City of Las Vegas

Agenda Item No.: 33

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

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).

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:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

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

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open on Item 33 [GPA-6191], Item 34 [ZON-6192] and Item 35 [SDR-6193].

DEREK ALLEN, Planning and Development, gave an overview of the applications. He stated that the proposed density is compatible with the existing adjacent land use designations. In addition, development at such density is appropriate along Lamb Boulevard, a 100-foot primary arterial. Access to the subject site is provided from Harris Avenue with connection to Lamb Boulevard and will be sufficiently served by existing roadway facilities. Staff recommended approval.

MINUTES – Continued:

JORDAN PRIMACK, Owner/Manager, B & B Asset Management Company, 1000 N. Green Valley Parkway, Ste. 440-355, Henderson, NV 89074, expressed appreciation for the opportunity to present his project and was available for any questions from the Commission.

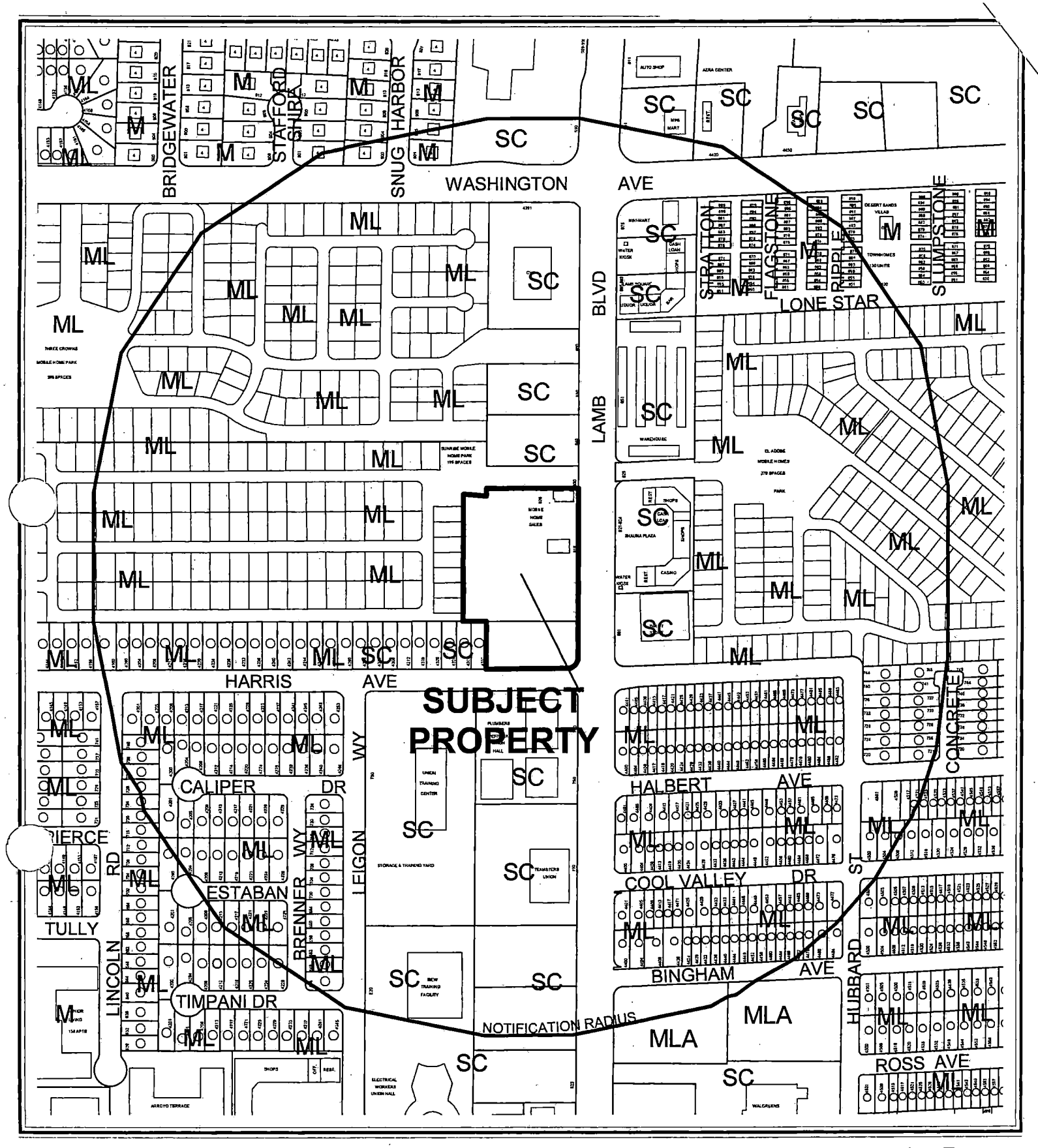
TODD FARLOW, 240 N. 19th Street, referenced Item 34 and questioned if there would be mobile homes and would they be individually owned. MR. PRIMACK responded that the proposed development is for a multi-family development of (15) 4-plex homes with each unit having a two-car garage, and the proposed development would be adjacent to mobile home parks.

MARK HITECHEW, 4229 Caliper Drive, Las Vegas, expressed concern with the access point on Harris Avenue. This is a populated area and would create a bigger problem with traffic. He felt it would be more practical to have an entrance on Lamb Boulevard. MR. PRIMACK responded that this issue was discussed with staff and the engineers and was agreed that the entrance/exit off of Harris Avenue was more appropriate. Having the entrance/exit on Lamb Boulevard would require an easement from the adjacent mobile home park.

COMMISSIONER McSWAIN was pleased with the design of the proposed project, including the additional guest parking and the garages. She appreciated the fact that there was not a waiver request for the distance separation from the intersection. MR. PRIMACK confirmed there was not a light at the intersection; but a traffic study would be done. At the Commissioner's request, he also showed elevations of the proposed development. He then concurred with staff's recommendation to amend Condition 12 on Item 35.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 33 [GPA-6191], Item 34 [ZON-6192] and Item 35 [SDR-6193].

(8:03 – 8:12)



0 300 600 Feet

CASE: **GPA-6191**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
M (MEDIUM DENSITY RESIDENTIAL)

N



0 300 600 Feet

CASE: **GPA-6191**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
M (MEDIUM DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-6191 - APPLICANT: B & B ASSET MANAGEMENT LLC - OWNER: RONALD J. RICHARDSON

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property adjacent to the northwest corner of Lamb Boulevard and Harris Street from SC (Service Commercial) to M (Medium Density Residential).

BACKGROUND DATA:

03/19/69 The City Council approved a request for a Rezoning (Z-0010-69) from: R-E (Residence Estates), R-T (Residential), and C-1 (Limited Commercial) to: C-1 (Limited Commercial), R-MHP (Residential Mobile/Manufactured Home Park) on the west side of Lamb Boulevard between Washington Avenue and Harris Avenue.

08/07/85 The City Council approved the Community Profiles of the City of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated as SC (Service Commercial/ Office).

03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan.

08/18/99 The City Council approved GPA-0023-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.

09/06/99 The City Council approved GPA-0010-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.

09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.

DETAILS OF APPLICATION REQUEST

Site Area: 4.07 Acres

Existing Land Use

Subject Property	Undeveloped
North	Commercial/ Retail
South	Union Hall
East	Commercial/ Retail
West	Mobile Homes

Planned Land Use

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

Existing Zoning

Subject Property	C-1 (Limited Commercial)
North	R-MHP (Residential Mobile/ Manufactured Home Park)
South	C-1 (Limited Commercial)
East	C-1 (Limited Commercial)
West	R-MHP (Residential Mobile/ Manufactured Home Park)

	YES	NO
SPECIAL PLAN AREA		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

M (Medium Residential) (12.1 to 25 dwelling units/gross acre.) The Medium Residential category permits a maximum of 25 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

SC (Service Commercial) The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

INTERAGENCY ISSUES

There are no interagency issues that pertain to the subject request.

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

The Southern Nevada Regional Policy Plan, approved February 22, 2001, set out a requirement for local entities to establish a means of identifying Projects of Regional Significance (PRS), and of addressing the impacts of these projects. The city of Las Vegas, through Ordinance No. 5477, has established such a process. Pursuant to this Ordinance, staff has determined that this proposed General Plan Amendment and its companion items would/would not meet the definition of a Project of Regional Significance as defined in the ordinance.

ANALYSIS

The applicant plans to construct a 60-unit, single-family, residential condominium development on this 4.07-acre lot. The development will be accessed from Harris Avenue. Single-family dwellings with a typical lot size of 0.12 acre and a mobile home development with a designation of ML (Medium Low Density Residential) are adjacent to the west.

The Southeast Sector Plan of the General Plan designates the site as SC (Service Commercial). This application proposes to change the land use designation of the subject property to M (Medium Density Residential) to accommodate the 60 residential units. The proposed density of up to 24 dwelling units per acre are compatible with the adjacent residential which has a potential of eight dwelling units per acre and the SC (Service Commercial) to the north, south, and east.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations**

   The proposed M (Medium Density Residential) allows a density of up to 25.0 dwelling units per acre and will act as an effective transition between the commercial along Lamb Boulevard and the residential to the west.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts.**

   The proposed General Plan Amendment would allow zoning districts that would be compatible with the existing adjacent zoning districts. Parcels adjacent to the site are zoned R-MHP (Residential Mobile/ Manufactured Home Park), which allows a maximum density of up to eight units per acre. If the proposed General Plan Amendment were approved, it would allow for zoning districts with densities up to 25.49 units per acre. Development at such density is appropriate along Lamb Boulevard, a 100 – foot primary arterial as shown on the Master Plan of Streets and Highways.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment.**

   As the neighborhood is a well established community there are adequate transportation, recreation, utility, and other public facilities to accommodate the proposed project.

4. **The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**

   The proposed development supports Objective 2.1 of the Las Vegas 2020 Master Plan that calls for a focus on residential reinvestment on transitional sites at densities that support mass transit usage. The development supports Objective 2.6 of the Plan that calls for quality infill development on vacant and underutilized lands.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the policy, on March 14, 2005 a neighborhood meeting was held sponsored by the applicant. Nine persons attended, three from the public and six for the development team. The following comments were made.

- The project includes two and three bedroom townhouse style units.
- Rents would range from $900 to $1,000.
- Concerns were expressed about the height of and the materials of the perimeter wall.
- The maximum height of the buildings will be 25 feet.
- Landscaping will be installed with the perimeter walls.
- Drainage from the development will be by the internal streets to the main entry of the project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 1,163 – Mailed with ZON-6192 and SDR-6193

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-6191 APN: 140-30-701-009, 010

Name of Property Owner: Ronald J. Richardson

Name of Applicant: BtB Asset Management, LLC

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

_____Yes _____✓No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Ronald J. Richardson

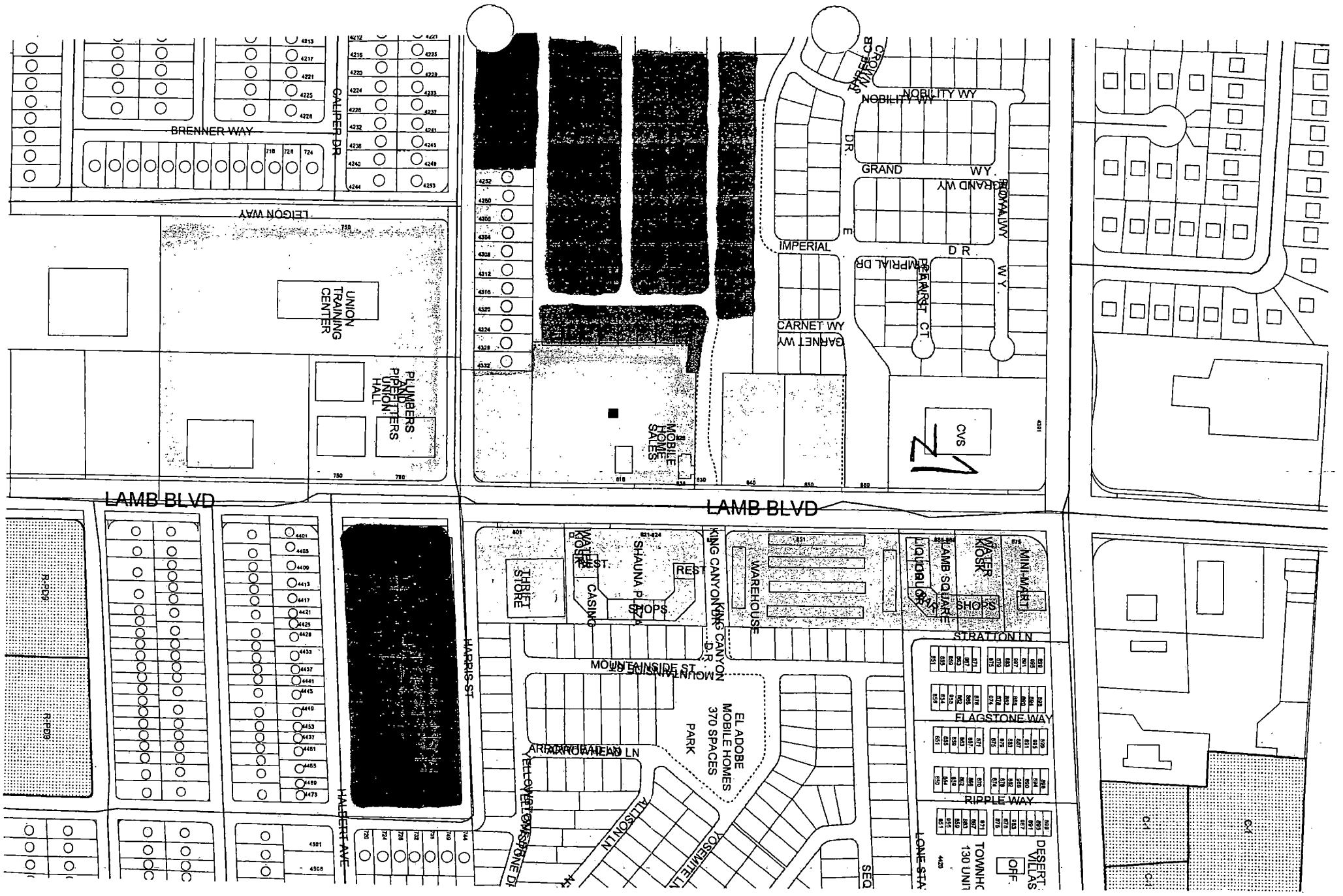
Subscribed and sworn before me

This 24th day of February, 2006

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
J. D'HONDT
Appt. No. 99-55953-1
My Appt. Expires May 1, 2007



GPA-6191
04-14-05 PC

B & B ASSET MANAGEMENT LLC

City of Las Vegas **2.25.05**
Planning & Development Department
731 S. 4th Street
Las Vegas, NV. 89101

RE: Justification Letter for a General Plan Amendment at "HARRIS VILLAGE" (APN 140-30-701-009;010)

Applicant: B & B Asset Management, LLC, Jordan S. Primack, Managing Member

Applicant requests approval of a General Plan Amendment from Service Commercial (SC) to Medium12-25 d.u./acre (M) to allow a multi-family development of 4-Plex homes having a single family detached residential flavor on approximately *4.07* gross acres located at the Northwest corner of Lamb Blvd and Harris Ave., Las Vegas, NV. 89110. The applicant estimates that each of the 4-Plex buildings will total over 4,100 finished square feet with each building containing (4) two car garages. Our proposal meets or exceeds all parking, and setback requirements. The proposed density with 15 buildings is approximately 14.7 DU/Acre.

This 4 acre site was at one time used as the sales center for the adjacent mobile home park to the west, which was built over 30 years ago. Currently, this site is mostly paved and has remained vacant due to the inability to justify a future commercial center. The applicant believes that the site in its current state poses safety risks to the neighbors and those children who cut through the parcel on the way to school. In addition the applicant's proposal provides access to and from the site entering onto Harris with a fire emergency access gate to Lamb. This will limit the ability for pedestrians to cut through the site and reduce additional vehicular congestion onto Lamb.

Although, the General Plan shows the neighboring homes to the South as SC and ML to the West; this parcel is adjacent on one side only by two lots of single family and a mobile home park. An additional side is the entry to a driveway to the mobile home park. With this parcel abutting a busy Lamb Blvd, the applicant believes this intended use would become an excellent buffer to Lamb for its residential surroundings. As proposed, the applicant believes this proposal to promote public health, safety, and general welfare in accordance with LVMC 19.18.030.

Thank you for your cooperation with these matters.

Respectively,

Jordan S. Primack
Owner/Manager
B & B Asset Management LLC
file: Harris Justification GPA Letter 2.25.05

PBM # 355 1000 N. Green Valley Parkway, Suite #440, Henderson, NV. 89074
Phone: 702.858.4052 Fax: 702.269.4654 email: bcvegas@yahoo.com

GPA-6191

City of Las Vegas

Agenda Item No.: 34

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

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

MINUTES:
See Item 33 [GPA-6191] for all related discussion on Item 33 [GPA-6191], Item 34 [ZON-6192] and Item 35 [SDR-6193].

(8:03 – 8:12)
2-1256

CONDITIONS:
Planning and Development
1. A Resolution of Intent with a two-year time limit.

CONDITIONS – Continued:

2. General Plan Amendment GPA-6191 the amend the land use of the site from SC (Service Commercial) to M (Medium Density Residential) and Site Development Plan Review application (SDR-6193) for a 15 building, 60 unit multi-family development, approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

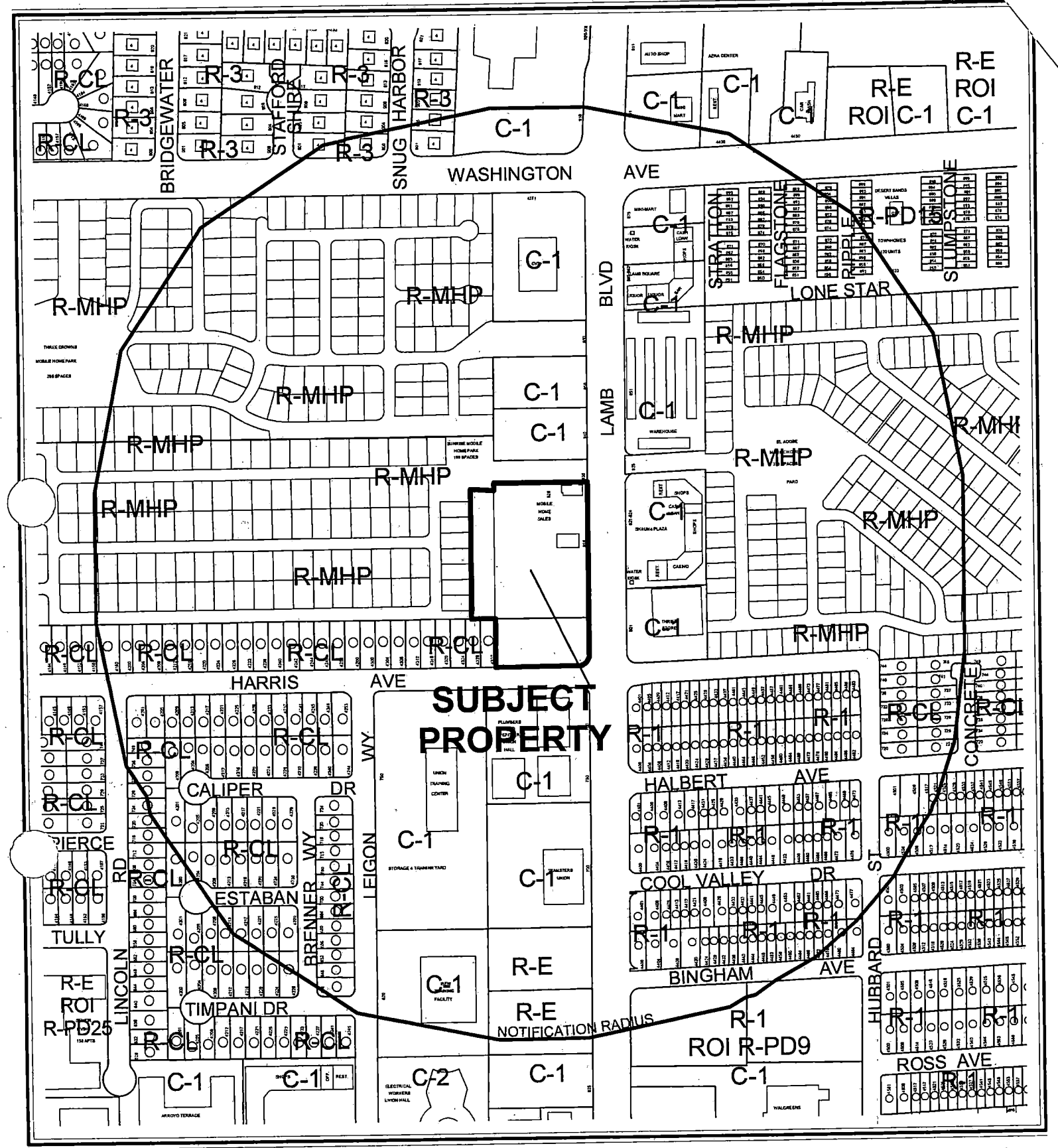
3. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.

4. Construct all incomplete half-street improvements 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).

5. 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.

6. 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.

7. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.



CASE: **ZON-6192**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK) AND C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL)



CASE: **ZON-6192**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK) AND C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6192 - APPLICANT: B & B ASSET MANAGEMENT LLC - OWNER: RONALD J. RICHARDSON

** CONDITIONS **

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

Planning and Development

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

2. General Plan Amendment GPA-6191 the amend the land use of the site from SC (Service Commercial) to M (Medium Density Residential) and Site Development Plan Review application (SDR-6193) for a 15 building, 60 unit multi-family development, approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.

4. Construct all incomplete half-street improvements 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).

5. 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.

6. 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

KCW

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.

7. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

KCW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a rezoning from: C-1 (Limited Commercial) and R-MHP (Residential Mobile/Manufactured Home Park) TO: R-3 (Medium Density Residential) on 4.07 acres adjacent to the northwest corner of Lamb Boulevard and Harris Street.

B) Applicant's Justification

The surrounding current zoning is compatible to the proposal to R-3. The proposed R-3 zoning would be an excellent buffer between Lamb Boulevard and the mobile home park to the west, which is zoned R-MHP and to the southwest which zoned R-CL.

BACKGROUND INFORMATION

A) Related Actions

03/19/69 The City Council approved a request for a Rezoning (Z-0010-69) from: R-E (Residence Estates), R-T (Residential), and C-1 (Limited Commercial) to: C-1 (Limited Commercial), R-MHP (Residential Mobile/Manufactured Home Park) on the west side of Lamb Boulevard between Washington Avenue and Harris Avenue.

B) Pre-Application Meeting

02/11/05 The elements of complete applications were discussed in a pre-application conference with the applicant.

C) Neighborhood Meetings

03/14/05 In accordance with city policy for a General Plan Amendment review a neighborhood meeting sponsored by the applicant. Nine persons attended, three from the public and six for the development team. The following comments were made.

- The project includes two and three bedroom townhouse style units.
- Rents would range from $900 to $1,000.
- Concerns were expressed about the height of and the materials of the perimeter wall.

KCW

- The maximum height of the buildings will be 25 feet.
- Landscaping will be installed with the perimeter walls.
- Drainage from the development will be by the internal streets to the main entry of the project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 4.07

B) Existing Land Use

Subject Property	Undeveloped
North	Commercial/ Retail
South	Union Hall
East	Commercial/ Retail
West	Mobile Homes

C) Planned Land Use

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

D) Existing Zoning

Subject Property	C-1 (Limited Commercial) R-MHP (Residential Mobile/ Manufactured Home Park)
North	R-MHP (Residential Mobile/ Manufactured Home Park)
South	C-1 (Limited Commercial)
East	C-1 (Limited Commercial)
West	R-MHP (Residential Mobile/ Manufactured Home Park) R-CL (Residential Compact Lot)

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southeast Sector Plan of the General Plan. The proposed General Plan Amendment to change the land use from SC to M(Medium Density Residential) will support the requested rezoning to the R-3 (Medium Density Residential) zoning designation.

KCW

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

There are no special area plans, overlays, notifications, or assessments that pertain to the subject proposal.

F) General Analysis and Discussion

The applicant is proposing the R-3 (Medium Density Residential) zoning in order to construct a 15 building, 60 unit multi-family residential development on this site. The longest side of the site is along Lamb Boulevard and extends south to Harris Avenue.

There are existing C-1 development to the north, south, and east. There is R-MHP and R-CL zoned development to the west. The density of the proposal is 14.7 dwelling units per acre (DUA), less than the 24 DUA that is the maximum of the site's proposed Medium Land Use designation. The density is in harmony with the commercial development to north, south and east and can act as a transition between the R-MHP and R-CL development to the west and Lamb Boulevard and the commercial along Lamb.

FINDINGS

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

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

   The site is designated SC (Service Commercial) on the Southeast Sector Land Use Plan Map of the General Plan. The proposed General Plan Amendment to M (Medium Density Residential) will support the requested R-3 (Medium Density Residential) Zoning designation. The maximum gross density of 14.7 units per acre is in conformance with the General Plan.

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

KCW

The proposed multi-family development on this site is similar in density to other residential development in this area. The proposed R-3 (Medium Density Residential) zoning will be compatible with surrounding land uses and zoning districts as a buffer and transition between uses.

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

The site has been planned to commercial for some time. Adjacent property with similar zoning has been very slow developed as commercial while the surrounding residential has filled in quickly and completely, leaving pockets of undeveloped land zoned as commercial. With the commercial development moving to the fringe areas of the city the undeveloped commercial land in the heart of the city would be better used as higher density residential, especially along the major arterials such as Lamb Boulevard. The transition to residential at this location is appropriate.

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

Access to this site is provided from Harris Avenue with connection to Lamb Boulevard, a 100-foot wide primary arterial on the Master Plan of Streets and Highways. The proposed development of the site will be sufficiently served by existing roadway facilities.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 1,163 – Mailed with GPA-6191 and SDR-6193

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON.6192 APN: 140-30-701-009

Name of Property Owner: Ronald J. Richardson

Name of Applicant: B+B Asset Management

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: Ronald J. Richardson

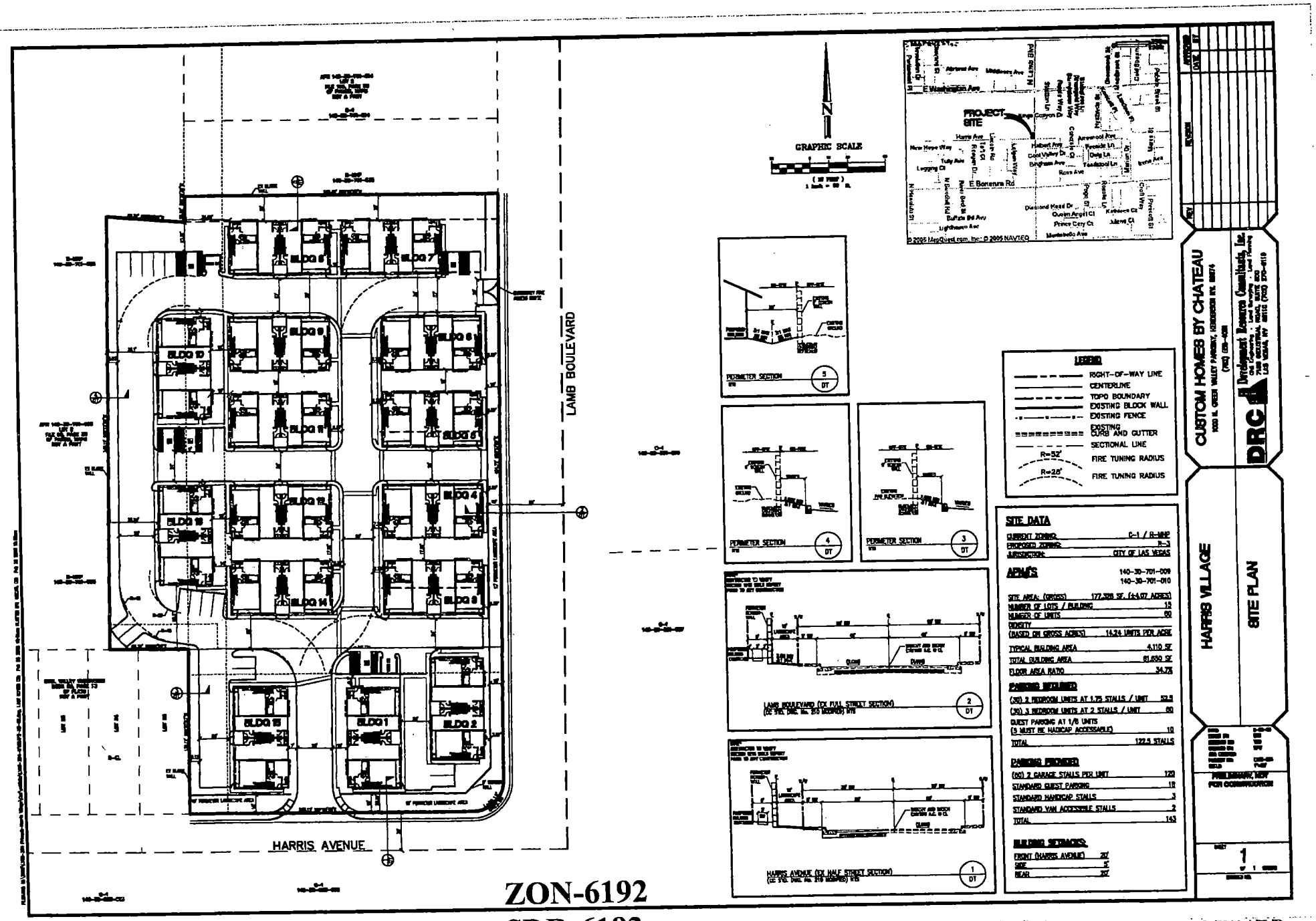
Subscribed and sworn before me

This 24th day of February, 2005

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
J. D'HONDT
Appt. No. 99-55953-1
My Appt. Expires May 1, 2007



ZON-6192
SDR-6193
04-14-05 PC

RECEIVED

B & B ASSET MANAGEMENT LLC

2.25.05

City of Las Vegas
Planning & Development Department
731 S. 4th Street
Las Vegas, NV. 89101

RE: Justification Letter for a Rezoning at "HARRIS VILLAGE" (APN 140-30-701-009;010)

Applicant: B & B Asset Management, LLC, Jordan S. Primack, Managing Member

Applicant requests approval of Rezoning these parcels from Limited Commercial (C-1) to Medium Density Residential (R-3) to allow the multi-family development of (15) 4-Plex homes where each building is condominiumized into separate lots. Each building has single family detached residential flavor which has been proposed on approximately *4.07* gross acres located at the Northwest corner of Lamb Blvd and Harris Ave., Las Vegas, NV. 89110. The applicant intends that each of the 4-Plex totals over 4,100 finished square feet with each building containing (4) two car garages. The applicant is proposing a density of approximately14.7 d.u/acre.

The project meets or exceeds the setback requirements as follows: 1) the front setback requirement at 20' on Harris meets the setback requirement; 2) the rear setback which is adjacent to the entry to the mobile home park exceeds the minimum by 5' totaling 20'; 3) the West side setback adjacent to the mobile home park pads is 39' which exceeds the minimum requirement by 29'; 4) the East side setback, which is adjacent to Lamb Blvd. is 15' which exceeds the minimum setback by 5'; 5) the distance between buildings ranges from a minimum of 10' to a maximum of 47'.

The parking, as shown, exceeds the required amount. The parking minimum for this proposal is 122.5 parking spaces. The applicant proposes 15 buildings with each building having 8 garage spaces totaling 120. In addition, the applicant has provided an additional 23 guest parking spaces to a grand total of 143 parking spaces.

The applicant has provided paved roads and access points which meet the standard requirements. The condominium proposal allows a 24' drive isle throughout the community. There is one primary access point for ingress and egress on Harris. In addition there is one emergency fire access onto Lamb.

The surrounding current zoning is compatible to the proposal to R-3. The proposed R-3 zoning would be an excellent buffer from Lamb Blvd. to the mobile home park to west is which is zoned R-MH and to the southwest which is zoned R-CL. To the north and south is additional C-1. To the east is Lamb Blvd.

PBM # 355 1000 N. Green Valley Parkway, Suite #440, Henderson, NV. 89074
Phone: 702.858.4052 Fax: 702.269.4654 email: bcvegas@yahoo.com

ZON-6192

B & B ASSET MANAGEMENT LLC

Thank you for your cooperation with these matters.

Respectively,

Jordan S. Primack
Owner/Manager
B & B Asset Management LLC
file: Harris Justification Rezoning Letter 2.25.05

PBM # 355 1000 N. Green Valley Parkway, Suite #440, Henderson, NV. 89074
Phone: 702.858.4052 Fax: 702.269.4654 email: bcvegas@yahoo.com

City of Las Vegas

Agenda Item No.: 35

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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

12. No Structures shall be permitted within the existing 20-foot public drainage easement granted per, File 93, Page 38 of official records. A Drainage Plan/Study must be approved that provides an alternate design and allows for the vacation of said easements in conflict with this site plan. Submit a vacation application for the existing drainage *easement*, in conflict with this site plan, granted per, File 93, Page 38.

– UNANIMOUS

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

MINUTES:
See Item 33 [GPA-6191] for all related discussion on Item 33 [GPA-6191], Item 34 [ZON-6192] and Item 35 [SDR-6193].

(8:03 – 8:12)

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 35 – SDR-6193

CONDITIONS:

Planning and Development

1. Prior to issue of building permits a revised elevation plan shall be submitted to the Planning and Development Department depicting the use of balconies where feasible.

2. General Plan Amendment GPA-6191 and Rezoning ZON-6192 approved by the City Council.

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

4. All development shall be in conformance with the site plan and building elevations, date stamped 2/28/05, except as amended by conditions herein.

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

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

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

8. 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.

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

10. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

Public Works

11. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.

12. No Structures shall be permitted within the existing 20-foot public drainage easement granted per, File 93, Page 38 of official records. A Drainage Plan/Study must be approved that provides an alternate design and allows for the vacation of said easements

CONDITIONS – Continued:

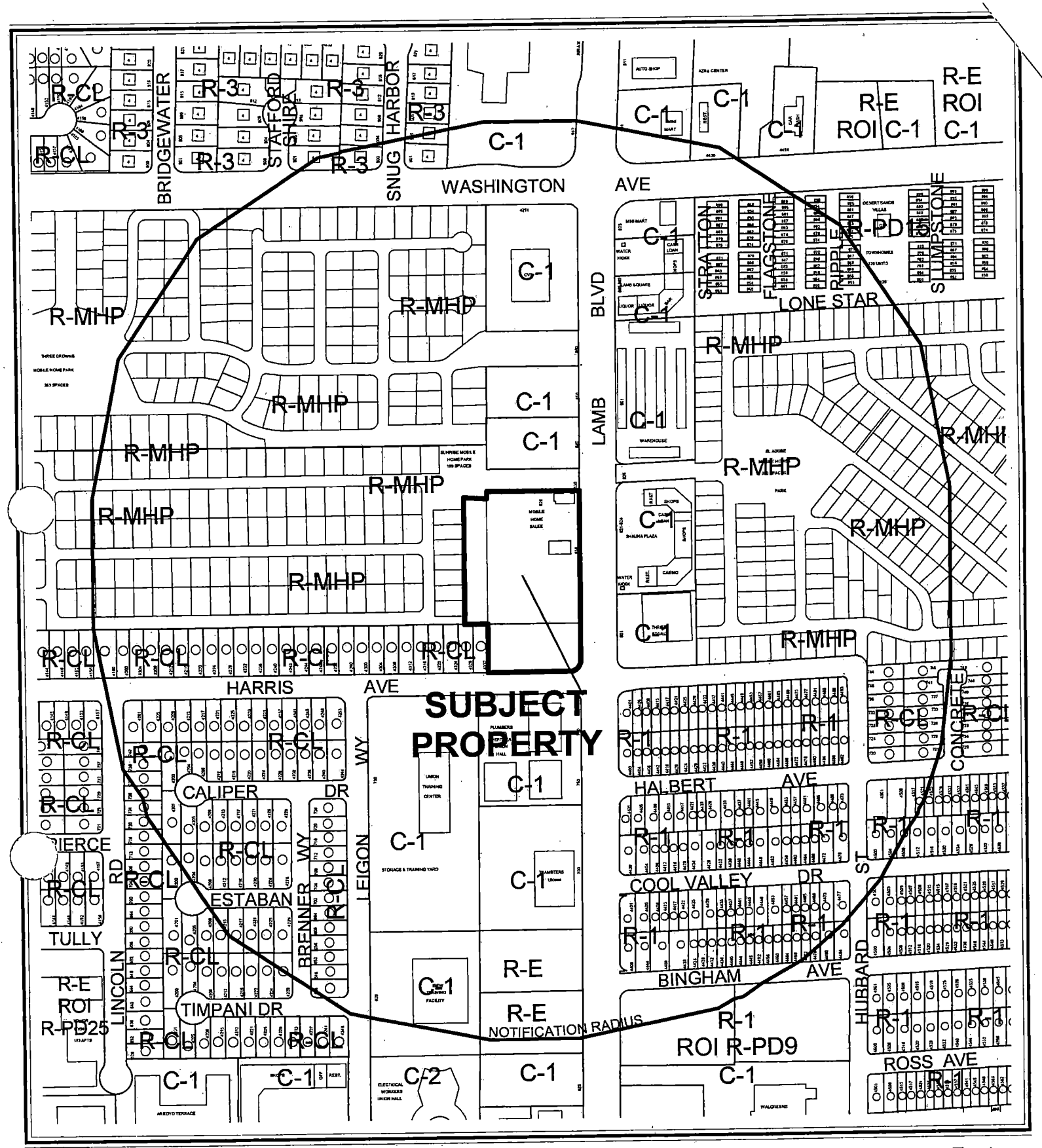
in conflict with this site plan. Submit a vacation application for the existing drainage easements, in conflict with this site plan, granted per, File 93, Page 38.

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

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

15. Site development to comply with all applicable conditions of approval for ZON-6192 and all other applicable site-related actions.

16. 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.



CASE: **SDR-6193**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK) AND C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6193 - APPLICANT: B & B ASSET MANAGEMENT LLC - OWNER: RONALD J. RICHARDSON

** CONDITIONS **

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

Planning and Development

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2. General Plan Amendment GPA-6191 and Rezoning ZON-6192 approved by the City Council.

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KCW

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KCW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Request for a Site Development Plan Review for a 60-unit condominium project on 4.07 acres adjacent to the northwest corner of Lamb Boulevard and Harris Street.

B) Applicant's Justification

The surrounding zoning is compatible to the proposed R-3. The proposed development would be an excellent buffer from Lamb Boulevard to the mobile home park to the west which is zoned R-MHP and to the southwest which is zoned R-CL.

BACKGROUND INFORMATION

A) Previous Actions

03/19/69 The City Council approved a request for a Rezoning (Z-0010-69) from: R-E (Residence Estates), R-T (Residential), and C-1 (Limited Commercial) to: C-1 (Limited Commercial), R-MHP (Residential Mobile/Manufactured Home Park) on the west side of Lamb Boulevard between Washington Avenue and Harris Avenue.

B) Pre-Application Meeting

02/11/05 The elements of complete applications were discussed in a pre-application conference with the applicant.

C) Neighborhood Meetings

03/14/05 In accordance with city policy for a General Plan Amendment review a neighborhood meeting sponsored by the applicant. Nine persons attended, three from the public and six for the development team. The following comments were made.

- The project includes two and three bedroom townhouse style units.
- Rents would range from $900 to $1,000.

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- Concerns were expressed about the height of and the materials of the perimeter wall.
- The maximum height of the buildings will be 25 feet.
- Landscaping will be installed with the perimeter walls.
- Drainage from the development will be by the internal streets to the main entry of the project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 4.07

B) Existing Land Use

Subject Property	Undeveloped
North	Commercial/ Retail
South	Union Hall
East	Commercial/ Retail
West	Mobile Homes

C) Planned Land Use

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

D) Existing Zoning

Subject Property	C-1 (Limited Commercial) R-MHP (Residential Mobile/ Manufactured Home Park)
North	R-MHP (Residential Mobile/ Manufactured Home Park)
South	C-1 (Limited Commercial)
East	C-1 (Limited Commercial)
West	R-MHP (Residential Mobile/ Manufactured Home Park) R-CL (Residential Compact Lot)

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southeast Sector Plan of the General Plan. The proposed General Plan Amendment to change the land use from SC to M (Medium Density Residential) will support the requested rezoning to the R-3 (Medium Density Residential) zoning designation.

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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

There are no special area plans, overlays, notifications, or assessments that pertain to the subject proposal.

PROJECT DESCRIPTION

The submitted site plan indicates a multi-family attached condominium development with a total of 60 units. The one access is from Harris Avenue at the south end of the site. All lots will be accessed from a 24-foot wide private street. The development is split with 30 of the units being three bedroom and 30 being two bedroom residences.

The development is landscaped in accordance with Title 19 with proper buffers shown throughout the site. A ten-foot wide landscape planter is shown along the Lamb Boulevard frontage. A 15 foot buffer is along Harris. A eight foot minimum wide landscape planter is shown along the perimeters.

The submitted elevations depict a two-story product line with an overall height of 26 feet with floor plan sizes ranging from 911 square feet to 1,144 square feet in area. The buildings will have a stucco exterior with tile roofs and two car garages.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

KCW

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 Sq. Ft.	4.07 acres	Y
Min. Lot Width	N/A	N/A	N/A
Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 5 Feet 5 Feet 20 Feet	 20 Ft 39 Ft 15 Ft 20 Ft	 Y Y Y Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	2 Stories / 35 Feet	26 Feet	Y
Trash Enclosure	Y	Y	Y
Minimum Distance between Buildings	10 Ft	10 Ft	Y

The proposal meets the development requirements of Title 19.

A2) Residential Adjacency Standards

The Residential Adjacency Standards pursuant to Title 19.08 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	Number of Units	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
2 Bedroom Multi-family	30	1.75 spaces/unit plus one space per six units for guests	53 6			
3 Bedroom Multi-family	30	2.0 spaces/unit plus one space per six units for guests	60 6			
Sub-Totals			125		143	
Totals			120	5	138	5

KCW

The proposal exceeds the requirements of Title 19 for parking.

A4) Landscape Standards

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

Standards	**Required**		**Provided**
	Ratio	Trees	
Parking Area	1 Trees/Space	23 Trees	35
Buffer: • Min. Trees	1 Trees/ 30 Linear Feet	1600 LF/ 30= 54 Trees	55
• Min. Zone Width Along Streets Along Perimeter • Wall height	10 Feet 6 Feet 6 Feet		10 Feet 8 Feet Not Shown

The proposal meets the landscaping requirements of Title 19.

B) General Analysis and Discussion

- Zoning

The site is currently zoned C-1 (Limited Commercial). A companion Rezoning request (ZON-6192) would, if approved, rezone the subject property to R-3 (Medium Density Residential) in order to allow residential where commercial is currently only allowed. This designation would be compatible with the proposed M (Medium Density Residential) General Plan designation proposed for the site through GPA-6191, which would allow a density of up to 24 dwelling units per acre. These proposed new zoning and General Plan categories are compatible with adjacent medium low density residential and commercial development.

- Site Plan

The development is consistent with the development and parking standards of Title 19.

- Waivers

No Waivers have been requested as part of this application.

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- Landscape Plan

  The landscaping plan conforms to the landscaping standards of Title 19.

- Elevation

  The proposed elevations depict two-story homes to be developed in four plex buildings. Building height will be limited to 26 feet. End units will have two garages while the two interior units will have single car garages. The units display a significant amount of exterior detail, including pop-outs, columns and individual garage doors. These homes are capped with low-angle tile roofs. Further improvement can be achieved by adding balconies where feasible. A condition has been added to address this issue.

- Floor Plan

  The floor plans show a typical layout for a two story, two and three bedroom, condominium multi-plex development.

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 will be an appropriate transition between the commercial along Lamb Boulevard and the residential to the west.

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

   With the approval of the companion General Plan Amendment and Rezoning to an R-3 (Medium Density Residential) zoning district, the proposed development is consistent with the General Plan.

KCW

The proposed development is consistent with the Landscape, Wall and Buffer Standards.

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

Access to this site is provided from Harris Avenue with connection to Lamb Boulevard, a 100-foot wide primary arterial on the Master Plan of Streets and Highways. The proposed development of the site will be sufficiently served by existing roadway facilities.

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

The building and landscape materials are appropriate for this type of development in this portion of the City.

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

The building elevations and design characteristics of the proposed buildings are well-suited for multi-family housing and would be harmonious with the design of the adjacent mobile home development and nearby commercial.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 1,163 – Mailed with GPA-6191 and ZON-6192

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6193 APN: 140-30-701-009,010

Name of Property Owner: Ronald J. Richardson

Name of Applicant: B+B Asset Management, LLC

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Ronald J. Richardson

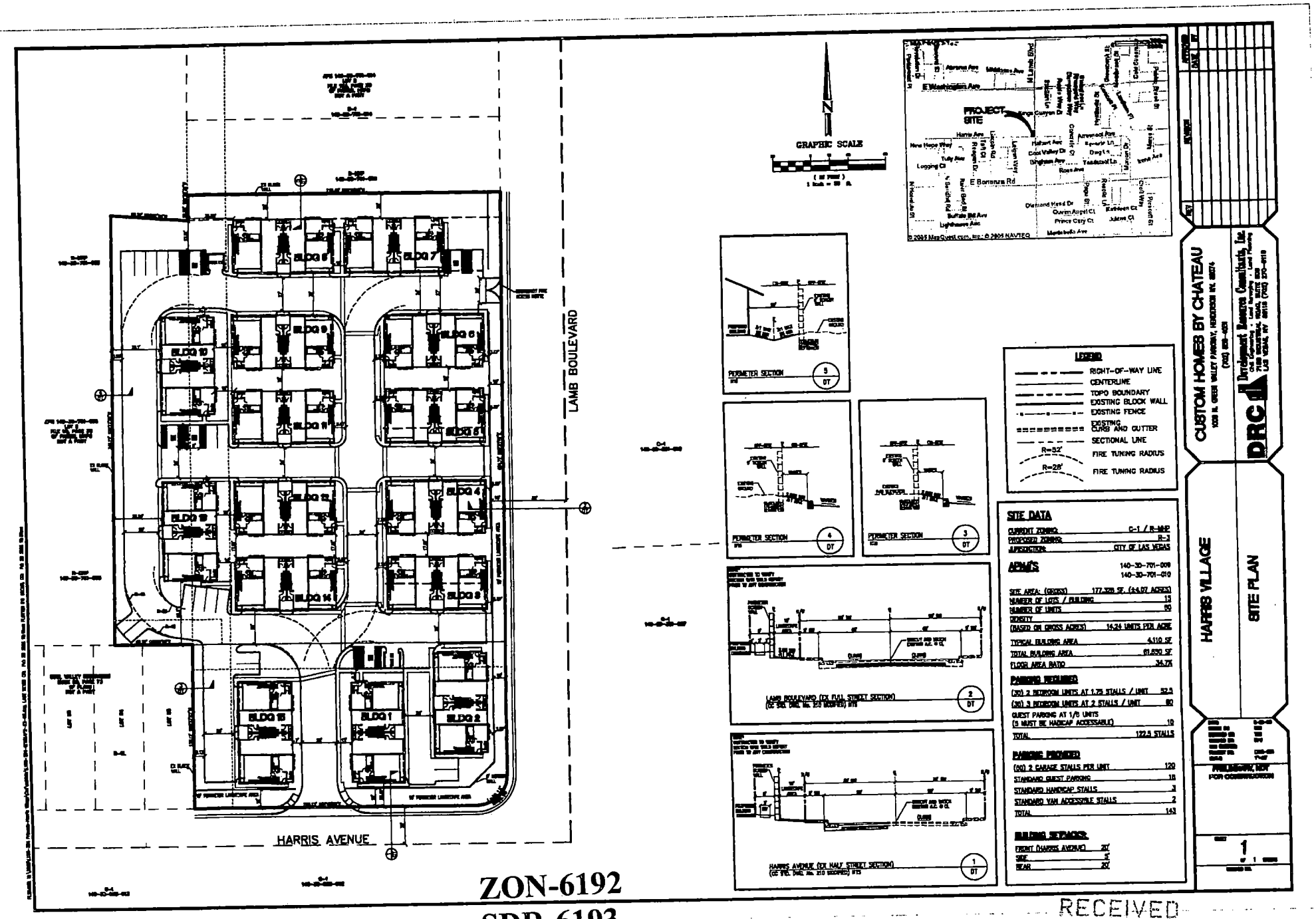
Subscribed and sworn before me

This 24th day of February, 2005

_____

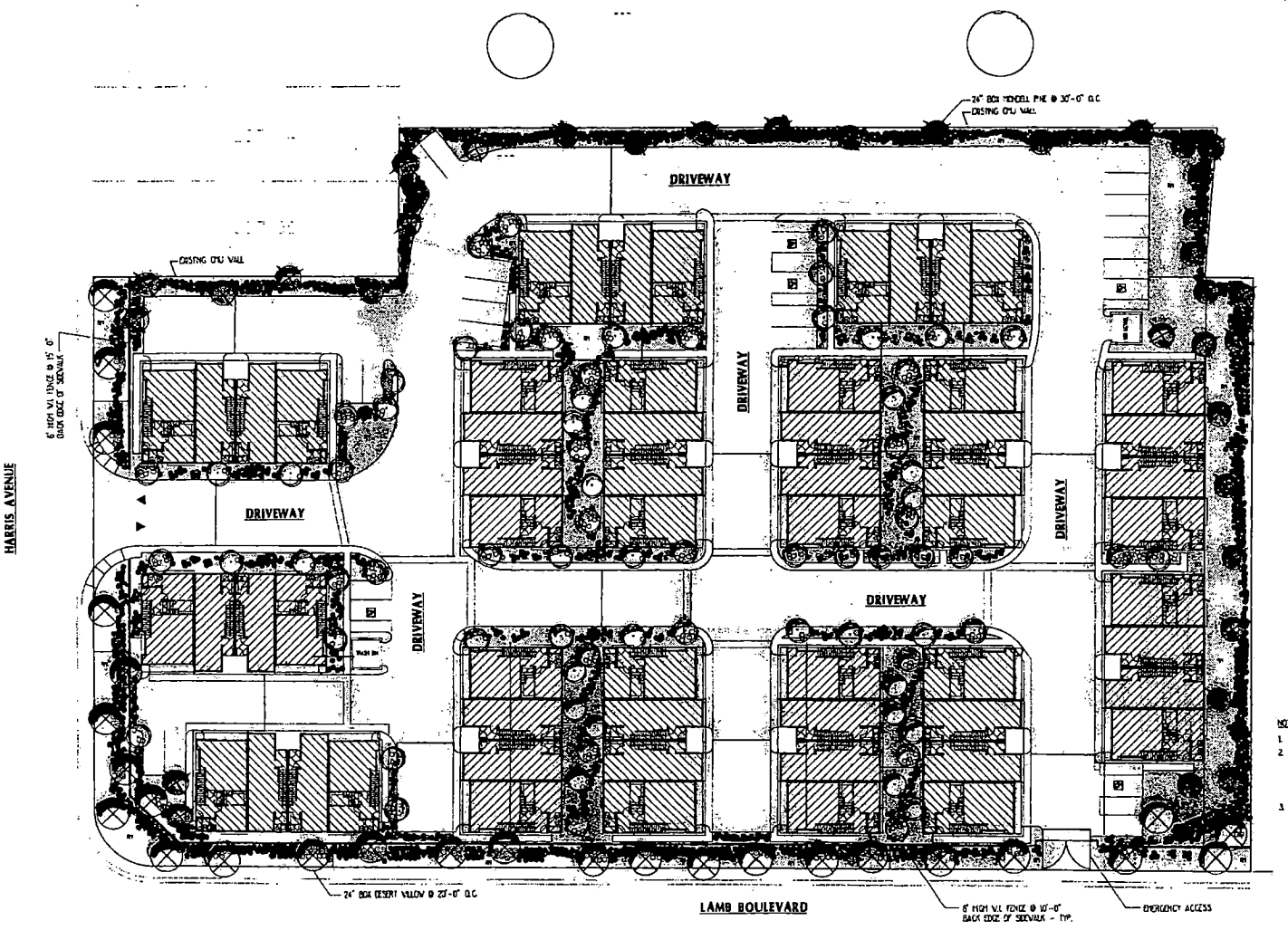
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
J. D'HONDT
Appt. No. 99-55953-1
My Appt. Expires May 1, 2007



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04-14-05 PC

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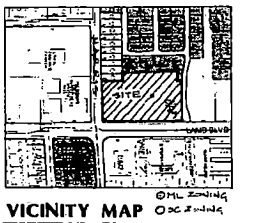


LANDSCAPE LEGEND

- 24" BOX MONDELL PINE PINUS ELDARICA
- 24" BOX HERITAGE OAK QUERCUS VIRGINIANA "HERITAGE"
- 24" BOX DESERT WILLOW CHILOPSIS LINARIS
- SHRUB CLUSTER
  - 5 GAL. @ 36" O.C. TEXAS RANGER LEUCOPHYLLUM FRUTESCENS HYBRI
  - 5 GAL. @ 36" O.C. MEXICAN BIRD OF PARADISE CAESALPINIA MEXICANA
  - 5 GAL. @ 36" O.C. DEER GRASS MUHLENBERGIA SPECES
  - 5 GAL. @ 36" O.C. ROSEMARY ROSEMARIUS OFFICINALIS
- RM APACHE GOLD 3/4" MINUS ROCK MULCHE

NOTES:

1. PERIMETER TREES AT 30'-0" O.C.
2. A LANDSCAPE BUFFER ZONE AND SCREENING WALL SHALL BE CONSTRUCTED AND MAINTAINED ON ALL MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL PROPERTIES WHICH SHARE COMMON PROPERTY LINES WITH SINGLE FAMILY, DUPLEX AND MULTI-FAMILY ZONING IN ACCORDANCE WITH TABLE 1 ON CHAPTER 19A.12, MARCH 1997.
3. ONE SHRUB SHALL BE PROVIDED PER 3 LINEAR FEET OF LANDSCAPE BUFFER. ALL LANDSCAPE PLANTING AREAS THAT ARE NOT DEDICATED TO TREES OR SHRUBS SHALL BE LANDSCAPED WITH GRASS, GROUND COVER, OR OTHER APPROPRIATE LANDSCAPE TREATMENT.



VICINITY MAP

NORTH

SCALE: 1" = 20'-0"

02 NOV 04

MARC LEMOINE ARCHITECTURE, LLC

R.T.S.

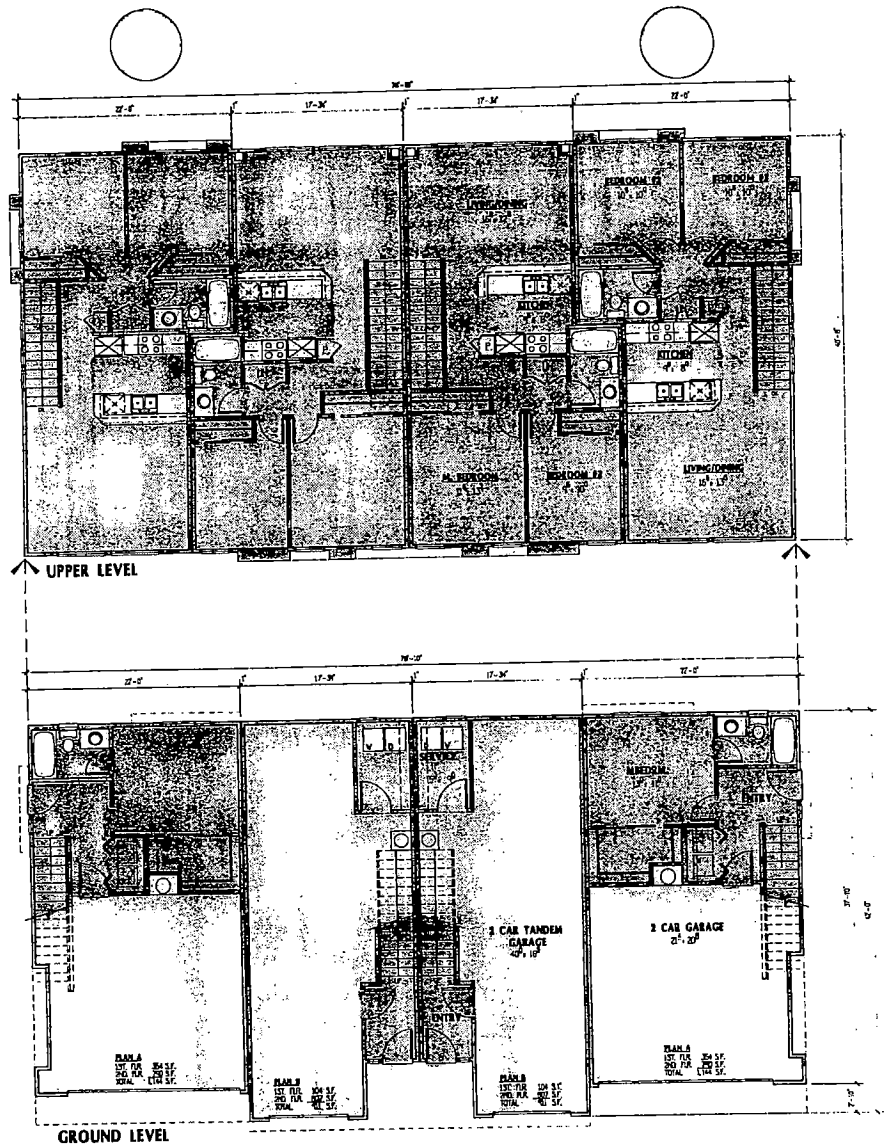
LANDSCAPE PLAN

HARRIS VILLAGE

B & B ASSET MANAGEMENT

ZON-6192
SDR-6193
04-14-05 PC

RECEIVED
FEB 23 2005



FLOOR PLAN PROTOTYPE

HARRIS VILLAGE

B & B ASSET MANAGEMENT

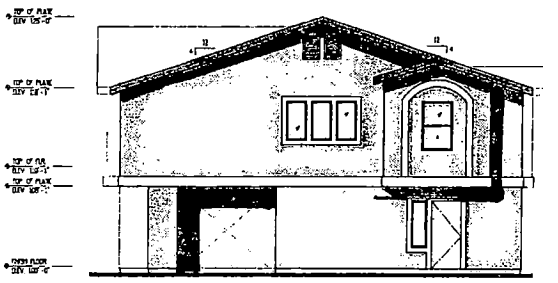
SCALE: 3/16"=1'-0"

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SDR-6193
04-14-05 PC

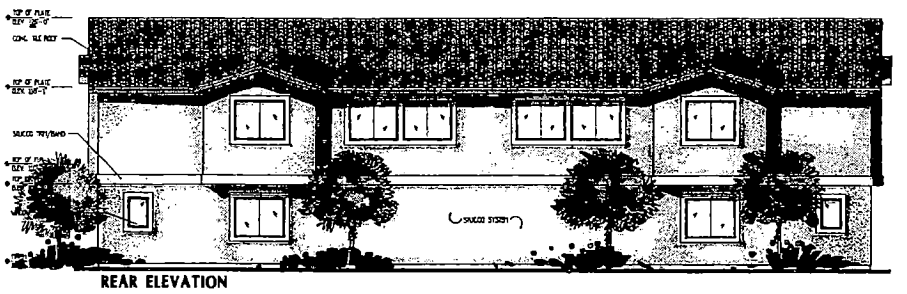
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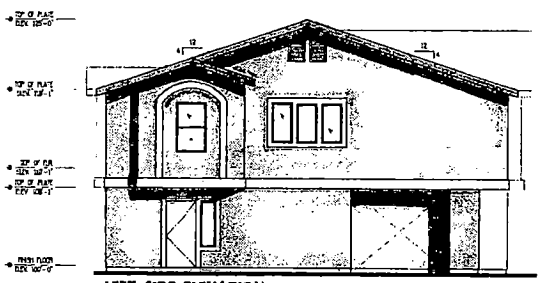
FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

MATERIAL AND COLOR LEGEND

ROOF TILE:
EAGLE ROOFING PRODUCTS
WEATHERED TERRA COTTA FLASHED

FIELD PAINT:
FRAZEE 7755 TANNERY

TRIM PAINT AND
ENTRY DOORS:
FRAZEE 7753 HARVEST TAN

SIDE PAINT AND
GARAGE DOORS
FRAZEE 8725 COACH HOUSE

ELEVATION PROTOTYPES

HARRIS VILLAGE

B & B ASSET MANAGEMENT

SCALE: 3/16" = 1'-0"

MARC LEMOINE ARCHITECTURAL LLC

ZON-6192
SDR-6193
04-14-05 PC

RECEIVED



GPA-6191, ZON-6192 & SDR-6193 - APPLICANT: B & B ASSET MANAGEMENT LLC - OWNER: RONALD J. RICHARDSON
ADJACENT TO THE NORTHWEST CORNER OF LAMB BOULEVARD AND HARRIS STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



GPA-6191, ZON-6192 & SDR-6193 - APPLICANT: B & B ASSET MANAGEMENT LLC - OWNER: RONALD J. RICHARDSON
ADJACENT TO THE NORTHWEST CORNER OF LAMB BOULEVARD AND HARRIS STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

B & B ASSET MANAGEMENT LLC

City of Las Vegas **2.25.05**
Planning & Development Department
731 S. 4th Street
Las Vegas, NV. 89101

RE: Justification Letter for Site Development Plan Review at "HARRIS VILLAGE" (APN 140-30-701-009;010)

Applicant: B & B Asset Management, LLC, Jordan S. Primack, Managing Member

Applicant requests approval of the Site Development Plan Review for the development of (15) 4-Plex homes where each building is condominiumized into separate lots. Each building has single family detached residential flavor which has been proposed on approximately *4.07* gross acres located at the corner of Lamb Blvd and Harris Ave., Las Vegas, NV. 89110. The applicant estimates that each 4-Plex totals over 4,100 finished square feet with each building containing (4) two car garages. The applicant is proposing a density of 14.7 d.u/acre.

The project meets or exceeds the setback requirements as follows: 1) the front setback requirement at 20' on Harris meets the setback requirement; 2) the rear setback which is adjacent to the entry to the mobile home park exceeds the minimum by 5' totaling 20'; 3) the West side setback adjacent to the mobile home park pads is 39' which exceeds the minimum requirement by 29'; 4) the East setback which is adjacent to Lamb Blvd. is 15' which exceeds the minimum setback by 5'; 5) the distance between buildings range to a minimum from 10' to a maximum of 47'.

The parking as shown exceeds the required amount. The parking minimum for this proposal is 122.5 parking spaces. The applicant proposes 15 buildings, with each building having 8 garage spaces totaling 120. In addition the applicant has provided an additional 23 guest parking spaces to a grand total of 143 parking spaces.

The applicant has provided paved roads and access points which meet the standard requirements. The condominium proposal allows a 24' drive isle throughout the community. There is one primary access point for ingress and egress on Harris Ave. In addition there is one emergency fire access onto Lamb Blvd.

The Landscape Plan shows a 10' minimum buffer with the use of 24" box trees at 20' on center and 5 gallon shrubs. In addition there are 24" box trees and shrubs between buildings. The perimeter of the site is bounded on two sides with existing block walls. The South boundary is proposed 6' high split face block wall. The East boundary along Lamb proposes a wrot iron view fence.

The Architectural Plan shows a front door on each end of the building and 2 front doors in the middle of the building separated by a courtyard. The front elevation shows 2 -double car garage doors and 2 -single car garage doors. The exterior is painted stucco with all four sides being elevated with windows and popouts. The roof is S-shaped light concrete tile. The units with the double car garage door is a 3 bed 2 ½ bath. The units with the single car garage door is 2 bed 2 bath with a two car tandem garage.

PBM # 355 1000 N. Green Valley Parkway, Suite #440, Henderson, NV. 89074
Phone: 702.858.4052 Fax: 702.269.4654 email: bcvegas@yahoo.com

SDR-4193

B & B ASSET MANAGEMENT LLC

The surrounding current zoning is compatible to the proposal to R-3. The proposed R-3 zoning would be an excellent buffer from Lamb Blvd. to the mobile home park to West is which is zoned R-MH and to the Southwest which is zoned R-CL. To the North and South is additional C-1. To the East is Lamb Blvd.

Thank you for your cooperation with these matters.

Respectively,

Jordan S. Primack
Owner/Manager
B & B Asset Management LLC
file: Harris Justification Letter Site Development Plan Review 2.25.05

PBM # 355 1000 N. Green Valley Parkway, Suite #440, Henderson, NV. 89074
Phone: 702.858.4052 Fax: 702.269.4654 email: bcvegas@yahoo.com

City of Las Vegas

Agenda Item No.: 36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

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).

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:
McSWAIN – APPROVED – UNANIMOUS

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

MINUTES:
CHAIRMAN NIGRO declared the public hearing open on Item 36 [GPA-6199] and Item 37 [ZON-6222].

DEREK ALLEN, Planning and Development, gave a brief overview of the applications. He rectified, for the record, an error in staff's report on Item 37 [ZON-6222] regarding a multi-use trail on the north side of Alta Drive, as there is none. There are no conditions that will be affected by this. MR. ALLEN added that because of the compatible land uses and the minimal impact the proposed development would have on the overall site, staff supported both applications.

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 36 – GPA-6199

MINUTES – Continued:
CLYDE SPITZE, AMEC Engineering, 4670 S. Fort Apache Road, along with BRUCE BAYNE, Peccole Nevada Corporation and DENNIS DEGREE, all appeared on behalf of the applicant and MR. SPITZE concurred with staff's conditions.

MR. ALLEN informed TODD FARLOW, 240 N. 19th Street, that there would not be a trail on the north side of Alta Drive at this time.

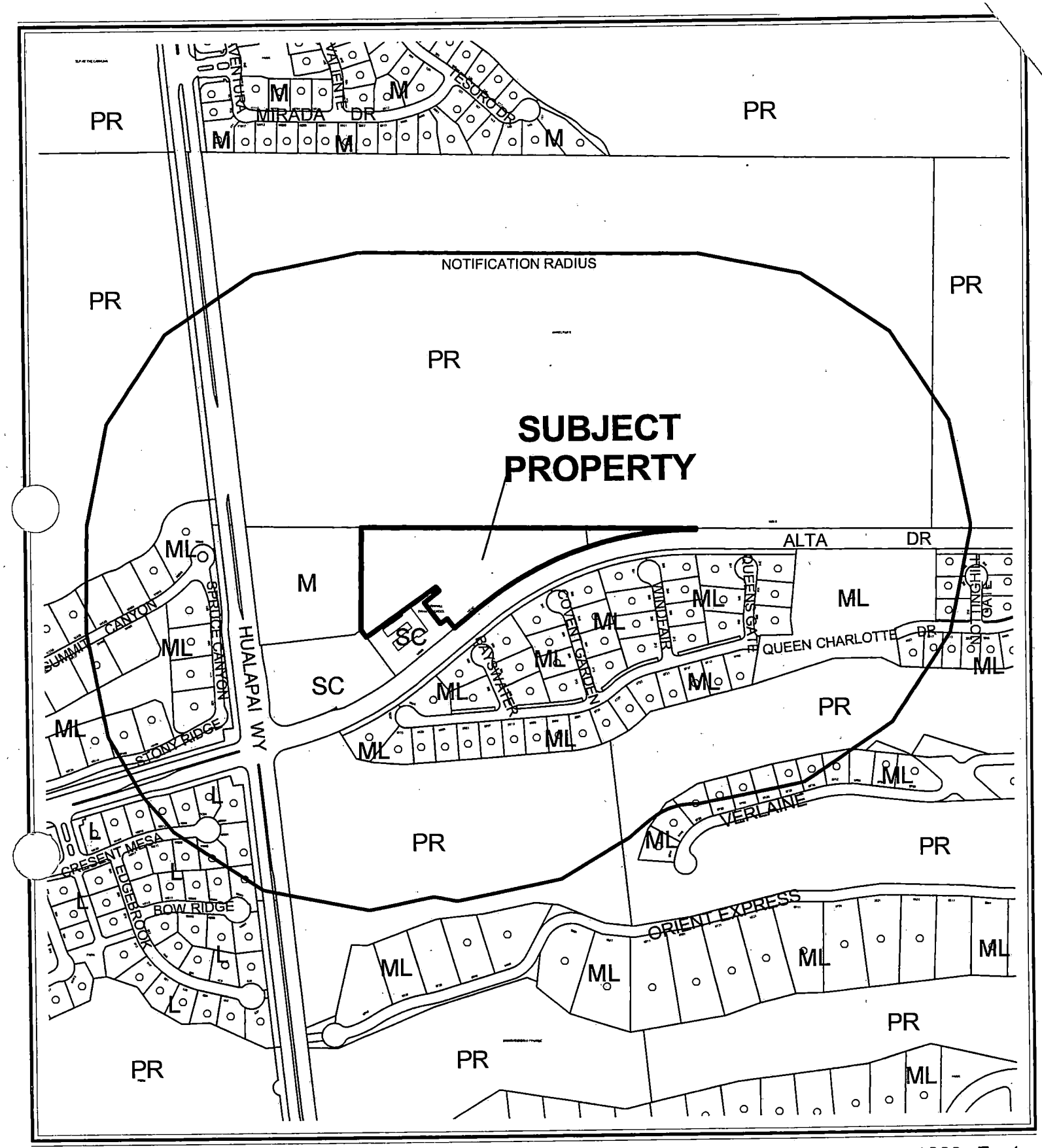
MR. SPITZE informed COMMISSIONER McSWAIN that a Site Plan will be coming forward to the Commission and would be similar to the diagrams displayed at this meeting. He added there would not be cross parking between the school and the commercial development.

COMMISSIONER McSWAIN commented she did not see any problems with the zone change request and the proposed development and could support the applications.

No one appeared in opposition.

CHAIRMAN NIGRO declared the public hearing closed on Item 36 [GPA-6199] and Item 37 [ZON-6222].

(8:33 – 8:38)



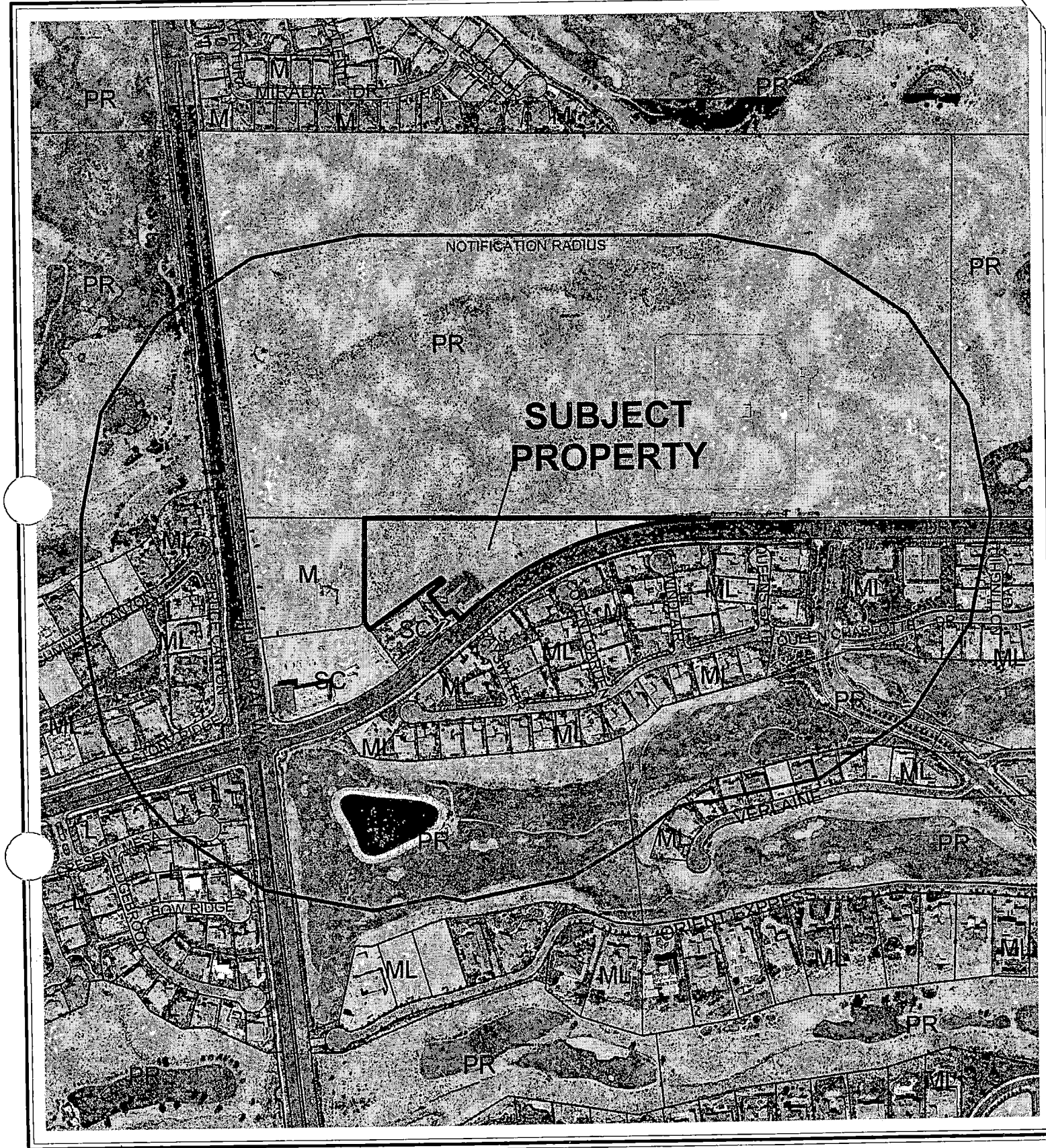
CASE: **GPA-6199**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
PF (PUBLIC FACILITIES)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

N



CASE: **GPA-6199**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
PF (PUBLIC FACILITIES)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-6199 - APPLICANT: PECCOLE NEVADA CORP. - OWNER: WILLIAM PECCOLE AND WANDA PECCOLE 1991 TRUST

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located adjacent to the northeast corner of Hualapai way and Alta Drive from PF (Public Facilities) to SC (Service Commercial). A companion Rezoning (ZON-6222) is also requested from C-V (Civic) to C-1 (Limited Commercial).

BACKGROUND DATA:

03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
05/24/99	The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map.
08/18/99	The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
08/18/99	The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.

DETAILS OF APPLICATION REQUEST

Site Area:	4.90 Acres
EXISTING LAND USE	
Subject Property	Undeveloped
North	Undeveloped
South	Private School and Single-family homes
East	Undeveloped
West	Undeveloped and Private School

BTS

PLANNED LAND USE

Subject Property	PF (Public Facilities)
North	PR (Parks/Recreation/Open Space)
South	ML (Medium-Low Density Residential) and SC (Service Commercial)
East	PR (Parks/Recreation/Open Space)
West	SC (Service Commercial) and M (Medium Density Residential)

EXISTING ZONING

Subject Property	U (Undeveloped) Zone [PF (Public Facilities) General Plan Designation] under Resolution of Intent to C-V (Civic)
North	C-V (Civic)
South	C-1 (Limited Commercial) and R-PD7 (Residential Planned Development – 7 units per acre)
East	C-V (Civic)
West	R-3 (Medium Density Residential) and C-1 (Limited Commercial)

	YES	NO
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

SC (Service Commercial) The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

PF (Public Facilities) This category allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, schools, and other uses considered public or quasi-public such as libraries, clubs and public utility facilities.

ANALYSIS

The subject site has a P-F (Public Facilities) general plan designation. The requested general plan designation is SC (Service Commercial), which matches the parcels to the west of the subject site. An M (Medium Density Residential) designation also exists west of the site. South of Alta Drive,

there are single-family houses, which are designated as ML (Medium-Low Density Residential). The planned office buildings will be compatible with the commercial uses to the west. The subject site represents an infill parcel primarily surrounded by existing commercial, residential, and educational development. It is appropriate to change the General Plan designation from PF to SC; because of the compatible land uses and the minimal impact that this development will have on the overall area.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to "1":

The planned commercial buildings will be compatible with the commercial uses to the west, and will have minimal impact on the residential uses to the south.

In regard to "2":

The proposed SC (Service Commercial) designation is compatible with the adjacent commercial uses to the west of the site. The proposed zoning change to C-1 (Limited Commercial) Zoning District would be in conformance with the proposed SC (Limited Commercial) land use designation.

In regard to "3":

The site will be accessed from Alta Drive, a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. This street is adequate to serve the proposed development.

BTS

In regard to "4":

The subject site represents an infill parcel surrounded by residential and commercial designated parcels. Therefore, development of the site supports the city policy of encouraging the development of infill parcels to efficiently distribute public resources.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on 03/15/05 a neighborhood meeting sponsored by the applicant, Clyde Spitze was held. Seven persons attended had the following comments.

Although there were no concerns expressed by residents about the land use change, they did have the following comments:

- No convenience stores
- No gas stations
- No fast food

The applicant assured residents that these uses would not work on that site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

NOTICES MAILED 91 – Mailed with ZON-6222

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-6199 APN: 138-31-210-009

Name of Property Owner: PECCOLE-1991 TRUST

Name of Applicant: PECCOLE NEVADA CORP

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

_____Yes __✓__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: J. BRUCE BAYNE

Subscribed and sworn before me

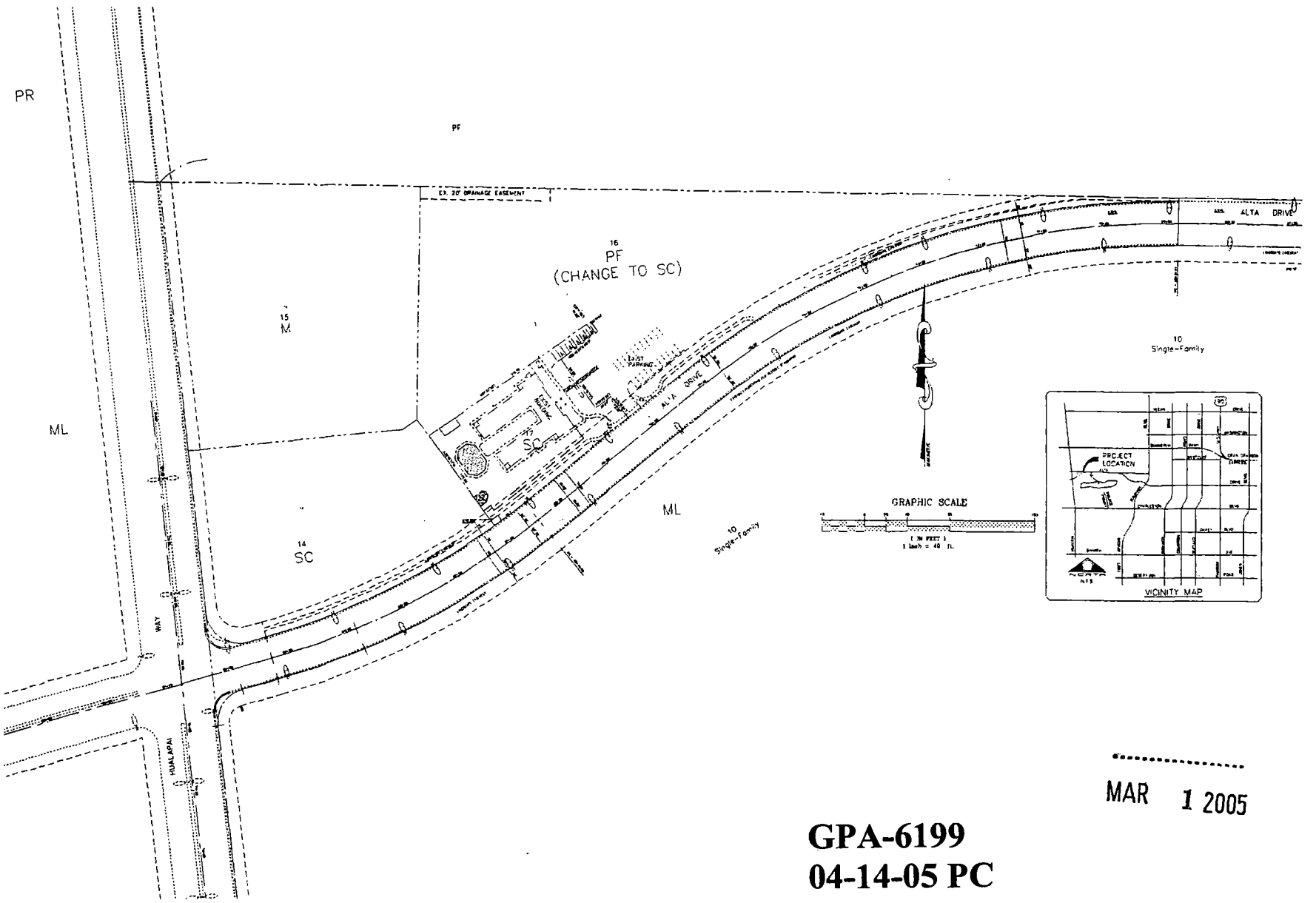
This 28th day of February, 2005

Joanne Baldassare

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JOANNE BALDASSARE
My Appointment Expires
June 2, 2006
No: 98-3510-1

CONSTRUCTION NOTES



MAR 1 2005

GPA-6199
04-14-05 PC

PECCOLE NEVADA CORPORATION

AMEC Infrastructure, Inc.

GENERAL PLAN AMMENDMENT
PECCOLE NEVADA CORPORATION

DRAWN BY: COS

PRELIMINARY
NOT FOR
CONSTRUCTION
OR
RECORDING

JOB NO.
0220016D1

SHEET NO.
GP1

February 3, 2005

Job Number 02-2001-601

City of Las Vegas
Planning & Development Department
731 South 4th Street
Las Vegas, Nevada

Re: Justification Letter- General Plan Amendment
APN 138-31-210-009

The attached General Plan Amendment indicates the existing plan usage for the above parcel as well as those parcels around the site. Originally this parcel was planned for an elementary school and sports fields. The school did not exercise their option and construct their school. Peccole has at this point; master planned the site for the construction of commercial buildings to the North of the existing school and a Bank site near the Easterly end of the parcel. This development will complete the frontage along Alta Drive within the Peccole property.

The original concept for the Peccole development was to use the area North of the alignment of Alta Drive as the division between residential and commercial development. The area north of the Peccole property was given to the City by BLM for recreational purposes. Most of the area has been developed into the Angle Park Golf Course, also a small parcel has been utilized by the Las Vegas Valley Water District for a reservoir and the remaining area lying North of this parcel has been left undeveloped.

It is proposed by Peccole to complete the development of the property that they own in this area, and return to their original plan for this area, which would be to construct the commercial development, which would provide service and employment to the existing residential development.

Should you have any questions on the submittal, please call this office.

Sincerely,

Clyde O. Spitze
Principal
Email: clyde.spitze@amec.com

Cc: Peccole

GPA-6199

City of Las Vegas

Agenda Item No.: 37

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

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).

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:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

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

MINUTES:
See Item 36 [GPA-6199] for all related discussion on Item 36 [GPA-6199] and Item 37 [ZON-6222].

(8:33 – 8:38)
2-1611

CONDITIONS:
Planning and Development
1. A General Plan Amendment (GPA-6199) to a SC (Service Commercial) land use designation approved by the City Council.

CONDITIONS – Continued:

2. A reciprocal parking agreement is required between the subject site and the Merry Hills Private School, prior to the Finalization of Rezoning by Ordinance.

3. A Resolution of Intent within a two-year time limit.

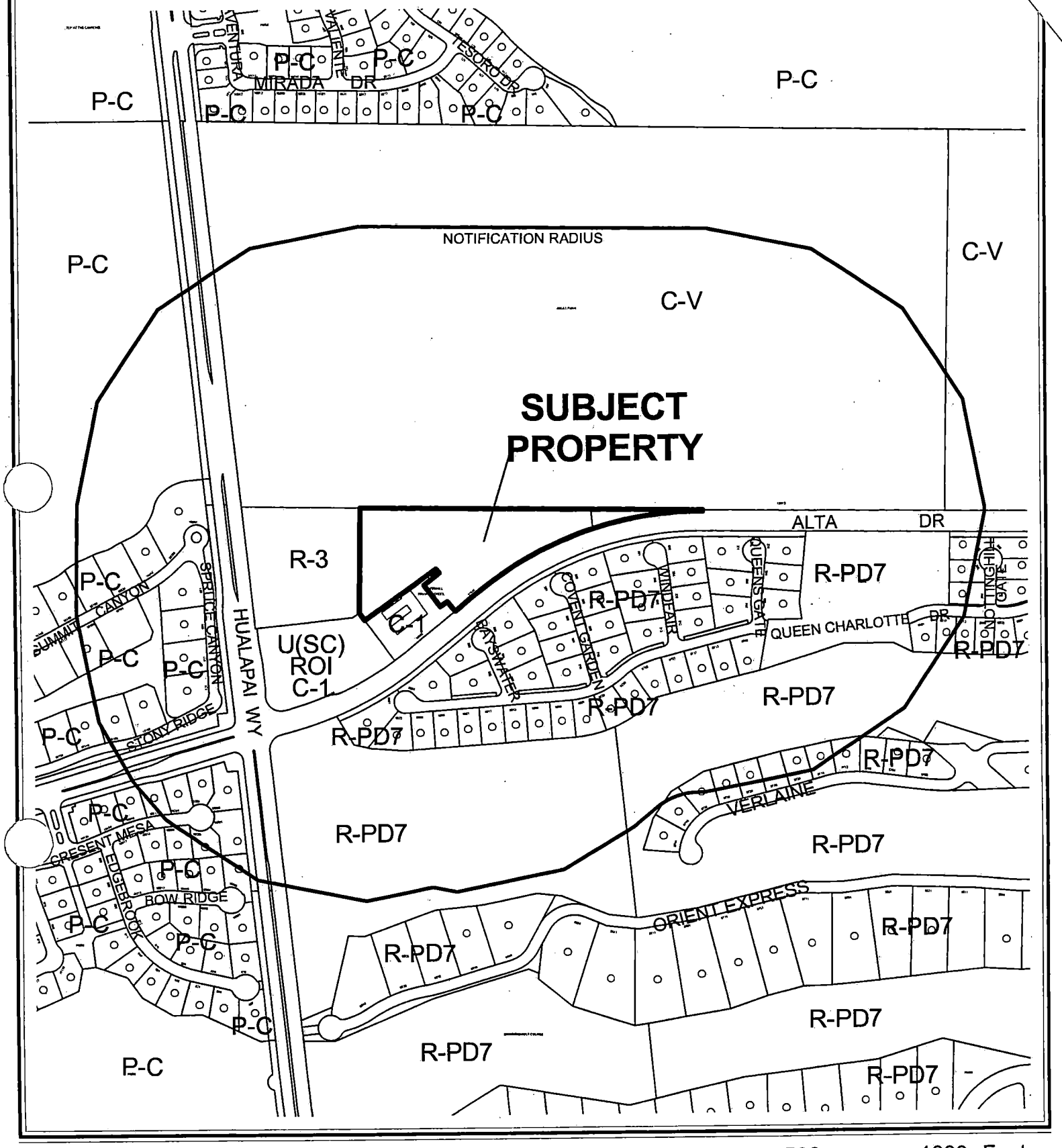
4. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

5. Construct all incomplete half-street improvements on Alta Drive adjacent to this site concurrent with development of this site.

6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

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

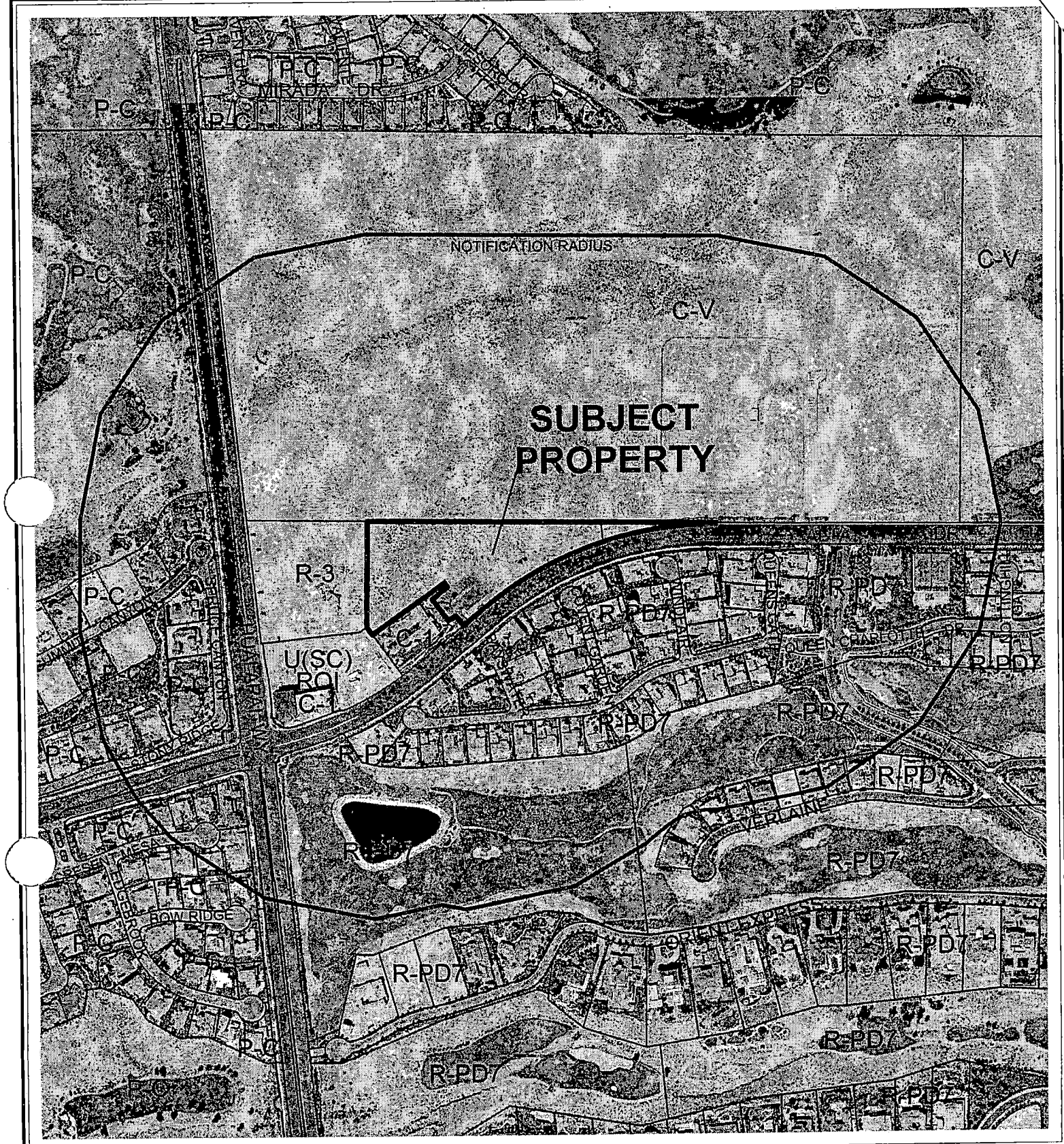


CASE: **ZON-6222**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PF (PUBLIC FACILITIES) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-V (CIVIC)

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



0 500 1000 Feet

CASE: **ZON-6222**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PF (PUBLIC FACILITIES) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-V (CIVIC)

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6222 - APPLICANT: PECCOLE NEVADA CORP. - OWNER: WILLIAM PECCOLE AND WANDA PECCOLE 1991 TRUST

** CONDITIONS **

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

Planning and Development

1. A General Plan Amendment (GPA-6199) to a SC (Service Commercial) land use designation approved by the City Council.

2. A reciprocal parking agreement is required between the subject site and the Merry Hills Private School, prior to the Finalization of Rezoning by Ordinance.

3. A Resolution of Intent within a two-year time limit.

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

Public Works

5. Construct all incomplete half-street improvements on Alta Drive adjacent to this site concurrent with development of this site.

6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

7. 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.

BTS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a 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.

B) Applicant's Justification

The applicant indicates that the Rezoning will follow the associated General Plan Amendment (GPA-6199) from PF (Public Facilities) to SC (Service Commercial). The proposed change will follow the original Peccole Master Plan for this area.

BACKGROUND INFORMATION

A) Related Actions

05/01/90 The City Council approved a request for reclassification (Z-0017-90) of property located on the east side of Hualapai Way, west of Durango Drive, between the south boundary of Angel Park and Sahara Avenue, From: N-U (Non-Urban) (under Resolution of Intent to R-1, R-2, R-3, R-PD7, R-PD8, R-MHP, P-R, C-1, C-2, and C-V), To: R-PD3 (Residential Planned Development), R-PD7 (Residential Planned Development) and C-1 (Limited Commercial), Proposed Use: Single Family Dwellings, Multi-Family Dwellings, Commercial, Office and Resort/Casino. The Planning Commission and staff recommended approval.

02/05/97 The City Council approved a request to amend a portion of the Southwest Sector of the General Plan (GPA-0053-96) from ML (Medium-Low Density Residential) to SC (Service Commercial). The Planning Commission and staff recommended denial. Additionally, the City Council approved a Rezoning (Z-0121-96) from N-U (Non-Urban) under resolution of intent to R-PD7 (Residential Planned Development –7 units per acre) to C-1 (Limited Commercial). The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

A pre-application meeting was not held for this application.

BTS

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	4.90

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Private School and Single-family homes
East:	Undeveloped
West:	Undeveloped and Private School

C) Planned Land Use

Subject Property:	PF (Public Facilities)
North:	PR (Parks/Recreation/Open Space)
South:	ML (Medium-Low Density Residential) and SC (Service Commercial)
East:	PR (Parks/Recreation/Open Space)
West:	SC (Service Commercial) and M (Medium Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [PF (Public Facilities) General Plan Designation] under Resolution of Intent to C-V (Civic)
North:	C-V (Civic)
South:	C-1 (Limited Commercial) and R-PD7 (Residential Planned Development – 7 units per acre)
East:	C-V (Civic)
West:	R-3 (Medium Density Residential) and C-1 (Limited Commercial)

E) General Plan Compliance

The subject property is located within the Southwest Sector of the General Plan. The land use designation for this site is PF (Public Facilities). The property is under a Resolution of Intent to C-V (Civic), which is a zoning district allowed within the PF designation. The applicant is proposing a General Plan Amendment to SC (Service Commercial) and a Rezoning to C-1 (Limited Commercial), which is a zoning district allowed within the SC designation, if approved.

BTS

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 Alta Drive, on the southern edge of the subject site. The developer will be required to include this trail as part of a Site Development Plan Review when it is submitted.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required
Min. Lot Width	100 Feet
Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 10 Feet 15 Feet 20 Feet
Max. Lot Coverage	50 %
Max. Building Height	None

The applicant has not submitted an associated Site Development Plan Review. Upon submittal of a Site Development Plan Review the applicant will be required to comply with C-1 (Limited Commercial) zoning standards.

B) General Analysis and Discussion

The proposed C-1 (Limited Commercial) zoning district would compliment the existing office building and private school, which are also zoned or under resolution of intent to C-1 (Limited Commercial) zoning designation to the west. Additionally, the proposed zoning is appropriate when it is adjacent to an R-3 (Medium Density Residential) zone, which will permit a higher density residential project. The applicant intends to develop office buildings on the subject site. The office buildings will require a Site Development Plan Review. The request to rezone to C-1 (Limited Commercial) is appropriate for the uses envisioned.

FINDINGS

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

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

   This subsequent General Plan Amendment (GPA-6199) is proposed to SC (Service Commercial) on the Southwest Sector of the General Plan. If the proposed amendment is approved, the proposed C-1 (Limited Commercial) zoning will be compatible with this land use designation.

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

   The proposed office buildings have not been submitted as a Site Development Plan Review. The office buildings will be similar in style with other development in the area and therefore will be compatible with the surrounding land uses and zoning districts.

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

   The proposed C-1 (Limited Commercial) zoning on the subject site is appropriate. The proposed zoning allows for the continuation of office, academic, and other less intensive commercial uses, which are adjacent to single-family housing south of Alta Drive.

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

   The site will be accessed from Alta Drive, a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. This street is adequate to serve the proposed development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

NOTICES MAILED 91 – Mailed with GPA-6199

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6222 APN: 138-31-210-009, 004

Name of Property Owner: Peccole 1991 & 1982 Trust

Name of Applicant: Peccole Nev. Corp

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: J. Bruce Bayne

Subscribed and sworn before me

This 2nd day of March, 2005

Joanne Baldassare

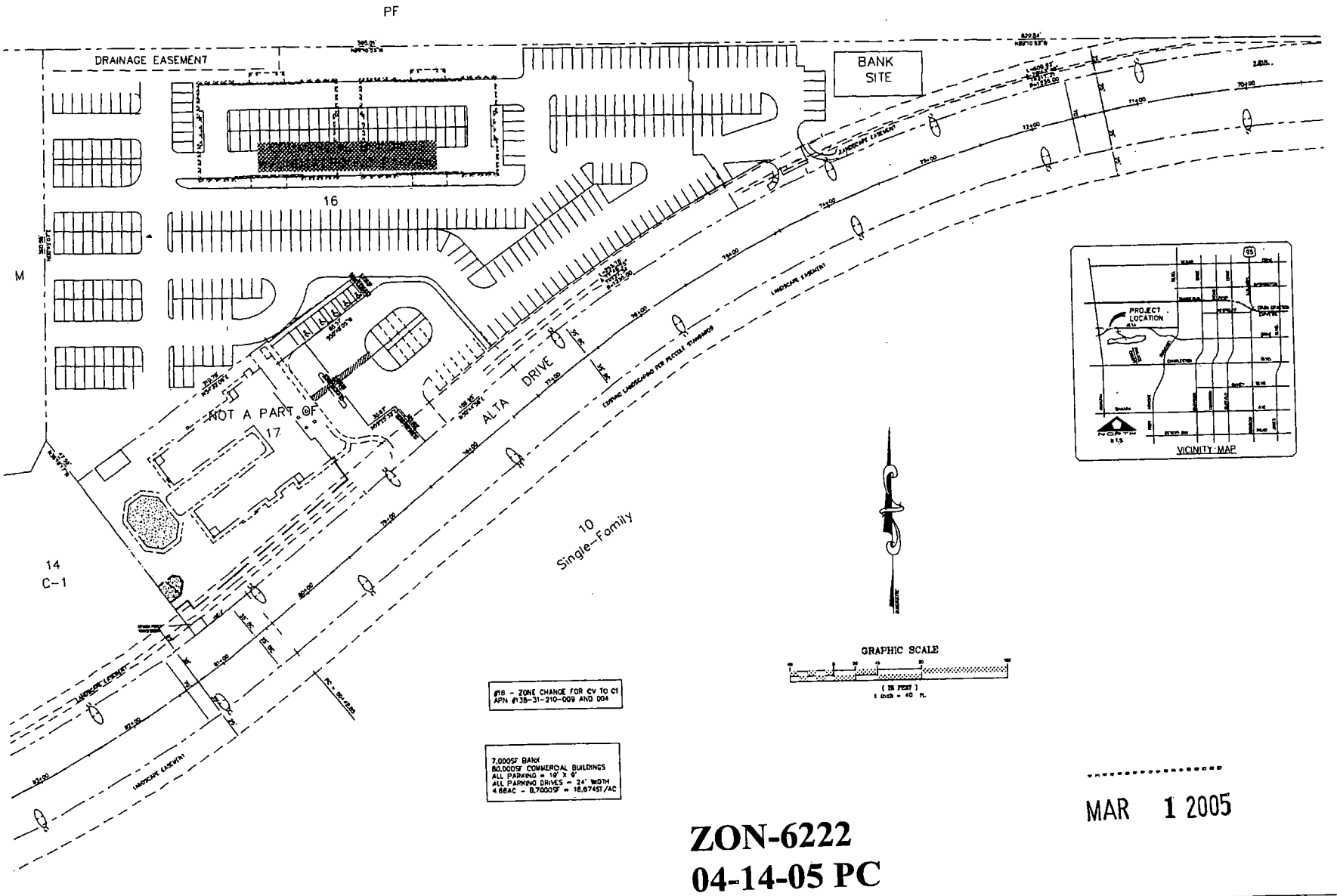
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JOANNE BALDASSARE
My Appointment Expires
June 2, 2006
No: 95-3510-1

MAR 1 2005

Revised 2/12/02

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PECCOLE NEVADA CORP.

AMEC Infrastructure, Inc.

ZONE CHANGE

PROJECT: PECCOLE COMMERCIAL SITE
ALTA DRIVE - EAST OF HUALAPAI WAY
LAS VEGAS, NEVADA

DESIGNER: LQA
DRAWN BY: LQA

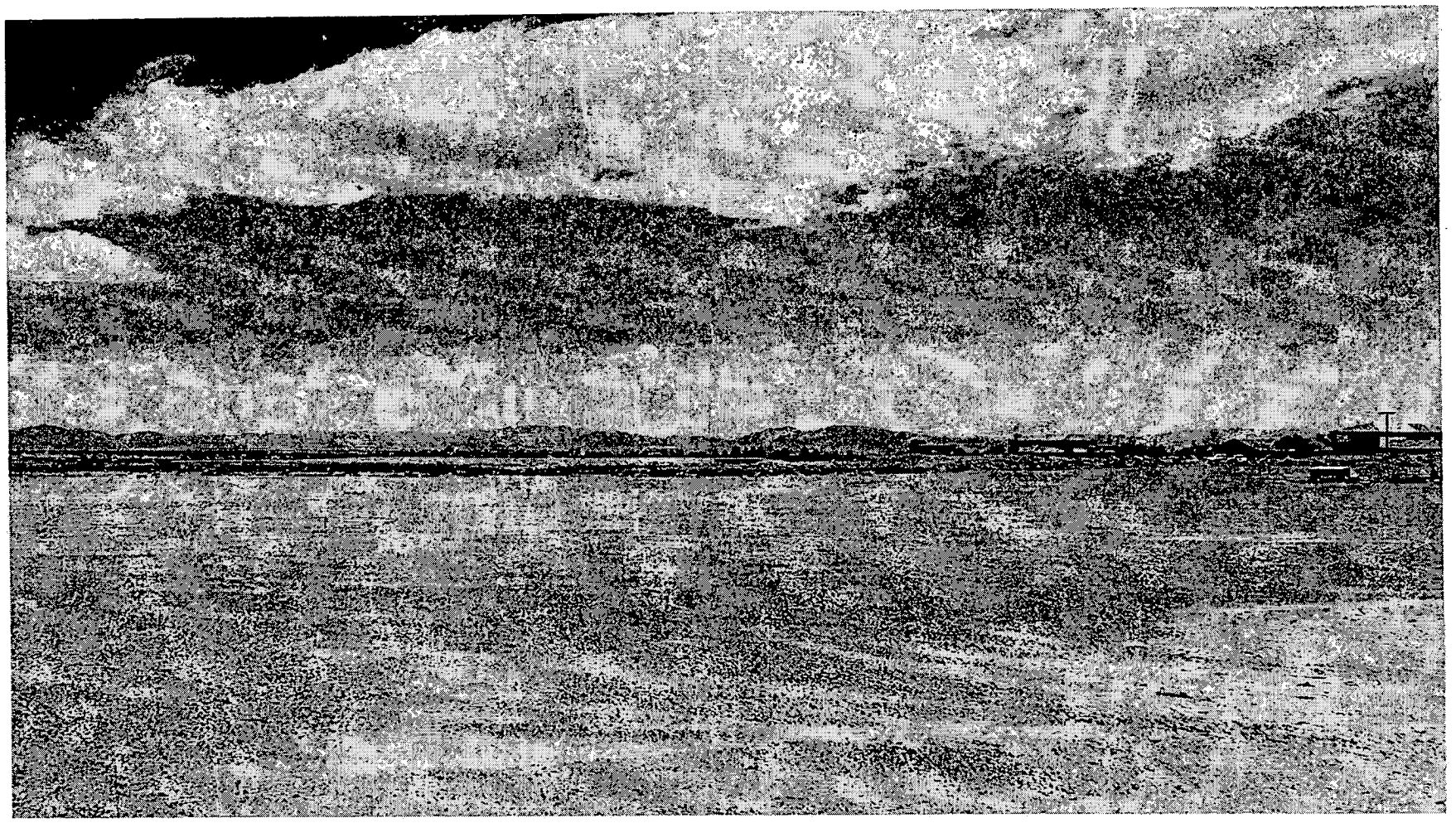
PRELIMINARY
NOT FOR CONSTRUCTION
OR
RECORDING

JOB NO.
2001-606

SHEET NO.
C1
of 1

MAR 1 2005

ZON-6222
04-14-05 PC



GPA-6199 & ZON-6222 - APPLICANT: PECCOLE NEVADA CORP. - OWNER: WILLIAM PECCOLE AND WANDA PECCOLE 1991 TRUST
ADJACENT TO THE NORTHEAST CORNER OF ALTA DRIVE AND HUALAPAI WAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



GPA-6199 & ZON-6222 - APPLICANT: PECCOLE NEVADA CORP. - OWNER: WILLIAM PECCOLE AND WANDA PECCOLE 1991 TRUST
ADJACENT TO THE NORTHEAST CORNER OF ALTA DRIVE AND HUALAPAI WAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

March 2, 2005

Job Number 02-2001-601

City of Las Vegas
Planning & Development Department
731 South 4th Street
Las Vegas, Nevada

Re: Justification Letter-Peccole Commerical (Alta and Hualapai)

We are asking for the approval of the Zoning to be changed form CV to C1 for Parcel 16 on the attached Plan. A General Plan amendment has been filed changing the area from PF to SC which will follow the original Peccole Master Plan for this area to be utilized as Commercial. The original plan was changed at the time when existing pre-school was going to expand with a elementary school and sports fields. Since that time the school has decided not build therefore we are asking that the site be rezoned back to the original planned Commerical (C-1) Zoning.

We are asking for you're approval on this request.

Sincerely,

Clyde O. Spitze
Principal
Email: clyde.spitze@amec.com

Cc: Peccole

MAR 1 2005

P:\2001\601\memos\JUST LETTER.doc

AMEC Infrastructure, Inc.
4670 S. Fort Apache Rd., Ste. 180
Las Vegas, NV 89147
Tel (702) 948-9300
Fax (702) 948-9399

www.amec.com

ZON-6222

City of Las Vegas

Agenda Item No.: 38

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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 – UNANIMOUS

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

MINUTES:
CHAIRMAN NIGRO declared the public hearing open on Item 38 [GPA-6352] and Item 39 [ZON-6353].

DEREK ALLEN, Planning and Development, gave a brief overview of the applications. He pointed out that the subject parcels have been used in the past for commercial and office uses. By amending the General Plan for these two properties, it will allow for a more suitable development to take place on these properties. Staff recommended approval.

STEPHANIE PERRY appeared on behalf of the applicant, presented photos of the Site Plan and concurred with staff's conditions.

MINUTES – Continued:

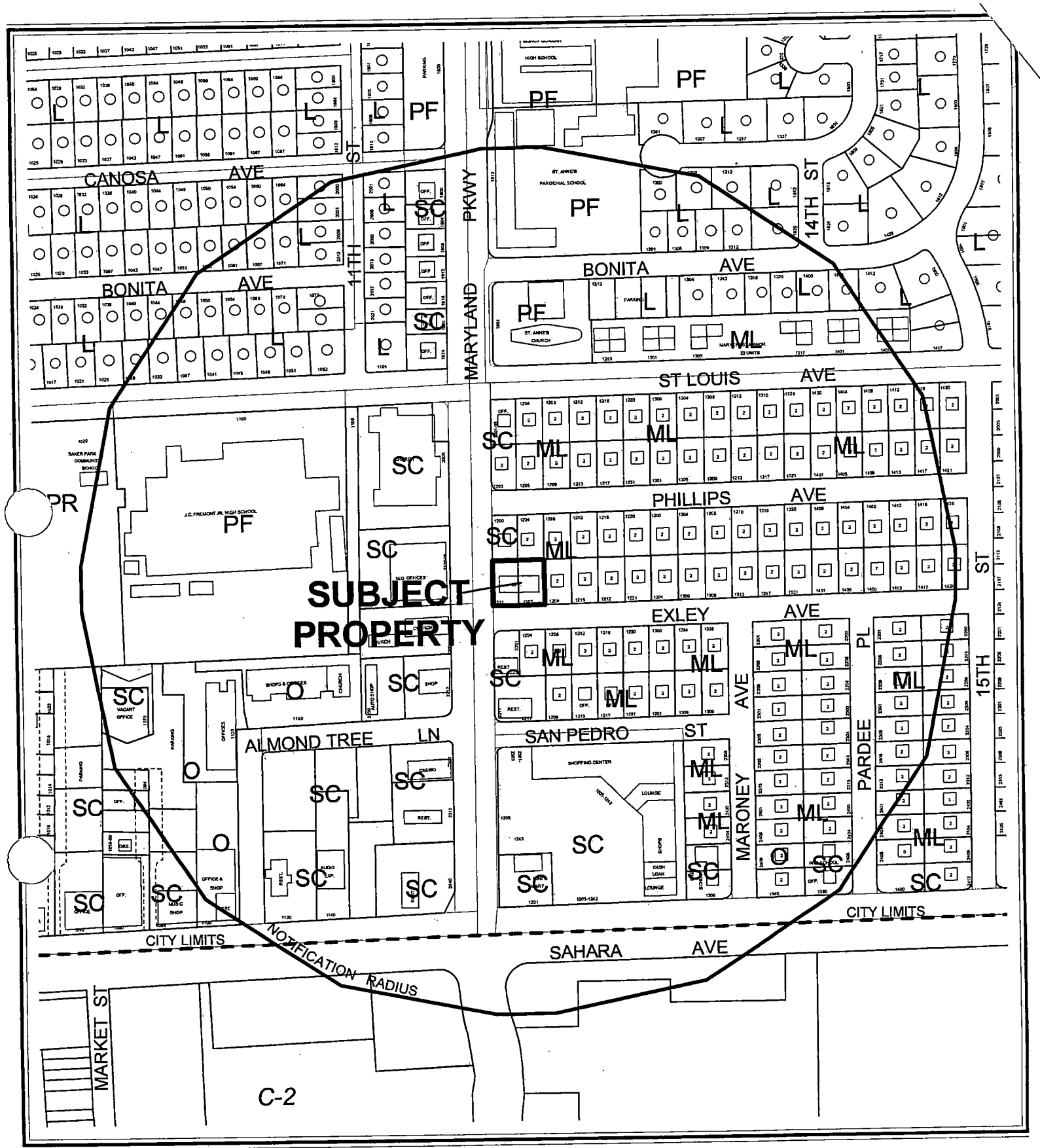
TODD FARLOW, 240 N. 19th Street, complimented the applicant on the proposed development. MARGO WHEELER, Planning and Development, confirmed for MR. FARLOW that there was a past application for the subject development; however, the applicant did not proceed with that previous project.

COMMISSIONER EVANS expressed concern for voting on items without having seen the site plan. MS. WHEELER confirmed that the applicant would be required to come forward with the Site Plan at a later date. Although he liked the proposed development, the Commissioner felt that it was important to hear all companion applications at the same time, which would allow for the Commission to address any concerns that they may have.

No one appeared in opposition.

CHAIRMAN NIGRO declared the public hearing closed on Item 38 [GPA-6352] and Item 39 [ZON-6353].

(8:38 – 8:42)



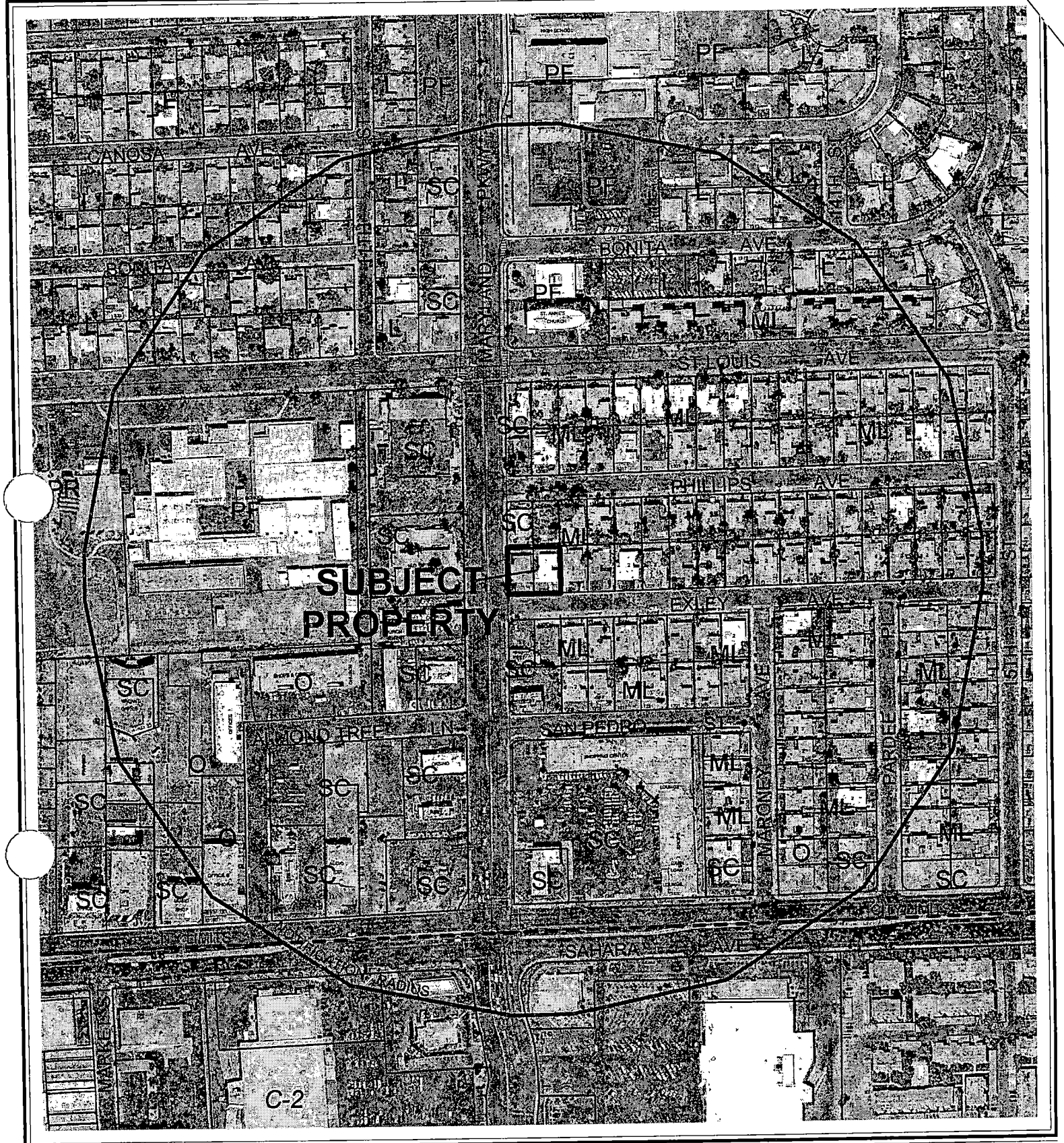
CASE: **GPA-6352**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL) AND ML (MEDIUM LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION 0F SUBJECT PROPERTY:
O (OFFICE)

N



0 300 600 Feet

CASE: **GPA-6352**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL) AND ML (MEDIUM LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION 0F SUBJECT PROPERTY:
O (OFFICE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-6352 - APPLICANT: ADVANCED ACCIDENT CHIROPRACTIC CARE - OWNER: I & K HOLDINGS, LLC

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

DA

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located at 2111 Maryland Parkway and 1205 Exely Avenue from SC (Service Commercial) and ML (Medium Low Density Residential) to O (Office). There is also a companion Rezoning (ZON-6353) to change the zoning from C-1 (Limited Commercial) and R-2 (Medium-Low Density Residential) to P-R (Professional Office and Parking).

BACKGROUND DATA:

10/09/69 The City Council approved a rezoning (Z-0037-69) of the subject site to C-1 (Limited Commercial)

05/24/84 The Board of Zoning Adjustment approved a Variance (V-0057-84) to allow commercial storage and a ski repair shop on the adjacent property at 1205 Exley. The Zoning Code in effect at that time permitted this type of use variance. Because commercial use of this property ceased, this Variance has expired. The current zoning code does not permit the approval of a use variance.

11/06/02 The City Council tabled the following applications on the subject site: a request for a Special Use Permit to (U-0073-02) allow a Psychic Arts business; a request for a Variance (V-0037-02) to allow three parking spaces where the proposed uses require 14 parking spaces; and a request for a Variance (V-0038-02) on property adjacent to the subject site to allow an existing building zero feet from the side property line, where five feet is the minimum setback required. The Planning Commission and staff both recommended approval for U-0073-02 and V-0037-02, but The Planning Commission recommended Approval for V-0038-02, while staff recommended Denial.

05/12/05 The Planning Commission will hear the related Rezoning (ZON-6353) case to change the zoning from C-1 (Limited Commercial) and R-2 (Medium-Low Density Residential) to P-R (Professional Office and Parking). Staff recommended approval.

DETAILS OF APPLICATION REQUEST

Site Area: .32 Acres

DA

EXISTING LAND USE

Subject Property	Commercial building
North	Office/Duplex
South	Restaurant
East	Residential Duplex
West	Medical Offices

PLANNED LAND USE

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

EXISTING ZONING

Subject Property	C-1 (Limited Commercial) and R-2 (Medium-Low Density Residential)
North	P-R (Professional Office and Parking)
South	C-1 (Limited Commercial)
East	R-2 (Medium-Low Density Residential)
West	C-1 (Limited Commercial)

	YES	NO
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

ML (Medium Low Density Residential)(5.6 to 8 dwelling units/per gross acre.) This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

O (Office) The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

DA

SC (Service Commercial) The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

INTERAGENCY ISSUES

SPECIAL PLAN AREA

This site is not within a Special Plan Area.

RURAL PRESERVATION NEIGHBORHOOD

This site is not within a Rural Preservation Neighborhood.

RURAL PRESERVATION NEIGHBORHOOD BUFFER

This site is not within a Rural Preservation Neighborhood buffer.

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

The Southern Nevada Regional Policy Plan, approved February 22, 2001, set out a requirement for local entities to establish a means of identifying Projects of Regional Significance (PRS), and of addressing the impacts of these projects. The city of Las Vegas, through Ordinance No. 5477, has established such a process. Pursuant to this Ordinance, staff has determined that this proposed General Plan Amendment and its companion items would not meet the definition of a Project of Regional Significance as defined in the ordinance.

ANALYSIS

The subject parcels have been used in the past for commercial and office uses. This is accessed from Exely Avenue and does not currently have sufficient parking for the size of building on the property. By amending the General Plan for these two properties it will allow for a more suitable development to take place on these properties. The applicant is proposing to construct a new building on the property along Maryland Parkway and use the east property on Exely Avenue for the parking area. This General Plan Amendment will allow these properties to be brought into compliance with Title 19.

DA

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to "1": The O (Office) General Plan Designation will be compatible with the surrounding land use designations already in place. The intensity of an office development will not have a significant impact on the surrounding properties because of the low traffic volume to the site and the typical hours of operation for an office complex will not adversely affect the neighboring residential to the east and north of the subject properties and will not impact the commercial property to the north either.

In regard to "2": The proposed zoning will not allow any type of commercial business to locate on this site and will strictly limit the site to office use only, which will not have a major impact on the surrounding properties.

In regard to "3": This site is within an established area of town that has the transportation and utility corridors defined. This site will be accessed off of Exely Avenue, which is categorized as a residential street. The limited size of a building that may be placed on the property with corresponding parking, will limit the amount of traffic that will access the site. This limited access will help minimize traffic to the subject property and thus reduce any potential impact to surrounding properties.

In regard to "4": There are no other adopted plans that would affect this property.

DA

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on April 13, 2005 a neighborhood meeting sponsored by the applicant will be held at 2111 S. Maryland Parkway at 6 pm.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 222 – Mailed with ZON-6353

APPROVALS 0

PROTESTS 0

DA

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-6352 APN: 162-02-410-072 162-02-410-071

Name of Property Owner: I & K Holdings, LLC a Foreign Corporation registered in Nevada

Name of Applicant: ADVANCED ACCIDENT CHIROPRACTIC CARE OBTEEN NASSERI

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: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner: [signature]

Print Name: Ivo Foldyna and S. Kyle Hamilton. Managing Members
I & K Holdings, LLC an Idaho Corp Registered in Nevada

Subscribed and sworn before me

This 16 day of March, 2005

[signature]
Notary Public in and for said County and State
State of Idaho County of Ada
My Commission Expires 5/15/06

SARA WINTER
STATE OF IDAHO
NOTARY --- PUBLIC

Revised 12-03-04

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PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-6352 APN: 162-02-410-071/072

Name of Property Owner: I+K Holdings

Name of Applicant: Obteen Nassiri, DC

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: [signature]

Print Name: Obteen Nassiri

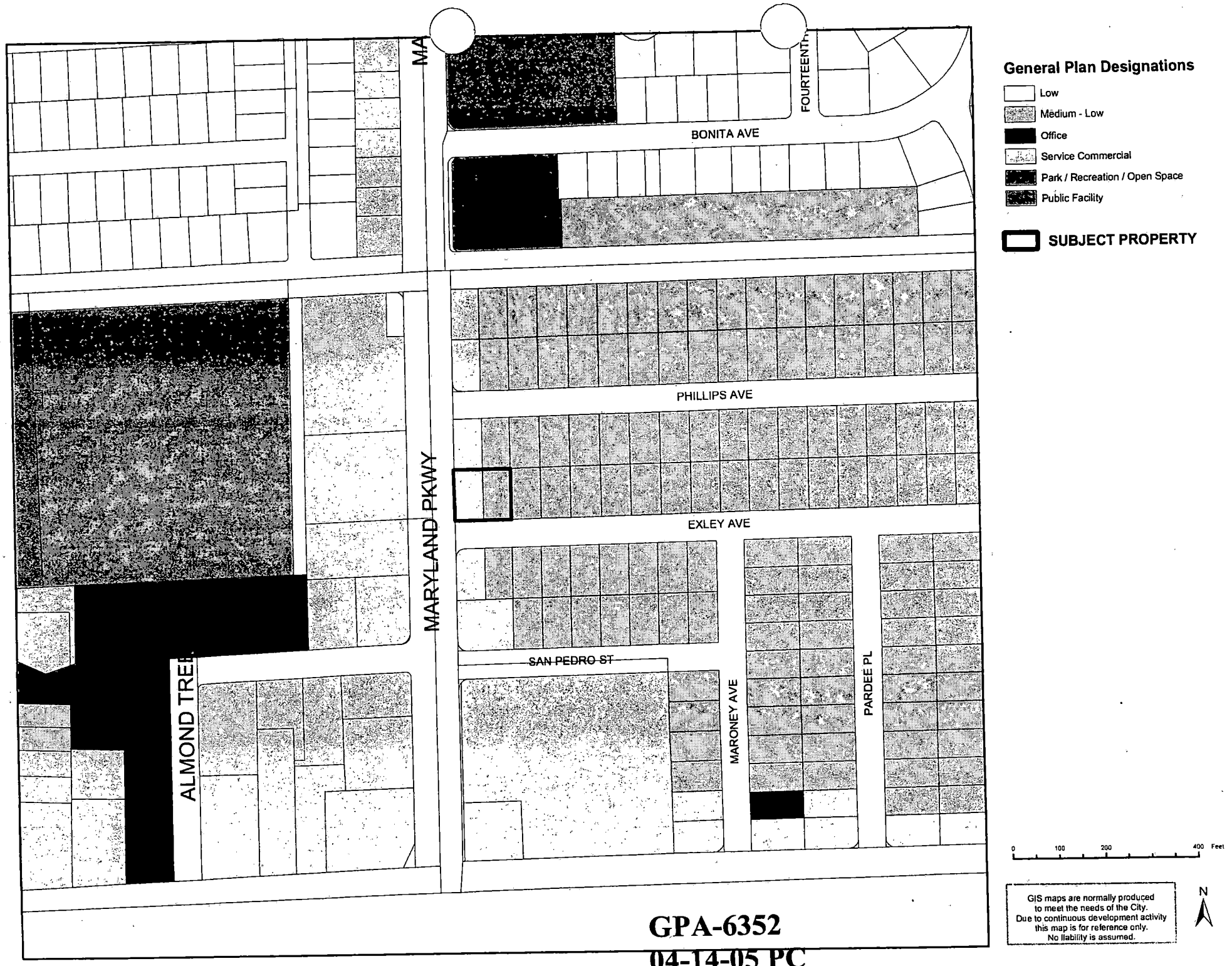
Subscribed and sworn before me

This 18 day of March, 2005

[signature]

Notary Public in and for said County and State

Notary Public State Of Nevada
COUNTY OF CLARK
CHARLES CRAIG FITZGERALD
My Appointment Expires
Feb. 01, 2008
No. 00-60677-1



GPA-6352
04-14-05 PC

Prudential

Prudential Americana Group, REALTORS®
7475 W. Sahara Avenue, #100
Las Vegas, NV 89117
Bus 702 362-1111
Fax 702 365-6931

March 17, 2005

City of Las Vegas
Planning & Development Dept.
731 South 4th St.
Las Vegas, NV. 89101

RE: 2111 S. Maryland Pkwy - Parcel #162-02-410-072
1205 Exley Ave. – Parcel #162-02-410-071
Las Vegas, NV. 89104

To Whom It May Concern:

I am writing this letter on behalf of Dr. Obteen Nassiri of "Advanced Accident Chiropractic Care". We are currently under contract to purchase both of these buildings. My client has an interest in these two properties for his new Chiropractic office, however, they are not currently zoned for how we want to use the building. We would like to change the zoning of both properties to match, and combine both parcel numbers so that we may obtain an institutional loan for the entire piece.

We propose the following:

2111 S. Maryland Pkwy - Parcel #162-02-410-072
GPA – Change from SC to O
Zoning – Change from C1 to PR

1205 Exley Ave. – Parcel #162-02-410-071
GPA – Change from ML to O
Zoning – Change from R2 to PR

These buildings have been vacant for many months, and are noticeably dilapidated. They have no functional use without the proper zoning. We feel this will not only give the corner of Maryland Pkwy a major face lift, but also make it safer. The current owner has recently received numerous citations from the City of Las Vegas regarding vagrants inhabiting both buildings, leaving trash and broken down cars on the property, and using the power source (for which the owner is paying) for their campers and trailers. The owner called the police to have them removed from the property, and found 8 dogs living there. We are confident the proper zoning for these neglected building will considerably benefit the neighborhood. Please contact me with any questions, or if I can in any way expedite this process.

With Respect,

Anthony de Vries, GRI
Broker/Salesman
Prudential Americana Group
(702) 768-9453

GPA-4352

An independently owned and operated member of The Prudential Real Estate Affiliates, Inc.

City of Las Vegas

Agenda Item No.: 39

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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:
See Item 38 [GPA-6352] for related discussion on Item 38 [GPA-6352] and Item 39 [ZON-6353].

(8:38 – 8:42)
2-1797

CONDITIONS:
Planning and Development
1. General Plan Amendment (GPA-6352) to amend the land use of the site from SC (Service Commercial) and ML (Medium-Low Density Residential) to O (Office), approved by the Planning Commission and City Council.

CONDITIONS – Continued:

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

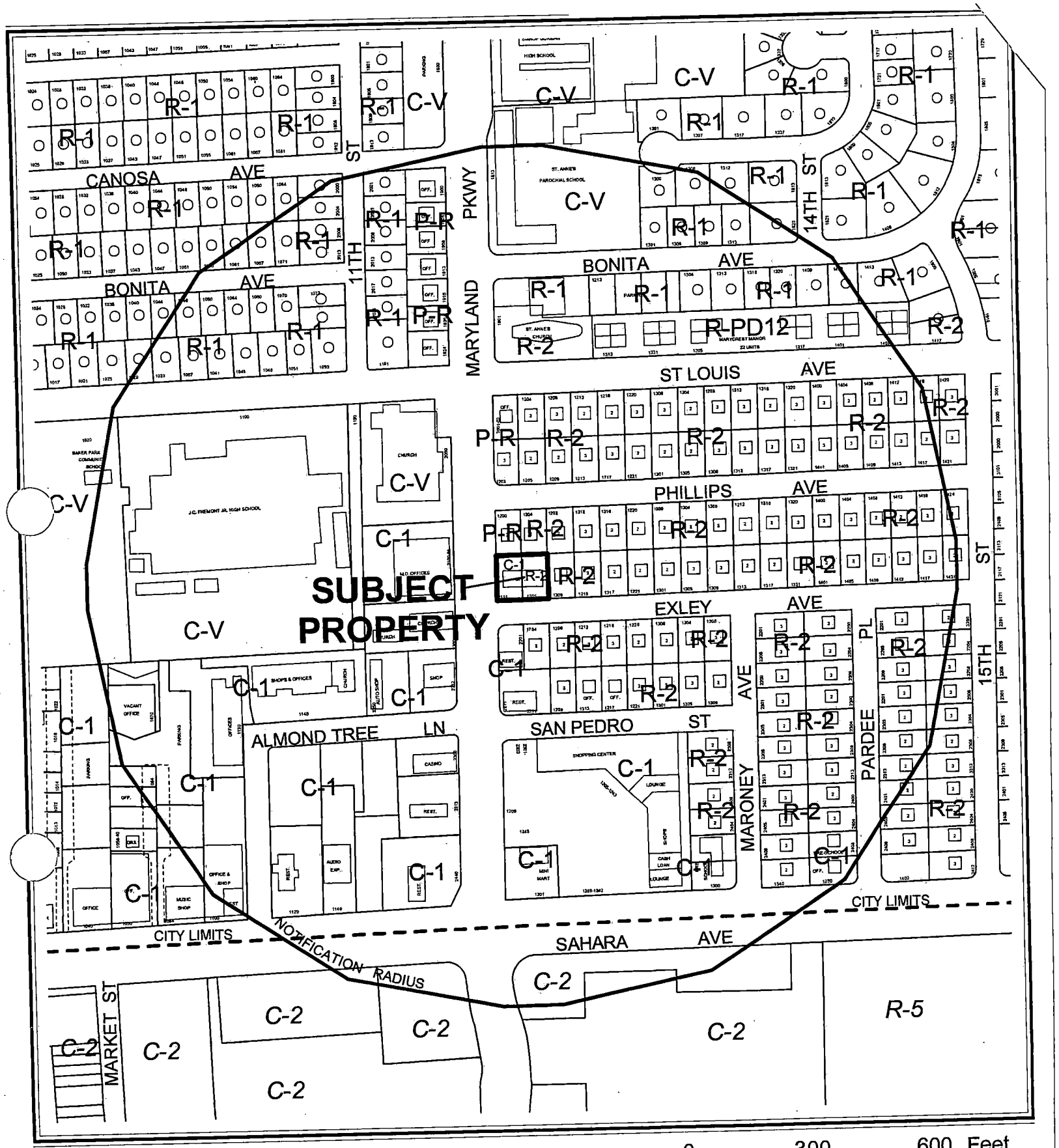
3. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate a 20 foot radius on the northeast corner of Maryland Parkway and Exley Avenue.

5. 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.

6. 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.

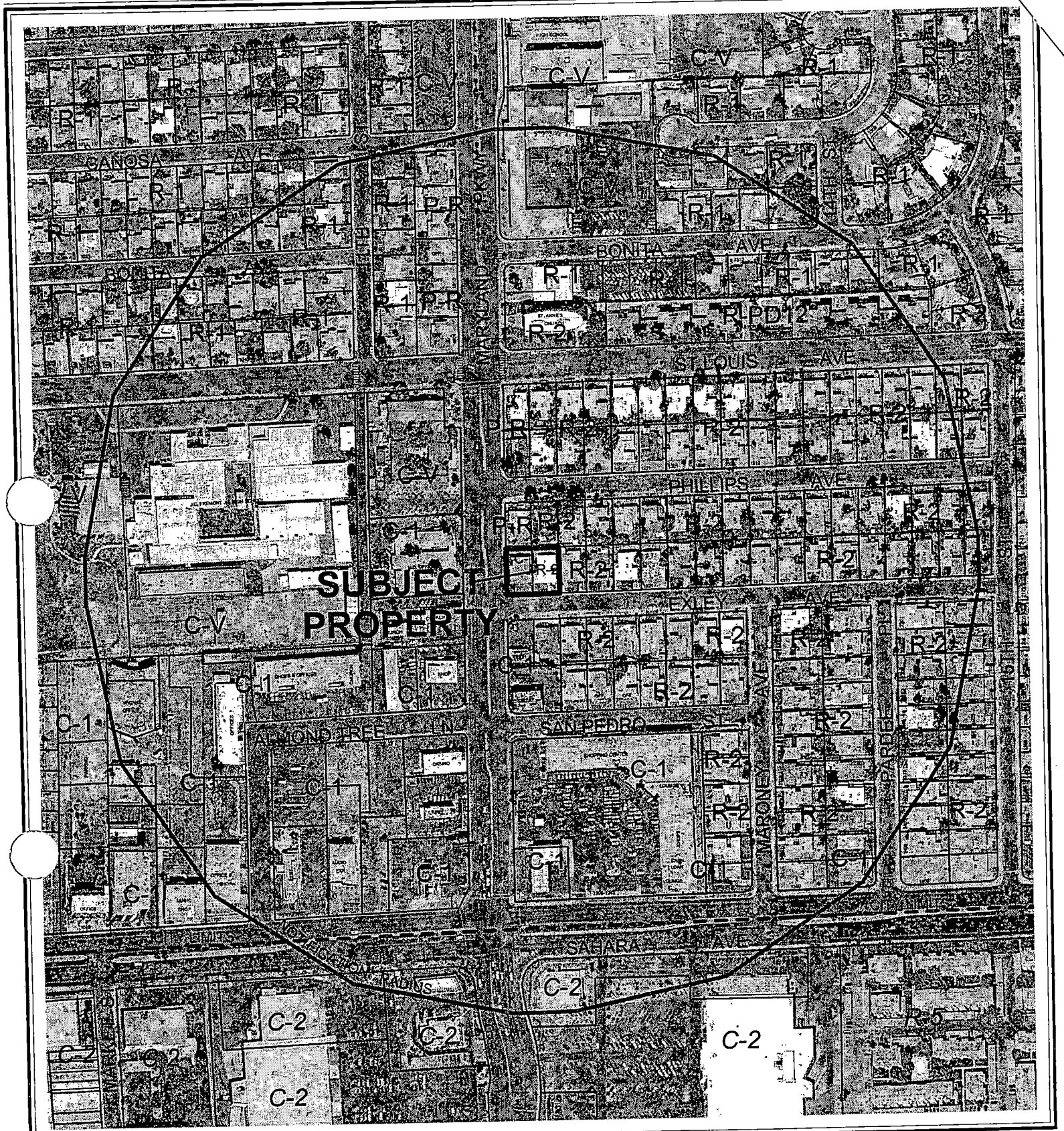


CASE: **ZON-6353**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) AND C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
P-R (PROFESSIONAL OFFICE AND PARKING)



0 300 600 Feet

CASE: **ZON-6353**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) AND C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
P-R (PROFESSIONAL OFFICE AND PARKING)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6353 - APPLICANT: ADVANCED ACCIDENT CHIROPRACTIC CARE - OWNER: I & K HOLDINGS, LLC

** CONDITIONS **

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

Planning and Development

1. General Plan Amendment (GPA-6352) to amend the land use of the site from SC (Service Commercial) and ML (Medium-Low Density Residential) to O (Office), approved by the Planning Commission and City Council.

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

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

Public Works

4. Dedicate a 20 foot radius on the northeast corner of Maryland Parkway and Exley Avenue.

5. 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.

6. 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.

DA

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a 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.

B) Applicant's Justification

The applicant has justified this application by stating, "These buildings have been vacant for many months, and are noticeable dilapidated. The have no functional use without the proper zoning. We feel this will not only give the corner of Maryland Parkway a major face lift, but also make it safer." The applicant also mentioned that they are "confident the proper zoning for these neglected building will considerably benefit the neighborhood."

BACKGROUND INFORMATION

A) Related Actions

10/09/69 The City Council approved a rezoning (Z-0037-69) of the subject site to C-1 (Limited Commercial)

05/24/84 The Board of Zoning Adjustment approved a Variance (V-0057-84) to allow commercial storage and a ski repair shop on the adjacent property at 1205 Exley. The Zoning Code in effect at that time permitted this type of use variance. Because commercial use of this property ceased, this Variance has expired. The current zoning code does not permit the approval of a use variance.

11/06/02 The City Council tabled the following applications on the subject site: a request for a Special Use Permit to (U-0073-02) allow a Psychic Arts business; a request for a Variance (V-0037-02) to allow three parking spaces where the proposed uses require 14 parking spaces; and a request for a Variance (V-0038-02) on property adjacent to the subject site to allow an existing building zero feet from the side property line, where five feet is the minimum setback required. The Planning Commission and staff both recommended approval for U-0073-02 and V-0037-02, but The Planning Commission recommended Approval for V-0038-02, while staff recommended Denial.

DA

05/12/05 The Planning Commission will hear the related General Plan Amendment (GPA-6352) case to amend the Land Use from SC (Service Commercial) and ML (Medium-Low Density Residential) to O (Office). Staff recommended approval.

B) Pre-Application Meeting

03/14/05 A pre-application meeting was held where the overall process was discussed for a General Plan Amendment and Rezoning, and what types of maps and applications would need to be submitted.

C) Neighborhood Meetings

No neighborhood meeting was required as part of this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres:	0.32 Acres

B) Existing Land Use

Subject Property:	Vacant Offices
North:	Office
South:	Restaurant
East:	Residential
West:	Medical Office

C) Planned Land Use

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

D) Existing Zoning

Subject Property	C-1 (Limited Commercial) and R-2 (Medium-Low Density Residential)
North	P-R (Professional Office and Parking)
South	C-1 (Limited Commercial)
East	R-2 (Medium-Low Density Residential)
West	C-1 (Limited Commercial)

DA

E) General Plan Compliance

This subject property is located within the Southeast Sector Plan and has a General Plan designation of SC (Service Commercial) and ML (Medium-Low Density Residential). The proposed General Plan Amendment to change the land use and these properties from SC and ML to O (Office) will support the request for a rezoning to P-R (Professional Office and Parking) zoning 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

There are no special area plans, overlays, notifications, or assessments that pertain to the subject proposal.

ANALYSIS

B) General Analysis and Discussion

This request to rezone the subject properties to P-R (Professional Office and Parking) is to allow for the development of a future chiropractors office. Rezoning both properties will allow for a site plan to be developed that would provide sufficient on site parking and landscaping that will comply with Title 19.

The existing P-R zone to the north and C-1 zones to the south and west already provide for a developed commercial and office district. The rezoning of these properties will compliment the surrounding properties by providing more office space similar to the adjacent property to the north and medical services similarly located west of Maryland Parkway.

FINDINGS

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

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

The site is currently designated SC (Service Commercial) on the Southeast Sector Land Use Plan Map. The proposed General Plan Amendment (GPA-6352) will support this request to rezone the property to P-R (Professional Office and Parking).

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

The proposed P-R zone will be compatible with the surrounding uses that are already established at this location. The proposed use as a chiropractors office does comply with the P-R zone and will not have an impact on surrounding properties land uses.

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

With the high volume of traffic on Maryland Parkway and the conversion of surrounding properties to office and commercial uses, do indicate that the rezone of these properties will be appropriate and will allow for the continued development of this area to provide needed services to the surrounding neighborhoods. This rezone and development will act as a buffer from the traffic on Maryland Parkway to adjacent residential properties.

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

Access to these properties is from Exley Avenue, which has access to Maryland Parkway, a 100-foot wide primary arterial on the Master Plan of Streets and Highways. These streets are adequate in size to accommodate the traffic that will be entering and leaving the site

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 222 – Mailed with GPA-6352

APPROVALS 0

PROTESTS 0

DA

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6353 APN: 162-02-410-072
162-02-410-071

Name of Property Owner: I & K Holdings, LLC a Foreign Corporation registered in Nevada

Name of Applicant: ADVANCED ACCIDENT CHIROPRACTIC CARE
OBTEEN NASSERI

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: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner: S. Kyle Hamilton

Print Name: Ivo Foldyna and S. Kyle Hamilton, Managing Members
I & K Holdings, LLC an Idaho Corp Registered in Nevada

Subscribed and sworn before me

This 16 day of March, 2005

Sara Winter

Notary Public in and for said County and State

State of Idaho County of Ada

My Commission Expires 5/15/06

SARA WINTER
STATE OF IDAHO
NOTARY --- PUBLIC

Revised 12-03-04

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PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6353 APN: 162-02-410-071/072

Name of Property Owner: ItK Holdings

Name of Applicant: Obteen Nassiri DC
Advanced ACCIDENT CHIROPRACTIC CARE

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: [signature]

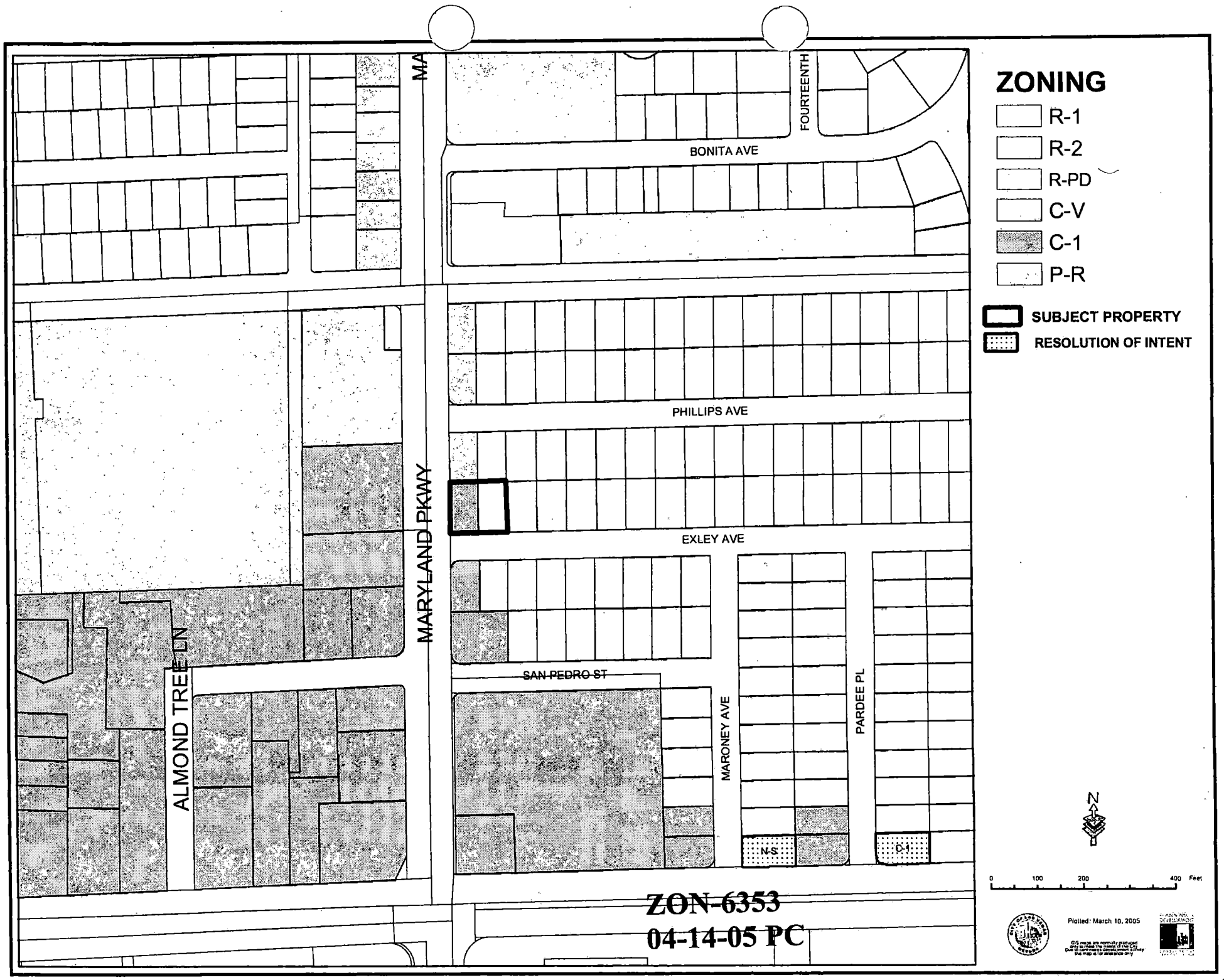
Print Name: Obteen Nassiri

Subscribed and sworn before me

This 18 day of March, 20 05

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

Notary Public State Of Nevada
COUNTY OF CLARK
CHARLES CRAIG FITZGERALD
My Appointment Expires
No. 00-60677-1 Feb. 01, 2008


ZONING
R-1
R-2
R-PD
C-V
C-1
P-R
SUBJECT PROPERTY
RESOLUTION OF INTENT
BONITA AVE
FOURTEENTH
PHILLIPS AVE
EXLEY AVE
MARYLAND PKWY
ALMOND TREE LN
SAN PEDRO ST
MARONEY AVE
PARDEE PL
N-S
C-1
N
0
100
200
400 Feet
Plotted: March 10, 2005
ZON-6353
04-14-05 PC

Prudential

Prudential Americana Group, REALTORS®
7475 W. Sahara Avenue, #100
Las Vegas, NV 89117
Bus 702 362-1111
Fax 702 365-6931

March 17, 2005

City of Las Vegas
Planning & Development Dept.
731 South 4th St.
Las Vegas, NV. 89101

RE: 2111 S. Maryland Pkwy - Parcel #162-02-410-072
1205 Exley Ave. – Parcel #162-02-410-071
Las Vegas, NV. 89104

To Whom It May Concern:

I am writing this letter on behalf of Dr. Obteen Nassiri of "Advanced Accident Chiropractic Care". We are currently under contract to purchase both of these buildings. My client has an interest in these two properties for his new Chiropractic office; however, they are not currently zoned for how we want to use the building. We would like to change the zoning of both properties to match, and combine both parcel numbers so that we may obtain an institutional loan for the entire piece.

We propose the following:

2111 S. Maryland Pkwy - Parcel #162-02-410-072
GPA – Change from SC to O
Zoning – Change from C1 to PR

1205 Exley Ave. – Parcel #162-02-410-071
GPA – Change from ML to O
Zoning – Change from R2 to PR

These buildings have been vacant for many months, and are noticeably dilapidated. They have no functional use without the proper zoning. We feel this will not only give the corner of Maryland Pkwy a major face lift, but also make it safer. The current owner has recently received numerous citations from the City of Las Vegas regarding vagrants inhabiting both buildings, leaving trash and broken down cars on the property, and using the power source (for which the owner is paying) for their campers and trailers. The owner called the police to have them removed from the property, and found 8 dogs living there. We are confident the proper zoning for these neglected building will considerably benefit the neighborhood. Please contact me with any questions, or if I can in any way expedite this process.

With Respect,

Anthony de Vries, GRI
Broker/Salesman
Prudential Americana Group
(702) 768-9453

ZON-63153

An independently owned and operated member of The Prudential Real Estate Affiliates, Inc.

City of Las Vegas

Agenda Item No.: 40

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

ABEYANCE TO THE MAY 12, 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

MINUTES:
There was no discussion.

(6:01 – 6:05)

SCHLOSSER DEVELOPMENT

SCHLOSSER CONSTELLATION, INC.
907 West Fifth Street / Suite 202
Austin, Texas 78703

April 11, 2005

MR. DOUGLAS J. RANKIN
Planning Supervisor
Planning and Development Department
City of Las Vegas
731 S. Fourth Street
Las Vegas, Nevada, 89101

Re: GPA-6221 – General Plan Amendment

Dear Doug,

The Las Vegas Planning Commission is scheduled to hear GPA-6221 General Plan Amendment on April 14, 2005.

Schlosser Constellation, Inc. ("Applicant") is submitting this letter in order to request that the Las Vegas Planning Commission hold such General Plan Amendment application (GPA-6221) in abeyance for a thirty (30) day period until May 12, 2005 (at which time Applicant requests that the Las Vegas Planning Commission consider GPA-6221).

Applicant has and will continue to consult with Councilwoman Lois Tarkanian's office including Ms. Robin Munier; with Margo Wheeler's office including Douglas J. Rankin, and with other appropriate City of Las Vegas officials in order to prepare a draft of a land- development-code so-called Text-Amendment. The final approval of such Text-Amendment, if approved by the applicable Las Vegas governmental authority(s), would negate the need to further consider such GPA-6221.

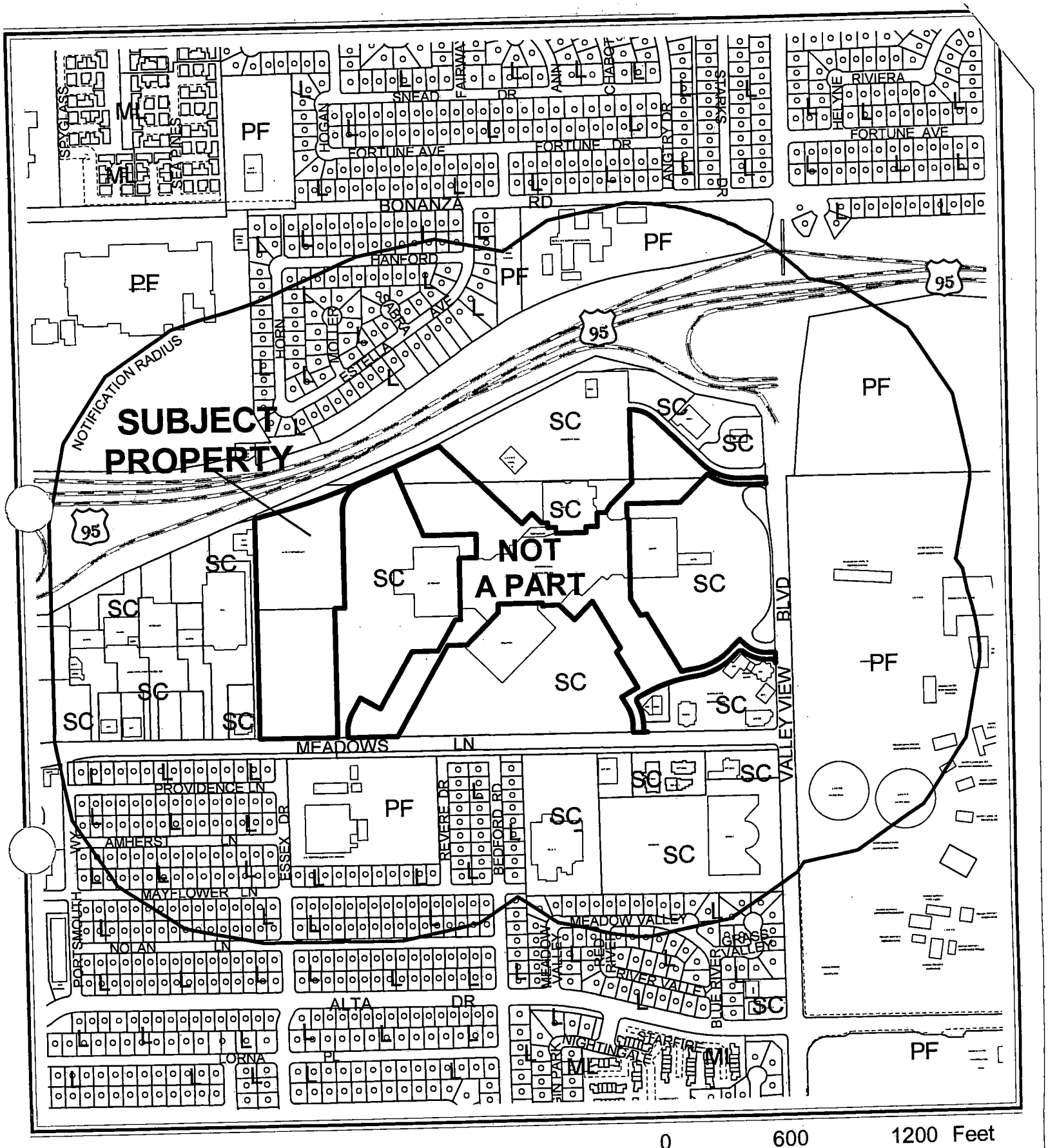
Thank you in advance for excusing my absence at the Planning Commission meeting scheduled for April 14, 2005, and thank you in advance for approving the Abeyance described in this request.

Best Regards,

Schlosser Constellation, Inc.

By: Andrew J. Schlosser, president
(512) 472-7774 voice
(512) 233-5333 fax

907 West 5th St.
Suite 202
Austin, TX 78703
ph) 512.472.7774



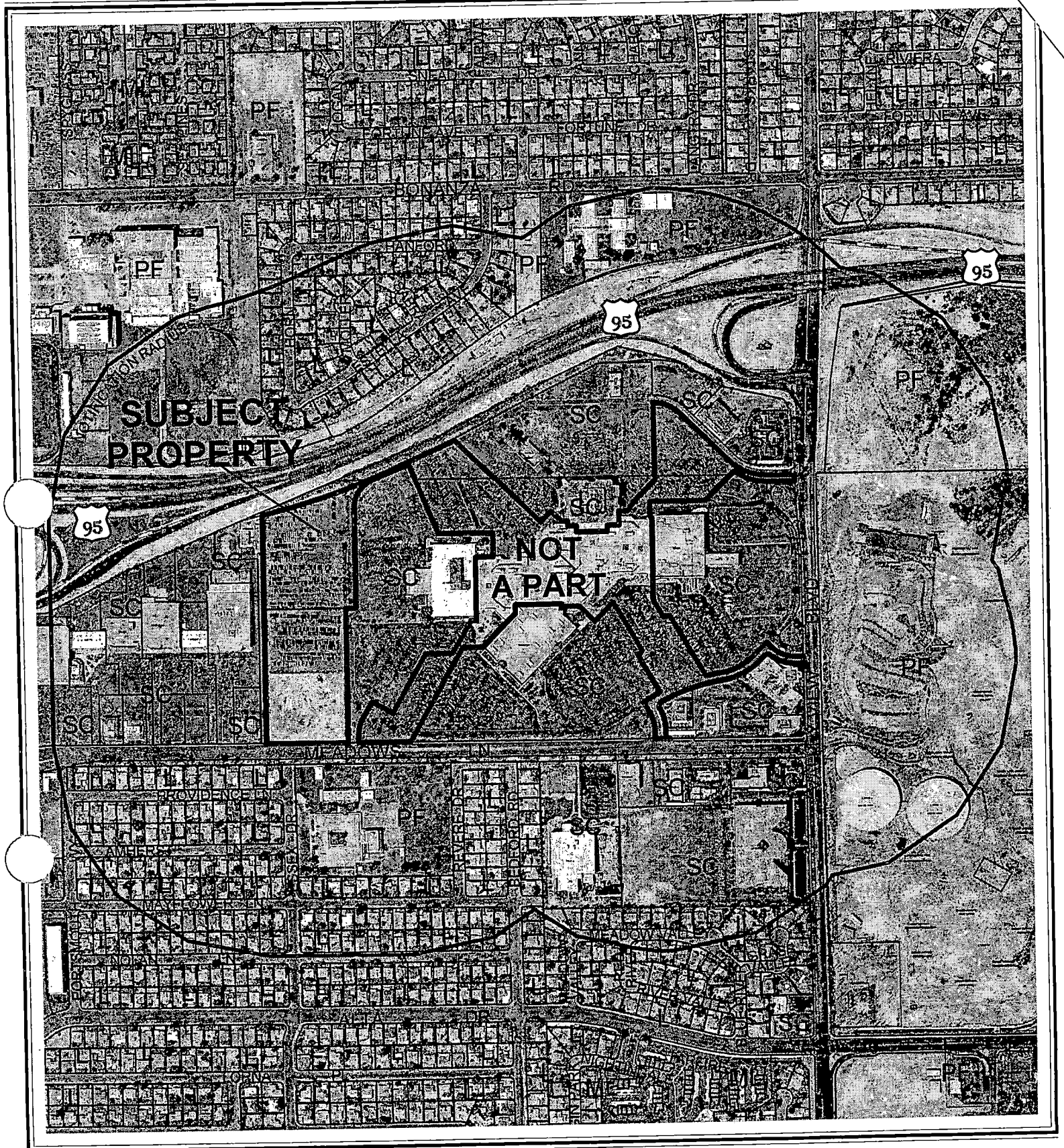
CASE: **GPA-6221**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
GC (GENERAL COMMERCIAL)

N



0 600 1200 Feet

CASE: **GPA-6221**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
GC (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-6221 - APPLICANT: SCHLOSSER CONSTELLATION, INC. - OWNER: GGP MEADOWS MALL L.L.C.

ON APRIL 11, 2005 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE MAY 12, 2005 PLANNING COMMISSION MEETING.

DA

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-6221 APN: 139-31-510-019

Name of Property Owner: GGP Ivanhoe II, Inc. (doing business as General Growth Properti
dba GGP Meadows Mall LLC

Name of Applicant: Schlosser Constellation, 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: _____ (PRESIDENT)
for Schlosser ConsteNation, Inc. (by Andrew J. Schlosser, president)
pursuant to authority granted by GGP Meadows LLC (as described in such attached authoriation.

Print Name: _____

Subscribed and sworn before me

This 28th day of FEBRUARY, 2005

Lynne Simon

Notary Public in and for said County and State

LYNNE SIMON NOTARY PUBLIC STATE OF TEXAS EXPIRES 08-11-2008

General Growth Properties et al
Chicago, Illinois

February 24, 2005

Las Vegas Planning and Development Department
Las Vegas, Nevada

Re: unimproved property located immediately west of Meadows Mall on Meadows Lane, Las Vegas (the "Property")

To Whom It May Concern:

Thank you in advance for accepting this letter as authorization for Schlosser Constellation, Inc (and/or Andrew J. Schlosser) to make certain land-use applications regarding the Property, with the City of Las Vegas. However, this authorization is granted subject to the following:

i) GGP Meadows Mall L.L.C. may terminate any such described applications (pertaining to the described Property) at any time (in which case such application shall be considered extinguished and null and void).

ii) Schlosser Constellation, Inc. shall be solely responsible for all expenses and costs associated with prosecuting and such application(s) on the described Property.

iii) This agreement shall vest no rights in, nor create an option for the Property, nor shall GGP Meadows L.L.C. have any obligation to enter into any other agreement of any kind with Schlosser Constellation, Inc. relative to the Property.

iv) None of the applications pursued by Schlosser Constellation, Inc. shall limit the use of the property in any way.

Sincerely,

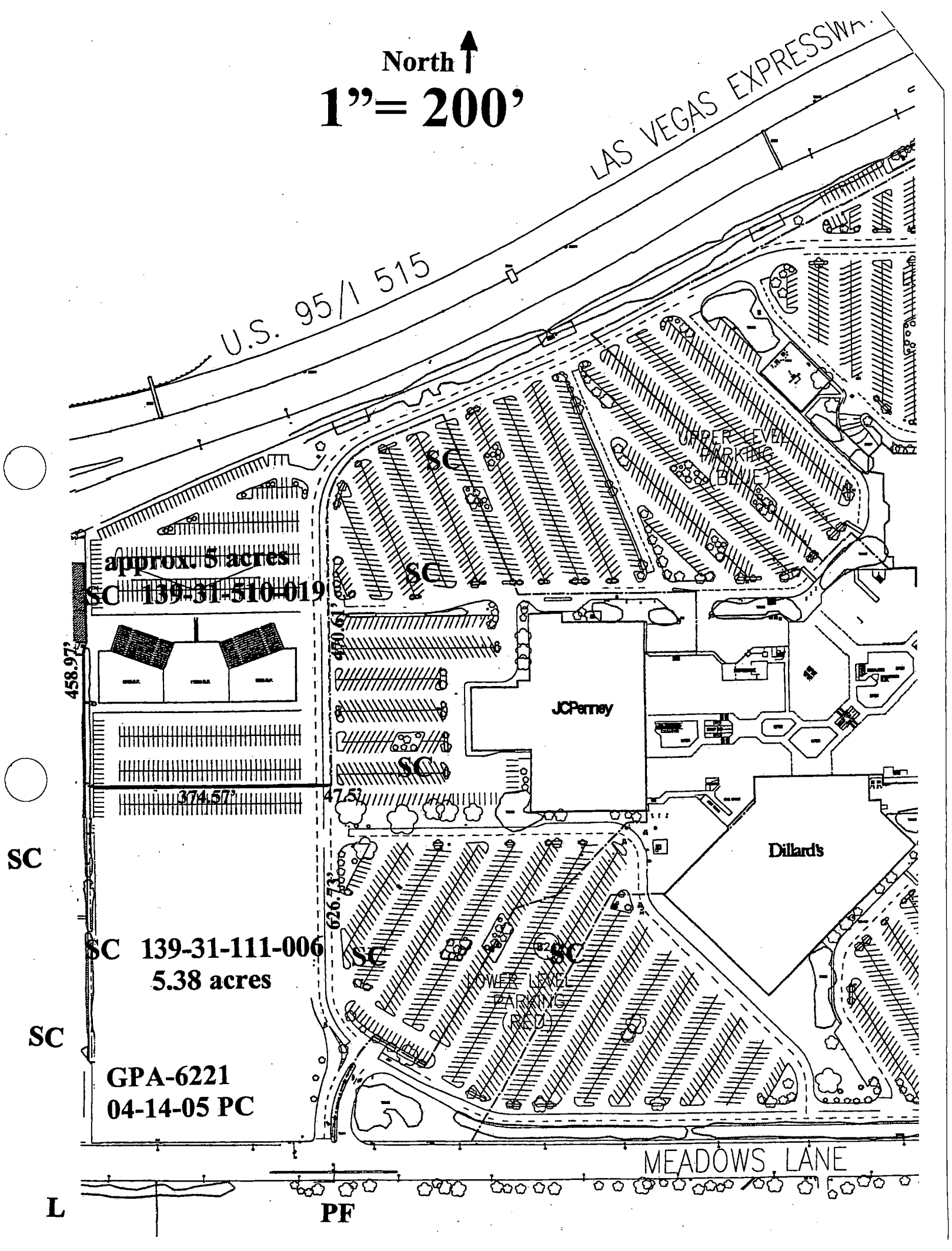
Authorized Officer
GGP Meadows Mall L.L.C.,
A Delaware Limited Liability Company

By: Daniel F. O'Brien

Daniel F. O'Brien

North

1"= 200'


LAS VEGAS EXPRESSWAY
U.S. 95/I 515
SC
UPPER LEVEL PARKING (BLUE)
approx. 5 acres
SC 139-31-510-019
458.97'
470.61'
JCPenney
SC
374.57'
47.5'
SC
Dillard's
626.73'
SC 139-31-111-006
5.38 acres
SC
SC
SC
LOWER LEVEL PARKING (RED)
GPA-6221
04-14-05 PC
MEADOWS LANE
L
PF



GPA-6221 - APPLICANT: SCHLOSSER CONSTELLATION, INC. - OWNER: GGP MEADOWS MALL L.L.C.
THE NORTHWEST CORNER OF VALLEY VIEW BOULEVARD AND MEADOWS LANE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



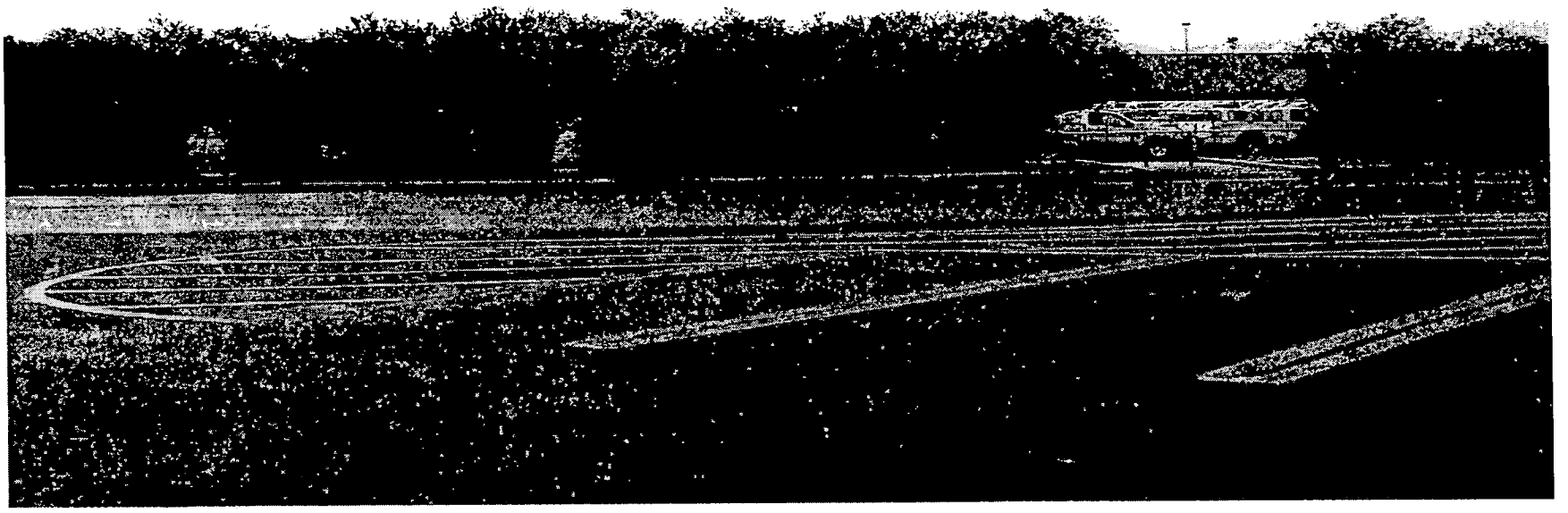
GPA-6221 - APPLICANT: SCHLOSSER CONSTELLATION, INC. - OWNER: GGP MEADOWS MALL L.L.C.
THE NORTHWEST CORNER OF VALLEY VIEW BOULEVARD AND MEADOWS LANE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



GPA-6221 - APPLICANT: SCHLOSSER CONSTELLATION, INC. - OWNER: GGP MEADOWS MALL L.L.C.
THE NORTHWEST CORNER OF VALLEY VIEW BOULEVARD AND MEADOWS LANE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



GPA-6221 - APPLICANT: SCHLOSSER CONSTELLATION, INC. - OWNER: GGP MEADOWS MALL L.L.C.
THE NORTHWEST CORNER OF VALLEY VIEW BOULEVARD AND MEADOWS LANE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

SCHLOSSER CONSTELLATION, INC.
907 West Fifth Street / Suite 202
Austin, Texas 78703

February 25, 2005

MR. FLINN FAGG, AICP
Urban Design Coordinator
City of Las Vegas
731 S. Fourth Street
Las Vegas, Nevada, 89101

Re: Constellation at Meadows Mall, Las Vegas; "Justification Letter"

Dear Flinn,

You have advised Schlosser Constellation, Inc. ("SCI") that SCI is required to submit a so-called "Justification Letter", which is a detailed letter that explains:

i) The zoning request
ii) The intended use of the property
iii) How the project meets/ supports existing City policies and regulations
iv) Why the zoning proposal promotes public health, safety, and general welfare in accordance with Las Vegas Municipal Code 19.18.030.

SCI is requesting that the City of Las Vegas ("Las Vegas") rezone the General Plan from "SC" to "GC".

SCI intends to use the property for an outdoor motion-picture exhibition 'amphitheatre'. Because "Commercial Amusement/Recreation; Outdoor" falls under the Zoning-category of "C-2", and because the property is currently zoned "C-1", SCI will eventually submit an application to rezone the property from "C-1" to "C-2". However, such "C-2" zoning that SCI will eventually seek stands in a General Plan designation of "GC". Therefore, SCI is seeking to revise the General Plan from "SC" to "GC".

Presumably, Las Vegas seeks to promote development that expands the property-tax base without having any or minimum impact on the environment. SCI intends to develop a project that utilizes existing paving and parking-fields during a period of the year when neighboring parking fields at the Meadows Regional Mall are minimally utilized. SCI does not intend to operate during the Christmas holiday season when such parking fields are utilized to their maximum capacity. Therefore, there is perfect or

GPA-6221

nearly perfect parking reciprocity between the Constellation and the neighboring host's Meadows Regional Mall Shopping Center parking field.

Best Regards,

Schlosser Constellation, Inc.

By: Andrew J. Schlosser, president

City of Las Vegas

Agenda Item No.: 41

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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 – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance to the 5/12/2005 Planning Commission meeting

MINUTES:
CHAIRMAN NIGRO declared the public hearing open on Item 41 [ZON-6157], Item 42 [VAR-6349], Item 43 [VAR-6158], Item 44 [VAR-6407] and Item 45 [SDR-6155].

DOUG RANKIN, Planning and Development, gave a brief overview of the applications, which consisted of a zone change, three variances and three waivers. The site meets all the minimum setback requirements but does not meet the minimum lot size requirement for a R-5 zoning district. The trash enclosure does not meet the minimum 50-foot residential adjacency standards. The waivers and the variances are all self-imposed, as the lot is too small to accommodate the proposed project.

MINUTES – Continued:

JEREMY STRAWN, 1950 E. Warm Springs Road, Las Vegas, NV 89119, appeared on behalf of the applicant. He showed photos of the site plan and the adjoining property and expressed the desire to change the zoning to R-5, which is similar to the adjoining property across the street from the subject site. The proposed development would have parking on the ground floor and residential would be above the parking structure. He explained some of the reasons for the waivers and variances. In order to meet the required six handicapped parking spaces, the landscaping was eliminated on one portion of the proposed development. Due to the width of the subject site, the trash enclosure does not meet the 50-foot setback.

COMMISSIONER McSWAIN appreciated the applicant's efforts to acquire continuity along the property across the street. However, the subject area is not in transition like other areas of Downtown. She also pointed out the fact that there is not sufficient room for even the trash enclosure to be appropriately away from the residential area. She agreed with staff's comments regarding the lot being too small to accommodate such a project and could not support the applications.

COMMISSIONER GOYNES agreed with COMMISSIONER McSWAIN'S previous comments. MR. STRAWN then stated that although the adjoining properties have different zonings, they have similar uses. COMMISSIONER GOYNES responded that he felt the area would eventually become dilapidated and could not support the applications.

VICE CHAIRMAN TRUESDELL appreciated the applicant's efforts. However, he felt that the existing buildings were more appropriate for the subject site. MR. STRAWN pointed out the main reason for the R-5 zoning request is to accommodate the additional height for the parking structure on the ground level. It was VICE CHAIRMAN TRUESELL'S opinion that the proposed development was too intense for the neighboring properties.

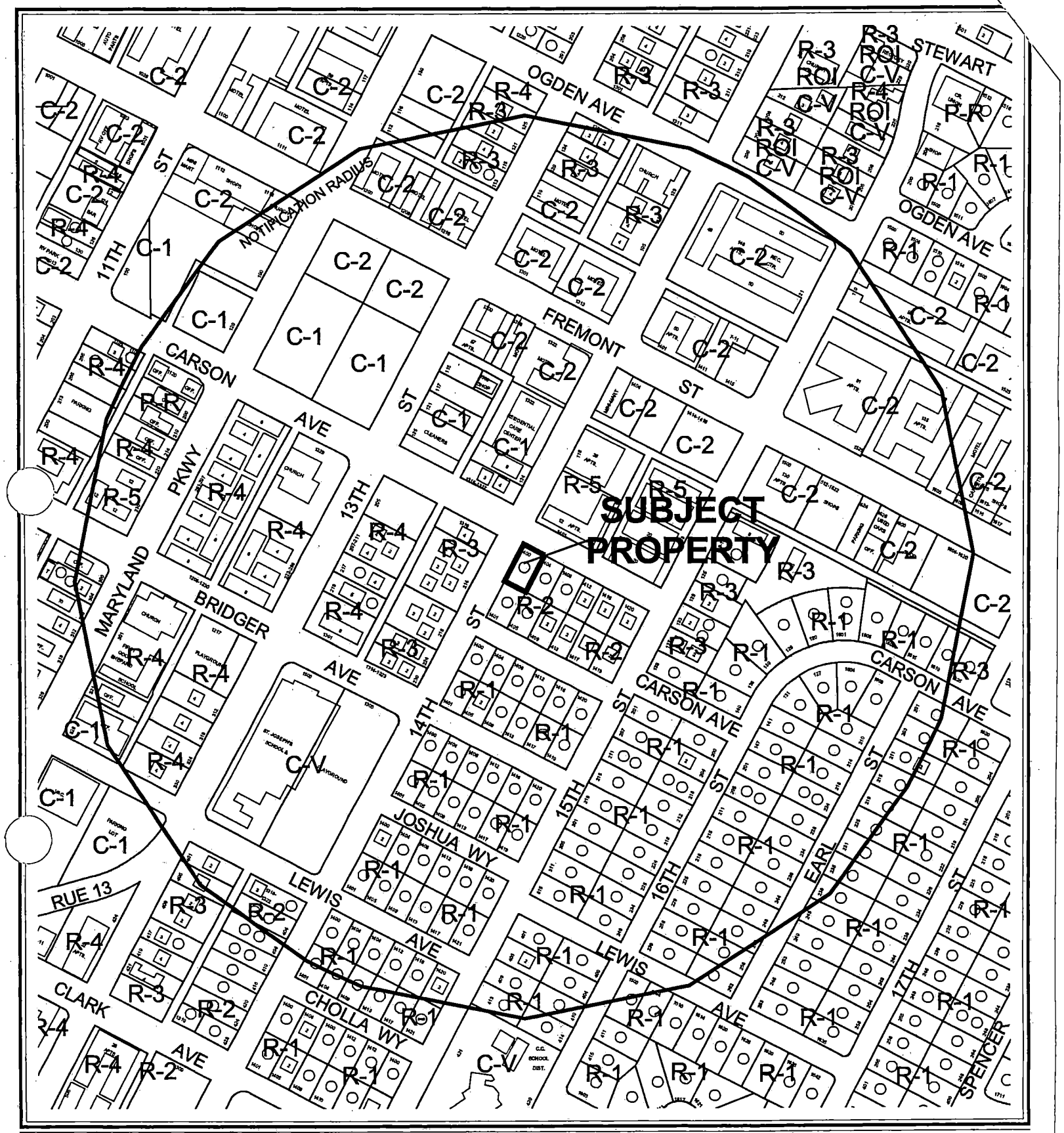
MR. STRAWN explained to COMMISSIONER EVANS that although the applicant would prefer to retain the proposed development, they would be open to revisions. COMMISSIONER EVANS expressed to MR. STRAWN that the design of the project looked nice, but it was the Commission's opinion that it was overbuilt. The Commissioner then suggested having the applications held in abeyance to give the applicant an opportunity to work with staff to review the site plan, revise it and make it more palatable. The subject site is an infill piece and is in need of housing development. MR. STRAWN concurred with a 30-day abeyance.

No one appeared in opposition.

MINUTES – Continued:

CHAIRMAN NIGRO declared the public hearing closed on Item 41 [ZON-6157], Item 42 [VAR-6349], Item 43 [VAR-6158], Item 44 [VAR-6407] and Item 45 [SDR-6155].

(8:42 – 8:56)



0 300 600 Feet

CASE: **ZON-6157**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

N



0 300 600 Feet

CASE: **ZON-6157**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6157 - APPLICANT/OWNER: KENRIC, LLC

** CONDITIONS **

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

Planning and Development

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

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

Public Works

3. Dedicate a 15-foot radius on the southeast corner of 14th Street and Carson Avenue prior to the issuance of any permits.

4. 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.

5. Coordinate with the Collection System Planning Section of the Department of Public Works to determine public sewer 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. 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.

6. 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.

7. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

BTS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-2 (Medium-Low Density Residential) to R-5 (Apartment) on 0.13 acres at 1400 Carson Avenue.

B) Applicant's Justification

The applicant indicates that the proposed zoning is in compliance, and meets or exceeds the General Plan requirements.

BACKGROUND INFORMATION

A) Related Actions

09/22/92 The Board of Zoning adjustment approved a Home Occupation Permit (U-0246-92) to allow a typing business.

B) Pre-Application Meeting

12/15/04 The following items were discussed at the pre-application meeting:

- R-5 zoning allows up to 5 stories
- Landscape buffers require min. of 10' in front and 6' in the side and rear
- Public Works commented on the radius corner, which is required to be 20'. A flood study is needed, but a traffic study is not required. Applicant is required to meet with Victor Bolanos (Public Works) regarding driveway concerns.
- A Variance is needed for the R-5 lot size requirement.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.37
Net Acres	0.13

B) Existing Land Use

Subject Property:	Single family dwelling
North:	Apartments
South:	Single family dwelling
East:	Single family dwelling
West:	Duplex

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-2 (Medium-Low Density Residential)
North:	R-5 (Apartment)
South:	R-2 (Medium-Low Density Residential)
East:	R-2 (Medium-Low Density Residential)
West:	R-3 (Medium Density 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 R-5 (Apartment) zoning designation is in compliance with the land use designations allowed by the MXU land use designation.

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

BTS

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.

FINDINGS

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

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

   The proposed R-5 (Apartment) zoning conforms with the MXU (Mixed Use) land use designation, but does not facilitate the objectives of the Redevelopment Plan. The proposal fails to meet Section 110, letters I and K. Letter I states the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Redevelopment Area. Letter K states that all development within the Redevelopment Area shall be of an orderly fashion. The project is neither of a high quality or an orderly development.

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

   The proposed R-5 zoning is an inappropriate transition from the R-1, R-2, and R-5 zoning uses. The density requested on the site is not compatible with the other R-2 parcels, which are bound by Carson Avenue, Manzanita Way, 14th Street, and 15th Street. The applicant proposes a project, which would be better suited for a larger parcel located in an existing R-5 zoning district. The existing R-5 parcels located north of the subject site, are more compatible in size. The parcels are approximately 0.55 acres in size compared to the subject site, which is only 0.13 acres in size. The average size of the R-5 parcels (55) located in city is 0.55 acres. The average R-5 parcel is 18,295 square feet larger than the subject site.

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

   The applicant is proposing a project that is too large for the subject site, a need or appropriateness has not been demonstrated. A larger lot would better serve the intentions of the scale of this development. The proposed Variance and three associated Waivers demonstrate the inappropriateness of the proposal as submitted.

BTS

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."**

   There are adequate transportation facilities to accommodate the proposed project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 214 – Mailed with VAR-6349, VAR-6158, VAR-6407 and SDR-6155

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6157 APN: 139-35-313-001

Name of Property Owner: KENRIC LLC

Name of Applicant: KENRIC 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: /Kenneth J. Tarasconi/

State of Nevada
County of Clark

Print Name: KENNETH J. TARASCONI

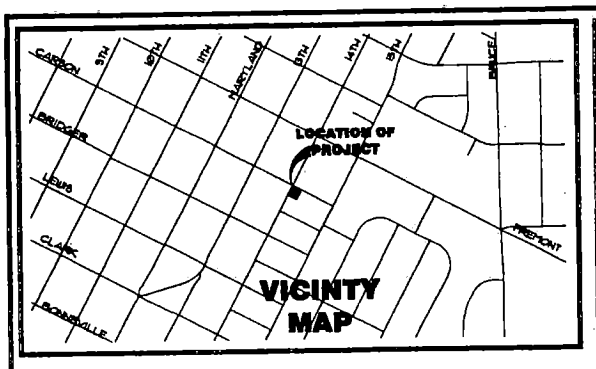
Subscribed and sworn before me

This 14th day of December, 2004

Irene Jo Pederson

Notary Public in and for said County and State

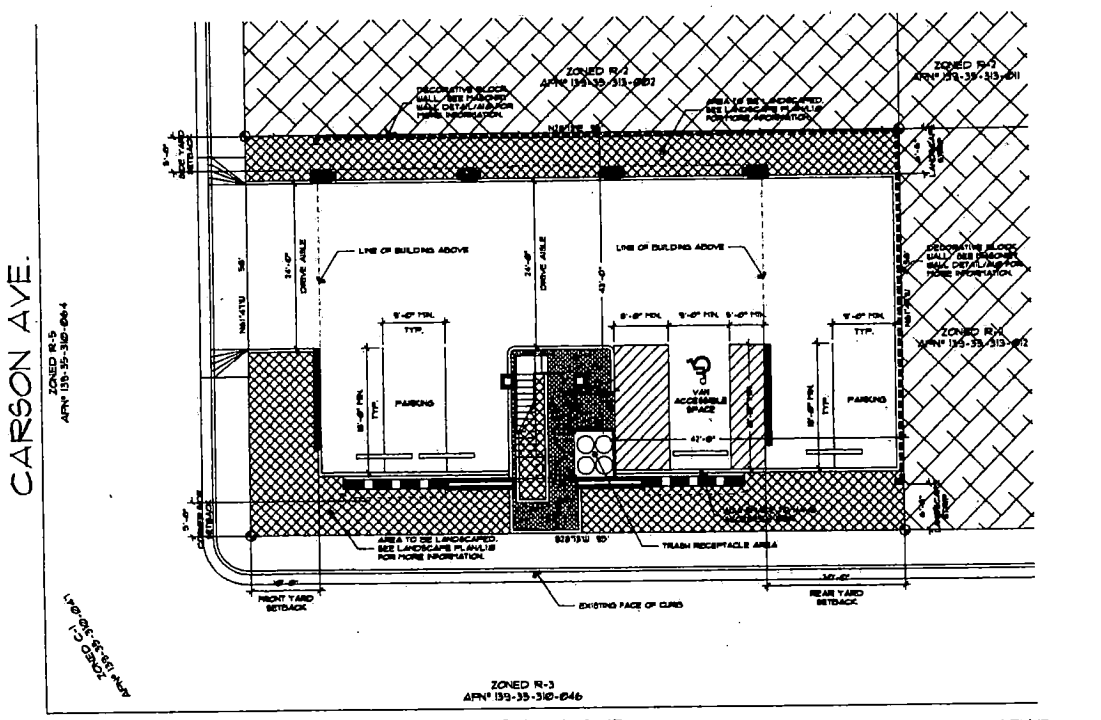
IRENE JO PEDERSON
Notary Public State of Nevada
No. 97-2622-1
My appt. exp. Apr. 17, 2005



CARSON SQUARE

CONDOMINIUM

1400 CARSON AVE
LAS VEGAS, NEVADA



ARCHITECTURAL SITE PLAN / LEVEL 1
SCALE: 1/8" = 1'-0"

CENTERLINE
PROPERTY LINE
CMU BLOCKWALL
'L' TYPE CURB AND GUTTER
HAND RAIL
'A' TYPE CURB

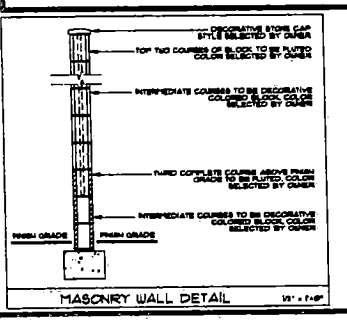
SITE ANALYSIS

SITE INFO.:

APN#:		139-35-313-001
ZONED:		
EXISTING		R-2
REQUSTED		R-5
PROPERTY AREA:		5,393 S.F. OR 0.12 ACRES
LOT COVERAGE:		57%
BUILDING AREA:	1ST FLOOR	3,089 S.F.
	2ND FLOOR	3,020 S.F.
	3RD FLOOR	3,110 S.F.
TOTAL BUILDING AREA:		9,219 S.F.
BUILDING HEIGHT:		
MAX STORIES ALLOWED		3 STORIES
MAX ALLOWED AREA PER FLOOR		12,000 S.F.
SET BACKS:	FRONT YARD	10'-0" MIN.
	SIDE YARD	5'-0" MIN.
	REAR YARD	20'-0" MIN.
	CORNER SIDE YARD	5'-0" MIN.

PARKING INFO.:

REQUIRED PARKING (1.25/ 1 BED UNIT):	5 SPACES
REQUIRED PARKING + 1 GUEST:	6 SPACES
PARKING PROVIDED:	6 SPACES
ADA ACCESSABLE SPACES:	1 SPACE



MASONRY WALL DETAIL

SUZANA RUTAR, Architect Ltd.
Architectural Design & Planning
1850 E. Sahara Avenue, Suite 107
Las Vegas, Nevada 89104
Telephone (702) 735-4479
Fax (702) 361-2562
A Professional Corporation

PRELIMINARY NOT FOR CONSTRUCTION

PROJECT TITLE
CARSON SQUARE CONDOMINIUMS
1400 CARSON AVE.
LAS VEGAS, NEVADA

OWNER
KENRIC LLC.
LAS VEGAS NEVADA

ARCHITECTURAL SITE PLAN & SITE DATA
-

DRAWN BY: JHS
CHECKED BY: SR
DATE: 1/12/05

NO.	DATE	DESCRIPTION

A1.0

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

MAR 29 2005

SUZANA RUTAR, Architect

February 17, 2005

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

Re: Justification Letter
Rezoning Application
APN # 139-35-313-001 (1400 East Carson Avenue)
Carson Square Condominiums

To Whom It May Concern:

This letter is a justification letter for the above referenced property. The above referenced property is presently zoned R-2- Multi-family District. The general plan for this site is MXU (Mixed Use). The property is proposed to be developed as a 3-story, multi-family condominium building with a parking garage at the first /ground floor. The building shall have (2) - 2 bedroom units and (2) - 1 bedroom units. All (4) four units shall be two story. The parking required is 7 parking spaces which are provided at street level under the residential structure.

The Applicant is requesting a Rezoning of this site from R-2 - Multi-Family Residential to R-5 - Multi-family Residential. The properties to the East and to the South are presently zoned R-2 - Multi-Family Residential. The Properties directly across Carson Avenue (North) are presently zoned R-5 - Multi Family Residential and the property directly across 14 th Street are presently zoned R-3 - Multi- family residential. Please note that the property on the Northwest corner of Carson Avenue and 14 th Street is presently zoned C-1. The applicant believes that the proposed zoning of R-5 is in compliance with and meets or exceeds the intent of the City of the Las Vegas General Plan, especially considering the existing zoning of the surrounding properties.

Thank you for your consideration of this request.. If you have any questions or if you require additional information, please call me at 263-6176.

Sincerely,
SUZANA RUTAR Architect, Ltd.,
A Professional Corporation

Suzana Rutar, AIA, CSI, NCARB
Principal Architect

ZON-6157

1950 East Warm Springs Road • Las Vegas, Nevada 89119
Phone: (702) 263-6176 • FAX: (702) 361-2582
email: srutar@aol.com

City of Las Vegas

Agenda Item No.: 42

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-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).

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

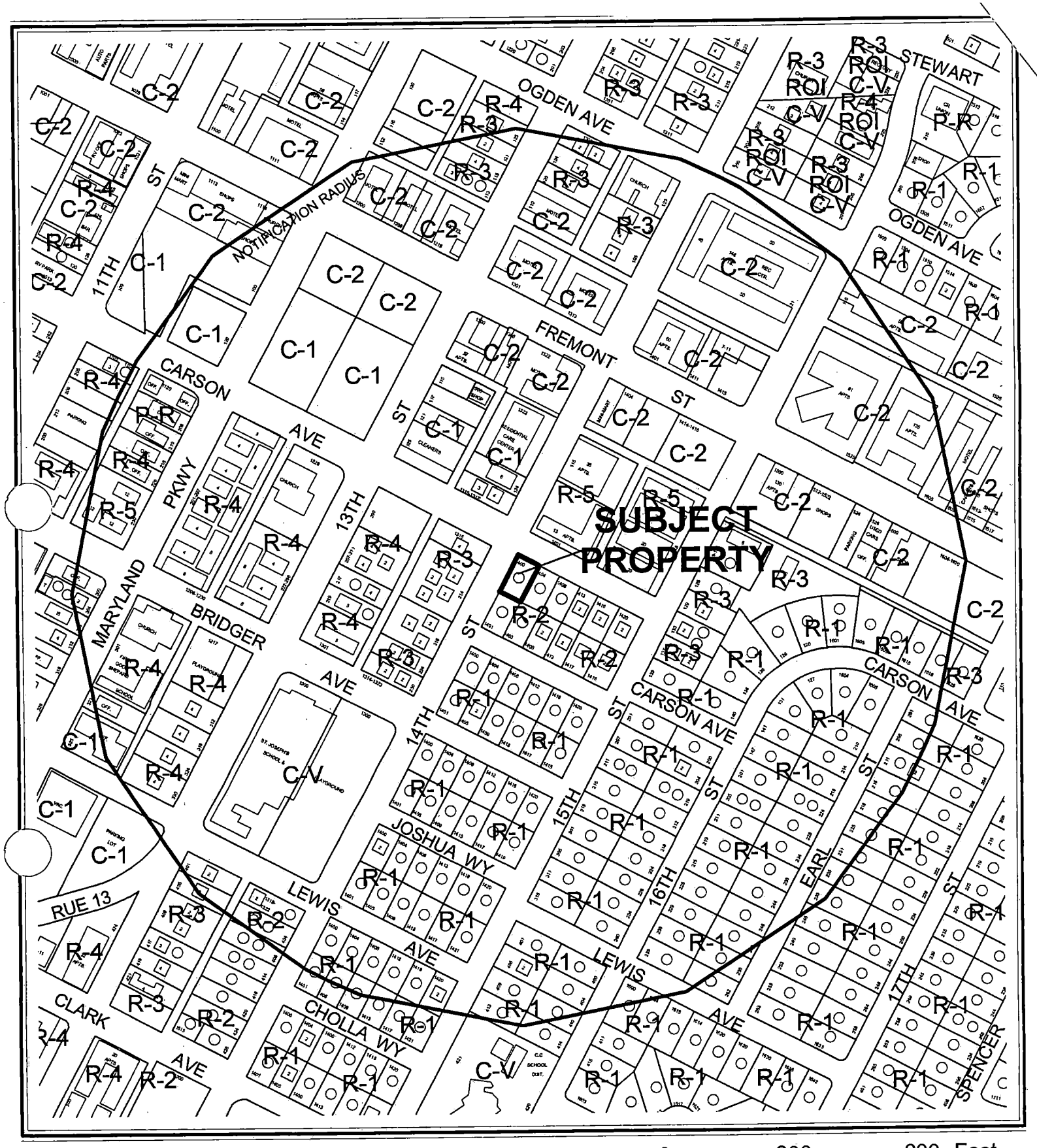
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
EVANS – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance to the 5/12/2005 Planning Commission meeting

MINUTES:
See Item 41 [ZON-6157] for all related discussion on Item 41 [ZON-6157], Item 42 [VAR-6349], Item 43 [VAR-6158], Item 44 [VAR-6407] and Item 45 [SDR-6155].

(8:42 – 8:56)



0 300 600 Feet

CASE: **VAR-6349**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

N



0 300 600 Feet

CASE: **VAR-6349**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6349 - APPLICANT/OWNER: KENRIC, LLC

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Rezoning (ZON-6157) and Site Development Plan Review (SDR-6155).

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.

BTS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a 5,510 square-foot lot where 7,000 square feet is required for a proposed R-5 zone on 0.13 acres at 1400 Carson Avenue.

B) Applicant's Justification

The applicant indicates that the proposed zoning is in compliance with and meets or exceeds the intent of the General Plan.

BACKGROUND INFORMATION

A) Related Actions

09/22/92 The Board of Zoning adjustment approved a Home Occupation Permit (U-0246-92) to allow a typing business.

B) Pre-Application Meeting

12/15/04 The following items were discussed at the pre-application meeting:

- R-5 zoning allows up to 5 stories
- Landscape buffers require min. of 10' in front and 6' in the side and rear
- Public Works commented on the radius corner, which is required to be 20'. A flood study is needed, but a traffic study is not required. Applicant is required to meet with Victor Bolanos (Public Works) regarding driveway concerns.
- A Variance is needed for the R-5 lot size requirement.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.37
Net Acres:	0.13

BTS

B) Existing Land Use

Subject Property:	Single family dwelling
North:	Apartments
South:	Single family dwelling
East:	Single family dwelling
West:	Duplex

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-2 (Medium-Low Density Residential)
North:	R-5 (Apartment)
South:	R-2 (Medium-Low Density Residential)
East:	R-2 (Medium-Low Density Residential)
West:	R-2 (Medium-Low Density 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 R-5 (Apartment) zoning designation is in compliance with the land use designations allowed by the MXU land use designation.

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

BTS

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	7,000 Feet	5,662	N
Min. Setbacks			
• Front	10 Feet	10 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	5 Feet	5 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Building Height	5 Stories / 55 Feet	3 Stories/44.5 Feet	Y
Trash Enclosure	50 Feet	42 Feet	N

The applicant does not meet the minimum parcel size for an R-5 (Apartment) zone. The subject staff report discusses this deviation.

The applicant does not meet the trash enclosure separation distance of 50 feet from a residential property line. The associated Variance (VAR-6407) discusses this deviation.

B) General Analysis and Discussion

The applicant intends to build a 9,219 square foot building on a 5,663 square foot lot. The applicant contends that the proposed R-5 (Apartment) zone is compatible with surrounding parcels. This fact may be true, but the average size of the adjacent parcels is much larger. The parcels zoned R-5 contain larger parcels with more compatible uses. The city contains 55 total parcels, which are zoned R-5. The average size of an R-5 (Apartment) parcel is 0.55 acres or 23,958. The applicant intends to build on a lot that is only 5,663 square feet, which is 18,295 square feet smaller than the average R-5 zoned parcel. The applicant is overbuilding a site envisioned for one single family residential home.

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."

BTS

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 building a condominium development on site that is not appropriate for an R-5 (Apartment) development. Alternative design on a larger parcel 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 19

NOTICES MAILED 214 – Mailed with ZON-6157, VAR-6158, VAR-6407 and SDR-6155

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-0313-09 APN: 139-35-313-001

Name of Property Owner: Kemrik LLC

Name of Applicant: Kemrik 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: Kenneth J Tesconi

State of Nevada
County of Clark

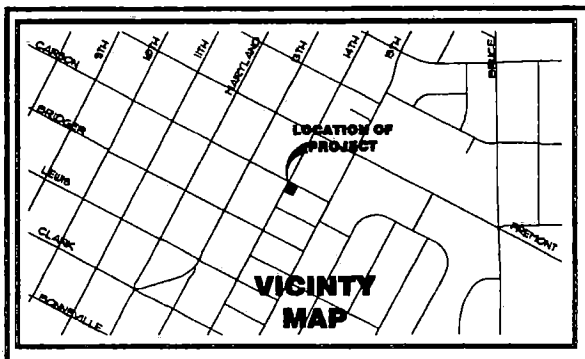
Print Name: KENNETH J TESCONI

Subscribed and sworn before me

This 17th day of March, 2005

Notary Public in and for said County and State

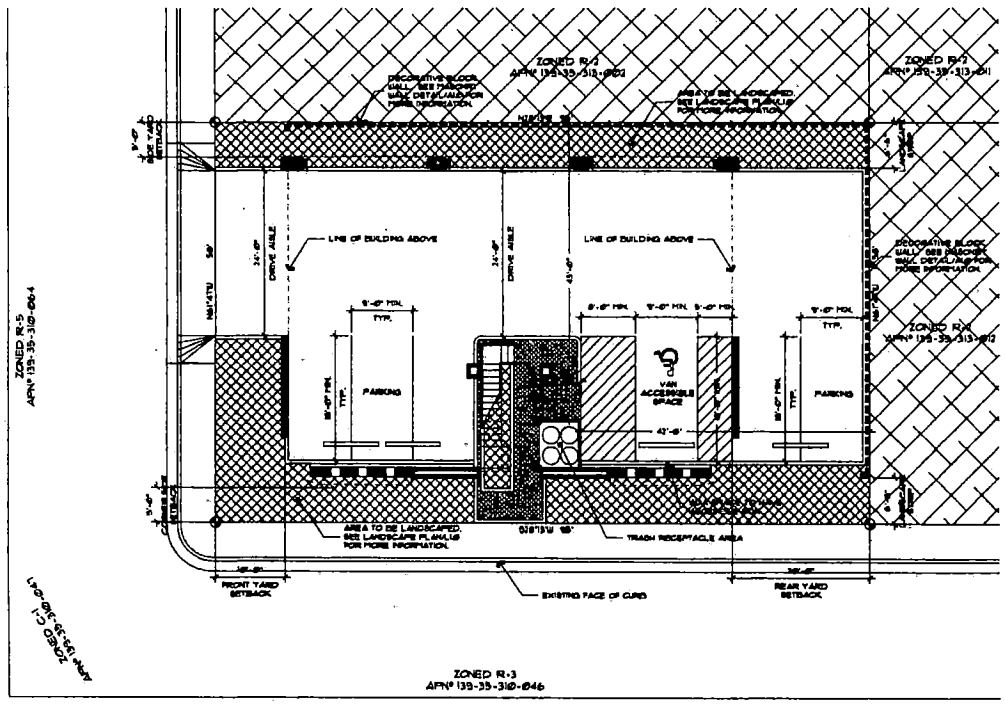
IRENE JO PEDERSON
Notary Public State of Nevada
No. 97-2622-1
My appt. exp. Apr. 17, 2005



CARSON SQUARE

CONDOMINIUM

1400 CARSON AVE
LAS VEGAS, NEVADA



ARCHITECTURAL SITE PLAN / LEVEL I
SCALE: 1/8"= 1'-0"

CENTERLINE
PROPERTY LINE
CMU BLOCKWALL
'L' TYPE CURB AND GUTTER
HAND RAIL
'A' TYPE CURB

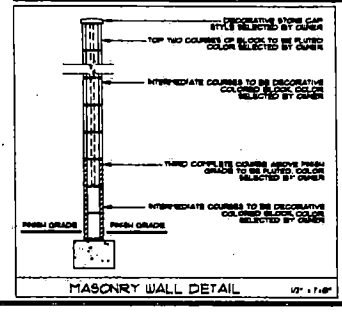
SITE ANALYSIS

SITE INFO.:

APN#:		139-35-313-001
ZONED:		
EXISTING		R-2
REQUSTED		R-5
PROPERTY AREA:		5,393 S.F. OR 0.12 ACRES
LOT COVERAGE:		57%
BUILDING AREA:	1ST FLOOR	3,089 S.F.
	2ND FLOOR	3,020 S.F.
	3RD FLOOR	3,110 S.F.
TOTAL BUILDING AREA:		9,219 S.F.
BUILDING HEIGHT:		
MAX STORIES ALLOWED		3 STORIES
MAX ALLOWED AREA PER FLOOR		12,000 S.F.
SET BACKS:	FRONT YARD	10'-0" MIN.
	SIDE YARD	5'-0" MIN.
	REAR YARD	20'-0" MIN.
	CORNER SIDE YARD	5'-0" MIN.

PARKING INFO.:

REQUIRED PARKING (1.25/ 1 BED UNIT):	5 SPACES
REQUIRED PARKING + 1 GUEST:	6 SPACES
PARKING PROVIDED:	6 SPACES
ADA ACCESSABLE SPACES:	1 SPACE



MASONRY WALL DETAIL

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

MAR 29 2005

SUZANA RUTAR Architect Ltd.
Architectural Design & Planning
1050 E. Sahara Springs Blvd
Las Vegas, Nevada 89104
Telephone (702) 853-8878
Fax (702) 361-2562
A Professional Corporation

PRELIMINARY NOT FOR CONSTRUCTION

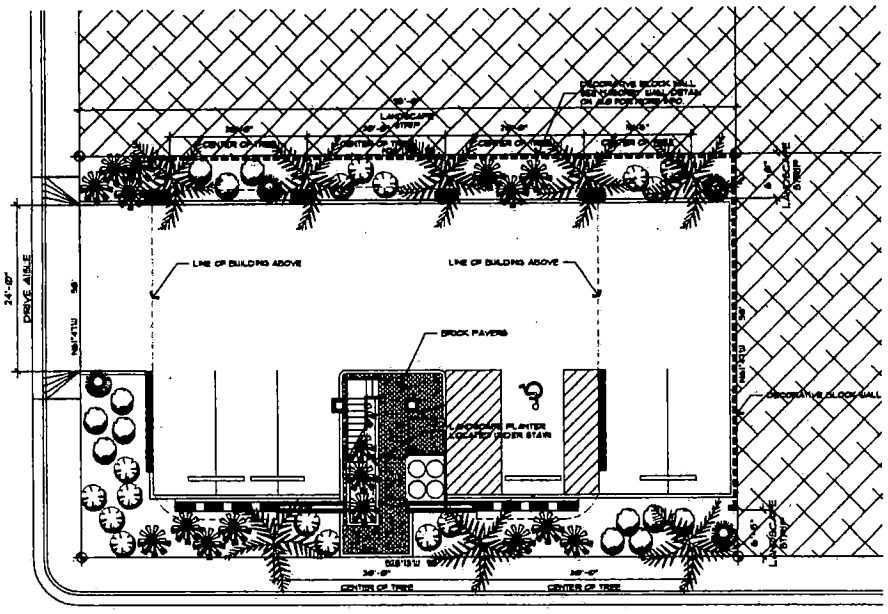
CARSON SQUARE CONDOMINIUMS
1400 CARSON AVE.
LAS VEGAS, NEVADA

OWNER
KENRIC LLC
LAS VEGAS, NEVADA

ARCHITECTURAL SITE PLAN & SITE DATA

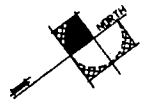
A1.0

CARSON AVE.



14th STREET

LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"



LANDSCAPE SCHEDULE

TREES				SHRUBS		
BOTANICAL NAME:	COMMON NAME:	SIZE:	QUAN.	COMMON NAME:	SIZE:	QUAN.
BRAHEA ARMATA	MEXICAN BLUE PALM	24" BOX	6	BUFFALO JUNIPER	5 GAL.	15
				SANTA CRUZ PYRACANTHA	5 GAL.	12
				EVERGREEN EUONYMUS	5 GAL.	15
				TEXAS PRIVET	5 GAL.	4

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

SUZANA RUTAR Architect Ltd.
Architectural Design & Planning
1960 E. Warm Springs Road
Las Vegas, Nevada 89119
Telephone (702) 233-8178
Fax (702) 251-2562
A Professional Corporation

PRELIMINARY
NOT FOR CONSTRUCTION

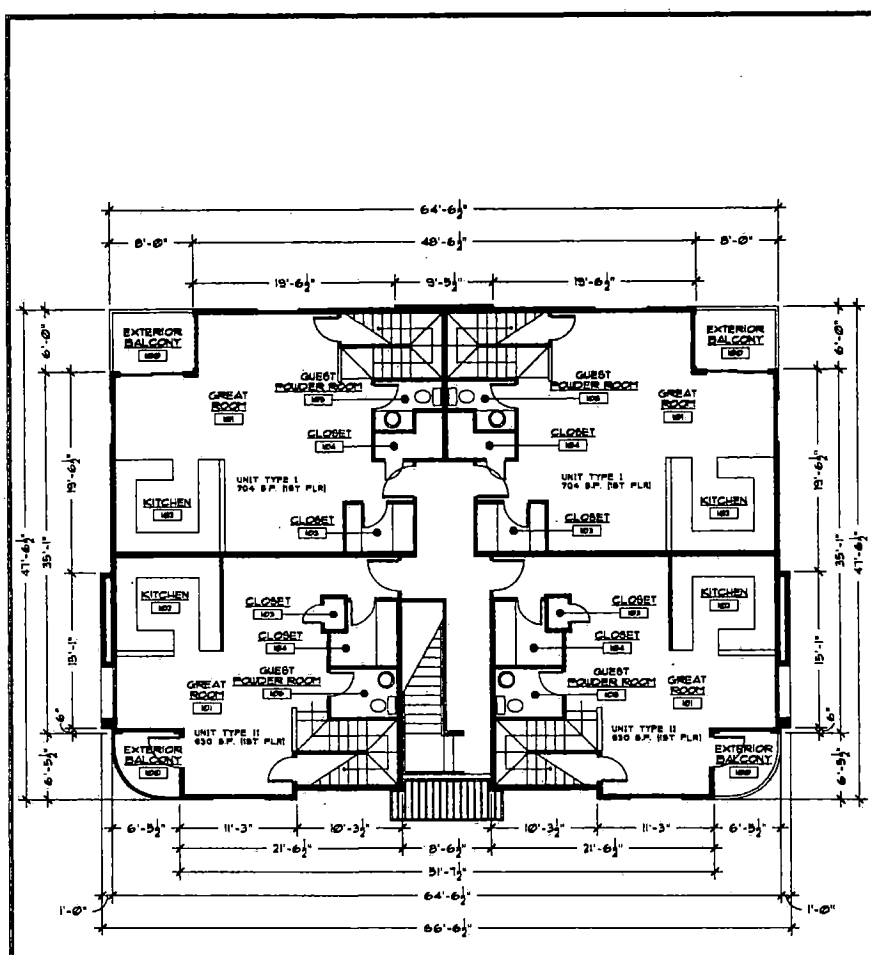
PROJECT TITLE
CARSON SQUARE CONDOMINIUMS
1400 CARSON AVE.
LAS VEGAS, NEVADA

CLIENT
KENRIC LLC
LAS VEGAS, NEVADA

LANDSCAPE PLAN

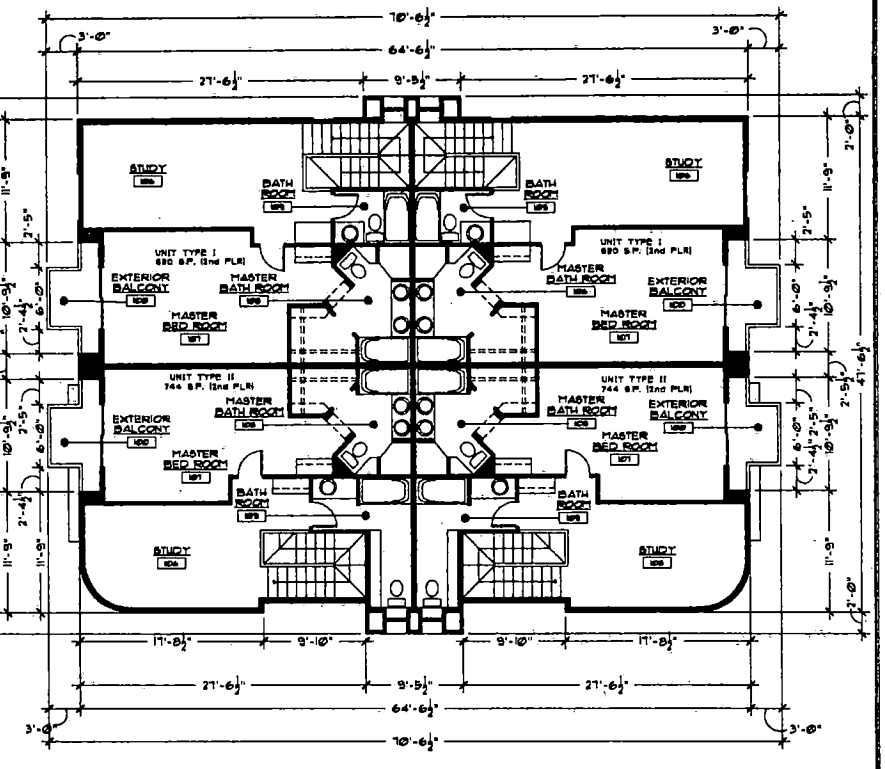
L1.0

MAR 29 2005



2ND LEVEL FLOOR PLAN

SCALE: 3/16" = 1'-0"



3RD LEVEL FLOOR PLAN

SCALE: 3/32" = 1'-0"

NORTH

SHELL BUILDING INFORMATION:

UNIT TYPE "I"	
SQUARE FOOTAGE	1,394 S.F.
ZONED	
EXISTING	R-3
REQUESTED	R-3
TYPE OF CONSTRUCTION	III-B
OCCUPANCY	R-1
SPRINKLED	YES
UNIT TYPE "II"	
SQUARE FOOTAGE	1,314 S.F.
ZONED	
EXISTING	R-3
REQUESTED	R-3
TYPE OF CONSTRUCTION	III-B
OCCUPANCY	R-1
SPRINKLED	YES

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

SUZANA RUTAR Architect Ltd.
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Fax (702) 361-2582
A Professional Corporation

PRELIMINARY NOT FOR CONSTRUCTION

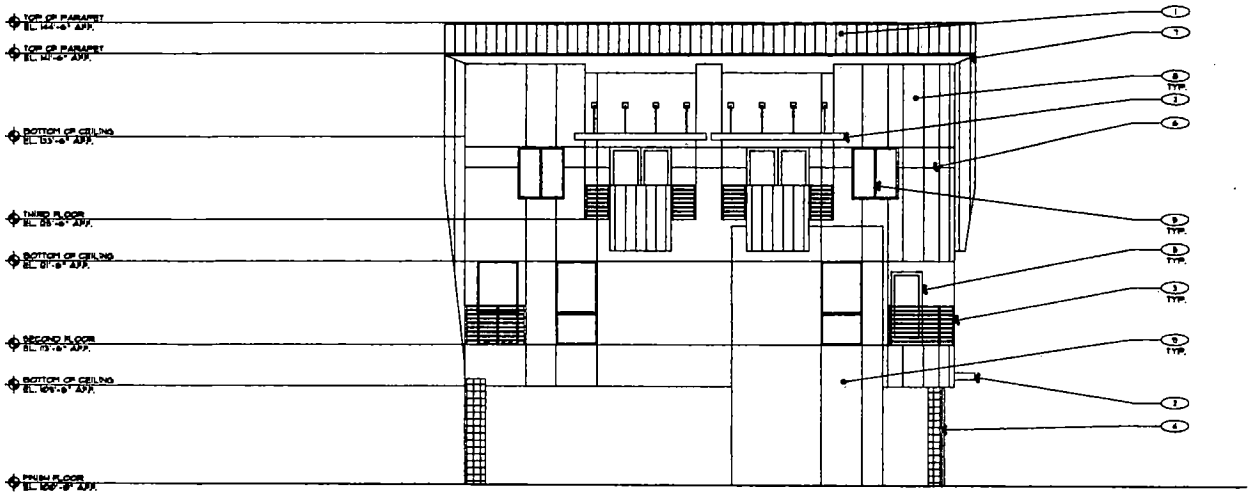
CARSON SQUARE CONDOMINIUMS
1400 CARSON AVE.
LAS VEGAS, NEVADA

KENRIC LLC
LAS VEGAS, NEVADA

2ND & 3RD FLOOR PLANS

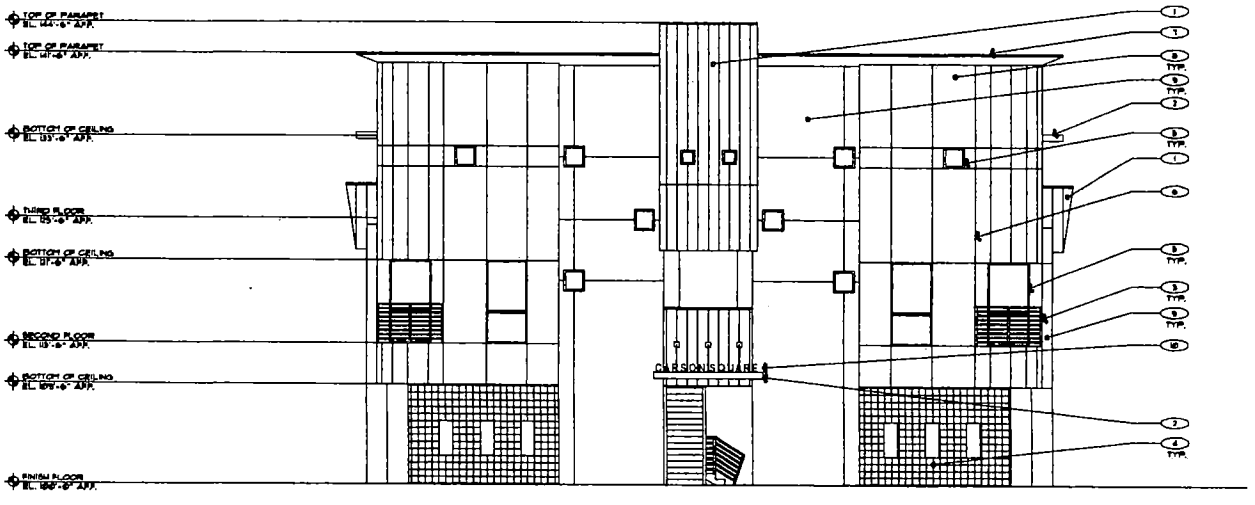
A2.0

MAR 29 2005



NORTH/SOUTH ELEVATION

SCALE: 3/16" = 1'-0"



WEST ELEVATION

SCALE: 3/16" = 1'-0"

NOTES:

1. PAINTED STANDING SEAM PANELS. TO BE BERRIDGE STANDARD COLOR "DEEP RED".
2. METAL SHADE CANOPY. TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5695)"
3. ALUMINUM HANDRAIL TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5695)"
4. GLAZED MASONRY UNITS. COLOR TO BE ASTRA-GLAZE-SW "FIRE ENGINE RED"
5. VINYL WINDOWS & DOORS TRIM TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5695)"
6. METAL EXPANSION JOINT TO BE PAINTED SAME COLOR AS SURROUNDING STUCCO
7. CORNICE WITH METAL FLASHING
8. PAINTED STUCCO TO BE PAINTED DUNN-EDWARDS "FOXTAIL (DEC707)"
9. PAINTED STUCCO TO BE PAINTED DUNN-EDWARDS "ALMOND (DEC753)"
10. SIGNAGE FOR CONDOMINIUM

BUILDING MATERIALS LIST:

EXTERIOR FINISH:	3/4" STUCCO SAND FINISH
EXTERIOR COLOR: DUNN-EDWARDS PAINT	PRIMARY COLOR: FOXTAIL (DEC707)
	SECONDARY COLOR: ALMOND (DEC753)
EXTERIOR COLOR: BERRIDGE STANDARD	STANDING SEAM - DEEP RED
ACCENT COLORS: DUNN-EDWARDS PAINT	ACCENT TRIM (METAL) - DIVE IN (DE5695)
	ALUMINUM HANDRAILS - DIVE IN (DE5695)
	SHADE CANOPY (METAL) - DIVE IN (DE5695)

SUZANA RUTAR, Architect Ltd.
Architectural Design & Planning
1950 E. Sahara Avenue, Suite 106
Las Vegas, Nevada 89119
Telephone (702) 263-6176
Fax (702) 361-2582

A Professional Corporation

PRELIMINARY NOT FOR CONSTRUCTION

PROJECT TITLE: CARSON SQUARE CONDOMINIUMS
1408 CARSON AVE.
LAS VEGAS, NEVADA

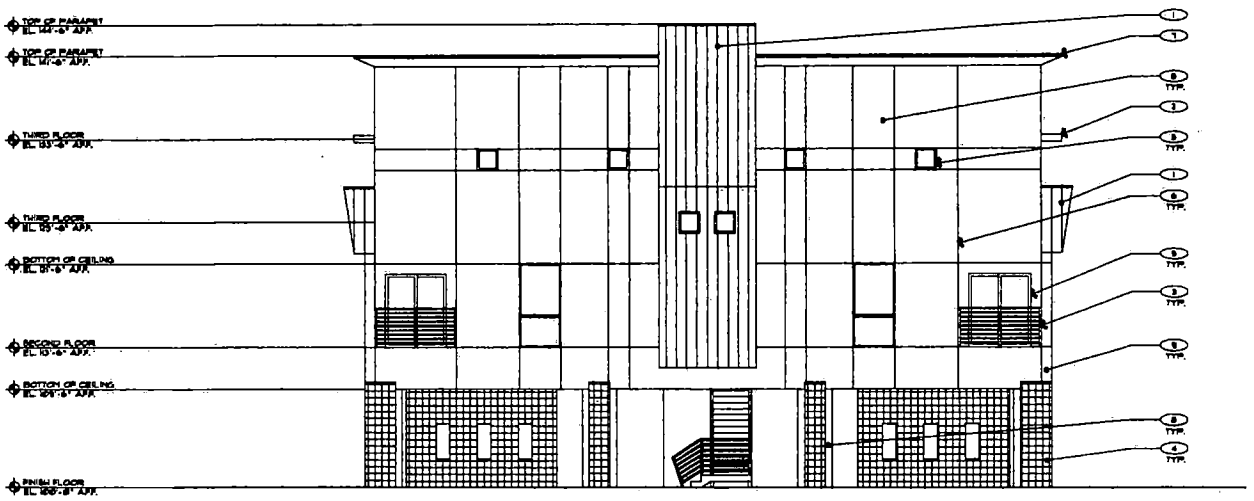
CLIENT: KENRIC LLC
LAS VEGAS, NEVADA

DRAWING TITLE: BUILDING ELEVATIONS

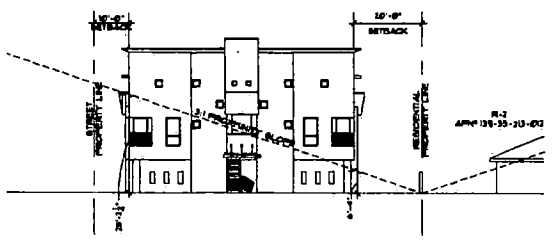
DRAWING NO.: A4.0

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

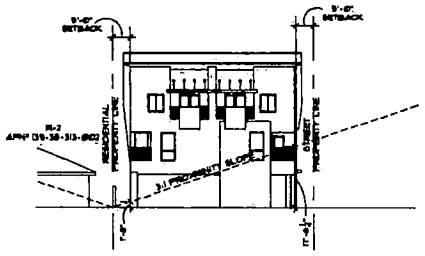
MAR 9 0 2005



EAST ELEVATION
SCALE: 3/16" = 1'-0"



RESIDENTIAL PROXIMITY SLOPE (139-35-313-012)
SCALE: 1/16" = 1'-0"



RESIDENTIAL PROXIMITY SLOPE (139-35-313-002)
SCALE: 1/16" = 1'-0"

NOTES:

1. PAINTED STANDING SEAM PANELS. TO BE BERRIDGE STANDARD COLOR "DEEP RED".
2. METAL SHADE CANOPY. TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5958)"
3. ALUMINUM HANDRAIL TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5958)"
4. GLAZED MASONRY UNITS. COLOR TO BE ASTRA-GLAZE-6U "FIRE ENGINE RED"
5. VINYL WINDOWS & DOORS TRIM TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5958)"
6. METAL EXPANSION JOINT TO BE PAINTED SAME COLOR AS SURROUNDING STUCCO
7. CORNICE WITH METAL FLASHING
8. PAINTED STUCCO TO BE PAINTED DUNN-EDWARDS "FOXTAIL (DEC187)"
9. PAINTED STUCCO TO BE PAINTED DUNN-EDWARDS "ALMOND (DEC193)"

BUILDING MATERIALS LIST:

EXTERIOR FINISH:	3/4" STUCCO SAND FINISH
EXTERIOR COLOR: DUNN-EDWARDS PAINT	PRIMARY COLOR: FOXTAIL (DEC187)
	SECONDARY COLOR: ALMOND (DEC193)
EXTERIOR COLOR: BERRIDGE STANDARD	STANDING SEAM: DEEP RED
ACCENT COLORS: DUNN-EDWARDS PAINT	ACCENT TRIM (METAL): DIVE IN (DE5958)
	ALUMINUM HANDRAILS: DIVE IN (DE5958)
	SHADE CANOPY (METAL): DIVE IN (DE5958)

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

MAR 29 2005

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Fax (702) 361-2832
A Professional Corporation

PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT
CARSON SQUARE CONDOMINIUMS
1409 CARSON AVE
LAS VEGAS, NEVADA

Client
KENRIC LLC
LAS VEGAS, NEVADA

BUILDING ELEVATIONS

Project No. 318-04	Date 2-23-05	
Drawn By JPR	Checked By SR	
NO.	DATE	DESCRIPTION

Drawing No.
A4.1

SUZANA RUTAR, Architect

RECEIVED

MAR 2 4 2005

Mar 24, 2005

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

Re: Justification Letter for:
Site Development Plan Review Application - SDR-6155
with Waiver of Development Standards for Perimeter, Buffer and Foundation Landscaping
Re-zoning Application - 6157
Variance Application for Residential Adjacency -VAR-6158
Variance Application for Minimum Lot Size - VAR-6349
APN # 139-35-313-001 (1400 East Carson Avenue)
Carson Square Condominiums

To Whom It May Concern:

This letter is a justification letter for the above referenced property. The above referenced property is presently zoned R-2- Multi-family District. The general plan for this site is MXU (Mixed Use). The proposed plan requests a conforming Zone Change to R-5 in accordance to the MXU Master Plan. The property is proposed to be developed as a 3-story, multi-family condominium building with a parking garage at the first/ground level. The building shall have four (4) - 1 bedroom units, and all four (4) four units shall be two story. The parking required is at 1.25 spaces per unit (one being van accessible) and one additional space for guest parking. The provided parking (6 spaces) is at the street level under the residential structure and near the south of the property.

With this application, the Owners are also requesting a Waiver of Development Standards (SDR-6155) for perimeter, buffer landscaping at rear yard (south property line), at street landscape buffer zone and Foundation Landscaping at Carson Avenue and 14th Street. The zoning ordinance requires a 15'-0" street landscape buffer zone at all streets, however since the building is set to the 10'-0" building setback only a 10'-0" street perimeter, buffer landscape can be provided. The zoning ordinance also requires a minimum 6'-0" landscaping buffer between multi-family and residential zones. The required landscaping buffer is provided along the east property line, but along the south property wall the perimeter, buffer landscape is absent due to need for an additional parking space to meet the parking requirements. The first level of living space is at the second floor and only structural supports are at the ground level preventing landscaping at the foundation. However, there is landscape provided at the ground level as previously indicated.

The Applicant is requesting a Conforming Zone Change (application #6157) of this site from R-2 - Multi-Family Residential to R-5 - Multi-family Residential. The properties to the East and to the South are presently zoned R-2 - Multi-Family Residential. The Properties directly across Carson Avenue

ZON-6157
VAR-6158
VAR-6349
SDR-6155
04-14-05 PC
REVISED 03-24-05

1950 East Warm Springs Road • Las Vegas, Nevada 89119
Phone: (702) 263-6176 • FAX: (702) 361-2582
email: srutar@aol.com

2

(North) are presently zoned R-5 - Multi Family Residential and the property directly across 14th Street are presently zoned R-3 - Multi- family residential. Please note that the property on the Northwest corner of Carson Avenue and 14th Street is presently zoned C-1. The applicant believes that the proposed zoning of R-5 is in compliance with and meets or exceeds the intent of the City of the Las Vegas General Plan (MXU), especially considering the existing zoning of the surrounding properties.

The Applicant is requesting a Variance for residential adjacency (VAR-6158) of multi-family development to single family residences along the East and South properties. The properties to the East and to the South are presently zoned R-2, therefore the residential adjacency would not be applicable if these lots were not developed as single family homes in the past or/and if future development of these parcels is developed as multi-family residential, which is allowed by the zoning. Also, the configuration of this site is too narrow to allow for the required proximity setbacks for any multi family development, of any height, with the required parking (see figures on sheet A4.1).

The Applicant is requesting a Variance for Minimum Lot Size (VAR-6349) reduction from 7,000 s.f. required lot size for an R-5 zoning to a 5,510 s.f. (actual net lot size). The gross lot size (to center line of Carson Avenue & 14th Street) is 10, 375 s.f., which more than exceeds the minimum lot size for R-5 zoning.

Thank you for your consideration of this request. If you have any questions or if you require additional information, please call me at 263-6176.

Sincerely,
SUZANA RUTAR Architect, Ltd.,
A Professional Corporation

Jeremy Strawn, Associate AIA
Intern-Architect

Suzana Rutar, AIA, CSI, NCARB
Principal Architect

ZON-6157
VAR-6158
VAR-6349
SDR-6155
04-14-05 PC
REVISED 03-24-05

SUZANA RUTAR, Architect

March 17, 2005

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

Re: Justification Letter
Variance Application
for Minimum Lot Size
APN # 139-35-313-001 (1400 East Carson Avenue)
Carson Square Condominiums

To Whom It May Concern:

This letter is a justification letter for the above referenced property. The above referenced property is presently zoned R-2- Multi-family District. The general plan for this site is MXU (Mixed Use). The property is proposed to be developed as a 3-story, multi-family condominium building with a parking garage at the first /ground floor. The building shall have (2) - 2 bedroom units and (2) - 1 bedroom units. All (4) four units shall be two story. The parking required is 7 parking spaces which are provided at street level under the residential structure.

The Applicant is requesting a Variance for Minimum Lot Size reduction from 7,000 sf. required lot size for a R-5 zoning to a 5,510 sf. actual net lot size. The gross lot size (to center line of Carson Avenue & 14 th Street) is 10, 375 sf., which more than exceeds the minimum lot size for R-5 zoning.

Thank you for your consideration of this request.. If you have any questions or if you require additional information, please call me at 263-6176.

Sincerely,
SUZANA RUTAR Architect, Ltd.,
A Professional Corporation

Suzana Rutar, AIA, CSI, NCARB
Principal Architect

1950 East Warm Springs Road • Las Vegas, Nevada 89119
Phone: (702) 263-6176 • FAX: (702) 361-2582
email: srutar@aol.com

VAR-6349

City of Las Vegas

Agenda Item No.: 43

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-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 424.5 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).

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

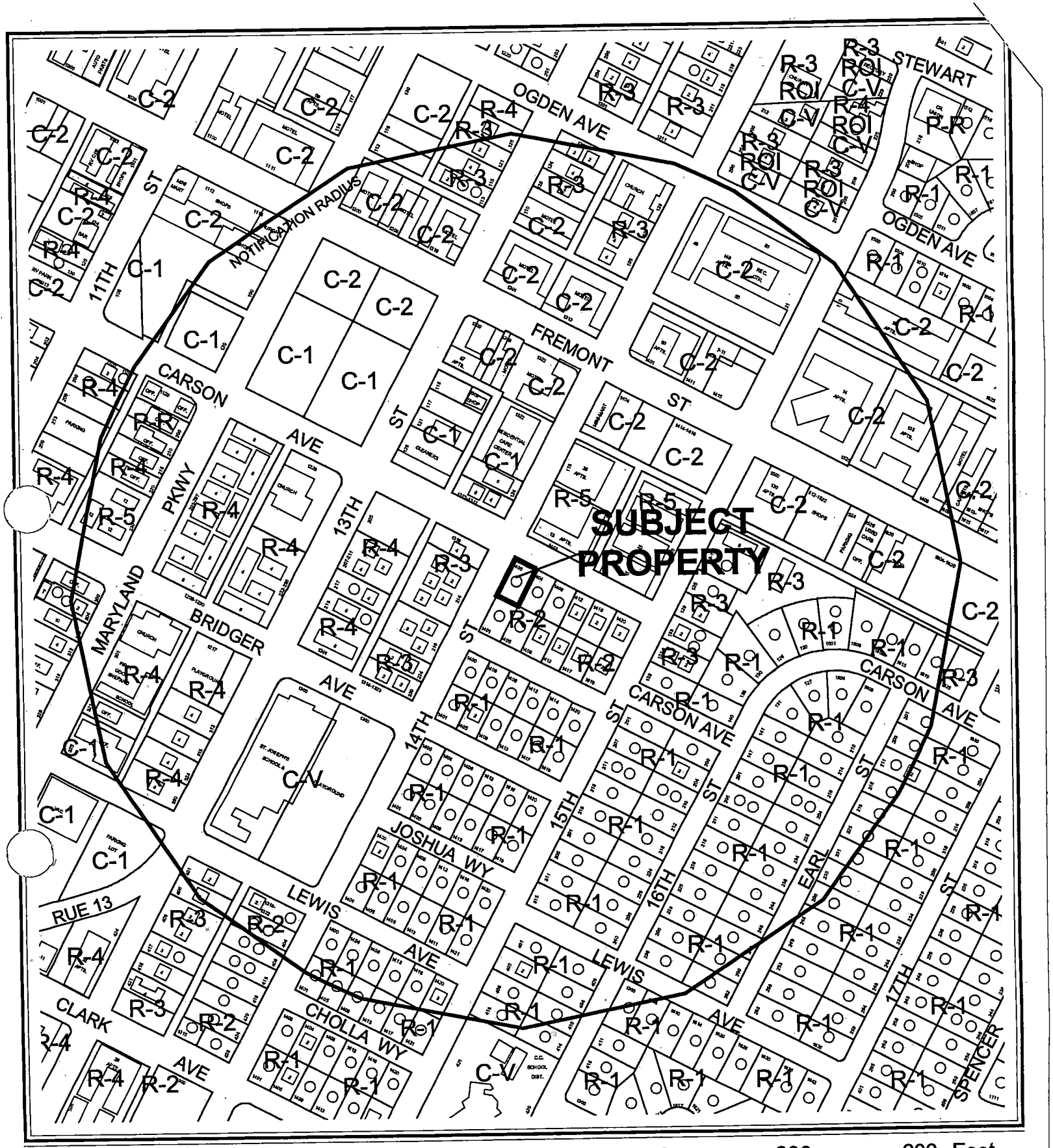
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
EVANS – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance to the 5/12/2005 Planning Commission meeting

MINUTES:
See Item 41 [ZON-6157] for all related discussion on Item 41 [ZON-6157], Item 42 [VAR-6349], Item 43 [VAR-6158], Item 44 [VAR-6407] and Item 45 [SDR-6155].

(8:42 – 8:56)



CASE: **VAR-6158**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6158 - APPLICANT/OWNER: KENRIC, LLC

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Rezoning (ZON-6157) and Site Development Plan Review (SDR-6155).

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.

BTS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request to allow a residential adjacency separation of five feet and 20 feet where 133.5 feet is minimum separation required for a proposed residential condominium development on 0.13 acres at 1400 Carson Avenue.

B) Applicant's Justification

The applicant indicates that the configuration of the site is too narrow to allow for the required proximity setbacks for any multi-family development.

BACKGROUND INFORMATION

A) Related Actions

09/22/92 The Board of Zoning adjustment approved a Home Occupation Permit (U-0246-92) to allow a typing business.

B) Pre-Application Meeting

12/15/04 The following items were discussed at the pre-application meeting:

- R-5 zoning allows up to 5 stories
- Landscape buffers require min. of 10' in front and 6' in the side and rear
- Public Works commented on the radius corner, which is required to be 20'. A flood study is needed, but a traffic study is not required. Applicant is required to meet with Victor Balanos (Public Works) regarding driveway concerns.
- A Variance is needed for the R-5 lot size requirement.

C) Neighborhood Meetings

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

BTS

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.37
Net Acres:	0.13

B) Existing Land Use

Subject Property:	Single family dwelling
North:	Apartments
South:	Single family dwelling
East:	Single family dwelling
West:	Duplex

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-2 (Medium-Low Density Residential)
North:	R-5 (Apartment)
South:	R-2 (Medium-Low Density Residential)
East:	R-2 (Medium-Low Density Residential)
West:	R-2 (Medium-Low Density 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 R-5 (Apartment) zoning designation is in compliance with the land use designations allowed by the MXU land use designation.

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

BTS

ANALYSIS

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

a) Proximity slope - The building setback requirement for a five and twenty foot setback for a building, which is 44.5-feet requires a 133.5 foot setback. The residential adjacency standards as described in Title 19.08.060 states a non-residential structure must maintain a three to one proximity slope from property, which is, either developed for sale or designated for such development in the General Plan. The proposed condominium is shown to be setback five feet from the side property line and 20 feet from the rear property line.

b) Building setback – The rear setback in the proposed R-5 (Apartment) zoning designation requires a 20-foot rear setback. The proposed condominium is proposed to be setback 20-feet from the south property line; therefore meeting the 20-foot rear setback for a typical R-5 (Apartment) zoned property.

B) General Analysis and Discussion

The applicant is proposing to build a 9,219 square-foot building on 0.13 acres. The condominium as proposed is 44.5 feet in height. The height and location of this structure subject this proposal to Title 19.08.060; Residential Adjacency Standards states all property to be developed for multi-family residential use that is located adjacent to either single-family residential property or property, which is designated for such development in the General Plan. Therefore, the applicant meets the Building Setback Requirement, but does not meet the Proximity Slope Requirement.

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."

BTS

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 overbuilding the subject site. Alternative site design 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 19

NOTICES MAILED 214 – Mailed with ZON-6157, VAR-6349, VAR-6407 and SDR-6155

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-6158 APN: 139-35-313-001

Name of Property Owner: KENRIC L.L.C

Name of Applicant: KENRIC L.L.C

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: Kenneth J Tesconi

State of Nevada
County of Clark

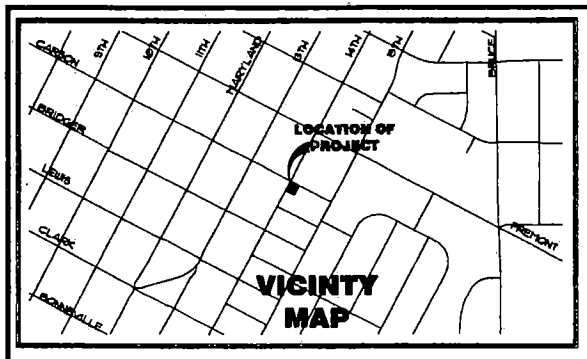
Print Name: KENNETH J TESCONI

Subscribed and sworn before me

This 11th day of February, 2005

Irene Jo Pederson
Notary Public in and for said County and State

IRENE JO PEDERSON
Notary Public State of Nevada
No. 97-2622-1
My appt. exp. Apr. 17, 2005



CARSON SQUARE

CONDOMINIUM

1400 CARSON AVE
LAS VEGAS, NEVADA

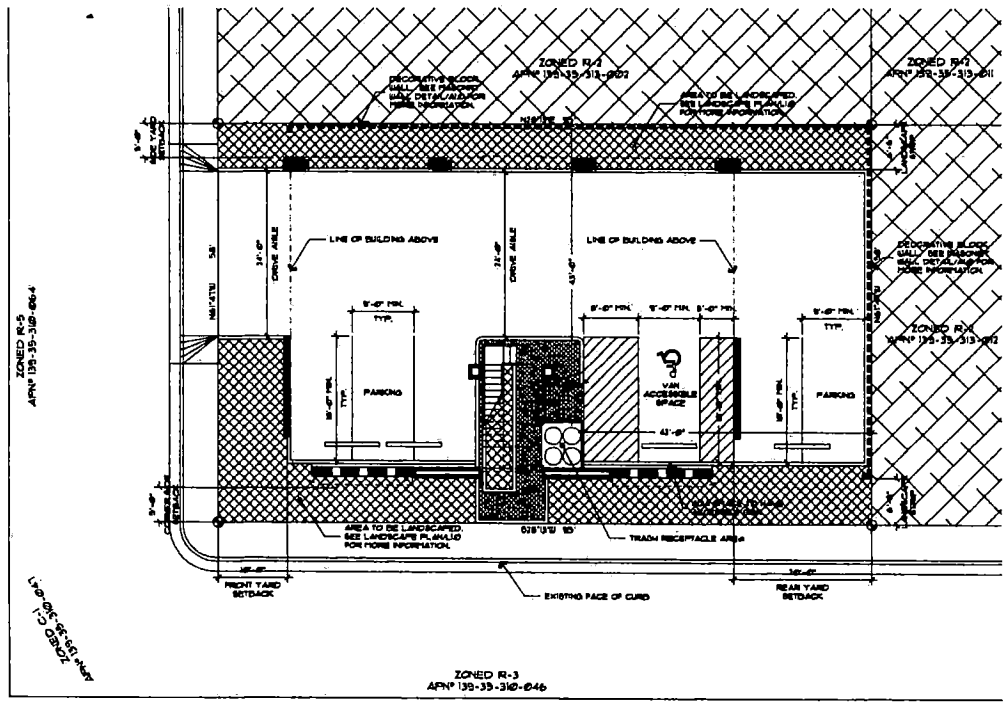
SITE ANALYSIS

SITE INFO.:

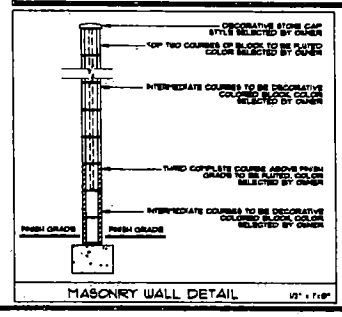
APN#:		139-35-313-001
ZONED:		
EXISTING		R-2
REQUSTED		R-5
PROPERTY AREA:		5,393 S.F. OR 0.12 ACRES
LOT COVERAGE:		57%
BUILDING AREA:	1ST FLOOR	3,089 S.F.
	2ND FLOOR	3,020 S.F.
	3RD FLOOR	3,110 S.F.
TOTAL BUILDING AREA:		9,219 S.F.
BUILDING HEIGHT:		
MAX STORIES ALLOWED		3 STORIES
MAX ALLOWED AREA PER FLOOR		12,000 S.F.
SET BACKS:	FRONT YARD	10'-0" MIN.
	SIDE YARD	5'-0" MIN.
	REAR YARD	20'-0" MIN.
	CORNER SIDE YARD	5'-0" MIN.

PARKING INFO.:

REQUIRED PARKING (1.25/ 1 BED UNIT):	5 SPACES
REQUIRED PARKING + 1 GUEST:	6 SPACES
PARKING PROVIDED:	6 SPACES
ADA ACCESSABLE SPACES:	1 SPACE



ARCHITECTURAL SITE PLAN / LEVEL 1
SCALE: 1/8"= 1'-0"



MASONRY WALL DETAIL

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

MAR 29 2005

SUZANA RUTAR Architect Ltd.
Architecture/ Design & Planning
1050 E. Warm Springs Road
Las Vegas, Nevada 89119
Telephone (702) 263-6176
Fax (702) 361-2562
A Professional Corporation

PRELIMINARY NOT FOR CONSTRUCTION

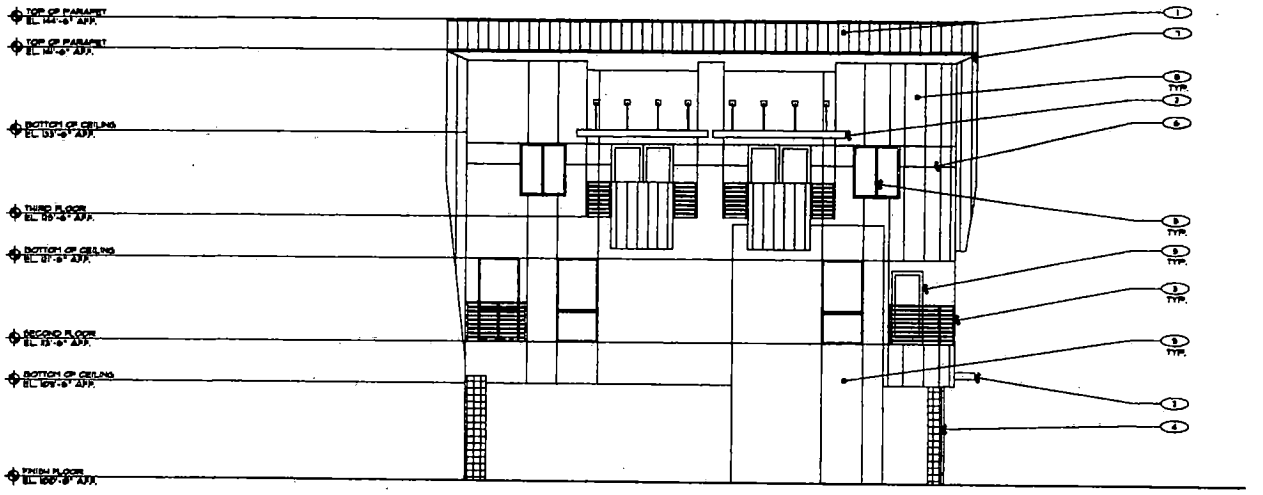
PROJECT NAME: CARSON SQUARE CONDOMINIUMS
1400 CARSON AVE.
LAS VEGAS, NEVADA

CLIENT: KENRIC LLC
LAS VEGAS, NEVADA

ARCHITECTURAL SITE PLAN & SITE DATA

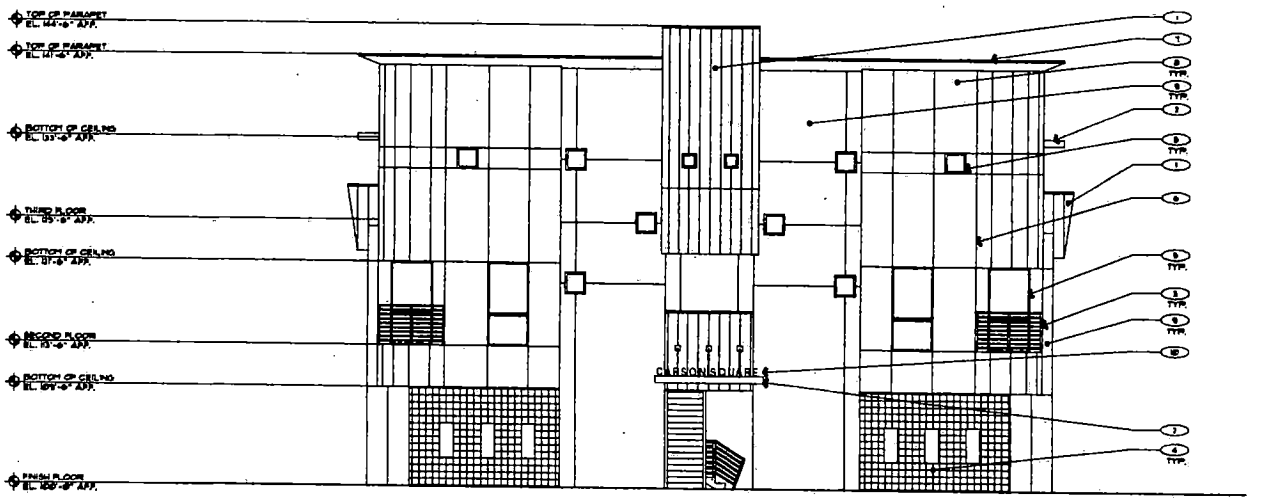
NO	DATE	DESCRIPTION

Drawing No.: A1.0



NORTH/SOUTH ELEVATION

SCALE: 3/16" = 1'-0"



WEST ELEVATION

SCALE: 3/16" = 1'-0"

NOTES:

1. PAINTED STANDING SEAM PANELS. TO BE BERRIDGE STANDARD COLOR "DEEP RED".
2. METAL SHADE CANOPY. TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5955)"
3. ALUMINUM HANDRAIL TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5955)"
4. GLAZED MASONRY UNITS. COLOR TO BE ASTRA-GLAZE-SW "FIRE ENGINE RED"
5. VINYL WINDOWS & DOORS TRIM TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5955)"
6. METAL EXPANSION JOINT TO BE PAINTED SAME COLOR AS SURROUNDING STUCCO
7. CORNICE WITH METAL FLASHING
8. PAINTED STUCCO TO BE PAINTED DUNN-EDWARDS "FOXTAIL (DEC787)"
9. PAINTED STUCCO TO BE PAINTED DUNN-EDWARDS "ALMOND (DEC753)"
10. SIGNAGE FOR CONDOMINIUM

BUILDING MATERIALS LIST:

EXTERIOR FINISH:	3/4" STUCCO SAND FINISH
EXTERIOR COLOR: DUNN-EDWARDS PAINT	TERTIARY COLOR: FOXTAIL (DEC787)
	SECONDARY COLOR: ALMOND (DEC753)
EXTERIOR COLOR: BERRIDGE STANDARD	STANDING SEAM: DEEP RED
ACCENT COLORS: DUNN-EDWARDS PAINT	ACCENT TRIM (METAL): DIVE IN (DE5955)
	ALUMINUM HANDRAILS: DIVE IN (DE5955)
	SHADE CANOPY (METAL): DIVE IN (DE5955)

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Architectural Design & Planning
1950 E. Warm Springs Road
Suite 110
Las Vegas, Nevada 89119
Telephone: (702) 263-8178
Fax (702) 361-2562
A Professional Corporation

PRELIMINARY NOT FOR CONSTRUCTION

THE CONTENT OF THIS CHECK SET IS AS IS. SUZANA RUTAR ARCHITECT LTD. ASSUMES NO RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS IN THE CONSTRUCTION DOCUMENTS. THESE DOCUMENTS ARE NOT APPROVED AS IS BY THE BUILDING DEPARTMENT. ALL CONSTRUCTION MUST BE APPROVED BY THE BUILDING DEPARTMENT. THE ARCHITECT HAS NOT PERFORMED ANY OF THE DESIGN OR ENGINEERING FOR THE FOLLOWING SYSTEMS: ELECTRICAL, MECHANICAL, PLUMBING, FIRE SPRINKLER, FIRE ALARM, STRUCTURAL, SOILS, ENERGY CALCULATIONS, ACCESSIBILITY, ETC. THE ARCHITECT HAS NOT PERFORMED ANY OF THE DESIGN OR ENGINEERING FOR THE FOLLOWING SYSTEMS: ELECTRICAL, MECHANICAL, PLUMBING, FIRE SPRINKLER, FIRE ALARM, STRUCTURAL, SOILS, ENERGY CALCULATIONS, ACCESSIBILITY, ETC. THE ARCHITECT HAS NOT PERFORMED ANY OF THE DESIGN OR ENGINEERING FOR THE FOLLOWING SYSTEMS: ELECTRICAL, MECHANICAL, PLUMBING, FIRE SPRINKLER, FIRE ALARM, STRUCTURAL, SOILS, ENERGY CALCULATIONS, ACCESSIBILITY, ETC. THE ARCHITECT HAS NOT PERFORMED ANY OF THE DESIGN OR ENGINEERING FOR THE FOLLOWING SYSTEMS: ELECTRICAL, MECHANICAL, PLUMBING, FIRE SPRINKLER, FIRE ALARM, STRUCTURAL, SOILS, ENERGY CALCULATIONS, ACCESSIBILITY, ETC.
Copyright Act
SUZANA RUTAR ARCHITECT LTD.

PROJECT TITLE: CARSON SQUARE CONDOMINIUMS
1400 CARSON AVE.
LAS VEGAS, NEVADA

CLIENT: KENRIC LLC
LAS VEGAS, NEVADA

DRAWING TITLE: BUILDING ELEVATIONS

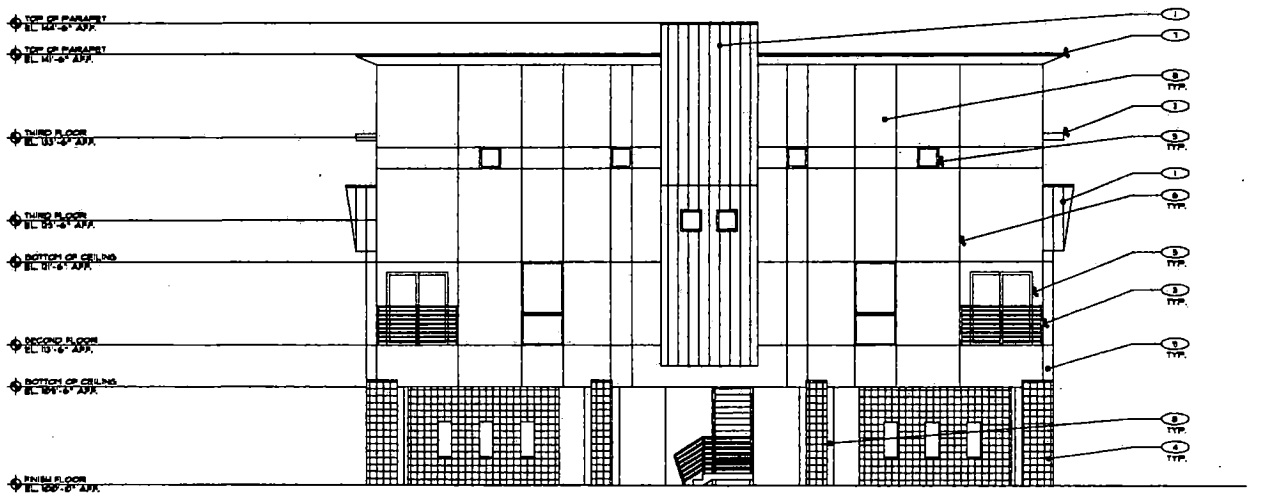
JOB NO.	DATE
0415.CAR	3-31-05
DRAWN BY	CHECKED BY
AS	SR

NO.	DATE	DESCRIPTION

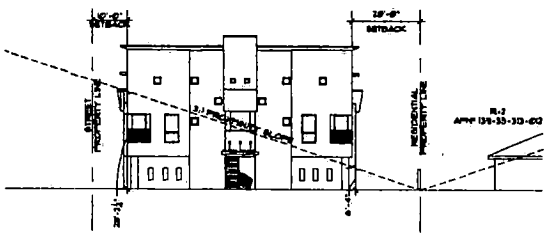
DRAWING NO.
A4.0

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

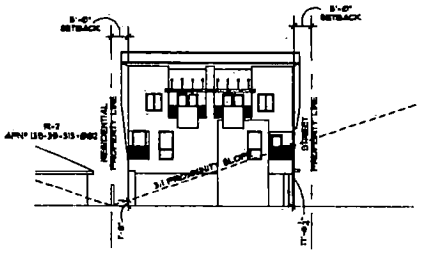
MAR 30 2005



EAST ELEVATION
SCALE: 3/16" = 1'-0"



RESIDENTIAL PROXIMITY SLOPE (139-35-313-012)
SCALE: 1/16" = 1'-0"



RESIDENTIAL PROXIMITY SLOPE (139-35-313-002)
SCALE: 1/16" = 1'-0"

NOTES:

1. PAINTED STANDING SEAM PANELS. TO BE BERRIDGE STANDARD COLOR "DEEP RED".
2. METAL SHADE CANOPY. TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5958)"
3. ALUMINUM HANDRAIL TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5958)"
4. GLAZED MASONRY UNITS. COLOR TO BE ASTRA-GLAZE-BW "FIRE ENGINE RED"
5. VINYL WINDOWS & DOORS TRIM TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5958)"
6. METAL EXPANSION JOINT. TO BE PAINTED SAME COLOR AS SURROUNDING STUCCO
7. CORNICE WITH METAL FLASHING
8. PAINTED STUCCO TO BE PAINTED DUNN-EDWARDS "FOXTAIL (DEC167)"
9. PAINTED STUCCO TO BE PAINTED DUNN-EDWARDS "ALMOND (DEC753)"

BUILDING MATERIALS LIST:

EXTERIOR FINISH:	3/4" STUCCO SAND FINISH
EXTERIOR COLOR: DUNN-EDWARDS PAINT	PRIMARY COLOR: FOXTAIL (DEC167)
	SECONDARY COLOR: ALMOND (DEC753)
EXTERIOR COLOR: BERRIDGE STANDARD	STANDING SEAM: DEEP RED
ACCENT COLORS: DUNN-EDWARDS PAINT	ACCENT TRIM (METAL): DIVE IN (DE5958)
	ALUMINUM HANDRAILS: DIVE IN (DE5958)
	SHADE CANOPY (METAL): DIVE IN (DE5958)

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

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A Professional Corporation

PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT TITLE: CARSON SQUARE CONDOMINIUMS
1420 CARSON AVE.
LAS VEGAS, NEVADA

CLIENT: KENRIC LLC
LAS VEGAS, NEVADA

DRAWING TITLE: BUILDING ELEVATIONS

DRAWING NO.: A4.1

MAR 2 9 2005

SUZANA RUTAR, Architect

RUTAR

RECEIVED

MAR 2 4 2005

Mar 24, 2005

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

Re: Justification Letter for:
Site Development Plan Review Application - SDR-6155
with Waiver of Development Standards for Perimeter, Buffer and Foundation Landscaping
Re-zoning Application - 6157
Variance Application for Residential Adjacency -VAR-6158
Variance Application for Minimum Lot Size - VAR-6349
APN # 139-35-313-001 (1400 East Carson Avenue)
Carson Square Condominiums

To Whom It May Concern:

This letter is a justification letter for the above referenced property. The above referenced property is presently zoned R-2- Multi-family District. The general plan for this site is MXU (Mixed Use). The proposed plan requests a conforming Zone Change to R-5 in accordance to the MXU Master Plan. The property is proposed to be developed as a 3-story, multi-family condominium building with a parking garage at the first/ground level. The building shall have four (4) - 1 bedroom units, and all four (4) four units shall be two story. The parking required is at 1.25 spaces per unit (one being van accessible) and one additional space for guest parking. The provided parking (6 spaces) is at the street level under the residential structure and near the south of the property.

With this application, the Owners are also requesting a Waiver of Development Standards (SDR-6155) for perimeter, buffer landscaping at rear yard (south property line), at street landscape buffer zone and Foundation Landscaping at Carson Avenue and 14th Street. The zoning ordinance requires a 15'-0" street landscape buffer zone at all streets, however since the building is set to the 10'-0" building setback only a 10'-0" street perimeter, buffer landscape can be provided. The zoning ordinance also requires a minimum 6'-0" landscaping buffer between multi-family and residential zones. The required landscaping buffer is provided along the east property line, but along the south property wall the perimeter, buffer landscape is absent due to need for an additional parking space to meet the parking requirements. The first level of living space is at the second floor and only structural supports are at the ground level preventing landscaping at the foundation. However, there is landscape provided at the ground level as previously indicated.

The Applicant is requesting a Conforming Zone Change (application #6157) of this site from R-2 - Multi-Family Residential to R-5 - Multi-family Residential. The properties to the East and to the South are presently zoned R-2 - Multi-Family Residential. The Properties directly across Carson Avenue

ZON-6157
VAR-6158
VAR-6349
SDR-6155
04-14-05 PC
REVISED 03-24-05

1950 East Warm Springs Road • Las Vegas, Nevada 89119
Phone: (702) 263-6176 • FAX: (702) 361-2582
email: srutar@aol.com

(North) are presently zoned R-5 - Multi Family Residential and the property directly across 14th Street are presently zoned R-3 - Multi- family residential. Please note that the property on the Northwest corner of Carson Avenue and 14th Street is presently zoned C-1. The applicant believes that the proposed zoning of R-5 is in compliance with and meets or exceeds the intent of the City of the Las Vegas General Plan (MXU), especially considering the existing zoning of the surrounding properties.

The Applicant is requesting a Variance for residential adjacency (VAR-6158) of multi-family development to single family residences along the East and South properties. The properties to the East and to the South are presently zoned R-2, therefore the residential adjacency would not be applicable if these lots were not developed as single family homes in the past or/and if future development of these parcels is developed as multi-family residential, which is allowed by the zoning. Also, the configuration of this site is too narrow to allow for the required proximity setbacks for any multi family development, of any height, with the required parking (see figures on sheet A4.1).

The Applicant is requesting a Variance for Minimum Lot Size (VAR-6349) reduction from 7,000 s.f. required lot size for an R-5 zoning to a 5,510 s.f. (actual net lot size). The gross lot size (to center line of Carson Avenue & 14th Street) is 10, 375 s.f., which more than exceeds the minimum lot size for R-5 zoning.

Thank you for your consideration of this request. If you have any questions or if you require additional information, please call me at 263-6176.

Sincerely,
SUZANA RUTAR Architect, Ltd.,
A Professional Corporation

Jeremy Strawn, Associate AIA
Intern-Architect

Suzana Rutar, AIA, CSI, NCARB
Principal Architect

ZON-6157
VAR-6158
VAR-6349
SDR-6155
04-14-05 PC
REVISED 03-24-05

City of Las Vegas

Agenda Item No.: 44

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-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).

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

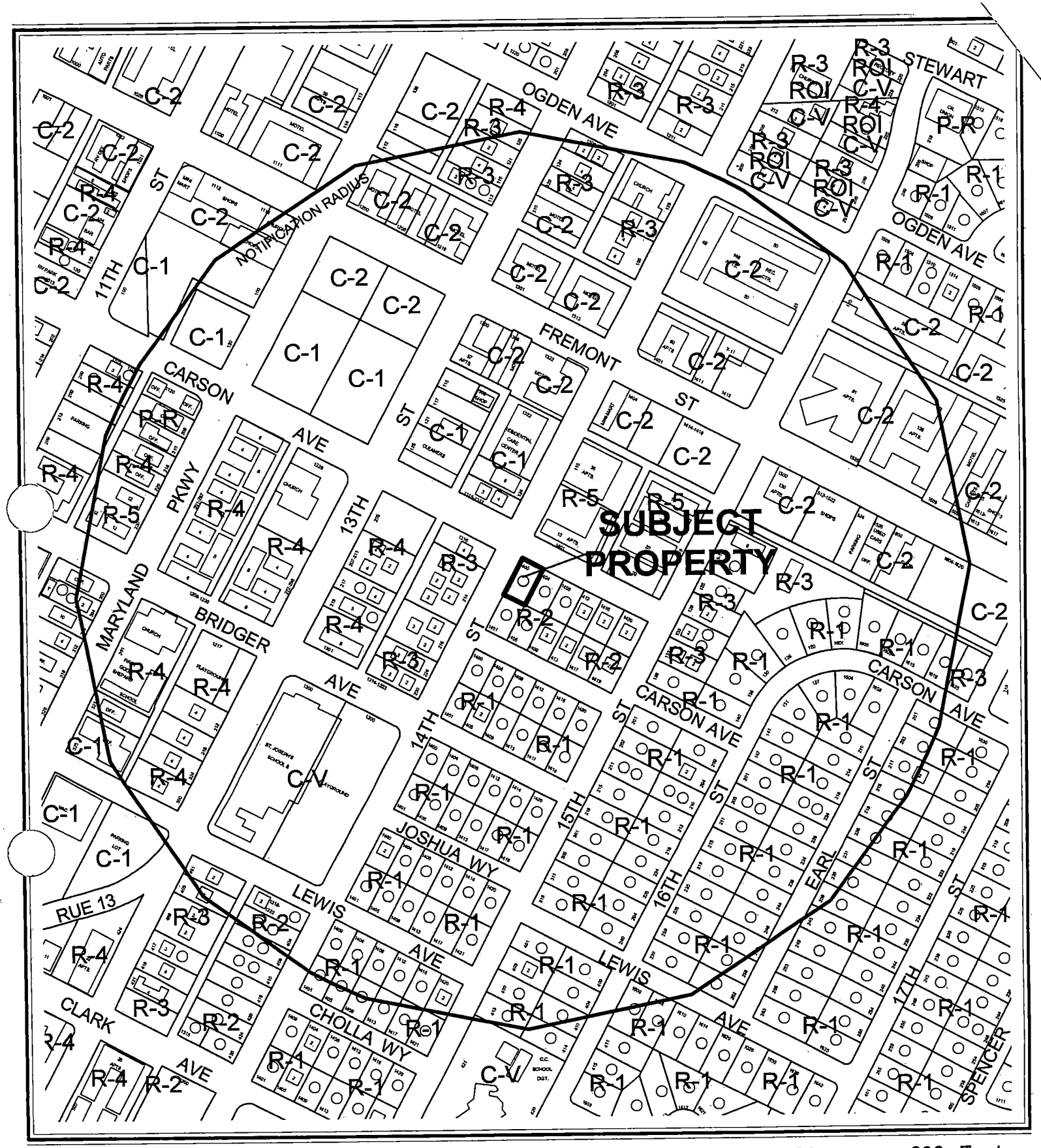
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
EVANS – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance to the 5/12/2005 Planning Commission meeting

MINUTES:
See Item 41 [ZON-6157] for all related discussion on Item 41 [ZON-6157], Item 42 [VAR-6349], Item 43 [VAR-6158], Item 44 [VAR-6407] and Item 45 [SDR-6155].

(8:42 – 8:56)
2-1977



0 300 600 Feet

CASE: **VAR-6407**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6407 - APPLICANT/OWNER: KENRIC, LLC

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Rezoning (ZON-6157) and Site Development Plan Review (SDR-6155).

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

3. The applicant shall submit to the Planning and Development Department approval letters for the proposed trash enclosure from the City of Las Vegas Fire Department, City of Las Vegas Building and Safety Department and the Clark County Health Department prior to the issuance of building permits.

BTS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a 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 0.13 acres at 1400 Carson Avenue.

B) Applicant's Justification

The applicant indicates that the trash area is located within the 50-foot setback area, but staff is requesting an adjacency variance.

BACKGROUND INFORMATION

A) Related Actions

09/22/92 The Board of Zoning adjustment approved a Home Occupation Permit (U-0246-92) to allow a typing business.

B) Pre-Application Meeting

12/15/04 The following items were discussed at the pre-application meeting:

- R-5 zoning allows up to 5 stories
- Landscape buffers require min. of 10' in front and 6' in the side and rear
- Public Works commented on the radius corner, which is required to be 20'. A flood study is needed, but a traffic study is not required. Applicant is required to meet with Victor Bolanos (Public Works) regarding driveway concerns.
- A Variance is needed for the R-5 lot size requirement.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.37
Net Acres:	0.13

B) Existing Land Use

Subject Property:	Single family dwelling
North:	Apartments
South:	Single family dwelling
East:	Single family dwelling
West:	Duplex

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-2 (Medium-Low Density Residential)
North:	R-5 (Apartment)
South:	R-2 (Medium-Low Density Residential)
East:	R-2 (Medium-Low Density Residential)
West:	R-2 (Medium-Low Density 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 R-5 (Apartment) zoning designation is in compliance with the land use designations allowed by the MXU land use designation.

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

BTS

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	7,000 Feet	5,662	N
Min. Setbacks • Front • Side • Corner • Rear	 10 Feet 5 Feet 5 Feet 20 Feet	 10 Feet 5 Feet 5 Feet 20 Feet	 Y Y Y Y
Max. Building Height	5 Stories / 55 Feet	3 Stories/44.5 Feet	Y
Trash Enclosure	50 Feet from residential prop. line	42 Feet from residential prop. line	N

The applicant does not meet the minimum parcel size for an R-5 (Apartment) zone. The request for a Variance (VAR-6349) is discussed in the associated staff report.

The applicant does not meet the minimum separation distance for a trash enclosure from a residential zoned property. The requested deviation is discussed in the analysis and discussion section below.

B) General Analysis and Discussion

Title 19.08 states in no case shall a trash enclosure be located closer than 50 feet to a residential property line. The dimensions of the subject site are approximately 55 feet by 95 feet. The parcel is bound on the south and east by residential properties, which create the need for the subject Variance. The applicant proposes to place the trash enclosure 42 feet from the property line. The site plan indicates that the trash enclosure is adjacent to the pedestrian entrance of the building. The three Variances and Waivers are all self imposed by the applicant. The 0.13 acre site was intended for one single family home, which currently exists on the site. A 9,219 square foot building located on a 0.13 acre site is inappropriate. The number of Variances and Waivers reiterate the findings of denial for this report and all associated cases.

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:

BTS

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a 9,219 square foot condominium on a lot, which is approximately 55 feet by 95 feet. Alternative design on a larger parcel 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 19

NOTICES MAILED 214 – Mailed with ZON-6157, VAR-6349, VAR-6158 and SDR-6155

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-6407 APN: 139-35-313-001

Name of Property Owner: KENRIC LLC

Name of Applicant: KENRIC 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: Kenneth J Tosconi

Print Name: KENNETH J TOSCONI

Subscribed and sworn before me Jeanne Marie Athanacio

This 29 day of MARCH, 2005

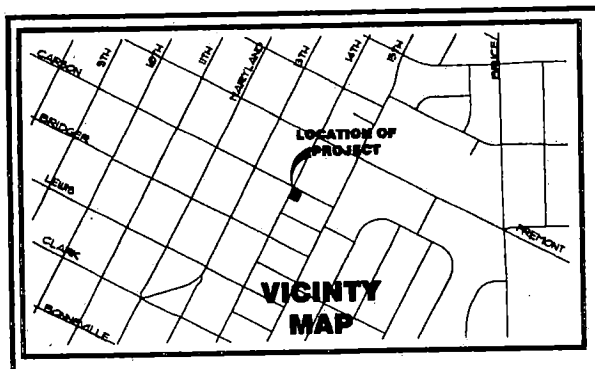
Jeanne Marie Athanacio
Notary Public in and for said County and State

JEANNE MARIE ATHANACIO
Notary Public State of Nevada
No.04-89374-1
My appt. exp. May 19, 2008

Revised 2/12/02

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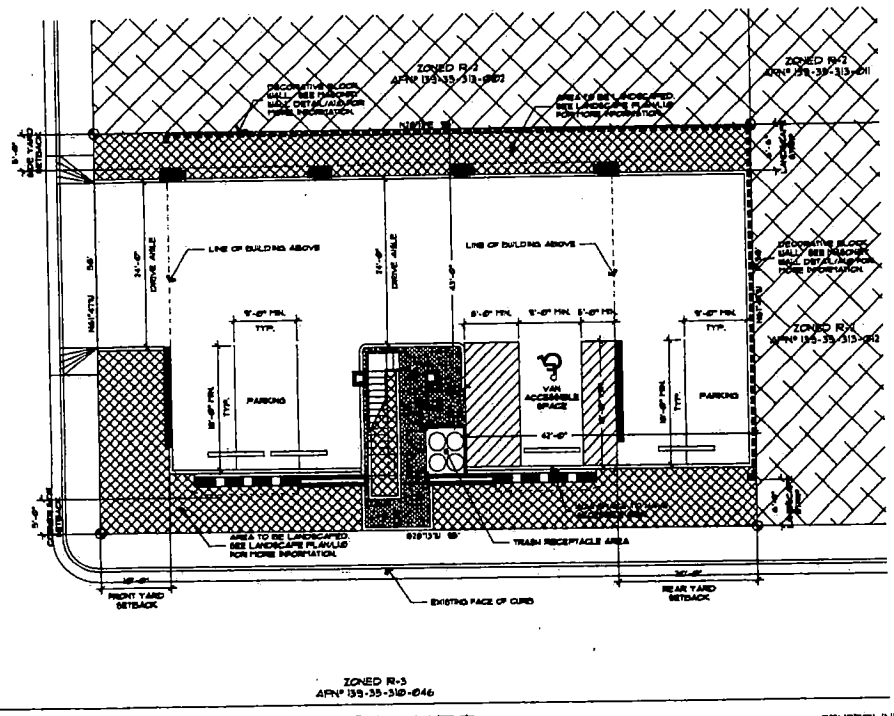
03/28/2005 17:39 7023612582 SUZANA ROJAK AIA PAGE 02



CARSON SQUARE

CONDOMINIUM

1400 CARSON AVE
LAS VEGAS, NEVADA



ARCHITECTURAL SITE PLAN / LEVEL 1
SCALE: 1/8"= 1'-0"

CENTERLINE
PROPERTY LINE
CMU BLOCKWALL
'L' TYPE CURB AND GUTTER
HAND RAIL
'A' TYPE CURB

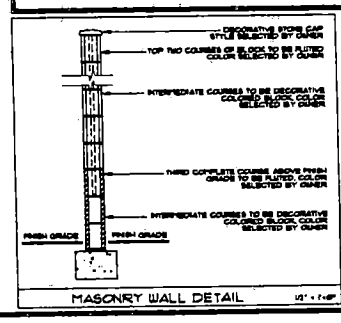
SITE ANALYSIS

SITE INFO.:

APN#:		139-35-313-001
ZONED: EXISTING		R-2
REQUSTED		R-5
PROPERTY AREA:		5,393 S.F. OR 0.12 ACRES
LOT COVERAGE:		57%
BUILDING AREA:	1ST FLOOR	3,089 S.F.
	2ND FLOOR	3,020 S.F.
	3RD FLOOR	3,110 S.F.
TOTAL BUILDING AREA:		9,219 S.F.
BUILDING HEIGHT:		
MAX STORIES ALLOWED		3 STORIES
MAX ALLOWED AREA PER FLOOR		12,000 S.F.
SET BACKS:	FRONT YARD	10'-0" MIN.
	SIDE YARD	5'-0" MIN.
	REAR YARD	20'-0" MIN.
	CORNER SIDE YARD	5'-0" MIN.

PARKING INFO.:

REQUIRED PARKING (1.25/ 1 BED UNIT):	5 SPACES
REQUIRED PARKING + 1 GUEST:	6 SPACES
PARKING PROVIDED:	6 SPACES
ADA ACCESSABLE SPACES:	1 SPACE



MASONRY WALL DETAIL

SUZANA RUTAR Architect Ltd.
Architectural Design & Planning
1050 E. Warm Springs Blvd
Las Vegas, Nevada 89119
Telephone (702) 361-6678
Fax (702) 361-2652
A Professional Corporation

PRELIMINARY
NOT FOR CONSTRUCTION

CARSON SQUARE CONDOMINIUMS
1400 CARSON AVE.
LAS VEGAS, NEVADA

Owner
KENRIC L.L.C
LAS VEGAS, NEVADA

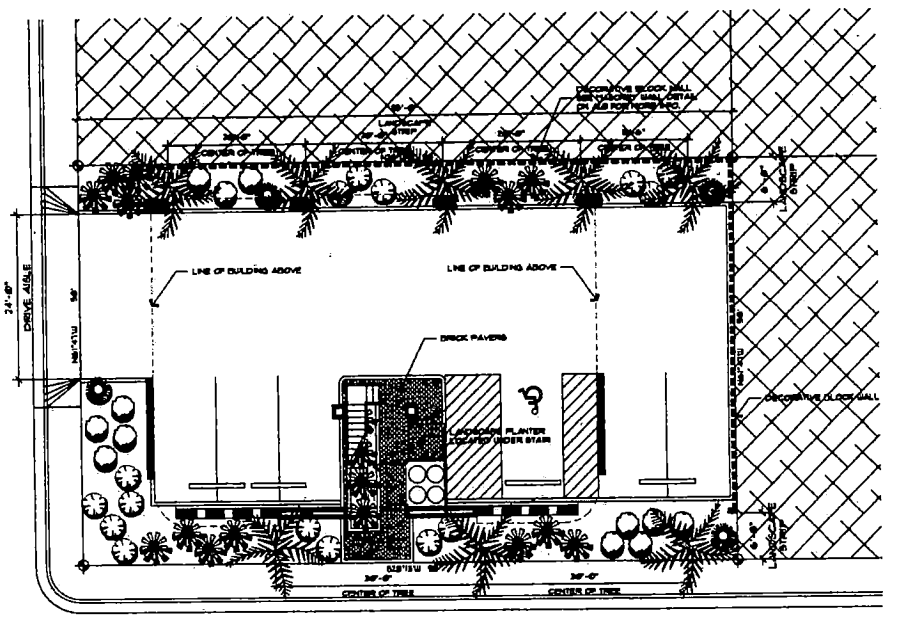
ARCHITECTURAL SITE
PLAN & SITE DATA

Drawing No.
A1.0

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

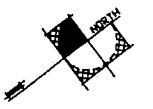
MAR 29 2005

CARSON AVE.



14th STREET

LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"



LANDSCAPE SCHEDULE

TREES					SHRUBS		
BOTANICAL NAME	COMMON NAME	SIZE	QUAN.		COMMON NAME	SIZE	QUAN.
BRAHEA ARMATA	MEXICAN BLUE PALM	14" BOX	8		BUFFALO JUNIPER	5 GAL.	8
					SANTA CRUZ PYRACANTHA	5 GAL.	12
					EVERGREEN EUONYMUS	5 GAL.	8
					TEXAS PRIVET	5 GAL.	4

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

SUZANA RUTAR Architect Ltd.
Architectural Design & Planning
1960 E. Warm Springs Road
Las Vegas, Nevada 89119
Telephone (702) 361-6778
Fax (702) 361-2562
A Professional Corporation

PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT TITLE
CARSON SQUARE CONDOMINIUMS
1400 CARSON AVE.
LAS VEGAS, NEVADA

CLIENT
KENRIC LLC
LAS VEGAS, NEVADA

DRAWING TITLE
LANDSCAPE PLAN

NO.	DATE	DESCRIPTION
	2/21/05	
	3/29/05	

DRAWING NO.:
L1.0

MAR 29 2005

SUZANA RUTAR, Architect

March 28, 2005

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

Re: Justification Letter
Variance Application
for Trash Receptacle Adjacency
APN # 139-35-313-001 (1400 East Carson Avenue)
Carson Square Condominiums

To Whom It May Concern:

This letter is a justification letter for the above referenced property. The above referenced property is presently zoned R-2- Multi-family District. The general plan for this site is MXU (Mixed Use). The property is proposed to be developed as a 3-story, multi-family condominium building with a parking garage at the first /ground floor. The building shall have (4) - 1 bedroom units. All (4) four units shall be two story. The parking required is 6 parking spaces which are provided at street level under the residential structure.

The Applicant is requesting a Variance for a Trash Receptacle Adjacency reduction from 50 feet required to 42 feet actual to a residential property line (R-2). Although the receptacles are located within a trash receptacle room/area at first floor/garage level of the building, the trash holding room/area is actually located within the 50'-0" setback required by the ordinance and therefore the Staff is requesting an Adjacency Variance. The curb side pick up of the (4) four) trash receptacles has been verbally approved by Mr. Cletis V. Rogers of Republic Services of Southern Nevada.

Thank you for your consideration of this request.. If you have any questions or if you require additional information, please call me at 263-6176.

Sincerely,
SUZANA RUTAR Architect, Ltd.,
A Professional Corporation

Suzana Rutar, AIA, CSI, NCARB
Principal Architect

1950 East Warm Springs Road • Las Vegas, Nevada 89119
Phone: (702) 263-6176 • FAX: (702) 361-2582
email: srutar@aol.com

VAR-6407

City of Las Vegas

Agenda Item No.: 45

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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) 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

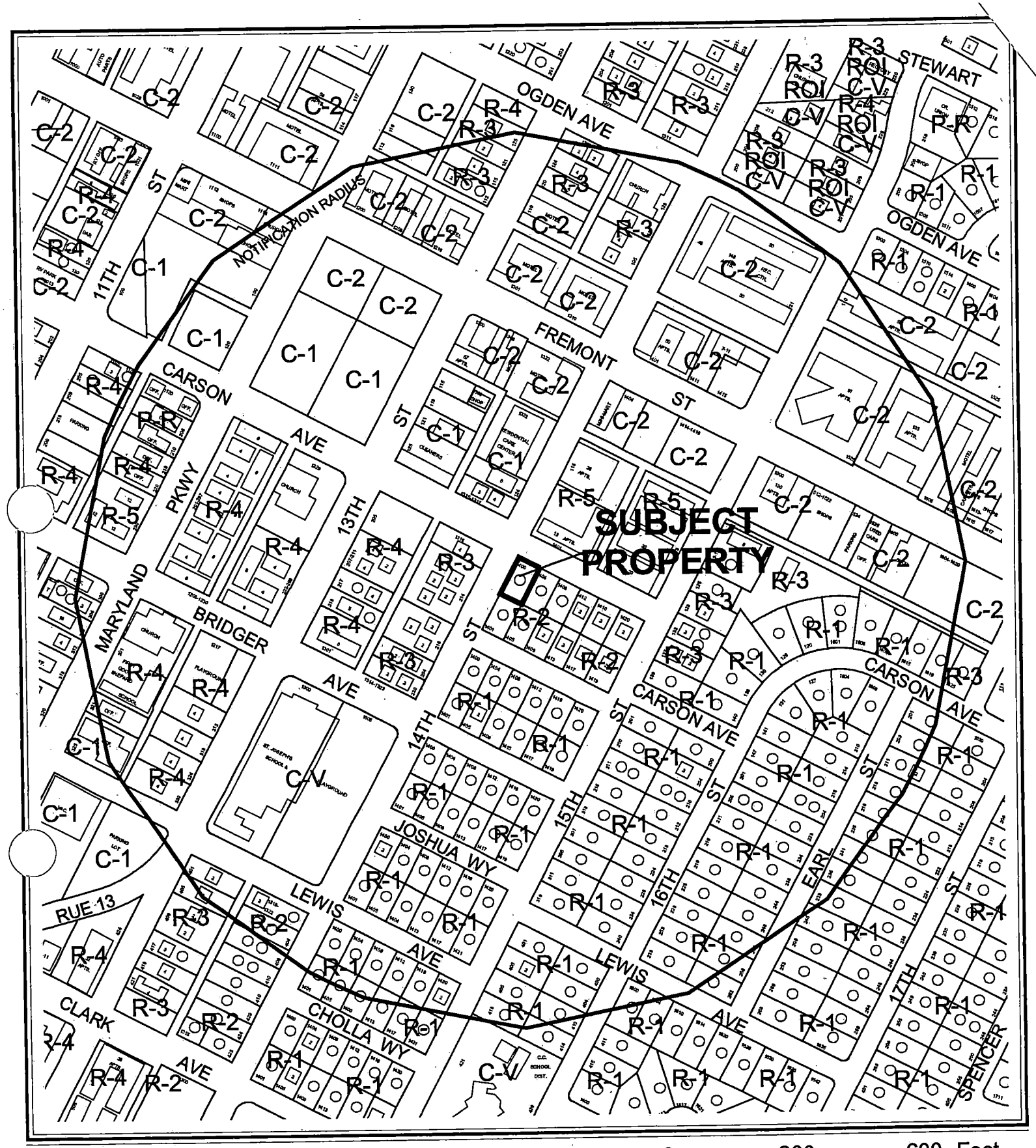
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
EVANS – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance to the 5/12/2005 Planning Commission meeting

MINUTES:
See Item 41 [ZON-6157] for all related discussion on Item 41 [ZON-6157], Item 42 [VAR-6349], Item 43 [VAR-6158], Item 44 [VAR-6407] and Item 45 [SDR-6155].

(8:42 – 8:56)



CASE: **SDR-6155**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6155 - APPLICANT/OWNER: KENRIC, LLC

** CONDITIONS **

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

Planning and Development

1. Waivers of the perimeter, buffer, and foundation landscaping shall be granted.

2. A Rezoning [(ZON-6157)] to a R-5 (Apartment) Zoning District approved by the City Council.

3. All development shall be in conformance with the site plan and landscape plan date stamped March 29, 2005 and the building elevations, date stamped February 18, 2005 except as amended by conditions herein.

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

6. 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.

7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

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

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

10. 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.

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

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

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

14. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

15. 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.

Public Works

16. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

17. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.

18. 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.

19. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-6157 and all other site-related actions.

20. 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 three-story four-unit condominium development on 0.37 acres at 1400 Carson Avenue.

B) Applicant's Justification

The applicant indicates that the proposed condominium is in conformance with the surrounding area.

BACKGROUND INFORMATION

A) Previous Actions

09/22/92 The Board of Zoning adjustment approved a Home Occupation Permit (U-0246-92) to allow a typing business.

B) Pre-Application Meeting

12/15/04 The following items were discussed at the pre-application meeting:

- R-5 zoning allows up to 5 stories
- Landscape buffers require min. of 10' in front and 6' in the side and rear
- Public Works commented on the radius corner, which is required to be 20'. A flood study is needed, but a traffic study is not required. Applicant is required to meet with Victor Bolanos (Public Works) regarding driveway concerns.
- A Variance is needed for the R-5 lot size requirement.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.37
Net Acres:	0.13

B) Existing Land Use

Subject Property:	Single family dwelling
North:	Apartments
South:	Single family dwelling
East:	Single family dwelling
West:	Duplex

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-2 (Medium-Low Density Residential)
North:	R-5 (Apartment)
South:	R-2 (Medium-Low Density Residential)
East:	R-2 (Medium-Low Density Residential)
West:	R-3 (Medium Density 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 R-5 (Apartment) zoning designation is in compliance with the land use designations allowed by the MXU land use designation.

PROJECT DESCRIPTION

The applicant is proposing to build a 9,219 square foot building on 0.13 acres. The site is currently designated as R-2 (Medium-Low Density Residential). The applicant intends to build a higher density project, which is permitted in the R-5 (Apartment) zone. An associated Rezoning (ZON-6157) accompanies this staff report. The proposed three-story building is 44.5 feet in height and consists of four one-bedroom units. The overall height and location of this building, subject this site to Residential Adjacency Standards. An associated Variance (VAR-6158) addresses this issue. The site is accessed from Carson Avenue, which provides an entrance to a ground level parking area. There are six parking spaces, with one handicapped space. The site meets all minimum setback requirements, but does not meet the minimum lot size requirements for an R-5 (Apartment) zoning district. An associated Variance (VAR-6394) accompanies the subject Site Development Plan Review. Finally, the trash enclosure does not meet the minimum 50-foot residential adjacency standard. The applicant has requested a 42-foot setback. An associated Variance (VAR-6407) accompanies this request.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	7,000 s.f	5,662 s.f.	N
Min. Setbacks • Front • Side • Corner • Rear	 10 Feet 5 Feet 5 Feet 20 Feet	 10 Feet 5 Feet 5 Feet 20 Feet	 Y Y Y Y
Max. Building Height	5 Stories / 55 Feet	3 Stories / 44.5 Feet	Y
Trash Enclosure	50 Feet from residential prop. line	42 Feet from residential prop. line	N

The minimum lot size required in an R-5 (Apartment) zone is 7,000 square-feet. The applicant does not comply with this standard. An associated Variance (VAR-6349) has been submitted requesting a 5,393 square foot lot where 7,000 square-feet are required in an R-5 (Apartment) zone.

The applicant does not meet the minimum separation distance for a trash enclosure from a residential zoned property. Title 19.08 states that in no case shall a trash enclosure be located closer than 50 feet to a residential property line. The deviation is discussed in the associated Variance (VAR-6407).

A2) Residential Adjacency Standards

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

a) Proximity slope - The building setback requirement for a five and twenty foot setback for a building, which is 44.5-feet requires a 133.5 foot setback. The residential adjacency standards as described in Title 19.08.060 states a non-residential structure must maintain a three to one proximity slope from property, which is, either developed for sale or designated for such development in the General Plan. The proposed condominium is shown to be setback five feet from the side property line and 20 feet from the rear property line.

b) Building setback – The rear setback in the proposed R-5 (Apartment) zoning designation requires a 20-foot rear setback. The proposed condominium is proposed to be setback 20-feet from the south property line; therefore meeting the 20-foot rear setback for a typical R-5 (Apartment) zoned property.

A3) Parking and Traffic Standards

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

Multi-family and Condominium Developments	GFA	**Required**			**Provided**	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Studio and one bedroom		1.25 spaces per unit, plus 1 guest space for every 6 units	5	1	5	1
Total	9,219 s.f.		5	1	5	1

The applicant meets the required number of parking spaces pursuant to Title 19.10.

A4) Landscape and Open Space Standards

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

Standards	**Required**		**Provided**
	Ratio	Trees	
Parking Area	1 Trees/ 6 Space	1 Trees	NA
Buffer: • Min. Trees	1 Trees/30 Linear Feet	11 Trees	8 Trees
• Min. Zone Width along Carson and 14th • East/south • Wall height	10 Feet 6 feet 8 feet		10 Feet and 6.6 Feet 6 Feet and 0 Feet 7.5 Feet

The site cannot accommodate parking lot landscaping, which is located at grade level underneath the building. A Waiver is not required to accommodate this deficiency. The parking area has been extended south of the line of the building (as indicated on the site plan), to accommodate two additional parking spaces. This has resulted in the need for a Waiver of the foundation landscaping requirements. Additionally, the landscape plan provides only 8 trees where 11 are required. The minimum six-foot buffer has not been met along the south and west property lines. Therefore, the applicant has requested a Waiver of the landscape buffer and perimeter requirements. In total, the applicant has requested three waivers.

B) General Analysis and Discussion

- Zoning

An associated Rezoning (ZON-6157) accompanies the subject Site Development Plan Review. The request is to Rezone from R-2 (Medium-Low Density Residential) to R-5 (Apartment) zoning. The staff reports for the Rezoning and Variances outline the recommendations for denial. The recommendation for the denial is based upon several factors; Redevelopment Plan compliance, zoning transition, and the overbuilding of the site. These factors are discussed in detail in the associated Variances and Rezoning reports.

- Site Plan

  The site plan indicates a 9,219 square foot building on 0.13 acres. The site is accessed from Carson Avenue, which accesses a ground level parking area. There are six parking spaces with one handicapped space. The site meets all minimum setback requirements, but does not meet the minimum lot size requirements for an R-5 (Apartment) zoning district. An associated Variance (VAR-6394) accompanies the subject Site Development Plan Review, which discusses the lot size Variance.

- Waivers

  The applicant fails to meet the perimeter, buffer, and foundation landscaping requirements. The three waivers add to the denial for the four staff reports. The applicant has submitted a project, which overbuilds the subject site and creates a project that is too large for the limits of the subject parcel.

- Landscape Plan

  The landscape plan indicates eight Mexican Blue Palms as the only tree used on the site. A variety of shrubs are also used such as; Buffalo Juniper, Santa Cruz Pyracanthia, Evergreen Euonymus, and Texas Privet. As mentioned in the above section, the applicant has requested waivers of the perimeter, buffer, and foundation landscaping requirements.

- Elevation

  The elevations depict a three-story building, which is 44.5 feet in height. The elevations depict a level of interest with a variation of pop-outs, colors, and materials used. The associated Variance (VAR-6158) is the result of the building not meeting the Proximity Slope Requirements. A building 44.5 feet in height is required to be 133.5 feet setback where five and 20 feet are required. Variance (VAR-6158) provides additional information regarding this request.

- Floor Plan

  The floor plan depicts a typical arrangement of one-bedroom floor plans, which are approximately 1,394 square feet in size.

FINDINGS

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

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

   The proposed development is incompatible with adjacent development. The subject site does not serve as an appropriate transition zone from the adjacent land uses. The requested Rezoning is also incompatible with the single-family R-2 (Medium-Low Density Residential) zone, which abuts the subject parcel on the east and south sides.

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

   The proposed development is inconsistent with the Redevelopment Plan, Title 19, and the Landscape, Wall, and Buffer standards. The applicant is proposing a building, which requires a Rezoning, three Variances, and three Waivers. This number of requested deviations is not acceptable. A more thoughtfully designed project would better serve this site.

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

   The site has access to Carson Avenue, which has a right-of-way that varies from 80 to 60 feet. The site is also bound on the west by 14th Street, which has a right-of-way of 65 feet. Site access and circulation to other streets in the neighborhood should not be impacted.

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

   The elevations depict a level of interest with variations of pop-outs, colors, and materials used, which are not appropriate for the proposed area. The nature of this area is primarily single-family detached residential homes. The landscape materials are lacking on the site due to the building to lot ratio. The three requested Waivers are not justifiable and are self-imposed.

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 overall building elevations indicate a building, which is too tall for the development and character of the area. The height of the building requires a Variance (VAR-6158), which would allow a 133.5 foot setback where five and 20 feet are required. Therefore, the height and massing of the elevations do not create an orderly and aesthetically pleasing environment.

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

   The site will be subject to ongoing inspections, in which the public health, safety, and welfare will not be compromised.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 214 – Mailed with ZON-6157, VAR-6349, VAR-6158 and VAR-6407

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6155 APN: 139-35-313-001

Name of Property Owner: XENRIC L.L.C

Name of Applicant: XENRIC L.L.C

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: Kenneth J Tesconi

State of Nevada
County of Clark

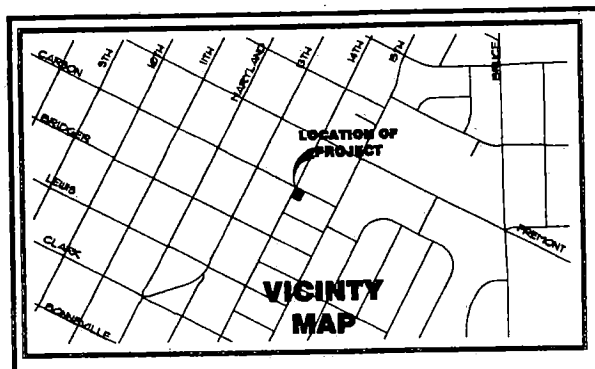
Print Name: KENNETH J TESCONI

Subscribed and sworn before me

This 11th day of February, 2005

Irene Jo Pederson
Notary Public in and for said County and State

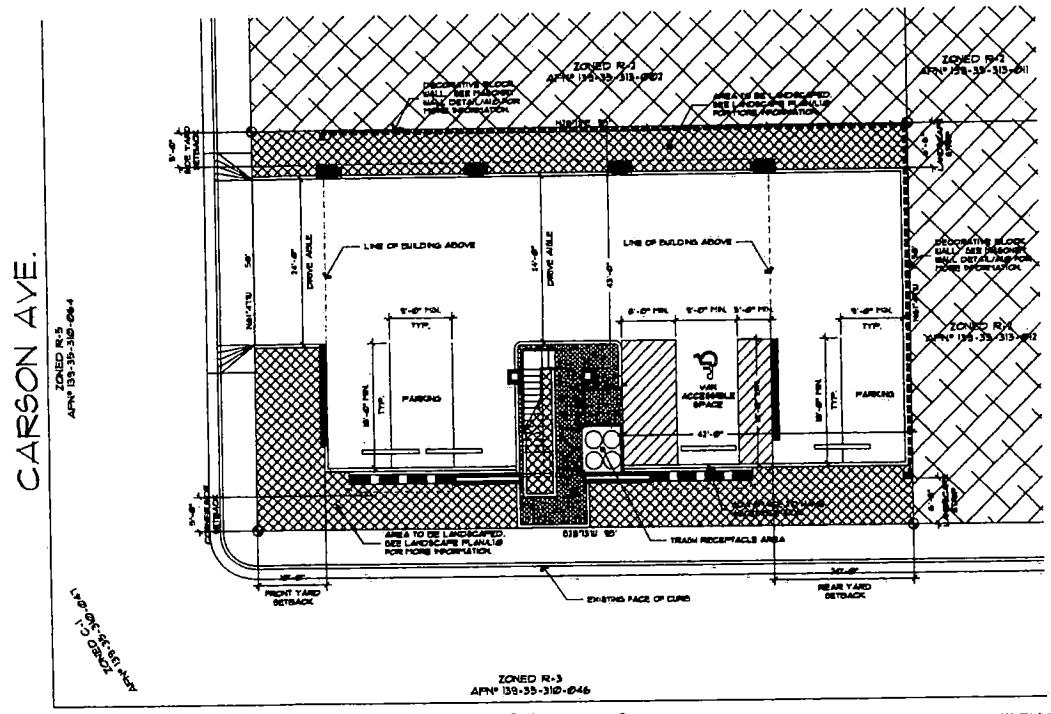
IRENE JO PEDERSON
Notary Public State of Nevada
No. 97-2622-1
My appt. exp. Apr. 17, 2005



CARSON SQUARE

CONDOMINIUM

1400 CARSON AVE
LAS VEGAS, NEVADA



ARCHITECTURAL SITE PLAN / LEVEL 1
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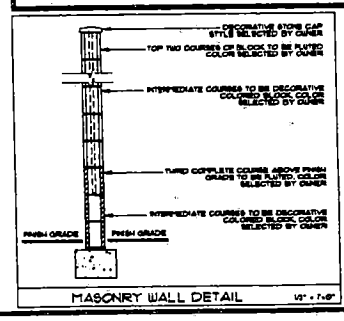
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MASONRY WALL DETAIL

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

MAR 29 2005

SUZANA RUTAR Architect Ltd.
Architecture/Interior Design & Planning
1850 E. Sahara Avenue, Suite 107
Las Vegas, Nevada 89104
Telephone (702) 735-6778
Fax (702) 735-8152
A Professional Corporation

PRELIMINARY NOT FOR CONSTRUCTION

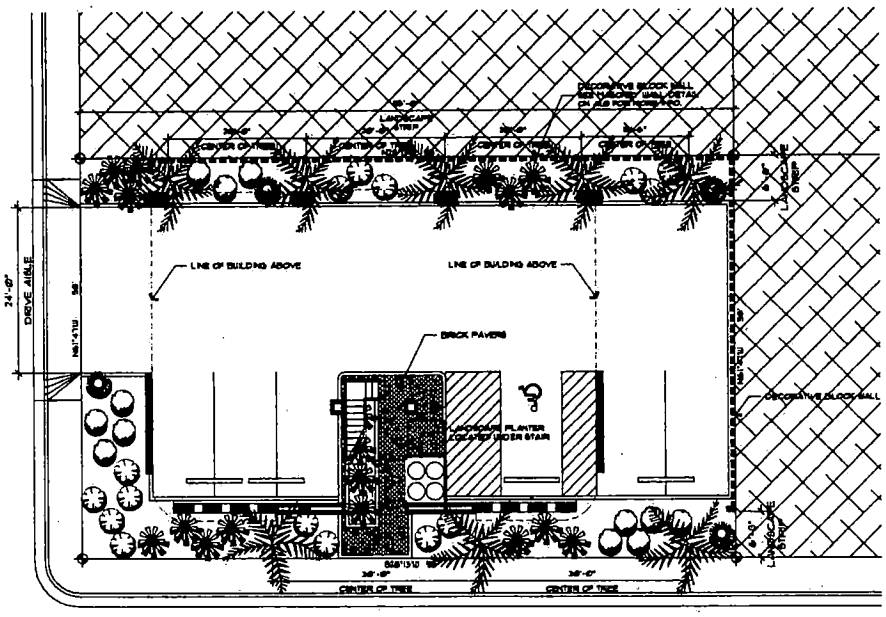
CARSON SQUARE CONDOMINIUMS
1400 CARSON AVE.
LAS VEGAS, NEVADA

KENRIC LLC
LAS VEGAS, NEVADA

ARCHITECTURAL SITE PLAN & SITE DATA

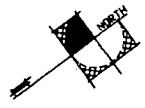
A1.0

CARSON AVE.



14th STREET

LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"



LANDSCAPE SCHEDULE

TREES				SHRUBS		
BOTANICAL NAME	COMMON NAME	SIZE	QUAN.	COMMON NAME	SIZE	QUAN.
BRAHEA ARMATA	MEXICAN BLUE PALM	24" BOX	6	BUFFALO JUNIPER	5 GAL.	15
				SANTA CRUZ PYRACANTHUA	5 GAL.	12
				EVERGREEN EUONYTUS	5 GAL.	9
				TEXAS PRIVET	5 GAL.	4

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

SUZANA RUTAR, Architect Ltd.
Architectural Design & Planning
1950 E. Warm Springs Road
Las Vegas, Nevada 89119
Telephone (702) 263-6175
Fax (702) 361-2862
A Professional Corporation

PRELIMINARY NOT FOR CONSTRUCTION

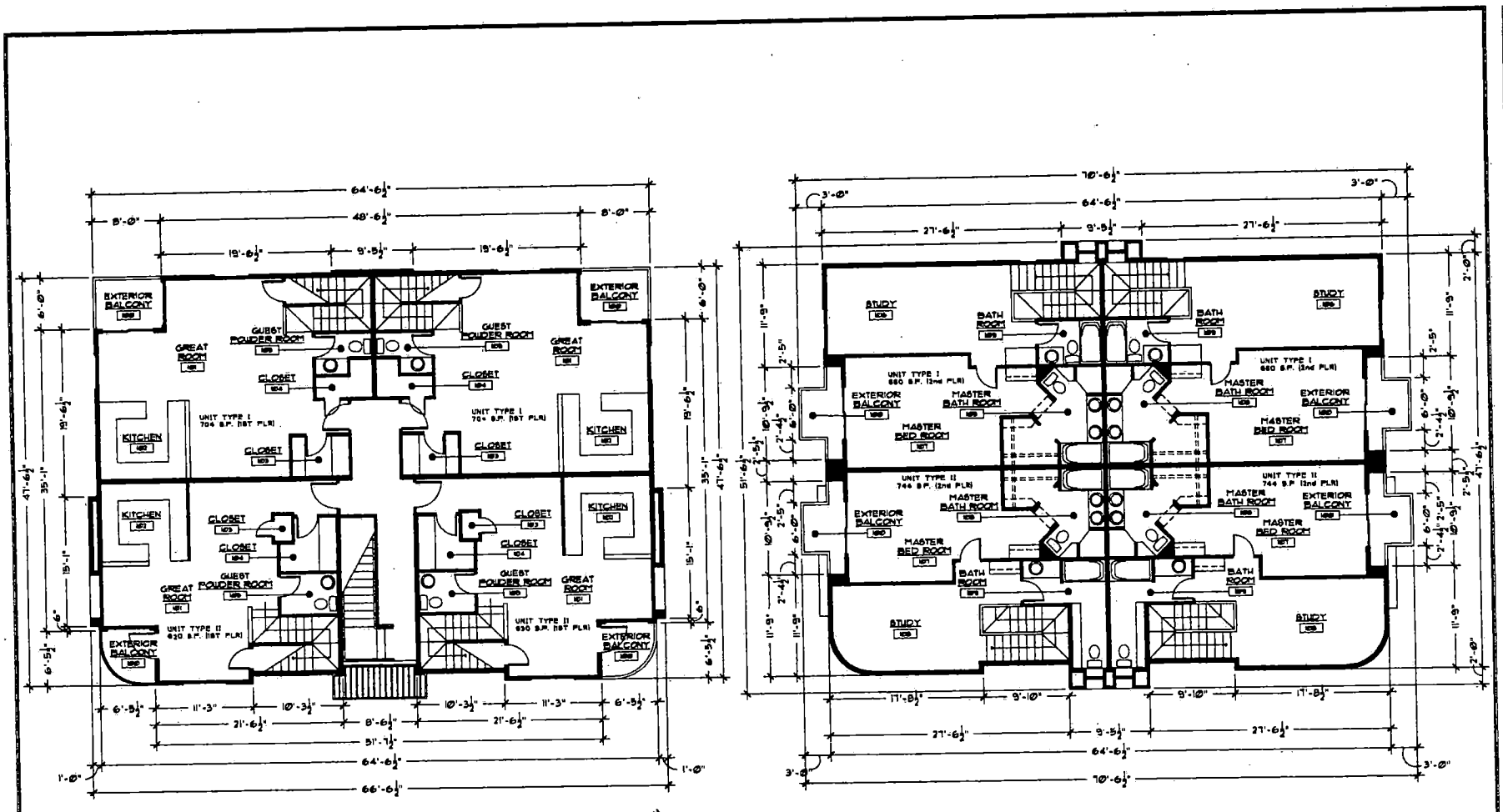
PROJECT NAME: CARSON SQUARE CONDOMINIUMS
1400 CARSON AVE.
LAS VEGAS, NEVADA

OWNER: KENRIC LLC
LAS VEGAS NEVADA

LANDSCAPE PLAN

DRAWING NO. LI.0

MAR 29 2005



SHELL BUILDING INFORMATION:

UNIT TYPE "I"		
SQUARE FOOTAGE		1,364 S.F.
ZONED		
	EXISTING	R-2
	REQUESTED	R-3
TYPE OF CONSTRUCTION		III-B
OCCUPANCY		R-1
SPRINKLED		YES
UNIT TYPE "II"		
SQUARE FOOTAGE		1,314 S.F.
ZONED		
	EXISTING	R-2
	REQUESTED	R-3
TYPE OF CONSTRUCTION		III-B
OCCUPANCY		R-1
SPRINKLED		YES

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

SUZANA RUTAR Architect Ltd.
Architectural Design & Planning
1850 E. Warm Springs Road
Las Vegas, Nevada 89119
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Fax (702) 361-2052
A Professional Corporation

PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT NAME
CARSON SQUARE CONDOMINIUMS
629 CARSON AVE.
LAS VEGAS, NEVADA

CLIENT
KENRIC LLC
LAS VEGAS, NEVADA

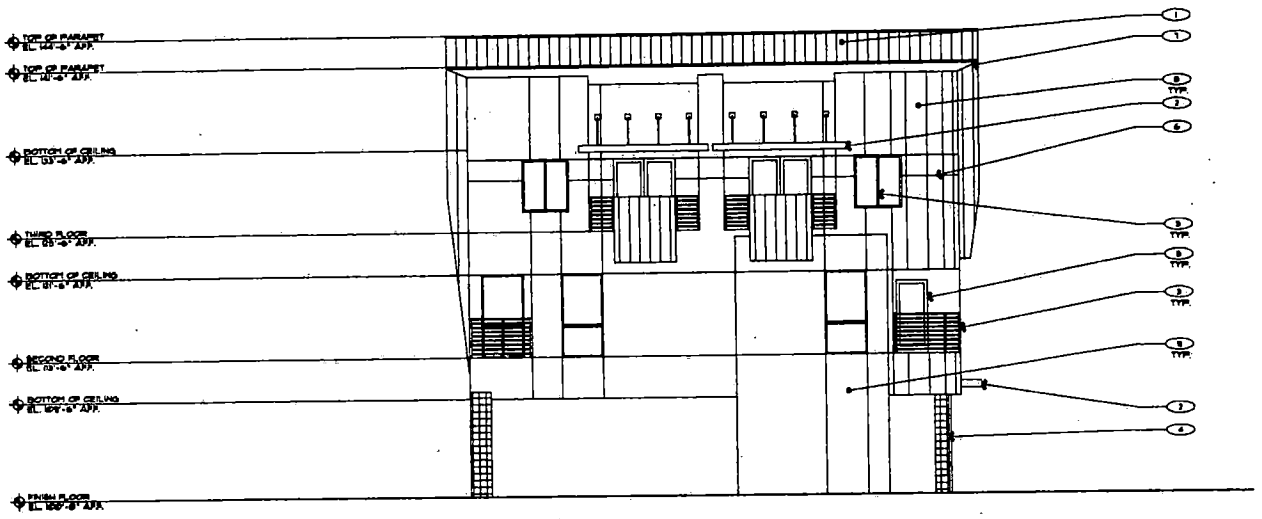
DRAWING TITLE
2ND & 3RD
FLOOR PLANS

DRAWN BY: S.R.-CAR
CHECKED BY: SR
DATE: 04-6-05
JOB

NO.	DATE	DESCRIPTION

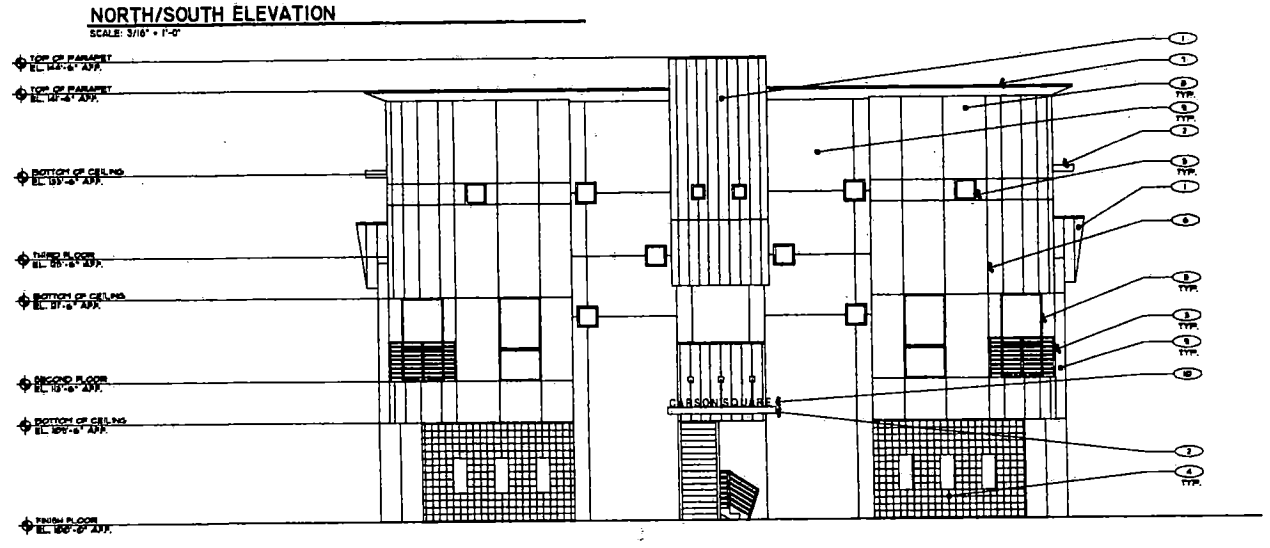
DRAWING NO.
A2.0

MAR 29 2005



NORTH/SOUTH ELEVATION

SCALE: 3/16" = 1'-0"



WEST ELEVATION

SCALE: 3/16" = 1'-0"

NOTES:

1. PAINTED STANDING SEAM PANELS. TO BE BERRIDGE STANDARD COLOR "DEEP RED".
2. METAL SHADE CANOPY. TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5958)"
3. ALUMINUM HANDRAIL TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5958)"
4. GLAZED MASONRY UNITS. COLOR TO BE ASTRA-GLAZE-SW "FIRE ENGINE RED"
5. VINYL WINDOWS & DOORS TRIM TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5958)"
6. METAL EXPANSION JOINT TO BE PAINTED SAME COLOR AS SURROUNDING STUCCO
7. CORNICE WITH METAL FLASHING
8. PAINTED STUCCO TO BE PAINTED DUNN-EDWARDS "FOXTAIL (DEC167)"
9. PAINTED STUCCO TO BE PAINTED DUNN-EDWARDS "ALMOND (DEC193)"
10. SIGNAGE FOR CONDOMINIUM

BUILDING MATERIALS LIST:

EXTERIOR FINISH:	7/8" STUCCO SAND FINISH
EXTERIOR COLOR: DUNN-EDWARDS PAINT	PRIMARY COLOR: FOXTAIL (DEC167)
	SECONDARY COLOR: ALMOND (DEC193)
EXTERIOR COLOR: BERRIDGE STANDARD	STANDING SEAM: DEEP RED
ACCENT COLORS: DUNN-EDWARDS PAINT	ACCENT TRIM (METAL): DIVE IN (DE5958)
	ALUMINUM HANDRAILS: DIVE IN (DE5958)
	SHADE CANOPY (METAL): DIVE IN (DE5958)

SUZANA RUTAR Architect Ltd.
Architectural Design & Planning
1950 E. Warm Springs Road
Las Vegas, Nevada 89119
Telephone (702) 263-6176
Fax (702) 361-2862
A Professional Corporation

PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT TITLE: CARSON SQUARE CONDOMINIUMS
1600 CARSON AVE.
LAS VEGAS, NEVADA

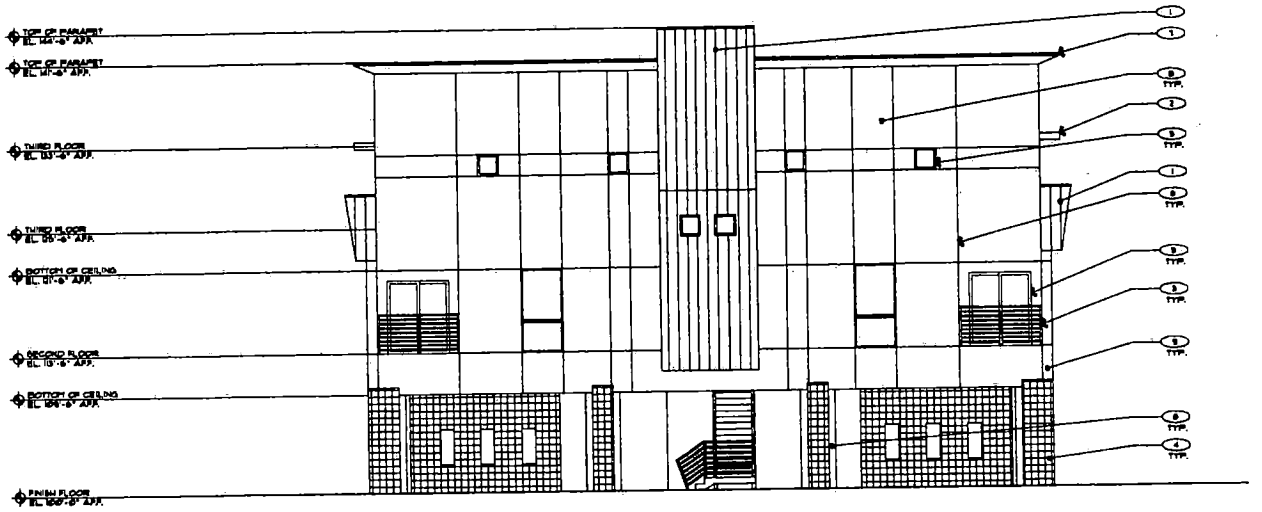
Client: KENRIC LLC
LAS VEGAS, NEVADA

Drawing Title: BUILDING ELEVATIONS

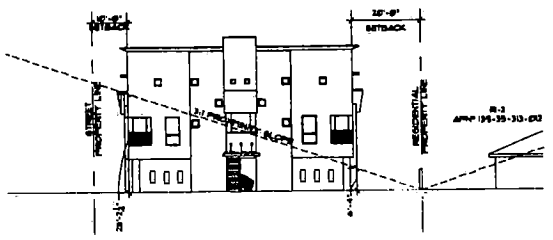
Drawing No.: A4.0

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

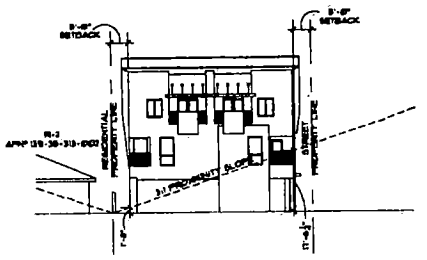
MAR 29 2005



EAST ELEVATION
SCALE: 3/16" = 1'-0"



RESIDENTIAL PROXIMITY SLOPE (139-35-313-012)
SCALE: 1/16" = 1'-0"



RESIDENTIAL PROXIMITY SLOPE (139-35-313-002)
SCALE: 1/16" = 1'-0"

NOTES:

1. PAINTED STANDING SEAM PANELS TO BE BERRIDGE STANDARD COLOR "DEEP RED".
2. METAL SHADE CANOPY. TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5985)"
3. ALUMINUM HANDRAIL TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5985)"
4. GLAZED MASONRY UNITS. COLOR TO BE ASTRA-GLAZE-6W "FIRE ENGINE RED"
5. VINYL WINDOWS & DOORS TRIM TO BE PAINTED DUNN-EDWARDS "DIVE IN (DE5985)"
6. METAL EXPANSION JOINT TO BE PAINTED SAME COLOR AS SURROUNDING STUCCO
7. CORNICE WITH METAL FLASHING
8. PAINTED STUCCO TO BE PAINTED DUNN-EDWARDS "FOXTAIL (DEC707)"
9. PAINTED STUCCO TO BE PAINTED DUNN-EDWARDS "ALMOND (DEC753)"

BUILDING MATERIALS LIST:

EXTERIOR FINISH:	3/4" STUCCO SAND FINISH
EXTERIOR COLOR: DUNN-EDWARDS PAINT	PRIMARY COLOR: FOXTAIL (DEC707)
	SECONDARY COLOR: ALMOND (DEC753)
EXTERIOR COLOR: BERRIDGE STANDARD	STANDING SEAM: DEEP RED
ACCENT COLORS: DUNN-EDWARDS PAINT	ACCENT TRIM (METAL): DIVE IN (DE5985)
	ALUMINUM HANDRAILS: DIVE IN (DE5985)
	SHADE CANOPY (METAL): DIVE IN (DE5985)

SUZANA RUTAR, Architect Ltd.
Architectural Design & Planning
1950 E. Warm Springs Road
Las Vegas, Nevada 89119
Telephone (702) 361-8776
Fax (702) 361-2582
A Professional Corporation

PRELIMINARY NOT FOR CONSTRUCTION

PROJECT TITLE: CARSON SQUARE CONDOMINIUMS
1400 CARSON AVE.
LAS VEGAS, NEVADA

CLIENT: KENRIC LLC
LAS VEGAS, NEVADA

DRAWING TITLE: BUILDING ELEVATIONS

DATE: 3-12-05
DRAWN BY: SR
CHECKED BY: SR

NO.	DATE	DESCRIPTION

DRAWING NO.: A4.1

ZON-6157
VAR-6349
VAR-6158
VAR-6407
SDR-6155
04-14-05 PC
REVISED 03-29-05

MAR 29 2005

SUZANA RUTAR, Architect

RECEIVED

MAR 2 4 2005

Mar 24, 2005

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

Re: Justification Letter for:
Site Development Plan Review Application - SDR-6155
with Waiver of Development Standards for Perimeter, Buffer and Foundation Landscaping
Re-zoning Application - 6157
Variance Application for Residential Adjacency -VAR-6158
Variance Application for Minimum Lot Size - VAR-6349
APN # 139-35-313-001 (1400 East Carson Avenue)
Carson Square Condominiums

To Whom It May Concern:

This letter is a justification letter for the above referenced property. The above referenced property is presently zoned R-2- Multi-family District. The general plan for this site is MXU (Mixed Use). The proposed plan requests a conforming Zone Change to R-5 in accordance to the MXU Master Plan. The property is proposed to be developed as a 3-story, multi-family condominium building with a parking garage at the first/ground level. The building shall have four (4) - 1 bedroom units, and all four (4) four units shall be two story. The parking required is at 1.25 spaces per unit (one being van accessible) and one additional space for guest parking. The provided parking (6 spaces) is at the street level under the residential structure and near the south of the property.

With this application, the Owners are also requesting a Waiver of Development Standards (SDR-6155) for perimeter, buffer landscaping at rear yard (south property line), at street landscape buffer zone and Foundation Landscaping at Carson Avenue and 14th Street. The zoning ordinance requires a 15'-0" street landscape buffer zone at all streets, however since the building is set to the 10'-0" building setback only a 10'-0" street perimeter, buffer landscape can be provided. The zoning ordinance also requires a minimum 6'-0" landscaping buffer between multi-family and residential zones. The required landscaping buffer is provided along the east property line, but along the south property wall the perimeter, buffer landscape is absent due to need for an additional parking space to meet the parking requirements. The first level of living space is at the second floor and only structural supports are at the ground level preventing landscaping at the foundation. However, there is landscape provided at the ground level as previously indicated.

The Applicant is requesting a Conforming Zone Change (application #6157) of this site from R-2 - Multi-Family Residential to R-5 - Multi-family Residential. The properties to the East and to the South are presently zoned R-2 - Multi-Family Residential. The Properties directly across Carson Avenue

ZON-6157
VAR-6158
VAR-6349
SDR-6155
04-14-05 PC
REVISED 03-24-05

1950 East Warm Springs Road • Las Vegas, Nevada 89119
Phone: (702) 263-6176 • FAX: (702) 361-2582
email: srutar@aol.com

(North) are presently zoned R-5 - Multi Family Residential and the property directly across 14th Street are presently zoned R-3 - Multi- family residential. Please note that the property on the Northwest corner of Carson Avenue and 14th Street is presently zoned C-1. The applicant believes that the proposed zoning of R-5 is in compliance with and meets or exceeds the intent of the City of the Las Vegas General Plan (MXU), especially considering the existing zoning of the surrounding properties.

The Applicant is requesting a Variance for residential adjacency (VAR-6158) of multi-family development to single family residences along the East and South properties. The properties to the East and to the South are presently zoned R-2, therefore the residential adjacency would not be applicable if these lots were not developed as single family homes in the past or/and if future development of these parcels is developed as multi-family residential, which is allowed by the zoning. Also, the configuration of this site is too narrow to allow for the required proximity setbacks for any multi family development, of any height, with the required parking (see figures on sheet A4.1).

The Applicant is requesting a Variance for Minimum Lot Size (VAR-6349) reduction from 7,000 s.f. required lot size for an R-5 zoning to a 5,510 s.f. (actual net lot size). The gross lot size (to center line of Carson Avenue & 14th Street) is 10, 375 s.f., which more than exceeds the minimum lot size for R-5 zoning.

Thank you for your consideration of this request. If you have any questions or if you require additional information, please call me at 263-6176.

Sincerely,
SUZANA RUTAR Architect, Ltd.,
A Professional Corporation

Jeremy Strawn, Associate AIA
Intern-Architect

Suzana Rutar, AIA, CSI, NCARB
Principal Architect

ZON-6157
VAR-6158
VAR-6349
SDR-6155
04-14-05 PC
REVISED 03-24-05



ZON-6157, VAR-6349, VAR-6158, VAR-6407 & SDR-6155 - APPLICANT/ OWNER: KENRIC, LLC
1400 CARSON AVENUE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



ZON-6157, VAR-6349, VAR-6158, VAR-6407 & SDR-6155 - APPLICANT/ OWNER: KENRIC, LLC
1400 CARSON AVENUE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

RUTAR

SUZANA RUTAR, Architect

February 17, 2005

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

Re: Justification Letter
Site Development Plan Review Application
with Waiver of Development Standards - Perimeter Landscaping
APN # 139-35-313-001 (1400 East Carson Avenue)
Carson Square Condominiums

To Whom It May Concern:

This letter is a justification letter for the above referenced property. The above referenced property is presently zoned R-2- Multi-family District. The general plan for this site is MXU (Mixed Use). The property is proposed to be developed as a 3-story, multi-family condominium building with a parking garage at the first /ground floor. The building shall have (2) - 2 bedroom units and (2) - 1 bedroom units. All (4) four units shall be two story. The parking required is 7 parking spaces which are provided at street level under the residential structure.

With this application, the Owners are also requesting a Waiver of Development Standards for Perimeter landscaping at rear yard (south property line) and at street scape buffer zone at Carson Avenue and 14 th Street. The zoning ordinance requires a 15'-0" street scape buffer zone at all streets, however since the building is set to the 10'-0" building setback only a 10'-0" street scape buffer landscaping can be provided. The zoning ordinance also requires a minimum 6'-0" landscaping buffer between multi-family and residential zones. This landscaping buffer is provided along the east property line and along the south property wall except for a 19'-0" where a handicap access is provided. At this location the landscaping buffer is reduced to 1'-0".

Thank you for your consideration of this request.. If you have any questions or if you require additional information, please call me at 263-6176.

Sincerely,
SUZANA RUTAR Architect, Ltd.,
A Professional Corporation

Suzana Rutar, AIA, CSI, NCARB
Principal Architect

1950 East Warm Springs Road • Las Vegas, Nevada 89119
Phone: (702) 263-6176 • FAX: (702) 361-2582
email: srutar@aol.com

SDR-6155

City of Las Vegas

Agenda Item No.: 46

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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:
McSWAIN – 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, gave a brief overview of the application. Staff felt that the proposed development is compatible with adjacent development and recommended approval.

MICHAEL LIVINGSTON, Architect, 1350 Town Center Drive, Unit 3032, Las Vegas, NV 89144, appeared on behalf of the applicant and concurred with staff's conditions.

MR. LIVINGSTON confirmed for TODD FARLOW, 240 N. 19th Street, that the proposed development would be a new building on the subject site. MR. FARLOW was pleased to see

MINUTES – Continued:
development that would upgrade this vacant lot.

Given the narrow lot, COMMISSIONER McSWAIN felt the proposed development was adequate for the area. MR. RANKIN confirmed for the Commissioner that the landscaping in front of the parking area would be sufficient for screening purposes.

No one appeared in opposition.

CHAIRMAN NIGRO declared the public hearing closed.

(8:56 – 9:00)

2-2608

CONDITIONS:
Planning and Development

1. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24-inch box trees 20 feet on center along Eastern Avenue, 30 feet on center along the west perimeter, and two additional trees for the parking area for a total of 28 trees.

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

3. All development shall be in conformance with the site plan and building elevations, dated 03/01/05, except as amended by changes by these conditions.

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

5. 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.

6. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an extension of time is granted.

7. 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.

CONDITIONS – Continued:

8. 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.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.

10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox 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.

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

12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be developed so as to eliminate impacts to residential areas to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.

13. All City Code requirements and design standards must be satisfied.

Public Works

14. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southeast corner of Eastern Avenue and Houston Drive and an additional 5 feet of right-of-way for a total radius of 25 feet on the northeast corner of Eastern Avenue and Franklin Avenue prior to the issuance of any permits.

15. 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.

16. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

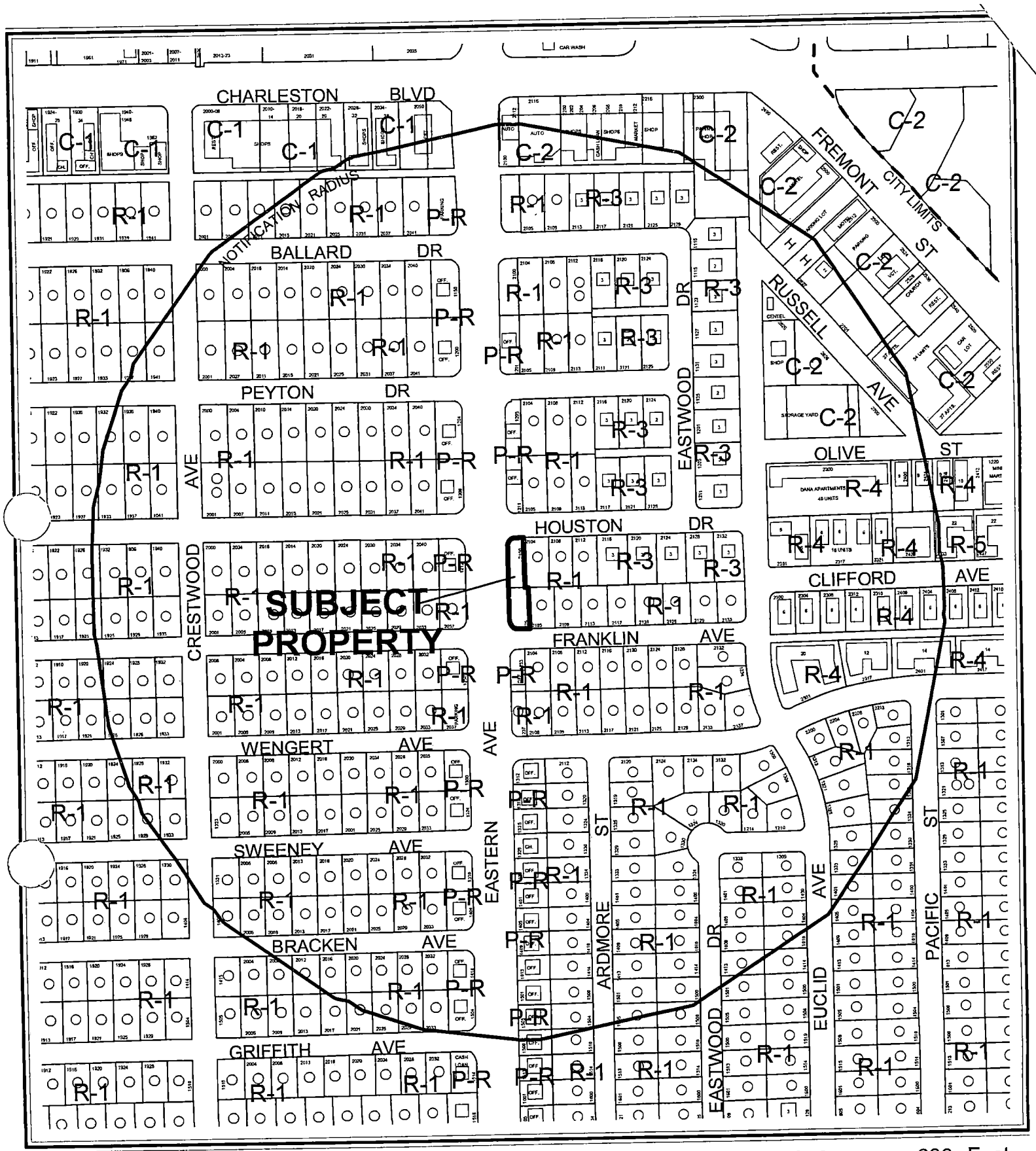
17. Provide a copy of a recorded Joint Access Agreement between both parcels comprising this overall site prior to the issuance of any permits.

CONDITIONS – Continued:

18. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site.

19. 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.

20. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.



CASE: **SDR-6208**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6208 - APPLICANT/OWNER: ALAN GETTINGER

** CONDITIONS **

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

Planning and Development

1. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24-inch box trees 20 feet on center along Eastern Avenue, 30 feet on center along the west perimeter, and two additional trees for the parking area for a total of 28 trees.

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

3. All development shall be in conformance with the site plan and building elevations, dated 03/01/05, except as amended by changes by these conditions.

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

5. 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.

6. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an extension of time is granted.

7. 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.

8. 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.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.

10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox 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.

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

12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be developed so as to eliminate impacts to residential areas to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.

13. All City Code requirements and design standards must be satisfied.

Public Works

14. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southeast corner of Eastern Avenue and Houston Drive and an additional 5 feet of right-of-way for a total radius of 25 feet on the northeast corner of Eastern Avenue and Franklin Avenue prior to the issuance of any permits.

15. 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.

16. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

17. Provide a copy of a recorded Joint Access Agreement between both parcels comprising this overall site prior to the issuance of any permits.

18. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site.

19. 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.

20. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and a waiver of the perimeter landscape buffer requirements for a 1,500 square-foot office development on 0.22 acres adjacent to the southeast corner Eastern Avenue and Houston Drive.

B) Applicant's Justification

The proposed site plan and building design are in conformance with the intent of a P-R District providing enhanced residential amenities, efficient utilization of open space, and the separation of pedestrian and vehicular traffic.

BACKGROUND INFORMATION

A) Previous Actions

There are no previous zoning actions for the site of the proposed development.

B) Pre-Application Meeting

02/18/05 The standard elements of a site development plan review application were discussed with the applicant during a pre-application submittal conference.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.22

B) Existing Land Use

Subject Property:	Undeveloped
North:	Office
South:	Office
East:	Single family development
West:	Office
	Single family development

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The site is located within the area covered by the Southeast Sector Plan of the General Plan. The Southeast Sector Plan currently designates this site as SC (Service Commercial). The current zoning of C-1 conforms to the SC land use designation and the proposed development is consistent with the C-1 zoning and therefore the SC 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**

There are no special area plans or overlay districts that affect the this site.

PROJECT DESCRIPTION

The project consists of a 1,500 square-foot single-story office building, located at the southeast corner of Houston Drive and Eastern Avenue and the adjacent residential development to the east. The building is located up to the setback line along the street with landscaping in the setback area. The parking for the building will be to the north of the building. Vehicular access to the site will be from Eastern, exiting to Houston.

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	9,640 Sq. Ft.	Y
Min. Lot Width	60 Feet	75 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	15 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	15 Feet	15 Feet	Y
Max. Lot Coverage	50 %	15 %	Y
Max. Building Height	2 Stories / 35Feet	1 story/ 15 Feet	Y
Mech. Equipment	Screened		Not Shown

The proposal meets the requirements of Title 19 for a commercial development

A2) Residential Adjacency Standards

With the building at a height of 15 feet the Residential Adjacency Standards pursuant to Title 19.08, 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	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office, Medical and Dental	1500 SF.	1 space/ 200 GFA	8			
Total			7	1	7	1

The proposal meets the requirements of Title 19 for Parking.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
5 foot Wide Parking Area Fingers	1 24 Inch Box Tree/ 6 Parking Spaces	8 / 6 = 2 Trees	Zero
Buffer: • Min. Trees	1 Trees/ 20 Linear Feet along the streets	351 Ft/ 20 = 18 Trees	13 Trees
	1 Trees/ 30 Linear Feet along the rear property line	232 Ft/ 30 = 8 Trees	8 trees
• Min. Zone Width	15 Feet Along Streets 8 Feet Along the Rear		0 feet, Waiver 0 feet, Waiver
• Wall height	6 Feet		Not Shown

The proposal does not meet the requirements of Title 19.12 and the Landscape, Wall and Buffer Standards as the landscape plan shows 13 24-inch box trees along the streets when 18 are required. Two trees are required in the parking lot but none are shown. Approval of this application will be conditioned to require a revised landscape plan that shows these features.

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

Standards	Required	Provided
Open Space: • Developments 5 Acres or More • Minimum Plaza Area	50 Sq. Ft. of Plaza Space Per Acre of Land 250 Sq. Ft.	N/A 250 Sq. Ft.

The proposal meets the requirements of Title 19 for open space.

A5) Sign Standards

Insufficient information was provided that would facilitate the evaluation of signage for the development. Review of signage will take place by separate application.

B) General Analysis and Discussion

- Zoning

  The proposed site plan conforms to the regulations of the C-1 (Limited Commercial) Zoning District.

- Site Plan

  The site plan shows a total of 1,500 square feet of proposed office development in a single-story building. The building will be oriented to Franklin Avenue. The building is positioned up to the 15-foot setback from the streets.

  The parking area will be behind the building. Vehicular access into the site will be from Eastern to the north of the proposed building with an exit to Houston. A separate application to identify signage on the site will need to be submitted by the applicant.

- Waivers

  A waiver of the perimeter landscape buffer along the west property line and along the Eastern frontage has been requested.

- Landscape Plan

  The landscape plan conforms to Title 19.12 and the Landscape, Wall and Buffer Standards except for the number trees in the buffers and parking lot and the lack of buffers along the street and perimeter. A waiver has been requested for the buffers and a condition will be added to require additional trees around the site.

- Elevation

  The building elevations show a single story building with hipped roofs and entry doors and windows on all four sides of the exteriors. The elevations are compatible to the existing development around the site.

- Floor Plan

  The floor plan shows interior design typical to this type of use. The interiors show that the floor area will be divided into individual rooms for various uses.

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 an office complex that will 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 proposed development is consistent with the General Plan. With compliance with the condition of approval addressing modifications to the landscape plan the proposal will conform to Title 19 and the Landscape, Wall and Buffer Standards.

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

The subject site has access to Eastern Avenue, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. Eastern Avenue will be adequate to meet the requirements of the proposed development.

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

   The building and landscape materials are appropriate for this type of development.

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

   The building elevations are typical of office and retail developments in this vicinity and will be compatible with surrounding development.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 352

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6208 APN: 162-01-110-025

Name of Property Owner: GETTINGER ALAN

Name of Applicant: GETTINGER ALAN

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: Alan Gettinger

Print Name: GETTINGER ALAN

Subscribed and sworn before me

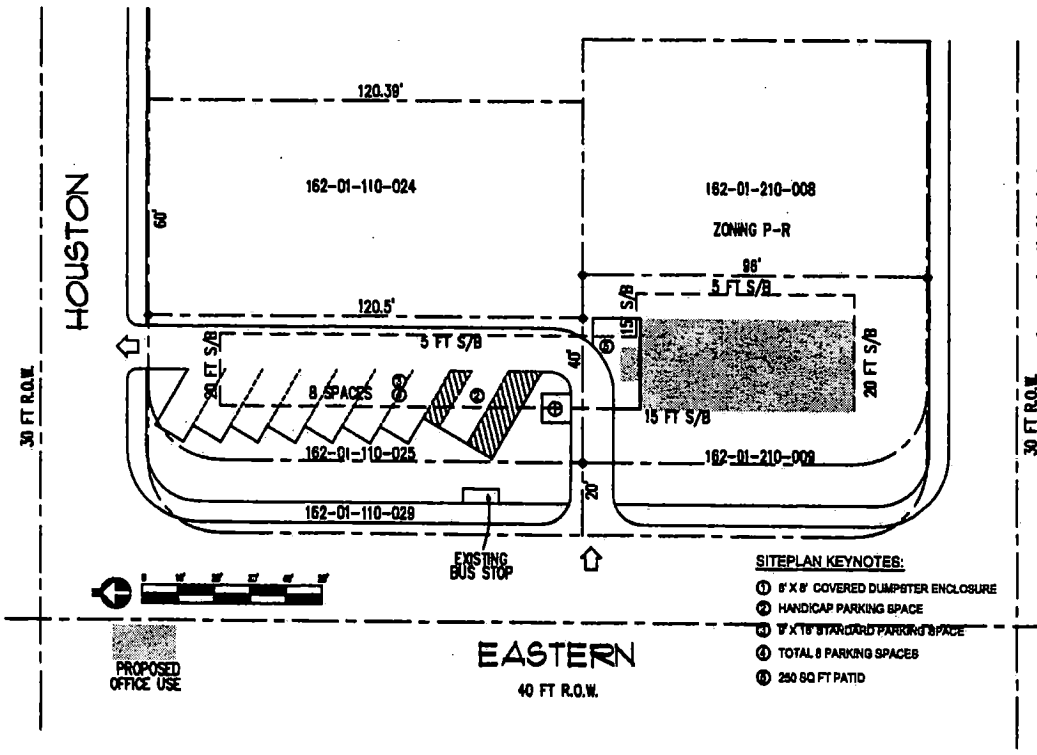
This 14 day of February, 2005

Cynthia D. James-Banks

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
CYNTHIA D. JAMES-BANKS
My Appointment Expires
No: 03-85557-1 December 5, 2007





SITEPLAN KEYNOTES:

① 6' X 6' COVERED DUMPSTER ENCLOSURE
② HANDICAP PARKING SPACE
③ 9' X 18' STANDARD PARKING SPACE
④ TOTAL 8 PARKING SPACES
⑤ 250 SQ FT PATIO

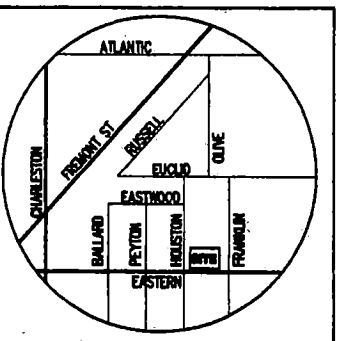
SITE PLAN
Scale 1/16" = 1'-0"

TABULATION

LEGAL
LOTS 162-01-110-025 & 162-01-210-009
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

ZONING:
EXISTING: P - R
PROPOSED: P - R
LAND AREA: GROSS - 9,640 SF (0.22 ACRES)

EXISTING BUILDING AREA
VACANT LOT



LOCATION PLAN

PROPOSED BUILDING AREA
60' X 25' = 1,500 SQ. FT

PROPOSED

PROPOSED BUILDING USE
MEDICAL OFFICE

PARKING REQUIRED	SPACES PER UNIT	AREA	PARKING REQUIRED	PARKING PROVIDED
OFFICE USE	1 PER 200 SQ FT	1500 SQ FT	7.5	8

SITE COVERAGE
1500 / 9640 = 15%

BUILDING CODE ANALYSIS

GROUP OCCUPANCY :	BUSINESS	
CONSTRUCTION TYPE :	V - NR	
BUILDING HEIGHT :	15' - 0"	
NO. STORIES :	SINGLE	

KEY NOTES
1
2
3
4

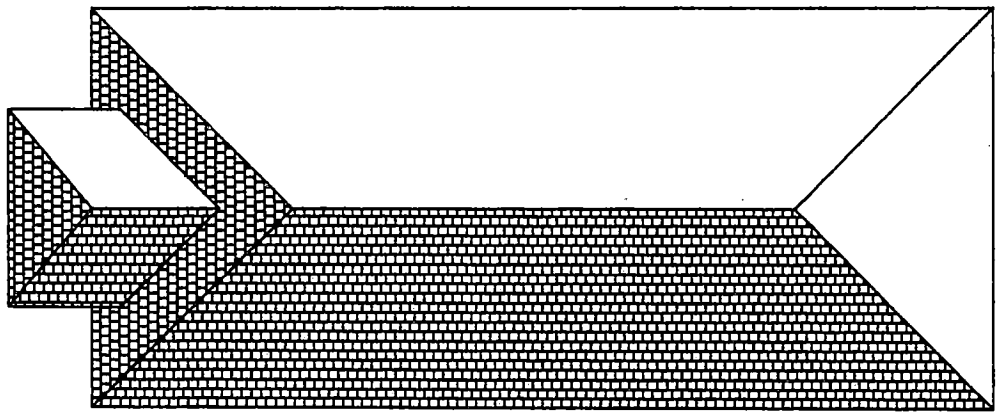
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SDR-6208
04-14-05 PC

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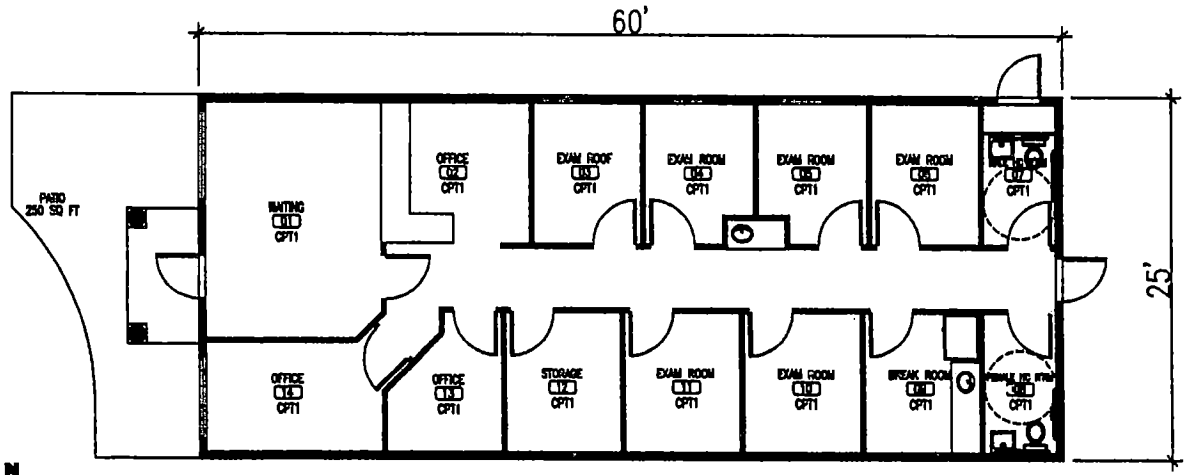
GETTINGER MEDICAL OFFICE 162-01-110-025
N.E. Corner EASTERN / FRANKLIN
City of Las Vegas, Nevada

SITE DEVELOPMENT PLAN

SP1



ROOF PLAN



1ST FLOOR UNIT PLAN

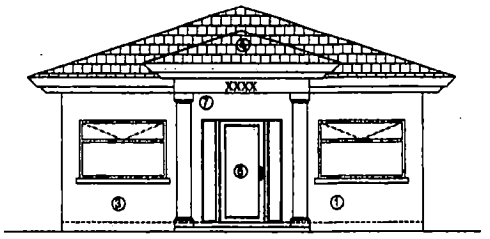
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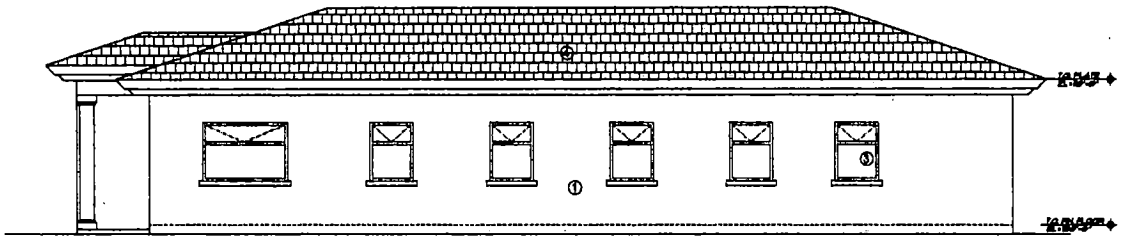
GETTINGER MEDICAL OFFICE 162-01-110-025
N.E. Corner EASTERN / FRANKLIN
City of Las Vegas, Nevada

UNIT FLOOR PLANS
TYPES A & B

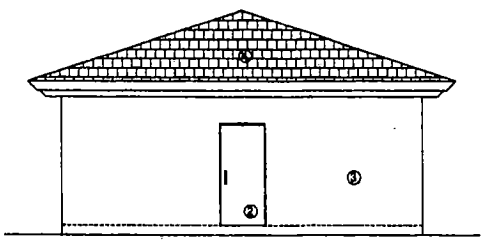
SP2



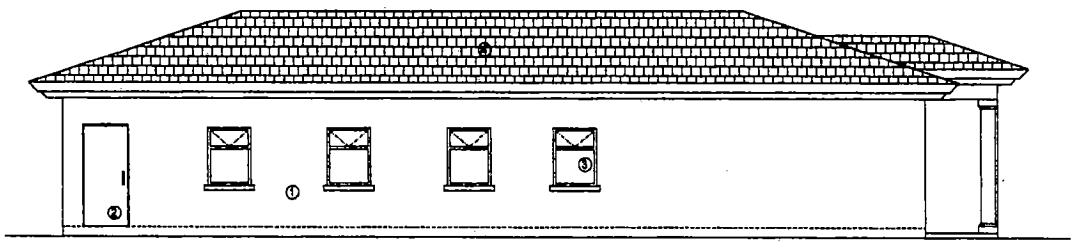
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

EXISTING ELEVATION KEYNOTES:

① STUCCO SAND FINISH - COLOR BEIGE [redacted]
② METAL DOOR
③ INSULATED WINDOW GLAZING
④ FLAT CONCRETE ROOF TILE - RUSTIC RED [redacted]
⑤ ALUM. / GLASS STOREFRONT ENTRANCE
⑥ EXT. LIGHT FIXTURE
⑦ STUCCO FASCIA/ SOFFIT w/ RECESSED LIGHTING
⑧ STORE FRONT EXIT DOOR
⑨ STUCCO RELIEF COLUMNS

VAR-6209
SDR-6208
04-14-05 PC

RECEIVED
MAR 0 1 2005

GETTINGER MEDICALOFFICE 162-01-110-025
N.E. Corner EASTERN / FRANKLIN
City of Las Vegas, Nevada

ELEVATIONS
BUILDING FLOOR PLANS

SP3

KEY TO PLANTS

SILVER LEAF – COTONEASTER PANNOSUS

SWEET ACACIA – ACACIA FARNESIANA

BULL GRASS – MUHLENBERGIA EMERSLEYI

(1) STONE GROUND COVERING

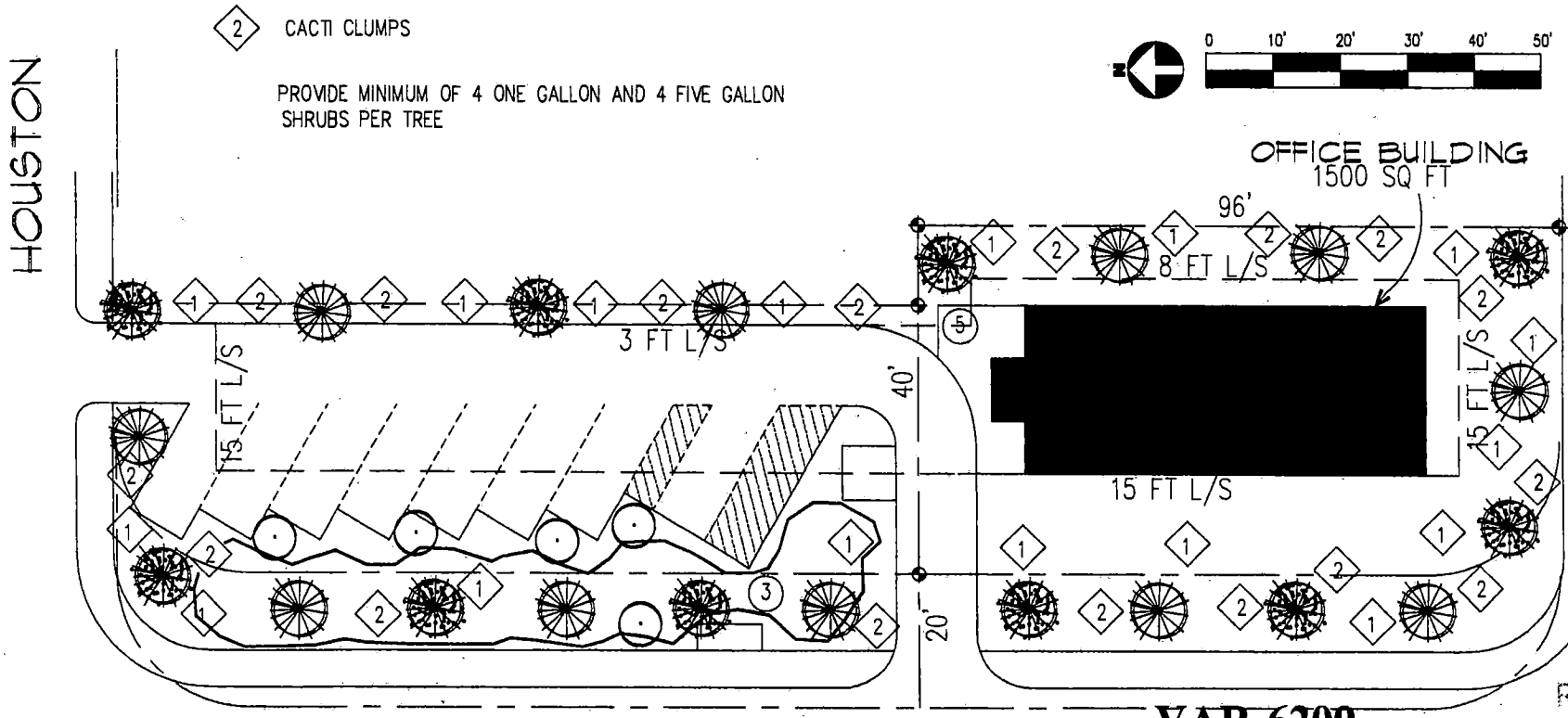
(2) CACTI CLUMPS

PROVIDE MINIMUM OF 4 ONE GALLON AND 4 FIVE GALLON SHRUBS PER TREE

(3) 3 FOOT TALL BERM BETWEEN THE STREET AND PARKING LOT AREA OF THE FRONT BUFFER

(4) DUMPSTER ENCLOSURE

(5) 250 SQ FT PATIO



LANDSCAPE PLAN

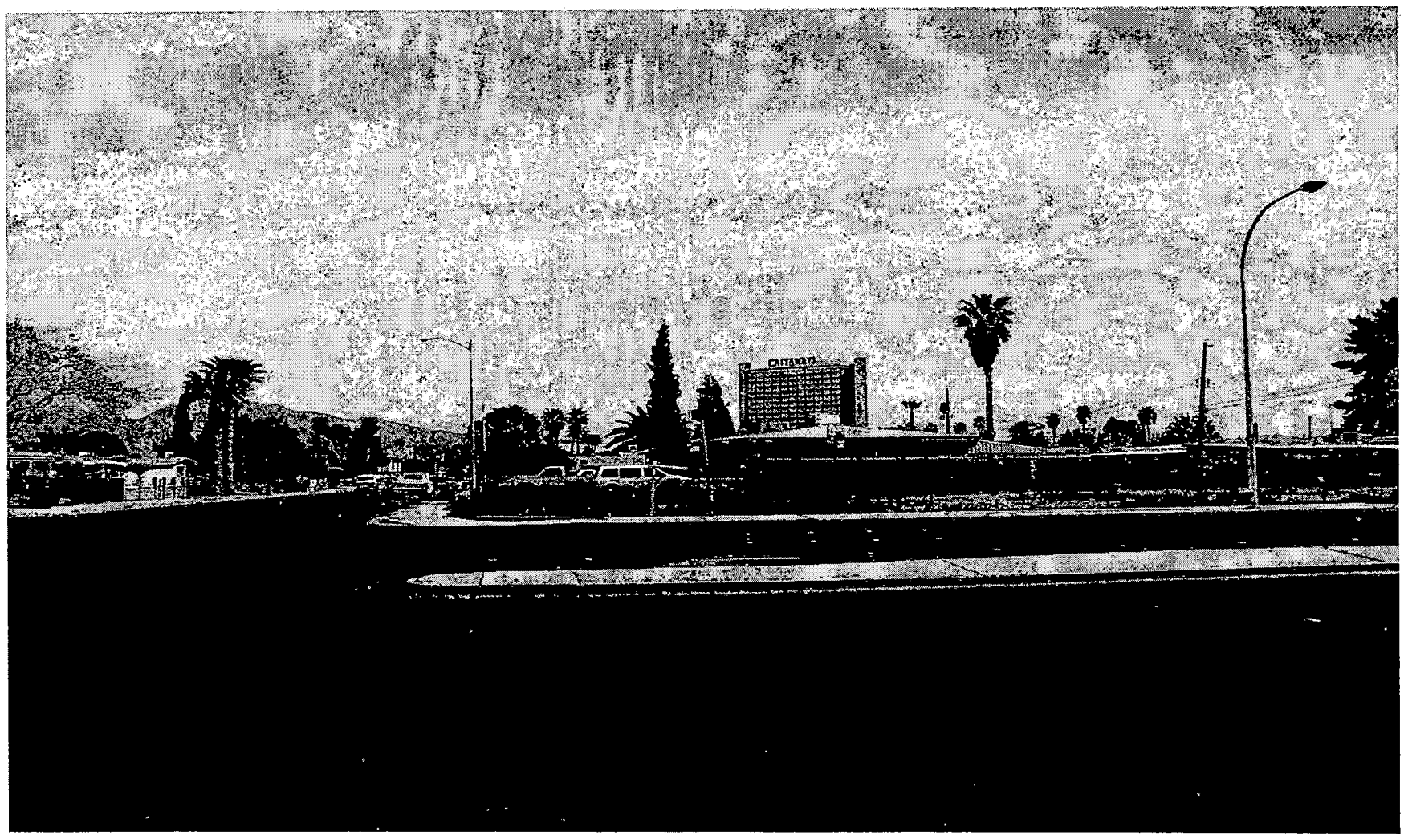
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VAR-6209
SDR-6208
04-14-05 PC

GETTINGER MEDICAL OFFICE 162-01-110-025
N.E. Corner EASTERN / FRANKLIN
City of Las Vegas, Nevada

SITE DEVELOPMENT PLAN

LS1



SDR-6208 - APPLICANT/OWNER: ALAN GETTINGER
SOUTHEAST CORNER OF EASTERN AVENUE AND HOUSTON DRIVE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SDR-6208 - APPLICANT/OWNER: ALAN GETTINGER
SOUTHEAST CORNER OF EASTERN AVENUE AND HOUSTON DRIVE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

Michael J Livingston NCARB, Architect
ARCHITECTURE & COMMUNITY PLANNING www.acpglobal.com

1350 Town Center Drive, Unit 3032, Las Vegas, Nevada 89144
Tel (702) 271-0437 Fax (702) 271-0437 acpglobal@cox.net

design
engineering
civil engineering
project development
construction management

February 28, 2005

City of Las Vegas
Planning and Development
Development Services Center
731 S. 4th Street
Las Vegas, NV 89101

Ref: **JUSTIFICATION LETTER – SITE DEVELOPMENT PLAN**
Gettinger Medical Office Building- property # 162-01-110-025 & 162-01-210-009
Eastern & Franklin

Our proposal is to conform to the existing P-R zoning with a variance for landscape setbacks.

The following site features will be included

- A 3 foot landscaped berm to hide parking
- Required landscaped buffers along all perimeters with a variance on one
- Conforming Ingress and Egress to parking
- Conformance to all building setbacks
- Dumpster enclosure to match main building
- A classically styled and attractive main structure

The result will be an enhanced corner to an existing vacant lot.

The proposed site plan and building design are in conformance with the intent of a P-R District providing enhanced residential amenities, efficient utilization of open space, and the separation of pedestrian and vehicular traffic. As listed above and as demonstrated on the site plan drawings the proposed business development will benefit the community to promote public health, safety, and general welfare in accordance with LVMC 19A.18.030.

We therefore request site development review approval for the enclosed application.

Respectfully,

Michael Livingston, Architect and Agent for Owner.

SDR-6208

City of Las Vegas

Agenda Item No.: 47

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-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).

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:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:
CHAIRMAN NIGRO declared the public hearing open.

DOUG RANKIN, Planning and Development, gave a brief overview of the application. It was staff's opinion that an alternative site plan with a reduced wall height would allow for the conformance of the development standards. The lack of such hardship does not warrant a recommendation of approval, as there are no inherent topographical constrictions or extraordinary situations.

RANDY McDONALD, Applicant, 808 Shetland Road, showed photos of other homes on his street that have fencing at least five feet in height. He emphasized that he is concerned with

MINUTES – Continued:
rising crime and potential break-ins in the area. He would like the additional height for security reasons, as he has had individuals trespassing onto his property at night.

COMMISSIONER McSWAIN stated she was very familiar with the subject area and felt that the applicant reasonably justified his request for the variance. MR. McDONALD confirmed for the Commissioner that he concurred with staff's conditions.

MR. McDONALD then showed an additional photo of a home that had similar fencing that he was proposing. He explained to COMMISSIONER STEINMAN he would like to construct a two-foot high pony wall with three feet high decorative iron in-between pillars. The pony wall would have a smooth stucco finish and the pillars would also have smooth stucco with stone vainer.

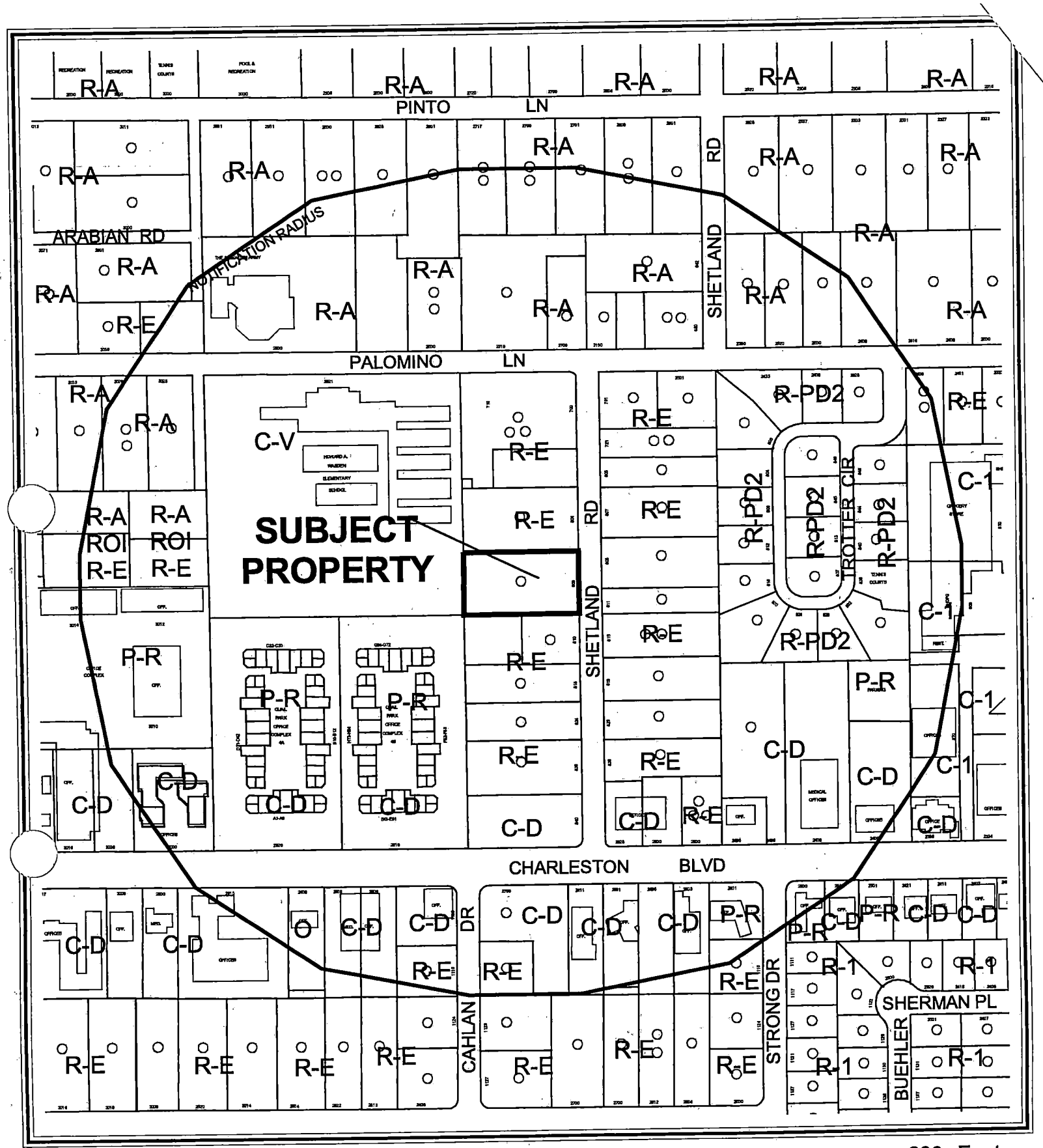
No one appeared in opposition.

CHAIRMAN NIGRO declared the public hearing closed.

(9:00 – 9:05)
2-2794

CONDITIONS:
Planning and Development
1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

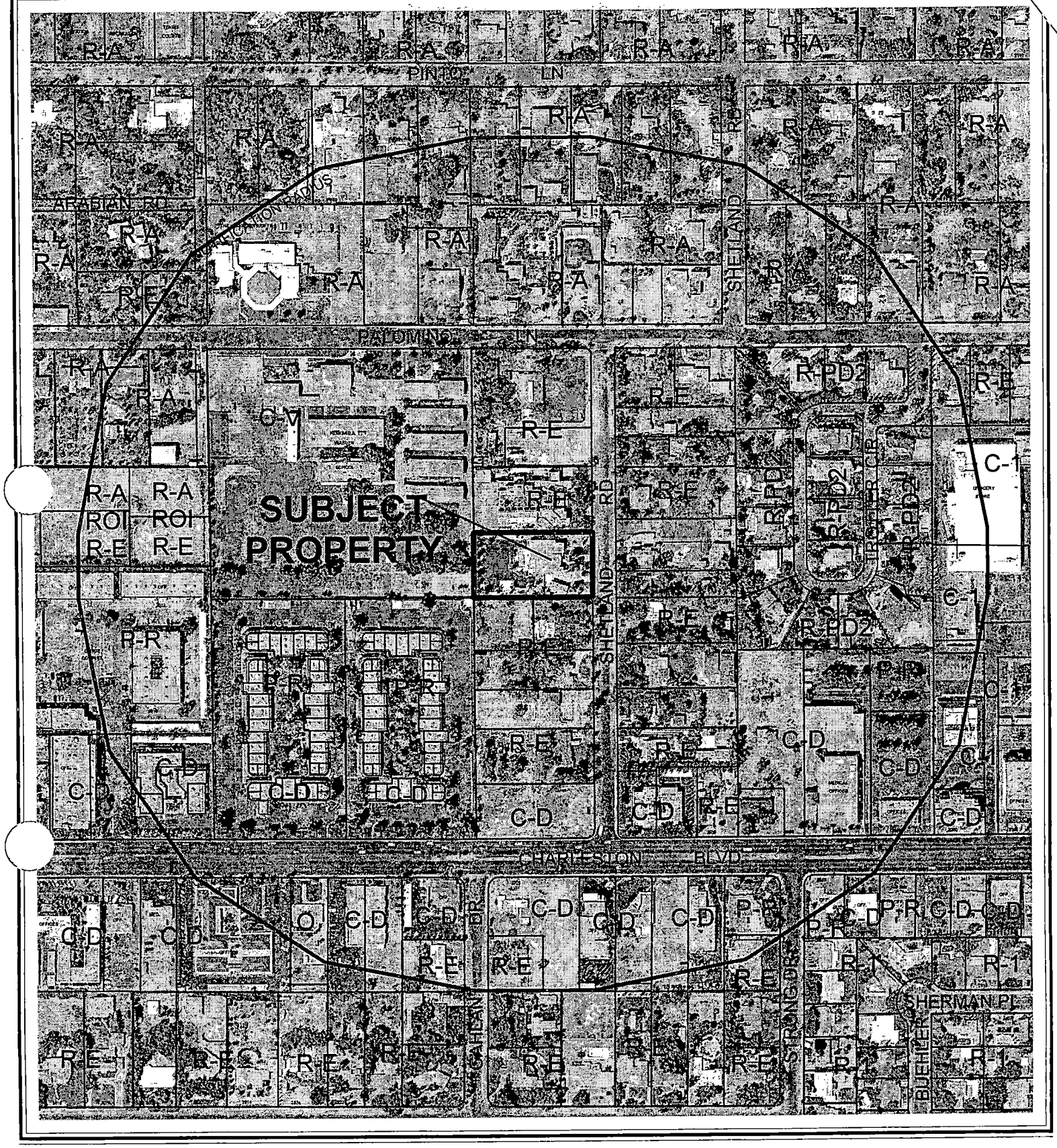
Public Works
2. If the existing entry gate is electrically opened and closed, the gate may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is manually opened and closed, the gate shall be set back a sufficient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



CASE: **VAR-6137**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **VAR-6137**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6137 - APPLICANT/OWNER: RANDY MC DONALD

** CONDITIONS **

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

Planning and Development

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

Public Works

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

DJR

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request to allow a five-foot front yard wall where four feet is the maximum allowed on 1.13 acres at 808 Shetland Road.

B) Applicant's Justification

The applicant indicates that the variance for wall height will provide for security in a changing area of the city. The wall itself will be attractive to the neighborhood.

BACKGROUND INFORMATION

A) Related Actions

No other actions have been considered by the City Council or the Planning Commission.

B) Pre-Application Meeting

02/10/05 The elements of a complete application were discussed in a pre-application conference.

C) Neighborhood Meetings

No neighborhood meeting was held nor was one required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.13

B) Existing Land Use

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

DJR

C) Planned Land Use

Subject Property:	Desert Rural (DR)
North:	Desert Rural (DR)
South:	Desert Rural (DR)
East:	Desert Rural (DR)
West:	Public Facility (PF)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	C-V (Civic)

E) General Plan Compliance

The site is designated DR (Desert Rural) on the Southeast Sector Plan of the General Plan. The current zoning of R-E (Residence Estates) is in conformance with the General Plan.

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

No special districts, zones, or studies are related to the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Max. Wall Height	4 Feet Total (Top Two Feet 50% Open)	5-Foot (Top 3 feet, 60% Open)	N

A maximum four-foot tall wall with the top two vertical feet fifty-percent open is permitted within the front yard area of residential zoned properties. The submitted site plan depicts a five-foot block wall with five-foot four-inch pilasters every 18 feet along Shetland Road. The wall is setback approximately 22 feet along Shetland Road. The applicant indicates that the gates will be electronically controlled. Public Works has submitted a condition, if approved, to address the location of the gates. The portion of the proposed block wall within the front yard area is in violation of Title 19.

The proposal does not meet the Development Standards and therefore needs a variance from Title 19.12. The subject deviation is 20 % for the maximum wall height allowed in a front yard.

B) General Analysis and Discussion

The intent of 19.12.020 is to reinforce a sense of community and preserve the integrity of neighborhoods. The wall as depicted on the site plan provides sufficient open space to allow for visibility. However, a wall with a lower height would better preserve the sense of community.

An alternative site design with a reduced wall height would allow for the conformance of the development standards. The lack of such hardship, as the site has no inherent topographical constrictions or extraordinary situations, does not warrant a recommendation of approval.

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."

DJR

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a block wall within the front yard area above the maximum height allowed. An alternative wall height 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 14

NOTICES MAILED 100

APPROVALS 0

PROTESTS 0

DJR

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4137 APN: 139-32-801-004

Name of Property Owner: Randy McDonald

Name of Applicant: Randy McDonald

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 XXX 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: Randy McDonald

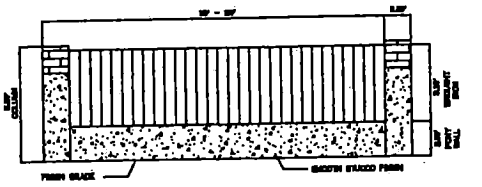
Print Name: Randy McDonald

Subscribed and sworn before me

This 15 day of February, 2005

Notary Public in and for said County and State

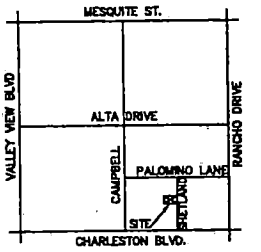
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LORI E. NAIPO
No: 99-54979-1
My Appointment Expires March 27, 2007



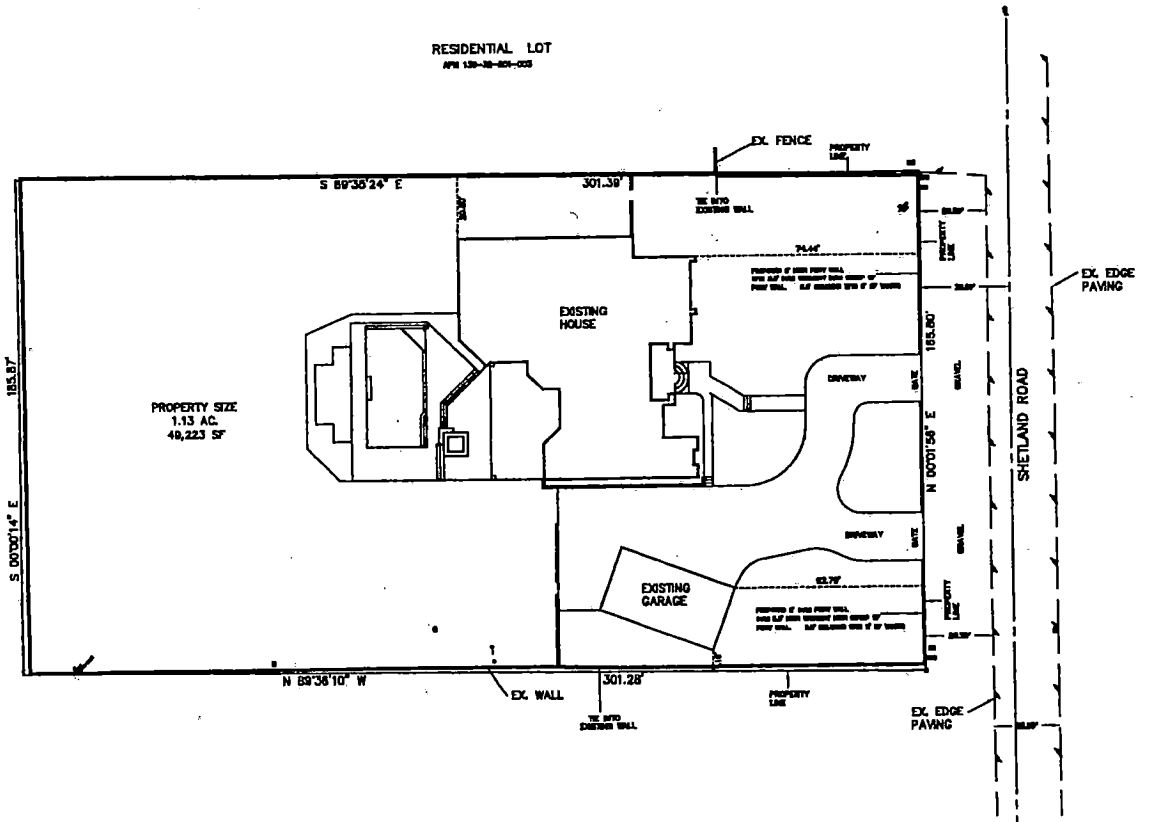
WALL DETAIL

NOT TO SCALE

NOTE: VARIANCE FROM SHAPE MAY VARY FROM DETAIL BUT WILL NOT EXCEED 6.0 FEET ABOVE FINISH GRADE.



VICINITY MAP



LEGAL DESCRIPTION

808 SHETLAND ROAD
LAS VEGAS, NEVADA, 89102
CLARK COUNTY RECORDER'S OFFICE: APN 128-32-801-004
THE SOUTH HALF(S1/2), OF THE SOUTHWEST QUARTER(SW1/4),
OF THE NORTHWEST QUARTER(NW1/4), OF THE SOUTHWEST
QUARTER(SW 1/4), OF THE SOUTHEAST QUARTER(SE1/4).
OF SECTION 32, T20S, R61E, M.D.B. & M., CLARK COUNTY, NEVADA

GRAPHIC SCALE

RECEIVED

FEB 15 2005

VAR-6137
04-14-05 PC

SITE PLAN

808 SHETLAND ROAD
MCDONALD RESIDENCE

GREAT WEST SURVEYING INC



VAR-6137 - APPLICANT/OWNER: RANDY MC DONALD
808 SHETLAND ROAD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

GREAT WEST SURVEYING

2245 N. DECATUR BLVD., SUITE G • LAS VEGAS, NV 89108

OFFICE (702) 646-4941
FAX (702) 646-3393

JUSTIFICATION LETTER

To Whom It May Concern:

We live in an area that has changed tremendously in the last 5 to 10 years. There are new expensive homes where old ones used to be. We have one of these new homes. We are concerned with rising crime and potential break-ins in this area. I would like to add the extra height for security reasons as we have had people in our back yard that had trespassed onto our property in the night and day. We have two kids that have expressed their concerns to my wife and me. In addition to the security issues, there are several properties on our street that have fencing 5'-6' high. We would like to construct a 2-foot high pony wall with 3' high decorative iron in-between pillars. The pony wall would have a smooth stucco finish and the pillars would also have smooth stucco with stone vainer. The pony wall would have a decorative cap on top. The iron fencing would be 3- feet high. There would be two electric gates and we would have lighting on the columns for additional security. The fencing would be very attractive to the neighborhood.

Sincerely,

Randy McDonald

VAR-6137

City of Las Vegas

Agenda Item No.: 48

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-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).

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:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:
CHAIRMAN NIGRO declared the public hearing open.

DOUG RANKIN, Planning and Development, stated that the request is for a Variance to allow a proposed attached addition to an existing single-family dwelling to be 2' 9" from the side property line where 10 feet is required. The proposed garage is 2.75 feet from the Holmby drainage channel. Title 19 prohibits the projection of extensions no closer than three feet from the property line when adjacent to an open space.

Staff felt there was no evidence of a unique or extraordinary circumstance, in that the applicant has created a self-imposed hardship by attempting to overbuild the site, so staff recommended

MINUTES – Continued:
denial. Alternate design or location of the garage would allow conformance to the Title 19 requirements.

RAMI I. ATOUT, Architect, 1635 Village Center Circle, Ste. 150, Las Vegas, NV 89134, appeared on behalf of the applicant and stated that the proposed garage will match the existing garage doors. He added that even though the addition would intrude into the setback, it is the best location on the property because it is next to a drainage channel and does not disrupt any neighboring properties. He referenced three letters of support from other neighbors.

COMMISSIONER McSWAIN highly commended staff on their efficiency and thoroughness with reviewing this application. It was her opinion that it is a hardship being backed up to C-1 and C-2 zoning and felt that the proposed garage addition would provide screening and a buffer to this type of zoning.

No one appeared in opposition.

CHAIRMAN NIGRO declared the public hearing closed.

(9:05 – 9:08)

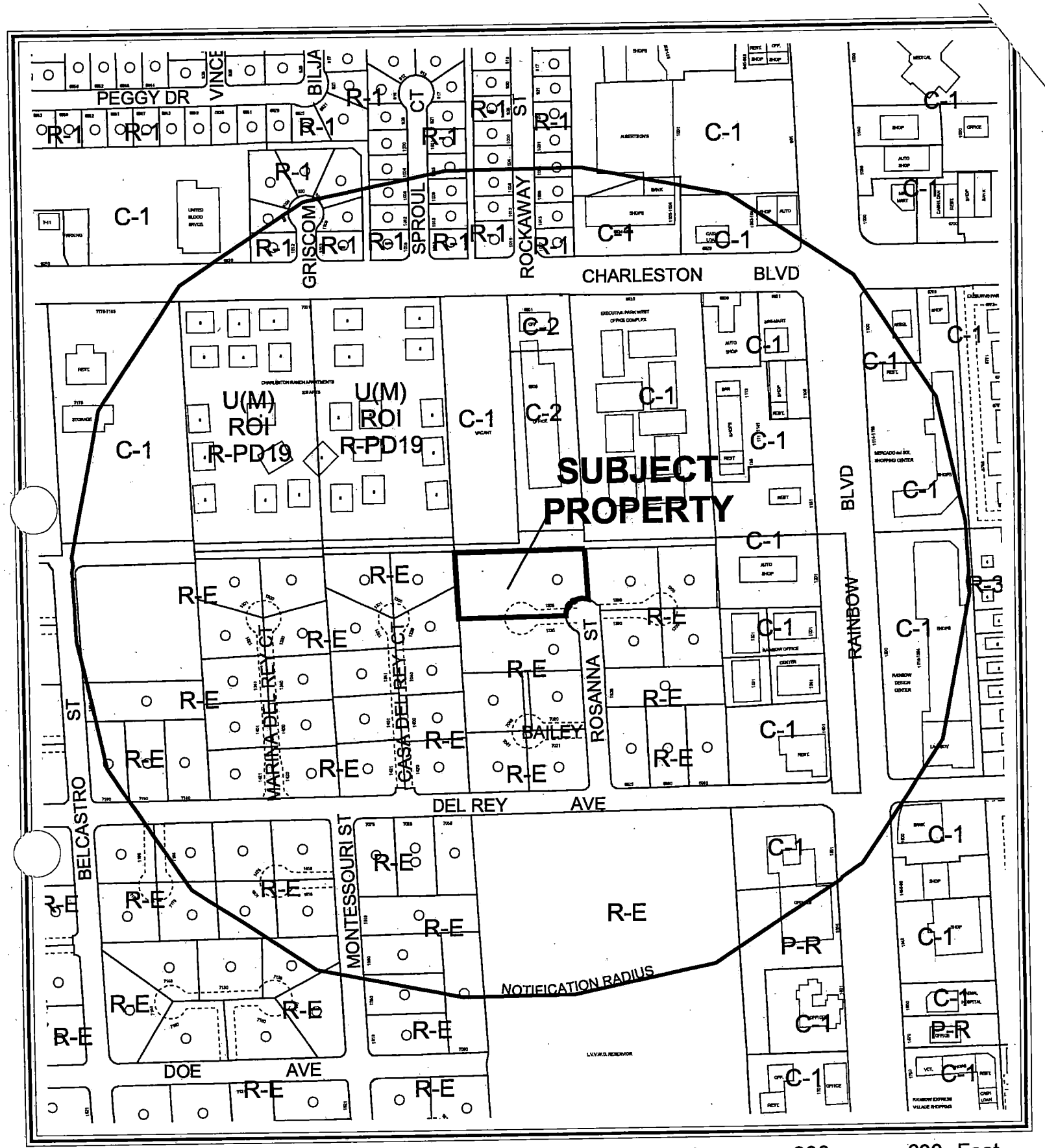
2-3021

CONDITIONS:
Planning and Development

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

Public Works

2. The proposed garage addition shall not be located within the existing drainage right-of-way for the Holmby Channel.

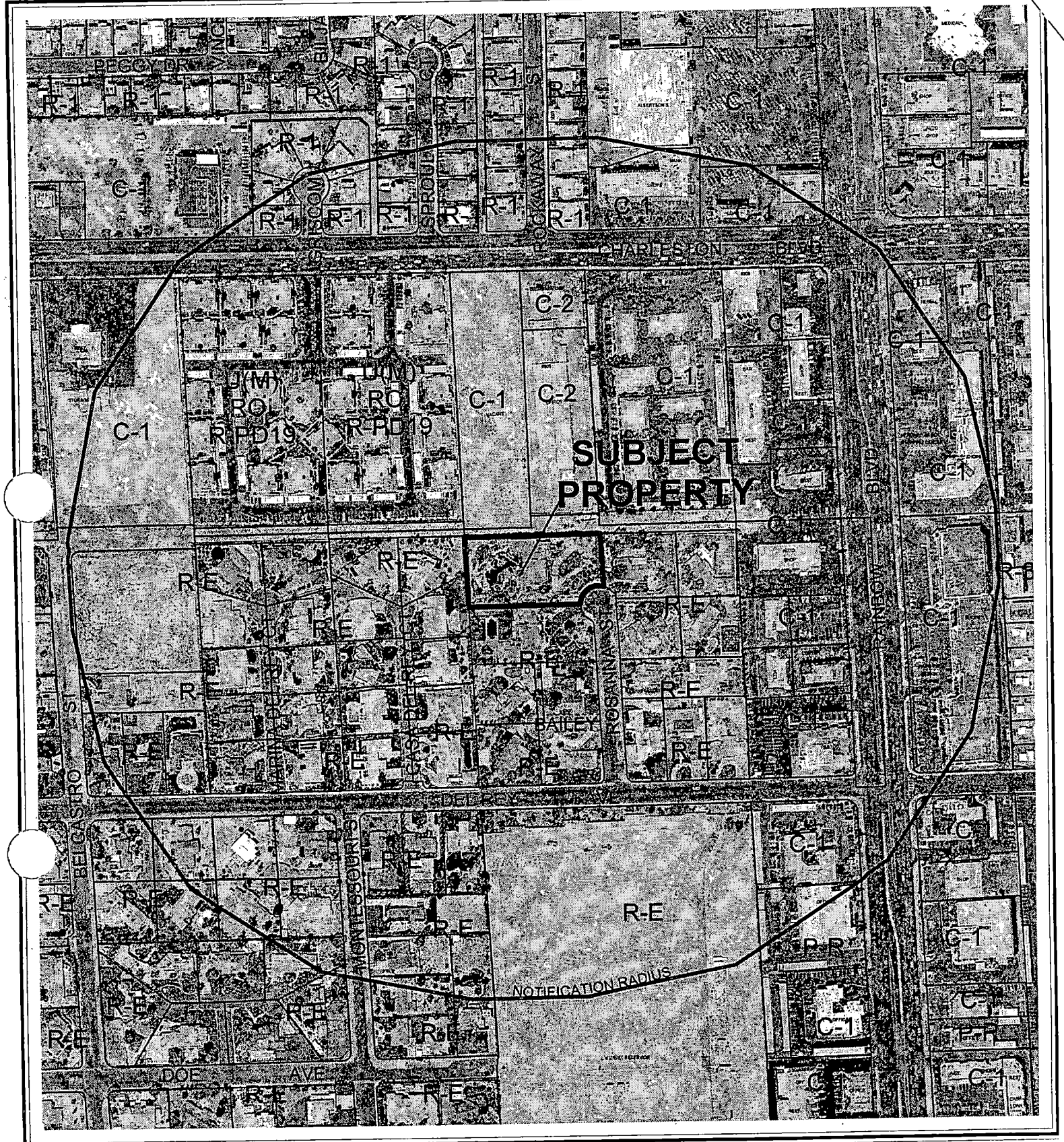


CASE: **VAR-6180**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **VAR-6180**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6180 - APPLICANT: CREATIVE DESIGN ARCHITECTURE, INC. - OWNER: JAMES E. SAYCICH AND ROSANNE C. SAYCICH

** CONDITIONS **

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

Planning and Development

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

Public Works

2. The proposed garage addition shall not be located within the existing drainage right-of-way for the Holmby Channel.

DJR

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow a proposed attached addition to an existing single-family dwelling to be two-feet nine-inches from the side property line where 10 feet is required at 1301 Rosanna Street.

B) Applicant's Justification

The applicant's justification letter states that the best location on the property for the garage addition is next to the Holmby Drainage Channel. This will not disrupt any neighboring properties.

BACKGROUND INFORMATION

A) Related Actions

1/23/96 The Board of Zoning Adjustment approved a request for a Variance (V-0180-95) for a six foot high block and wrought iron fence in the front yard area and detach accessory structures in the side yard areas.

B) Pre-Application Meeting

2/11/05 A pre-application meeting was held to discuss the Variance for the side setback for a new garage addition. Requirements for the application were discussed. In addition, Public Works indicated that a one-hour firewall will be need.

C) Neighborhood Meetings

No neighborhood meet was required or held for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area
Net Acres: 1.25

DJR

B) Existing Land Use

Subject Property: Single-Family Dwelling
North: Vacant Lot, Office
South: Single-Family Dwelling
East: Single-Family Dwelling
West: Single-Family Dwelling

C) Planned Land Use

Subject Property: Desert Rural (DR)
North: SC (Service Commercial), GC (General Commercial)
South: Desert Rural (DR)
East: Desert Rural (DR)
West: Desert Rural (DR)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: C-1 (Limited Commercial), C-2 (General Commercial)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: R-E (Residence Estates)

E) General Plan Compliance

The site is designated DR (Desert Rural) on the Southeast Sector Plan of the General Plan. The current zoning of R-E (Residence Estates) is in conformance with the General Plan.

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

No special districts, zones, or studies are related to the subject site.

DJR

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	20,000 Feet	54,687 feet	Y/N
Min. Lot Width	100 Feet		Y/N
Min. Setbacks			
• Front	50 Feet	50 feet	Y
• Side	10 Feet	2.75 feet	N
• Corner	15 Feet	50 feet	Y
• Rear	35 Feet	112 feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	2 Stories / 35 Feet	2 Stories	Y

The application needs a variance from the required side yard setback of 10 feet as only 2.75 feet are provided. The subject deviation is 73%.

B) General Analysis and Discussion

The intent of Title 19.08.020, in establishing standards for development, is to ensure that new development will not negatively impact the use and enjoyment of adjacent and neighboring properties. Although the garage addition is proposed to be next to the Holmby Drainage Channel, it will not negatively impact any adjacent properties. Title 19.08.040 (B-4d) prohibits the projection of extensions no closer than three feet from the property line when adjacent to open space. A redesign of the project would allow for a three-foot setback from the Holmby Drainage Channel.

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 attempting to overbuild the site. Alternative design or location of the garage 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 7

NOTICES MAILED 98

APPROVALS 0

PROTESTS 0

DJR

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-6180 APN: 163-03-503-011

Name of Property Owner: James & Rosanne Saylich

Name of Applicant: James & Rosanne Saylich

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: James Saylich

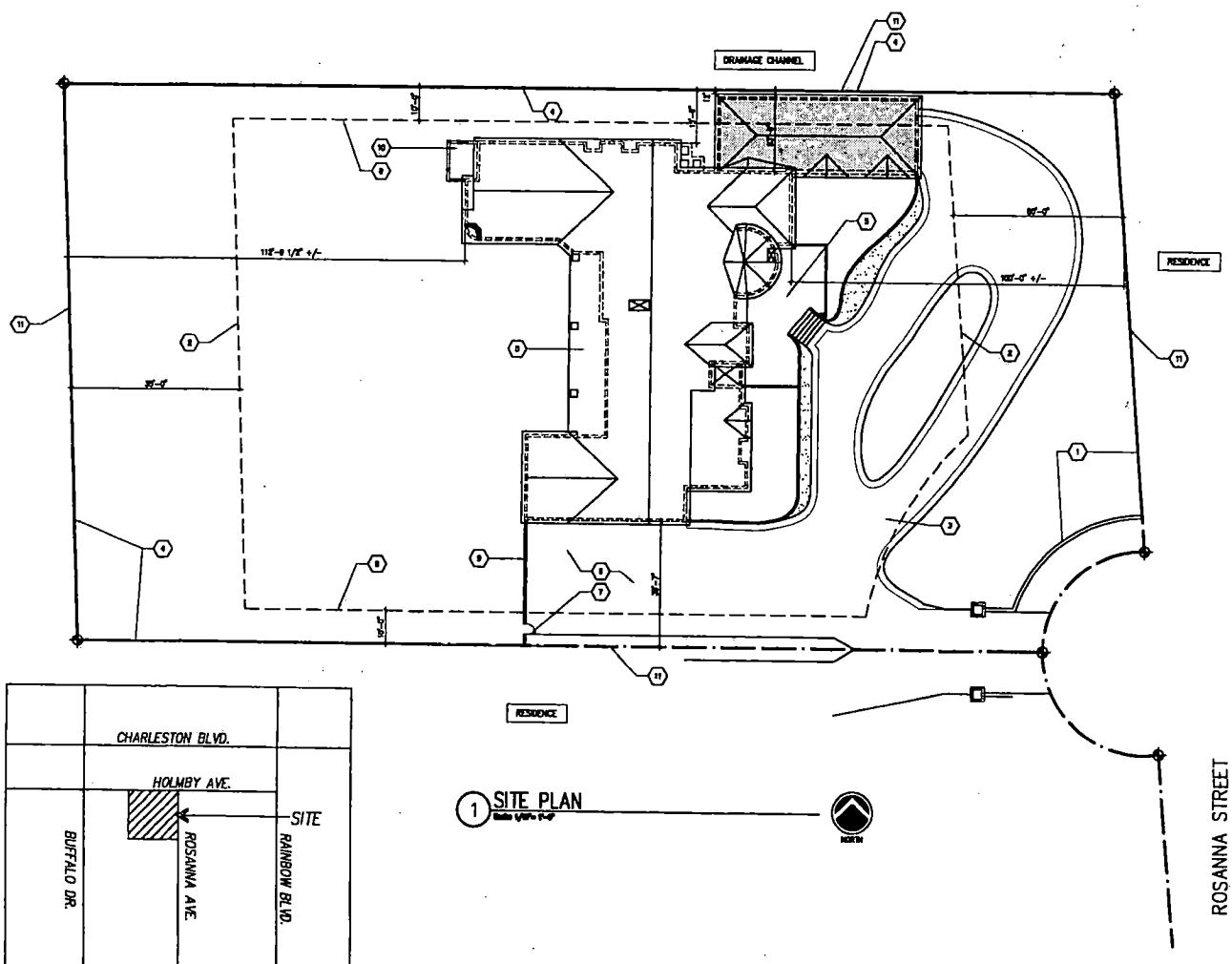
Subscribed and sworn before me

This 26th day of January, 2005

Amy Irene Barber

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
AMY IRENE BARBER
No. 99-51361-1 My Appointment Expires April 15, 2007



KEY NOTES

1. ROD IRON AND STUCCOED CMU WALL PER OWNER
2. 50'-0" FRONT YARD BUILDING SETBACK
3. CONCRETE DRIVEWAY PER OWNER
4. 6'-0" HIGH CMU BLOCK WALL, STUCCO & PAINT PER OWNER
5. PATIO
6. CONCRETE PAVED DRIVE PER OWNER
7. 3'-0" X 6'-0" HIGH ROD IRON MAN GATE PER OWNER
8. 10'-0" SIDE YARD BUILDING SETBACK
9. 6'-0" HIGH CMU BLOCK WALL (STUCCO)
10. GREENHOUSE BY OWNER
11. PROPERTY LINE

PROJECT DATA

EXISTING HOUSE= 8,499 S.F.
GARAGE ADDITION= 1,215 S.F.

APN NO.: 163-03-503-011

JIM & ROSANNE SAYCICH

1301 ROSANNA AVE.
LAS VEGAS, NEVADA

BULLETIN: 1

ISSUE DATE: 2-25-2005

Mark	Date	Description	By

JIM & ROSANNE SAYCICH GARAGE ADDITION

04-145

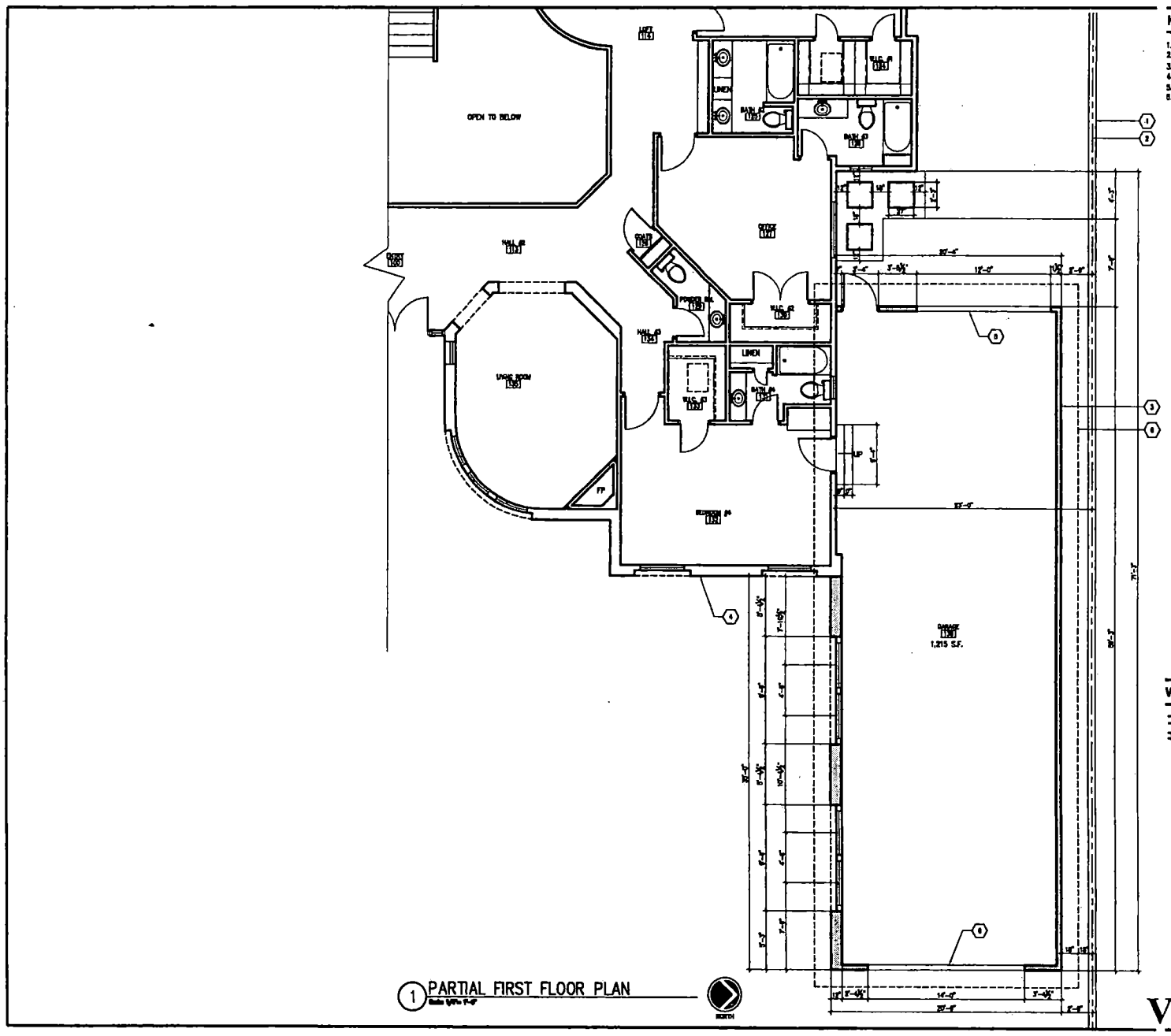
Description
SITE PLAN

CREATIVE DESIGN ARCHITECTURE, INC.

ARCHITECTURE PLANNING CONSULTING

A-1.0

VAR-6180
04-14-05 PC



1 PARTIAL FIRST FLOOR PLAN

KEY NOTES

1. EXISTING PROPERTY FENCE
2. PROPERTY LINE
3. 1-HOUR RATED WALL
4. EXISTING HOUSE
5. GARAGE DOOR
6. LINE OF ROOF OVERHANG ABOVE

WALL LEGEND

EXISTING WALL TO REMAIN

JIM & ROSANNE SAYCICH

1301 ROSANNA AVE.
LAS VEGAS, NEVADA

BULLETIN: 1

ISSUE DATE: 2-15-2005

Mark	Date & Issue Description	By

JIM & ROSANNE SAYCICH GARAGE ADDITION

Project Number
04-145

Description
FIRST FLOOR PLAN

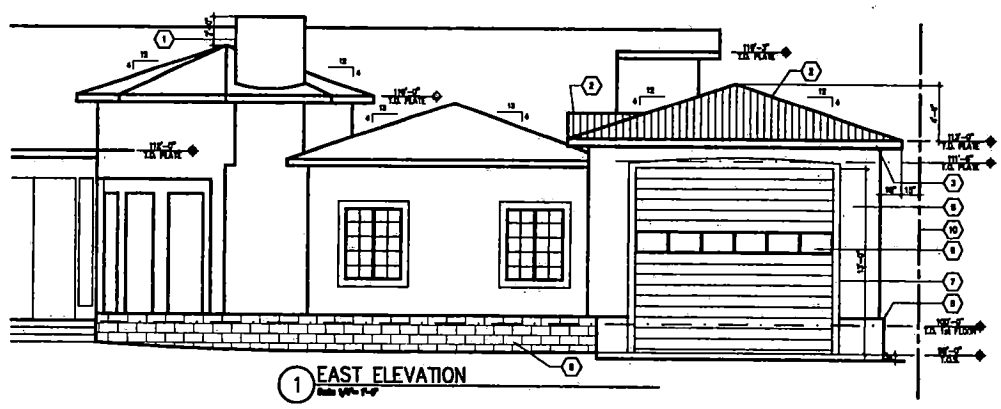
CREATIVE DESIGN ARCHITECTURE, INC.

cdai

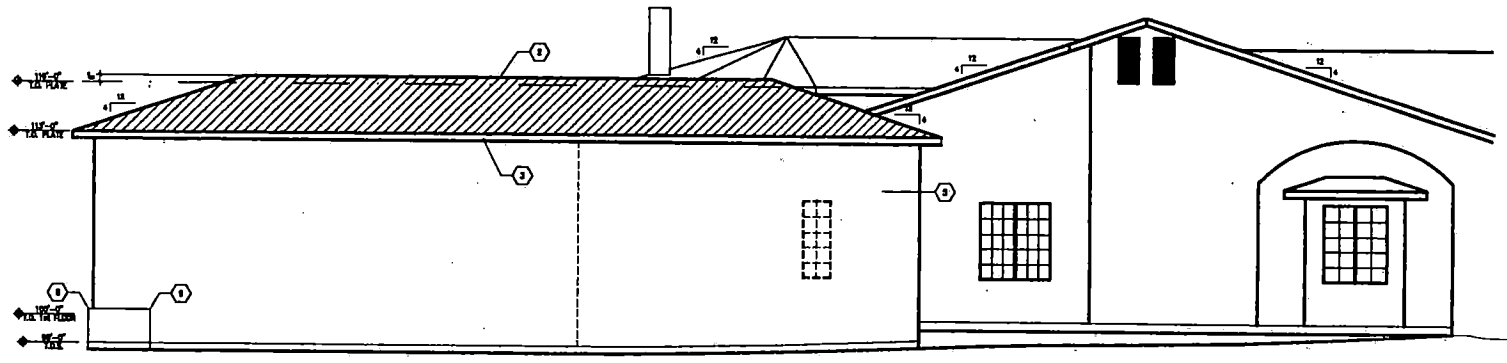
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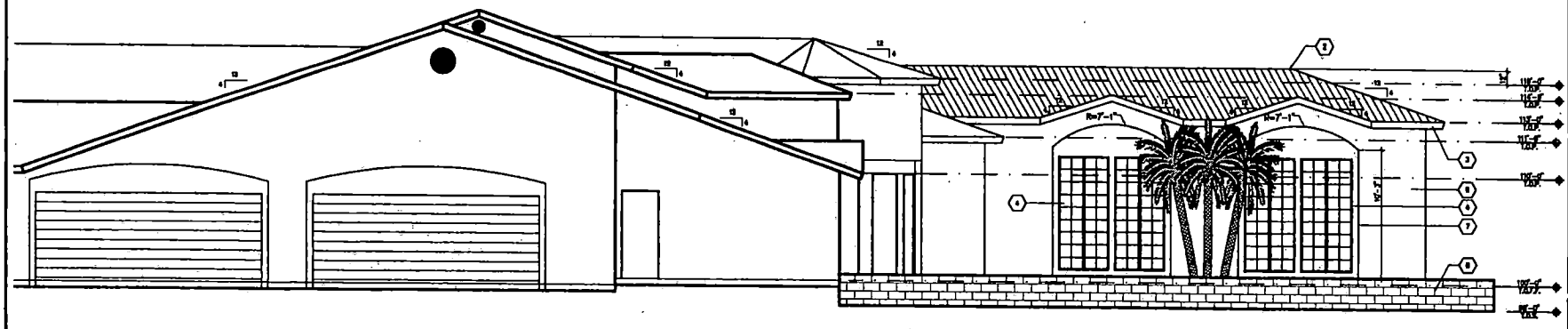
VAR-6180
04-14-05 PC



1 EAST ELEVATION



2 NORTH ELEVATION



3 SOUTH ELEVATION

KEY NOTES

1. EXISTING CHIMNEY STACK
2. NEW CLAY TILE ROOF, MATCH EXISTING
3. NEW WOOD FASCIA, PAINTED, MATCH EXISTING
4. NEW DOUBLE PANE INSULATED GLAZING/WINDOWS
5. NEW 7/8" STUCCO, MATCH EXISTING
6. NEW GARAGE DOOR WITH VISION GLASS
7. NEW POP OUT, MATCH EXISTING
8. EXISTING RETAINING WALL
9. NEW PLANTER
10. PROPERTY LINE

JIM & ROSANNE SAYCICH

1301 ROSANNA AVE.
LAS VEGAS, NEVADA

BULLETIN: 1

ISSUE DATE: 2-15-2005

JIM & ROSANNE SAYCICH GARAGE ADDITION

04-145

EXTERIOR ELEVATIONS

CREATIVE DESIGN ARCHITECTURE, INC.

ARCHITECTURE PLANNING CONSULTING

A-3.0

VAR-6180
04-14-05 PC



VAR-6180 - APPLICANT: CREATIVE DESIGN ARCHITECTURE, INC. - OWNER: JAMES E. SAYCICH AND ROSANNE C. SAYCICH
1301 ROSANNA STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



VAR-6180 - APPLICANT: CREATIVE DESIGN ARCHITECTURE, INC. - OWNER: JAMES E. SAYCICH AND ROSANNE C. SAYCICH
1301 ROSANNA STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

CREATIVE DESIGN ARCHITECTURE, INC.

JUSTIFICATION LETTER

Project: **Jim & Rosanna Saycich Garage Addition**
APN No.: 163-03-503-011

Date: February 25, 2005

Architect: Creative Design Architecture, Inc.

To: **CITY OF LAS VEGAS PLANNING & DEVELOPMENT DEPT.**

Dear Sir or Madam,

This project will consist of a new 1,215 square foot garage addition to an existing house. The primary use for this garage addition will be a residential garage. It was added on the northern property line due to the fact that the drainage channel exists in that area. In addition, this location will not disrupt any neighboring properties.

The new garage will be constructed with the same building materials as the existing house, and will add to the architectural detailing of the overall home and make it seem as though it is not really a garage. A clay tile roof will be used and will match the color of the existing house. In addition, stucco and stucco popouts used will match the existing house itself and will be matched in color. Also, new large windows will be added to give architectural detailing and interest to the home, as well as natural light to the space. The garage doors will match the existing garage doors, but will have vision glass to add aesthetic interest. Finally, the planter that is added to the garage addition will complement the existing landscaping and help match the meditteranean style of the exterior of the house.

We feel this addition, even though it intrudes into the setback, is the best location on the property because it is next to a drainage channel and doesn't disrupt any neighboring properties. We also feel that the architectural details, materials, and colors of the garage addition enhance and match the look of the existing home.

Please call me at (702) 256-6663 if you have any questions.

Sincerely,

Rami I. Atout, AIA, NCARB
President

VAR-6180

City of Las Vegas

Agenda Item No.: 49

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

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

MINUTES:
CHAIRMAN NIGRO declared the public hearing open on Item 49 [SUP-6198] and Item 50 [SDR-6200].

DOUG RANKIN, Planning and Development, gave an overview of the applications. He pointed out that the proposed development is exempt from the automatic application of parking requirements due to its location within the boundaries of the Downtown Centennial Plan area. The existing building covers most of the property, so no parking can be provided on the site. The applicant has signed an agreement with the property owner at 818 Main Street, allowing the use of up to eight parking spaces for the proposed redevelopment of the subject property. In addition, there are on-street parking spaces immediately abutting the site, but they cannot be counted towards the parking requirement for the property. MR. RANKIN continued by stating

MINUTES – Continued:
that staff recommended approval, including the waiver request, due to the constraints of the right-of-way along Main Street.

KEVIN GOUVEIA, Swisher & Hall Architects, 7373 Peak Drive, Ste. 250, Las Vegas, NV 89128, appeared on behalf of the applicant. He requested clarification on Condition 6 of Item 50, being that there are no existing streetlights in front of the subject site. FLYNN FAGG, Planning and Development, responded that the requirement is to implement the streetscape that is currently on Fourth Street, which includes light fixtures to be placed in the streetscape. The requirement is placed upon all redevelopment properties located within the Downtown Centennial Plan area. The actual location and spacing of the street fixtures is determined by the Department of Public Works. MR. GOUVEIA confirmed that the parking issue has been eliminated and staff has received documentation.

In addition, MR. GOUVEIA questioned Condition 14 of Item 50 regarding the required dedicated five-foot right-of-way. The applicant discussed this with staff during the pre-application meeting. In order to meet this requirement, the applicant would have to delete three feet of the front of the building.

TODD FARLOW, 240 N. 19th Street, asked if the proposed development was Art related, being that it is located within the Arts District. MR. GOUVEIA responded that the proposed development would be a commercial furniture showroom, and the business would provide services to the City of Las Vegas, Clark County and other municipal entities. In addition, a LEED's (Leadership in Energy and Environmental Design) certification is pending, as the subject site is an old auto repair garage with heating floors.

MR. GOUVEIA confirmed for VICE CHAIRMAN TRUESDELL that an environmental study was done, and the results were favorable. There were no issues with underground hoist and leakage. VICE CHAIRMAN TRUESDELL liked the live/work concept of the proposed development.

COMMISSIONER McSWAIN complimented the applicant on being creative relative to the use and the available space. MR. GOUVEIA concurred with staff's conditions, including the amended condition.

MARGO WHEELER, Planning and Development, read into record the revision on Condition 6 of Item 50.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 49 – SUP-6198

MINUTES – Continued:
CHAIRMAN NIGRO declared the public hearing closed on Item 49 [SUP-6198] and Item 50 [SDR-6200].

(9:08 – 9:18)
2-3182

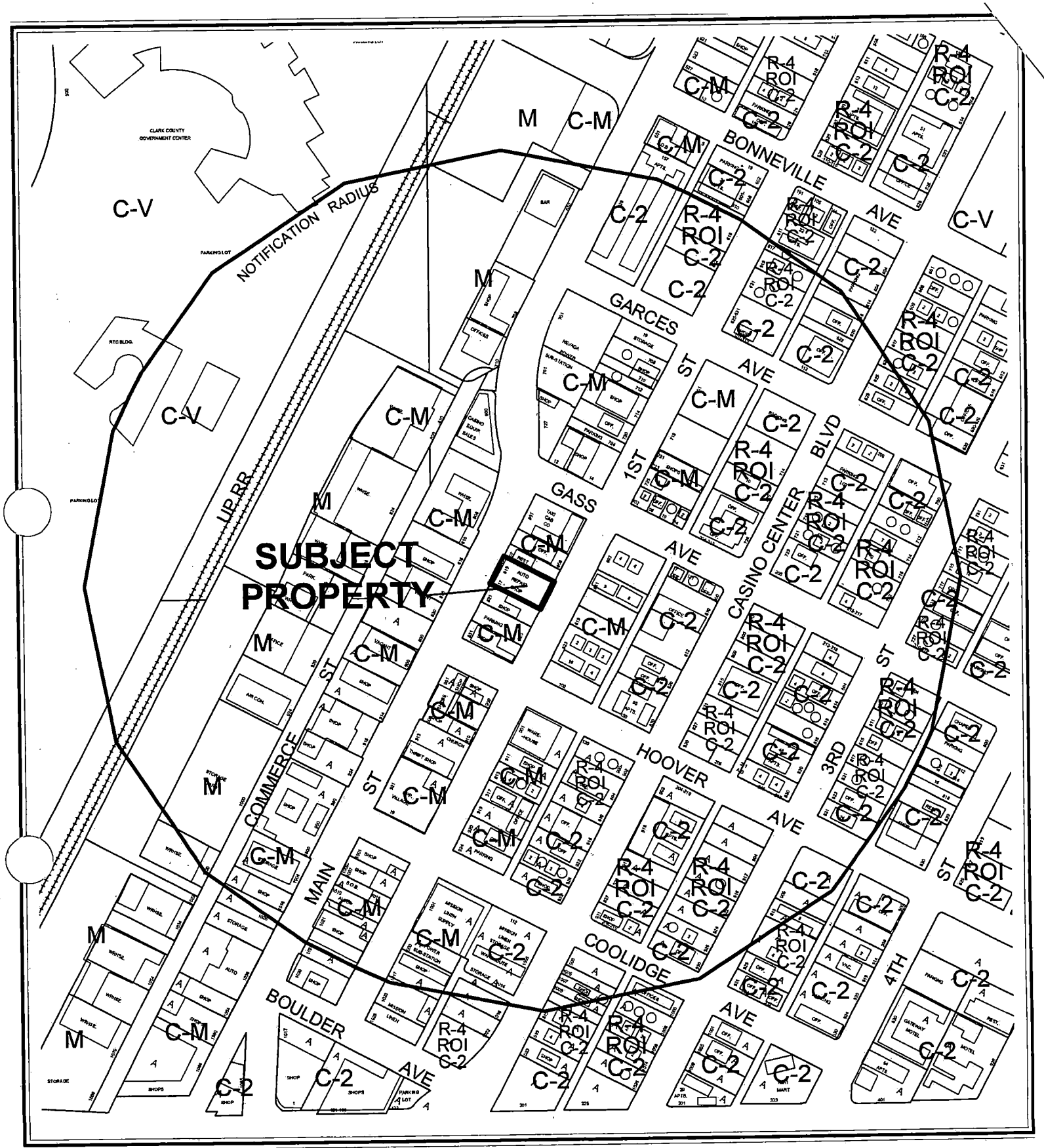
CONDITIONS:
Planning and Development

1. Conformance to all minimum requirements listed under Title 19.06.130 for the Live/Work use, including the provision of full kitchen facilities in the residential unit.

2. Approval of and conformance to the Conditions of Approval of Site Development Plan Review SDR-6200.

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 City Council.

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



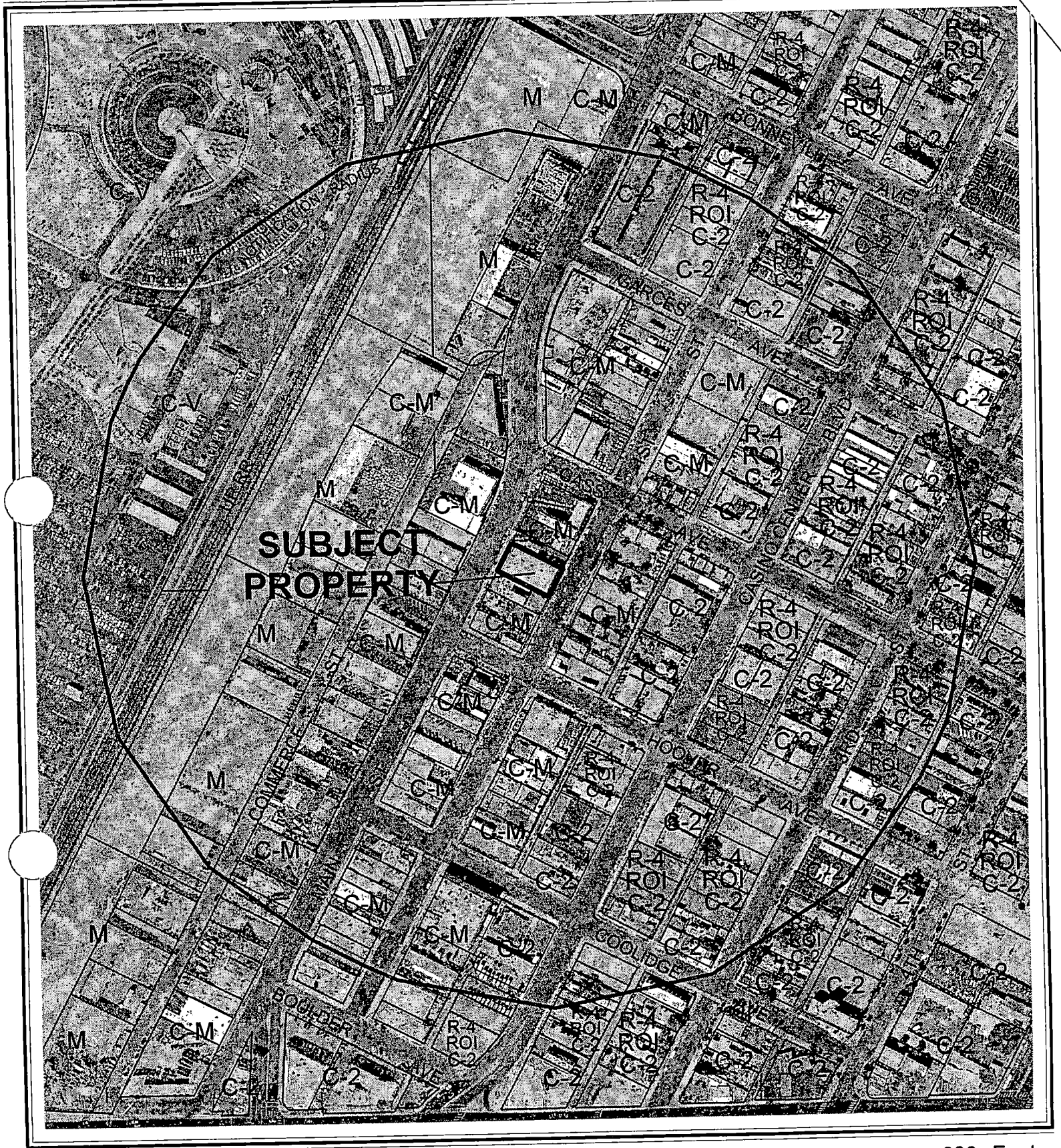
0 300 600 Feet

CASE: **SUP-6198**

RADIUS: 1000 FT

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

N



CASE: **SUP-6198**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6198 - APPLICANT/OWNER: KENAVO, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to all minimum requirements listed under Title 19.06.130 for the Live/Work use, including the provision of full kitchen facilities in the residential unit.

2. Approval of and conformance to the Conditions of Approval of Site Development Plan Review SDR-6200.

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 City Council.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a live/work unit within an existing building at 815 and 817 South Main Street. A Site Development Plan Review (SDR-6200) application has been submitted concurrently with this request.

B) Applicant's Justification

The applicant states that the project will revitalize an older part of the city of Las Vegas and is in keeping with the spirit and intention of the City of Las Vegas Redevelopment Area guidelines.

BACKGROUND INFORMATION

A) Related Actions

12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).

04/14/05 The Planning Commission will consider a Site Development Plan Review (SDR-6200) concurrently with the Special Use Permit application to allow the live/work use on the subject property.

B) Pre-Application Meeting

02/14/05 At the pre-application conference, it was noted that the applicant would need to provide a parking analysis to address the lack of on-site parking spaces, and issues were discussed relative to the Centennial Plan streetscape requirements and the conditions of the existing right-of-way.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.24

B) Existing Land Use

Subject Property:	Auto Repair Use
North:	Restaurant Use
South:	Retail Use
East:	Undeveloped
West:	Retail Use
	Warehouse Use

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-M (Commercial/Industrial District)
North:	C-M (Commercial/Industrial District)
South:	C-M (Commercial/Industrial District)
East:	C-M (Commercial/Industrial District)
West:	C-M (Commercial/Industrial District)

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 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 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 Downtown South District. The district is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The development 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	10,678		
Residential	1 Unit		
Total:		0	0

As the existing building covers almost all of the property, no parking can be provided on the site. The applicant has signed an agreement with the property owner at 818 Main Street, allowing the use of up to eight parking spaces for the proposed redevelopment of the subject property. In addition, the applicant has noted that there are on-street parking spaces immediately abutting the site, although they cannot be counted towards the parking requirement for the property.

Public Works has noted no major issues relative to traffic and circulation for the proposed development.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Live/Work use.

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

Standards	Required	Requested	Compliance
Zoning	C-1, C-2, C-M, M	C-M	Y
Nonresidential Uses	Office Desktop publishing Arts activities	Office	Y
Residential Uses	Limited to 50% of unit area	10% of unit area	Y
Minimum Residential Facilities	Sleeping space Cooking facilities Sanitary facilities	Bedroom(s) Kitchen Bathroom(s)	Y

The proposed development will comply with the zoning and use requirements specific to the Live/Work regulations. No kitchen facility for the residential unit is shown on the proposed floor plan; a kitchen will be required as a Condition of Approval.

B) General Analysis and Discussion

- Zoning

  Live/work developments require the approval of a Special Use Permit and must be located within the boundaries of the Live/Work Overlay District as defined in Title 19.06. The subject property is located within the Overlay boundaries.

- Use

  Live/Work units are intended to allow owners and operators of businesses to occupy joint living and work quarters in commercial and industrial areas where other types of residential uses are inappropriate. Allowing Live/Work units will contribute to the vitality of the immediate area, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the city. The Live/Work ordinance requires all proposed Live/Work units located outside of the Arts District of the Centennial Plan area to obtain approval by means of a Special Use Permit.

- Conditions

  1. Live/Work units may be located in the C-1, C-2, C-M, and M Zoning Districts only.

  2. Permissible Non-residential uses:

  Office uses (excluding medical office)
  Desktop Publishing
  Arts activities, excluding any activity that involves welding or open flame work; Art sales are permitted as an ancillary use.

3. The residential component of a Live/Work unit must contain sleeping space, cooking facilities, and complete sanitary facilities. No more than 50 percent of the total floor area shall be used for residential purposes.

4. Live/Work units shall be clearly identified by signage in order to facilitate access for emergency services. The amount of onsite parking shall be calculated in accordance with Chapter 19.10, based upon the gross square footage of the unit and the nonresidential uses occurring within.

5. Permissible signage shall be in accordance with the requirements and limitations of Chapter 19.14 and those that pertain to any other overlay district in which the property is located.

The proposal is generally in conformance with these base conditions of approval; no kitchen is shown on the floor plan of the residential unit, and will need to be provided in order to comply with the base conditions.

FINDINGS

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

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

   The proposed live/work development will be compatible with the adjacent commercial and residential uses, and can be utilized in a manner that is harmonious and compatible with the existing surrounding land uses, and with future surrounding land uses as project by the General Plan.

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

   The subject site is physically suitable for the type and intensity of the proposed live/work development.

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

   The site will have pedestrian access from Main Street, and access for deliveries from First Street. Both streets are can adequately serve the traffic generated by 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 development is in compliance with the objectives of the General Plan, and will be subject to ongoing inspections that will protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 137 – Mailed with SDR-6200

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-6198 APN: 139344100~~23~~ 01

Name of Property Owner: KENAVO LLC

Name of Applicant: QUENTIN ABRAMO

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: 139344100~~23~~ 01

Signature of Property Owner: Quentin Abramo

Print Name: QUENTIN ABRAMO

Subscribed and sworn before me

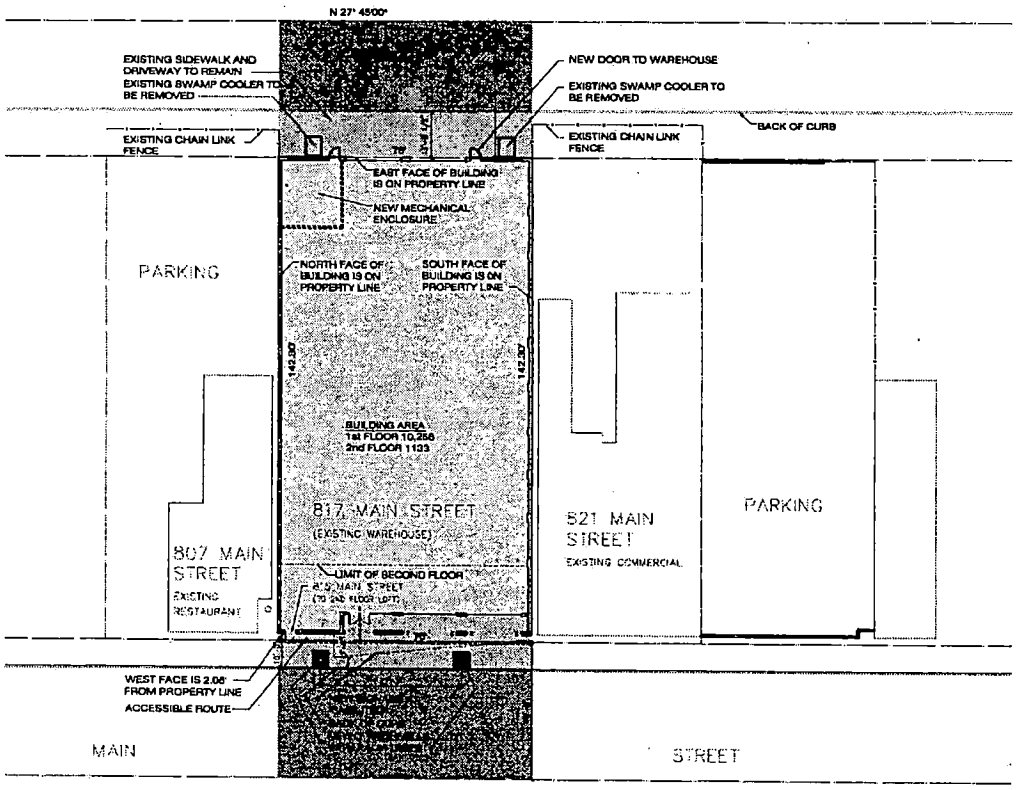
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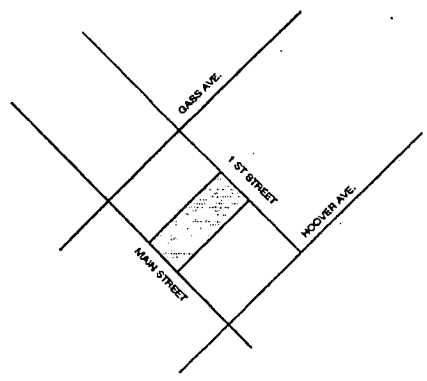
Caroline L Torriente Maricopa Az
Notary Public in and for said County and State

CAROLINE TORRIENTE NOTARY PUBLIC MARICOPA CTY, AZ

WAREHOUSE CONVERSION

FACILITEQ





SITE PLAN

JOB NO.: 04006
FEBRUARY 24, 2005

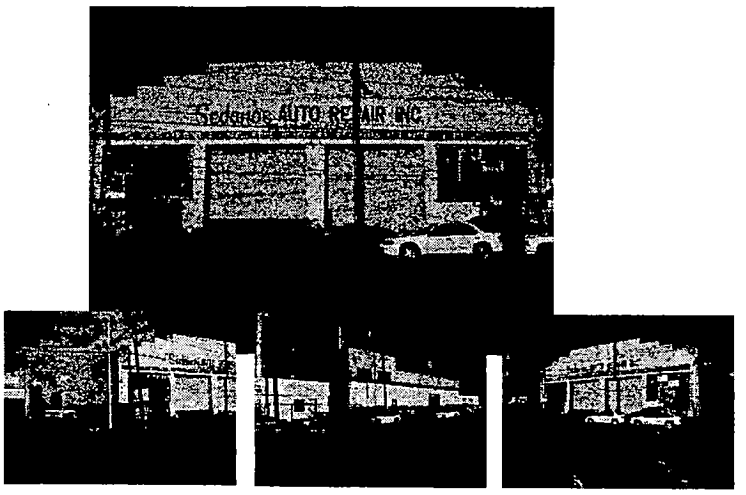
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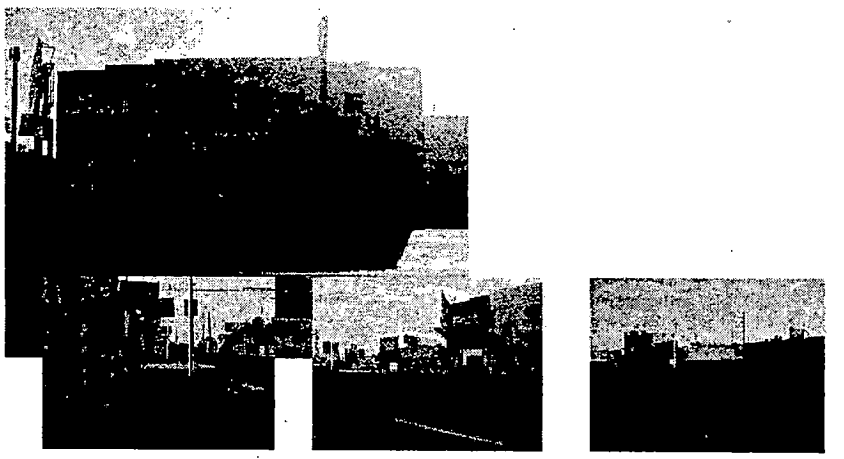
SUP-6198
SDR-6200
04-14-05 PC

SWISHER & HALL AIA, LIMITED
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7373 PEAK DRIVE, SUITE 250
LAS VEGAS, NEVADA 89128
TEL 702.363.2222 FAX 702.363.6066
www.swisherhall.com

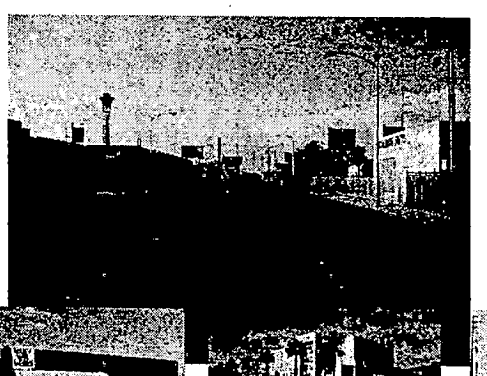
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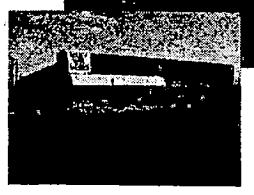
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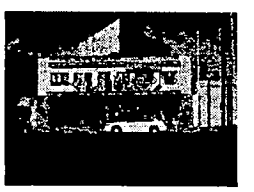






IMAGE BOARD

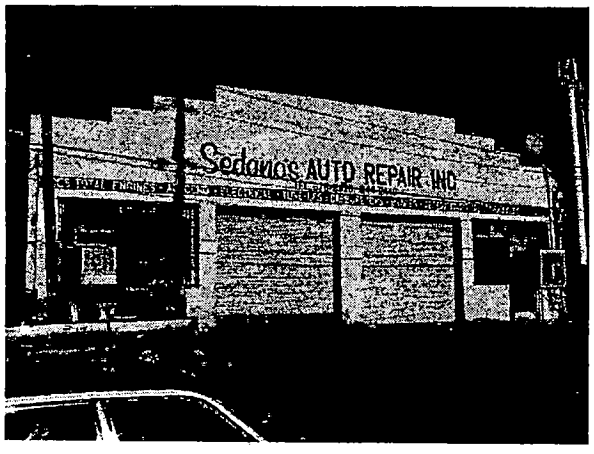
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RESUBMITTAL OF SITE

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LAS VEGAS, NEVADA 89128
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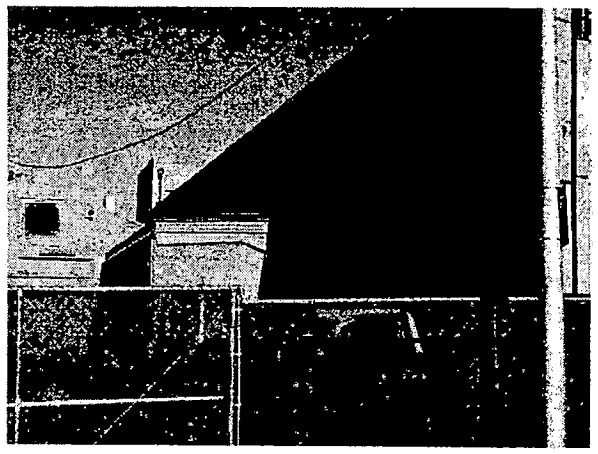
SUP-6198
SDR-6200
04-14-05 PC

WAREHOUSE CONVERSION

FACILITEQ



FIRST STREET FACADE



SOUTH ELEVATION



MAIN STREET FACADE



NORTH ELEVAATION

BUILDING ELEVATIONS

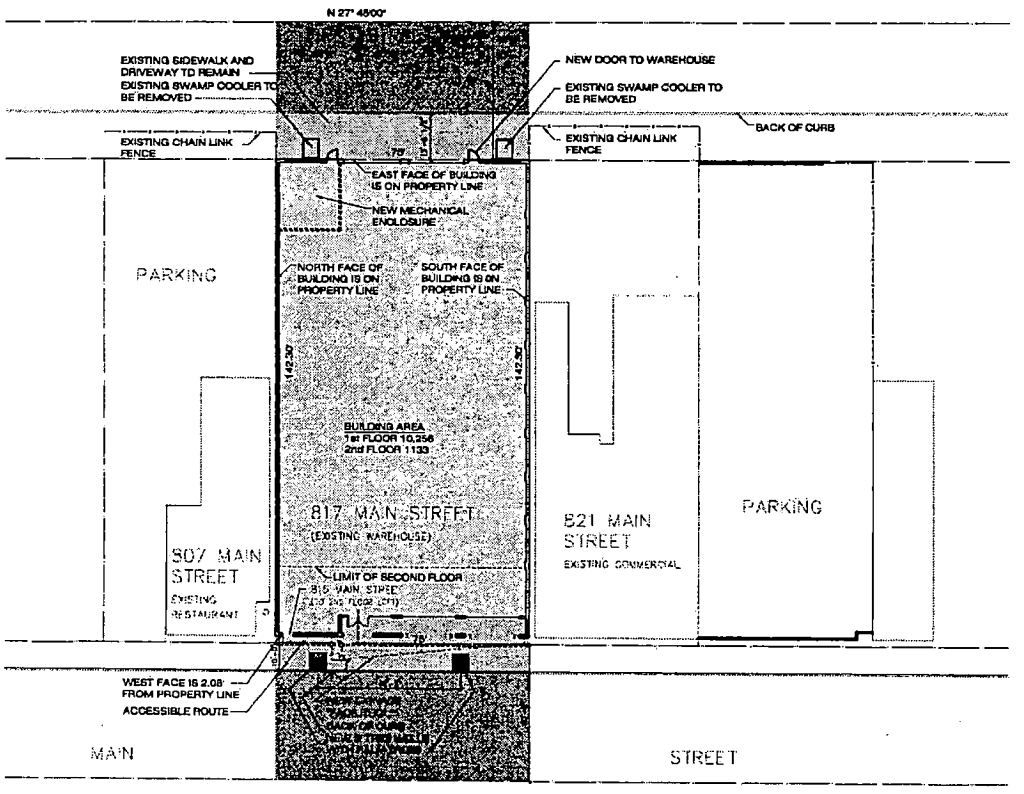
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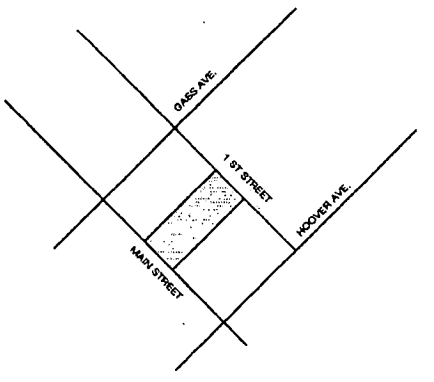
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SDR-6200
04-14-05 PC

WAREHOUSE CONVERSION

FACILITEQ





SITE PLAN

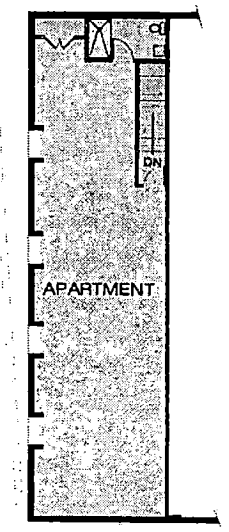
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LIMITED

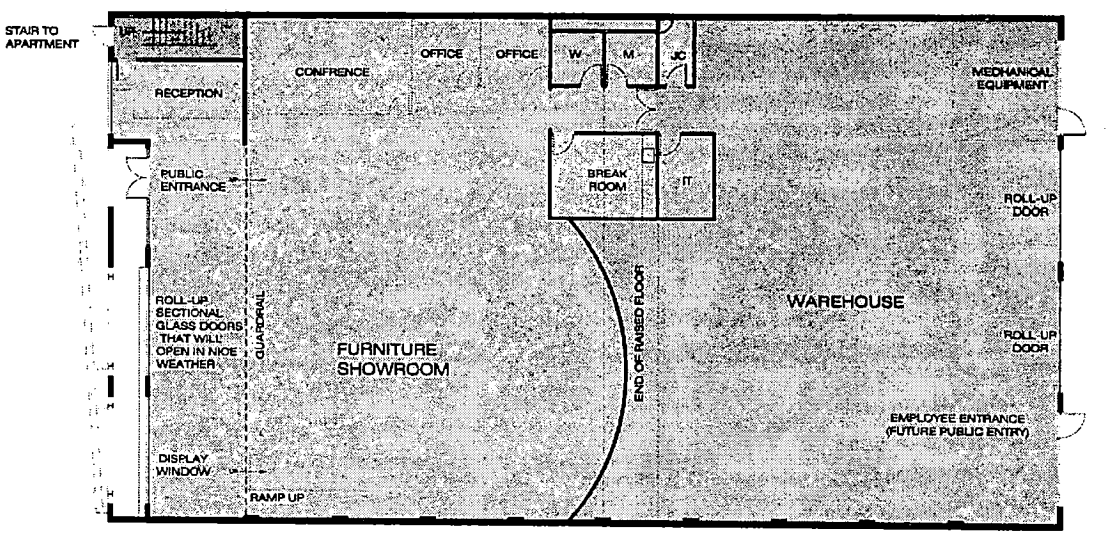
SUP-6198
SDR-6200
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WAREHOUSE CONVERSION

FACILITEQ



SECOND FLOOR



FIRST FLOOR

PLAN

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SUP-6198
SDR-6200
04-14-05 PC

WAREHOUSE CONVERSION

FACILITEQ



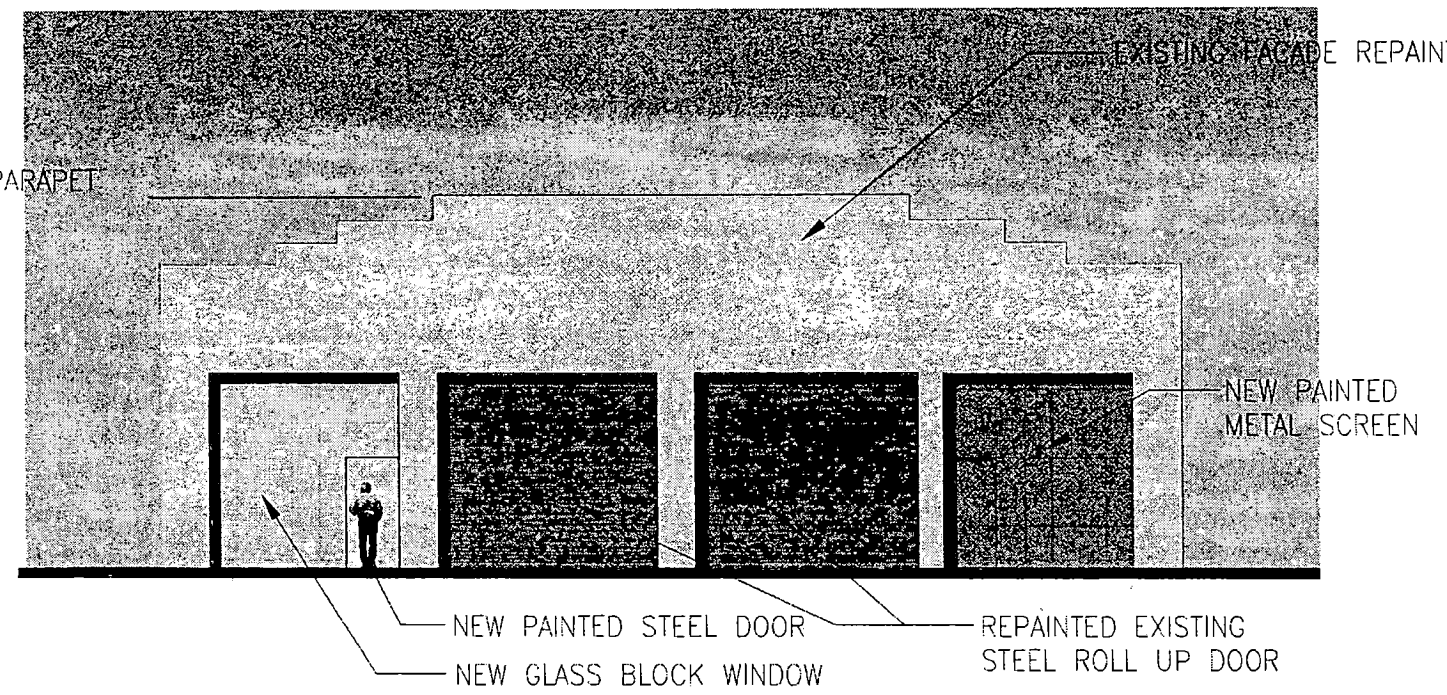
MAIN ST ELEVATION

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LAS VEGAS, NEVADA 89128
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SUP-6198
SDR-6200
04-14-05 PC

WAREHOUSE CONVERSION

FACILITEQ

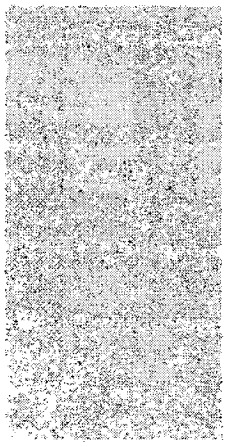


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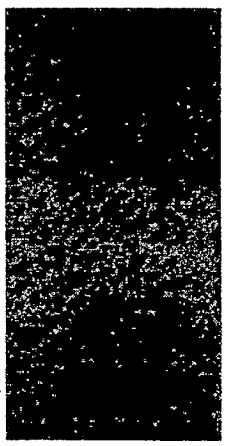
SUP-6198
SDR-6200
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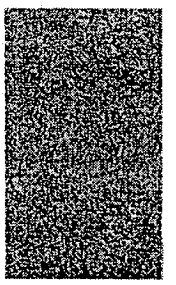
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FACILITEQ



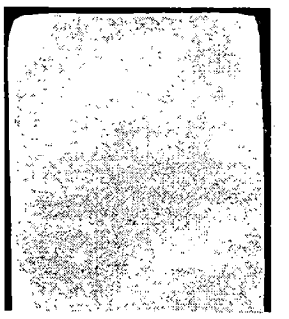
NEW EXTERIOR FACADE COLOR



EXTERIOR ACCENT COLOR



WINDOW AND DOOR FRAMES



WINDOW GLASS

COLORS AND MATERIALS

SUP NO. SUP06
FEBRUARY 17 2005

SUP-6198
SDR-6200
04-14-05 PC

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February. 25, 2005

Planning & Development Department
City of Las Vegas

Re: Justification Letter for **Special Use Permit**
FACILITEQ Showroom – Warehouse Conversion – Apartment Unit (Live-Work)
APN: 139-34-410-001

PROJECT NUMBER: *040074*

To whom it may concern:

We are pleased to submit with our application for Special Use Permit this justification letter that describes the conversion of the old "Sedano Auto Repair" garage located at 817 South Main Street into the new showroom for FACILITEQ and renovate the existing apartment unit at 815 South Main Street (2nd floor). The project is located at approximately the middle of the 800 block on the East side on Main Street just a little South of Gass Avenue. This existing warehouse / garage was built in 1946 and is located in the City of Las Vegas Downtown Redevelopment Area.

ZONING: "The current zoning for the subject property is CM. The "General Plan" for this entire block and adjacent properties along Main Street and First Street is MXU = Mixed Use. Current zoning regulations allow a "LIVE – WORK" situation under the current CM zoning by application for a SUP=Special Use Permit." CLV staff concurred that the "Furniture Showroom" would be allowed. The Owner of FACILITEQ, who has offices in Phoenix and California, will be the primary user of this "Loft Space" apartment.

PARKING: The Parking Standards for this project falls under the "Downtown Centennial Plan" and is calculated at 1:500. However, since the existing building occupies the entire site ... no on-site parking is available. Based upon the 10,678 s.f. building the parking requirements would be 22 spaces. We thereby request a waiver to the parking standards based upon these existing site limitations. Since the new use for the facility will be a "Commercial Office Furniture Showroom and Warehouse", the Owner calculates that he will only need four parking spaces for employees. To assist with the parking requirements the Owner of FACILITEQ has made an agreement with the property Owner at 818 South Main Street (across the street) for the use of 8 existing parking spaces if needed. There are also 3 "On-Street" parking spaces on Main Street. One Parking space across the street will be allocated for the "Apartment Use".

We hope that you find our application for this project and our interest in revitalizing this older part of Las Vegas in keeping with the spirit and intention of the City of Las Vegas Redevelopment Area guidelines. If you have any questions regarding this application please contact me at my office below.

Sincerely,

Kevin Gouveia
Project Director

Swisher & Hall AIA, LTD.
7373 Peak Drive, Suite 250
Las Vegas, NV 89128
phone (702) 363-2222 x **261** fax (702) 363-6060 Email: kgouveia@swisherhall.com

Website: www.swisherhall.com

ARCHITECTURE AND PLANNING
7373 PEAK DRIVE, SUITE 250
LAS VEGAS, NV. 89128
702.363.2222
Fax 702.363.6060
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SUP-6198

City of Las Vegas

Agenda Item No.: 50

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

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).

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:
McSWAIN – APPROVED subject to conditions and amending the following condition:
6. ***If required*, 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.**

– UNANIMOUS

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

MINUTES:
See Item 49 [SUP-6198] for all related discussion on Item 49 [SUP-6198] and Item 50 [SDR-6200].

(9:08 – 9:18)

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 50 – SDR-6200

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-6198) to allow the live/work use approved by the City Council.

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

3. All development shall be in conformance with the site plan and building elevations, dated stamped 03/01/05, except as amended by conditions herein.

4. The Waiver from the Downtown Centennial Plan streetscape requirements is hereby approved, based on the existing conditions and constraints of the public rights-of-way abutting the property.

5. The required landscaping and a permanent underground sprinkler system for the landscape materials 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.

6. 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.

7. The applicant shall enter into a parking agreement to provide off-street parking spaces on a nearby property, subject to review and approval by the Planning and Development Department, prior to the issuance of a building permit.

8. 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).

CONDITIONS – Continued:

9. 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.

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

11. 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. Signage for the development shall be permitted in conformance with the requirements of Title 19.14.

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

Public Works

14. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Main Street adjacent to this site prior to the issuance of any permits. Coordinate with the Right-of-way Section of the Department of Public Works for assistance in preparing the appropriate documents. This condition will not be enforced if it is proven that existing structures within the requested area are present and expected to remain within the requested area.

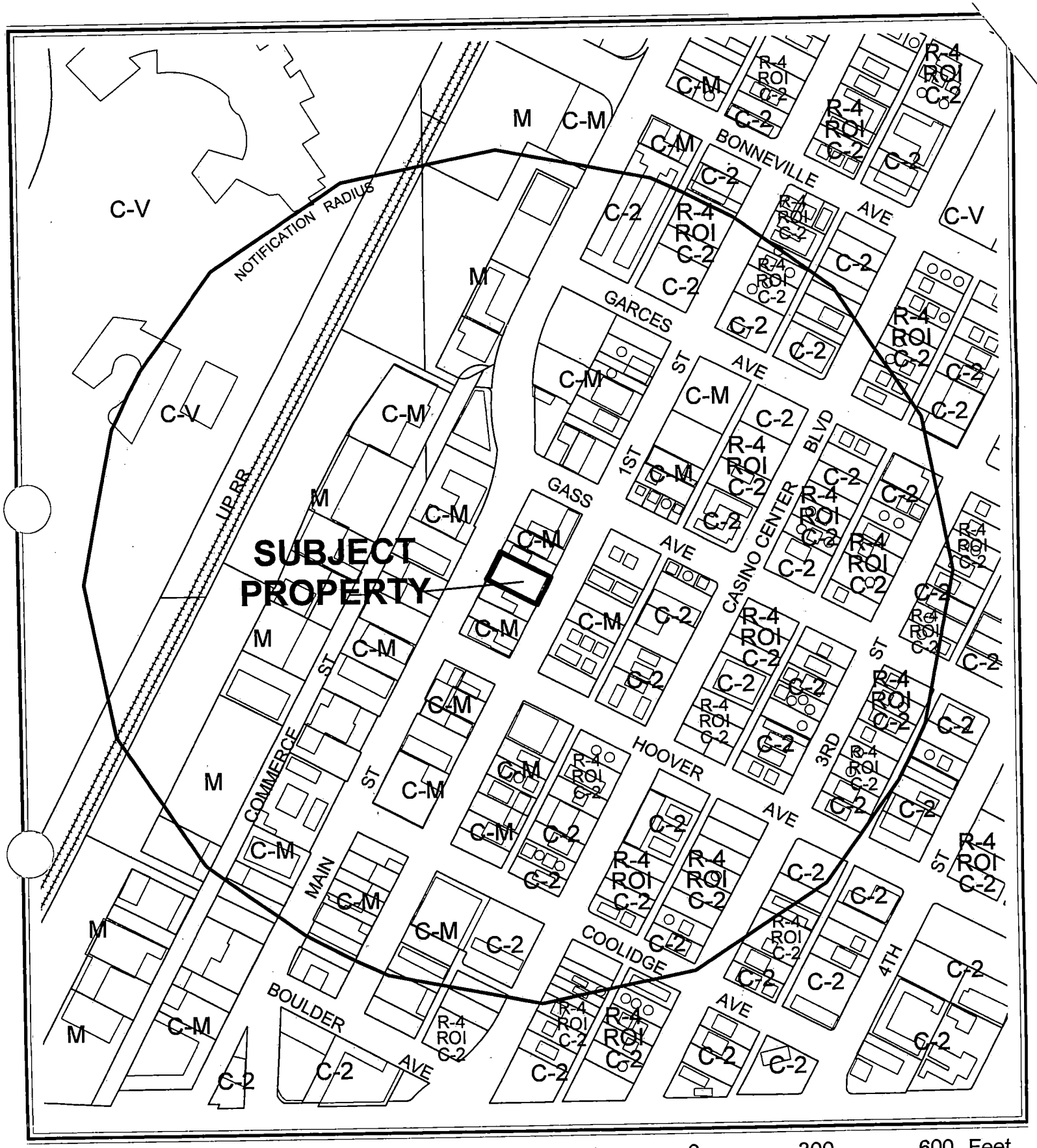
15. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Standards concurrent with development of this site.

17. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.

CONDITIONS – Continued:

18. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site. No awnings, signs, or billboards are allowed to encroach within or over the public rights-of-way.



CASE: **SDR-6200**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6200 - APPLICANT/OWNER: KENAVO, LLC

** CONDITIONS **

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

Planning and Development

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a live/work development within an existing building, including 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. An associated Special Use Permit (SUP-6198) to allow the live/work unit will be considered concurrently with this application.

B) Applicant's Justification

The applicant states that the project will revitalize an older part of the city of Las Vegas and is in keeping with the spirit and intention of the City of Las Vegas Redevelopment Area guidelines. It is also noted that the combination of on-street parking spaces and the agreement for off-site parking will accommodate the parking needs for the remodeling of the property.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
04/14/05	The Planning Commission will consider a Special Use Permit (SUP-6198) concurrently with the Site Development Plan Review application to allow the live/work use on the subject property.

B) Pre-Application Meeting

02/14/05	At the pre-application conference, it was noted that the applicant would need to provide a parking analysis to address the lack of on-site parking spaces, and issues were discussed relative to the Centennial Plan streetscape requirements and the conditions of the existing right-of-way.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.24

B) Existing Land Use

Subject Property:	Auto Repair Use
North:	Restaurant Use
South:	Retail Use
East:	Undeveloped
West:	Retail Use
	Warehouse Use

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-M (Commercial/Industrial District)
North:	C-M (Commercial/Industrial District)
South:	C-M (Commercial/Industrial District)
East:	C-M (Commercial/Industrial District)
West:	C-M (Commercial/Industrial District)

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 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 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 Downtown South District. The district is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

PROJECT DESCRIPTION

The proposed development will result in the remodeling of the existing structure, with a 10,678 square foot commercial space on the ground floor of the building, and a residential unit for the owner of the building on the second floor. The industrial character of the exterior of the building will be retained; new storefront window systems and roll-up doors will be installed in the existing openings, and a new canopy will be installed at the front of the building on Main Street to provide shading and visual interest. Palm trees will be installed in the Main Street right-of-way as required by the Downtown Centennial Plan, and the existing encroachments in the First Street right-of-way will be removed.

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	0.24 Acres	N/A
Min. Lot Width	N/A	75 Feet	N/A
Min. Setbacks • Front (Main) • Front (First) • Side	 0 Feet 0 Feet N/A	 2 Feet 0 Feet 0 Feet	 N Y N/A
Max. Lot Coverage	Up to 100%	99%	Y
Max. Building Height	N/A	28 Feet	N/A
Trash Enclosure	Walled/roofed	Interior	Y
Loading Zone	1	Interior	Y
Mech. Equipment	Screened	Screened	Screened

The existing structure generally conforms with the zoning requirements of the Centennial Plan, with the exception of the setback along Main Street. As the placement of the building is an existing condition, no zoning action or Waiver is necessary.

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 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	10,678		
Residential	1 Unit		
Total:		0	0

FF

As the existing building covers almost all of the property, no parking can be provided on the site. The applicant has signed an agreement with the property owner at 818 Main Street, allowing the use of up to eight parking spaces for the proposed redevelopment of the subject property. In addition, the applicant has noted that there are on-street parking spaces immediately abutting the site, although they cannot be counted towards the parking requirement for the property.

Public Works has noted no major issues relative to traffic and circulation for the proposed development.

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**
North/South Street Main Street	1 Palm Tree @ 35' o.c. max. (min. 25' height)	2 Trees	2 Trees
North/South Street First Street	1 Palm Tree @ 35' o.c. max. (min. 25' height)	2 Trees	0 Trees
Sidewalk	11' Sidewalk		Main: 10' First: 13'

The required number of palm trees will be installed in the Main Street right-of-way adjacent to the building, but will exceed the maximum spacing stipulated by the Downtown Centennial Plan. The existing sidewalk does not conform to the minimum width specified in the Centennial Plan, and there is insufficient area for a landscape amenity zone. No trees are to be provided along the First Street frontage, as the existing driveway extends most of the width of the property and there are encroachments on the abutting properties that prevent the installation of the proper streetscape treatment.

A5) Sign Standards

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

Marquee Sign: Main Street Elevation		
Standards	**Allowed**	**Provided**
Maximum Number	1/Building elevation 2 total	1/Main Street 1 total

Maximum Area	20%/building elevation	3%/building elevation
Maximum Height	Shall not extend beyond top or sides of building	Does not extend beyond top or sides of building
Minimum Clearance	8'	13'
Maximum Projection	No more than 3' behind curb	3' behind curb
Illumination	Internal/External	Not indicated

The proposed marquee sign is consistent with the requirements of Title 19.14. Signage will be addressed under a separate permit.

B) General Analysis and Discussion

- Zoning

The proposed commercial use is permitted in the C-M (Commercial/Industrial) district by right; the residential unit is permitted upon approval of a Special Use Permit. A separate Special Use Permit application (SUP-6188) has been filed concurrently with this Site Development Plan Review application.

The structure generally conforms with the development standards of the Downtown Centennial Plan; as previously noted, the existing structure is not located directly on the front property line as required by the Centennial Plan.

- Site Plan

The existing building covers nearly all of the site, and no on-site parking will be available. The applicant has noted the availability of on-street parking and has signed an agreement with an adjacent property owner for the provision of off-street parking spaces. At a minimum, the applicant should obtain at least one off-site parking space for the residential unit that will be part of the development. Deliveries for the commercial use will be made from First Street; the existing driveway and parking bays will be retained along that frontage specifically to accommodate the delivery of materials. Existing mechanical equipment for the structure currently encroaches the First Street right-of-way, and will be removed as part of the remodeling of the property. Trash facilities for the use will be incorporated within the structure, as will any new mechanical equipment.

- Waivers

  The applicant has requested a Waiver from the Downtown Centennial Plan requirement for streetscape requirements in order to allow a reduced sidewalk width and greater spacing of the street trees along the Main Street frontage, and to not require the installation of landscaping along the First Street frontage. Staff recommends approval of the Waiver request due to the constrained right-of-way along the Main Street frontage and condition of the First Street frontage. A requirement to provide the full streetscape treatment has been included in the Conditions of Approval should there be any changes to the right-of-way that would allow compliance with the streetscape standards.

- Landscape Plan

  The landscape plan depicts the use of palm trees in the public right-of-way along Main Street in accordance with the Centennial Plan streetscape requirements. The number of trees conforms with the Centennial Plan requirements, but the spacing exceeds the requirement stipulated in the plan. The applicant has requested a Waiver from the spacing requirement, due to the configuration of the existing building and right-of-way. No landscaping materials will be provided along the First Street frontage due to the driveway location and right-of-way conditions on the abutting properties; the streetscape Waiver will also address this issue.

- Elevations

  No significant changes are proposed to the exterior of the building; the façade will be repaired and repainted, and the existing windows and doors will be replaced. New storefront windows and a roll-up glass door will be installed in the existing openings fronting on Main Street, and on the First Street façade the existing roll-up doors will be repainted and new glass block will be installed in one of the existing openings. A canopy element will be added to the front of the building facing Main Street, which will provide shade and visual interest, and will also be utilized for signage. The proposed colors conform with the desert neutral color scheme stipulated by the Commercial Development Standards.

- Floor Plan

  The interior of the building will be remodeled to provide showroom spaces and offices at the front of the building, with storage space at the rear of the building. Mechanical equipment and trash facilities will be incorporated within the storage space. All deliveries will be made to the storage space at the rear of the building, which will have

direct access to First Street via the existing roll-up doors. A residential unit will be developed on the second floor of the building, and will have approximately 1,100 square feet of living area. The residential unit will have a separate entrance from Main Street, and will be occupied by the owner of the building.

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 live/work use will be compatible with adjacent development and future uses planned for the area.

2. **"The proposed development is consistent with the General Plan, Title 19, 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 most elements of the Downtown Centennial Plan. A Waiver has been requested from the Centennial Plan streetscape requirements, due to right-of-way constraints and existing conditions.

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

   The remodeling of the existing building will not change access patterns or negatively impact adjacent roadways or neighborhood traffic.

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

   The materials to be used in the renovation of the building are consistent with the area and with City design standards; the proposed streetscape materials are consistent with the Downtown Centennial Plan.

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

The proposed modifications to the existing structure will preserve the industrial character of the building while improving the visual appearance. The renovation will set a standard for surrounding properties and stimulate improvements in the area.

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 protect public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 137 – Mailed with SUP-6198

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6200 APN: 13934410~~23~~01

Name of Property Owner: KENAVO LLC

Name of Applicant: QUENTIN ABRAMO

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: 13934410~~23~~01

Signature of Property Owner: [signature]

Print Name: QUENTIN ABRAMO

Subscribed and sworn before me

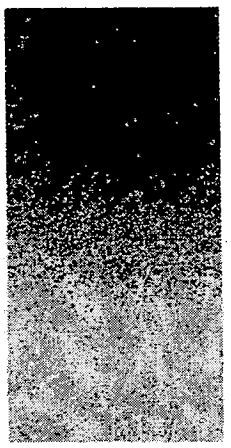
This 24 day of FEBRUARY, 20 05

Caroline Torriente. Maricopa AZ

Notary Public in and for said County and State

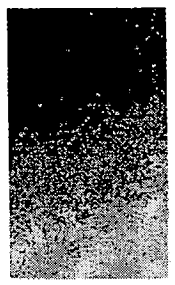
CAROLINE TORRIENTE NOTARY PUBLIC MARICOPA CTY, AZ

WAREHOUSE CONVERSION
FACILITEQ

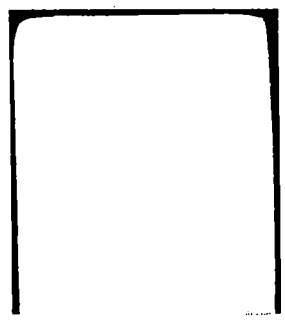


NEW EXTERIOR FACADE COLOR

EXTERIOR ACCENT COLOR



WINDOW AND DOOR FRAMES



WINDOW GLASS

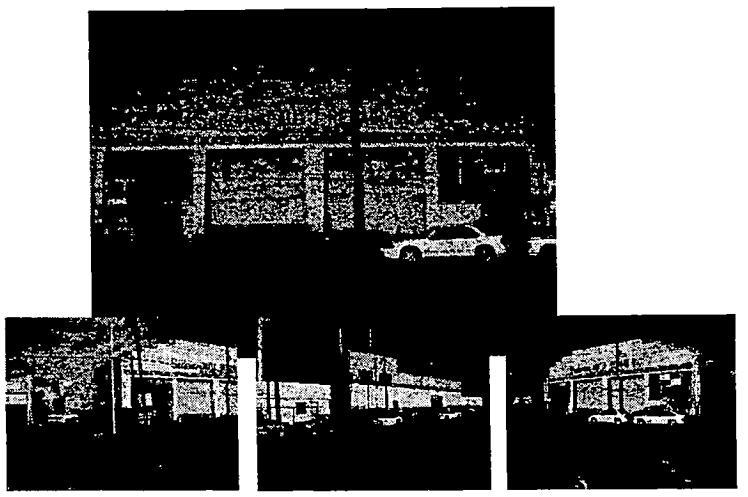
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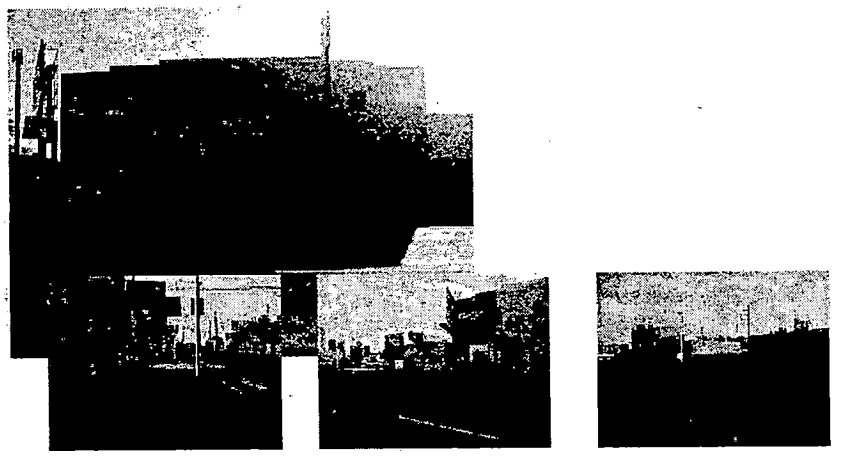
SWISHER & HALL AIA, LIMITED.
ARCHITECTURE AND PLANNING
7373 PEAK DRIVE, SUITE 250
LAS VEGAS, NEVADA 89123
TEL 702 363 2323 FAX 702 363.6060
www.swisherhall.com

SUP-6198
SDR-6200
04-14-05 PC

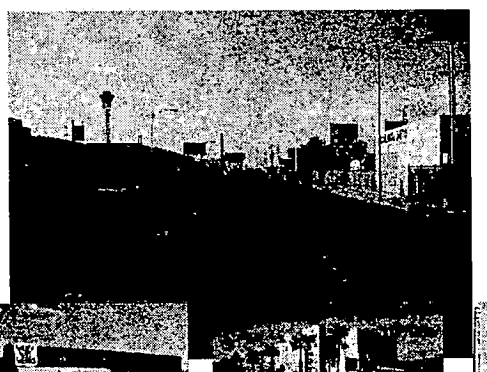
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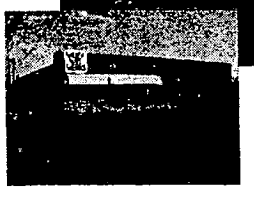
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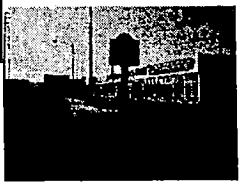














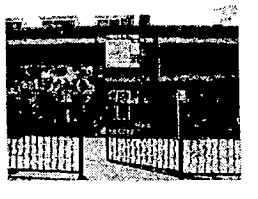




IMAGE BOARD

JOB NO. 04015
FEBRUARY 15, 2005

SUP-6198
SDR-6200
04-14-05 PC

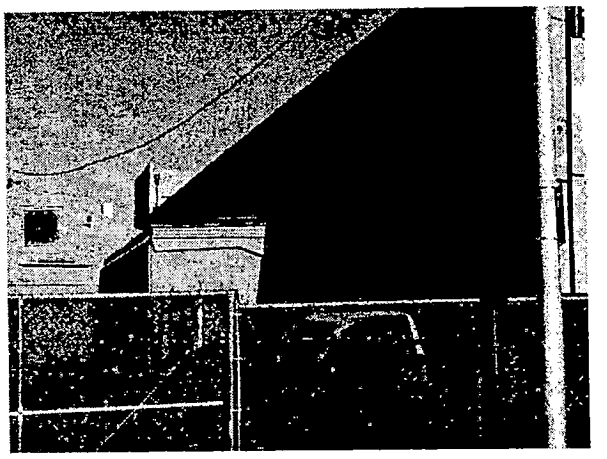
SWISHER & HALL AIA, LIMITED
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TEL 702.360.2222 FAX 702 360.6060
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WAREHOUSE CONVERSION

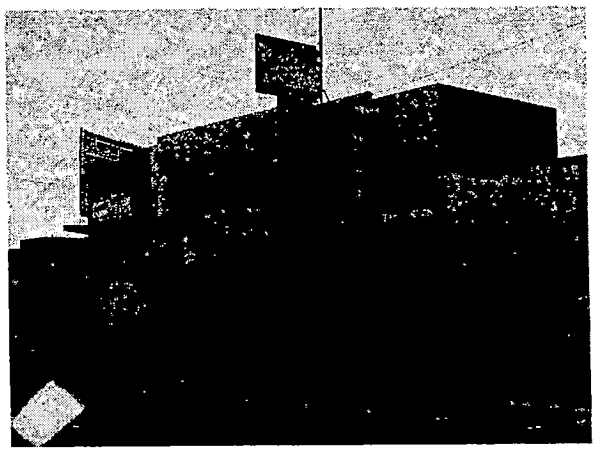
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FIRST STREET FACADE



SOUTH ELEVATION



MAIN STREET FACADE



NORTH ELEVAATION

BUILDING ELEVATIONS

JOB NO.: 04B01E
FEBRUARY 25, 2005

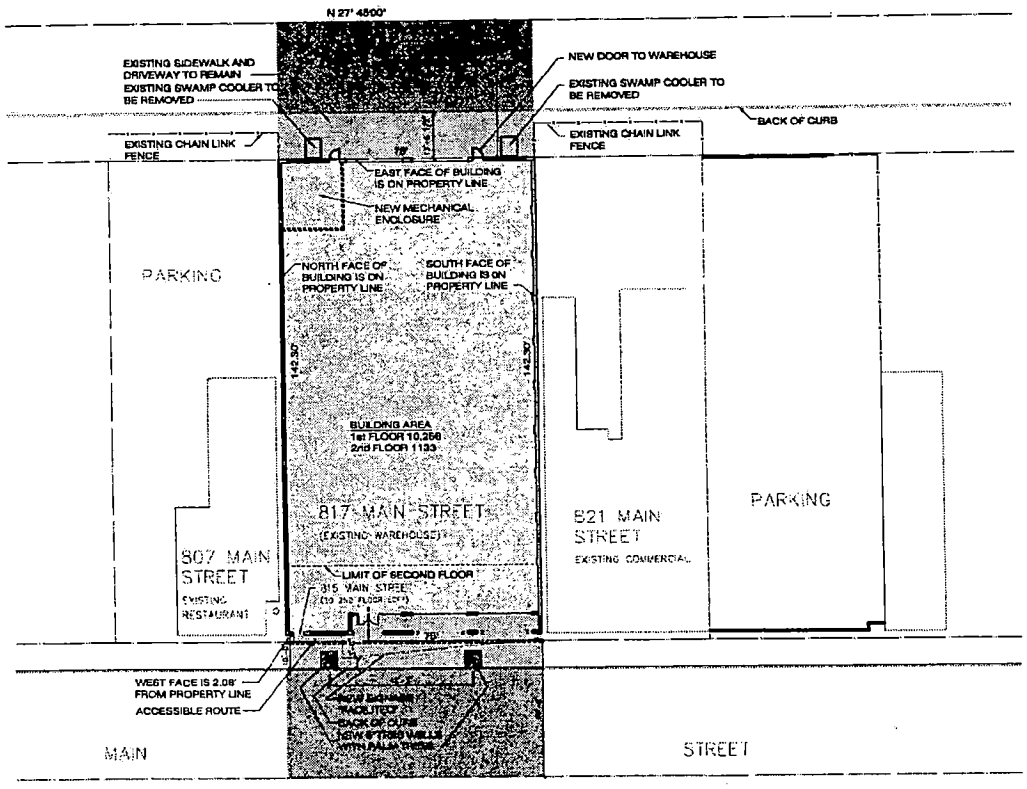
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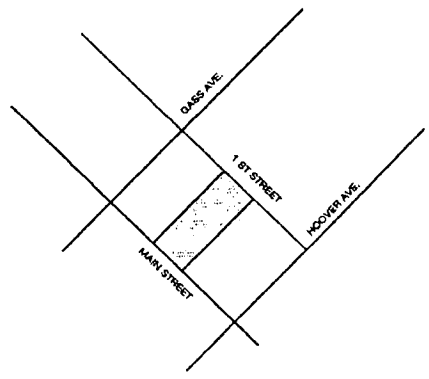
LIMITED

SUP-6198
SDR-6200
04-14-05 PC

WAREHOUSE CONVERSION

FACILITEQ



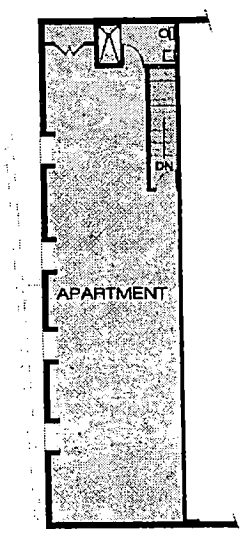


SITE PLAN

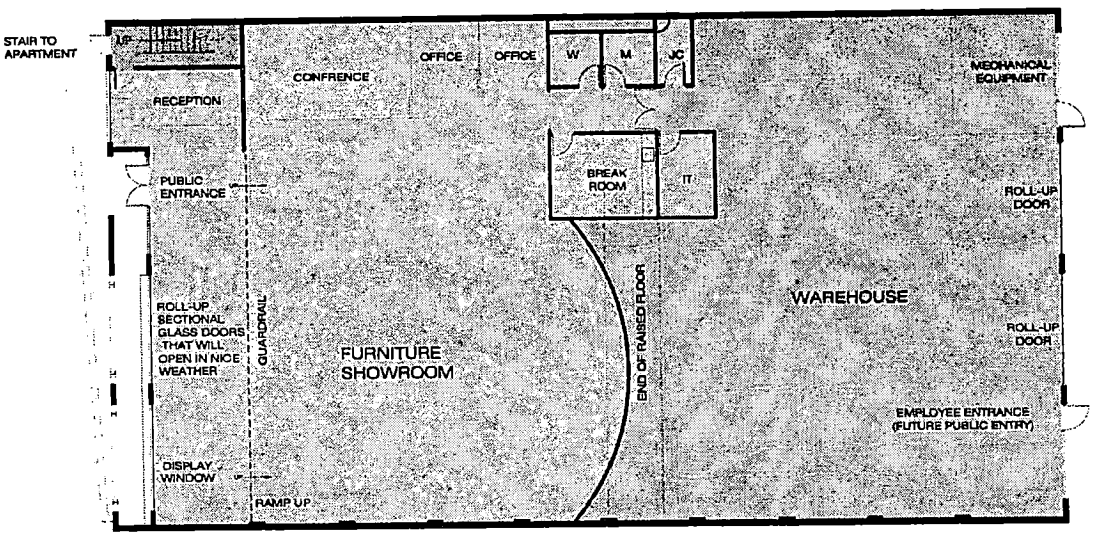
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SDR-6200
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WAREHOUSE CONVERSION
FACILITEQ



SECOND FLOOR



FIRST FLOOR

PLAN

SUP-6198
SDR-6200
04-14-05 PC

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WAREHOUSE CONVERSION

FACILITEQ



MAIN ST ELEVATION

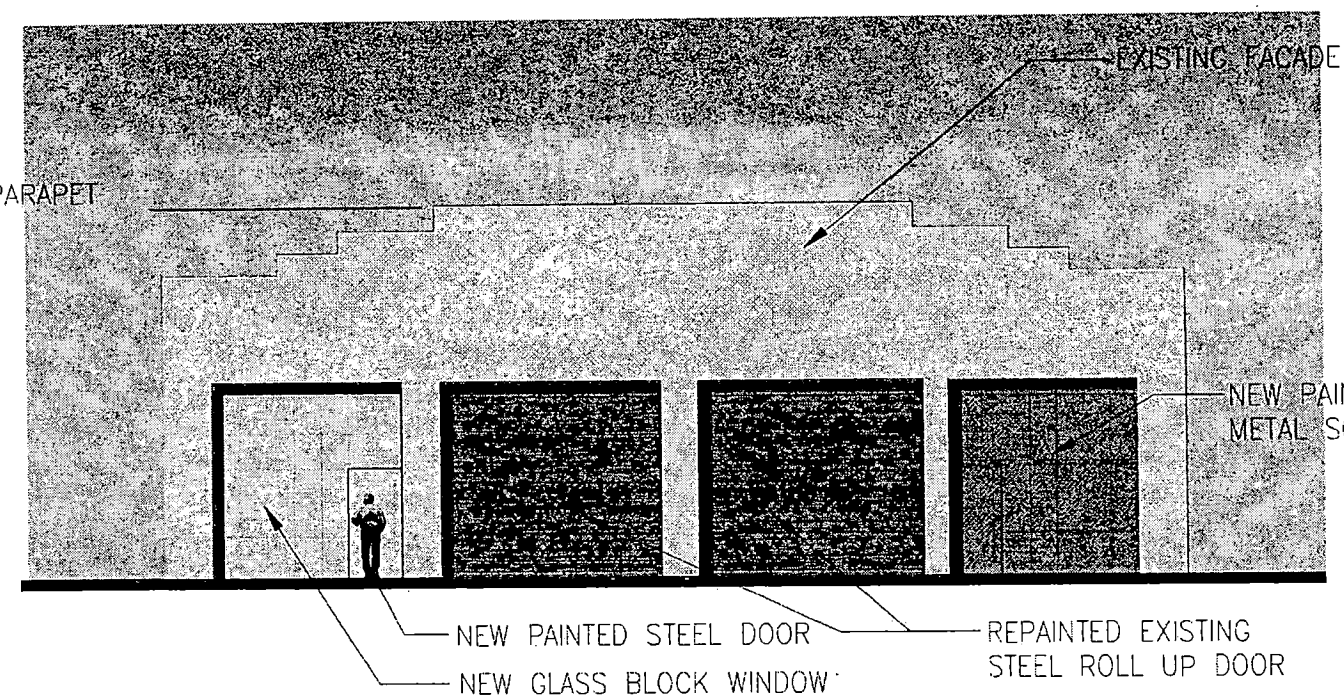
JOB NO. 444024
FEBRUARY 18, 2005

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SUP-6198
SDR-6200
04-14-05 PC

WAREHOUSE CONVERSION

FACILITEQ



1 ST ELEVATION

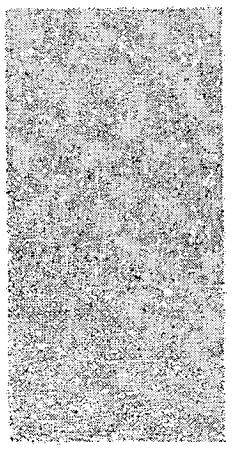
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LIMITED

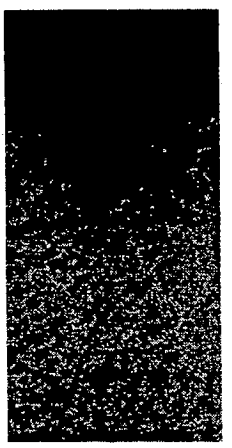
SUP-6198
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WAREHOUSE CONVERSION

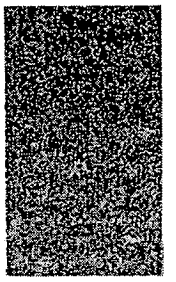
FACILITEQ



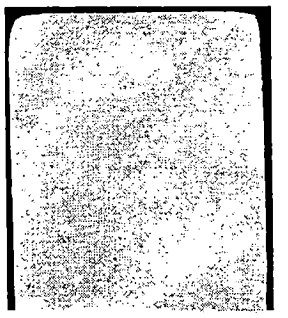
NEW EXTERIOR FACADE COLOR



EXTERIOR ACCENT COLOR



WINDOW AND DOOR FRAMES



WINDOW GLASS

COLORS AND MATERIALS

JOB NO.: 05023
FEBRUARY 02, 2005

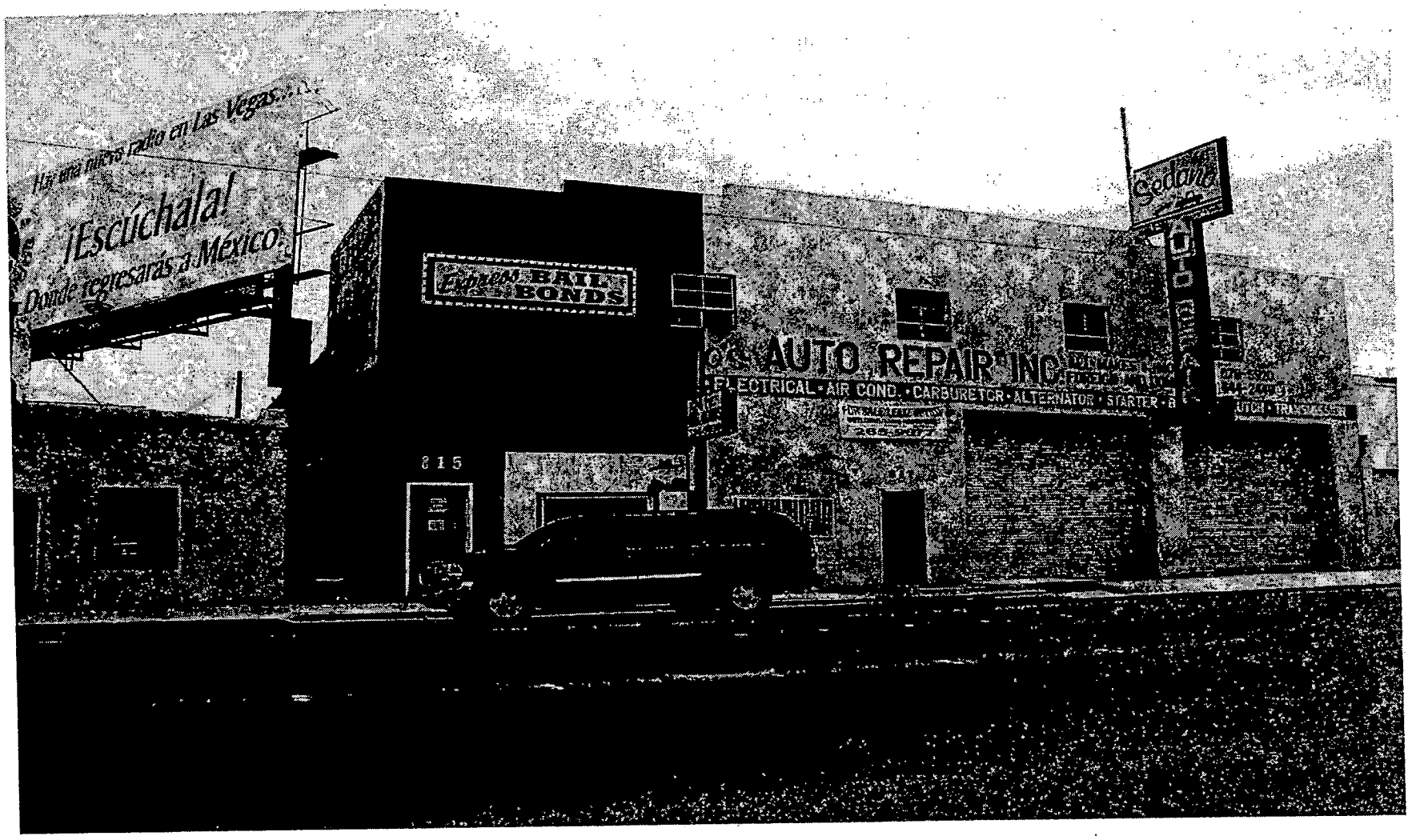
SUP-6198
SDR-6200
04-14-05 PC

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LAS VEGAS, NEVADA 89128
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SUP-6198 & SDR-6200 - APPLICANT/OWNER: KENAVO, LLC
815 AND 817 SOUTH MAIN STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SUP-6198 & SDR-6200 - APPLICANT/OWNER: KENAVO, LLC
815 AND 817 SOUTH MAIN STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

February. 25, 2005

Planning & Development Department
City of Las Vegas

Re: Justification Letter for **Site Development Review**
FACILITEQ Showroom – Warehouse Conversion
APN: 139-34-410-001

PROJECT NUMBER: *040074*

To whom it May Concern:

We are pleased to submit with our application for Site Development Review this justification letter that describes the conversion of the old "Sedano Auto Repair" garage located at 817 South Main Street into the new furniture showroom for FACILITEQ. The project is located at approximately the middle of the 800 block on the East side on Main Street just a little South of Gass Avenue. This existing warehouse / garage was built in 1946 and is located in the City of Las Vegas Downtown Redevelopment Area.

FACILITEQ of Nevada: is a contract furniture company with history of providing office furniture to corporate clients in Southern Nevada for over ten years. Our corporate clients include Clark County, City of Las Vegas, Metro Police, MGM, Venetian Hotel, New York New York Hotel, Bechtel, CCSN and many other business in Southern Nevada. FACILITEQ currently maintains a staff of 20 employees, which include 7 office personnel and an operation staff of 13. Our 3 largest customers are Clark County, City of Las Vegas, and Bechtel, which are located within several miles of our new furniture showroom. FACILITEQ provides product solutions, design, installation, inventory management, and other services and products related to interior construction. FACILITEQ is the exclusive distributor of Haworth Inc, the 2nd largest manufacture of office furniture in the world.

ZONING: "The current zoning for the subject property is CM. The "General Plan" for this entire block and adjacent properties along Main Street and First Street is MXU = Mixed Use. Current zoning regulations allow a "LIVE – WORK" situation under the current CM zoning by application for a SUP=Special Use Permit." CLV staff concurred that the "Furniture Showroom" would be allowed. The Owner of FACILITEQ, who has offices in Phoenix and California, will be the primary user of this "Loft Space".

TRAFFIC: The project will be subject to the "Traffic Signal Impact Fee" ordinance."

PUBLIC WORKS: The project may require dedication of additional Right-Of-Way (unless the building is located within the area of the proposed dedication). The Owner will also be requested to remove and replace any substandard offsite improvements, i.e. sidewalks, curb & gutter, asphalt, etc. The mechanical enclosure currently located on the First Street side of the building is encroaching into the ROW. Public Works will not allow this. It was recommended by CLV Staff that we locate this equipment inside the building to prevent any problems with Public Works.

PARKING: The Parking Standards for this project falls under the "Downtown Centennial Plan" and is calculated at 1:500. However, since the existing building occupies the entire site ... no on-site parking is available. Based upon the 10,678 s.f. building the parking requirements would be 22 spaces. We thereby request a waiver to the parking standards based upon these existing site limitations. Since the new use for the facility will be a "Commercial Office Furniture Showroom and Warehouse", the Owner calculates that he will only need four parking spaces for employees. To assist with the parking requirements the Owner of FACILITEQ has made an agreement with the property Owner at 815 South Main Street (across the street) for the use of 8 existing parking spaces if needed. There are also 3 "On-Street" parking spaces on Main Street.

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LAS VEGAS, NV. 89128
702.363.2222
Fax 702.363.6060
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SDR-4200

STREETSCAPE TREATMENT: We request a waiver to the Streetscape Improvements. The ROW along Main Street and First Street is constrained and will not allow the space for full Streetscape Improvements. With the existing garage doors and entry's along Main Street we have located two palm trees with 5' tree wells spaced 43' apart in lieu of the 30' spacing as required. This spacing accommodates the existing conditions and future signage without significant impact to the intended Streetscape plans. The existing sidewalk, curb and gutter will be replaced. The existing asphalt paving on Main Street has already been replaced to the center of the street.

SIGNAGE: CLV Staff noted that the signage indicated on Main Street should not project any farther than 3' to the back of curb. The signage indicated on the plans complies with this requirement and a separate application will be made for the signage in the future.

We hope that you find our application for this project and our interest in revitalizing this older part of Las Vegas in keeping with the spirit and intention of the City of Las Vegas Redevelopment Area guidelines. If you have any questions regarding this application please contact me at my office below.

Sincerely,

Kevin Gouveia
Project Director

Swisher & Hall AIA, LTD.
7373 Peak Drive, Suite 250
Las Vegas, NV 89128
phone (702) 363-2222 x 261 fax (702) 363-6060

Email: kgouveia@swisherhall.com

Website: www.swisherhall.com

City of Las Vegas

Agenda Item No.: 51

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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
3. Justification Letter
4. Submitted at Meeting – Letter of Support from Charles Ivy, President, Spanish Oaks HOA submitted by Greg Borgel (filed under Item 51)

MOTION:
DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because the General Partner of this property, Arthur B. Adams, is a General Partner in a separate project in which he is involved

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

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open on Item 51 [SUP-6219] and Item 52 [SDR-6220].

DEREK ALLEN, Planning and Development Department, gave a brief overview of the applications. The proposed project is a mixed-use development that will include three, seven story buildings that will provide 303 residential units and over 20,000 square feet of office space. No commercial or retail development is anticipated. A waiver is requested from the rear yard setback of 15 feet. There are garages proposed along the north property line that are setback at

MINUTES – Continued:

eight feet. Staff supports the garages at this distance with a landscaping buffer within the strip. The buildings are in conformance with residential adjacency standards and the parking meets Code as well. There are four access points to the site.

GREG BORGEL, 300 South 4th Street, appeared on behalf of the applicant and instructed the Commission that HOWARD MANN, the developer, was present in the audience as well as the architects from Westar Architects. He oriented the members to the site and explained that the high part of the building fronted Sahara Avenue. The site currently has a partially occupied office complex, a credit union and a bar/restaurant called Jose Hogs, but the restaurant property was not originally included. After the applicant spoke with the members of the adjacent Spanish Oaks Homeowners Association, it was made clear that the establishment was causing concern with the homeowners. The applicant on this project then purchased the bar/restaurant from the restaurant owner. The project has since been expanded to remove the bar/restaurant and utilize that space in the development.

MR. BORGEL showed a rendering, which demonstrated how the building articulation steps back from Sahara Avenue. All parking is indoors, under the building but not under ground. He also explained that several meetings were held with the Spanish Oaks Homeowners Association board members and residents, and another meeting opened to the public, whether they lived in Spanish Oaks or not. The applicant is still working with the association to satisfy their concerns regarding the garages and adjacent landscape buffer. A letter of support was submitted from the president of the association on behalf of the Board.

COMMISSIONER McSWAIN noted that the rendering made her wonder whether there were landscaping elements included in the building. MR. BORGEL said there would be integrated landscaping in compliance with Code. She like the proposal very much calling it her favorite. The site needs an upgrade and this project will help preserve the business aspect of the area while creating a new live/work environment.

MR. BORGEL thanked the staff and the adjacent residents for working with the applicant. He committed to continue working with those residents. CHAIRMAN NIGRO said the project would be a fantastic transition in the area, and he thanked the developer for proposing such a thoughtful project.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 51 [SUP-6219] and Item 52 [SDR-6220].

(9:18 – 9:30)

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 51 – SUP-6219

CONDITIONS:

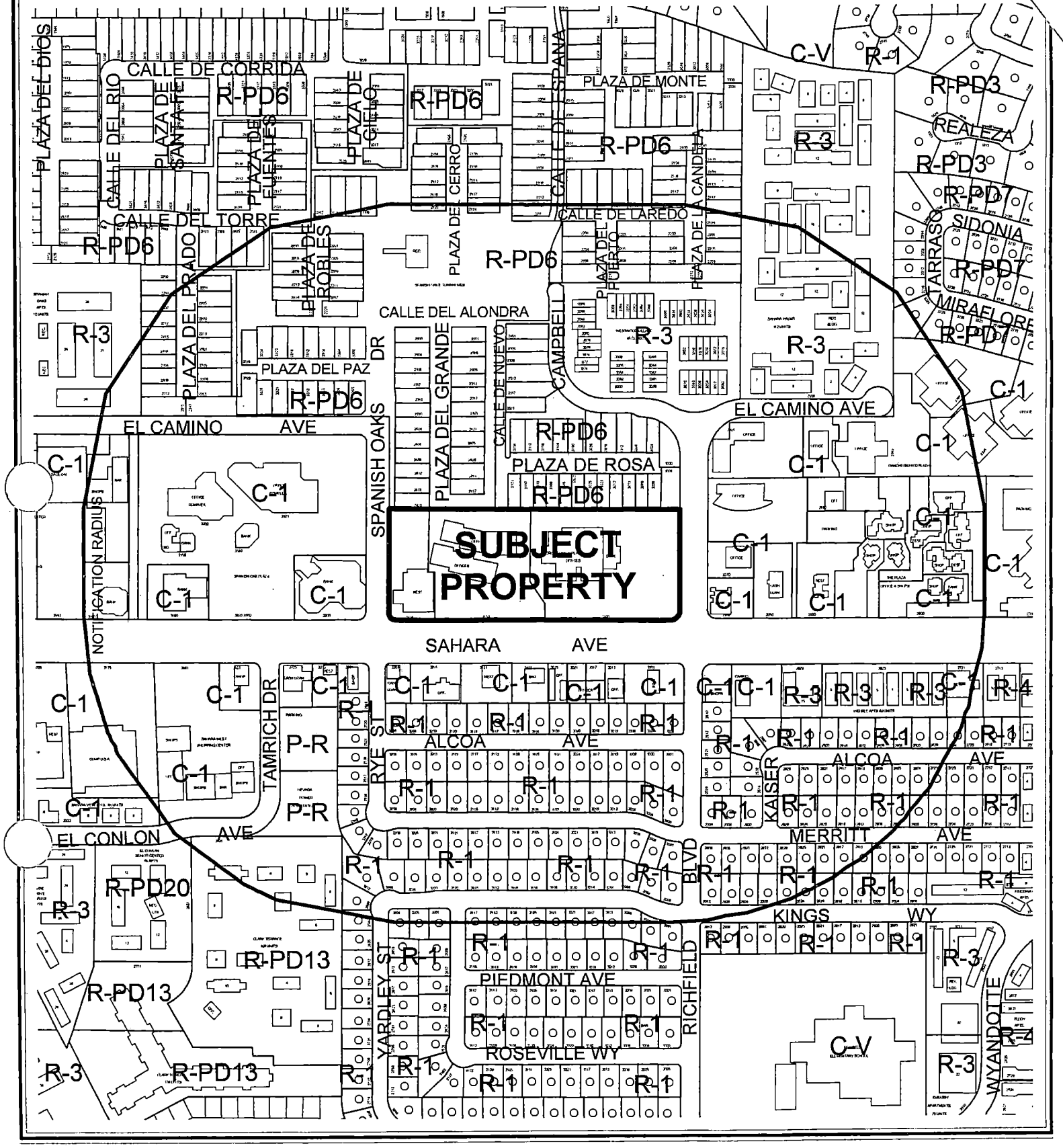
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed-Use Development use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-6220).

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



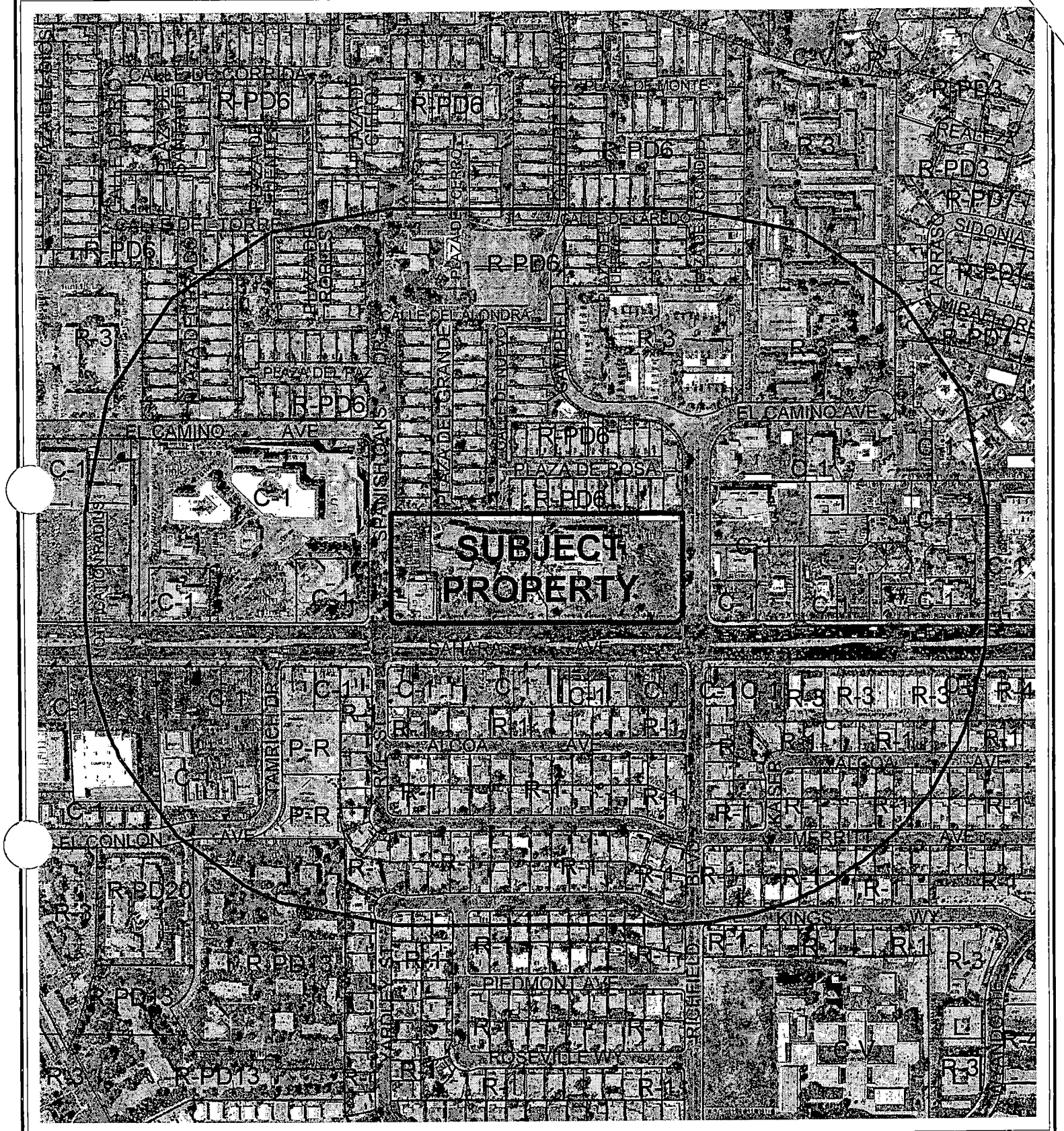
0 400 800 Feet

CASE: **SUP-6219**

RADIUS: 1000 FT

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

N



CASE: **SUP-6219**

RADIUS: 1000 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6219 - APPLICANT: JLM REALTY, INC - OWNER: TLC GAMING, INC

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed-Use Development use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-6220).

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.

DA

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Mixed Use Development located on the northeast corner of Sahara Avenue and Spanish Oaks Drive. The Mixed Use development will include 303 residential units and 20,250 square feet of office space.

B) Applicant's Justification

The applicant has justified this request by stating, "The project has been designed as a mixed-use development, to enhance the urban environment of the area. It calls upon Santa Barbara Mission style architecture to provide unique flavor to the development. The architecture is both livable and identifiable, without the uncomfortable forms that are prevalent within the modern day urban context. This housing is livable and it will contribute to Las Vegas as a needed component in the housing market and the Las Vegas valley. It promotes the mid-rise, mid priced, condominium development."

BACKGROUND INFORMATION

A) Related Actions

09/26/73 The Board of City Commissioners approved a Rezoning (Z-0066-73) application for the reclassification of property generally located between West Oakey Boulevard on the north, West Sahara Avenue on the south, South Valley View Boulevard on the west, and Richfield Boulevard on the east, south of Westwood Village Tract and west of Springhurst Townhouses, from R-1 (Single-Family Residential) and R-3 (Medium Density Residential) to R-PD6 (Residential Planned Development – 6 Units per Acre), R-4 (High Density Residential) and C-1 (Limited Commercial). The Planning Commission and staff recommended approval.

09/27/84 The Board of Zoning Adjustment approved a Variance (V-0099-84) to allow auto sales for one day only in the months of February, May, August and November of every year where such is not permitted on property located at 3100 West Sahara Avenue. Staff recommended denial.

DA

12/02/04 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5471) for a Facility to provide testing, treatment, or counseling for drug or alcohol abuse at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.

12/02/04 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5472) for a Sex Offender Counseling Facility at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.

01/27/05 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5783) and Site Development Plan Review (SDR-5779) for a proposed Mixed-Use Development on the properties located at the northwest corner of Sahara Avenue and Richfield Boulevard.

04/14/05 The Planning Commission will hear a related Site Development Plan Review (SDR-6220) for a 7-story Mixed Use development, which includes 303 residential units and 20,260 square feet of office space. Staff recommends approval.

B) Pre-Application Meeting

A pre-application meeting was held on 11/19/04 for the original proposal to develop a mixed use project on this site. This application is an extension of the original proposal and thus the original pre-application conference will apply to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 7.80 Acres

B) Existing Land Use

Subject Property:	Commercial/Office
North:	Single Family Residential
South:	Commercial
East:	Commercial/Office
West:	Commercial/Office

DA

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-PD6 (Residential Planned Development – 6 units per acre)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The subject property is designated SC (Service Commercial) on the Southeast Sector Map of the General Plan. The Service Commercial category allows low to medium intensity retail, office or other commercial uses, which primarily serve local patrons and do not include more intense general commercial characteristics. In the Neighborhood Revitalization Area the C-1 (Limited Commercial) zoning district may accommodate high-density residential uses, provided there is a non-residential component at the ground level. The existing C-1 (Limited Commercial) zoning district classification conforms to the SC (Service Commercial) 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 property is part of the Neighborhood Revitalization Area, identified by the Las Vegas Master Plan 2020 as neighborhoods where existing residential uses should be protected and proposed commercial development should be designed within the context of a walkable environment. Mixed-Use developments are permitted within these areas with the approval of a Special Use Permit.

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District, which would violate the height limitations depicted in maps adopted by Title 19. All development within the airspace above the height of 35 feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and

conical surfaces, shall be subject to the height standards established on the Airport Overlay Maps. The proposed structures will stand approximately 90 feet tall, well under the 200-foot height restriction imposed by the McCarran Airport Overlay District map. No action is required on the part of the applicant.

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	Units	**Required**			**Provided**	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Condominiums						
Studios	22	1.25/unit	27.5			
1-bedroom	49	1.25/unit	61.25			
2-bedroom	202	1.75/unit	353.5			
3-bedroom	30	2.00/unit	60			
Guest space	303	1/6 units	50.5			
Office	20,250 SF.	1/300 GFA	67.5	3		
Total			621	3	670	24

The proposed development will conform to all standards set forth in Title 19.10 for parking. The applicant is only proposing to have office space within the development, but if at a future date the office space was converted to retail or a restaurant there would still be sufficient parking to meet requirements for these types of uses.

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

Standards	**Code Requirement**	**Provided**
Mixed-Use	Residential uses may be permitted in commercial districts by means of a Special Use Permit	Y
	Non-residential use shall be located at the ground level fronting the primary public right-of-way	Y*
	The architecture shall highlight the difference in uses	Y

DA

The design of the development conforms to the minimum requirements listed in Title 19.04 for Mixed-Use development.

*The Commercial District Development Standards (Title 19.08.045 further require that for mixed-use developments in C-1 (Limited Commercial) zoning districts, residential units must be located at or above the second story of the structure.

B) General Analysis and Discussion

- Zoning

The proposed commercial uses are permitted in the C-1 (Limited Commercial) zoning district by right; the residential component is permitted upon approval of a Special Use Permit for a Mixed-Use Development.

- Use

Within the Neighborhood Revitalization Area, as defined by the Las Vegas 2020 Master Plan, residential uses permitted by right in the R-3 (Medium Density Residential) and R-4 (High Density Residential) zoning districts are permitted in the C-1 (Limited Commercial) district by means of an approved Special Use Permit. Commercial uses are permitted by right in the C-1 (General Commercial) district. The development will include a total of 225 residential units and six commercial units containing approximately 17,000 square feet.

- Conditions

1. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

The design of the structure conforms to the minimum Mixed-Use development requirements listed in Title 19.04.

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."**

DA

The proposed office use will be located along Sahara Avenue and will be sufficiently separated from the near by residents to the north by the onsite parking lot. The location of the offices along Sahara Avenue will tie into the surrounding sites to the west and east which are also currently office and commercial centers. The residential units will be located on the 2nd through 7th floors so as to be in compliance with Title 19. The units step back away from the north property line towards Sahara Avenue and comply with the residential adjacency requirements. This design will help move the future residential units back and away from existing residents and place the units closer to Sahara Avenue.

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

The proposed development will have an overall density of approximately 40 units per acre, which will be appropriate being adjacent to existing commercial uses along Sahara Avenue and other high-density apartment projects. The ground level parking and garages will provide ample parking for the current proposed uses and will allow for future commercial uses to locate 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."**

Richfield Boulevard, a 90-foot public right-of-way, and Sahara Avenue, a 150-foot Primary Arterial as indicated by the Master Plan of Streets and Highways, and Spanish Oaks Drive, a 70-foot private right-of-way, will provide adequate access to the site.

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

Approval of the Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 381 – Mailed with SDR-6220

APPROVALS 0

PROTESTS 0

DA

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-42149 APN: 162-05-403-002 AND 003

Name of Property Owner: SID-BRI Investments

Name of Applicant: JLM REALTY (HOWARD MANN)

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: BRIAN R. ADAMS
MANAGING MEMBER
SID-BRI INVESTMENTS, LLC

Subscribed and sworn before me

This 8th day of March, 2005

_____
Notary Public in and for said County and State

CYNTHIA M. BROOKS
Commission # 1440325
Notary Public - California
Los Angeles County
My Comm. Expires Oct 17, 2007

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-60219 APN: 162-05-403-002 AND 003

Name of Property Owner: SPANISH OAK PLAZA, LP

Name of Applicant: JLM REALTY (HOWARD MANN)

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: ARTHUR V. ADAMS

STATE OF FLORIDA COUNTY OF SARASOTA

Subscribed and sworn before me

This 8th day of MARCH, 2005

_____ ALICE M LARSEN

Notary Public in and for said County and State

ALICE M. LARSEN NOTARY PUBLIC STATE OF FLORIDA My Comm. Exp APRIL 15 2005

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-0219 APN: 162-05-403-002 AND 003

Name of Property Owner: CREDIT UNION PLAZA (FORMERLY KNOWN AS THE FULLER TOWERS)

Name of Applicant: JLM REALTY (HOWARD MANN)

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: Arthur V. Adams

Print Name: ARTHUR V. ADAMS

Subscribed and sworn before me

This 8th day of March, 20 05

Alice M. Larsen

Notary Public in and for said County and State

ALICE M. LARSEN NOTARY My Comm. Exp. APRIL 15, 2005 STATE OF FLORIDA

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-6219 APN: 162-05-403-001

Name of Property Owner: TLC Gaming, Inc (Terry Caudill)

Name of Applicant: JLM Realty, 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: Terry Caudill, President

Print Name: TERRY CAUDILL

Subscribed and sworn before me

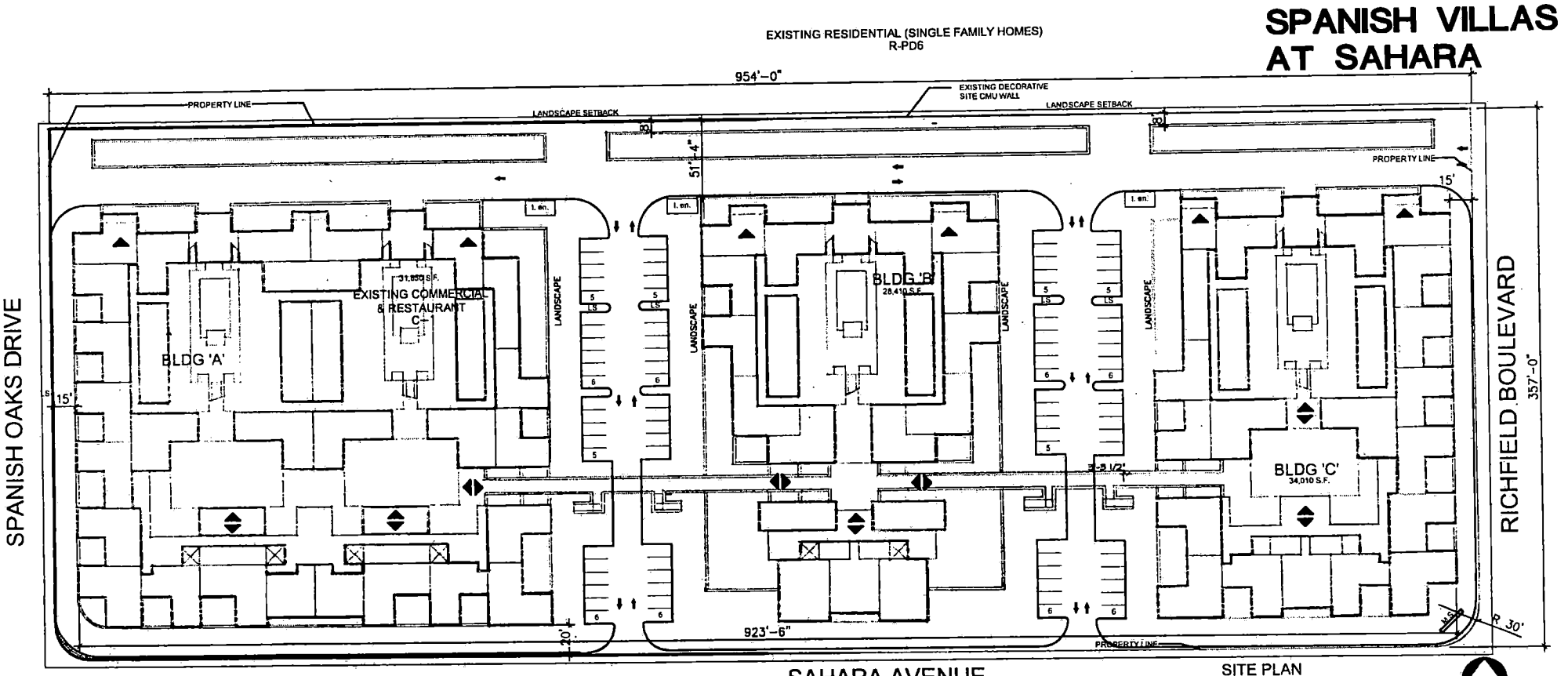
This 1ST day of MARCH, 2005

Amalia C. Fontes Clark Nevada

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
AMALIA C. FONTES
Appt. No. 01-66559-1
My Appt. Expires Oct. 3, 2008

SPANISH VILLAS AT SAHARA



SITE PLAN
SCALE: 1" = 30'-0"

0 15' 30' 60' 120'

N

INGRESS / EGRESS
EGRESS ONLY
DIRECTIONAL SIGNAGE
MONUMENT SIGN
HANDICAP PATH OF TRAVEL

SITE
PARCELS – 16205403002, 16205403003, 16205403001
7.68 ACRES (334,541 S.F.)
SITE COVERAGE – 32.54%

SURFACE PARKING
24 HANDICAP STALLS (19'x18')

APPROXIMATE UNIT COUNTS

BUILDING 'A'
STUDIOS - 9 UNITS @ 1.25 CARS = 11.25 CARS
1 BEDROOMS - 18 UNITS @ 1.25 CARS = 22.5 CARS
2 BEDROOMS - 99 UNITS @ 1.75 CARS = 173.25 CARS
3 BEDROOMS - 14 UNITS @ 2.0 CARS = 28.0 CARS

BUILDING 'B'
STUDIOS - 4 UNITS @ 1.25 CARS = 5.0 CARS
1 BEDROOMS - 15 UNITS @ 1.25 CARS = 18.75 CARS
2 BEDROOMS - 45 UNITS @ 1.75 CARS = 78.75 CARS
3 BEDROOMS - 7 UNITS @ 2.0 CARS = 14.0 CARS

BUILDING 'C'
STUDIOS - 9 UNITS @ 1.25 CARS = 11.25 CARS
1 BEDROOMS - 16 UNITS @ 1.25 CARS = 20.0 CARS
2 BEDRODMS - 58 UNITS @ 1.75 CARS = 101.5 CARS
3 BEDRODMS - 9 UNITS @ 2.0 CARS = 18.0 CARS

TOTAL REQUIRED RESIDENTIAL PARKING = 503 CARS

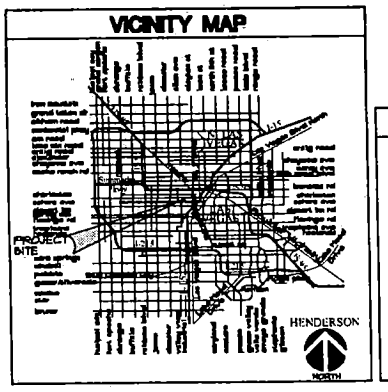
COMMERCIAL SPACE : 20,250 SQ.FT
@ 3.33 CARS/1000 SF OF COMMERCIAL SPACE
68 CARS REQUIRED

REQUIRED PARKING : RESIDENTIAL - 503 CARS
COMMERCIAL - 68 CARS
571 CARS

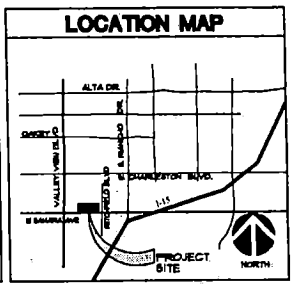
GUEST PARKING REQUIRED : 303 UNITS @ 1 PER 6 = 51
TOTAL CARS PARKED : 670
TOTAL CARS REQUIRED : 622 (RESIDENTIAL/COMMERCIAL

SUP-6219
SDR-6220
04-14-05 PC

VICINITY MAP



LOCATION MAP

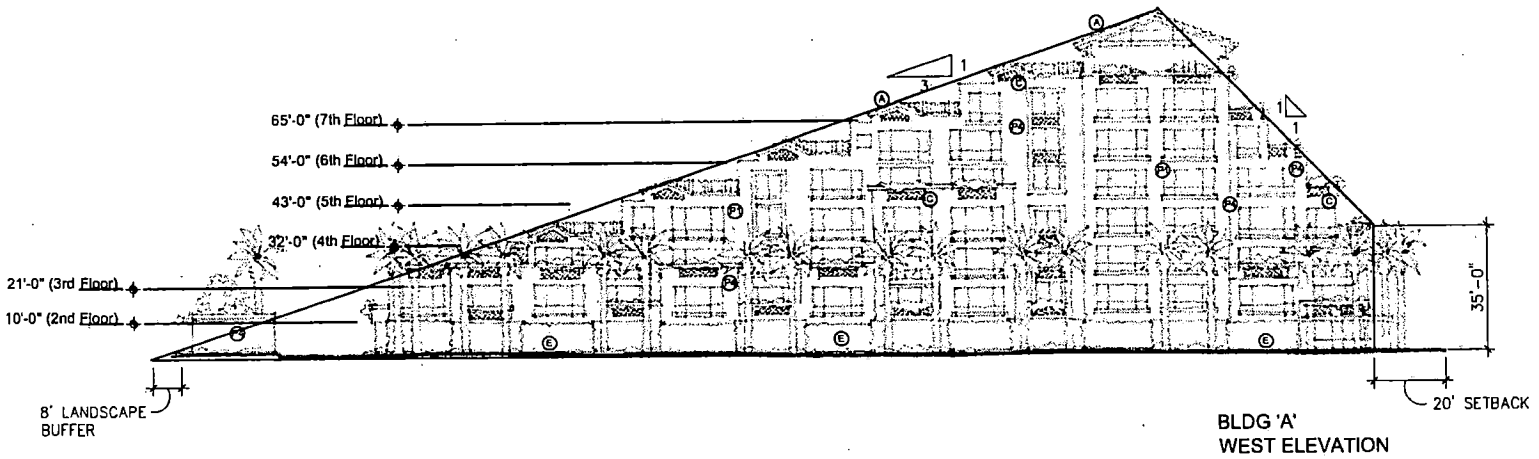


NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

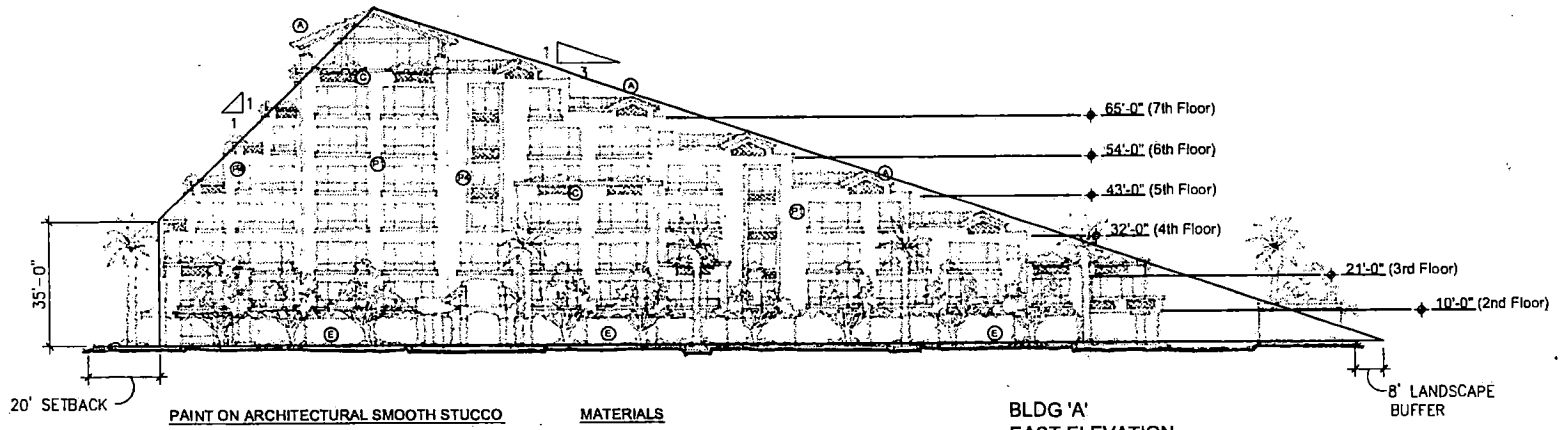
WESTAR ARCHITECTS
ARCHITECTURE • PLANNING • INTERIOR DESIGN
701 BRIDGER AVENUE SUITE 400 LAS VEGAS, NEVADA 89101
TELEPHONE: (702) 878-0000 FAX: (702) 878-8430
www.wgmarchitects.com

DATE: March 25, 2005 at 8:21am PROJECT NUMBER: 04128 FILE NAME: 04128_plan 1.dwg
WAS LAST MODIFIED BY TECHNICIAN: mgarrison

SPANISH VILLAS AT SAHARA



BLDG 'A'
WEST ELEVATION



BLDG 'A'
EAST ELEVATION
SCALE: 1" = 16'-0"

0 8' 16' 32' 64'

PAINT ON ARCHITECTURAL SMOOTH STUCCO

- P1 DE 6219 CRYSTAL HAZE
- P2 DE 5324 FINE SAND
- P3 DE C777 MEADOW WOOD
- P4 DE 5181 GEORGIA CLAY
- P5 DE 5325 REGENCY CREAM
- P6 DE 5326 ROOT BEER FLOAT

MATERIALS

- A DELANO CLAY TILE - SEVILLE MIXTURE
- B STONE COMPOSITE ARCH SURROUND
- C STACKED CLAY TILE RAILING ACCENT
- D SUNBRELLA AWNING - FOREST GREEN
- E GREENSCREEN w/ FLOWER VINES

NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

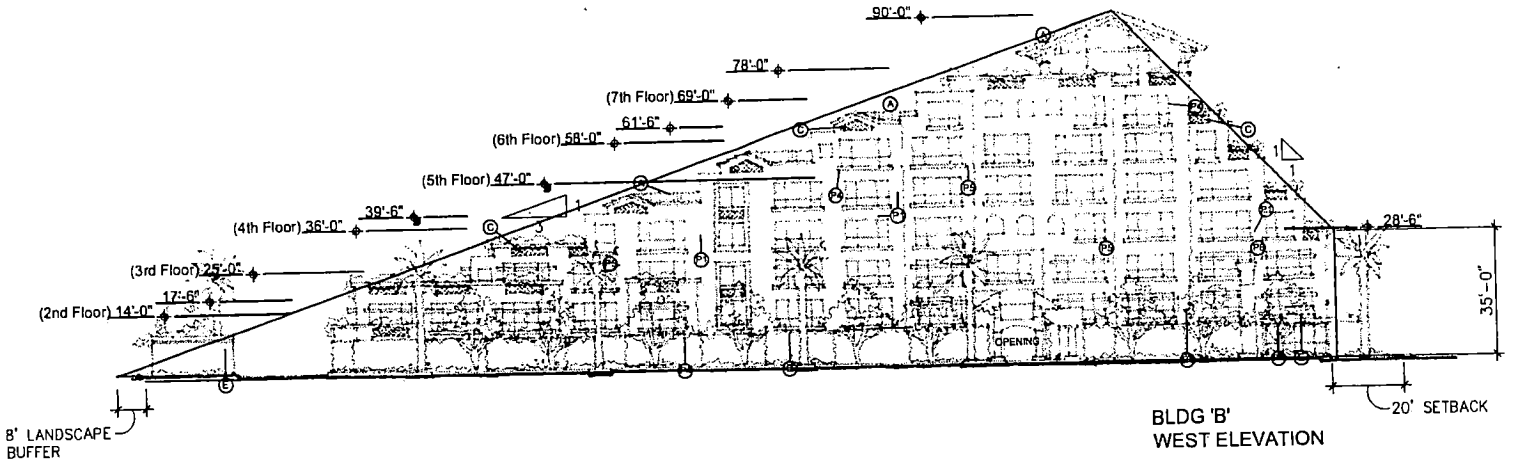
WESTAR ARCHITECTS
ARCHITECTURE • PLANNING • INTERIOR DESIGN
701 BRIDGER AVENUE SUITE 488 LAS VEGAS, NEVADA 89101
TELEPHONE: (702) 878 0000 FAX: (702) 878 8430
www.wagnerarchitects.com

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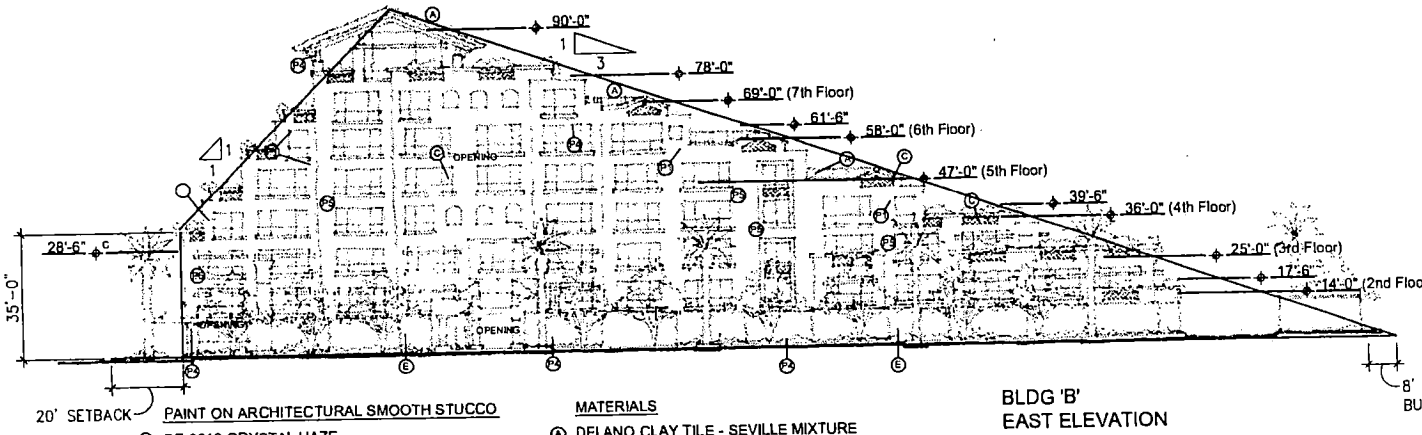
DATE: March 21, 2005 at 8:23am PROJECT NUMBER: 04128 FILE NAME: 04128_site elevation_a_r1.dwg
WAS LAST MODIFIED BY TEDMCCAR mgordon

SUP-6219
SDR-6220
04-14-05 PC

SPANISH VILLAS AT SAHARA



BLDG 'B'
WEST ELEVATION



BLDG 'B'
EAST ELEVATION
SCALE: 1" = 16'-0"

PAINT ON ARCHITECTURAL SMOOTH STUCCO

- P1 DE 6219 CRYSTAL HAZE
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- P3 DE C777 MEADOW WOOD
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- P5 DE 5325 REGENCY CREAM
- P6 DE 5326 ROOT BEER FLOAT

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NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

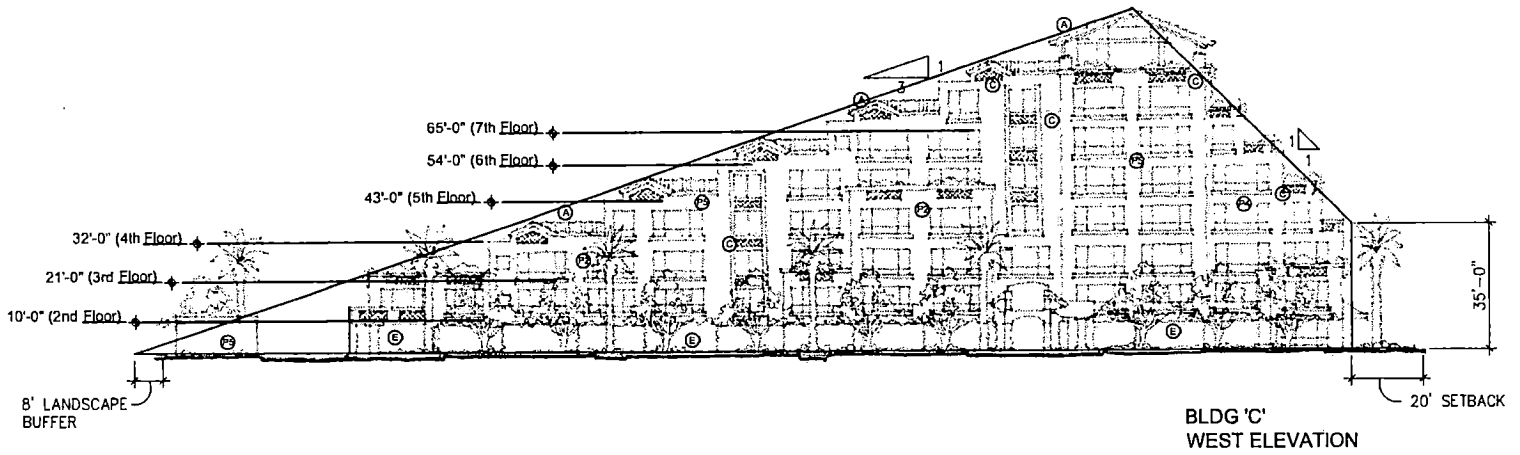
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701 BRIDGER AVENUE SUITE 400 LAS VEGAS, NEVADA 89101
TELEPHONE (702) 878-0000 FAX (702) 878-8430
www.wagnarchitects.com

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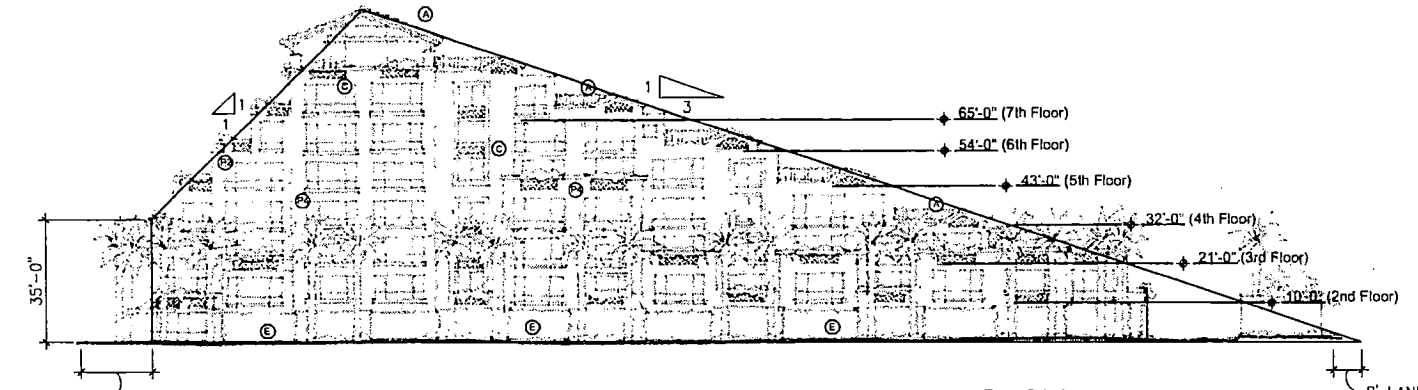
DATE: March 21, 2005 at 9:22am PROJECT NUMBER: 04128 FILE NAME: 04128_side elevation_3-21.pln
WAS LAST MODIFIED BY TECHNICIAN: mjenson

SUP-6219
SDR-6220
04-14-05 PC

SPANISH VILLAS AT SAHARA



BLDG 'C'
WEST ELEVATION



BLDG 'C'
EAST ELEVATION
SCALE: 1" = 16'-0"

0 8' 16' 32' 64'

PAINT ON ARCHITECTURAL SMOOTH STUCCO

- (P1) DE 6219 CRYSTAL HAZE
- (P2) DE 5324 FINE SAND
- (P3) DE C777 MEADOW WOOD
- (P4) DE 5181 GEORGIA CLAY
- (P5) DE 5325 REGENCY CREAM
- (P6) DE 5326 RDOT BEER FLOAT

MATERIALS

- (A) DELANO CLAY TILE - SEVILLE MIXTURE
- (B) STONE COMPOSITE ARCH SURROUND
- (C) STACKED CLAY TILE RAILING ACCENT
- (D) SUNBRELLA AWNING - FOREST GREEN
- (E) GREENSCREEN w/ FLOWER VINES

NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

WESTAR ARCHITECTS
ARCHITECTURE • PLANNING • INTERIOR DESIGN
701 BRIDGER AVENUE SUITE 400 LAS VEGAS, NEVADA 89101
TELEPHONE: (702) 878-0000 FAX: (702) 878-8430
www.wagnarchitects.com

THESE DRAWINGS AND SPECIFICATIONS, CONCEPTS, IDEAS AND DESIGNS INCORPORATED HEREIN ARE THE SOLE PROPERTY OF WESTAR ARCHITECTURAL GROUP, INC. AND ARE NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THEIR PRIOR WRITTEN CONSENT. VISUAL CONTACT WITH THESE DRAWINGS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.

DATE: March 31, 2005 at 8:24am PROJECT NUMBER: 04126 FILE NAME: 04126_west elevation_4_color.dwg
WAS LAST MODIFIED BY TECHNICIAN: Raphael

SUP-6219
SDR-6220
04-14-05 PC

Architecture
Interior Design

WESTAR ARCHITECTS

March 1, 2005

City of Las Vegas
Development Services Center
Planning & Development Dept.
731 South Fourth Street
Las Vegas, NV 89101

RE: Condominiums @ Sahara and Spanish Oaks
3100, 3150 and 3190 West Sahara Avenue
APN: 162-05-403-001-002 & 003

To Whom It May Concern,

Please accept this letter as justification for the above referenced property.

Our client is requesting a Site Development Plan Review with a Special Use Permit for a three building, seven story 415,000 square feet residential condominium complex with ground level, 20,250 square feet of non-residential commercial development (offices, retail, etc) facing Sahara Avenue. *Our client is also requesting a waiver of the non-residential commercial requirement on the ground-level to allow for a residential development on the ground-level behind the non-residential commercial development.* This project is providing 652 parking spaces, which is in compliance with zoning will be part of this project providing adequate parking for the project.

This project is located in The City of Las Vegas Revitalization Area at the Northwest corner of Sahara Avenue and Richfield Boulevard on 7.80 net acres. It is bounded by residential to the north (Spanish Oaks) and commercial to the east, south and west.

The project has been designed as a mixed-use development, to enhance the urban environment of the area. It calls upon a *Santa Barbara Mission* style architecture to provide unique flavor to the development. The architecture is both livable and identifiable, without the uncomfortable forms that are prevalent within the modern day urban context. This housing is livable and it will contribute to Las Vegas as a needed component in the housing market and the Las Vegas valley. It promotes the mid-rise, mid priced, condominium development.

To enhance the development of the site, the commercial component will be promoted as professional office units. In its current configuration, the interest in these units is seen coming from existing tenants in the building and neighboring office buildings, and the owners of the condominiums contained within the proposed development. To date, interest in this type of development, a lower density non-high-rise configuration, has been significant.

SUP-4219

WESTAR Architects, Inc.
701 bridger ave., suite 400 las vegas, nv 89101 phone: 702.878.0000 fax: 702.878.8430 email: info@wagnarchitects.com

It is the concern of the Owner to present this project to the City of Las Vegas without variances. Accordingly the project, as currently designed, is within the envelope created by the Residential Adjacency Standards to the north, and the vertical setbacks from a major arterial to the south. The project meets or exceeds all required building setbacks as prescribed by the City Zoning Ordinances.

This project will be a benefit to the redevelopment of the West Sahara corridor. It is not only a positive contribution to this section of the City, but will enhance residential property values in the immediate area and serve as buffer for the existing Spanish Oaks community to the north. It will provide a transition in use and density that is not present at this time.

We have met with Ms. Margo Wheeler, Deputy Director, Planning and Development Department, to review this project as presented. At that time Ms. Wheeler verified her acceptance of the mix of the commercial office component with the residential component at the grade level. We are attaching her notes on the plan for reference.

We look forward to the injection of this exciting, new and relevant housing product to the Las Vegas market to the benefit of both the unit owners, Spanish Oaks community and the City of Las Vegas.

Thank you for your consideration in this matter.

Yours truly,
WESTAR Architects

Dee Frandsen
Project Manager

File: V/2004Projects/04128/Correspondence/SiteReviewComm

SDR-4219

RECEIVED
APR 13 2005
WESTAR

SPANISH OAKS

Patrick Klenk
Westar Architects
701 Bridger Ave, Suite 400
Las Vegas, NV 89101

Post-it® Fax Note 7671	Date 4/14	# of pages ▶ 2
To Greg Borgel	From Westar ARCH.	
Co./Dept.	Co.	
Phone #	Phone #	
Fax # 471-2495	Fax #	

April 7, 2005

Dear Mr. Klenk,

On behalf of the Spanish Oaks Homeowners' Association I would like to thank you for the time and effort that you have extended to the homeowners in this community to explain the nature of your projected development located on Sahara Avenue between Richfield and Spanish Oaks Drive. Many of the homeowners have expressed their appreciation for your attendance at their neighbor meetings. This gave the homeowners an opportunity to meet you and to learn more about the specifics of your mixed-use development. In fact, the comments that have made their way back to the Board of Directors suggest that most of the homeowners support your project, as presented at the meetings.

As a result of these meetings, it is the understanding of the Association's Board of Directors and the impacted homeowners (especially those on the south perimeter of Spanish Oaks) that you have agreed to construct free-standing, enclosed garages (approximately 12 feet in height) immediately adjacent to the shared perimeter wall. Since this construction would remove any setback between the residences and your development, we understand you will need to obtain a variance from The City of Las Vegas. The Board of Directors and the impacted homeowners support the variance for both security and aesthetic reasons.

The Board of Directors for the Association was particularly pleased to hear that the original version of the project (SUP-5783 & SDR-5779) is being revised to include the "Jose Hogs" property. We understand that by including this additional property into the development, the number of residential units is expected to increase to 303 condominiums.

We certainly look forward to working with you in the future as your plans are finalized.

Sincerely,

Charles W. Ivy, President

cc: Howard Mann

Submitted at Planning Commission

Date 4/13/05 Item 51+52

City of Las Vegas

Agenda Item No.: 52

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

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 CONSISTING OF 303 RESIDENTIAL UNITS AND 20,250 SQUARE FEET 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).

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
5. Submitted at Meeting – Letter of Support from Charles Ivy, President, Spanish Oaks HOA submitted by Greg Borgel (filed under Item 51)

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because the General Partner of this property, Arthur B. Adams, is a General Partner in a separate project in which he is involved

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

MINUTES:

See Item 51 [SUP-6219] for related discussion on Item 51 [SUP-6219] and Item 52 [SDR-6220].

(9:18 – 9:30)

3-90

CONDITIONS:

Planning and Development

1. City Council approval of Special Use Permit (SUP-6219) to allow a Mixed Use Development.

CONDITIONS – Continued:

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

3. All development shall be in conformance with the site plan and building elevations date stamped 03/21/05, except as amended by conditions herein.

4. A new parking lot layout will be submitted to the Planning and Development Department for approval, showing the layout and location of the handicap parking stalls, prior to a Tentative Map being submitted.

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

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum of four (4) five-gallon shrubs for each 24-inch box tree within provided planters along the perimeters. The plan shall also show a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24-inch box tree provided within parking lot planter fingers.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

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

9. Turfed areas shall not exceed a maximum of 12.5% of the total landscapable area.

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

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

CONDITIONS – Continued:

12. All trash enclosures will conform to City standards in which they will be designed to match the main buildings. Also each trash unit will be required to have a steel gate painted to match the building along with a roofed structure to compliment the architecture of the towers.

13. Parking lot lighting standards shall be no more than (20) feet in height and shall utilize a 'shoe-box' style fixture and be 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.

14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 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. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

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

Public Works

19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

20. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A and all driveways accessing Sahara Avenue shall also receive approval from the Nevada Department of Transportation.

CONDITIONS – Continued:

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

22. 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.

23. 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.

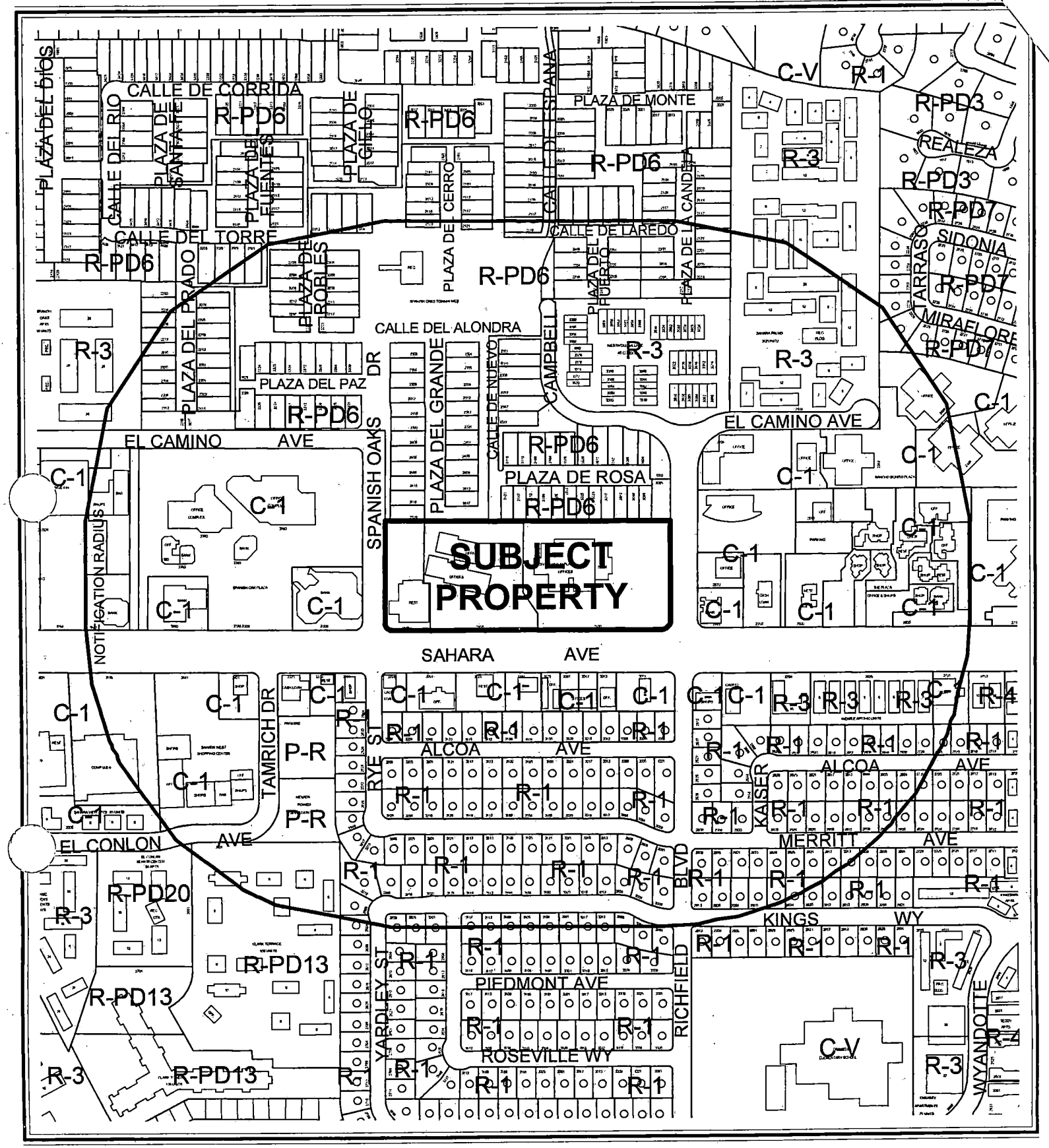
24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and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

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

CONDITIONS – Continued:

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 Commission or the City Council on the development of this site.

26. 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.


CALLE DE CORRIDA
PLAZA DEL DIOS
CALLE DEL RIO
PLAZA DE SANTA FE
PLAZA DE FUENTES
PLAZA DE CIELO
PLAZA DE CERRO
CALLE DE ESPANA
PLAZA DE MONTE
C-V
R-1
R-PD3
REALEZA
R-3
R-PD3
R-PD7
SIDONIA
TARRASO
R-PD7
MIRAFLORES
R-PD7
CALLE DEL TORRE
CALLE DE LAREDO
PLAZA DEL PRADO
PLAZA DE ROBLES
PLAZA DEL PUERTO
PLAZA DE LA CANDELA
R-PD6
R-PD6
R-PD6
R-PD6
R-3
R-3
R-3
CALLE DEL ALONDRA
PLAZA DEL PAZ
DR
CAMPBELL
CALLE DE NUEVO
PLAZA DEL GRANDE
EL CAMINO AVE
EL CAMINO AVE
R-PD6
R-PD6
PLAZA DE ROSA
R-PD6
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C-1
SPANISH OAKS
NOTIFICATION RADIUS
SUBJECT PROPERTY
SAHARA AVE
C-1
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City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6220 - APPLICANT: JLM REALTY, INC - OWNER: TLC GAMING, INC

** CONDITIONS **

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

Planning and Development

1. City Council approval of Special Use Permit (SUP-6219) to allow a Mixed Use Development.

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

3. All development shall be in conformance with the site plan and building elevations date stamped 03/21/05, except as amended by conditions herein.

4. A new parking lot layout will be submitted to the Planning and Development Department for approval, showing the layout and location of the handicap parking stalls, prior to a Tentative Map being submitted.

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

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum of four (4) five-gallon shrubs for each 24-inch box tree within provided planters along the perimeters. The plan shall also show a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24-inch box tree provided within parking lot planter fingers.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

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

9. Turfed areas shall not exceed a maximum of 12.5% of the total landscapable area.

DA

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

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

12. All trash enclosures will conform to City standards in which they will be designed to match the main buildings. Also each trash unit will be required to have a steel gate painted to match the building along with a roofed structure to compliment the architecture of the towers.

13. Parking lot lighting standards shall be no more than *(20)* feet in height and shall utilize a 'shoe-box' style fixture and be 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.

14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 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. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

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

Public Works

19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

20. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A and all driveways accessing Sahara Avenue shall also receive approval from the Nevada Department of Transportation.

DA

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

22. 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.

23. 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.

24. 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 submittal 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 submittal of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

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 Commission or the City Council on the development of this site.

DA

26. 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.

DA

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a seven-story mixed use development including; 303 residential units, and 20,250 square-feet of office and a waiver of the 15 foot rear yard setback.

B) Applicant's Justification

The applicant has justified this request by stating, "The project has been designed as a mixed-use development, to enhance the urban environment of the area. It calls upon Santa Barbara Mission style architecture to provide unique flavor to the development. The architecture is both livable and identifiable, without the uncomfortable forms that are prevalent within the modern day urban context. This housing is livable and it will contribute to Las Vegas as a needed component in the housing market and the Las Vegas valley. It promotes the mid-rise, mid priced, condominium development."

BACKGROUND INFORMATION

A) Previous Actions

09/26/73 The Board of City Commissioners approved a Rezoning (Z-0066-73) application for the reclassification of property generally located between West Oakey Boulevard on the north, West Sahara Avenue on the south, South Valley View Boulevard on the west, and Richfield Boulevard on the east, south of Westwood Village Tract and west of Springhurst Townhouses, from R-1 (Single-Family Residential) and R-3 (Medium Density Residential) to R-PD6 (Residential Planned Development – 6 Units per Acre), R-4 (High Density Residential) and C-1 (Limited Commercial). The Planning Commission and staff recommended approval.

09/27/84 The Board of Zoning Adjustment approved a Variance (V-0099-84) to allow auto sales for one day only in the months of February, May, August and November of every year where such is not permitted on property located at 3100 West Sahara Avenue. Staff recommended denial.

DA

12/02/04 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5471) for a Facility to provide testing, treatment, or counseling for drug or alcohol abuse at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.

12/02/04 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5472) for a Sex Offender Counseling Facility at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.

01/27/05 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5783) and Site Development Plan Review (SDR-5779) for a proposed Mixed-Use Development on the properties located at the northwest corner of Sahara Avenue and Richfield Boulevard.

B) Pre-Application Meeting

A pre-application meeting was held on 11/19/04 for the original proposal to develop a mixed use project on this site. This application is an extension of the original proposal and thus the original pre-application conference will apply to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 7.80 Acres

B) Existing Land Use

Subject Property:	Commercial/Office
North:	Single Family Residential
South:	Commercial
East:	Commercial/Office
West:	Commercial/Office

C) Planned Land Use

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

DA

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-PD6 (Residential Planned Development – 6 units per acre)
South: C-1 (Limited Commercial)
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject property is designated SC (Service Commercial) on the Southeast Sector Map of the General Plan. The Service Commercial category allows low to medium intensity retail, office or other commercial uses, which primarily serve local patrons and do not include more intense general commercial characteristics. In the Neighborhood Revitalization Area the C-1 (Limited Commercial) zoning district may accommodate high-density residential uses, provided there is a non-residential component at the ground level. The existing C-1 (Limited Commercial) zoning district classification conforms to the SC (Service Commercial) 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

PROJECT DESCRIPTION

The scope of this project will include the demolition of all existing structures and will provide for the construction of three 7-story buildings, which will have a mix of uses of 303 residential units and 20,250 square-feet of office space. The office space will be divided up between the three buildings with building "A" having approximately 10, 250 square-feet, building "B" will have approximately 3,900 square-feet, and building "C" having approximately 6,100 square-feet. The office space will be located on the ground level adjacent to Sahara Avenue. No residential units will be located on the ground level. The remaining portion of the ground level will include all parking for the site. Under the three buildings will be the bulk of the parking which will be accessed from the 24 foot wide drive along the north of the property. Along the north property line there will be private garages, which will be used by the residential units.

The design of the buildings will be a Spanish mission-style, which will incorporate a Delano clay tile roof that is gabled. The exterior of the building will use several desert inspired color schemes to be painted over a smooth stucco façade. Each building has an opening for a walkway leading back behind the commercial portion into a courtyard area containing a fountain.

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	N/A	339,768 S. F.	Y
Min. Lot Width	100 Feet	950 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 10 Feet 15 Feet 20 Feet	 20 Feet N/A 15 Feet 8 Feet	 Y N/A Y N
Max Building Height*	None	90 Feet	Y
Max. Lot Coverage	50 %	32.54 %	Y
Trash Enclosure	Walled, Gated, Roofed	Walled, Gated, Roofed	Y
Loading Zone	2 required	None	N
Mech. Equipment	Screened	Screened	Y

*Per Title 19.08.030.C, buildings may be constructed up to 35 feet in height at the front yard setback line along streets classified as collector or larger by the Master Plan of Streets and Highways. Any portion of a building over 35 feet in height shall be set back an additional one foot for each foot of height in excess of 35 feet. At the front setback line, the height of the building is 35 feet. A section drawing submitted by the applicant illustrates compliance with the 1:1 height to setback ratio.

The proposed mixed-use development does not meet the development standards applicable to the C-1 (Limited Commercial) zoning district. Pursuant to the residential adjacency standards the rear yard setback may be reduced down to 15 feet to mirror the setback to the residential properties to the north. The proposed rear yard setback to the garages is only 8 feet. The applicant is requesting a waiver of the rear yard setback standard to reduce the setback from the required 15 feet to 8 feet.

A2) Residential Adjacency Standards

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

a) Proximity slope. The buildings meet the 3:1 Proximity Slope requirement from the property line of protected single-family homes to the north, as their height is 21 feet at a setback of approximately 51 feet. Taller portions of the buildings are stepped back to meet the slope requirement.

b) Building setback. The residential units for this project meet the required 15-foot rear yard setback that is required for residential adjacency. The accessory buildings on the site along the north property line do not comply with the minimum setback requirement. A waiver has been request to allow the accessory structures to encroach on the required 15 foot setback area and be allowed to be setback 8 feet from the north property line.

A3) Parking and Traffic Standards

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

Uses	Units	**Required**			**Provided**	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Condominiums						
Studios	22	1.25/unit	27.5			
1-bedroom	49	1.25/unit	61.25			
2-bedroom	202	1.75/unit	353.5			
3-bedroom	30	2.00/unit	60			
Guest space	303	1/6 units	50.5			
Office	20,250 SF.	1/300 GFA	67.5	3		
Total			621	3	670	24

The proposed development will conform to all standards set forth in Title 19.10 for parking. The applicant is only proposing to have office space within the development, but if at a future date the office spaces were converted to retail or a restaurant there would still be sufficient parking to meet requirements for these types of uses.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/6 uncovered spaces + half of all trees at end of rows	24 Trees	24 Trees
Buffer: • Min. Trees (Sahara/Richfield/Spanish Oaks) • Min. Trees (north PL)	1 – 24-in. Box Tree/20 Linear Feet 1 – 24-in. Box Tree/30 Linear Feet	84 Trees 32 Trees	84 Trees 50 Trees
• Min. Zone Width • Wall height	8 Feet 8 Feet		8 Feet 8 Feet

All proposed landscaping provided on the landscape plan will comply with the Title 19.12.

B) General Analysis and Discussion

- Zoning

The proposed commercial uses are permitted in the C-1 (Limited Commercial) zoning district by right; the residential component is permitted upon approval of a Special Use Permit for a Mixed-Use Development. A separate Special Use Permit application (SUP-6219) has been filed concurrently with this Site Development Plan Review application.

- Site Plan

The site plan shows an effective layout of the buildings and parking areas. Access to the site will be from two right-in, right-out entrances off of Sahara Avenue, which will provide safe ingress and egress to the site. The site will also have access off of Richfield Boulevard and Spanish Oaks Drive, which will allow patrons full-unrestricted access to the site. The lights at Richfield Boulevard and Spanish Oaks Drive will allow for eastbound traffic on Sahara Avenue a protected left hand turn. With the number of residential units and the amount of office space being proposed, Spanish Oaks Drive and Richfield Boulevard will see an increase in traffic, which may have an impact on those residents who live to the north of this development and use those respective streets to access their homes.

Along the north property line there will be 78 parking garage units, which will be provide to the residences of the site. The garages will be designed to match the main buildings. Also along the rear of each building will be 1 and 2 car garages, which will be available to the residences for their use.

DA

There will be 3 trash receptacles on site, which will be placed on the driveway along the northern part of the property. The trash receptacles will need to conform to City standards in which they will be constructed and painted to match the main buildings. Also each trash unit will be required to have a steel gate painted to match the building along with a roofed structure to compliment the architecture of the towers.

- Waivers

  A waiver has been request to reduce the rear yard setback for an accessory structure from the required 15 feet down to 8 feet from the north property line.

- Landscape Plan

  The proposed landscaping for the site will consist of three types of 24 inch box trees. The type of tree to be used along the north property line within the buffer area will be an Arizona Cypress, which will provide dense screening for the neighbors to the north. Along Richfield Boulevard, Spanish Oaks Drive and Sahara Avenue there will be a mix of trees, which will include Date Palms and Arizona Ash's. This mix of trees will provide for a nice texture and look to these street frontages and help soften the exterior the building. Each tree will also include the required four 5-gallon shrubs per tree to provide sufficient ground cover.

- Elevation

  Elevations and section drawings illustrate compliance with Residential Adjacency Standards and height restrictions along Sahara Avenue. The proposed materials and designs for this project are acceptable and appropriate for this area.

- Floor Plan

  No floor plans were submitted with this application. However, the ground level will have 20,250 square feet of office space and the 670 parking spaces for the site. On floors 2 through 7 will be the residential units, which will provide the option of a studio, 1 bedroom, 2 bedrooms or 3-bedroom unit.

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;"**

DA

The proposed mixed-use development is adjacent to commercial uses on the south, west and east and a single-family development on the north. The buildings are set back from the residential property sufficiently to mitigate any major negative effects they may have. The site's location along a major thoroughfare allows for easy access and reduces the conflicts associated with residential adjacency.

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 will be consistent with the General Plan and with Title 19 and the Landscape, Wall and Buffer Standards with the implementation of conditions of approval of this review and the approval of a companion Special Use Permit for a Mixed-Use Development on the site.

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

This site will access Spanish Oaks Drive (75' Right-of-Way) and Richfield Boulevard (90' Right-of-Way) via a 24 foot wide drive. Spanish Oaks Drive and Richfield Boulevard provide the main access to the residential neighborhoods to the north and as such this project will increase traffic on these two roads. The site will also have two access points off of Sahara Avenue, which will be right-in and right-out only. These entrances will not have a negative impact to the traffic on Sahara Avenue or to the surrounding properties to the west or east.

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

The proposed building and landscape materials are appropriate for the area and are consistent with the City's requirements.

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

Elevations and section drawings illustrate compliance with Residential Adjacency Standards and height restrictions along Sahara Avenue. They create an aesthetically pleasing environment and are appropriate for this area.

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 protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 381 – Mailed with SUP-6219

APPROVALS 0

PROTESTS 0

DA

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4220 APN: 162-05-403-001

Name of Property Owner: TLC Gaming, Inc. (Terry Caudill)

Name of Applicant: JLM Realty, 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: Terry Caudill, President

Print Name: TERRY CAUDILL

Subscribed and sworn before me

This 1ST day of MARCH, 2005

Amalia C. Fontes
Notary Public in and for said County and State

Clark Nevada

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
AMALIA C. FONTES
Appt. No. 01-66559-1
My Appt. Expires Oct. 3, 2008

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-10220 APN: 162-05-403-002 AND 003

Name of Property Owner: CREDIT UNION PLAZA (FORMERLY KNOWN AS THE FULLER TOWERS)

Name of Applicant: JLM REALTY (HOWARD MANN)

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: Arthur V. Adams

Print Name: ARTHUR V. ADAMS

Subscribed and sworn before me

This 8th day of March, 2005

Alice M. Larsen

Notary Public in and for said County and State

ALICE M. LARSEN NOTARY PUBLIC STATE OF FLORIDA My Comm. Exp. April 15, 2005 No. CC997047

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-0220 APN: 162-05-403-002 AND 003

Name of Property Owner: SPANISH OAKS PLAZA, LP

Name of Applicant: JLM REALTY (HOWARD MANN)

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: ARTHUR V. ADAMS

STATE OF FLORIDA - COUNTY OF SARASOTA

Subscribed and sworn before me

This 8th day of MARCH, 2005

_____ ALICE M LARSEN

Notary Public in and for said County and State

ALICE M. LARSEN NOTARY PUBLIC My Comm Exp. April 15, 2005 No. DD037047 STATE OF FLORIDA

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-40220 APN: 162-05-403-002 AND 003

Name of Property Owner: SID-BRI INVESTMENTS

Name of Applicant: JLM REALTY (HOWARD MANN)

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

_____Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: BRIAN R. ADAMS, MANAGING MEMBER SID-BRI INVESTMENTS, LLC

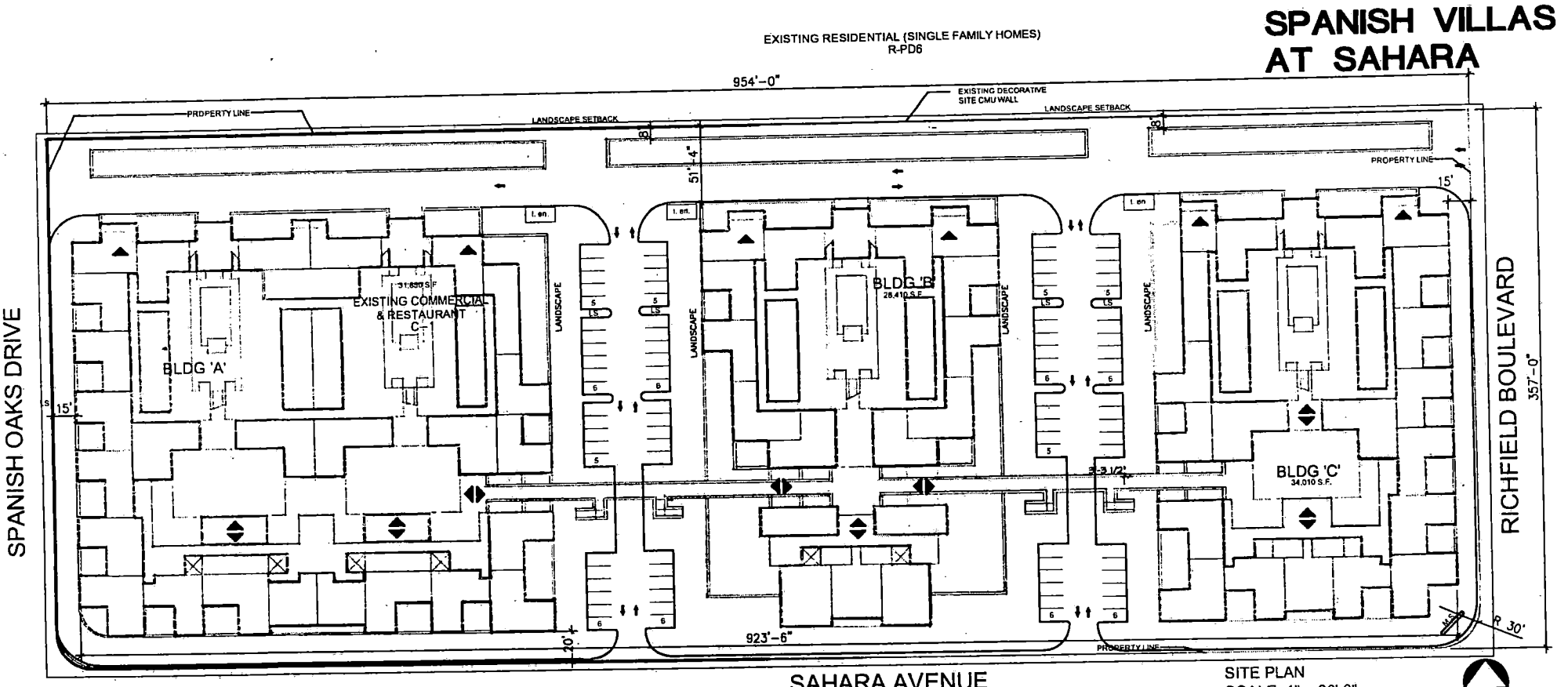
Subscribed and sworn before me

This 8th day of March, 2005

_____
Notary Public in and for said County and State

CYNTHIA M. BROOKS
Commission # 1440325
Notary Public - California
Los Angeles County
My Comm. Expires Oct 17, 2007

SPANISH VILLAS AT SAHARA



SITE PLAN
SCALE: 1" = 30'-0"

0 15' 30' 60' 120'

N

◆ INGRESS / EGRESS
▲ EGRESS ONLY
DS DIRECTIONAL SIGNAGE
MS MONUMENT SIGN
• • • HANDICAP PATH OF TRAVEL

SITE
PARCELS – 162054030D2, 16205403003, 16205403001
7.68 ACRES (334,541 S.F.)
SITE COVERAGE – 32.54%

SURFACE PARKING
24 HANDICAP STALLS (19'x18')

APPROXIMATE UNIT COUNTS

BUILDING 'A'
STUDIOS - 9 UNITS @ 1.25 CARS = 11.25 CARS
1 BEDROOMS - 18 UNITS @ 1.25 CARS = 22.5 CARS
2 BEDROOMS - 99 UNITS @ 1.75 CARS = 173.25 CARS
3 BEDROOMS - 14 UNITS @ 2.0 CARS = 28.0 CARS

BUILDING 'B'
STUDIOS - 4 UNITS @ 1.25 CARS = 5.0 CARS
1 BEDROOMS - 15 UNITS @ 1.25 CARS = 18.75 CARS
2 BEDROOMS - 45 UNITS @ 1.75 CARS = 78.75 CARS
3 BEDROOMS - 7 UNITS @ 2.0 CARS = 14.0 CARS

BUILDING 'C'
STUDIOS - 9 UNITS @ 1.25 CARS = 11.25 CARS
1 BEDROOMS - 16 UNITS @ 1.25 CARS = 20.0 CARS
2 BEDROOMS - 58 UNITS @ 1.75 CARS = 101.5 CARS
3 BEDROOMS - 9 UNITS @ 2.0 CARS = 18.0 CARS

TOTAL REQUIRED RESIDENTIAL PARKING = 503 CARS

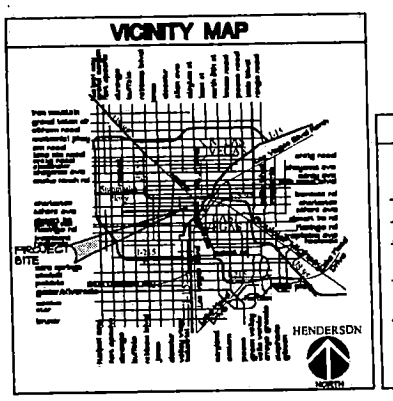
COMMERCIAL SPACE : 20,250 SQ.FT
@ 3.33 CARS/1000 SF OF COMMERCIAL SPACE
68 CARS REQUIRED

REQUIRED PARKING : RESIDENTIAL - 503 CARS
COMMERCIAL - 68 CARS
571 CARS

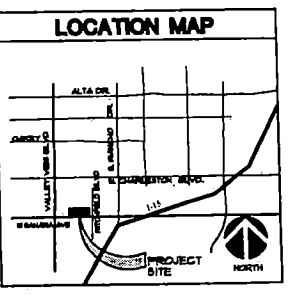
GUEST PARKING REQUIRED : 303 UNITS @ 1 PER 6 = 51
TOTAL CARS PARKED : 670
TOTAL CARS REQUIRED : 622 (RESIDENTIAL/COMMERCIAL

SUP-6219
SDR-6220
04-14-05 PC

VICINITY MAP



LOCATION MAP



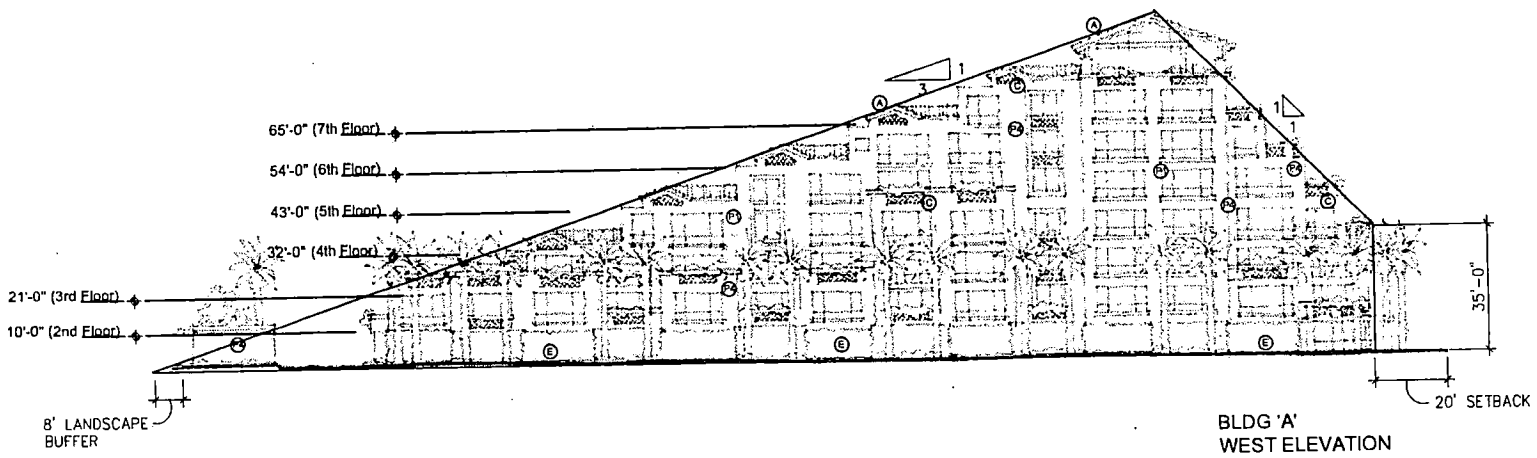
NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

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TELEPHONE: (702) 878-0000 FAX: (702) 876-6430
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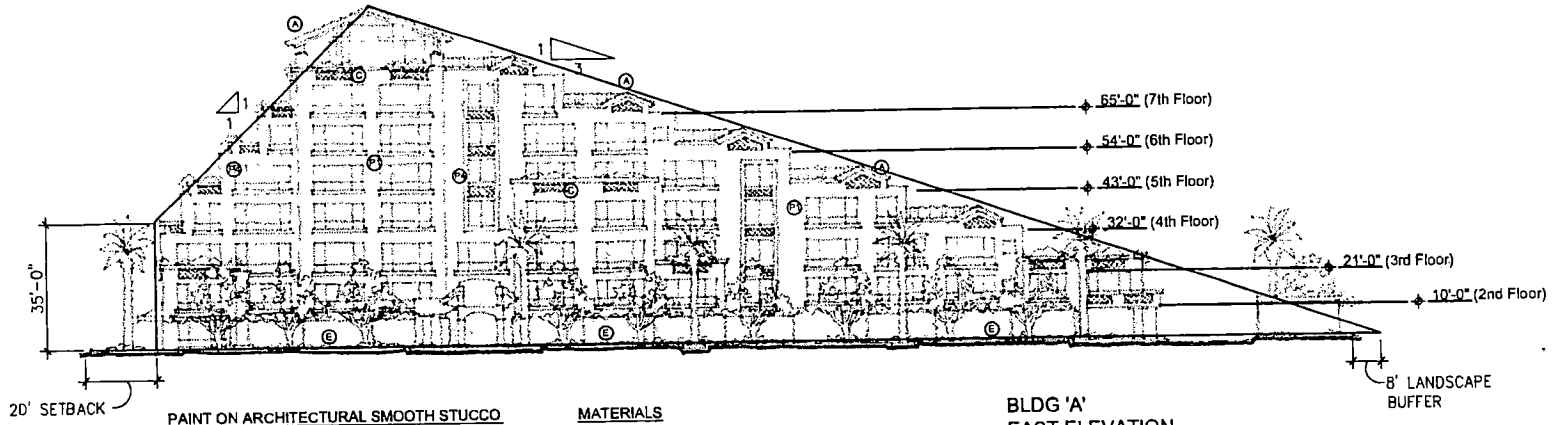
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DATE: March 21, 2005 at 8:17am PROJECT NUMBER: 04123 FILE NAME: 04138_plan 1.dwg
WAS LAST MODIFIED BY TECHNICIAN: mgarcia

SPANISH VILLAS AT SAHARA



BLDG 'A'
WEST ELEVATION



BLDG 'A'
EAST ELEVATION
SCALE: 1" = 16'-0"

0 8' 16' 32' 64'

PAINT ON ARCHITECTURAL SMOOTH STUCCO

- (P1) DE 6219 CRYSTAL HAZE
- (P2) DE 5324 FINE SAND
- (P3) DE C777 MEADDW WOOD
- (P4) DE 5181 GEORGIA CLAY
- (P5) DE 5325 REGENCY CREAM
- (P6) OE 5326 ROOT BEER FLOAT

MATERIALS

- (A) DELANO CLAY TILE - SEVILLE MIXTURE
- (B) STONE COMPOSITE ARCH SURROUND
- (C) STACKED CLAY TILE RAILING ACCENT
- (D) SUNBRELLA AWNING - FOREST GREEN
- (E) GREENSCREEN w/ FLOWER VINES

NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

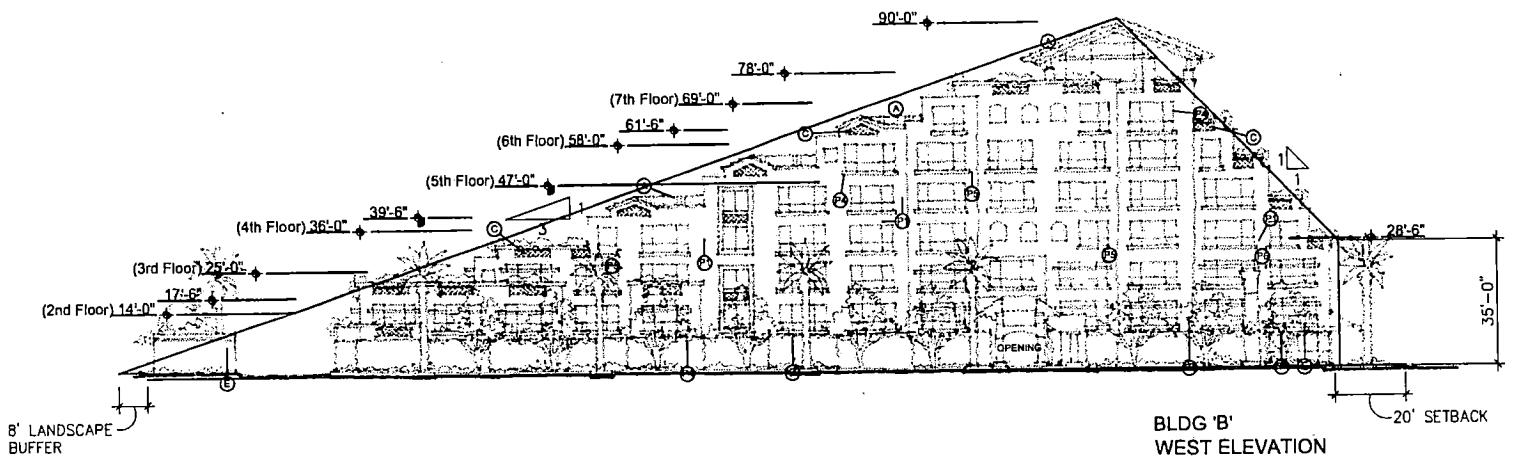
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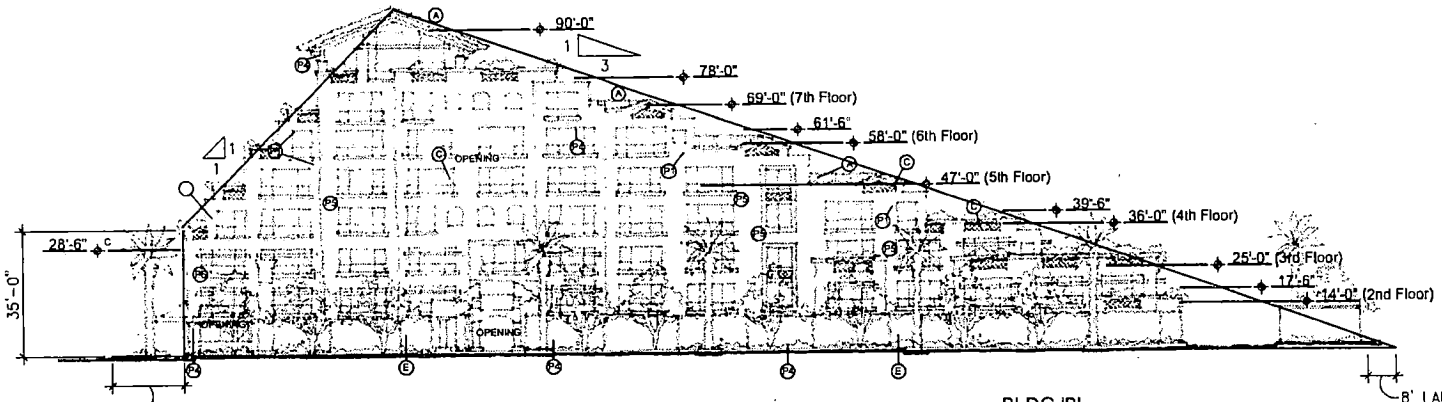
DATE: March 21, 2005 at 8:23am PROJECT NUMBER: 04128 FILE NAME: 04128_wgn elevation_b_r1.dwg
WAS LAST MODIFIED BY TECHNICIAN mgonzon

SUP-6219
SDR-6220
04-14-05 PC

SPANISH VILLAS AT SAHARA



BLDG 'B'
WEST ELEVATION



PAINT ON ARCHITECTURAL SMOOTH STUCCO

- P1 DE 6219 CRYSTAL HAZE
- P2 DE 5324 FINE SAND
- P3 OE C777 MEADOW WOOD
- P4 OE 5181 GEORGIA CLAY
- P5 DE 5325 REGENCY CREAM
- P6 DE 5326 ROOT BEER FLOAT

MATERIALS

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- (C) STACKED CLAY TILE RAILING ACCENT
- (D) SUNBRELLA AWNING - FOREST GREEN
- (E) GREENSCREEN w/ FLOWER VINES

BLDG 'B'
EAST ELEVATION
SCALE: 1" = 16'-0"

0 8' 16' 32' 64'

NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

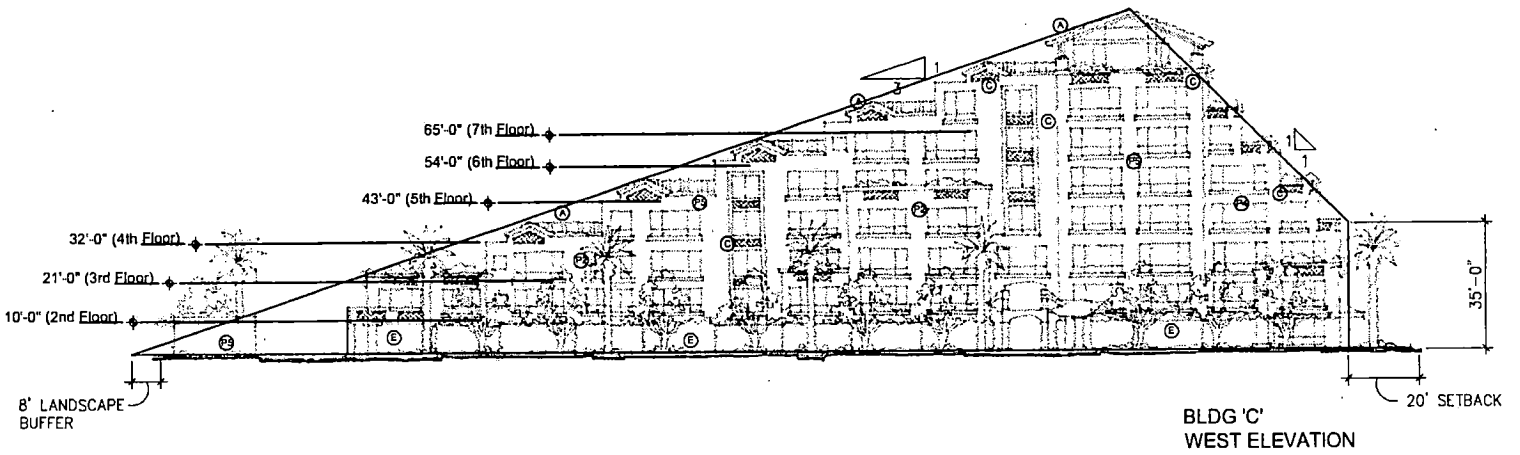
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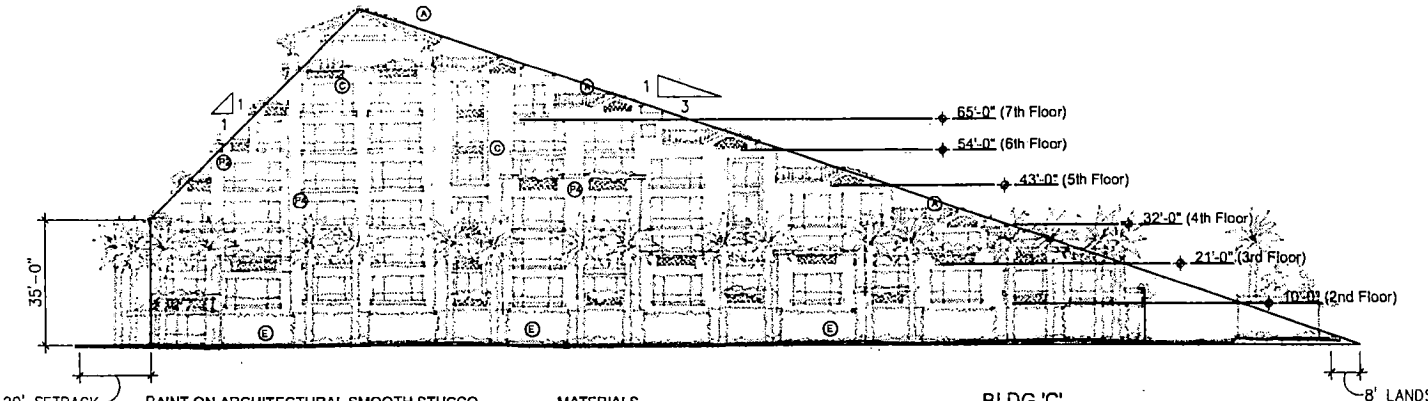
DATE: March 31, 2005 at 8:32am PROJECT NUMBER: 04128 FILE NAME: 04128_site elevation_3_rev.dwg
WAS LAST MODIFIED BY TECHNICIAN: mgerson

SUP-6219
SDR-6220
04-14-05 PC

SPANISH VILLAS AT SAHARA



BLDG 'C'
WEST ELEVATION



BLDG 'C'
EAST ELEVATION
SCALE: 1" = 16'-0"

0 8' 16' 32' 64'

PAINT ON ARCHITECTURAL SMOOTH STUCCO

- (P1) DE 6219 CRYSTAL HAZE
- (P2) DE 5324 FINE SAND
- (P3) DE C777 MEADOW WOOD
- (P4) DE 5181 GEORGIA CLAY
- (P5) DE 5325 REGENCY CREAM
- (P6) DE 5326 ROOT BEER FLOAT

MATERIALS

- (A) DELANO CLAY TILE - SEVILLE MIXTURE
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NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

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DATE: March 21, 2005 at 8:24am PROJECT NUMBER: 04128 FILE NAME: 04128_bldg elevation_c_east.dwg
WAS LAST MODIFIED BY: TECHNICIAN: mgarrison

SUP-6219
SDR-6220
04-14-05 PC

Architecture
Interior Design

WESTAR
ARCHITECTS

March 1, 2005

City of Las Vegas
Development Services Center
Planning & Development Dept.
731 South Fourth Street
Las Vegas, NV 89101

RE: Condominiums @ Sahara and Spanish Oaks
3100, 3150 and 3190 West Sahara Avenue
APN: 162-05-403-001-002 & 003

To Whom It May Concern,

Please accept this letter as justification for the above referenced property.

Our client is requesting a Site Development Plan Review with a Special Use Permit for a three building, seven story 415,000 square feet residential condominium complex with ground level, 20,250 square feet of non-residential commercial development (offices, retail, etc) facing Sahara Avenue. *Our client is also requesting a waiver of the non-residential commercial requirement on the ground-level to allow for a residential development on the ground-level behind the non-residential commercial development.* This project is providing 652 parking spaces, which is in compliance with zoning will be part of this project providing adequate parking for the project.

This project is located in The City of Las Vegas Revitalization Area at the Northwest corner of Sahara Avenue and Richfield Boulevard on 7.80 net acres. It is bounded by residential to the north (Spanish Oaks) and commercial to the east, south and west.

The project has been designed as a mixed-use development, to enhance the urban environment of the area. It calls upon a *Santa Barbara Mission* style architecture to provide unique flavor to the development. The architecture is both livable and identifiable, without the uncomfortable forms that are prevalent within the modern day urban context. This housing is livable and it will contribute to Las Vegas as a needed component in the housing market and the Las Vegas valley. It promotes the mid-rise, mid priced, condominium development.

To enhance the development of the site, the commercial component will be promoted as professional office units. In its current configuration, the interest in these units is seen coming from existing tenants in the building and neighboring office buildings, and the owners of the condominiums contained within the proposed development. To date, interest in this type of development, a lower density non-high-rise configuration, has been significant.

SDR-4220

WESTAR Architects, Inc.
701 bridger ave., suite 400 las vegas, nv 89101 phone: 702.878.0000 fax: 702.878.8430 email: info@wagnarchitects.com

It is the concern of the Owner to present this project to the City of Las Vegas without variances. Accordingly the project, as currently designed, is within the envelope created by the Residential Adjacency Standards to the north, and the vertical setbacks from a major arterial to the south. The project meets or exceeds all required building setbacks as prescribed by the City Zoning Ordinances.

This project will be a benefit to the redevelopment of the West Sahara corridor. It is not only a positive contribution to this section of the City, but will enhance residential property values in the immediate area and serve as buffer for the existing Spanish Oaks community to the north. It will provide a transition in use and density that is not present at this time.

We have met with Ms. Margo Wheeler, Deputy Director, Planning and Development Department, to review this project as presented. At that time Ms. Wheeler verified her acceptance of the mix of the commercial office component with the residential component at the grade level. We are attaching her notes on the plan for reference.

We look forward to the injection of this exciting, new and relevant housing product to the Las Vegas market to the benefit of both the unit owners, Spanish Oaks community and the City of Las Vegas.

Thank you for your consideration in this matter.

Yours truly,
WESTAR Architects

Dee Frandsen
Project Manager

File: V/2004Projects/04128/Correspondence/SiteReviewComm

SDR-4220

City of Las Vegas

Agenda Item No.: 53

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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:
McSWAIN – DENIED – UNANIMOUS

This is Final Action

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated that the last application for this site was for a Jack in the Box with a drive-thru. Since then, the site has been redesigned and now is being proposed as a check cashing facility. The application does require a distance separation waiver from residential. Staff does not feel the use is compatible or harmonious with the adjacent residences.

MINUTES – Continued:

KAREN RICHARDSON, 815 Pilot Road, Las Vegas, appeared on behalf of the applicant and in place of her co-worker, LUCY STEWART, who was called out of town. She explained that the new site plan takes the best advantage of separating uses from the adjacent residential development. She asked the Commissioners to consider the circulation around the building, feeling it provides the most separation possible on the site. The configuration chosen for this site left more areas open for landscaping than what would normally remain in a commercial development. The applicant felt that fact softened the rear view from the residential. She concurred with all conditions and requested approval.

SHIRLEY and JOE BORO, 8585 Blowing Pines Drive and DONNA SAMATULSKI, 8580 Blowing Pines Drive, spoke in opposition of the proposed development. MS. BORO brought a document showing many of the homes in the area that are for sale, as residents are leaving because of the subject lot. They also commented on the short wall that was supposed to be eight feet tall and the close proximity of the building. MS. SAMATULSKI said that when the trash is picked up once a week from the Walgreens, the noise is excessive. She felt the proposed development would be more appropriate across the street. She also questioned the type of person who would use a check cashing service. MR. BORO said he is a courier and noted that most check cashing companies are located within shopping or business centers. He agreed the shopping center across the street might be a more appropriate location.

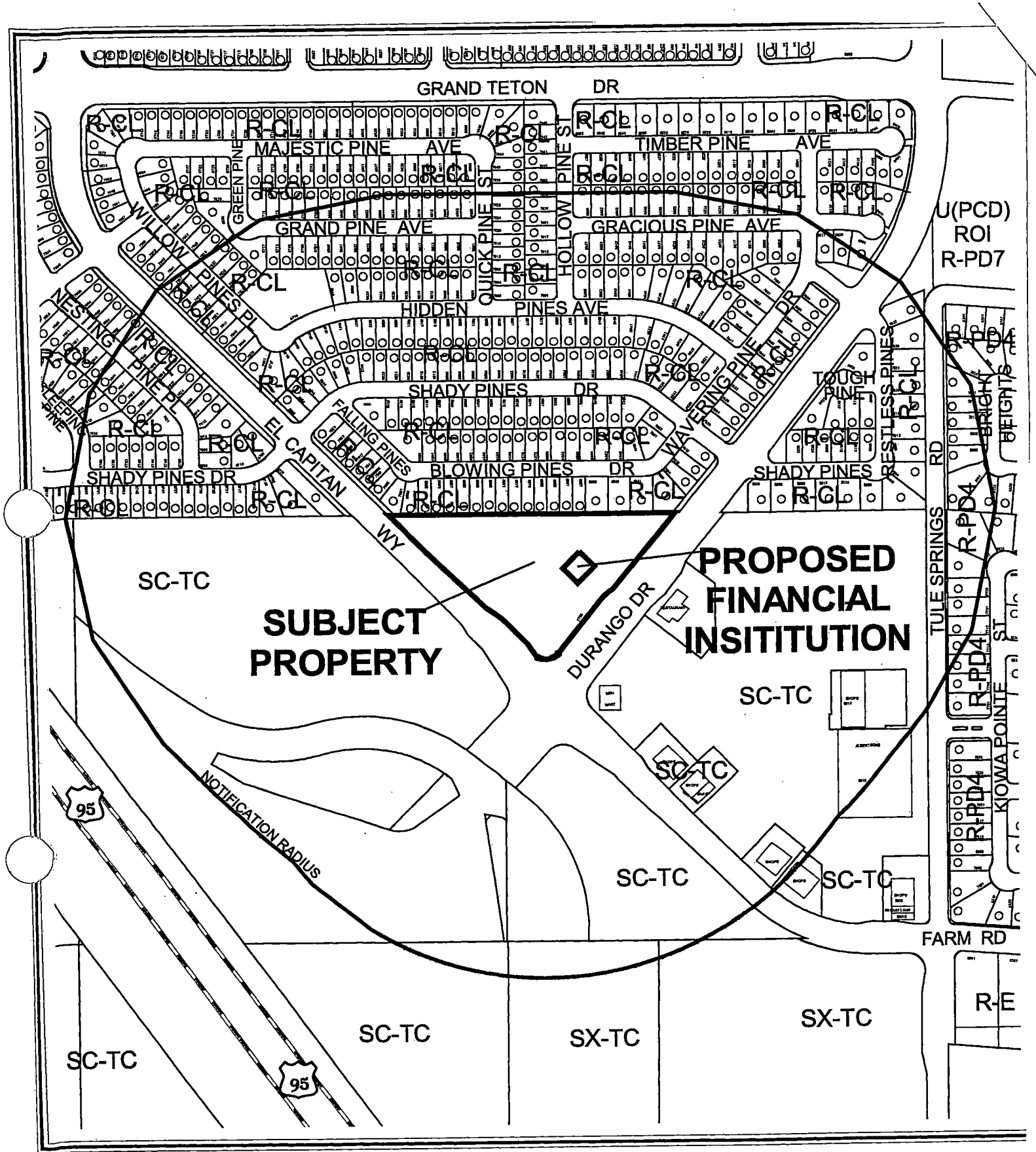
TODD FARLOW, 240 North 19th Street, found MS. SAMATULSKI'S comments to be unfounded.

COMMISSIONER McSWAIN stated that this proposal is an improvement over the Jack in the Box; however, she felt an obligation to abide by the distance separation requirements. She feared that allowing flexibility in that area would set a precedent for other applications in the future. As a result, she could not support the item.

VICE CHAIRMAN TRUESDELL agreed that this was an improvement over the previous application for the site. He thought the trash enclosure should be moved and noted the building being farther away from the neighbors. The distance separations are in place for a reason and in this situation, it is difficult to justify the proximity to the neighbors in this configuration. He was not sure he could support the use with the current configuration since the 200-foot distance separation was not met.

CHAIRMAN NIGRO declared the Public Hearing closed.

(9:30 – 9:43)

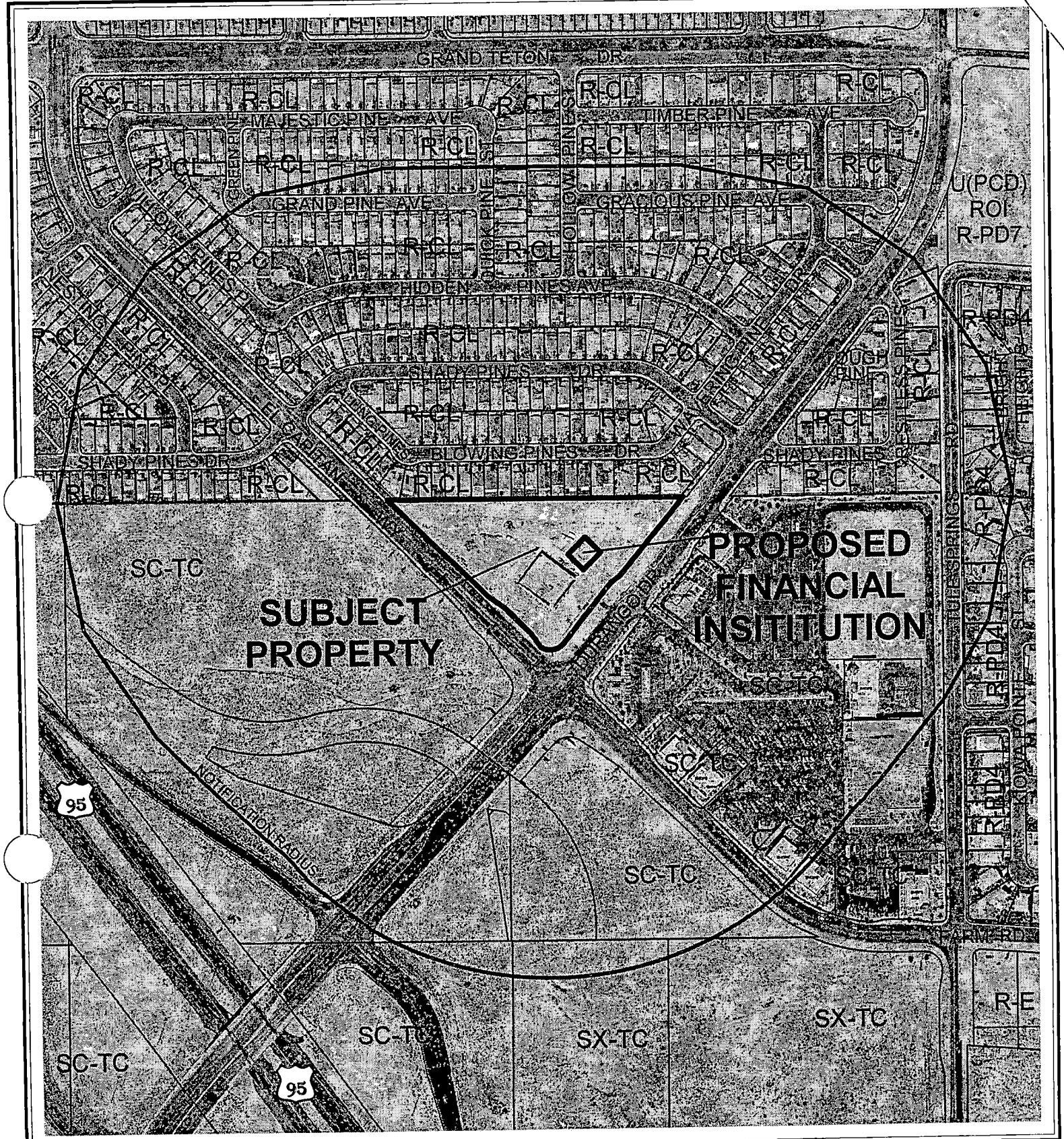


CASE: **SUP-6160**

RADIUS: 1000 FT

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

N



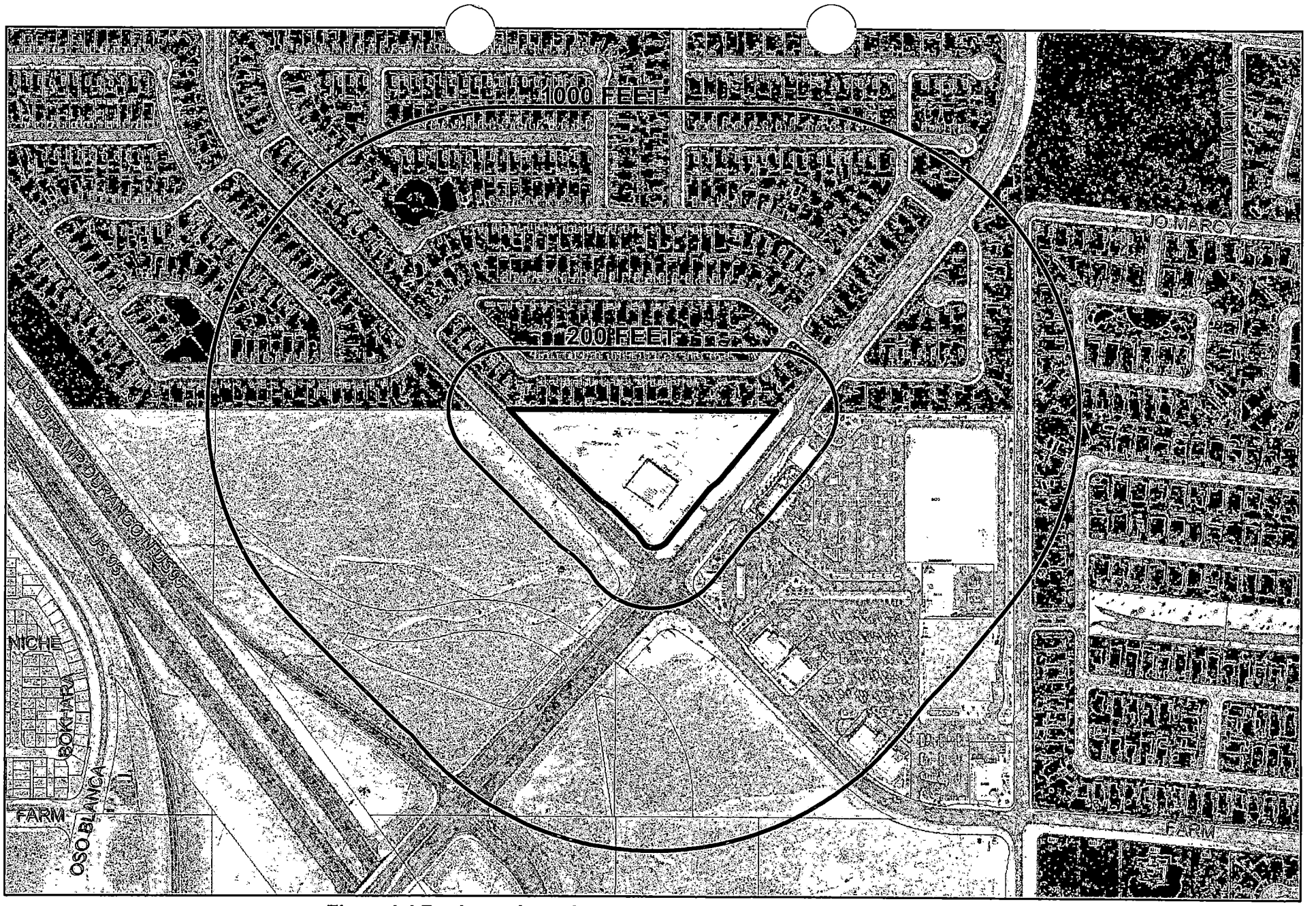
0 400 800 Feet

CASE: **SUP-6160**

RADIUS: 1000 FT

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

N



SUP-6160

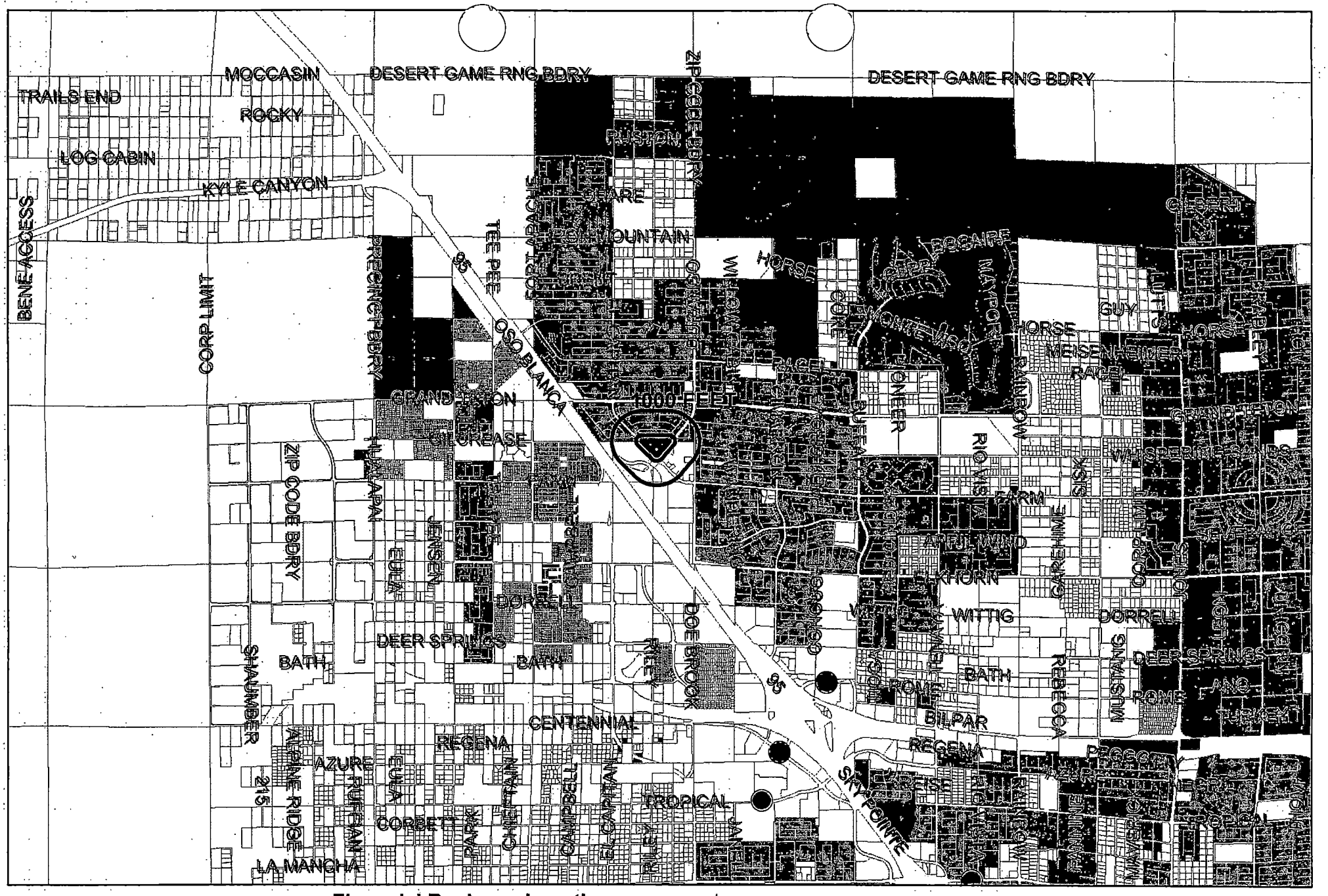
Financial Business Locations

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

Subject Property
Residential Property
Buffer

0 245 490 980 Feet

N



Financial Business Locations

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

Subject Property
Residential Property
Buffer

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6160 - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for a Financial Institution, Specified, except for the separation requirement of a Financial Institution, Specified from a residential use.

2. The Waiver request for the 200-foot separation requirement shall be granted.

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

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

5. The use shall comply with all applicable requirements of LVMC Title 6.

6. The building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.

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

8. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 10:00 p.m.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Special Use Permit to allow a Financial Institution Specified and Waiver of the 200-foot minimum distance requirement from any residential parcel or zone located on property at the northwest corner of Durango Drive and El Capitan Way (APN 125-17-601-011).

B) Applicant's Justification

The applicant's Justification Letter indicates that the proposed payday loan business (Financial Institution, Specified) is compatible with the uses within the same parcel and surrounding area and that the proposed use will not have a substantial adverse effect on public facilities or services in the area. The surrounding area is developed with major grocery stores, numerous restaurants, including drive-through and delivery, as well as a host of other service related industries including banks, cleaners and retail. In addition, the applicant relates to other previously approved Financial Institution, Specified uses that have been approved less than 200 feet from a residential parcel or zone. Finally, that the intensity of the proposed use is consistent with those uses within the service commercial zone.

BACKGROUND INFORMATION

A) Related Actions

12/07/98	The City Council approved the rezoning of the Town Center plan area (Z-0076-98) including this parcel. The Planning Commission 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.
10/23/03	The Planning Commission abeyed, SDR #3191, the original site plan to its 12/04/03 meeting in order to include the full commercial development site in the application. This request was noticed to include the full site in the application.

01/07/04 The City Council approved Site Development Plan Review (SDR 3191) and a Waiver of build-to-street standards of the Town Center Development Standards for a 29,120 square foot commercial building(s), subject to conditions. Planning Commission and staff recommended denial.

1/22/04 The Planning Commission voted 7-0 to approve TMP #3272 for a two lot commercial subdivision on 4.91 acres of land. Final Action.

12/03/04 Planning Staff administratively approved a Minor Amendment to Site Development Plan Review (SDR 3191) to allow 29,315 square foot commercial building(s).

01/13/05 The Planning Commission denied a Special Use Permit (SUP-5684) and a Site Development Plan Review (SDR-5681) for a proposed restaurant with drive-through (Jack in the Box).

01/27/05 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice Special Use Permit (SUP-5740) for a proposed liquor establishment (tavern) and a waiver of the 50-acre minimum site area requirement.

B) Pre-Application Meeting

02/15/05 A pre-application meeting was held and the following comment was made:

1. Applicant will be required to ask for a waiver from the minimum distance separation from residential (L.V.M.C. § §19.04-040).
2. A special use permit shall be required for the proposed Financial Institution Specified (Town Center Development Standards Manual).

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	4.91	Acres
Net Acres:	3.21	Acres and 1.70 Acres (Walgreens Site)

B) Existing Land Use

Subject Site:	Vacant
North:	Single Family Homes
South:	Retail Commercial (14,820 sq.ft. Walgreens)
East:	Retail Commercial
West:	Vacant

C) Planned Land Use

Subject Property:	SC-TC	(Service Commercial- Town Center)
North:	PCD	(Planned Community Development)
South:	SC-TC	(Service Commercial- Town Center)
East:	SC-TC	(Service Commercial- Town Center)
West:	SC-TC	(Service Commercial- Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	R-CL (Residential –Compact Lot)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center)

E) General Plan Compliance

a. Centennial Hills General Plan: The development of the subject parcels supports-

- Policy A2, which encourages the use of vacant land near development to efficiently use existing infrastructure.
- Policy B4, which calls for a balance in the amount and location of commercial and office uses that will serve the projected population.

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

TOWN CENTER

The development of the proposed use will be subject to the requirements of the Town Center Development Standards.

TRAILS

The Town Center Arterial trail along El Capitan Way, the Town Center Parkway Trail along Durango Drive and the Bike Trail on Durango Drive are all located in the rights-of-way of El Capitan Way and Durango Drive. The applicant shall incorporate these trails in the improvements of these streets as part of the previous overall SDR #3191.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed not to be a "Project of Regional Significance."

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	**Required** Ratio	Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Walgreens Site	14,820 SF.	1 stall/175 GFA	85			
Pad B/Retail	8,000 SF.		46			
Pad C/Retail	3,975 SF		23			
Pad C/Financial Institution Specified	2,500 SF	1 stall/200	13			
Total	29,295 SF.		167	6	244	7

On January 7, 2004, the site plan was originally approved to incorporate a total of two additional retail/restaurant pads. On December 3, 2004, the Planning and Development Department approved a minor amendment to the original site plan. The five separate commercial retail pads were combined into three (3) retail pads and one (1) for a proposed drive-through restaurant. On January 13, 2005, the Planning Commission denied the proposed drive-through restaurant. The applicant then decided to withdrew the proposed drive-through restaurant for this site. On March 21, 2005, the site plan was submitted to the Planning and Development Department (P&DD) for consideration of a second minor amendment. On March 23, 2005, the P&DD concluded that the proposed revisions warranted approval of a minor amendment. The final site plan includes a total of two retail pads (one of which is partially proposed to be taken by the proposed financial institution) and the Walgreens Site.

On January 22, 2005, the Planning Commission approved a Tentative Map for a two lot commercial subdivision. The subdivision created a separate lot for the Walgreens site consisting of approximately 1.70 acres in area. The Final Map is almost completed and is going through its final approval stages. All cross easements for access and parking have been provided.

A2) Minimum Distance Separation Requirements

A Financial Institution, Specified may not be located within 200 feet of any parcel used or property zoned for residential use or within 1000-feet of another Financial Institution, Specified (L.V.M.C. § § 19-04.04). The subject site abuts a parcel used for single family residential purposes and is also zoned for residential use. The applicant is requesting a waiver of the 200 feet requirement. There are no other Financial Institution, Specified uses within a 1000 feet of the subject site.

Pursuant to Title 19.04.050, the following Standards apply to the subject proposal:

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

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

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

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

(5) The hours of operation shall not extend beyond the hours of eight a.m. to eleven p.m.

(6) The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

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

B) General Analysis and Discussion

- Zoning

The proposed Financial Institution, Specified is permitted within the T-C zone subject to approval of a Special Use Permit. There are seven specific main standards that need to be met in order to establish the proposed use. The applicant's representatives have submitted a request for waiver in order for the Planning Commission to consider a request to allow 0 separation instead of 200 feet between the subject site and a residential uses/zone.

- Use

On April 21, 2005, the City Council adopted an ordinance, Ordinance No. 5862, establishing the separation standards and other requirements for Financial Institution, Specified. This Code Requirement was established by the City Council, Ordinance 5682, on April 21, 2004. The Zoning Ordinance defines the proposed use as follows:

"Financial *Institution, Specified*" means any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a check cashing service, paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances, but does not include a pawn shop (L.V.M.C. § 19-20).

There has been approximately 13 application submittals for a special use permit that have been reviewed by the Planning Commission since the April 21, 2005 ordinance was adopted. There are four (4) recently submitted applications that are more recent application submittals that will be reviewed by the Planning Commission in the next upcoming months. Of the 13 submittals each case was reviewed by the Commission based on its own compliance with code and specific reasons for approval or denial.

There was a Financial Institution, Specified approved a little over 1000 feet along Farm Road over one year ago (SUP-3332). This application has expired and the business never opened. The site where the Financial Institution, Specified was going to be located is presently being occupied by other commercial uses. The nearest Financial Institution, Specified from this area is approximately 2 miles southeast from the subject site (6510 Buffalo Road SUP-3117).

- Waiver Request

The reason for the 200 feet requirement is to establish a reasonable distance between residential properties and a use. The City's experience with Financial Institution, Specified uses is that they are often not compatible to surrounding residential uses. They have bright signage and operate at late hours of the evening thereby disturbing the adjacent residential neighborhood. The late hours in close proximity to a residential neighborhood also creates traffic and possible loitering issues within a shopping center that would normally be closed for operation at late hours of the evening.

The code requires that all the standards be met, unless it can be shown by convincing evidence by the applicant that any waiver of these requirements will not compromise the objectives of the City in safeguarding the interests of the citizens of the City (L.V.M.C. 19.04.050A.). The applicant has provided a Justification Letter for the waiver request.

The applicant's Justification Letter indicates that the proposed payday loan business is compatible to the surrounding commercial uses (Walgreens, restaurants, banks, cleaners, etc) and within the subject site. The intensity of the proposed use will not be any different than that of the existing commercial uses. The existing Walgreens hours of operation are from 7:00 am to 10:00 pm, seven days a week within the subject shopping center location. Financial Institution, Specified are allowed to operate from 8:00 a.m. to 11:00 p.m., seven days a week. If the

Planning Commission decides to approve this request, staff recommends that the hours of operation be restricted to close at 10:00 p.m. instead of 11:00 p.m. to be in conformance with the immediately surrounding commercial use (Condition #7).

The letter indicates that the proposed use will not have an adverse effect on public facilities and services since the area is currently developed with similar commercial uses. Staff doesn't disagree with this statement, but please note that issues related to impacts on public facilities and services was not the reason behind the separation distance requirement. The issues related to the separation requirement relate to the manner in which the operation of the business is going to be conducted and compliance with the sign requirements and advertising. The applicant's representative has provided photographs of a similar type of use that currently exists within another shopping center for the Planning Commission to review.

In addition, the Justification Letter mentions a previously approved Check Cashing/Payday Loan business approved in a nearby location within 200 feet of a residential neighborhood. However, this use was approved (1/21/04) prior to the new text amendment being approved with the new distance requirements. The applicant's Justification Letter also lists a number of other Financial Institutions, Specified as a precedent. The fact that a Special User Permit for the same or similar use has been granted previously for the subject property or nearby property is a factor, but is not determinative (L.V.M.C. § §19-18.060 H.). In other words, previous approvals do not have final over all final barring on the Planning Commission's decision. The Commission may deny the proposal if it does not find that there is adequate justification related to waiving the 200 feet separation distance requirement.

- Status of Proposed Building Construction

  As of this date, the Walgreens is almost completed. However, no plans have been submitted to the Building Department for construction of the proposed commercial building in which the proposed Financial Institution, Specified is proposed to occupy. Attached is a copy of the approved building elevations for the proposed commercial buildings.

- Conditions

  If the Planning Commission decides that the project is appropriate and makes positive findings to recommend approval, a list of recommended conditions has been included as part of this staff report for the Commission to consider. Condition #7 is recommended requiring the proposed use to operate between the hours of 8:00 am to 10:00 pm in order to be in conformance with the existing commercial site business hours of operation. The conditions are included in the front of this Staff Report.

FINDINGS

In order to approve a Special Use Permit (SUP) application, per Title 19.18.060 the Planning Commission and City Council must affirm positive findings for a SUP. After review of the proposed Justification Letter and review of the project details, Staff cannot make positive findings and recommends denial of the proposed use subject to the following:

1. The proposed land use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan, in that the proposed project directly abuts a residential use to the north and will be operating at late hours of the evening. The proposed use will be incompatible with the abutting residential uses to the north of the subject site.

2. The subject site is not physically suitable for the type and intensity of land use proposed, in that the there are other commercial areas within the surrounding community (provide a specific location) to establish a proposed Financial Institution, Specified.

3. Approval of the Special Use Permit at the site in question will be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan, in that the proposed Financial Institution, Specialized is not compatible and to close to the residential neighborhood located zero (0) feet to the north of the subject site. The proposed use is inconsistent with Objective C of Subsection 2.3 of the City's Land Use Element stating for future land uses to "achieve a compatible balance of land uses throughout the City by providing appropriate and compatible character."

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 373

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-6160 APN: 125-17-601-011

Name of Property Owner: PPLand Limited Partnership

Name of Applicant: _____

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

_____Yes _____X_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: James A. Peterson by Power of Attorney for PPLand Limited Partnership

Subscribed and sworn before me

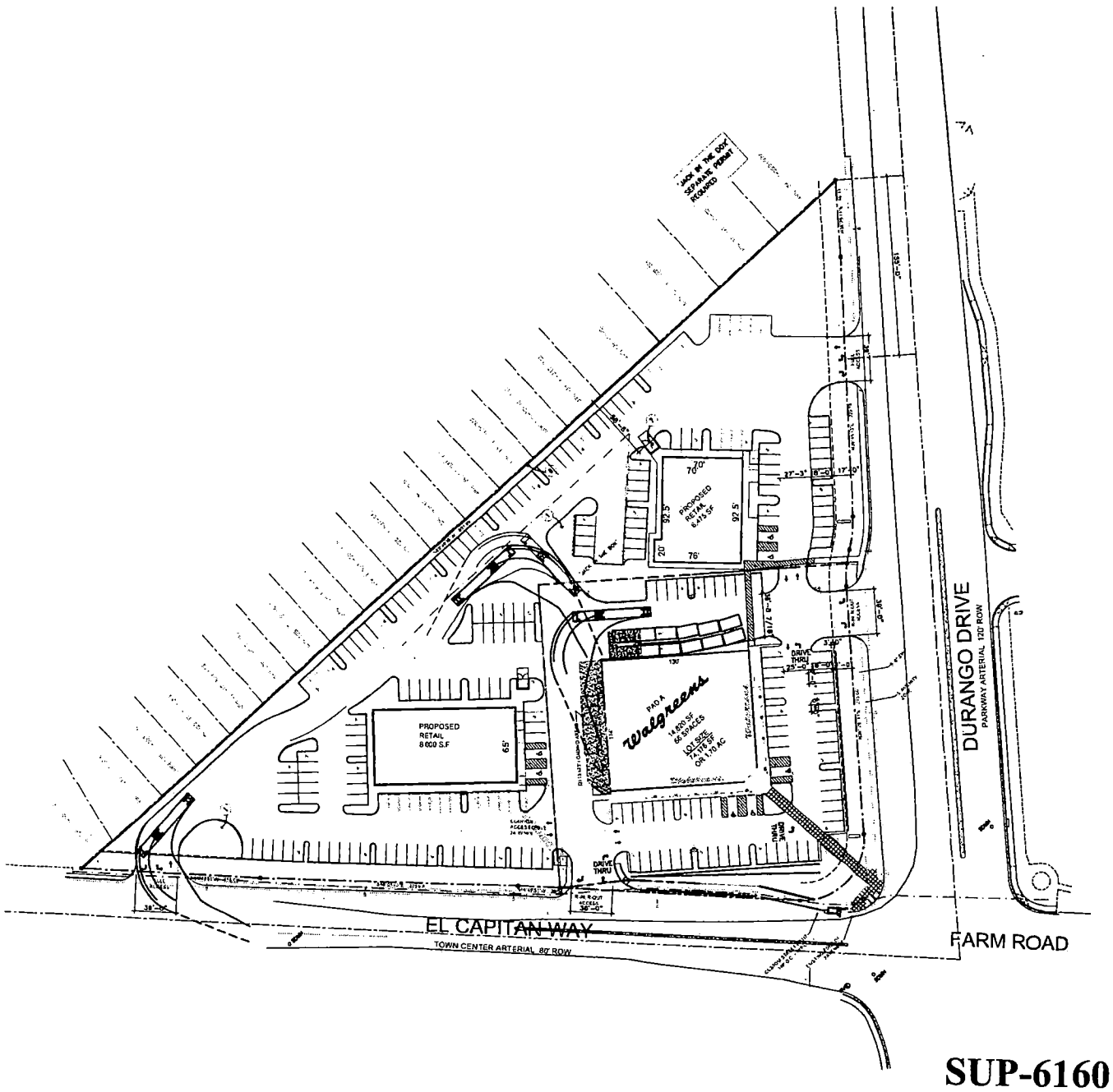
This 17th day of November, 2004

_____
Notary Public in and for said County and State

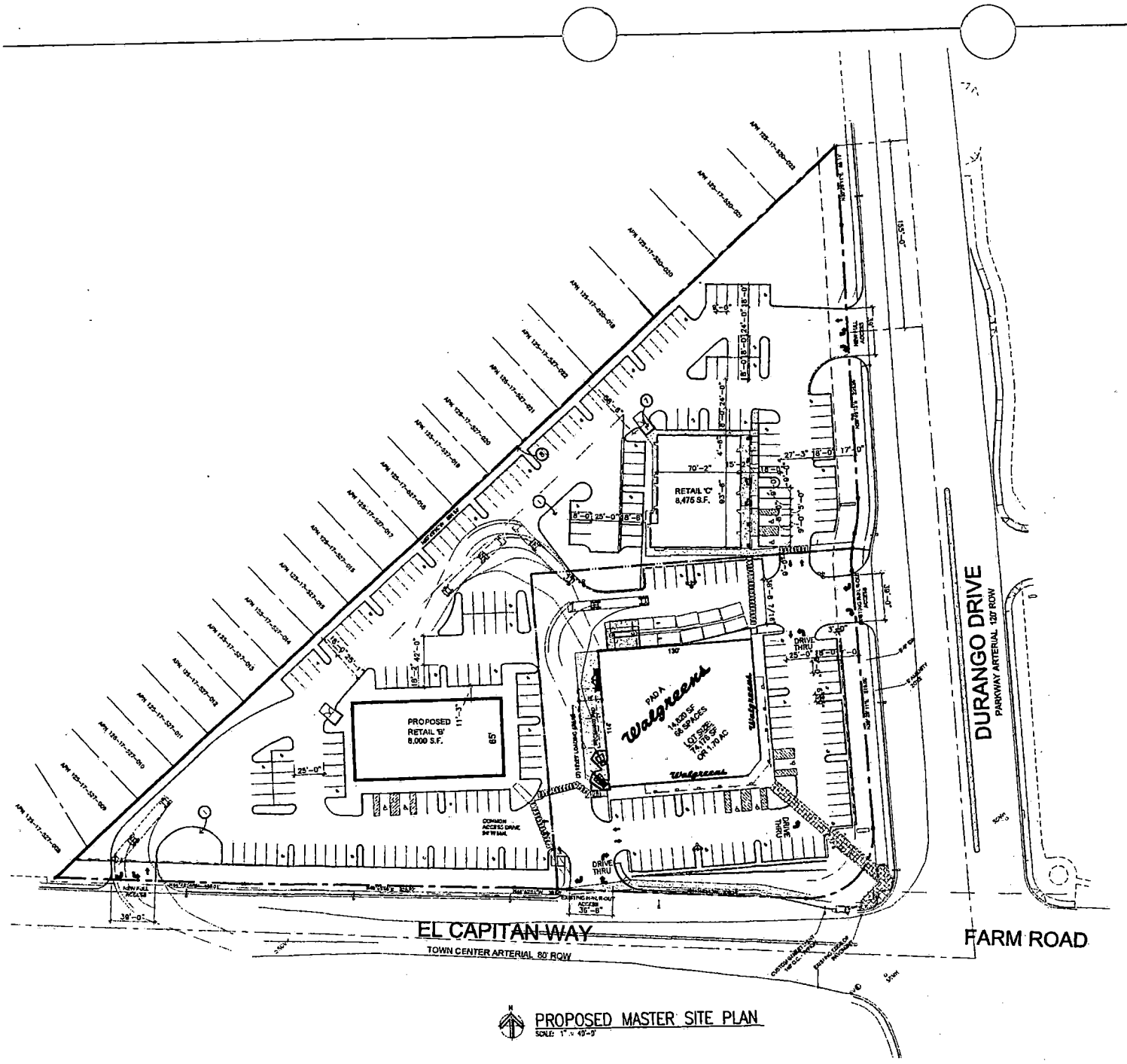
OFFICIAL SEAL
KYLE P. CONNALLY
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires: _____

Revised 2/12/02

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



SUP-6160
04-14-05 PC



PROPOSED MASTER SITE PLAN
SCALE: 1" = 40'-0"

SITE DATA

APN ASSESSORS PARCEL NUMBER	APN 125-17-510-011
PROJECT DESCRIPTION NEW RETAIL CENTER	
SITE DATA ZONING OVERALL SITE AREA= 212,141.84 S.F.= 4.9 ACRES	
PARCEL D LOT SIZE: TOTAL = 4.9 ACRES WALGREENS = 1.70 ACRES REMAINING = 3.21 ACRES	
DEVELOPER	MBA ASSOCIATES 8936 SOUTH PECOS ROAD, BUILDING D LAS VEGAS, NEVADA 89120 PH: (702) 792-3333
BUILDING HEIGHT MAXIMUM BUILDING HEIGHT	22'-0" MAXIMUM

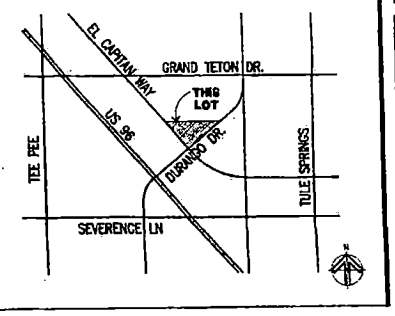
UPDATED SITE PLAN DATA	ORIGINALLY APPROVED SITE PLAN DATA PER SDR-3191, JAN 7, 2004
BUILDING AREAS: RETAIL 'B' = 8,000 S.F. WALGREENS = 14,820 S.F. RETAIL 'C' = 8,475 SF TOTAL SF OF THIS SITE PLAN = 29,295 S.F. < 29,320 S.F. = OK	APPROVED BUILDING AREAS: RETAIL 'C' = 8,475 S.F. WALGREENS = 14,820 S.F. JUICE = 2,800 SF RESTAURANT: 2,800 S.F. PROPOSED BANK = 2,400 S.F. TOTAL SF OF ORIGINALLY APPROVED SITE PLAN = 29,320 S.F.
UPDATED PARKING REQUIREMENT PARKING REQUIRED: WALGREENS: 14,820/175= 85 RETAIL 'B' : 8,000 SF/175 = 46 RETAIL 'C' : 8475 SF/ 175= 37 TOTAL PARKING REQUIRED=168 TOTAL PARKING PROVIDED= 251	ORIGINALLY APPROVED PARKING PER SDR-3191, JAN 7, 2004 TOTAL PARKING APPROVED= 192

KEY NOTES

1. LANDSCAPE AREA, SEE LANDSCAPE PLANS
2. NEW CONCRETE SIDEWALK
3. ADA-COMPLIANT ACCESSIBLE PATH OF TRAVEL
4. 4" PAINTED PARKING STRIPING
5. NEW ASPHALT PAVING, PER CIVIL PLANS
6. NEW CONCRETE CURB, GUTTER, AND SIDEWALK, PER CIVIL PLANS
7. NEW TRASH ENCLOSURE
8. NEW CONTINUOUS 8'-0" HIGH MASONRY WALL

VICINITY PLAN

N.T.S.



Jeff Looker
Architect
2070 E. SOUTHERN AVE.
TEMPE, ARIZONA 85282
PHONE: 480-730-1776
FAX: 480-968-8571

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NEW RETAIL CENTER
FOR MBA ASSOCIATES
NORTH WEST C. OF DURANGO DR. AND EL CAPITAN WAY
LAS VEGAS / CLARK COUNTY, NEVADA

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OVERALL SITE PLAN

JEFF LOOKER REGISTERED No. 2947 ARCHITECT STATE OF NEVADA

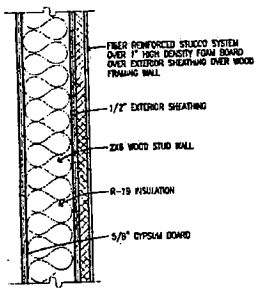
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JOB NO.: LC - 392

SD-1

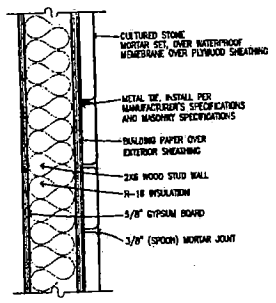
03-18-2005

SUP-6160
04-14-05 PC

WALL TYPES DETAILS



1 WALL TYPE – 1
SCALE: 1 1/2"=1'-0"



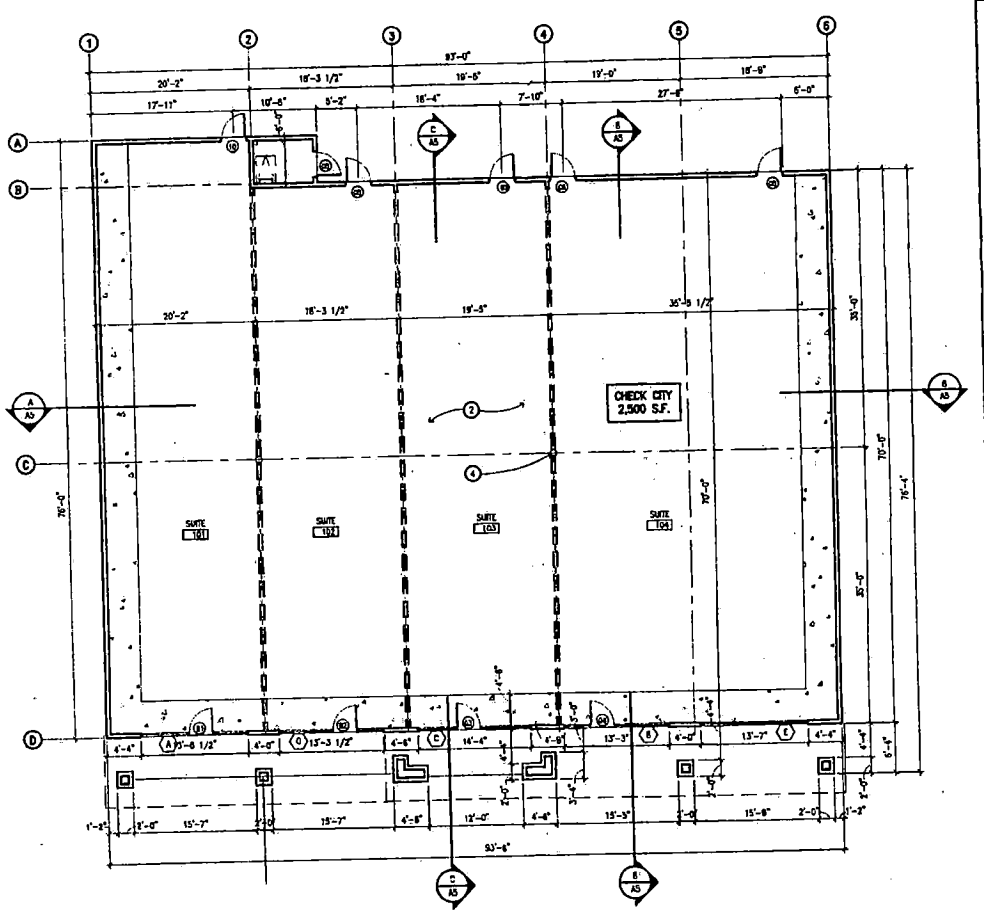
2 WALL TYPE – 2
SCALE: 1 1/2"=1'-0"

GENERAL NOTES

1. EXTERIOR DIMENSIONS ARE TO FACE OF STUDS AND FACE OF MASONRY UNLESS NOTED OTHERWISE. INTERIOR PARTITIONS ARE DIMENSIONED TO CENTERLINES OF STUDS OR FACE CENTERLINES OF STUDS OR FACE OF GYPSUM BOARD UNLESS NOTED OTHERWISE.
2. REFER TO SHEET FOR --- FOR PARTITIONS TYPES.
3. REFER TO SHEET -- FOR WINDOW, DOOR, AND ROOM FINISH SCHEDULES
4. HINGE SIDE DIMENSION SHALL BE 4" FROM WALL TO DOOR FRAME U.N.O.
5. PROVIDE A MINIMUM OF 2-2X WOOD STUDS AT ALL DOOR , WINDOW, AND OTHER OPENING JAMBS. PROVIDE BRACING AT ALL DOUBLE STUDS, CORNERS, AND AT A MAXIMUM OF 4'-0" OC TO THE ROOF STRUCTURE ABOVE. REFERENCE DETAIL 8/A-8.0 AND STRUCTURAL DOCUMENTS.
6. COORDINATE THE PLACEMENT OF ALL TERMINAL DEVICES REQUIRED FOR POWER, LIGHTING, SOUND SYSTEM, AND FIRE ALARM INSTALLATIONS WITH MOUNTING HEIGHTS AND LOCATIONS SHOWN OR SPECIFIED IN ARCHITECTURAL DOCUMENTS; AS REQUIRED BY SPECIFIC ITEMS OF EQUIPMENT, AND AS REQUIRED BY THE LOCAL BUILDING AND FIRE AUTHORITIES.

KEY NOTES

1. WOOD FRAMED WALL, ALSO SEE STRUCTURAL DWGS
2. COMPACTED BASE LAYER TO RECEIVE FUTURE CONCRETE SLAB
3. LINE INDICATES CENTERLINE OF FUTURE INTERIOR DEMISING WALL
4. STEEL COLUMN PER STRUCTURAL DRAWINGS
5. EDGE OF METAL AWNING, ABOVE
6. RISER PIPE AT RISER ROOM
7. METAL LADDER TO ROOF, PAINT TO MATCH BLDG FIELD COLOR
8. EIFS OVER EXTERIOR SHEATHING OVER WOOD FRAMED WALL, TYP. ALSO SEE ELEVATIONS
9. EDGE OF EIFS SOFFIT ABOVE
10. CONCRETE SLAB PER STRUCTURAL DRAWINGS



N RETAIL BUILDING FLOOR PLAN
SCALE: 1/8" = 1'-0"

SUP-6160
04-14-05 PC

Jeff Looker Architect
2070 E. SOUTHERN AVE.
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PHONE: 480-730-1778
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NEW RETAIL CENTER
FOR MBA ASSOCIATES
NORTH WEST C. OF DURANGO DR. AND EL CAPITAN WAY
LAS VEGAS / CLARK COUNTY, NEVADA

REVISED 7/20/05

BLDG "C" FLOOR PLAN

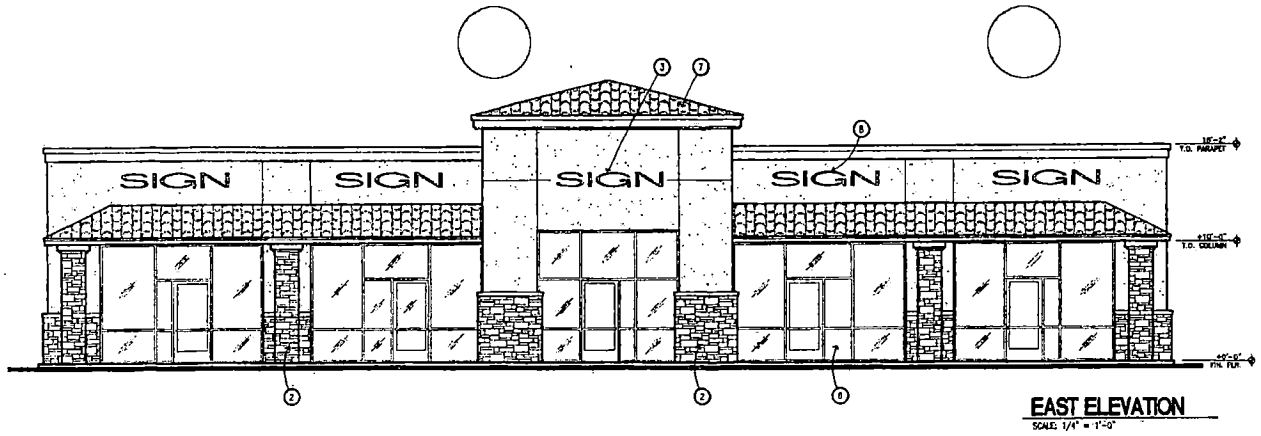
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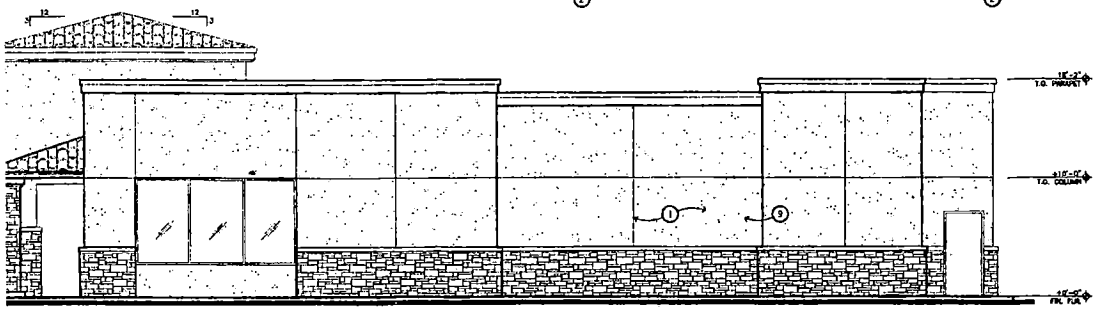
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STATE OF NEVADA

ISSUE DATE
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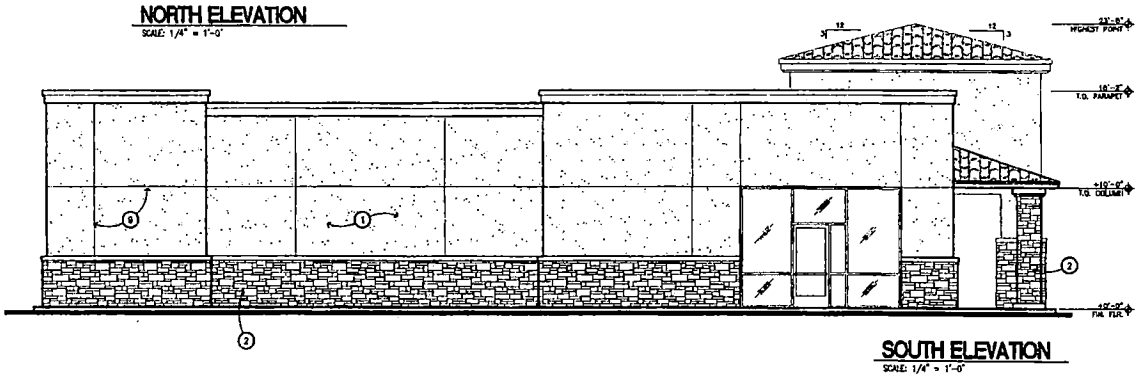
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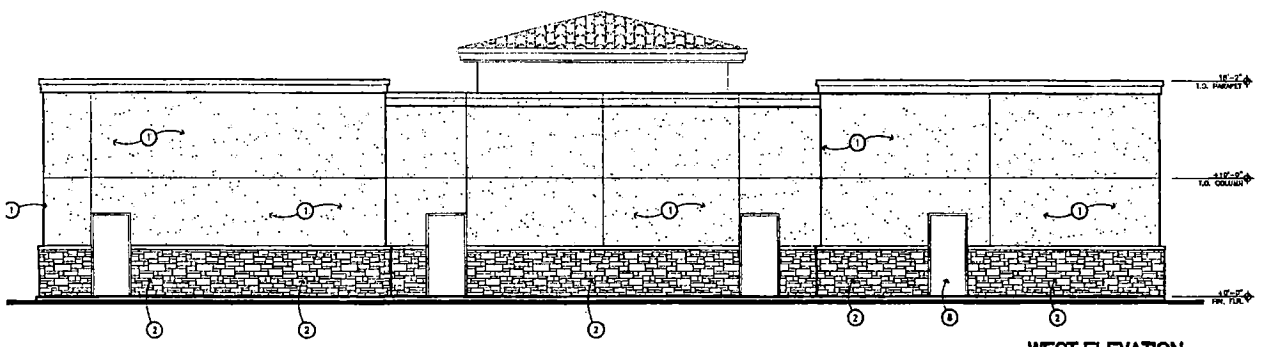
EAST ELEVATION
SCALE: 1/4" = 1'-0"



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



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



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

GENERAL NOTES

1. MECHANICAL EQUIPMENT, ANTENNA DISHES, (IF APPLICABLE) SHOULD BE FULLY SCREENED FULLY FROM VIEW BY THE BUILDING PARAPETS.
2. BUILDING SIGNAGE IS ON A SEPARATE PERMIT

KEY NOTES

1. STUCCO SYSTEM OVER EXTERIOR SHEATHING OVER WOOD FRAMED WALLS
2. TEXTURED STONE VENEER
3. INDICATE LOCATION OF FUTURE SIGN- UNDER SEPARATE PERMIT
4. METAL CAP OVER FOAM CORNICE, PAINT TO MATCH.
5. LINE INDICATES CONTROL JOINT
6. STOREFRONT SYSTEM, REFER TO SHEET A6 FOR WINDOW TYPES.
7. FLAT CONCRETE ROOF TILE. PER SPEC'S
8. HOLLOW METAL DOOR- PAINT TO MATCH STOREFRONT FRAME COLOR
9. CULTURED STONE OVER PLYWOOD OVER WOOD FRAMED PLASTERS

MATERIAL / COLOR SCHEDULE

1.
2.
3.
4.

ALL COLORS AND MATERIALS TO MATCH ADJACENT WALGREENS

SUP-6160
04-14-05 PC

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NEW RETAIL CENTER
FOR MBA ASSOCIATES
NORTH WEST C. OF DURANGO DR. AND EL CAPITAN WAY
LAS VEGAS / CLARK COUNTY, NEVADA

REVISED

BLDG "C"
EXTERIOR ELEVATIONS

REVISIONS

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NEVADA
No. 2947
STATE OF NEVADA

ISSUE DATE
MARCH 18, 2005
JOB NO.: 1C - 392

A-4.0



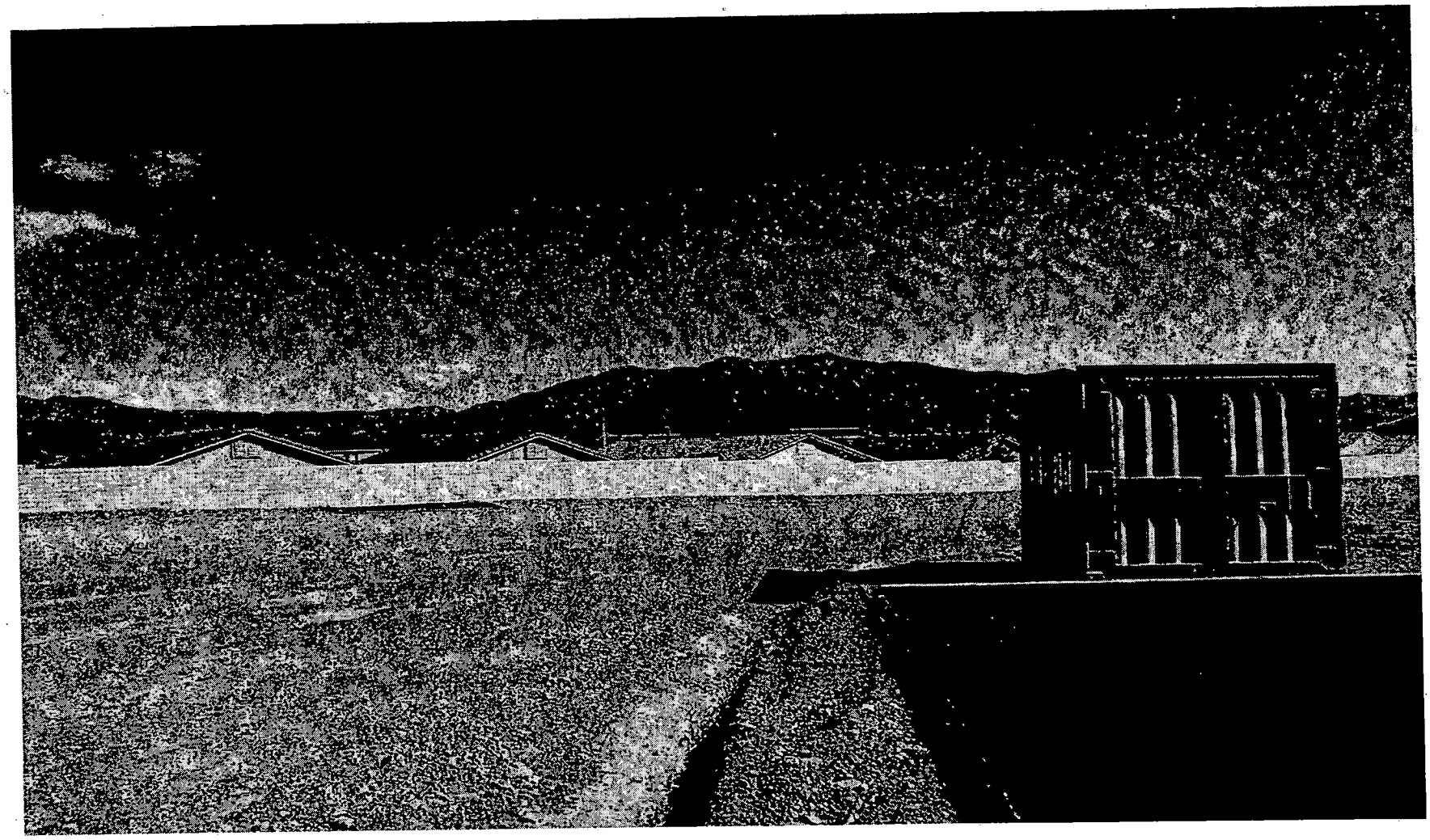
SUP-6160 - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP
NORTHWEST CORNER OF DURANGO DRIVE AND EL CAPITAN WAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



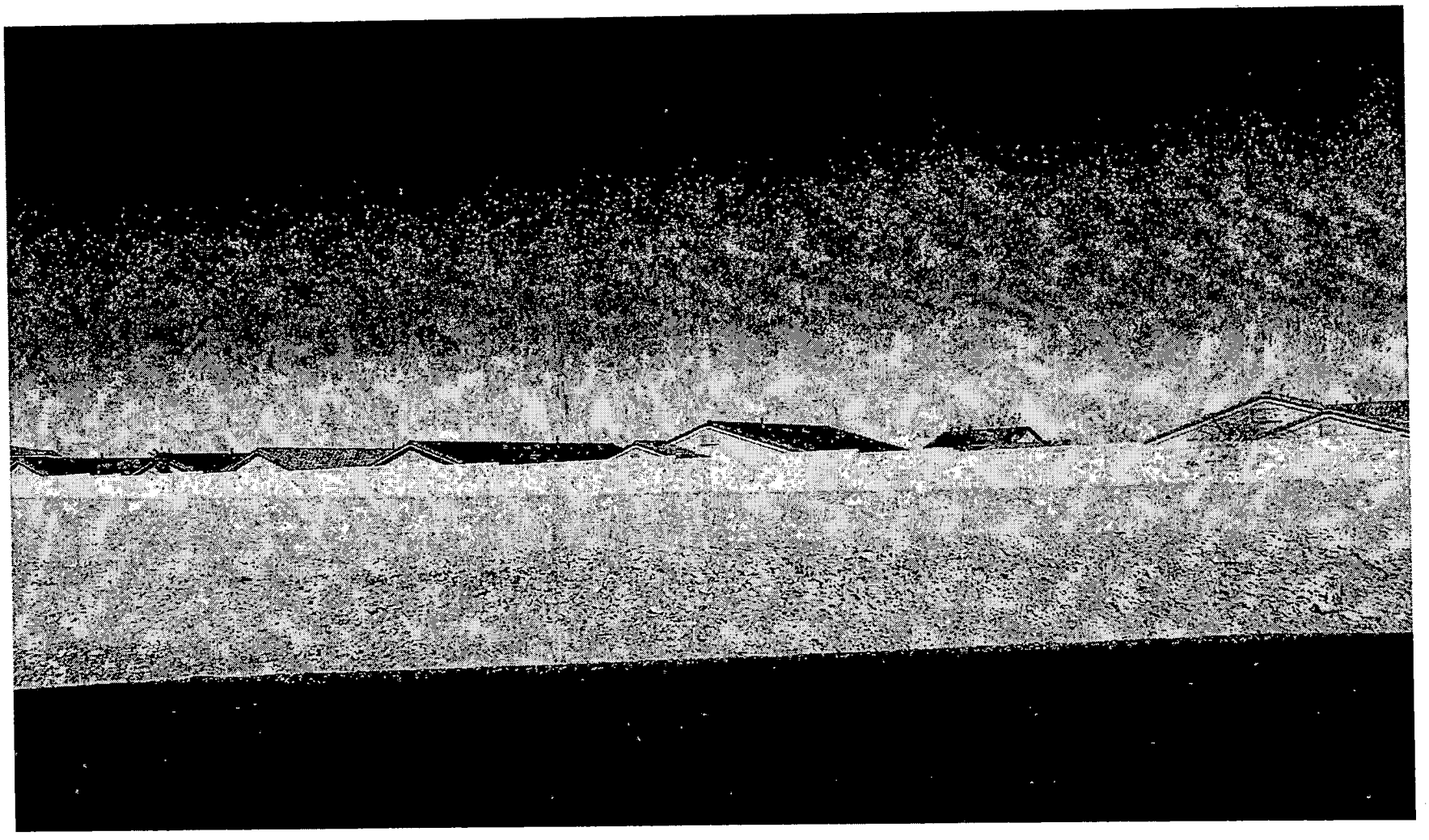
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NORTHWEST CORNER OF DURANGO DRIVE AND EL CAPITAN WAY
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03/16/05



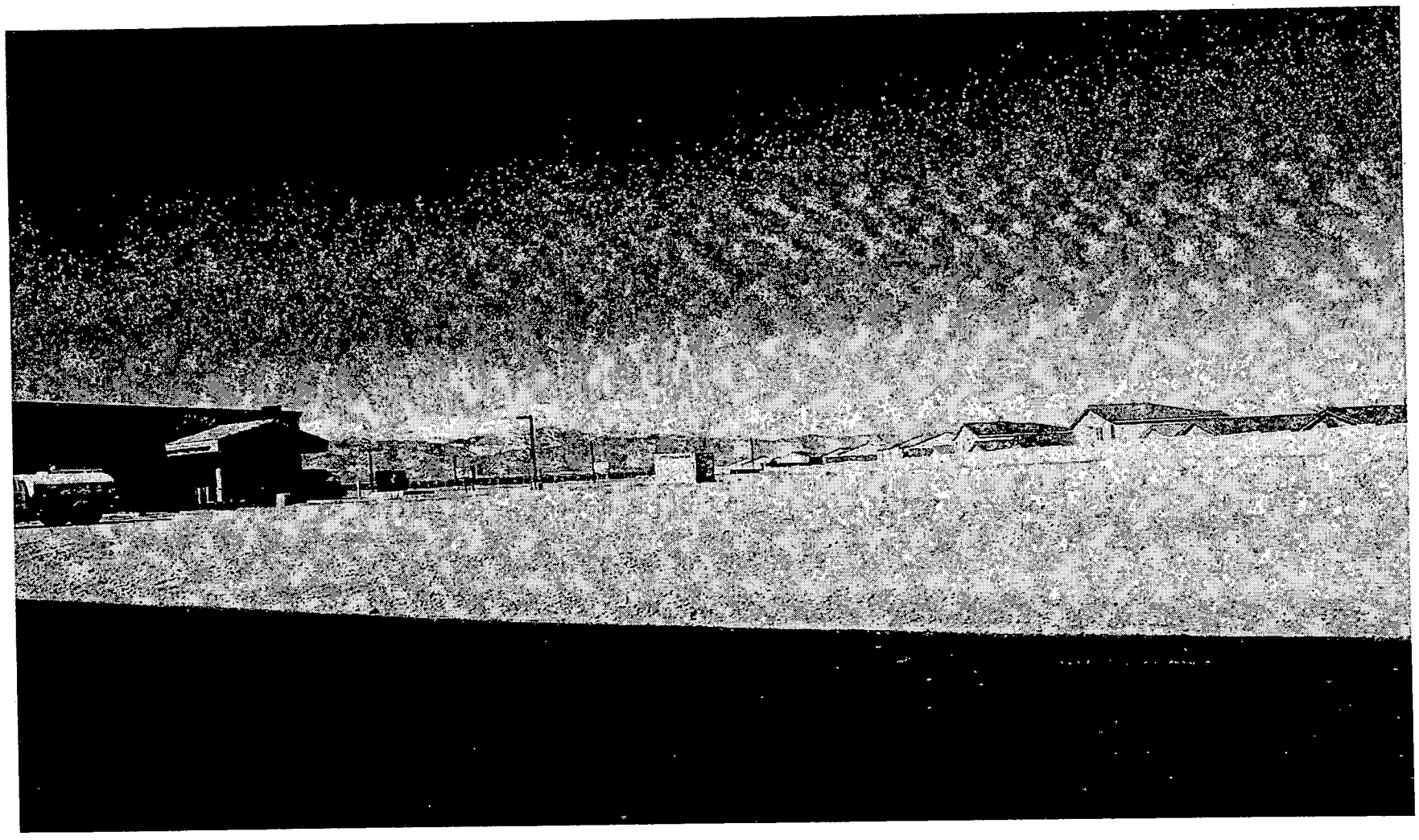
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NORTHWEST CORNER OF DURANGO DRIVE AND EL CAPITAN WAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SUP-6160 - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP
NORTHWEST CORNER OF DURANGO DRIVE AND EL CAPITAN WAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SUP-6160 - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP
NORTHWEST CORNER OF DURANGO DRIVE AND EL CAPITAN WAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

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856 E. Sahara #201
Las Vegas, NV. 89104
(702) 889-2879-office
(702) 889-3122-fax

March 18, 2005

Mario Suarez, Assistant Director
Development Services Center
City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89101

RE: Justification Letter for SUP-6160
Parcel 125-17-601-011 (revised)

Dear Mr. Suarez:

This letter is to provide general justification for a use-permit to allow a payday loan business, Check City, within the site generally located at the Northwest corner of Durango and El Capitan. This proposal does not establish an undesirable precedent because it does not negatively impact the surrounding neighborhood. This special use permit is compatible with uses located on the same parcel and in the surrounding area. Under the Centennial Hills Town Center Land Use, this property is designated as Service Commercial (TC-SC). This proposed use would be located within the 6,475 square foot retail designated building adjacent to an already approved Walgreen's and an additional 8,000 square foot retail facility.

The site located directly south of the proposed project, at the intersection of El Capitan (Farm) and Durango, is an already established SC development, which consists of a major grocery store, numerous restaurants, including drive-through and delivery, as well as a host of other service related industries including banks, cleaners, and retail. In addition, SC is the zoning designation for the parcels located directly northeast and southwest.

There will not be any substantial adverse effect on public facilities or services. As this area is already zoned service commercial and development currently exists, there will not be any additional negative impacts for police, fire services for public works. The intensity of the proposed project is consistent with those uses applicable to service commercial. In addition, there was a proposed Check Cashing/Payday Loan business approved in the Albertson's shopping center at this intersection. This business was approved within 200 feet of residential but was never built and the lease space is now occupied by a tobacco store. There has been precedent set for approving a similar business within 200 feet of residential in the intersection.

Check City is a will established business with several locations in Las Vegas and various states across the country. See below for the locations in the Las Vegas Valley along with the store hours.

Nevada

Store Code: N100
Check City Lake Mead Blvd (View Map)
6382 West Lake Mead Blvd
Las Vegas, Nevada 84115-2722

Phone: (702)636-2888
Fax: (702)647-2376
Store Hours:
7am-11pm PST Monday thru Saturday
10am-7pm PST Sunday

Store Code: N200
Check City Flamingo (View Map)
6020 West Flamingo Road, Suite B1
Las Vegas, Nevada 89103-2376

Phone: (702)367-7800
Fax: (702)367-0465
Store Hours:
7am-11pm PST Monday thru Saturday
9am-9pm PST Sunday

Store Code: N300
Check City East Tropicana (View Map)
4455 East Tropicana Ave
Las Vegas, Nevada 89121-6759

Phone: (702)215-4300
Fax: (702)547-3696
Store Hours:
7am-9pm PST Monday thru Saturday
10am-6pm PST Sunday

Store Code: N400
Check City Craig (View Map)
5861 West Craig Road
Las Vegas, Nevada 89130-2547

Phone: (702)215-4444
Fax: (702)215-4448
Store Hours:
7am-11pm PST Monday thru Saturday
10am-8pm PST Sunday

Store Code: N500
Check City Jones (View Map)
2475 South Jones Blvd, Suite 2
Las Vegas, Nevada 89146-3176

Phone: (702)876-8822
Fax: (702)215-4448
Store Hours:
8am-8pm PST Monday thru Saturday
10am-6pm PST Sunday

Store Code: N600
Check City Nellis Blvd (View Map)
631 North Nellis Blvd
Las Vegas, Nevada 89110-5383

Phone: (702)215-4400
Fax: (702)215-4405
Store Hours:
7am-11pm PST Monday thru Saturday
8am-9pm PST Sunday

Store Code: N700
Check City Paradise (View Map)
4080 South Paradise Road
Las Vegas, Nevada 89109-4834

Phone: (702)893-0700
Fax: (702)893-0417
Store Hours:
8am-11pm PST Monday thru Saturday
9am-7pm PST Sunday

Store Code: N800
Check City Charleston (View Map)
6820 West Charleston Blvd
Las Vegas, Nevada 89117-1634

Phone: (702)880-5300
Fax: (702)880-7612
Store Hours:
7am-9pm PST Monday thru Saturday

9am-7pm PST Sunday

Store Code: N900
Check City West Tropicana (View Map)
9425 West Tropicana Ave
Las Vegas, Nevada 89147-5280
Phone: (702)562-2200
Fax: (702)562-0356
Store Hours:
8am-9pm PST Monday thru Saturday
10am-6pm PST Sunday

Store Code: N910
Check City Henderson (View Map)
617 Mall Ring Circle, Suite 100
Henderson, Nevada 89014-6619
Phone: (702)458-4300
Fax: (702)454-9060
Store Hours:
7am-11pm PST Monday thru Saturday
8am-9pm PST Sunday

Store Code: N920
Check City Green Valley (View Map)
4325 East Sunset Rd
Henderson, Nevada 89014-2238
Phone: (702)258-2800
Fax: (702)258-4354
Store Hours:
9am-7pm PST Monday thru Saturday
10am-6pm PST Sunday

Store Code: N930
Check City Centennial (View Map)
6510 North Buffalo Dr
Las Vegas, Nevada 89131-4042
Phone: (702)360-8800
Fax: (702)360-9306
Store Hours:
9am-7pm PST Monday thru Saturday
10am-6pm PST Sunday

In addition, I've attached three pictures of our locations to give you an idea of the appearance of our stores. Thank you for your consideration in the above matter. Please contact me if you need additional information.

Sincerely,

Lucy Stewart
(702) 499-6469

City of Las Vegas

Agenda Item No.: 54

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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:
EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he represents Terrible Herbst Oil Company on other sites and because his daughter lives within the notice area

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, stated the application is in conjunction with a proposed convenience store to allow beer and wine sales. Staff feels it is appropriate for the location, as the use is harmonious and compatible with the area. MR. RANKIN received late notice that the applicant may not be able to attend the meeting but had agreed to the conditions.

The applicant was not present.

MINUTES – Continued:

COMMISSIONER STEINMAN stated this convenience store finishes the shopping and restaurant area it is located in. There is a massive traffic issue at the site, and he has personally seen several bad car accidents in this area. He asked Public Works staff if and when a light will be installed at the intersection, which is directly across from the entrance into Red Rock Station Casino.

DAVID GUERRA, Public Works Department, replied that to his knowledge, there was currently no traffic signal planned for that intersection. If the site qualified or met necessary warrants for a traffic signal, the appropriate steps would be taken to install one. COMMISSIONER STEINMAN acknowledged that the situation could be complicated by the fact that the City owns the north side of the street and the County owns the south side. He asked how the two entities could work together to resolve this issue before the casino opens in the near future, but MR. GUERRA was unable to answer. He did point out that the City and County have worked together in the past on similar situations and cited the intersection at Hualapai Way and Desert Inn Road, which was a joint venture. However, he was unaware of the process that occurred which resulted in that signal installation. COMMISSIONER DAVENPORT added that Charleston Boulevard is a State highway so the Nevada Department of Transportation would also be involved in that venture.

COMMISSIONER McSWAIN confirmed with MR. RANKIN that the Board had not seen a site plan for this development. MR. RANKIN indicated that the site plan would go directly to the Summerlin Board for their review and the Planning Commission would not see it.

CHAIRMAN NIGRO stated that if COMMISSIONER STEINMAN was correct about the entrance to Red Rock Station, the area is absolutely going to need a traffic signal. The Chairman was not aware that was going to be the main entrance because he had not seen the plans. With the Lowes and Costco in the same shopping area, there will be a huge traffic problem. MR. GUERRA said that a courtesy copy of the impact analysis might have been provided to the City and if possible, he would review it and report back any pertinent information.

COMMISSIONER EVANS motioned for approval with the understanding that the applicant had made it clear to staff that they were in concurrence with all conditions.

CHAIRMAN NIGRO declared the Public Hearing closed.

(9:43 – 9:50)

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 54 – SUP-6194

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off Premise Consumption) use.

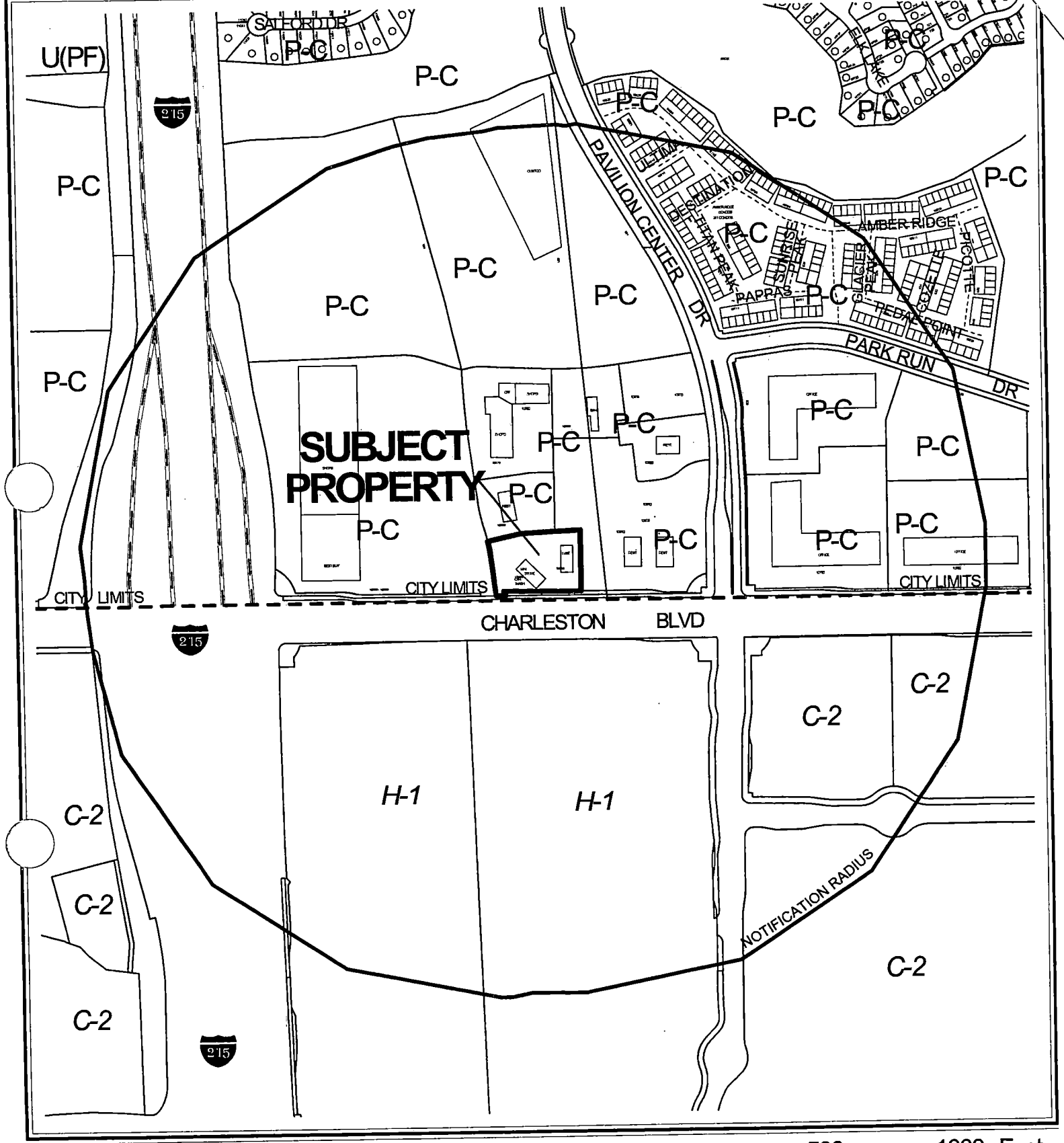
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

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

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

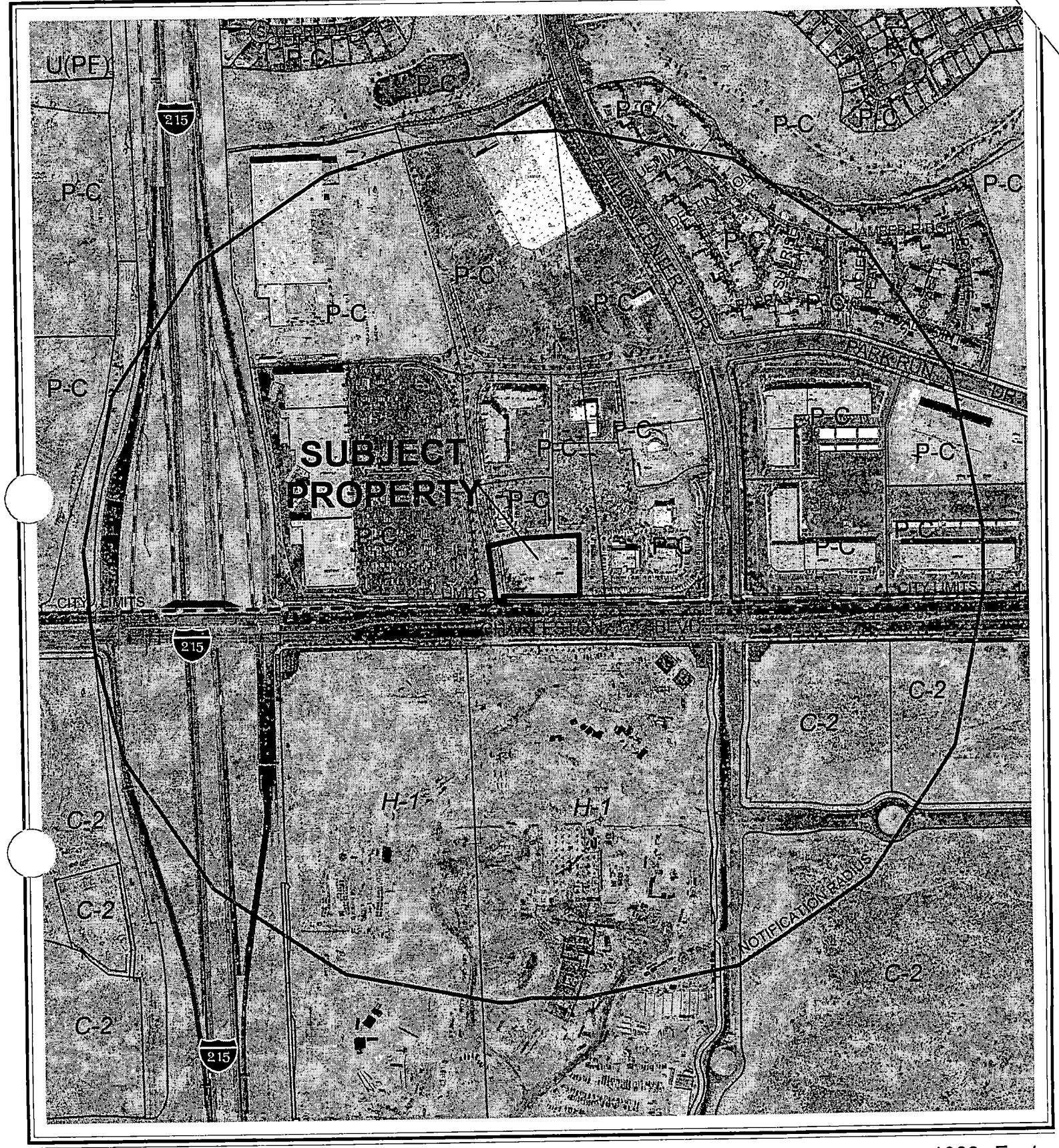
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: **SUP-6194**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

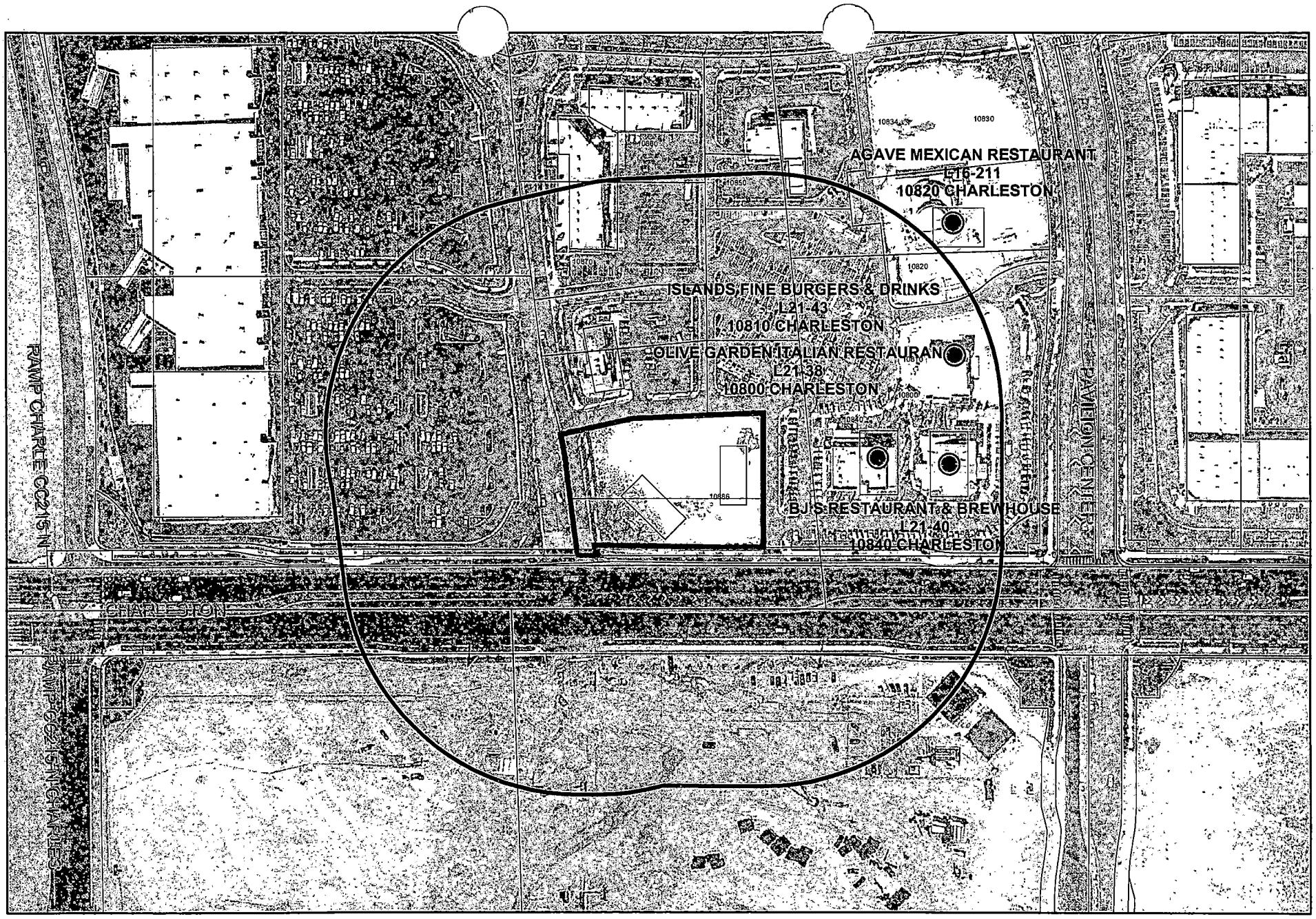


CASE: **SUP-6194**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

N



SUP-6194
Package Liquor Sales

Business Licenses

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

- RELIGIOUS
- PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6194 - APPLICANT/OWNER: TERRIBLE HERBST OIL CO.

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off Premise Consumption) use.

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

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

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a 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.

B) Applicant's Justification

The project will conform to all necessary governing regulations for these types of facilities. The project also conforms to all Summerlin Design Review committee requirements.

BACKGROUND INFORMATION

A) Related Actions

10/28/93	The Planning Commission approved annexation A-0019-93. The effective date of the annexation was 3/11/94.
02/16/94	The City Council approved a request for Reclassification of Property (Z-0135-93) located west of Hualapai Way, between Cheyenne Avenue and Charleston Boulevard, From: N-U (Non-Urban), To: P-C (Planned Community.
11/29/00	The City Referral Group approved a request for a City Referral Group Summerlin Site Development Plan (SV-0022-00) for a proposed 148,663 square foot wholesale grocery store, on property located on the northwest corner of Charleston Blvd and Pavilion Center Drive.
12/20/00	The City Council approve a request for a Special Use Permit (U-0170-00) for gasoline sales in conjunction with a proposed wholesale store on 16.95 acres at the northwest corner of the intersection of Charleston Boulevard and Pavilion Center. The Planning Commission and Staff recommended approval.
12/20/00	The City Council approve a request for a Special Use Permit (U-0171-00) for a Special Use Permit for the sale of packaged liquor in conjunction with a proposed wholesale store on 16.95 acres at the northwest corner of the intersection of Charleston Boulevard and Pavilion Center Drive. The Planning Commission and Staff recommended approval.

12/20/00 The City Council approve a request for a Special Use Permit (U-0172-00) Request for a Special Use Permit for minor auto repair in conjunction with a proposed wholesale store on 16.95 acres at the northwest corner of the intersection of Charleston Boulevard and Pavilion Center Drive. The Planning Commission and Staff recommended approval.

12/26/01 The City Referral Group approved a Request for a Summerlin Site Development Plan Review (SV-0024-01) for a 167,500 square foot commercial center, located on the northwest corner of Charleston Boulevard and Pavilion Center Drive, within the Canyon Pointe at Summerlin Center.

02/20/02 Request for a City Referral Group - Summerlin Site Development Review (SV-0001-02) for a proposed commercial center on the northwest corner of Charleston Boulevard and Pavilion Center Drive, at Canyon Pointe at Summerlin Centre - Parcel 4.

There is no previous business license activity that pertains to the subject request.

B) Pre-Application Meeting

01/07/05 At a pre-application conference with the applicant the following was discussed.

- The standard conditions for this use apply
- Provide information about existing uses that would effected by the use.
- This is a project of regional significance because of the corporate boundary to the south.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.62 acres

B) Existing Land Use

Subject Property:	Retail/ Commercial
North:	Retail/ Commercial
South:	Undeveloped
East:	Retail/ Commercial
West:	Retail/ Commercial

C) Planned Land Use

Subject Property:	PC (Planned Community)
North:	PC (Planned Community)
South:	PC (Planned Community)
East:	PC (Planned Community)
West:	PC (Planned Community)

D) Existing Zoning

Subject Property:	P-C (Planned Community)
North:	P-C (Planned Community)
South:	Clark County
East:	P-C (Planned Community)
West:	P-C (Planned Community)

E) General Plan Compliance

The subject property is designated with the PC (Planned Community) land use on the Southwest Sector Map of the General Plan. A Liquor Establishment (Off Premise Consumption) is a permitted use within the P-C (Planned Community) zoning district, the zoning equivalent of PC, with approval of a Special Use Permit, and therefore is consistent with the PC (Planned Community) 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	

No special districts, zones, or studies are related to the subject site.

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500' of a corporate boundary

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures, will be prepared as the comments are received. The following are the comments received thus far.

- Flood Control has no comment. Flood Control has already approved a drainage study for this project (DS3638).
- The Regional Transportation Commission has no comment.

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) Minimum Distance Separation Requirements

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

Use	Code Requirement	Provided
Liquor Establishment (Off Premise Consumption)	400 feet from churches, synagogues, schools, childcare facilities, or city parks	No protected uses are known to be within the minimum separation distance.

The proposal meets the separation requirements of Title 19 for a Liquor Establishment (Off Premise Consumption) use.

B) General Analysis and Discussion

- Zoning

  The subject site is zoned P-C (Planned Community). A Liquor Establishment (Off Premise Consumption) is a permitted use within this zoning district with the approval of a Special Use Permit.

- Use

  The use, in conjunction with the proposed convenience store, is an appropriate use at this location and one that can be conducted in a manner that is harmonious and compatible with the surrounding land uses.

- Conditions

  The following conditions are stipulated for the Liquor Establishment (Off-Premise Consumption) use within a C-1 zoning district. The conditions with asterisks are non-waivable:

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

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

    a. Any leasehold parcel; or

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

  * 3. In the case of a liquor establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:

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

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

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

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

FINDINGS

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

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

   The proposed use will be an accessory use to a convenience store. It will be surrounded by other commercial and retail businesses of a similar physical character that are permitted in the P-C (Planned Community) zoning district and is compatible with the General Plan in this area.

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

   The existing parking area and site area are adequate to accommodate the proposed Liquor Establishment (Off Premise Consumption) 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."**

   The use in conjunction with the proposed Costco wholesale store will have access to Charleston Boulevard and Pavilion Center Drive, both primary (100-foot) arterials on the Master Plan of Streets and Highways, and therefore will not negatively affect the surrounding roadways.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED 253

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-6194 APN: 137-35-812-006

Name of Property Owner: Terrible Herbst Oil Co.

Name of Applicant: Terrible Herbst Oil Co.

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

_____Yes ___x___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Jerry Herbst

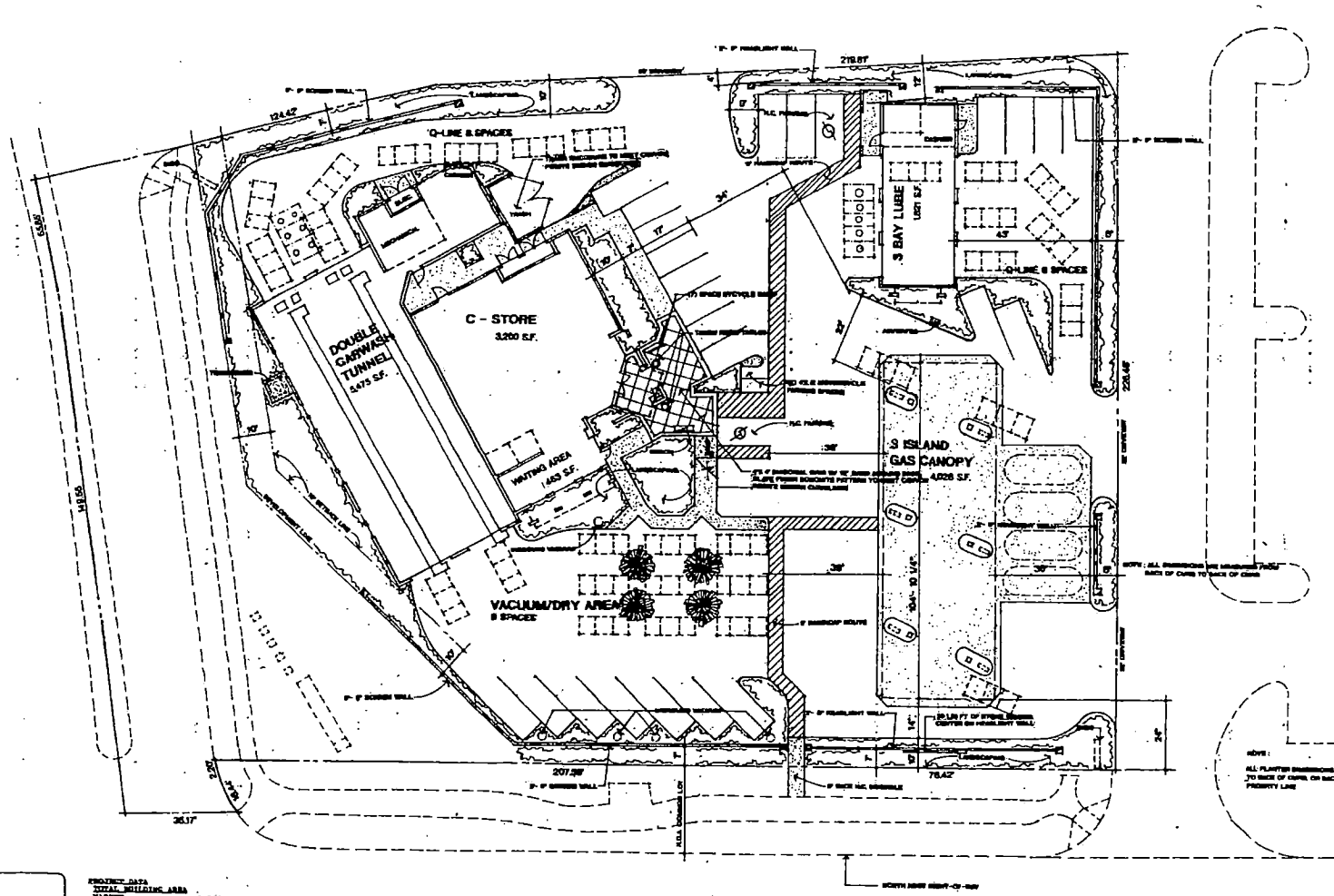
Subscribed and sworn before me

This 28th day of February, 2005

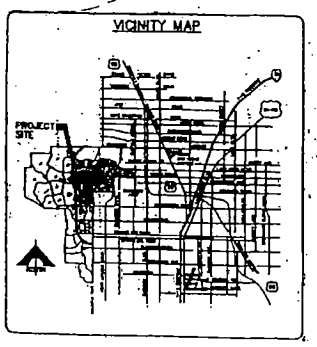
Jennifer E Cannon

Notary Public in and for said County and State

JENIFER E. CANNON
NOTARY PUBLIC
STATE OF NEVADA
APPT. NO. 03-80018-1
MY APPT. EXPIRES JAN. 17, 2007



VICINITY MAP



PROJECT DATA
TOTAL BUILDING AREA
MARKET 3,200 S.F.
INDOOR WAITING 488 S.F.
CAR WASH 3,475 S.F.
3 ISLAND CANOPY 4,826 S.F.
3 BAY LUBE 1,921 S.F.
TOTAL 14,977 S.F.

SITE AREA
DEVELOPMENT SITE 89,826 S.F. 1.5 ACRES

PERCENTAGE OF SITE COVERAGE
14,977 S.F. = 16.6 % COVERAGE
89,826 S.F.

PARKING RECAP :

C-STORE	13 SPACES	1 SPACE PER 300 S.F.
LUBE	12 SPACES	1 SPACE PER EACH EMPLOYEE; 1 SPACE PER BAY, PLUS 3 SPACES IN STACKING LANES PER EACH BAY
CARWASH	12 SPACES	1 SPACE PER EVERY 60 DUTY EMPLOYEE, PLUS 1 SPACE PER WASH BAY
SPACES REQUIRED	37 SPACES	
SPACES PROVIDED	48 SPACES	

NORTH

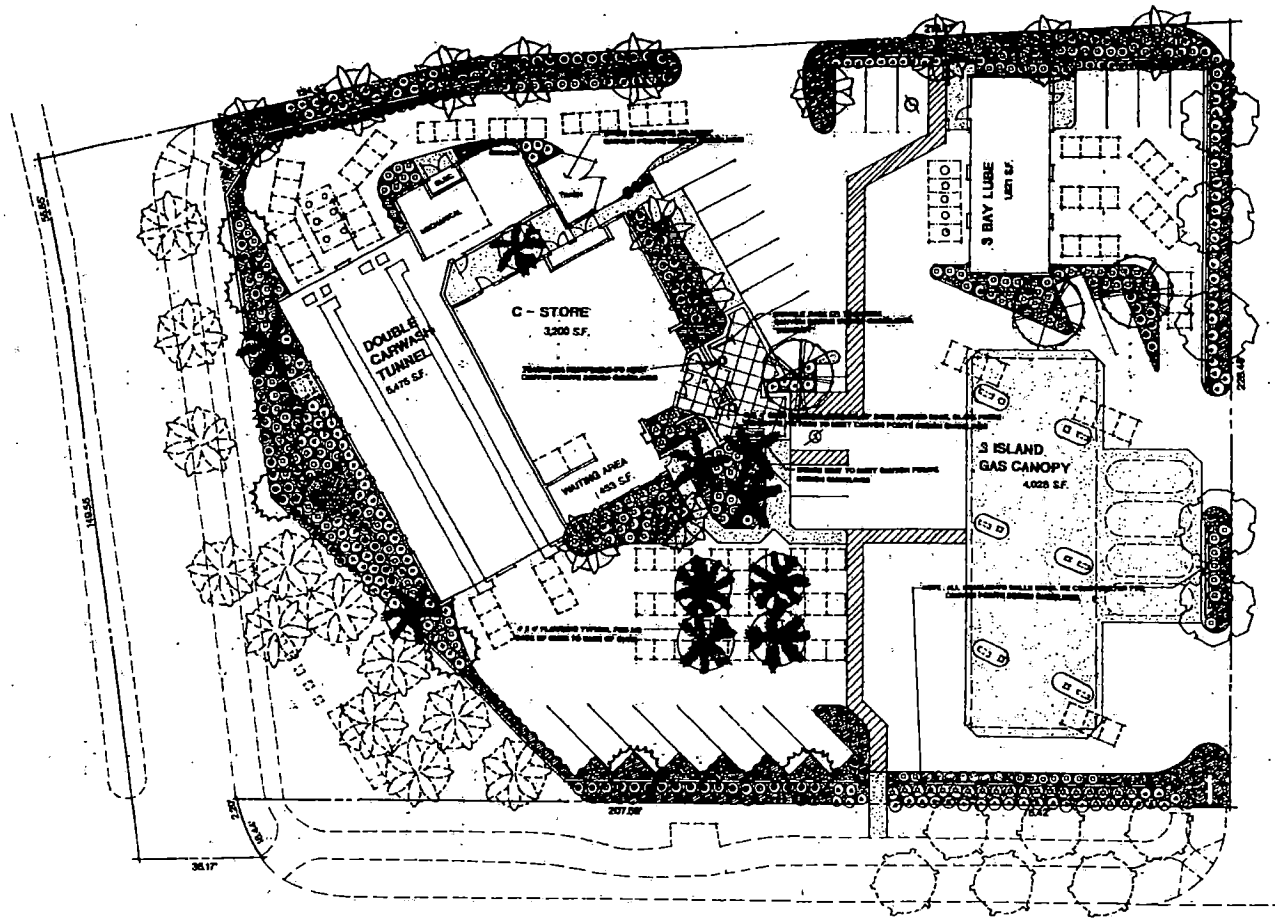
SITE PLAN SCALE 1/16" = 1'- 0"

HERBST OIL COMPANY
6765 LAS VEGAS BLVD. SOUTH LAS VEGAS, NV. 89119

PROJECT C-STORE, CARWASH & LUBE 3 BAY EXPANSION LOCATION CORNER FORMED BY CHARLESTON BLVD. & BUFFALO DR. LAS VEGAS, NEVADA

ERROL KELLY ARCHITECT, LTD 1811 HIGHLAND AVENUE LAS VEGAS NV 89104 TEL 702 598-8700 FAX 702 598-1993 SHEET 1 OF 8 DATE 4/28/04

SUP-6194
04-14-05 PC



CHARLESTON BOULEVARD

NORTH

PLANT PALETTE

TREES	TYPE	SIZE	MATURE SIZE	SPACING	REMARKS
	EASTERN PROJECT BL. AND ROUNDABOUT TREE (STREET TREE)				
	PHOENIX DACTYLIFERA - DATE PALM	30' BTH.	60' HT. X 25' SP.	97' O.C.	MATCHING
	INTERNAL STREET TREE (NON RETAIL FRONTAGE)				
	CATALPA TASHKENTENSIS - CATALPA	36" BOX	50' HT. X 30'-50' SP.	50' O.C.	MATCHING STANDARD
	RETAIL FRONAGE STREET TREE				
	PHOENIX DACTYLIFERA - DATE PALM	30' BTH.	60'HT. X 25' SP.	VARIES	MATCHING
	EASTERN PROJECT BL. AND RAMP/EXIT TREE (STREET TREE)				
	OLEA EUROPAEA 'SWAN HILL' - FRUITLESS OLIVE				
	PARKING LOT TREE (PARKING COUNTER / BUILDING FRONTAGE TREE)				
	RHUS LANCEA - AFRICAN SUMAC	24" BOX	25' HT. X 50' SP.	VARIES	STANDARD
	EVERGREEN SCREEN TREE				
	PINUS ELDERICA	36" BOX	50'-60' HT. X 50'-100' SP.	VARIES	STANDARD
	PALM BOARDYARD TREES				
	WASHINGTONIA ROBUSTA 'HYBRID' MEXICAN FAN PALM	20' BTH. UNGROWED	60' HT. X 10' SP.	VARIES	VARIED HEIGHTS
	WASHINGTONIA FILIFERA CALIFORNIA FAN PALM		60' HT. X 10' SP.		
	TRACHYCARPUS FORTUNEI WINDMILL PALM	24'/36" BOX	50' HT. X 15' SP.	VARIES	VARIED HEIGHTS
	ORNAMENTAL SHRUB		30 HT. X 20' SP.		

SHRUB LEGEND

SYMBOL	PLANT NAME	QUANTITY	SIZE	REMARKS
	CASSIA ARMOPHILA DESERT CASSIA		5 GAL	
	HESPERALOE PARVIFLORA RED (RED YUCCA)		5 GAL	
N	NERIUM OLEANDER PETITE PINK		15 GAL	
	LEUCOPHYLLUM FRUTESCENS 'HEAVENLY CLOUD'		5 GAL	
	LIMBITRUM JAPONICA 'TEXANA'		5 GAL	
	ROSMARINUS OFFICINALIS 'PROSTRATUS'		1 GAL	
	LEUCOPHYLLUM FRUTESCENS 'RUSSEL' BUNNY TEXAS SAGE		5 GAL	
	LEUCOPHYLLUM FRUTESCENS 'COMPACTA'		5 GAL	
	PYRACANTHA COCCINEA 'LOY BOY'		5 GAL	

ROCK MULCH LEGEND

SYMBOL	DESCRIPTION	REMARKS
	3" THICK REBEL RED ROCK MULCH 3/4" SCREENED	APPLY TO ALL SHRUB AREAS AND BARREN & SLOPE AREAS

LANDSCAPING PLAN SCALE 1/16" = 1'- 0"

PROJECT DATA

AREA OF SITE (GROSS OR NET) PERCENTAGE OF SITE LANDSCAPED AREA

BLDG S.F. (SITE AREA)

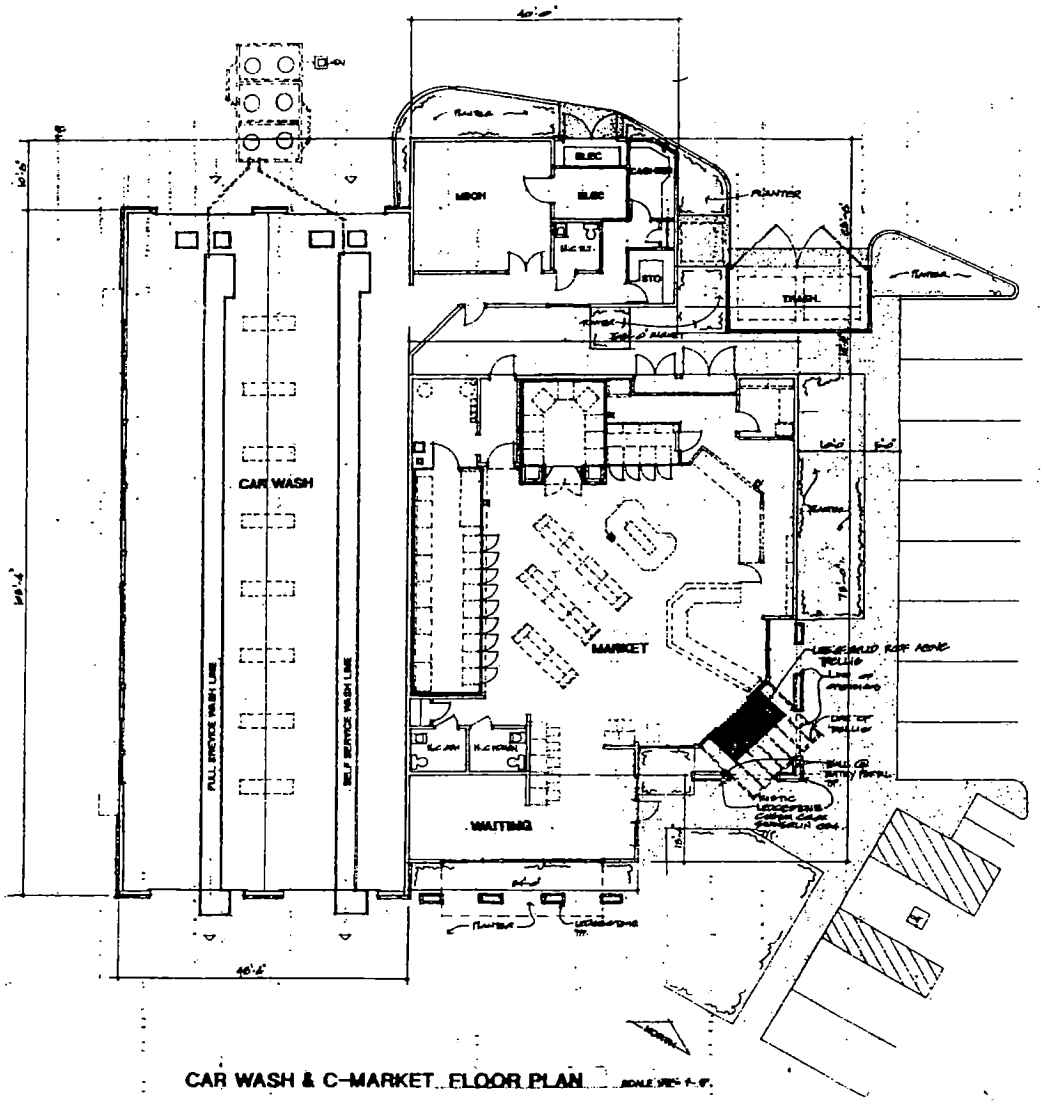
HERBST OIL COMPANY
3755 LAS VEGAS BLVD. SOUTH LAS VEGAS, NV. 89115

PROJECT LOCATION

ERROL BELL ARCHITECT, LTD
LAS VEGAS, NEVADA TEL. 702 [illegible] FAX 702 [illegible]

SHEET 2 OF 6
DATE 4/29/04

SUP-6194
04-14-05 PC



CAR WASH & C-MARKET FLOOR PLAN

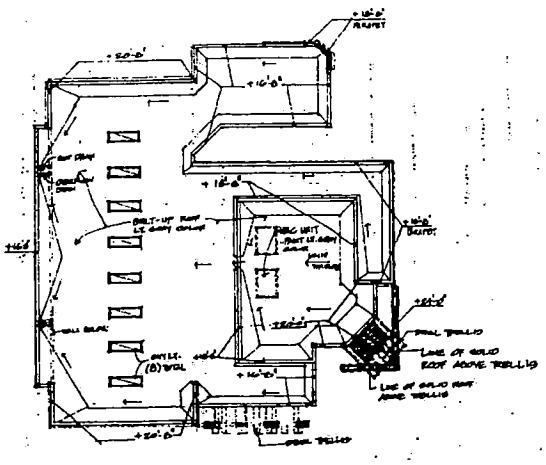
HERBST OIL COMPANY

PROJECT

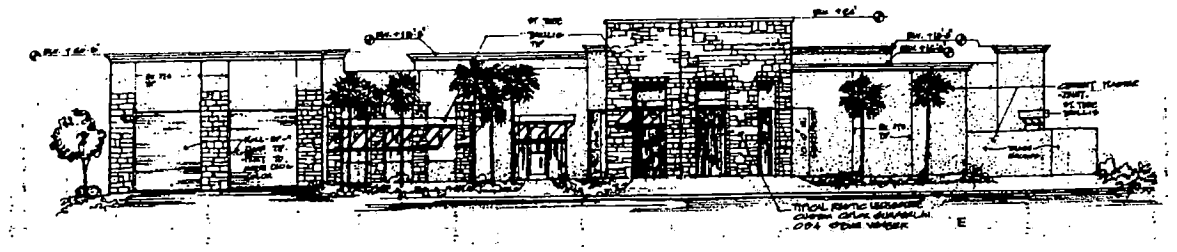
LOCATION

ARCHITECT, LTD

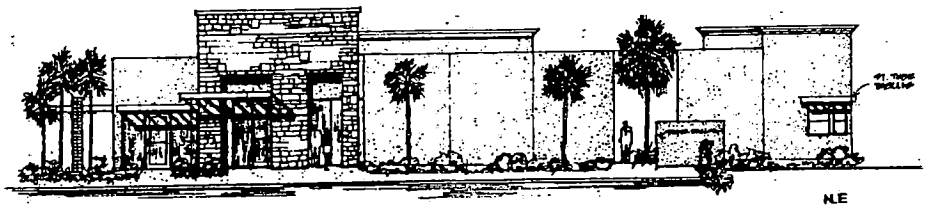
SUP-6194
04-14-05 PC



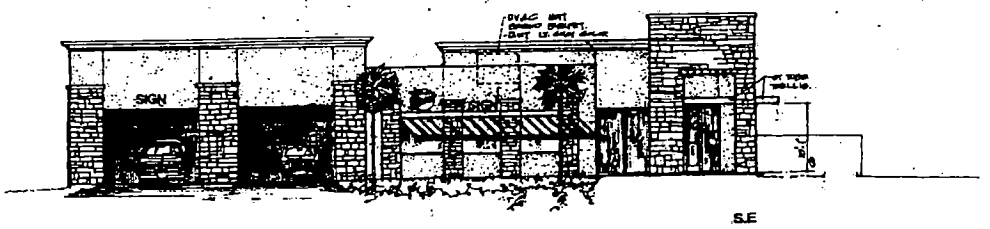
ROOF PLAN SCALE 1/8"= 1'- 0"



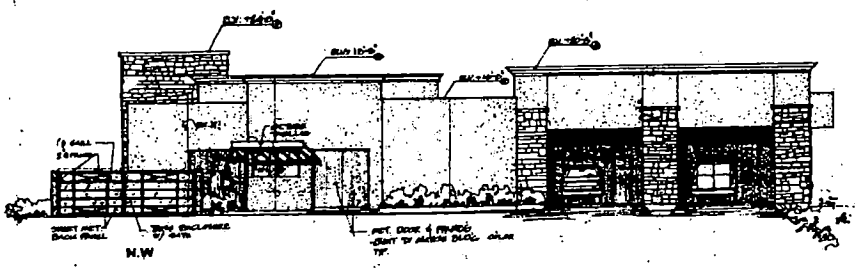
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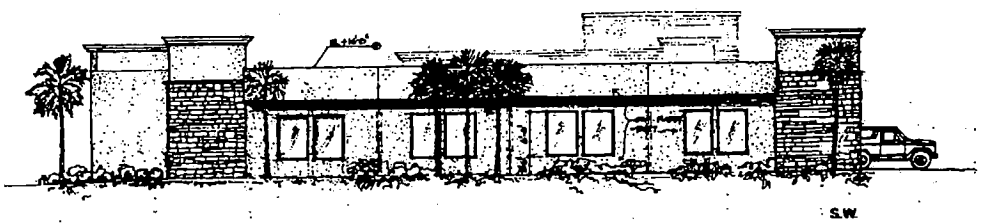
N.E



S.E



N.W



S.W

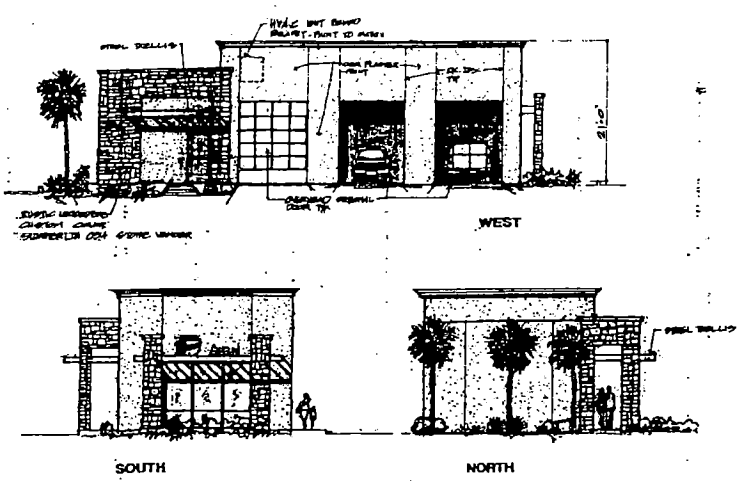
MARKET / CAR WASH EXTERIOR ELEVATIONS SCALE 1/8"=1'-0"

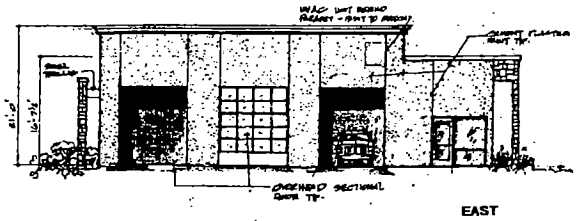
HERBST OIL COMPANY

PROJECT LOCATION

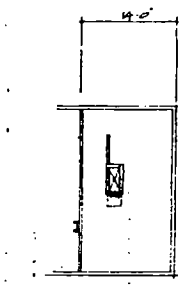
ARCHITECT, LTD

SUP-6194
04-14-05 PC

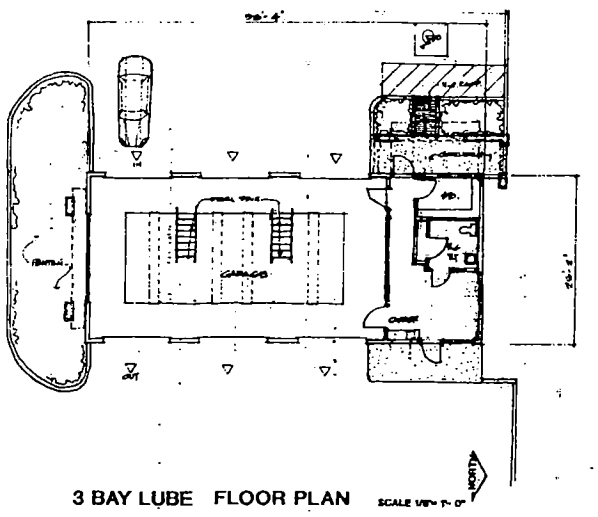




EXTERIOR ELEVATIONS SCALE 1/8" = 1'-0"



ACCESS DECK PLAN



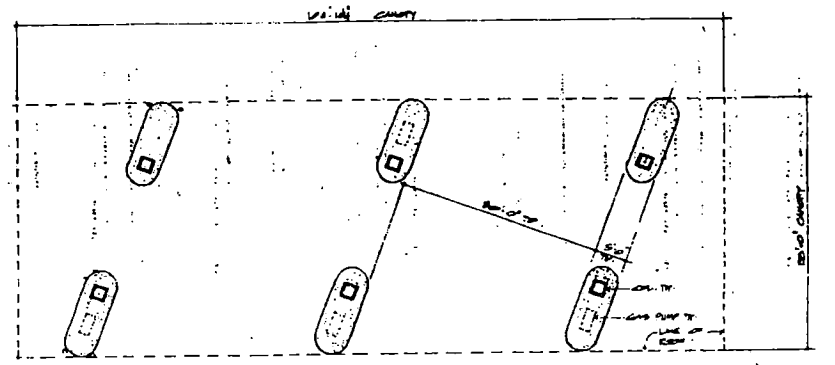
3 BAY LUBE FLOOR PLAN SCALE 1/8" = 1'-0"

HERBST OIL COMPANY

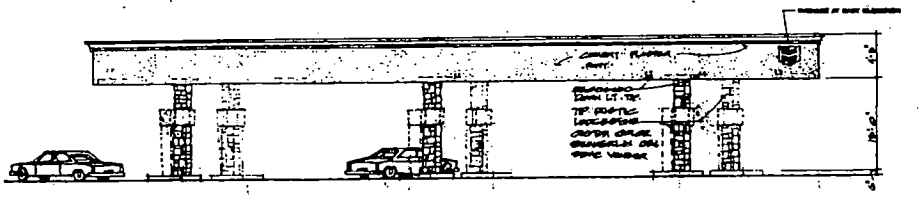
PROJECT LOCATION

ERROL BELL ARCHITECT, LTD

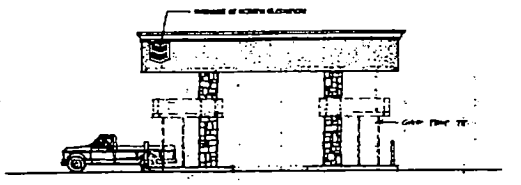
SUP-6194
04-14-05 PC



3 ISLAND GAS CANOPY FLOOR PLAN



SIDE



END

EXTERIOR ELEVATIONS

HERBST OIL COMPANY

PROJECT LOCATION

XEROX DESIGN ARCHITECT, LTD

SUP-6194
04-14-05 PC



SUP-6194 - APPLICANT/OWNER: TERRIBLE HERBST OIL CO.
NORTH SIDE OF CHARLESTON BOULEVARD, APPROXIMATELY 660 FEET WEST OF PAVILION CENTER DRIVE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

TERRIBLE HERBST OIL COMPANY

"the best bad guy in the west"

P.O. BOX 93417 • LAS VEGAS, NEVADA 89193-3417 • PHONE (702) 798-6400 • FAX (702) 736-0819

Terrible Herbst Oil Company, Inc.
Terrible's # 245, 246 & 247
Charleston & 215

This project consists of a convenience store, carwash and lube. This project will conform to all necessary governing regulations for these types of facilities. This project also conforms to all Summerlin Design Review committee requirements.

SUP-6194

City of Las Vegas

Agenda Item No.: 55

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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 – 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, gave a brief overview of the application, which is in conjunction with an approved Costco at the same location. Staff feels the request is compatible with the existing area and in conjunction with a wholesale operation.

JERRY SLATER, 5740 South Arville Street, appeared on behalf of the applicant and concurred with all conditions. He explained that he hoped the example set at other Costco locations would serve as an example to what this store represents.

MINUTES – Continued:
CHAIRMAN NIGRO declared the Public Hearing closed.
(9:50 – 9:51)
2-1172

CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off Premise Consumption) use.

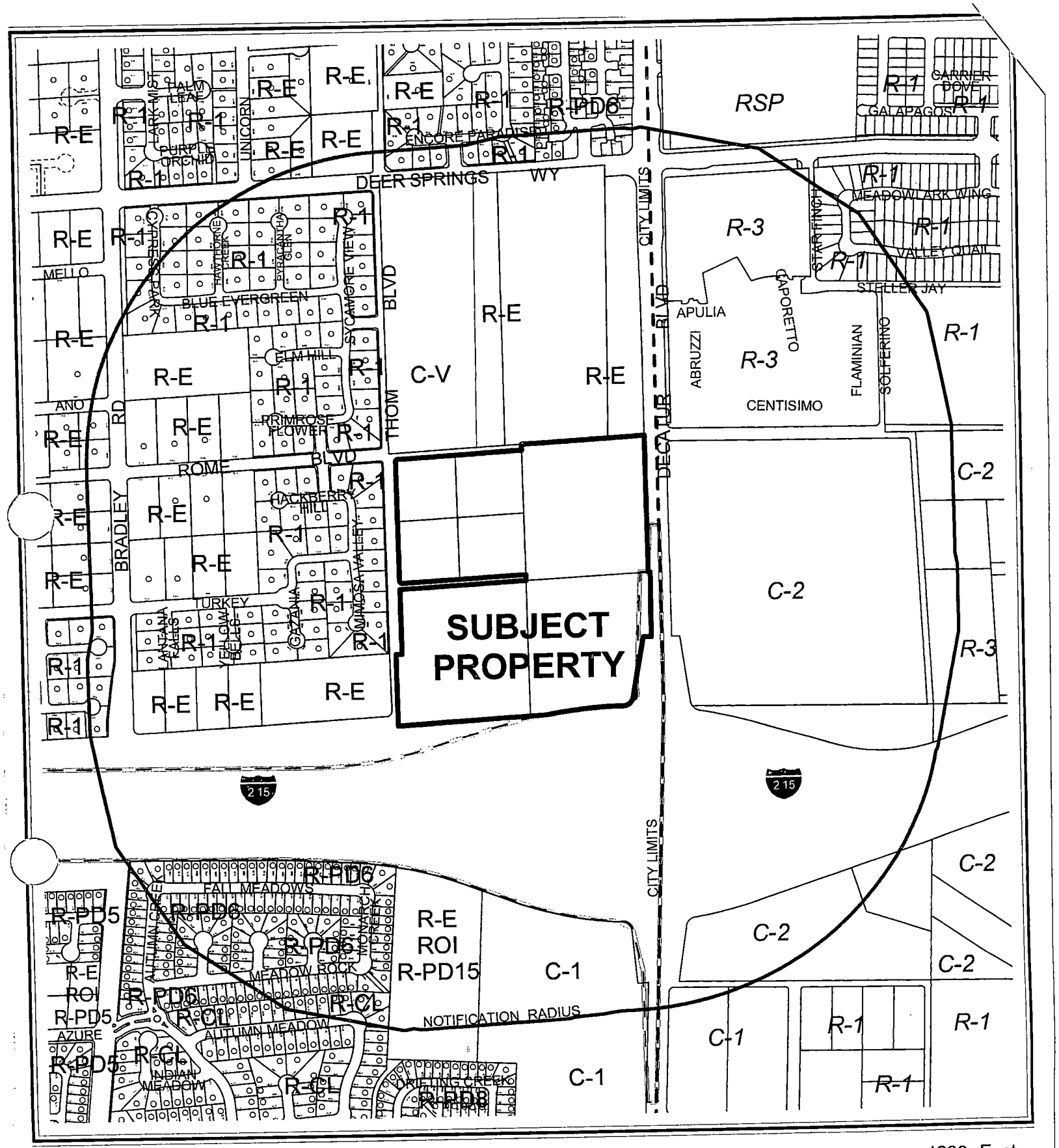
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

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

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

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

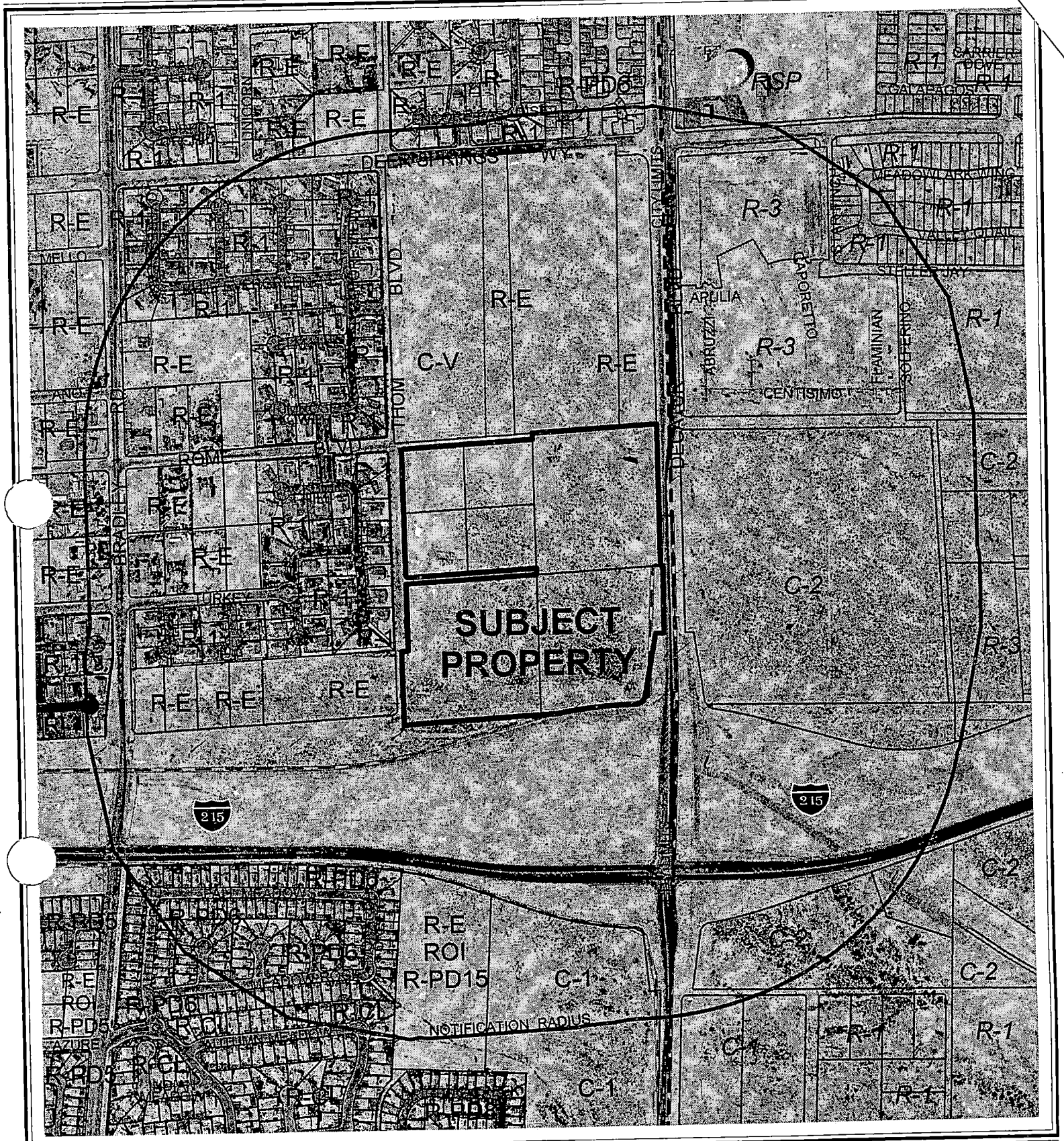


CASE: **SUP-6204**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

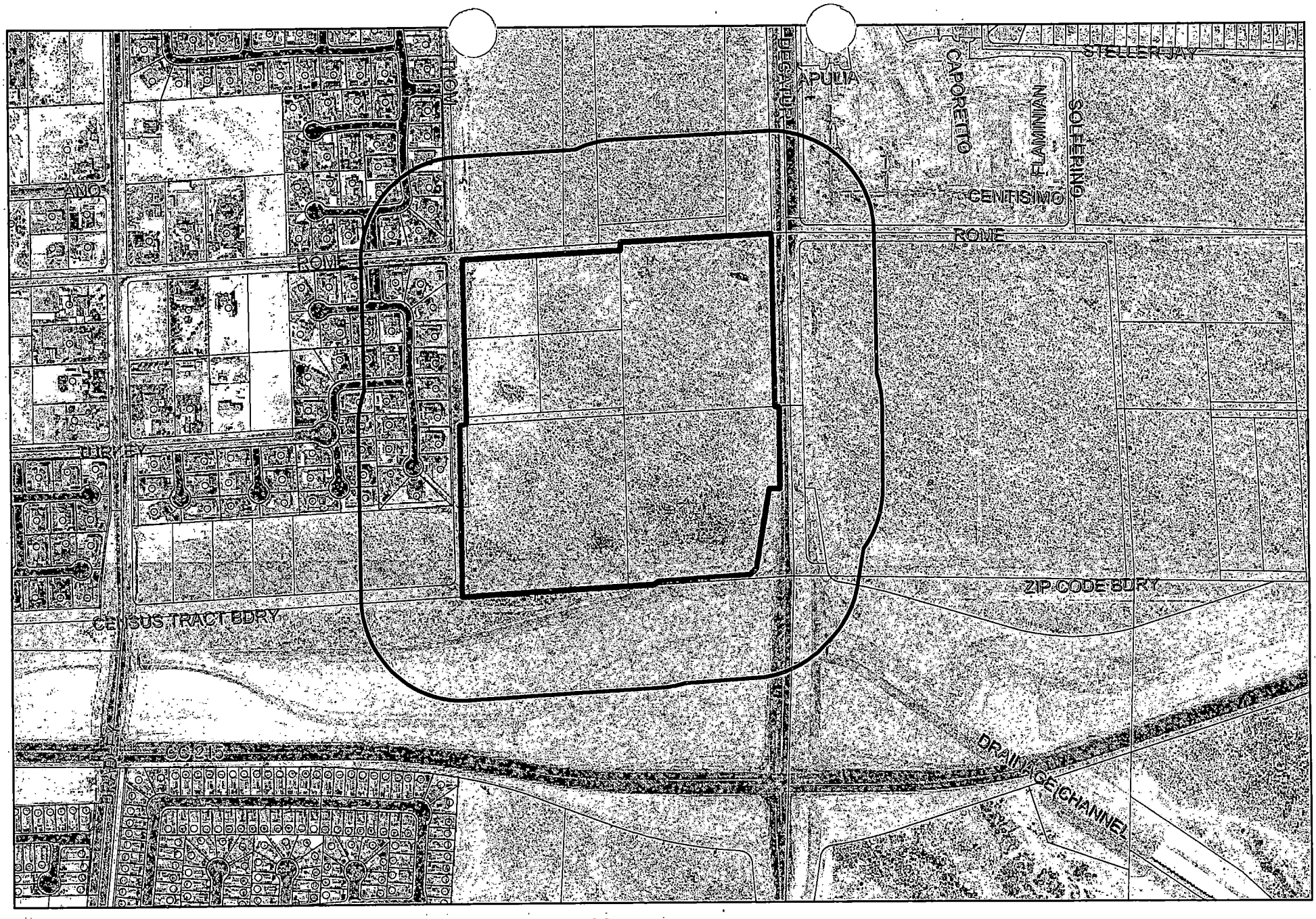


CASE: **SUP-6204**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



SUP-6204
Package Liquor Sales

Business Licenses

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

- RELIGIOUS
- PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6204 - APPLICANT: MULVANNYG2 ARCHITECTURE - OWNER: SHADOW MOUNTAIN MARKETPLACE, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off Premise Consumption) use.

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

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

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a Liquor Establishment (Off-Premise Consumption) at 6555 North Decatur Boulevard.

B) Applicant's Justification

The alcohol will be prepackaged and will not be consumed within the store. It will be on racks and pallets and will encompass approximately 1,000 square feet of the floor space.

BACKGROUND INFORMATION

A) Related Actions

08/25/97	The City Council approved a request to amend (GPA-0027-97) a portion of the Northwest Sector of the General Plan on property located on the northwest corner of Centennial Parkway and Decatur Boulevard- From: DR (Desert Rural Density Residential)- To: SC (Service Commercial).
08/25/97	The City Council approved a request for a rezoning (Z-0062-97) on property located on the northwest corner of Centennial Parkway and Decatur Boulevard, From: R-E (Residence Estates) Zone- To: C-1 (Limited Commercial) Zone.
06/20/01	The City Council approved a request for a rezoning (Z-0019-01), From: R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), To: C-1 (Limited Commercial) on 31.7 acres on the northwest corner of the intersection of Centennial Parkway and Decatur Boulevard. The Planning Commission and Staff recommended approval.
07/16/03	The City Council approved a request for a Reinstatement and Extension of Time (EOT-2267) on an approved Rezoning (Z-0019-01), From: R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), To: C-1 (Limited Commercial) on 31.7 acres adjacent to the northwest corner of Centennial Parkway and Decatur Boulevard. The Planning Commission and Staff recommended approval.

11/04/03 The City Council approved a request for a for a Site Development Plan Review (SDR-5050) and waivers of building placement, foundation landscaping and building setback standards for a proposed 365,700 square-foot shopping center on 35.00 acres adjacent to the northwest corner of Decatur Boulevard and the Las Vegas Beltway. The Planning Commission and Staff recommended approval.

12/02/04 Planning Commission approved a request for a Tentative Map (TMP-5474) for a one lot commercial subdivision on 35.82 acres at the northwest corner of Decatur Boulevard and the 215 Beltway.

There are no previous business license activity that pertain to the subject request.

B) Pre-Application Meeting

02/14/05 The elements of a complete application for a special use permit were discussed with the applicant during a pre-application submittal conference.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 35.0

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Clark County 215 Undeveloped
East:	Undeveloped
West:	Single-Family Residences Undeveloped

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	ML (Medium-Low Density Residential) PF (Public Facilities)
South:	ROW (Right-of-Way) ML (Medium-Low Density Residential) SC (Service Commercial)
East:	City of North Las Vegas
West:	ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North:	R-E (Residence Estates) C-V (Civic)
South:	R-E (Residence Estates) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units per Acre) C-1 (Limited Commercial)
East:	City of North Las Vegas
West:	R-1 (Single-Family Residential) R-E (Residence Estates)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Centennial Hills Interlocal Land use Plan of the Centennial Hills Sector Plan of the General Plan. The current zoning of C-1 (Limited Commercial) Zone is consistent with this land use designation.

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

No special districts, zones, or studies are related to the subject site.

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 from a corporate boundary

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures, will be prepared as the comments are received. As of the writing of this report there have not been any comments received.

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) Minimum Distance Separation Requirements

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

Use	Code Requirement	Provided
Liquor Establishment (Off Premise Consumption)	400 feet from churches, synagogues, schools, childcare facilities, or city parks	No protected uses are known to be within the minimum separation distance.

The proposal meets the separation requirements of Title 19 for a Liquor Establishment (Off Premise Consumption) use.

B) General Analysis and Discussion

- Zoning

  The subject site is zoned C-1 (Limited Commercial). A Liquor Establishment (Off Premise Consumption) is a permitted use within this zoning district with the approval of a Special Use Permit.

- Use

  The use, in conjunction with the proposed wholesale store, is an appropriate use at this location and one that can be conducted in a manner that is harmonious and compatible with the surrounding land uses.

- Conditions

  The following conditions are stipulated for the Liquor Establishment (Off-Premise Consumption) use within a C-1 zoning district. The conditions with asterisks are non-waivable:

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

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

a. Any leasehold parcel; or

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

* 3. In the case of a liquor establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:

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

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

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

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

FINDINGS

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

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

The proposed use will be an accessory use to a grocery store. It will be surrounded by other commercial and retail businesses of a similar character that are permitted in the C-1 (Limited Commercial) zoning district and is compatible with the General Plan in this area.

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

   The existing parking and site area are adequate to accommodate the proposed Liquor Establishment (Off Premise Consumption) 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."**

   The use in conjunction with the proposed wholesale store will have access to Decatur Drive, a primary (100-foot) arterials on the Master Plan of Streets and Highways, and therefore will not negatively affect the surrounding roadways.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 294

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-6204 APN: 125-24-802-001, 002, 003, 004, 007, 010, 011

Name of Property Owner: Shadow Mountain Marketplace LLC

Name of Applicant: _____

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

_____ Yes _____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: Mark D. Lineban

Subscribed and sworn before me

This 23 day of February, 2005

Santa Barbara, CA
Notary Public in and for said County and State

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Santa Barbara } ss.

On 23, February 2005 before me, Deborah A. Wengler,
Date — Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Mark D. Linehan,
Name(s) of Signer(s)

☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

DEBORAH A. WENGLER
Commission # 1373173
Notary Public - California
Santa Barbara County
My Comm. Expires Sep 6, 2006

to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary Public

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.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

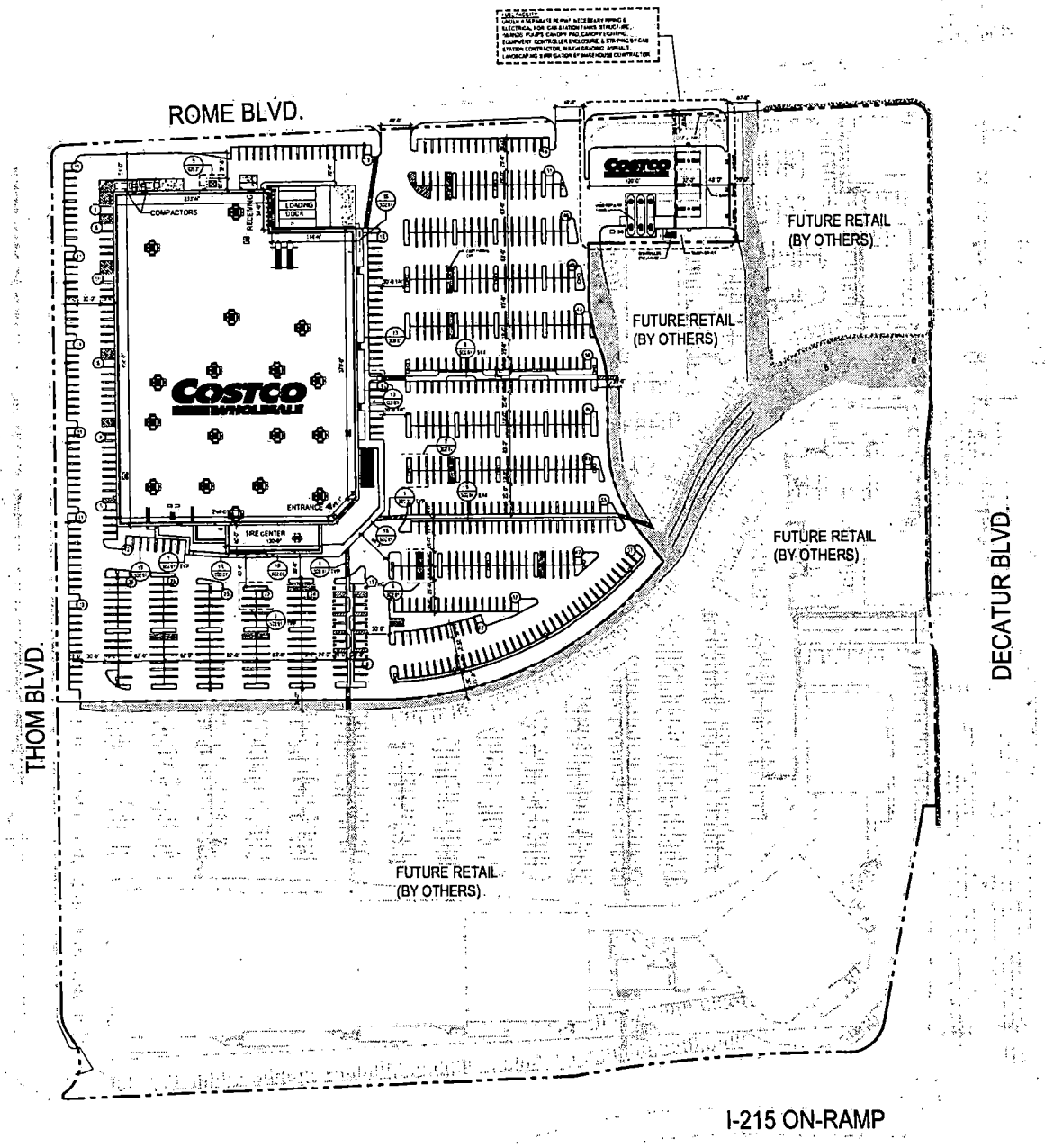
Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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SITE PLAN
SCALE: 1" = 60'

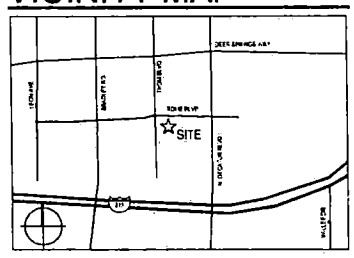
PROJECT DATA

CLIENT:	COSTCO WHOLESALE 999 LAKE DRIVE ISSAQUAH, WA 98027
PROJECT ADDRESS:	INTERSECTION OF I-215 & DECATUR BLVD NE LAS VEGAS, NV
ZONING:	C-1 LIMTED COMMERICAL
TOTAL SITE AREA:	35.67 ACRES (1,553,948 S.F.)
COSTCO SITE AREA:	14.29 ACRES (622,898 S.F.)
JURISDICTION:	LAS VEGAS, NV
SETBACKS:	FRONT 20'-0" SIDE: 10'-0" REAR: 20'-0"
BOUNDARIES INFORMATION:	THIS PLAN HAS BEEN PREPARED BY USING A SITE PLAN FROM GC WALLACE COMPANIES DATED OCTOBER 22, 2004

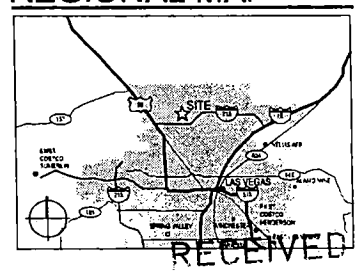
BUILDING DATA:	
BUILDING AREA	143,463 S.F.
TIRE CENTER	5,200 S.F.
TOTAL BUILDING	148,663 S.F.
PARKING DATA:	
PARKING PROVIDED:	
10' WIDE STALLS	769 STALLS
HANDICAP STALLS	16 STALLS
TOTAL PARKING	785 STALLS
NO. OF STALLS PER 1000 SF OF BUILDING AREA:	5.39 STALLS
JURISDICTIONAL PARKING REQUIRED:	595 STALLS (4/1000)

NOTES:
EXISTING CONDITIONS TO BE FIELD VERIFIED.

VICINITY MAP



REGIONAL MAP



SUP-6204
04-14-05 PC

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COSTCO WHOLESALE
LAS VEGAS, NV

I-215 & DECATUR BLVD NE
LAS VEGAS, NV

COSTCO WHOLESALE CORPORATION
999 LAKE DRIVE
ISSAQUAH, WA 98027
T. 425.313.8100
Costco.com

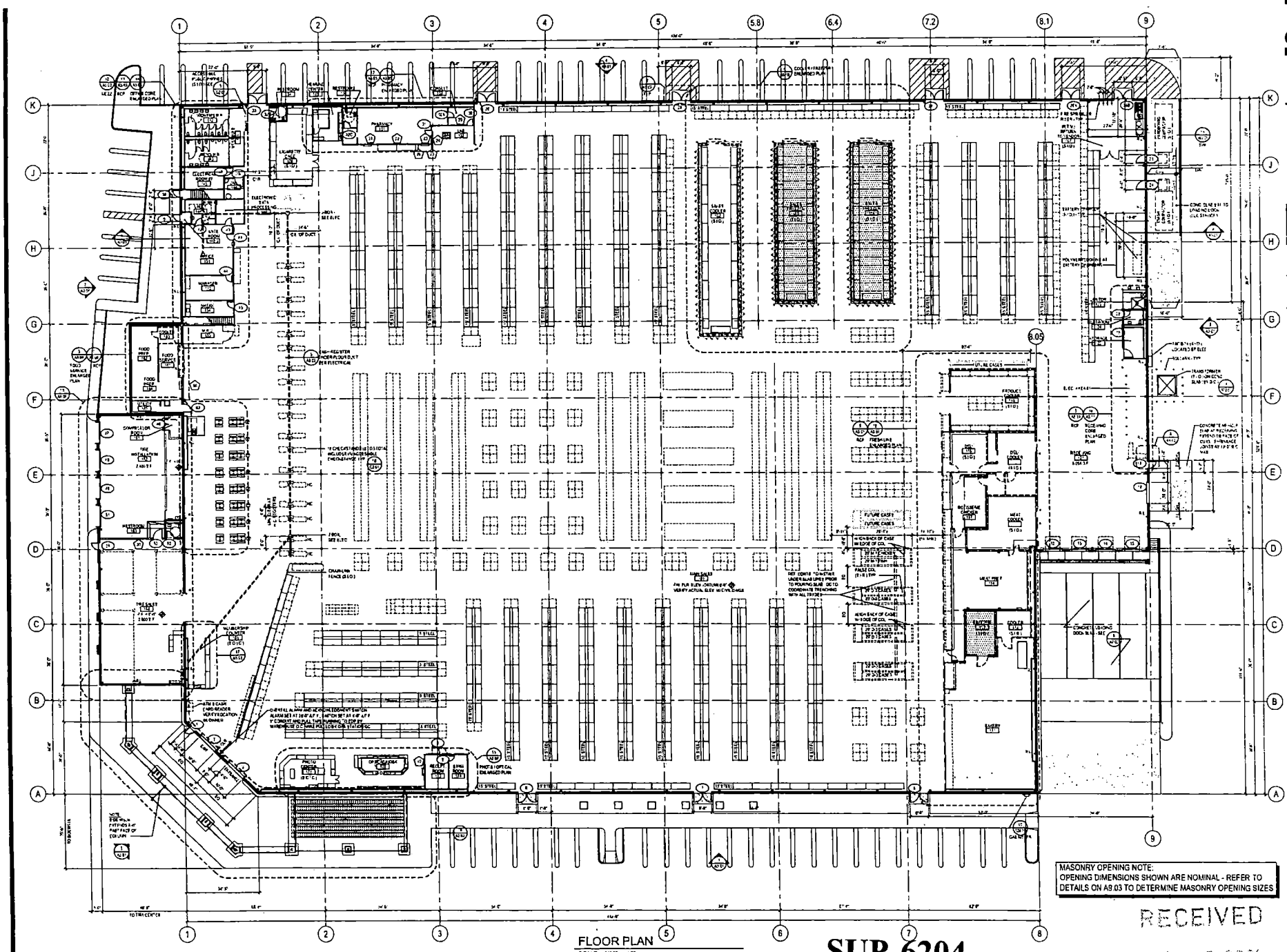
MULVANNY G2
BELLEVUE WA

PERMIT SET

△	DATE	DESCRIPTION
		CD STARTUP
		PERMIT SUBMITTAL

SITE PLAN

SD1.01



FLOOR PLAN
SCALE: 1/16" = 1'-0"

MASONRY OPENING NOTE:
OPENING DIMENSIONS SHOWN ARE NOMINAL - REFER TO DETAILS ON A9.03 TO DETERMINE MASONRY OPENING SIZES

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04-14-05 PC

COSTCO WHOLESALE
LAS VEGAS, NV

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MULVANNY G2

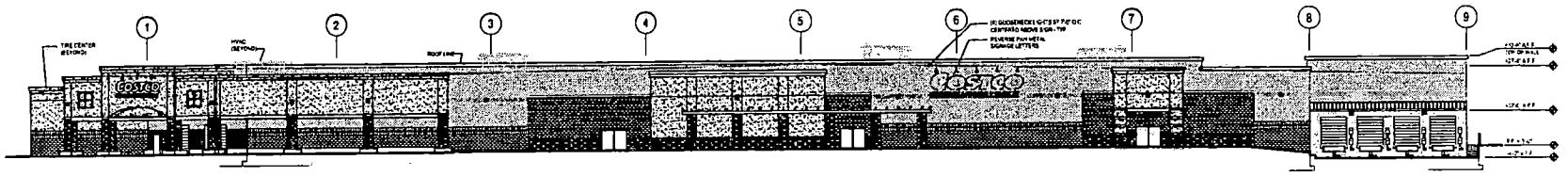
PERMIT SET

KEY PLAN

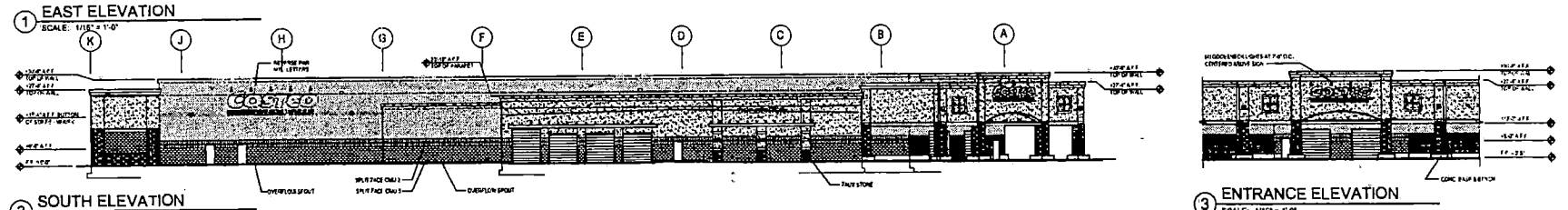
△	DATE	DESCRIPTION
	1.8.05	FD START-UP
	3.1.05	PERMIT SUBMITTAL

FLOOR PLAN

A1.01

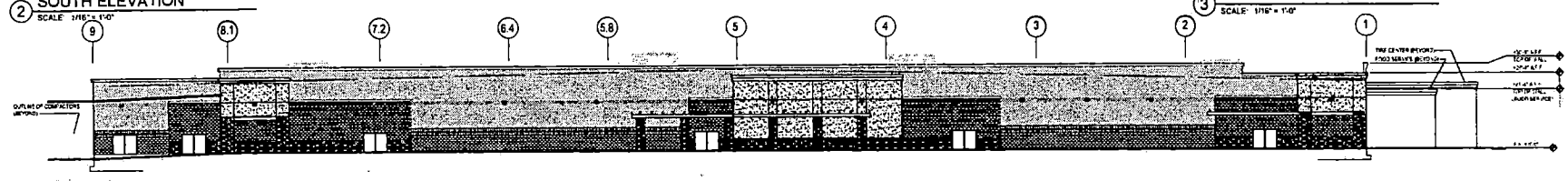


1 EAST ELEVATION
SCALE: 1/16" = 1'-0"

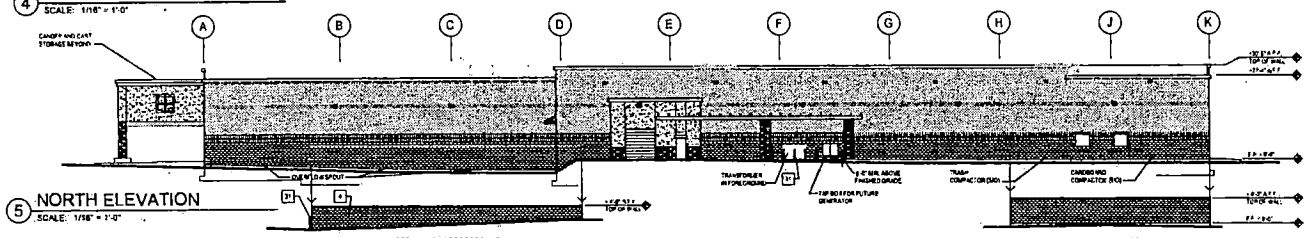


2 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

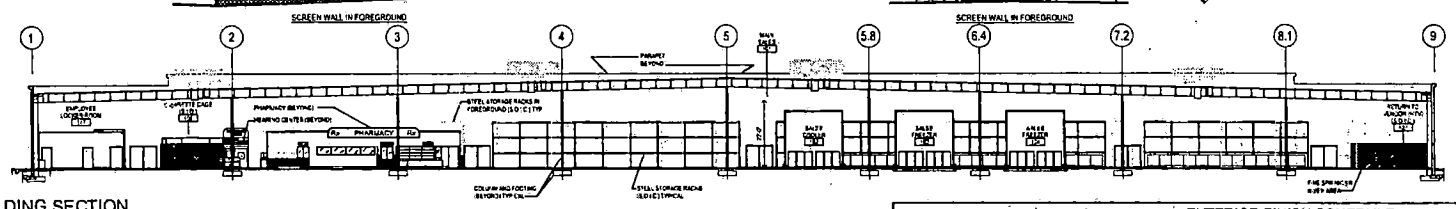
3 ENTRANCE ELEVATION
SCALE: 1/16" = 1'-0"



4 WEST ELEVATION
SCALE: 1/16" = 1'-0"

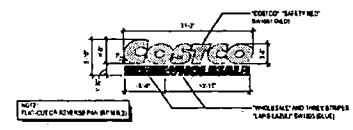


5 NORTH ELEVATION
SCALE: 1/16" = 1'-0"

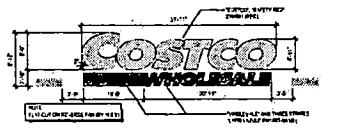


6 BUILDING SECTION
SCALE: 1/16" = 1'-0"

SUP-6204
04-14-05 PC



9 CANOPY SIGNAGE
SCALE: 1/8"=1'-0"



10 BUILDING SIGNAGE
SCALE: 1/8"=1'-0"

TIRE INSTALLATION
TIRE SALES
RECEIVING

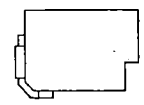
7 LOCATION SIGNAGE
SCALE: 1/8" = 1'-0"

1234567890

8 ADDRESS
SCALE: 1/8" = 1'-0"

NOTE:
DIMENSIONS AND NOTES APPLY TO ALL ELEVATIONS UNLESS NOTED OTHERWISE

KEY PLAN



EXTERIOR FINISH SCHEDULE

#	ITEM	MATERIAL	FINISH	COLOR	MANUFACTURER \ NOTES
WALLS					
1	COPING	METAL *	PAINTED		
2	UPPER WALL	METAL SIDING *	PRE-FINISHED		
3	ACCENT BAND	PRE-CUT METAL *	PRE-FINISHED	SAFETY RED	
4	LOWER WALL	CMU	SPLIT FACE		* OF COURSE SMOOTH FACE
5	ACCENT LOWER WALL	CMU	SMOOTH FACE \ PAINTED ACCENT		
LOADING DOOR					
23	CANOPY	METAL *	PRE-FINISHED		
24	UPPER WALL	METAL SIDING *	PRE-FINISHED		
25	LOWER WALL	CONCRETE	PAINT *		
26	COPING	METAL *	PAINTED		
6	ROOFING	METAL *	PRE-FINISHED		
7	FASCIA	STEEL *	PAINT		
10	COLUMN	STEEL *	PAINT		
11	COLUMN WRAP	CONCRETE	SPLIT FACE		TOP COURSE SMOOTH FACE
12	COLUMN WRAP CAP	METAL *	PAINTED		
13	BENCH	CONCRETE	SEALED		
ENTRY CANOPY					
14	COPING	METAL *	PAINTED		
15	CANOPY FACADE	METAL SIDING *	PRE-FINISHED		
16	INSULATED ACCENT CHANNEL	STEEL *	PAINT		
17	WALL BASE \ BENCH	CONCRETE	SEALED		
18	LOWER CURTAIN WALL	CONCRETE	SPLIT FACE		
19	CD GRAVICAP CAP	STEEL CHANNEL *	PAINT		
20	BENCH	CONCRETE	SEALED		
MISC.					
21	SLIDING DOOR	METAL *	PAINT	MATCH ADJACENT WALL	FIELD PAINT
22	ROLLING SERVICE DOORS	METAL *	PAINT	MATCH ADJACENT WALL	FIELD PAINT \ ATTENTION ONLY
24	HALF WALL				SEE SITE DETAILS
25	RAILING (36"+) AT WALL				SEE ELECTRICAL
27	BOLLARD	STEEL *	PAINTED	PAINTED	

* REFER TO BUILDING SUPPLIER

RECEIVED
MAR 07 2005

△	DATE	DESCRIPTION
	1.5.05	CD START-UP
	2.1.05	PERMIT SUBMITTAL

EXTERIOR ELEVATIONS

A3.01

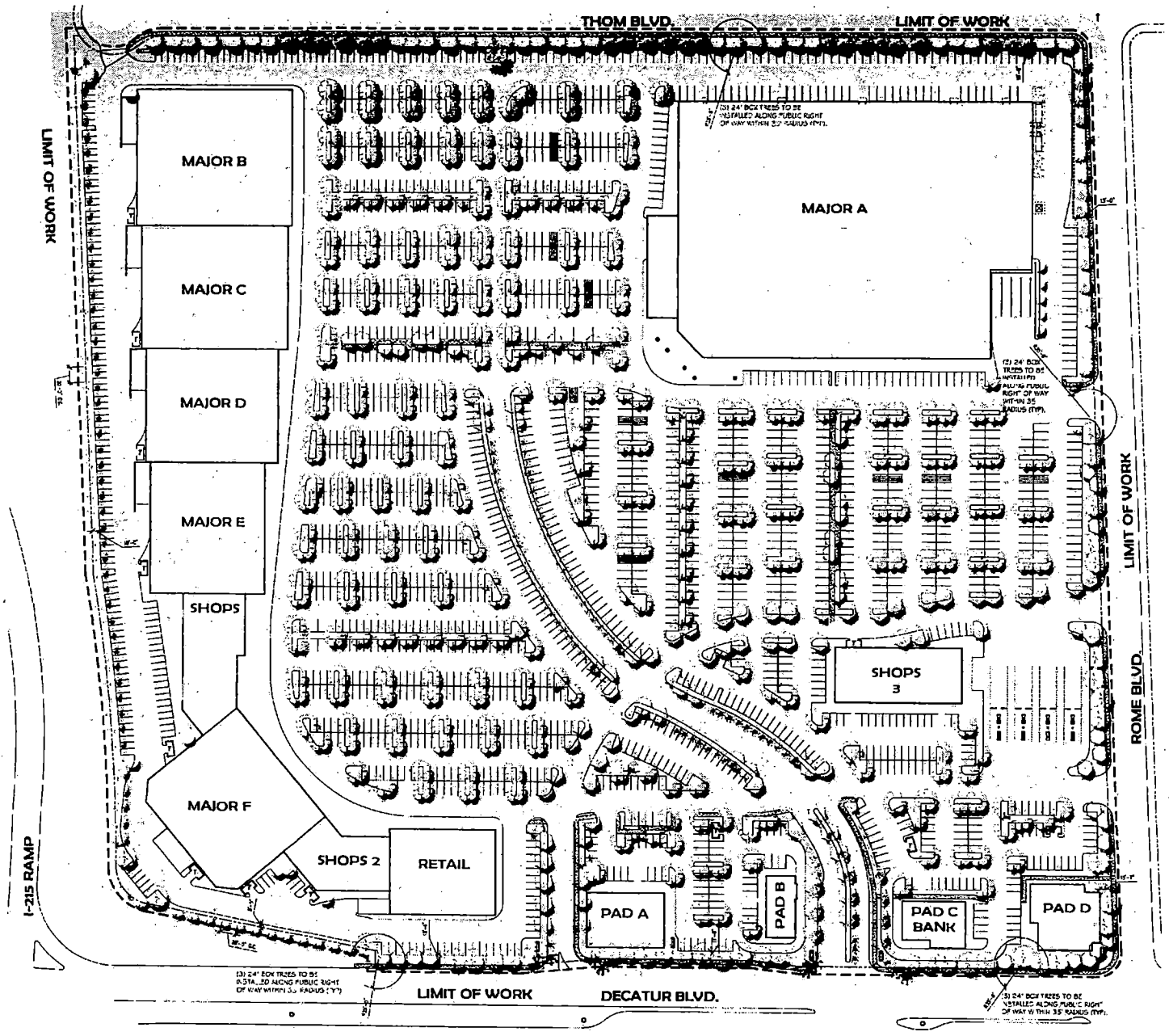
COSTCO WHOLESALE
LAS VEGAS, NV

I-215 & DECATUR BLVD NE
LAS VEGAS, NV

COSTCO WHOLESALE CORPORATION
999 LAKE DRIVE
ISSAQUAH, WA 98027
T: 425.313.8100
Costco.com

MULVANNY G2

PERMIT SET



PLANTING LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	SIZE	QTY.	SPACING
	PYRUS KAWAKAMII EVERGREEN PEAR	24" BOX	40	20' O.C.
	PISTACIA X 'RED PUSH' RED PUSH CHINESE PISTACHE - STD	24" BOX	9	20' O.C.
	BAUHINIA CONGESTA MAGACHO ORCHID TREE - MULTI	24" BOX	0	15' O.C.
	FRAXINUS VELUTINA 'RIO GRANDE' RIO GRANDE ASH - STD.	24" BOX	9	20' O.C.
	FRAXINUS OXYCARPA 'RAYWOOD' RAYWOOD ASH - STD.	24" BOX	62	20' O.C.
	CHITALPA TASHKENTENSIS 'PINK DAWN' PINK DAWN CHITALPA - STD.	24" BOX	87	20' O.C.
	PINUS ELDARICA MONDELL PINE - STD	24" BOX	52	20' O.C.
	ACACIA STENOPHYLLA SHOE-STRING ACACIA - STD	24" BOX		20' O.C.
	SOPHORA SECUNDIFLORA MEXICAN BEAN - MULTI	24" BOX	0	15' O.C.
	PHOENIX DACTYLIFERA DATE PALM - DIAMOND CUT	25' BTH	9	20' O.C.
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM - SKINNED	18' BTH	0	12' O.C.

SUGGESTED SHRUB LEGEND

BOTANICAL NAME/COMMON NAME	SIZE	BOTANICAL NAME/COMMON NAME	SIZE
CHAMAEROPS HUMILIS MEDITERRANEAN FAN PALM	15 GAL.	DIETES VEGETA FORTNIGHT LILY	5 GAL
CAESALPINIA PULCHERRIMA RED BIRD OF PARADISE	5 GAL.	HESPERALOE PARVIFLORA RED HESPERALOE	5 GAL
CRYPTOMERIA JAPONICA 'SUGI' DWARF JAPANESE CEDAR	5 GAL.	YUCCA ELATA SOAPTREE YUCCA	5 GAL
COTONEASTER GLAUCOPHYLLUS FRANCHETII BEARBERRY COTONEASTER	5 GAL.	PENSTEMON PARRYI PARRYS PENSTEMON	1 GAL.
DALEA FRUTESCENS 'SIERRA MESA' BLACK DALEA	5 GAL.	MUHLENBERGIA CAPILLARIS 'REGAL MIST' REGAL MIST DEER GRASS	5 GAL
SALVIA PHLOMOIDES LAVENDER OF JERUSALEM SAGE	5 GAL.	DALEA CAPITATA 'SIERRA SOLD' SIERRA GOLD DALEA	5 GAL
NERIUM OLEANDER 'LITTLE RED' DWARF RED OLEANDER	5 GAL.	ROSMARINUS OFFICINALIS PROSTRATUS PROSTRATE ROSEMARY	5 GAL
RAPHIOLEPIS INDICA 'JACK EVANS' JACK EVANS HAWTHORN	5 GAL.	TEUCRIUM CHAMAEDRYS GERMANDER	5 GAL
SALVIA X 'TRIDENT' TRIDENT SAGE	5 GAL.	TRACHELOSPERMUM JASMINOIDES STAR JASMINE	5 GAL
SPHAERALCEA AMBIGUA 'APRICOT PINK' PINK GLOBE MALLOW	5 GAL.	HYMENOXYS ACAULIS ANGELITA DAISY	1 GAL.
AGAVE VILMORINIANA OCTOPUS AGAVE	5 GAL.	MACFADYENA UNGUIS-CATI CAT'S CLAW VINE	5 GAL

NOTES:

1) DECOMPOSED GRANITE (DG): INSTALL A 2" LAYER OF 3/4" SCREENED ROCK MULCH CONTINUOUS IN ALL PLANTERS, WITHIN LIMIT OF LANDSCAPE, UNDER ALL TREES AND SHRUBS COLOR: TBD. BEFORE PLACING GRANITE, COMPACT SUB GRADE TO 95 % AND APPLY A PRE-EMERGENT HERBICIDE TO SOIL. AFTER PLACING GRANITE, RAKE SMOOTH, WET TO ENTIRE DEPTH, ALLOW TO DRY, THEN LIGHTLY SCARIFY SURFACE WITH A LEAF RAKE. APPLY A SECONDARY APPLICATION OF PRE-EMERGENT HERBICIDE TO TOP OF GRANITE. * BELOW ADJACENT WALLS AND CURBS, DO NOT ALLOW GRANITE TO TOUCH THE TRUNK OF ANY PLANT. INSTALL AFTER INSTALLATION OF PLANT MATERIAL. CONTRACTOR TO PROVIDE SAMPLE OF ROCK FOR APPROVAL BY OWNER PRIOR TO INSTALLATION.

2) ALL LANDSCAPE AND IRRIGATION SHALL COMPLY WITH CITY OF LAS VEGAS URBAN DESIGN GUIDELINES & STANDARDS, TITLE 19, ADOPTED MARCH 17, 1999.

OWNER:

Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, CA 93111
805.967.6040

SCALE: 1" = 60'-0"

SOUTHWICK LANDSCAPE ARCHITECTS
6362 McLeod Drive
Suite 3
Las Vegas, NV 89120
Phone: 702 597 3108
Fax: 702 597 3177

STAMP:

CONSULTANT:

SHADOW MOUNTAIN MARKETPLACE
DECATUR AND ROME
LAS VEGAS, NEVADA

REVISIONS:

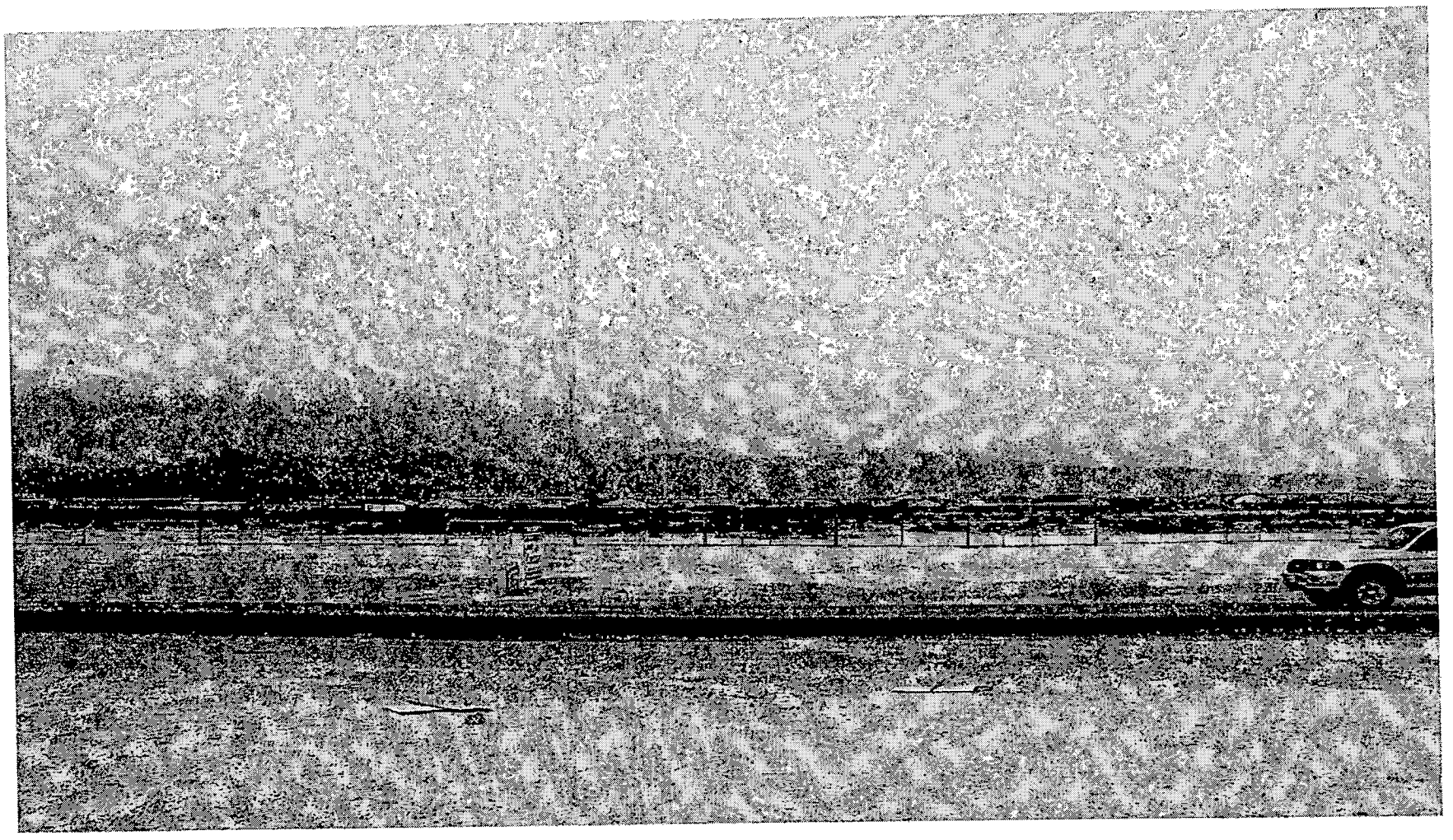
SHEET CONTENTS:
PLANTING PLAN

DRAWN BY: IAR
REVIEWED BY: BTE
DATE: AUGUST 19, 2004
PROJECT NO: 04-006

SHEET:
L1.00

SUP-6204
04-14-05 PC

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SUP-6204 - APPLICANT: MULVANNYG2 ARCHITECTURE - OWNER: SHADOW MOUNTAIN MARKETPLACE, LLC
6555 NORTH DECATUR BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

MULVANNY G2 ARCHITECTURE

DESIGN AT WORK

February 23, 2005

Mr. Flinn Fagg, AICP
City of Las Vegas
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: **Costco - Las Vegas**
6555 N. Decatur Blvd
Las Vegas, NV
Project Number: 04-1126-01

Subject: **SUP justification letter for Alcohol Sales**

Dear Mr. Fagg,

On behalf of the owner, Costco Wholesale, I am requesting approvals for our client to sell beer, wine and liquor within the warehouse. The alcohol will be prepackaged and will not be consumed within the store. It will be on racks and pallets and will encompass approximately 1,000 square feet of the floor space.

Should you require any additional information regarding this matter, please contact me at 425-463-1458

Sincerely,

Pat Nakamura
Senior Project Manager

pmn
c: Costco: Peter Clement

h:\costco\04\04-1126-01\02corresp\204jurisdiction\sup letter for alcohol.doc

t 425.463.2000
f 425.463.2002

1110 112TH AVENUE NE | SUITE 500 | BELLEVUE, WA | 98004
MulvannyG2.com

SUP-4204

City of Las Vegas

Agenda Item No.: 56

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:

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).

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 replacing Condition 5 with the following condition:

5. ***A parking plan shall be submitted for review and approval by staff to accommodate commercial parking.***

– UNANIMOUS with TRUESDELL abstaining because he owns property in the notification area

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 this project is a high-

MINUTES – Continued:

rise development in the downtown area. Staff feels the use is compatible and harmonious with existing uses although this building will be higher than other buildings in the area. The applicant is requesting some waivers to the Downtown Centennial Plan for building step back and streetscape requirements and staff is recommending approval.

JEFF RHODES, Argonaut Company, appeared on behalf of the applicant with the project developer, IYED HADDAD. He thanked staff for their guidance and assistance. RNL Architects were brought in from Denver to assist in the design of the project. They are also working with the City on developing a Master Plan for the 61-acre site. The project will be a world-class mixed-use tower project, and it will be a tremendous contribution to the Arts District.

A considerable amount of effort went into the design to deal with elevations on the garage portion of the project. He felt the façade on this development responded to the street level and created a space designed to accommodate galleries on the ground level of the building. Second floor through the seventh floor will be parking, and the roof will have amenities.

MR. RHODES indicated that the applicant concurred with all conditions except number five. The condition suggests an additional 26 parking spaces be incorporated into the site to reduce potential parking impacts. The applicant asked the condition be removed because this is an urban district project, valet parking will be provided, as well as a shared parking resource for the retail tenants.

MR. HADDAD stated he has worked closely with Planning and Development staff and has been able to hide some of the mechanical aspects and some of the parking garage cars from the street view. He also pointed out the development is in compliance with the landscaping requirements on Charleston Boulevard and Casino Center Boulevard.

TODD FARLOW, 240 North 19th Street, questioned whether the building was going to have a LEED's (Leadership in Energy and Environmental Design) rating and also, if the pool served a dual purpose as a fire safety water reservoir. MR. RHODES replied it was not a LEED's project and that the pool could probably be used to fight a fire.

COMMISSIONER McSWAIN said the building was beautiful. She questioned the potential signage appointments. She also asked staff if the applicant would have to get approval for the signage represented. MARGO WHEELER, Planning and Development, explained that the Arts District has a separate signage requirement, which allows almost any type of signage. The project would only have to meet the Downtown Arts District standards. She added that the

MINUTES – Continued:

Commission would not see the signage plan. MR. RHODES stated there might be glazing on the building, and other skin materials are being considered to provide for ventilation. Further studies must be conducted before taking the matter before the Arts Commission. The applicant will take advantage of the flexibility the district allows with the understanding that a compelling case must be made before them. MR. HADDAD said he has been working with members of the Arts Commission and he will continue to do so.

MR. HADDAD informed COMMISSIONER McSWAIN that a conclusion has not been made as to whether the advertising would be for the building or for the Arts District. He speculated advertising for First Friday and art related issues for the community.

COMMISSIONER EVANS asked about the retail uses. MR. HADDAD responded that the Arts Commission has suggested making the building a tribute to art. He is considering having a gallery in the ground floor with a small café. The Commissioner hoped that one of the high-rise developers might consider a small market for the ground floor. The clientele is built in and it does work well in other cities. COMMISSIONER EVANS felt this area of town would become vibrant with the proposed high-rise developments.

COMMISSIONER STEINMAN questioned Public Works staff about the three proposed high-rise developments in this area, including this project, and whether they had traffic studies for the project and how the infrastructure would handle the additional traffic volume generated by these projects. DAVID GUERRA, Public Works Department, replied that this site is on a different main than the project the Commissioner was referring to at Alta Drive and Martin Luther King Boulevard. The Alta Drive site had a link to the infrastructure that could not have handled the traffic volume generated by that proposed development. At this site, the capacity can be handled. COMMISSIONER STEINMAN acknowledged that but pointed out that when the infrastructure was planned for Charleston Boulevard years ago, they could not have anticipated having three high-rise condominium developments at this intersection. MS. WHEELER explained that a utilities study for the downtown area has been approved as a Capitol Improvement Project for this year.

COMMISSIONER McSWAIN asked staff about the applicant's request to amend condition five. FLINN FAGG, Planning and Development Department, stated the project would provide a total of 280 parking spaces and there are 278 residential units planned. The City does not automatically apply parking requirements to projects in the Downtown Centennial Plan area. The City does, however, use a basic guideline to determine the appropriate amount of parking. In this instance, the project would have sufficient parking for the residential units but would only have two spaces dedicated for the 9,300 square feet of commercial area. Condition five recommended three spaces per thousand on the commercial space.

MINUTES – Continued:

COMMISSIONER EVANS confirmed with MR. FAGG that the parking spaces are shared by residential and commercial without separation. COMMISSIONER EVANS thought many of the homeowners would not have cars and would not live there full time. He had no problem with the elimination of that condition. COMMISSIONER McSWAIN concurred but felt it might be more appropriate to have her comment, on record, that the application goes forward to Council whereby they could decide to eliminate the condition if they felt it appropriate.

MR. HADDAD stated valet parking would alleviate the parking situation. Also, the commercial development would be open with restricted hours. Metered parking is available on both sides of the street on Casino Center Boulevard. MR. RHODES pointed out that the spaces would not be designated for specific residential uses. Some spaces would be in an open pool of spaces that would also be part of the valet parking. The nature of the plan does allow for additional efficiency by utilizing the valet aspect. There is a wider aisle in the valet area that will allow 15 to 20 additional cars over the spaces marked to be parked in that wide aisle. The applicant believes that the needs of the tenants would be met with proper utilization of their parking resources. CHAIRMAN NIGRO thought it would be okay to modify the condition so that it would allow non-residential parking spaces around the commercial parking. MR. RHODES also noted there would be a designated loading area in the building on the ground level. MR. FAGG felt that as long as parking spaces were not solely dedicated to residential, staff would be okay with amending the language of the condition. CHAIRMAN NIGRO thought that it might be best to leave the condition as is and direct staff to work with the applicant to modify the condition.

After discussion, MS. WHEELER suggested replacing condition five with language stating that a parking plan would be submitted for review and approval by staff to accommodate commercial parking. This would allow the applicant to come up with a plan that specifically addresses the commercial parking. The applicant accepted the new language.

COMMISSIONER EVANS concluded by saying if reasonable mass transit is provided downtown, many of the issues associated with high-rise development would be eliminated.

MR. RHODES was also able to shed some light on a question asked on another item regarding the Red Rock Casino. The traffic and warrant studies have been completed and Nevada Department of Transportation will be approving the signal for placement. It should be installed in November of this year.

CHAIRMAN NIGRO declared the Public Hearing closed.

(9:51 – 10:15)

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 56 – SDR-6188

CONDITIONS:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations, date stamped 02/28/05, 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 streetscape requirement for 11-foot wide sidewalks and a five-foot amenity zone is hereby approved, due to the constraints of the public right-of-way. All other streetscape elements shall conform to the Downtown Centennial Plan requirements.

5. An additional 26 parking spaces shall be added on site so as to reduce any potential parking impacts to the adjoining neighborhood.

6. The existing billboard on the site shall be removed prior to the issuance of building permits.

7. The palm trees shown along the Casino Center right-of-way shall have a minimum height of 25 feet upon installation, and shall not exceed 35 feet on center. The required shade trees shown along the Charleston Boulevard right-of-way shall be installed at a maximum spacing of 30 feet on center; minimum tree size shall be a 24-inch box.

8. The sidewalk shall include a decorative paving treatment at the street intersection in accordance with Subsection DS4.2 of the Downtown Centennial Plan. All streetscape treatments shall conform to match the Fourth Street improvements installed by the City of Las Vegas.

9. The 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 may result in legal action taken by the City of Las Vegas.

CONDITIONS – Continued:

10. 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.

11. The elevations of the structure shall be reviewed and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, to ensure that there is adequate façade articulation of the parking levels of the structure.

12. All metal panels and metal surfaces shall have a matte finish so as to minimize reflectivity. Reflective glass at the pedestrian level is prohibited; glazing on the upper stories of the building shall be limited to a maximum of 22% reflectivity.

13. 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.

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. 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.

16. 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.

17. 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).

CONDITIONS – Continued:

18. Signage for the development shall be subject to conformance to the Arts District requirements of Downtown Centennial Plan.

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

Public Works

20. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.

21. Dedicate a 25 foot radius and also grant a Traffic Signal Chord easement at the southeast corner of Casino Center Boulevard and Charleston Boulevard prior to the issuance of any permits.

22. 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.

23. Coordinate with the Collection System Planning Section of the Department of Public Works to provide a new connection to public sewer in Charleston Boulevard. Also 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. 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. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.

25. 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.

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. Coordinate with the City Engineer's office to discuss the Casino Center realignment project to determine impacts, if any, to this site plan.

CONDITIONS – Continued:

28. 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.

29. 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.

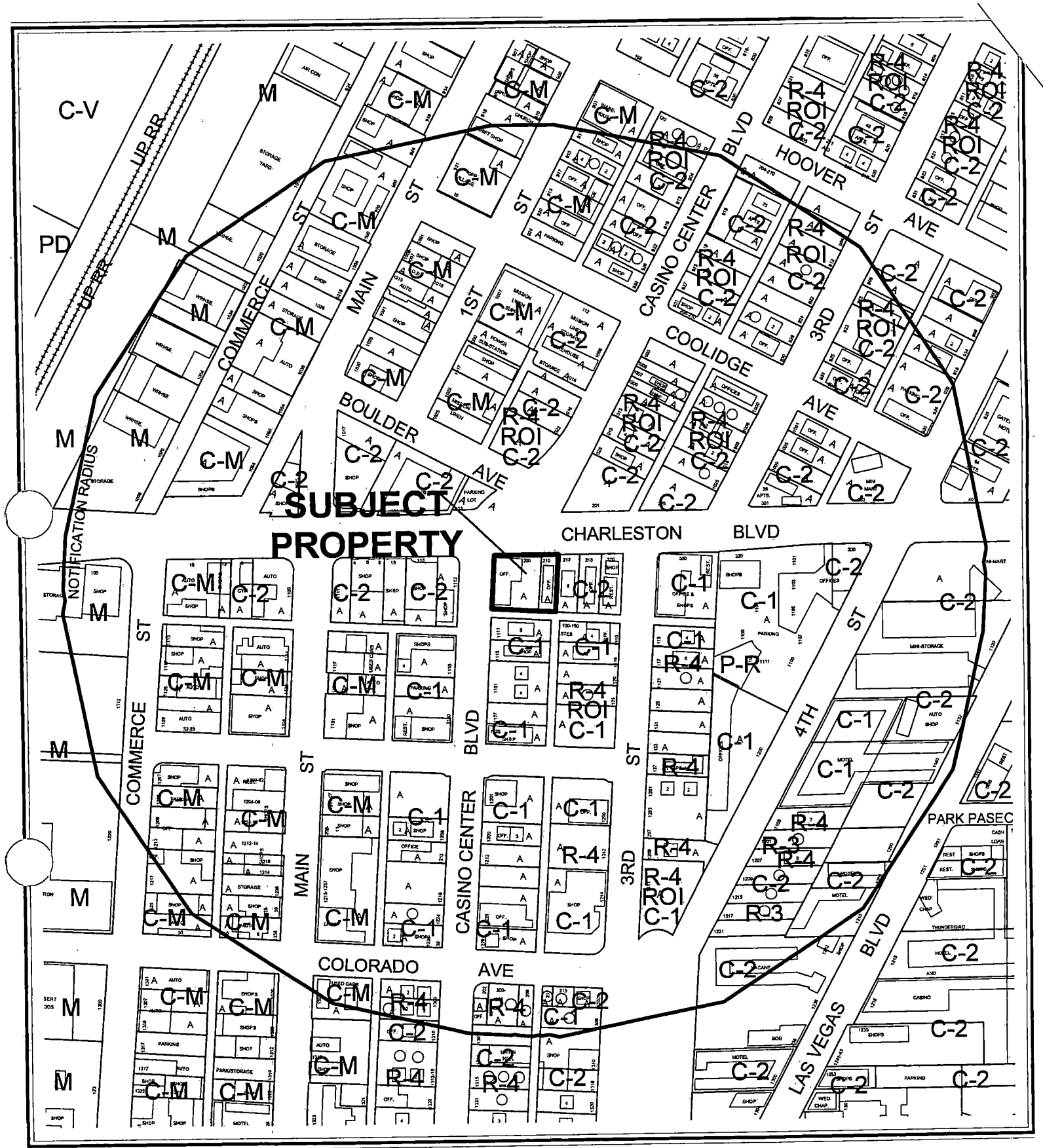
30. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic 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 Commission or the City Council on the development of this site.

31. 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.

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 56 – SDR-6188

CONDITIONS – Continued:

32. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements located in the Nevada Department of Transportation public right-of-way adjacent to this site.

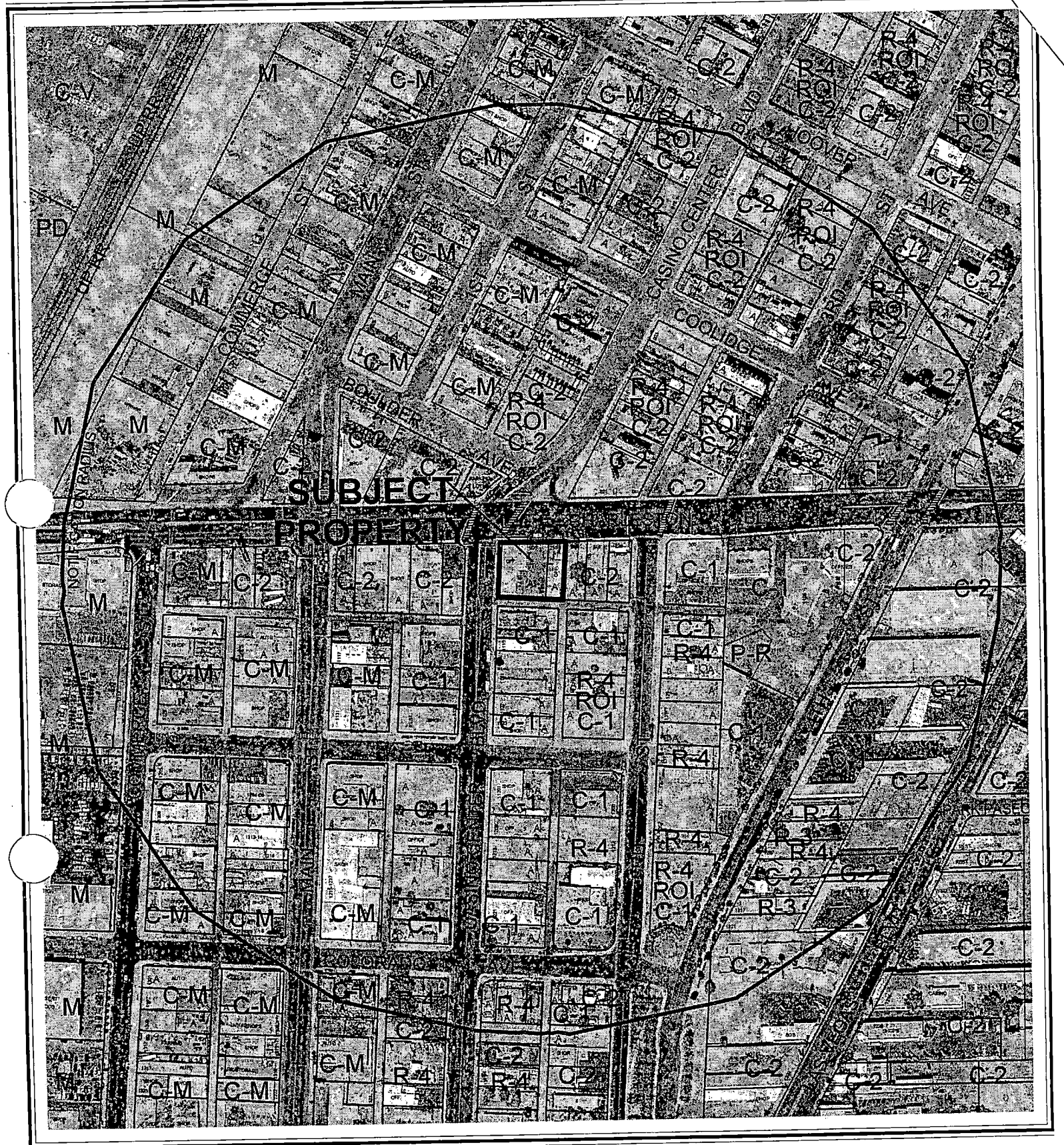


CASE: **SDR-6188**

RADIUS: 1000 FT

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

N



CASE: **SDR-6188**

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-6188 - APPLICANT/OWNER: SAUCY STRATEGIC PLANNING, LLC

** 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 02/28/05, 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 streetscape requirement for 11-foot wide sidewalks and a five-foot amenity zone is hereby approved, due to the constraints of the public right-of-way. All other streetscape elements shall conform to the Downtown Centennial Plan requirements.

5. An additional 26 parking spaces shall be added on site so as to reduce any potential parking impacts to the adjoining neighborhood.

6. The existing billboard on the site shall be removed prior to the issuance of building permits.

7. The palm trees shown along the Casino Center right-of-way shall have a minimum height of 25 feet upon installation, and shall not exceed 35 feet on center. The required shade trees shown along the Charleston Boulevard right-of-way shall be installed at a maximum spacing of 30 feet on center; minimum tree size shall be a 24-inch box.

8. The sidewalk shall include a decorative paving treatment at the street intersection in accordance with Subsection DS4.2 of the Downtown Centennial Plan. All streetscape treatments shall conform to match the Fourth Street improvements installed by the City of Las Vegas.

9. The 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 may result in legal action taken by the City of Las Vegas.

10. 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.

11. The elevations of the structure shall be reviewed and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, to ensure that there is adequate façade articulation of the parking levels of the structure.

12. All metal panels and metal surfaces shall have a matte finish so as to minimize reflectivity. Reflective glass at the pedestrian level is prohibited; glazing on the upper stories of the building shall be limited to a maximum of 22% reflectivity.

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24. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.

25. 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.

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. Coordinate with the City Engineer's office to discuss the Casino Center realignment project to determine impacts, if any, to this site plan.

28. 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.

29. 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.

30. 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 Commission or the City Council on the development of this site.

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32. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements located in the Nevada Department of Transportation public right-of-way adjacent to this site.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 38-story mixed-use development including 278 residential units and 9,300 square feet of commercial space with Waivers of the Downtown Centennial Plan building stepback and streetscape requirements on 0.44 acres adjacent to the southeast corner of Charleston Boulevard and Casino Center Boulevard.

B) Applicant's Justification

The applicant states that the project meets the downtown Centennial guidelines, including the Arts District guidelines.

BACKGROUND INFORMATION

A) Previous Actions

No previous actions have been taken relative to the subject properties.

B) Pre-Application Meeting

02/11/05 At the pre-application conference, issues were discussed relative to the streetscape requirements, the appearance of the parking structure, the Arts District signage requirements, and the restriction against time share units in the Arts District. In addition, it was noted that a radius dedication would be required at the intersection of Charleston Boulevard and Casino Center Boulevard, and that a traffic study would be required for review by Planning Commission and City Council.

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:	Office Use
North:	Undeveloped [The site is approved for a 98-unit mixed-use development (SDR-5660)]
South:	Multifamily Residential Use
East:	Multifamily Residential Use
West:	Retail Use

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-1 (Limited Commercial)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a C (Commercial) land use designation. The Commercial designation allows uses comparable to the following land use categories: SC (Service Commercial), GC (General Commercial), and O (Office). 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		
Airport Overlay District		X

Trails		**X**
Rural Preservation Neighborhood		**X**
Development Impact Notification Assessment		**X**
Project of Regional Significance		**X**

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.

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.

PROJECT DESCRIPTION

The project involves the removal of the existing structures and billboard on the site and the construction of a new 38-story mixed-use building, with a total of 278 residential condominium units and 9,300 square feet of ground-level commercial space. Parking will occupy Levels 2 through 7 of the building; residential units will occupy Levels 8 through 37. A total of 280 parking spaces will be provided within the building, and on-street parking is available immediately adjacent to the site. The exterior of the building will feature a combination of glass curtainwalls, decorative glass panels, metal panels, and exposed pre-cast concrete.

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	0.44 Acres	N/A
Min. Lot Width	N/A	125 Feet	N/A
Min. Setbacks			
• Front (Casino Center)	0 Feet	0 Feet	Y
• Side	N/A	0 Feet	N/A
• Corner (Charleston)	0 Feet	0 Feet	Y
• Rear	0 Feet	0 Feet	Y
Max. Lot Coverage	Up to 100%	96%	Y
Max. Building Height	N/A	415 Feet	N/A
Building Stepback	4th, 11th, 18th Stories	None	N
Trash Enclosure	Walled/roofed	Interior	Y
Loading Zone	1	Not indicated	Not indicated
Mech. Equipment	Screened	Not indicated	Not indicated

The proposed structure does not comply with the Centennial Plan requirement for building stepbacks at the 4th, 11th and 18th stories of the building; the applicant has requested a Waiver from this requirement. No information has been provided relative to loading spaces 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.

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
Multifamily Residential	278 Units		
Commercial	9,300 SF		
Total:		280	Not indicated

The proposed development only provides two parking spaces in excess of the number of residential units, which raises concerns about parking impacts to the adjacent neighborhood. Ideally, there should be one parking space for each residential unit and three parking spaces per 1,000 square feet of commercial space. Consequently, it is recommended that 26 additional parking spaces be added on site.

Public Works has noted that a radius dedication will be required at the intersection of Charleston Boulevard and Casino Center Boulevard; the configuration of the first floor of the building allows for the radius dedication. In addition, the applicant may need to provide a bus turnout on Charleston Boulevard. The required traffic study may also require other modifications to mitigate the impacts of the development.

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 Charleston Boulevard	1 Shade Tree @ 30' o.c. max. (min. 24" box)	5 Trees	7 Trees
North/South Street Casino Center	1 Palm Tree @ 35' o.c. max. (min. 25' height)	4 Trees	4 Trees
Sidewalk	11' Sidewalk		Charleston: 8' Casino: 8'

The site plan indicates that the minimum number of trees will be provided in the public right-of-way as required by the Downtown Centennial Plan. Due to the constraints of the existing rights-of-way, the sidewalks will not meet the minimum required width, and no landscape amenity zone will be provided. The applicant has requested a Waiver from the streetscape requirements to address this issue.

A5) Sign Standards

The elevations depict the use of large signs as a design element to screen the parking levels of the building; all building signage shall be subject to the requirements listed in the Downtown Centennial Plan relative to the Arts District, and will be addressed under a separate permit.

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 stepback requirement, for which a Waiver has been requested. The applicant notes that encroachment permits will be requested for a proposed canopy that will extend over the public right-of-way on Casino Center Boulevard, and for balconies on the upper levels of the building. The requested encroachments will be subject to the review and approval of the Public Works Department.

- Site Plan

  The site plan depicts the commercial space fronting on Charleston Boulevard, with the residential lobby and additional commercial space front on Casino Center Boulevard. Access to the parking structure will be provided from the alley on the south side of the property; the mechanical and service areas will also be accessed from the alley. The front corner of the building at the intersection of Charleston and Casino Center has been recessed so as to provide adequate area for the radius dedication that is required in that location.

- Waivers

  The applicant has requested the following Waivers from the Downtown Centennial Plan requirements:

  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 to the façade elements to satisfy the design requirements of the Downtown Centennial Plan. Consequently, staff recommends approval of the Waiver.

  2. 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 rights-of-way area, an eight-foot sidewalk will be provided along both the Charleston Boulevard and Casino Center Boulevard frontages. Due to these constraints, staff recommends approval of the Waiver.

- Landscape Plan

  The landscape plan depicts the use of shade trees in the public right-of-way along Charleston Boulevard and palm trees along Casino Center Boulevard in accordance with the Centennial Plan streetscape requirements. The specifications indicate that the trees will comply with the spacing requirements. The sidewalk will need to include the required accent paving at the intersection as required by the Centennial Plan, and the required alley treatment will also need to be provided.

- Elevations

  The elevations clearly define each building function through changes in fenestration and materials; these distinctions assist in giving the building scale and character. The retail spaces at the ground floor will feature storefront glazing in accordance with code requirements, and decorative glass panels will be utilized on the parking levels of the structure to add visual interest to that portion of the structure. The upper levels of the building will utilize aluminum and glass curtainwall construction, and will also feature two different types of metal panels interspersed with exposed pre-cast concrete. The development will feature both one- and two-story residential units; the difference in unit types is expressed on the exterior of the structure, and assists in giving variety to the façade of the building.

  One element of concern in the design of the elevations of the building is the detailing of the parking floors of the building; the decorative glass screen wall is only utilized on portion of the elevations, leaving large areas of exposed pre-cast concrete. While the applicant has proposed the installation of signage to cover these areas, the signage will be subject to the standards of the Arts District regulations, and may not meet the guidelines as proposed. A Condition of Approval has been included to address this issue should the signage not be approved as proposed.

- Floor Plan

  The first floor of the building is laid out with retail space fronting on Charleston Boulevard, with the residential lobby and additional commercial space on Casino Center Boulevard. Egress stairs will exit to the public sidewalks on Charleston Boulevard and Casino Center Boulevard. The parking garage entrance is located at the rear of the building, directly off of the alley. One- and two-story units will be provided; the number of units per floor will vary between 11 units and 18 units, based on the configuration of the floor plans.

FINDINGS

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

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

   The proposed uses are compatible with adjacent development in the area, and a comparable mixed-use project has been approved on the north side of Charleston Boulevard across from the subject property. The proposed tower will be significantly taller than other buildings in the immediate vicinity, but its height is consistent with the recommendations of the Downtown Centennial Plan.

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 streetscape requirements, but the overall design of the project is consistent with the objectives of the Centennial Plan.

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

   The only vehicular access to the structure will be from the public alley on the south side of the property; access to the alley is available from Casino Center Boulevard, Third Street, and California Street. The alley access will assist in dispersing traffic from the development, and should not significantly impact the adjacent roadways.

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

   The proposed building and landscape materials are generally appropriate for the area and for the City.

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

The design of the building elevations is generally appropriate to the different functions and unit types within the building, and will be compatible with other development within the Arts District.

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 174

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6188 APN: 162-03-110-039 & 040

Name of Property Owner: Iyad Haddad

Name of Applicant: Iyad Haddad

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

_____Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Eddie Haddad

Subscribed and sworn before me

This 25TH day of FEBRUARY, 2005

_____

Notary Public in and for said County and State

KRYSTA SITKO

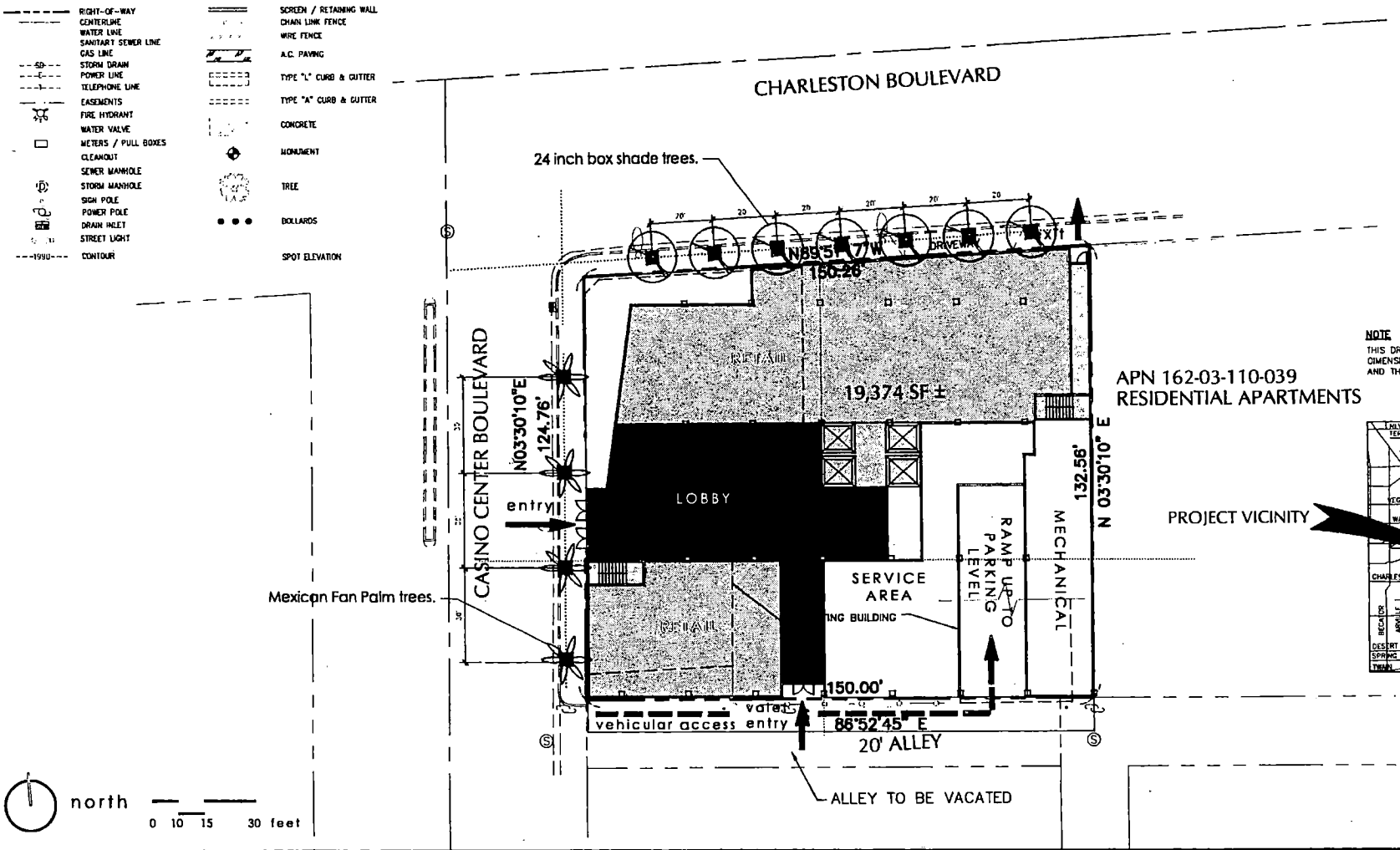
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KRYSTA SITKO
Appt. No. 04-88388-1
My Appt. Expires April 12, 2008

MARTIN & MARTIN
CIVIL ENGINEERS
2101 S. JONES, SUITE 120
LAS VEGAS, NV 89146
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MARTIN & MARTIN

LEGEND

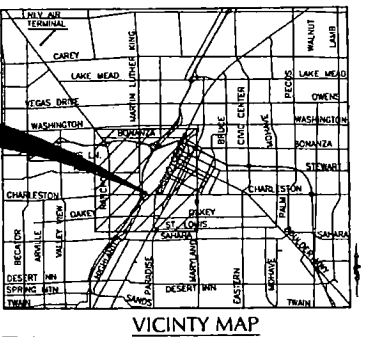
- RIGHT-OF-WAY
- CENTERLINE
- WATER LINE
- SANITARY SEWER LINE
- GAS LINE
- STORM DRAIN
- POWER LINE
- TELEPHONE LINE
- EASEMENTS
- FIRE HYDRANT
- WATER VALVE
- METERS / PULL BOXES
- CLEANOUT
- SEWER MANHOLE
- STORM MANHOLE
- SIGN POLE
- POWER POLE
- DRAIN INLET
- STREET LIGHT
- CONTOUR
- SCREEN / RETAINING WALL
- CHAIN LINK FENCE
- WIRE FENCE
- A.C. PAVING
- TYPE "L" CURB & GUTTER
- TYPE "A" CURB & GUTTER
- CONCRETE
- MONUMENT
- TREE
- BOLLARDS
- SPOT ELEVATION



NOTE
THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY, DIMENSIONS WERE DERIVED FROM RECORD INFORMATION AND THE COUNTY ASSESSOR'S MAP.

APN 162-03-110-039
RESIDENTIAL APARTMENTS

PROJECT VICINITY



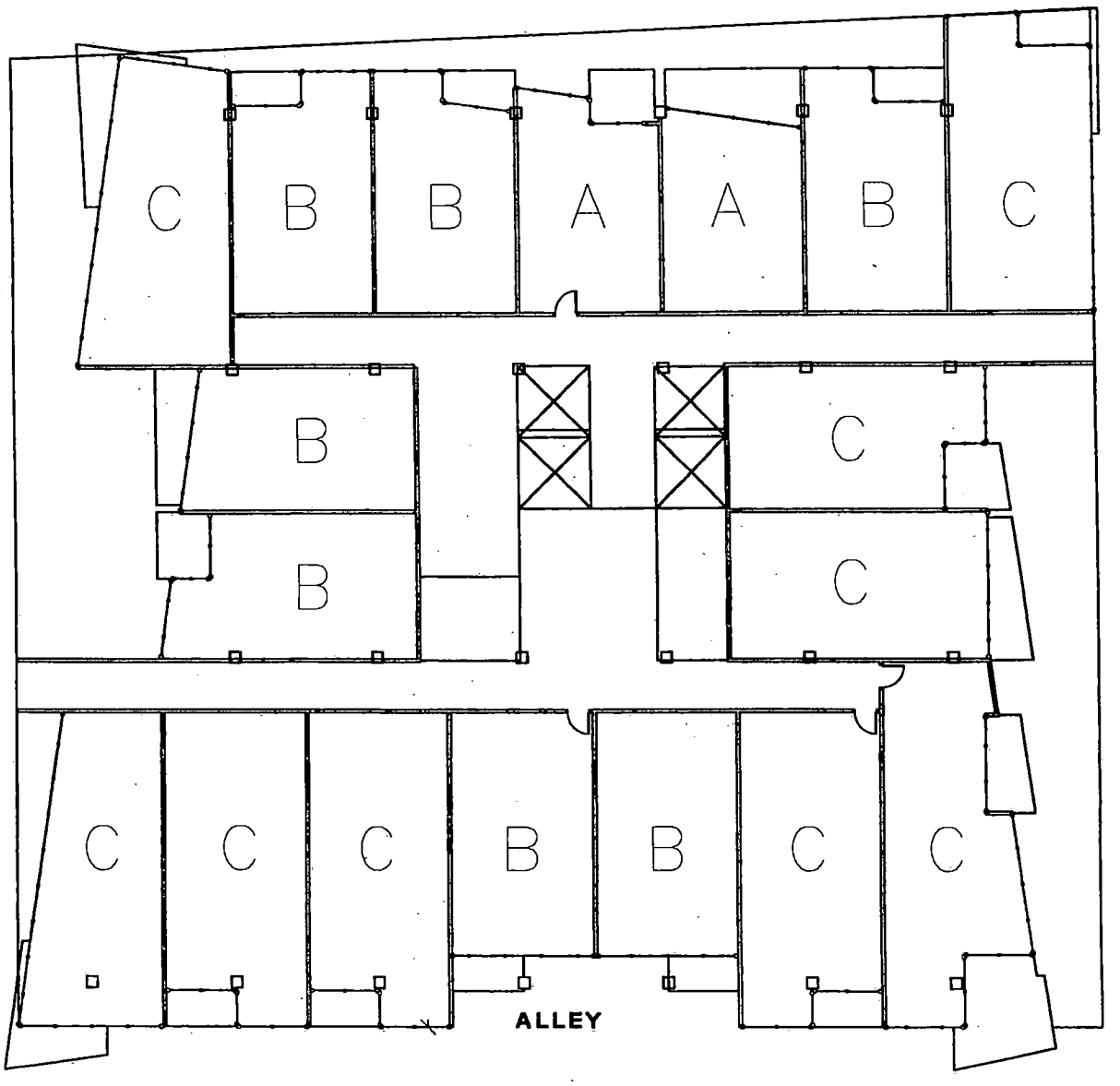
VICINITY MAP

site plan

200 EAST CHARLESTON

RNL

SDR-6188
04-14-05 PC



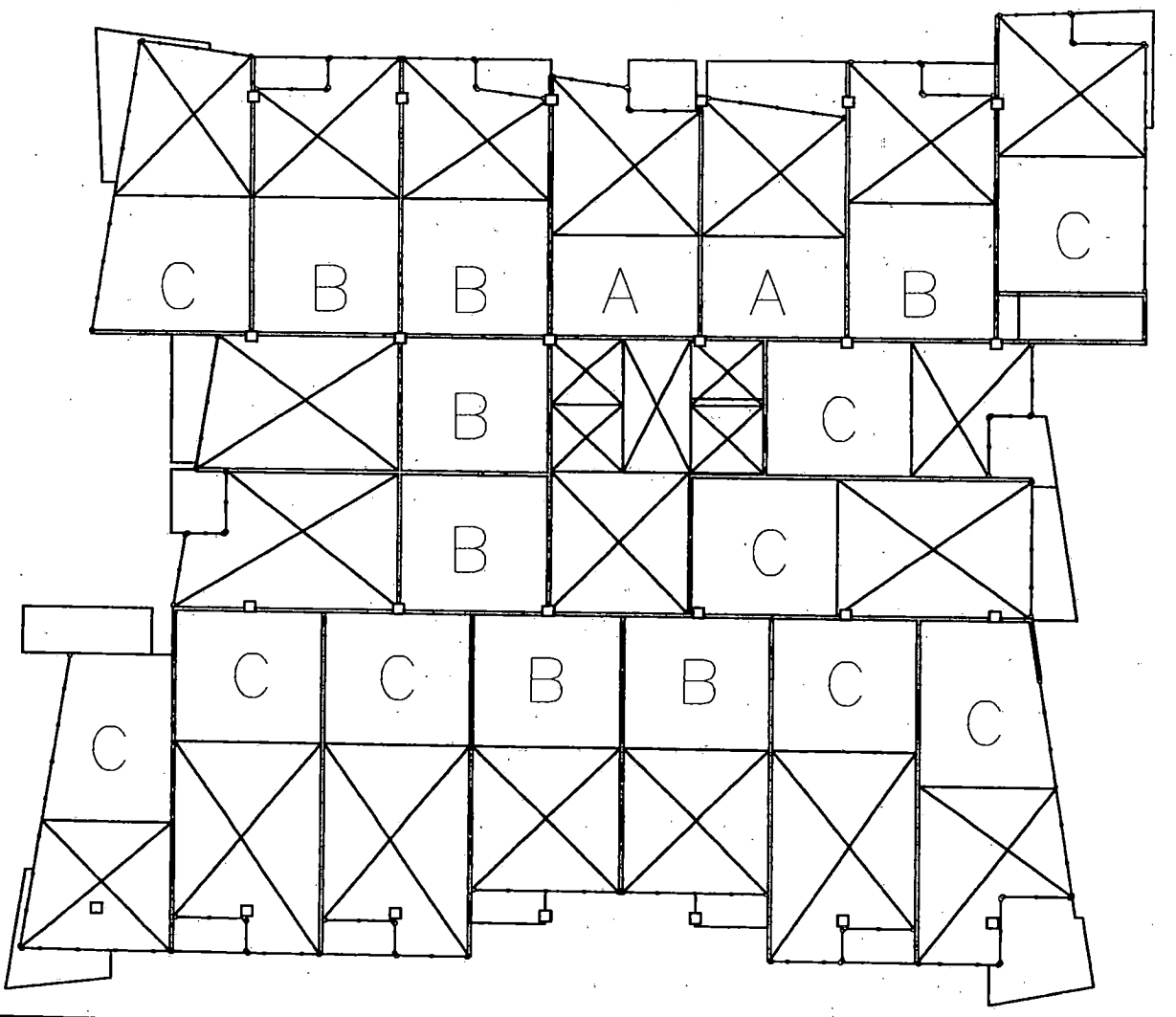
RNL

200 CHARLESTON

TWO STORY

SCALE: 1/16"=1'

SDR-6188
04-14-05 PC



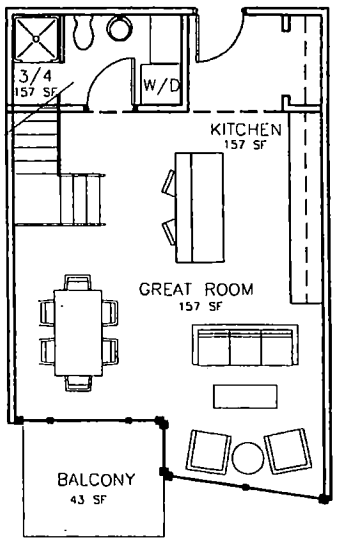
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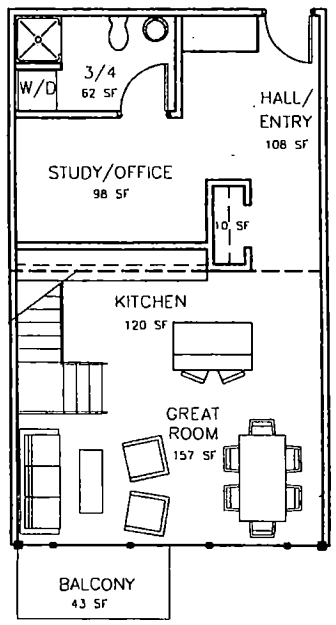
200 CHARLESTON

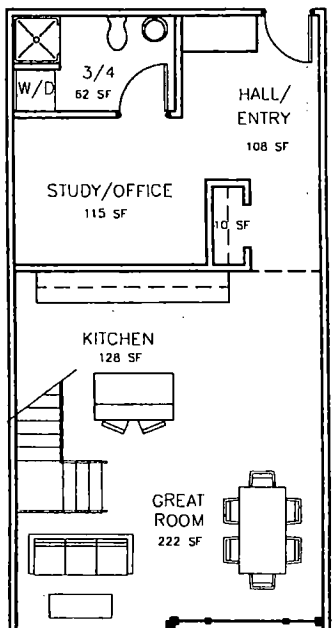
TWO STORY
second floor

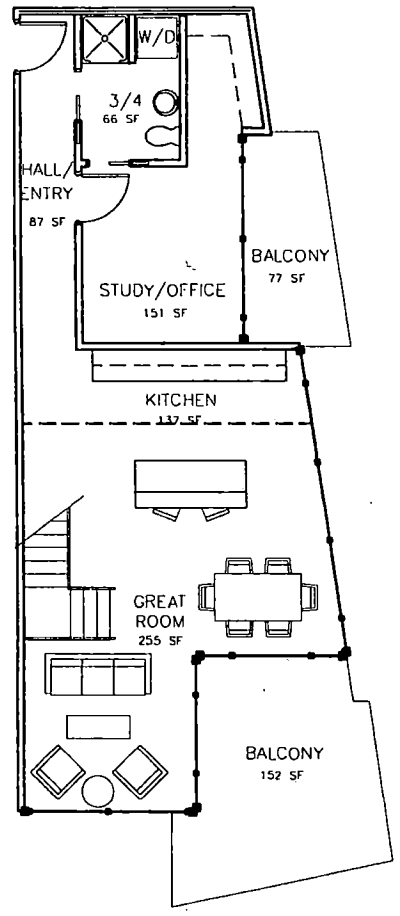
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SDR-6188
04-14-05 PC







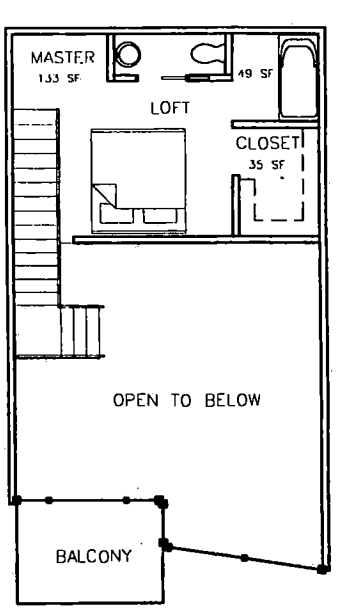


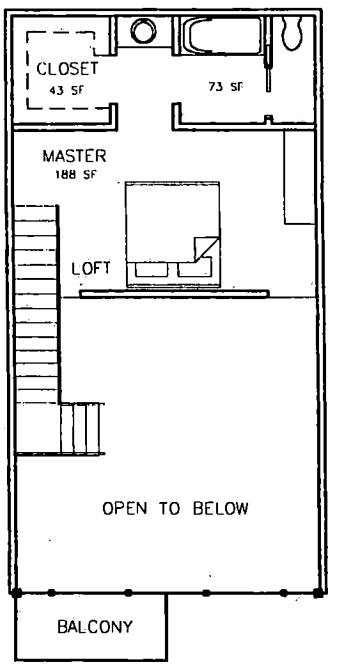
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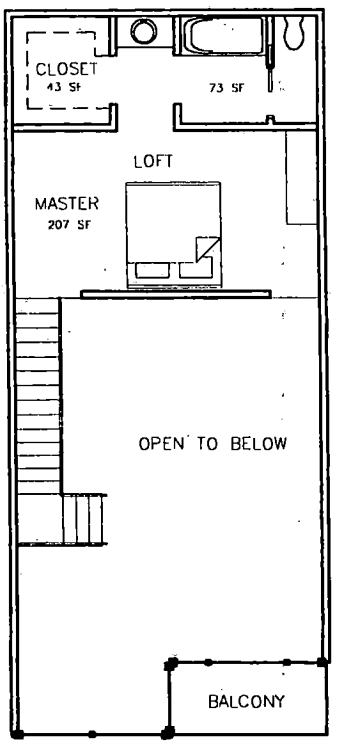
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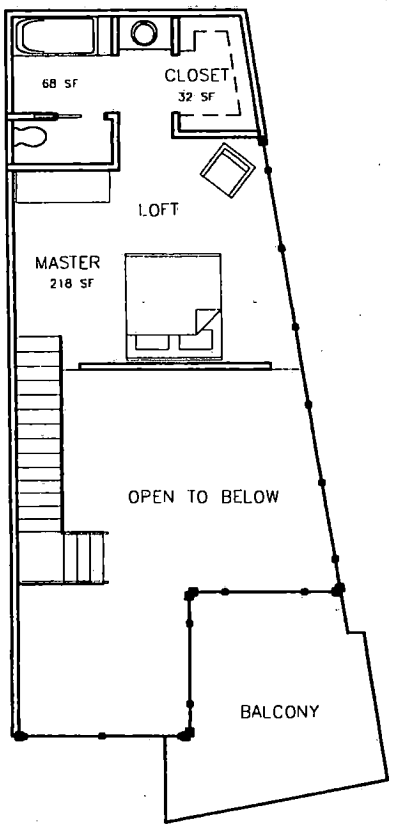
TWO STORY UNITS

SDR-6188
04-14-05 PC









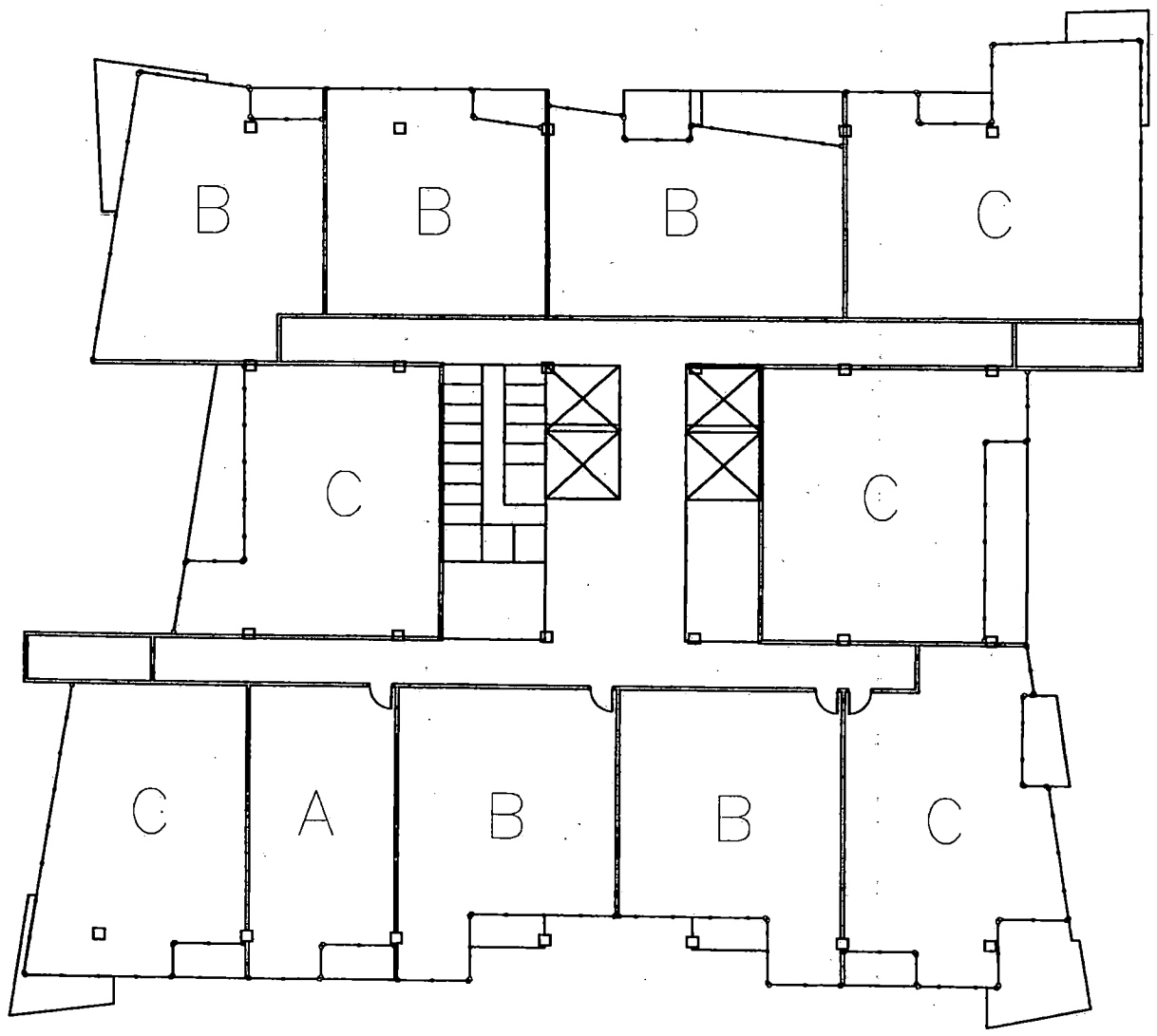
A B C C

SCALE: 1/8"=1'

TWO STORY UNITS

SECOND FLOOR

SDR-6188
04-14-05 PC



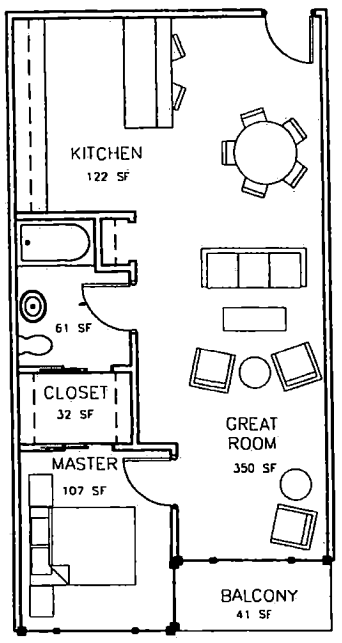
RNL

200 CHARLESTON

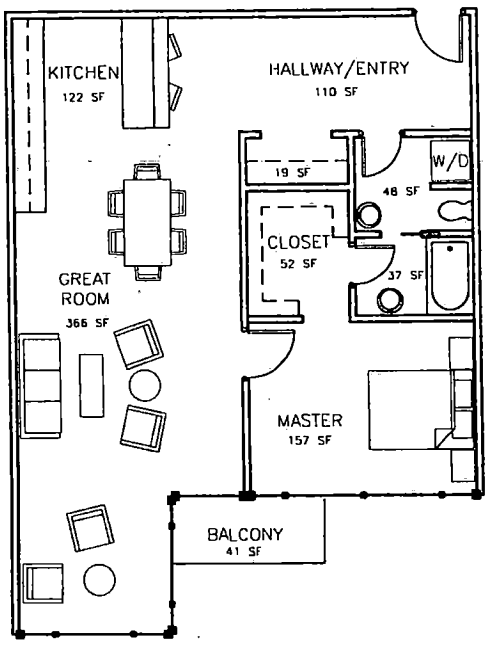
ONE STORY

SCALE: 1/16"=1'

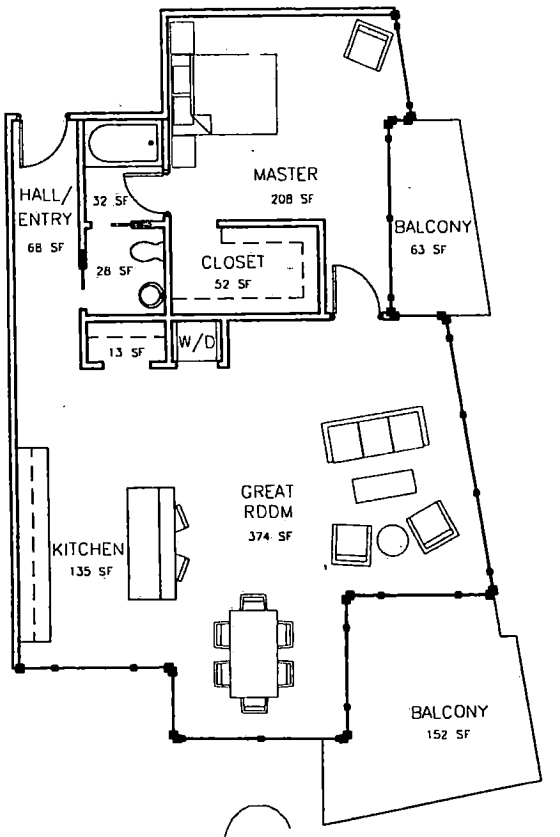
SDR-6188
04-14-05 PC



A



B



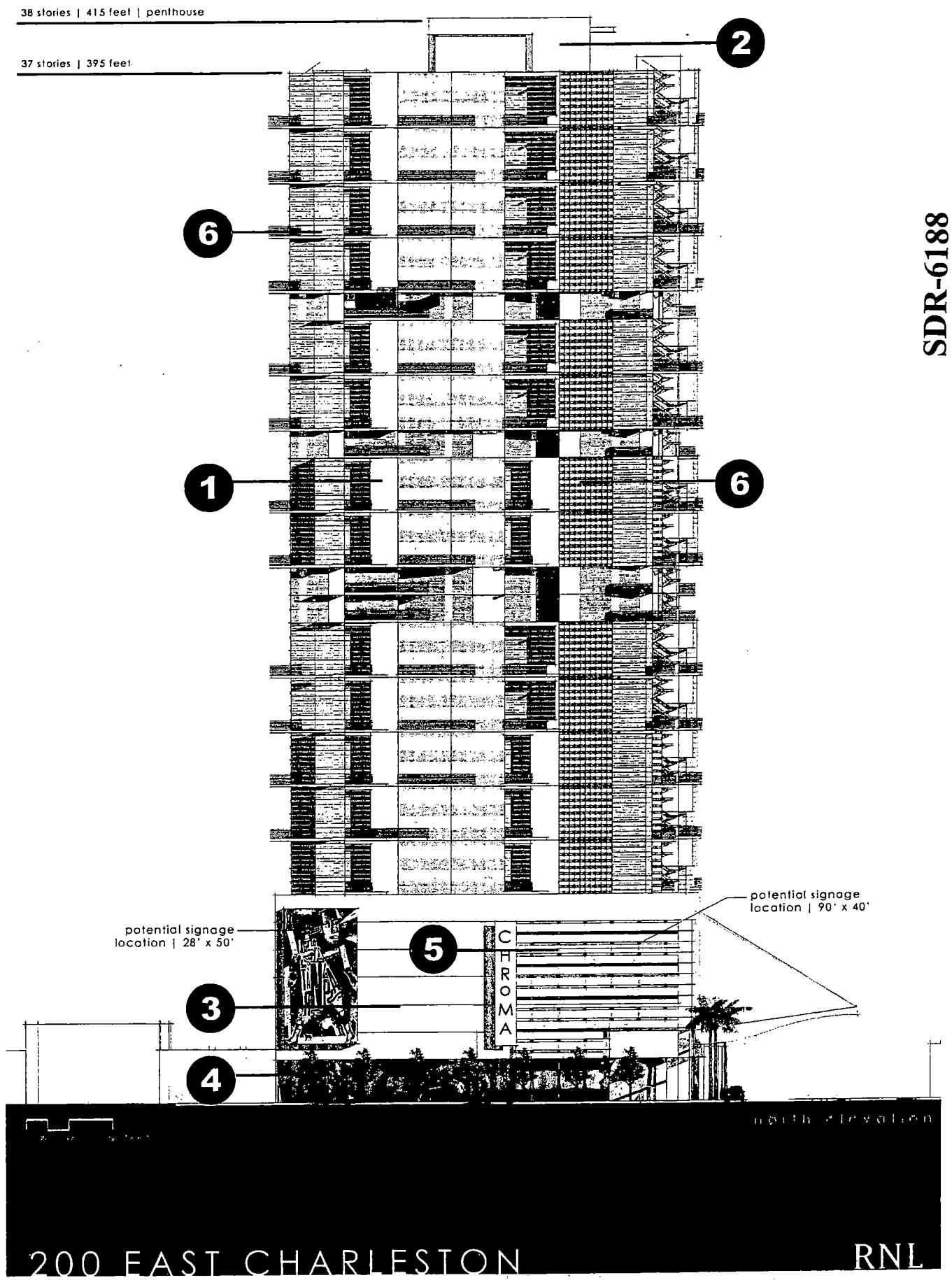
C

SCALE: 1/8"=1'

RNL

ONE STORY UNITS

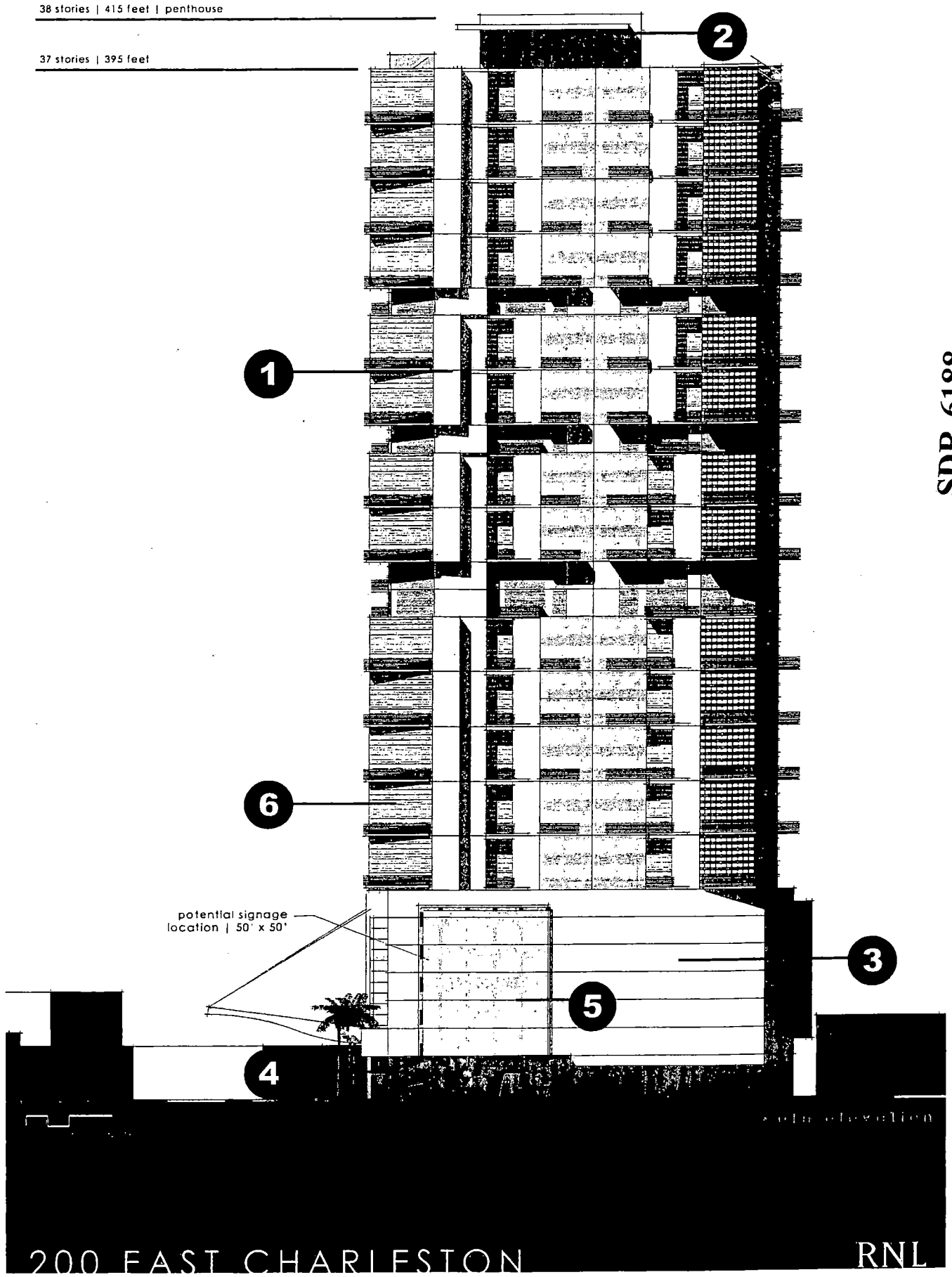
SDR-6188
04-14-05 PC



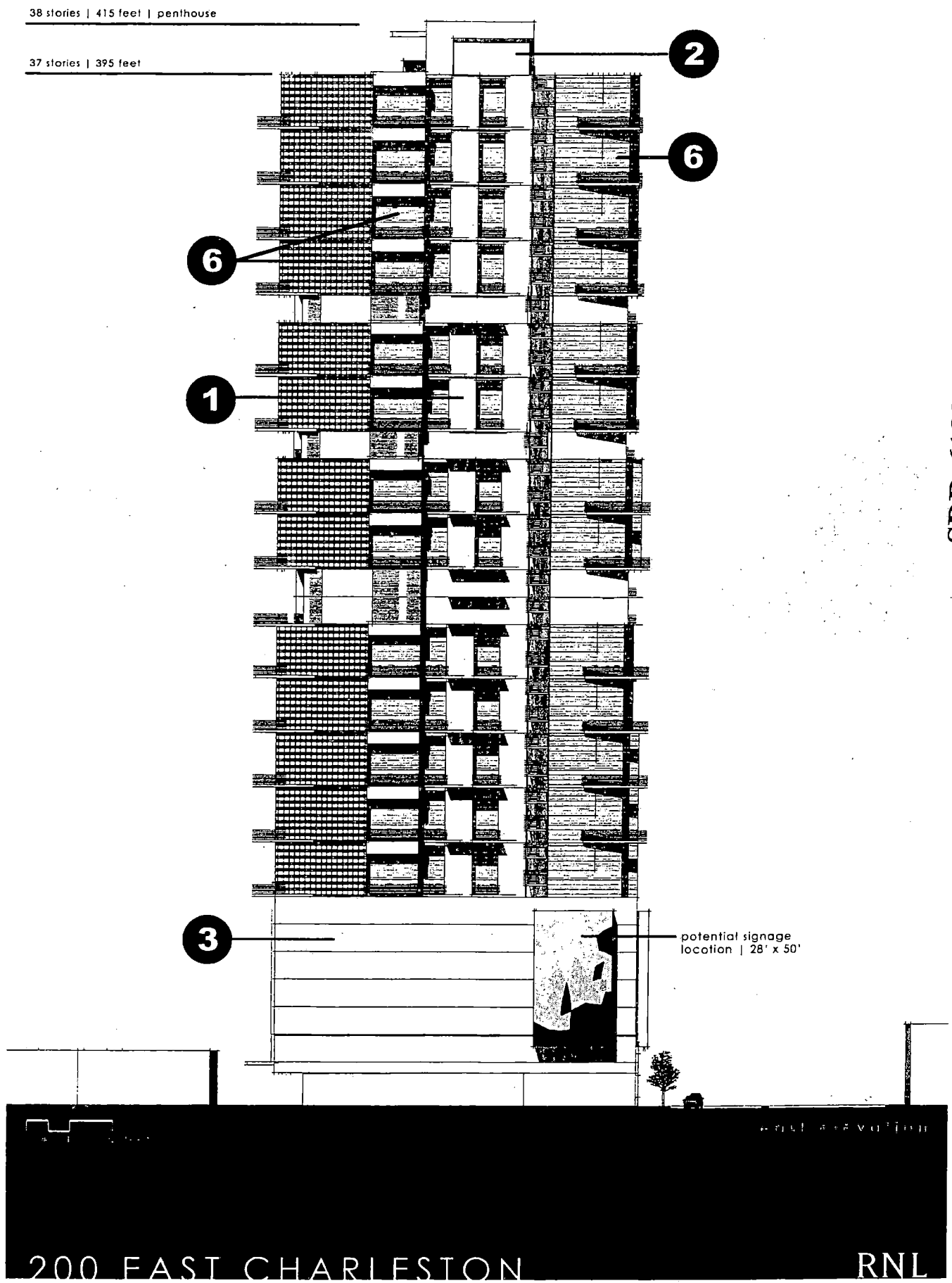
200 EAST CHARLESTON

RNL

SDR-6188
04-14-05 PC



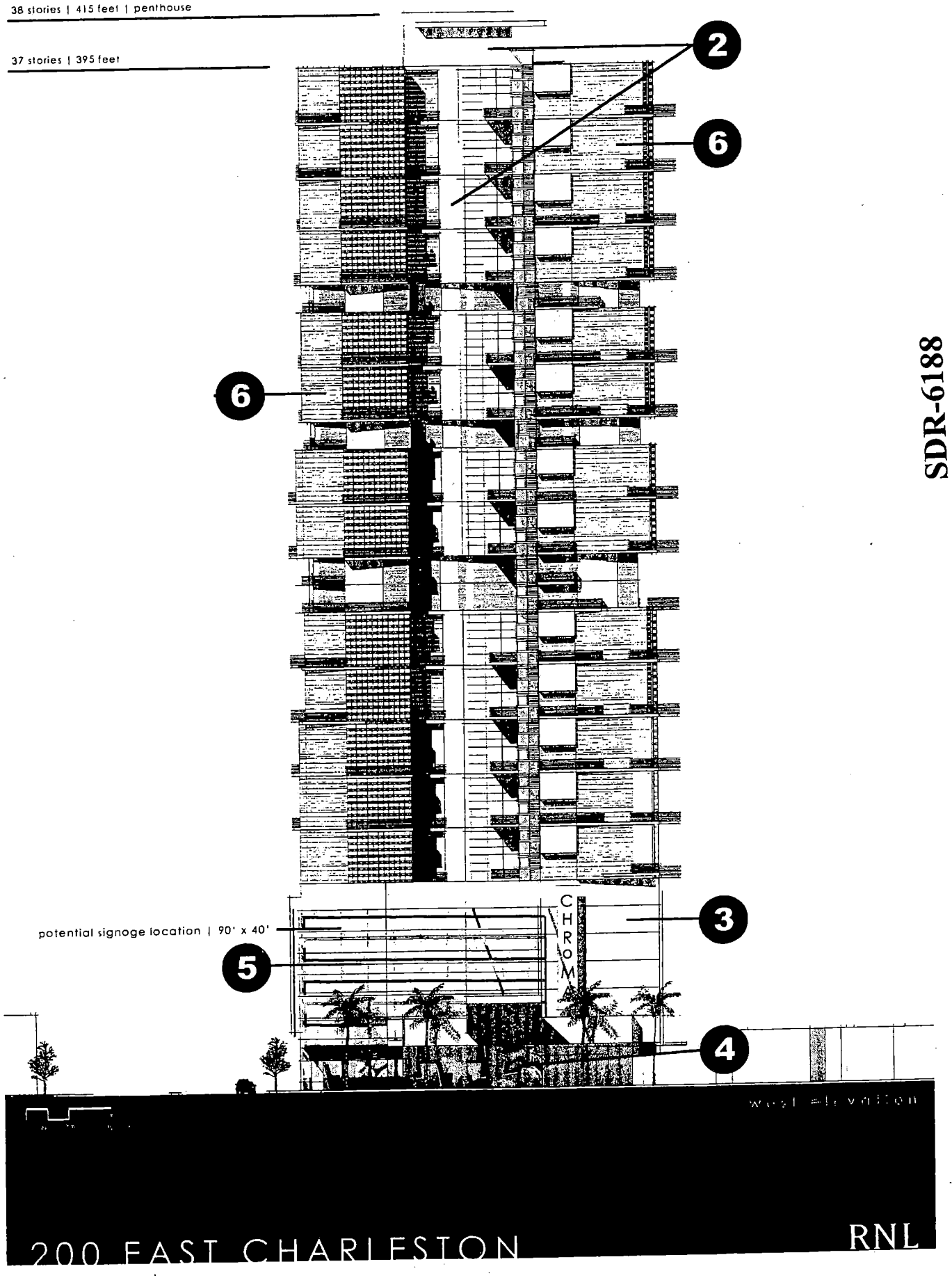
SDR-6188
04-14-05 PC



200 EAST CHARLESTON

RNL

SDR-6188
04-14-05 PC

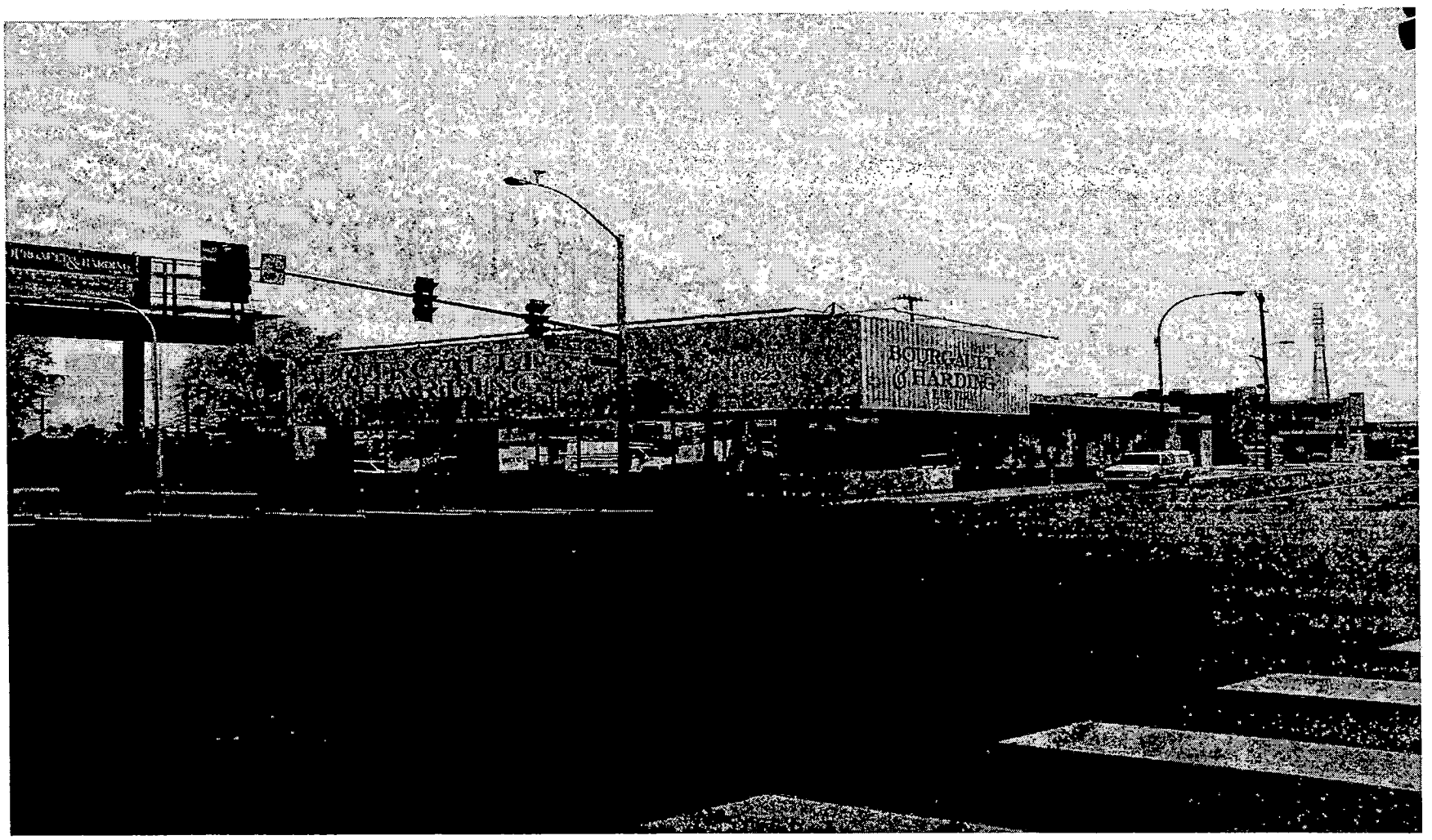


SDR-6188
04-14-05 PC



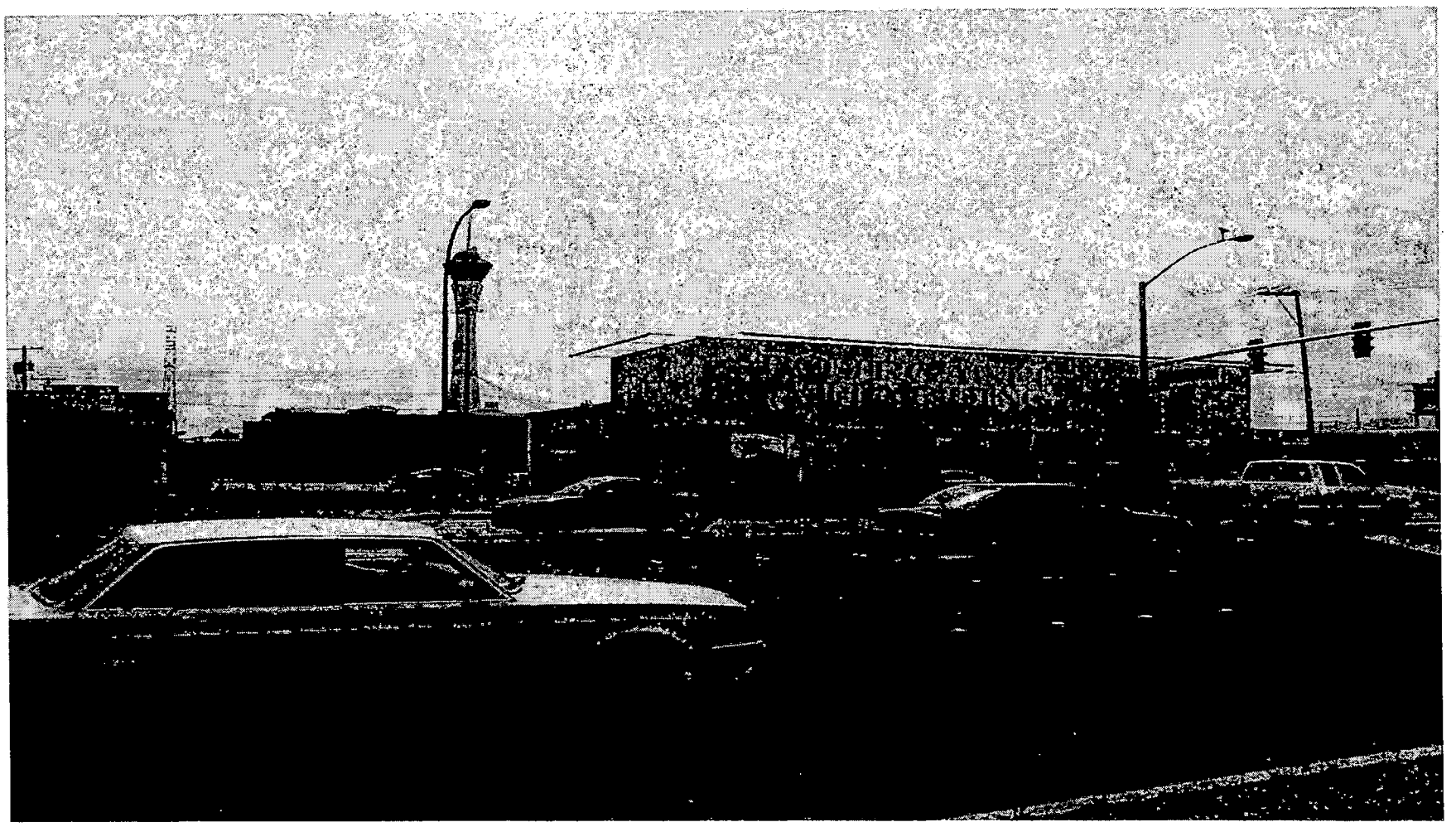
SDR-6188 - APPLICANT/OWNER: SAUCY STRATEGIC PLANNING, LLC
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND CASINO CENTER BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SDR-6188 - APPLICANT/OWNER: SAUCY STRATEGIC PLANNING, LLC
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND CASINO CENTER BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SDR-6188 - APPLICANT/OWNER: SAUCY STRATEGIC PLANNING, LLC
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND CASINO CENTER BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

RNL

RNL/Nevada, Inc.

Richard vonLuhrte, FAIA
Nevada Registered Architect

David Klages, FAIA
Nevada Registered Architect

1515 Arapahoe Street
Tower 3, Suite 700
Denver, CO 80202
P: 303 295 1717
F: 303 292 0845

www.RNLdesign.com

March 1, 2005

City of Las Vegas
Site Development Review

Justification Letter

RE: 200 E. Charleston, Site Development Application

The proposed project at 200 E. Charleston is a high-rise condominium building. Included in the project are ground floor retail and six levels of structured parking. 200 E. Charleston provides 278 high-end residential units on 30 floors. 44 units are one-story lofts while the remainder is two-story lofts. The project sits in the middle of the arts district at Casino Center and Charleston Boulevard and is within the Downtown Centennial redevelopment area.

The project meets the Downtown Centennial guidelines, including the arts district guidelines. The design of 200 E. Charleston takes advantage of the opportunities present in the arts district by creating a very artistic building and creating opportunities for art installations on the façade. Exceptions to the Downtown Centennial guidelines for which we are requesting variances include the streetscape treatment and the building setbacks. We have not been able to meet the requested 11' sidewalk with 5' tree lawn on the Charleston side due to the constrained right-of-way caused by the Charleston widening. Additionally, the project has a high level of articulation on the façade in lieu of building setbacks.

As the project moves forward, we will be applying for some encroachment permits. We will be requesting an encroachment into the Casino Center right-of-way for our entry canopy into the building. We will also be requesting an encroachment into the Casino Center and Charleston rights-of-way for balconies attached to the residential units.

As part of this application, we are submitting an application to vacate the alley directly south of the property. The neighboring property owner has agreed to this vacation. The use of the alley will be for vehicular access to both properties, and for valet service serving 200 E Charleston. The affected property owners will enter into a joint use agreement allowing for access to both of properties via the existing alley. The affected property owners will also provide a utility easement to the City, granting the City access to alley for maintenance of the existing utilities located in and under the existing alley.

We look forward to your review of our submittal. Please feel free to contact us if there are any questions that we can answer for you.

Sincerely,

Thomas M. Wuertz, AIA

SDR-6188

City of Las Vegas

Agenda Item No.: 57

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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 on 6.06 acres at 620 Shadow Lane (APN 139-33-303-024), PD (Planned Development) Zone [MD-1 (Medical Support) and MD-2 (Major Medical) Las Vegas Medical District Special Land Use Designation], 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 APPROVAL

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

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

1. **A revised landscape shall be submitted to the Department of Planning for approval. The revised plan shall include landscaping for the western blank wall of the site and Streetscape Trees along Shadow Lane (Type A), Pinto Lane (Type B), Goldring Avenue (Type B), Tonopah Drive (Type B) and Alta Drive (Type D) per the Las Vegas Medical District Plan *where adjacent to the subject site.***
11. **All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops *adjacent to* residential development.**
18. **A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any permits, or the submittal of any construction drawings for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy *of new additions.* The City**

MOTION – Continued:

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 for or the recordation of a Map subdividing this 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 Traffic Control devices are 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 Commission or the City Council on the development of this site.

– 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 project is located within the Las Vegas Medical District and therefore, must comply with a multitude of requirements including bicycle parking and plaza areas. The applicant is requesting a waiver regarding landscaping fingers. The requirement is one finger per six spaces and the proposed plan offers one finger per ten spaces. The plan does significantly exceed the required number of trees but does not provide for a sufficient number of fingers. There were a couple of items not addressed in the Site Plan that are required by the Las Vegas Medical District and Condition one addresses that deficiency. There are several landscaping treatments required on surrounding street fronts and there is a blank westerly wall and that is prohibited. Staff feels this would provide a significant improvement to the parking near University Medical Center and Valley Hospital.

PRESTON HOWARD, 2300 West Sahara Avenue, appeared on behalf of the applicant and concurred with staff conditions but wanted to clarify a few conditions.

MINUTES – Continued:

Regarding Condition one, a revised landscaping plan will be submitted in compliance with the first sentence; however, the applicant wanted to clarify that the section of sidewalk referenced in the second sentence follows a vacated street which is not a public sidewalk. To comply with the landscaping requirement, the sidewalk will not be as large as originally shown on the plans. MR. HOWARD also stated that the streetscapes on the streets shown in Condition one would only relate to the areas of the streets impacted by this project. MARGO WHEELER, Planning and Development, indicated the condition could be amended to read "where adjacent to the subject site." MR. HOWARD also felt that a word was missing in the last sentence of Condition 11. MR. RANKIN informed him the sentence should read "adjacent to" after the word rooftops. Finally, Condition 18 had a sentence stating the applicant must comply with recommendations of the Traffic Impact Analysis prior to occupancy of the site. Since this is an addition and the site is occupied, MR. HOWARD felt other language would be more appropriate. DAVID GUERRA, Public Works Department, said the department must hold the applicant accountable in some manner and would be amenable to revising the language stating "prior to occupancy of the new addition".

COMMISSIONER EVANS confirmed with MR. HOWARD he did not handle these clarifications with staff prior to the hearing because he received the conditions the previous evening and did not have time to review them.

COMMISSIONER DAVENPORT confirmed with MR. HOWARD that the applicant does intend to clean up the subject lot, which is in decline. The applicant could not tell the Board the schedule for construction. MR. HOWARD was aware of the weed growth, due to accelerated recent rainfall. He would discuss the matter with his client.

MR. RANKIN clarified for COMMISSIONER STEINMAN that landscaping in the parking lot is not being waived; the request was only for a waiver allowing one finger per ten spaces instead of the required one finger per six spaces. Staff felt the parking was more important and because adequate trees were proposed, staff supported the request.

CHAIRMAN NIGRO suggested to MR. GUERRA that a dedicated right turn lane at the intersection of Shadow Lane and Alta Drive is a great idea and would be beneficial.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:15 – 10:28)

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 57 – SDR-6197

CONDITIONS:

Planning and Development

1. A revised landscape shall be submitted to the Department of Planning for approval. The revised plan shall include landscaping for the western blank wall of the site and Streetscape Trees along Shadow Lane (Type A), Pinto Lane (Type B), Goldring Avenue (Type B), Tonopah Drive (Type B) and Alta Drive (Type D) per the Las Vegas Medical District Plan.

2. Waivers of the parking lot landscaping shall be granted.

3. All development shall be in conformance with the site plan date stamped March 1, 2005 and building elevations and landscaping date stamped March 1, 2005 except as amended by conditions herein.

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

5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

6. 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.

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

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

9. 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.

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

CONDITIONS – Continued:

11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.

12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

Public Works

14. 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.

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

16. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.

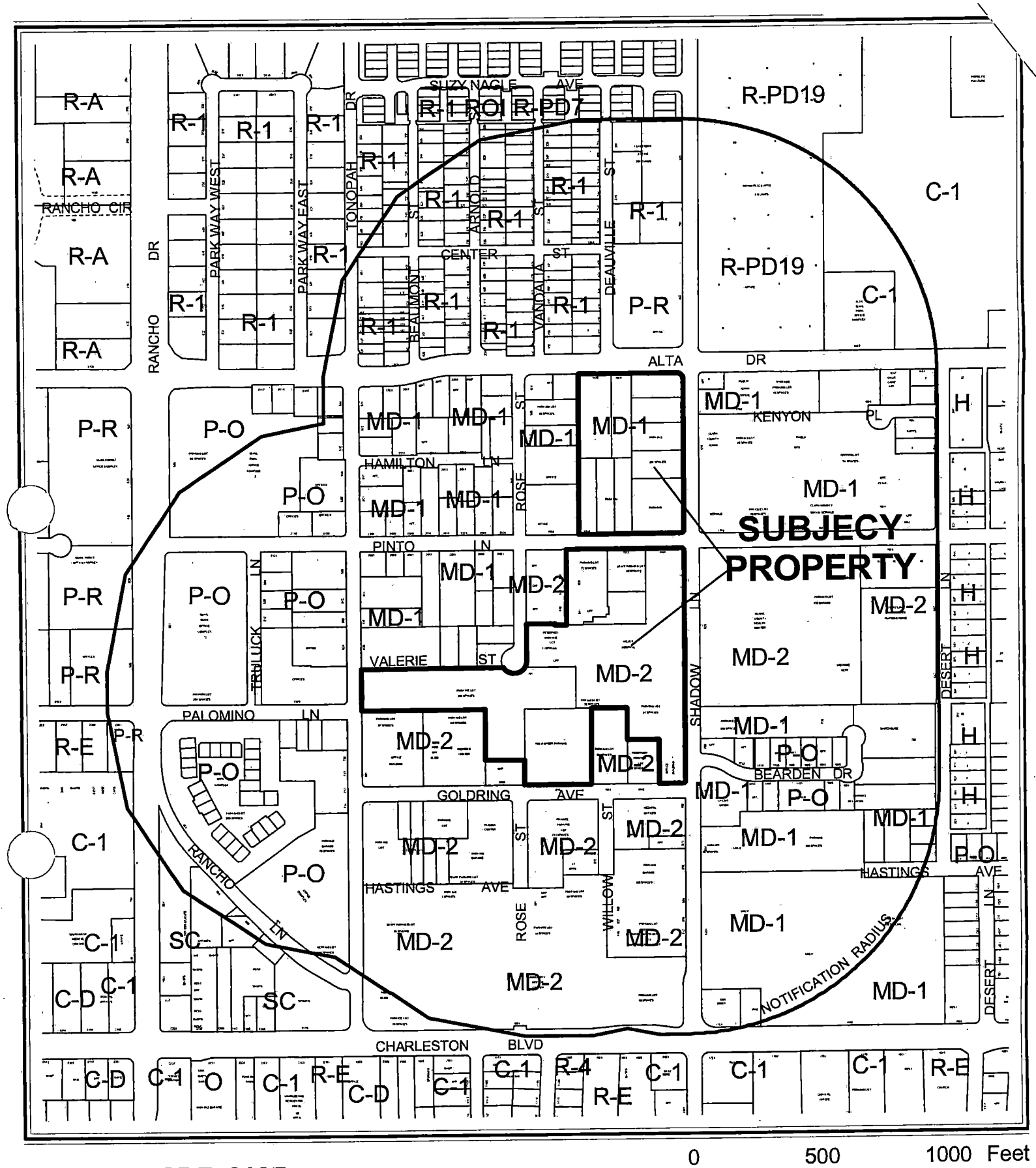
17. Obtain an Encroachment Agreement for all landscaping and private improvements, if any, in the public right-of-way adjacent to this site.

18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any permits, or the submittal of any construction drawings 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 for or the recordation of a Map subdividing this 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

CONDITIONS – Continued:

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 Traffic Control devices are 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 Commission or the City Council on the development of this site.

19. An update to the 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 submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

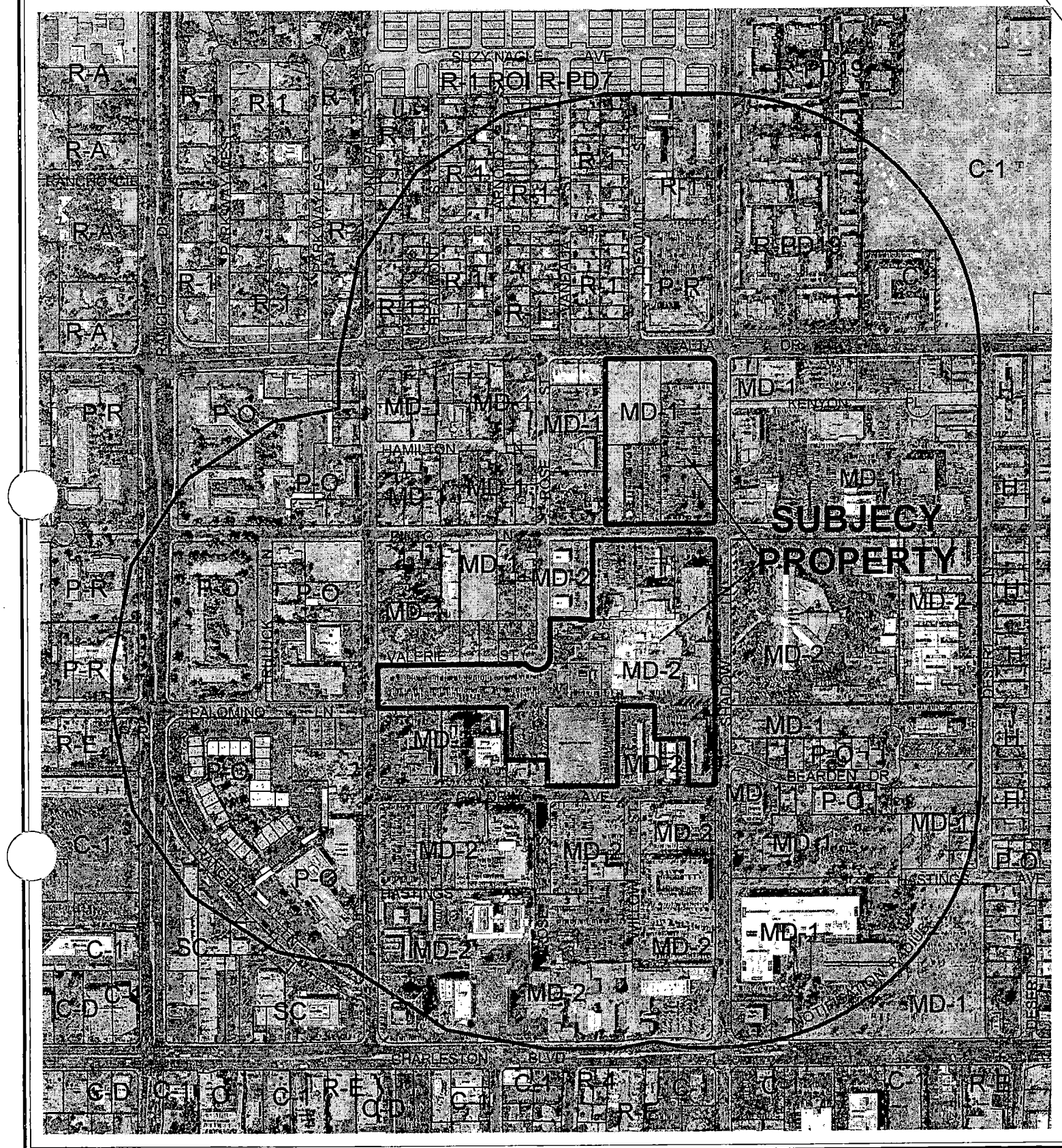


CASE: **SDR-6197**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [MD-1 (MEDICAL SUPPORT) AND MD-2 (MAJOR MEDICAL) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION]



0 500 1000 Feet

CASE: **SDR-6197**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [MD-1 (MEDICAL SUPPORT) AND MD-2 (MAJOR MEDICAL) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION]

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City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6197 - APPLICANT/OWNER: VALLEY HEALTH SYSTEM, INC.

** CONDITIONS **

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

Planning and Development

1. A revised landscape shall be submitted to the Department of Planning for approval. The revised plan shall include landscaping for the western blank wall of the site and Streetscape Trees along Shadow Lane (Type A), Pinto Lane (Type B), Goldring Avenue (Type B), Tonopah Drive (Type B) and Alta Drive (Type D) per the Las Vegas Medical District Plan.

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

5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

6. 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.

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

11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.

12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

Public Works

14. 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.

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

16. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.

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

18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any permits, or the submittal of any construction drawings 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 for or the recordation of a Map subdividing this 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 Traffic Control devices are 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 Commission or the City Council on the development of this site.

19. An update to the 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 submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 104,000 square-foot building addition to an existing hospital and an expansion of the existing parking lot.

B) Applicant's Justification

The applicant states; "The project will improve and upgrade the overall hospital site and bring it into compliance with the Medical District Plan. The remainder of the site development contemplated by the proposed addition is consistent with present zoning. The overall project will serve as an enhancement to the community, and does not conflict with, nor have any negative impacts on neighboring properties".

BACKGROUND INFORMATION

A) Previous Actions

06/16/76	The Board of City Commissioners approved a Rezoning (Z-27-76) for the property generally located on the southwest corner of Shadow Lane and Pinto Lane from R-1 (Single Family Residence) [Parcel 1 under Resolution of Intent to P-R] to C-1 (Limited Commercial).
01/07/80	The Board of Zoning and Adjustments approved a Variance (V-85-79) to allow a second freestanding on-premise sign on property located at 647 Tonopah Drive in Zoning District P-R (Professional Offices and Parking).
05/27/97	The City Council approved a Rezoning (Z-20-97) on properties located between Alta Drive and Charleston Boulevard and Martin L. King Boulevard and Rancho Drive-from: R-1, R-3, R-4, R-5, R-E, P-R, C-1, C-2, and C-V to PD (Planned Development).

06/19/02 The City Council approved a request for a Major Modification [Z-0020-97(33)] to the Las Vegas Medical District Neighborhood Plan to update and revise the Plan document, as part of the City's General Plan for the area bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin L. King Boulevard to the east and Rancho Drive to the west, PD (Planned Development) Zone.

09/18/02 The City Council approved a request for a Site Development Plan Review [Z-0020-97(38)] for a 27,000 square foot addition to an existing Hospital on 9.51 acres at 620 Shadow Lane.

07/22/04 The Planning Commission approved a request for a Master Sign Plan (MSP-4481) on property located at 620 Shadow Lane.

11/04/04 The Planning Commission approved a request for a Tentative Map (TMP-5303) for a one-lot commercial subdivision on 19.84 acres adjacent to the southwest corner of Shadow Lane and Pinto Lane.

B) Pre-Application Meeting

02/15/05 A pre-application meeting was held with the applicant discussing the requirements for a Site Development Review along with the following items:

- Setbacks for the MD-2 zoning
- Bicycle spaces
- Streetscape standards for the Medical District

C) Neighborhood Meetings

No neighborhood meeting was required or held for this project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 6.06

B) Existing Land Use

Subject Property:	Hospital
North:	Parking
South:	Parking, Medical Offices
East:	Parking, Hospital, Medical Offices
West:	Medical Offices

DR

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	MD-2 (Major Medical)
North:	MD-1 (Medical Support)
South:	MD-2 (Major Medical)
East:	MD-2 (Major Medical)
West:	MD-1 (Medical Support)

E) General Plan Compliance

The site is designated as MD-2 (Major Medical) on the Southeast Sector Map of the General Plan. The PD District is intended to be a flexible district, which may be applied to larger planning areas. The site is zoned PD (Planned Development) in conformance the Las Vegas Medical District Plan. The proposed hospital addition and parking lots are allowed in the MD-2 zone.

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

This site is located within the Las Vegas Medical District Plan. The purpose of this Plan is to create a regional medical district, which will provide a complete range of medically related services. In addition, it is also the intent of the Plan that other compatible and supporting uses be encouraged to be located within this planning area. The proposed hospital addition and parking lots are in conformance to the Las Vegas Medical District Plan.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed not to be a "Project of Significant Impact".

PROJECT DESCRIPTION

The applicant proposes to build a 104,000 square-foot building addition to an existing hospital and an expansion of the existing parking lot. The site is accessed from three sides: from the south by Goldring Avenue, from the east by Shadow Lane, and from the west by Tonopah Drive. The site provides 1,856 parking spaces. The height of the addition is 70 feet 8 inches. The elevations match the existing Hospital.

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	1 acre	6.06 acre	Y
Min. Lot Width	100 Feet	946 feet	Y
Min. Setbacks			
• Front	5-15 Feet	5 feet	Y
• Side	10 Feet	15 feet	Y
• Corner	15 Feet	20 feet	Y
• Rear	15 Feet	17 feet	Y
Max. Lot Coverage	50 %	46%	Y
Max. Building Height	Unlimited	70.66 feet	Y
Trash Enclosure	Y	Y	Y
Loading Zone	Y	Y	Y

The applicant meets or exceeds all standards pursuant to Title 19.08 and the Las Vegas Medical District Plan.

A2) Residential Adjacency Standards

Residential Adjacency Standards do not apply to the subject site.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required**			**Provided**	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Hospital		1.5/bed	758	16		
Medical Off.	133,575	1/200 first 2,000 SF	20	1		
		1/175 2,001 SF and greater	742	16		
Admin. Off.	7,380	1/300 SF	25	1		
Total			1544	33	1,856	87

The application exceeds all requirements for parking pursuant to Chapter 19.10.

A4) Landscape and Open Space Standards

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

Standards	**Required**		**Provided**
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	97 Trees	123
Buffer:			
• Min. Trees	1 Tree/ 30 Linear Feet	26 Trees	31
• Min. Streetscape Trees	1 Tree/ 30 Linear Feet	26 Trees	0

• Min. Zone Width		
Type A Streetscape	5-15 Feet	15 feet
Type B Streetscape	5-15 Feet	15 feet
Type D Streetscape	5-15 Feet	15 feet

The application exceeds the Landscape Standards for the number of trees for this project. However, the application only provides for one landscape parking lot finger for every ten parking spaces. A waiver has been requested to reduce the number of parking lot fingers. In regards to the landscape buffer, the application meets the requirements of 19.12 but fails to meet the requirements of the Las Vegas Medical District Plan for Streetscape Trees along Shadow Lane (Type A), Pinto Lane (Type B), Goldring Avenue (Type B), Tonopah Drive (Type B) and Alta Drive (Type D). A condition of approval has been written to address the lack of Streetscape Trees.

B) General Analysis and Discussion

- Zoning

The PD District is intended to be a flexible district, which may be applied to larger planning areas. The site has a land use designation of MD-2 (Major Medical) which is in conformance the Las Vegas Medical District Plan. The proposed hospital addition and parking lots are allowed in the MD-2 zone.

- Site Plan

The site plan depicts a 104,000 square-foot building addition to an existing hospital and an expansion of the existing parking lot. The site is accessed from three sides: from the south by Goldring Avenue, from the east by Shadow Lane, and from the west by Tonopah Drive. The site provides 1,856 parking spaces and 4 bicycle spaces. Las Vegas Medical District Plan requires 1,111 square-feet of open space/plaza for this project. The application depicts 1,275 square-feet of plaza with landscaping.

- Waivers

The application does not meet the Landscape Parking Lot Fingers standards for one finger per six spaces of parking. The applicant has requested a waiver of this requirement.

- Landscape Plan

  The landscape plan depicts a variety of 24-inch box trees used for perimeter and parking lot landscaping, including Shoestring Acacia, Desert Willow, Chitalpa, Mondel Pine, and Heritage Live Oak with one-gallon and five-gallon shrubs as ground cover plantings. Plant and shrub requirements call for a minimum of four five-gallon shrubs and four one-gallon shrubs for each 24-inch box tree planted.

- Elevation

  The building elevations for this project match the existing hospital. A combination of hybrid stucco and faux stone cover the elevations.

- Floor Plan

  The floor plans depict patient rooms and treatment areas through out the seven stories of the new addition.

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 as conditioned, will be compatible with development in the Las Vegas Medical Plan.

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 project is consistent with the MD-2 category policies of the General Plan and the zoning regulations of the Las Vegas Medical Plan.

   The application does not meet the Landscape Parking Lot Fingers standards for one finger per six spaces of parking. The applicant has requested a waiver of this requirement. Staff can support the request of the waiver as the site plan as does provide for the more trees than required and therefore meets the intent of the landscaping standards for a parking lot.

DR

The landscape plan does not meet the requirements of the Las Vegas Medical District Plan for Streetscape Trees along Shadow Lane (Type A), Pinto Lane (Type B), Goldring Avenue (Type B), Tonopah Drive (Type B) and Alta Drive (Type D). A condition of approval has been written to address the lack of Streetscape Trees

The overall design meets most of the standards as set in the Las Vegas Medical District Plan. However, the western wall of the new addition is not in conformance with the Plan, as it proposed to be built as a blank wall. Per the Las Vegas Medical District Plan: Blank walls that abut pedestrian open spaces must be softened through the use of various landscaping elements such as raised planter beds and trellises. A condition of approval has been written in order to address the western blank wall.

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

The site is accessed from three sides: from the south by Goldring Avenue a (60 foot) local right of way, from the east by Shadow Lane a (60 foot) local right of way, and from the west by Tonopah Drive a (60 foot) local right of way. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

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

Building and Landscape materials are appropriate for the area in accordance with the Las Vegas Medical District Plan.

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

As conditioned, the proposed elevations are appropriate for the intended use and present a development that will be compatible with the surrounding area.

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

The proposed development 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 18

NOTICES MAILED 257

APPROVALS 0

PROTESTS 0

DR

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6197 APN: 139-33-303-024

Name of Property Owner: Valley Health System, LLC

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: [signature]

Print Name: Steve Filton

Subscribed and sworn before me

This 28th day of February, 20 05

[signature]

Notary Public in and for said County and State

Montgomery County, PA

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Marie Haven, Notary Public
Upper Merion Twp, Montgomery County
My Commission Expires Sept. 1, 2007
Member, Pennsylvania Association of Notaries

Revised 12-03-04

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

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6197 APN: 139-33-303-003 & 004

Name of Property Owner: Property Holding Corporation

Name of Applicant: Valley Health System, 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: J. Michael Ward

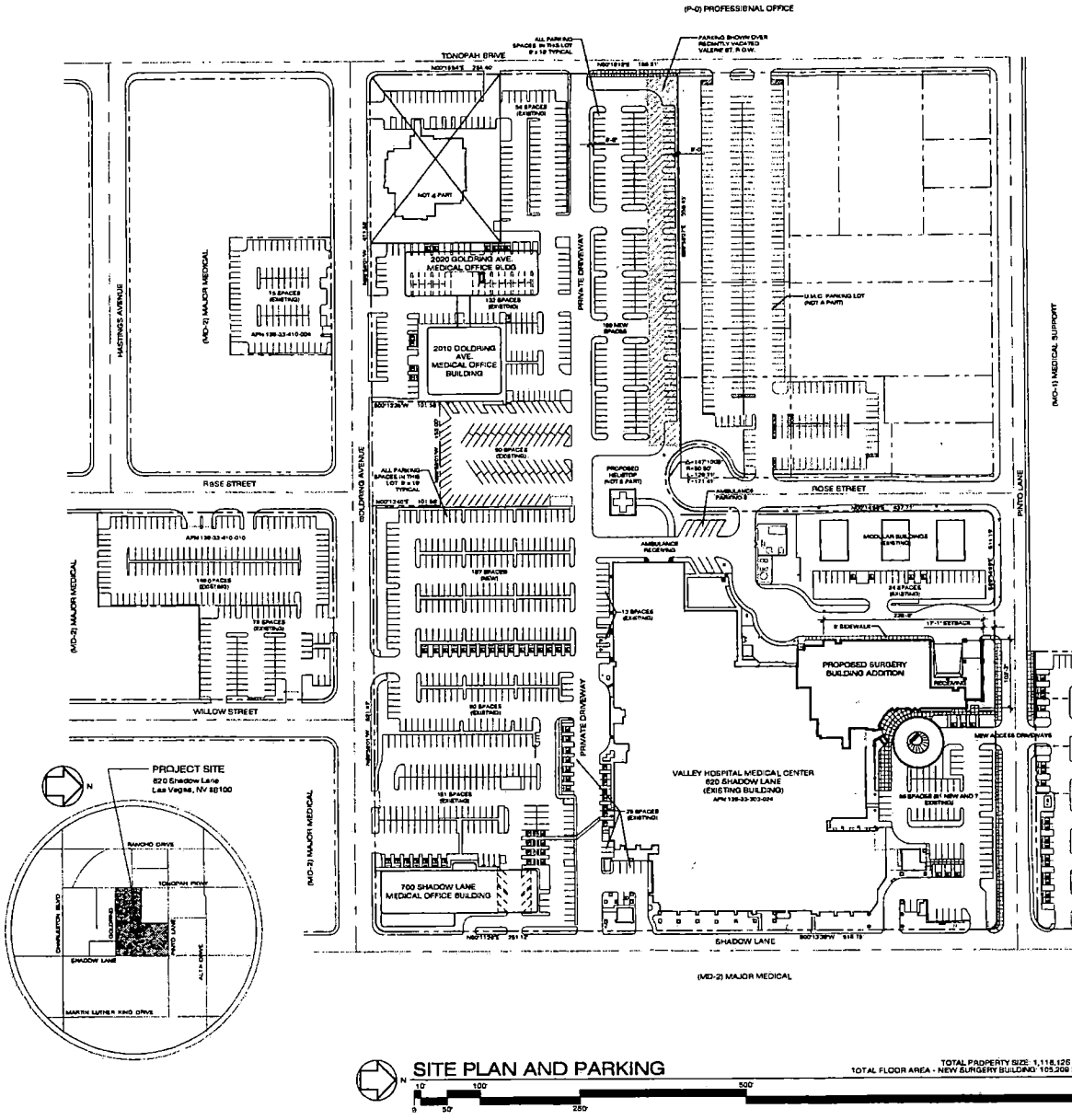
Print Name: J. Michael Ward

Subscribed and sworn before me

This 11th day of March, 2005

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
PRESTON B. HOWARD
No: 93-0474-1 My Appointment Expires October 1, 2006



REQUIRED PARKING (TITLE 19A, 2001 ED.)

HOSPITAL	
409 BEDS (EXISTING) @ 1.5 SPACES / BED	614 SPACES
NEW 32 BED BICU	48 SPACES
NEW 32 BED MICU	48 SPACES
FUTURE 32 BED MED / SURG PATIENT BEDS	48 SPACES
TOTAL HOSPITAL	758 SPACES
700 BUILDING (MEDICAL OFFICES)	
TOTAL GROSS AREA - 46,600 SF	
FIRST 2,000 SF @ 1 SPACE / 200 SF	10 SPACES
2,001 SF TO 46,600 SF (43,600 SF) @ 1 SPACE / 175 SF	250 SPACES
TOTAL 700 BUILDING	260 SPACES
2010 AND 2020 BUILDING (MEDICAL OFFICES)	
TOTAL GROSS AREA - 87,975 SF	
FIRST 2,000 SF @ 1 SPACE / 200 SF	10 SPACES
2,001 SF TO 87,975 SF (85,975 SF) @ 1 SPACE / 175 SF	492 SPACES
TOTAL 2010 AND 2020 BUILDINGS	502 SPACES
MODULAR BUILDINGS (ADMINISTRATIVE OFFICES)	
TOTAL GROSS AREA - 7,380 SF	
7,380 SF @ 1 SPACE / 300 SF	25 SPACES
TOTAL MODULAR BUILDINGS	25 SPACES
TOTAL PARKING RECAP	
HOSPITAL	758 SPACES
700 BUILDING	260 SPACES
2010 AND 2020 BUILDINGS	502 SPACES
MODULAR BUILDINGS	24 SPACES
TOTAL PARKING REQUIRED	1544 SPACES
ACTUAL PARKING PROVIDED	1,856 SPACES

97 HANDICAP SPACES (5%), 27 WITH VAN ACCESSIBILITY

INDICATES AREAS TO BE DEVELOPED UNDER THIS BUILDING PROGRAM

SDR-6197
04-14-05 PC

CONSULTANT
NICHOLAS J. NOVICKI, LTD.

REVISIONS

UHS

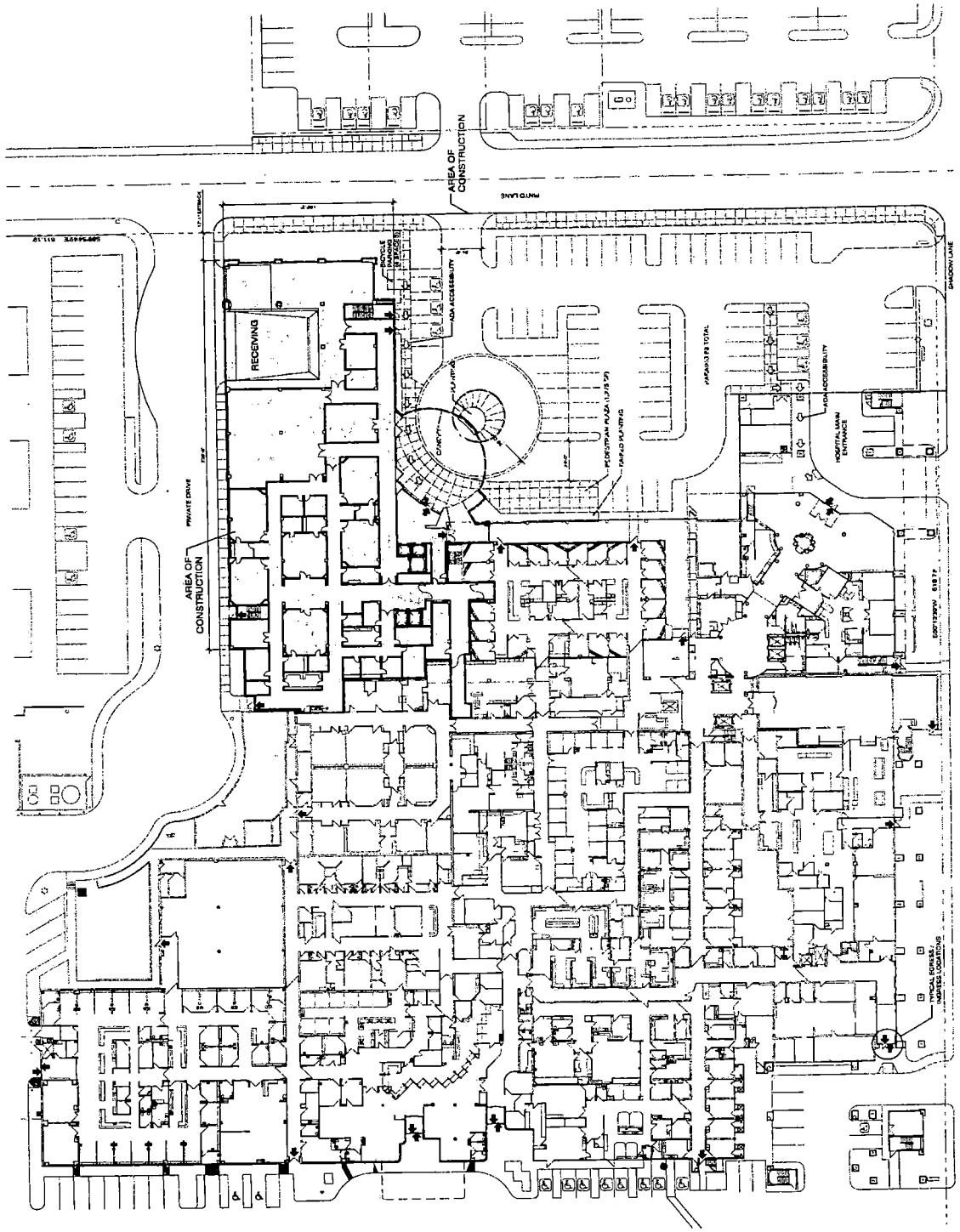
PROJECT
OVERALL SITE PLAN AND PARKING
PROJECT
PROPOSED SURGERY / ICU BUILDING ADDITION
VALLEY HOSPITAL M.C.

JOB NO. 0412A
DATE 02/25/2005
DRAWN BY JCSC
CHECKED BY NJN

DRAWING NO. SP-0

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SDR-6197
04-14-05 PC

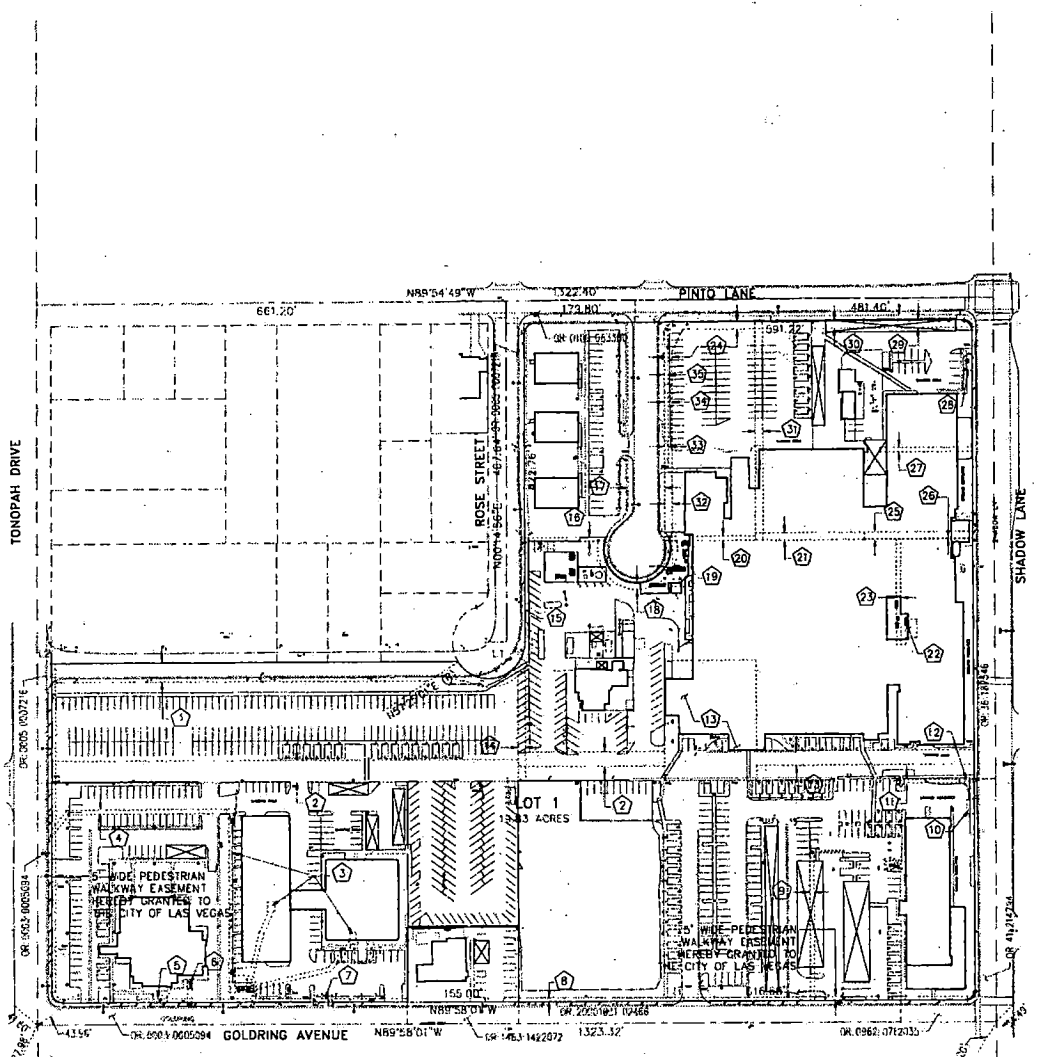


PARTIAL SITE PLAN AND PARKING	SP-1
PROPOSED SURGERY / ICU BUILDING ADDITION	
VALLEY HOSPITAL M.C.	
820 SHADOW LANE	
JOB NO. 0412A	
DATE 02/28/2005	
DRAWN BY JSD	
CHECKED BY MJN	

UHS

NICHOLAS | NOMICKI, LTD.

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EASEMENTS

(1) PUBLIC UTILITY EASEMENT BY RESERVATION TO VACATION PER BOOK 20040407, INSTRUMENT NO. 01657 OF OFFICIAL RECORDS.
(2) UNDERGROUND UTILITY EASEMENT PER BOOK 1093, INSTRUMENT NO. 1052309 OF OFFICIAL RECORDS.
(3) NEVADA POWER COMPANY EASEMENT PER BOOK 903026, INSTRUMENT NO. 00595 OF OFFICIAL RECORDS.
(4) NEVADA POWER COMPANY EASEMENT PER BOOK 903026, INSTRUMENT NO. 00594 OF OFFICIAL RECORDS.
(5) LAS VEGAS VALLEY WATER DISTRICT EASMENT EASEMENT PER BOOK 850624, INSTRUMENT NO. 00354 OF OFFICIAL RECORDS.
(6) NEVADA POWER CO. & CENTRAL TELEPHONE CO. EASEMENT PER BOOK 870506, INSTRUMENT NO. 00716 OF OFFICIAL RECORDS.
(7) LAS VEGAS VALLEY WATER DISTRICT EASEMENT PER BOOK 900314, INSTRUMENT NO. 00451 OF OFFICIAL RECORDS.
(8) CITY OF LAS VEGAS PEDESTRIAN WALKWAY EASEMENT PER BOOK 20001031, INSTRUMENT NO. 02475 OF OFFICIAL RECORDS.
(9) ARTESIAN WELL EASEMENT PER BOOK 39, PAGES 110-111, DOCUMENT NO. 199586 OF OFFICIAL RECORDS.
(10) LAS VEGAS VALLEY WATER DISTRICT EASEMENT PER BOOK 1093, INSTRUMENT NO. 1052721 OF OFFICIAL RECORDS.
(11) NEVADA POWER CO. & CENTRAL TELEPHONE CO. EASEMENT PER BOOK 410, INSTRUMENT NO. 360628 OF OFFICIAL RECORDS.
(12) NEVADA POWER CO. & CENTRAL TELEPHONE CO. EASEMENT PER BOOK 851, INSTRUMENT NO. 715964 OF OFFICIAL RECORDS.
(13) UNDERGROUND UTILITY EASEMENT PER BOOK 1093, INSTRUMENT NO. 1052308 OF OFFICIAL RECORDS.
(14) NEVADA POWER CO. & CENTRAL TELEPHONE CO. EASEMENT PER BOOK 834, INSTRUMENT NO. 613871 OF OFFICIAL RECORDS.
(15) CITY OF LAS VEGAS PEDESTRIAN WALKWAY EASEMENT PER BOOK 20030226, INSTRUMENT NO. 00711 OF OFFICIAL RECORDS.
(16) PUBLIC UTILITY EASEMENT BY RESERVATION TO VACATION PER BOOK 916, INSTRUMENT NO. 877503 OF OFFICIAL RECORDS.
(17) PUBLIC UTILITY EASEMENT BY RESERVATION TO VACATION PER BOOK 20030109, INSTRUMENT NO. 02436 OF OFFICIAL RECORDS.
(18) NEVADA POWER CO. & CENTRAL TELEPHONE CO. EASEMENT PER BOOK 743, INSTRUMENT NO. 702113 OF OFFICIAL RECORDS.
(19) NEVADA POWER CO. & CENTRAL TELEPHONE CO. EASEMENT PER BOOK 743, INSTRUMENT NO. 702115 OF OFFICIAL RECORDS.
(20) NEVADA POWER COMPANY EASEMENT PER BOOK 185, INSTRUMENT NO. 147955 OF OFFICIAL RECORDS.
(21) NEVADA POWER COMPANY EASEMENT PER BOOK 204, INSTRUMENT NO. 163433 OF OFFICIAL RECORDS.
(22) NEVADA POWER COMPANY EASEMENT PER BOOK 204, INSTRUMENT NO. 163495 OF OFFICIAL RECORDS.
(23) NEVADA POWER COMPANY EASEMENT PER BOOK 204, INSTRUMENT NO. 163494 OF OFFICIAL RECORDS.
(24) NEVADA POWER CO. & CENTRAL TELEPHONE CO. EASEMENT PER BOOK 743, INSTRUMENT NO. 702116 OF OFFICIAL RECORDS.
(25) NEVADA POWER COMPANY EASEMENT PER BOOK 692, INSTRUMENT NO. 651481 OF OFFICIAL RECORDS.
(26) WATER PIPELINE EASEMENT PER BOOK 342, INSTRUMENT NO. 330244 OF OFFICIAL RECORDS.
(27) CITY OF LAS VEGAS FIRE HYDRANT EASEMENT PER BOOK 834, INSTRUMENT NO. 793460 OF OFFICIAL RECORDS.
(28) LAS VEGAS VALLEY WATER DISTRICT EASEMENT PER BOOK 920323, INSTRUMENT NO. 00645 OF OFFICIAL RECORDS.
(29) NEVADA POWER CO. & CENTRAL TELEPHONE CO. EASEMENT PER BOOK 743, INSTRUMENT NO. 702114 OF OFFICIAL RECORDS.
(30) NEVADA POWER CO. & CENTRAL TELEPHONE CO. EASEMENT PER BOOK 743, INSTRUMENT NO. 702115 OF OFFICIAL RECORDS.
(31) NEVADA POWER CO. & CENTRAL TELEPHONE CO. EASEMENT PER BOOK 743, INSTRUMENT NO. 702121 OF OFFICIAL RECORDS.
(32) NEVADA POWER CO. & CENTRAL TELEPHONE CO. EASEMENT PER BOOK 743, INSTRUMENT NO. 702118 OF OFFICIAL RECORDS.
(33) SEWER AND WATER EASEMENT PER BOOK 700, INSTRUMENT NO. 562781 OF OFFICIAL RECORDS.
(34) NEVADA POWER CO. & CENTRAL TELEPHONE CO. EASEMENT PER BOOK 743, INSTRUMENT NO. 702117 OF OFFICIAL RECORDS.
(35) SEWER AND WATER EASEMENT PER BOOK 712, INSTRUMENT NO. 592567 OF OFFICIAL RECORDS.

LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°45'04"W	25.60'
L2	S89°58'01"E	20.00'

LEGEND

- SUBDIVISION BOUNDARY LINE
- SECTION LINE
- STREET CENTERLINE
- EASEMENT LINE
- FOUND MONUMENT AS NOTED
- SET 5/8 INCH REBAR AND ALUMINUM CAP STAMPED "PLS 14414"
- (10) EASEMENT IDENTIFIER
- L2 LINE NUMBER
- OR. OFFICIAL RECORDS
- APN ASSESSOR'S PARCEL NUMBER

GRAPHIC SCALE
80 0 40 80 160
(IN FEET)
1 inch = 80 ft.

SDR-6197
04-14-05 PC

SITE PLAN - VALLEY HOSPITAL MEDICAL CENTER

NOTE: DRAWING PREPARED BY NJNLTD FROM INFORMATION PROVIDED BY CARTER-BURGESS PROJECT NUMBER 241127, 2004.

NICHOLAS J. NOVICKI, LTD.
CIVIL ENGINEERS
LAND DEVELOPMENT CONSULTANTS

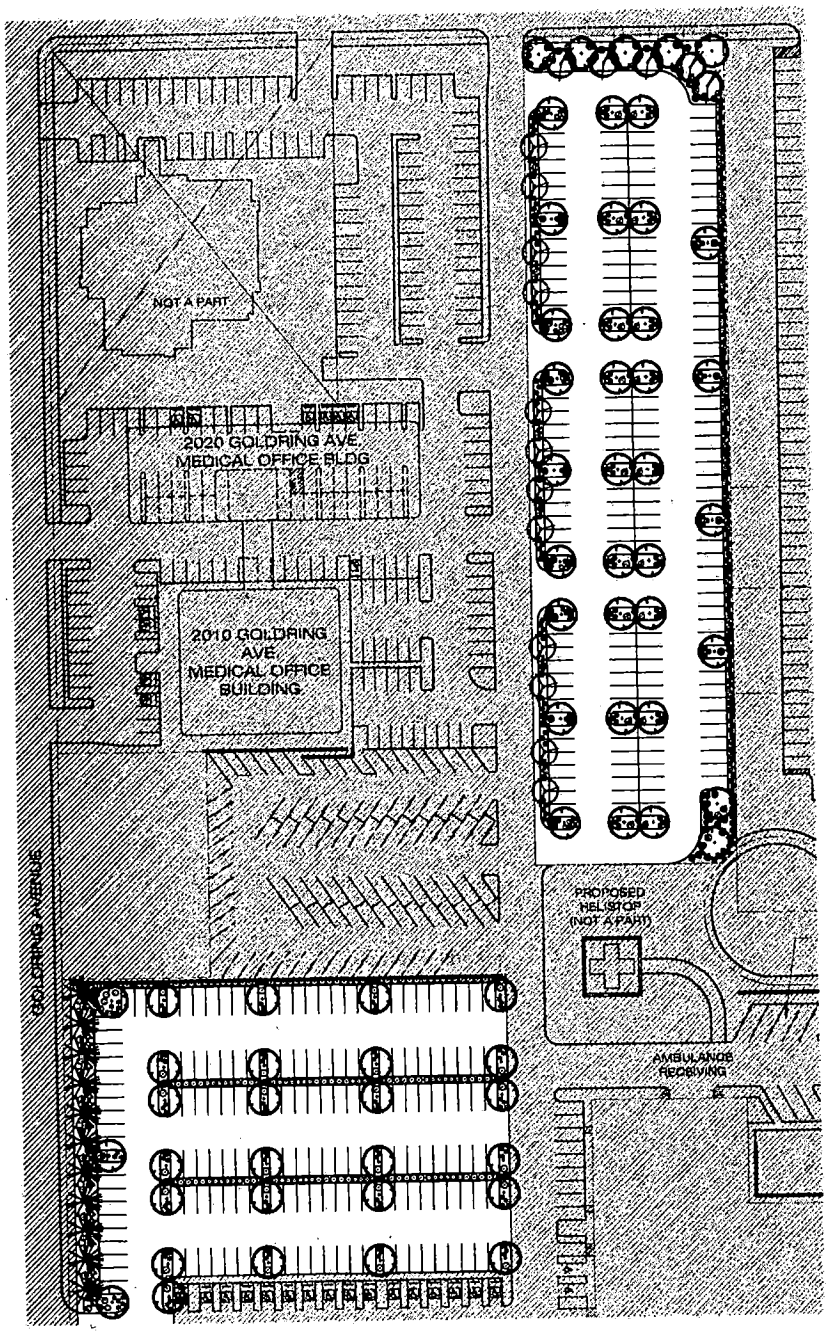
UHS

TITLE: EASEMENT SURVEY - REFERENCE ONLY
PROJECT: PROPOSED SURGERY / ICU BUILDING ADDITION
VALLEY HOSPITAL M.C.
620 SHADOW LANE

JOB NO. 0412A
DATE 02/28/2005
DRAWN BY JCSC
CHECKED BY NJN

DRAWING NO. SP-2

\\Njnlt4\NJNLTD Files\2004\0412A-Valley Surgery Addition\04112A-Drawings\04112A-Preliminary\04112A-SP2-03-surv.dwg, 2/28/2005 12:02:16 PM



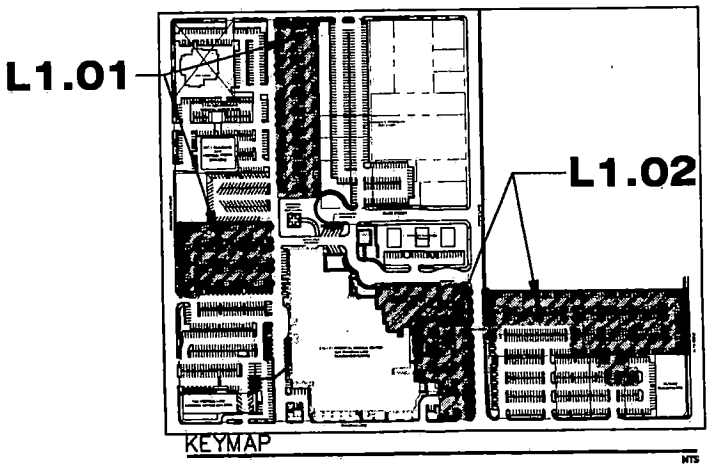
PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
	TREES				
	ACACIA STENOPHYLLA	SHOESTRING ACACIA	12	24" BOX	
	CHILOPSIS LINEARIS 'WARREN JONES'	DESERT WILLOW	5	24" BOX	
	CHITALPA TASHKENTENSIS 'PINK DAWN'	CHITALPA	127	24" BOX	
	PINUS ELDARICA	MONDEL PINE	31	24" BOX	
	QUERCUS VIRGINIANA 'HERITAGE'	HERITAGE LIVE OAK	11	24" BOX	
	SHRUBS				
⊕	CALLIANDRA X 'SIERRA STAR' PPAF	SIERRA STAR	53	5 GAL	
●	MYRTUS COMMUNIS 'COMPACTA'	COMPACTA MYRTLE	133	5 GAL	
○	RAPHIOLEPIS INDICA 'JADE EVANS'	JADE EVANS INDIAN HAWTHORN	193	5 GAL	
◎	ROSMARINUS OFFICINALIS 'TUSCAN BLUE'	UPRIGHT ROSEMARY	126	5 GAL	
◍	XYLOSMA CONGESTUM 'COMPACTA'	COMPACT XYLOSMA	452	5 GAL	
	GROUNDCOVERS				
○	LANTANA SPECIES 'NEW GOLD'	NEW GOLD LANTANA	82	5 GAL	
◇	LANTANA MONTEVIDENSIS	PURPLE TRAILING LANTANA	46	5 GAL	
●	ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET'	SPREADING ROSEMARY	908	5 GAL	
	ACCENTS				
✱	DASYLIRION LONGISSIMUM	TOOTHLESS SOTOL	23	5 GAL	
▼	DIETES BICOLOR	EVERGREEN IRIS	360	5 GAL	
▪	HESPERALOE PARVIFLORA 'RED'	RED YUCCA	89	5 GAL	
●	MUHLENBERGIA CAPILLARIS 'REGAL MIST'	REGAL MIST DEER GRASS	198	5 GAL	

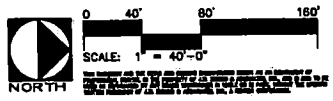
GENERAL NOTES:

1. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT SCHEDULE IS INTENDED AS A REFERENCE ONLY.
2. LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 48 HOURS.
3. PLANT MATERIAL IS TO HAVE IDENTIFICATION TAGS ON 10% OF THE TOTAL QUANTITY OF EACH SPECIES, SHOWING GENUS, SPECIES, VARIETY, ETC.
4. CONTRACTOR TO PROVIDE MATCHING SIZES AND FORMS OF LIKE SHRUB SPECIES AS SHOWN ON DRAWINGS.
5. DECOMPOSED GRANITE, 1/2" MINUS, COLOR: "CHERRY MIST", 2" DEPTH TYPICAL IN ALL PLANTING BEDS. DECOMPOSED GRANITE SHALL CONTAIN 60% AGGREGATE AND 40% FINES. CONTRACTOR TO RECEIVE VERIFICATION FROM ROCK SUPPLIER AND PRESENT VERIFICATION TO THE OWNER PRIOR TO ANY CONSTRUCTION.

WHOLESALE DEALER:
MINERAL PARK DECORATIVE ROCK
8275 NORTH MINERAL PARK ROAD
KINGMAN, AZ 86143
TELEPHONE: (703) 275-1371
CONTACT: ROBIN MICKELSON



SDR-6197
04-14-05 PC



JWZUNING & ASSOCIATI
LANDSCAPE ARCHITECTI
LAND PLANNING

UHS

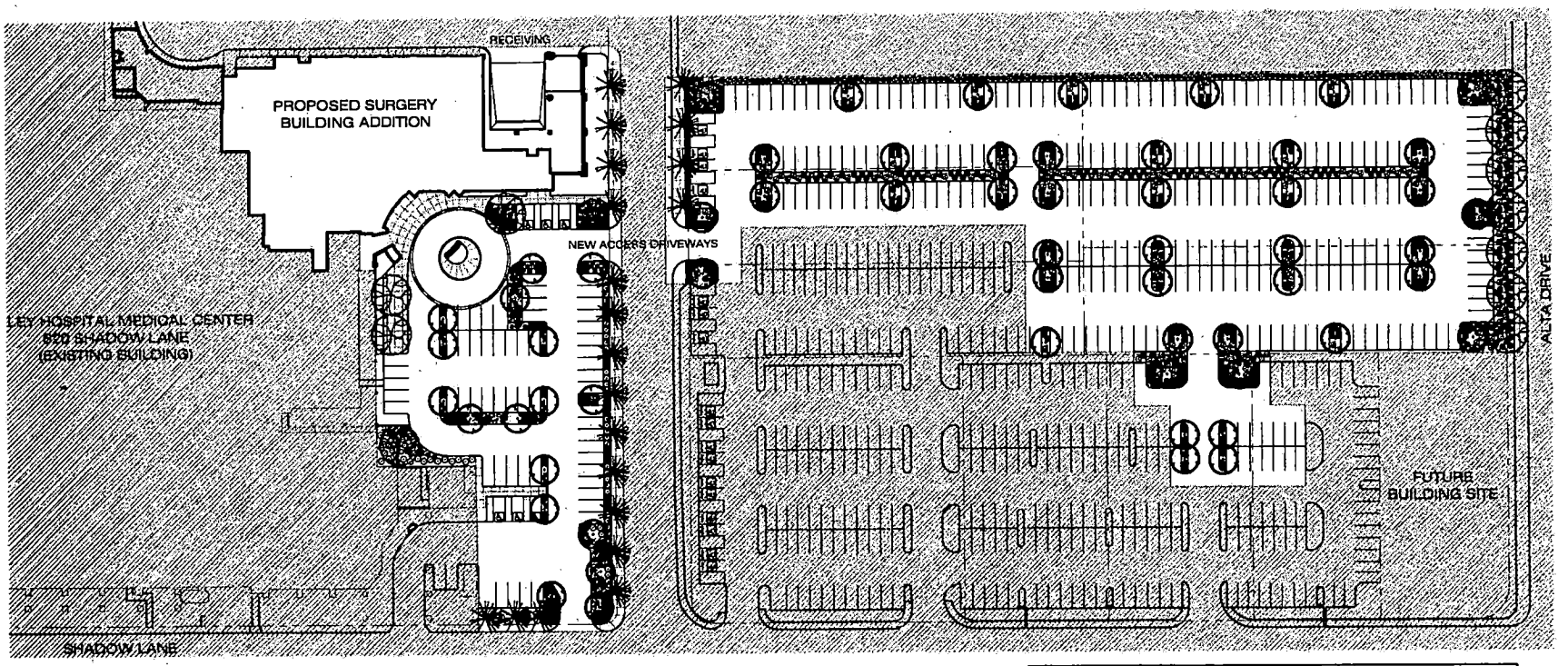
PROPOSED PLANTING PLAN

PROPOSED SURGERY / ICU BUILDING ADDITION
VALLEY HOSPITAL M.C.
620 SHADOW LANE

JOB NO 0412A
DATE 02/25/2005
DRAWN BY CML
CHECKED BY JWZ

L1.01

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PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
	TREES				
	ACACIA STENOPHYLLA	SHOESTRING ACACIA	12	24" BOX	
	CHILOPSIS LINEARIS 'WARSEN JONES'	DESERT WILLOW	5	24" BOX	
	CHITALPA TASHKENTENSIS 'PINK DAWN'	CHITALPA	127	24" BOX	
	PINUS ELDARICA	MONDEL PINE	31	24" BOX	
	QUERCUS VIRGINIANA 'HERITAGE'	HERITAGE LIVE OAK	11	24" BOX	
	SHRUBS				
⊗	CALLIANDRA X 'SIERRA STAR' PPAF	SIERRA STAR	55	5 GAL	
●	MYRTUS COMMUNIS 'COMPACTA'	COMPACTA MYRTLE	125	5 GAL	
⊙	RAPHIOLEPIS INDICA 'JACK EVANS'	JACK EVANS INDIAN HAWTHORN	193	5 GAL	
◐	ROSMARINUS OFFICINALIS 'TUSCAN BLUE'	UPRIGHT ROSEMARY	126	5 GAL	
◐	XYLOSMA CONGESTUM 'COMPACTA'	COMPACT XYLOSMA	482	5 GAL	
	GROUNDCOVERS				
○	LANTANA SPECIES 'NEW GOLD'	NEW GOLD LANTANA	82	5 GAL	
●	LANTANA MONTEVIDENSIS	PURPLE TRAILING LANTANA	48	5 GAL	
⊙	ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET'	SPREADING ROSEMARY	505	5 GAL	
	ACCENTS				
✱	DASYLIRION LONGISSIMUM	TOOTHLESS SOTOL	23	5 GAL	
✱	DIETES BICOLOR	EVERGREEN IRIS	360	5 GAL	
✱	HESPERALOE PARVIFLORA 'RED'	RED YUCCA	89	5 GAL	
✱	MUHLENBERGIA CAPILLARIS 'REGAL MIST'	REGAL MIST DEER GRASS	198	5 GAL	

GENERAL NOTES:

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WHOLESALE DEALER:
MINERAL PARK DECORATIVE ROCK
6375 NORTH MINERAL PARK ROAD
KINGMAN, AZ 86143
TELEPHONE: (702) 275-1371
CONTACT: ROBIN NICKELSON

L1.01

L1.02

KEYMAP

NTS

SDR-6197
04-14-05 PC

NORTH

0 40' 80' 160'

SCALE: 1" = 40'-0"

JWZUNING & ASSOCIATES
LANDSCAPE ARCHITECTS
LAND PLANNING

UHS

TITLE: PROPOSED PLANTING PLAN

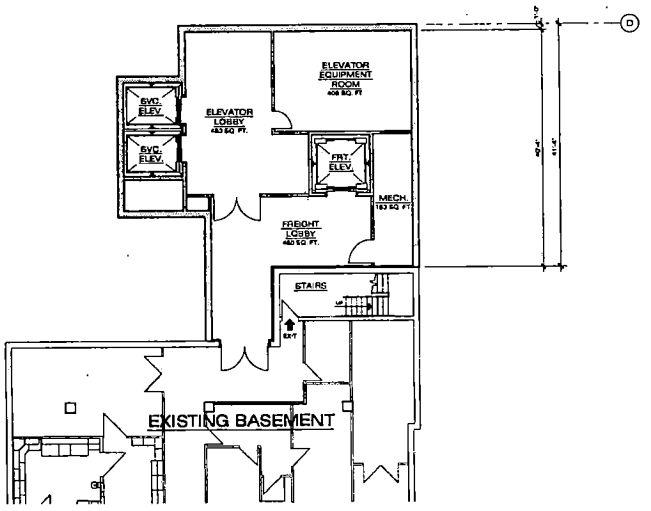
PROJECT: PROPOSED SURGERY / ICU BUILDING ADDITION
VALLEY HOSPITAL M.C.
920 SHADOW LANE

JOB NO. 0412A
DATE 02/23/2005
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CHECKED BY JWZ

DRAWING NO. L1.02

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BASEMENT FLOOR PLAN

GROSS SQUARE FOOTAGE: 2,099 SF

N

0 5' 10' 25' 50' 100'

SDR-6197
04-14-05 PC

CONSULTANT

NICHOLAS J. KOSIVICH, LTD

REVISIONS

UHS

TITLE: BASEMENT FLOOR PLAN

PROJECT: PROPOSED SURGERY / ICU BUILDING ADDITION
VALLEY HOSPITAL M.C.

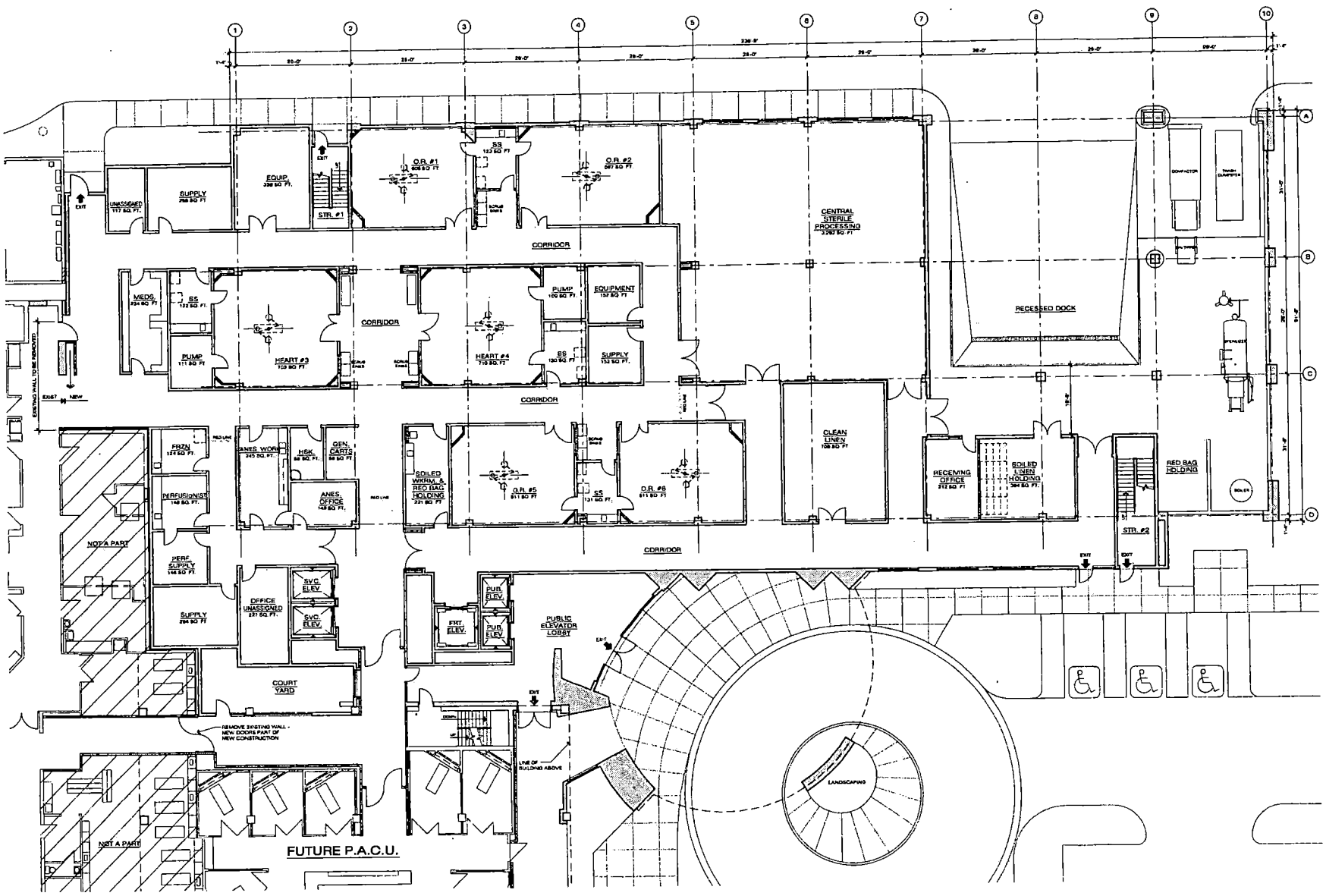
JOB NO: 0412A

DATE: 02/25/2005

DRAWN BY: GCD

CHECKED BY: NJN

DRAWING NO: FP-0



GROUND FLOOR PLAN

GROSS SQUARE FOOTAGE: 29,758 SF

SDR-6197
04-14-05 PC

NICHOLAS J. KOWICKI, LTD

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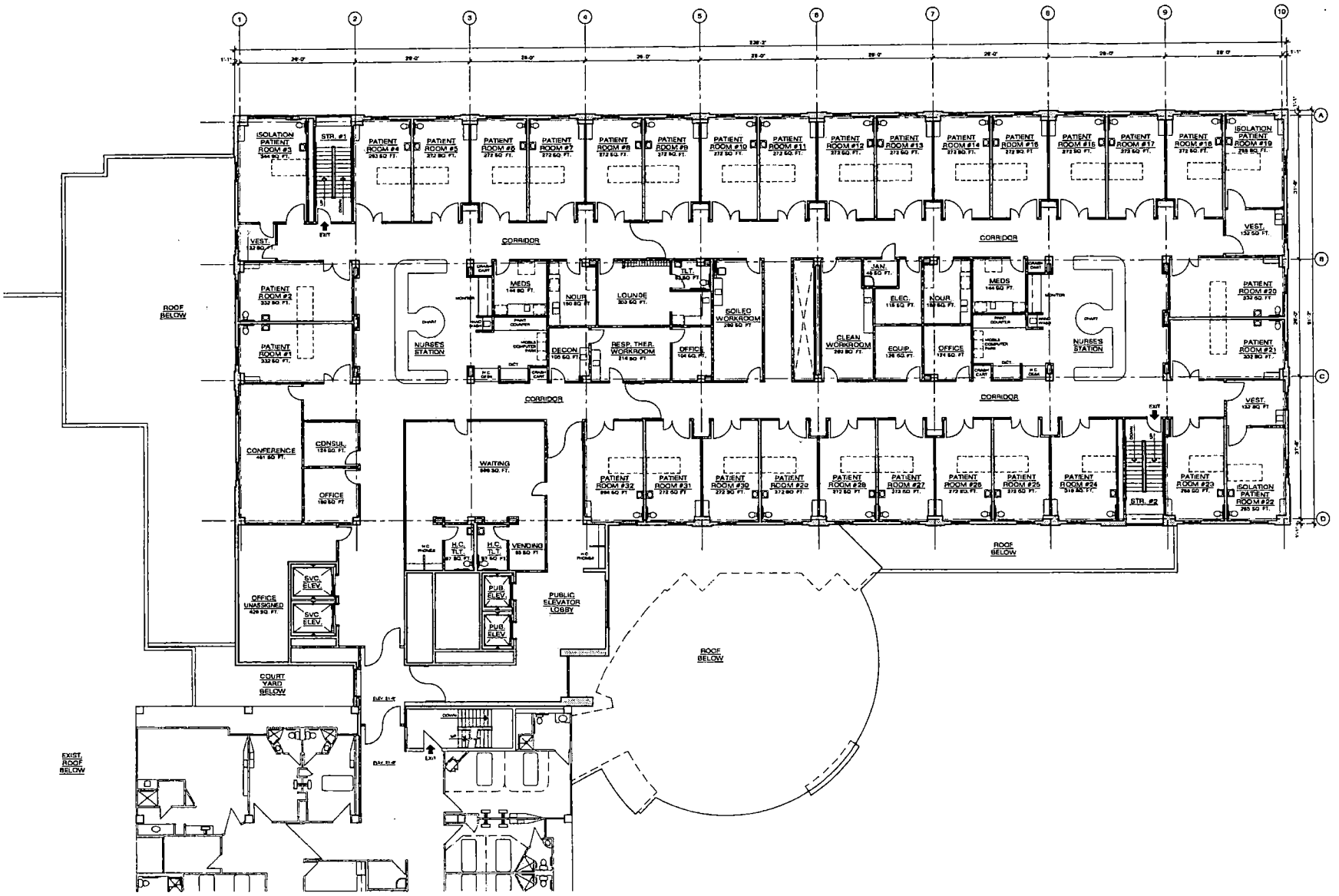
GROUND FLOOR PLAN

PROPOSED SURGERY / ICU BUILDING ADDITION
VALLEY HOSPITAL M.C.
620 SHADOW LANE
LAS VEGAS, NEVADA 89106

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SECOND AND THIRD FLOOR PLAN
(THIRD FLOOR DEVELOPED AS SHELL ONLY)

GROSS SQUARE FOOTAGE PER FLOOR: 24,352 SF

SDR-6197
04-14-05 PC

NICHOLAS J. NOWICKI, LTD.

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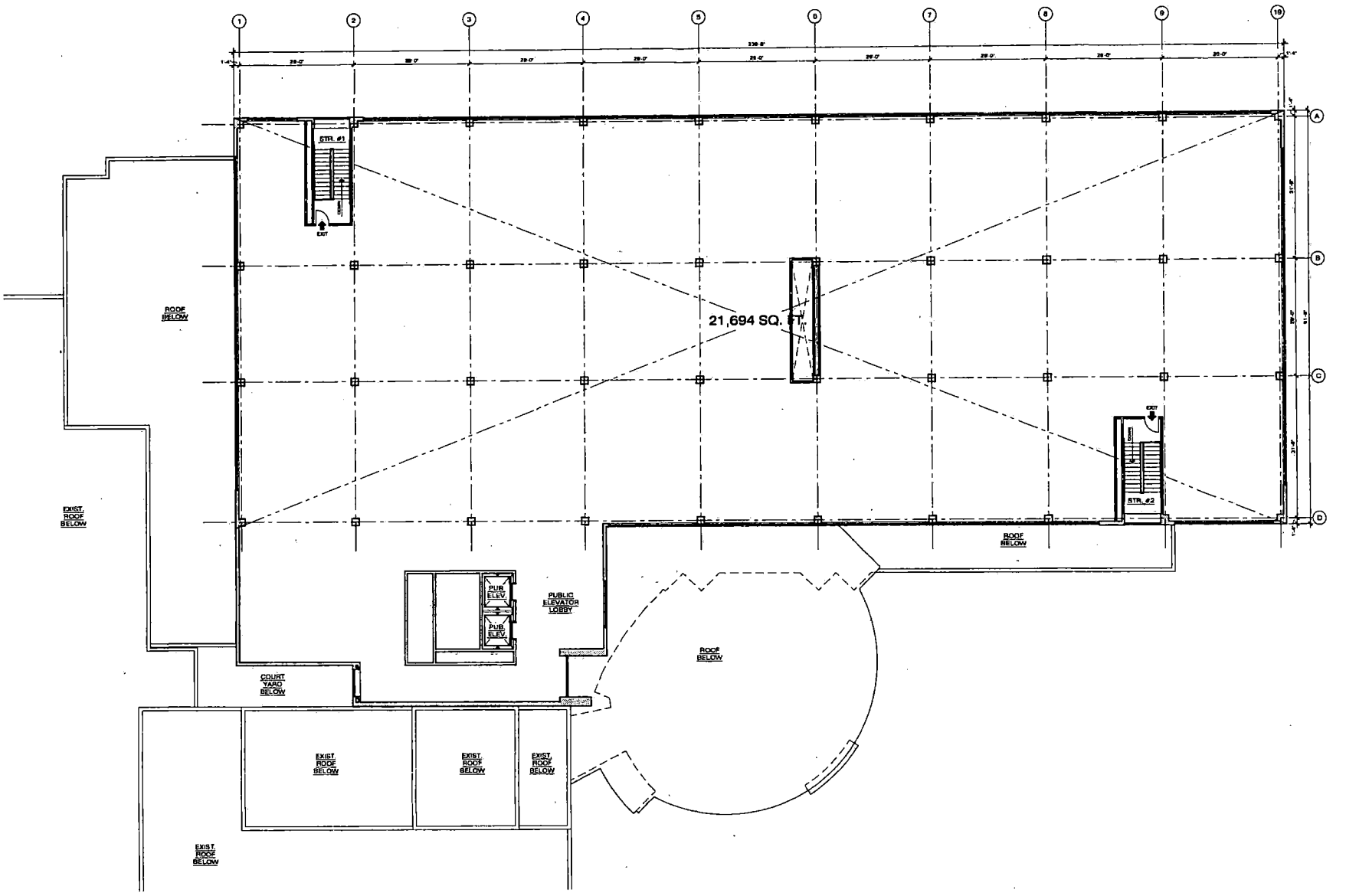
PROPOSED SURGERY / ICU BUILDING ADDITION
VALLEY HOSPITAL M.C.
620 SHADOW LANE

SECOND AND THIRD FLOOR PLAN

JOB NO. 0412A
DATE 02/25/2005
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CHECKED BY NJN

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FOURTH FLOOR PLAN (SHELL SPACE) GROSS SQUARE FOOTAGE: 24,736 SF

SDR-6197
04-14-05 PC

NICHOLAS F. NOVSICK, LTD.

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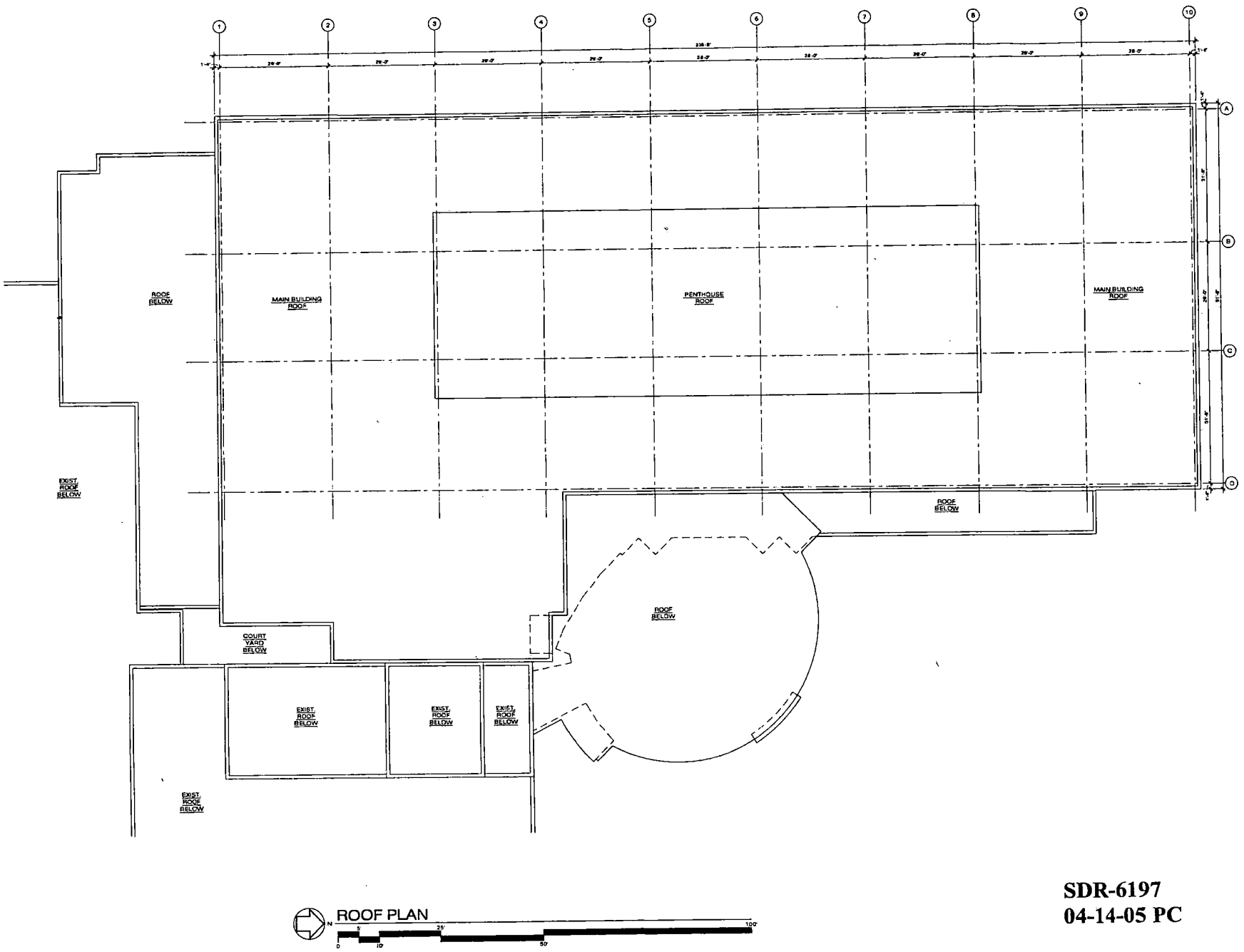
PROPOSED SURGERY / ICU BUILDING ADDITION
VALLEY HOSPITAL M.C.
620 SHADOW LANE

FOURTH FLOOR PLAN

JOB NO 0412A
DATE 02/25/2005
DRAWN BY GCD
CHECKED BY NJN

FP-3

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ROOF PLAN

N 0 5' 10' 25' 50' 100'

SDR-6197
04-14-05 PC

NICHOLAS I. NOVICKI, LTD.

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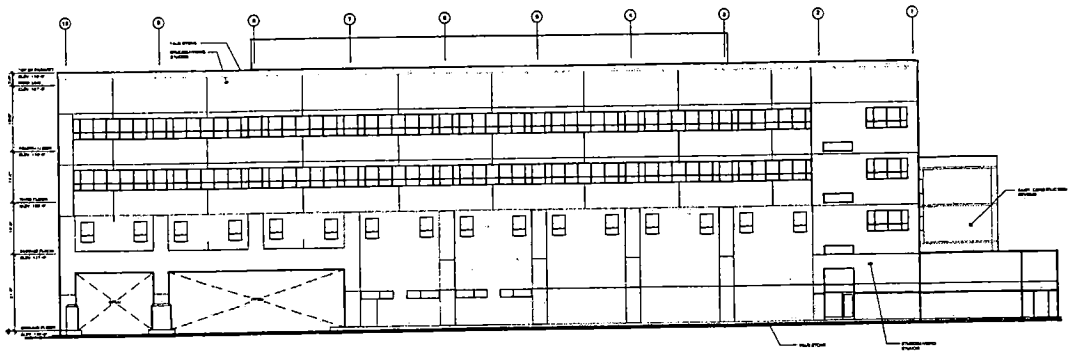
PROPOSED SURGERY / ICU BUILDING ADDITION
VALLEY HOSPITAL M.C.
620 SHADOW LANE

ROOF PLAN

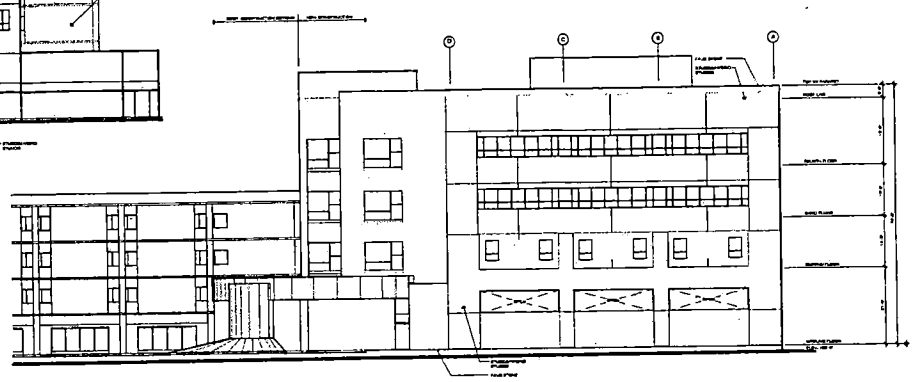
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DATE 02/25/2005
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DRAWING NO RP-0

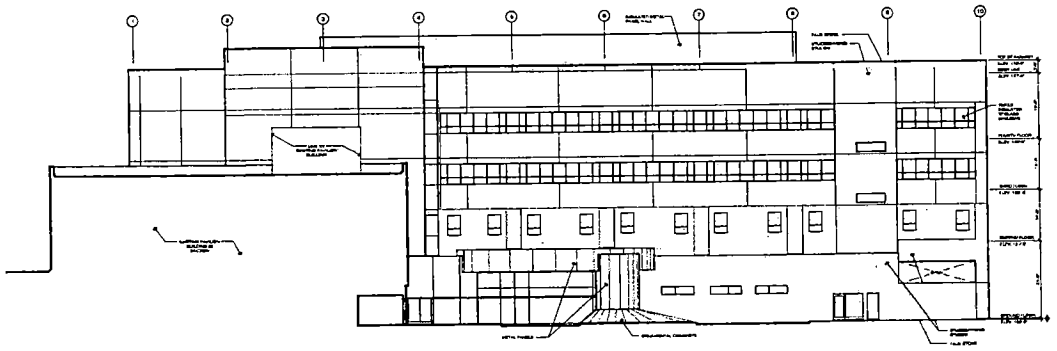
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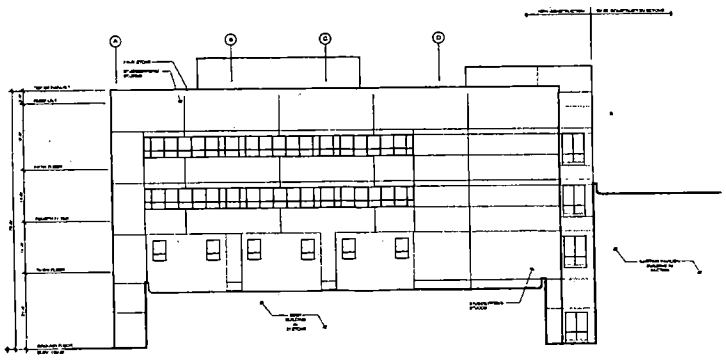
WEST EXTERIOR ELEVATION



NORTH EXTERIOR ELEVATION



EAST EXTERIOR ELEVATION



SOUTH EXTERIOR ELEVATION

SDR-6197
04-14-05 PC

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NICHOLAS J. NOWICKI, LTD.

PROPOSED SURGERY / ICU
BUILDING ADDITION
VALLEY HOSPITAL M.C.

EXTERIOR ELEVATIONS

JOB NO. 0412A
DATE 02/25/2005
DRAWN BY GCO
CHECKED BY NJN

DRAWING NO. EL-0

HOWARD, MEIER & FINE, LLC

ATTORNEYS AT LAW
2300 W. SAHARA AVENUE, SUITE 430, MAILBOX 11
LAS VEGAS, NEVADA 89102

PRESTON B. HOWARD
GLENN F. MEIER
MARILYN FINE

TEL : (702) 673-1000
FAX : (702) 673-1001
PHoward@hmfnevada.com

March 1, 2005

Via Hand Delivery

City of Las Vegas
Planning and Development
731 South 4th Street
Las Vegas, NV 89101

Re: Site Development Plan Review - Justification Letter
Valley Hospital - OR Building Addition
Assessor's Parcel No: 139-33-303-024

Ladies and Gentlemen:

This letter will constitute the requisite justification letter with respect to the filing of the application of Valley Health System, LLC for a Site Development Plan Review for the construction of a four-story addition to the operating room area at its Valley Hospital facility at 620 Shadow Lane, Las Vegas, NV. The actual building addition will total approximately 104,000 square feet of additional floor space and will be located at the northwest corner of the existing main hospital building in the area bounded by Pinto Lane to the north and the former Kingsbury Way to the west. The project will also improve and upgrade a total of four parking areas (shown on the plans) of the overall hospital site bringing them into compliance with the Medical District Plan.

Two minor deviations from the Medical District Plan standards are requested in connection with the requested approval. The first is a waiver of sidewalk width along the west perimeter of the proposed building addition along what is the vacated Kingsbury Way alignment. The area will be a limited access service driveway with no public access to the sidewalk area. Secondly, a waiver is requested to allow five (5) feet of landscaping where ten (10) feet is required along the northern side lot line of the vacated Valerie Street. This area abuts the new UMC parking area constructed by Clark County on adjacent property to the north which has twenty (20) feet of potential green space along its southern alignment. This waiver will, in turn, permit the incorporation of a corresponding eight (8) foot green way along the southern boundary of the adjoining private street which will serve as an enhancement to the site.

The remainder of the site development contemplated by the proposed addition is consistent with present zoning, the Medical District Plan and the Valley Hospital Master Plan. The overall project will serve as an enhancement to the community, and does not conflict with, nor have any negative impacts on neighboring properties.

SDR-6197

My clients look forward to the development of this project which will bring needed additional hospital services to Valley Hospital.

Should you have any questions, comments, or require any further information, please do not hesitate to contact me at your convenience. Thank you for your assistance.

Sincerely,

Howard, Meier & Fine, LLC

Preston B. Howard, Esq.

encls. as required

City of Las Vegas

Agenda Item No.: 58

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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:

4. All development shall be in conformance with the site plan and building elevations, date stamped 03/01/05 except as amended by conditions herein. *Lots numbered 1-14, 139-144 and 152-186 shall be single story units.*

– 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:
See Item 12 [VAC-6203] for related discussion on Item 12 [VAC-6203] and Item 58 [SDR-6201].

(6:12 - 6:22/6:37 – 6:56)
1-456/1-1305

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 58 – SDR-6201

CONDITIONS:

Planning and Development

1. The City Council approving and upon recordation of Vacation (VAC-6203) 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.

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

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

4. All development shall be in conformance with the site plan and building elevations, date stamped 03/01/05 except as amended by conditions herein.

5. A Homeowners Association shall be established to maintain all perimeter walls, private streets, including all common areas created by this action.

6. The setbacks for this development shall conform to the Cliff's Edge Master Development Plan and Design Guidelines found in Section 3.2.5 for a Low Density development.

7. The landscape plan shall be revised and approved by Planning and Development Department staff, depicting conformance to the Cliff's Edge Master Development Plan and Design Guidelines.

8. 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.

9. Air conditioning units shall not be mounted on rooftops within the residential development.

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

11. All standards for this development must conform to the Cliff's Edge Master Development Plan and Design Guidelines.

CONDITIONS – Continued:

Public Works

12. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements must be executed by the property owner(s) of record prior to final approval of this application by City Council. The written agreements will allow the addition of vacated or other property previously outside the district boundary into the Providence Special Improvement District.

13. All existing rights-of-way in conflict with this site design must be vacated, such as through Petition of Vacation VAC-6203, prior the issuance of any permits or recordation of a Final Map for any area overlying or abutting the existing right-of-way.

14. Dedicate those portions of rights-of-way to complete the knuckles on Grinnell Street and Deer Springs Way, adjacent to Alpine Ridge Way. Also, dedicate those portions of right-of-way necessary to complete the cul-de-sacs on Bath Drive and Deer Springs Way.

15. The Final Map for this site shall be labeled as a "Merger and Resubdivision".

16. If not already constructed by the Master Developer, construct half street improvements on Dorrell Lane, Larry McBryde Street, Grinnell Street, Alpine Ridge Way, Bath Drive, Deer Springs Way, and Egan Crest Way, including appropriate overpaving (if legally able), adjacent to this site concurrent with development. In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within 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. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way (if any) adjacent to this site concurrent with development of this site.

18. If not obtained at the time of development by the Master Developer, submit an Encroachment Agreement for all landscaping and private improvements (if any) in the public rights-of-way adjacent to this site.

19. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

CONDITIONS – Continued:

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

21. 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.

22. Public drainage easements must be common lots or within private streets or private drives that are to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.

23. Private streets must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.

24. 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.

25. Show and dimension the common lots and adjacent right-of-way on the Tentative Map(s) for this site as recorded by the Cliff's Edge parent map and include the recorder's information (subdivision name, book and page number).

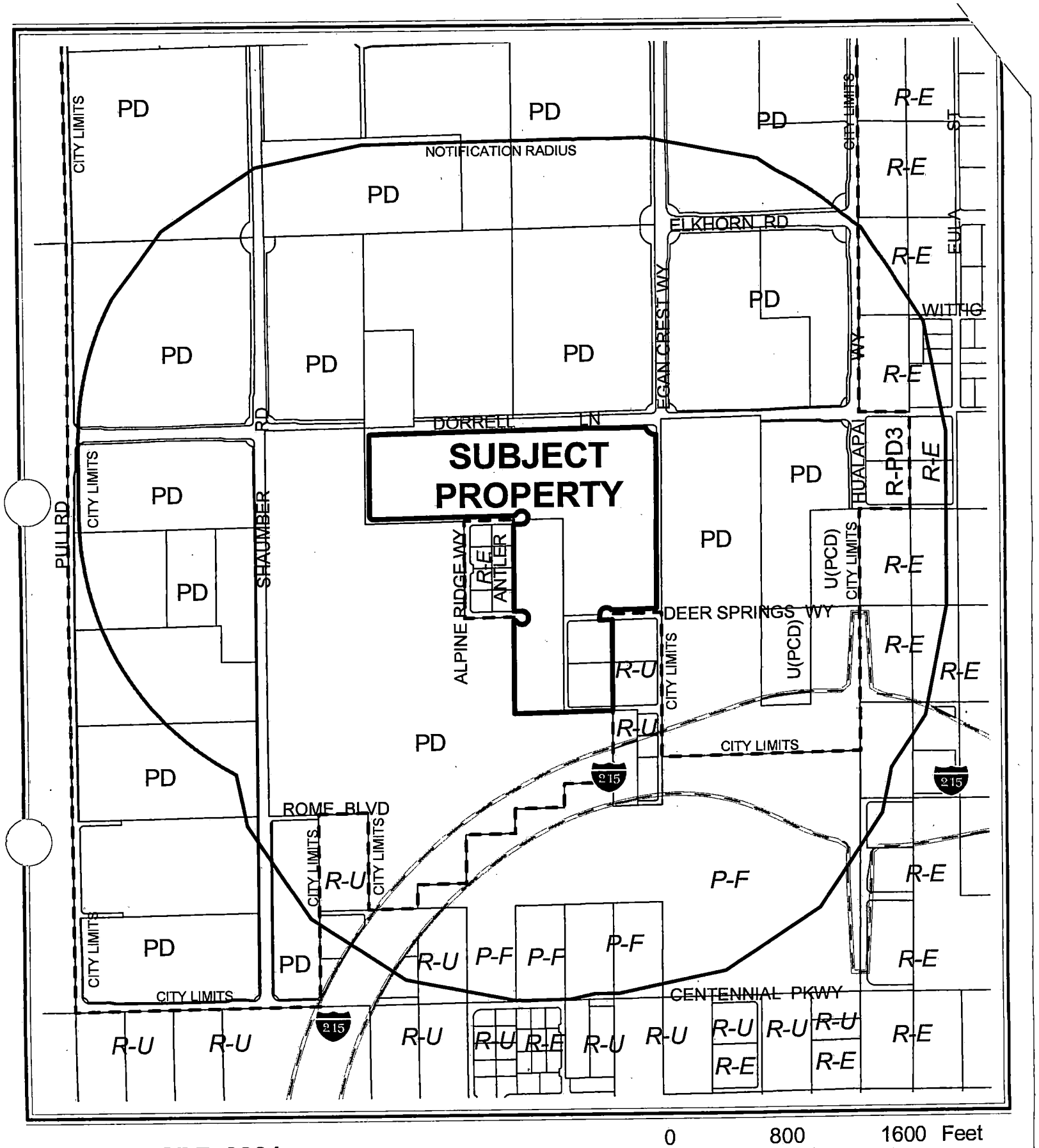
26. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and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

CONDITIONS – Continued:

determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

27. 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.

28. Site development to comply with all applicable conditions of approval for previous zoning actions, Master Drainage Studies, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement and all other applicable site-related actions.



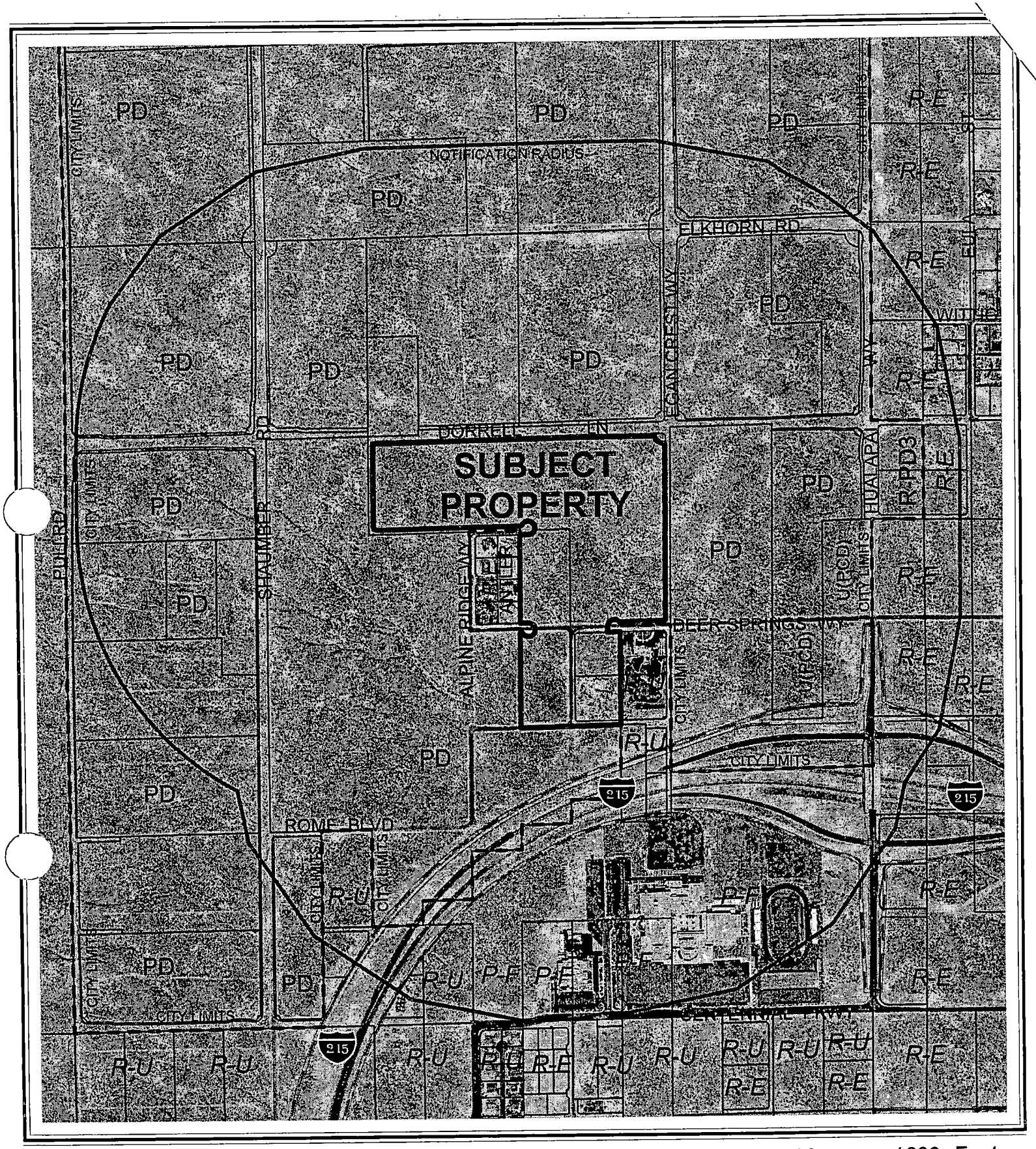
CASE: **SDR-6201**

RADIUS: 2000 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [L (LOW DENSITY RESIDENTIAL) CLIFFS EDGE SPECIAL LAND USE DESIGNATION]

N



0 800 1600 Feet

CASE: **SDR-6201**

RADIUS: 2000 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [L (LOW DENSITY RESIDENTIAL) CLIFFS EDGE SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6201 - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE, LLC

** CONDITIONS **

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

Planning and Development

1. The City Council approving and upon recordation of Vacation (VAC-6203) 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.

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

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

4. All development shall be in conformance with the site plan and building elevations, date stamped 03/01/05 except as amended by conditions herein.

5. A Homeowners Association shall be established to maintain all perimeter walls, private streets, including all common areas created by this action.

6. The setbacks for this development shall conform to the Cliff's Edge Master Development Plan and Design Guidelines found in Section 3.2.5 for a Low Density development.

7. The landscape plan shall be revised and approved by Planning and Development Department staff, depicting conformance to the Cliff's Edge Master Development Plan and Design Guidelines.

8. 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.

9. Air conditioning units shall not be mounted on rooftops within the residential development.

DA

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

11. All standards for this development must conform to the Cliff's Edge Master Development Plan and Design Guidelines.

Public Works

12. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements must be executed by the property owner(s) of record prior to final approval of this application by City Council. The written agreements will allow the addition of vacated or other property previously outside the district boundary into the Providence Special Improvement District.

13. All existing rights-of-way in conflict with this site design must be vacated, such as through Petition of Vacation VAC-6203, prior the issuance of any permits or recordation of a Final Map for any area overlying or abutting the existing right-of-way.

14. Dedicate those portions of rights-of-way to complete the knuckles on Grinnell Street and Deer Springs Way, adjacent to Alpine Ridge Way. Also, dedicate those portions of right-of-way necessary to complete the cul-de-sacs on Bath Drive and Deer Springs Way.

15. The Final Map for this site shall be labeled as a "Merger and Resubdivision".

16. If not already constructed by the Master Developer, construct half street improvements on Dorrell Lane, Larry McBryde Street, Grinnell Street, Alpine Ridge Way, Bath Drive, Deer Springs Way, and Egan Crest Way, including appropriate overpaving (if legally able), adjacent to this site concurrent with development. In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within 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. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way (if any) adjacent to this site concurrent with development of this site.

18. If not obtained at the time of development by the Master Developer, submit an Encroachment Agreement for all landscaping and private improvements (if any) in the public rights-of-way adjacent to this site.

19. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

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

21. 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.

22. Public drainage easements must be common lots or within private streets or private drives that are to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.

23. Private streets must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.

24. 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.

25. Show and dimension the common lots and adjacent right-of-way on the Tentative Map(s) for this site as recorded by the Cliff's Edge parent map and include the recorder's information (subdivision name, book and page number).

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

DA

27. 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.

28. Site development to comply with all applicable conditions of approval for previous zoning actions, Master Drainage Studies, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement and all other applicable site--related actions.

DA

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a 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

B) Applicant's Justification

The applicant has justified this application by stating, "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."

BACKGROUND INFORMATION

A) Previous 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.

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 Drive on the west, Grand Teton Drive on the north, and Hualapai Way 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.

04/14/05 The Planning Commission will be hearing concurrently Vacation (VAC-6203) 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) Pre-Application Meeting

02/14/05 A pre-application meeting was held where the following items were discussed:

1. Must maintain 20,000 square foot lots around existing development.
2. The SDR will be for 211 lots and Vacations for patent easements to allow development.
3. Separate application for patent easements for the north parcel. Will be submitted as a Tentative Map.
4. This site was required to have site plan approved thru the Cliff's Edge MDP.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 57.40 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	PCD (Planned Community Development)
North:	PCD (Planned Community Development)
South:	PCD (Planned Community Development)
East:	PCD (Planned Community Development)
West:	PCD (Planned Community Development)

D) Existing Zoning

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

E) General Plan Compliance

a. Centennial Hills General Plan

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

Cliff's Edge Master Plan – Future development within the Cliff's Edge master plan area is controlled by the Cliff's Edge Master Development Plan and the Cliff's Edge Design Guidelines. The Master Development Plan was required for the approval of PD (Planned Development) zoning, which was applied to the area concurrently with the approval of the Master Development Plan and the Design Guidelines.

DA

PROJECT DESCRIPTION

This request is for a 211 lot single-family residential development on 57.40 acres. The site will be accessed from Dorrell Lane and Egan Crest Way. The proposed interior streets will be 37' wide private streets, which will provide the interior circulation. The minimum lot size for this development will be 6,050 square feet, which will give an overall density of 3.67 units per acre. There are 14 lots that are adjacent to existing large lot residential properties that are required to be a minimum 20,000 square feet in size.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to The Cliff's Edge Master Development Plan and Design Guidelines, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	6050 Sq Ft	6050 Sq Ft	Y
Min. Lot Width	55 Feet	55 Feet	Y
Min. Setbacks			
• Front			
- Single story element	10 Feet	NA	Y
Second story element	15 Feet	NA	Y
Front Entry Garage	20 Feet	NA	Y
Turn-in Garage	10 Feet	NA	Y
• Side			
- Interior lots	5 Feet	NA	Y
- Perimeter lots & Entry parcel	5 Feet for single story element w/ no gable. 10 Feet for two-story element w/ gable end.	NA	Y
• Corner			
- Single story element	10 Feet	NA	Y
- Second story element	15 Feet	NA	Y
• Rear			
- Interior Lots	- 20 Feet (15 Feet allowed for up to 50% of Structure width)	NA	Y
- Perimeter Lots**	- Same as Interior lots (No more than three adjacent dwellings may have the same setback; otherwise up to additional 5 Feet setback required)	NA	Y
Max. Building Height	35 Feet	35 Feet	Y
			DA

This development is meeting the development standards set forth in the Cliff's Edge Design Guidelines.

A2) Residential Adjacency Standards

Residential adjacency will not apply to this subdivision

A3) Parking and Traffic Standards

Pursuant to The Cliff's Edge Master Development Plan and Design Guidelines, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required**			**Provided**	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Single Family Residential	N/A	2 spaces per unit	465	N/A	456	N/A

The parking for this site is sufficient to meet the standards set forth in the Cliff's Edge Design Guidelines.

A4) Landscape and Open Space Standards

Pursuant to The Cliff's Edge Master Development Plan and Design Guidelines, the following Landscape Standards apply to the subject proposal:

Standards	**Required**		**Provided**
	Ratio	Trees	
Front Yard:	2 Trees per Unit	422Trees	269
• Wall height	6 Feet		

The proposed landscape plan for Pods 123 and 123A does meet the minimum required standards outlined within the Cliff's Edge Master Development Plan & Design Guidelines.

B) General Analysis and Discussion

- Zoning

The subject site is within a PD (Planned Development) zoning district. The PD (Planned Development) zoning district is intended to be a flexible district which may be applied to individual properties, larger planning areas or areas with multiple properties for redevelopment, economic development and cultural enrichment. The PD (Planned

Development) zoning district may be used for office, retail, entertainment or commercial uses or for mixed-use developments where commercial and residential uses are combined. The PD (Planned Development) zoning district is further intended to buffer small infill tracts and adjacent uses, encourage the conservation of open space, promote creative sitting arrangements, preserve prominent natural features, provide for the efficient development of large tracts for multiple uses, and provide for development which enhances neighborhood areas. The minimum size of tract eligible for PD (Planned Development) zoning designation is five acres. The subject parcels are in conformance with the General Plan.

- Site Plan

The proposed development shows 211 lots that range in size from approximately 6,000 square feet up to over 25,000 square feet. There are 14 lots that are required to be over 20,000 square feet in size because of their location to existing residential homes that are not part of the Cliff's Edge Master Plan. The large lots within this development are designed to act as a buffer to the existing homes, and isolate them from the higher density product being built on the interior of the project and along Egan Crest Way and Dorrell Lane. The interior lots range in size from approximately 6,000 square feet to approximately 10,000 square feet.

Access to the site will be from either two-gated entrances one off of Egan Crest Way and the other off of Dorrell Lane, both of which will access private interior streets. The entrances must conform to the Cliff's Edge standards for design, which includes the appropriate community wall design along with the appropriate landscaping outlined within the Cliff's Edge Development Plan & Design Guidelines.

The related vacations that accompany this review show the vacation of Deer Springs Way and Grinnell Street from Alpine Ridge Way east to eliminate the dedicated cul-de-sacs that now exists. These vacated streets would then be dedicated to the adjacent property owners. By the vacation of these two streets it will provide for a better design of the proposed subdivision as well as provide sufficient access to those properties that are accessed from Alpine Ridge Way.

- Waivers

No waivers were required as part of this application.

- Landscape Plan

The Cliff's Edge Master Development Plan and Design Guidelines landscape requires that in the front yard landscaped area there are to be two 24" box tree per lot with at least five different species of shrub and/or ground cover. The proposed landscape plan is only showing one tree per lot and no ground cover. Perimeter landscaping is not

required as part of the subdivision approval, though the landscape plan does depict 24 inch box trees place every 30 feet on center with five 5 gallon shrub per tree, being placed within a 5 foot wide landscape strip along Egan Crest Way, Larry McBryde Street and Grinnell Street. Along Deer Springs Way the landscaping will include 24 inch box trees being place every 10 feet on center with five 5 gallon shrubs being added per tree. Cliff's Edge does allow up to maximum 50% of the non-paved area of the front yard to be lawn, but cannot be wider than 6 feet and must remain at least 3 feet away from the main dwelling.

- Elevation

  The proposed elevations conform to Section 4 of the Cliff's Edge Master Development Plan and Design Guidelines. The proposed elevations provide 3 different elevation choices that include a Spanish Colonial, Prairie Ranch and a Country European design. The proposed elevations will include the choice of a single story or a two-story model. Those homes that will back onto Dorrell Lane, Egan Crest Way and Larry McBryde Street will be required to provide 25% of the perimeter lot homes with patio covers and 2nd story decks and all perimeter lots are required to have principal window treatments.

- Floor Plan

  The proposed floor plans will range in size from approximately 2,400 square feet on up to approximately 3,400 square feet. The floor plans include a single story or two-story option that provides adequate interior open space and several bedroom options.

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 does conform to the surrounding densities laid out in the Cliff's Edge Master Development Plan. The proposed density and lot sizes for the homes adjacent to the existing residential will be such as to mitigate any concerns about small lots being adjacent to the existing large lot homes.

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;"**

This development does conform to the Cliff's Edge Master Development Plan and Design Guidelines.

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

The site will be accessed from Dorrell Lane, which is part of the Thematic Loop within Cliff's Edge. The site will also be accessed off of Egan Crest Way, which is a proposed 80 foot wide right-of-way. Both of the entrances will not have a negative impact on surrounding property access or will it affect neighborhood traffic.

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

The proposed landscaping for the development is deficient with regards to the required number of trees and shrubs to be placed in the front yard of each lot. A condition has been added to address this deficiency. The proposed materials for the perimeter fence will include a mix of split face block, founders finish block and wrought iron. The proposed design must conform to the Cliff's Edge Master Development and Design Guidelines.

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

The proposed elevations, designs and materials for the development does conform to the Cliff's Edge Master Development and Design Guidelines.

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

The structures will be inspected by the Building and Safety Department, and therefore will not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

NOTICES MAILED 46

APPROVALS 0

PROTESTS 0

DA

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6201 APN: 126-24-610-001

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

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR. 6201 APN: 126-24-510-001;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

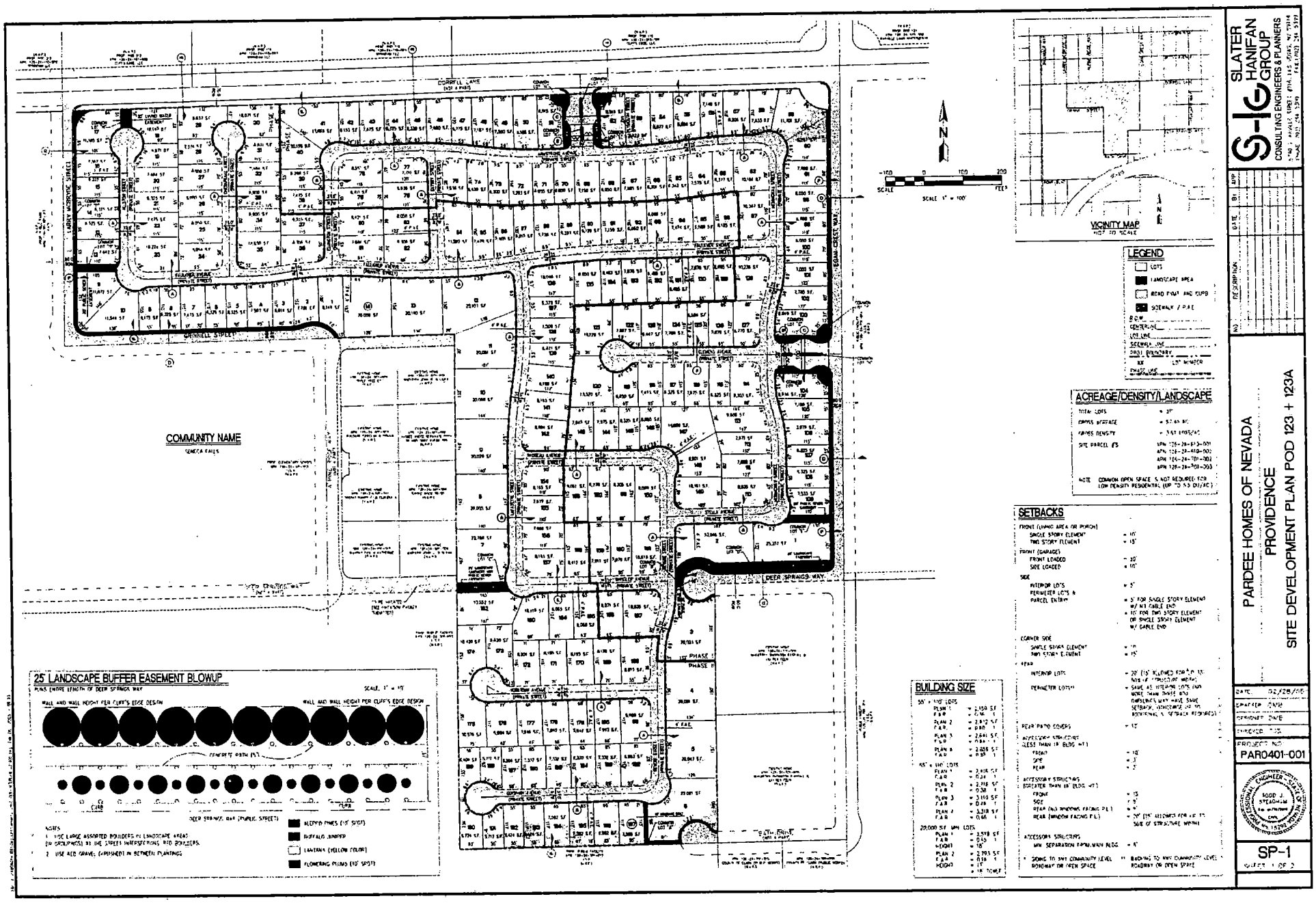
Subscribed and sworn before me

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



SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS

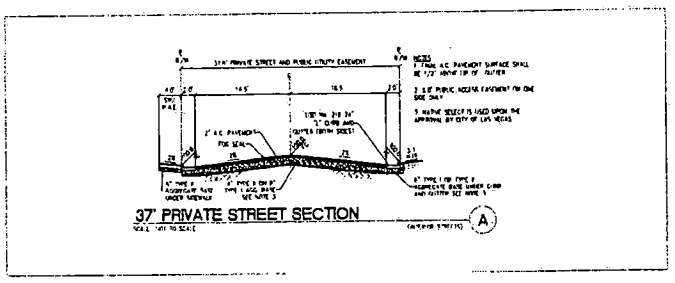
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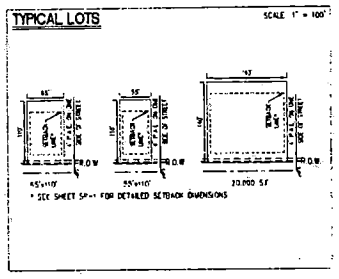
PARDEE HOMES OF NEVADA
PROVIDENCE
SITE DEVELOPMENT PLAN POD 123 + 123A

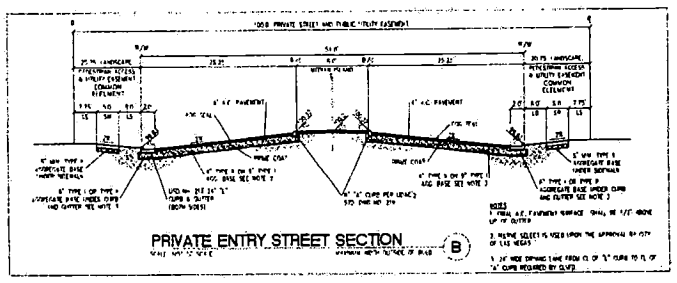
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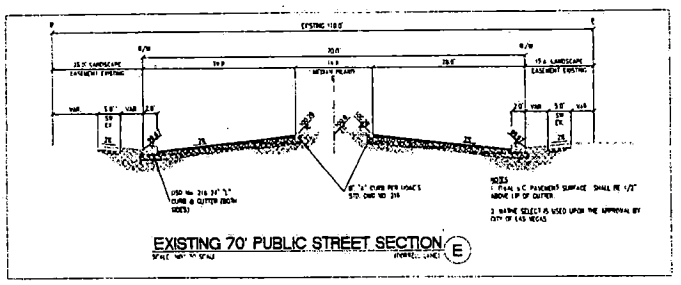
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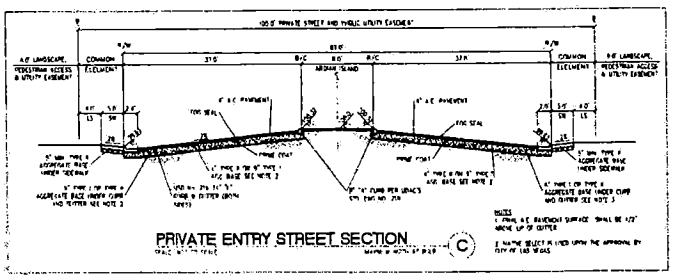
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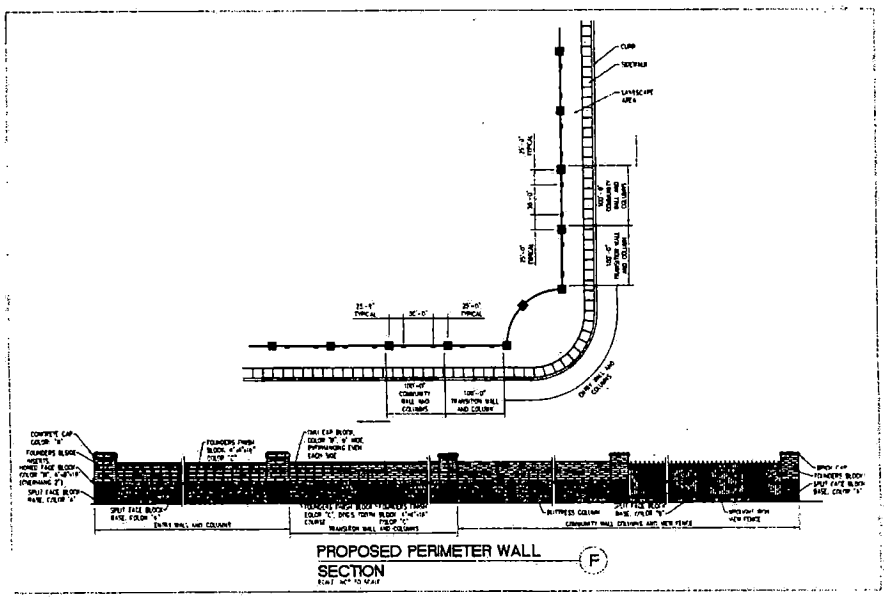


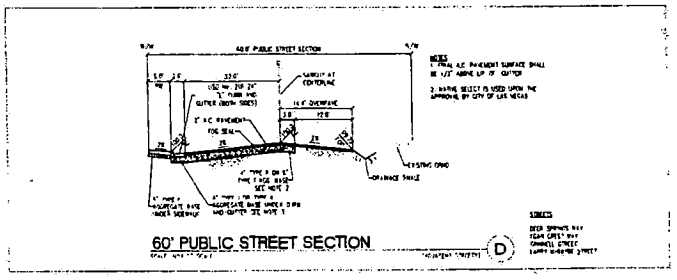












SLATER HANIFAN GROUP
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5345 S. ARVILLE STREET #215, LAS VEGAS, NV 89118
PHONE (702) 284-5300 FAX (702) 284-5303

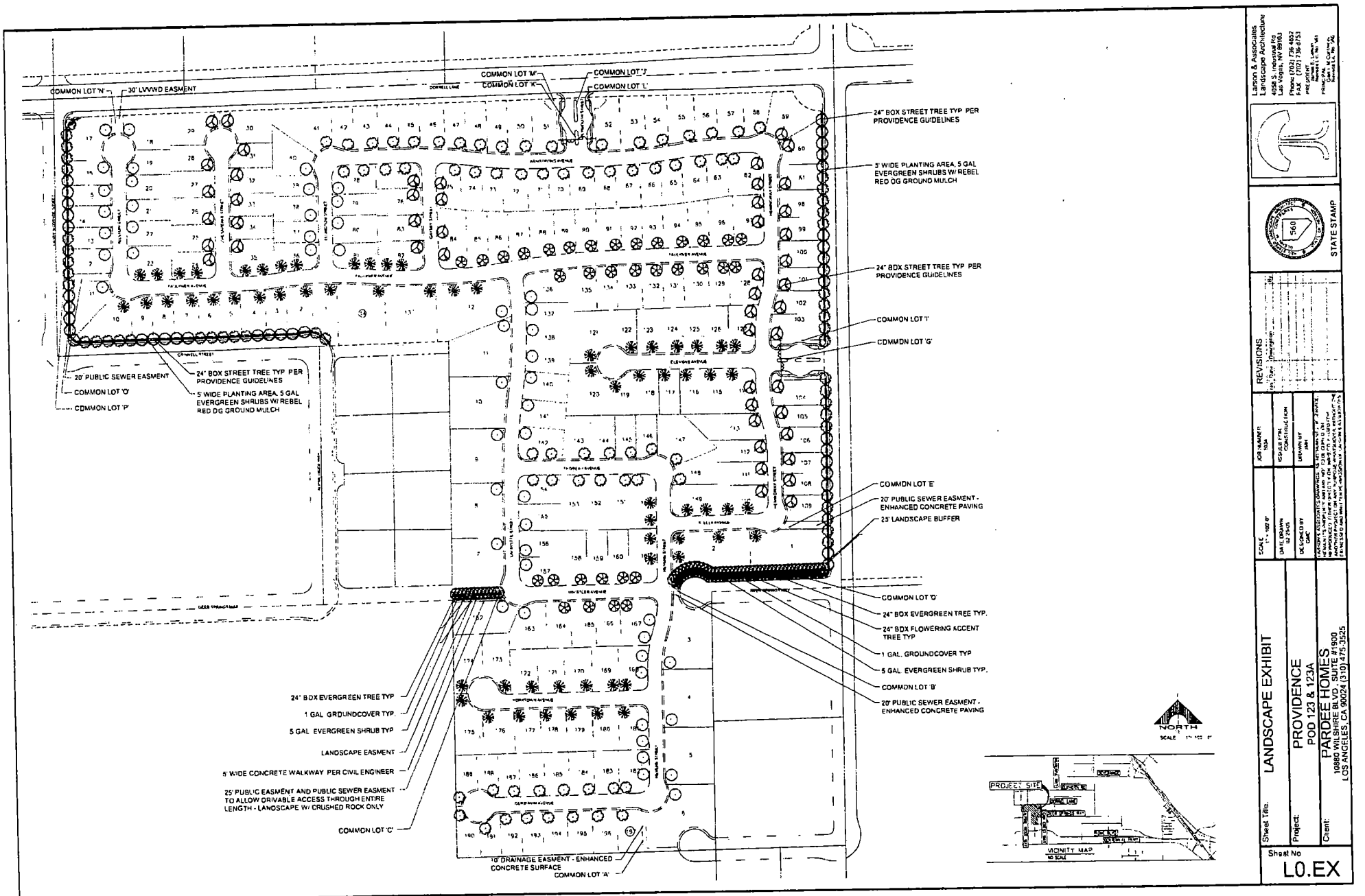
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PARDEE HOMES OF NEVADA
PROVIDENCE
SIDE DEVELOPMENT PLAN POD 123 + 123A

DATE: 02/28/05
DRAFTER: DMB
DESIGNER: DMB
CHECKED: T.S
PROJECT NO
PAR0401-001

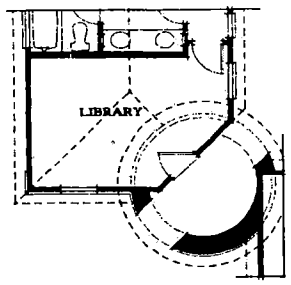
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SDR-6201
04-14-05 PC

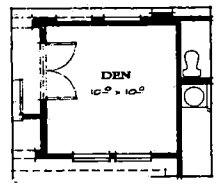


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04-14-05 PC

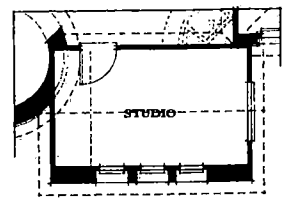
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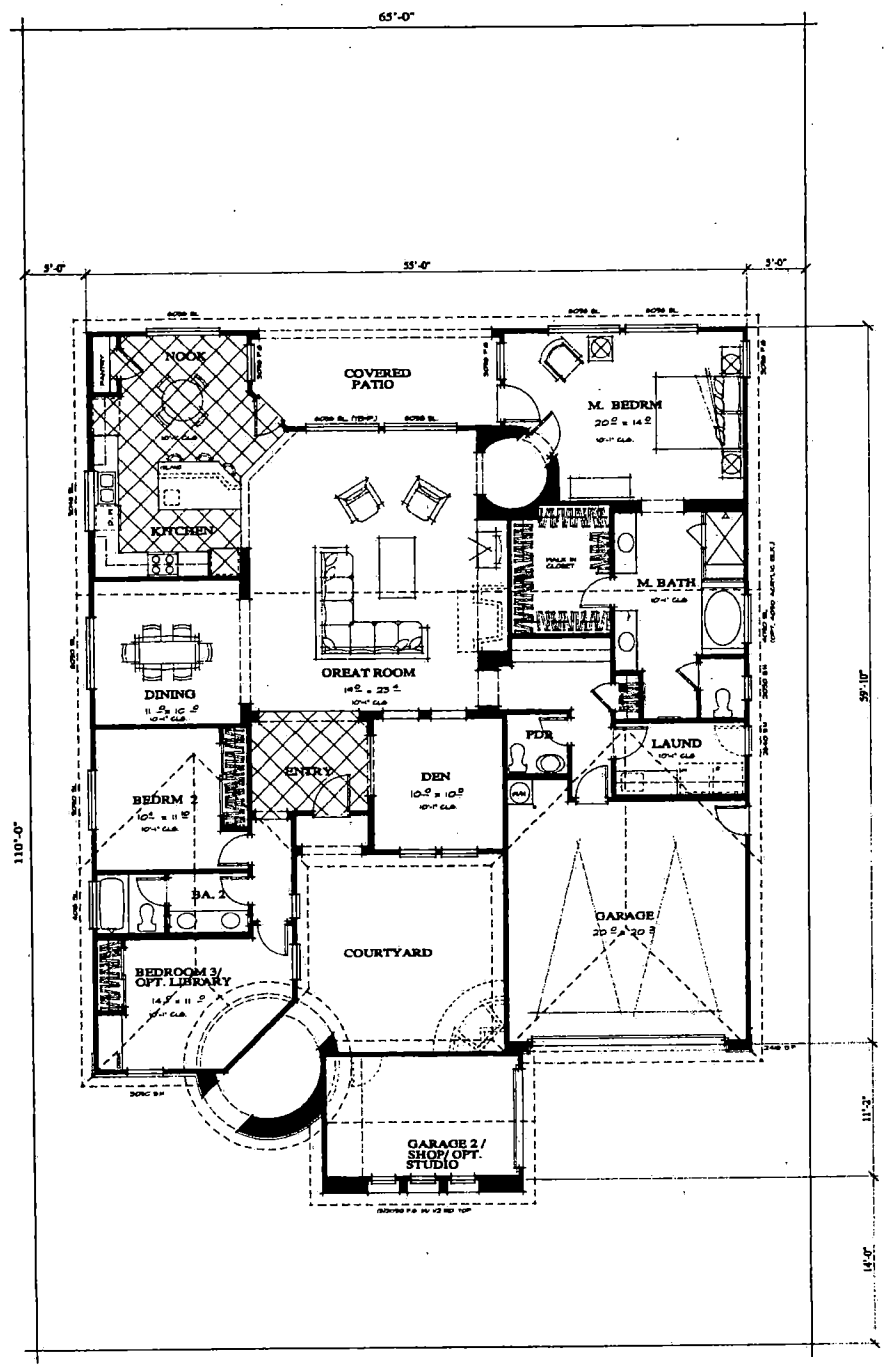
OPT. LIBRARY



OPT. DEN



OPT. STUDIO



SDR-6201
04-14-05 PC

PLAN 1 ◉ 2,416 SQ. FT.

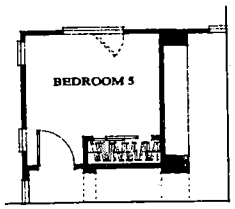
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Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3325

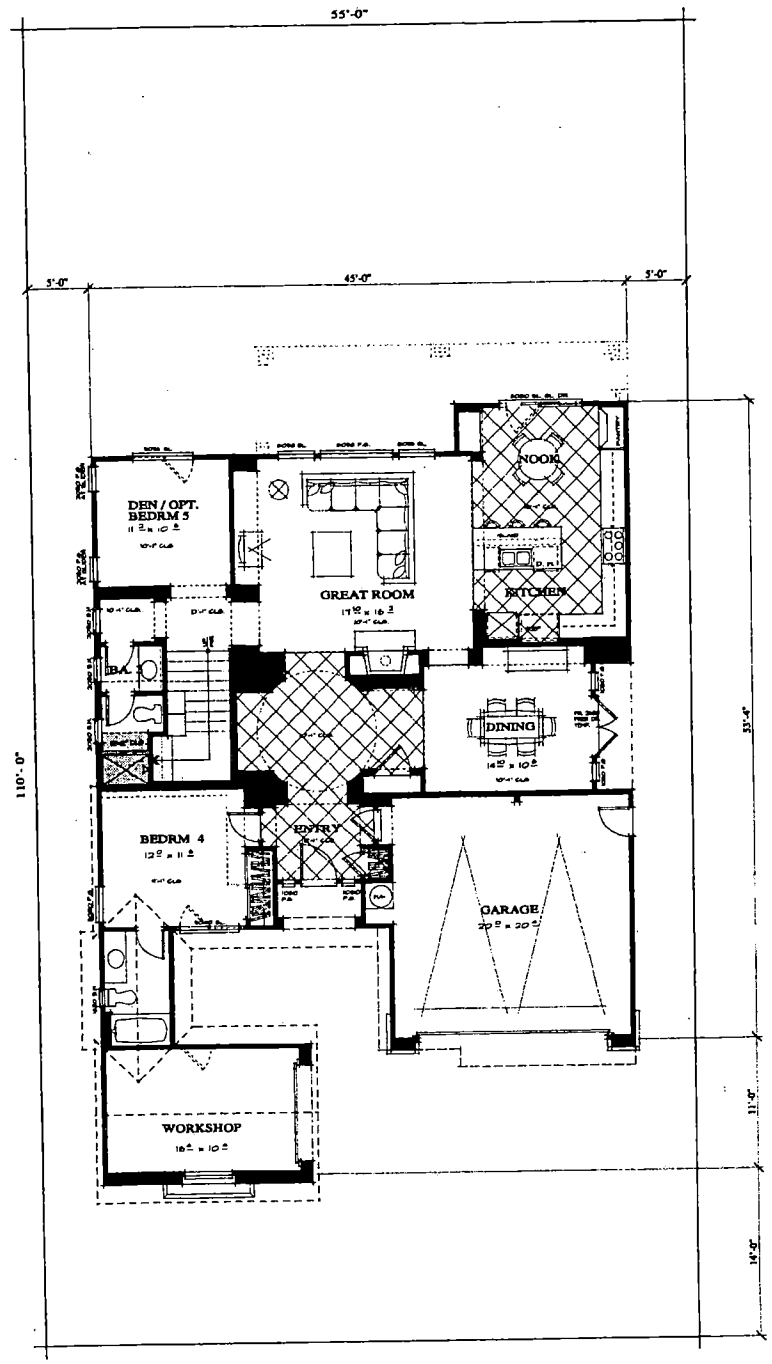
■ PROVIDENCE ■

PRODUCT "B"

BASSENIAN
LAGONI
Architecture and Land Planning
1-14-05
023-05006



OPT. BEDROOM 5



SDR-6201
04-14-05 PC

RECEIVED

PLAN 4 ◎ 3,318 SQ. FT.

PROVIDENCE

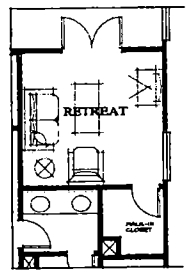
PRODUCT "B"

Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3525

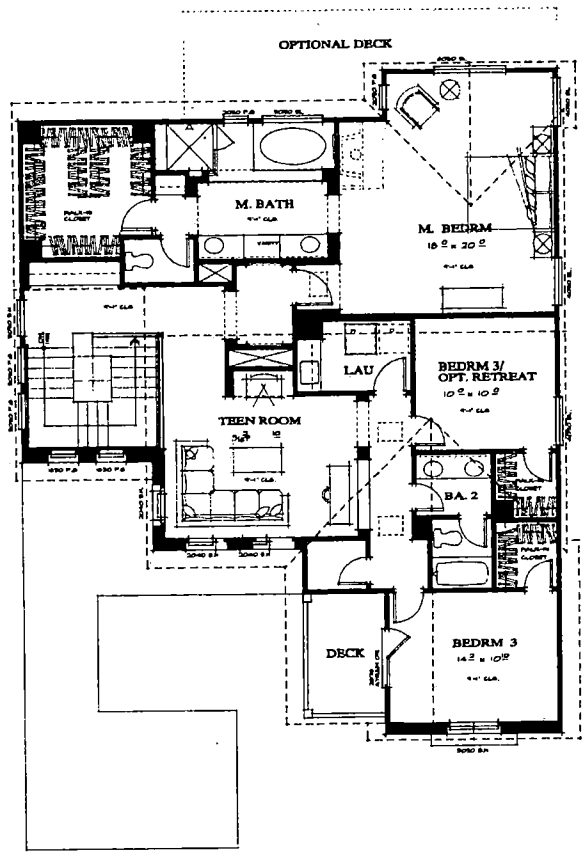
BASSENIAN
LAGONI

1-14-05

023-05006



OPT. RETREAT



SDR-6201
04-14-05 PC

PLAN 4 ◎ SECOND FLOOR

Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3525

▪ PROVIDENCE ▪

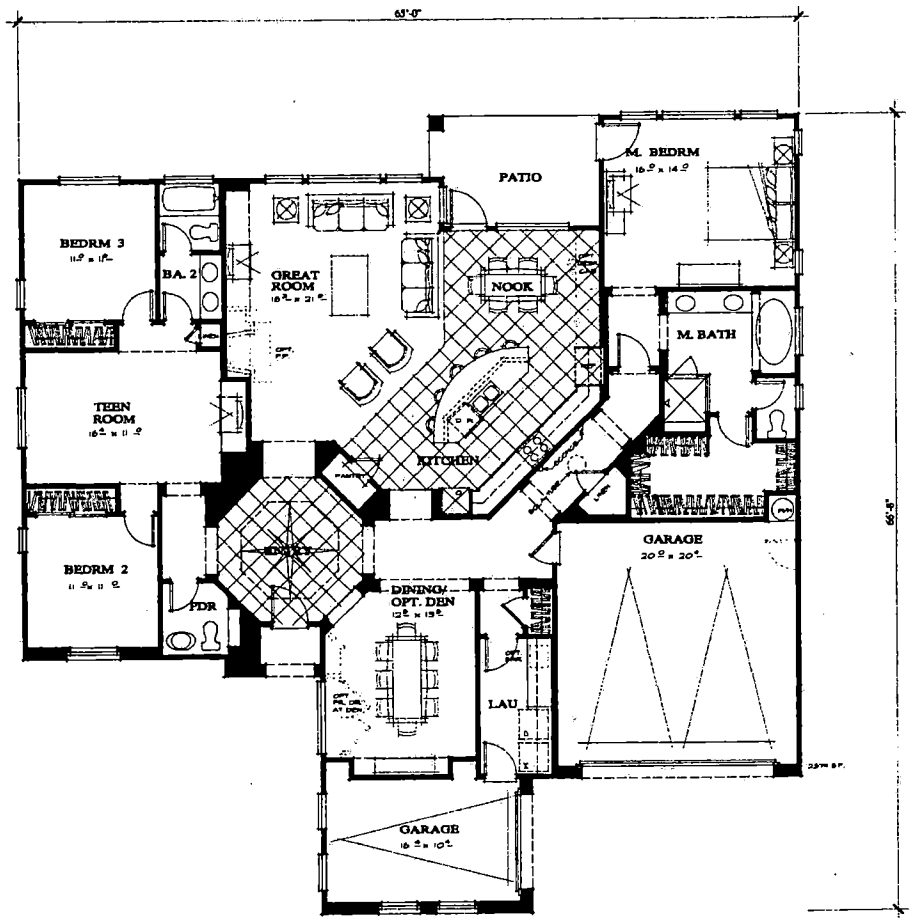
PRODUCT "B"

BASSENIAN
LAGONI

1-14-05

023-05006

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SDR-6201
04-14-05 PC

PLAN 1 • 2,579 SQ. FT.

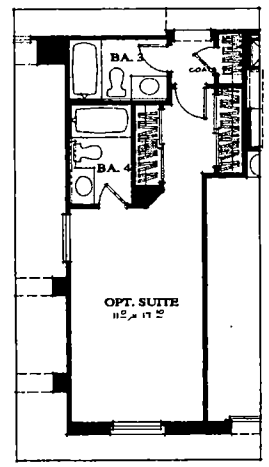
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PRODUCT "C"

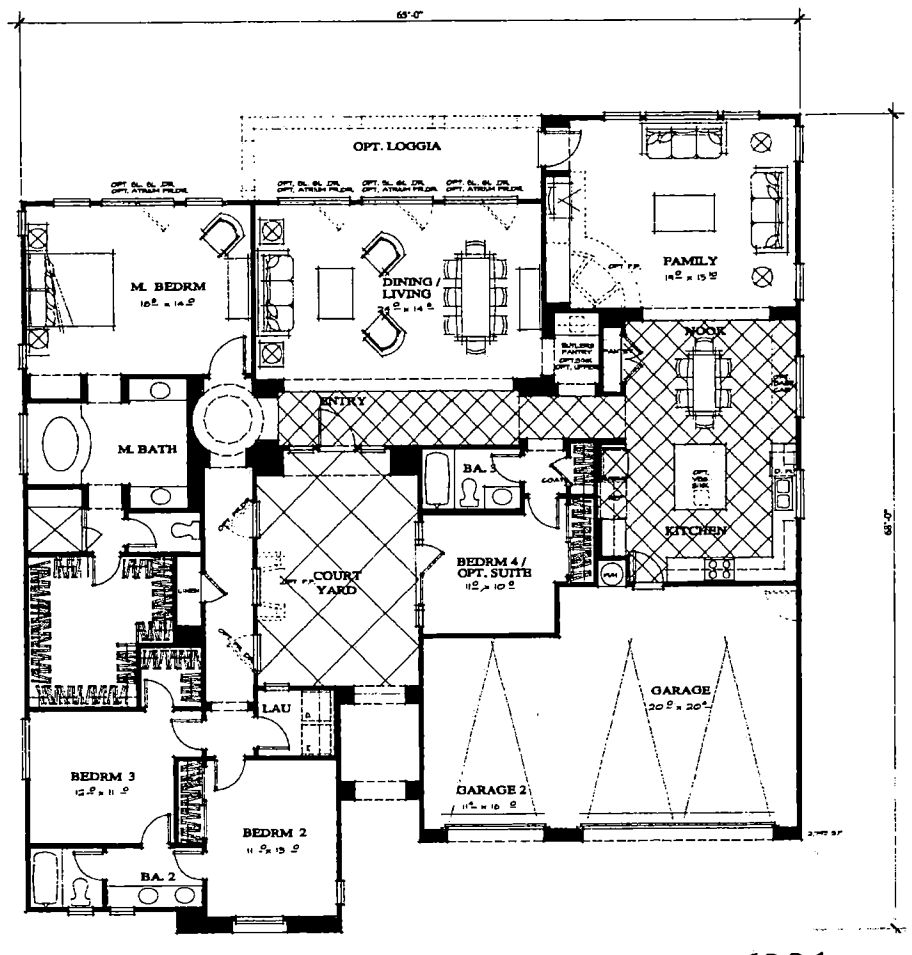
Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3525

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LACONI
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OPTIONAL SUITE



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04-14-05 PC

Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3525

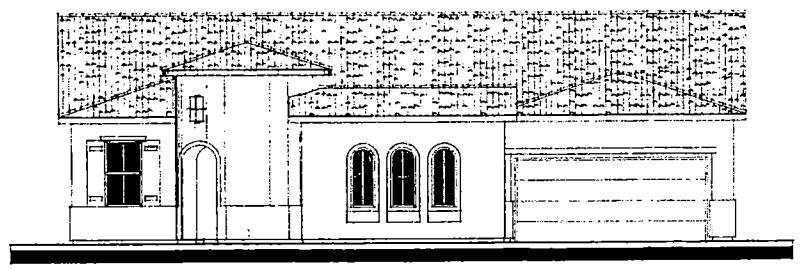
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PROVIDENCE

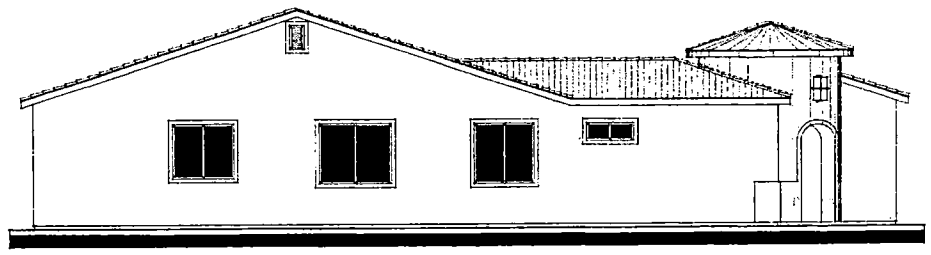
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BASSENIAN LAGONI
023-05007

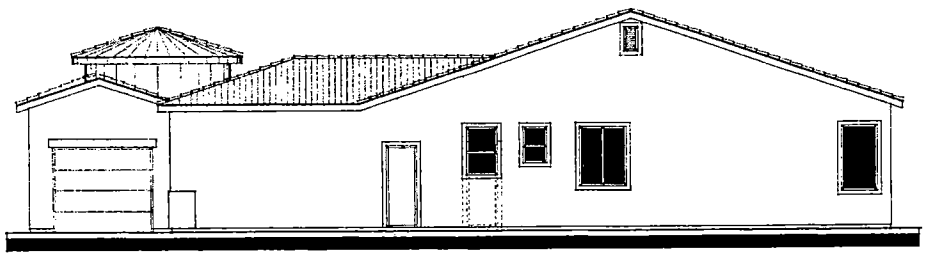
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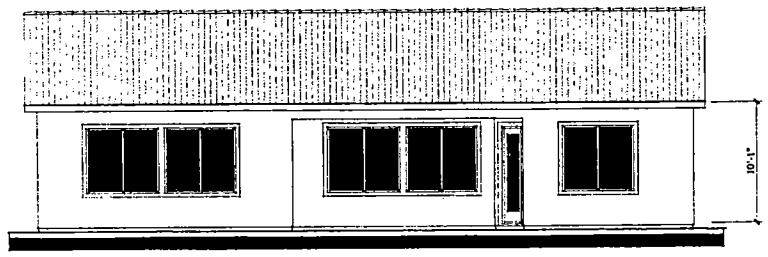
FRONT



LEFT



RIGHT



REAR

SDR-6201
04-14-05 PC

PLAN 1
SPANISH COLONIAL

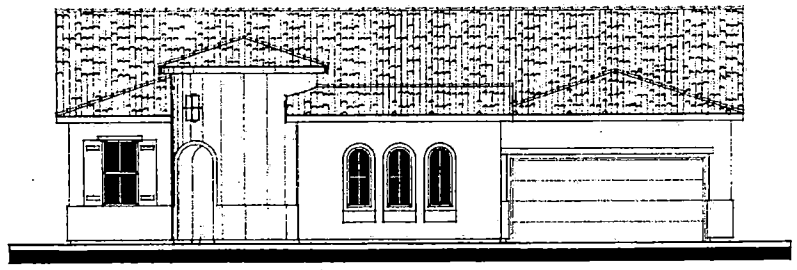
Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3525

■ PROVIDENCE ■
PRODUCT "B"

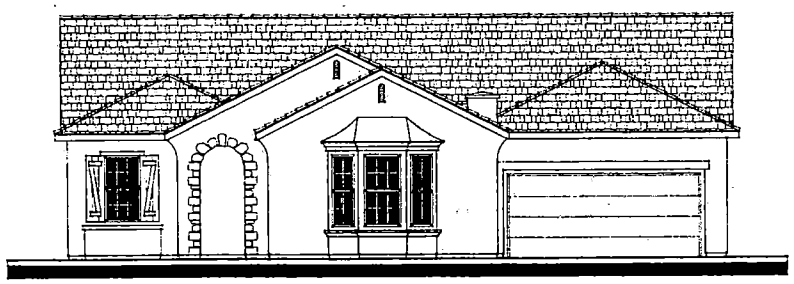
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LAGONI
023-05006

1-14-05

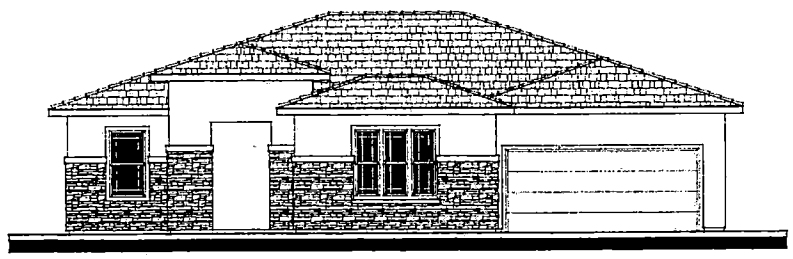
RECEIVED



SPANISH COLONIAL



COUNTRY EUROPEAN



PRAIRIE RANCH

SDR-6201
04-14-05 PC

PLAN 1

FRONT ELEVATIONS

■ PROVIDENCE ■

PRODUCT "B"

Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3523

BASSENIAN
LAGONI

RECEIVED

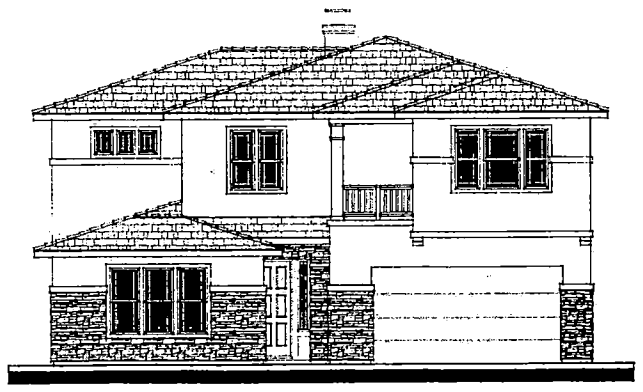
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SPANISH COLONIAL



COUNTRY EUROPEAN



PRAIRIE RANCH

RECEIVED

SDR-6201
04-14-05 PC

PLAN 4
FRONT ELEVATIONS

▪ PROVIDENCE ▪
PRODUCT "B"

Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3525

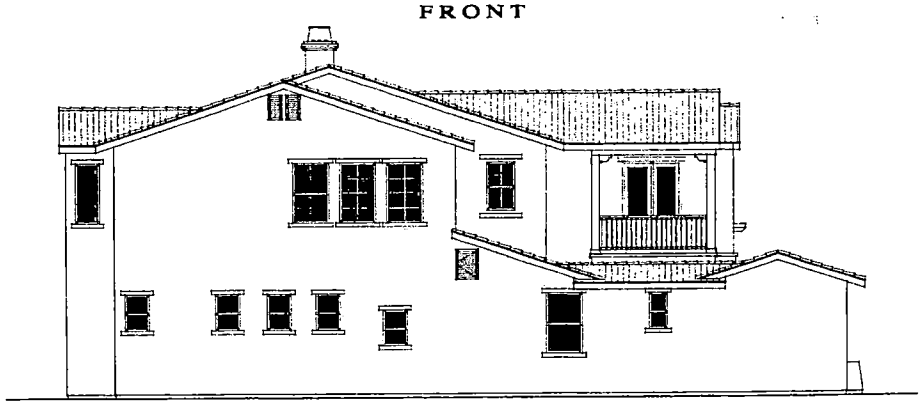
BASSENIAN
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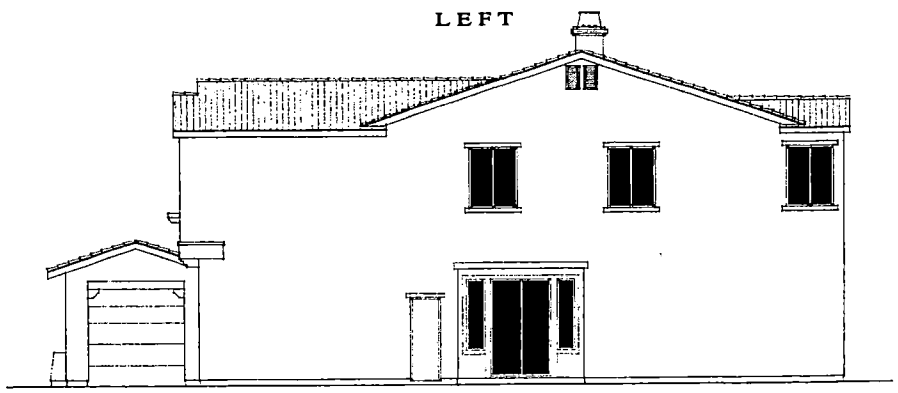
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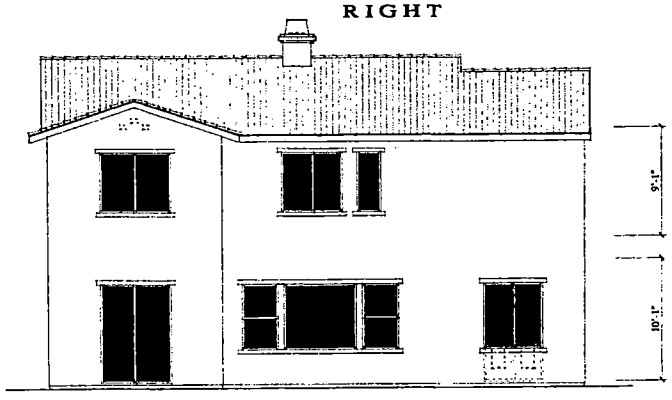
FRONT



LEFT



RIGHT



REAR

SDR-6201
04-14-05 PC

RECEIVED

PLAN 4
SPANISH COLONIAL

▪ PROVIDENCE ▪
PRODUCT "B"

Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3525

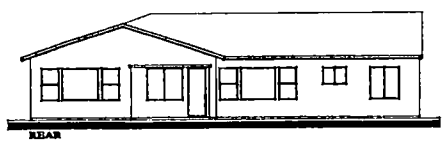
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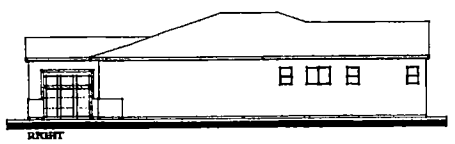
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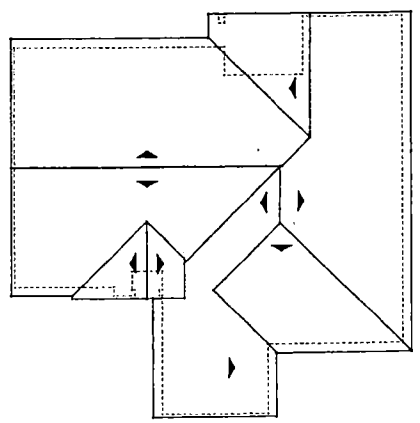
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LEFT



RIGHT



ROOF PLAN

SDR-6201
04-14-05 PC

PLAN 1 ELEVATIONS
SPANISH

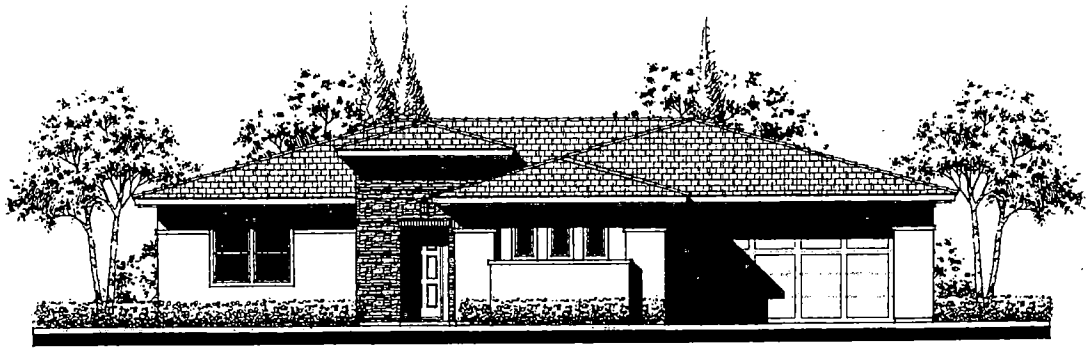
Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3525

■ PROVIDENCE ■
PRODUCT "C"

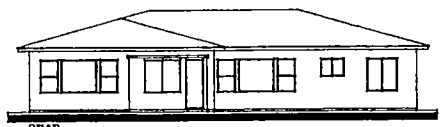
BASSENIAN
LACONI

1-14-05

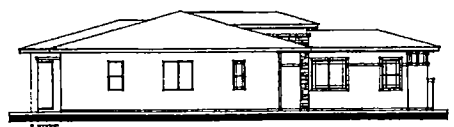
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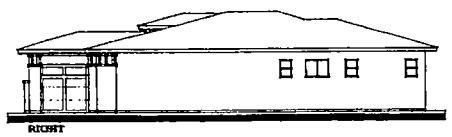
FRONT



REAR



LEFT



RIGHT

ROOF PLAN

SDR-6201
04-14-05 PC

PLAN 1 ELEVATIONS
PRAIRIE RANCH

Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3525

■ PROVIDENCE ■
PRODUCT "C"

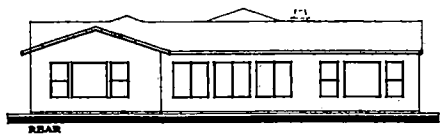
BASSENIAN
LAGONI
Architecture and Land Planning
Newport Beach, CA
Telephone

1-14-05

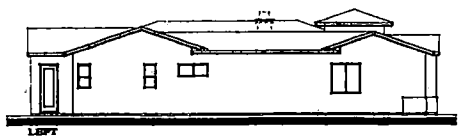
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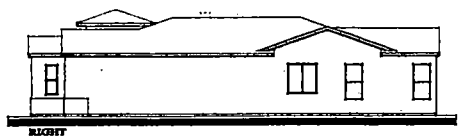
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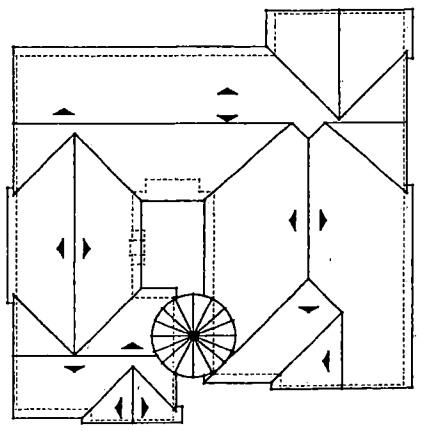
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LEFT



RIGHT



ROOF PLAN

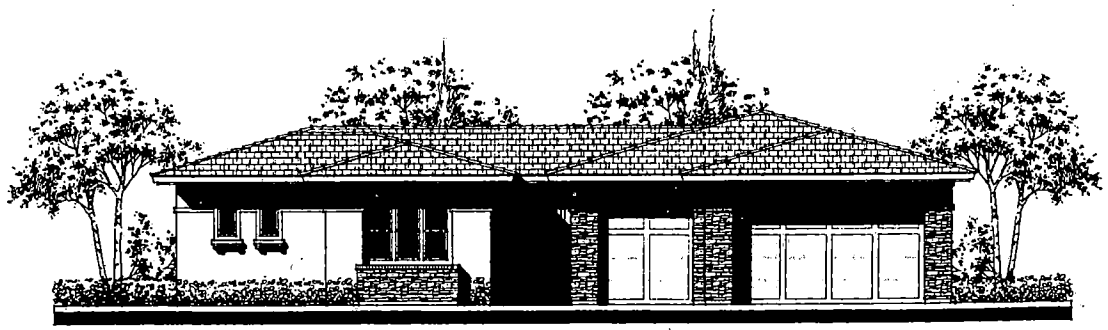
SDR-6201
04-14-05 PC

PLAN 2 ELEVATIONS
SPANISH

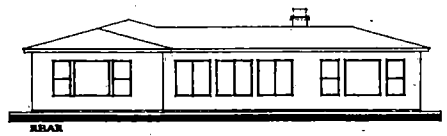
Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3525

■ PROVIDENCE ■
PRODUCT "C"

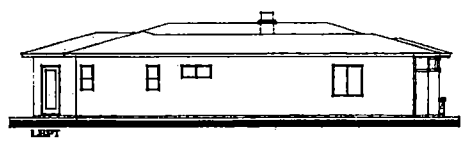
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1-14-05
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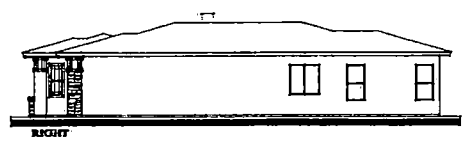
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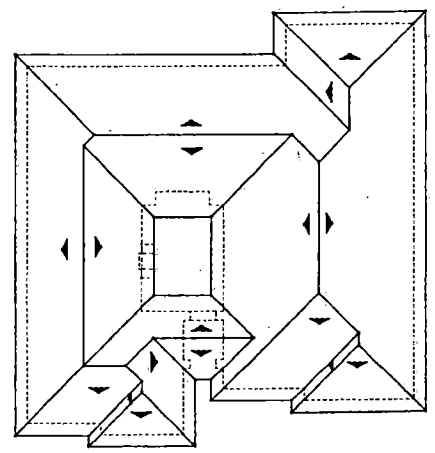
REAR



LEFT



RIGHT



ROOF PLAN

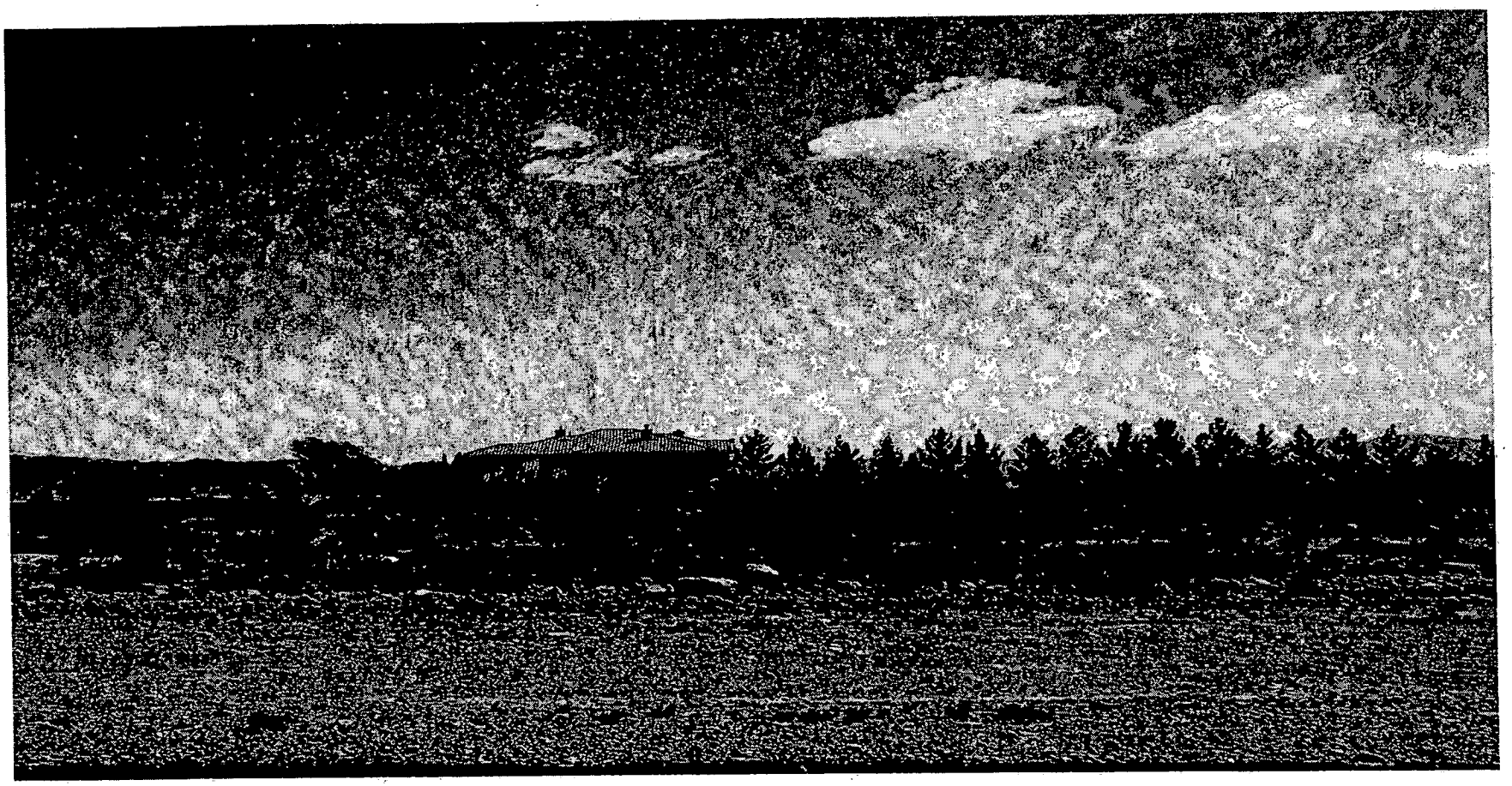
SDR-6201
04-14-05 PC

PLAN 2 ELEVATIONS
PRAIRIE RANCH

Pardee Homes
10880 WILSHIRE BLVD. SUITE 1900
LOS ANGELES, CA 90024
(310) 475-3525

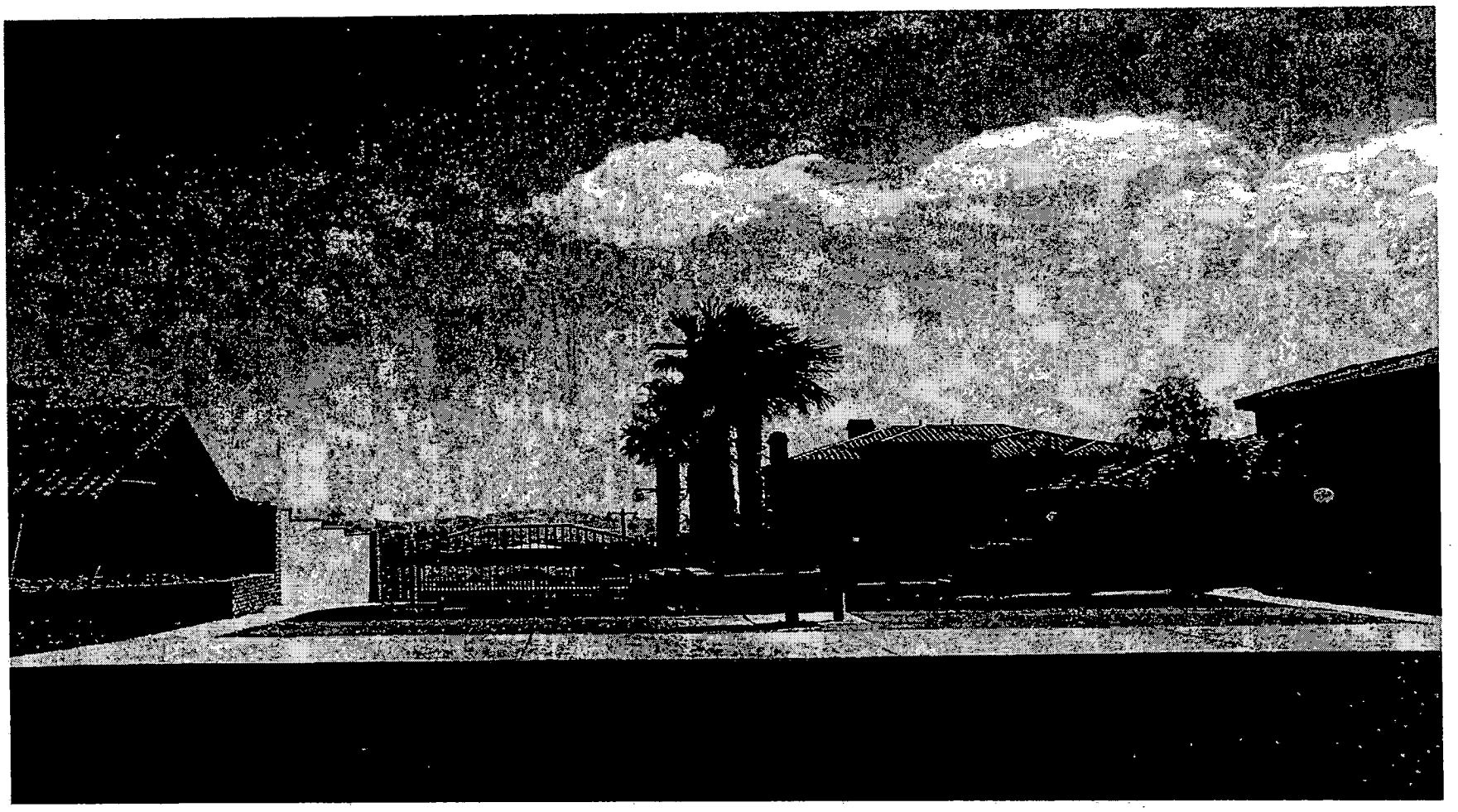
■ PROVIDENCE ■
PRODUCT "C"

BASSENIAN
LAGONI
1-14-05
023-05007



SDR-6201 - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE, LLC
SOUTHWEST CORNER OF EGAN CREST WAY AND DORRELL LANE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SDR-6201 - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE, LLC
SOUTHWEST CORNER OF EGAN CREST WAY AND DORRELL LANE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



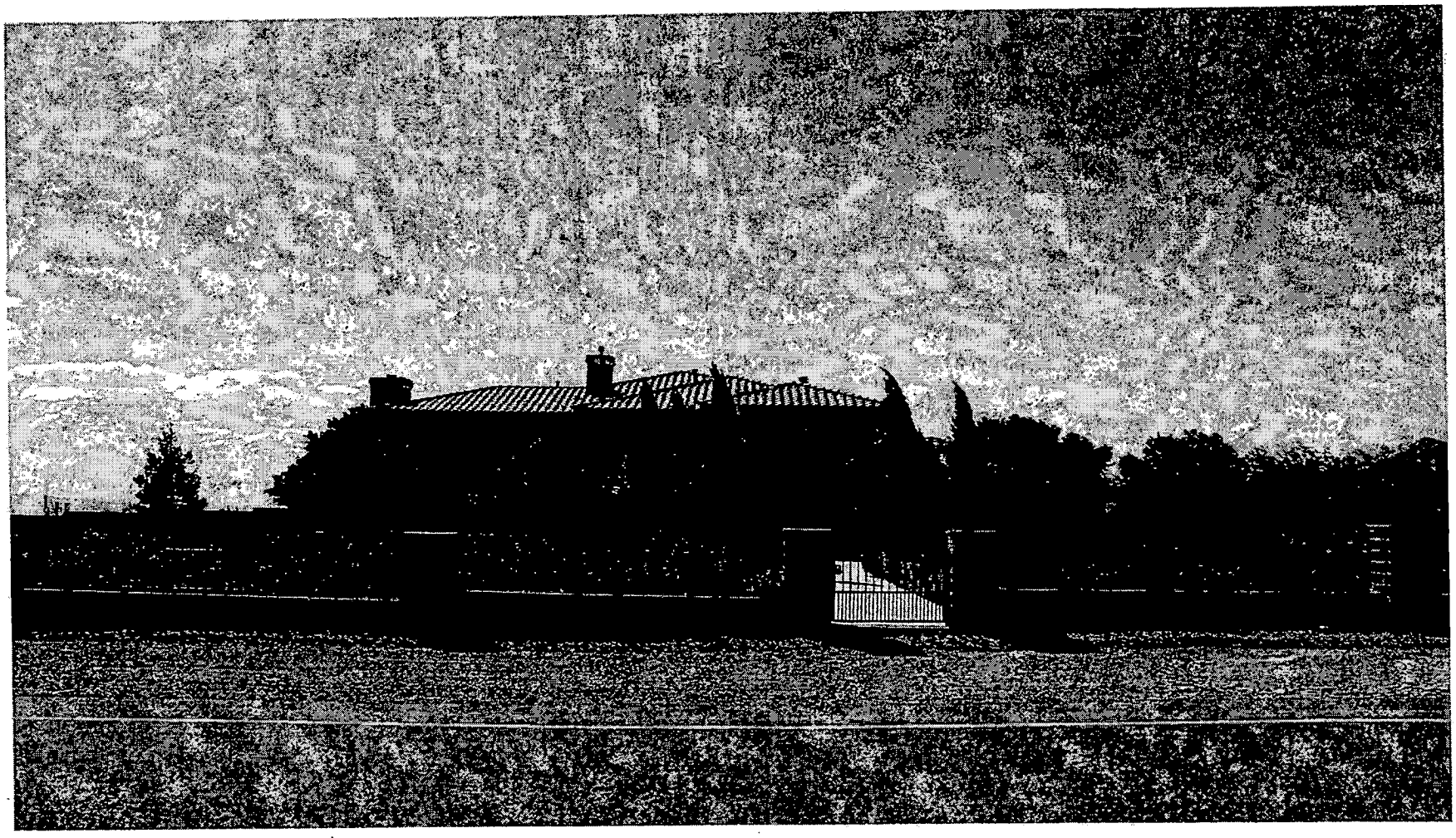
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SOUTHWEST CORNER OF EGAN CREST WAY AND DORRELL LANE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SDR-6201 - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE, LLC
SOUTHWEST CORNER OF EGAN CREST WAY AND DORRELL LANE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SDR-6201 - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: PARDEE HOMES OF NEVADA AND CLIFFS EDGE, LLC
SOUTHWEST CORNER OF EGAN CREST WAY AND DORRELL LANE
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.

SDR-6201

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.: 59

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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 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).

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 – UNANIMOUS

This is Final Action

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

DEREK ALLEN, Planning and Development Department, stated that this project is part of the Las Vegas Technology Center development. It is Phase II of a development approved in 2001 for a 55,483 square foot medical office complex. This will include three buildings totaling 27,600 square feet. The applicant is requesting waivers for the perimeter and landscaping requirements. The project meets parking requirements and will be compatible with the Phase I development.

TYLER CORBICH, Box Canyon Professional Park Phase II, appeared on behalf of the applicant

MINUTES – Continued:
with RICK MURRAY, an original developer of the park. He stated that this is a continuation of the existing first phase and they concurred with all conditions.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:28 – 10:31)

3-2817

CONDITIONS:
Planning and Development

1. All building elevations in Box Canyon-Phase 2 are to be consistent with existing building elevations in Box Canyon-Phase 1.

2. All building materials, exterior color schemes and signage in Box Canyon-Phase 2 are to be consistent with the building materials, exterior color schemes and signage in Box Canyon-Phase 1.

3. Waivers of the perimeter and foundation landscaping shall be granted.

4. All development shall be in conformance with the site plan date stamped March 23, 2005 and building elevations and landscaping date stamped March 1, 2005 except as amended by conditions herein.

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

6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

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

CONDITIONS – Continued:

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

10. 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.

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

12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.

13. 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.

14. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

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

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

Public Works

17. 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. Construct all incomplete half-street improvements (sidewalk) on Box Canyon Drive adjacent to this site concurrent with development of this site.

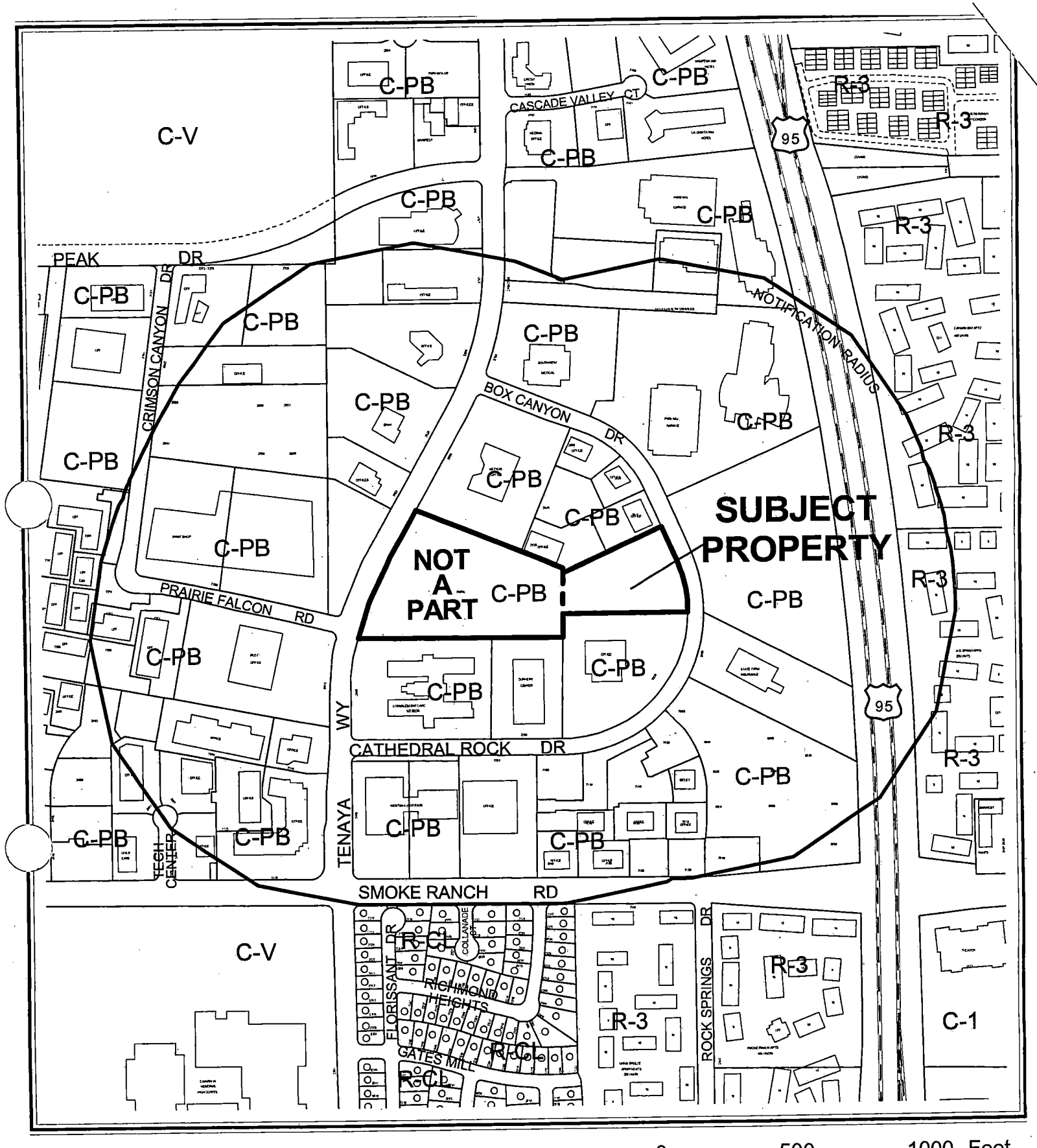
18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits,

CONDITIONS – Continued:

submittal of any construction drawings or the submittal 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.

19. 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.

20. Site development to comply with all applicable conditions of approval for Z-68-85 and all other applicable site-related actions.



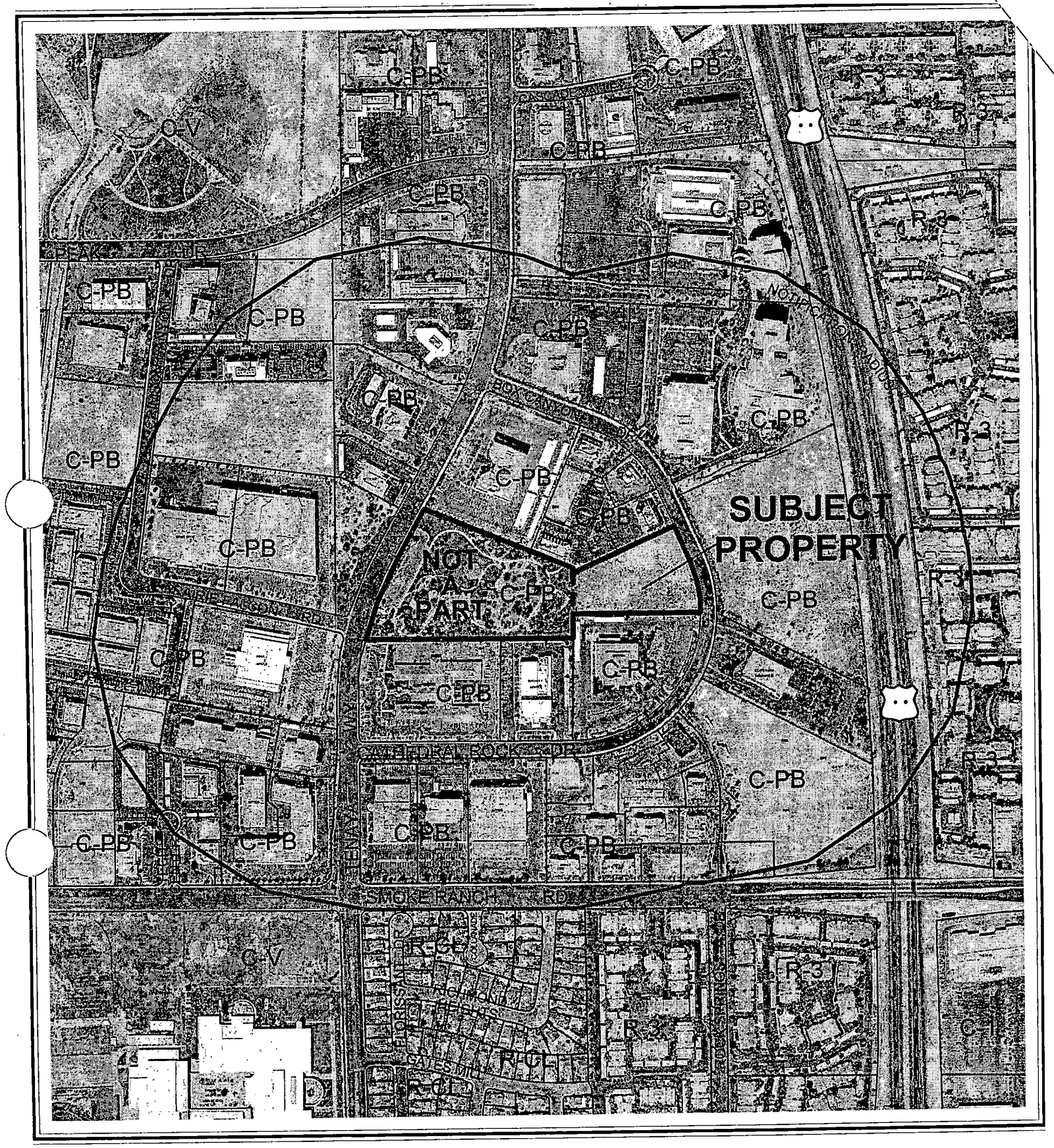
CASE: **SDR-6211**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

0 500 1000 Feet

N



0 500 1000 Feet

CASE: **SDR-6211**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6211 - APPLICANT: HY-RAY LLC - OWNER: BOX CANYON PROFESSIONAL PARK PHASE II, LLC

** CONDITIONS **

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

Planning and Development

1. All building elevations in Box Canyon-Phase 2 are to be consistent with existing building elevations in Box Canyon-Phase 1.

2. All building materials, exterior color schemes and signage in Box Canyon-Phase 2 are to be consistent with the building materials, exterior color schemes and signage in Box Canyon-Phase 1.

3. Waivers of the perimeter and foundation landscaping shall be granted.

4. All development shall be in conformance with the site plan date stamped March 23, 2005 and building elevations and landscaping date stamped March 1, 2005 except as amended by conditions herein.

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

6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

8. 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.

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

10. 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.

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

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13. 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.

14. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

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

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

Public Works

17. 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. Construct all incomplete half-street improvements (sidewalk) on Box Canyon Drive adjacent to this site concurrent with development of this site.

18. 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 submittal 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.

19. 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.

20. Site development to comply with all applicable conditions of approval for Z-68-85 and all other applicable site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 27,600 square foot medical office development on 2.45 acres located on the west side of Box Canyon Drive, approximately 700 feet east of Tenaya Way.

B) Applicant's Justification

The applicant indicates that the site will continue to build on the effort of the city; to incorporate more technology advanced business in the Las Vegas Technology Center.

BACKGROUND INFORMATION

A) Previous Actions

11/20/85 The City Council approved a Rezoning (Z-0068-85) to C-PB (Planned Business Park) zoning for this site, as part of a larger request.

09/05/01 The City Council approved a Site Development Plan Review for a proposed 55,483 square-foot medical office complex on 6.2 acres. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

01/26/05 The following information was discussed at the pre-application meeting:

- If proposed, the recording studio requires a SUP.
- Traffic signal impact fee does not apply, but may require additional R.O.W. at intersections.
- Drainage study to be updated with a joint access agreement.
- Section showing compliance with Residential Adjacency standards.
- Parking as shown requires a Variance unless cross access is provided.

BTS

- Commercial development standards require; six feet of landscaping between buildings and parking of one tree every six spaces.
- All mechanical equipment is required to be screened.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.45

B) Existing Land Use

Subject Property:	Undeveloped
North:	Office building
South:	Office building
East:	Undeveloped
West:	Recreational Facility

C) Planned Land Use

Subject Property:	LI/R (Light Industrial/Research)
North:	LI/R (Light Industrial/Research)
South:	LI/R (Light Industrial/Research)
East:	LI/R (Light Industrial/Research)
West:	LI/R (Light Industrial/Research)

D) Existing Zoning

Subject Property:	C-PB (Planned Business Park)
North:	C-PB (Planned Business Park)
South:	C-PB (Planned Business Park)
East:	C-PB (Planned Business Park)
West:	C-PB (Planned Business Park)

E) General Plan Compliance

The site is designated LI/R (Light Industrial/Research) within the Southwest Sector Plan of the General Plan. The LI/R (Light Industrial/Research) category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed. The proposed office development is a permitted use within the land use category.

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

This site is located within the Las Vegas Technology Center. Therefore, the applicant is required to obtain approval from the Technology Center Architectural Review Committee, prior to approval from the City.

The applicant received approval from the Technology Center Architectural Review Committee on January 11, 2005 subject to the following conditions:

1. All building elevations in Box Canyon-Phase 2 are to be consistent with existing building elevations in Box Canyon-Phase 1.

2. All building materials, exterior color schemes and signage in Box Canyon-Phase 2 are to be consistent with the building materials, exterior color schemes and signage in Box Canyon-Phase 1.

3. The Utility, Landscape and Irrigation Plans for Box Canyon-Phase 2 are to be submitted to the City of Las Vegas for review and approval.

BTS

PROJECT DESCRIPTION

The applicant proposes to build three office buildings, which total 27,600 square feet. This site plan represents Phase II of the previously approved Site Development Plan Review (Z-0068-85(56) for Phase I. Phase I was approved on 09/05/01 for 55,483 square foot medical office complex on 6.2 acres. The Phase I buildings have since been parceled out and do not include the 2.45 subject acres for Phase II. The site is accessed via Box Canyon Drive. The site is required to provide 350 parking spaces. The applicant has provided 351 parking spaces. The height of the three buildings is 27 feet 9 inches. The elevations, color, and signage will match Box Canyon Phase I as conditioned.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	464 Feet	Y
Min. Setbacks			
• Front	20 Feet	30 Feet	Y
• North Side	10 Feet	10 Feet	Y
• South Side	20 Feet	15 Feet	Y
• Rear	15 Feet	15 Feet	Y
Max. Lot Coverage	50 %	28%	Y
Trash Enclosure	Y	Y	Y

The applicant meets or exceeds all standards pursuant to Title 19.08.

A2) Residential Adjacency Standards

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

Residential Adjacency Standards do not apply to the subject site.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required**			**Provided**	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office, Medical and Dental	27,600 SF.	1 space for each 200 sf of gfa up to 2,000 sf, plus one space for each additional 175 sf	157	6	152	6

The above-mentioned table represents Phase II of Box Canyon. The total number of required parking spaces for Phase I an II is 350 parking spaces. The applicant has provided 351 total spaces. The applicant has submitted a cross access parking agreement, which allows for shared parking between Phase I and Phase II of Box Canyon. Although the applicant does not meet parking in Phase II, the cross access agreement enables the overall site to have sufficient parking.

A4) Landscape and Open Space Standards

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

Standards	**Required**		**Provided**
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	25 Trees	31 Trees
Buffer: • Min. Trees	1 Trees/ 30 Linear Feet	32 Trees	23 Trees
• Min. Zone Width (East)	15 Feet		30 Feet
• South and West	8 Feet		15 Feet
• Wall height	8 Feet		N/A

The applicant is requesting Waivers from the perimeter and foundation landscaping. The Waivers are discussed in more detail in the General Analysis and Discussion section of the report.

B) General Analysis and Discussion

- Zoning

  The C-PB (Commercial Planned Business Park) District allows industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, research, development and testing laboratories; medical related uses and ancillary commercial uses in an Industrial Office Park setting. The C-PB District is consistent with the Light Industry/Research category of the General Plan. The C-PB (Commercial Planned Business Park) District is consistent with the Light Industrial/Research category of the General Plan.

- Site Plan

  The site plan depicts three buildings, which total 27,600 square-feet. The proposed site shares parking with the first phase of the development, located on the parcel to the north. A parking agreement between both parcels has been recorded. The site is accessed from Box Canyon Drive and provides a total of 351 parking spaces.

- Waivers

  The applicant does not meet the buffer and foundation landscape requirements. The applicant is required to provide one tree every thirty feet on center for landscape buffering. Additionally, the landscape plan does not meet the foundation landscaping requirement. Foundation landscaping is missing from the three proposed buildings. Since the applicant does not meet either requirement, Waivers are required.

- Landscape Plan

  The landscape plan depicts a variety of 24-inch box trees used for perimeter and parking lot landscaping, including Chilean Mesquite, Mondel Pine, and Southern Live Oak with one-gallon and five-gallon shrubs as ground cover plantings. Plant and shrub requirements call for a minimum of four five-gallon shrubs and four one-gallon shrubs for each 24-inch box tree planted.

- Elevation

  This site is located within the Las Vegas Technology Center. Therefore, the applicant is required to obtain approval from the Technology Center Architectural Review Committee, prior to approval from the City. The Technology Center Architectural Review Committee recommended the site to include; 1). All building elevations in Box Canyon-Phase 2 are to be consistent with existing building elevations in Box Canyon-Phase. 2). All building materials, exterior color schemes and signage in Box Canyon-Phase 2 are to be consistent with the building materials, exterior color schemes and signage in Box Canyon-Phase. The submitted elevations and materials board are consistent with the Committee's recommendations as conditioned.

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 as conditioned, will be compatible with development in the Las Vegas Technology Center.

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 project is consistent with the Light Industrial/Research category policies of the General Plan and the zoning regulations of the C-PB (Planned Business Park) zoning district.

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

   Principal access to the site will be from Box Canyon Drive, designated a local (60-foot) right-of-way. This street has adequate capacity to serve the proposed development.

BTS

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

   The building and landscape materials are appropriate for the area as recommended by the Technology Center Architectural Review as conditioned.

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

   As conditioned, the proposed elevations are appropriate for the intended use and present a development that will be compatible with the surrounding area.

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

   The proposed development 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 10

NOTICES MAILED 76

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6211 APN: 138-15-810-019

Name of Property Owner: BOX CANYON PROFESSIONAL PARK PHASE II, LLC

Name of Applicant: DODD HYER (HY-RAY, 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: NONE

Partner(s): NONE

APN: NONE

Signature of Property Owner: Dodd Hyer

Print Name: Dodd Hyer

Subscribed and sworn before me

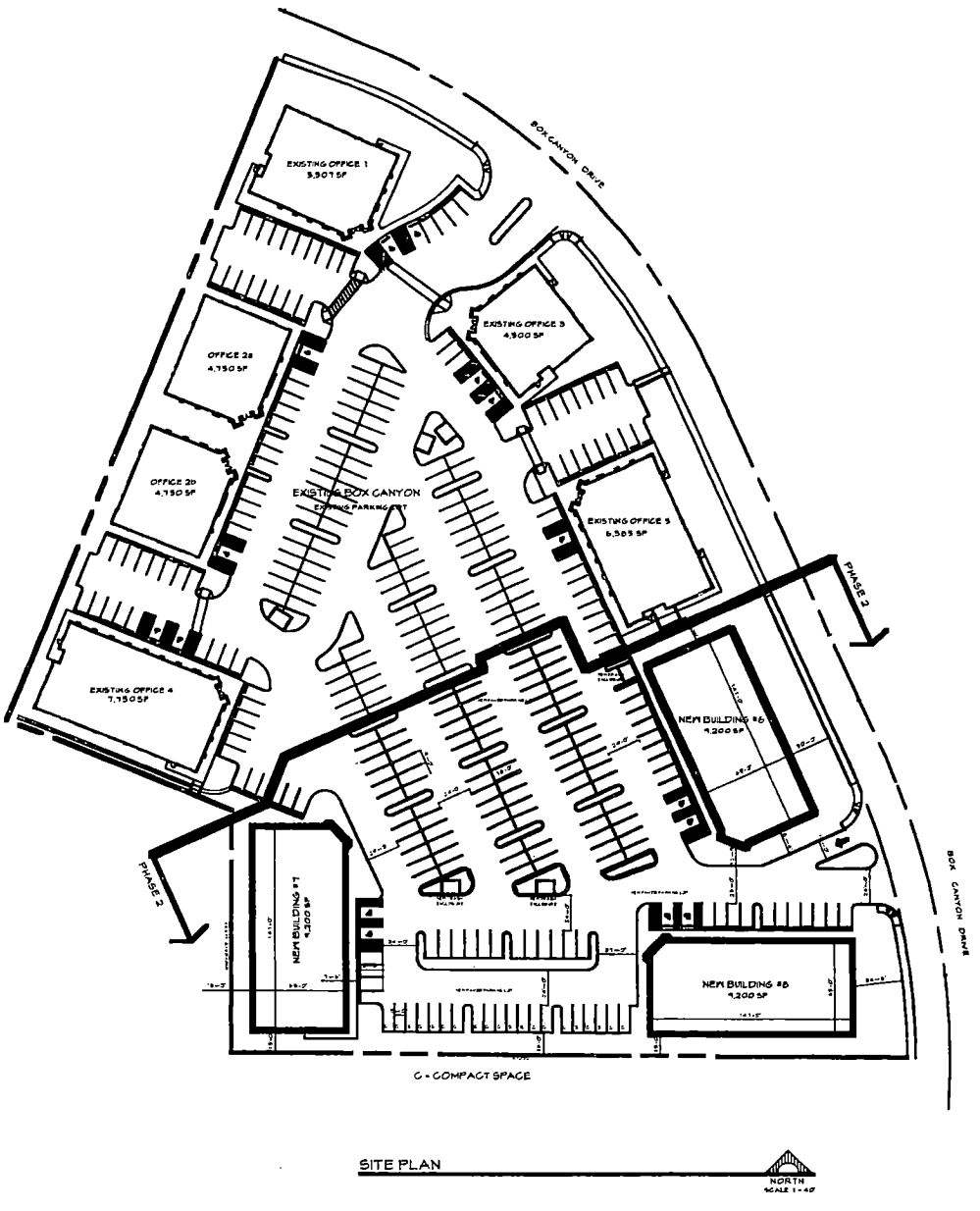
This 1 day of March, 2005

Notary Public in and for said County and State

STATE OF NEVADA
County of Clark
J. SMITH
No. 97-4387-1
My Appt. Exp. Oct. 27, 2005

Revised 12-03-04

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



SITE PLAN

NORTH
SCALE 1-40

PROJECT SYNOPSIS

APN: 138-15-710-031 EXISTING BOX CANYON
APN: 138-15-810-019 PROPOSED PHASE 2

REQUESTED: DESIGN REVIEW

ZONED: C-PB

STORIES: 1
FULLY SPRINKLED
CODE REFERENCE: IBC 2003; ANSI 98

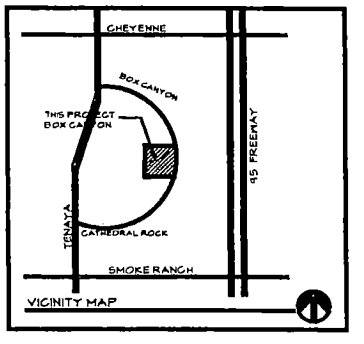
PARKING ANALYSIS : (MEDICAL / DENTAL)

PARKING REQUIRED BASED ON ONE SPACE FOR 200 S F FOR FIRST 2,000 S.F. THEN ONE SPACE FOR EACH 175 S.F. PER BUILDING

BUILDING GROSS BLDG. = 61,442 S.F.
1ST - 2,000 S.F. = 10 SPACES
REMAINING 59,442 S.F. / 175 = 340 SPACES
PARKING REQUIRED = 350 SPACES
PARKING PROVIDED = 351 SPACES

RECEIVED

MAR 2 3 2005



VICINITY MAP

SDR-6211
04-14-05 PC
REVISED 3-23-05

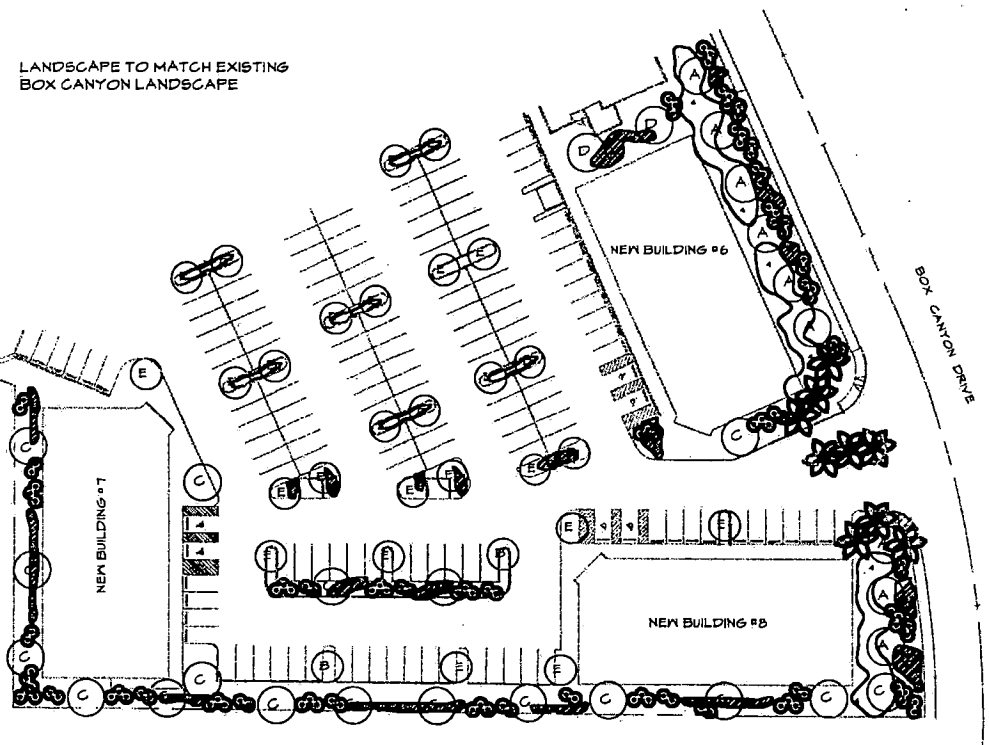
BOX CANYON PHASE 2
ARCHITECTURAL SITE / SYNOPSIS

REVISIONS
2/22/05
3/21/05

RICHARD P. THIELFALL ARCHITECT, INC.
6512 WEST DIABLO DRIVE
LAS VEGAS, NEVADA 89118
(702) 388-0716 VOICE
(702) 873-1717 FAX

A-1

LANDSCAPE TO MATCH EXISTING
BOX CANYON LANDSCAPE

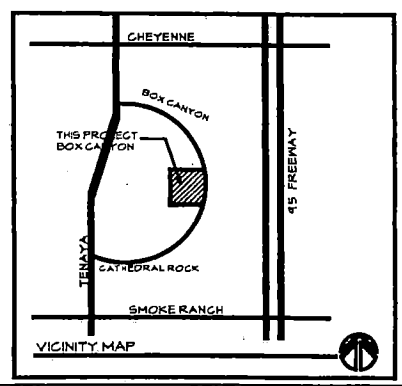


LANDSCAPE PLAN

NORTH
SCALE 1 = 30'

PLANT LEGEND

SYMBOL	COMMON NAME	SIZE	
TREES			
A	CHILEAN MESQUITE	24" BOX	QUANTITY 6
B	MONDEL PINE	48" BOX	QUANTITY 6
C	SOUTHERN LIVE OAK	24" BOX	QUANTITY 18
D	PURPLE ROSE LOCUST	24" BOX	QUANTITY 2
E	FAN TEX ASH	24" BOX	QUANTITY 33
	MEXICAN FAN PALM	15' STK	QUANTITY 5
SHRUBS			
1	TEXAS RANGER	5 GAL	4 O.C
2	FEATHERY CASSIA	5 GAL	4 O.C
3	COTONEASTER	5 GAL	4 O.C
4	ACACIA REDOLENS	5 GAL	5 O.C
5	BACCHARIS CENTENNIAL	1 GAL	5 O.C
6	LANTANA YELLOW	1 GAL	5 O.C
	DEER GRASS	5 GAL	4 O.C



SDR-6211
04-14-05 PC

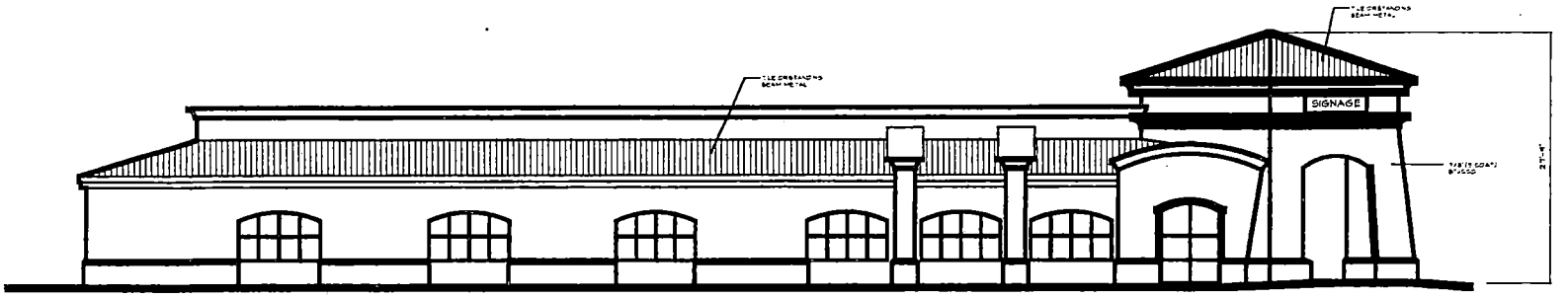
BOX CANYON PHASE 2

LANDSCAPE SITE

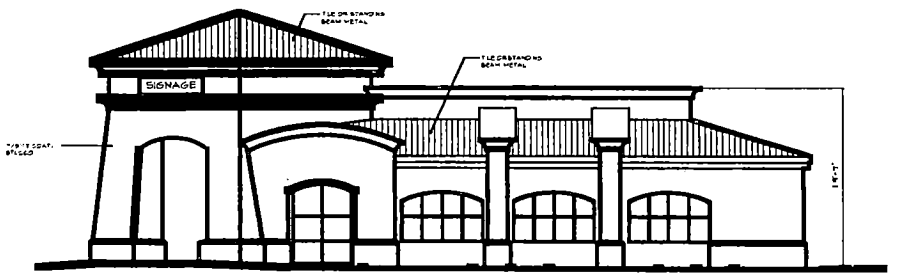
REVISIONS
3/22/05

RICHARD P. THRELFALL ARCHITECT, INC.
6512 WEST DIABLO DRIVE
LAS VEGAS, NEVADA 89118
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(702) 873-3717 FAX

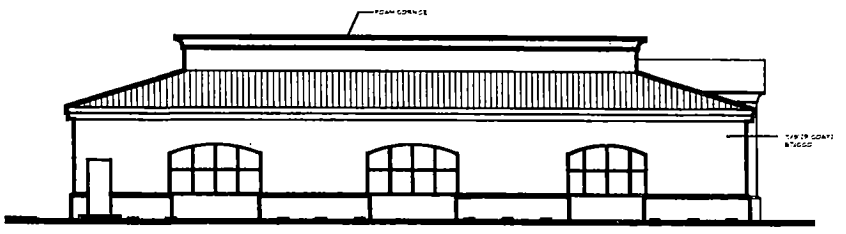
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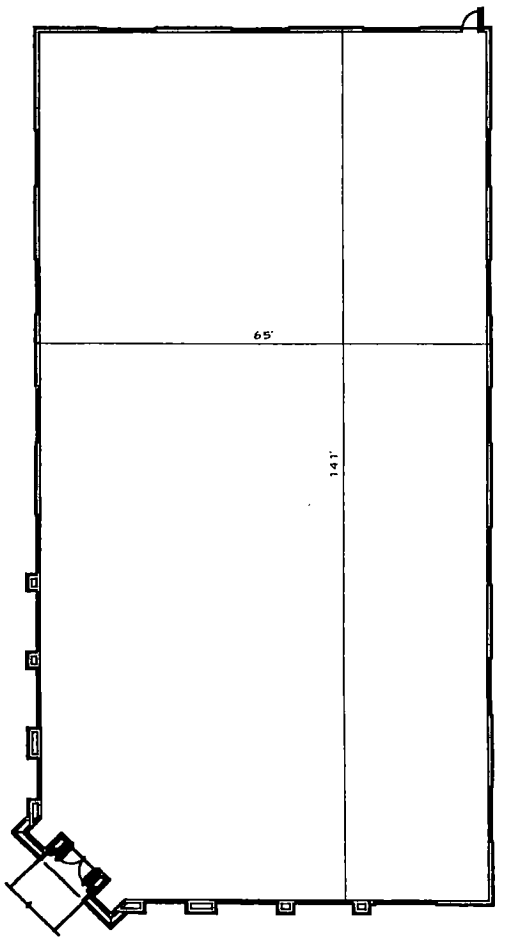
FRONT / SIDE ELEVATION
NO SCALE



FRONT ELEVATION



REAR ELEVATION



SHELL FLOOR PLAN
NO SCALE

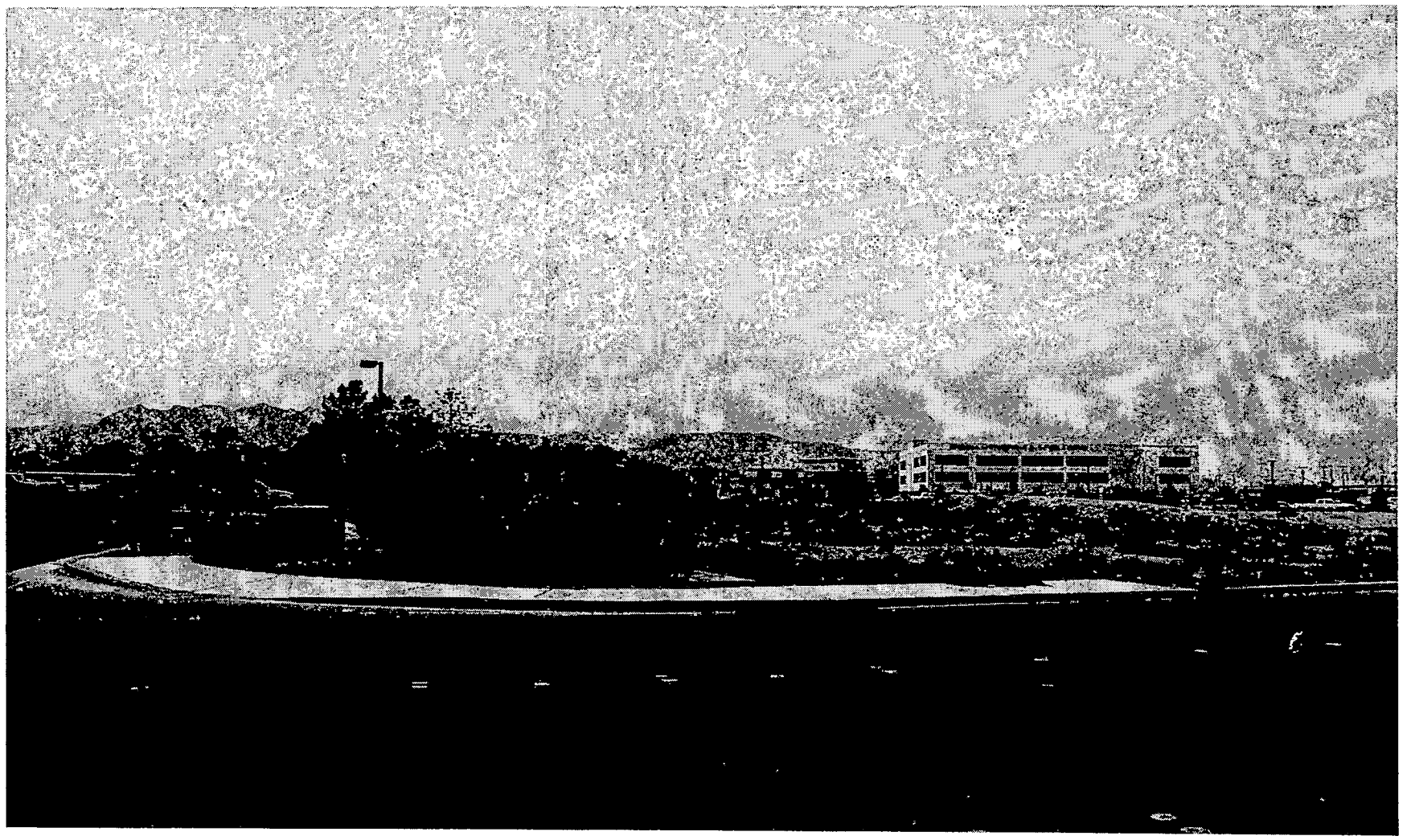
SDR-6211
04-14-05 PC

BOX CANYON PHASE 2
SHELL FLOOR PLAN / ELEVATIONS

REVISIONS
3/23/05

RICHARD P. THREIFALL ARCHITECT, INC.
6512 WEST DIABLO DRIVE
LAS VEGAS, NEVADA 89118
(702) 388-0716 VOICE
(702) 873-3717 FAX

A-2



SDR-6211 - APPLICANT: HY-RAY LLC - OWNER: BOX CANYON PROFESSIONAL PARK PHASE II, LLC
WEST SIDE OF BOX CANYON DRIVE, APPROXIMATELY 700 FEET EAST OF TENAYA WAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

2635 Box Canyon Drive
Las Vegas, NV 89128
Tel. 702-633-4994
Fax 702-254-8547

BOX CANYON PROFESSIONAL PARK

February 28, 2005

City of Las Vegas
Planning and Development Department
731 S. 4th Street
Las Vegas, Nevada 89101

Re: Site Development Plan Review

Dear Sirs:

This letter is a request for a Site Development Plan Review on Box Canyon Professional Park Phase II. The property is approximately 2.45 acres and fronts on Box Canyon Drive in the City of Las Vegas Technology Center.

We intend on building a total of three buildings in this, our second phase, primarily for the use of Medical Office. This development will continue to build on the efforts the City of Las Vegas has made to locate more tech advanced business in the Tech Center. Medical office is in full compliance with the existing uses in the Tech Center. No zoning variance should be required.

Thank you for your help with this request.

With regards,

Dodd Hyer
Manager

SDR-4211

City of Las Vegas

Agenda Item No.: 60

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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).

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 he has an interest in property that is part of the application

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 this project is unique because of a particular parking feature, which involves an interior mechanical robotic parking device. The building does encroach upon the public right-of-way; a portion of property intended to be a gateway feature some time ago. There is a condition to address that.

MINUTES – Continued:

TOM SHUMAN, JMA Architecture Studios, 10150 Covington Cross Drive, appeared with CHUNG LO on behalf of the applicant. He said the Planning staff was a pleasure to work with as always and concurred with all conditions.

MR. SHUMAN considered the project one of the downtown gateway sites as it is a very prominent site. He referenced a current rendition of the project and described the development as a 40-story residential tower, which will be a significant contribution to the skyline of Las Vegas. There will be rooftop amenities such as garden areas and a pool. MR. LO said there will be a sculpture garden as well, visible from the street.

MR. LO stated the parking system as being in operation in Europe and he is personally familiar with one of the larger systems, which has been used in Korea for more than 10 years. It occupies more than ten million square feet of a shopping center. The car is driven into a bay and the driver exits the vehicle. A computer system will then automatically turn the car around to face the other direction and then a mechanism similar to an elevator will move the bay to be stacked up like boxes. Concerns with this system include reliability and how long it takes to retrieve the vehicles. Statistics indicate the Korea facility uses about 6,000 operations a day, which is about two operations per minute. The system is efficient. It also has a positive environmental aspect because it eliminates the fumes caused by cars being driven around a structure looking for a space or idling while entering or exiting the structure. Another benefit is the footprint of the parking structure. The height is reduced compared to typical parking structures. The cost is much higher but it is parking for the future.

MR. SHUMAN said the applicant was pleased to be the first to use this system in Las Vegas. The first system was built in Munich over 50 years ago and it is still in operation today. He reiterated that it does allow the designer to reduce the mass of the parking structure.

TODD FARLOW, 240 North 19th Street, stated the building is beautiful and he asked if it would have a LEED's (Leadership in Energy and Environmental Design) rating. MR. LO replied it would not have that rating. MR. SHUMAN stated that the LEED's rating is primarily applied to public buildings. Private sector is starting to move in that direction. This building will be extremely energy efficient but there is no application for such a rating.

COMMISSIONER McSWAIN stated the building is beautiful and will contribute to downtown. She thanked the applicant for catching the City up on the parking alternative.

COMMISSIONER EVANS asked about how system failures are addressed with the parking system. MR. SHUMAN replied that the project would have back up generators, but the system

MINUTES – Continued:
is mechanical and the potential for failure is almost nonexistent. The Commissioner then asked about the building being 40 stories tall with only 80 units, which is two units per floor. He questioned whether any of the units would be multi story. MR. HO explained there are some units designed as two-story condominiums.

COMMISSIONER EVANS also asked about the City owning part of the property, which was originally intended to be used for a gateway. MR. SHUMAN confirmed that there will be a vacation and it is conditioned as such. The Commissioner found the project to be stunning, but he was concerned about losing the gateway being represented with some form of art. Since the project incorporates that, he was satisfied.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.
(10:31 – 10:45)

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 City Council.

2. All development shall be in conformance with the site plan, date stamped 03/18/05, and the building plans and elevations, date stamped 03/01/05, except as amended by conditions herein.

3. Failure to obtain approval of a Vacation of the public right-of-way as required by Condition #17 shall require the applicant to resubmit a conforming site plan for review and approval by Planning Commission and City Council.

4. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and massing of the building elements.

5. The Waiver from the Downtown Centennial Plan streetscape requirement is hereby approved to allow a reduced sidewalk width on the east side of the property, and to allow the substitution of palm trees for the required shade trees along the south side of the property.

CONDITIONS – Continued:

6. The plaza area on the south side of the development shall be redesigned to properly terminate the Third Street axis and to incorporate the landscape and design elements currently on site. The revised landscape plan shall be reviewed and approved by Planning and Development Department staff, prior to the time application is made for a building permit.

7. 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.

8. The applicant shall provide and install standard Fourth Street style fixtures where applicable 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.

9. The parking structure elevations and the north elevation of the tower shall be reviewed and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, to ensure that there is adequate façade articulation and visual interest.

10. All metal panels and metal surfaces shall have a matte finish so as to minimize reflectivity. Reflective glass at the pedestrian level is prohibited; glazing on the upper stories of the building shall be limited to a maximum of 22% reflectivity.

11. Handicap parking spaces shall be provided on-site in conformance with Code requirements.

12. 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.

13. 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.

CONDITIONS – Continued:

14. Any new utility of 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.

15. Signage for the development shall be permitted in conformance to the Arts District requirements of the Downtown Centennial Plan.

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

Public Works

17. Submit an encroachment agreement prior to submittal of construction drawings for this site to allow design and construction of a portion of the proposed building within existing public right-of-way. Also, submit an application to vacate all public rights-of-way in conflict with this proposed site plan. Such Order of Vacation, if approved by City Council, shall not record until permits for construction of the structure overlying the area to be vacated have been issued, and appropriate bonds secured. However, the Order of Vacation shall record prior to recordation of a Final Map overlying the area to be vacated.

18. This site plan shall be revised to remove the proposed parking spaces within the 80 feet of 3rd Street right-of-way. The developer of this site shall coordinate with the Traffic Engineering Division to address the proposed Bus Rapid Transit project along the 3rd Street Alignment.

19 Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits 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. The proposed buildings shall be designed so as not to encroach within the existing 20-foot wide public sewer easement through this site; alternatively, the sewer line may be abandoned and relocated, and the sewer easement vacated, prior to the construction of any structure overlying the easement area.

22. Coordinate with the Collection System Planning Section of the Department of Public Works to determine public sewer connection requirements prior to the issuance of any

CONDITIONS – Continued:

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. 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.

23. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.

24. 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.

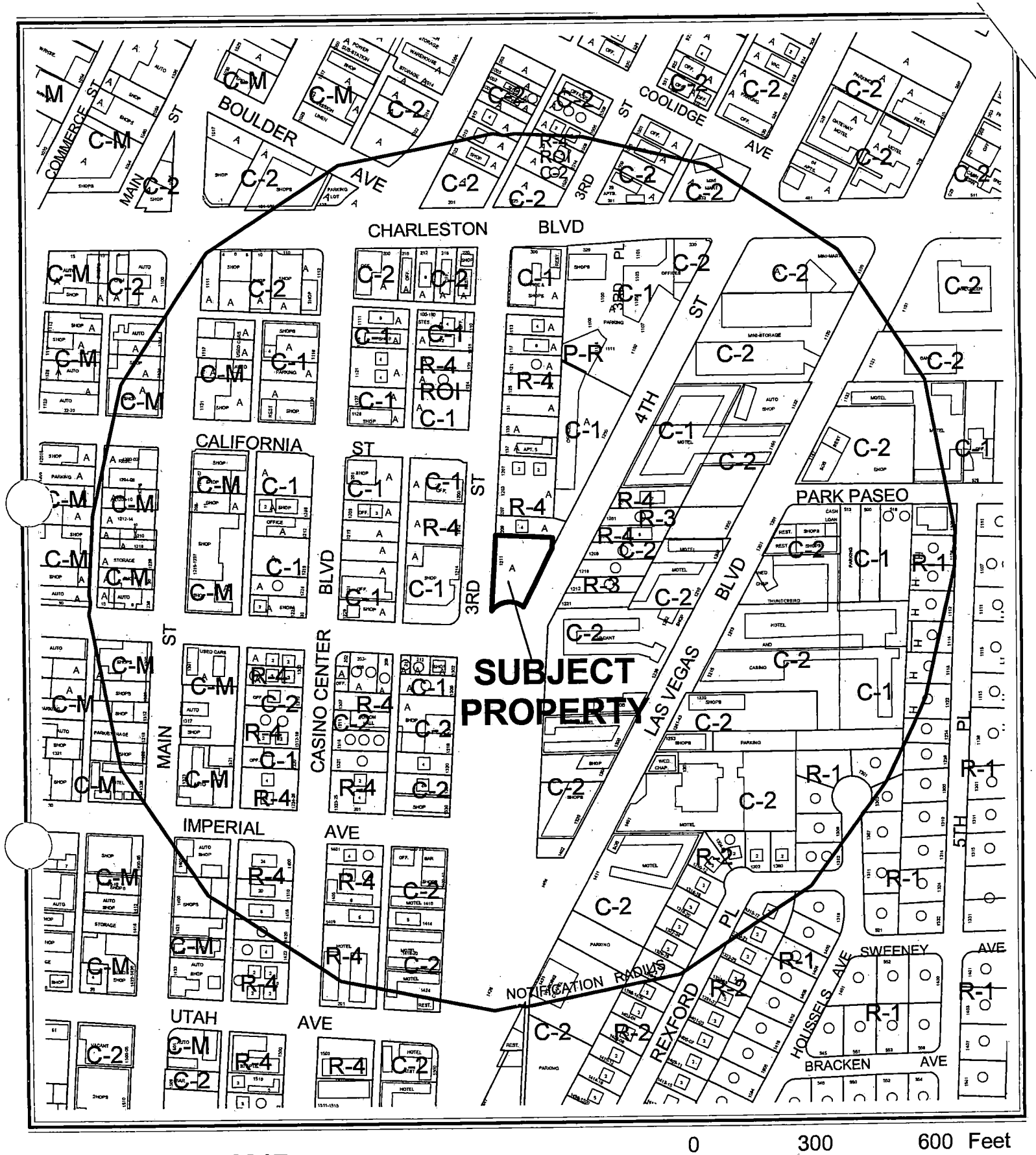
25. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.

26. 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.

27. 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 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 Commission or the City Council on the development of this site.

CONDITIONS – Continued:

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.



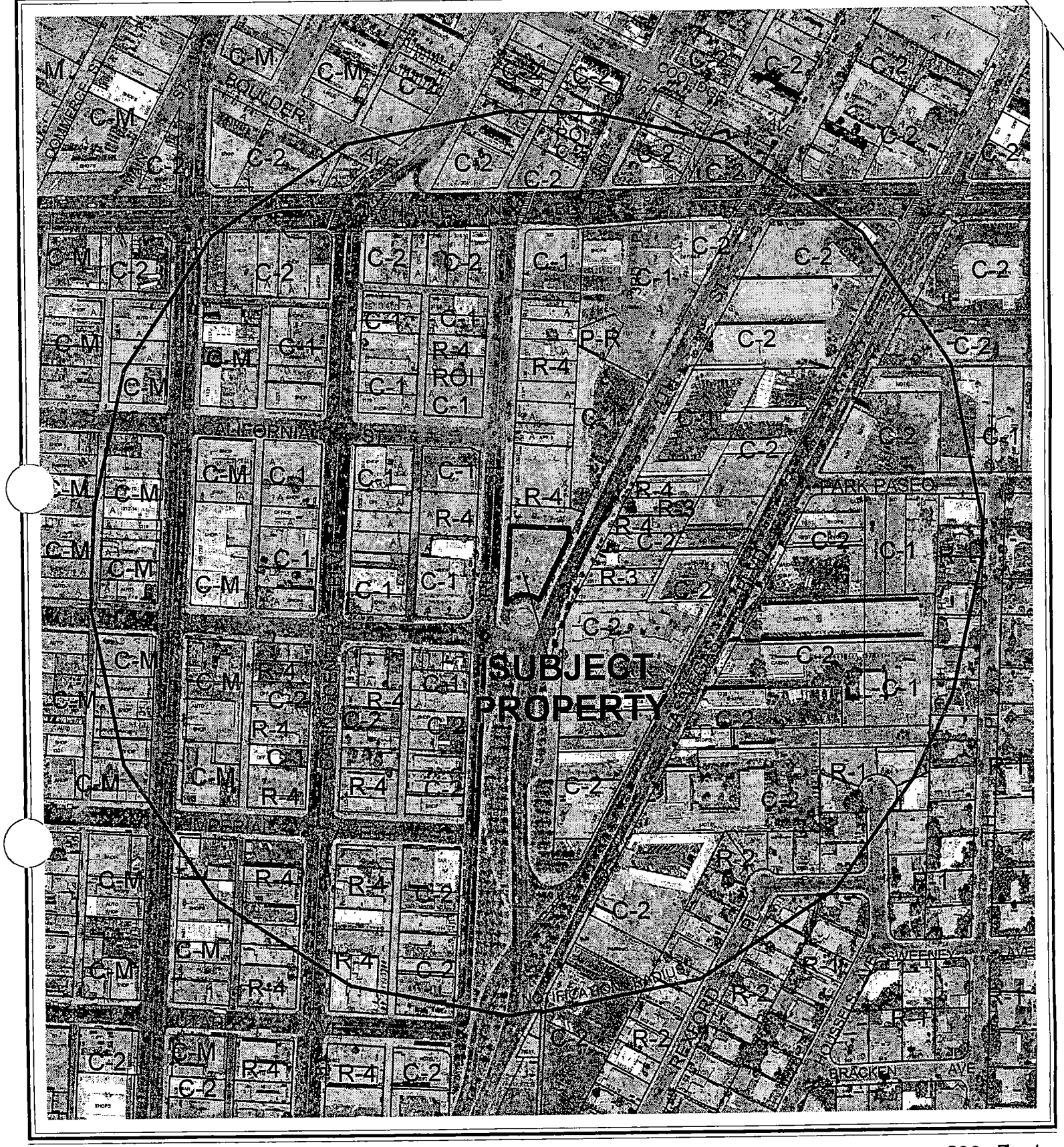
0 300 600 Feet

CASE: **SDR-6217**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SDR-6217**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6217 - APPLICANT/OWNER: CORNERSTONE COMPANY

** 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 City Council.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for a 39-story mixed-use development including 89 residential units and 3,527 square feet of commercial space, with Waivers of the Downtown Centennial Plan building stepback and streetscape requirements on 1.35 acres at 1211 South Third Street.

B) Applicant's Justification

The applicant states that the development will produce revitalization in the downtown area and will create a place where residents have convenient access to services and workplaces in downtown Las Vegas.

BACKGROUND INFORMATION

A) Previous Actions

04/07/93	The City Council approved a reclassification of the subject property (Z-0009-93) from R-4 (Apartment Residence) to C-1 (Limited Commercial) to allow a proposed mini-storage facility. The Planning Commission recommended approval of the request on 03/11/93. The Resolution of Intent had a 12-month time limit, which subsequently expired.
12/15/99	The City Council approved a Vacation application (VAC-0049-99) to vacate a portion of 4th Street generally located between 3rd Street and the current 4th Street alignment. The Planning Commission recommended approval of the request on 11/04/99.
04/18/01	The City Council approved a Rezoning (Z-0010-01) and an associated Site Development Plan Review [Z-0010-01(1)] to rezone the subject property from R-4 (High Density Residential) to C-1 (Limited Commercial) and to allow the construction of a temporary office building. The Planning Commission recommended approval of the requests on 03/08/01. The entitlements expired after a two-year time limit.

05/05/04 The City Council approved a Rezoning (ZON-3919) from R-4 (High Density Residential) to C-1 (Limited Commercial) on the subject property. An associated Site Development Plan Review (SDR-3920) application, to allow a modular office and parking lot, was also approved at that time. The Planning Commission recommended approval of the requests on 03/11/04.

B) Pre-Application Meeting

02/14/05 At the pre-application conference, it was noted that the proposed structure appeared to encroach the public right-of-way, and the applicant was requested to provide information relative to any vacation action that might have taken place. In addition, it was noted that the project would need to comply with the Centennial Plan streetscape requirements, and that the configuration of the driveways and angled parking on the Third Street frontage should be redesigned to reduce impacts to the flow of traffic. The site plan has been redesigned to remove the angled parking spaces.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.46

B) Existing Land Use

Subject Property:	Undeveloped (The site has been approved for a modular office structure and parking lot per ZON-3919 and SDR-3920)
North:	Multifamily Residential Use
South:	Right-of-Way
East:	Undeveloped Single-Family Residential Use Multifamily Residential Use
West:	Retail Use Undeveloped

C) Planned Land Use

Subject Property:	MXU (Mixed Use)
North:	MXU (Mixed Use)
South:	Right-of-Way
East:	C (Commercial)
West:	MXU (Mixed Use)

D) Existing Zoning

Subject Property:	R-4 (High Density Residential) under Resolution of Intent to C-1 (Limited Commercial)
North:	R-4 (High Density Residential)
South:	Right-of-Way
East:	R-3 (Medium Density Residential) C-2 (General Commercial)
West:	C-1 (Limited Commercial) R-4 (High Density Residential)

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a MXU (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		
Airport 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 within the Arts District plan area. 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.

PROJECT DESCRIPTION

The project involves the construction of a new 39-story mixed-use building with 3,527 square feet of ground-floor commercial space and 89 residential units. The commercial space is intended to be used as a gallery, and will front directly on the landscaped area at the intersection of Third Street and Fourth Street. An amenity level will be provided for residents on the fourth level of the structure, and will include pool areas, an exercise room, sun decks, a rock garden, and a sculpture garden. Parking for the development will be accommodated in both a small ground-floor garage and an interior automated (robotic) parking structure. The exterior of the building will feature sandstone veneer, synthetic stucco, decorative metal screening, and cantilevered balconies with glass railings.

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	0.46 Acres	N/A
Min. Lot Width	N/A	140 Feet	N/A
Min. Setbacks • Front (South) • Corner (East) • Corner (West) • Rear	 0 Feet 0 Feet 0 Feet 0 Feet	 0 Feet 0 Feet 0 Feet 0 Feet	 Y Y Y Y
Max. Lot Coverage	Up to 100%		Y
Max. Building Height	N/A	505'-6"	N/A
Building Stepback	4th, 11th, 18th Stories	4th story only	N
Trash Enclosure	Walled/roofed	Interior	Y
Loading Zone	1	1	Y
Mech. Equipment	Screened	Screened	Y

The proposed structure complies with all of the requirements of the Centennial Plan, with the exception of the building stepback requirement at the 4th, 11th and 18th stories of the building. The applicant has requested a Waiver from the requirement.

The commercial space at the south side of the structure encroaches into the public right-of-way at the intersection of Third and Fourth Streets, and was not vacated as originally presented. The Public Works Department has issued a condition requiring that the necessary right-of-way be vacated prior to the issuance of permits for the project.

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 to its location 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	89 Units		
Commercial	3,527 SF		
Total:		194	Not indicated

A total of 194 parking spaces will be provided on-site; four of the spaces are in a regular parking area at the ground floor of the building, and the remaining spaces are located within an automated parking structure. The number of spaces provided allows for two spaces per residential unit, with 16 spaces for the commercial area. No indication has been given as to the number of handicap parking spaces that will be provided on site.

The Public Works Department originally had concerns about the use of angled on-street parking spaces on Third Street; the applicant has since revised the site plan to remove the angled parking.

We note that the proposed building encroaches into existing public right-of-way, currently constructed as a tree-lined pedestrian plaza, as part of the 4th Street beautification project. While Public Works has no inherent objection to the re-purposing of this right-of-way if City Council deems the proposed project a superior use of the property, we would like to reserve the existing plaza (and right-of-way) until the construction of the project is a certainty (i.e. securing of bond and issuance of permits). A possible solution is to allow design, and initial construction permitting under an Encroachment Agreement, and only allow the Order of Vacation once construction of the project is imminent. Proposed Public Works Condition of Approval #17 addresses this concern.

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		Provided
	Ratio	Trees	
East/West Street (South)	1 Shade Tree @ 30' o.c. max. (min. 24" box)	2 Trees	12 Trees
North/South Street (East—Fourth Street)	1 Palm Tree @ 35' o.c. max. (min. 25' height)	7 Trees	8 Trees
North/South Street (West—Third Street)	1 Palm Tree @ 35' o.c. max. (min. 25' height)	7 Trees	7 Trees
Sidewalk	11' Sidewalk	--	Third: 11' Fourth: 8' South: 19'

The number of trees provided in the right-of-way exceeds the standard stipulated in the Downtown Centennial Plan. The sidewalk width on Fourth Street is less than the required 11 feet; a Waiver has been requested to address the existing sidewalk width.

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 R-4 (High Density Residential), under Resolution of Intent to C-1 (Limited 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 stepbacks at the 4th, 11th and 18th stories of the building. A Waiver has been requested from the requirement.

- Site Plan

  The site plan depicts a commercial space at the south end of the property, fronting on the public rights-of-way as required by the Downtown Centennial Plan, with the lobby for the residential units at the center of the site. A small parking area and the automated parking facility are located at the rear of the building along the north property line. Service areas and trash facilities will be located within the building.

  The principal access to the automated parking facility will be a one-way driveway from Third Street, with two lanes for vehicular stacking. It is estimated that storage or retrieval of vehicles from the facility will take up to two minutes; the stacking area has been designed to accommodate vehicles on the property while waiting to park without impacts to Third Street. All vehicles from the automated parking facility will exit onto Fourth Street.

  As previously noted, the south portion of the building encroaches a portion of the public right-of-way. A vacation application will need to be approved by City Council for the project to be approved as proposed. Conditions of Approval are included to address this issue.

- Waivers

  The following Waivers from the Downtown Centennial Plan 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 fourth story of the building; however, there is adequate articulation to the façade elements to satisfy the design requirements of the Downtown Centennial Plan. Consequently, staff recommends approval of the Waiver.

  2. Streetscape: The Centennial Plan requires an 11-foot wide sidewalk and a five-foot wide amenity zone in the public rights-of-way; the south and west portions of the project comply with this requirement, but the existing sidewalk along Fourth Street does not meet the minimum width. In addition, the applicant intends to use palm trees along the south portion of the site where shade trees are required by the Centennial Plan; due to the nature of the site and importance of the location, an alternate streetscape treatment is warranted. Consequently, staff recommends approval of the Waiver.

- Landscape Plan

  The landscape plan depicts the installation of palm trees along all three sides of the property; as previously indicated, the use of palm trees along the south side of the property is contrary to the requirements of the Centennial Plan, and a Waiver is sought by the applicant. Accent paving will be provided at the driveway entrances as required by the Centennial Plan. A small sculpture garden will be provided at the northeast corner of the site and is intended to screen the parking structure.

- Elevation

  The composition of the elevations clearly distinguishes the podium of the building from the upper levels, and generally has a high degree of articulation of the façade elements. The north elevation of the tower is essentially a solid mass with small "punched" window openings; while there is a nice contrast between the solid core of the tower and the fully-glazed areas on the south side of the tower, additional openings or detailing may be necessary to conform to the requirements of the City's design standards. In addition, the metal screen used on the parking facility will also require additional detailing or relief.

  The exterior of the building will finished with a combination of sandstone veneer, synthetic stucco, metal screens, and panelized glazing. Balconies will utilize glass railings, and will be cantilevered from the façade of the building. The overall composition of the facades and use of varied materials generally results in a high degrees of articulation and visual interest.

- Floor Plan

  The ground floor of the building is organized with the commercial and lobby spaces on the south side of the structure, with the internal driveway and parking areas located at the north side of the structure. Egress from the habitable areas of the building will be to the public sidewalks on Third Street and Fourth Street. The residential floors of the building will typically have three units per floor, surrounding a central elevator lobby.

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 generally compatible with surrounding uses and other development in the area. The proposed structure will be significantly taller than any other building in the immediate vicinity, but occupies a key node at the entrance to downtown Las Vegas.

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 streetscape requirements, but the design of the development is consistent with the objectives of the Centennial Plan.

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

   The site has been designed so that principal access to the structure is from Third Street, and the principal exit will be to Fourth Street. An internal driveway will have sufficient area for stacking vehicles, and should not impact the flow of traffic on Third Street. At a total of 89 residential units, the traffic generated by the development will be minimal in comparison to other development in the area.

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

   The proposed building and landscape materials are generally appropriate for the area and for the City.

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

The design of the elevations are appropriate for the different functions within the building, and are generally consistent with the City's design requirements. Additional articulation or design elements is sought for the north elevation of the tower and for the parking garage.

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 166

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6217 APN: 162031C011

Name of Property Owner: Cornerstone Company

Name of Applicant: CORNERSTONE COMPANY

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

X Yes _____ No

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

City Official: Richard Truesdell, Planning Commission

Partner(s): _____ _____

APN: 162-03-110-011

Signature of Property Owner: _____

Print Name: Richard Truesdell, President

Subscribed and sworn before me

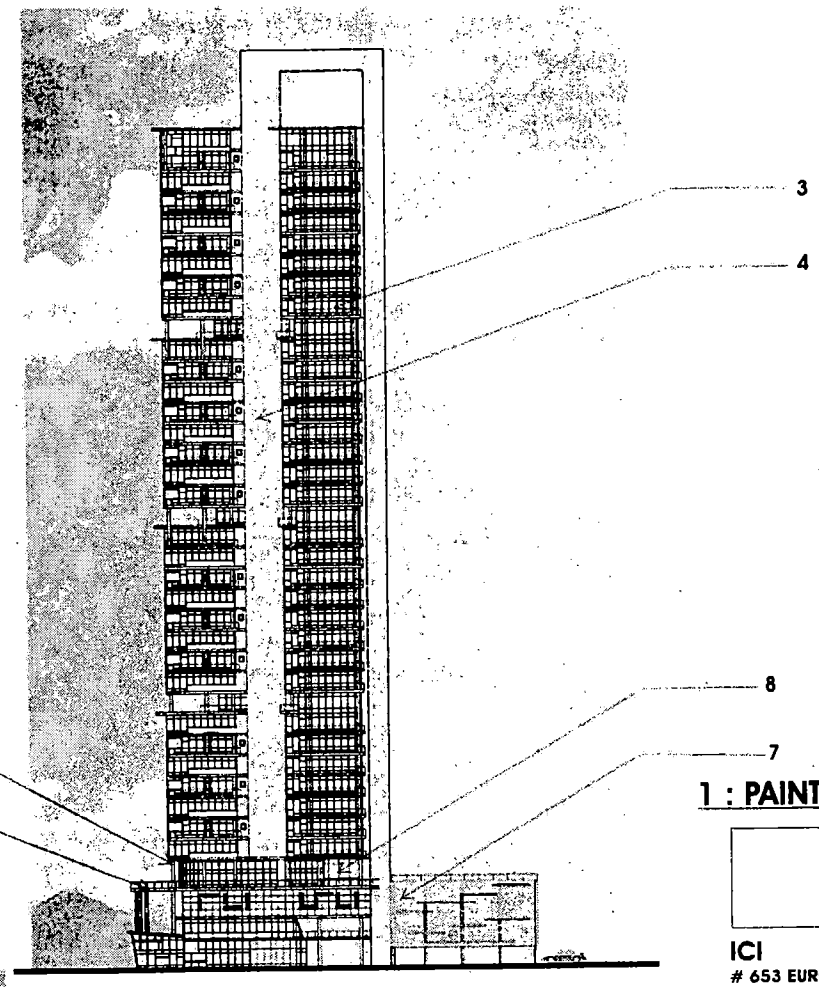
This 28 day of February, 2005

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CHRISTINA HELEN FRYE
No: 03-81621-1
My Appointment Expires April 24, 2007

JMA ARCHITECTURE STUDIOS



COMMERCIAL - EXTERIOR ELEVATION

SITE DEVELOPMENT PLAN REVIEW

1 : PAINTED EIFS (PT-1)

ICI
653 EUROPEAN WHITE

2 : PAINTED EIFS (PT-2)

ICI
524 PALM SPRINGS TAN

3 : GLASS (GL-1)

GUARDIAN INDUSTRIES
SUN-GUARD GREEN LE-63

4 : SANDSTONE (ST-1)

WALKER ZANGER
MILKY CHOCOLATE

5 : SANDSTONE (ST-2)

WALKER ZANGER
BEAUMANIERE CLASSIC

6 : SANDSTONE (ST-2)

WALKER ZANGER
CLASSIC OAK

7 : METAL SCREEN (MTL-1)

8 : METAL PANELS (MTL-2)

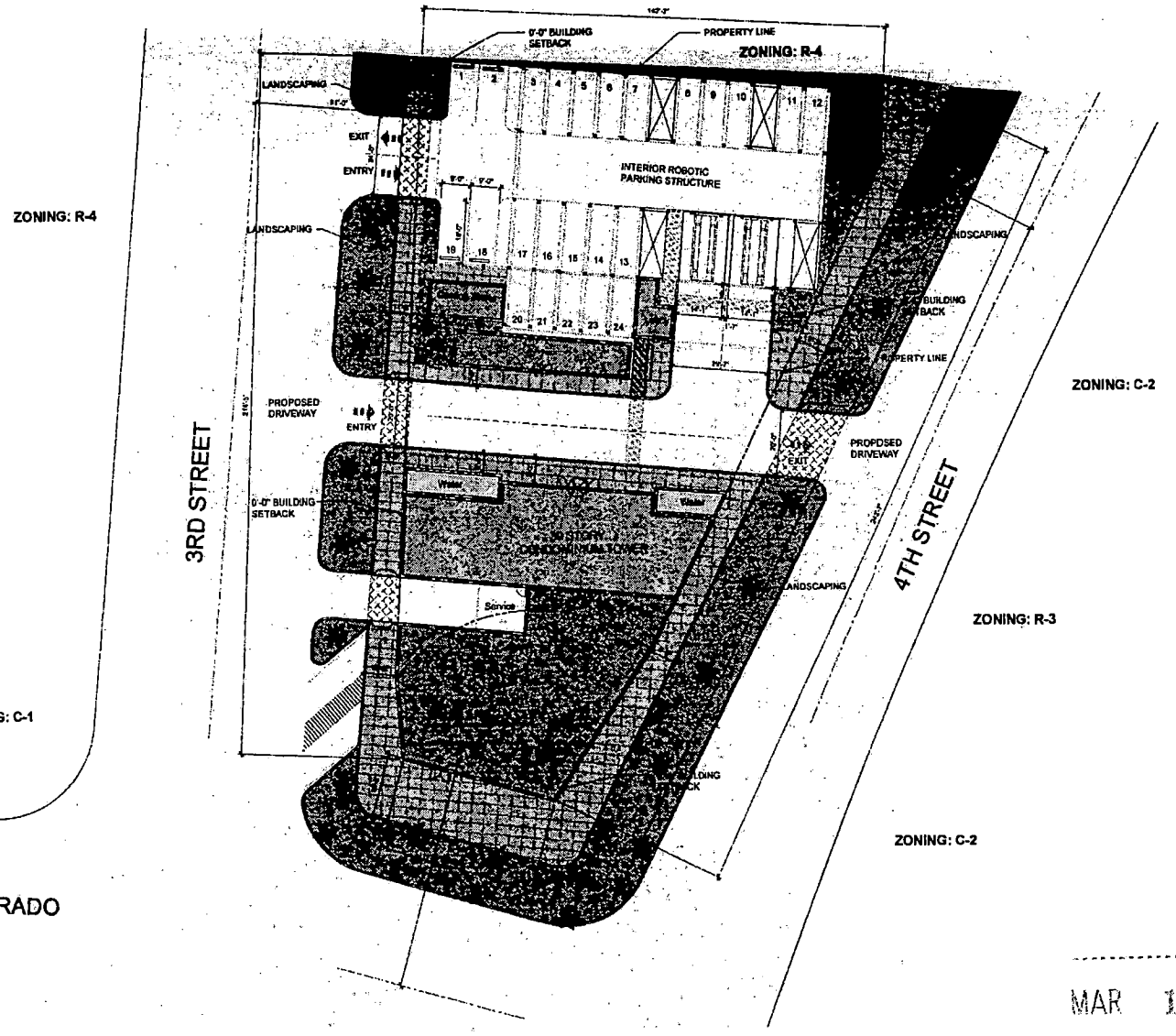
COLOR & MATERIALS

80 On 4th

City of Las Vegas
LAS VEGAS, NEVADA

SDR-6217
04-14-05 PC

MAR 1 2005



SITE DATA:

SITE ACREAGE:	0.46 TOTAL ACRES (NET) 1.36 TOTAL ACRES (GROSS)
A.P.N.#	162-03-110-011
CURRENT ZONING:	C-2 RESOLUTION OF INTENT (App. No. 3919 - Exp. Date 5/5/2006)
SITE AREA:	59,726 S.F.
FLOOR AREA RATIO:	5.67

RESIDENTIAL UNIT DATA:

2 BEDROOMS	81 UNITS
3 BEDROOMS	6 UNITS
PENTHOUSE	2 UNITS
TOTAL UNITS:	89 UNITS
DENSITY:	65.9 UNITS PER ACRE
RESIDENTIAL SQUARE FOOTAGE:	286,834 S.F.
PUBLIC USE SQUARE FOOTAGE:	3,527 S.F.
PARKING SQUARE FOOTAGE:	36,700 S.F.
TOTAL SQUARE FOOTAGE (GROSS):	327,061 S.F.

PARKING ANALYSIS:

PARKING REQUIRED (CITY OF LAS VEGAS):

RESIDENTIAL USES:

2 BDRM. (1.75 PER UNIT/81 UNITS):	142 SPACES
GREATER 2 BDRM. (2 PER UNIT/8 UNITS):	16 SPACES
PLUS GUEST (1 PER 5 UNITS/89 UNITS):	18 SPACES
TOTAL SPACES REQUIRED:	176 SPACES

COMMERCIAL/RETAIL SERVICE USES:

GALLERY (4 PER 1,000 S.F./3,527 S.F.):	4 SPACES
TOTAL PARKING REQUIRED ENTIRE PROJECT:	180 SPACES

PARKING PROVIDED :

FIRST LEVEL PARKING:	26 SPACES
PARKING STRUCTURE (LEVELS 2-5):	42 SPACES X 4 = 168
TOTAL PARKING PROVIDED ENTIRE PROJECT:	194 SPACES

MAR 1 2005

CONCEPTUAL DEVELOPMENT
SITE PLAN

80 On 4th

City of Las Vegas

COLORADO & 4th STREET
LAS VEGAS, NEVADA

SITE PLAN
SCALE: 1/16" = 1'

SDR-6217
04-14-05 PC

JMA ARCHITECTURE STUDIOS

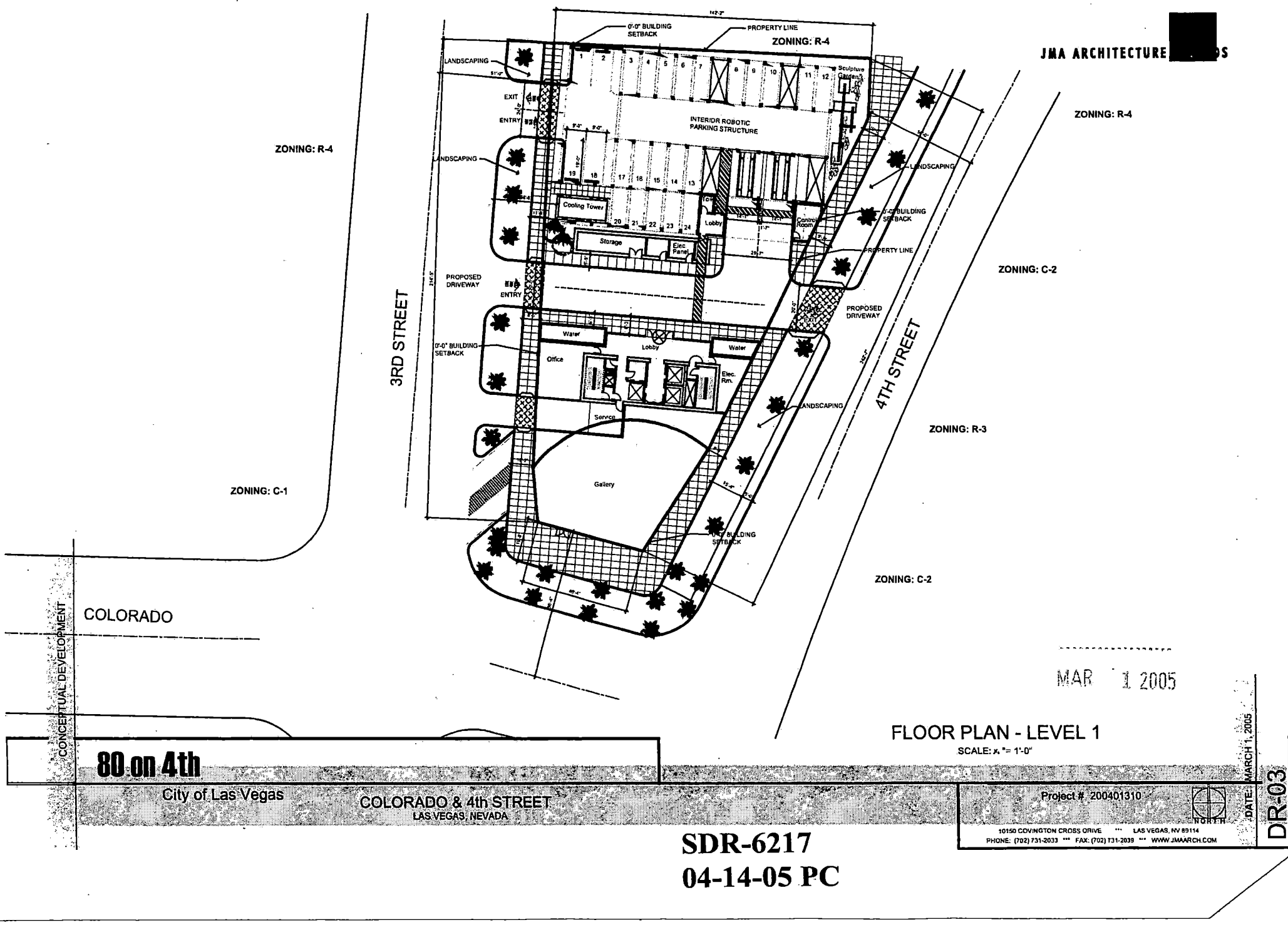
Project # 200401310

NORTH

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2038 *** WWW.JMAARCH.COM

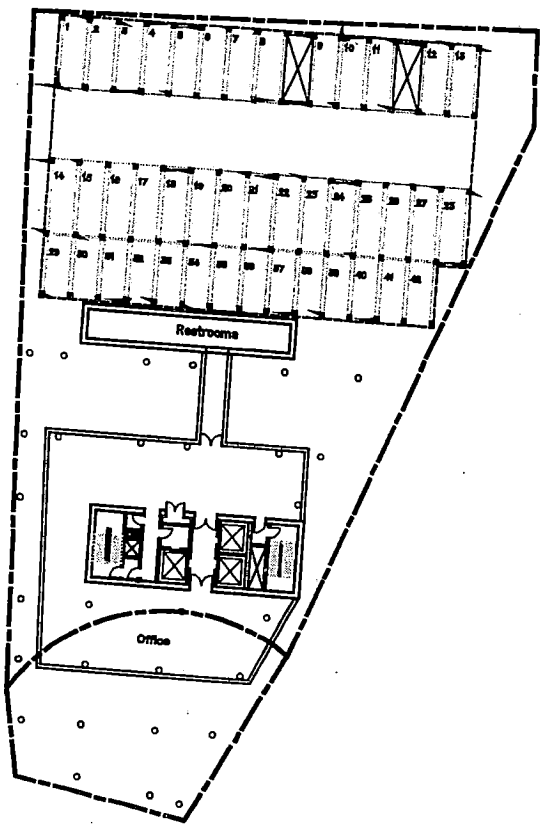
Date: MARCH 1, 2005

DR-01

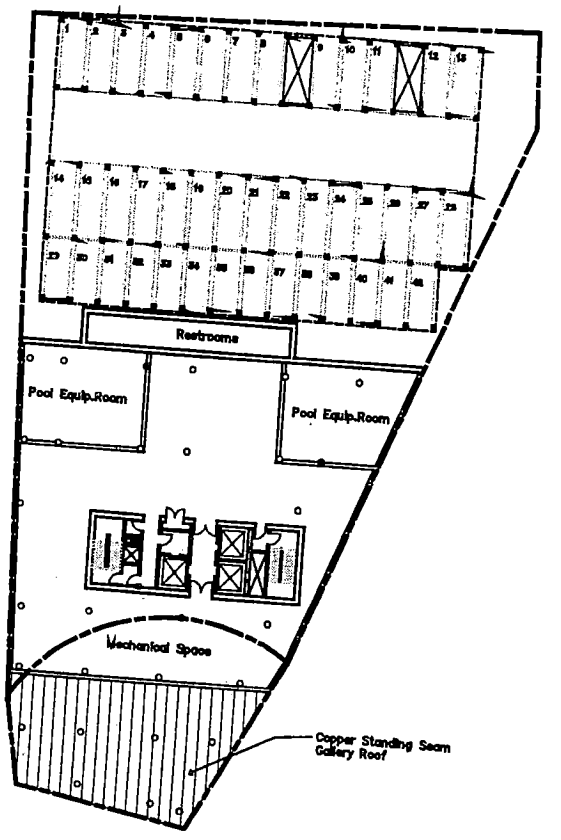


SDR-6217
04-14-05 PC

JMA ARCHITECTURE [redacted]S



SECOND FLOOR PLAN



THIRD FLOOR PLAN

CONCEPTUAL DEVELOPMENT

MAR 1 2005

FLOOR PLANS 2-3

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

80 On 4th

City of Las Vegas

COLORADO & 4th STREET
LAS VEGAS, NEVADA

Project # 200401310

NORTH

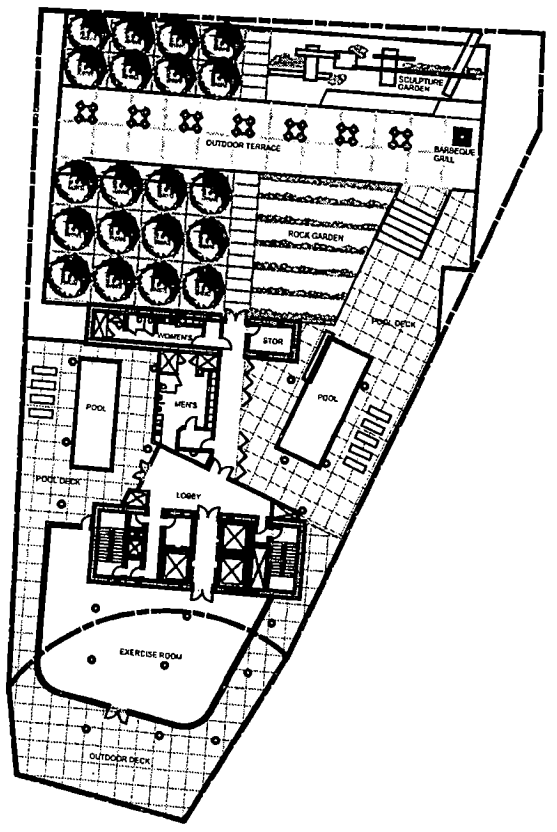
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

DATE: MARCH 1, 2005

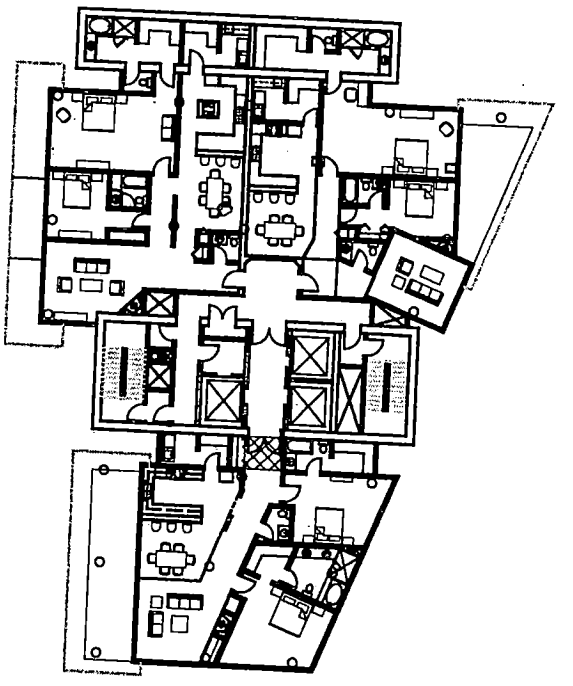
DR-04

SDR-6217
04-14-05 PC

JMA ARCHITECTURE [redacted]S



POOL LEVEL PLAN



TYPICAL FLOOR LEVEL
NOT TO SCALE

CONCEPTUAL DEVELOPMENT

80 On 4th

City of Las Vegas

COLORADO & 4th STREET
LAS VEGAS, NEVADA

MAR 1 2005

FLOOR PLANS PODIUM / TYPICAL
SCALE: 1/16" = 1'-0"

Project # 200401310

NORTH

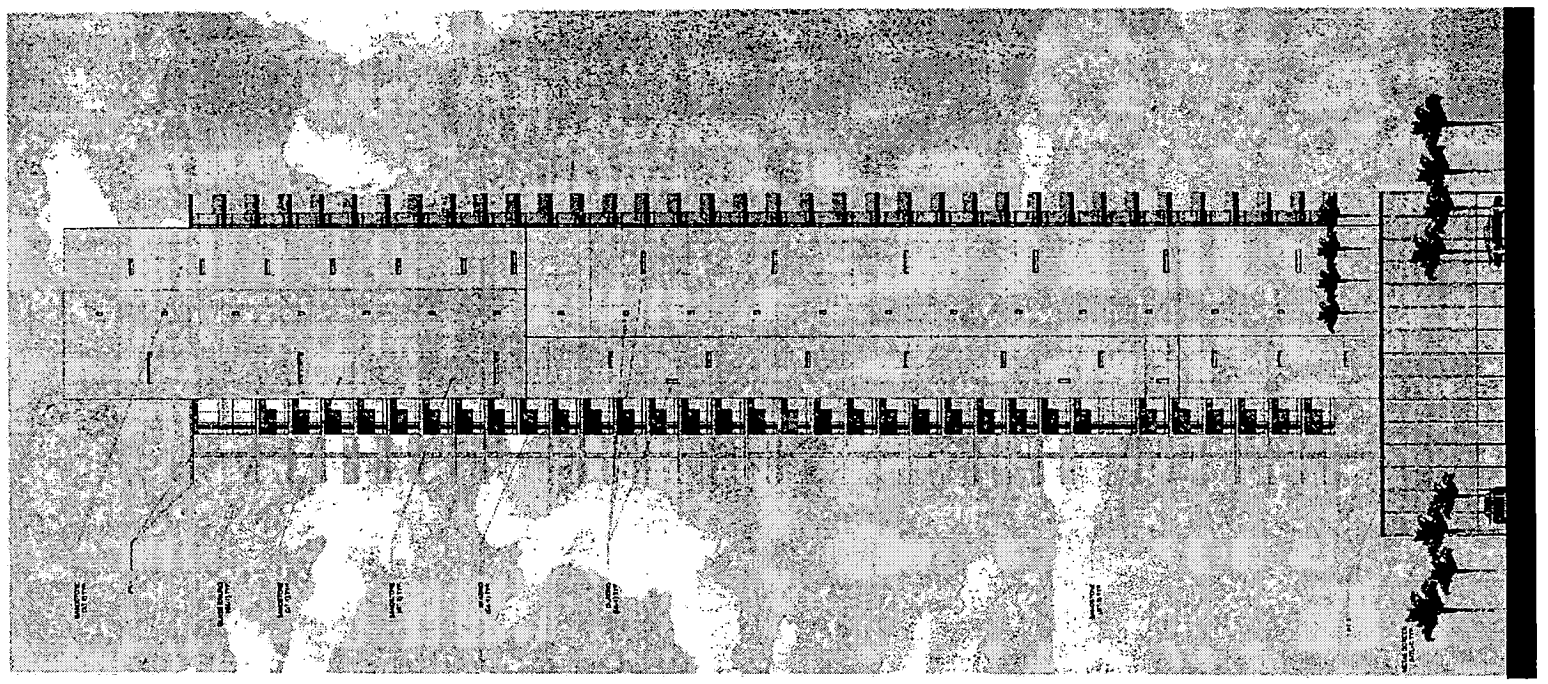
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89114
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

DATE: MARCH 1, 2005

DR-05

SDR-6217
04-14-05 PC

MAR 1 2005



CONCEPTUAL DEVELOPMENT
SITE PLAN

80 On 4th

City of Las Vegas

COLORADO & 4th STREET
LAS VEGAS, NEVADA

NORTH ELEVATION
SCALE: 1" = 20'-0"

SDR-6217
04-14-05 PC

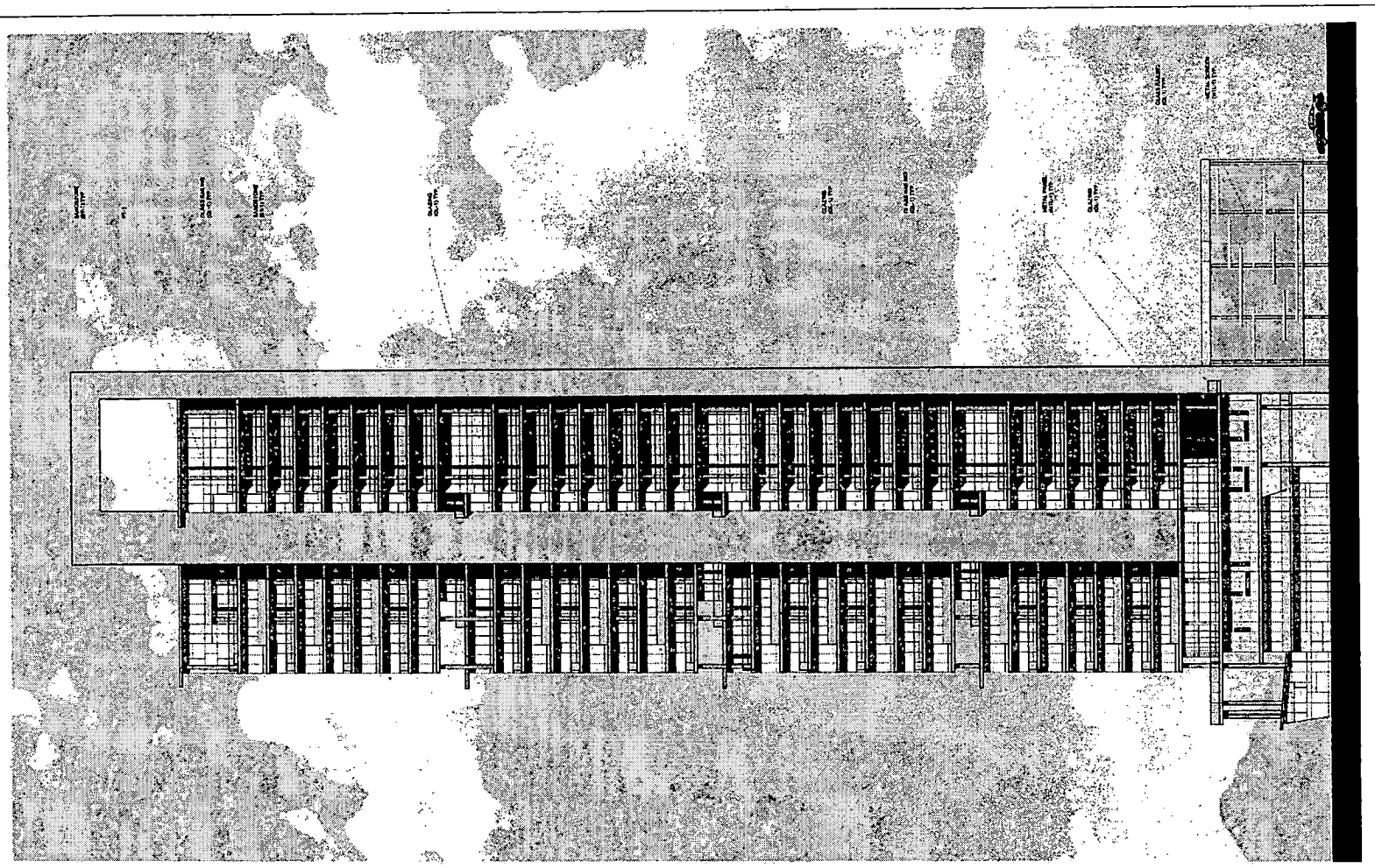
JMA ARCHITECTURE STUDIOS

Project # 200401310

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Date: MARCH 1, 2005

DR-06



MAR 1 2005

CONCEPTUAL DEVELOPMENT
SITE PLAN

80 On 4th

City of Las Vegas

COLORADO & 4th STREET
LAS VEGAS, NEVADA

EAST ELEVATION
SCALE: 1" = 20'-0"

JMA ARCHITECTURE STUDIOS

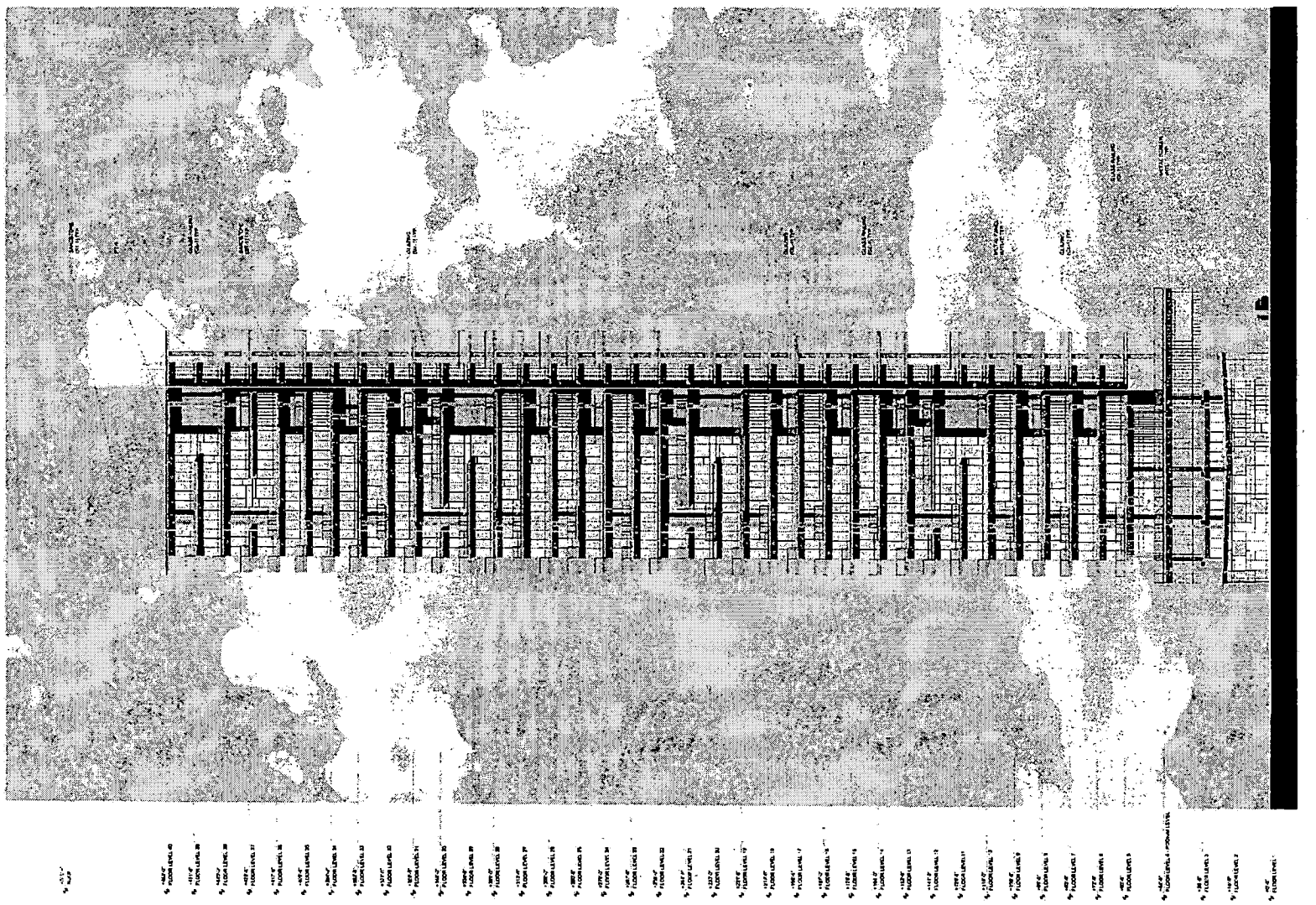
Project # 200401310

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Date: MARCH 1, 2005

DR-07

SDR-6217
04-14-05 PC



MAR 1 2005

CONCEPTUAL DEVELOPMENT
SITE PLAN

80 On 4th

City of Las Vegas

COLORADO & 4th STREET
LAS VEGAS, NEVADA

SOUTH ELEVATION
SCALE: 1" = 20'-0"

JMA ARCHITECTURE STUDIOS

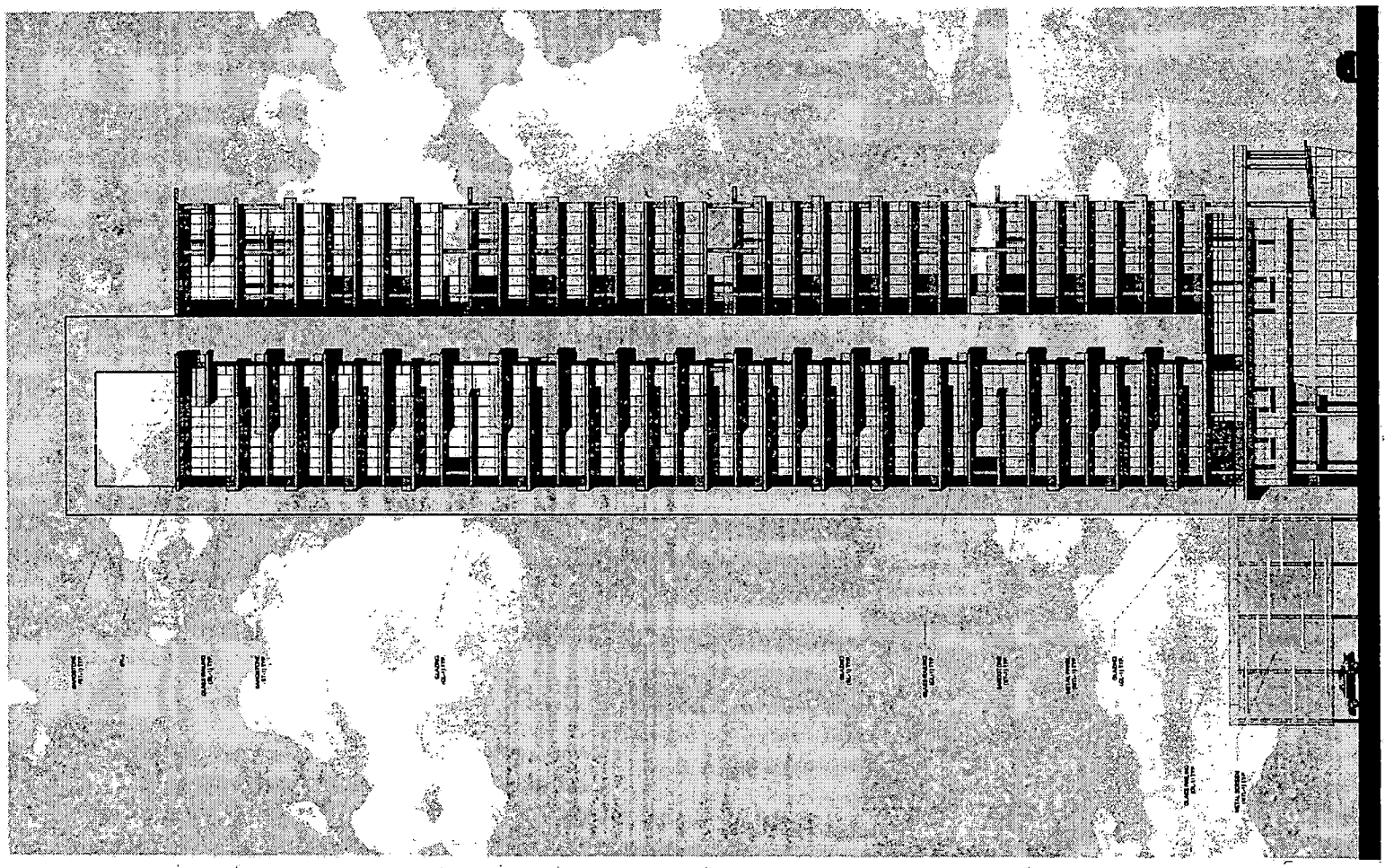
Project # 200401310

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Date: MARCH 1, 2005

DR-08

SDR-6217
04-14-05 PC



MAR 1 2005

CONCEPTUAL DEVELOPMENT
SITE PLAN

80 On 4th

City of Las Vegas

COLORADO & 4th STREET
LAS VEGAS, NEVADA

WEST ELEVATION
SCALE: 1" = 20'-0"

JMA ARCHITECTURE STUDIOS

Project # 200401310

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Date: MARCH 1, 2005

DR-09

SDR-6217
04-14-05 PC



SDR-6217 - APPLICANT/OWNER: CORNERSTONE COMPANY
1211 SOUTH THIRD STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SDR-6217 - APPLICANT/OWNER: CORNERSTONE COMPANY
1211 SOUTH THIRD STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SDR-6217 - APPLICANT/OWNER: CORNERSTONE COMPANY
1211 SOUTH THIRD STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

JMA ARCHITECTURE STUDIOS

March 1, 2005

City of Las Vegas
Current Planning Division
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

RE: **Eighty on 4th**
JUSTIFICATION LETTER
JMA No. 200401310

APN: 162-03-110-011

Dear Sir or Madam:

We are requesting a Site Development Plan Review and Waiver of Design Standard for the development of a mixed use project consisting of a 39 story, 89 unit condominium tower; 3,500 square feet of associated amenity spaces for the condo including a fitness club; 3,527 square feet of gallery space open to the general public; and 194 parking spaces in a 5 story structured parking garage. This mixed use development will be located at 1211 S. 3rd Street in the downtown redevelopment area. The General Plan designation is MXU and the site is zoned C-1.

The Waiver of Design Standard is requested for the building stepback requirement on street frontage as described in the Las Vegas Downtown Centennial Plan, where a five foot min. to sixteen foot max. stepback at the height of the Streetscape "Cornice" Expression Zone (Building Base 3 – 5 stories) is required along 3rd and 4th Street. Because of the very small and irregular configuration of the site, we are unable to accommodate this requirement.

This mixed use development will create a place where residents have convenient access to services and workplaces located in the downtown area. The development of this project will produce revitalization in the downtown area.

Sincerely

John Lopeman, AIA
Vice President

Thomas J. Schoeman, AIA
President

Edward A. Vance, AIA
Executive
Vice President

SDR-6217

10150 COVINGTON CROSS DRIVE LAS VEGAS, NEVADA 89144 (702) 731 2033 facsimile (702) 731 2039

City of Las Vegas

Agenda Item No.: 61

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

THIS 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

MOTION:
TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be forwarded to City Council in Ordinance form

NOTE: VICE CHAIRMAN TRUESDELL stated that he did not believe the areas referenced in the Text Amendment affected any properties he owned within the City so he would vote on this item.

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open.

TOM PERRIGO, Planning and Development Department, explained that in 1999 the State legislature adopted Senate Bill 391, which established Rural Preservation Neighborhoods. That action did sunset; however, Text Amendment TXT-5773 will continue that legislation in its original form and allows the establishment of Rural Preservation Neighborhoods within the City. Staff believed this type of legislation would be more appropriately enacted at the local level and recommended approval.

MINUTES – Continued:

MR. PERRIGO confirmed for COMMISSIONER EVANS that the County and the City of Henderson adopted a similar ordinance for rural preservation. He was unable to confirm whether the City of North Las Vegas had done so.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:06 – 6:09)

1-259

CONDITIONS:

1. Title 19.06, Special Purpose and Overlay Districts, is hereby amended to include the following section:

19.06.150 RURAL PRESERVATION OVERLAY DISTRICT

A. Establishment of District

There is hereby created a Rural Preservation Overlay District, consisting of those areas of the City which, at the time of establishment of this ordinance, meet all of the following criteria:

1. Which consists of 10 or more residential dwelling units;

2. Where the outer boundary of each lot that is used for residential purposes is not more than 330 feet from the outer boundary of any other lot that is used for residential purposes;

3. Which has no more than two residential dwelling units per acre; and

4. Which allows residents to raise or keep animals noncommercially.

B. Designation of Rural Preservation areas

Rural preservation areas are shown on the Rural Preservation Overlay District Map adopted by the City Council on May 18, 2005. The map will be updated as necessary.

C. Standards

1. The City Council shall take such actions as are necessary and appropriate to ensure that the rural character of each rural preservation neighborhood is preserved.

PLANNING COMMISSION MEETING OF APRIL 14, 2005
Planning and Development Department
Item 61 – TXT-5773

CONDITIONS – Continued:

2. Unless a rural preservation neighborhood is located within 330 feet of an existing or proposed street or highway that is more than 99 feet wide, the City Council shall, to the extent practicable, adopt any zoning regulation or restriction that is necessary to:

(a) Maintain the rural character of the area developed as a low-density residential development;

(b) Except as otherwise provided in subsection 4, ensure that the average residential density for that portion of the zoning request that is located within 330 feet of a rural preservation neighborhood does not exceed three residential dwelling units per acre; and

(c) Provide adequate buffer areas, adequate screening and an orderly and efficient transition of land uses, excluding raising or keeping animals commercially or noncommercially.

3. The City Council may modify the standards for the development of infrastructure to maintain the rural character of the rural preservation neighborhood.

4. The City Council may, for good cause shown, allow a greater density or intensity of use when that use is less than 330 feet from a rural preservation neighborhood.

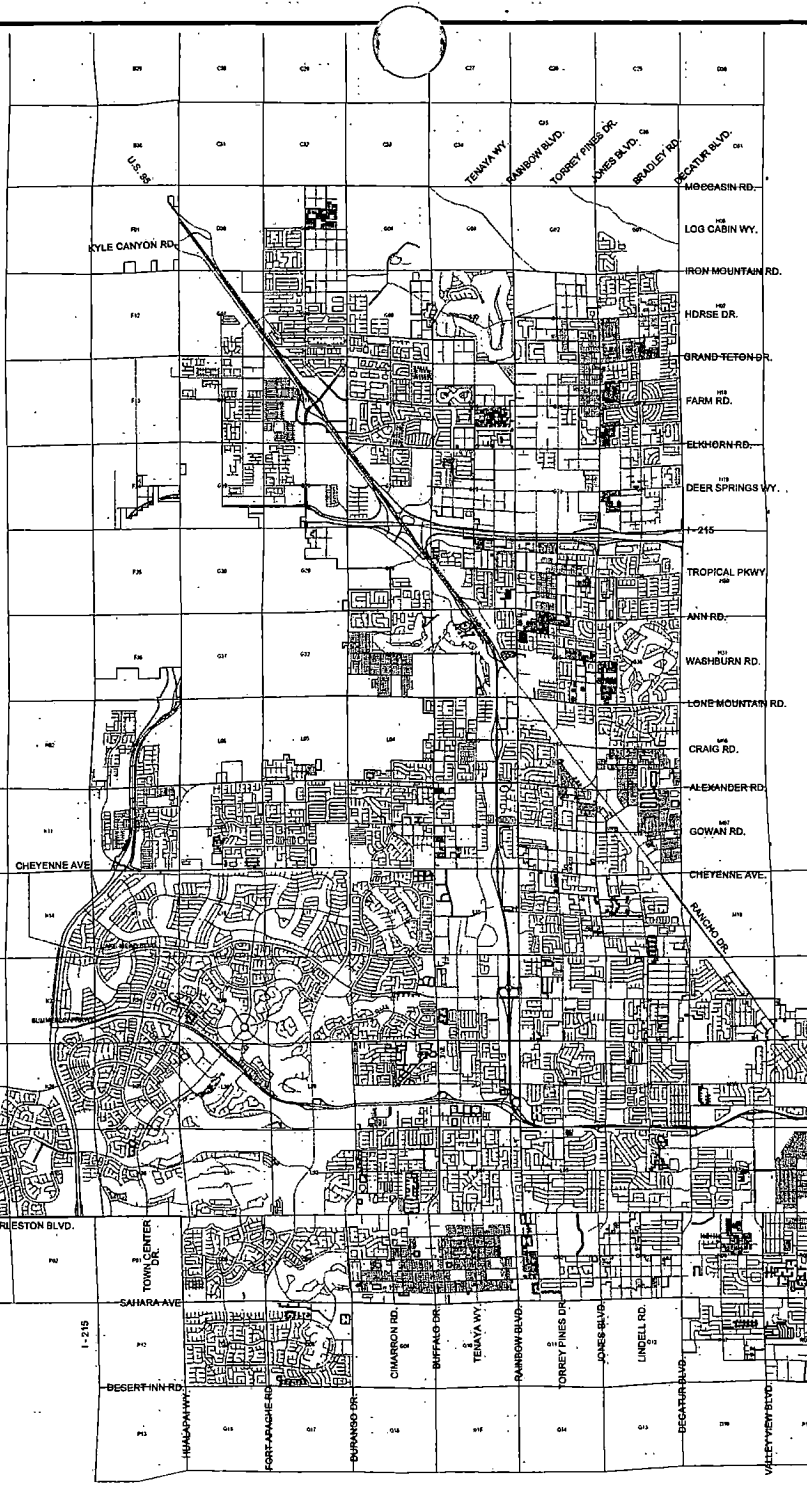
City of Las Vegas

Corporate Limits
Rural Preservation Neigborhoods

RNP

R

DR



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Plotted: March 3, 2005

GIS maps are normally produced only to meet the needs of the City. Due to continuous, dynamic revisions, this map is for reference only.

Geographic Information System
Planning & Development Dept.
702-229-6301

PLANNING & DEVELOPMENT

TXT-5773
3-24-05 PC

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-5773 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

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

1. Title 19.06, Special Purpose and Overlay Districts, is hereby amended to include the following section:

19.06.150 RURAL PRESERVATION OVERLAY DISTRICT

A. Establishment of District

There is hereby created a Rural Preservation Overlay District, consisting of those areas of the City which, at the time of establishment of this ordinance, meet all of the following criteria:

1. Which consists of 10 or more residential dwelling units;

2. Where the outer boundary of each lot that is used for residential purposes is not more than 330 feet from the outer boundary of any other lot that is used for residential purposes;

3. Which has no more than two residential dwelling units per acre; and

4. Which allows residents to raise or keep animals noncommercially.

B. Designation of Rural Preservation areas

Rural preservation areas are shown on the Rural Preservation Overlay District Map adopted by the City Council on May 18, 2005. The map will be updated as necessary.

C. Standards

1. The City Council shall take such actions as are necessary and appropriate to ensure that the rural character of each rural preservation neighborhood is preserved.

AR

2. Unless a rural preservation neighborhood is located within 330 feet of an existing or proposed street or highway that is more than 99 feet wide, the City Council shall, to the extent practicable, adopt any zoning regulation or restriction that is necessary to:

(a) Maintain the rural character of the area developed as a low-density residential development;

(b) Except as otherwise provided in subsection 4, ensure that the average residential density for that portion of the zoning request that is located within 330 feet of a rural preservation neighborhood does not exceed three residential dwelling units per acre; and

(c) Provide adequate buffer areas, adequate screening and an orderly and efficient transition of land uses, excluding raising or keeping animals commercially or noncommercially.

3. The City Council may modify the standards for the development of infrastructure to maintain the rural character of the rural preservation neighborhood.

4. The City Council may, for good cause shown, allow a greater density or intensity of use when that use is less than 330 feet from a rural preservation neighborhood.

AR

** STAFF REPORT **

APPLICATION REQUEST

Discussion and possible action to amend Title 19.06 of the Las Vegas Zoning Code to include the following:

Title 19.06.150 RURAL PRESERVATION OVERLAY DISTRICT

The proposed amendment will create a Rural Preservation Overlay District Map, which will preserve the rural character of designated rural neighborhoods in Las Vegas.

BACKGROUND INFORMATION

In 1999 the Nevada State Legislature adopted SB 391, which allowed for the creation and protection of rural preservation neighborhoods. These provisions were adopted in response to the rapid development occurring in the Las Vegas Valley and the changing dynamics of existing rural neighborhoods. The legislation allows for the protection of rural neighborhoods and authorizes the governing body to adopt zoning regulations and restrictions to maintain the character of rural neighborhoods [NRS 278.250(2)(k)].

Because this state legislation expired on May 31, 2004, the City of Las Vegas is proposing this Text Amendment in order to continue to protect the character of rural neighborhoods within the City.

ANALYSIS

The proposed amendment will create a Rural Preservation Overlay District, consisting of those areas of the City which, at the time of establishment of this ordinance, meet all of the following criteria:

1. Which consists of 10 or more residential dwelling units;

2. Where the outer boundary of each lot that is used for residential purposes is not more than 330 feet from the outer boundary of any other lot that is used for residential purposes;

3. Which has no more than two residential dwelling units per acre; and

4. Which allows residents to raise or keep animals noncommercially.

AR

The Rural Preservation Overlay District is intended to preserve the rural character of designated rural neighborhoods in the city of Las Vegas that are populated by residents with common interests in more open space lifestyles than experienced in urban neighborhoods and which may consist primarily of custom built homes and which consist of residential lots large enough to park boats, horse trailers and other recreational vehicles behind the front setback line and which have enough rear-yard area to construct accessory buildings, stables, tack houses and other horse-related out-buildings.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas

Agenda Item No.: 62

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 14, 2005

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

SUBJECT:
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.

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

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)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 14 , 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-6421 - CITY OF LAS VEGAS

STAFF IS REQUESTING THIS ITEM BE HELD IN ABEYANCE TO THE MAY 12, 2005.

City of Las Vegas

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

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

CHARLES DABBER, Citizen, 3166 Welcome Lane, expressed concern for what he believed could be a mechanism for potential terrorist threat(s). He submitted his summarization of what he believed the existing problems were and a possible solution to these problems. He referenced the City's 100th Year Anniversary and its upcoming events, such as the Helldorado Days Parade, and concluded by urging the Commission and all appropriate agencies to consider his suggested solution.

CHAIRMAN NIGRO explained to MR. DABBER that the Planning Commission is a planning body and is not in charge of public safety. The Planning Commission deals more so with planning, zoning and land use applications.

(10:46 – 10:49)

4-141

TODD FARLOW, 240 N. 19th Street, referenced Items 30 and 31, which were held in abeyance. MR. FARLOW expressed concern for the ongoing problem when individuals are displaced from mobile home parks and are in need of temporary shelter or a place to live. He felt that there should be a proactive stance on these kinds of situations where resources are available to these individuals. He referenced a nearby vacant home on his street that has been bordered up for over two years, although he believed the City Code mandates that a home cannot be bordered up for over six months. When the lower priced homes are taken off the market, these individuals are at a disadvantage because they cannot afford the higher priced homes. The Commission appreciated MR. FARLOW'S comments and understood the seriousness of this predicament.

(10:49 – 10:54)

4-212

City of Las Vegas

MEETING ADJOURNED AT 10:54 P.M.

Respectfully submitted:

Stacey Campbell
STACEY CAMPBELL, DEPUTY CITY CLERK

Angela Crolli
ANGELA CROLLI, DEPUTY CITY CLERK

C. S. Consulting Group L.V.

Creative people with solutions for the business industry.

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#190
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Tel: (702) 296 – 7133, Fax (702) 631 - 8490
E-mail: csconsultinglv@aol.com

The problem (A Brief Description) Best Delivery System of Biological, and or Nuclear Device

~~1st~~ **Problem**
There is a possibility of a terrorist threat to the United States of America and, most importantly, Las Vegas, Nevada. This threat is contained in the very same industry in which I have been a specialist for over 20 years. With its upcoming centennial celebrations, Las Vegas will host many parades including the Heldorado Day parade! I know that this particular industry can pose a real threat to the security of the people. Furthermore, I have discussed this threat with Detective Karim Lahcen of the French Department of Terrorism. He also concurs on the fact this industry could be used in a potential terrorist attack, And With Biological/Nuclear Delivery System

2nd Problem
It is quite easy to overlook the potential threat of such an industry as the same trucks and equipments have become a familiar sight in every city, county, state, convention areas and airports.

3rd Problem
There is no possible way to distinguish between a privately owned truck and the ones used by governmental agencies. This is because that same industry's private contractors will also purchase used equipment from the different governmental agencies at auctions, for examples. Oftentimes, these trucks are sold at auctions with the seal, emblem, and identification number of a governmental agency still on them. Sometimes, as I have witnessed, the license plates are even left.

4th Problem
These trucks are seen everywhere, on all streets and roads, high ways, interstates, bridges and tunnels. What is even more appalling is the fact they are present on not just airport parking structures but the runways as well. I hope you understand how serious this can be! At any given time of the day, no matter where, this industry operates 24 hours a day, 7 days a week!

Submitted at Planning Commission

Date 4/14/05 Item Citizens Participation

I doubt our Government has even thought of this industry being used as a potential means of destruction. This is why I would like to highlight some of the areas that are being overlooked:

1- This industry is one of the few that can be legally equip its trucks with emergency light bacons and flashers.

2- There is no governmental supervision. Especially in Nevada, the trucks are not being sufficiently regulated. For instance, they do not, by law, need to be registered with the Department of Motor Vehicles (no license plates/ registration).

3- Also, there are no laws requiring the identification of the company that owns the machines.

Summary

Please understand I am not overly anxious and that the potential for harm is real, as we unfortunately all have witnessed on September 11th. I feel my duty as a concerned citizen is to raise these issues with the Department of **Homeland Security, Las Vegas Metro, and the local F.B.I.** I believe I have come up with the proper solutions, protocol, and the best course of actions to correct these problems with the most cost efficient means possible. Also, most importantly, the solution I offer can be implemented right away by the different agencies in charge of protecting the general public!

I believe the people in charge, those who are able to make the decisions, are not aware of this lack of regulation in this particular industry. Please realize I have spent much time and plenty of resources investigating it because I believe in the serious nature of the threat. I fear we do not have enough time before Las Vegas, Nevada, the same city that symbolizes the decadence of the American culture in many countries, starts its 100th year celebration with parades. During the Heldorado's Day Parade, trucks will be present and will go unnoticed and thought of as harmless!

I believe in putting much thought in preventing another September 11th from happening. Why ignore a potential for threat when it can be easily resolved? I can be contacted at (702) 296-7133. Thank you.

Charlie Weber
A very concerned citizen