berm with screen trees spaced 10 feet apart is required between the offices and the residential south of the site. Neither of these features are incorporated in the plan so the proposed development is therefore inconsistent with the Centennial Hills Sector Plan at the proposed location.

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

Town Center Development Standards – Future development of the site will be governed by the provisions of the Town Center Development Standards and other applicable city codes, standards, and guidelines.

PL

Trails – Trails in the Town Center area are shown on Map 6, "Town Center Multi-use Trail Alignments", of the Transportation Trails Element of the Master Plan. Map 6 shows that a 20 foot Multi-use Transportation Trail along the south property line of the site and along the west side of Tenaya Way. The 30 foot trail shown on the plan conforms to the trail standards.

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500 feet.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15 day period. The following responses have been received.

1) LVWWD - No impact
2) CLV DPW Flood Control - A Drainage Study is required.
3) Metro - The current Police station that services that address is:

Las Vegas Metropolitan Police Department
Northwest Area Command
9850 W Cheyenne
Las Vegas, NV 89121

Distance to Property: 7.74 Miles
Average Response Time: 21.5 Minutes
Average Calls for Service for area 30 days: 2,078 Calls

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,500 SF	1 Space / 250 GFA	13	1	32	2

PL

Since the proposed Fuel Pumps use is ancillary to the principal Convenience Store use, it will not generate additional parking for the Convenience Store use.

The proposed site design for the Convenience Store exceeds the parking requirements of Title 19.10 for the number of parking spaces. The handicap space, though, does not meet standard. A condition has been added to the companion Site Development Plan Review application SDR-5893 to require a revised plan that shows the correct layout of space for handicap accessible parking spaces.

A2) Minimum Distance Separation Requirements

Pursuant to Town Center Development Standards, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Separation of Convenience Store with Fuel Pumps and Single Family Detached Dwellings	330 ft between Uses	0 Feet

The applicant has requested that the separation distance condition from the Town Center Standards for a Special Use Permit for the Convenience Store with gas Pumps use be waived as a part of this application. The 330-foot separation, along with the requirement of office uses in SX-TC (Suburban Mixed Use - Town Center) districts, is in place to buffer the residential to the south from the adverse effects of 24 hour uses like the proposed Convenience Store with Fuel Pumps.

As detailed in the Town Center Development Standards, the subject use should be separated from the residential to the south by the 330-foot separation as a condition of the use and a row of office buildings, plus the 30-foot trail.

This is in contrast to the conditions of approval for the recently approved Auto Parts/ Service use to the west. The buffer requirements of the Auto Parts use included an option of incorporating the trail in the design or locating the Auto Parts use 330 feet from the residential to the south.

The applicant has not provided justification for the waiver based on hardship. The recommendation for the waiver is denial.

It was the potential of incompatibility that generated the condition of Z-0076-98(20) that would prohibit the location of a convenience store on the subject site. The City Council has since revised this outlook and believes this use to now be acceptable at the subject location as a result of their approval of a Review of Condition (ROC-6074) of number 22 of the approved Site Development Plan Review [Z-0076-98(20)] at the 04/06/05 City Council meeting.

PL

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

Standards	Code Requirement	Provided
Separation between Trash Enclosures and Residential	50 feet from residential	Trash enclosure not shown on plan

The proposal does not meet the requirements of Title 19 for the location of trash enclosures. A condition has been added to the Site Development Plan Review SDR-5893 to require a new site plan that shows the trash enclosure for the use 50 feet from the south property.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center). The proposed "Convenience Store with Fuel Pumps" use is allowed by Special Use Permit, pursuant the Town Center Development Standards and conformance to the conditions of approval.

Location of this type of use on the subject site is contrary to the conditions of approval for Z-0076-98(20). The approval of a Review of Condition (ROC-6074) of number 22 of the approved Site Development Plan Review [Z-0076-98(20)] at the 04/06/05 City Council meeting now permits a convenience store with fuel pumps to be located on the subject site.

- Use

This application requests approval of Fuel Pumps in conjunction with a Convenience Store at the subject location.

The Town Center Development Standards require a 330-foot separation distance between "Convenience Store with Fuel Pumps" uses and any single family detached dwelling, and prohibit the use of any outside public address or bell system. The development site is adjacent to, therefore within 330 feet of, residential uses. As a result, the use is inappropriate for the area.

- Waivers

The applicant requests that the 330-foot separation requirement be waived. No hardship has been shown to justify a waiver from standards. The recommendation for the waiver is denial.

PL

The Town Center Development Standards, in regards to waivers of separation requirements, requires that the following must be submitted in addition to the standard materials for review of a Special Use Permit.

1. A list of signatures representing ownership of all of the property within 330 feet of the subject property indicating no objection to the waiver.
2. Copies of materials used as the signatures were being collected.
3. A map showing all properties within 330 feet of the subject property.

The applicant has been reminded of this requirement and of the writing of this report none of the required materials have been received from the applicant.

- Conditions

The conditions applicable to the proposed use require a 330-foot separation distance between "Convenience Stores with Fuel Pumps" uses and any single-family detached dwelling, and prohibit the use of any outside public address or bell system.

The subject site is subject to the following condition from Z-0076-98(20).

22. A maximum of five (5) supper clubs shall be allowed south of Azure Drive, no 24-hour uses shall be allowed, no fast food restaurants with drive-through windows shall be allowed, no convenience stores shall be allowed and all buildings shall be limited to one-story.

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 Town Center Development Standards require a 330-foot separation distance between "Convenience Stores with Fuel Pumps" uses and any single family detached dwelling, and prohibit the use of any outside public address or bell system. This use does not meet the minimum Town Center distance separation requirements and therefore is not harmonious and compatible.

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

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

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

   Azure Drive, on the north boundary of the site, will be developed as a Town Center Town Center (90-foot) Loop Road. Tenaya Way, along the east side of the site, is a Town Center 80-foot Collector street. These streets will have adequate capacity to serve the proposed development.

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

   The proposed Convenience Store with Fuel Pumps use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 161 [Mailed with SDR-5893]

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5894 APN: 125-27-222-006

Name of Property Owner: Azure South Inc.

Name of Applicant: The Montecito Companies

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Frank Nielsen

Subscribed and sworn before me

This 24 day of December, 2004

_____
Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
ENNIS JULIAN
No. 03-85126-1
My Appointment Expires Nov. 4, 2007

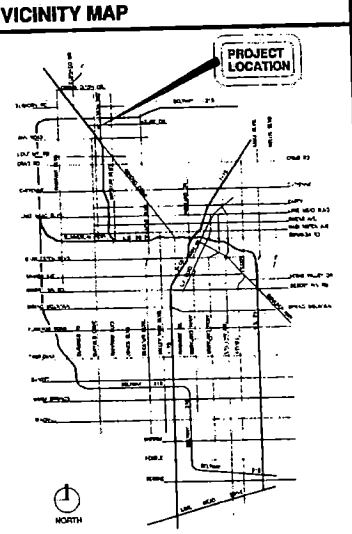
SITE INFORMATION

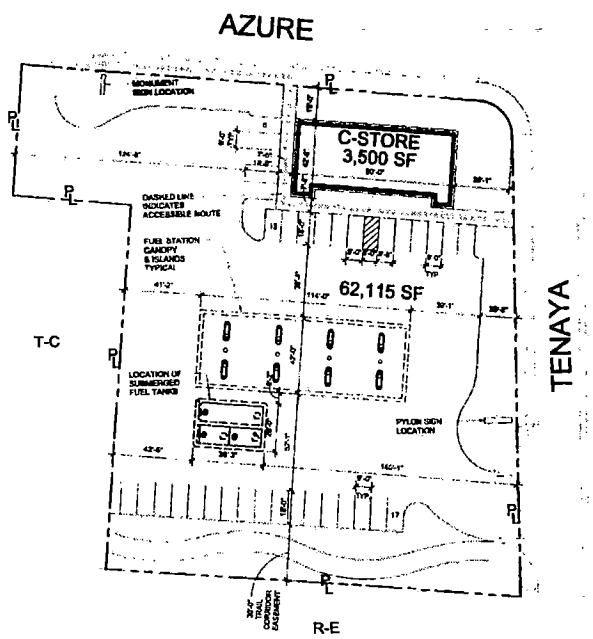
ASSESSORS PARCEL NUMBER (APN)		125-27-222-006
CURRENT ZONING		T-C
SITE AREA		+/- 1.43 - 62,115 S.F.
PROPOSED BUILDING C-STORE		3,500 S.F.
SITE COVERAGE C-STORE		5.63 %
PARKING REQUIRED C-STORE	5/1000 S.F.	18 SPACES
PARKING PROVIDED (INCLUDES ACCESSIBLE SPACES) C-STORE		34 SPACES

OWNER

AZURE SOUTH, INC.
6600 W. CHARLESTON BLVD., STE. #120
LAS VEGAS, NEVADA 89146
CONTACT: JOE GWERDER
CONTACT: P 702.369.4444 F 702.892.7784

VICINITY MAP



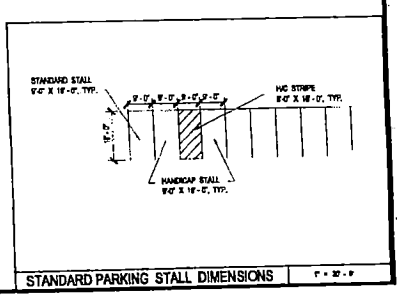


SUP-5894
SDR-5893
3-24-05 PC

0 15 30 60 90

NORTH

SITE PLAN



STANDARD PARKING STALL DIMENSIONS

Vedelago Petsch AIA architects
5495 S. Rainbow Blvd.
Suite 203
Las Vegas, Nevada 89118
Phone (702) 951-0300
Fax (702) 951-0307

SEAL:

NOT FOR CONSTRUCTION

OWNER:

MONTECITO

PROJECT NAME:

TENAYA VILLAGE CENTER
SWC of Tenaya Way & Azure Drive, Las Vegas, NV

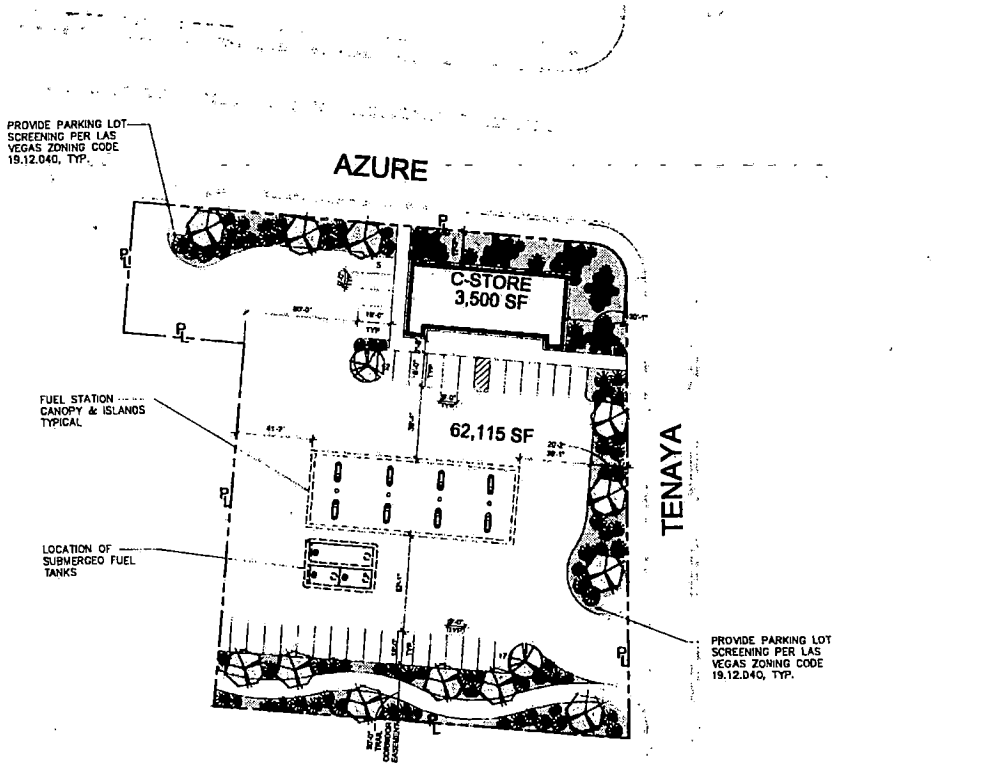
SHEET TITLE:

Enlarged Site Plan

REV.	DESCRIPTION	DATE
*		
*		
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Project No: 2004-23
Drawn By: Office
Date: 12/28/04
Scale: See Drawing
Sheet No:

A-1.01



LANDSCAPE PLAN

SUP-5894
~~SDR-5893~~
3-24-05 PC

TREES

SYMBOL	QUANTITY	SIZE	COMMON NAME	BOTANICAL NAME
	5	36" BOX	MEXICAN FAN PALM OR EQUIVALENT	WASHINGTONIA ROBUSTA HYBRID or EQ.
	12	15 GAL.	AFRICAN SUMAC OR EQUIVALENT	RHUS LANCEA or EQ.
	0	15 GAL.	ARGENTINE MESQUITE or EQUIVALENT	PROSOPIS or EQUIVALENT
	1	15 GAL.	TAMARISK or EQUIVALENT	TAMARIX or EQUIVALENT

SHRUBS

SYMBOL	QUANTITY	SIZE	COMMON NAME	BOTANICAL NAME
	49	5 GAL.	BRITTLEBUSH or EQUIVALENT	ENCELIA or EQUIVALENT
	48	5 GAL.	DESERT HONEYSUCKLE or EQUIVALENT	ANISACANTHUS or EQ.

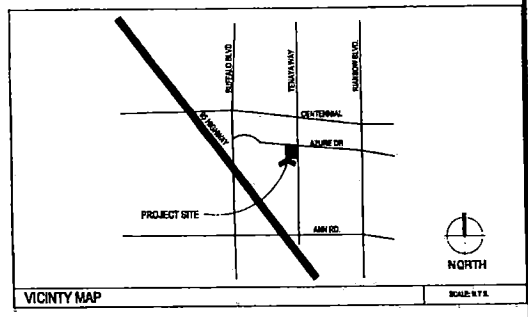
GROUND COVER

SYMBOL	QUANTITY	COVERAGE	COMMON NAME	
	15,506 S.F.	24.3%	DECORATIVE GRAVEL or EQ.	

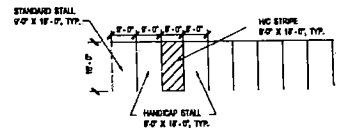
LANDSCAPE PALETTE

TOTAL AREA: 62,115 S.F. 1.43 ACRES
OPEN SPACE AREA PROVIDED: 43,109 S.F. 0.99 ACRES
OPEN SPACE / TOTAL AREA RATIO: 84.4 % (LANDSCAPE INCL.)
LANDSCAPE AREA PROVIDED: 15,506 S.F. 0.35ACRE
LANDSCAPE / TOTAL AREA RATIO: 24.9 %

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

Vedelago Petsch AIA architects
8495 S. Eastern Blvd.
Suite 220
Las Vegas, Nevada 89123
Phn (702) 951-0300
Fax (702)-951-0307

SEAL:

NOT FOR CONSTRUCTION

OWNER:
MONTECITO

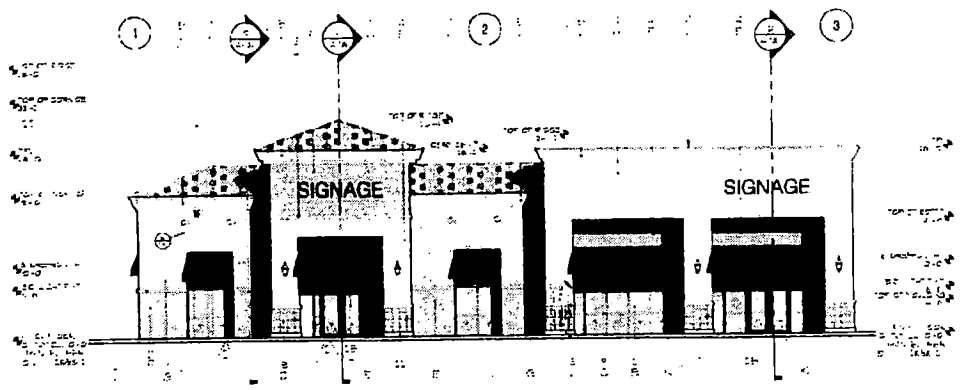
PROJECT NAME:
TENAYA VILLAGE CENTER
SWC of Tenaya Way & Azure Drive, Las Vegas, NV

SHEET TITLE:
Enlarged Landscape Plan

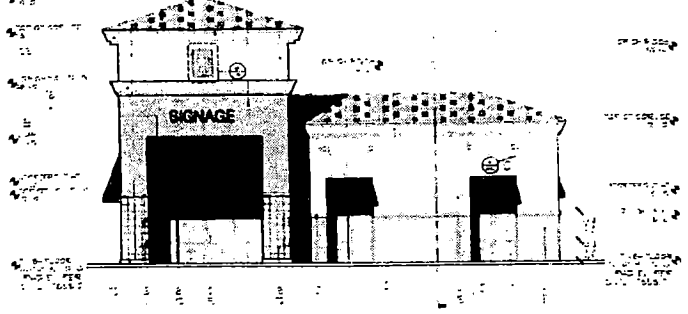
REV.	DESCRIPTION	DATE

Project No: 2004'23
Drawn By: Office
Date: 12/28/04
Scale: See Drawing
Sheet No:

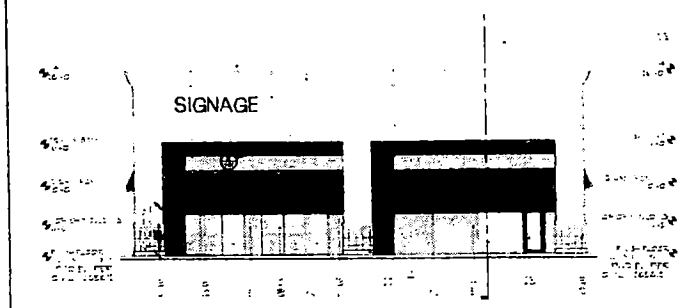
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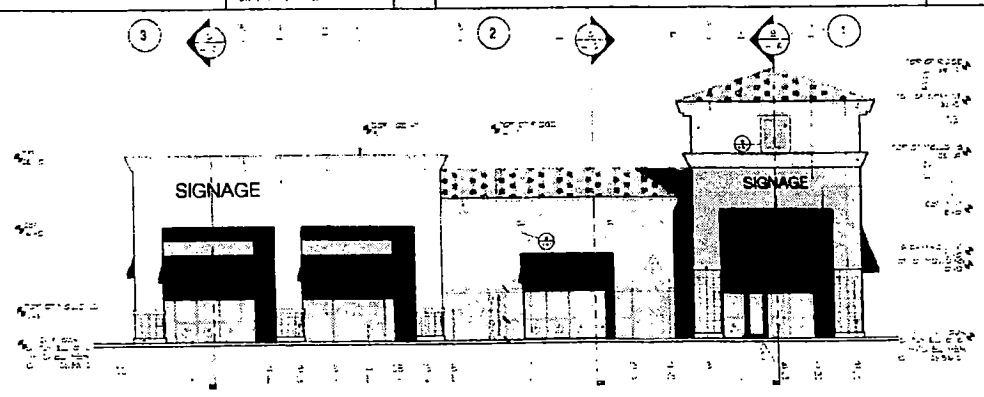
CONCEPTUAL SOUTH ELEVATION — 1



CONCEPTUAL WEST ELEVATION — 4



CONCEPTUAL EAST ELEVATION — 2



CONCEPTUAL NORTH ELEVATION — 3

SUP-5894
SDR-5893
3-24-05 PC

Monica to Companios, LLC

Perkowitz+Ruth Architects
Architecture/Planning/Store Design

Tenaya Village Center
SITE AND BUILDING DESIGN
NWC TENAYA AND AZURE
LAS VEGAS, NEVADA

A-1.4

MONTECITO
COMPANIES

December 27, 2004

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

RE: Tenaya Village Center Special Use Permit Justification for a Convenience Store with fuel pumps

Dear Sir:

This letter is prepared as a justification letter for the proposed Special Use Permit to allow a Convenience Store with fuel pumps. This request is actually a revision to the previously approved Site Development Review (Z-0076-98(20)) approved May 9, 2001 with an approved Extension of Time (EOT-2152) approved June 23, 2003. Furthermore, the design of this project is proposed to tie in architecturally with the approved Site Development Review for Montecito East (SDR-2399) revised 6-23-03. Please note that the area covered under the reviews of Montecito East has been renamed Tenaya Village Center.

In general, the building has been located near the Southwest corner of the intersection of Tenaya Way and Azure Drive with the applicable setbacks and landscape buffer per the Town Center Development Standards. The conceptual elevation of the building is proposed to match closely to the elevations of the current phase of Tenaya Village that is under construction, including the articulated roof line and cornice line which also conform to the Town Center Development Standards. The colors chosen for the building will complement those established in this first phase of the project and as approved in the previous Site Development Reviews for this area. Furthermore, the proposed building reduces the amount of building area previously approved for the area, decreases the previously approved Floor to Area Ratio (FAR), and provides more than sufficient parking. The proposed convenience store use with fuel pumps will provide a much needed facility that is lacking in the Town Center area. Also, the proposed use is located on the outskirts of the Town Center area at a favorable intersection of the Town Center Loop Road system, providing for continuous mixed use within the body of the Town Center limits.

It should be noted that along with this request, we are requesting a waiver from the standard of 330' distance separation from single family dwellings as outlined in Part B (Development Uses) Section 4,B,14 of the Town Center Development Standards (page 34). The requirement to place convenience stores a minimum of 330' from single family dwellings can not be met as the location of the convenience store is at the outskirts of the Town Center area, closer to residential uses. The proposed location of the convenience store is at a primary corner Town Center Loop Road system, which is where a convenience store is ideally located. It should also be noted that with the review of the initial Site Development Review (Z-0076-98(20)) a tremendous effort was made with the surrounding neighborhood to allow the proposed development to occur, including gaming and alcohol sales. During this phase of the development, several requirements were negotiated with the surrounding neighbors and

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SUP-5894

became conditions of approval for the proposed request. These included a 10' sidewalk/trail along the West side of Tenaya Way with a 5' landscape buffer, a 30' wide heavily landscaped trail/buffer area along the southern property line, and a 6' foot decorative block wall along portions abutting residential development. Because of the tremendous efforts previously made to buffer this corner from the existing residential uses, we ask that this proposed waiver be approved.

To conclude, we sincerely feel that every effort has been made to make the overall Tenaya Village Center project a architecturally pleasing and aesthetic development. We have designed the project to be in substantial conformance with the Town Center Development Standards and provided several landscape/hardscape features at this corner of the development to serve as a buffer to the surrounding residential neighbors. We believe these efforts made justify approval of the proposed Special Use Permit and the proposed waiver from the distance separation requirement. Please feel free to contact at our office at 798-5111 to discuss this matter further. Thank you in advance for your consideration of this request.

Sincerely,

Joe P. Gwerder

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

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SUP-5894

City of Las Vegas

Agenda Item No.: 29

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
ABEYANCE - SDR-5893 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5894 - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH INC. - Request for a Site Development Plan Review FOR A PROPOSED 3,500 SQUARE FOOT CONVENIENCE STORE WITH FUEL PUMPS AND WAIVERS OF THE 70% GLAZING AND THE 330 FOOT SEPARATION REQUIREMENTS on 1.43 acres adjacent to the southwest corner of Tenaya Way and Azure Drive (APN 125-27-222-006), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 05/18/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 8 [VAC-6163], Item 26 [VAR-6228], Item 27 [SDR-6105] and Item 62 [TXT-6421] to the 04/28/2005 Planning Commission Meeting; Item 30 [SUP-5984], Item 31 [SDR-5942] and Item 40 [GPA-6221] to the 05/12/2005 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 17 [VAR-6118] and TABLE Item 28 [SUP-5894] and Item 29 [SDR-5893] – UNANIMOUS

NOTE: COMMISSIONER McSWAIN indicated she would vote to table Item 28 [SUP-5894] and Item 29 [SDR-5893]; however, when the items are heard before the Commission again, she would abstain because the applicant involves Rebel, a vendor of her company, Terra Contracting.

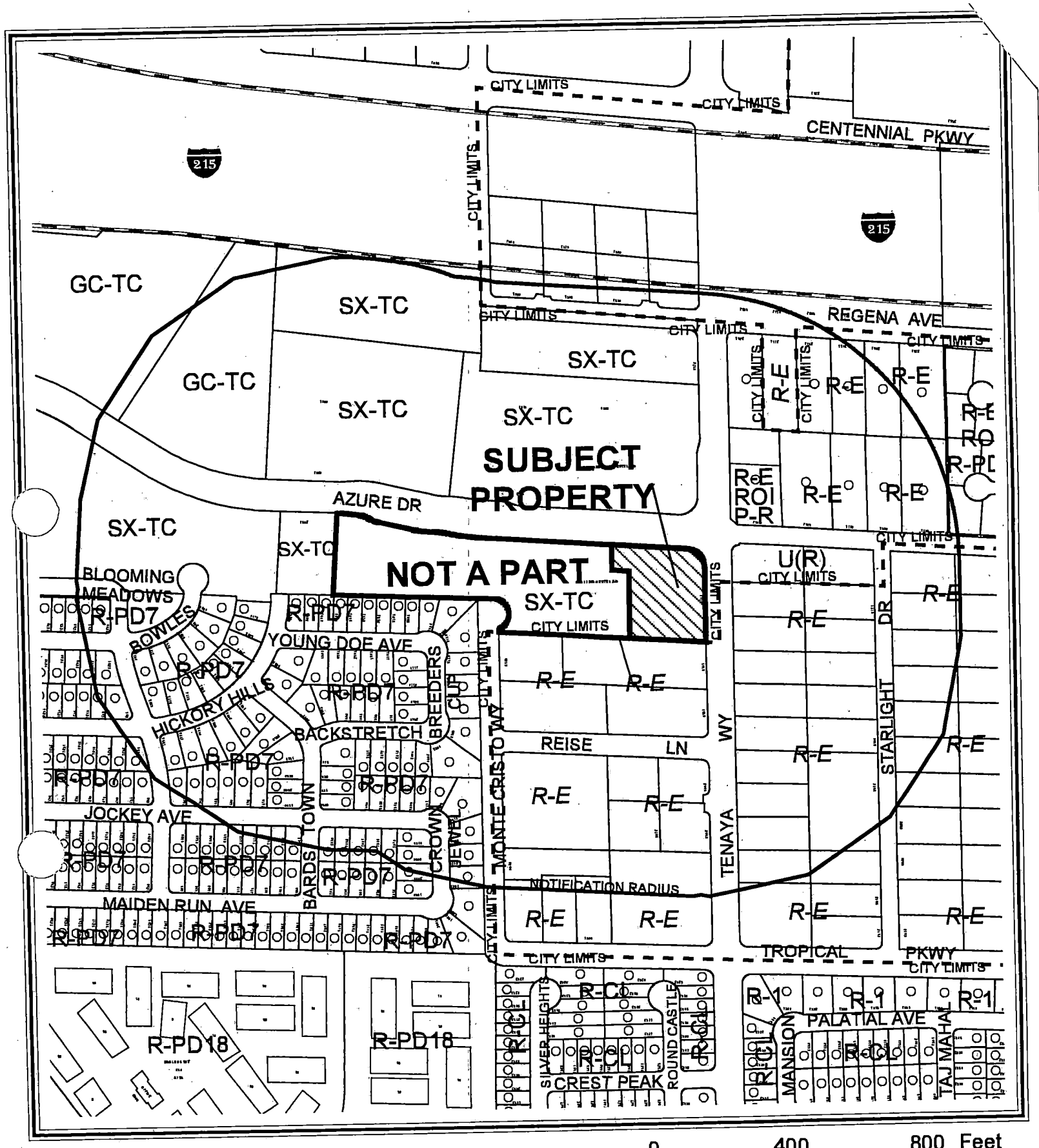
MINUTES:
Regarding Item 28 [SUP-5894] and Item 29 [SDR-5893], MR. RANKIN initially stated the items would be stricken. CHRIS KAEMPFER, Attorney, Kummer Kaempfer Bonner &

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 29 – SUP-5893

MINUTES – Continued:

Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and requested that the items be tabled instead of stricken. MARGO WHEELER, Director, Planning and Development Department, informed the Commission that tabling the items would be appropriate. ATTORNEY KAEMPFER acknowledged that the items would have to be re-noticed in the future.

(6:01 – 6:05)


CITY LIMITS
CENTENNIAL PKWY
215
GC-TC
SX-TC
GC-TC
SX-TC
SX-TC
SX-TC
SUBJECT PROPERTY
REGENA AVE
AZURE DR
SX-TC
SX-TC
NOT A PART
SX-TC
CITY LIMITS
R-E
R-E
R-E

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-5893 - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH INC.

** CONDITIONS **

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

Planning and Development

1. A plaza with seating areas is required near the building by condition for of the master site plan Z-0076-98(20).

2. A 10-foot multi-use meandering trail path is required along the west side of Tenaya Way per Z-0076-98 (20) and the Trails Element of the Master Plan.

3. Prior to the issue of building permits a revised landscaping plan shall be submitted to the Planning and Development Department that shows the proper number and type of trees around the site and a six-foot landscape planter around the building. A double row 24-inch box evergreen tress 20 feet apart, staggered, is required in the 30-foot buffer.

4. Prior to the issue of building permits a revised site plan shall be submitted to the Planning and Development Department that shows a loading zone accessible to the building, a trash enclosure at least 50 feet from the south property line, and a properly designed handicap parking space.

5. Approval of SUP-5694 and conformance to the Conditions of Approval for Z-0076-98(20).

6. All development shall be in substantial conformance to site plans and elevations, date stamped 12/28/04, except as modified by condition herein.

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

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

maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

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

Public Works

10. All additional rights-of-way required by Standard Drawing #234.3 for a bus stop shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in an approved Traffic Impact Analysis.

11. If not already constructed by the master developer, construct the full width of the proposed driveway accessing Azure Drive and sufficient onsite paving to allow two-way traffic to this site concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

12. 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.

13. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

14. All existing public improvements, if any, adjacent to this site that may be damaged during construction are to be repaired at the applicant's expense, prior to occupancy of this site.

15. In accordance with the intent of a commercial subdivision, this pad site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

16. 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.

17. 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.

18. Site development to comply with all applicable conditions of approval for Z-76-98(20), the Montecito East Commercial Subdivision, the approved Traffic Impact Analysis and all other applicable site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review for a proposed 3,500 square-foot Convenience Store with Fuel Pumps, where such is not allowed by condition [Z-0076-98(20)], and waivers of the 70% glazing and the 330-foot separation requirements on a 1.43 acres adjacent to the southwest corner of Azure Drive and Tenaya Way. This application will be heard in conjuncture with an associated Special Use Permit (SUP-5894) for a proposed convenience store with fuel pumps adjacent to the southwest corner of Tenaya Drive and Azure Way.

B) Applicant's Justification

The proposed Convenience Store use with Fuel Pumps will provide a much needed facility that is lacking in the Town Center area. The proposed use is located on the outskirts of the Town Center area at a favorable intersection along the Town Center Loop Road system, providing for continuous commercial within the body of the Town Center limits.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission and Staff had recommended approval.

04/04/01 The City Council approved a Site Development Plan Review [Z-0076-98(20)] for a proposed 110,000 square-foot commercial development on 16.66 acres on the south side of Azure Drive between Tenaya Way and approximately 520 feet east of Rancho Drive/ US 95. The Planning Commission and Staff had recommended approval. One of the conditions of approval prohibited 24-hour uses and convenience stores at the subject location.

04/04/01 The City Council approved a Special Use Permit (U-0013-01) for a Supper Club located on the south side of Azure Drive approximately 1,500 feet west of Tenaya Way. Planning Commission recommended denial and Staff recommended approval.

04/04/01 The City Council approved a Special Use Permit (U-0022-01) for a Restaurant Service Bar located on the northwest corner of the intersection of Tenaya Way and Azure Drive. Planning Commission recommended denial and staff recommended approval.

06/18/03 The City Council approved an Extension of Time for the approved Site Development Plan Review (EOT-2152) for the site. The Council also approved related Extensions of Time for approved Special Use Permits (EOT-2153, EOT-2154, EOT-2155, EOT-2156, EOT-2157, EOT-2158, EOT-2159, EOT-2160, EOT-2162, EOT-2163, EOT-2164, and EOT-2165) for seven supper clubs, one restaurant with drive-up, two restricted gaming locations, one restaurant service bar, and two requests for the sale of packaged liquor on the subject site. The Planning Commission and Staff recommended approval.

08/06/03 The City Council approved a Site Development Plan Review (SDR-2399) for a proposed 51,000 square-foot retail center and a 90,900 square-foot mini-storage facility; and to allow for a reduction in the amount of perimeter and parking lot landscaping on 10.61 acres adjacent to the northwest corner of Azure Drive and North Tenaya Way. The Planning Commission and Staff recommended approval.

03/17/04 The City Council approved a Site Development Plan Review (SDR-3648) and a Waiver of the perimeter and buffering landscaping requirements for a 7,852 square-foot Auto Parts (New and Rebuilt) (Accessory Sales and Service) store on a 0.92 acre portion of 7.24 acres adjacent to the south side of Azure Drive, approximately 1,100 feet west of Tenaya Way. Planning Commission recommended denial and Staff recommended denial.

03/24/05 The Planning Commission held this item in abeyance to the 04/14/05 PC Meeting to allow the applicant time to address the notification requirements of the Town Center Development Standards Manual.

04/06/05 The City Council Approved a Review of Condition (RQR-6074) Number 22 of an approved Site Development Plan Review [Z-0076-98(20)], which prohibited certain uses, to eliminate the condition entirely for an approved commercial development on property located adjacent to the southwest corner of Tenaya Way and Azure Drive. Staff recommended denial.

04/14/05 The Planning Commission will consider a request for a Special Use Permit (SUP-5894) for a proposed convenience store with fuel pumps adjacent to the southwest corner of Tenaya Drive and Azure Way. This application was held in abeyance from the 02/10/05 Planning Commission meeting at the request of the applicant. Staff is recommending denial.

B) Pre-Application Meeting

12/14/04 A pre-application conference was held and resulted in the following:

1. The site is designated as SX-TC (Suburban Mixed-Use).
2. A convenience store requires a Special Use Permit.
3. No previous Special Use Permit for a convenience store was filed on the subject site.
4. Azure Drive is a 90-foot Town Center Loop and requires a 15-foot landscape buffer. pg. 52; pg. 109.
5. Town Center Development Standards described on pg. 72 were discussed, i.e. 70% glazing, building placement, articulated roof line, exterior materials and colors.
6. A waiver of the 70% glazing is required.
7. The Special Use Permit requirements were discussed.
8. A car wash use is not permitted.
9. Public Works required an updated flood study.
10. The parking standards for a convenience store are one space per 250 s.f.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.43

B) Existing Land Use

Subject Property:	Undeveloped
North:	Under development- Commercial
South:	Single Family Detached development
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	SX-TC (Suburban Mixed Use- Town Center)
North:	SX-TC (Suburban Mixed Use- Town Center)
South:	ML (Medium Low Density Residential)
East:	R (Rural Density Residential)
West:	SX-TC (Suburban Mixed Use- Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	Clark County

East:	U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] Clark County
West:	T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Interlocal Land Use Plan map is TC (Town Center). The site is designated as SX-TC (Suburban Mixed Use - Town Center) on the Town Center Land Use Plan, Map 4 of the Centennial Hills Sector Plan. The SX-TC (Suburban Mixed Use - Town Center) implements the TC land use of the Centennial Hills Interlocal Land Use Plan and is consistent with the land use. The proposed use is allowed in the SX-TC (Suburban Mixed Use - Town Center) district by approval of a Special Use Permit. The proposed development, though, is not consistent with the Town Center Land Use Plan.

The Town Center Land Use Plan requires single story offices as buffers when SX-TC (Suburban Mixed Use - Town Center) is adjacent to single family development. A landscaped corridor with a 2.5-foot high landscaped berm with screen trees spaced 10 feet apart is required between the offices and the residential south of the site. Neither of these features are incorporated in the plan so the proposed development is therefore inconsistent with the Centennial Hills Sector Plan at the proposed location.

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

Town Center Development Standards – Future development of the site will be governed by the provisions of the Town Center Development Standards and other applicable city codes, standards, and guidelines.

Trails – Trails in the Town Center area are shown on Map 6, "Town Center Multi-use Trail Alignments", of the Transportation Trails Element of the Master Plan. Map 6 shows that a 20 foot Multi-use Transportation Trail along the south property line of the site and along the west side of Tenaya Way.

PL

PROJECT DESCRIPTION

The building has been located at the southwest corner of the intersection of Tenaya Way and Azure Drive with the applicable setbacks and landscape buffer width per standards except for foundation landscaping. The elevation of the building is proposed to match the elevations of the current phase of neighboring development under construction. The colors of the exterior are planned to complement the first phase of the neighboring development.

The store is set up against the front setback line with landscaping in the setback area. Access is from both Azure and Tenaya. A 30-foot trail corridor is shown along the south property line and the Fuel pumps and parking between the trail and the building.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	62,115 SF	Y
Min. Lot Width	100 Feet	267 Feet	Y
Min. Setbacks			
• Front	15 Feet	30 Feet	Y
• Side	10 Feet	100 Feet	Y
• Corner	15 Feet	17 Feet	Y
• Rear	20 Feet	41 Feet	Y
Max. Lot Coverage	50 %	6 %	Y
Max. Building Height	2 Stories / 35 Feet	1 Story / Approx 45 Feet	Y
Trash Enclosure	Y	N	N
Loading Zone	Y	N	N

The proposal exceeds the requirements of Title 19.08 except for the provision of a trash enclosure and a loading zone. A condition will be added to require a revised site plan showing a loading zone and a trash enclosure.

A2) Residential Adjacency Standards

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

a) Proximity slope. With the separation between the building and the south property line being approximately 202 feet when 135 feet is the closest the building can be, based on the Proximity Slope standard, the proposal exceeds the requirements of Title 19.08.
b) Building setback. Considering the distance between the building and the south property line the proposal meets the requirements for building set back.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required** Parking Ratio	**Required** Parking Regular	**Required** Parking Handicap	**Provided** Parking Regular	**Provided** Parking Handicap
Convenience Store	3,500 SF	1 Space / 250 GFA	13	1	32	2

Since the proposed Fuel Pumps use is ancillary to the principal Convenience Store use, it will not generate additional parking for the Convenience Store use.

The proposed site design for the Convenience Store exceeds the parking requirements of Title 19.10 for the number of parking spaces. The handicap space, though does not meet standard. A condition has been added to require a revised plan that shows the correct layout of space for handicap accessible parking spaces.

However, as the Convenience Store is not allowed by condition of approval for Z-0076-98(20) the proposed development cannot be supported.

PL

A4) Landscape and Open Space Standards

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

Landscaping	**Required**		**Provided**	**Compliance**
	Ratio	Trees		
Parking Area	One 24 inch Box Tree/ 6 Spaces	7 Trees	0	N
Buffer: • Min. Trees in the Front Setback Planter	One 24 Inch Box/ 20 Lin. Ft O.C.	27 Trees	0	N
• Min. Trees in Amenity Zone- Loop Road	One 20-foot BTH Mexican Fan Palm Tree/ 35 Lin. Feet O.C.	7 Trees	7	Y
• Min. Trees in Amenity Zone- TC Collector	One Large Canopy Tree / 30 Lin. Feet O.C.	9 Trees	0	N
• Min. Trees along 20 Foot wide Corridor with a 2.5 Foot Tall Landscaped berm along the south property line.	One Screen Tree/ 10 Lin. Feet O.C.	23Trees	6	N
• Min. Planter Width along streets.	15 Feet		17 Feet	Y
• Min. Planter Width along the south property line.	30 Feet		30 Feet	Y
• Wall height	6 Feet		Not Shown	Not Shown
• Min. Planter Around the Building	6 Foot Wide, Four sides of a Building		260 LF of Planter	Two Sides or 130 LF
Open Space (Plazas, trails, landscaped corridors, etc.)	20% of Gross Area	12,423 SF	15,544 SF	Y

The proposal meets only the requirements for the amount of open space and planter width along the perimeter. The project is deficient in the number of trees in the amenity zones, parking lot, trail corridor, setback buffer, and only half of the

foundation of landscaping. Canopy trees are required along Tenaya, not the palm trees currently in place. A condition has been added to require the addition of the correct number and type of trees in the buffer areas and amenity zones on the Landscape Plan. The condition will also address the landscaping around the buildings foundation. The plan needs to be modified to show a plaza with seating areas near the building as required by condition of Z-0076-98(20).

A5) Sign Standards

Signage will be reviewed by a separate application by the Centennial Hills Architectural Review Committee pursuant the Town Center Development Standards and Title 19.

B) General Analysis and Discussion

- Zoning

The proposed 3,500 square-foot building is allowed in the SX-TC (Suburban Mixed Use-Town Center) Land Use District, subject to conformance with applicable requirements of the Town Center Development Standards and Title 19 and approval of a Special Use Permit for a Convenience Store with Fuel Pumps.

- Site Plan

Access to the site is from both Azure Drive and Tenaya Way. The proposed building is oriented toward the fuel pump islands and the residential to the south. The building is 17.58 feet from Azure Drive and 30.08 feet from the Tenaya Way right-of-ways. There will be landscaping in the setback area between the building and the street. The setbacks conform to Title 19, but the landscaping does not meet the Landscape, Wall, and Buffer Standards or the Town Center Development Standards for the number of trees in the buffers.

A plaza with seating areas near the building is required per the conditions of Z-0076-98(20).

- Waivers

The applicant is requesting waivers from the following standards Town Center Development Standards.

  - The 70% glazing of each building elevation.
  - The 330-foot separation buffer standard between a Convenience Store with Fuel Pumps and a Single Family Detached development.

Considering the typical interior layout of a Convenience Store and the consistency of design of the four elevations the waiver of the glazing can be supported.

PL

The separation between a Convenience Store with Fuel Pumps and single family development, however, cannot be supported because the use can be located elsewhere. No hardship has been shown therefore the recommendation for the waiver is denial.

The convenience store and 24 hour uses are prohibited by condition of the master site Z-0076-98(20) of which the subject site is a part. The approval of a Review of Condition (ROC-6074) of number 22 of the approved Site Development Plan Review [Z-0076-98(20)] at the 04/06/05 City Council meeting now permits a convenience store with fuel pumps to be located on the subject site.

The Town Center Development Standards, in regards to waivers of separation requirements, requires that the following must be submitted in addition to the standard materials for review of a Special Use Permit.

i. A list of signatures representing ownership of all of the property within 330 feet of the subject property indicating no objection to the waiver.
ii. Copies of materials used as the signatures were being collected.
iii. A map showing all properties within 330 feet of the subject property.

The applicant has been reminded of this requirement and of the writing of this report none of the required materials have been received from the applicant.

- Landscape Plan

The amount landscaping shown on the plan in the parking area is insufficient with no landscaped finger islands in the parking lot. There is insufficient number and the spacing of trees within the planters along the streets, the amenity zone along Tenaya Way, and the south property line does not conform to standards.

- Elevation

The building elevations depict a one-story structure with a stucco exterior, a mix of flat roof with parapets and pitched roofs. Arcades and windows are shown on four sides of the buildings. The result is a building that is designed in a similar manner on all sides as the standards require.

- Floor Plan

The floor plan shows the typical layout of a Convenience Store.

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:

PL

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

   Considering the proximity of the use to the single family detached development to the south, and the need by the applicant to request a waiver of the separation standard, the use is not compatible with adjacent development.

   The approval of a Review of Condition (ROC-6074) of number 22 of the approved Site Development Plan Review [Z-0076-98(20)] at the 04/06/05 City Council meeting now permits a 24 hour convenience store with fuel pumps to be located on the subject site.

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

   The proposed is not consistent with the General Plan as the buffers required for SX-TC (Suburban Mixed Use-Town Center) development are not included in the site design. The development is not consistent with landscaping standards because there are insufficient trees in and around the development.

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

   Access to the site is via driveways from Tenaya Way, a Town Center (80 foot) Collector and Azure Drive, a Town Center (90 foot) Loop Road. The access and roadway 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 and landscape materials, as proposed, are appropriate for this type of commercial use in this area.

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

   The design, architecture and aesthetic features of the proposed development are satisfactory and will 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 development will be subject to inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 161 [Mailed with SUP-5894]

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5893 APN: 125-27-222-006

Name of Property Owner: Azure South Inc.

Name of Applicant: The Montecito Companies

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

_____Yes ✓ _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

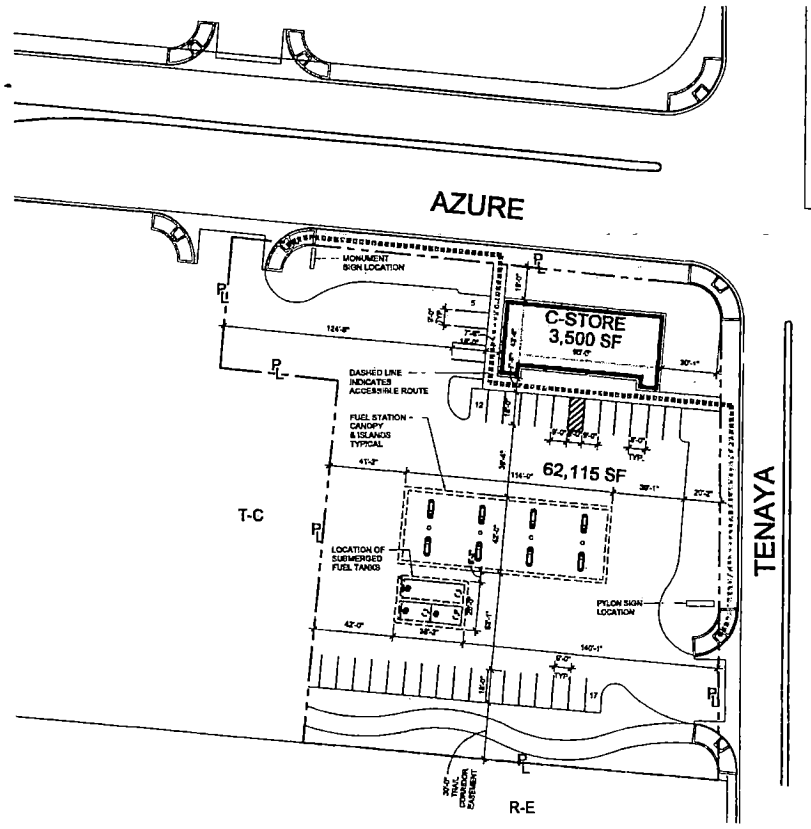
Print Name: Frank Nielsen

Subscribed and sworn before me

This 24 day of December, 2004

_____
Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
ENNIS JULIAN
No. 03-85126-1
My Appointment Expires Nov. 4, 2007



SITE PLAN

SCALE: 1"=30'-0"

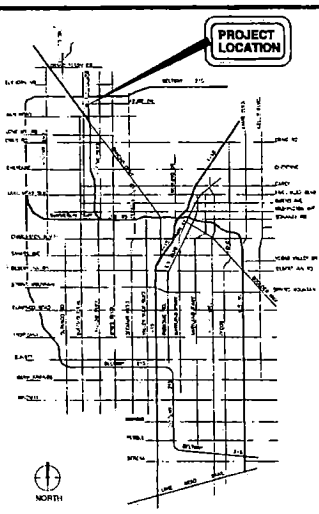
SITE INFORMATION

ASSESSORS PARCEL NUMBER (APN)		125-27-222-006
CURRENT ZONING		T-C
SITE AREA		+/- 1.43 - 62,115 S.F.
PROPOSED BUILDING C-STORE		3,500 S.F.
SITE COVERAGE C-STORE		5.63 %
PARKING REQUIRED C-STORE	5/1000 S.F.	18 SPACES
PARKING PROVIDED (INCLUDES ACCESSIBLE SPACES) C-STORE		34 SPACES

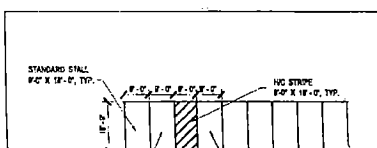
OWNER

AZURE SOUTH, INC.
9600 W. CHARLESTON BLVD., STE. #120
LAS VEGAS, NEVADA 89145
CONTACT: JOE GWERDER
CONTACT: P 702.359.4444 F 702.892.7784

VICINITY MAP



SUP-5894
SDR-5893
3-24-05 PC



STANDARD PARKING STALL DIMENSIONS

0 15 30 60 90

NORTH

CONSTRUCTION PRELIMINARY - NOT FOR CONSTRUCTION

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

SEAL:

NOT FOR CONSTRUCTION

OWNER:

MONTECITO COMPANIES

PROJECT NAME:

TENAYA VILLAGE CENTER
SWC of Tenaya Way & Azure Drive, Las Vegas, NV

SHEET TITLE:

Enlarged Site Plan

REV	DESCRIPTION	DATE

Project No. 2004123
Drawn By Office
Date: 12/28/04
Scale: See Drawing
Sheet No:

A-1.01

TREES

SYMBOL	QUANTITY	SIZE	COMMON NAME	BOTANICAL NAME
	5	36" BOX	MEXICAN FAN PALM OR EQUIVALENT	WASHINGTONIA ROBUSTA HYBRID or EQ.
	12	15 GAL.	AFRICAN SUMAC OR EQUIVALENT	RHUS LANCEA or EQ.
	0	15 GAL.	ARGENTINE MESQUITE or EQUIVALENT	PROSOPIS or EQUIVALENT
	1	15 GAL.	TAMARISK or EQUIVALENT	TAMARIX or EQUIVALENT

SHRUBS

SYMBOL	QUANTITY	SIZE	COMMON NAME	BOTANICAL NAME
	49	5 GAL.	BRITTLEBUSH or EQUIVALENT	ENCELIA or EQUIVALENT
	48	5 GAL.	DESERT HONEYSUCKLE or EQUIVALENT	ANISACANTHUS or EQ.

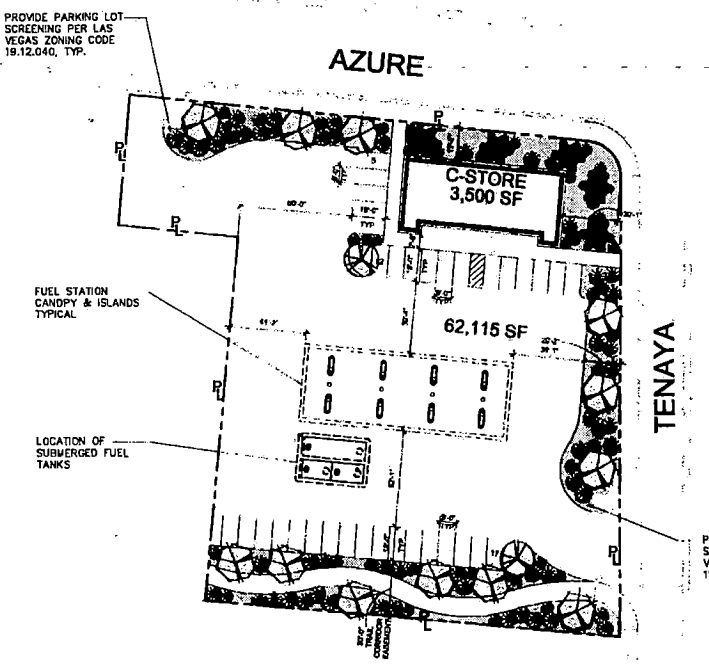
GROUND COVER

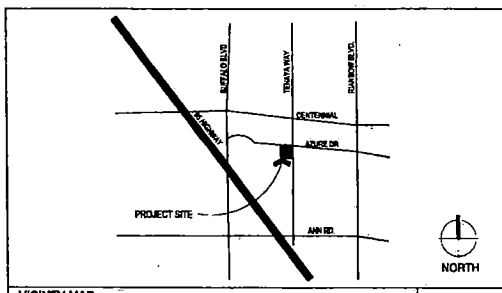
SYMBOL	QUANTITY	COVERAGE	COMMON NAME	
	15,506 S.F.	24.3%	DECORATIVE GRAVEL or EQ.	-

LANDSCAPE PALETTE

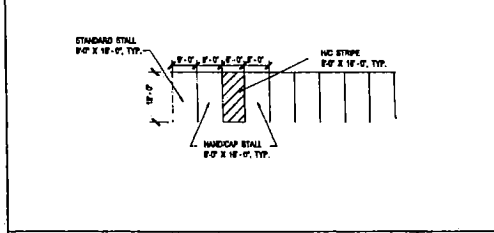
TOTAL AREA: 62,115 S.F. 1.43 ACRES
OPEN SPACE AREA PROVIDED: 43,109 S.F. 0.99 ACRES
OPEN SPACE / TOTAL AREA RATIO: 94.4 % (LANDSCAPE INCL.)
LANDSCAPE AREA PROVIDED: 15,506 S.F. 0.35ACRE
LANDSCAPE / TOTAL AREA RATIO: 24.9 %

OPEN SPACE / LANDSCAPE AREA





VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

0 15 30 60 90

NORTH

LANDSCAPE PLAN

SCALE: 1"=30'-0"

SUP-5894

~~SDR-5893~~

Vedelago Petsch AIA architects
5495 S. Rainbow Blvd.
Suite 202
Las Vegas, Nevada 89118
Phone (702) 951-0300
Fax (702)-951-0307

STAMP:

NOT FOR CONSTRUCTION

OWNER:

MONTECITO

PROJECT NAME:

TENAYA VILLAGE CENTER

SWC of Tenaya Way & Azure Drive, Las Vegas, NV

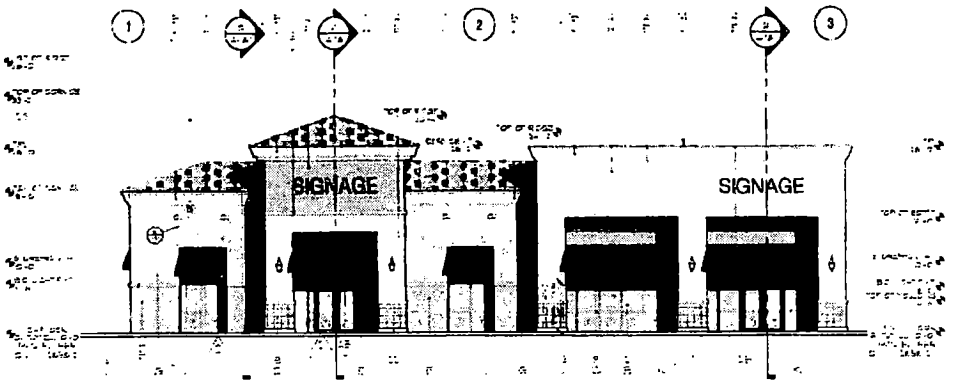
SHEET TITLE:

Enlarged Landscape Plan

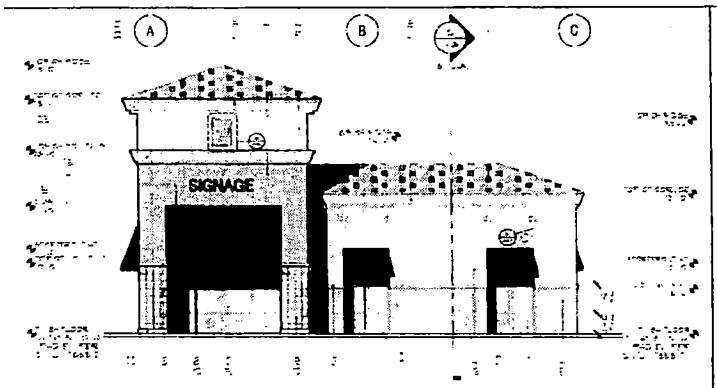
REV.	DESCRIPTION	DATE
•		
•		
•		

Project No: 2004-23
Drawn By: Office
Date: 12/28/04
Scale: See Drawing
Sheet No:

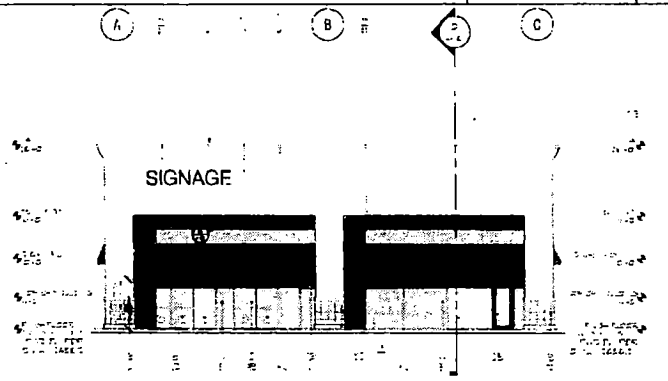
LP-1



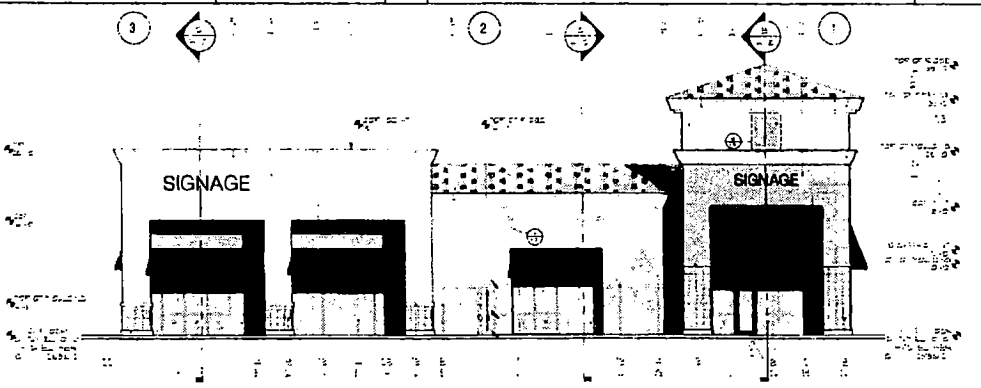
CONCEPTUAL SOUTH ELEVATION 1



CONCEPTUAL WEST ELEVATION 4



CONCEPTUAL EAST ELEVATION 2



CONCEPTUAL NORTH ELEVATION 3

SUP-5894
SDR-5893

Montecito Companies, LLC

Perkowitz+Ruth Architects
Architecture/Planning/Store Design

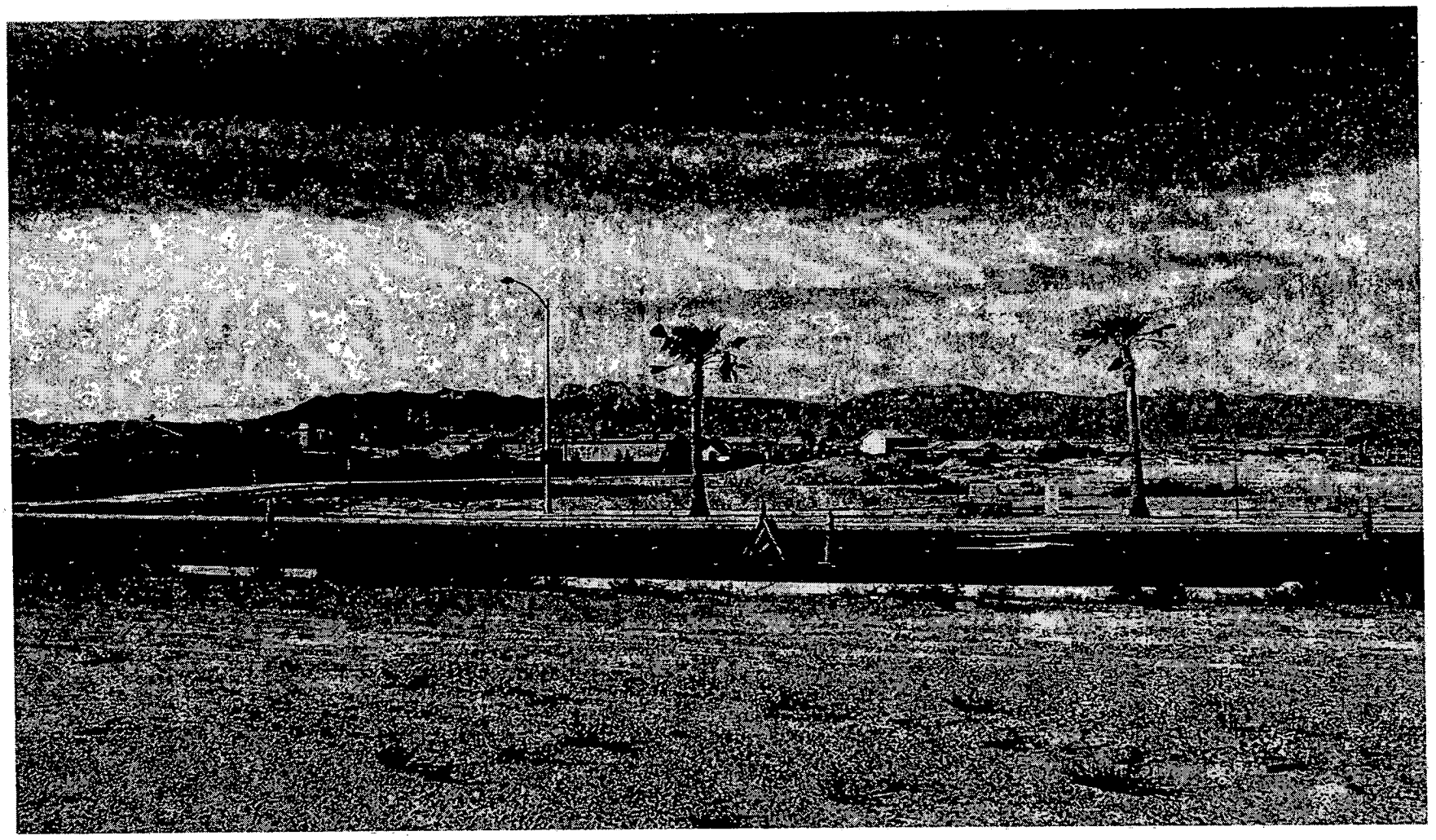
Tenaya Village Corner
SITE AND BUILDING DESIGN
NWC TENAYA AND AZURE
LAS VEGAS, NEVADA

A-1.4



SUP-5894 & SDR-5893 - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC.
SOUTHWEST CORNER OF TENAYA DRIVE AND AZURE WAY
APRIL 14, 2005 PLANNING COMMISSION

01/21/05



SUP-5894 & SDR-5893 - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC.
SOUTHWEST CORNER OF TENAYA DRIVE AND AZURE WAY
APRIL 14, 2005 PLANNING COMMISSION

01/21/05

MONTECITO
COMPANIES

December 27, 2004

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

RE: Tenaya Village Center Site Development Review Justification and Waiver Request

Dear Sir:

This letter is prepared as a justification letter for the proposed revision to the previously approved Site Development Review (Z-0076-98(20)) approved May 9, 2001 with an approved Extension of Time (EOT-2152) approved June 23, 2003. Furthermore, the design of this project is proposed to tie in architecturally with the approved Site Development Review for Montecito East (SDR-2399) revised 6-23-03. Please note that the area covered under the reviews of Montecito East has been renamed Tenaya Village Center. The proposed revision is to replace the previously approved Pads P1 and P2 with an approximate 3,500 square foot Convenience Store with fuel pumps.

In general, the building has been located near the Southwest corner of the intersection of Tenaya Way and Azure Drive with the applicable setbacks and landscape buffer per the Town Center Development Standards. The conceptual elevation of the building is proposed to match closely to the elevations of the current phase of Tenaya Village that is under construction, including the articulated roof line and cornice line which also conform to the Town Center Development Standards. The colors chosen for the building will complement those established in this first phase of the project and as approved in the previous Site Development Reviews for this area. Furthermore, the proposed building reduces the amount of building area previously approved for the area, decreases the previously approved Floor to Area Ratio (FAR), and provides more than sufficient parking. The proposed convenience store use with fuel pumps will provide a much needed facility that is lacking in the Town Center area. Also, the proposed use is located on the outskirts of the Town Center area at a favorable intersection of the Town Center Loop Road system, providing for continuous mixed use within the body of the Town Center limits.

For the reasons outlined above, it is our opinion that the proposed changes are in substantial conformance with City standards for development in this area and warrants approval.

It should be noted that along with this request, two waivers are proposed. The first proposed waiver is from the requirement of 70% glazing for portions of the building facing a street as outlined in Part D (Development Standards) Section 1,B,1 of the Town Center Development Standards (page 72). The second is for the 330' distance requirement to single family dwellings as outlined in Part B (Development Uses) Section 4,B,14 of the Town Center Development Standards (page 34).

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

SDR-5893

The requirement for 70% clear glazing along street frontages is not practical for the proposed convenience store use. This proposed requirement is more likely to have been met if the building was located away from the street as typical convenience stores have little or no glazing at the rear of the buildings, but more at the front of the store. However, as outlined in the Town Center Development Standards, it is preferable to locate the structure close to the street. By meeting this standard, it does not the allow the facility to function as a typical convenience store with freezers, storage, offices, and restrooms placed at the rear of store and merchandise and service stations located at the entrance. For these reasons, we believe this proposed waiver warrants approval.

The requirement to place convenience stores a minimum of 330' from single family dwellings can not be met as the location of the convenience store is at the outskirts of the Town Center area, closer to residential uses. The proposed location of the convenience store is at a primary corner Town Center Loop Road system, which is where a convenience store is ideally located. It should also be noted that with the review of the initial Site Development Review (Z-0076-98(20)) a tremendous effort was made with the surrounding neighborhood to allow the proposed development to occur, including gaming and alcohol sales. During this phase of the development, several requirements were negotiated with the surrounding neighbors and became conditions of approval for the proposed request. These included a 10' sidewalk/trail along the West side of Tenaya Way with a 5' landscape buffer, a 30' wide heavily landscaped trail/buffer area along the southern property line, and a 6' foot decorative block wall along portions abutting residential development. Because of the tremendous efforts previously made to buffer this corner from the existing residential uses, we ask that this proposed waiver be approved.

To conclude, we sincerely feel that every effort has been made to make the overall Tenaya Village Center project a architecturally pleasing and aesthetic development. We have designed the project to be in substantial conformance with the Town Center Development Standards and provided several landscape/hardscape features at this corner of the development to serve as a buffer to the surrounding residential neighbors. We believe these efforts made justify approval of the proposed Site Development Review and the two requested Waivers. Please feel free to contact at our office at 798-5111 to discuss this matter further. Thank you in advance for your consideration of this request.

Sincerely,

Joe P. Gwerder

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

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

SDR-5893

City of Las Vegas

Agenda Item No.: 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
ABEYANCE - SUP-5984 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: FREMONT BRUCE, LLC - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the southeast corner of Bruce Street and Fremont Street (APN 139-35-803-001), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C.: 05/18/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

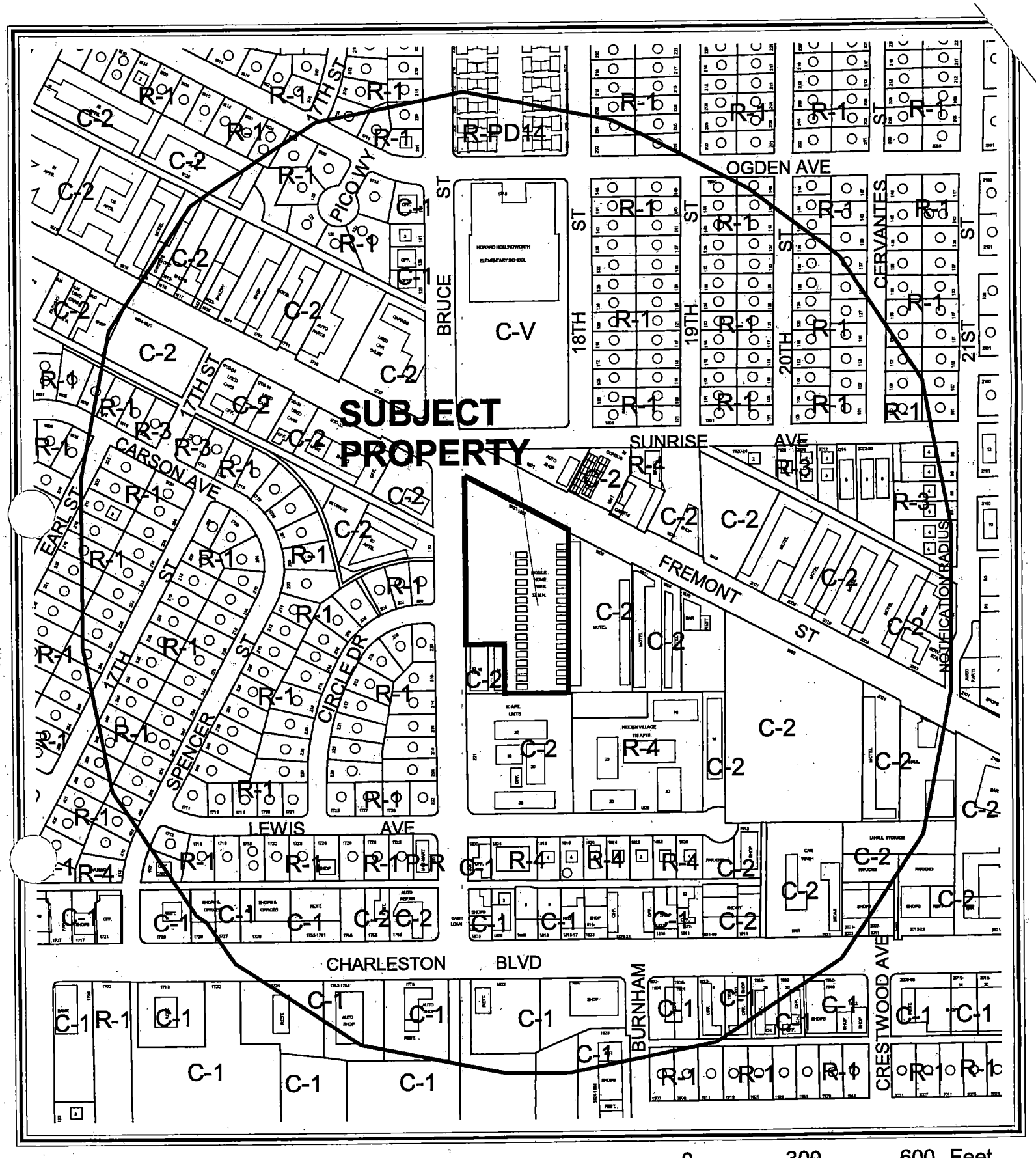
RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 8 [VAC-6163], Item 26 [VAR-6228], Item 27 [SDR-6105] and Item 62 [TXT-6421] to the 04/28/2005 Planning Commission Meeting; Item 30 [SUP-5984], Item 31 [SDR-5942] and Item 40 [GPA-6221] to the 05/12/2005 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 17 [VAR-6118] and TABLE Item 28 [SUP-5894] and Item 29 [SDR-5893] – UNANIMOUS

MINUTES:
There was no discussion.

(6:01 – 6:05)



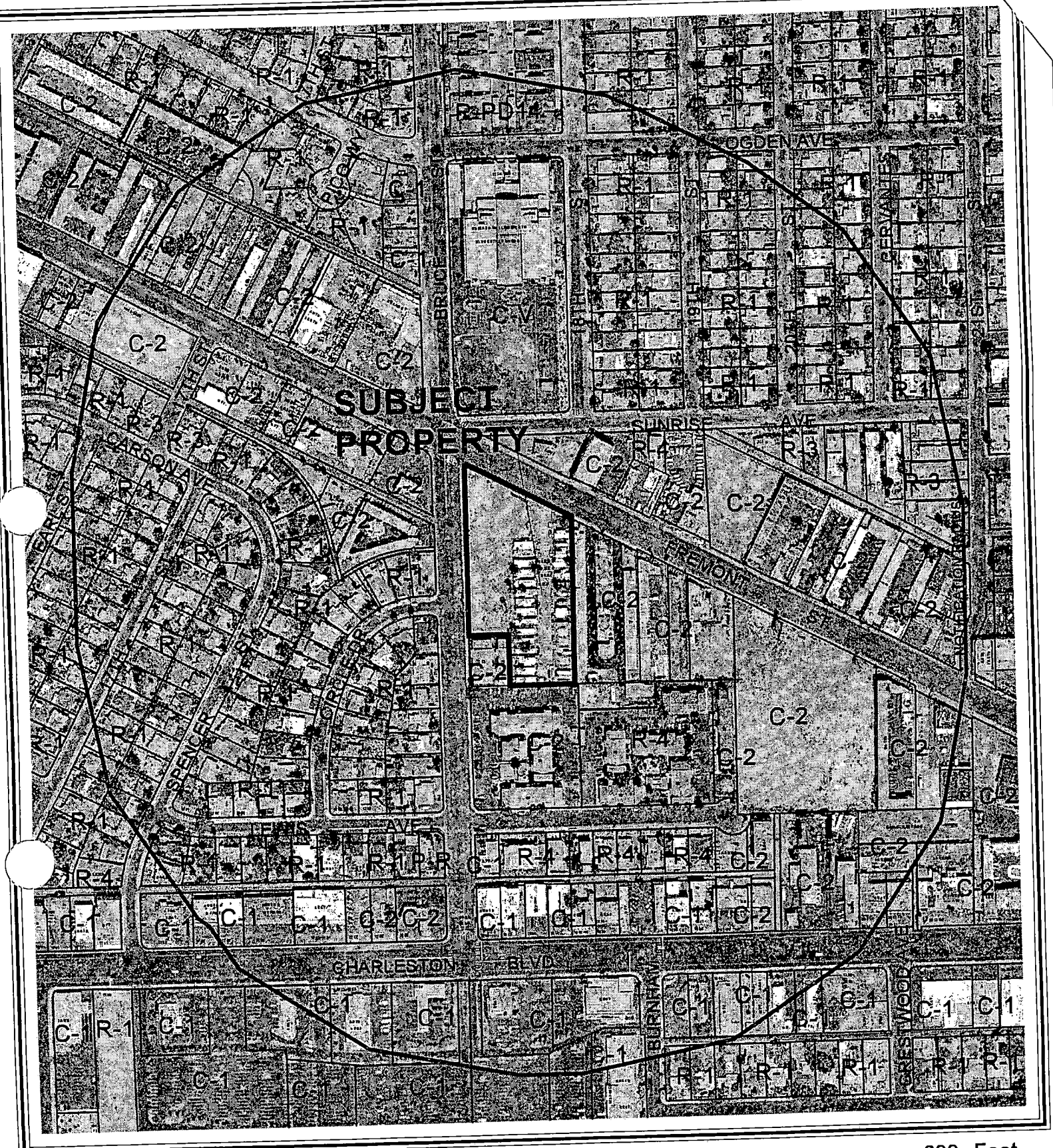
0 300 600 Feet

CASE: **SUP-5984**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SUP-5984**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SUP-5894 - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC.

** CONDITIONS **

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

Planning and Development

1. Approval of the Conditions of Approval for Site Development Plan Review SDR-5893 and conformance to the conditions of Z-0076-98 (20).

2. Use of a public address system is prohibited.

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Convenience Store with Fuel Pumps, where such is not allowed by condition of approval of Z-0076-98(20), adjacent to the southwest corner of Tenaya Way and Azure Drive. This application will be heard in conjunction with an associated Site Development Plan Review (SDR-5983) for a proposed 3,500 square-foot Convenience Store with Fuel Pumps, where such is not allowed by condition [Z-0076-98(20)], and waivers of the 70% glazing and the 330-foot separation requirements on a 1.43 acres adjacent to the southwest corner of Azure Drive and Tenaya Way.

B) Applicant's Justification

The design of this project is proposed to tie in architecturally with the approved Site development Review for Montecito East (SDR-2399) revised 06/23/03. The conceptual elevation of the building is proposed to match closely to the elevations of the current phase of Tenaya Way that is under construction.

The proposed Convenience Store Use with Fuel Pumps will provide a much needed facility that is lacking in the Town Center area.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission and Staff had recommended approval.

04/05/01 The City Council approved a Site Development Plan Review [Z-0076-98(20)] for a proposed 110,000 square-foot commercial development on 16.66 acres on the south side of Azure Drive between Tenaya Way and approximately 520 feet east of Rancho Drive/ US 95. The Planning Commission and Staff had recommended approval. One of the conditions of approval prohibited 24-hour uses and convenience stores at the subject location.

04/04/01 The City Council approved a Special Use Permit (U-0013-01) for a Supper Club located on the south side of Azure Drive approximately 1,500 feet west of Tenaya Way. Planning Commission recommended denial and Staff recommended approval.

04/04/01 The City Council approved a Special Use Permit (U-0022-01) for a Restaurant Service Bar located on the northwest corner of the intersection of Tenaya Way and Azure Drive. Planning Commission recommended denial and staff recommended approval.

06/18/03 The City Council approved an Extension of Time for the approved Site Development Plan Review (EOT-2152) for the site. The Council also approved related Extensions of Time for approved Special Use Permits (EOT-2153, EOT-2154, EOT-2155, EOT-2156, EOT-2157, EOT-2158, EOT-2159, EOT-2160, EOT-2162, EOT-2163, EOT-2164, and EOT-2165) for seven supper clubs, one restaurant with drive-up, two restricted gaming locations, one restaurant service bar, and two requests for the sale of packaged liquor on the subject site. The Planning Commission and Staff recommended approval.

08/06/03 The City Council approved a Site Development Plan Review (SDR-2399) for a proposed 51,000 square-foot retail center and a 90,900 square-foot mini-storage facility; and to allow for a reduction in the amount of perimeter and parking lot landscaping on 10.61 acres adjacent to the northwest corner of Azure Drive and North Tenaya Way. The Planning Commission and Staff recommended approval.

03/17/04 The City Council approved a Site Development Plan Review (SDR-3648) and a Waiver of the perimeter and buffering landscaping requirements for a 7,852 square-foot Auto Parts (New and Rebuilt) (Accessory Sales and Service) store on a 0.92 acre portion of 7.24 acres adjacent to the south side of Azure Drive, approximately 1,100 feet west of Tenaya Way. Planning Commission recommended denial and Staff recommended denial.

03/24/05 The Planning Commission held this item in abeyance to the 04/14/05 PC Meeting to allow the applicant time to address the notification requirements of the Town Center Development Standards Manual.

PL

04/06/05 The City Council Approved a Review of Condition (RQR-6074) Number 22 of an approved Site Development Plan Review [Z-0076-98(20)], which prohibited certain uses, to eliminate the condition entirely for an approved commercial development on property located adjacent to the southwest corner of Tenaya Way and Azure Drive. Staff recommended denial.

04/14/05 The Planning Commission will consider a request for a Site Development Plan Review (SDR-5893) for a proposed 3,500 square-foot Convenience Store with Fuel Pumps and waivers of the 70% glazing and the 330-foot separation requirements on a 1.43 acres adjacent to the southwest corner of Azure Drive and Tenaya Way.. This application was held in abeyance from the 02/10/05 Planning Commission meeting at the request of the applicant. Staff is recommending denial.

B) Pre-Application Meeting

12/14/04 The submittals of a complete Special Use Permit application were discussed at a pre-application conference with the applicant.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.43

B) Existing Land Use

Subject Property:	Undeveloped
North:	Under development - Commercial
South:	Single Family Dwellings
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	SX-TC (Suburban Mixed Use- Town Center)
North:	SX-TC (Suburban Mixed Use- Town Center)
South:	ML (Medium-Low Density Residential)
East:	R (Rural Density Residential)
West:	SX-TC (Suburban Mixed Use - Town Center)

D) Existing Zoning

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

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Interlocal Land Use Plan map is TC (Town Center). The site is designated as SX-TC (Suburban Mixed Use - Town Center) on the Town Center Land Use Plan, Map 4 of the Centennial Hills Sector Plan. The SX-TC (Suburban Mixed Use - Town Center) implements the TC land use of the Centennial Hills Interlocal Land Use Plan and is consistent with the land use. The proposed use is allowed in the SX-TC (Suburban Mixed Use - Town Center) district by approval of a Special Use Permit. The proposed development, though, is not consistent with the Town Center Land Use Plan.

The Town Center Land Use Plan requires single story offices as buffers when SX-TC (Suburban Mixed Use - Town Center) is adjacent to single family development. A landscaped corridor with a 2.5 foot high landscaped berm with screen trees spaced 10 feet apart is required between the offices and the residential south of the site. Neither of these features are incorporated in the plan so the proposed development is therefore inconsistent with the Centennial Hills Sector Plan at the proposed location.

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

Town Center Development Standards – Future development of the site will be governed by the provisions of the Town Center Development Standards and other applicable city codes, standards, and guidelines.

PL

Trails – Trails in the Town Center area are shown on Map 6, "Town Center Multi-use Trail Alignments", of the Transportation Trails Element of the Master Plan. Map 6 shows that a 20 foot Multi-use Transportation Trail along the south property line of the site and along the west side of Tenaya Way. The 30 foot trail shown on the plan conforms to the trail standards.

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500 feet.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15 day period. The following responses have been received.

1) LVWWD - No impact
2) CLV DPW Flood Control - A Drainage Study is required.
3) Metro - The current Police station that services that address is:

Las Vegas Metropolitan Police Department
Northwest Area Command
9850 W Cheyenne
Las Vegas, NV 89121

Distance to Property: 7.74 Miles
Average Response Time: 21.5 Minutes
Average Calls for Service for area 30 days: 2,078 Calls

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,500 SF	1 Space / 250 GFA	13	1	32	2

PL

Since the proposed Fuel Pumps use is ancillary to the principal Convenience Store use, it will not generate additional parking for the Convenience Store use.

The proposed site design for the Convenience Store exceeds the parking requirements of Title 19.10 for the number of parking spaces. The handicap space, though, does not meet standard. A condition has been added to the companion Site Development Plan Review application SDR-5893 to require a revised plan that shows the correct layout of space for handicap accessible parking spaces.

A2) Minimum Distance Separation Requirements

Pursuant to Town Center Development Standards, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Separation of Convenience Store with Fuel Pumps and Single Family Detached Dwellings	330 ft between Uses	0 Feet

The applicant has requested that the separation distance condition from the Town Center Standards for a Special Use Permit for the Convenience Store with gas Pumps use be waived as a part of this application. The 330-foot separation, along with the requirement of office uses in SX-TC (Suburban Mixed Use - Town Center) districts, is in place to buffer the residential to the south from the adverse effects of 24 hour uses like the proposed Convenience Store with Fuel Pumps.

As detailed in the Town Center Development Standards, the subject use should be separated from the residential to the south by the 330-foot separation as a condition of the use and a row of office buildings, plus the 30-foot trail.

This is in contrast to the conditions of approval for the recently approved Auto Parts/ Service use to the west. The buffer requirements of the Auto Parts use included an option of incorporating the trail in the design or locating the Auto Parts use 330 feet from the residential to the south.

The applicant has not provided justification for the waiver based on hardship. The recommendation for the waiver is denial.

It was the potential of incompatibility that generated the condition of Z-0076-98(20) that would prohibit the location of a convenience store on the subject site. The City Council has since revised this outlook and believes this use to now be acceptable at the subject location as a result of their approval of a Review of Condition (ROC-6074) of number 22 of the approved Site Development Plan Review [Z-0076-98(20)] at the 04/06/05 City Council meeting.

PL

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

Standards	Code Requirement	Provided
Separation between Trash Enclosures and Residential	50 feet from residential	Trash enclosure not shown on plan

The proposal does not meet the requirements of Title 19 for the location of trash enclosures. A condition has been added to the Site Development Plan Review SDR-5893 to require a new site plan that shows the trash enclosure for the use 50 feet from the south property.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center). The proposed "Convenience Store with Fuel Pumps" use is allowed by Special Use Permit, pursuant the Town Center Development Standards and conformance to the conditions of approval.

Location of this type of use on the subject site is contrary to the conditions of approval for Z-0076-98(20). The approval of a Review of Condition (ROC-6074) of number 22 of the approved Site Development Plan Review [Z-0076-98(20)] at the 04/06/05 City Council meeting now permits a convenience store with fuel pumps to be located on the subject site.

- Use

This application requests approval of Fuel Pumps in conjunction with a Convenience Store at the subject location.

The Town Center Development Standards require a 330-foot separation distance between "Convenience Store with Fuel Pumps" uses and any single family detached dwelling, and prohibit the use of any outside public address or bell system. The development site is adjacent to, therefore within 330 feet of, residential uses. As a result, the use is inappropriate for the area.

- Waivers

The applicant requests that the 330-foot separation requirement be waived. No hardship has been shown to justify a waiver from standards. The recommendation for the waiver is denial.

The Town Center Development Standards, in regards to waivers of separation requirements, requires that the following must be submitted in addition to the standard materials for review of a Special Use Permit.

1. A list of signatures representing ownership of all of the property within 330 feet of the subject property indicating no objection to the waiver.
2. Copies of materials used as the signatures were being collected.
3. A map showing all properties within 330 feet of the subject property.

The applicant has been reminded of this requirement and of the writing of this report none of the required materials have been received from the applicant.

- Conditions

The conditions applicable to the proposed use require a 330-foot separation distance between "Convenience Stores with Fuel Pumps" uses and any single-family detached dwelling, and prohibit the use of any outside public address or bell system.

The subject site is subject to the following condition from Z-0076-98(20).

22. A maximum of five (5) supper clubs shall be allowed south of Azure Drive, no 24-hour uses shall be allowed, no fast food restaurants with drive-through windows shall be allowed, no convenience stores shall be allowed and all buildings shall be limited to one-story.

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 Town Center Development Standards require a 330-foot separation distance between "Convenience Stores with Fuel Pumps" uses and any single family detached dwelling, and prohibit the use of any outside public address or bell system. This use does not meet the minimum Town Center distance separation requirements and therefore is not harmonious and compatible.

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

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

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

   Azure Drive, on the north boundary of the site, will be developed as a Town Center Town Center (90-foot) Loop Road. Tenaya Way, along the east side of the site, is a Town Center 80-foot Collector street. These streets will have adequate capacity to serve the proposed development.

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

   The proposed Convenience Store with Fuel Pumps use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 161 [Mailed with SDR-5893]

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5984 APN: 139 35 803 001

Name of Property Owner: FREMONT BRUCE LLC.

Name of Applicant: FREMONT BRUCE, LLC

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

_____Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

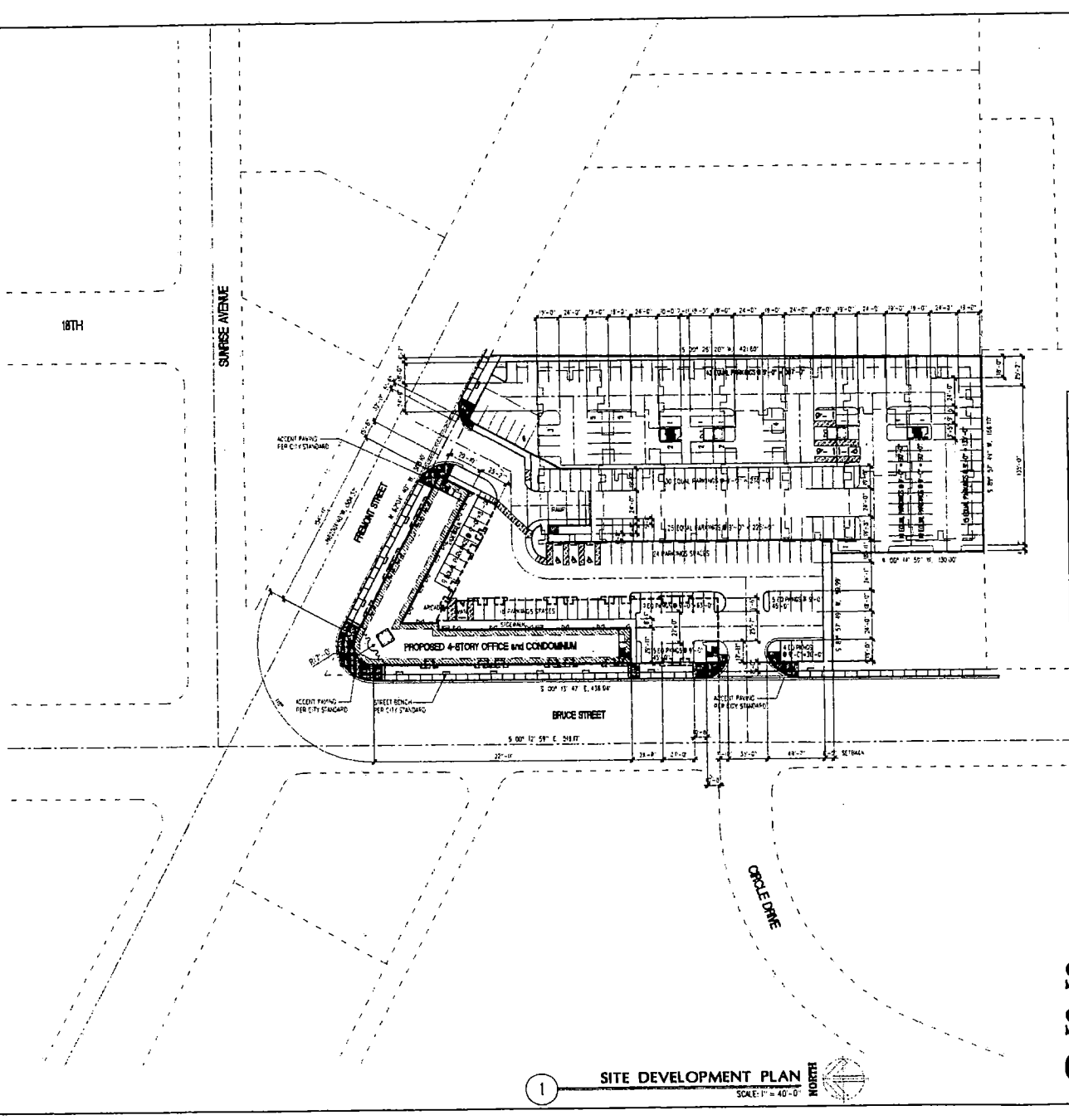
Print Name: Shmuel Oved, Manager
Fremont Bruce, LLC

Subscribed and sworn before me

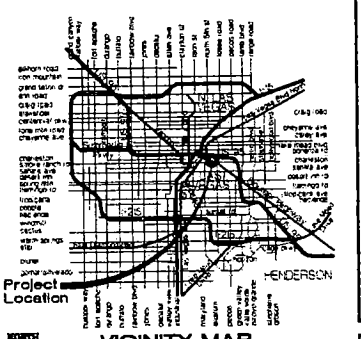
This 19th day of January, 2005

Shai Oved
Notary Public in and for said County and State
Los Angeles, CA

SHAI OVED
Comm. # 1326633
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires Nov. 21, 2005



1 SITE DEVELOPMENT PLAN
SCALE: 1" = 40'-0"



VICINITY MAP

PROJECT DATA

APN # 139-35-803-001

ADDRESS:	FREMONT/BRUCE STREET LAS VEGAS, NV
LOT COVERAGE	49%
LOT AREA	120,068 S.F. (2.76 ACRE)

PARKING REQUIRED:

RESIDENTIAL	152 UNITS @ 1/UNIT = 152
RETAIL/MEDICAL	21,500 SF @ 250/PER SPACE = 84
TOTAL REQUIRED	236

PARKING PROVIDED:

STANDARD PARKINGS (9' x 19')	235
HANDICAP PARKING (13' x 18')	6
HANDICAP VAN ACCESSIBLE (17' x 19')	1
TOTAL PROVIDED	242

SUP-5984
SDR-5942
03-10-05 PC

DENNIS E. RUSK
ARCHITECT, LLC
PHONE (702) 658-8000 • FAX (702) 658-0177

SITE DEVELOPMENT PLAN

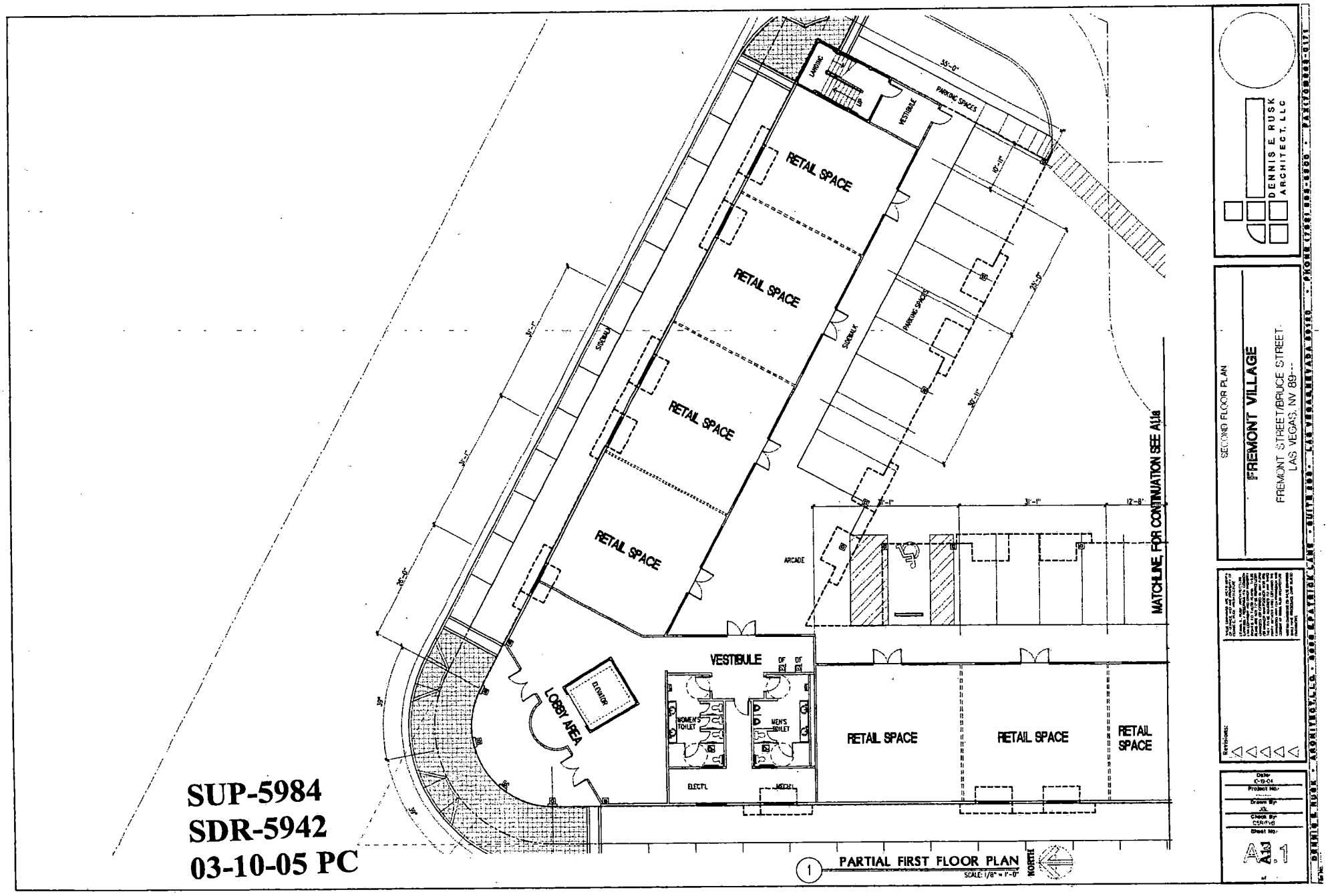
FREMONT VILLAGE

FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89---

Revisions:

Date: 1-10-05
Project No.:
Drawn By: JD
Check By: DER/DJR
Sheet No.: SP1.0

DENNIS E RUSK • ARCHITECT, LLC • 9555 KATRINA LANE • SUITE 200 • LAS VEGAS, NEVADA 89117



SUP-5984
SDR-5942
03-10-05 PC

DENNIS E RUSK
ARCHITECT, LLC

SECOND FLOOR PLAN

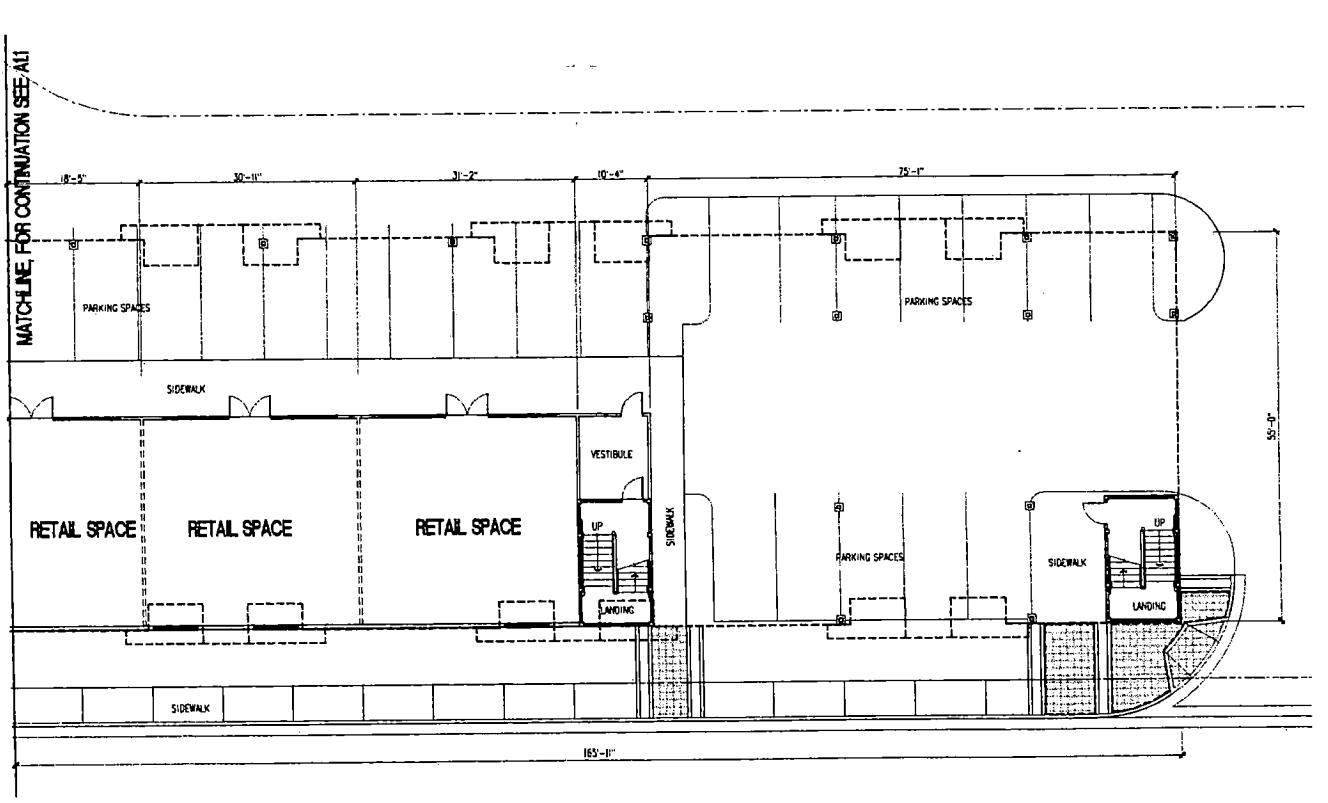
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FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89--

Revisions:

Date: 2-10-04
Project No.:
Drawn By: JR
Check By: DER/VS
Sheet No.: A1.1

DENNIS E RUSK - ARCHITECTS, LLC - 2000 EGYPTIAN DR. - SUITE 100 - LAS VEGAS, NEVADA 89106 - PHONE (702) 878-0000 - PARTITIONS-QUIT



1 PARTIAL FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

SECOND FLOOR PLAN

FREMONT VILLAGE

FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89--

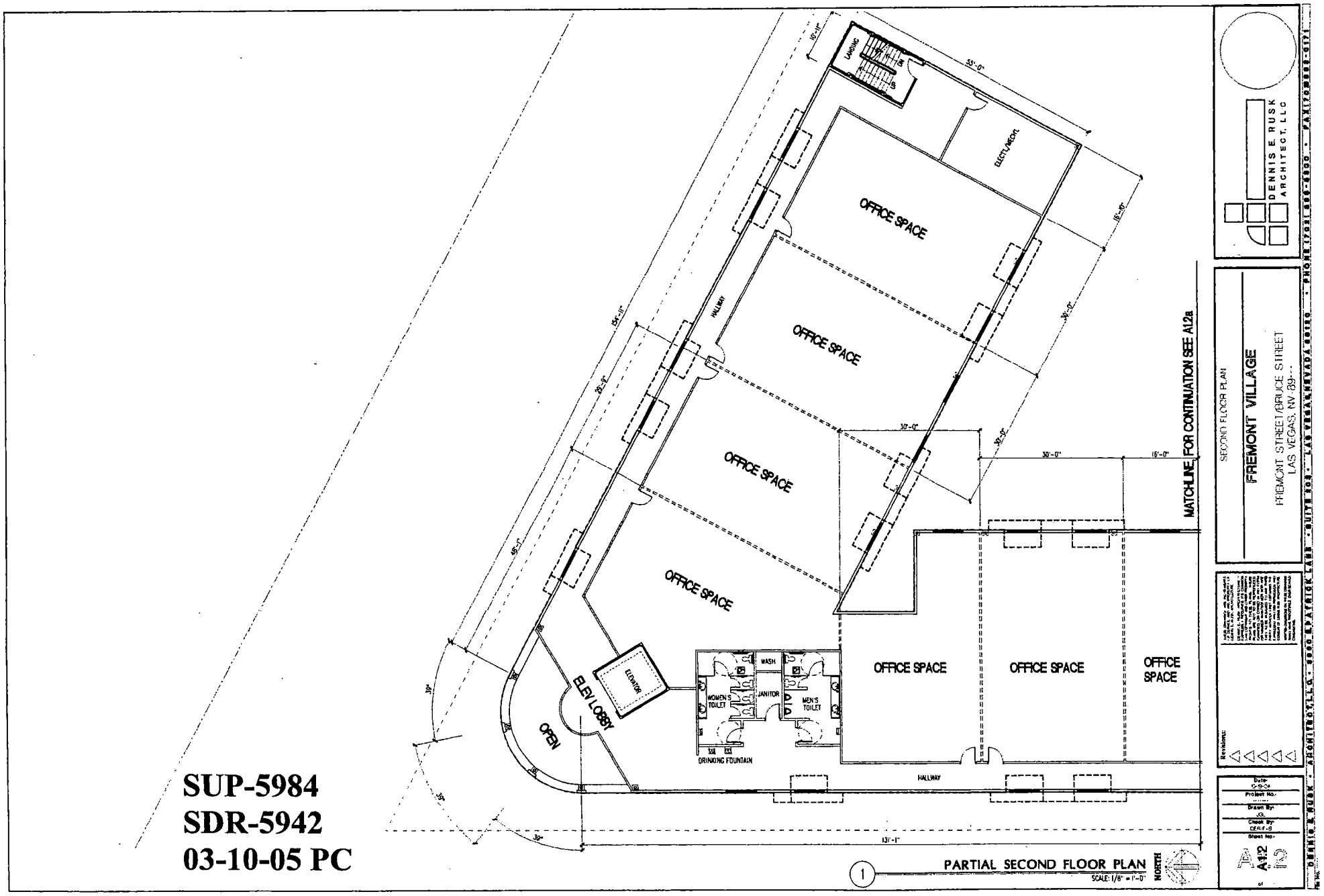
DENNIS E RUSK
ARCHITECT, LLC

DENNIS E. RUSK - ARCHITECT, LLC - 6900 KRAFTON LANE - SUITE 101 - LAS VEGAS, NEVADA 89118 - PHONE (702) 864-0600 - FAX (702) 896-6171

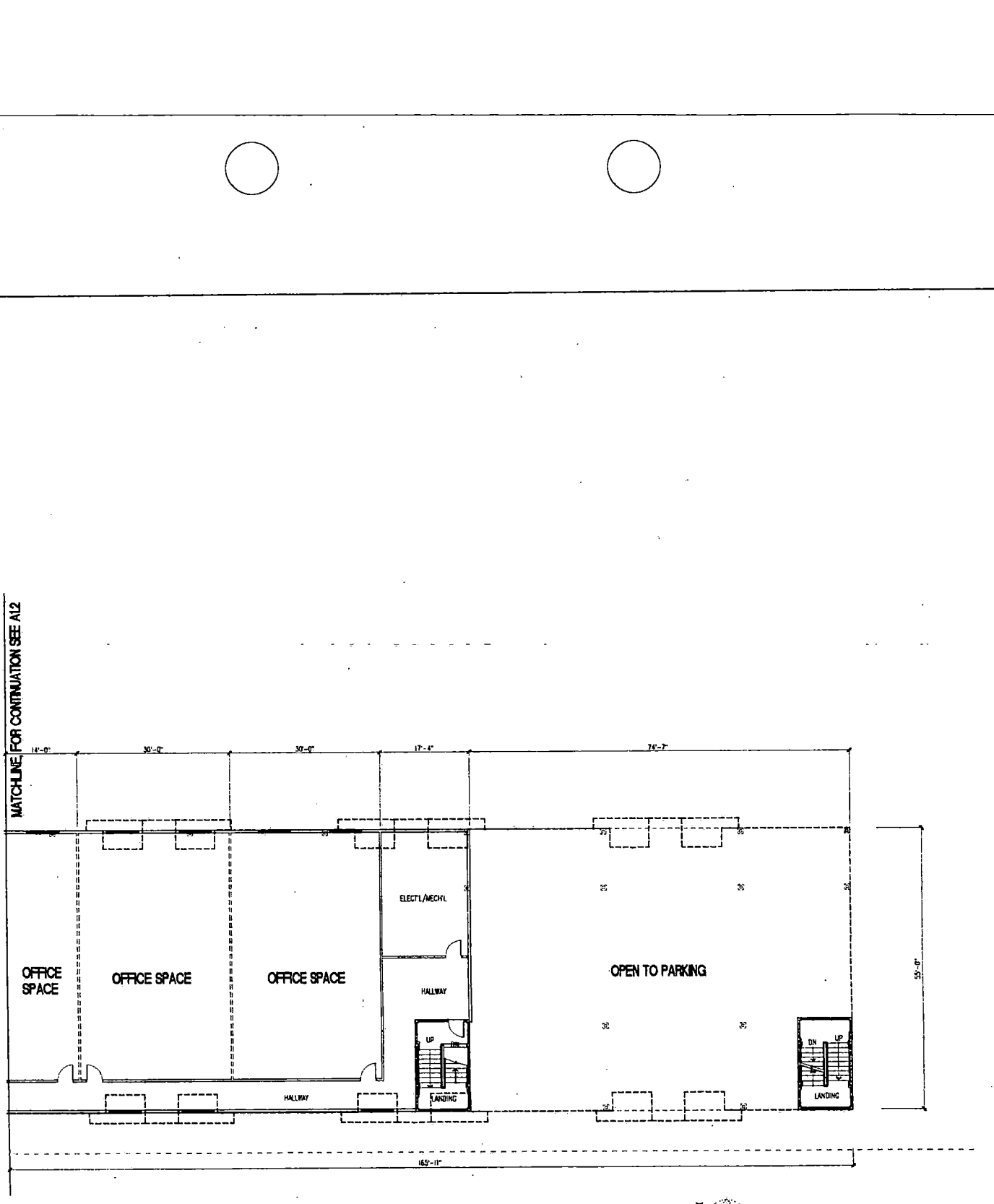
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Date: 2-9-05
Project No:
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Check By: DER/EVB
Sheet No: A1.1a

SUP-5984
SDR-5942
03-10-05 PC



SUP-5984
SDR-5942
03-10-05 PC



1 PARTIAL SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

SUP-5984
SDR-5942
03-10-05 PC

DENNIS E. RUSK
ARCHITECT, LLC

SECOND FLOOR PLAN

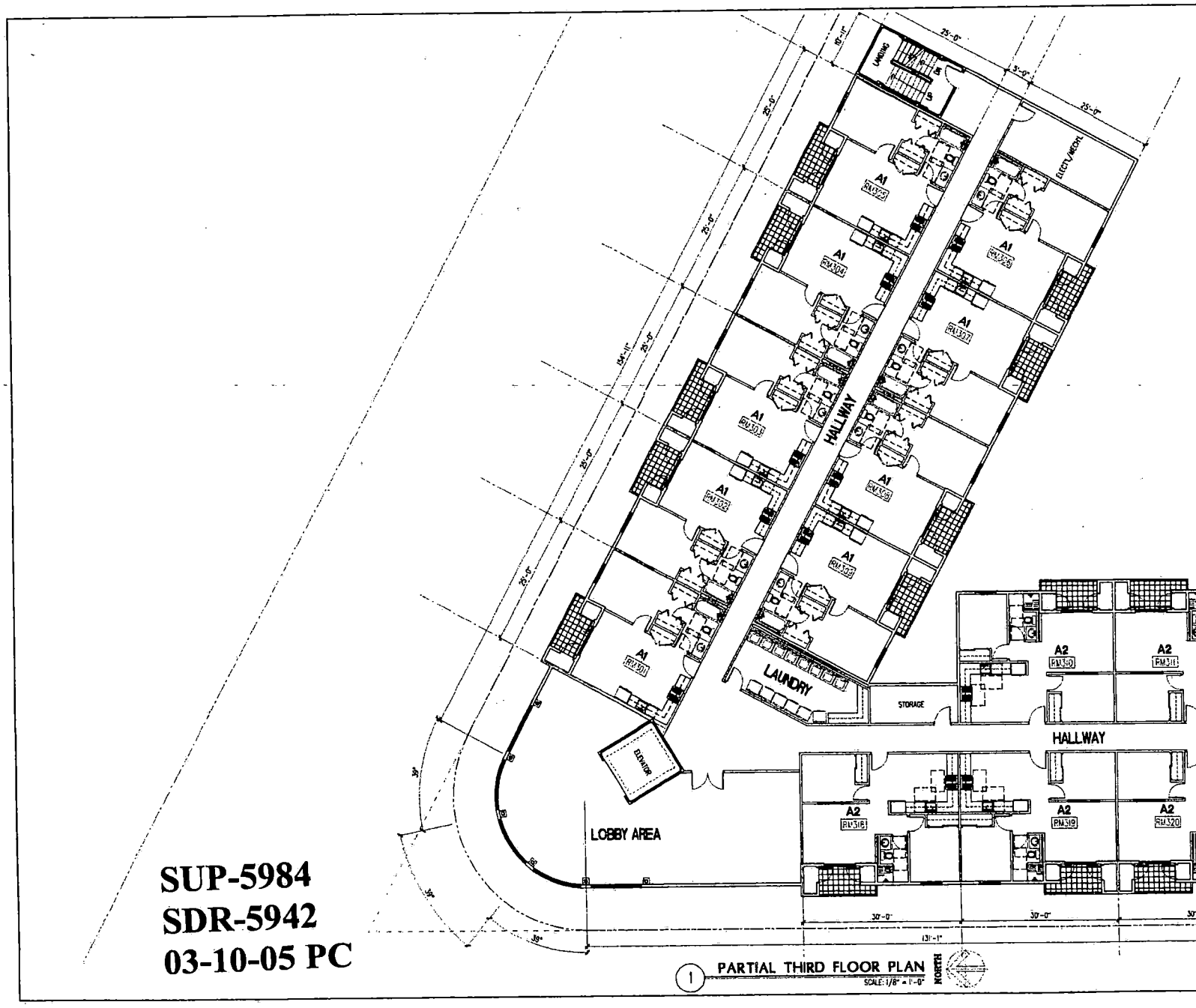
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FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89---

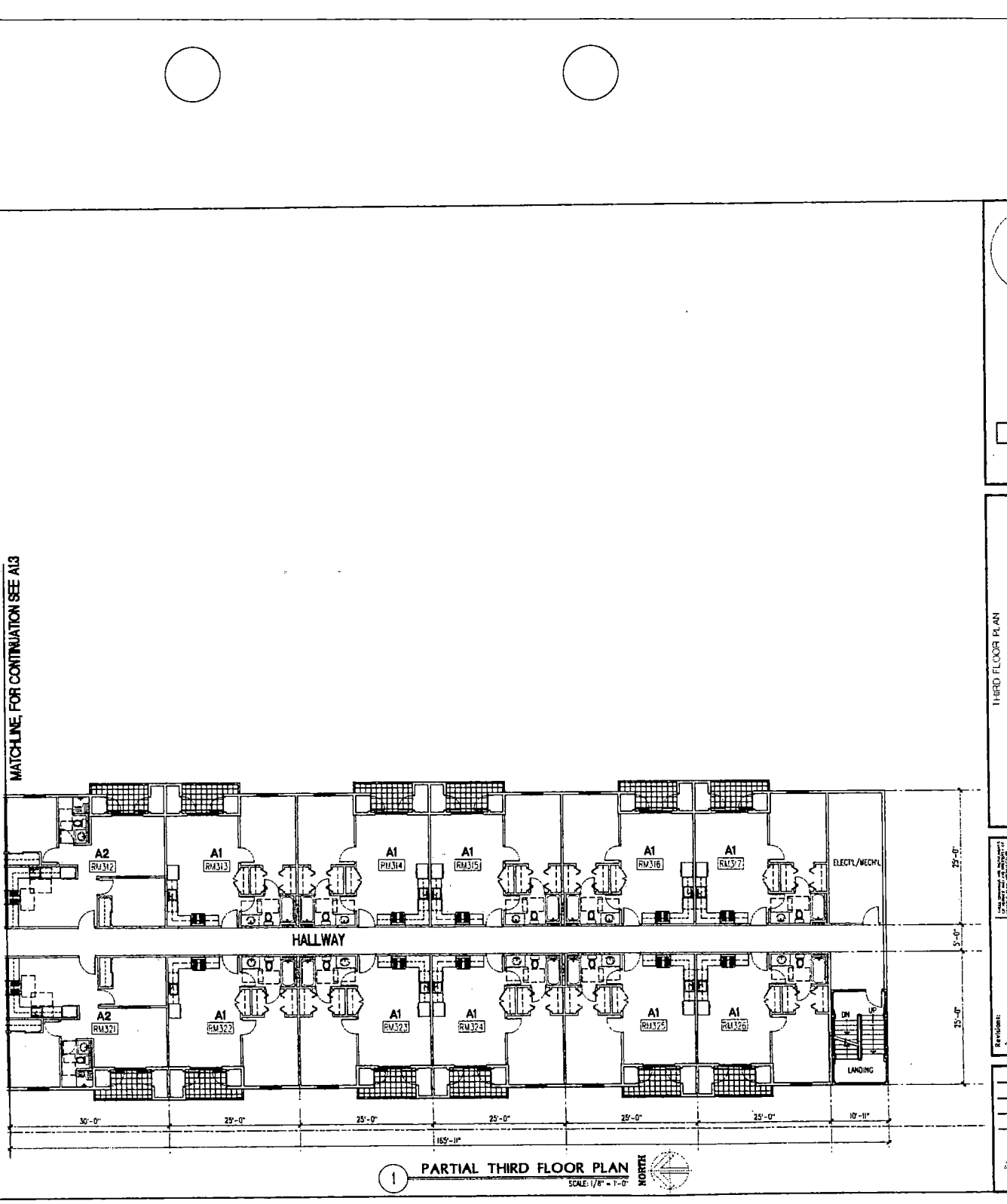
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Project No.:
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A1.2a
A1.2


HALLWAY
LAUNDRY
STORAGE
LOBBY AREA
HALLWAY
ELEVATOR
A1
A2
MATCHLINE, FOR CONTINUATION SEE A13a
PARTIAL THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"
NORTH
SUP-5984
SDR-5942
03-10-05 PC
FREMONT VILLAGE
FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89---
DENNIS E. RUSK
ARCHITECT, LLC
THIRD FLOOR PLAN
A13

SUP-5984
SDR-5942
03-10-05 PC



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ARCHITECT, LLC

THIRD FLOOR PLAN

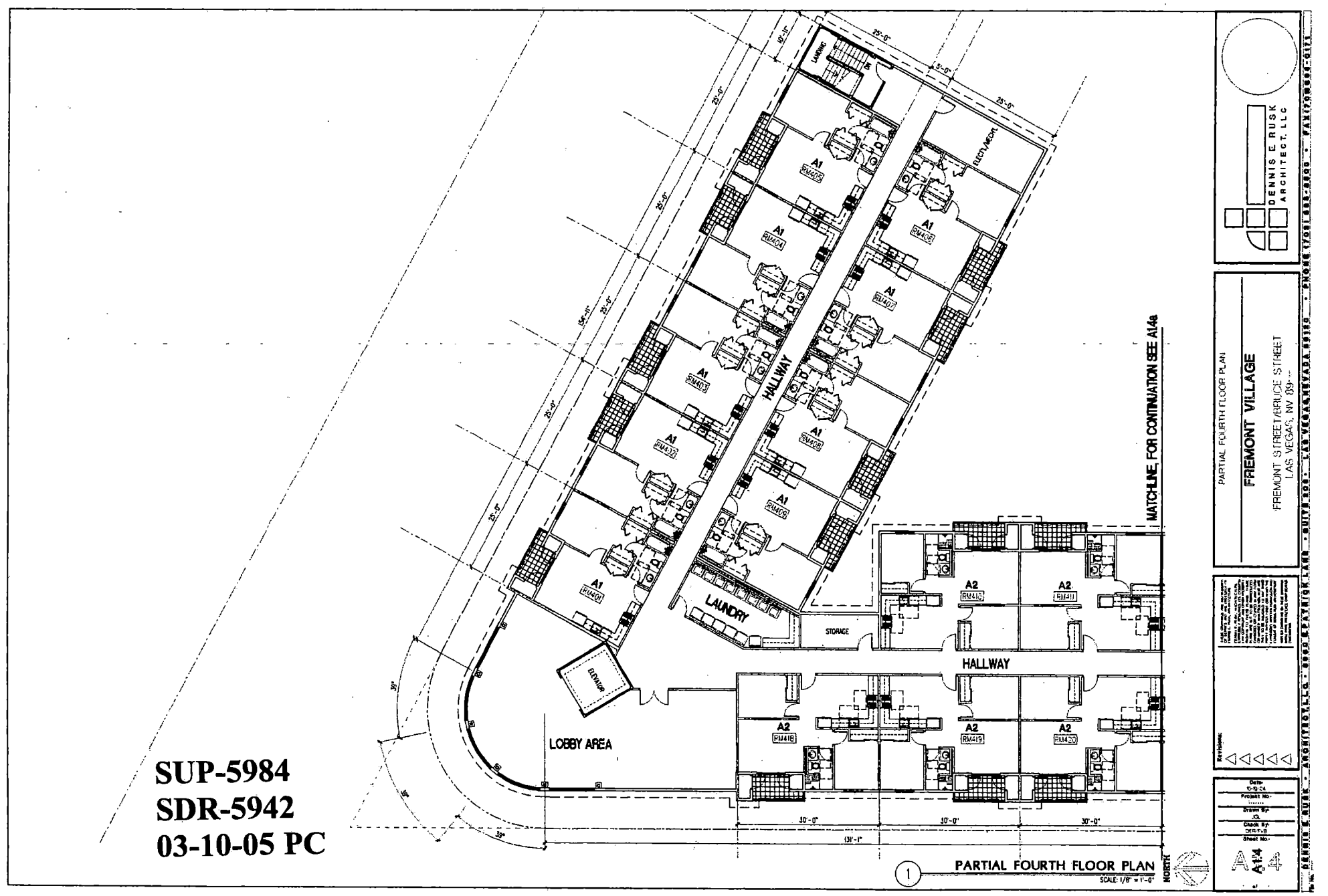
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FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89---

Revisions:

Date: 03-10-04
Project No.:
Drawn By:
Check By: DER
Sheet No.: A13a

DENNIS E. RUSK - ARCHITECT, LLC - 8000 PATRICK LANE - SUITE 102 - LAS VEGAS, NEVADA 89110 - PHONE (702) 838-8100 - FAX (702) 838-8101



1 PARTIAL FOURTH FLOOR PLAN
SCALE: 1/8" = 1'-0"

SUP-5984
SDR-5942
03-10-05 PC

PARTIAL FOURTH FLOOR PLAN

FREMONT VILLAGE

FREMONT STREET/SPRUCE STREET
LAS VEGAS, NV 89...

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ARCHITECT, LLC

Revisions:

Date: 10-19-04
Project No.:
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Check By: DER/EJR
Sheet No.:

A1.4

DENNIS E RUSK ARCHITECT, LLC

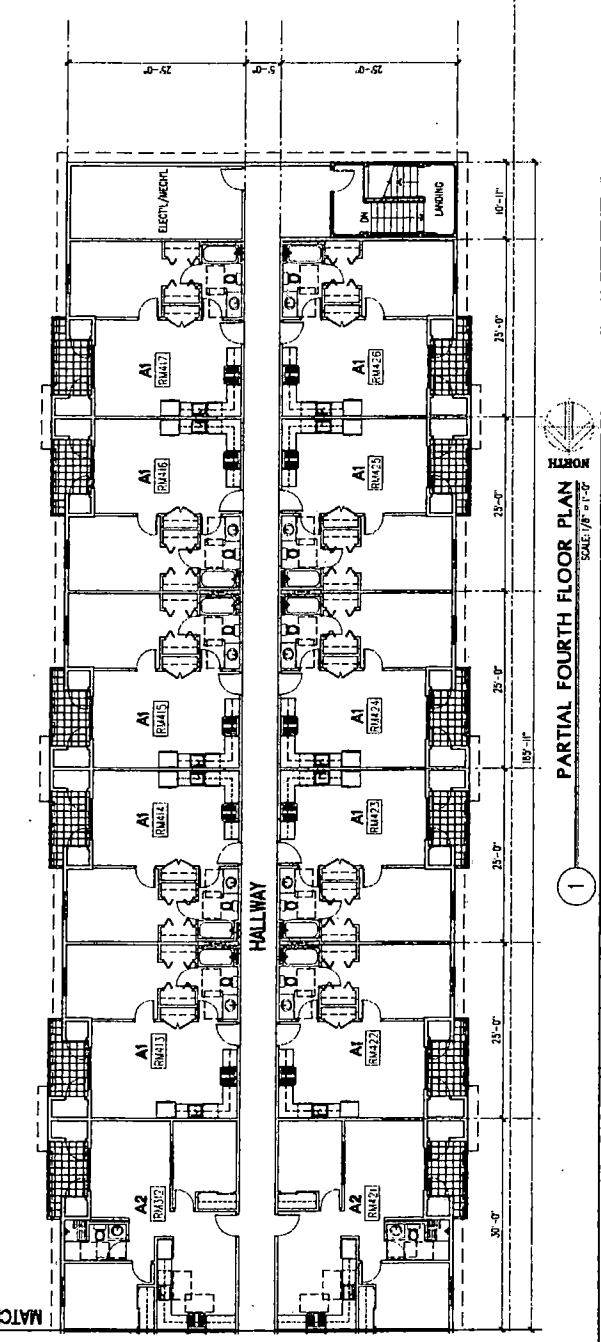
PARTIAL FOURTH FLOOR PLAN

FREMONT VILLAGE

FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89---

Date: 12-15-04
Project No:
Drawn By: KL
Check By: DER
Sheet No: A14a

A14a



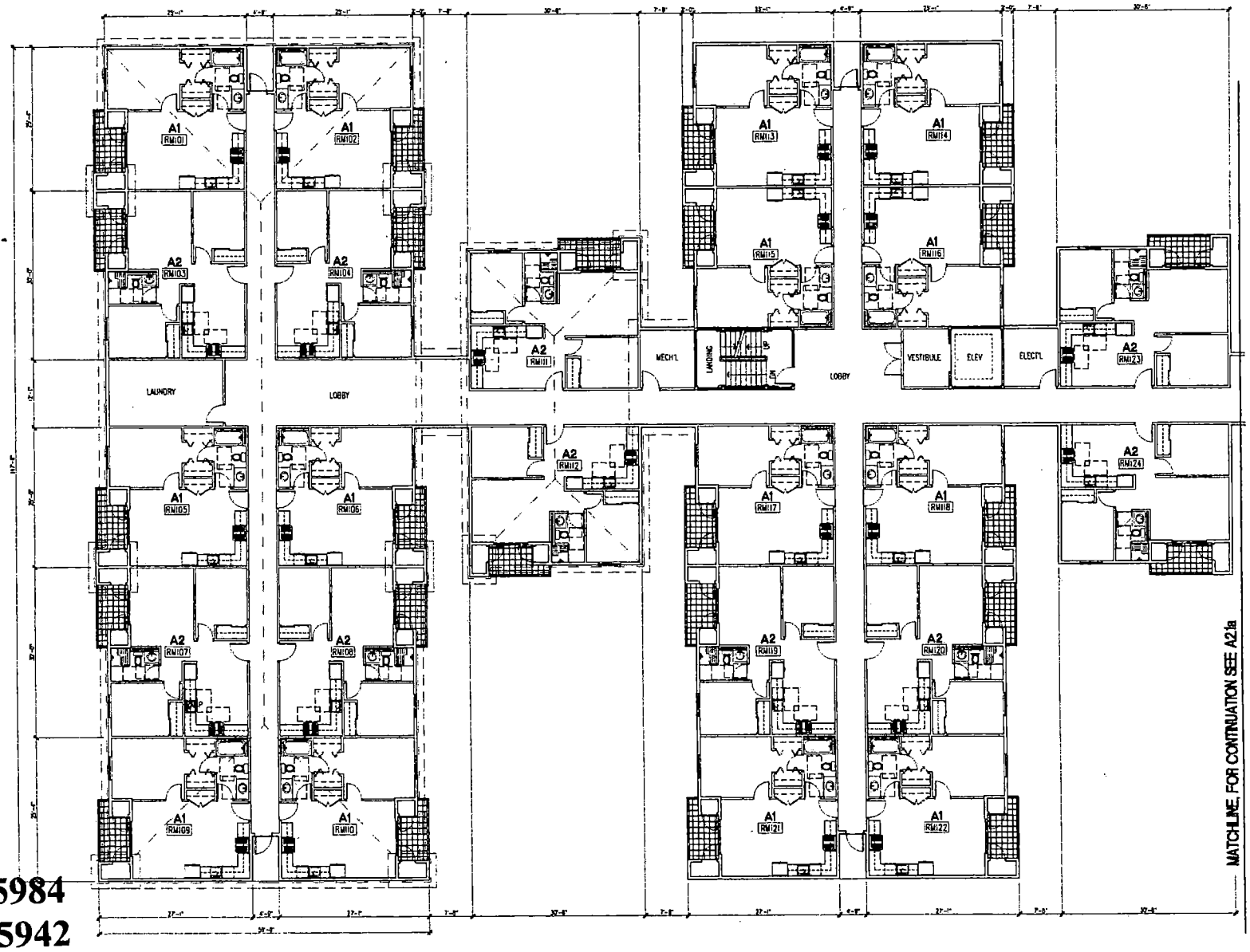
NORTH

PARTIAL FOURTH FLOOR PLAN
SCALE: 1/8" = 1'-0"

1

MATCHLINE, FOR CONTINUATION SEE A14

SUP-5984
SDR-5942
03-10-05 PC



SUP-5984
SDR-5942
03-10-05 PC

PARTIAL FIRST FLOOR PLAN

FREMONT VILLAGE

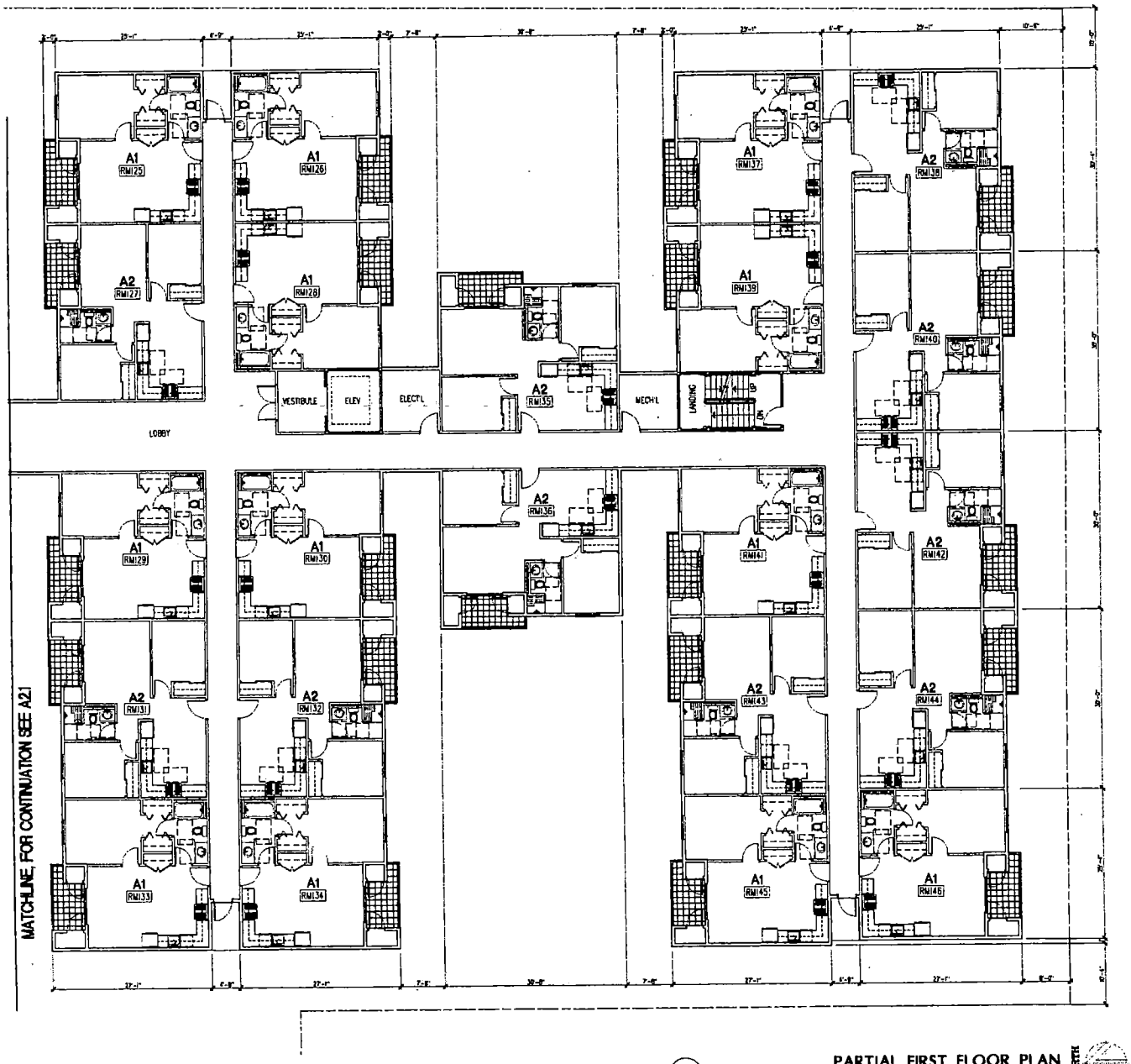
FREMONT STREET/BRUCE
LAS VEGAS, NV 89-

DENNIS E. RUSK
ARCHITECT, LLC

Revisions:

Date: 12-20-04
Project No.:
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Check By:
Sheet No.:
A2.1

DENNIS E. RUSK · ARCHITECT, LLC · 8990 KEATING LANE · SUITE 100 · LAS VEGAS, NV 89123 · PHONE (702) 896-8800 · FAX (702) 896-8811



PARTIAL FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

SUP-5984
SDR-5942
03-10-05 PC

DENNIS E. RUSK
ARCHITECT, LLC

PARTIAL FIRST FLOOR PLAN

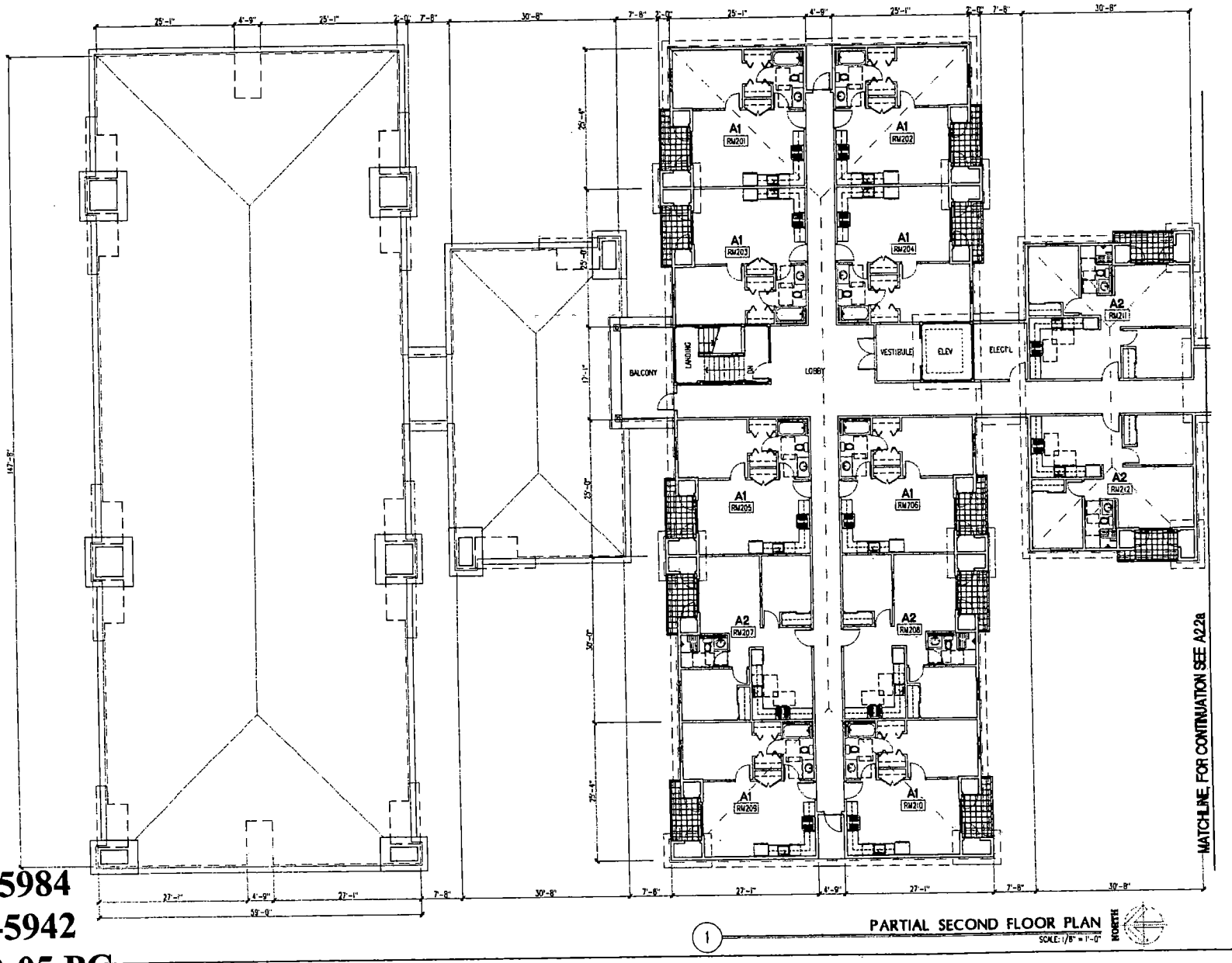
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FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89--

Revisions

Date: 01-10-04
Project No.:
Drawn By: JP
Check By: DER/E-S
Sheet No.: A2.1a

DENNIS E. RUSK - ARCHITECT, LLC - 5000 PATRICK LANE - SUITE 60 - LAS VEGAS, NEVADA 89118 - PHONE (702) 896-8866 - FAX (702) 896-0171



1 PARTIAL SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

DENNIS E RUSK
ARCHITECT, LLC

PARTIAL SECOND FLOOR PLAN

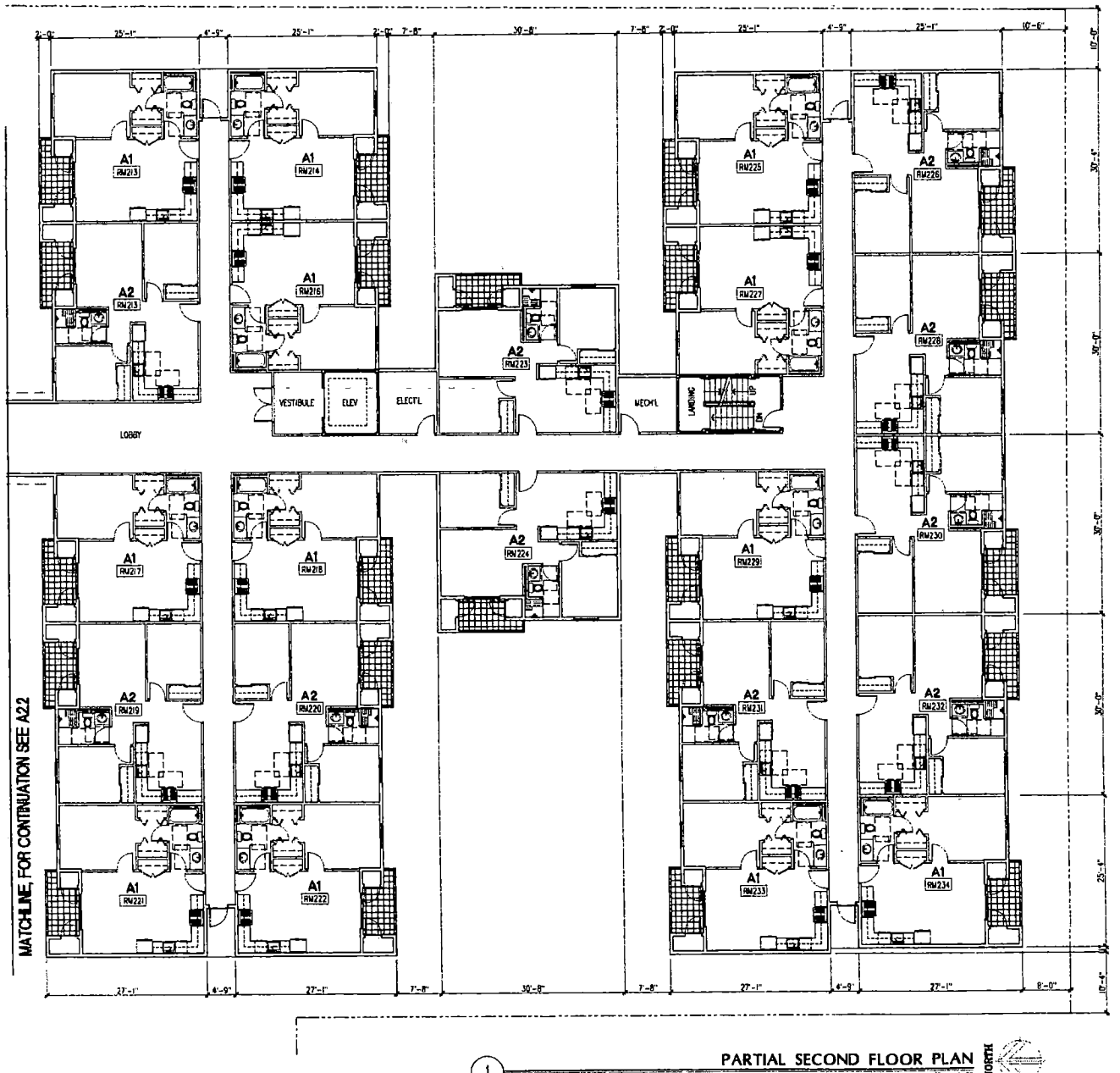
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FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89 --

Revisions:

Date: 2/2/05
Project No:
Drawn By:
Check By: DENNIS
Sheet No:
A22 of 2

SUP-5984
SDR-5942
03-10-05 PC



SUP-5984
SDR-5942
03-10-05 PC

DENNIS E. RUSK
ARCHITECT, LLC

PARTIAL SECOND FLOOR PLAN

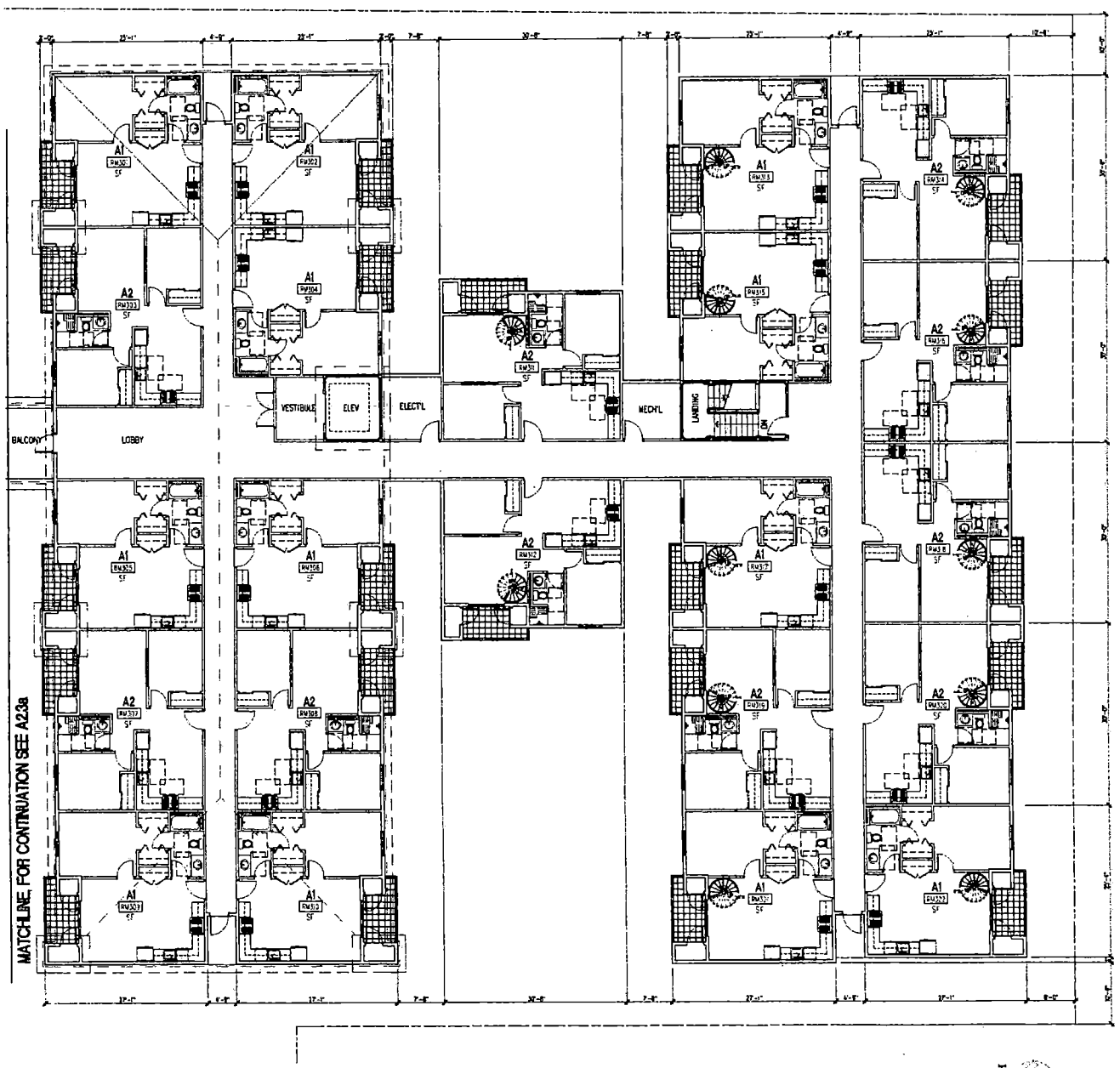
FREMONT VILLAGE

FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89...

Revisions:

Date: 12-20-04
Project No:
Drawn By:
Check By: DER-KB
Sheet No:

A2.2a



DENNIS E. RUSK
ARCHITECT, LLC

PARTIAL THIRD FLOOR PLAN

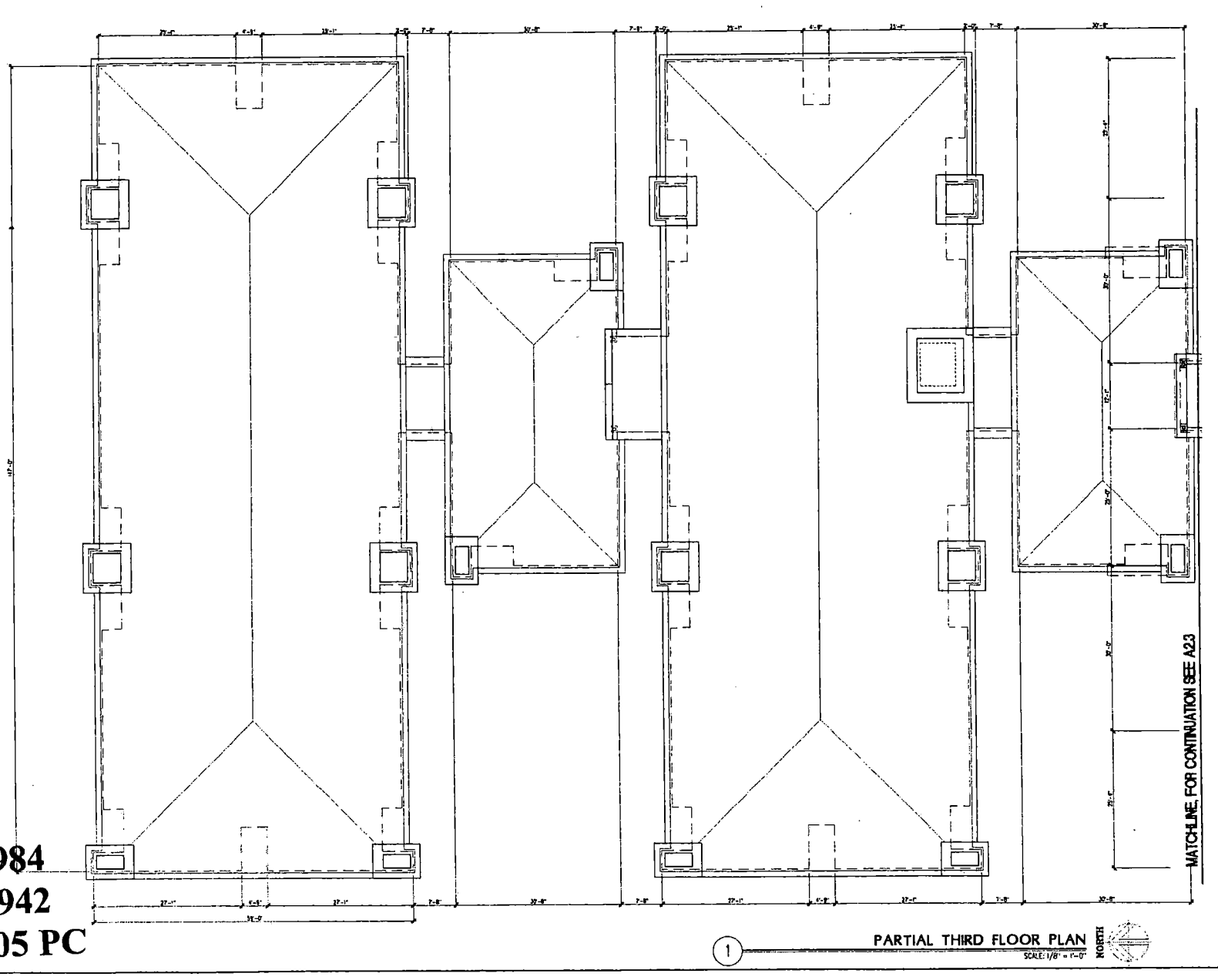
FREMONT VILLAGE

FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89--

Revisions:

Date: 6-20-04
Project No.:
Drawn By: JK
Check By: DER/EB
Sheet No.: A2.3

SUP-5984
SDR-5942
03-10-05 PC



SUP-5984
SDR-5942
03-10-05 PC

DENNIS E. RUSK
ARCHITECT, LLC

PARTIAL THIRD FLOOR PLAN

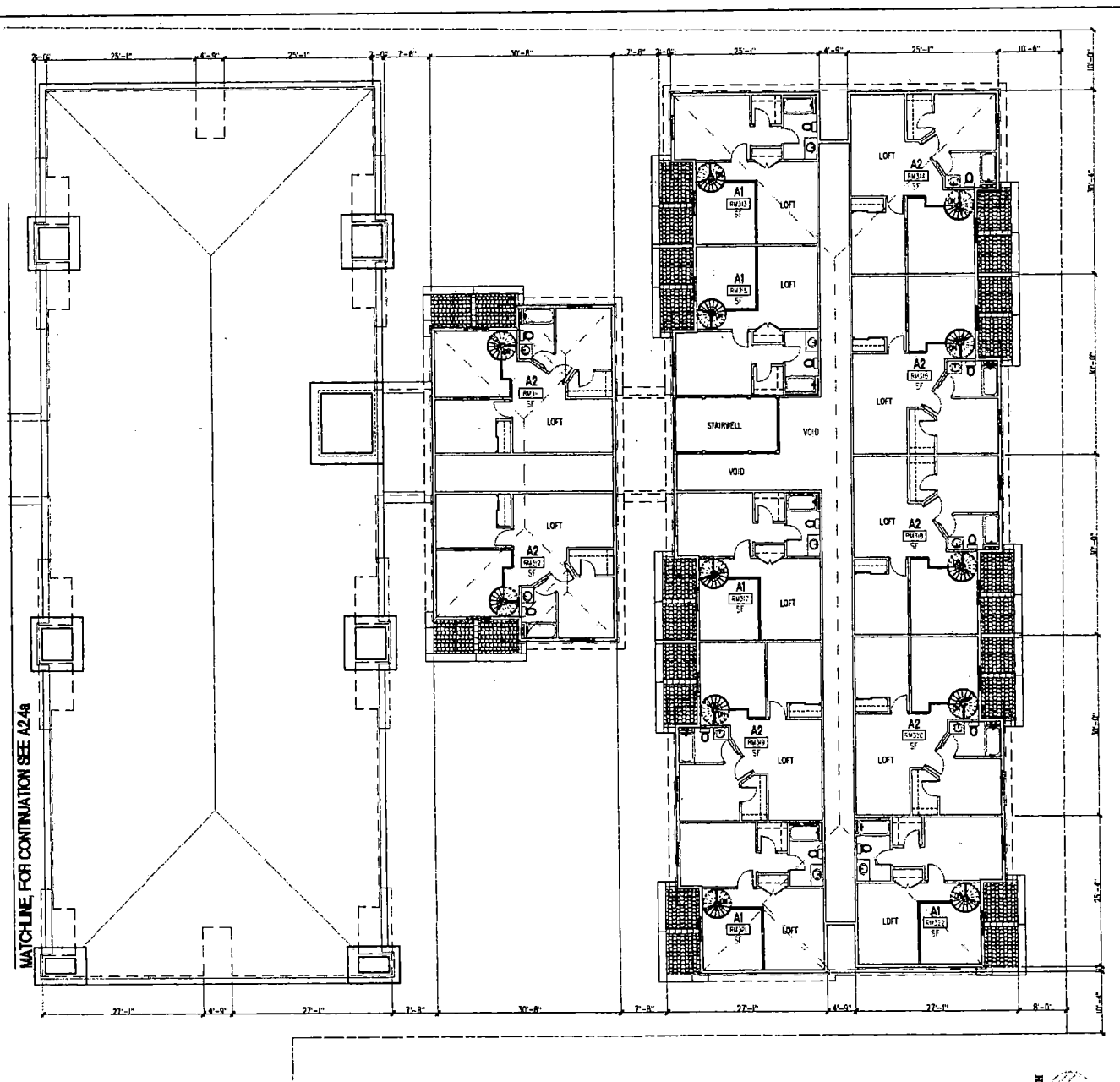
FREMONT VILLAGE

FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89--

Revisions:

Date: 12-20-04
Project No.:
Drawn By: JC
Check By: DER/EVB
Sheet No.:

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A23a



PARTIAL FOURTH FLOOR PLAN

FREMONT VILLAGE

FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89---

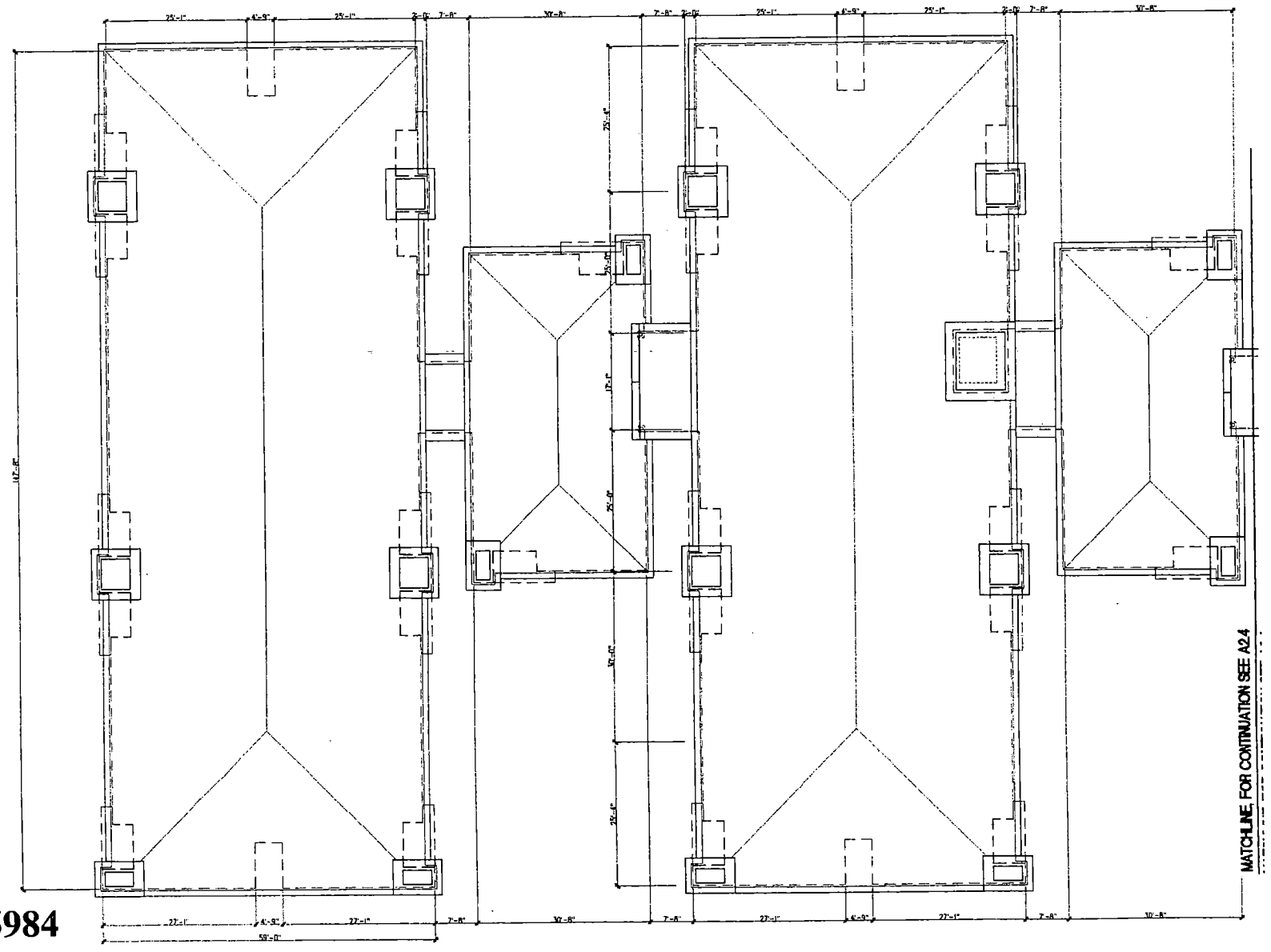
DENNIS E RUSK
ARCHITECT, LLC

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Revisions:

Date: 01-10-05
Project No.:
Drawn By:
Check By: DER-E-B
Sheet No.: A2.4

SUP-5984
SDR-5942
03-10-05 PC



1 PARTIAL FOURTH FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

PARTIAL FOURTH FLOOR PLAN

FREMONT VILLAGE

FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89...

DENNIS E. RUSK
ARCHITECT, LLC

Revisions:

Date 2-20-03
Project No.:
Drawn By:
Check By:
Sheet No.
A2.3

SUP-5984
SDR-5942
03-10-05 PC

Architecture
DENNIS E. RUSK ARCHITECT

January 12, 2005

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

Re: Mixed-Use Commercial/Residential
Downtown Centennial Plan
Fremont and Bruce

JUSTIFICATION LETTER SPECIAL USE PERMIT

This Project falls into the neighborhood revitalization area and qualifies for a Mixed-Use Project of Retail/Commercial and Residential by Special Use Permit. We therefore request for Special Use Permit to construct a commercial space of approximately 21,000 sf with 152 apartments units in two towers of (1) 4 stories, (1) 2 to 4 stories over on grade parking level, on a C-2 zoned parcel.

Thank you,

Dennis E. Rusk, Architect

SUP-5984

3960 E. Patrick Lane, Suite #203 • Las Vegas, Nevada 89120 • (702) 893-8300 • Fax (702) 893-0171

City of Las Vegas

Agenda Item No.: 31

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
ABEYANCE - SDR-5942 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5984 - PUBLIC HEARING - APPLICANT/ OWNER: FREMONT BRUCE, LLC - Request for a Site Development Plan Review FOR A FOUR-STORY, 152 RESIDENTIAL UNIT, 21,000 SQUARE-FOOT MIXED-USE DEVELOPMENT on 2.76 acres adjacent to the southeast corner of Bruce Street and Fremont Street (APN 139-35-803-001), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C.: 05/18/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

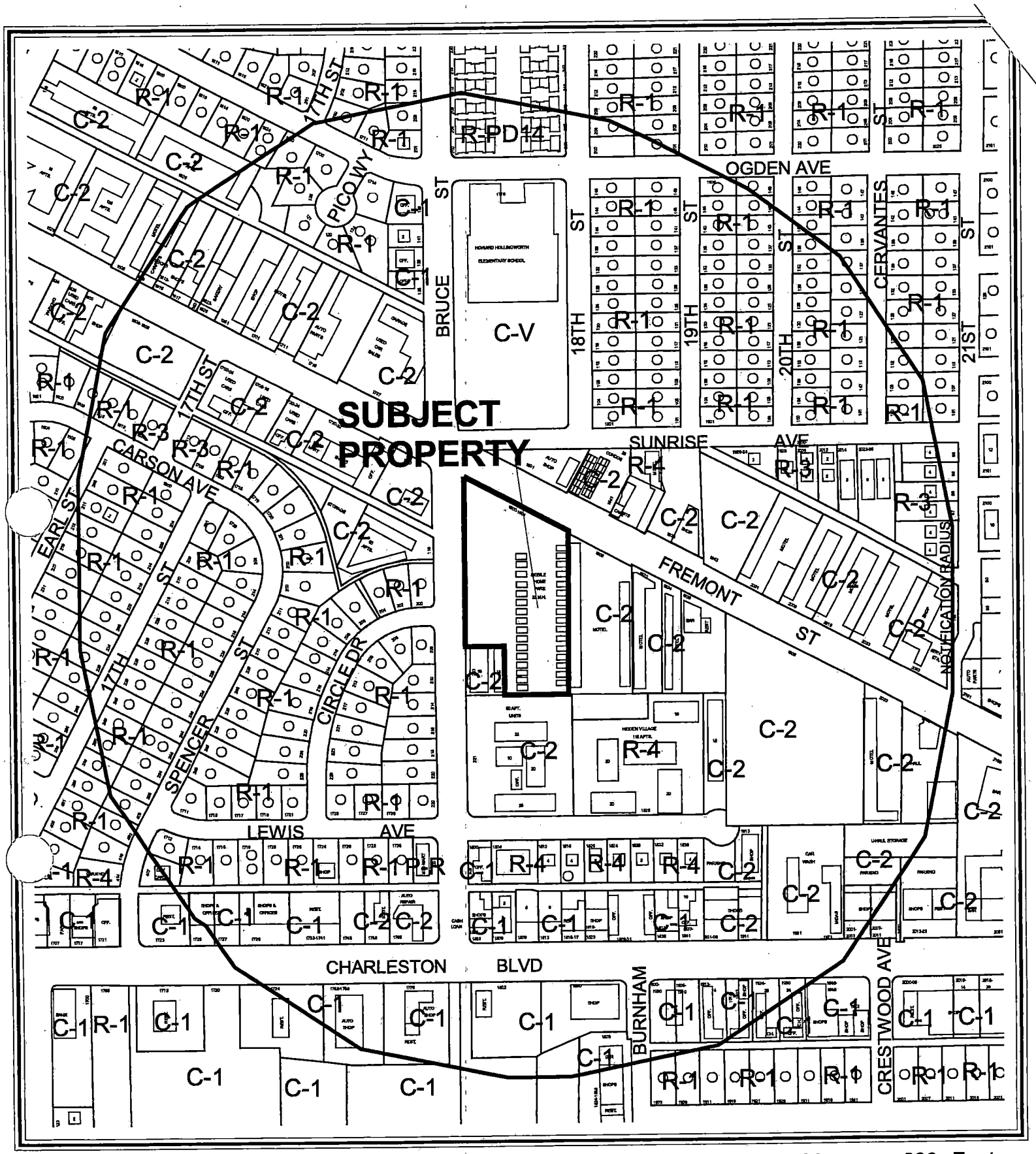
RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 8 [VAC-6163], Item 26 [VAR-6228], Item 27 [SDR-6105] and Item 62 [TXT-6421] to the 04/28/2005 Planning Commission Meeting; Item 30 [SUP-5984], Item 31 [SDR-5942] and Item 40 [GPA-6221] to the 05/12/2005 Planning Commission Meeting; WITHDRAW WITHOUT PREJUDICE Item 17 [VAR-6118] and TABLE Item 28 [SUP-5894] and Item 29 [SDR-5893] – UNANIMOUS

MINUTES:
There was no discussion.

(6:01 – 6:05)



CASE: **SDR-5942**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5942 - APPLICANT/ OWNER: FREMONT BRUCE, LLC

** CONDITIONS **

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

Planning and Development

1. A Special Use Permit (SUP-5984) to allow the Mixed-Use development in the C-2 (General Commercial) Zoning District approved by the City Council.

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

3. All development shall be in conformance with the site plan, date stamped 04/08/05, and the building elevations, date stamped 01/11/05, except as amended by conditions herein.

4. The principal entrance to the residential building at the southeast corner of the site shall be redesigned to provide a public lobby at the exterior edge of the building, directly visible from either the Fremont or Bruce Street entrance to the property. An accessible route shall be provided from the public sidewalk to the principal entrance and lobby of the building.

5. The elevations of the building at the northwest corner of the site shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional glazing and architectural features to enhance façade articulation. The ground floor commercial spaces shall have direct access to the public sidewalk, in accordance with the requirements of Title 19.04 governing Mixed-Use developments.

6. All streetscape treatments shall conform to match the Fourth Street improvements installed by the City of Las Vegas in accordance with Subsection DS4.2 of the Centennial Plan.

7. All new developments shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

8. Surface parking lots shall have a minimum of one shade tree for every six uncovered parking spaces. A minimum of ten square feet of landscaped surface area shall be provided for each parking space, incorporated into landscape islands, a required perimeter landscape treatment, or both in accordance with Subsection DS3.1.h of the Downtown Centennial Plan.

9. Any parking lot facing a public street shall incorporate an eight-foot wide landscape buffer and 42" high parking lot screen fence in accordance with Subsection DS3.1.g. of the Downtown Centennial Plan. The screen fence shall conform with the design shown in Graphic 5 of the Downtown Centennial Plan; exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

10. A landscape plan must be submitted prior to or at the same time application is made for a building permit. Turf shall cover no more than 12.5% of the total landscape area.

11. The required 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 legal action to be taken by the City of Las Vegas.

12. All mechanical equipment shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j. Trash areas shall be walled and roofed in accordance with Code requirements. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.

13. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.

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

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

16. 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.

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

Public Works

18. Dedicate an additional 5 feet of right-of-way adjacent to this site for a total half street width of 50 feet on Fremont Street and a 25 foot radius at the southeast corner of Bruce Street and Fremont Street prior to the issuance of any permits. Also, grant a Traffic Signal Chord easement at the southeast corner of Fremont Street and Bruce Street. Additional right-of-way dedications per Standard Drawing #234 for a bus stop shall be dedicated unless specifically noted as not required by an approved Traffic Impact Analysis for this site.

19. Construct all incomplete half-street improvements on Fremont Street and Bruce Street adjacent to this site concurrent with development of this site.

20. 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.

21. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. All work within the Fremont Street right-of-way shall receive approval from the Nevada Department of Transportation.

22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site for bus turn-outs, 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. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

23. 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.

24. Landscape and maintain all unimproved rights-of-way on Fremont Street and Bruce Street adjacent to this site.

25. Submit an Encroachment Agreement for all landscaping and private improvements located in the City of Las Vegas public rights-of-way adjacent to this site prior to occupancy of this site.

26. Obtain an Occupancy Permit for all landscaping and private improvements in the Nevada Department of Transportation public right-of-way adjacent to this site.

27. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the approval of a Tentative Map or construction plans. Approval of this Site Development Review does not constitute approval of any deviations. If such approval cannot be obtained, a revised Site Plan must be submitted showing elimination of such deviations.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Site Development Plan Review for a 4-story mixed-use development including 21,000 square-feet of commercial space and 152 residential units on 2.76 acres adjacent to the southeast corner of Bruce Street and Fremont Street. An associated Special Use Permit (SUP-5984) to allow the mixed-use development has been submitted concurrently with the Site Development Plan Review application. The applications were held in abeyance at the March 10, 2005 Planning Commission meeting to allow the applicant to redesign the building elevations; the applicant has submitted a redesigned site plan and landscape plan, but has not submitted revised elevations.

B) Applicant's Justification

The applicant states that they are proposing to construct a mixed-use development including 152 apartments and 21,000 square feet of commercial space.

BACKGROUND INFORMATION

A) Related Actions

02/16/94	The City Council approved an appeal to allow the sale of beer and wine in conjunction with a proposed convenience store. The Board of Appeals recommended denial of the request on 01/25/94.
03/10/05	The Planning Commission held this item in abeyance to the 04/14/05 PC Meeting to allow the applicant time to redesign the building elevations.
04/14/05	The Planning Commission will consider a related Special Use Permit (SUP-5984) application concurrently with this request. Staff has recommended approval of the request.

B) Pre-Application Meeting

01/04/05	The project was reviewed by the Office of Business Development at a Fast Track application meeting. The entitlement process schedule was discussed with the applicant.

C) Neighborhood Meetings

03/01/05 A neighborhood meeting was held by the applicant, even though it was not required as part of the application process. Six members of the public were present at the meeting, and four representatives of the applicant were on hand to answer questions. The following issues were raised by members of the public:

- Traffic impacts to adjoining roadways;
- Appearance and management of the apartments;
- Suitability of the soils and level of the water table;
- Availability of infrastructure to serve the project;
- Concerns about the provision of open space; and
- Height of the buildings and obstruction of views.

The applicant noted that the existing mobile home park would be removed to make way for the new development.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.76

B) Existing Land Use

Subject Property:	Mobile Home Park
North:	Auto Repair
	Elementary School
South:	Multifamily Residential
East:	Motel
West:	General Retail
	Multifamily Residential
	Single-Family Residential

C) Planned Land Use

Subject Property:	MXU (Mixed-Use)
North:	MXU (Mixed-Use)
	PF (Public Facilities)
South:	MXU (Mixed-Use)
East:	MXU (Mixed-Use)
West:	C (Commercial Use)
	H (High Density Residential)
	L (Low Density Residential)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
	C-V (Civic)
South:	C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial)
	R-1 (Single Family Residential)

E) General Plan Compliance

The property is located within the boundaries of the Las Vegas Redevelopment District, and has a Mixed-Use land use designation. The Mixed-Use designation allows uses comparable to the following land use categories: L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), GC (General Commercial), and PF (Public Facilities). The proposed uses are in compliance with the land use designation.

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

Redevelopment Plan Area
As noted above, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan
The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the East Fremont District. New commercial development and the integration of mixed-income residential neighborhoods are encouraged for this area, along with the provision of open space to serve residents of the area.

PROJECT DESCRIPTION

The proposed mixed-use project will allow the development of two structures on the site. The building proposed for the northwest corner of the site will be four stories in height, and will include retail space, office space, and 52 apartment units. The building at the southeast corner of the site will include a total of 100 apartment units, and will be constructed over a surface parking lot. A total of 242 parking spaces will be provided on site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	2.76 Acres	N/A
Min. Lot Width	N/A	267 Feet	N/A
Min. Setbacks • Front • Side • Corner • Rear	 0 Feet N/A 0 Feet N/A	 Not indicated 10 Feet Not indicated 10 Feet	 N N/A N N/A
Max. Lot Coverage	Up to 100%	49%	Y
Max. Building Height	N/A	55 Feet	N/A
Trash Enclosure	Walled/roofed	Not indicated	N/A
Mech. Equipment	Screened	Not indicated	N/A

The structure at the northwest corner of the site appears to be setback approximately four feet from the front property line, although the property line is not clearly shown on the plans. No information has been provided relative to the trash enclosure or screening of mechanical equipment.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards. The proposed building at the northwest corner of the site will be located approximately 90 feet from the nearest single-family residential property, and the building at the southeast corner of the site will be located approximately 190 feet from the nearest single-family property.

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the development:

Uses	GFA	**Provided** Parking	
		Regular	Handicap
Commercial Space	21,000		
Residential Units	152 Units		
Total:		201	7

The development will provide a total of 208 on-site parking spaces, with 152 spaces allocated for the residential units, and 56 spaces allocated for the commercial portion of the development. The number of parking spaces allocated to the commercial uses results in a ratio of one space per 375 square feet of floor area, which is generally comparable with the amount provided within the boundaries of the Downtown Centennial Plan area; the ratio of one parking space per residential unit is consistent with other projects that have been approved for the downtown area.

A4) Landscape and Open Space Standards

The property is subject to the landscape and streetscape standards of the Downtown Centennial Plan as listed below:

Standards	**Required** Ratio	Trees	**Provided**
East/West Street Fremont Street	1 Shade Tree @ 30' o.c. max. (min. 24" box)	11 Trees	6 Trees
North/South Street Bruce Street	1 Palm Tree @ 35' o.c. max. (min. 25' height)	12 Trees	9 Trees
Parking Lot Screening	42" screen fence/8' landscape buffer	1 tree/6 spaces	6 Trees
Sidewalk	11' Sidewalk	--	11' Sidewalk

FF

The landscape plan shows the required 11-foot wide sidewalks, with shade trees along the east/west street and palm trees along the north/south street. Additional street trees will be required to conform to the Downtown Centennial Plan requirements. The number of trees in the parking lot area appears to conform to Code requirements.

A5) Sign Standards

No information has been provided relative to signage for the project; all signage for the development will be subject to the requirements listed in Title 19.14 for the subject zoning district.

B) General Analysis and Discussion

- Zoning

The commercial uses are permitted by right in the C-2 (General Commercial) zoning district; the residential use is permitted upon approval of a Special Use Permit (SUP-5984). The structures are consistent with the height and lot coverage requirements of the Downtown Centennial Plan; parking for the development will be adequate based on the guidelines applied to properties within the Centennial Plan area.

The building at the northwest corner of the site does not comply with the 70% build-to requirement stipulated in the Centennial Plan, which dictates that buildings shall be located directly at the front property line for a minimum of 70% of the frontage width. The building is located eight feet behind the front property lines on both Fremont and Bruce Street, which allows additional area for the public sidewalk and landscape amenity zone required by the Downtown Centennial Plan. It should be noted that the ground-floor retail spaces do not have access to the public sidewalk, as required by the standards applicable to Mixed-Use developments, and should be redesigned for access to and visibility from the public sidewalk.

No information has been provided relative to trash enclosures on the property or the screening of mechanical equipment; trash enclosures shall be walled and roofed and all mechanical equipment shall be screened from view in accordance with the requirements of the Downtown Centennial Plan.

- Site Plan

The site plan depicts the Mixed-Use building at the northwest corner of the site, with a separate apartment building located at the southeast corner of the site, constructed over a surface parking lot. Driveways will be provided from both Fremont and Bruce Streets, with access to the parking areas at the interior of the site. On-site circulation is generally adequate, although some of the dead-end parking bays will require additional area for maneuvering. No perimeter wall is shown at the side and rear property lines on the site plan; if a wall is provided, it must conform to the requirements listed in Title 19.08 and Title 19.12.

The entrances to the apartment building at the southeast corner of the site are located at the interior of the covered parking area, and will not be directly visible from either the Fremont or Bruce Street entrances to the property. This may result in confusion for guests or emergency service personnel, looking for an entrance to the building. In addition, no accessible route has been provided from the public sidewalk to the building. At least one of the entrances should be relocated to the exterior perimeter of the structure, so that it is directly visible from the Fremont or Bruce Street entrances to the property.

- Waivers

  The applicant has not requested any Waivers from the Centennial Plan requirements.

- Landscape Plan

  No landscape plan was submitted in conjunction with the application. The proposed sidewalk does not conform to the minimum width specified by the Downtown Centennial Plan; an 11-foot wide sidewalk and five-foot amenity zone located behind the curb will need to be provided in accordance with Centennial Plan requirements. In addition, the Centennial Plan requires an eight-foot landscape buffer and 42-inch high screen fence to screen any parking areas adjacent to the public rights-of-way; these elements will need to be provided at the east side of the Fremont Street frontage and on the south side of the Bruce Street frontage.

- Elevation

  The proposed elevations depict stucco-clad buildings with tile roofs. Cornice detailing is provided at the eaves of the buildings, and gable elements are used to give variety to the rooflines. There is an insufficient amount of glazing on the two lower floors of the building facing Fremont and Bruce Streets, leaving blank wall surfaces facing the street. Staff would recommend that revisions be made to the elevations to increase the glazing and degree of articulation of the façade elements in conformance with the Centennial Plan requirements.

- Floor Plan

  The building at the northwest corner of the site features a lobby on the ground floor that is accessible from the public sidewalk, providing access to the office and residential levels above. The office and residential uses will share a single elevator, which offers potential conflicts between the two groups of users. The retail spaces on the ground floor only has access from the covered parking area at the interior of the site, and are required to have direct access from the public sidewalk. As noted above, the Centennial Plan requires that businesses front directly on the public rights-of-way, and the requirements for Mixed-Use developments require that the commercial component be oriented to and directly accessible from the street.

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 Mixed-Use development is appropriate for the area, although several elements of the design need to be corrected in order to be contextually appropriate for the urban location.

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

   The proposed development is generally consistent with the General Plan and the requirements of Title 19. The retail spaces on the ground floor of the building at the northwest corner of the site need to be accessible from the public sidewalk in accordance with Title 19.04. The project is also generally consistent with the Downtown Centennial Plan, although additional work is needed relative to the elevations of the building and the streetscape treatment.

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

   The development will have access from both Fremont Street and Bruce Street, and will not significantly impact neighborhood traffic. On-site circulation is generally adequate.

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

   The building materials are generally appropriate for the area and conform with the Downtown Centennial Plan requirements. Modifications will be required to the landscape areas and streetscape treatment.

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;"**

Modifications are required to the building elevations to increase the amount of glazing and façade articulation required by the Centennial Plan; in addition, the building at the northwest corner of the site needs to be modified so that the ground-floor commercial space has direct access to the public sidewalk, and the apartment building at the southeast corner of the site needs to be modified to provide a visible entry to the building.

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

The development will be subject to inspections, and adequate measures will be taken to protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 416 – Mailed with SUP-5984

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5942 APN: 5139 35 803 001

Name of Property Owner: FREMONT BRUCE, LLC

Name of Applicant: FREMONT BRUCE, 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: N/A

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: S. Oved

Print Name: Shmuel Oved, Manager
FREMONT BRUCE, LLC

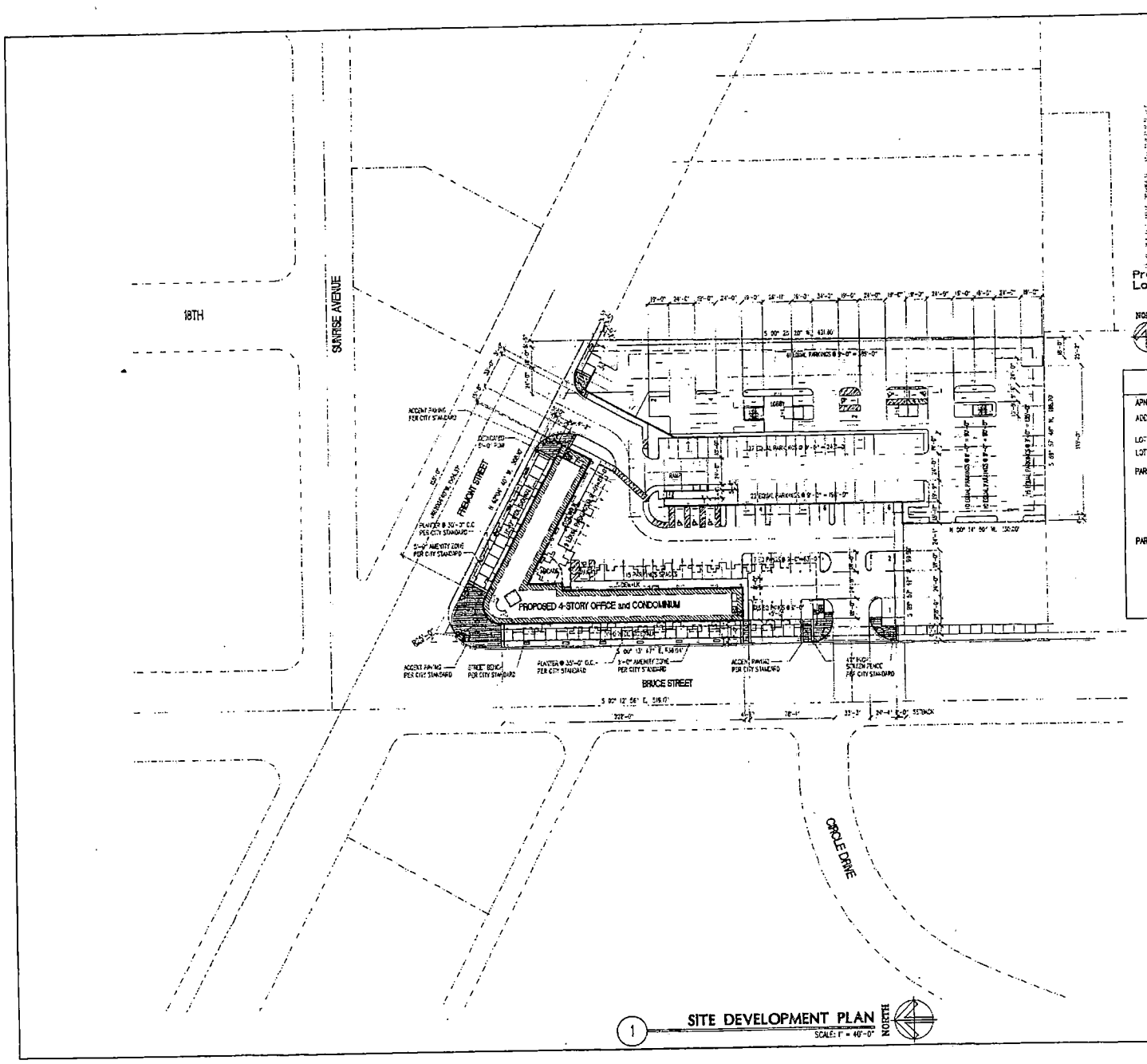
Subscribed and sworn before me

This 6th day of January, 2005

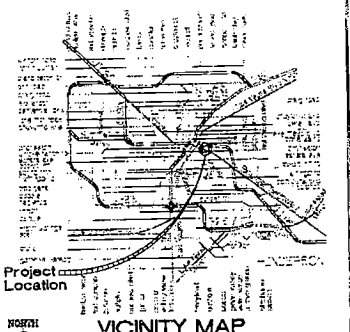
Shai Oved

Notary Public in and for said County and State
Los Angeles, California

SHAI OVED
Comm. # 1326633
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires Nov. 21, 2006



1 SITE DEVELOPMENT PLAN
SCALE: 1" = 40'-0"



VICINITY MAP

PROJECT DATA

APN # 139-35-803-001

ADDRESS:	FREMONT/BRUCE STREET LAS VEGAS, NV
LOT COVERAGE:	49%
LOT AREA:	120,105 S.F. (2.76 ACRE)

PARKING REQUIRED:

RESIDENTIAL:	152 UNITS @ 1/UNIT = 152
RETAIL/MEDICAL:	21,006 SF @ 250 PER SPACE = 84
TOTAL REQUIRED	236

PARKING PROVIDED:

STANDARD PARKINGS (9' x 19')	201
HANDICAP PARKING (13' x 19')	6
HANDICAP VAN ACCESSIBLE (17' x 19')	1
TOTAL PROVIDED	208

SUP-5984
SDR-5042
04-14-05 PC
REVISED 04-08-05

DENNIS E RUSK
ARCHITECT, LLC
• PHONE (702) 898-8000 • FAX (702) 898-8771
• LAS VEGAS, NEVADA 89120 • SUITE 209 •

SITE DEVELOPMENT PLAN

FREMONT VILLAGE

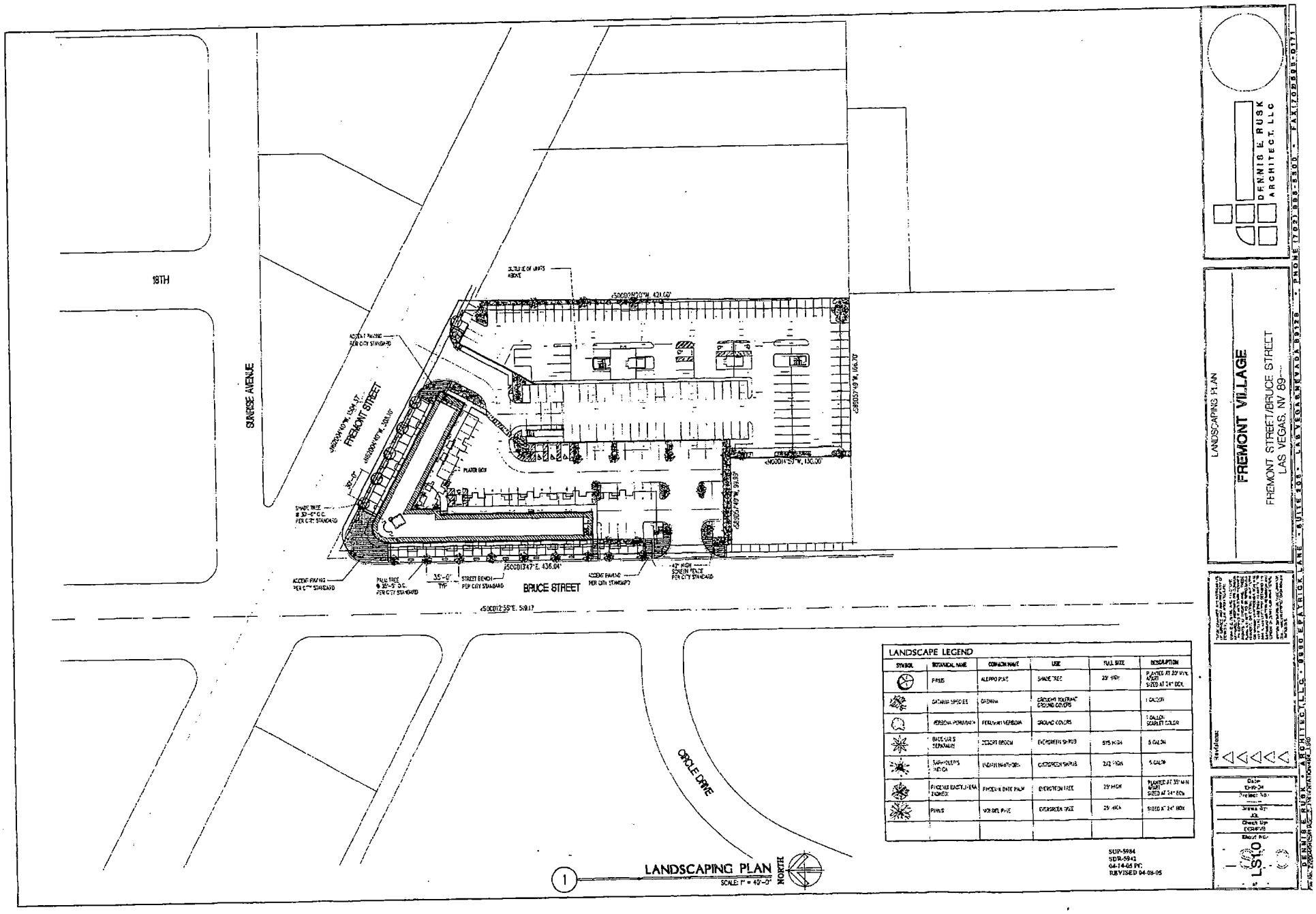
FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89---

Revisions

Date
Project No.
Drawn By
Checked By
Sheet No.

SP1.0

DENNIS E RUSK - ARCHITECT, LLC - 9960 EASTERN LAKE - SUITE 209 - LAS VEGAS, NEVADA 89123 - PHONE (702) 898-8000 - FAX (702) 898-8771



LANDSCAPE LEGEND					
SYMBOL	BOTANICAL NAME	COMMON NAME	USE	FULL SIZE	DESCRIPTION
	PYRUS	ALEPPO PINE	SHADE TREE	25' HIGH	PLANTED AT 25' MIN. APART SIZED AT 24" BOX
	DATURA SPECIES	DATURA	GROUND TOLERANT GROUND COVERS		1 GALLON
	VERBENA PERUVIANA	PERUVIAN VERBENA	GROUND COVERS		1 GALLON SCARLET COLOR
	BACCHARIS SEPHARIUS	COYOTE BROOM	EVERGREEN SHRUB	5'/5 HIGH	5 GALLON
	SAPINDUS SPECIES	INDIAN WHITE SOAP	EVERGREEN SHRUB	2'x2' HIGH	5 GALLON
	PHOENIX DACTYLIFERA FLORIDA	PHOENIX DATE PALM	EVERGREEN TREE	25' HIGH	PLANTED AT 25' MIN APART SIZED AT 24" BOX
	PYRUS	MONTEREY PINE	EVERGREEN TREE	25' HIGH	SIZED AT 24" BOX

SUP-5984
SDR-5941
04-14-05 PC
REVISED 04-08-05

1 LANDSCAPING PLAN
SCALE: 1" = 40'-0" NORTH

LANDSCAPING PLAN

FREMONT VILLAGE

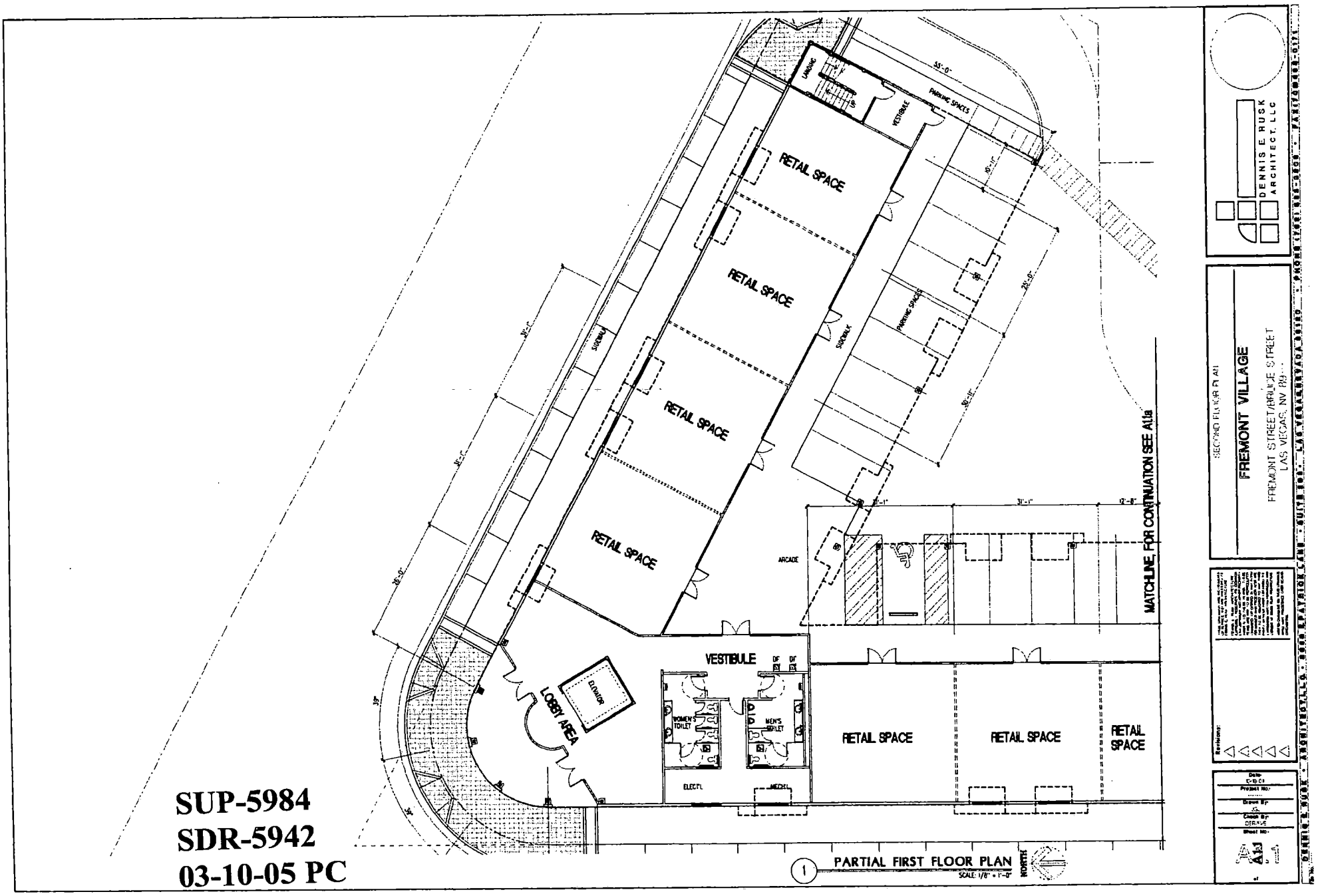
FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89---

DENNIS E. RUSK - ARCHITECT, LLC - 9900 EASTERN LAKE - SUITE 308 - LAS VEGAS, NEVADA 89128 - PHONE (702) 869-8300 - FAX (702) 869-8171

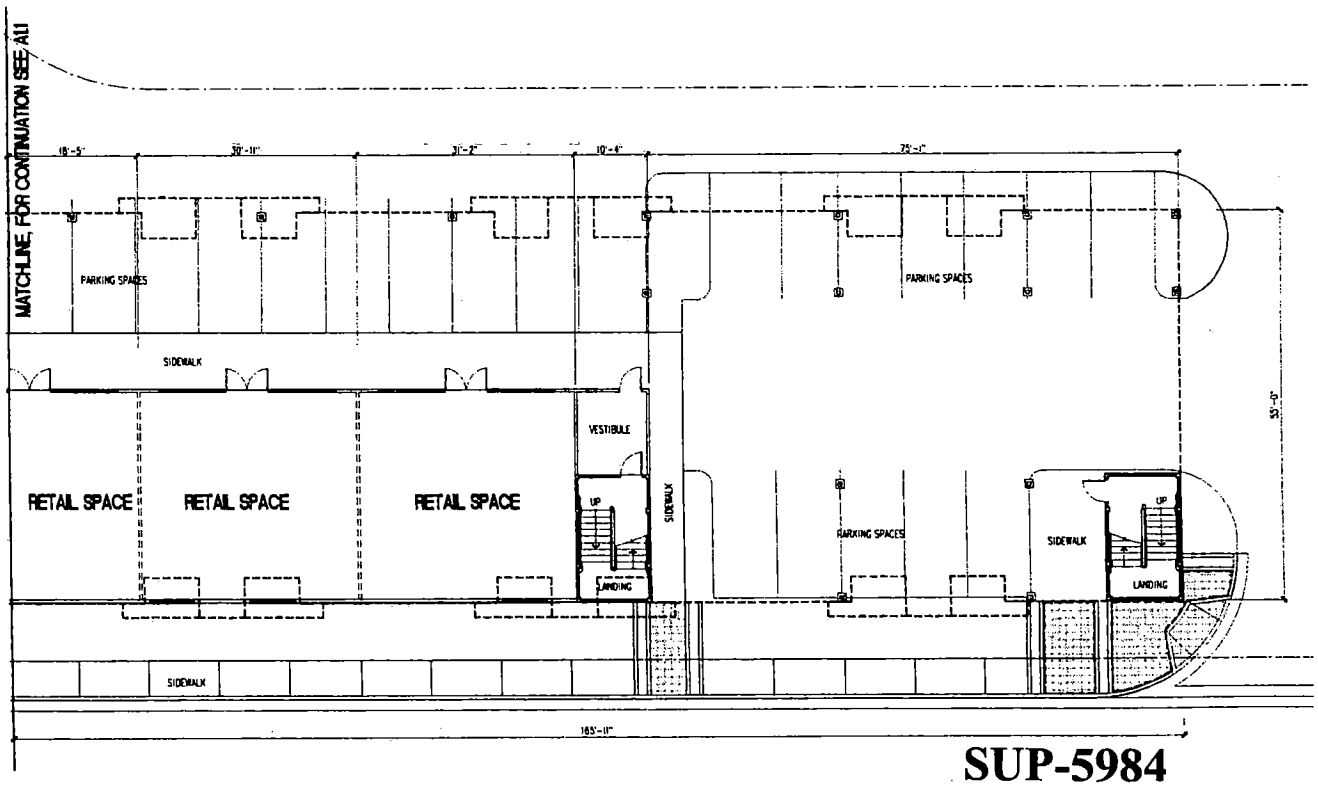
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ARCHITECT, LLC

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10-19-04
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SUP-5984
SDR-5942
03-10-05 PC



1 PARTIAL FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"

NORTH

SUP-5984
SDR-5942
03-10-05 PC

SECOND FLOOR PLAN

FREMONT VILLAGE

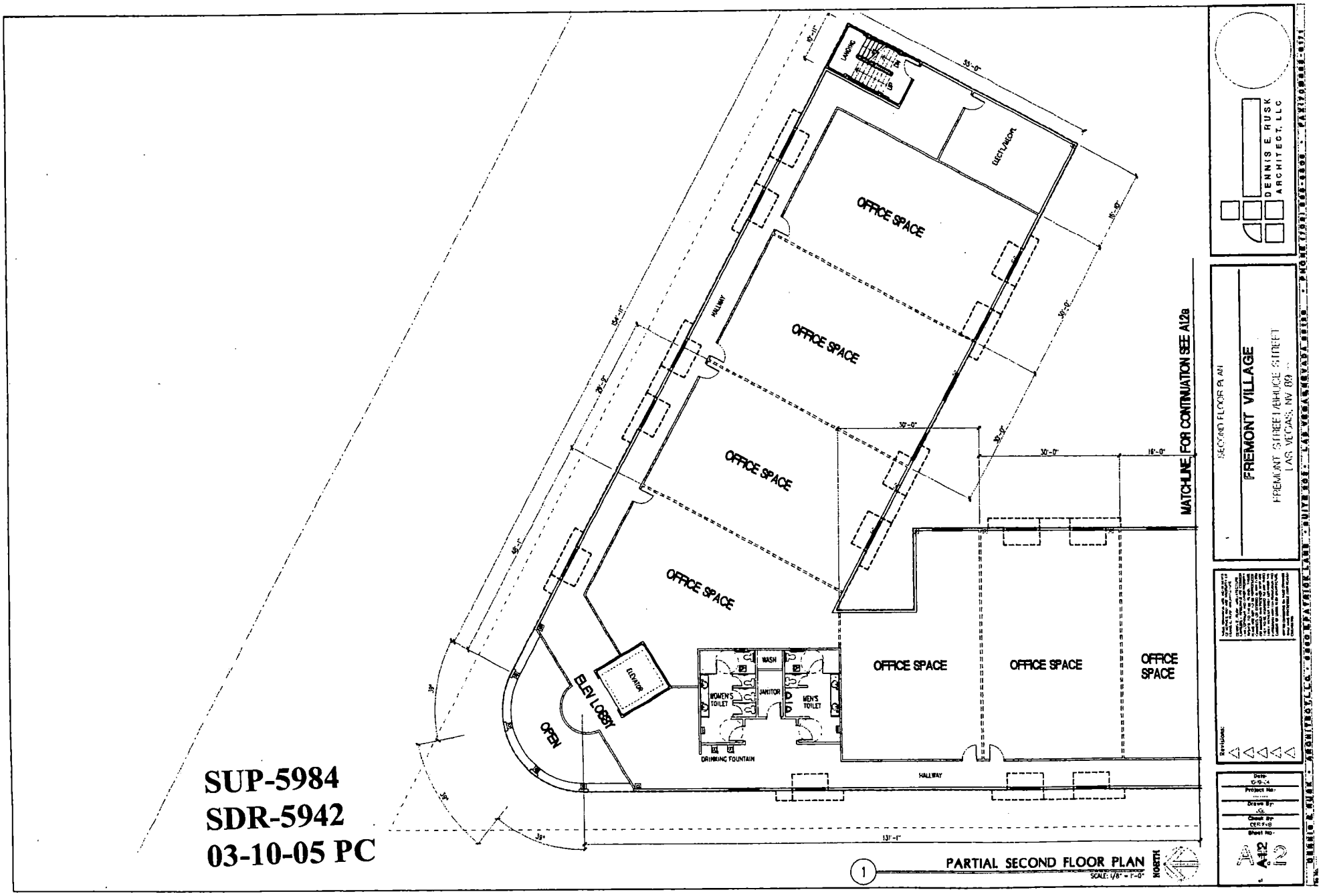
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LAS VEGAS, NV 89-

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ARCHITECT, LLC

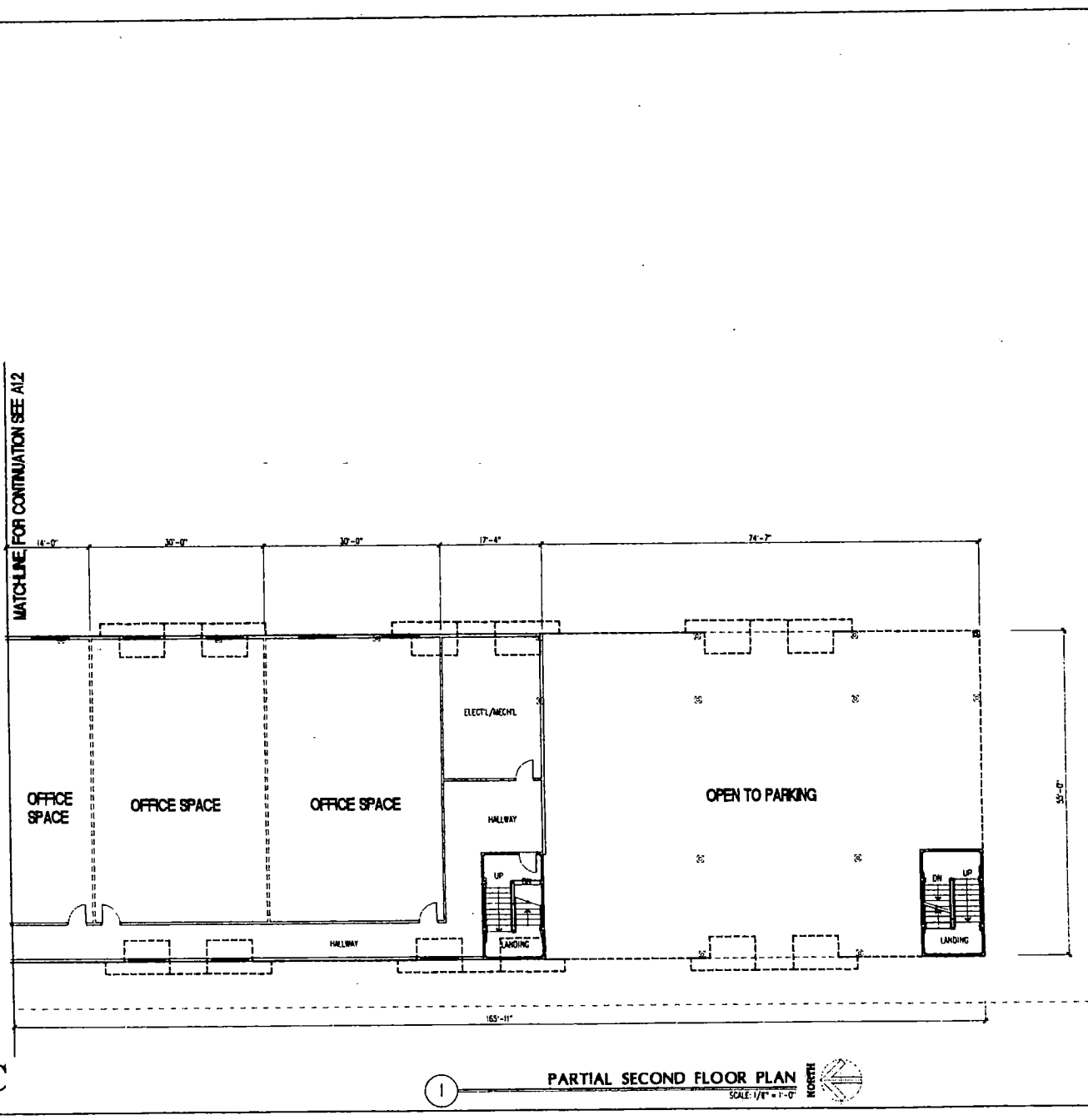
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SUP-5984
SDR-5942
03-10-05 PC



1 PARTIAL SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

SECOND FLOOR PLAN

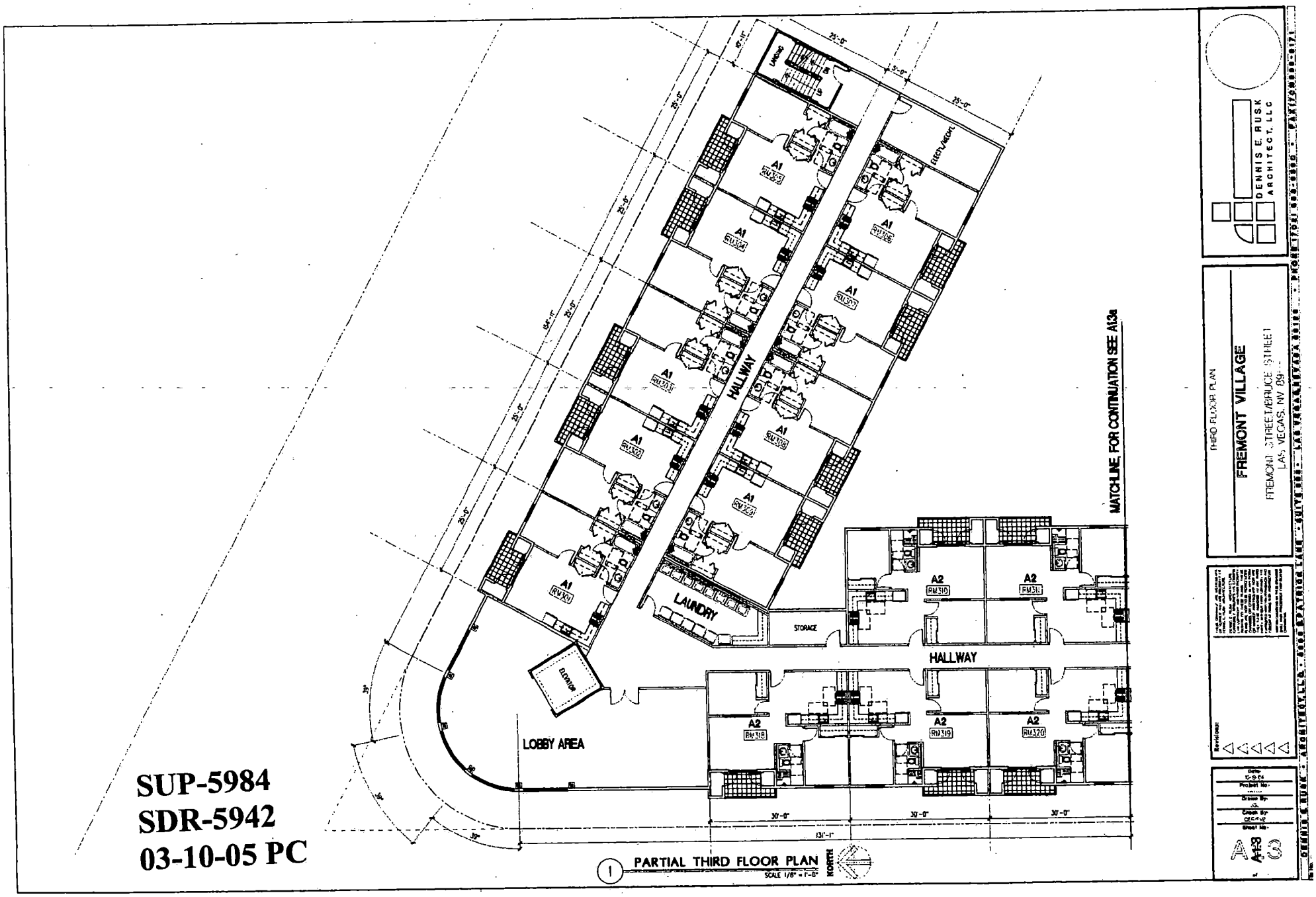
FREMONT VILLAGE

FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89--

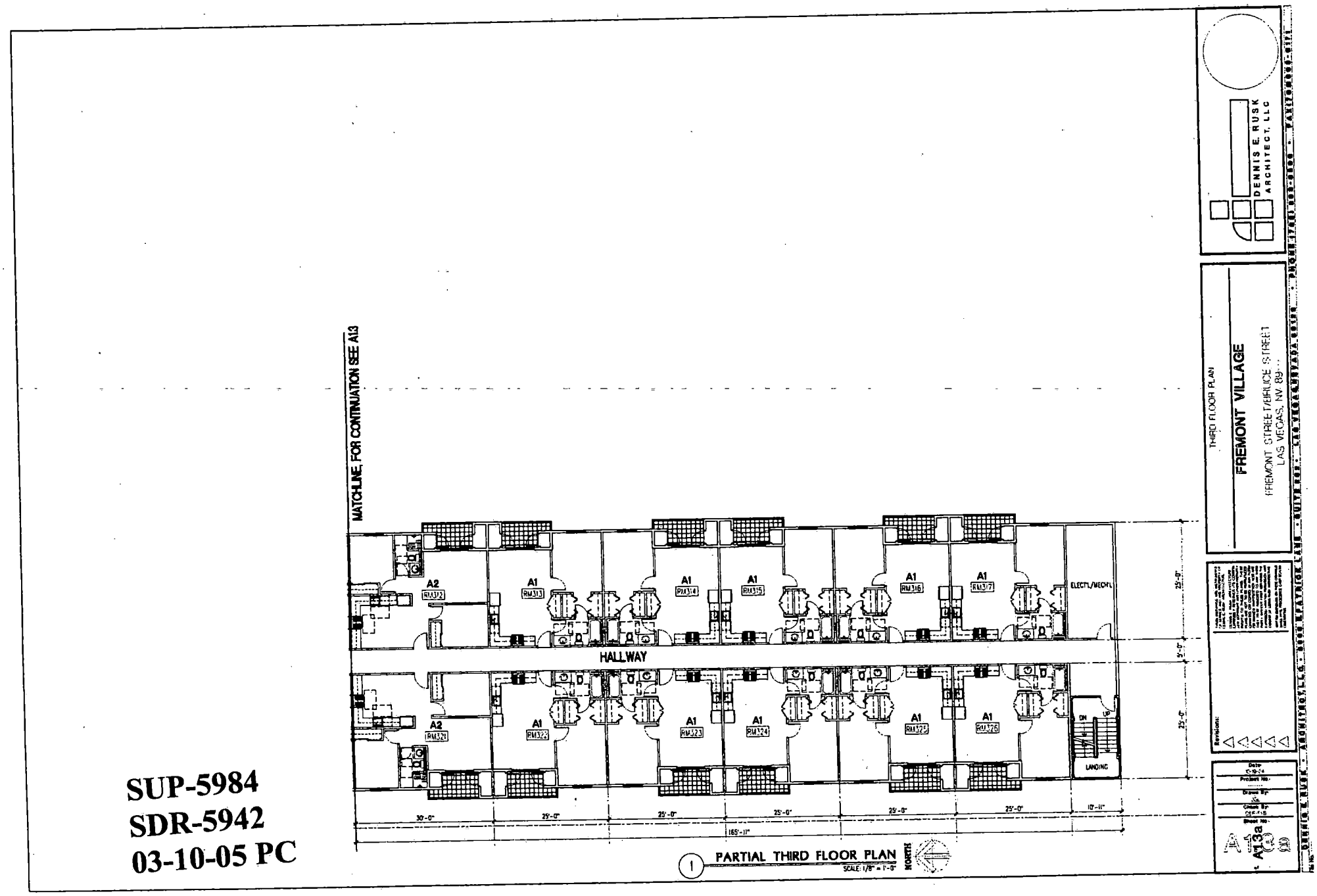
DENNIS E. RUSK
ARCHITECT, LLC

Date
Project No.
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A1.2a

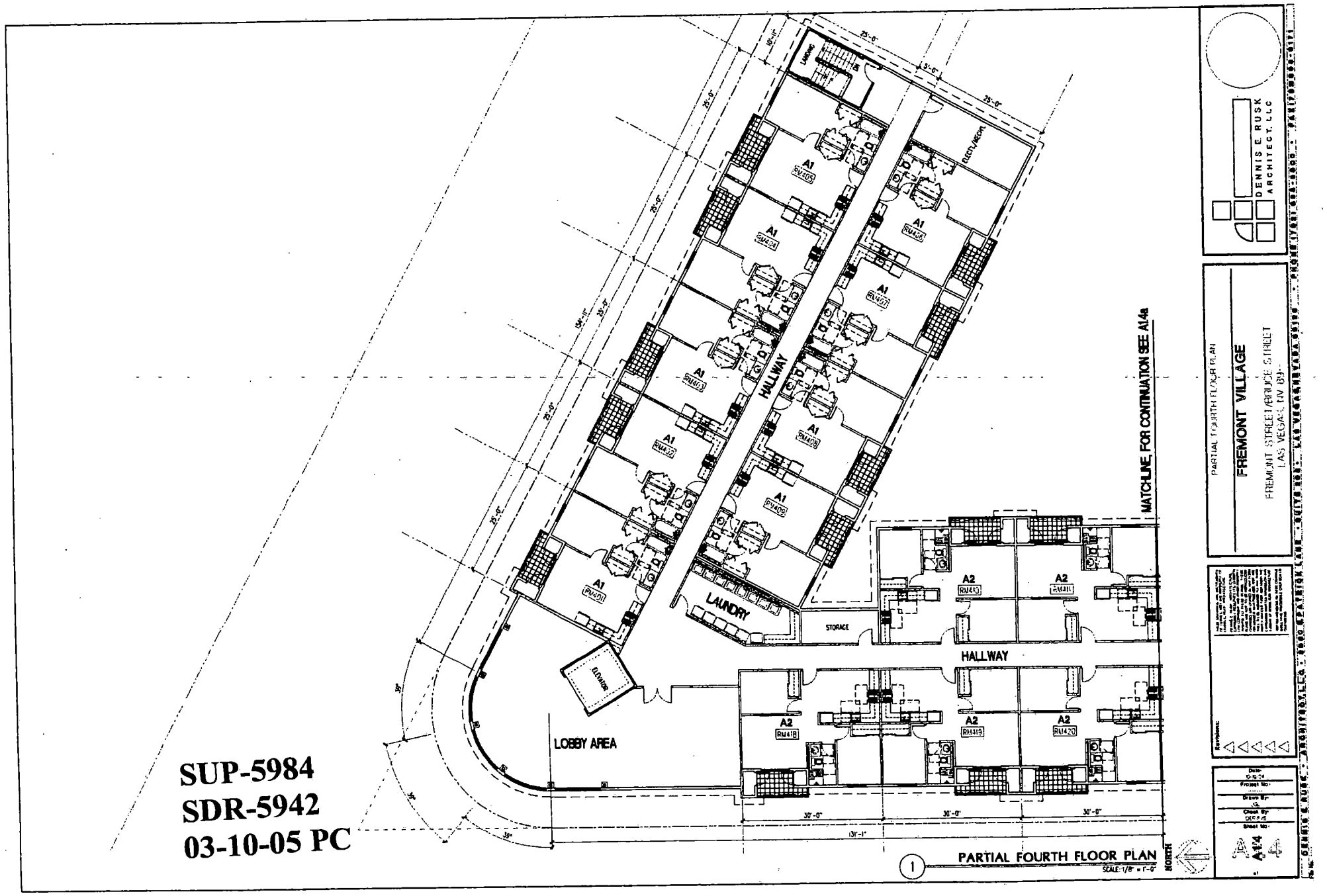
SUP-5984
SDR-5942
03-10-05 PC

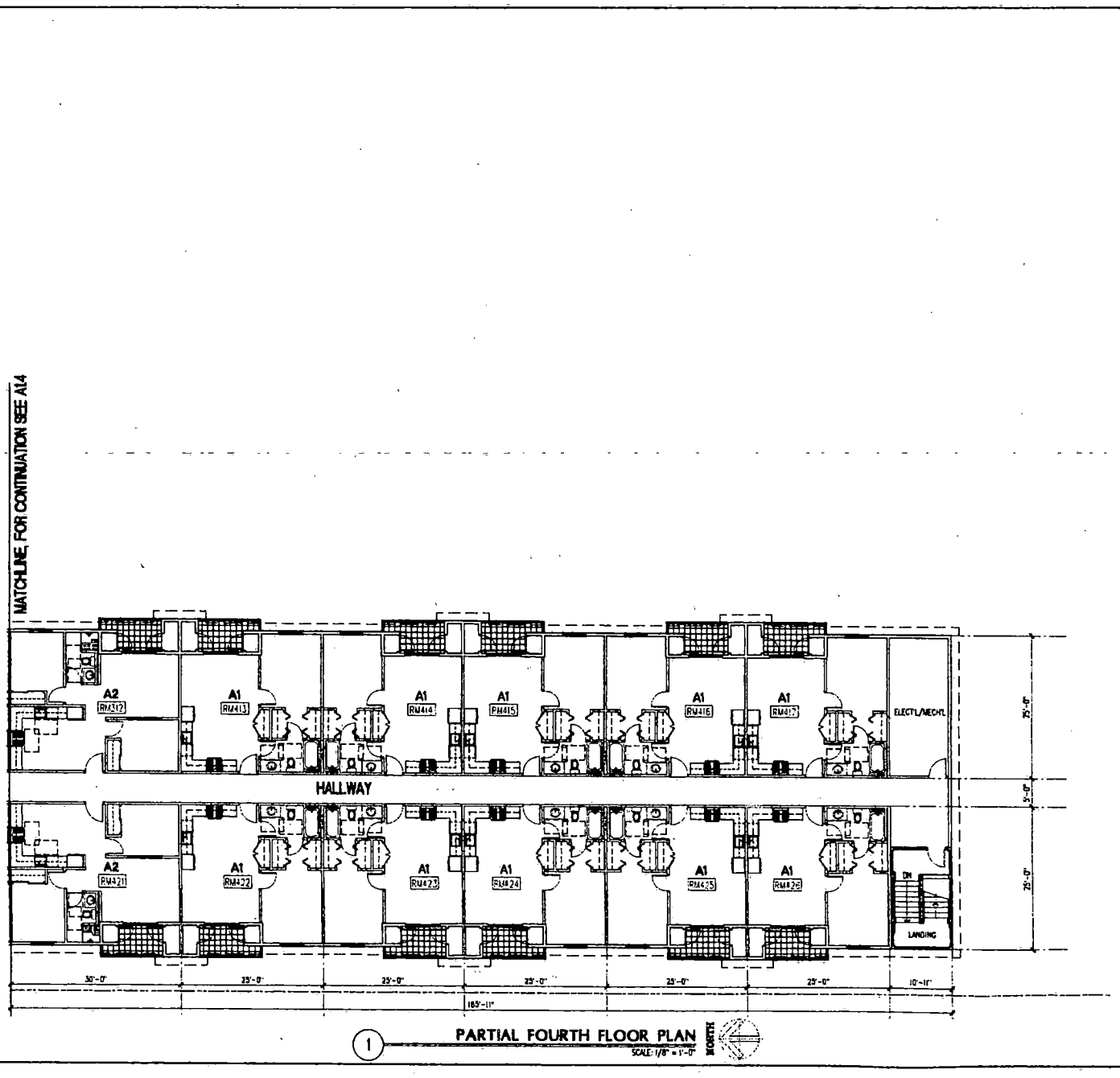


SUP-5984
SDR-5942
03-10-05 PC



SUP-5984
SDR-5942
03-10-05 PC


HALLWAY
LAUNDRY
STORAGE
HALLWAY
LOBBY AREA
ELEVATOR
MATCHLINE, FOR CONTINUATION SEE A1.4a
A1
A2
PARTIAL FOURTH FLOOR PLAN
SCALE: 1/8" = 1'-0"
NORTH
FREMONT VILLAGE
DENNIS E. RUSK
ARCHITECT, LLC
SUP-5984
SDR-5942
03-10-05 PC



1 PARTIAL FOURTH FLOOR PLAN
SCALE: 1/8" = 1'-0"

SUP-5984
SDR-5942
03-10-05 PC

PARTIAL FOURTH FLOOR PLAN

FREMONT VILLAGE

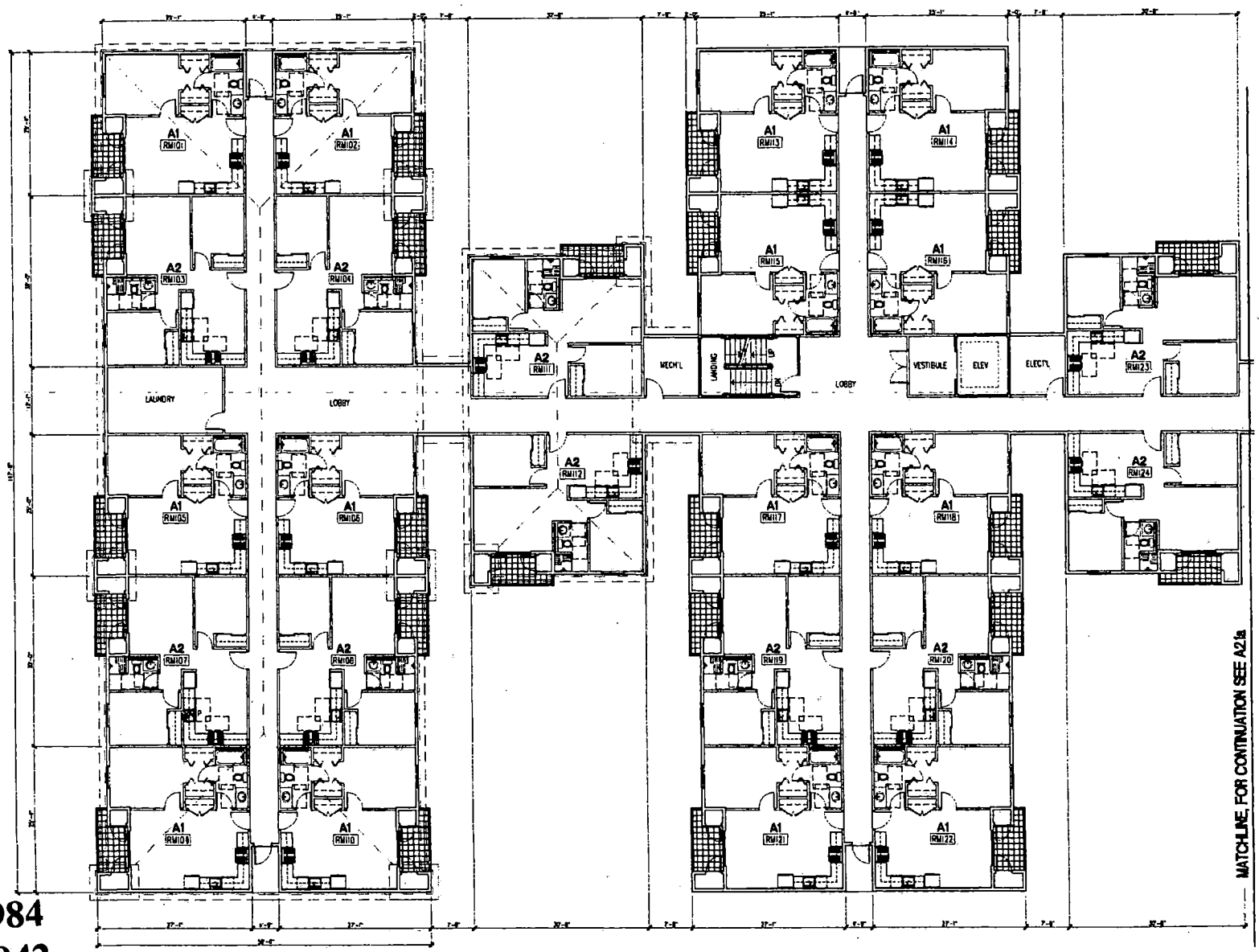
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LAS VEGAS, NV 89---

DENNIS E. RUSK
ARCHITECT, LLC

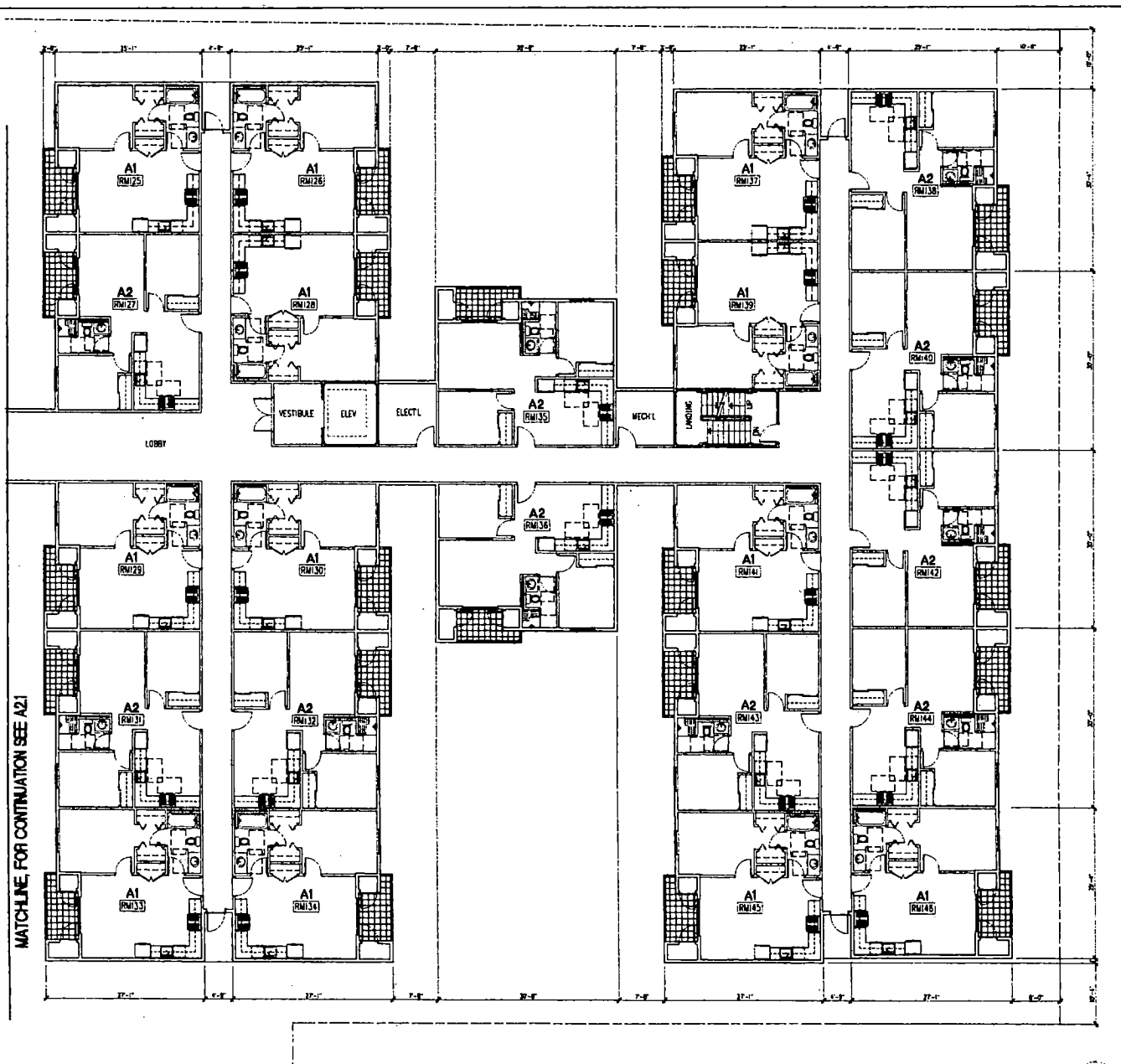
Revisions:

Date
Project No.:
Drawn By:
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Sheet No.:

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SUP-5984
SDR-5942
03-10-05 PC



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

NORTH

SUP-5984
SDR-5942
03-10-05 PC

PARTIAL FIRST FLOOR PLAN

FREMONT VILLAGE

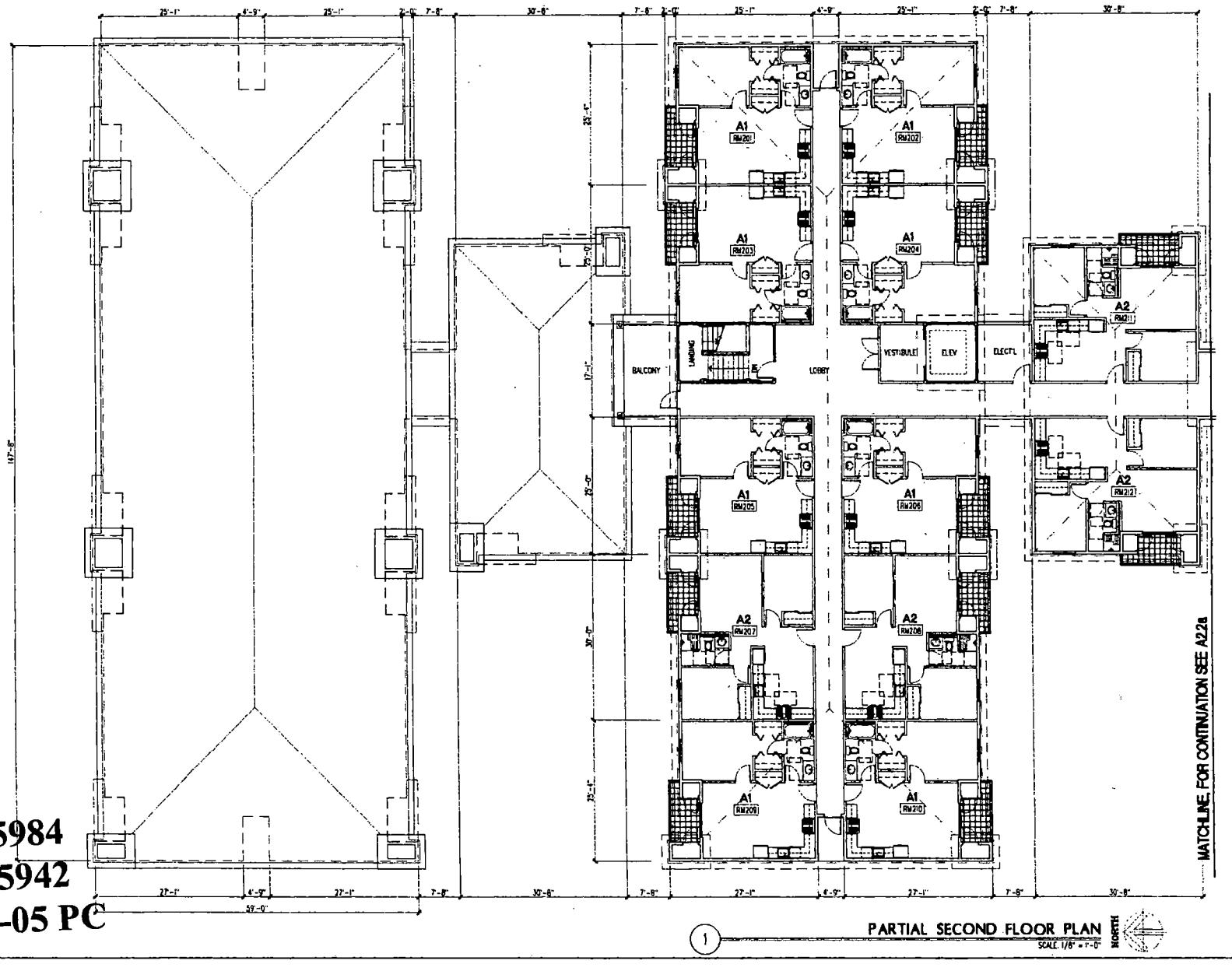
FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89

DENNIS E. RUSK
ARCHITECT, LLC

Revisions:

Date
Project No.:
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Check By
DER RVS
Sheet No.:

A2.1a



SUP-5984
SDR-5942
03-10-05 PC

DENNIS E. RUSK
ARCHITECT, LLC

PARTIAL SECOND FLOOR PLAN

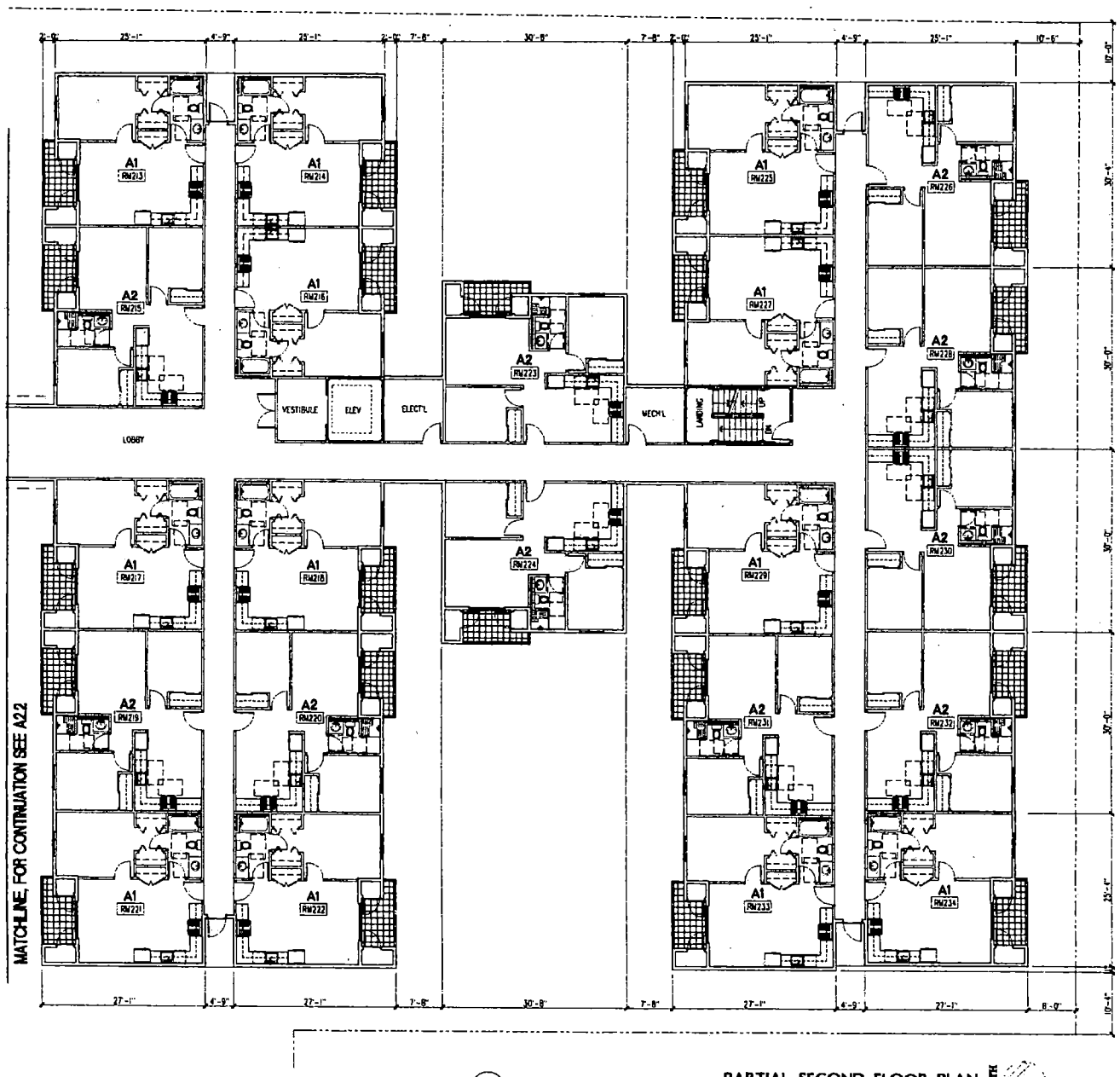
FREMONT VILLAGE

FREMONT STREET/DURANGE STREET
LAS VEGAS, NV 89...

Revisions:

Date:
Project No.:
Drawn By:
Check By:
Sheet No.:

A22



1 PARTIAL SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

SUP-5984
SDR-5942
03-10-05 PC

DENNIS E. RUSK ARCHITECT, LLC

PARTIAL SECOND FLOOR PLAN

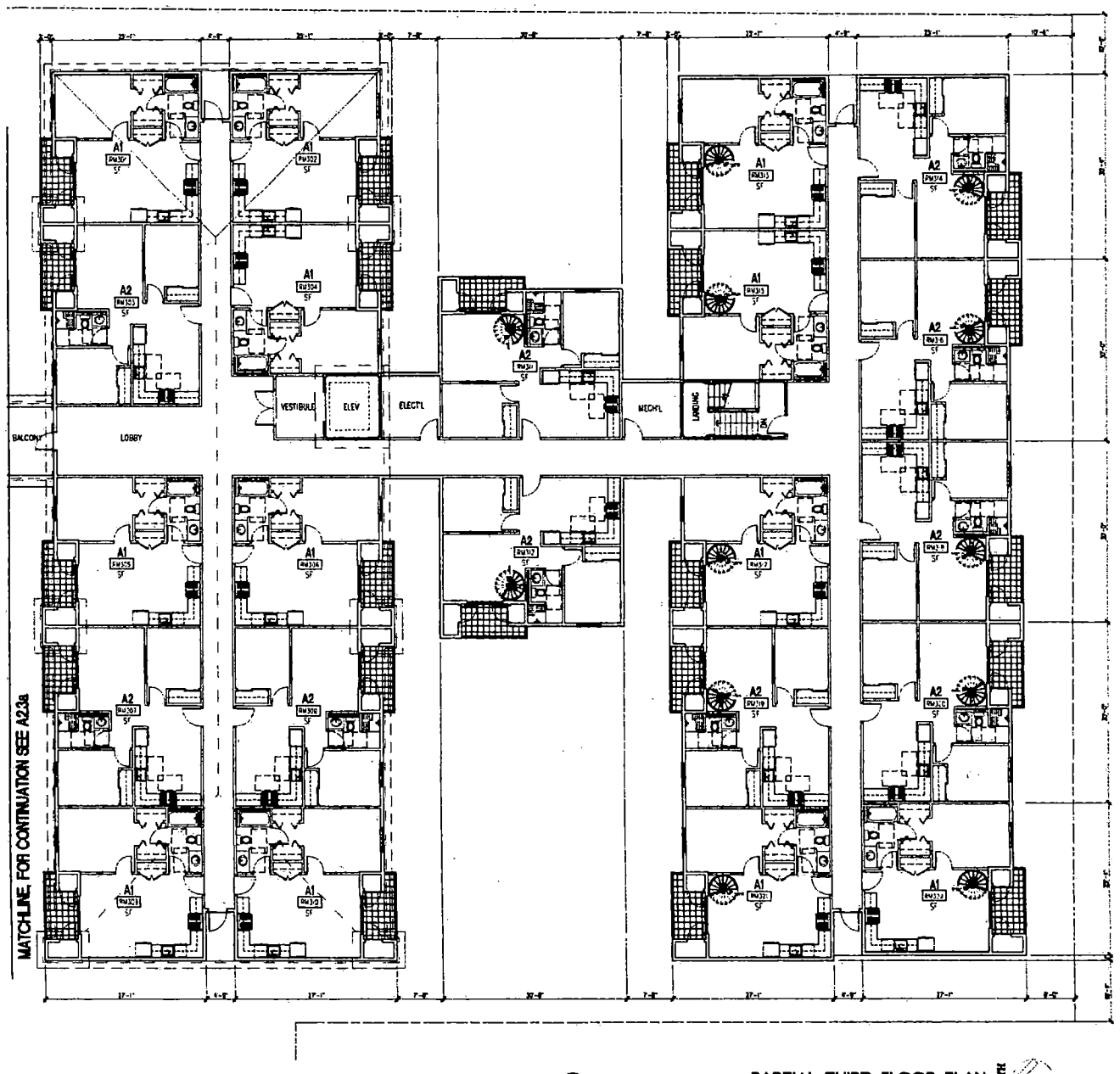
FREMONT VILLAGE

FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89

Revisions:

Date: 12-20-04
Project No:
Drawn By:
Check By: DER, FVS
Sheet No:

A2.2a



1 PARTIAL THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

DENNIS E. RUSK
ARCHITECT, LLC

PARTIAL THIRD FLOOR PLAN

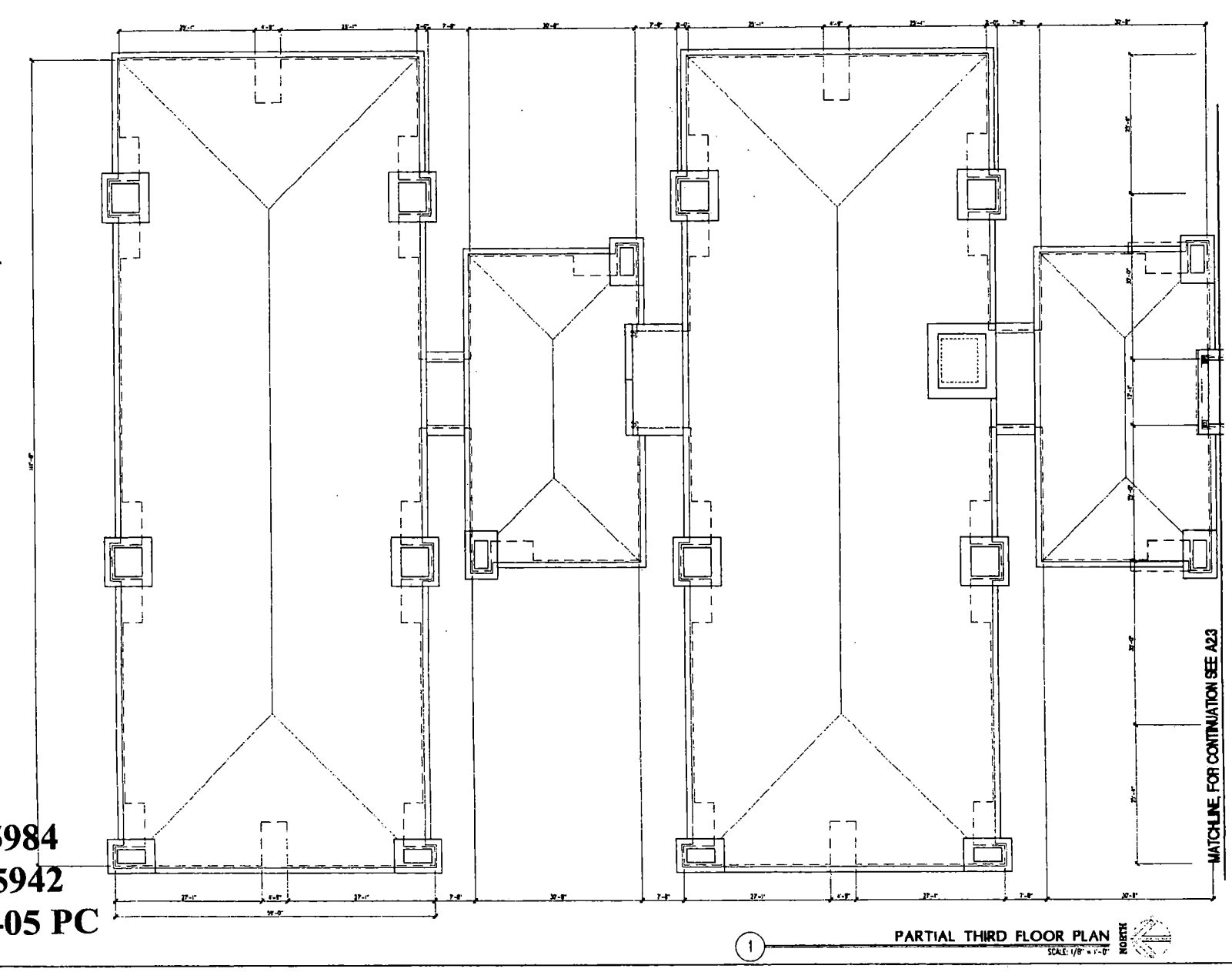
FREMONT VILLAGE

FREMONT STREET/FOURTH STREET
LAS VEGAS, NV 89

Revisions:

A2.3

SUP-5984
SDR-5942
03-10-05 PC



SUP-5984
SDR-5942
03-10-05 PC

DENNIS E RUSK
ARCHITECT, LLC

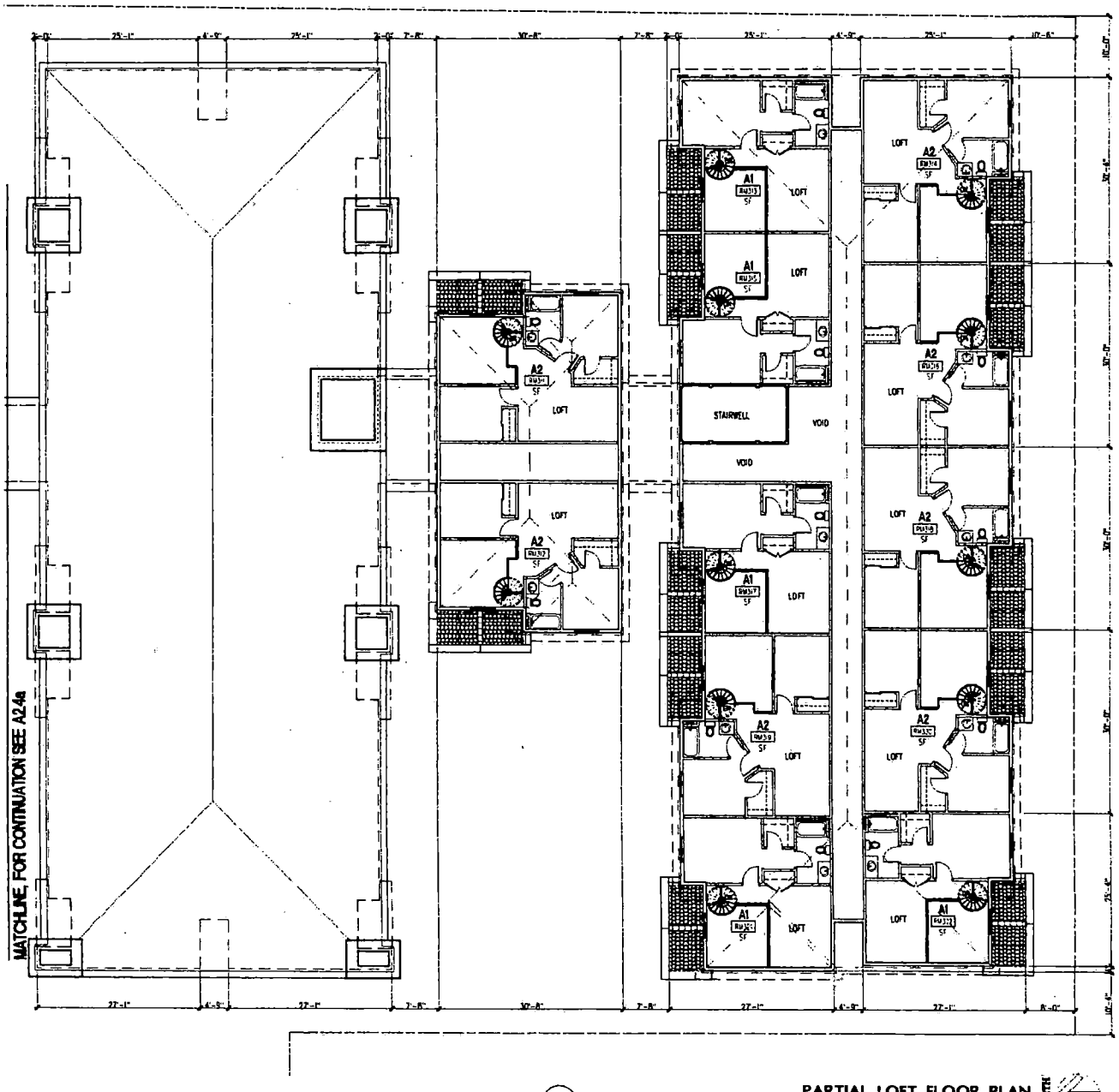
PARTIAL THIRD FLOOR PLAN

FREMONT VILLAGE

FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89---

Revisions:

A23a



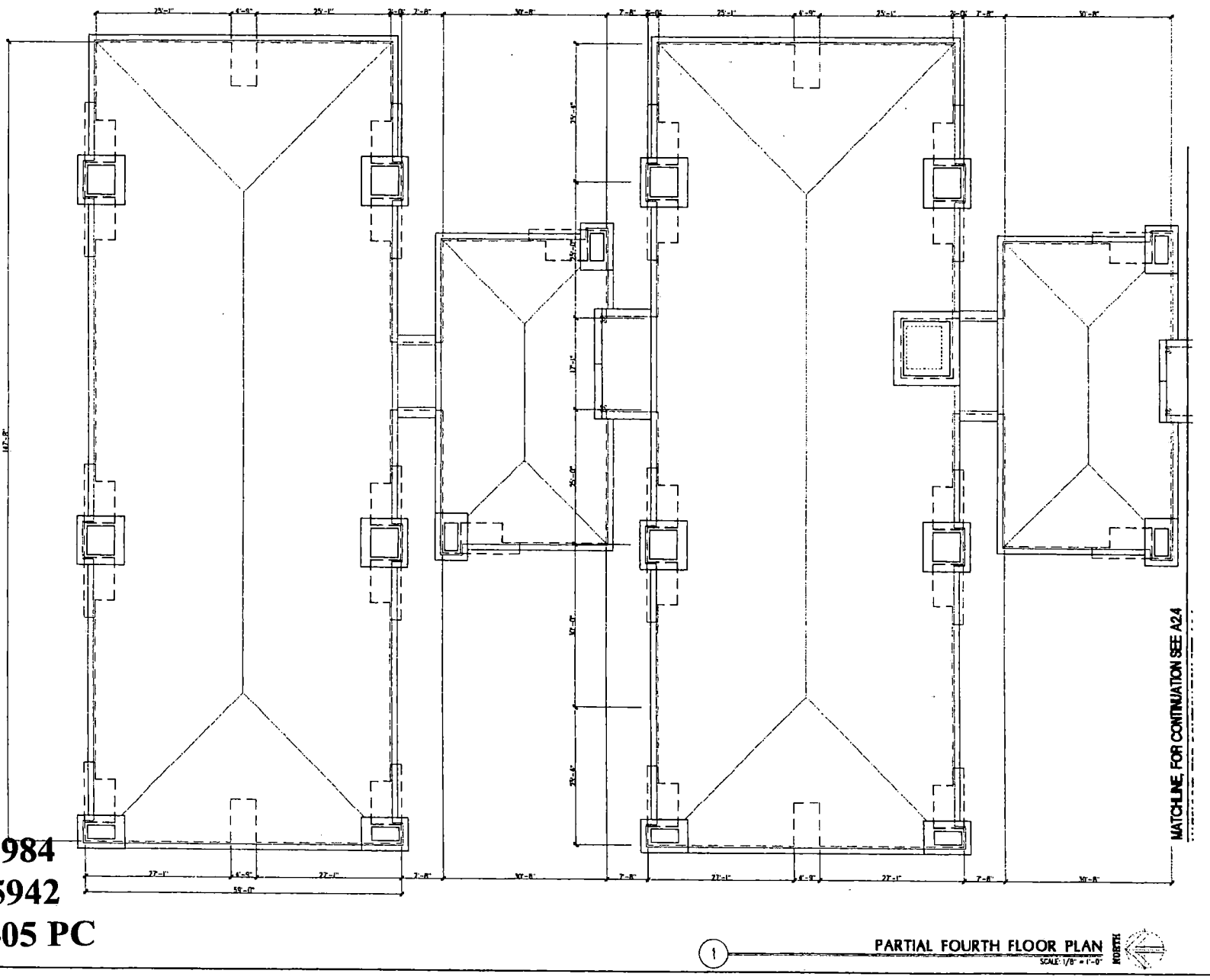
DENNIS E. RUSK
ARCHITECT, LLC

PARTIAL FOURTH FLOOR PLAN

FREMONT VILLAGE

FREMONT STREET/BRUCE STREET
LAS VEGAS, NV 89---

SUP-5984
SDR-5942
03-10-05 PC



1 PARTIAL FOURTH FLOOR PLAN
SCALE: 1/8" = 1'-0"

DENNIS E. RUSK
ARCHITECT, LLC

PARTIAL FOURTH FLOOR PLAN

FREMONT VILLAGE

FREMONT STREET/BAUCE STREET
LAS VEGAS, NV 89 -

Revisions:

Date
2-20-04
Project No.
Drawn By
JS
Check By
DER
Sheet No.

A24

SUP-5984
SDR-5942
03-10-05 PC



SUP-5984 & SDR-5942- APPLICANT/OWNER: FREMONT BRUCE, LLC
ADJACENT TO THE SOUTHEAST CORNER OF BRUCE STREET AND FREMONT STREET
APRIL 14, 2005 PLANNING COMMISSION

02/22/05

Architecture
DENNIS E. RUSK ARCHITECT

January 11, 2005

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

Re: Mixed-Use Commercial/Residential
Downtown Centennial Plan
Bruce and Fremont

JUSTIFICATION LETTER

We proposed to construct a 152 units Apartment Complex over two floors of commercial and parking located on the East side of Bruce and South side of Fremont, Las Vegas Nevada. The building consists of four stories with three story portion over ground floor parking with approximately 21,000sf of commercial space.

We are filing for a Site Plan Review in accordance of the Downtown Centennial Plan.

The parking provides 1/unit for the apartments of 152 spaces and 1/250sf of the commercial for 34 spaces and a total of 242 spaces.

Thank you,

Dennis E. Rusk, Architect

SDR-5942

3960 E. Patrick Lane, Suite #203 • Las Vegas, Nevada 89120 • (702) 893-8300 • Fax (702) 893-0171

City of Las Vegas

Agenda Item No.: 32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-6111 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: CHARLESTON-3RD, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 28 STORY MIXED USE DEVELOPMENT CONSISTING OF 159 RESIDENTIAL CONDOMINIUM UNITS AND 7,000 SQUARE FEET OF COMMERCIAL/RETAIL SPACE, WITH WAIVERS FROM THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE, BUILD-TO-LINE AND BUILDING STEPBACK REQUIREMENTS on 0.44 acres at 1026 and 1036 South Third Street (APN 139-34-410-091 and 092), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

C.C. 05/04/05

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions and deleting Condition 14 – UNANIMOUS with TRUESDELL abstaining as he owns property located within the Notification area

To be heard by the City Council on 5/04/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning and Development, stated that the item was previously held in abeyance to allow staff time to review the revised Site Plan. He then gave a brief overview of the proposed project.

MINUTES – Continued:

He pointed out that there is adequate articulation of the façade elements to satisfy the design requirements of the Downtown Centennial Plan. In addition, the applicant is providing a wider sidewalk area along Charleston Boulevard, as an arcade will occupy a portion of this setback area and will increase safety and enhance the pedestrian environment. Lastly, a five-foot sidewalk and a five-foot amenity zone will be provided along Charleston Boulevard and a ten-foot sidewalk will be provided along Casino Center Boulevard. Due to the fact that the right-of-way constraints are beyond the control of the applicant and every effort has been made to provide a reasonable streetscape treatment, staff recommends approval of the Waivers.

FLINN FAGG, Planning and Development, also noted that the redesigned project no longer includes the bridge between the two towers to accommodate the realignment of Casino Center Boulevard and Third Street. MR. FAGG briefly explained to the Commission the 3-D renderings shown of Downtown, with emphasis on the proximity of the proposed project and other projects that have recently been approved.

GREG BORGEL, 300 S. Fourth Street, Las Vegas, appeared on behalf of the developer, LEONARD EDELMAN. Both MR. EDELMAN and JOHN LOPEMAN, JMA Architecture Studios, were present in the audience.

MR. BORGEL pointed out that staff advised the developer that the City was in the process of realigning Casino Center Boulevard to line up with Third Street, and this alignment would go through the middle of the project that was originally designed. As a result, staff and the developer worked together on redesigning a project that would accommodate everyone's needs by exchanging rights-of-way. MR. BORGEL commended both parties for their expeditious efforts in redesigning the project and bringing it back before the Commission in a timely manner. MR. BORGEL then expressed appreciation for staff's recommendation.

In closing, he requested the deletion of Condition 14 relative to the alley, as it no longer exists due to the realignment of Casino Center Boulevard. MARGO WHEELER, Planning and Development, concurred.

TODD FARLOW, 240 N. 19th Street, highly commended the developer on the proposed project. Responding to his question, MR. BORGEL informed MR. FARLOW that the developer would not be applying for a LEED's (Leadership in Energy and Environmental Design) certification on the proposed project.

COMMISSIONER McSWAIN appreciated the unification of the two buildings on the proposed project and complimented MR. BORGEL on his efforts in working with the City in changing the skyline of the Downtown area.

MINUTES – Continued:
Due to the realignment of the street, MR. FAGG advised COMMISSIONER STEINMAN that another application for the recently approved tower building to the west of the subject site would have to be submitted and brought back before the Commission and City Council.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.
(7:52 – 8:03)
2-114

CONDITIONS:
Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations, date stamped 04/01/05, except as amended by conditions herein.

3. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and massing of the building.

4. The Waiver from the Downtown Centennial Plan build-to line requirement is hereby approved, based on the provision of an arcade and additional area for a public sidewalk.

5. The Waiver from the Downtown Centennial Plan streetscape requirement for 11-foot wide sidewalks and a five-foot amenity zone is hereby approved, due to the constraints of the public rights-of-way. All other streetscape elements shall conform to the Downtown Centennial Plan requirements, and shall match the Fourth Street improvements installed by the City of Las Vegas.

6. Palm trees shall be installed in the Third Street and Casino Center Boulevard rights-of-way at a maximum spacing of 35 feet on center.

7. The amenity zone along Charleston Boulevard shall be replaced with a sidewalk due to the constrained width of the right-of-way, and conforming tree grates shall be installed at the base of the shade trees.

CONDITIONS – Continued:

8. The required 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 legal action by the City of Las Vegas.

9. The applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

10. All aerial encroachments are subject to the review and approval of the Public Works Department.

11. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.

12. 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.

13. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.

14. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as described in Subsection DS2.1.g, and as depicted in Graphic 4 of the Downtown Centennial Plan.

15. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a

CONDITIONS – Continued:

result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits (or the recordation of a Final Map for this site).

16. Signage for the development shall be permitted in conformance to the Arts District requirements of Downtown Centennial Plan.

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

Public Works

18. Dedicate a 10 foot radius on the northwest corner of Third Street and Charleston Boulevard prior to the issuance of any permits.

19. Coordinate with the City Engineer's Division to continue to refine the Casino Center realignment and the integration of this site therein, including issues related to right-of-way acquisition or relinquishment, prior to the recordation of a Final Map for this site.

20. 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.

21. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.

22. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within the public rights-of-way adjacent to this site prior to occupancy of this site. Additionally, obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.

23. Public sewer for this site shall connect to the 18-inch line located in Charleston Boulevard. Coordinate with the Collection System Planning Section of the Department of Public Works to determine connection requirements prior to the issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

CONDITIONS – Continued:

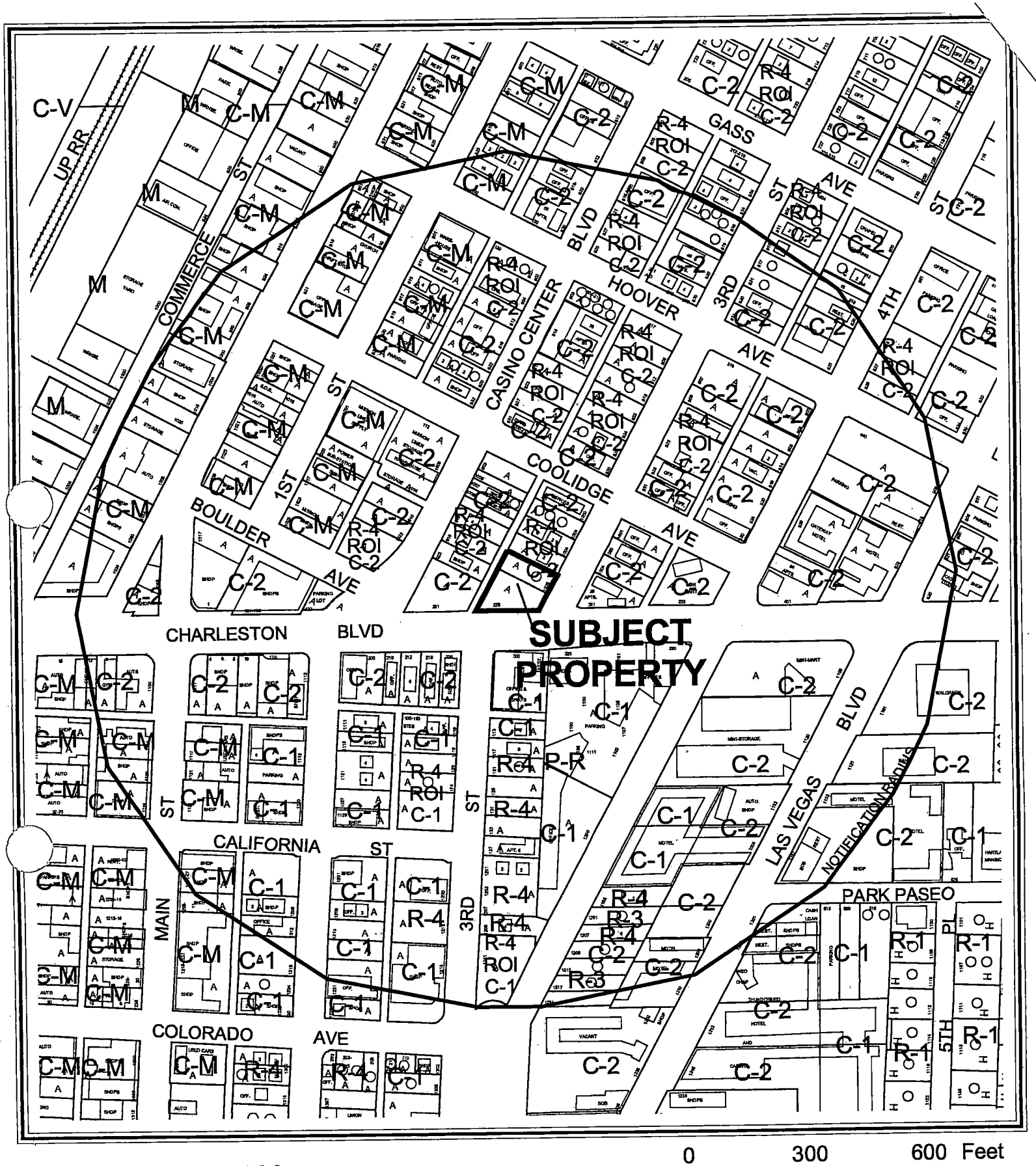
24. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.

25. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning

26. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site prior to submittal of any construction drawings.

27. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.

28. 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.



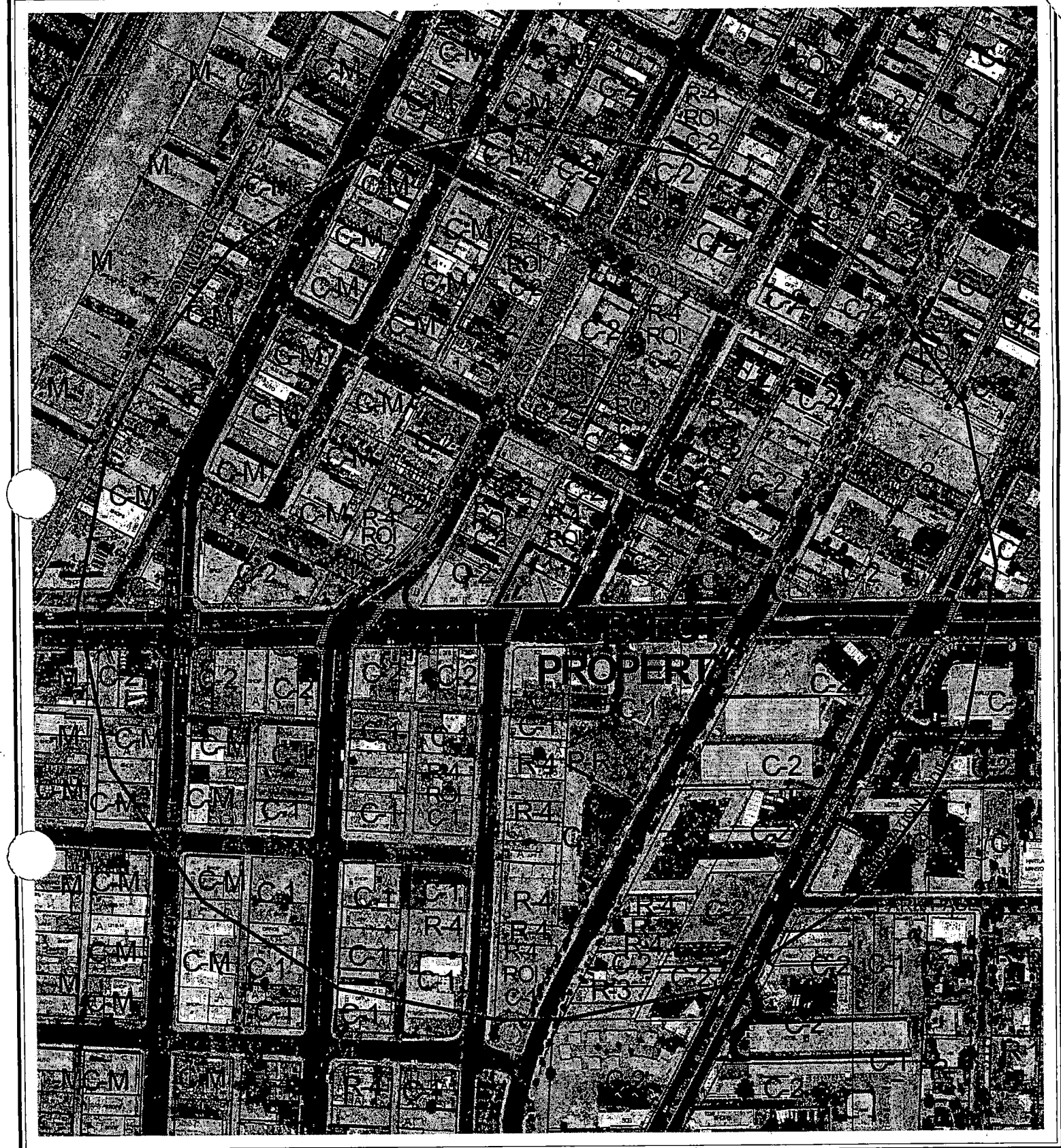
0 300 600 Feet

CASE: **SDR-6111**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)

N



0 300 600 Feet

CASE: **SDR-6111**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6111 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: CHARLESTON-3RD, LLC, ET AL

** CONDITIONS **

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

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations, date stamped 04/01/05, except as amended by conditions herein.

3. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and massing of the building.

4. The Waiver from the Downtown Centennial Plan build-to line requirement is hereby approved, based on the provision of an arcade and additional area for a public sidewalk.

5. The Waiver from the Downtown Centennial Plan streetscape requirement for 11-foot wide sidewalks and a five-foot amenity zone is hereby approved, due to the constraints of the public rights-of-way. All other streetscape elements shall conform to the Downtown Centennial Plan requirements, and shall match the Fourth Street improvements installed by the City of Las Vegas.

6. Palm trees shall be installed in the Third Street and Casino Center Boulevard rights-of-way at a maximum spacing of 35 feet on center.

7. The amenity zone along Charleston Boulevard shall be replaced with a sidewalk due to the constrained width of the right-of-way, and conforming tree grates shall be installed at the base of the shade trees.

8. The required 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 legal action by the City of Las Vegas.

9. The applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

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11. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.

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14. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as described in Subsection DS2.1.g, and as depicted in Graphic 4 of the Downtown Centennial Plan.

15. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits (or the recordation of a Final Map for this site).

16. Signage for the development shall be permitted in conformance to the Arts District requirements of Downtown Centennial Plan.

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

Public Works

18. Dedicate a 10 foot radius on the northwest corner of Third Street and Charleston Boulevard prior to the issuance of any permits.

19. Coordinate with the City Engineer's Division to continue to refine the Casino Center realignment and the integration of this site therein, including issues related to right-of-way acquisition or relinquishment, prior to the recordation of a Final Map for this site.

20. 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.

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22. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within the public rights-of-way adjacent to this site prior to occupancy of this site. Additionally, obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.

23. Public sewer for this site shall connect to the 18-inch line located in Charleston Boulevard. Coordinate with the Collection System Planning Section of the Department of Public Works to determine connection requirements prior to the issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

24. 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, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.

25. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning

26. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site prior to submittal of any construction drawings.

27. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.

28. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 28-story mixed-use development consisting of 159 residential condominium units and 7,000 square feet of commercial space, with Waivers from the Downtown Centennial Plan streetscape, build-to line and building stepback requirements on 0.40 acres at 1026 and 1036 South Third Street. The project has been redesigned to accommodate the proposed Casino Center/Third Street realignment.

B) Applicant's Justification

The applicant notes that the proposed project will be a companion development of the mixed-use project that was recently approved on the parcel to the west, and will accommodate the proposed street realignment.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcel, 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).
04/20/94	The City Council approved a request to Withdraw Without Prejudice a Special Use Permit (U-0042-94) application to allow a Class III Secondhand Dealership on the subject property. The Board of Zoning Adjustment recommended approval of the Special Use Permit on 03/22/94.
05/18/94	The City Council approved a Variance (V-0042-94) to allow Secondhand Sales where such use was not permitted. The Board of Zoning Adjustment recommended approval of the request on 04/26/94.
03/24/05	The Planning Commission held this item in abeyance to the 04/14/05 PC Meeting to properly re-notify the request in accordance with the revised plans submitted on 04/01/05.

FF

B) Pre-Application Meeting

01/26/05 At the pre-application conference, issues were discussed relative to the aerial encroachments over the alley and the flow of traffic between the two developments. In addition, issues were resolved relative to the streetscape requirements and the constrained right-of-way along Charleston Boulevard. It was also noted that a traffic study would be required.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.44

B) Existing Land Use

Subject Property:	Undeveloped Single-Family Residential Use
North:	Multifamily Residential Use
South:	Office Use General Retail Use
East:	Multifamily Residential Use
West:	Off-Premise Advertising Sign Undeveloped (98-unit mixed-use development approved 02/16/05)

C) Planned Land Use

Subject Property:	C (Commercial) MXU (Mixed-Use)
North:	MXU (Mixed-Use)
South:	C (Commercial)
East:	C (Commercial)
West:	C (Commercial)

D) Existing Zoning

Subject Property:	C-2 (General Commercial) R-4 (High-Density Residential) under Resolution of Intent to C-2 (General Commercial)
North:	R-4 (High-Density Residential) under Resolution of Intent to C-2 (General Commercial)
South:	C-1 (Limited Commercial)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial)

FF

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a C (Commercial) land use designation. The Commercial designation allows uses comparable to the following land use categories: O (Office), SC (Service Commercial), and GC (General Commercial). The proposed mixed-use development is consistent with the land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		X
Trails		X
Rural Preservation Neighborhood		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 C (Commercial) land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan
The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Arts District. The district is intended to accommodate a variety of commercial, residential, and arts-related uses within a dense, urban environment. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

Trails
While the development is not adjacent to any Transportation or Recreation Trail route identified in the General Plan, the Centennial Plan identifies urban trails along Third Street and Charleston Boulevard. The urban trails are intended to be developed with grant funds or as capital improvement projects, and individual property owners are not required to install the trail elements at this time.

PROJECT DESCRIPTION

The project involves the removal of the existing residential structure on the northern portion of the site, and the construction of a new 28-story mixed-use structure. The building will include a total of 159 loft-style units, with 7,000 square feet of commercial space on the first level of the structure. Parking will occupy Levels 2 through 7 of the building; residential units will occupy Levels 8 through 28. A total of 178 parking spaces will be provided within the structure, and two parking spaces will be located at grade outside of the structure.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	0.40 Acres	N/A
Min. Lot Width	N/A	140 Feet	N/A
Min. Setbacks			
• Front (Charleston)	0 Feet	11'-8"	N
• Corner (Third)	0 Feet	0 Feet	N/A
• Corner (Casino Center)	0 Feet	0 Feet	Y
• Rear	0 Feet	0 Feet	Y
Max. Lot Coverage	Up to 100%	91%	Y
Max. Building Height	N/A	370 Feet	N/A
Trash Enclosure	Walled and roofed	Interior	Y
Loading Zone	1 Space	1 Space	Y
Mech. Equipment	Screened	Screened	Y

The structure will generally comply with all development standards listed in the Downtown Centennial Plan, with the exception of the front yard setback. The Centennial Plan requires 70% of the building to be located directly at the property line adjacent to the sidewalk; the proposed structure will be located 11'-8" behind the property line in order to provide additional space for the construction of a wider sidewalk. An arcade structure will occupy a portion of the setback area, providing shade for pedestrians.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards.

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due it being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the development:

Uses	GFA	**Provided** Parking	
		Regular	Handicap
Multifamily Residential Units	159 Units		
Commercial	7,000 SF		
Total:		174	6

A total of 178 parking spaces will be provided within the parking structure; 20 of the spaces will be tandem spaces. The applicant has noted that 62% of the spaces in the structure will be compact spaces, due to the location and spacing of the building columns. Two parking spaces and a loading zone will be located at grade.

The Public Works Department has noted that Casino Center Boulevard is under discussion for realignment. The department has requested that the applicant coordinate with the City Engineer's office as the project moves forward to address construction and timing issues.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
East/West Street Charleston Boulevard	1 Shade Tree @ 30' o.c. max. (min. 24" box)	4 Shade Trees	3 Shade Trees
North/South Street Third Street	1 Palm Tree @ 35' o.c. max. (min. 25' height)	3 Palm Trees	2 Shade Trees
North/South Street Casino Center	1 Palm Tree @ 35' o.c. max. (min. 25' height)	5 Palm Trees	4 Shade Trees 2 Palm Trees
Sidewalk	11' Sidewalk	N/A	5'-10'

One additional shade tree will be required along the Charleston Boulevard frontage; palm trees are required by the Centennial Plan on Third Street and Casino Center Boulevard. One additional tree will be needed on the Third Street frontage in order to conform to the minimum spacing requirements. The sidewalk along the Casino Center frontage will not conform to the minimum 11-foot depth requirement; the sidewalk on the Charleston frontage will meet the minimum depth requirement, but the structure for the arcade will be located in the middle of the sidewalk area. The applicant has requested a Waiver from the streetscape requirements to address these issues.

A5) Sign Standards

No information has been provided relative to the proposed signage for the building. Signage shall be subject to the requirements listed in the Downtown Centennial Plan relative to the Arts District.

B) General Analysis and Discussion

- Zoning

The subject property is zoned C-2 (General Commercial); however, development standards and uses for the property are dictated by the Downtown Centennial Plan. The Arts District section of the Centennial Plan allows mixed-use developments by right, and no Special Use Permit is required. The structure will generally conform to the development standards listed in the Centennial Plan, with the exception of the building setback along Charleston Boulevard, for which a Waiver has been requested.

- Site Plan

The site plan depicts a commercial space at the front of the building, with access to the space from the public sidewalk along Charleston Boulevard. A six-foot deep arcade is provided at the front of the building along Charleston, which assists in increasing the pedestrian area in front of the building and also assists in shading the ground-level commercial space. A residential lobby is provided on the east side of the building, and is directly accessible from the public sidewalk on Third Street. Two parking spaces and a loading zone are located directly off of the realigned Casino Center Boulevard; all remaining parking spaces for the development will be in the internal parking structure, which takes access from Third Street. The trash facility will be located within the building, and will be accessed Third Street.

- Waivers

The following Waivers from the Downtown Centennial Plan requirements are requested:

1. Building Stepbacks: The Centennial Plan requires a minimum five-foot stepback at the 4th, 11th, and 18th stories of a building. The only stepback to be provided is at the eighth story of the building; however, there is adequate articulation of the façade elements to satisfy the design requirements of the Downtown Centennial Plan. Consequently, staff recommends approval of the Waiver.

2. Build-To Line: The Centennial Plan requires that buildings be located directly at the front yard setback for a minimum of 70% of the parcel width; the proposed structure will be located 11'-8" from the front property line on Charleston Boulevard. The applicant has requested a Waiver from this requirement in order to provide a wider sidewalk area along Charleston Boulevard; an arcade will occupy a portion of this setback area. As this will increase safety and enhance the pedestrian environment, staff recommends approval of the Waiver.
3. Streetscape: The Centennial Plan requires an 11-foot wide sidewalk and a five-foot wide amenity zone in the public rights-of-way; due to the constrained right-way-area, a five-foot sidewalk and five-foot amenity zone will be provided along Charleston Boulevard and a ten-foot sidewalk will be provided along Casino Center Boulevard. Due to the fact that the right-of-way constraints are beyond the control of the applicant and every effort has been made to provide a reasonable streetscape treatment, staff recommends approval of the Waiver.

- Landscape Plan

The landscape plan depicts the installation of shade trees in an amenity zone along Charleston Boulevard, and a combination of shade trees and palm trees along Casino Center Boulevard. Shade trees are shown in the amenity zone along Third Street. The shade trees along Casino Center and Third Street will need to be changed to palm trees in order to conform to the Centennial Plan streetscape requirements; in addition, a total of three palm trees will be required along Third Street and five shade trees will be required along Charleston Boulevard. Accent paving will be provided at the intersections and driveway entrances as required by the Centennial Plan. Due to the right-of-way constraints, it is recommended that tree grates be utilized along Charleston Boulevard instead of the full-width amenity zone.

- Elevation

As with the recently-approved tower building to the west, the elevations clearly define each function of the building through fenestration and materials, with a solid base at the parking levels and generous glazing on the residential levels. The proposed building continues the same architectural theme as established by the other tower, including the use of decorative pre-cast concrete, synthetic stucco, Low-E glazing, and stone veneer accents. The base element clearly defines the street wall for Charleston Boulevard, while the tower element is set back from the wall plane of the base element and will have a lighter appearance and greater freedom of form. The decorative rooftop elements of the proposed building continue the lines of the rooftop elements of the approved tower to the west, but utilizes a slightly different form in order to provide a distinctive character.

- Floor Plan

  The floor plan depicts a commercial space at the front of the building facing Charleston Boulevard, with the residential lobby located immediately behind the commercial space. Parking and service functions will be located at the back of the building, with primary access from Third Street. The residential lobby will be separate from the commercial space, and will have access from Third Street. Trash facilities and mechanical equipment will be located within the structure at the ground floor, and will have access from the public alley. Residential amenities will be located on the eighth floor of the building, and will include a sun deck, swimming pool, fitness center and meeting room. Most residential floors will include a total of eight units; the two top floors of the building will have five units.

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 uses are compatible with other adjacent development in the area. While the proposed structure will be taller than the buildings in the immediate vicinity, it is consistent with other development that is proposed or underway in the downtown 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 development is consistent with the General Plan, Title 19, and is generally consistent with the Downtown Centennial Plan. Waivers have been requested from the building stepback and build-to requirements, but the design of the structure conforms to the objectives of the Centennial Plan. The applicant has also requested a Waiver from the Centennial Plan streetscape requirements due to the right-of-way constraints.

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

   The site has been designed so that the principal driveway is on Third Street instead of Charleston Boulevard, thereby reducing impacts to the flow of traffic on Charleston. Delivery functions will be accommodated via a driveway area and loading zone off Casino Center Boulevard.

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

   The proposed building materials and landscape materials are appropriate for the area and for the City; the placement of the tree types will need to be revised to conform to the Centennial Plan streetscape design.

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

   The design of the elevations are appropriate to the different functions and unit types within the building, and will be compatible with other development in the downtown area.

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

   The project will be subject to inspections, and appropriate measures will be taken to protect public health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 169

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6111 APN: 139-34-410-091

Name of Property Owner: Charleston & Third, LLC

Name of Applicant: c/o John Lopemay JMA Architecture Studios

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

____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: LEONARD EDELMAN

Subscribed and sworn before me

This 4th day of February, 2005

Sharon J Herman

Notary Public in and for said County and State

Sharon J Herman
My Commission DD112301
Expires May 16, 2008

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6111 APN: 139-34-410-092

Name of Property Owner: Charleston & Third, LLC

Name of Applicant: JMA Architecture Studios

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: ARTHUR MARSHALL

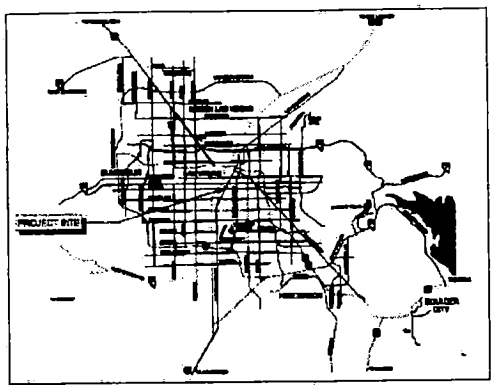
Subscribed and sworn before me

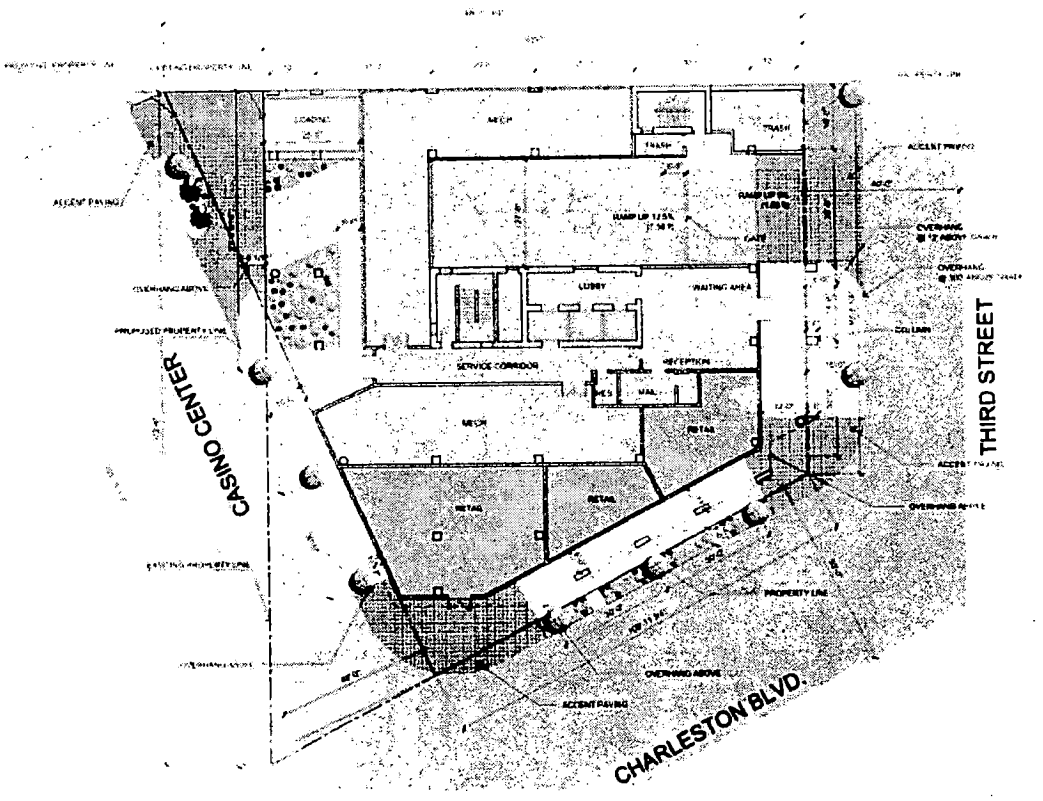
This 4 day of FEB, 2005

_____

Notary Public in and for said County and State

MARITZA SMITH
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 03-80514-1
MY APPT. EXPIRES FEB. 13, 2007





LANDSCAPING DATA

PLANTING LEGEND

SITE ZONING

PARCEL #	
JURISDICTION	CITY OF LAS VEGAS

SITE DATA.

SITE AREA GROSS	0.70 ACRES
SITE AREA NET	0.44 ACRES
CURRENT ZONING	C-2 (GENERAL COMMERCIAL)
PROPOSED ZONING	D-7
BUILDING COVERAGE	81%
F.A.R.	4.12/4.5
UNITS	159 UNITS
DENSITY	231

BUILDING AREAS.

1 BEDROOM RESIDENTIAL CONDOS (UNDER 1000 SF) 75 UNITS	63,100 SF
2 BEDROOM RESIDENTIAL CONDOS (OVER 1000 SF) 84 UNITS	130,700 SF
CONDO AMENITIES	4,400 SF
OFFICE / RETAIL	2,800 SF

PARKING ANALYSIS

PARKING PROVIDED.

PARKING STRUCTURE	6 LEVEL
TOTAL RESIDENTS' PARKING FOR 159 UNITS (INCLUDING 20 TANDEM PARKING)	178 SPACES
ON-SITE PARKING (1-ST LEVEL)	2 SPACES
TOTAL PARKING PROVIDED	180 SPACES
INCLUDING	
COMPACT PARKING	111 SPACES
HANDICAP PARKING	6 SPACES
ADDITIONAL PARKING	
LOADING PARKING	1 SPACE

SITE DEVELOPMENT PLAN REVIEW

SITE/GROUND/LANDSCAPE PLAN

SCALE: 1" = 40'

JMA ARCHITECTURE STUDIOS

Charleston / THIRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

Project # 200401329

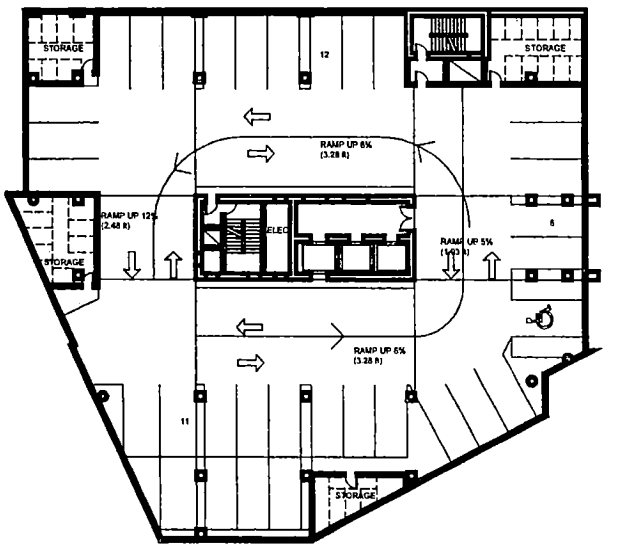
Date: APRIL 1ST, 2005

DR-01

SDR-6111
04-14-05 PC
REVISED 04-01-05

RECEIVED
APR 1 2005

JMA ARCHITECTURE STUDIOS



PARKING SPACE: 29 (+4 TANDEM) /LEVEL
TOTAL PARKING SPACES: 158 (+20 TANDEM)

PD02 LEVEL 02-07 FLOOR PLAN

CHARLESTON / THIRD CONDOMINIUMS

SDR-6111
04-14-05 PC
REVISED 04-01-05

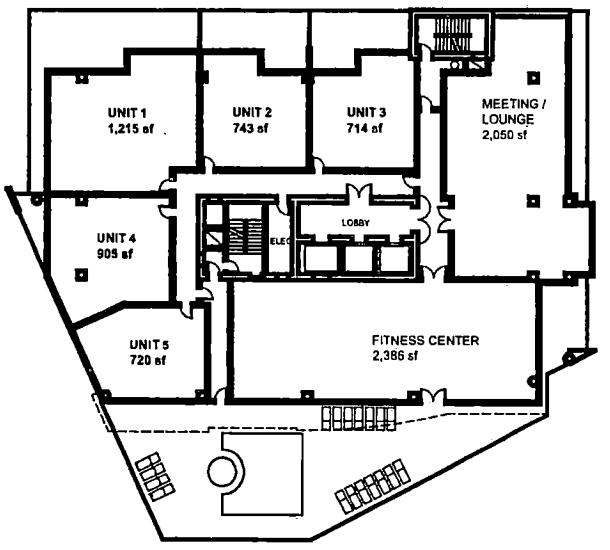
RECEIVED
APR 1 2005

10150 COVINGTON CROSS DRIVE LAS VEGAS, NEVADA 89144
PHONE: (702) 731-2333 FAX: (702) 731-2338 WWW.JMAARCH.COM

PROJECT NO: 200401329
DATE: 03.28.2005

0 10' 20' 40'
SCALE: 1"=30'
NORTH

JMA ARCHITECTURE [redacted]S



1 BEDROOM: 4 UNITS
2 BEDROOM: 1 UNITS

TOTAL 5 UNITS

PD03 LEVEL 08 FLOOR PLAN

CHARLESTON / THIRD CONDOMINIUMS

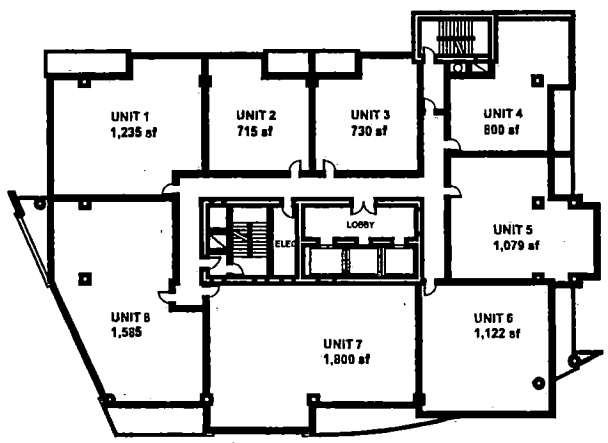
10150 COVINGTON CROSS DRIVE LAS VEGAS, NEVADA 89144
PHONE: (702) 731-2033 FAX: (702) 731-2039 WWW.JMAARCH.COM

PROJECT NO: 200401329
DATE: 03.28.2005
0 10' 20' 40'
SCALE: 1/16"= 1'-0"
NORTH

SDR-6111
04-14-05 PC
REVISED 04-01-05

RECEIVED
APR 1 2005

JMA ARCHITECTURE STUDIOS



1 BEDROOM: 4 UNITS/LEVEL
2 BEDROOM: 4 UNITS/LEVEL

8 UNITS/LEVEL

TOTAL 128 UNITS

PD04 LEVEL 09-24 FLOOR PLAN

CHARLESTON / THIRD CONDOMINIUMS

SDR-6111
04-14-05 PC
REVISED 04-01-05

RECEIVED
APR 1 2005

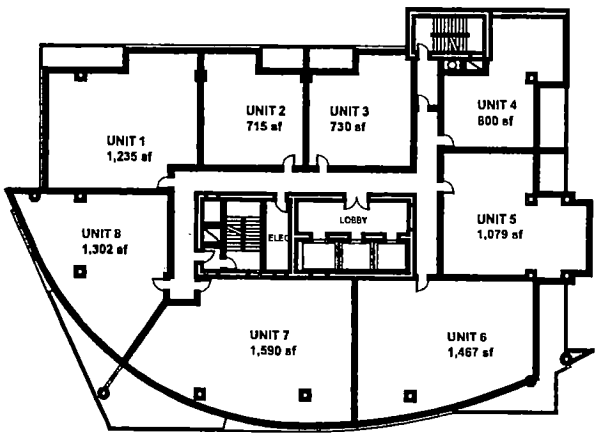
10150 COVINGTON CROSS DRIVE LAS VEGAS, NEVADA 89144
PHONE: (702) 731-2333 FAX: (702) 731-2039 WWW.JMAARCH.COM

PROJECT NO: 200401329
DATE: 03.28.2005

0 10' 20' 40'
SCALE: 1"=30'

NORTH

JMA ARCHITECTURE STUDIOS



1 BEDROOM: 4 UNITS/LEVEL
2 BEDROOM: 4 UNITS/LEVEL

TOTAL 16 UNITS

PD05 LEVEL 25-26 FLOOR PLAN

CHARLESTON / THIRD CONDOMINIUMS

SDR-6111
04-14-05 PC
REVISED 04-01-05

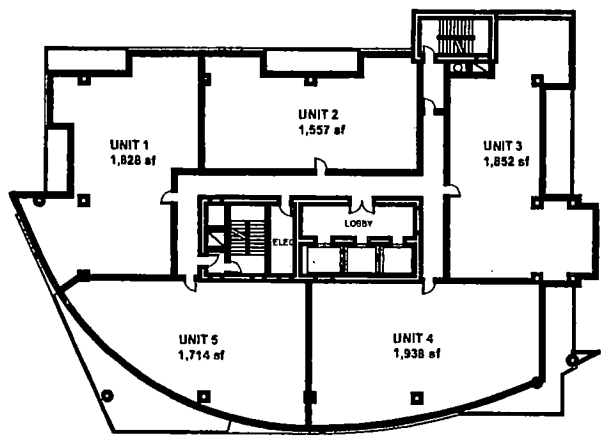
RECEIVED
APR 1 2005

10150 COVINGTON CROSS DRIVE LAS VEGAS, NEVADA 89144
PHONE: (702) 731-2033 FAX: (702) 731-2039 WWW.JMAARCH.COM

PROJECT NO: 200401329
DATE: 03.28.2005

0 10' 20' 40'
SCALE: 1"=30'
NORTH

JMA ARCHITECTURE STUDIOS



2 BEDROOM: 5 UNITS/LEVEL

TOTAL	**10 UNITS**

PD06 LEVEL 27-28 FLOOR PLAN

CHARLESTON / THIRD CONDOMINIUMS

SDR-6111
04-14-05 PC
REVISED 04-01-05

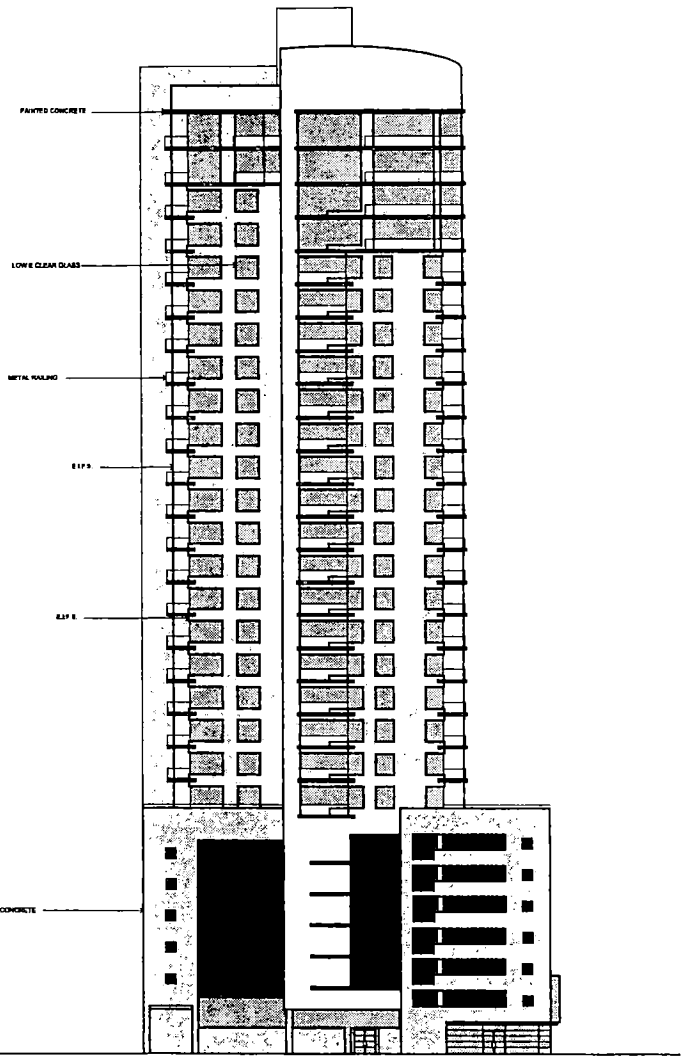
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APR 1 2005

10150 COVINGTON CROSS DRIVE, LAS VEGAS, NEVADA 89144
PHONE: (702) 731-2033 FAX: (702) 731-2039 WWW.JMAARCH.COM

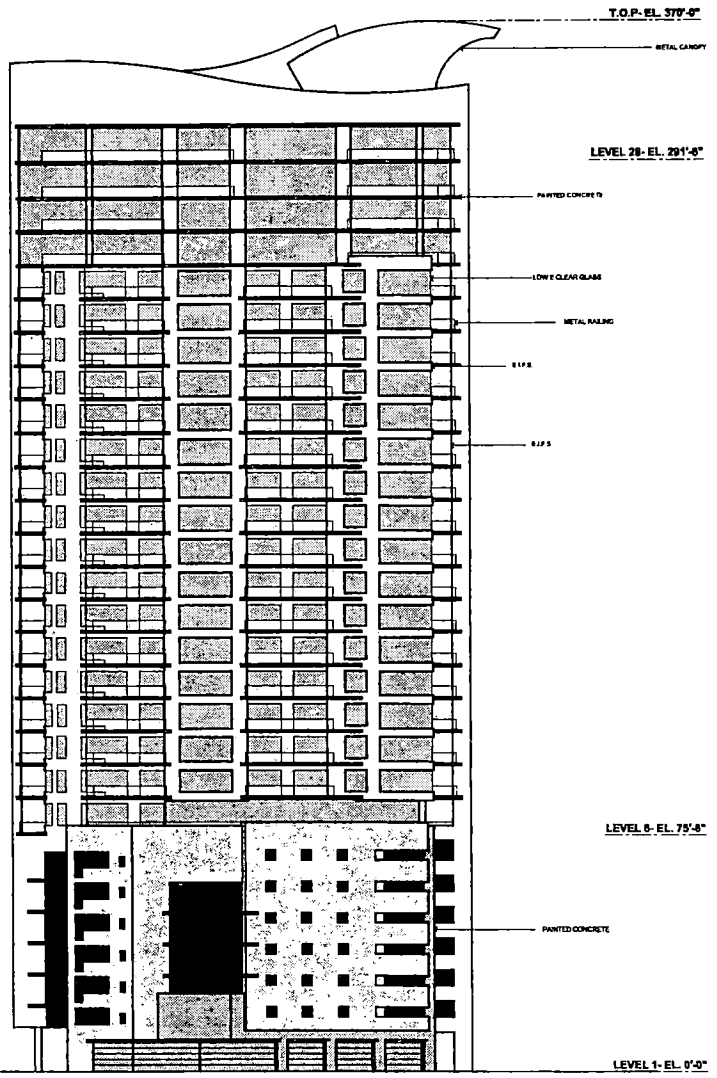
PROJECT NO: 200401329
DATE: 03.28.2005

0 10' 20' 40'
SCALE: 1"=30'

NORTH



WEST ELEVATION



SOUTH ELEVATION

SDR-6111
04-14-05 PC
REVISED 04-01-05

SITE DEVELOPMENT PLAN REVIEW

Charleston / THIRD Condominiums

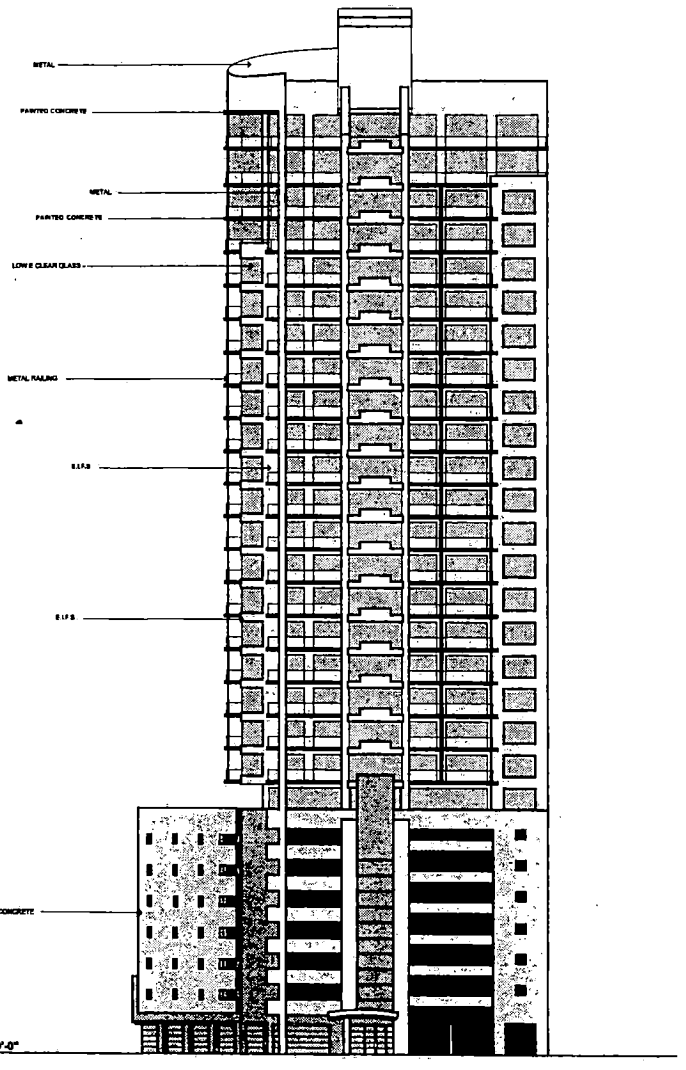
City of Las Vegas
LAS VEGAS, NEVADA

SCALE: 1" = 80'-0"

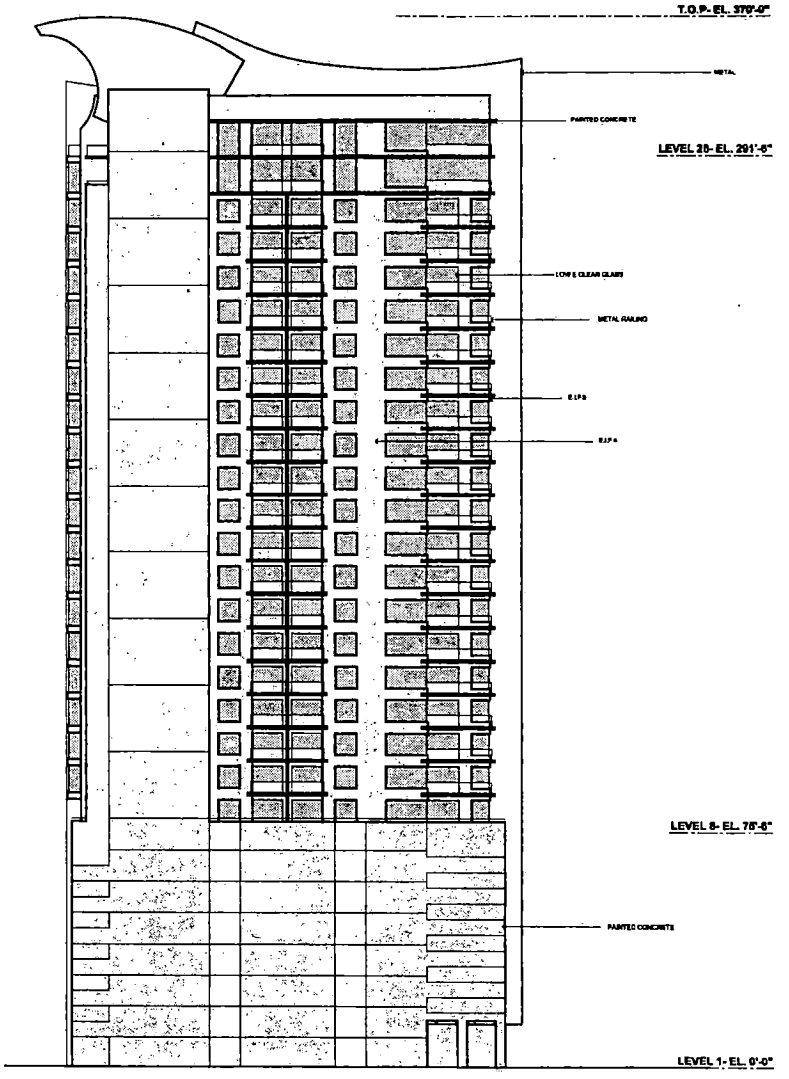
JMA ARCHITECTURE STUDIOS
Project # 200401329
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89114
PHONE: (702) 731-2033 *** FAX: (702) 731-2038 *** WWW.JMAARCH.COM

Date: APRIL 1ST, 2005

DR-07



EAST ELEVATION



NORTH ELEVATION

SDR-6111
04-14-05 PC
REVISED 04-01-05

SITE DEVELOPMENT PLAN REVIEW

Charleston / THIRD Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

SCALE: 1" = 40'-0"

RECEIVED
APR 1 2005

JMA ARCHITECTURE STUDIOS

Project # 200401329

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89114
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Date: APRIL 1ST, 2005

DR-08



SDR-6111 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: CHARLESTON-3RD, LLC, ET A
1026 AND 1036 SOUTH THIRD STREET
APRIL 14, 2005 PLANNING COMMISSION

3/3/05



SDR-6111 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: CHARLESTON-3RD, LLC, ET AL
1026 AND 1036 SOUTH THIRD STREET
APRIL 14, 2005 PLANNING COMMISSION

3/3/05

JMA ARCHITECTURE STUDIOS

February 8, 2005

City of Las Vegas
Current Planning Division
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

RE: Charleston Boulevard and Third Street Condominiums
JUSTIFICATION LETTER

APN: 139-34-410-091
139-34-410-092

Dear Sir or Madam:

We are requesting Site Development Plan Review and Waiver of Design Standard for the development of a mixed use project consisting of a 20 story, 114 unit condominium tower, 4,530 square feet of associated amenity spaces for the condo including a fitness club and lounge, 6,200 square feet of commercial retail space accessible to the general public, and 178 parking spaces in a structured parking garage. This mixed use development will be located at the northwest corner of Charleston Boulevard and Third Street in the downtown redevelopment area. The General Plan designation is General Commercial and the site is zoned C-2.

The proposed building is connected at the parking levels 2 through 6 and the amenities level 20 with the adjacent proposed building located across the alley at the northeast corner of the Casino Center and Charleston Boulevard. The entrance to the residents' parking of both buildings is at the Casino Center Boulevard. The addition of the bridge results in a loss of 15 parking spaces in the parking structure of the adjacent building.

The Waiver of the Design Standard is requested for the building step-back at 4th, 11th and 18th stories. The proposed building steps back at 7th level, the top of parking structure.

The Waiver of the Design Standard is requested for the Build-To-Line requirement. The pedestrian sidewalk on Charleston Boulevard is too narrow to accommodate this requirement.

We are requesting approval for the overhead encroachment to the public way on Third Street. We propose the canopy at the residents' entry to extend 18" past the building (and property) line to be more visible and inviting.

Sincerely

Kastytis Cechavicius
Senior Designer

SDR-6111

Thomas J. Schoeman, AIA
President

Edward A. Vance, AIA
Sr. Vice President

10150 COVINGTON CROSS DRIVE LAS VEGAS, NEVADA 89144 (702) 731 2033 facsimile (702) 731 2039